



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 18 August 2016

held at **Council Chambers, Murwillumbah Civic & Cultural Centre,**
Tumbulgum Road, Murwillumbah 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 K Milne (Mayor), Cr C Byrne, Cr B Longland, Cr W Polglase and Cr P Youngblutt.

Also present were Mr Troy Green (General Manager), Mr Michael Chorlton (Acting 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) and Mrs Maree Morgan (Minutes Secretary).

Cr G Bagnall was not present at the commencement of the meeting at 05:00 PM.

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, Pastor Robert (Bob) Spence, Conxions Church, Murwillumbah.

"Hebrews 11:1.3

Now faith is the substance of things hoped for, the evidence of things not seen. By faith we understand that the worlds were framed by the word of God, so that the things which are seen were not made of things which are visible.

Faith thought & Confession for Today:

I am more than a conqueror in all things. My faith is in God and in His Word. Anything anyone may try to use against me for evil will turn for my good as I fulfil God's plan and purpose for my life.

Prayer

Heavenly Father we thank you today for this opportunity to serve this community. Guide every councillor with wisdom that you may be glorified in all their decision. Bless each and everyone in their endeavours. We ask it all in Jesus Name.

Amen."

CONFIRMATION OF MINUTES

1 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meeting held Thursday 21 July 2016

388

Cr P Youngblutt
Cr C Byrne

RESOLVED that:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 21 July 2016 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 G Bagnall

2 [CONMIN-CM] Confirmation of Minutes of the Ordinary Council Meeting held Thursday 4 August 2016

389

Cr P Youngblutt
Cr C Byrne

RESOLVED that the Minutes of the Ordinary Council Meeting held Thursday 4 August 2016 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 G Bagnall

APOLOGIES

Nil.

DISCLOSURE OF INTEREST

Cr C Byrne declared a non-pecuniary non-significant interest Item 12 [CNR-CM] Expressions of Interest to conduct water based activities at Jack Evans Boat Harbour. Cr Byrne advised that the nature of the interest is that she is associated with a person close to one of the applicants in this matter.

Cr Byrne will manage the interest by leaving the Chambers and taking no part in the discussions or voting.

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

Nil.

SCHEDULE OF OUTSTANDING RESOLUTIONS

3 [SOR-CM] Schedule of Outstanding Resolutions

The Schedule of Outstanding Resolutions was received and noted.

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for July 2016

390

Cr K Milne

RESOLVED that the Mayoral Minute for the month of July 2016 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

RECEIPT OF PETITIONS

5 [ROP-CM] Receipt of Petitions

391

Cr C Byrne
Cr P Youngblutt

RESOLVED that the following tabled Petition be received and noted:

- Petition from resident from South Murwillumbah containing 342 signatories requesting that Tweed Shire Council not close the car parks in River Street, South Murwillumbah.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

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

392

Cr B Longland
Cr P Youngblutt

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

The Motion was **Carried**

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

7 [GM-CM] Dissolution of Far North Coast County Council

393

Cr C Byrne
Cr P Youngblutt

RESOLVED that:

1. Receives and notes this report.
2. Minute No 429 part 2 of the Council Meeting held 20 August 2015 be rescinded and replaced with the following wording:

"Council authorises the General Manager, should the restructure occur, to negotiate a service level agreement with the new entity for the provision of noxious weeds management services for an initial period of three years with a further two year option."

