



TWEED
SHIRE COUNCIL

Mayor: Cr G Bagnall

Councillors: P Youngblutt (Deputy Mayor)
M Armstrong
C Byrne
B Longland
K Milne
W Polglase

Minutes

Ordinary Council Meeting Thursday 20 November 2014

held at **Pottsville Beach Community Centre**
Tweed Coast Road, Pottsville
commencing at 5.00pm

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 5.00pm.

IN ATTENDANCE

Cr G Bagnall (Mayor), Cr P Youngblutt (Deputy Mayor), Cr M Armstrong, Cr C Byrne (attended at 5.39pm), Cr B Longland, Cr K Milne, and Cr W Polglase.

Also present were Mr Troy Green (General Manager), Mr Neil Baldwin (Acting Director Corporate Services), Mr Paul Morgan (on behalf of the Director Engineering), Mr Vince Connell (Director Planning and Regulation), Ms Tracey Stinson (Director Community and Natural Resources), Mr Peter Brack (Corporate Compliance Officer) and Mrs Kerrie McConnell (Minutes Secretary).

Attendee Cr C Byrne was not present at the commencement of the meeting.

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 by Council's Chaplain, Reverend Bruce Sligo:

"New voices, new stories, fresh ideas, fresh perspectives, startling songs - awesome adventures!

Each day is a sea to be surfed, a mountain to be biked, a rock to be scaled, an injustice to be challenged.

Our deepest longing for all people is that their life is interwoven with the threads of love, of joy, of creativity and of justice.

And that those who have lived longer see God in these threads and listen and learn and give thanks. *Amen*

Lord God, all wise, all merciful, hear us as we pray for those who bear the responsibility of leadership in our Shire of Tweed.

Give them in all their deliberations wisdom to know your will, regard for your laws, and respect for human rights; that they may seek to lead people in the paths of truth, freedom and peace. *Amen"*

CONFIRMATION OF MINUTES

1 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meetings held Thursday 16 October 2014

620

Cr B Longland
Cr P Youngblutt

RESOLVED that:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 16 October 2014 be adopted as a true and accurate record of proceedings of that meeting.
2. ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (f) matters affecting the security of the council, councillors, council staff or council property.

The Motion was **Carried**

FOR VOTE - Unanimous

2 [CONMIN-EXT] Confirmation of Minutes of the Extraordinary Council Meeting held Thursday 30 October 2014

621

Cr P Youngblutt
Cr M Armstrong

RESOLVED that the Minutes of the Extraordinary Council Meeting held Thursday 30 October 2014 be adopted as a true and accurate record of proceedings of that meeting.

The Motion was **Carried**

FOR VOTE - Unanimous

a2 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meetings held Thursday 6 November 2014

622

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that the Minutes of the Ordinary and Confidential Council Meetings held Thursday 6 November 2014 be adopted as a true and accurate record of the proceedings of that meeting.

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne***

APOLOGIES

Attendee Cr C Byrne has informed the General Manager that her absence is caused by work commitments and will join the meeting at a later stage.

623

**Cr P Youngblutt
Cr M Armstrong**

RESOLVED that the apology of Cr C Byrne be accepted and the necessary leave of absence be granted.

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne***

DISCLOSURE OF INTEREST

Nil.

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

Nil.

SCHEDULE OF OUTSTANDING RESOLUTIONS

3 [SOR-CM] Schedule of Outstanding Resolutions

The report on the Schedule of Outstanding Resolutions was received and noted.

PRESENTATIONS TO COUNCIL

Commemorative Presentation - Mr Don McDonald

Mr McDonald has been involved for many years with the Tweed Shire Australia Day Committee and has collated various documents from the first 25 years of celebrations into a book which he presented to the Mayor.

2014 Green Globe Awards

Council's Koala Connections Project Manager, Mr Scott Hetherington, attended the meeting and presented the 2014 Green Globe Award, the State's leading environmental award, given jointly to Tweed Shire and Byron Shire Councils for the "Koala Connections Program" in acknowledgement of the work done to preserve local koala populations.

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for October 2014

624

Cr G Bagnall

RESOLVED that the Mayoral Minute for the month of October be received and noted, with the following amendments:

- 27 October 2014 - Cr Longland and Cr Milne attended North Coast Energy Forum.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr C Byrne

PROCEDURAL MOTION:

625

Cr G Bagnall
Cr B Longland

RESOLVED that the motion proposed to be brought forward is ruled by the Chairperson to be of great urgency.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne

URGENCY MOTION:

[UM] Painted Handrails - Kyogle Road Bridge, Uki

626

Cr G Bagnall

PROPOSED that the unauthorised painting of the handrails at the Kyogle Road bridge over Smiths Creek at Uki, with rainbow colours, be permitted to remain, as with Tyagarah in the Byron Shire. In the case of the community not wanting the painting to remain, the railings will be left as they are until such time that the infrastructure requires repainting or maintenance.

AMENDMENT

627

Cr B Longland
Cr M Armstrong

RESOLVED that:

1. Council take no action in relation to the unauthorised painting of the handrail on Smiths Creek Bridge on Kyogle Road.
2. The paintwork remains pending advice from the Uki Village & District Residents Association regarding community opinion on the paintwork.
3. An article on the need for Council approval for works of this nature be included in a future Tweed Link edition.
4. A report be brought back to the February 2015 Council meeting.

