



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 21 January 2016

held at Murwillumbah Cultural and Civic Centre
commencing at 5.00pm

COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

The Meeting commenced at 5.00pm.

IN ATTENDANCE

Cr K Milne (Mayor), Cr G Bagnall (Deputy 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 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 Russ Merry (Acting Manager Corporate Governance/Public Officer) and Mrs Maree Morgan (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 Chris Lindsay from the St Andrews Presbyterian Church, Murwillumbah.

"We thank you Gracious God for providing the breath of life each day. You uphold a rich diversity of life. You give us the power to work, leisure to rest and the capacity to love and be loved by others.

Help those appointed to represent us in this chamber to govern with the compassion and justice.

Protect our councillors from the temptation to seek wrongful gain. Grant them insight into the needs of our community.

Give all who work for this council the skill to serve our community efficiently and effectively. Help decision-makers at every level of council weigh up diverse interests and make decisions that benefit our community and natural environment.

And help us as a community; to respect and honour those who undertake civic service on our behalf.

Help us to not only hold them to account but also to thank them and encourage them for their service.

In the name of Jesus Christ, we ask these things, Amen."

CONFIRMATION OF MINUTES

- 1 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meeting held Thursday 10 December 2015 (concluded on Thursday 17 December 2015)

1

Cr P Youngblutt
Cr C Byrne

RESOLVED that:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 10 December 2015 (adjourned and concluded on Thursday 17 December 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

- 2 [CONMIN-EXT] Confirmation of Minutes of Extraordinary Council Meeting held Thursday 17 December 2015

2

Cr P Youngblutt
Cr C Byrne

RESOLVED that the Minutes of the Extraordinary Council meeting held Thursday 17 December 2015 be adopted as a true and accurate record of proceedings of that meeting.

The Motion was **Carried**

FOR VOTE - Unanimous

APOLOGIES

Nil.

DISCLOSURE OF INTEREST

Nil.

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 December 2015

3

Cr K Milne

RESOLVED that the Mayoral Minute for the month of December 2015 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

RECEIPT OF PETITIONS

5 [ROP-CM] Receipt of Petitions

Mr Russ Merry (Acting Manager Corporate Governance/Public Officer) advised the meeting that no Petitions had been received.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

6 [GM-CM] National Stronger Regions Fund Round Three

4

**Cr B Longland
Cr P Youngblutt**

RESOLVED that Council, subject to a matching funding commitment from the NSW State Government and positive feedback from the Department of Infrastructure and Regional Development, resubmits the Northern Rivers Rail Trail Tweed Stage (Murwillumbah to Crabbes Creek) project for consideration under Round 3 of the National Stronger Regions Fund (NSRF).

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt
AGAINST VOTE - Cr G Bagnall, Cr K Milne

7 [GM-CM] Local Government Reforms - Fit for the Future Update

5

Cr W Polglase
Cr P Youngblutt

RESOLVED that Council receives and notes the Local Government Reforms – Fit for the Future Update report.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

8 [PR-CM] Time of Payment - Contributions for Building Development

6

Cr W Polglase
Cr P Youngblutt

PROPOSED that:

1. The following items from Council's resolution of 18 December 2013 Minute Number 251 be rescinded:
 - *In regard to new development applications for building works, where there is a requirement for payment of Section 64 and Section 94 contributions, consent conditions for such payments will designate payment to be made prior to issue of Occupation Certificate.*
 - *Section 94 Contribution Plans (except CP 28 Seaside City) are to be progressively amended to mandate payment of contributions for building works*

prior to issue of Occupation Certificate.

