



TWEED
SHIRE COUNCIL

Mayor: Cr B Longland

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

Minutes

Ordinary Council Meeting Thursday 21 August 2014

held at Murwillumbah Cultural and Civic Centre
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 B Longland (Mayor), Cr M Armstrong (Deputy Mayor), Cr G Bagnall, Cr C Byrne, Cr K Milne and Cr P Youngblutt.

Also present were Mr Troy Green (General Manager), Mr Neil Baldwin (Acting Director Corporate Services), Mr David Oxenham (Director Engineering), Mr Vince Connell (Director Planning and Regulation), Mr Stewart Brawley (Acting Director Community and Natural Resources), Mr Richard Adams (Manager Holiday Parks and Economic Development), Mr Peter Brack (Corporate Compliance Officer) and Mrs Kerrie McConnell (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 by Council's Chaplain, Reverend Phil Gibbs, Baptist Church Murwillumbah:

*"Let us pray
Almighty God, we acknowledge Your sovereign creative goodness and thank You for all the beauty of the Tweed Valley and the many varied peoples who make up the dynamic of this community. We give You thanks for all the levels of leadership across our community and in particular the men and women who make up this Council, acknowledging the demands of their responsibilities.*

We stand in Your presence seeking Your guidance and wisdom over this session of Council. We pray You would direct each person as they listen, speak and contribute in their respective responsibilities and interests, we ask for your encouragement for all to participate with respect one for the other, especially when matters may require robust dialogue.

We pray for all the staff and workers who contribute in so many ways to the betterment and well-being of the people and environs of this community.

We pray to You because of Your faithfulness and commitment to Your world, and do so in the name of your Son Jesus Christ, who gave Himself for us.

Amen"

CONFIRMATION OF MINUTES

1 [CONMIN-CM] Confirmation of Minutes of Ordinary and Confidential Council Meetings held on Thursday 17 July 2014 and Thursday 7 August 2014

443

Cr K Milne
Cr M Armstrong

RESOLVED That:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 17 July 2014 be adopted as a true and accurate record of proceedings of that meeting.
2. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 7 August 2014 be adopted as a true and accurate record of the proceedings of that meeting.
3. ATTACHMENTS 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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

2 [CONMIN-EXT] Confirmation of Minutes of Extraordinary Council Meeting held Thursday 24 July 2014

444

Cr K Milne
Cr M Armstrong

RESOLVED that the Minutes of the Extraordinary Council Meetings held Thursday 24 July 2014 be adopted as a true and accurate record of proceedings of that meeting.

The Motion was **Carried**

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

APOLOGIES

Cr W Polglase has informed the General Manager that he is absent from the Shire on leave and is therefore unable to attend the Council meeting.

445

Cr C Byrne
Cr P Youngblutt

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

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

DISCLOSURE OF INTEREST

Mr Peter Brack, Corporate Compliance Officer/Acting Public Officer, declared a Non-Significant Non-Pecuniary Interest in Item 9 [PR-CM] DA13/0711 for a Staged Redevelopment of the Mount Warning Hotel incorporating demolition of existing structures and vegetation, construction of new single storey hotel, motel accommodation and associated infrastructure at Lot 20 DP 1139178 No. 1497 Kyogle Road, Uki. The nature of the interest is that Mr Brack has a friendship with the applicant.

Cr C Byrne declared a Non-Significant, Non-Pecuniary Interest in Item 11 [CNR-CM] Update Report on Vegetation Vandalism at Kingscliff Foreshore. The nature of the interest is that Cr C Byrne has a friendship with residents of the area. Cr C Byrne will manage the Interest by staying in the Chamber and taking part in the discussion and voting on the matter.

Cr G Bagnall declared a Non-Significant, Non-Pecuniary Interest in Items 45 [NOM] Beautification of Murwillumbah, 46 [NOM] Cleaning of Footpaths and Street Furniture - Murwillumbah, and 47 [NOM] Future Strategies for Prospero Street, South Murwillumbah. The nature of the interest is that Cr G Bagnall is a business owner in the Murwillumbah township and a resident of South Murwillumbah. Cr G Bagnall will manage the Interest by staying in the Chamber and taking part in the discussion and voting on the matter.

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 be received and noted.

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for the month of July 2014

446

Cr B Longland

RESOLVED that:

1. The Mayoral Minute for the month of July 2014 be received and noted.
2. The attendance of Councillors at nominated Conferences be authorised:
 - Cr C Byrne to attend the CBD and Town Centre Design and Revitalisation Conference - Rydges Melbourne Hotel, 186 Exhibition Street, Melbourne on 4 September 2014.
 - Cr B Longland to attend the 23rd NSW Coastal Conference 2014, Ulladulla Civic Centre, Ulladulla from 11 to 14 November 2014.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

LATE ITEM

447

448

Cr B Longland
Cr M Armstrong

RESOLVED that Item a4 [MM-CM] Mayoral Minute - 5th National Public Gallery Summit being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

a4 [MM-CM] Mayoral Minute - 5th National Public Gallery Summit

449

Cr B Longland
Cr M Armstrong

RESOLVED that the attendance of Cr W Polglase at the 5th Annual Public Gallery Summit in Bendigo be authorised.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

RECEIPT OF PETITIONS

5 [ROP] Receipt of Petitions

450

Cr B Longland
Cr M Armstrong

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

- "Stop the Proposed Cabarita Beach Development DA14/0435" - approximately 230 signatures on this petition, located at www.change.org. Link sent to Mayor, Cr Barry Longland on Tuesday 19 August 2014.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

6 [GM-CM] Organisational Restructure - Phase 2 - Revised Planning and Regulation Division Structure Proposal

451

Cr C Byrne
Cr M Armstrong

RESOLVED that:

1. In accordance with Sections 332 and 333 of the Local Government Act 1993 endorses the Divisional Organisational Structure as outlined in the body of this report for the Planning and Regulation Division, effective from 2014, being:

Planning and Regulation
Development and Compliance
Team Leader Compliance
Building and Environmental Health
Strategic Planning and Urban Design
Development Engineering

2. Council receives and notes organisational changes to be implemented beneath Director level within the structure.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

7 [GM-CM] Advice on Art/Art Deco Festival, Murwillumbah

452

Cr K Milne
Cr M Armstrong

RESOLVED that Council organises, with Destination Tweed and Councillors, a walking tour of the Murwillumbah CBD to view the street front and discuss issues associated with an Arts/Art Deco Festival for Murwillumbah.

AMENDMENT

453

Cr C Byrne
Cr P Youngblutt

PROPOSED that Council:

1. Organises with Destination Tweed and Councillors, a walking tour of the Murwillumbah CBD to view the street front and discuss issues associated with an Arts/Art Deco Festival for Murwillumbah.
2. Contact the Napier Festival Trust to determine their willingness to share their knowledge and experience with respect to their festival that may be of benefit to the Arts/Art Deco Festival for Murwillumbah.