The Amendment was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne

The Amendment on becoming the Motion was **Carried** - (Minute No 627 refers)

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne

RECEIPT OF PETITIONS

5 [ROP] Receipt of Petitions

628

Cr M Armstrong
Cr K Milne

RESOLVED that the following tabled Petition(s) be received and noted:

1. Petition containing 136 signatures from residents impacted by the reconstruction of the bridge over Dunbible Creek on Bakers Road referred to in signage as Anthony's Bridge.
2. Petition containing 464 signatures from residents in Seabreeze Estate regarding the Seabreeze Water Features in Stage 1.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

6 [GM-CM] Destination Tweed - Funding and Performance Contract Renewal (AC2010-073)

629

Cr P Youngblutt
Cr M Armstrong

RESOLVED that Council:

1. Grants an option to extend the contract AC2010-073 for the delivery of components A1, A2 and A3 to Destination Tweed for a further 44 months ending 30 September 2018. Council authorises and executes all necessary documentation under the common seal of Council.
2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne

7 [GM-CM] Economic Impact 2014 North Byron Parklands

630

Cr P Youngblutt
Cr M Armstrong

RESOLVED that Council receives and notes the report on the Economic Impact and Benefits 2014 from North Byron Parklands.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne

8 [GM-CM] Shows and Events at Murwillumbah Showground

631

**Cr W Polglase
Cr B Longland**

RESOLVED that Council recognises that the Murwillumbah Showgrounds has continuing use rights for shows and events, and may be used without development consent for festivals and events that are consistent with the purpose of a showground.

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr C Byrne***

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

9 [PR-CM] Animal Management Policy and Practices - Review of Council's Pound Operations

632

**Cr P Youngblutt
Cr M Armstrong**

RESOLVED that this item be deferred to the December Council Meeting, to enable the General Manager, Troy Green, and the Director of Planning and Regulation, Vince Connell, to meet with the Executive of the Friends of the Pound for further talks on achieving savings to running costs, without impacting on the current level of service to the community.

Cr C Byrne attended the meeting at 05:39 PM.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

10 [CNR-CM] Draft Policy - Vegetation Vandalism on Public Land, Version 2.0

633

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that Council adopts the Vegetation Vandalism on Public Land Policy, Version 2.0.

The Motion was **Carried**

**FOR VOTE - Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne**

11 [CNR-CM] River Health Grants

634

**Cr M Armstrong
Cr K Milne**

RESOLVED that Council approves the proposed River Health Grants listed below:

<i>Property Owner</i>	<i>Locality</i>	<i>Stream frontage (m)</i>	<i>Objective of works</i>	<i>Council contribution</i>
Hill	Dulguigan	1,000	Protect tidal wetland vegetation from damage by cattle and reduce weed infestation.	\$6,000
Crane	Uki	200	Revegetate degraded riparian corridor by providing native plants to landowners.	\$550
Cartwright	Kunghur	1,000	Fence Tweed River frontage to restrict cattle access and undertake weed control and planting to improve riparian condition.	\$7,720
Clark	Urliup	500	Undertake bush regeneration activities to improve waterway health and protect threatened species.	\$4,000
Cortes	Terragon	1,200	Fence tributary of the Tweed River and revegetate to improve water quality.	\$7,500

<i>Property Owner</i>	<i>Locality</i>	<i>Stream frontage (m)</i>	<i>Objective of works</i>	<i>Council contribution</i>
Arthur	Dum Dum	100	Control noxious weeds in riparian zone and assist landowners with bush regeneration training.	\$2,400
Goodall	Byangum	600	Fence stock out of lower Oxley River to improve hygiene of town water supply and revegetate 0.8ha riparian zone to stabilise bank.	\$26,000
Julien	Tyalgum	100	Bush regeneration and replanting degraded riparian zone in upper Oxley River.	\$1,800
Vincent	Mt Burrell	400	Bush regeneration and planting on tributary of the Tweed River.	\$2,400
Parsons	Crystal Creek	140	Revegetate riparian zone along Crystal Creek.	\$550

The Motion was **Carried**

FOR VOTE - Unanimous

12 [CNR-CM] Biodiversity Grants

635

Cr M Armstrong
Cr K Milne

RESOLVED that Council approves the proposed Biodiversity Grant listed below:

<i>Name</i>	<i>Area</i>	<i>Estimate (\$)</i>	<i>Description</i>
Smith	Burringbar	\$5,100	Site action plan for the property and eight person days of ecological restoration.
	Total	\$5,100	

The Motion was **Carried**

FOR VOTE - Unanimous

13 [CNR-CM] Art Deco Festival Murwillumbah

636

**Cr K Milne
Cr G Bagnall**

PROPOSED that this item be deferred for a workshop on various options for allocating the proposed funds and the processes involved and to provide the opportunity for Councillors to gain feedback from the community.

AMENDMENT

637

**Cr B Longland
Cr P Youngblutt**

RESOLVED that Council:

1. Receives and notes the report.
2. Notes that a further report is to be submitted on a program of heritage management of the Murwillumbah town centre, including potential to support and encourage owners of historic buildings in the Murwillumbah town centre to carry out repair/restoration works.
3. Considers allocating an additional \$20,000 to the \$18,000 currently available for the demonstration site.
4. Considers the \$20,000 as part of the December quarterly budget review.

