



**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 18 June 2015**

held at Kingscliff Bowls Club,  
Waves Function Room, Marine Parade, Kingscliff  
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 C Byrne, Cr B Longland, Cr K Milne, and Cr W Polglase.

Also present were Mr Troy Green (General Manager), Ms Liz Collyer (Director Corporate Services), Mr David Oxenham (Director Engineering), Mr Vince Connell (Director Planning and Regulation), Ms Tracey Stinson (Director Community and Natural Resources), Mr Shane Davidson (Executive Officer), Mr Neil Baldwin (Manager Corporate Governance), Mr Michael Chorlton (Manager Financial Services) 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 Bruce Sligo, Murwillumbah All Saints Anglican Church:

***"Holy Spirit, Help Us***  
*Holy Spirit, you make all things new;  
Renew us in will and deed  
to work together with you.*

*That all people who today are shivering  
with an icy loneliness at the core of their being  
may let go and let God fill them with his warmth:  
Spirit, hear us; Spirit, help us.*

*That Christians may be more willing to trust the Spirit  
to fill and renew their lives and relationships:  
Spirit, hear us; Spirit, help us.*

*That disabled people, those who are sick or disadvantaged  
may find the Spirit with them and in them,  
giving new courage and serenity:  
Spirit, hear us; Spirit, help us.*

*That bitter people, disillusioned people,  
and the angry ones who cause war on terrorism  
may find an inner healing of the Spirit  
that will lead to peace and reconciliation:  
Spirit, hear us; Spirit, help us.*

*That those who cause or tolerate injustice and inhumanity  
may be brought to repentance  
and find the way of the compassionate Spirit:  
Spirit, hear us; Spirit, help us.*

*Spirit of God,  
gift of Pentecost,  
remake us in the likeness of Christ,  
that we may live to your glory,  
from here to eternity.*

*Amen*

### ***A Prayer for Recharging the Mobile***

*As I recharge my mobile battery  
may God recharge my soul:  
the current of God's love  
flowing through me  
healing, restoring, renewing....*

*As the ions return to their source,  
I to Jesus return.  
Plug me into your kin-dom,  
your way of life -  
Loving, forgiving, truthful.*

*As I sit waiting by my mobile  
connect my life to you.  
God's Spirit in my thoughts.  
Help me listen  
to your love, your prompting,  
deep within.*

*Amen"*

## **CONFIRMATION OF MINUTES**

- 1 **[CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meeting held Thursday 21 May 2015**

**308**

**Cr P Youngblutt  
Cr K Milne**

**RESOLVED** that:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 21 May 2015 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**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**2 [CONMIN-CM] Confirmation of Minutes of the Ordinary Council Meeting held Thursday 4 June 2015**

**309**

**Cr P Youngblutt**  
**Cr K Milne**

**RESOLVED** that the Minutes of the Ordinary Council Meeting held Thursday 4 June 2015 be adopted as a true and accurate record of proceedings of that meeting.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## **APOLOGIES**

Attendee Cr M Armstrong has informed the General Manager that his absence is due to personal reasons.

**310**

**Cr K Milne**  
**Cr G Bagnall**

**PROPOSED** that the apology of Cr M Armstrong be accepted and the necessary leave of absence be granted.

The Motion was **Lost**

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

## **DISCLOSURE OF INTEREST**

Nil.

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**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.

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**MAYORAL MINUTE**

**4 [MM-CM] Mayoral Minute for May 2015**

**311**

**Cr G Bagnall**

**RESOLVED** that:

1. The Mayoral Minute for the month of May 2015 be received and noted.
2. The attendance of Councillors at nominated Conferences be authorised:
  - Cr B Longland, Chair of the Coastal Committee, to attend the 24<sup>th</sup> NSW Coastal Conference to be held at Club Forster, Forster NSW from 10 to 13 November 2015.

The Motion was **Carried**

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

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**RECEIPT OF PETITIONS**

**5 [ROP] Receipt of Petitions**

**312**

**Cr P Youngblutt  
Cr K Milne**

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

- Petition containing 67 signatures was received by Council from residents of Rose Street, Morley Street, Honeysuckle Street of Tweed Heads West to install speed bumps into Rose Street:
  - Installation of speed bumps will reduce people from speeding in the street and prevent cars from hitting children or houses, a tragedy waiting to happen.
  - It will also reduce residents being woken up during the night from hoons drifting in the street.
  - We the residents demand Tweed Shire Council install speed bumps with the new road construction currently taking place.