The Amendment was **Lost**

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

The Motion was **Carried** (Minute No 452 refers)

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

LATE ITEM

454

Cr B Longland
Cr P Youngblutt

RESOLVED that Item a7 [GM0CM] Destination Tweed - June 2014 Quarterly Report being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

a7 [GM-CM] Destination Tweed - June 2014 Quarterly Report

455

Cr B Longland

Cr C Byrne

RESOLVED that:

1. Council Endorses Destination Tweed's Quarterly Report for the quarter April to June 2014.
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 - Voting - Unanimous

ABSENT. DID NOT VOTE - Cr W Polglase

8 [GM-CM] Destination Tweed - Funding and Performance Contract Renewal

456

Cr P Youngblutt

Cr K Milne

RESOLVED that:

1. Council endorses the General Manager to enter into a Deed of Variation with Destination Tweed to remove the requirement to provide services described as B1 Marketing and Promotion of Tweed for Business Investment and undertakes all necessary documentation under the common seal of Council.
2. Council notes the financial management plan (Business Plan) including Tourism Development presented by Destination Tweed.
3. Council enters into a new contract with Destination Tweed for the delivery of components A1, A2 and A3, for a period not exceeding four (4) months commencing 1 October 2014. Within this four (4) month period Destination Tweed will provide the information requested at point 4. This information will be considered by Council and if Council is satisfied Council will grant an option to extend the contract for a further 44 months to 30 September 2018. Council authorises and will execute all necessary documentation under the common seal of Council.

4. Council requires Destination Tweed to provide Tweed Shire Council with its corporate governance arrangements for the period, including but not limited to their Code of Conduct for staff and board members, Board meeting procedures (including standing agenda items such as declaration of interest disclosures), delegations, proposed organisation structure, tender and contract management arrangements.
5. 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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

- 9 **[PR-CM] Development Application DA13/0711.03 for an Amendment to Development Consent DA13/0711 for the Staged Redevelopment of the Mount Warning Hotel Incorporating Demolition of Existing Structures and Vegetation, Construction of New Single Storey Hotel,**

Mr Peter Brack, Corporate Compliance Officer/Acting Public Officer, declared a Non-Significant Non-Pecuniary Interest in this item. The nature of the interest is that Mr Brack has a friendship with the applicant.

457

Cr B Longland
Cr C Byrne

RESOLVED that Development Application DA13/0711.03 for an amendment to Development Consent DA13/0711 for the staged redevelopment of the Mount Warning Hotel incorporating demolition of existing structures and vegetation, construction of new single storey hotel, motel accommodation and associated infrastructure at Lot 20 DP 1139178 No. 1497 Kyogle Road, Uki be approved and the consent be amended as follows:

1. Condition No. 1 is to be DELETED and REPLACED with Condition No. 1A which reads as follows:
 - 1A. The development shall be completed in accordance with the Statement of Environmental Effects and Plan Nos:
 - 1 Cover Sheet - Issue A - dated 20-5-14
 - 2 Site Plan - Issue C - dated 8-7-14
 - 3 Hotel Floor Plan - Issue B - dated 28-6-14
 - 4 Hotel Elevations - Issue B - dated 28-6-14

- 5 Hotel Elevations - Issue B - dated 28-6-14
- 6 Roof Plan - Issue A - dated 20-5-14
- 7 Notes - Issue A - dated 20-5-14
- 8 Sections - Issue A - dated 20-5-14
- 9 Interior - Issue A - dated 20-5-14
- 10 Landscape Plan - Issue C - dated 8-7-14
- B-1 Kitchen, Bar, Toilets - Issue A - dated 20-5-14

prepared by Unique Building Solutions; and

- H1.01 Site Service Connections Hydraulic Services - Issue 2 - dated 23-6-14
- H2.01 Fire Hydrant System Layout - Issue 4 - dated 23-6-14

prepared by Unique Building Solutions in conjunction with ACOR Consultants except where varied by the conditions of this consent.

[GEN0005]

2. Condition No. 14 is to be DELETED.
3. Condition No. 81 is to be DELETED.
4. Condition No. 1 under the GENERAL TERMS OF APPROVAL UNDER SECTION 100B OF THE RURAL FIRES ACT 1997 is to be DELETED and REPLACED with Condition No. 1A which reads as follows:
 - 1A. The development proposal is to comply with the plan prepared by Unique Building Solutions titled Mt Warning Hotel - Site Plan (Amendment C) dated 8 July 2014.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

REPORTS FROM THE ACTING DIRECTOR COMMUNITY AND NATURAL RESOURCES

10 [CNR-CM] Murwillumbah Library Pond

458

Cr C Byrne
Cr P Youngblutt

RESOLVED that Council adopts and implements the Murwillumbah Library Pond Landscape Plan as placed on exhibition.

The Motion was **Carried**

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

11 [CNR-CM] Update Report on Vegetation Vandalism at Kingscliff Foreshore

Cr C Byrne declared a Non-Sigificant, Non-Pecuniary Interest in this item. The nature of the interest is that Cr C Byrne has a friendship with residents of the area. Cr C Byrne will manage the Interest by staying in the Chamber and taking part in the discussion and voting on the matter.

459

Cr P Youngblutt
Cr M Armstrong

RESOLVED that Council notes the report on the update on vegetation vandalism at Kingscliff Foreshore.

AMENDMENT

460

Cr C Byrne
Cr P Youngblutt

PROPOSED that Council

1. Notes the report on the update on vegetation vandalism at Kingscliff Foreshore.
2. Removes the southernmost sign forthwith.

The Amendment was **Lost**

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

The Motion was **Carried** (Minute No 459 refers)

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

12 [CNR-CM] Feedback - Making Cities Liveable Conference

461

**Cr K Milne
Cr G Bagnall**

RESOLVED that Council:

1. Receives and notes the report on the delegate feedback from the "Making Cities Liveable" Conference held at SALT on 9 to 11 July 2014.
2. Brings back a further report identifying issues from the feedback that may be feasible for council to pursue.