3. Being a local control authority under the Noxious Weeds Act 1993 (the Act) and pursuant to Section 68 of that Act:
 - Delegates to Rous County Council the functions of Tweed Shire Council, as a local control authority, that are capable of being delegated under the Act.
 - Delegates to the position of General Manager, Rous County Council the functions of Tweed Shire Council, as a local control authority, that are capable of being delegated under the Act.
 - Delegates to the position of Manager Operations, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Sections 12, 18, 18A, 20, 36A, 41, 45 and 64 of the Act.
 - Delegates to the position of Manager Weeds Services, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Sections 12, 18, 18A, 20(3), 36A, 45 and 64 of the Act.
 - Delegates to the positions of Senior Noxious Weeds Officer, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Section 45 (excluding Section 45(2)(b)) of the Act.
4. Advises Rous County Council of its decision.
5. Advises the NSW Office of Local Government of its decision.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

8 [GM-CM] Joint Organisation Proposed Model

394

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

1. This report on the Joint Organisation Proposed Model be received and noted.
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2. Should Expressions of Interest for early starter/pilot Joint Organisations be called for before the November Northern Rivers Regional Organisation of Councils (NOROC) meeting, the General Managers of member councils will apply on NOROC's behalf.
3. The General Managers have the authority to write a submission on Northern Rivers Regional Organisation of Council's (NOROC) behalf.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

9 [GM-CM] Business Investment Policy - Version 2.0

395

**Cr B Longland
Cr P Youngblutt**

RESOLVED that Council nominates the General Manager to determine a commencement date of the Business Investment Policy v.2.0 after all amendments to the relevant S.94 Developer Contribution Plans have been amended to bring this Policy into force.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

10 [GM-CM] Tourism Demand Driver Infrastructure Grants Application

396

**Cr C Byrne
Cr K Milne**

RESOLVED that Council allocates \$100,000 from the 2016/2017 economic development budget for the Re-Engineering of Jack Evans Boat Harbour

AMENDMENT 1

397

**Cr B Longland
Cr K Milne**

PROPOSED that Council allocates:

- a) \$100,000 from the 2016/2017 economic development budget for the Re-Engineering of Jack Evans Boat Harbour; or
- b) \$250,000 from the 2016/2017 economic development budget for the Redevelopment of the Murwillumbah Visitor Information Centre specifically for the extension of the current creative art activities operating at the Visitor Centre;

dependant on the success of either of Council's applications to the Tourism Demand Driver Infrastructure Grant.

Amendment 1 was **Lost**

FOR VOTE - Cr B Longland

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

ABSENT. DID NOT VOTE - Cr G Bagnall

The Motion was **Carried** (Minute No 396 refers).

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

11 [PR-CM] 2016/17 Fees and Charges Amendments - Subdivision Approvals

398

Cr P Youngblutt

Cr K Milne

RESOLVED that:

- 1. Council endorses the public exhibition of an amendment to Council's 2016/17 Fees and Charges for those items identified in Figure 1 below for a period of 28 days:

Figure 1:

Item	Activity/Function	Title of Fee/Charge	Fee of Charge Levied 2016/2017 \$	Proposed 20% Increase \$	Est. Yield \$
23	Subdivision Related Certificates	(a) Construction Certificate Application Fee			
		Urban (per standard sized lot)	494.00	592.00	
		Rural (per lot)	420.00	504.00	

		Other circumstances (per hour). Invoices to be issued after 15 hours of assessment or sooner if the total assessment is less than 15 hours	163.00	195.00	
		(b) Construction Certificates amendment fee (per hour). Invoices to be issued after 15 hours of assessment or sooner if total assessment is less than 15 hours.	163.00	195.00	
		(c) Construction Certificate Application Fee (bulk earthworks only)			
		Urban (per lot)	263.00	315.00	
		Rural (per lot)	210.00	252.00	
		(d) Construction Certificate Application Fee (civil works only)			
		Urban (per lot)	315.00	378.00	
		Rural (per lot)	273.00	327.00	
		(e) Compliance Certificates (per hour - minimum 1 hour - NOT payable at time of lodgement)	163.00	195.00	
		(f) Subdivision Certificate (per lot)	242.00	290.00	
		(g) 1% Compliance Bond - refundable upon registration of linen plan (minimum charge)	2310.00	2772.00	
		(h) 5% Maintenance bond - refundable after 6 month performance (minimum charge)	2310.00	2772.00	
		(i) Off-maintenance Inspection			
		(i) 0-5 lots	315.00	378.00	
		(ii) 5 + lots	630.00	756.00	
		(iii) Off maintenance re- inspection fee (per hour)	163.00	195.00	
		(j) Registration and Archiving - Certificates submitted by accredited certifiers (Statutory Fee)			
		Complying Development Certificate	36.00	43.00	
		Construction Certificate	36.00	43.00	
		Subdivision & Strata Subdivision Certificate	36.00	43.00	
		(k) Works as Executed	620.00	744.00	
		(l) Hire of Water Meter	\$10 per hour or \$70 per day	\$10 per hour or \$70 per day	
		(m) Plan re-certification	368.00	441.00	
		(n) Assessment of Specific Conditions of Consent if requested by the PCA. Invoices to be issued after 15 hours of assessment or after 3 months	163.00	195.00	