The Amendment was **Carried**

FOR VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr M Armstrong, Cr B Longland, Cr G Bagnall

AGAINST VOTE - Cr K Milne

The Amendment on becoming the Motion was **Carried** - (Minute No 637 refers)

FOR VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr M Armstrong, Cr B Longland, Cr G Bagnall

AGAINST VOTE - Cr K Milne

14 [CNR-CM] Proposed Additional Charge to 2014/2015 Fees and Charges for Art Gallery

638

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that the 2014/2015 Group Booking Fee for Commercial Coach Operators as proposed in this report be placed on public exhibition for 28 days inviting submissions in accordance with Sections 404, 405 and 608 of the Local Government Act 1993.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR ENGINEERING

15 [E-CM] Unauthorised Private Encroachments on Public Roads Policy, Version 1.0

639

**Cr W Polglase
Cr M Armstrong**

RESOLVED that Council approves the placing of the draft Council Policy titled Unauthorised Private Encroachments on Public Roads, Version 1.0 on public exhibition for a period of 28 days allowing a period of 42 days from the date of exhibition to receive written submissions from the public.

The Motion was **Carried**

FOR VOTE - Unanimous

16 [E-CM] Road Naming - Palmvale

640

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that Council:

1. Advertises its intention to name the road that runs off Palmvale Road at Palmvale as "Aquilas Retreat" allowing one month for submissions or objections to the proposal.
-

2. Notifies the relevant authorities under the provisions of the Roads (General) Regulation 2008.

The Motion was **Carried**

FOR VOTE - Unanimous

17 [E-CM] Easement to Drain Water - Ozone Street Chinderah

641

**Cr P Youngblutt
Cr C Byrne**

PROPOSED that Council:

1. Provides its consent to the creation of an Easement to Drain Water 5 Wide over Lot 118 in DP572524; and
2. Executes all documentation under the Common Seal of Council.

AMENDMENT

642

**Cr K Milne
Cr M Armstrong**

RESOLVED that:

1. Council provides its consent to the creation of an Easement to Drain Water 5 Wide over Lot 118 in DP572524; and
2. Council executes all documentation under the Common Seal of Council.
3. The Mayor writes to the Roads and Maritime Service (RMS) and the Local State Member, Geoff Provest to:
 - a) Request deferral of the public auction;
 - b) Invite RMS and the Local Member to a workshop to identify the environmental values of the site and particularly the significant pinch point of the regional wildlife corridor in this location; and
 - c) Invite RMS to work with Council to explore options for preservation of this site and the potential for expanded koala habitat through use as offset areas or other appropriate means.

The Amendment was **Carried**

***FOR VOTE - Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne***

The Amendment on becoming the Motion was **Carried** - (Minute No 642 refers)

FOR VOTE - Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall

AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne

18 [E-CM] Acquisition of Easements to Drain Sewage at Kingscliff

643

Cr G Bagnall

Cr P Youngblutt

RESOLVED that Council:

1. Approves the acquisition, with consent, of an Easement to Drain Sewage created in DP 1197936 within Lot 2 DP 1117599, the bed of the stream of Cudgen Creek and Lot 3 DP 803772 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act, 1993 and the making of the necessary application to the Minister and/or Governor;
2. Approves the acquisition, with consent, of an Easement to Drain Sewage created in DP 1199430 within Lots 1 and 2 DP 803772 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act, 1993 and the making of the necessary application to the Minister and/or Governor; and
3. Executes all necessary documentation under the Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Unanimous

19 [E-CM] Amendment to Council Contract Variation Resolution

644

Cr G Bagnall

Cr P Youngblutt

RESOLVED that:

1. For all Contracts the General Manager be granted delegated authority to approve appropriate deemed variations and those variations be reported to Council in accordance with the Variation Reporting Table below.
-

VARIATION REPORTING TABLE:

Contract Value <\$500,000	Contracts >\$500,000 and <\$1,000,000 and for a contract duration less than 6 months	Contracts >\$500,000 and <\$1,000,000 and for a contract duration greater than 6 months	Contracts >1,000,000 (Assuming contract period is >12 months)
At finalisation of the contract i.e. 1 report	At finalisation of the contract i.e. 1 report	Mid contract and at finalisation of contract i.e. 2 reports	Every 6 months and at contract finalisation (i.e. minimum of 2 reports)

2. The Procurement Protocol be amended accordingly.

The Motion was **Carried**

FOR VOTE - Unanimous

20 [E-CM] EC2013-233 Supply of Bulk Fuels - Variation to Schedule A - Supplier Costs

645

**Cr G Bagnall
Cr P Youngblutt**

RESOLVED that the report for EC2013-233 Supply of Bulk Fuels - Variation to Schedule A - Supplier Costs be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

21 [E-CM] EC2014-154 Asphalt Works for Kennedy Drive Stage 2

646

**Cr G Bagnall
Cr P Youngblutt**

RESOLVED that:

1. Council awards the contract EC2014-154 Asphalt Works for Kennedy Drive Stage 2 to East Coast Asphalt and Concrete Edging Pty Ltd for the amount of \$587,515.77 (exclusive of GST).

2. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.
3. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

The Motion was **Carried**

FOR VOTE - Unanimous

22 [E-CM] EC2014-112 Expression of Interest for the Provision of Road Stabilisation Services

647

**Cr G Bagnall
Cr P Youngblutt**

RESOLVED that:

1. Council accepts the list of providers and their rates (as included in the confidential attachment) for the tender EC2014-112 Expression of Interest for the Provision of Road Stabilisation Services for a contract period of 12 months with the option for a further two (2) by 12 month extensions:

Tenderer
Stabilised Pavements of Australia Pty Ltd
Diveva Pty Ltd
Downer EDI Works Pty Ltd
Accurate Asphalt & Road Repairs Pty Ltd
FK Gardner & Sons Pty Ltd
Kerway Asphaltting Pty Ltd
Ausroads Stabilisers Pty Ltd
Civil Stabilising Solutions Pty Ltd
Stabilco Pty Ltd
SAT Civil Constructions Pty Ltd
Ellis Stabilising Pty Ltd

2. ATTACHMENTS 1 & 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

The Motion was **Carried**

FOR VOTE - Unanimous

23 [E-CM] Financial Assistance to Proponents of Recycled Water Schemes Policy, Version 1.0

648

**Cr G Bagnall
Cr P Youngblutt**

RESOLVED that Council places the draft policy Financial Assistance to the Proponents of Recycled Water Schemes, Version 1.0 on public exhibition for a period of 28 days allowing a period of 42 days from the date of exhibition to receive written submissions from the public.