The Motion was **Carried**

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

13 [CNR-CM] Biodiversity Grants

462

**Cr M Armstrong
Cr K Milne**

RESOLVED that Council approves the proposed Biodiversity Grants to assist private landowners to undertake the projects listed in the table below:

Name	Area	Estimate (\$)	Description
Middleton	Tomewin	1,920	Six person days of ecological restoration
Grgurich	Farrants Hill	4,000	Site action plan and eight person days of ecological restoration
McHail	Mount Warning	5,000	Twelve and a half person days of ecological restoration
	Total	10,920	

The Motion was **Carried**

**FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase**

14 [CNR-CM] River Health Grants

463

Cr M Armstrong
Cr K Milne

RESOLVED that Council approves the proposed River Health Grants below:

Property Owner	Locality	Stream frontage (m)	Objective of works	Council contribution
DeLacy	Terragon	150	Stabilise head cut erosion by constructing rock chute, with revegetation, in Tweed River tributary.	\$20,000
Besgrove	Smiths Creek	50	Fence to restrict horse access to Council Recreation Reserve.	\$2,100
Armytage	Uki	150	Weed control and bush regeneration along tributary of the Tweed River.	\$2,000

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

15 [CNR-CM] Variation Report EC2014-026 Arkinstall Park 500kVa Power Supply Design & Install

464

Cr P Youngblutt
Cr M Armstrong

RESOLVED that:

1. Council approves the variations to EC2014-026 contained within this report as they exceed the General Manager's delegated authority.
2. The General Manager is given delegated authority to approve variations up to 10% of the revised estimated contract sum (refer to confidential attachment) 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.
- (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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

16 [CNR-CM] Tweed Heads Civic and Community Centre Proposed Interim Improvements

465

Cr C Byrne
Cr M Armstrong

RESOLVED that Council:

1. Proceeds with detailed design work to extend the Tweed Heads Branch Library within the Tweed Heads Civic Centre building as recommended in this report and prepares a funding submission to the State Library of NSW for the next capital infrastructure funding round in 2014/15 to assist with funding the extension.
2. Endorses the relocation of the Council Customer Contact Centre from the Tweed Heads Civic Centre to the former SCU building to make way for expansion of the library, when appropriate.
3. Provides shared community and Council meeting and activity spaces within available existing rooms in the former SCU building, including providing for the existing uses of the South Sea Islander Room by the South Sea Islander Community and the Emergency Operations Centre.
4. Determines that proposed community and cultural facilities in the former SCU building will be made available for general community use and not for exclusive use by individual organisations or groups.
5. Redesigns the lecture theatre (located at the western end of the middle level of the former SCU building) to provide a chamber for Council and Planning Committee Meetings, and a multipurpose theatre style meeting and activity space for performance and rehearsal, community meetings and events, and council training and activities.
6. Investigates options for community and/ or commercial activities to activate the public domain area between the Tweed Civic Centre building and the former SCU building.

7. Involves users of community and cultural facilities and relevant technical experts in the design of interim improvements for the Tweed Heads Branch Library and the Civic and Community Centre, as per the implementation and engagement requirements outlined in this report.
8. Receives a report in December 2014 on detailed design and costs for the interim improvements proposed in this report.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

17 [CNR-CM] Access and Inclusion Plan

466

Cr P Youngblutt
Cr C Byrne

RESOLVED that Council adopts the Access and Inclusion Plan.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

LATE ITEM

467

Cr B Longland
Cr C Byrne

RESOLVED that Item a17 [CNR-CM] NSW Local Government Aboriginal Network Conference being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

a17 [CNR-CM] NSW Local Government Aboriginal Network Conference

468

**Cr B Longland
Cr C Byrne**

RESOLVED that Council nominates to host the 2016 NSW Local Government Aboriginal Network Conference and requests the endorsement of the Aboriginal Advisory Committee for the nomination.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

REPORTS FROM THE DIRECTOR ENGINEERING

18 [E-CM] Coal Seam Gas Free Signage

469

**Cr K Milne
Cr M Armstrong**

RESOLVED that:

1. Council approves the installation of eleven of the thirteen proposed coal Seam Gas Free signs.
2. The signs referred to in 1 above contain the words "Gas Field Free" or "Tweed Shire - Gas Field Free", depending on available space.
3. Council:
 - a. Undertakes further investigation to identify whether there is any Council owned land or supportive private landholders where it would be appropriate to install further signs at the three entrances (M1, Gold Coast Highway, Wharf Street) to north of the Shire and South Tweed Heads, and
 - b. Brings back a supplementary report.

AMENDMENT

470

Cr C Byrne
Cr P Youngblutt

PROPOSED that:

1. Council approves the installation of eleven of the thirteen proposed coal Seam Gas Free signs, specifically excluding the Visitor Information Centre at Tweed Heads and Tweed Coast Road at Chinderah as detailed in this report.
2. The signs referred to in 1 above contain the words "Gas Field Free" or "Tweed Shire - Gas Field Free", depending on available space.

The Amendment was **Lost**

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

The Motion was **Carried** (Minute No 469 refers)

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

19 [E-CM] Land Classification - 772 Terranora Road, Terranora

471

Cr P Youngblutt
Cr C Byrne

RESOLVED that:

1. Council classifies Lot 1 in DP558367 at Terranora as Operational Land.
2. All necessary documentation be executed under the Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

20 [E-CM] Classification of Land - Lot 50 in DP1182599, Casuarina

472

Cr P Youngblutt

Cr C Byrne

RESOLVED that:

1. Lot 50 in DP1182599 at Casuarina be classified as “Operational” land pursuant to Section 31 of the Local Government Act, 1993; and
2. All necessary documentation be executed under the Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

ABSENT. DID NOT VOTE - Cr W Polglase

21 [E-CM] Ophir Glen Road - Road Closure Application

473

Cr M Armstrong

Cr P Youngblutt

RESOLVED that:

1. Council approves the closure and private purchase of approximately 16m² of road reserve adjoining Lot 1 in DP 584105, Ophir Glen Road, Upper Burringbar;
2. The applicant bears all the survey and legal costs and purchases the subject land as determined in value by a local registered Valuer;
3. The title of the closed road is consolidated with the adjacent land;
4. Easements be created over public authority reticulation services, if any; and
5. All necessary documentation be executed under Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

ABSENT. DID NOT VOTE - Cr W Polglase

22 [E-CM] Ripps Road, Stokers Siding - Road Closure Application

474

**Cr M Armstrong
Cr P Youngblutt**

RESOLVED that:

1. Council approves the closure and private purchase of the section of road reserve being a maximum of approximately 360.4m² adjacent to Lot 5 in DP 586420, Ripps Road, Stokers Siding; and
2. The applicant bears all the survey and legal costs and purchases the subject land as determined in value by a local registered Valuer;
3. The title of the closed road is consolidated with the adjacent land;
4. Easements be created over public authority reticulation services, if any; and
5. All necessary documentation be executed under Common Seal of Council.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

23 [E-CM] Road Naming - Laneway at Pottsville

475

**Cr P Youngblutt
Cr C Byrne**

PROPOSED that Council advertises the preferred road name of Berkleys Lane for a period of 28 days seeking submissions from the public and relevant authorities under the Roads Regulation 2008.

AMENDMENT

476

**Cr M Armstrong
Cr K Milne**

RESOLVED that this item be deferred until such time as a determination has been made with regard to the formation of this lane.

