



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

Councillors: G Bagnall (Deputy Mayor)
C Byrne
B Longland
W Polglase
P Youngblutt

Minutes

Ordinary Council Meeting Thursday 1 October 2015

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 5.20pm.

IN ATTENDANCE

Cr K Milne (Mayor), Cr C Byrne, Cr B Longland, Cr W Polglase and Cr P Youngblutt.

Also present were Mr Troy Green (General Manager), Ms Liz Collyer (Director Corporate Services), Mr Anthony Burnham (Acting Director Engineering), Mr Vince Connell (Director Planning and Regulation), Ms Tracey Stinson (Director Community and Natural Resources), Mr Neil Baldwin (Manager Corporate Governance) and Miss Janet Twohill (Minutes Secretary).

APOLOGIES

Attendee Cr G Bagnall has informed the General Manager that his absence is caused by ill health.

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**Cr B Longland
Cr P Youngblutt**

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

The Motion was **Carried**

FOR VOTE - Unanimous

DISCLOSURE OF INTEREST

Nil.

CONFIRMATION OF PLANNING COMMITTEE MINUTES

1 [CONMIN] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 1 October 2015

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**Cr C Byrne
Cr B Longland**

RESOLVED that the recommendations of the Ordinary Planning Committee Meeting held Thursday 1 October 2015 be adopted.

1 [PR-PC] Development Application DA15/0422 for a 65 lot subdivision at Lot 1147 DP 1115395; Seabreeze Boulevard Pottsville

RECOMMENDED that Development Application DA15/0422 for a 65 lot subdivision at Lot 1147 DP 1115395; Seabreeze Boulevard Pottsville be refused for the following reasons:

1. The proposal is not consistent with Section B15 of Council's Development Control Plan, which identifies the site as a potential school site;
2. The proposal is not consistent with Council's resolution dated 14 February 2013 which states the earmarking of the 'Potential Future School Site' in the existing Section B15 to be reviewed, if requested, no earlier than 2018;
3. The proposal is not consistent with Section B21 of Council's Development Control Plan, which identifies the site as a potential school site;
4. The proposal is not consistent with Section A5 of Council's Development Control Plan, which identifies a 150m buffer to Agricultural lands;
5. The proposal is not consistent with Section A5 of Council's Development Control Plan, which requires a 50% road frontage to local parks; and
6. The proposal is not consistent with Council's Development Design Specifications D12 – Sewerage System, which identifies a 50m buffer to Sewer Pump Stations.

2 [PR-PC] Gold Coast Airport Pty Ltd - Draft Major Development Plan - SUBMISSION

RECOMMENDED that the attached submission on the Gold Coast Airport Preliminary Draft Major Development Plan July 2015 be forwarded to GCAPL for their consideration.

3 [PR-PC] Planning Proposal PP13/0001 Border Park Raceway, Tweed Heads, being Amendment No 2 to the Tweed Local Environmental Plan (LEP) 2014

RECOMMENDED that:

1. Planning Proposal PP13/0001 is to be updated to incorporate the recommendations contained within this report and referred to the Minister for Planning and Environment to be made under Section 59 of the *Environmental Planning and Assessment Act 1979*.
2. Tweed Development Control Plan 2008, Section A17, is to be amended to include site specific controls, as discussed within this report, and publically exhibited for a period not less than 28 days.

3. In accordance with Clause 21(1) of the *Environmental Planning and Assessment Regulation 2000* a further report addressing any public submissions duly made be submitted to the earliest meeting of the Council.

4 [PR-PC] Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards

RECOMMENDED that Council notes there are no variations for the month of September 2015 to Development Standards under State Environmental Planning Policy No. 1 - Development Standards.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR ENGINEERING

LATE ITEM

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Cr P Youngblutt

Cr K Milne

RESOLVED that Item a1 being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

FOR VOTE - Unanimous

a1 [E-CM] RFP2015106 Supply Lay & Compact Deep Lift DG20HM & DG14 Mix Asphalt wearing surface Brisbane Street Murwillumbah NSW

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Cr P Youngblutt

Cr K Milne

RESOLVED that in respect to Contract RFP2015106 Supply Lay & Compact Deep Lift DG20HM & DG14 mix Asphalt wearing surface Brisbane Street Murwillumbah:

1. Council awards the contract to East Coast Asphalt & Concrete Edging Pty Ltd (ABN 51 755 877 285) for the amount of \$341,706.91 (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 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

There being no further business the Meeting terminated at 5.24pm

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**Minutes of Meeting Confirmed by Council
at the Meeting held on
xxx**

Chairman