The Motion was **Carried**

FOR VOTE - Unanimous

24 [E-CM] Pedestrian Access and Mobility Plan

649

**Cr G Bagnall
Cr P Youngblutt**

RESOLVED that Council adopts the Pedestrian Access and Mobility Plan.

The Motion was **Carried**

FOR VOTE - Unanimous

25 [E-CM] Guidelines - Flood Controls for Caravan Park Accommodation, Version 1.0

650

**Cr P Youngblutt
Cr K Milne**

PROPOSED that Council adopts the Guidelines - Flood Controls for Caravan Park Accommodation, Version 1.0.

AMENDMENT

651

Cr K Milne
Cr M Armstrong

RESOLVED that Council defers the Guidelines - Flood Controls for Caravan Park Accommodation, Version 1.0 to the Floodplain Committee for advice.

The Amendment was **Carried**

FOR VOTE - Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne

The Amendment on becoming the Motion was **Carried** - (Minute No 651 refers)

FOR VOTE - Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne

26 [E-CM] Ultima Stage 2 - Request for Fee Relief - DA04/0016 Lot 100 DP 77892 25 - 33 Wharf Street, Tweed Heads

652

Cr W Polglase
Cr P Youngblutt

PROPOSED that Council selects Option 2 in the report which applies a fee for proposed partial closure of Navigation Lane being waived for a five month time period required for construction.

AMENDMENT 1

653

Cr K Milne
Cr C Byrne

PROPOSED that Council selects Option 1 in the report which applies a fee for proposed partial closure of Navigation Lane and levied to reflect the loss of parking at \$803 per day, in accordance with the adopted Fees and Charges.

Amendment 1 was **Lost**

FOR VOTE - Cr K Milne
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr M Armstrong, Cr B Longland, Cr G Bagnall

AMENDMENT 2

654

**Cr B Longland
Cr M Armstrong**

RESOLVED that Council selects Option 4 in the report which applies a fee of \$4.90 per lineal metre per week (\$343 per week) with a time limit of 5 months for the partial closure of 70 metres of Navigation Lane for DA04/0016 - Tweed Ultima Stage 2 at 25 - 33 Wharf Street, Tweed Heads.

Amendment 2 was **Carried**

**FOR VOTE - Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase**

Amendment 2 on becoming the Motion was **Carried** - (Minute No 654 refers)

**FOR VOTE - Cr P Youngblutt, Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr W Polglase**

ADJOURNMENT OF MEETING

Adjournment for dinner at 6.36 pm.

RESUMPTION OF MEETING

The Meeting resumed at 7.21pm

REPORTS FROM THE ACTING DIRECTOR CORPORATE SERVICES

27 [CS-CM] Council and Planning Committee Meeting Dates 2015

655

**Cr P Youngblutt
Cr W Polglase**

RESOLVED that the Planning Committee and Council Meetings, incorporating Community Access sessions for 2015 be conducted as per the following schedule:

Meetings for 2015		
Planning Committee 1st Thursday	Venue	Council 3rd Thursday
		22 January 2015 Ø
5 February 2015		19 February 2015
5 March 2015		19 March 2015

Meetings for 2015		
Planning Committee 1st Thursday	Venue	Council 3rd Thursday
9 April 2015 *	Tweed	16 April 2015
7 May 2015		21 May 2015
4 June 2015	Kingscliff	18 June 2015
2 July 2015		16 July 2015
6 August 2015		20 August 2015
3 September 2015	Tweed	17 September 2015
1 October 2015		22 October 2015 **
5 November 2015		19 November 2015
3 December 2015		10 December 2015 #

Usual venue is Murwillumbah Civic Centre unless indicated otherwise

NOTE: ∅ 22 January 2015 due to the Christmas / New Year Period
 * 9 April 2015 due to Easter period
 ** to allow for consideration of the Annual Financial Statements
 # 10 December 2015 given proximity to Christmas

The Motion was **Carried**

FOR VOTE - Unanimous

28 [CS-CM] 2013/2014 Statutory Financial Reports/Audit Report

656

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that Council adopts the 2013/2014 Statutory General Purpose and Special Purpose Financial Reports.

The Motion was **Carried**

FOR VOTE - Unanimous

29 [CS-CM] Tweed Shire Council Annual Report 2013/2014

657

Cr G Bagnall
Cr M Armstrong

RESOLVED that Council receives and notes the Tweed Shire Council Annual Report 2013/2014 and makes it available to the public on Council's website and notifies the Minister for Local Government of its availability.

The Motion was **Carried**

FOR VOTE - Unanimous

30 [CS-CM] Quarterly Budget Review - September 2014

658

Cr G Bagnall
Cr M Armstrong

RESOLVED that the:

1. Quarterly Budget Review Statement as at 30 September 2014 be adopted.
2. Expenditure and income, as summarised below and detailed within the report, be voted and adjusted in accordance with the revised total expenditure and income for the year ending 30 June 2015.