		(o) Construction Certificate (water supply and sewer infrastructure only) - per lot	252.00	302.00	
24	Bank Guarantee Administration Fee	Bank Guarantee received in conjunction with development application - administration & acceptance fee	263.00	315.00	

2. A report be submitted back to Council following the public exhibition.

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr K Milne, Cr C Byrne

AGAINST VOTE - Cr W Polglase, Cr P Youngblutt

ABSENT. DID NOT VOTE - Cr G Bagnall

Cr C Byrne temporarily left the meeting at 05:35 PM.

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

12 [CNR-CM] Expressions of Interest to conduct water based activities at Jack Evans Boat Harbour

DECLARATION OF INTEREST

Cr C Byrne declared a non-pecuniary non-significant interest this item. Cr Byrne advised that the nature of the interest is that she is associated with a person close to one of the applicants in this matter.

Cr Byrne will manage the interest by leaving the Chambers and taking no part in the discussions or voting.

399

Cr B Longland

Cr K Milne

RESOLVED that:

1. Council rejects all offers received through the *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour*.
2. ATTACHMENT 2 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.

Cr G Bagnall attended the meeting at 05:37 PM

The Motion was **Carried**

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

Cr Byrne returned to the meeting at 5.39 PM

RETIREMENT FROM MEETING

Cr G Bagnall left the meeting at 05:39 PM.

13 [CNR-CM] Submissions to proposed NSW government biodiversity legislation reforms

400

Cr B Longland
Cr K Milne

RESOLVED that Council receives and notes the Tweed Shire Council and Northern Regional Organisation of Councils submissions to the NSW State Government proposed land management and biodiversity legislation reforms.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall

14 [CNR-CM] NSW Environmental Trust grant 'Investing in the future of Pottsville's Koalas

401

Cr C Byrne
Cr P Youngblutt

RESOLVED that Council:

1. Accepts the grant offer of \$99,285 from the New South Wales Government's Environmental Trust for the Investing in the future of Pottsville's Koalas project 2015/SL/0065.
 2. Votes the expenditure to implement the project until August 2019 and makes the appropriate adjustments in the September 2016 Quarterly Budget Review.
-

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall***

LATE ITEM

402

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that Item a14 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 G Bagnall***

a14 [CNR-CM] Pottsville Coastal Reserve Tree Vandalism

403

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that Council continues to collect evidence and pursues legal action if there is sufficient evidence to prosecute and require restoration activities.

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall***

REPORTS FROM THE DIRECTOR ENGINEERING

PROCEDURAL MOTIONS

404

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that Items 15 and 16 be considered in block.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall

405

Cr W Polglase
Cr P Youngblutt

RESOLVED that Items 15 and 16 be moved in block.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall

15 **[E-CM] RFO2015162 2015/2016 Asphalt Resurfacing Program**

406

Cr W Polglase
Cr P Youngblutt

RESOLVED that, in respect to Contract RFO2015162 2015/2016 Asphalt Resurfacing Program, the total value of variations of \$113,125.68 exclusive of GST, for Contract RFO2015162 2015/2016 Asphalt Resurfacing Program, be received and noted including the following variations:

- Variation 1 - Works at Uki (Segment 280 Kyogle Road) (\$50,508.00 excl GST)
- Variation 2 – Additional Asphalt Tonnage on Contract (\$62,617.68 excl GST)

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall

16 **[E-CM] Road Closure - Kyogle Road, Byangum**

407

Cr W Polglase
Cr P Youngblutt

RESOLVED that Council:

1. Does not object to the closure and private purchase of the Crown road reserve separating Lot 1 DP 583624 and Lot 1 DP 183130.
2. Does object to the closure and private purchase of the section of road reserve adjoining Lot 1 DP 583624 being part of Kyogle Road, and the section of road reserve separating Lot 95 in DP 755754 from the Tweed River.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

17 [E-CM] Further Development of the Tweed Valley Rail Trail

408

**Cr B Longland
Cr P Youngblutt**

RESOLVED that the remaining funds allocated towards the Pilot Rail Trail Project (Murwillumbah to Tweed Regional Gallery) be reallocated to general rail trail project development in the September 2016 Quarterly Budget Review.

The Motion was **Carried**

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

AGAINST VOTE - Cr K Milne

ABSENT. DID NOT VOTE - Cr G Bagnall

18 [E-CM] Car Parking Study - Summary of Results

409

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that the following strategic actions form the basis of further work and consultation on car parking issues identified by the CBD Car Parking Study:

1. Murwillumbah:

- a) Review the paid parking system for Level 2 of the multi-level car park. This review should consider the financial return of the existing system, the convenience of ticketing for customers and administration, and levels of compliance and enforcement for the facility.
-

- b) Investigate options for providing roof/shade structures on Level 3 of the multi-level parking.
- c) Investigate the feasibility of reinstating the elevator servicing the multi-level car park, to increase accessibility.
- d) Review and rationalise parking restrictions in Proudfoots Lane to increase utilisation. This should include consultation with adjoining landholders and retailers to improve back of house access and parking, to make this area more attractive and convenient for CBD customers.
- e) Review and rationalise bus stops and taxi ranks in Main, Queen and Wollumbin Streets in consultation with service providers to maximise parking supply in and around high demand precincts.

2. Kingscliff:

- a) Continue to consult with the Kingscliff Shopping Village regarding potential expansion of commercial and public car parking on the site. This should include review of Developer Contribution Plan No.23 - Offsite Parking to consider this site in the future works program.
- b) Audit commercial sites in Marine Parade and Pearl Street for the provision of on-site staff and customer parking spaces in accordance with their development approvals, including any impediments to customers' usage such as gates or lack of signage.

3. Tweed Heads:

- a) Liaise with Tweed Mall (Centro) to promote parking in its multi-level car park to alleviate high demand in its Wharf Street carpark, with measures such as signage and time limited parking.
- b) Audit commercial sites in Wharf, Bay and Frances Streets for the provision of on-site staff and customer parking spaces in accordance with their development approvals, including any impediments to customer's usage such as gates or lack of signage.

4. General:

- a) Develop better information and new tools to increase awareness of publicly accessible parking areas, including designated accessible parking bays (DAPBs).
- b) Complete a detailed audit of DAPBs for compliance against AS2890, and in consultation with the Equal Access Committee and other stakeholders, compile a works program for rectification and/or relocation works, for funding consideration in future budgets and grant opportunities.
- c) Consider a business case and policy position for increased resourcing of parking enforcement activities by Council's Rangers.

- d) Undertake a review of potential future demands for car parking in the CBD areas, including a review of Development Control Plan Section A2 - Site Access and Parking Code and Developer Contribution Plan No.23 Offsite Parking, and a report to Council on parking requirements for small businesses (as resolved July 2015).

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall

19 [E-CM] Regulation of Traffic - Sandy Lane, Cobaki Lakes

DECLARATION OF INTEREST

Cr K Milne wishes to declare a *non-pecuniary non-significant* Interest in this item. The nature of the interest is that Cr K Milne has ongoing legal matters in regard to defamation with the Chairman of LEDA Holdings, the developer of the Cobaki development.