- *When the next review of "Developer Servicing Plans - Water Supply and Sewerage" is conducted, they are to be amended to mandate payment of contributions for building development prior to issue of Occupation Certificate.*
 - *In regard to existing development consents for buildings:*
 - a) *Payment of contributions will continue to be required in accordance with the relevant condition of consent*
 - b) *It is open to proponents with existing consents to submit a Section 96 application to amend the timing of payment of contributions to be prior to issue of Occupation Certificate*
 - c) *Such applications will be favourably considered given the objective of economic stimulus for the Tweed*
 - d) *Such applications are to be determined under delegated authority at the discretion of the General Manager in accordance with current delegations*
 - *In regard to existing complying development certificates for buildings, these are to be dealt with in accordance with the principles of 5 above.*
2. In regard to new development applications for building works in the Tweed City Development Control Plan area for multi storey residential or multi storey mixed use developments, where there is a requirement for payment of Section 64 and/or Section 94 contributions, consent conditions for such payments will designate payment to be made prior to issue of Occupation Certificate.
 3. All other multi residential and mixed use developments where there is a requirement for payment of Section 64 and/or Section 94 contributions these will be considered individually by the General Manager or delegate where a request has been made in the development application for levying of contributions prior to the occupation certificate and a personal guarantee is provided.
 4. The General Manager or delegate pursue payment of outstanding contributions and other non-compliances for the development consents issued after 18 April 2013 by requiring payment and compliance within 30 days of being given notice.
 5. Where payment and/or compliance is not undertaken Council commences appropriate action including legal proceedings to recoup outstanding charges and compliance with the development consent.
 6. With regards to Section 64 water and sewer outstanding contributions the proponent be offered the option of paying the Section 64 amount or entering into an agreement with Council for a higher use charge if appropriate.
 7. Amendments be made where necessary to relevant contribution and service plans and fees and charges to facilitate the above changes to the timing of payment of contributions.
-

AMENDMENT 1

7

**Cr K Milne
Cr G Bagnall**

RESOLVED that this item be deferred for consideration at the next Council.

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

Amendment 1 was **Carried** on the Casting Vote of the Mayor.

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

7
Amendment 1 on becoming the Motion was **Carried** - (Minute No 7 refers)

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

9 **[CNR-CM] RFO2015146 Professional Coaching and Management Services for the Arkinstall Park Regional Tennis Centre**

8

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that in respect to RFO2015146 Professional Coaching and Management Services for the Arkinstall Park Regional Tennis Centre:

1. Council awards the contract to Pro-One Tennis Academy (ABN 65 116 760 742, ACN 116 760 742) based on the details of their Offer submission that includes the following lease agreement for Council's facility:

Year	Annual Lease Price (GST Excl.)
1	\$0.00
2	\$15,909.09
3	\$31,818.18
4	\$31,818.18
5	\$31,818.18
Total	\$111,363.64

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.

AMENDMENT 1

9

**Cr K Milne
Cr G Bagnall**

PROPOSED that this matter be deferred for consideration at the next Council Meeting.

Amendment 1 was **Lost**

FOR VOTE - Cr G Bagnall, Cr K Milne

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

The Motion was **Carried** (Minute No 8 refers)

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

AGAINST VOTE - Cr G Bagnall, Cr K Milne

PROCEDURAL MOTIONS

10

**Cr K Milne
Cr G Bagnall**

RESOLVED that Items 10 to 16 be considered in block.

The Motion was **Carried**

FOR VOTE - Unanimous

11

Cr K Milne
Cr G Bagnall

RESOLVED that Items 10 to 16 be moved in block.

The Motion was **Carried**

FOR VOTE - Unanimous

10 [CNR-CM] Park Naming - Bogangar

12

Cr K Milne
Cr G Bagnall

RESOLVED that Council names the park located on the corner of Recreation Street and Cooley Street, Bogangar "Paulson Park" and erects signage.

The Motion was **Carried**

FOR VOTE - Unanimous

11 [CNR-CM] Grant Acceptance - Tweed Estuary Coastal Zone Management Plan Preparation

13

Cr K Milne
Cr G Bagnall

RESOLVED that Council:

1. Accepts the grant offer of \$97,500 from the NSW Office of Environment and Heritage to prepare a coastal zone management plan for the Tweed River.
2. Allocates \$97,500 from the Waterways Program Budget to match this funding.
3. Proceeds with the preparation of a coastal zone management plan for the Tweed River estuary.

The Motion was **Carried**

FOR VOTE - Unanimous

12 [CNR-CM] Pest Management Report - May to November 2015

14

**Cr K Milne
Cr G Bagnall**

RESOLVED that Council receives and notes the Pest Management Report - May to November 2015 and continues the scheduled works.