The Amendment was **Carried**

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

AGAINST VOTE - Cr P Youngblutt, Cr C Byrne

ABSENT. DID NOT VOTE - Cr W Polglase

The Amendment on becoming the Motion was **Carried** (Minute No 476 refers)

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

AGAINST VOTE - Cr P Youngblutt, Cr C Byrne

ABSENT. DID NOT VOTE - Cr W Polglase

24 [E-CM] EC2014-098 Supply of Bulk Asphaltic Concrete and Cold Mix

477

Cr C Byrne

Cr P Youngblutt

RESOLVED that:

1. Council awards the contract EC2014-098 Supply of Bulk Asphaltic Concrete and Cold Mix to Boral Resources (Qld) Pty Ltd from the date of determination by Council until 30 June 2015 with provision for a further twelve (12) month extension option.
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) (d) 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 - Voting - Unanimous

ABSENT. DID NOT VOTE - Cr W Polglase

25 [E-CM] EC2014-106 Expression of Interest for the Supply of Tyres and Tyre Services

478

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that:

1. Council awards the contract EC2014-106 as submitted for the Supply of Tyres and Tyre Services under a Panel of Providers arrangement for a two year period from the date of determination with an option for a twelve (12) month extension.
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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase**

26 [E-CM] EC2014-110 Supply and Delivery of Selected Materials

479

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that:

1. Council awards contract EC2014-110 Supply and Delivery of Selected Materials for the Period 22 August 2014 to 30 June 2015 to the following suppliers;

ITEM	SUPPLIER
Concrete Pipes	Rocla Pty Ltd
Concrete Surrounds	Rocla Pty Ltd
Concrete - Kerb Inlets	Rocla Pty Ltd
Concrete Headwalls	Rocla Pty Ltd
100mm Flexible Footpath Jointing Material and Accessories	Tellam Civil Products

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. ATTACHMENTS 1 and 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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

27 [E-CM] EC2014-100 Supply and Delivery of Turf

480

Cr C Byrne
Cr P Youngblutt

RESOLVED that:

1. Council awards contract EC2014-100 Supply and Delivery of Turf for the period of 22 August 2014 to 30 June 2016 to the following suppliers:

Schedule	Supplier
Schedule A: Supply and Delivery of A Grade Turf	Coastal Turf
Schedule B: Supply, Delivery and Lay of A Grade Turf	Allenvue Turf
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. ATTACHMENTS 1 and 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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

28 [E-CM] Minjungbal Drive Tweed Heads South Streetscape Review

481

**Cr M Armstrong
Cr K Milne**

RESOLVED that the item be deferred to allow Council the opportunity to prepare alternate options for the streetscape of Minjungbal Drive, Tweed Heads South.

AMENDMENT

482

**Cr C Byrne
Cr P Youngblutt**

PROPOSED that Council:

1. Notes the streetscape review of Minjungbal Drive between the interchange with the Pacific Highway and the Kennedy Drive exit.
2. Undertake the works in stages as per the report with the deletion of segment 1 and reduce extent of median island colouring in the wider sections to reduce cost subject to budget allocations.

The Amendment was **Lost**

FOR VOTE - Cr P Youngblutt, Cr C Byrne

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

ABSENT. DID NOT VOTE - Cr W Polglase

The Motion was **Carried** (Minute No 481 refers)

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

AGAINST VOTE - Cr P Youngblutt

ABSENT. DID NOT VOTE - Cr W Polglase

29 [E-CM] EC2014-066 Urliup Road Retaining Structure

483

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that:

1. The Alternate Offer tender from Crosana Pty Ltd be accepted to the value of \$168,656 exclusive of GST for tender EC2014-066 Urliup Road retaining Structure.
2. The General Manager be 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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

30 [E-CM] EC2013-160 Hospital Hill Reservoir No. 2 Rehabilitation Coating Work - Variation Report

484

Cr C Byrne
Cr P Youngblutt

RESOLVED that:

1. Council accepts the Variations approved by the General Manager during the course of Contract EC2013-160 to the value of \$74,577.
2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-
 - (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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

31 [E-CM] EC2014-095 - Supply, Construction, Testing and Commissioning of Sewer Pipelines and Associated Works at Mount Ernest Crescent Murwillumbah (SEW27) and Grassmere Court Banora Point (SEW30)

485

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that:

1. Council awards the contract EC2014-095 Supply, Construction, Testing and Commissioning of Sewer Pipelines and Associated Works at Mount Ernest Crescent Murwillumbah (SEW27) and Grassmere Court Banora Point (SEW30) to Demacs Construction (Aust) Pty Ltd for the amount of \$243,156.36 (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. ATTACHMENTS 1 and 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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

32 [E-CM] Water Supply and Sewerage NSW Benchmarking 2012-2013

486

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that Council notes the NSW Office of Water, Water Supply and Sewerage NSW Benchmarking 2012/2013 report and proposed actions.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

33 [E-CM] Creation of Easements to Drain Water - Wentworth Street, Murwillumbah

487

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that Council:

1. Approves the creation of Easement to Drain Water 1.5 Wide and Variable within Lot 5 DP 617266;
2. Approves the creation of Easement to Drain Water 1.5 Wide within Lot 7 DP 617266;
3. Approves the quantum of compensation to be paid to the landowner referred to in the body of the report; and
4. Executes all necessary documentation under the Common Seal of Council.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

34 [E-CM] Disposal of Council Land at Burringbar - Lot 6 DP 868345

488

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that Council:

1. Adopts the Probity Plan for the disposal of Burringbar Quarry comprised in Lot 6 DP 868345.
2. Proceeds with the disposal of the Burringbar Quarry, comprised in Lot 6 DP 868345 by public tender.
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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

LATE ITEM

489

Cr B Longland
Cr P Youngblutt

RESOLVED that Item a34 [E-CM] Request for Closure of Public Walkways Monterey Avenue, Honey Myrtle Drive and Golf View Court, Banora Point being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

a34 [E-CM] Request for Closure of Public Walkways Monterey Avenue, Honey Myrtle Drive and Golf View Court, Banora Point

490

Cr M Armstrong
Cr P Youngblutt

RESOLVED that the item be deferred to allow Council to:

1. Advertise the possibility of the closure of the public walkway.
2. Seek community feedback from the affected residents.
3. Bring forward a further report outlining the community response to the proposal.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

REPORTS FROM THE ACTING DIRECTOR CORPORATE SERVICES

35 [CS-CM] Compliments and Complaints Analysis Report for the period 1 April to 30 June 2014

491

**Cr K Milne
Cr P Youngblutt**

RESOLVED that Council receives and notes the Compliments and Complaints Analysis Report for the period 1 April to 30 June 2014.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

36 [CS-CM] Legal Services Register 1 April to 30 June 2014

492

**Cr K Milne
Cr P Youngblutt**

RESOLVED that Council receives and notes the Legal Services Report as at 30 June 2014.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