The Motion was **Carried**

***FOR VOTE - Unanimous***

***ABSENT. DID NOT VOTE - Cr M Armstrong***

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 6 [GM-CM] Economic Development Strategy - Progress Report

313

**Cr P Youngblutt**

**Cr K Milne**

**RESOLVED** that Council receives and notes this progress report on the Tweed Shire Economic Development Strategy.

The Motion was **Carried**

***FOR VOTE - Unanimous***

***ABSENT. DID NOT VOTE - Cr M Armstrong***

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## PROCEDURAL MOTIONS

314

**Cr K Milne**

**Cr P Youngblutt**

**RESOLVED** that Items 7 to 15, with the exception of Item a8, be considered in block.

The Motion was **Carried**

***FOR VOTE - Unanimous***

***ABSENT. DID NOT VOTE - Cr M Armstrong***

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315

Cr K Milne  
Cr P Youngblutt

**RESOLVED** that Items 7 to 15, with the exception of Item a8, be moved in block.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

7 [GM-CM] Quarterly Report Destination Tweed - January to March 2015

316

Cr K Milne  
Cr P Youngblutt

**RESOLVED** that Council:

1. Notes Destination Tweed's Quarterly Report for the quarter January to March 2015.
2. Endorses the specific issues raised in the report to be referred to the relevant sections of Council for action.
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**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

8 [PR-CM] Extension of Approval to Operate Markets - Kingscliff, Pottsville, Murwillumbah and Tweed Heads

317

Cr K Milne  
Cr P Youngblutt



**RESOLVED** that subject to the endorsement by the Tweed Coast Reserves Trust, Council extends the current approvals to operate each of the markets located at Kingscliff (Jack Bayliss Park), Kingscliff (Lions Park), Tweed Heads (Recreation Ground), and Pottsville (Philip Street) from 1 July 2015 for a period of six months until 31 December 2015.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## LATE ITEM

**318**

**Cr C Byrne**  
**Cr P Youngblutt**

**RESOLVED** that Item 8a [PR-CM] Development Application DA13/0401.01 for an Amendment to Development Consent DA13/0401 for Integrated Housing Comprising of 12 Dwellings at Lot 35 DP 1145386 & Lot 36 DP 1145386 Cylinders Drive, Kingscliff 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 - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

**a8** [PR-CM] Development Application DA13/0401.01 for an Amendment to Development Consent DA13/0401 for Integrated Housing Comprising of 12 Dwellings at Lot 35 DP 1145386 & Lot 36 DP 1145386 Cylinders Drive, Kingscliff

**319**

**Cr C Byrne**  
**Cr W Polglase**

**PROPOSED** that Council engages Council's solicitors to negotiate consent orders for DA13/0401.01.

## AMENDMENT

**320**

**Cr G Bagnall**  
**Cr K Milne**

**RESOLVED** that Council defends the Class 1 Appeal (as necessary) for Development Application DA13/0401.01 for an amendment to Development Consent DA13/0401 for integrated housing comprising of 12 dwellings at Lot 35 DP 1145386 & Lot 36 DP 1145386; Cylinders Drive Kingscliff.

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

The Amendment was **Carried** on the Casting Vote of the Mayor.

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

The Amendment on becoming the Motion was **Carried** on the Casting Vote of the Mayor (Minute No 320 refers)

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## REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

### 9 [CNR-CM] Arkinstall Park - Stage 2

321

**Cr K Milne**  
**Cr P Youngblutt**

**RESOLVED** that:

1. The Arkinstall Park Stage Two Master Plan and Concept Design be placed on exhibition for 42 days.
2. Council staff submit a further report to Council at the close of the exhibition period.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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### 10 [CNR-CM] Seniors' Exercise Equipment

322

**Cr K Milne**  
**Cr P Youngblutt**

**RESOLVED** that Council:

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1. Notes that information on establishing infrastructure in parks that reflect the demographics of the surrounding area will be included in the development of the Shire Wide Open Space Strategy.
2. Undertakes a consultation process with the community in the area surrounding John Follent Park, Tweed Heads on the proposal to replace the old exercise equipment in John Follent Park with new aged-friendly equipment similar to that installed at Kingscliff.