Description	Change to Vote	
	Deficit	Surplus
General Fund		
<u>Expenses</u>		
Employee costs	25,000	0
Materials & Contracts	316,435	0
Interest	0	0
Other Operating costs	0	0
Capital	70,000	0
Loan Repayments	0	0
Transfers to Reserves	120,469	0
	531,904	0
<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	0	0
Operating Grants & Conts	0	456,904
Capital Grants & Conts	0	0
User Charges & Fees	0	30,000
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	0	45,000

Description	Change to Vote	
Transfers from Reserves	0	0
Asset Sales	0	0
	0	531,904
Net Surplus/(Deficit)		0
	Deficit	Surplus
Sewer Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	443,401	0
Interest	0	0
Other Operating costs	0	0
Capital	0	3,149,450
Loan Repayments	0	0
Transfers to Reserves	2,572,353	0
	3,015,754	3,149,450
<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	0	165,754
Operating Grants & Conts	0	0
Capital Grants & Conts	0	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	0	359,750
Transfers from Reserves	659,200	0
Asset Sales	0	0
	659,200	525,504
Net Surplus/(Deficit)		0
Water Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	69,221	0
Interest	0	0
Other Operating costs	0	0
Capital	0	1,017,623
Loan Repayments	0	0
Transfers to Reserves	0	290,096
	69,221	1,307,719
<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	266,875	0
Operating Grants & Conts	0	0
Capital Grants & Conts	0	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	1,743,373	0
Transfers from Reserves	0	771,750
Asset Sales	0	0
	2,010,248	771,750
Net Surplus/(Deficit)		0

The Motion was **Carried**

FOR VOTE - Unanimous

31 [CS-CM] Corporate Quarterly Performance Report 1 July to 30 September 2014

659

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that Council receives and notes the Corporate Quarterly Performance Report as at 30 September 2014.

The Motion was **Carried**

FOR VOTE - Unanimous

32 [CS-CM] Mayor and Councillors Interaction with Staff and Access to Council Premises Policy, Version 1.0

660

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that the draft Mayor and Councillor Interactions with Staff and Access to Council Premises Policy, Version 1.0 be adopted without advertising.

The Motion was **Carried**

FOR VOTE - Unanimous

33 [CS-CM] Code of Conduct Complaints - 1 September 2013 to 31 August 2014

661

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that the Code of Conduct Complaints for the period 1 September 2013 to 31 August 2014 be received and noted, with Item 6a amended to read 1 and not 2.

The Motion was **Carried**

FOR VOTE - Cr W Polglase, Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr C Byrne

34 [CS-CM] Receipt of Electronic Petitions

662

Cr W Polglase
Cr P Youngblutt

PROPOSED that Council does not accept e-petitions.

AMENDMENT

663

Cr M Armstrong
Cr K Milne

RESOLVED that:

- 1 Council's Code of Meeting Practice 1.5.4 - Receipt of Petitions be amended as described in the draft Code of Meeting Practice Version 2.5.
2. In accordance with Section 361 of the Local Government Act 1993, the draft Code of Meeting Practice Version 2.5 be placed on public exhibition for 28 days with receipt of submissions for 42 days.

The Amendment was **Carried**

FOR VOTE - Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase

The Amendment on becoming the Motion was **Carried** - (Minute No 663 refers)

FOR VOTE - Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase

**35 [CS-CM] Legal Services Register for the period 1 July to 30 September 2014
664**

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that Council receives and notes the Legal Services Report for the quarter ending 30 September 2014 with updates as at 31 October 2014.

The Motion was **Carried**

FOR VOTE - Unanimous

**36 [CS-CM] Five Year Contract EC2014-062 for Wide Area Network Radio
Maintenance and Installations**

665

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that:

1. The tender from SME Telecoms be accepted to the value of \$423,546 exclusive of GST for tender EC2014-062 Supply, Install and Maintenance for WAN Radio Equipment for five years effective from 1 January 2015.
2. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.
3. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

The Motion was **Carried**

FOR VOTE - Unanimous

37 [CS-CM] In Kind and Real Donations - July to September 2014

666

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that Council notes the total in kind and real donations of \$100,538.66 for the period July to September 2014.

The Motion was **Carried**

FOR VOTE - Unanimous

38 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report for Period Ending 31 October 2014

667

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 31 October 2014 totalling \$199,773,047 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

ORDERS OF THE DAY

39 [NOM] Pedestrian Crossing on Pearl Street Kingscliff

NOTICE OF MOTION:

668

**Cr C Byrne
Cr P Youngblutt**

PROPOSED that Council conducts further pedestrian counts in Pearl Street at the northern side of the intersection of Pearl and Turnock Streets, Kingscliff, within six months of the completion of the Kingscliff Hotel redevelopment, in accordance with the Roads and Maritime Services warrants, to review the access already provided by the interruption in the kerb and guttering outside the "Kingscliff Professional Centre" building.

AMENDMENT

669

Cr M Armstrong
Cr K Milne

RESOLVED that Council endorses the Local Traffic Committee resolution to conduct further pedestrian counts in Pearl Street, within six months of the completion of the redevelopment of the Kingscliff Hotel.

The Amendment was **Carried**

FOR VOTE - Cr P Youngblutt, Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr W Polglase

The Amendment on becoming the Motion was **Carried** - (Minute No 669 refers)

FOR VOTE - Unanimous

40 [NOM] Lighting to Chinderah Bay Drive Bus Shelters

NOTICE OF MOTION:

670

Cr C Byrne
Cr P Youngblutt

PROPOSED that Council:

- a) Installs lighting to the bus shelters situated along Chinderah Bay Drive Chinderah to provide safer facilities for night time users; and
- b) Brings back a report to a future Council meeting with respect to providing lighting to other bus shelters in the Shire.