The Motion was **Carried**

FOR VOTE - Unanimous

13 [CNR-CM] Review of Tweed Shire Council Cultural Policy

15

**Cr K Milne
Cr G Bagnall**

RESOLVED that Council receives and notes the report on the review of the Shire's Cultural Policy.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR ENGINEERING

14 [E-CM] Creation of Easement over Lot 1 DP792256 and Lot 3 DP877186, Terranora Road, Bungalora

16

**Cr K Milne
Cr G Bagnall**

RESOLVED that:

1. Council supports the creation of the Right of Carriageway over Lot 1 DP792256 which benefits Council, and provides consent for the creation of a Right of Carriageway over Lot 3 DP877186, which burdens Council.

2. All necessary documentation be executed under the Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Unanimous

15 [E-CM] Kunghur Hall, Kunghur

17

Cr K Milne
Cr G Bagnall

RESOLVED that

1. Council provides its consent to the plan of redefinition of Lot 1 Section 1 in DP 758588.
2. All necessary documents be executed under the Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Unanimous

16 [E-CM] RFO2015130 Supply of One (1) 22,000Kg Telescopic Pick and Carry Crane

18

Cr K Milne
Cr G Bagnall

RESOLVED that, in respect of the Request for Offer RFO2015130 for the Supply of One (1) 22,000Kg Telescopic Pick and Carry Crane:

1. Council awards the contract to 'Terex Australia Pty Ltd' (ABN 86010671048, ACN 10671048) for the amount of \$400,000 (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

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

17 **[CS-CM] Draft Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy - Version 2.0**

SUSPENSION OF STANDING ORDERS

19

**Cr K Milne
Cr B Longland**

RESOLVED that Standing Orders to enable discussion on this item.

The Motion was **Carried**

FOR VOTE - Unanimous

RESUMPTION OF STANDING ORDERS

20

**Cr B Longland
Cr P Youngblutt**

RESOLVED that Standing Orders be resumed.

The Motion was **Carried**

FOR VOTE - Unanimous

ALTERNATE MOTION

21

**Cr B Longland
Cr P Youngblutt**

RESOLVED that Council place the *Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 2.0*, with the following amendments, on public exhibition for 28 days with submissions able to be received over a 42 day period.

Page 5, Clause 2 - The 2nd 'dot' point in the description of Civic Duties to be replaced by:

Meetings with Community Groups, Associations and other special interest groups concerning issues likely to be the subject of Council consideration;

Page 8, Clause 4.1.3 Phone and Internet - The clause to be replaced as follows:

Phone and internet expenses are identified in the Office of Local Government Guidelines as "non-significant", their individual approval not being subject to a Council resolution. Further, Section 1.6.4 of those Guidelines acknowledges that there may be "incidental" private use which need not be subject to a compensatory payment. Where there might be more "substantial" private use, Council's Policy may provide for a mechanism to recover amounts attributed to "private benefit" (Section 252(2) of the Local Government Act)

*Section 2.3.9 of the Guidelines requires Councils to establish a "monthly monetary limit" for telecommunications expenses. Irrespective of whether a Councillor chooses to use their private mobile device or a Council issued device, the monthly monetary limit for combined mobile phone, home phone and internet use for the purposes of this Policy will be **\$250**.*

- Any claim from a Councillor in excess of this amount will be subject to an exceptional circumstances assessment by the Public Officer and Director, Corporate Services; and,*
- The reimbursement of expenses under this clause will only be made on submission of "account statements" supplied by the Councillor or sourced from Council records (for those Councillors using Council issued devices). (Section 2.3.9 of the Guidelines).*

With the exception of incidental private use described above, any substantial private use component is to be identified by the claimant and excluded from the claim for reimbursement.

The claim for reimbursement of any Councillor expenses, including phone and internet, is to be accompanied by a signed certification that the amounts claimed are true and correct.

Page 9, Clause 4.1.4 - Monetary Limits - the 3rd last paragraph to be replaced as follows:

The reimbursement of care related expenses will be the subject of a separate application by the affected Councillor in each instance, for determination by the Public Officer and General Manager.

Page 9 – New Clause 4.1.4.1 - Converting Council Property to personal property - wording as provided in draft attachment.

Page 10 – Clause 4.1.8 - Reimbursement and reconciliation of expenses - wording as provided in the draft attachment with the deletion of the wording "Attach forms to the policy".

