



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 5 March 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 5.40pm.

IN ATTENDANCE

Cr G Bagnall (Mayor), Cr P Youngblutt (Deputy Mayor), 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 Paul Morgan (Manager Design), 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) and Miss Janet Twohill (Minutes Secretary).

APOLOGIES

Attendee Cr M Armstrong has informed the General Manager that his absence is caused by personal circumstances.

Attendee Cr C Byrne has informed the General Manager that her absence is caused by personal circumstances.

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Cr K Milne

Cr B Longland

RESOLVED that the apologies of Cr M Armstrong and Cr C Byrne be accepted and the necessary leave of absence be granted.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr M Armstrong, Cr C Byrne

DISCLOSURE OF INTEREST

Nil.

CONFIRMATION OF PLANNING COMMITTEE MINUTES

1 [CONMIN] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 5 March 2015

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Cr B Longland

Cr K Milne

RESOLVED that the recommendations of the Ordinary and Confidential Planning Committee Meeting held Thursday 5 March 2015 be adopted.

2 [PR-PC] Combined Development Application (DA10/0737) and Planning Proposal (PP15/0001) for Expansion of the BP Highway Service Centre at Lot 1 DP 1127741 and Lot 2 DP 1010771 No. 1 Ozone Street, Chinderah (Southbound Lane)

RECOMMENDED that:

1. A planning proposal, pursuant to s.55 of the *Environmental Planning and Assessment Act 1979*, to facilitate redevelopment and expansion of the highway service centre on Lot 1 DP 1127741 and Lot 2 DP 1010771 be prepared and submitted for a Gateway Determination, as administered by the NSW Department of Planning & Environment.
2. The Minister for Planning & Environment or their Delegate be advised that Tweed Council is not seeking plan making delegations for the planning proposal.
3. The Minister for Planning & Environment or their Delegate be requested that the minimum exhibition period for joint exhibition of the Planning Proposal and corresponding Development Application (DA10/0737) should be for a period not less than 28 days and should be concurrent.
4. On receipt of the Minister's Gateway Determination Notice to proceed any 'conditional' requirements of the Minister and any other study or work required by Council for the purpose of making a proper determination of the lands suitability are to be completed, and included within the public exhibition material.
5. Following public exhibition of the Planning Proposal a report is to be submitted to Council detailing the content of submissions received and any proposed amendment(s).

3 [PR-PC] Results of NSW Planning and Infrastructure's Local Development Performance Monitoring Report 2013/14

RECOMMENDED that the results of NSW Planning and Infrastructure's Local Development Performance Monitoring Report 2013/14 be received and noted.

4 [PR-PC] Alleged Unauthorised Works at Lot 301 DP 1053375 and Lot 2 DP 1190805 No. 239 Zara Road, Chillingham

RECOMMENDED that the report titled alleged unauthorised works on the site and the rectification actions being taken by the site owner at Lot 301 DP 1053375 and Lot 2 DP1190805 No. 239 Zara Road, Chillingham be received and noted.

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

RECOMMENDED that Council notes the February 2015 Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards.

CONFIDENTIAL COMMITTEE

C1 [PR-PC] Development Application DA03/0445.02 for an Amendment to Development Consent DA03/0445 for Use of an Existing Stock & Domestic Water Bore for the Purpose of a Rural Industry Comprising the Harvesting & Bottling of Mineral Water at Lot 1 DP 735658 No. 477 Urliup Road, Bilambil

RECOMMENDED that in respect of Development Application DA03/0445.02 for an Amendment to Development Consent DA03/0445 for Use of an Existing Stock & Domestic Water Bore for the Purpose of a Rural Industry Comprising the Harvesting & Bottling of Mineral Water at Lot 1 DP 735658 No. 477 Urliup Road, Bilambil:

1. On 5 February 2015 Council determined in respect of DA03/0445.02 a number of actions including the deferral of the matter to enable the applicant to submit further information and that a Councillors Workshop be held. At an Extraordinary Meeting held on 12 February, 2015 Council subsequently resolved to consider a Rescission Motion in relation to Point 3 of the resolution from the 5 February 2015 meeting, and a subsequent Notice of Motion for a new Point 3 to allow an increase in the number of daily truck movements of the current business.
2. Council notes that the purported approval on 12 February 2015 at Extraordinary Council Meeting Minute Number 54 relating to DA03/0445.02 was beyond power and wishes to correct the public record.

DA03/0455.02 remains on foot, as determined by way of Council's original resolution of 5 February 2015 (Planning Committee Minute Number P2).

3. Council notifies all relevant parties of its error and clarifies that DA03/0445.02 remains on foot as per Council's determination of 5 February 2015.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr M Armstrong, Cr C Byrne

REPORTS FROM THE DIRECTOR ENGINEERING

LATE ITEM

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**Cr P Youngblutt
Cr G Bagnall**

RESOLVED that Item 2 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

2 [E-CM] Classification of Land as Operational - 21 Brett Street, Tweed Heads

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**Cr P Youngblutt
Cr G Bagnall**

RESOLVED that Council, in accordance with Section 31 of the Local Government Act 1993 classify Lot 2 DP1019196 being 21 Brett Street, Tweed Heads as operational land.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr M Armstrong, Cr C Byrne

There being no further business the Meeting terminated at 5.41pm



Minutes of Meeting Confirmed by Council

at the

Council Meeting held on xxx

Chairman