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## 11 [CNR-CM] RFP2015-062 Construction of Knox Park Youth Precinct

323

Cr K Milne

Cr P Youngblutt

**RESOLVED** that in respect to Contract RFP2015-062 Construction of Knox Park Youth Precinct:

1. Council awards the contract to VFG Skateparks (ABN 51 656 509 153) for the amount of \$789,575.27 (exclusive of GST).
2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at mid contract and finalisation of the contract.
3. ATTACHMENTS 1 and 2 are 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 - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## 12 [CNR-CM] Composition of Community Halls Advisory Committee

324

Cr K Milne  
Cr P Youngblutt

**RESOLVED** that Council endorses the following appointments to the Community Halls Advisory Committee:

Community Hall Management Committee	Nominated Delegate
Crystal Creek Community Hall Committee	Agnes Nesci Ben Law (alternate)

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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13            **[CNR-CM] Community Halls Governance Framework Issues Paper and Draft Community Halls Policy**

325

Cr K Milne  
Cr P Youngblutt

**RESOLVED** that Council exhibits the draft Community Halls Policy for a period of 28 days and accepts public submissions for a period of 42 days as per Section 160 of the Local Government Act 1993.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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14            **[CNR-CM] Future Use of Murwillumbah Railway Station**

326

Cr K Milne  
Cr P Youngblutt

**RESOLVED** that Council notes that the best use of Murwillumbah railway station precinct for community/cultural activity is its integration with the Murwillumbah to Tweed Art Gallery Rail Trail.

The Motion was **Carried**

***FOR VOTE - Unanimous  
ABSENT. DID NOT VOTE - Cr M Armstrong***

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**15 [CNR-CM] Family and Community Services Funding Agreement 2015-2018**

**327**

**Cr K Milne  
Cr P Youngblutt**

**RESOLVED** that Council:

1. Accepts the annual funds of \$883,019.33 for the period from 1 July 2015 up to 30 June 2018 from the NSW Government Family and Community Services, Ageing Disability and Home Care.
2. Votes the expenditure.
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  
ABSENT. DID NOT VOTE - Cr M Armstrong***

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**16 [CNR-CM] Impact of Cats on Native Fauna - Preliminary Report**

**328**

**Cr K Milne  
Cr P Youngblutt**

**RESOLVED** that a workshop be conducted with Councillors to explore the options and possible actions and resource implications of managing cats in Tweed Shire.

The Motion was **Carried**

***FOR VOTE - Unanimous  
ABSENT. DID NOT VOTE - Cr M Armstrong***

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17 [CNR-CM] River Health Grant Approval May 2015

329

Cr W Polglase  
Cr P Youngblutt

**RESOLVED** that Council approves the proposed River Health Grant listed below:

<i>Property Owner</i>	<i>Locality</i>	<i>Stream frontage (m)</i>	<i>Objective of works</i>	<i>Council contribution</i>
Sims	Tygalgah	100m	Stabilise river bank erosion	Supply of rock to maximum value of \$60,000
Stewart	Pumpenbil	140	Revegetate creek bank by providing plants	\$300
Debono	Crystal Creek	140	Revegetate creek bank by providing plants	\$300
Lazer	Bilambil	165	Revegetate creek bank by providing plants and weed control	\$550

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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18 [CNR-CM] Tweed Riverbank Erosion Management Plan 2014 - Adoption

330

Cr K Milne  
Cr G Bagnall

**PROPOSED** that Council:

1. Defers adoption of this Management Plan to consult with relevant State Government agencies and further investigate the potential of, wherever possible, realigning the roads, or parts of the roads vulnerable to erosion, as an alternative to the large scale rock revetment required (approximately 6km of revetment), in recognition of the significant aesthetic and ecological impacts, and to maintain the integrity of this important natural and economic tourism asset for this National Iconic Landscape.
2. Brings back a further report on this issue.

**AMENDMENT**

**331**

**Cr B Longland  
Cr W Polglase**

**RESOLVED** that Council adopts the Tweed Riverbank Erosion Management Plan 2014.

The Amendment was **Carried**

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

The Amendment on becoming the Motion was **Carried** - (Minute No 331 refers)

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

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**REPORTS FROM THE DIRECTOR ENGINEERING**

**19 [E-CM] Revised Policy - Discharge of Liquid Trade Waste to the Sewerage System**

**332**

**Cr K Milne  
Cr W Polglase**

**RESOLVED** that:

1. As per Section 160 of the Local Government Act 1993, Council exhibits the draft Policy - *Discharge of Liquid Trade Waste to the Sewerage System (Version 2)* - and invites public submissions for a period of 42 days.
2. Council considers all submissions received during the exhibition period prior to adoption of the revised Policy.
3. Post-exhibition, Council seeks the concurrence of the NSW Office of Water prior to making any further amendments to the Policy.

The Motion was **Carried**

**FOR VOTE - Unanimous  
ABSENT. DID NOT VOTE - Cr M Armstrong**

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**20 [E-CM] Rainwater Tanks in Serviced Areas - Revision of Rainwater Tank Policy**

**333**

**Cr K Milne  
Cr B Longland**

**RESOLVED** that:

1. As per Section 160 of the *Local Government Act (1993)*, Council exhibits the draft Policy "*Rainwater Tanks in Serviced Areas (Version 3.0)*" for a period of 28 days and invites public submissions for a period of 42 days.
2. Council considers all submissions received during the exhibition period prior to adoption of the revised Policy.