Page 10, Clause 4.1.7 - The 2nd 'dot' point under paragraph 1 replaced as follows:

*** where not possible, approval by the Public Officer and General Manager jointly.*

and the word "Mayor" be removed from paragraph 2

Page 11 - Clause 4.2.1 - The word "Mayor" to be replaced by "Public Officer" in paragraph 1

Page 11 - Clause 4.2.2 - The word "Mayor" to be replaced by "Public Officer" in paragraph 1, and the word "Mayor" be removed in the final paragraph.

Page 11 - Clause 4.2.3 - The words "Mayor or" to be removed from paragraph 2.

Page 14 - Clause 4.2.9 - The word "Mayor" be removed from paragraph 1

Page 15 - Clause 4.3.1 - Final paragraph to be replaced as follows:

"With the exception of incidental private use, as described in section 1.6.4 "Private Benefit" from the "Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW", any substantial private benefit derived from access to the Mayoral vehicle should be declared by the Mayor and a compensatory payment made under Council's Motor Vehicle Lease Protocol or be reimbursed on a cents/km basis."

Page 16 - Clause 5.1 - The words "upon request" be inserted after 'equipment' in paragraph 1, and, paragraph 3 to be replaced with the following:

"Postage of Official Councillor Correspondence: Councillors will be reimbursed for official postage, accompanied by point of sale receipts and where it is impractical to use the Council's own mail system upon approval by the Public Officer and General Manager"

Page 17 - Clause 5.2.1 - a additional dot point to be added as follows:

"The availability of any equipment and facilities provided to the Mayor under this Policy is not transferrable to another Councillor without a resolution of the Council"

Page 19: - Attachment - The attachment to be replaced as follows:

Attachment - Maximum Reimbursement Limits (limits to be reviewed annually)

Item	Maximum Limit
Mobile phone, home phone & internet	\$250 per month combined
Home office	Council will supply and maintain a home MFD and/or facsimile line and consumables as well as a computer device (laptop/tablet/iPad)
Care related expenses	\$2000 per annum
Non-Council functions/events (Clause 4.2.9)	\$250 per month
Print and on-line media	\$75 per month

Item	Maximum Limit
Use of private motor vehicle for civic duties: - 2.5 litre engine size or less - More than 2.5 litre engine size	\$0.68 per km \$0.78 per km (as amended by changes to State Award)
Incidentals (Dry cleaning etc)	\$20.00 per month
Taxi fares	From transport destination to accommodation and/or conference/meeting venue
Parking fees	Airport parking when using air travel for official purposes
Meals - Breakfast - Lunch - Dinner	\$25.35 \$28.55 \$48.65 (as amended by ATO Determination)

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt
AGAINST VOTE - Cr G Bagnall, Cr K Milne

ADJOURNMENT OF MEETING

Adjournment for dinner at 6.30pm.

RESUMPTION OF MEETING

The Meeting resumed at 7.20pm.

18 [CS-CM] Model Code of Conduct Version 2.0

22

Cr P Youngblutt
Cr K Milne

RESOLVED that:

1. The Model Code of Conduct Version 2.0 incorporating the amendment to Part 4.29, be adopted; and
2. In accordance with Section 161(2) of the Local Government Act 1993 the Model Code of Conduct Version 2.0 not be publicly exhibited as the amendment is not substantial as it is a consequence of changes to the Local Government Act 1993 and it only affects Councillors.

The Motion was **Carried**

FOR VOTE - Unanimous

19 [CS-CM] Draft Community Sponsorship Policy Version 1.0

23

**Cr P Youngblutt
Cr B Longland**

RESOLVED that Council exhibits the draft Community Sponsorship Policy Version 1.0 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

20 [CS-CM] Compliments and Complaints Analysis Report for Period 1 July to 30 September 2015

24

**Cr P Youngblutt
Cr C Byrne**

RESOLVED that Council receives and notes the Compliments and Complaints Analysis Report for the period 1 July to 30 September 2015.

