

Mayor: Cr B Longland

Councillors: Cr M Armstrong (Deputy Mayor)
G Bagnall
K Milne
C Byrne
W Polglase
P Youngblutt



TWEED
SHIRE COUNCIL

Minutes

Extraordinary Council Meeting Thursday 5 December 2013

held at Murwillumbah Cultural and Civic Centre
commencing at 3.30pm

COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

The Meeting commenced at 3.32pm.

IN ATTENDANCE

Cr B Longland (Mayor), Cr M Armstrong (Deputy Mayor), Cr G Bagnall, Cr C Byrne, Cr K Milne and Cr W Polglase.

Also present were Mr Troy Green (Acting General Manager), Mr Michael Chorlton (Acting Director Technology and Corporate Services), Mr Vince Connell (Director Planning and Regulation), Mr David Oxenham (Director Community and Natural Resources), Mr Neil Baldwin (Manager Corporate Governance/Public Officer) and Mrs Maree Morgan (Minutes Secretary).

ABORIGINAL STATEMENT

The Mayor acknowledged the Bundjalung Aboriginal Nation with the following statement:

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands."

PRAYER

The meeting opened with a Prayer lead by the Mayor, Cr B Longland.

APOLOGIES

Cr P Youngblutt has advised that he is unable to attend the meeting due to ill health.

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Cr B Longland
Cr M Armstrong

RESOLVED that the apology of **Cr P Youngblutt** be accepted and the necessary leave of absence be granted.

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt

DISCLOSURE OF INTEREST

Cr K Milne declared a non significant non-pecuniary Conflict of Interest in Item 1 [NOM-Cr K Milne] Kings Forest Submission to the Federal Government EPBC Referral of this Agenda.

The nature of the interest is that Cr K Milne is involved in a defamation legal matter with Mr Robert Ell. Cr K Milne advised she will remain in the Chambers during discussion and voting on this matter.

ITEMS TO BE MOVED FROM ORDINARY TO CONFIDENTIAL - CONFIDENTIAL TO ORDINARY

Nil.

ORDERS OF THE DAY

1 [NOM-Cr K Milne] Kings Forest Submission to the Federal Government EPBC Referral

NOTICE OF MOTION:

Cr K Milne declared a non significant non-pecuniary Conflict of Interest in this item. The nature of the interest is that Cr K Milne is involved in a defamation legal matter with Mr Robert Ell. Cr K Milne advised that she will remain in the Chambers during discussion and voting on these matters.

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**Cr K Milne
Cr G Bagnall**

RESOLVED that, due to the importance for connectivity of habitat for koalas and other threatened species, that in preparing its submission with respect to Kings Forest, Council recommends that the Federal Minister for the Environment:

1. Review all previous ecological assessments on Kings Forest and adopts the most precautionary approach available, particularly in regards to the Cudgen Paddock and the eastern portions of the site;
2. Ensure adequate connectivity be provided for koala movement north/ south/ east/ west;
3. Consider the appropriateness of the location of the main access roads, and the adequacy of the road designs for safe koala movements;
4. Ensure effective exclusion fencing around the development footprint of the site, with adequate over passes and under passes, to limit the potential threat of koala fatalities in traffic areas;
5. Ensure adequate compensatory offsets for environmental impacts are provided preferably within or adjacent to the site.
6. Impacts from climate change are accounted for including, but not limited to, increased bush fire and flooding events and intensity, ecosystem retreat, and other stressors, including heat stress, and

7. That cumulative impacts are taken into account and provisions for enhanced environmental outcomes are adequate for the recovery of the local koala population.
8. Ensure the environmental lands are fully funded by the developer in perpetuity, or otherwise arranged to the satisfaction of Council, to ensure functional viability of these areas for koalas and other threatened species in the long term.

FOR VOTE - Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr G Bagnall, Cr B Longland
AGAINST VOTE - Cr W Polglase
ABSENT. DID NOT VOTE - Cr P Youngblutt

CONFIDENTIAL ITEMS FOR CONSIDERATION

Nil.

There being no further business the Meeting terminated at 3.53PM

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**Minutes of the Extraordinary Meeting confirmed
at the Council Meeting held on
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Chairman

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