The Motion was **Carried**

***FOR VOTE - Unanimous  
ABSENT. DID NOT VOTE - Cr M Armstrong***

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**21 [E-CM] Rainwater Tank Rebate Scheme**

**334**

**Cr W Polglase  
Cr P Youngblutt**

**RESOLVED** that Council does not proceed with a rebate scheme for rainwater tanks on the grounds that other rebates are more cost effective.

**AMENDMENT**

**335**

**Cr K Milne  
Cr G Bagnall**

**PROPOSED** that Council brings back a report on:

1. The possibility of providing a rebate targeted to property owners in the Tweed Shire that have a Federal Government low income healthcare/pensioner card or landlords that provide low cost housing in the Tweed Shire.
2. Providing a rebate that could be used for a range of water conservation measures such as dual flush or composting toilets, rainwater tanks larger than 5,000L, efficient taps, aerators, flow regulators or shower heads.



The Amendment was **Lost**

**FOR VOTE - Cr K Milne, Cr G Bagnall**

**AGAINST VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

The Motion was **Carried** - (Minute No 334 refers)

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

**AGAINST VOTE - Cr K Milne**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**22 [E-CM] Water Supply and Sewerage Benchmarking Report 2013-14**

**336**

**Cr W Polglase**

**Cr P Youngblutt**

**RESOLVED** that the Water Supply and Sewerage NSW Benchmarking 2013-2014 report be received and noted.

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**PROCEDURAL MOTIONS**

**337**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that Items 23 to 27 be considered in block.

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

**338**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that Items 23 to 27 be moved in block.

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The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

**23 [E-CM] RFP2015-016 Registration of Interest for the Hire of Small Plant to Council**

**339**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that in respect to Contract RFP2015-016 Registration of Interest for the Hire of Small Plant, Council accepts all suppliers as listed for the period 1 July 2015 until 30 June 2017 with hire decisions to be made following reference to submitted catalogue rates and additional charges that may apply.

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**24 [E-CM] RFP2015-030 (B) Level of Discount to be Applied for the Supply of Materials as a Preferred Supplier**

**340**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that in respect to Contract RFP2015-030 (B) Level of Discount to be Applied for the Supply of Materials as a Preferred Supplier:

1. Council accepts the discount levels as submitted and formal Preferred Supplier arrangements be entered into with nominated suppliers. The Preferred Supplier arrangement will commence on 1 July 2015 until 30 June 2016 with a possible further two (2) by twelve (12) month extension options.
2. 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**

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**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**25 [E-CM] RFP2015-015 Registration of Interest for Contract Truck Haulage to Tweed Shire and Byron Shire Councils**

**341**

**Cr K Milne  
Cr B Longland**

**RESOLVED** that in respect to Contract RFP 2015-015 Registration of Interest for Contract Truck Haulage to Tweed Shire Council:

1. Council accepts the ranking schedules for the period 1 July 2015 until 30 June 2017 as listed in the Confidential Attachment to this report.
2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at mid contract and finalisation of the contract.
3. ATTACHMENTS 1, 2 and 3 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  
ABSENT. DID NOT VOTE - Cr M Armstrong**

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**26 [E-CM] RFP2015-018 Registration of Interest for the Hire of Plant and Equipment to Tweed and Byron Shire Councils**

**342**

**Cr K Milne  
Cr B Longland**

**RESOLVED** that in respect to Contract RFP2015-018 Registration of Interest for the Hire of Plant and Equipment to Tweed Shire Council:

1. Council accepts the ranking schedule for the period 1 July 2015 until 30 June 2017 as listed in the Confidential Attachment to this report.

2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at mid contract and finalisation of the contract.
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 - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**27 [E-CM] RFP2015-022 Supply and Delivery of Selected Materials**

**343**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that in respect to Contract RFP2015-022 Supply and Delivery of Selected Materials:

1. Council awards the supply to the following for the schedule of rates/prices submitted.

<b>Company</b>	<b>A B N</b>	<b>Products</b>
Rocla	13 000 032 191	Concrete Pipes CL2 RRJ Concrete Pipes CL3 RRJ Concrete Surrounds Concrete - Kerb Inlets Concrete Headwalls
Williams Group Australia Pty Ltd	28 128 744 990	Group M Herbicides Premix Cement Bag 20kg Bagged Cement 20kg Bag Reinforcing Mesh 90mm Dia. PVC Stormwater Pipe Electrode 12P Form Ply 2.4 x 1.2 Star Picket 1.67m Bitumen Coated
Vinidex Pty Ltd	42 000 664 942	100mm Dia. Slotted Agriculture Pipe
Geofabrics Australasia Pty Ltd	23 005 479 961	Woven Silt Film/Silt Stop 0.85m
Global Synthetics Pty Ltd	71 120 519 520	Geotextile Material