Cr K Milne will manage the Interest by staying in the Chair and assessing the matter on merit alone.

410

Cr W Polglase
Cr P Youngblutt

RESOLVED that Council:

1. Under Section 122 of the Roads Act 1993, consents to the regulation of the traffic on Sandy Lane at Cobaki Lakes by means of a lockable gated structure for a period of 12 months, effective from 23 August 2016.
2. Advertises the regulation of traffic on Sandy Lane at Cobaki Lakes in the Tweed Link.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall

LATE ITEM

411

Cr W Polglase
Cr P Youngblutt

RESOLVED that Items a19 and b19 being an Addendum items be dealt with and they be ruled by the Chairman to be of great urgency.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

a19 [E-CM] RFO2016093 - Supply of Three (3) Wide Area Mowers

412

Cr P Youngblutt

Cr W Polglase

RESOLVED that:

1. In respect to RFO2016093 Supply of Three (3) Wide Area Mowers, Council awards the Contract to KC Farm Equipment (ABN 22010879848, ACN 010879848) for the price of \$303,681.82 (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

ABSENT. DID NOT VOTE - Cr G Bagnall

b19 [E-CM] RFO2016081 Hire of Vacuum Excavation Truck (Fulltime Basis)

413

Cr P Youngblutt

Cr W Polglase

RESOLVED that in respect to Contract RFO2016081 Hire of Vacuum Excavation Truck (Fulltime Basis):

1. Council awards the contract to Toxfree Australia Pty Ltd ABN 31 127 853 561 for the amount of \$121,430.00 (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:-
 - (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 G Bagnall

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

20 [CS-CM] Community Strategic Plan End of Term Report

414

Cr B Longland

Cr K Milne

RESOLVED that the:

1. Community Strategic Plan End of Term report be received and noted.
2. End of Term report be distributed and publicised after the September 2016 Local Government elections.
3. End of Term report be incorporated into the Annual Report.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

PROCEDURAL MOTIONS

415

Cr K Milne
Cr W Polglase

RESOLVED that:

1. Items 21 to a25 be considered in block.
2. Item a25 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 G Bagnall***

416

Cr K Milne
Cr W Polglase

RESOLVED that Items 21 to a25, be moved in block.

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall***

21 **[CS-CM] Six Monthly Progress Report as at 30 June 2016**

417

Cr K Milne
Cr W Polglase

RESOLVED that Council receives and notes the Six Monthly Progress Report as at 30 June, 2016.

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall***

22 [CS-CM] Legal Services Register for the Period 1 April to 30 June 2016

418

**Cr K Milne
Cr W Polglase**

RESOLVED that Council receives and notes the Legal Services Register Report for the period 1 April to 30 June 2016.

The Motion was **Carried**

**FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall**

23 [CS-CM] Postponement of Tweed Valley Country Roots Festival to October 2017

419

**Cr K Milne
Cr W Polglase**

RESOLVED that Council:

1. Reaffirms its resolution of 21 July 2016 to establish a three-year arrangement with Tweed Valley Country Roots Fest Pty Ltd, on a sliding financial scale, as follows:

2016/2017	2017/2018	2018/2019
\$15,000	\$10,000	\$7,500

2. Endorses the release of the first-year funding of \$15,000 in December 2016 for the marketing of the 2017 event, and any future release of funds be conditional upon the terms detailed in the funding agreement between Council and the applicant.