AMENDMENT

671

Cr M Armstrong
Cr K Milne

RESOLVED that Council brings back a report to a future Council meeting with respect to providing lighting to bus shelters in the Shire and identify prioritised bus shelters.

The Amendment was **Carried**

FOR VOTE - Cr W Polglase, Cr M Armstrong, Cr K Milne, Cr B Longland, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr C Byrne

The Amendment on becoming the Motion was **Carried** - (Minute No 671 refers)

FOR VOTE - Unanimous

41 [NOM] Tweed Shire/State Government Relations

NOTICE OF MOTION:

672

Cr G Bagnall
Cr K Milne

PROPOSED that the Mayor writes to the Deputy Premier and the Deputy Prime Minister and thanks them on behalf of our Council for their recent financial gifts to our Shire. Further, that the Mayor acknowledges our disappointment that their generous gifts were not given more attention in the local media.

EXTENSION OF TIME:

673

Cr B Longland
Cr M Armstrong

RESOLVED that Cr G Bagnall be given an extension of time to a read letter he wrote to Geoff Provest, Member for Tweed.

The Motion was **Carried**

FOR VOTE - Unanimous

The following was read by Cr G Bagnall, Mayor:

"10 November 2014

*Mr Geoff Provest
103 Minjungbal Drive
Tweed Heads South NSW 2486*

Dear Geoff,

It was good to catch up with you today at the meeting with the Minister for Police. I am fully supportive of your intention to organise further meetings like this one with other

Ministers and Governmental Officials. I found today's meeting to be informative and productive, and would like to thank you for organising it.

On another matter I have been giving thought to the border sign, which the Deputy Premier announced the other week. Ten thousand dollars seems like a lot to allocate to a single sign, and I was wondering if the Deputy Premier gave thought to installing two signs, one on each highway entry from the north. I had a look at both signs over the weekend and thought that it would be to our shire's advantage to have new signs at each entrance. Do you have a fixed plan or can this still be visited? Having said that, I have no idea of the cost of signs and it is just a thought.

I would like you to pass my apologies on to the Deputy Premier that his announcement did not get the publicity it deserved, as the sign is a great gift to our shire. It will announce the arrival, not only to our state, but to our wonderful shire. On another level, I treasure my childhood memories of crossing state borders with my parents and am sure that children travelling distances would find it equally as exciting when they see the new sign(s).

I understand that you did not support my words in the council media release and I think you deserve an explanation as to the background. I don't know if council staff alerted you to what had been going on with media releases and correspondence from the office of the mayor and the discussion the general manager and I had that week regarding both these issues.

I had been trying to sort out, a culture or maybe a corporate practice, where the mayor's mail was being opened by staff and a written response prepared for the mayor without the mayor often not even sighting the original letter. I have put an end to this practice and I am opening all my own mail and personally writing a response to members of our shire. I think Tweed Shire residents would be shocked if they knew the mayor was not really the author of the mayoral letters.

In the case of media releases, the council's media staff had been writing mayoral statements to release to the media. The week before I met with you for the sign announcement, council released a media statement with quotes purporting to be from me without me even reading the statement. I have told council officers that although this may be the established practice, I will be writing all my own media statements in my term of office. The general manager and I have been working on establishing new procedures for the mayor and the council media staff, in which the mayor writes their own statements from now on.

In other words, if my name is on the bottom of a letter or a media release, I have written it myself. To have someone write a letter or a media release and claim to be me, I find deceptive and it gives me no credit to the mayor having the ability to write their own statements or responses. I will not be a part of the practice of having someone write for me, it is morally wrong in my value system. I gather that this might have been a long standing practice in this shire, but it has come to an end, at least in my term.

Given that background, you may have a better understanding of the media release that you took offence to. That week was the week I was having a show down with council for opening my mail and writing responses, and also for writing the mayor's so call

media "quotes". The one you received from me was my first ever media statement coming out of council. I included the other new signage that our shire was planning and stated the Deputy Premier's sign was a welcome addition. I guess I was a little naive mentioning the Aboriginal signage and the coal seam gas signage and how this might upset people. There was no offence meant, I was just padding out the press release and thought the "sign" theme would make the statement more interesting.

Although I may have failed in my first media statement attempt, I will continue to write my own statements, because the people in our shire expect that what they are reading really came from the mayor. Geoff, I am truly sorry that my media attempt offended you. As I said, there was no malice meant. Please accept my apology and pass it on to the Deputy Premier. I look forward to a professional and friendly relationship during my term of office.

*Kind Regards,
Mayor Gary Bagnall"*

AMENDMENT

674

**Cr B Longland
Cr W Polglase**

RESOLVED that the Mayor send the following letter, attached to this Business Paper item, to the Deputy Premier of NSW without delay, with copies to the State Members for Tweed and Lismore as well as his Councillor colleagues:

"Dear Deputy Premier

I am writing to convey the appreciation of the Council for your welcome support with the provision of State Government funding for entry signage to NSW at Tweed Heads following your announcement on site on 24 October. Council has noted some negative publicity around the launch event that might have detracted from its significance. This related to the Council's position on the coal seam gas industry of which I am sure you would be aware. It is regrettable that this issue, which has been separately dealt with in other forums, was allowed to get in the way of what was a great example of the positive engagement we have enjoyed with the NSW Government over recent times.

The Council places a high value on our relationship with your Government and we wish to also acknowledge the work of our two local State members for Tweed and Lismore for their support and advocacy. They are the conduit between our levels of Government and play an important role in Council's capacity to deliver good outcomes for our residents. Council seeks to retain a continuing strong partnership with the State Government and the Council looks forward to welcoming you again when you next visit the Tweed.