2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.
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 - Unanimous***

***ABSENT. DID NOT VOTE - Cr M Armstrong***

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## REPORTS FROM THE DIRECTOR CORPORATE SERVICES

### 28 [CS-CM] "Fit for the Future" Improvement - Council Submission

344

**Cr W Polglase**

**Cr K Milne**

**RESOLVED** that Council adopts the Draft submission in response to the NSW State Government Fit for the Future proposals to be assessed by IPART and forwarded for assessment before 30 June 2015.

The Motion was **Carried**

***FOR VOTE - Unanimous***

***ABSENT. DID NOT VOTE - Cr M Armstrong***

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### 29 [CS-CM] Integrated Planning and Reporting Framework - 2013/2017 Delivery Program, 2015/2016 Operational Plan and Resourcing Strategy

345

**Cr B Longland**

**Cr P Youngblutt**

**RESOLVED** that Council adopts the:

1. Following plans, as exhibited and amended:
    - Delivery Program 2013/2017;
-

- Operational Plan 2015/2016;
  - Revenue Policy and Statement 2015/2016, Part A;
  - Budget 2015/2016, Part B; noting the \$7,500 for the New Years Eve fireworks at Tweed Heads be allocated for New Years Eve fireworks or laser light show at Tweed Heads.
  - Resourcing Strategy 2013/2023.
2. Fees and Charges 2015/2016, Part C as exhibited and amended with the addition of the following fee (previously resolved on 19 February 2015):
- Item 107 Swimming Pool Admission Charge - Memberships  
Bronze membership 6 month individual Affordable Entry (People with Permanent or Temporary Disabilities - with appropriate evidence) \$140.00

The Motion was **Carried**

***FOR VOTE - Unanimous***  
***ABSENT. DID NOT VOTE - Cr M Armstrong***

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**30 [CS-CM] Compliments and Complaints Analysis Report for the Period 1 January to 31 March 2015**

**346**

**Cr K Milne**  
**Cr C Byrne**

**RESOLVED** that Council receives and notes the Compliments and Complaints Analysis Report for the period 1 January to 31 March 2015.

The Motion was **Carried**

***FOR VOTE - Unanimous***  
***ABSENT. DID NOT VOTE - Cr M Armstrong***

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**31 [CS-CM] Legal Services Register for the Period 1 January to 31 March 2015**

**347**

**Cr K Milne**  
**Cr P Youngblutt**

**RESOLVED** that Council receives and notes the Legal Services Register as at 31 March 2015.

The Motion was **Carried**

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

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**32 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report for Period Ending 31 May 2015**

**348**

**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 May 2015 totalling \$211,433,820 be received and noted.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## **ORDERS OF THE DAY**

**33 [NOM] 2016 Local Government Aboriginal Network Conference**

**349**

**Cr G Bagnall**  
**Cr K Milne**

**RESOLVED** that in recognition of Tweed Shire Council's successful submission to host the 2016 Local Government Aboriginal Network Conference, the Aboriginal Advisory Committee be invited to submit requests for works or projects in order of priority, that they would like to see completed before the delegates arrive.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**34 [NOM] Jack Bayliss Park, Kingscliff**

**350**

**Cr W Polglase  
Cr P Youngblutt**

**RESOLVED** that Council removes the southernmost 'anti vandalism' sign situated in Jack Bayliss Park, Kingscliff.

**AMENDMENT**

**351**

**Cr K Milne  
Cr G Bagnall**

**PROPOSED** that this item be deferred until a report is brought back on the length of time signs should be in place as determined by the imminent procedure.

The Amendment was **Lost**

***FOR VOTE - Cr K Milne, Cr G Bagnall***

***AGAINST VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt***

***ABSENT. DID NOT VOTE - Cr M Armstrong***

The Motion was **Carried** - (Minute No 350 refers)

***FOR VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt***

***AGAINST VOTE - Cr K Milne, Cr G Bagnall***

***ABSENT. DID NOT VOTE - Cr M Armstrong***

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**35 [NOM] Code of Meeting Practice**

**352**

**Cr K Milne  
Cr G Bagnall**

**PROPOSED** that the Code of Meeting Practice Order of Business be amended to:

1. Include a section to formally seeking advice from the public gallery on bringing forward items of particular interest in the agenda, and
2. Deal with the Orders of the Day prior to the remaining items in the Officers Reports.