The Motion was **Carried**

FOR VOTE - Unanimous

21 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report for Period Ending 31 December 2015

25

**Cr C Byrne
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 December 2015 totalling \$236,172,722 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

a21 **[CS-CM] RFP2015-069 Provision of Employee Assistance Program (EAP) Services**

26

**Cr P Youngblutt
Cr C Byrne**

RESOLVED that Council endorses the:

1. Adoption of a selective tender process for the Provision of Employee Assistance Program Services under Clause 166 of the Local Government (General) Regulation 2005;
2. Selective tender process to seek further submissions from the shortlisted tenderers from the preceding quotation process being:
 - Brain Mind and Memory Centre ABN 67664403107
 - MyEAP Pty Ltd ABN 21725428241
 - Artius Health Pty Ltd ABN 27164619443; and that
3. Variation of the previous Request for Quotation requirements to allow for the appointment of either a panel of providers or a sole provider and to invite the submission of different fee models in addition to a schedule of rates under Clause 170(2) of the Local Government (General) Regulation 2005.

The Motion was **Carried**

FOR VOTE - Unanimous

ORDERS OF THE DAY

22 **[NOR] Water Supply Augmentation - Selection of Preferred Option**

NOTICE OF RESCISSION:

27

**Cr K Milne
Cr B Longland**

RESOLVED that the resolution from the meeting held on Thursday 19 November 2015 at Minute No 599 Item No 24 titled [E-CM] Water Supply Augmentation - Selection of Preferred Option being:

"... that this matter be deferred for consideration at 18 February 2016 Council meeting and arrangements made for a series of independently facilitated Workshops to be held with the interested stakeholder groups."

be rescinded.

The Motion was **Carried**

FOR VOTE - Unanimous

23 [NOR] Mayoral Minute - Water Augmentation and Review

NOTICE OF RESCISSION:

28

**Cr B Longland
Cr P Youngblutt**

RESOLVED that the resolution from the meeting held on 10 December 2015 at Minute No 661 Item No a3 titled [MM-CM] Mayoral Minute - Water Augmentation and Review being:

"that:

...

- 2. Concurrently a comprehensive independent review of Council's Water Supply-Demand options is undertaken as a matter of priority, to ascertain further consideration of the most ecologically sustainable, climate change resilient, cost effective and socially acceptable long term water management and augmentation options available. Such a review should include, but not be limited to, a full range of demand management, drought security, and supply options.*
- 3. The community working group that was previously established to consider the water augmentation options be reconvened (with the exception for new Councillor representatives, and any vacancies to be advertised), to recommend the terms of reference for the review, recommend the selection criteria and weightings for selecting a preferred consultant for the review, and as a project reference group for the review."*

be rescinded.

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt
AGAINST VOTE - Cr G Bagnall, Cr K Milne

24 [NOM] Water Augmentation and Review

29

Cr B Longland
Cr W Polglase

RESOLVED that Council staff brings a report to a future Council meeting with recommendations for the establishment of a community reference group to participate in the development and monitoring of Council's demand management and water efficiency initiatives and provide input to Council decisions concerning water security for the Shire.

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt
AGAINST VOTE - Cr G Bagnall, Cr K Milne

25 [NOM] Black Rocks Sports Field

30

Cr B Longland
Cr P Youngblutt

RESOLVED that Council officers bring a brief report to a future Council Meeting providing:

1. Details of the various options for public access to the Black Rocks Sports Field.
2. An assessment of the effectiveness and reliability of solar powered gate at Council's Eviron Cemetery facility to be installed in the near future.
3. A recommendation on the suitability of the different options for the entrance to Pottsville's Black Rocks Sports Fields in terms of the maintenance of public access for users of the facility, as well as its capacity to enhance wildlife protection.

The Motion was **Carried**

FOR VOTE - Unanimous

26 [NOM] Compact of Mayors

31

**Cr K Milne
Cr G Bagnall**

RESOLVED that Council brings forward a report on Council joining the pledge for the "Compact of Mayors".

The Motion was **Lost**

FOR VOTE - Cr G Bagnall, Cr K Milne

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

QUESTIONS ON NOTICE

Nil.

DELEGATE REPORTS

Nil.

PROCEDURAL MOTIONS

32

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that Items 27 to 33 be considered in block.

The Motion was **Carried**

FOR VOTE - Unanimous

33

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that Items 27 to 33, be moved in block.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

27 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 13 November 2015

34

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 13 November 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

GB1.Naming of Drain on Kirkwood Road

That no action be taken on the naming of waterways/water due to resourcing constraints, as previously resolved at Item 37 - Minute 648 of the Council meeting held Thursday 19 November 2015.