37 [CS-CM] Comparative Information on NSW Local Government 2012/2013; analysis of Group 5 Councils and members of the Northern Rivers Regional Organisation of Councils

493

**Cr K Milne
Cr P Youngblutt**

RESOLVED that Council receives and notes the Office of Local Government's Comparative Information on NSW Local Government - Measuring Local Government Performance 2012/2013.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

38 [CS-CM] Six monthly Delivery Program Exception Report to 30 June 2014

494

**Cr K Milne
Cr P Youngblutt**

RESOLVED that Council receives and notes the Six Monthly Progress Report detailing principle activities from the 2011/2015 Delivery Program that have not met expected performance targets for the period to 30 June 2014.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

39 [CS-CM] Corporate Quarterly Performance Report 1 April to 30 June 2014

495

**Cr K Milne
Cr P Youngblutt**

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

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

40 [CS-CM] Monthly Investment and Section 94 Contributions Report for Period Ending 31 July 2014

496

**Cr K Milne
Cr P Youngblutt**

RESOLVED that in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 31 July 2014 totalling \$175,184,025 be received and noted.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

ORDERS OF THE DAY

41 [NOM] Promotion of Events and Charities

NOTICE OF MOTION:

497

**Cr M Armstrong
Cr K Milne**

RESOLVED that Council:

1. Provides promotion through the Tweed Link for:
 - a) All events for which funding has been provided in the month prior to the event;
 - b) All charities for which funding has been provided in the latest round of donations funding at the request of the charity but not more than two (2) times each financial year; and
 - c) Approved Community Markets each month.
2. Liaises with Destination Tweed to provide online promotion for:
 - a) All events for which funding has been provided in the month prior to the event;

- b). All charities for which funding has been provided in the latest round of donations funding at the request of the charity but not more than two (2) times each financial year; and
- c) Approved Community Markets each month.

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

AGAINST VOTE - Cr C Byrne

ABSENT. DID NOT VOTE - Cr W Polglase

42 [NOM] Access to Tourist Information Centres

NOTICE OF MOTION:

498

**Cr M Armstrong
Cr G Bagnall**

RESOLVED that Council liaises with Destination Tweed to explore options to improve access at the Tweed Heads, Kingscliff, and Murwillumbah Tourist Information Centres to better enable the facilities to be used by those who are towing caravans or are travelling in recreational vehicles.

AMENDMENT

499

**Cr C Byrne
Cr P Youngblutt**

PROPOSED that Council liaises with Destination Tweed to:

1. Determine any need to improve access at the Tweed Heads, Kingscliff, and Murwillumbah Tourist Information Centres to better enable the facilities to be used by those who are towing caravans or are travelling in recreational vehicles; and
2. If a need is apparent, explore the options to improve access at the Tweed Heads, Kingscliff, and Murwillumbah Tourist Information Centres to better enable the facilities to be used by those who are towing caravans or are travelling in recreational vehicles.

The Amendment was **Lost**

FOR VOTE - Cr P Youngblutt, Cr C Byrne

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

ABSENT. DID NOT VOTE - Cr W Polglase

The Motion was **Carried** (Minute No 498 refers)

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

AGAINST VOTE - Cr C Byrne

ABSENT. DID NOT VOTE - Cr W Polglase

ADJOURNMENT OF MEETING

Adjournment for dinner at 6.30pm.

RESUMPTION OF MEETING

The Meeting resumed at 7.17pm.

43 [NOM] Coal Seam Gas Free North Coast

500

Cr M Armstrong

Cr K Milne

RESOLVED that Council:

1. Notes that the Tweed Shire Council has previously declared that the Tweed Shire to be off limits to the Coal Seam Gas (CSG) and Unconventional Gas industries.
2. Welcomes the policy announcement from the recent NSW Labor Conference to support an immediate moratorium on all CSG activities and licences within the boundaries of the State Parliamentary seats of Lismore, Ballina, Clarence, and Tweed on the NSW North Coast; and supports a declaration that the State Parliamentary seats of Lismore, Ballina, Clarence and Tweed be 'CSG Free' and therefore be off limits to the Coal Seam Gas and Unconventional Gas industries.
3. Notes the NSW Greens opposition to Coal Seam Gas and Unconventional Gas Industries Australia wide.
4. Calls on the NSW Liberal and National Coalition to support an immediate moratorium on all CSG activities and licences within the boundaries of the State Parliamentary seats of Lismore, Ballina, Clarence, and Tweed on the NSW North Coast; and supports a declaration that the State Parliamentary seats of Lismore, Ballina, Clarence and Tweed be 'CSG Free' and therefore be off limits to the Coal Seam Gas and Unconventional Gas industries.

Cr C Byrne temporarily left the meeting at 07:27 PM.

The Motion was **Carried**

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

AGAINST VOTE - Cr P Youngblutt

ABSENT. DID NOT VOTE - Cr W Polglase, Cr C Byrne

44 [NOM] Concept Plans and Cost Estimates - Murwillumbah

501

Cr G Bagnall

Cr K Milne

RESOLVED that:

1. Council prepares concept plans and cost estimates for the following:
 - a) Removal of the South Murwillumbah car park, located on the corner of River Street and Alma Street and replacement with a park; and
 - b) The establishment of a park on the Council owned vacant land located in River Street, South Murwillumbah (opposite Holstons Lane) including a small unsealed car park.
2. The concept plans and cost estimates are to be reported back to Council for consideration.

Cr C Byrne has returned from temporary absence at 07:32 PM

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

ABSENT. DID NOT VOTE - Cr W Polglase

45 [NOM] Beautification of Murwillumbah

Cr G Bagnall declared a Non-Significant, Non-Pecuniary Interest in this item. The nature of the interest is that Cr G Bagnall is a business owner in the Murwillumbah township.

Cr G Bagnall will manage the Interest by staying in the Chamber and taking part in the discussion and voting on the matter.

502

Cr G Bagnall
Cr M Armstrong

RESOLVED that officers present a workshop to:

1. Educate Councillors on the concepts contained in the Woods Bagot Study (undertaken several years ago for the renewal and beautification of the central business district of Murwillumbah)
2. Explore possibilities for the decommissioned toilet block in Queens Street, Murwillumbah.
3. Discuss what beautification works could be immediately undertaken along Alma Street, South Murwillumbah, to create a better entrance into the town.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

46 [NOM] Cleaning of Footpaths and Street Furniture - Murwillumbah

Cr G Bagnall declared a Non-Sigificant, Non-Pecuniary Interest in this item. The nature of the interest is that Cr G Bagnall is a business owner in the Murwillumbah township. Cr G Bagnall will manage the Interest by staying in the Chamber and taking part in the discussion and voting on the matter.

503

Cr G Bagnall
Cr K Milne

RESOLVED that the footpaths and street furniture of the central business district of Murwillumbah are immediately cleaned, so that the township is a little better presented for the expected influx of visitors to the museum.