The Motion was **Carried**

**FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr G Bagnall**

24 [CS-CM] Volunteer Policy Version 2.1

420

Cr K Milne

Cr W Polglase

RESOLVED that Council adopts the Volunteer Policy, Version 2.1.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

25 [CS-CM] Monthly Investment and Section 94 Development Contribution Report for Period ending 31 July 2016

421

**Cr K Milne
Cr W Polglase**

RESOLVED that, in accordance with Section 625 of the Local Government Act 1993, the monthly investment report as at period ending 31 July 2016 totalling \$243,220,410 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr G Bagnall

a25 [CS-CM] RFO2016105 Supply of Desktop Computers and LCD Monitors

422

**Cr K Milne
Cr W Polglase**

RESOLVED that, in respect to Contract RFO2016105 for the supply of Desktop Computers and LCD Monitors:

1. Council awards the contract to Computer Systems (Australia) Pty Limited (ABN: 44 003 147 153) for the amount of \$265,836.78 (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:-
 - (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 G Bagnall***

ORDERS OF THE DAY

26 [NOM] River Trail - Walking/Bike Trail from Chinderah to Murwillumbah

423

**Cr K Milne
Cr B Longland**

PROPOSED that a report be brought forward on establishing a walk/bike track from Chinderah to Murwillumbah.

The Motion was **Lost**

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

27 [NOM] Shade Trees for Walking and Bike Tracks

424

**Cr K Milne
Cr B Longland**

PROPOSED that Council gives consideration of shade trees along walking and bike tracks in the Public Open Space Strategy.

The Motion was **Lost**

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

28 [NOM] Renewable Energy

425

**Cr K Milne
Cr B Longland**

RESOLVED that a report be bought forward on fast tracking the shovel readiness for implementing the renewable energy proposals presented in the briefing note to the July Council meeting for the Regional Development Australia grants.

The Motion was **Carried**

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

Cr P Youngblutt temporarily left the meeting at 06:26 PM.

Cr P Youngblutt has returned from temporary absence at 06:29 PM.

29 [NOM] Roadside Honesty Boxes

426

**Cr K Milne
Cr B Longland**

PROPOSED that Council brings forward a report on how to encourage the establishment of roadside honesty boxes around the Shire, where deemed safe, to simplify the approvals process, minimize fees, and to support local farmers and hobby farmers.

The Motion was **Lost**

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

30 [NOM] Sustainability Rating Tools for Major New Subdivisions

This Motion lapsed due to the lack of a seconder.

31 [NOM] Pottsville - Road Upgrade

This Motion lapsed due to the lack of a seconder.

QUESTIONS ON NOTICE

Nil.

DELEGATE REPORTS

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

32 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 14 July 2016

427

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 14 July 2016 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A1 [LTC] Tweed Valley Triathletes 2016 to 2017 Season

"That the Tweed Valley Triathlon Season events be supported subject to:

1. *NSW Police approval being obtained.*
2. *Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.*
3. *Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.*
4. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.*
5. *Adequate public liability insurance being held by the event organiser.*
6. *All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.*
7. *Consultation with emergency services and any identified issues addressed.*
8. *Arrangements made for private property access and egress affected by the event.*
9. *The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in*

accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.

10. *The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season."*

A2 [LTC] Brisbane Street Murwillumbah

"That:

1. *The existing disabled parking space in Brisbane Street be relocated to allow Australia Post to access their garage.*
2. *A new disabled parking space be installed three spaces north, in accordance with relevant Australian Standards for parking."*

A3 [LTC] Berkleys Lane, Pottsville

"That the yellow "No Stopping" line installed in Berkley's Lane between the pedestrian path and the coffee shop be endorsed."

A4 [LTC] Twin Towns Triathlon Season - 2016/17

"That the Twin Towns Triathlon Season events be supported subject to:

1. *NSW Police approval being obtained.*
2. *Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.*
3. *Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.*
4. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.*
5. *Adequate public liability insurance being held by the event organiser.*
6. *All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.*
7. *Consultation with emergency services and any identified issues addressed.*
8. *Arrangements made for private property access and egress affected by the event.*
9. *The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.*
10. *The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season."*

The Motion was **Carried**

FOR VOTE - Unanimous

CONFIDENTIAL ITEMS FOR CONSIDERATION

Nil.

There being no further business the Meeting terminated at 6.36pm



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

Chairman

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