The Motion was **Carried**

FOR VOTE - Unanimous

28 [SUB-CHAC] Minutes of the Community Halls Advisory Committee Meeting held Monday 23 November 2015

35

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that the Minutes of the Community Halls Advisory Committee Meeting held Monday 23 November 2015 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

29 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 December 2015

36

Cr W Polglase
Cr P Youngblutt

RESOLVED that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 December 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A2. Tumbulgum Quarry, Dulguigan

That the Aboriginal Advisory Committee rejection of the 'Cultural Heritage Assessment' on the grounds that it is a due diligence assessment as opposed to a full heritage assessment be noted.

A3(a) Wooyung Development

That Council notes further information from the Aboriginal Advisory Committee's (AAC) organisation on this development will be reported back to the next AAC meeting.

A4. Kingscliff Foreshore and Central Park

That Council notes the AAC resolution, being:

"That the:

1. *Aboriginal Advisory Committee notes the proposed Kingscliff foreshore protection works and central park development project and endorses the recommended Aboriginal cultural heritage management approach, including the engagement of a cultural monitor during excavations beyond 2.6m associated with construction of the seawalls, with evaluation for the need for ongoing monitoring to be determined based on the level of disturbance encountered.*
2. *Tweed Byron Local Aboriginal Land Council to be engaged for Aboriginal cultural heritage induction training."*

A2(a) Tim Robins - Everick Gold Coast Airport - Let's Invest for Tomorrow Project LIFT

That Council notes the Aboriginal Advisory Committee request to Gold Coast Airport to provide appropriate resourcing in order to label, display and house the 32 artefacts from the Gold Coast Airport site temporarily at the Tweed Byron Aboriginal Land Council and then permanently at Minjungbal Aboriginal Museum and Cultural Centre or another agreed location.

The Motion was **Carried**

FOR VOTE - Unanimous

30 [SUB-TRC] Minutes of the Tweed River Committee Meeting held Wednesday 9 December 2015

37

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that the Minutes of the Tweed River Committee Meeting held Wednesday 9 December 2015 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

31 [SUB-TCC] Minutes of the Tweed Coastal Committee Meeting held Wednesday 9 December 2015

38

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that the Minutes of the Tweed Coastal Committee Meeting held Wednesday 9 December 2015 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

32 [SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 10 December 2015

39

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that the Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 10 December 2015 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

33 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 17 December 2015

40

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 17 December 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A1. Mooball Street, Murwillumbah

That the 'No Stopping' zone on Mooball Street adjacent to the School be extended from Murwillumbah Street to the north by 10m.

A2. Bilambil Public School Parking Zones - Bilambil Road

That:

1. *The Bilambil Road on road parking spaces south of the Bilambil Public School car park exit to the bus zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".*
2. *4 spaces in the school car park adjacent to the drop off zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".*

A3. Casuarina Way, Casuarina (Moved from Item B2)

That the 'No Stopping' line north of the Cotton Beach Resort exit driveway on Casuarina Way, Casuarina be extended by 10m.

The Motion was **Carried**

FOR VOTE - Unanimous

CONFIDENTIAL COMMITTEE

EXCLUSION OF PRESS AND PUBLIC

41

Cr P Youngblutt
Cr G Bagnall

RESOLVED that Council resolves itself into a Confidential Committee in accordance with Section 10A(2) of the Local Government Act 1993 (as amended) and that the press and public be excluded from the whole of the Committee Meeting, because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reasons of the confidential nature of the business to be transacted.

The Motion was **Carried**

FOR VOTE - Unanimous

CONFIDENTIAL ITEMS FOR CONSIDERATION

The General Manager reported that the Confidential Committee had excluded the press and public from the whole of the Committee Meeting because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reason of the confidential nature of the business to be transacted, and made the following recommendations to Council:-

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

C1 [GM-CM] Kingscliff Foreshore Revitalisation Project Management

REASON FOR CONFIDENTIALITY:

This report contains staffing matters.

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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

C 1

That the appointment to the role of Project Manager for the Kingscliff Foreshore Revitalisation Project be received and noted.

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr C Byrne, Cr W Polglase, Cr P Youngblutt
AGAINST VOTE - Cr G Bagnall, Cr K Milne

42

Cr B Longland
Cr C Byrne

RESOLVED that the recommendations of the Confidential Committee be adopted.

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

There being no further business the Meeting terminated at 8.07pm.



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

Chairman

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