*Kind regards
Cr Gary Bagnall
Mayor"*

The Amendment was **Carried**

***FOR VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr B Longland
AGAINST VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall***

The Amendment on becoming the Motion was **Carried** - (Minute No 674 refers)

***FOR VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr B Longland
AGAINST VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall***

42 [NOM] A-Frame Signs

NOTICE OF MOTION:

675

**Cr B Longland
Cr M Armstrong**

RESOLVED that Council officers bring forward a report with regulatory options that might be considered in limiting the proliferation of A-frame signage on Council land adjacent to our road network.

The Motion was **Carried**

FOR VOTE - Unanimous

43 [NOM] Men's Shed

NOTICE OF MOTION:

676

**Cr K Milne
Cr G Bagnall**

RESOLVED that this item be withdrawn as no meeting has been possible.

The Motion was **Carried**

FOR VOTE - Unanimous

44 [NOM] Greening the Shire

NOTICE OF MOTION:

677

**Cr K Milne
Cr M Armstrong**

PROPOSED that:

1. Council adopts an approach of Greening the Shire in all relevant operations of the organisation by increasing local native vegetation that is ecologically appropriate whenever possible and appropriate, and
2. Brings forward a report on a range of ways this could be implemented and encouraged through both Council and private landholders on urban and rural lands, for example through policies on:
 - a) Increasing trees in Council parks and properties,
 - b) Denser plantings of street trees,
 - c) Consideration of participating in the 202020 Vision for increasing green space in urban areas <http://202020vision.com.au/>.

AMENDMENT

678

**Cr B Longland
Cr C Byrne**

RESOLVED that Council holds a workshop on possible participation in 202020 Vision and Greening the Shire.

The Amendment was **Carried**

FOR VOTE - Unanimous

The Amendment on becoming the Motion was **Carried** - (Minute No 678 refers)

FOR VOTE - Unanimous

45 [NOM] Manicured Shrubs

NOTICE OF MOTION:

679

**Cr K Milne
Cr M Armstrong**

PROPOSED that Council brings forward a report to review the manicuring of shrubs on Council managed lands with a view to allowing natural growth forms and/or replacement over time of manicured shrubs with appropriate local native species to both reduce costs to Council and provide for a more natural look.

The Motion was **Lost**

***FOR VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr B Longland***

46 [NOM] Review of Shark Control Programs

NOTICE OF MOTION:

680

**Cr K Milne
Cr G Bagnall**

PROPOSED that the Mayor writes to the NSW and Queensland Authorities to request a review of the shark control program with a focus on:

1. The relatively low numbers of human fatalities;
2. The lack scientific evidence regarding the effectiveness of the shark control program;
3. The impact on other marine life; and
4. The nature of other options used by other jurisdictions and countries.

The Motion was **Lost**

***FOR VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr B Longland***

QUESTIONS ON NOTICE

47 [QON-Cr P Youngblutt] Black Rocks Sports Field

Councillor P Youngblutt asked:

Given the statements made at the Meeting on 16 October 2014 (Black Rocks Sports Field) regarding koala mortality in the past year and rate of extinction on the Tweed Coast:

"We've lost 35 Koalas in the last year alone" and "We're supposed to protect the koalas and yet we now have only around 110 left" and "How many more do you want to lose?"

1. Can Councillor Milne advise the governing body of how she arrived at these numbers, who provided these numbers, how did the koalas die, where did the koalas die, and where are the statistics kept on these koala mortalities?; and
2. If the Tweed Coast has only approximately 144 Koalas left and 35 have died *"in the last year alone"* ($144 - 35 = 109$) how can we have *"around 110 left"*?

I'd like to thank Cr Youngblutt for his interest in the rate of decline of the Tweed Coast Koalas.

For clarification the quote provided by Cr Youngblutt is not an accurate reflection of the advice I provided.

I can appreciate his confusion as the wording sounds very similar but I actually stated that *"We've lost over 3 to 5 koalas in the last year alone"*, not *"35 Koalas in the last year alone"*, as Cr Youngblutt heard.

I arrived at these figures from a meeting I was asked to attend about the Blacks Rocks Sportsfield where Dr Steve Phillips was present. Dr Phillips advised that the Tweed Coast Koala numbers have dwindled to an estimated 110 remaining animals and described the rates of mortality over the years.

In response to this question on notice I sought confirmation from Dr Phillips who advised that 5 to 6 Koala deaths have been reported from the Tweed Coast area in the last year alone, and 15 to 20 deaths have been reported since Council's Tweed Coast Koala Habitat Study in 2011.

Dr Phillips advised that from his work on a study with the Roads and Maritime Service on the Pacific Highway from Chinderah to Ewingsdale that this research had estimated that the reported deaths of koalas likely constitutes only half the true number of deaths, leading to his conclusion of an estimated loss of 10% of the remaining koalas annually (above and beyond the natural mortality rate), and only 110 koalas estimated currently remaining on the Tweed Coast.

Dr Phillips also advised that the RMS study also identified that the biggest problem with ongoing mortalities along the Pacific Highway was gaps in the fencing. He related this problem to the gap in the fencing at the Black Rocks sportsfield and emphasised that any gap in the fencing for even a short period of time was a serious concern.

He also emphasised the imperative of restoring habitat areas for source populations of koalas such as inhabit the Black Rocks sportsfield as key to their survival and one of the most important things that Council could do.

Dr Phillips urged greater action as the low numbers were critical with the current mortality rates now far exceeding the remaining population's ability to replace the losses and because of this urgent recovery orientated actions needed to occur.