The Motion was **Lost**

***FOR VOTE - Cr K Milne, Cr G Bagnall***

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

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**36 [NOM] Enhanced Community Engagement in Developments**

**353**

**Cr K Milne**  
**Cr G Bagnall**

**PROPOSED** that Council brings forward a combined report from the Director Planning and Regulation and Director Corporate Services addressing the following:

1. Provide for enhanced community engagement in the early stages of a planning proposal request, where there is an appreciable uplift in the development capacity of land resulting from a rezoning;
2. Provide a range of options or guiding principles the community could consider for improved outcomes in regards to acquiring a social or environmental community net benefit in lieu of the proposed increase in development capacity within their locality; and
3. Provide examples of trade-offs that could be tendered for consideration by developers in lieu of gaining general community support for the proposed increase in development capacity.

The Motion was **Lost**

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

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**37 [NOM] Improved Sustainability Outcomes in Developments**

**354**

**Cr K Milne**  
**Cr G Bagnall**

**PROPOSED** that Council engages the services of a suitably qualified consultant to:

1. Evaluate the cost and probable effectiveness of a ratings tool such as Green Star as a measure of and to improve overall environmental sustainability of new buildings.
  2. Evaluate options for improving the environmental efficiency of new residential dwellings and incentives for their take-up over and above that mandated by Basix.
-

The Motion was **Lost**

**FOR VOTE - Cr K Milne, Cr G Bagnall**

**AGAINST VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## **ADJOURNMENT OF MEETING**

Adjournment for dinner at 6.28pm.

## **RESUMPTION OF MEETING**

The Meeting resumed at 7.15pm

### **38 [NOM] Green Star Ratings for Council Buildings**

**355**

**Cr K Milne**

**Cr G Bagnall**

**RESOLVED** that Council brings forward a report on utilising a rating system such as Green Star for Council buildings.

The Motion was **Lost**

**FOR VOTE - Cr K Milne, Cr G Bagnall**

**AGAINST VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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### **39 [NOM] Balloon Releases**

**356**

**Cr K Milne**

**Cr G Bagnall**

**PROPOSED** that Council:

1. Notes with great concern ongoing reports of balloons being found in birdlife and marine life, including a recent study that reported the presence of balloons found in one of every 20 birds examined, according to Dr Jenn Lavers of the Institute of Marine and Antarctic Studies, Hobart.
  2. Notes the ban of mass balloon releases in NSW, the Sunshine Coast and Victoria Park in WA, as well as numerous areas around the world, including California, Connecticut,
-

Florida, Tennessee, Virginia, Ocean City, Maryland; Louisville, Kentucky; Huntsville, Alabama; San Francisco, California; Baltimore, Maryland, and Plymouth-UK.

3. Notes the difficulties in ensuring compliance with this legislation.
4. Writes to the NSW government to:
  - a) Commend them on their stance of prohibition of mass balloon releases and advise them of this motion.
  - b) Seek their assistance in developing a strategy to:
    - i) Ensure the banned release of balloons is well understood by the community in this local area and particularly in regard to new interstate residents and visitors,
    - ii) Ensure local party suppliers are complying with legislation and educating their customers on proper disposal, the effects on wildlife, and human health risks.
5. Writes to the Federal Government in regard to this motion.
6. Submit the following motion to the next NSW Local Government Association and Australian Local Government Association conferences:

*"That the NSW Local Government Association and Australian Local Government Association request the Federal Government:*

- a) *Enact legislation to ban mass release of balloons Australia wide,*
- b) *Enact legislation to ensure that sales of balloons be labeled with appropriate warnings about proper disposal, the effects on wildlife, and human health warnings.*
- c) *Undertake an education campaign for the community and party suppliers.*
- d) *Undertake research to determine if there is a more environmentally friendly substitute material for balloons such as one that biodegrades faster,*
- e) *Determine whether helium, particularly that which is used for medical purposes, is at risk of depletion, and if so implement legislation accordingly, and*
- f) *Determine whether there are serious health risks from inhaling helium and if so implement legislation and an education campaign accordingly".*

## **AMENDMENT**

**357**

**Cr B Longland**  
**Cr W Polglase**

**RESOLVED** that Council commends the State Government's policy on mass balloon releases and publishes an article in the Tweed Link which draws attention to the potential harm to wildlife from the mass release of balloons.