The Motion was **Carried**

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

47 [NOM] Future Strategies for Prospero Street, South Murwillumbah

Cr G Bagnall declared a Non-Sigificant, Non-Pecuniary Interest in this item. The nature of the interest is that Cr G Bagnall is a resident of South Murwillumbah. Cr G Bagnall will manage the Interest by staying in the Chamber and taking part in the discussion and voting on the matter.

504

Cr G Bagnall
Cr M Armstrong

RESOLVED that Council officers present a workshop to discuss affordable, possible future strategies for the beautification of Prospero Street, South Murwillumbah, including, but not limited to:

- Tree plantings in the centre of the road or on both sides of the road;
- Murals on private property (to be negotiated with property owners);
- Street bins and seating; and
- Signage highlighting the unique character or history of the street.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

48 [NOM] Pottsville Mens' Shed

505

Cr K Milne
Cr G Bagnall

RESOLVED that in relation to Council's previously supported position of the Pottsville and District Men's Shed request to construct and operate a Men's Shed facility at the Black Rocks Sports Fields that the following also be applied:

1. That in the event that the Pottsville Men's Shed seeks a licence or lease to operate from the site at the Black Rocks Sports Field that Council consider granting a limited use licence to operate the Men's shed for a maximum term of 5 years at the site;
2. Requests that the shed construction be of the type that it can be fully dismantled and reassembled at an alternative site;

3. Council Officers be requested to continue to pursue alternative sites including future development or appropriately zoned sites that could accommodate the Men's shed in the longer term on a permanent basis.

The Motion was **Carried**

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

49 [NOM] Pottsville - Future Planning

This item was withdrawn.

URGENCY MOTION

506

Cr B Longland
Cr M Armstrong

RESOLVED that the Urgency Motion in relation to a 26 Lot Subdivision at Cabarita (DA14/0435) be dealt with.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

a49 [UM] Cabarita 26 Lot Subdivision (DA14/0435)

507

Cr B Longland
Cr M Armstrong

RESOLVED that the closing date for the public exhibition of DA 14/0435 be extended from 22 August 2014 to 20 September 2014.

The Urgency Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

URGENCY MOTION

508

**Cr B Longland
Cr M Armstrong**

RESOLVED that the Urgency Motion in relation to the City of Sydney Amendment (Elections Bill) be dealt with.

The Motion was **Carried**

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

b49 [UM] City of Sydney Amendment (Elections Bill)

509

**Cr B Longland
Cr M Armstrong**

RESOLVED that Council:

1. Notes its concerns regarding the changes proposed in the City of Sydney Amendment (Elections) Bill 2014 that would allow corporations two votes, to resident's one vote, in Local Council elections and acknowledges the efforts of Local Government NSW in their opposition to the Amendment.
2. Notes that Clause 11 of the Bill contains a provision that allows the Government to impose these undemocratic electoral rules in all other Local Government Areas in NSW by way of regulation.
3. Calls on all elected representatives in the NSW Parliament to oppose this amendment and commit to the basic democratic principle of 'one-person one-vote' in Local Government elections.
4. Requests the Mayor to write to the Premier, the Minister for Local Government, the leader of the Opposition and the parliamentary representatives from the Greens, the Shooters & Fishers and the Christian Democrats Parties advising them of this resolution and of Council's concerns.

The Urgency Motion was **Carried**

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

URGENCY MOTION

510

**Cr B Longland
Cr M Armstrong**

RESOLVED that the Urgency Motion in relation to the request for immediate suspension and full review of the 10/50 Vegetation Clearing Code of Practice be dealt with.

The Motion was **Carried**

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

AGAINST VOTE - Cr P Youngblutt, Cr C Byrne

ABSENT. DID NOT VOTE - Cr W Polglase

c49 [UM] Request for Immediate Suspension and full review of the 10/50 Vegetation Clearing Code of Practice

511

**Cr K Milne
Cr B Longland**

RESOLVED that:

1. On the recent introduction of the Rural Fires Amendment (Vegetation Clearing) Act 2014 and the 10/50 Vegetation Clearing Code of Practice, Council notes that these provisions:
 - a) are responsible for the loss of critically endangered littoral rainforest in Fingal Head, Tweed Shire which was recently cleared (under these provisions) in advance of Council's consideration of a Development Application,
 - b) could impact on the internationally recognised biodiversity values of Tweed Shire which has the highest number of threatened species in Australia, including a koala population of the Tweed Coast which is estimated at less than 144 Koalas.
 - c) undermine the communities express desire to preserve the biodiversity values the Tweed community and visitors place on Tweed's biodiversity as demonstrated in Council's Community Strategic Plan, and the significant economic benefits for tourism that derive from Tweed's 'green' image,
 - d) were introduced without clear mapping and criteria to define clearing entitlement areas at the time of public consultation effectively preventing community input into the extent of the areas included,

- e) effectively limit the ability of Councils to implement their LEPs, DCPs and tree preservation provisions via the issue of conditions of consent relating to ecologically or culturally significant vegetation
 - f) effectively override and undermine Planning for Bushfire Protection 2006 which is the primary instrument used by RFS and Councils to determine appropriate bushfire asset protection zones and building standards
 - g) may limit development that could otherwise be approved under Planning for Bushfire Protection as Councils will need to ensure that any vegetation that needs to be retained or protected remains at least 50m from an approved dwelling.
 - h) will inevitably place pressure on neighbours (including Councils) to consent to clearing that they would otherwise not contemplate fearing legal liability should a fire occur.
2. Council requests provision of:
- a) Shirewide mapping of the clearing entitlement areas and the criteria for defining the clearing entitlement areas so that Council can fully assess the potential impacts,
 - b) The background information for these provisions, particularly on the expected reduction in bushfire hazard and ecological impacts resulting from these provisions be provided,
3. Council requests the NSW Premier Mike Baird, Minister for Police and Emergency Services Stuart Ayres, NSW Rural Fire Service (RFS) Deputy Commissioner Rob Rogers and Local State Members urgently meet with Council to gain a comprehensive understanding of the impact on Tweed Shire,
4. Council writes to all members of the NSW Parliament noting this motion and the letter sent to Geoff Provest MP, and seeking:
- a) An immediate suspension of these new provisions,
 - b) An urgent scientific review into the ecological impacts and actual bushfire hazard reduction benefits of these provisions, and
5. Council seeks the support of other relevant agencies such as the NSW Local Government Association, NOROC and other NSW coastal Councils.

The Urgency Motion was **Carried**

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

QUESTIONS ON NOTICE

50 [QON-Cr Byrne] Harvesting Camphor Laurel in Tweed Shire

Councillor C Byrne asked:

Why is it necessary for parties who wish to harvest camphor laurel in the Tweed Shire to first obtain Development Application (DA) approval, when the same requirement is not needed to carry out this same activity in neighbouring local government regions? Are there options to reconsider this current position of requiring a DA, particularly, in respect to the harvesting of camphor laurel to supply fuel for the Co-Generation Plant at Condong?

