



**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 2 June 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 5.13pm.

### **IN ATTENDANCE**

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 Robyn Grigg (Acting Director Community and Natural Resources), Mr Shane Davidson (Executive Officer), Mr Neil Baldwin (Manager Corporate Governance) and Miss Janet Twohill (Minutes Secretary).

### **APOLOGIES**

#### Note from 19 May 2016

Cr K Milne (Mayor) was granted a leave of absence up to 27 June 2016 in accordance with Section 234(1)(d) of the Local Government Act, 1993 at Council Meeting held Thursday 19 May 2016 at Minute No 226.

### **DISCLOSURE OF INTEREST**

Nil.

### **CONFIRMATION OF PLANNING COMMITTEE MINUTES**

- 1 **[CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 2 June 2016**

270

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

**RESOLVED** that the recommendations of the Ordinary Planning Committee Meeting held Thursday 2 June 2016 be adopted.

- 1 **[PR-PC] Development Application DA03/0445.04 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 Development Application DA03/0445.04 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 be amended as follows:

1. Delete Condition 2A and replace it with Condition 2B which reads as follows:

2B. The hours of operation and deliveries are:

- Monday to Friday 7.00am to 6.00pm.
- Saturday and Sunday 8.00am – 6.00pm

[GENNS01]

2. Delete Condition 4A and replace it with Condition 4B which reads as follows:

4B. Daily delivery movements are restricted to 12 trips per day.

[GENNS03]

3. Delete Condition 15 and replace it with Condition 15A which reads as follows:

15A. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Prior to the commencement of the increased daily operation, all Section 94 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.

These charges include indexation provided for in the S94 Plan and will remain fixed for a period of 12 months from the date of the original consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

(a) DA03/0445.02 Paid

Tweed Road Contribution Plan:

4.8 Trips @ \$3065 per Trips

\$14,712

(\$2,928 base rate + \$137 indexation)

S94 Plan No. 4

Sector12a\_4

- (b) DA03/0445.04 (to be paid prior to operating in accordance with this modification)

Tweed Road Contribution Plan:  
1.2 Trips @ \$3080 per Trips \$3,696  
(\$2,928 base rate + \$152 indexation)  
S94 Plan No. 4  
Sector12a\_4

[POC0395/PSC0175]

**2 [PR-PC] Housekeeping and Minor Policy Amendment LEP**

**RECOMMENDED** that:

1. The public submission summary and Officer's response is noted; and
2. The Planning Proposal PP15/0008 is approved and is to be referred to the NSW Minister for Planning with a request that the Plan be made under s.59 of the *Environmental Planning and Assessment Act 1979*, at the earliest time.

**3 [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 May 2016 to Development Standards under State Environmental Planning Policy No. 1 - Development Standards.

The Motion was **Carried**

**FOR VOTE - Unanimous**  
**ABSENT. DID NOT VOTE - Cr K Milne**

---

**REPORTS THROUGH THE GENERAL MANAGER**

**REPORTS FROM THE GENERAL MANAGER**

**2 [GM-CM] Lease of Murwillumbah Cattle Sale Yards**

271

**Cr G Bagnall**  
**Cr P Youngblutt**

**RESOLVED** that this item be accepted onto the Agenda and further that the item will not be considered as the lease has been executed.

The Motion was **Carried**

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

**AGAINST VOTE - Cr C Byrne**

**ABSENT. DID NOT VOTE - Cr K Milne**

---

There being no further business the Meeting terminated at 5.15pm



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

---

**Chairman**