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The Amendment was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

The Amendment on becoming the Motion was **Carried** - (Minute No 357 refers)

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**40 [NOM] Streetlighting - Pearl Street, Kingscliff**

**358**

**Cr C Byrne**  
**Cr P Youngblutt**

**RESOLVED** that Council officers, as part of the 2014/2015 rollover and carryover funds, seek savings to direct \$20,000 to fund a streetlight in Pearl Street, Kingscliff in the vicinity of St Anthony's Primary School and the corner where PRD Real Estate is located.

**AMENDMENT**

**359**

**Cr G Bagnall**  
**Cr K Milne**

**PROPOSED** that the Local Traffic Committee consider the suitability of street lighting in the Pearl Street, Kingscliff in the vicinity of St Anthony's Primary School and the corner where PRD Real Estate is located.

The Amendment was **Lost**

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

The Motion was **Carried** - (Minute No 358 refers)

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## QUESTIONS ON NOTICE

### 41 [QON-Cr K Milne] Kirkwood Road Interchange

#### QUESTION ON NOTICE:

Councillor K Milne asked:

Can Council advise of the traffic volumes for the Kirkwood Road interchange on and off ramps, how these volumes compare to the predicted traffic volumes and the water quality and restoration outcomes for the adjacent drain?

The Director Engineering advised that based on a traffic count conducted between 23 and 29 April 2015, an average of 4,492 vehicles travelled on Kirkwood Road between the highway and Falcon Way per day. An average of 3,795 vehicles per day were observed travelling east bound, 697 vehicles per day west bound.

Predictive traffic modelling has been undertaken for the entire Kirkwood Road project, including highway off and on ramps and the western connection to Fraser Drive. This predicted 7,000 vehicles per day on Kirkwood Road west of Minjungbal Drive at current development levels. However as only the first stage of the Kirkwood Road project has been completed to date, direct comparison of predicted and actual traffic is not available.

There was no requirement for ongoing water quality monitoring within the drain associated with the Kirkwood Road Project approval. Water quality within the drain was monitored during construction only. Various maintenance activities have been undertaken since the road's completion to improve the operation of the drain, but these works were not driven by water quality.

There were no restoration or landscape outcomes specifically required by the Kirkwood Road approval for the adjacent drain.

The landscaping contract for the Kirkwood Road project included hydro mulching and planting at the Kirkwood Road - Pacific Highway interchange.

Revegetation to compensate for vegetation clearing associated with the Kirkwood Road project was mostly undertaken offsite at Avondale Park off Greenway Drive (~5.6ha site). A small proportion (0.1ha) of the required offset is being undertaken at the Kirkwood Road site, in the location of the temporary construction offices adjacent the Roundabout.

Avondale park restoration works are well advanced with planting commencing in 2012 and maintenance continuing to 2017. Restoration works adjacent the roundabout at Kirkwood Road was required to commence after the road was opened. Some site preparation works has commenced and preliminary weed spraying will start in the coming weeks followed by planting. There is a 5 year maintenance program for these works also. Planting will consist of a 5m vegetated buffer along the drainage line (south of the roundabout) to near the entrance to the cemetery.

## DELEGATE REPORTS

Nil.

## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

### PROCEDURAL MOTIONS

**360**

**Cr K Milne**  
**Cr B Longland**

**RESOLVED** that Items 42 to 48 be considered in block.

The Motion was **Carried**

***FOR VOTE - Unanimous***  
***ABSENT. DID NOT VOTE - Cr M Armstrong***

**361**

**Cr K Milne**  
**Cr B Longland**

**RESOLVED** that Items 42 to 48 be moved in block.

The Motion was **Carried**

***FOR VOTE - Unanimous***  
***ABSENT. DID NOT VOTE - Cr M Armstrong***

**42**            **[SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 10 April 2015**

**362**

**Cr K Milne**  
**Cr B Longland**

**RESOLVED** that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 10 April 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:  
  
IC1 Renaming of Parkes Drive Tweed Heads West

*That Council notes the Aboriginal Advisory Committee's proposal to rename Parkes Drive to Murraba Way.*

IC4 Renaming of Bogong Road

*That Council notes the Aboriginal Advisory Committee's request to rename Bogong Road, Terranora to Wagan Road.*

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**43 [SUB-EAC] Minutes of the Equal Access Advisory Committee Meeting held Wednesday 15 April 2015**

**363**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that:

1. The Minutes of the Equal Access Advisory Committee Meeting held Wednesdays 15 April 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:
  1. Hi-Lo Change Table for Hydro Therapy Pool at Murwillumbah Aquatic Centre

*That Council approves the purchase of a wall mounted adult change table for Murwillumbah pool funded from the Access budget.*

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**44 [SUB-CHAC] Minutes of the Community Halls Advisory Committee Meeting held Monday 4 May 2015**