The Director Planning and Regulation advised that the standard instrument LEP includes the following definition and standard clause:

"forestry has the same meaning as forestry operations has for the purposes of Part 5A of the Forestry Act 2012.

Note. *The term is defined as follows:*

forestry operations means:

- (a) *logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or*
- (b) *the harvesting of forest products, or*
- (c) *on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning and other silvicultural activities such as bee-keeping, grazing and bush fire hazard reduction, or*
- (d) *ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.*

5.9 Preservation of trees or vegetation

- (1) *The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.*
- (2) *This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.*

Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.

- (3) *A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:*
 - (a) *development consent, or*
 - (b) *a permit granted by the Council.*
- (4) *The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.*

- (5) *This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.*
- (6) *This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.*
- (7) *A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:*
 - (a) *that is or forms part of a heritage item or that is within a heritage conservation area, or*
 - (b) *that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the Council is satisfied that the proposed activity; or*
 - (c) *is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and*
 - (d) *would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.*

Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.

- (8) *This clause does not apply to or in respect of:*
 - (a) *the clearing of native vegetation:*
 - (i) *that is authorised by a development consent or property vegetation plan under the Native Vegetation Act 2003, or*
 - (ii) *that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or*
 - (b) *the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause, or*
 - (c) *trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the Forestry Act 1916, or*
 - (d) *action required or authorised to be done by or under the Electricity Supply Act 1995, the Roads Act 1993 or the Surveying and Spatial Information Act 2002, or*
 - (e) *plants declared to be noxious weeds under the Noxious Weeds Act 1993.*

Note. Permissibility may be a matter that is determined by or under any of these Acts.
- (9) *Subclause (8) (a) (ii) does not apply in relation to land in Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living.*

Note. When this Plan was made it did not include all of these zones."

Forestry is permitted with consent in the RU1 and RU2 zones.

Tweed, Ballina and Byron Shires' LEP's have adopted the above provisions, all with supporting DCP provisions.

Tweed Council's adopted Development Control Plan - Section A16 **Preservation of Trees or Vegetation** exempts Camphor Laurel removal from requiring approval which does not include large scale harvesting, processing or transport of noxious weeds such as Camphor Laurel exceeding 20 trees (>3m high) on a single property over a 12 month period. Large scale harvesting is a form of "forestry" and is subject to development consent.

Previous Camphor harvesting activity resulted in uncontrolled adverse environmental impacts such as erosion and sedimentation, noise, public road safety, impact on threatened species, poor weed management such as Camphor regrowth and community complaints.

To be exempt development the activity needs to have minimal environmental impact. The past performance of Camphor harvesting which was undertaken outside the development consent process did not produce minimal environmental impacts.

Notwithstanding the fact that previous harvesting operations resulted in significant environmental impacts and complaints from the community, the definition of forestry in the Standard Instrument LEP does not leave Council with any choice - development consent is required for camphor harvesting at the scale required to provide wood chip to the co-generation plant.

Note however Council does not regulate the control of camphor laurel by landholders where it is carried out in an environmentally sensitive way.

Apart from the fact that it is usually of a much smaller scale, the straightforward control of camphor laurel does not fall under the definition of forestry as it does not involve the "harvesting of forest products".

The standard template LEP controls and Council's related approvals requirements have been explained to representatives of the owners and licensees of the Condong Co-Generation Plant on a number of occasions.

51 [QON-Cr Armstrong] Drop in Water Table

Councillor M Armstrong asked:

Can Council confirm whether the water table in the localities surrounding Casuarina and Pottsville has been affected by either the current dry period or from domestic use arising from the dry weather? In the event that environmental factors, or domestic use, are contributing to the drop in water table, are there any options available for replenishment?

The Director Engineering advised that the groundwater levels in the Coastal sand aquifers are not monitored by Council or the relevant State Authority being the NSW Office of Water. These aquifers are porous and fluctuate quickly in response to dry and wet weather conditions. The reason for the apparent recent drop in level of these aquifers could be due to the extended dry weather and potentially in part due to domestic and rural use. Council and the NSW Office of Water are unable to advise the exact cause. The arrival of the wet season will see these aquifers quickly replenish. In dryer areas of Australia effluent has been used to recharge aquifers. This is not considered an option in our location given the high rainfall in the area.

52 [QON-Cr Bagnall] Posting of Flyers in Shire

Councillor G Bagnall asked:

What could Council do to restrict the constant flyer posting in the Shire? Some areas, such as Murwillumbah, are constantly having flyers posted on walls and poles making for an untidy appearance.

The Director Planning and Regulation advised that as an initial point of clarification, the regulation of electricity power poles is the responsibility of the relevant electricity supplier agency.

In terms of Council's role in the regulation of the posting of flyers and material on public land, the following applies:

"Impounding Act 1993 No1 - Division 4 Impounding of articles

15 *Abandoned and unattended articles can be impounded*

An impounding officer may impound an article found in the officer's area of operations if the officer believes on reasonable grounds that the article has been abandoned or left unattended. Section 16 affects this if the article is a motor vehicle.

Note. *The Local Government Act 1993 gives a council power to order the removal of an object or matter that is causing or likely to cause an obstruction."*

The Tweed Development Control Plan 2008 - Section A15 - Advertising Signs Code also states that:

"A4.5 *Signs Which Are Prohibited*

- (c) *Any advertisement, poster etc, affixed to a tree, light pole or power pole is prohibited, except by special application."*

Council's Rangers do attempt to remove the more prominent unsightly and unauthorised articles with the Shire's business centres where possible, but it is currently not a resourcing priority to clean up flyer postings. The prosecution of offenders would be difficult and costly in practice.

A possible alternative strategy to address this problem is for Council to work with the existing Chambers and business associations to seek the cooperation of business owners to assist in the flyer or poster removal.

53 [QON-Cr Bagnall] Limits on Number of Notices of Motion

Councillor G Bagnall asked:

The "Councillor Guide" (Local Government Assoc of NSW) page 44, states:

"The number of motions put forward by a councillor cannot be limited. As long as notice and other procedures are followed, a councillor can put forward as many motions as they wish."

1. Is this stated elsewhere and is it legal?
 2. Can a Council determine otherwise, ie limit the amount of NOMs?
 3. How does this affect the recently decided limits place on our Shire's councillors?
-

The Acting Director Corporate Services responded as follows:

1. *Is this stated elsewhere and is it legal?*

The Local Government Act 1993 enables councils to conduct their meetings according to a Code of Meeting Practice adopted by council, but it is not a mandatory requirement to adopt a Code of Meeting Practice, therefore it is at the discretion of Council as to what is contained within the Code taking into account the requirements set out in the Local Government (General) Regulation 2005.