48 [QON-Cr P Youngblutt] Koala Habitat Study 2011

Councillor P Youngblutt asked:

Given the Koala Habitat Study 2011 commissioned by Tweed Shire Council, can the General Manager or relevant Director please advise the governing body on the following two questions.

1. What (if any) further studies have been completed by Council that supports the claimed loss of koalas? If no other studies have been completed then,
2. Can the General Manager or relevant Director provide any information from the NSW National Parks and Wildlife Service, the NSW Office of Environment and Heritage, Federal Department of Environment and/or The Friends of the Koala from any of their reports (2014) on koala mortality, injury, bush fires, disease, etc. in the Tweed Shire Local Government Area and specifically the Tweed Coast?

The Director Community and Natural Resources responded:

1. Council has not commissioned any other studies comparable to the Koala Habitat Study 2011. However, under the draft Tweed Coast Koala Plan of Management, Council staff are intending to carry out a similar survey next year and thereafter at three yearly intervals. Without such comprehensive studies it is difficult to determine whether or not the population is continuing to decline or not. There is certainly anecdotal evidence of ongoing mortality caused by disease, roads and predation, however there have also been numerous sightings of koalas including juvenile animals. What is certain however is that in the time since the Habitat Study was done it would not be biologically possible for the population to have recovered to sustainable levels. This is because a koala generation is about 6 years and there are not enough female koalas of reproductive age to cause a substantial increase in population even assuming no mortality from cars, disease, dogs etc.
2. The NSW Scientific Committee has considered all available evidence on the status of the Tweed Coast koala population and has recommended that it be scheduled under the Threatened Species Conservation Act as an Endangered Population. The reasons for this recommendation are contained in their Preliminary Determination attached. In considering whether or not a population should be listed as Endangered, the NSW Scientific Committee are required to consider a number of strict criteria which are set out in the *Threatened Species Conservation Regulation 2010*. In relation to these criteria the NSW Scientific Committee have determined (among other things) that the

Tweed Coast koala population has a restricted geographical distribution, a low number of mature animals which occur in a highly fragmented landscape subject to a wide range of threats which suggest an ongoing decline in their numbers.

DELEGATE REPORTS

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

49 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 July 2014

681

Cr G Bagnall
Cr M Armstrong

RESOLVED that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 July 2014 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:
 - A1. Aboriginal Peoples of the Tweed Valley - Notice of Motion by Cr Bagnall - Robert Appo (Tweed Shire Council)

That the Aboriginal Advisory Committee:

1. *Endorses the Notice of Motion by Cr Bagnall and enters into discussions with Council regarding process to progress dual naming for sites of significance within the Shire.*
2. *Acknowledges that the Notice of Motion of Cr Bagnall is a result of the Cultural Appreciation training held in May 2014.*

The Motion was **Carried**

FOR VOTE - Unanimous

50 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 30 October 2014

682

**Cr P Youngblutt
Cr M Armstrong**

RESOLVED that:

1. The Minutes of the Local Traffic Committee Meeting held 30 October 2014 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:

A1 [LTC] Endeavour Parade, Tweed Heads

That:

1. *The "no stopping" zone on the north side of Bay Street opposite the entrance to Tweed Mall be extended by approximately 10m to the west to enable buses to carry out a "U-turn" in the break in the median.*
2. *The existing "no parking bus excepted" adjacent to Tweed Mall in Bay Street be relocated further west between the driveway access for the loading bay of the centre and the pedestrian kerb extension, and that the current "no parking buses excepted" be sign posted as "2 hour parking" during business hours.*

The Motion was **Carried**

FOR VOTE - Unanimous

51 [SUB-FMC] Minutes of the Floodplain Management Committee Meeting held Monday 27 October 2014

683

**Cr P Youngblutt
Cr M Armstrong**

RESOLVED that the Minutes of the Floodplain Management Committee Meeting held Monday 27 October 2014 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

CONFIDENTIAL COMMITTEE

684

Cr G Bagnall
Cr M Armstrong

RESOLVED that Council resolves itself into a Confidential Committee in accordance with Section 10A(2) of the Local Government Act 1993 (as amended) and that the press and public be excluded from the whole of the Committee Meeting, because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reasons of the confidential nature of the business to be transacted.

The Motion was **Carried**

FOR VOTE - Unanimous

EXCLUSION OF PRESS AND PUBLIC

The General Manager reported that the Confidential Committee had excluded the press and public from the whole of the Committee Meeting because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reason of the confidential nature of the business to be transacted, and made the following recommendations to Council:-

CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES IN COMMITTEE

C1 [CNR-CM] Community Services - Department of Social Services Regional Assessment Services Tender

REASON FOR CONFIDENTIALITY:

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or

(iii) reveal a trade secret.

C 47

That Council supports:

1. Staff to continue discussions with the proposed Northern Community Care/Support Alliance.
2. A proposed subcontractor arrangement for the Department of Social Services Regional Assessment Service tender through Community Options Australia and/or the proposed Northern Community Care Alliance subject to a risk assessment and a satisfactory mitigation of identified risks once the model of delivery and governance has been agreed.
3. A further report will be presented to Council as soon as practicable on the Memorandum of Understanding and the results of the risk assessment.

The Motion was **Carried**

FOR VOTE - Unanimous

685

**Cr C Byrne
Cr K Milne**

RESOLVED that the recommendations of the Confidential Committee be adopted.

The Motion was **Carried**

FOR VOTE - Unanimous

There being no further business the Meeting terminated at 9.27pm.



Minutes of Meeting Confirmed by Council

at the

Council Meeting held on xxx

Chairman

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