**364**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that:

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1. The Minutes of the Community Halls Advisory Committee Meeting held Monday 4 May 2015 be received and noted; and

2. The Executive Management Team's recommendations be adopted as follows:

A5. Draft Community Halls Governance Framework, Issues Paper

*That the Draft Community Halls Governance Framework Issues Paper, as amended, be reported to Council for endorsement.*

A6. Draft Community Halls Policy

*That the Draft Community Halls Policy, as amended, be reported to Council for endorsement.*

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**45 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held Monday 20 April 2015**

**365**

**Cr K Milne**

**Cr B Longland**

**RESOLVED** that the Minutes of the Sports Advisory Committee Meeting held Monday 20 April 2015 be received and noted.

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**46 [SUB-TRAG] Minutes of the Art Gallery Advisory Committee Meeting held Wednesday 20 May 2015**

**366**



**Cr K Milne**  
**Cr B Longland**

**RESOLVED** that the Minutes of the Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 20 May 2015 be received and noted.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**47 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 21 May 2015**

**367**

**Cr K Milne**  
**Cr B Longland**

**RESOLVED** that:

1. The Minutes of the Local Traffic Committee meeting held Thursday 21 May 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A1 [LTC] Marine Parade, Kingscliff

*That:*

1. *The existing 2 hour time limit applied to the off-street car park between Turnock Street and Seaview Street be changed to a 3 hour time limit.*
2. *Sections off the southern off-road car park (adjacent to the Cudgen Surf Life Saving Club) be signposted as a 3 hour time limit, specifically the south west spaces which abut Marine Parade.*
3. *The on road angle parking on the east side of Marine Parade between Turnock Street and the entrance to the off road car park to the south be also time limited as 3 hour parking.*
4. *The time limit for 1, 2 and 3 above be applied during normal business hours Monday to Friday and Saturday morning.*
5. *The Team Leader of Compliance Section submit a report to the Committee in 6 months time evaluating the timed parking changes.*

The Motion was **Carried**

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**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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**48 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held Monday 1 June 2015**

**368**

**Cr K Milne**  
**Cr B Longland**

**RESOLVED** that:

1. The Minutes of the Sports Advisory Committee Meeting held Monday 1 June 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

Peter McConnell President of Cudgen Leagues Club

*That Council adopts the Kingscliff Sport and Recreation Master Plan (March 2015) and commences implementation.*

Wet Weather Policy

*That Council places Draft Sports Field Wet Weather Closure Policy on exhibition as per Council's standard procedures.*

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

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## **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 DIRECTOR CORPORATE SERVICES IN COMMITTEE**

### **C1 [CS-CM] Outcome of Legal Action**

**REASON FOR CONFIDENTIALITY:**

This report deals with the outcome of a legal matter involving other councils and should be dealt with in confidential committee.

**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:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**369 C 25**

That:

1. Council notes the outcome of the legal proceedings.
2. Expenditure and income, as listed within the report, be voted for the year ending 30 June 2015 and funds be applied to the following projects:
  - Tom Beatson Outlook (Razorback) rehabilitation
  - Council building maintenance
  - Funding of Legal expenses above budgeted amount
  - Reduction of loan borrowing for the former Southern Cross University building in Tweed Heads
  - Transfer to Reserve for future determination following consultation regarding Bruce Chick Park and Freedom Camping at Burringbar

The Motion was **Carried**

***FOR VOTE - Unanimous  
ABSENT. DID NOT VOTE - Cr M Armstrong***

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**ORDERS OF THE DAY IN COMMITTEE**

**C2 [NOM] Truck Purchases by Council**

**REASON FOR CONFIDENTIALITY:**

This Notice of Motion concerns the evaluation methodology for tenders and therefore should be dealt with in confidential committee.

**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.

**370 C 26**

That:

1. Delegated Authority be amended so that all truck purchases are reported to Council for determination.
2. Officers tender assessment be based on criteria weightings included in the Councillor's background information.

The Motion was **Carried**

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

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**371**

**Cr C Byrne**  
**Cr G Bagnall**

**RESOLVED** that the recommendations of the Confidential Committee be adopted.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr M Armstrong**

**LATE ITEM**

**a48 Northern Rivers Rail Trail**

**372**

**Cr W Polglase**  
**Cr P Youngblutt**

**RESOLVED** that the attendance of Cr B Longland as a representative of the Northern Rivers Rail Trail Committee at a meeting in Sydney from 22 to 23 June 2015 be authorised.

The Motion was **Carried**

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

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There being no further business the Meeting terminated at 7.57pm.



**Minutes of Meeting Confirmed by Council**

**at the**

**Council Meeting held on xxx**

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**Chairman**