The Code of Meeting Practice Version 2.4.1 that Council is currently utilising was adopted on 19 June 2014 and is legal.

2. *Can a Council determine otherwise, ie limit the amount of NOMs?*

Yes. On 16 February 2010, Council adopted that Questions on Notice shall be limited to five (5) questions per Councillor per Council meeting and be limited to 100 words or less and be succinct and without argument in format of the question.

Keeping consistency within and following public consultation the Code of Meeting Practice was amended in February 2014 to cater for:

Part of Section 5.1 *".... Notices of Motion shall be limited to five (5) per Councillor per Council meeting and are to be in the format of the Notice of Motion form."*

A Notice of Motion form was also adopted in conjunction with the number of Notices of Motion and it is currently being utilised by Councillors, with other appropriate background and supporting information being added by Management.

Therefore as there is no mandatory requirement to adopt a Model Code of Meeting Practice, Council is able to tailor its Code to suit its meeting environment.

3. *How does this affect the recently decided limits place on our Shire's councillors?*

There is no effect.

54 [QON-Cr Bagnall] Closed Meetings

Councillor G Bagnall asked:

The "Councillor Guide" (Local Government Assoc of NSW) page 45, states:

"Personal matters are being discussed - this does not include matters relating to councillors."

Does this then apply to Code of Conduct matters concerning Councillors?

The Acting Director Corporate Services responded that it is important to note that the term 'Personal' in the QON is actually 'Personnel' in the Local Government Act and the Councillor Guide.

Personnel matters relate to employed staff and not councillors. Further Section 10A(2) has also been amended to include a new part (i) following the implementation of the Administration of the Model Code of Conduct Procedure in March 2013, to include the following part, that relates to the consideration of Code of Conduct matters relating to councillors in a Closed Meeting Session and reads:

'LOCAL GOVERNMENT ACT 1993 - SECT 10A

Which parts of a meeting can be closed to the public?

10A Which parts of a meeting can be closed to the public?

- (1) *A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
 - (a) *the discussion of any of the matters listed in subclause (2), or*
 - (b) *the receipt or discussion of any of the information so listed.**

 - (2) *The matters and information are the following:
 - (a)...(h)
 - (i) *alleged contraventions of any code of conduct requirements applicable under section 440."**
-

DELEGATE REPORTS

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

55 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 6 June 2014

512

Cr P Youngblutt
Cr M Armstrong

RESOLVED that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 6 June 2014 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A3. DA14/0258 South Pottsville Caravan Park - Joanne Kay (Tweed Shire Council)

That Council notes the Aboriginal Advisory Committee recommendations in relation to Development Application DA14/0258 for Pottsville South Holiday Park as provided below:

1. *The Aboriginal Advisory Committee notes that the opinions of site officers do not represent the formal response of the Tweed Byron Local Aboriginal Land Council.*
2. *That site monitoring be provided during earthworks and preparation and construction of the retaining walls.*
3. *That site monitoring be provided during earthworks and preparation for additional cabins.*

That the Aboriginal Advisory Committee:

1. *Notes that the Due Diligence reports are not reflecting the formal view of Tweed Byron Local Aboriginal Land Council. or other stakeholders rather they reflect comments made on site by site officers or other Aboriginal stakeholder representatives.*
2. *Seeks to have the reports submitted in draft form for consideration until the Aboriginal Advisory Committee provides input.*
3. *Notes the document titled "Kenmar Farms Aboriginal Cultural Heritage Assessment" is a Due Diligence Report not a Cultural Heritage Assessment as labelled.*

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

56 [SUB-EAC] Minutes of the Equal Access Advisory Committee Meeting held Wednesday 18 June 2014

513

Cr P Youngblutt
Cr M Armstrong

RESOLVED that:

1. The Minutes of the Equal Access Advisory Committee Meeting held Wednesday 18 June 2014 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

GB7. Committee membership

That Angela Collins' position is declared vacant and an expression of interest to fill the vacancy is advertised in the Tweed Link as soon as possible.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

57 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held Monday 14 July 2014

514

Cr P Youngblutt
Cr M Armstrong

RESOLVED that the Minutes of the Sports Advisory Committee Meeting held Monday 14 July 2014 be received and noted.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

CONFIDENTIAL COMMITTEE

515

Cr B Longland
Cr C Byrne

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 - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

CONFIDENTIAL ITEMS FOR CONSIDERATION

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:-

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

C1 [GM-CM] Application under Business Investment Policy

REASON FOR CONFIDENTIALITY:

This report deals with commercial-in-confidence discussions relating to eligibility of the approved development under the Business Investment Policy.

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.

C 36

That Council:

1. Approves the deferral of the water and sewer developer contribution charges (s.64) for the approved medical centre (DA14/0073) for a period of six years. Payments will be required to be made in equal annual instalments, due every 12 months from the date of issue of the Occupancy Certificate for the development.
2. Requests Focus on Real Estate Pty Ltd to provide Council with a bank guarantee for the full amount of water and sewer developer contribution charges (s.64) for the approved medical centre (DA14/0073) for a period of six years.
3. Enters into an agreement with Focus on Real Estate Pty Ltd (Medical Centre Kingscliff, Azure, 52-74 Marine Parade, Kingscliff) for the deferment of developer contribution charges (s.64) calculated at the date of issue of the Occupancy Certificate for (DA14/0073).
4. Executes all documentation under the common seal of Council.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION IN COMMITTEE

C2 [PR-CM] The Unauthorised Use of the Road Reserve, McDonalds Road, Terragon

REASON FOR CONFIDENTIALITY:

This report has been made Confidential due to the ramifications of Council's decision.

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: -

- (e) information that would, if disclosed, prejudice the maintenance of law

C 37

That the report on compliance matters in relation to the unauthorised use of McDonalds Road Terragon be received and noted.

The Motion was **Carried**

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase***

REPORTS FROM THE ACTING DIRECTOR COMMUNITY AND NATURAL RESOURCES IN COMMITTEE

C3 [CNR-CM] Sports Advisory Committee

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: -

- (a) personnel matters concerning particular individuals (other than councillors).

C 39

That Council:

1. Appoints Gillian Austin, Helen Rigney, Linton Alford as additional Sports Advisory Committee members; and
2. Approaches the Sports Advisory Committee to seek their view on increasing their membership by two more members.

The Amendment was **Carried** on casting vote of the Mayor

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

The Amendment on becoming the Motion was **Carried** (Minute No C39 refers)

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

516

Cr B Longland
Cr M Armstrong

RESOLVED that the recommendations of the Confidential Committee be adopted.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase

There being no further business the Meeting terminated at 9.07pm.



Minutes of Meeting Confirmed by Council

at the

Council Meeting held on xxx

Chairman

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