



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr K Milne

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

# Minutes

## **Extraordinary Council Meeting Thursday 23 June 2016**

held at **Council Chambers, Murwillumbah Civic & Cultural Centre,  
Tumbulgum Road, Murwillumbah** commencing at 3.00pm

## 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 3.00pm.

**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 Neil Baldwin (Manager Corporate Governance) and Mrs Kerrie McConnell (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 the General Manager, Mr Troy Green.

**APOLOGIES**

Nil.

**DISCLOSURE OF INTEREST**

Nil.

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

Nil.

**THANK YOU**

Cr Milne – extended thanks to the Councillors granting her an extended leave of absence during her illness, and members of the community for their well wishes.

## ORDERS OF THE DAY

- 1 [NOR] Class 1 Appeal Development Application DA15/0201 for a 20 Lot Subdivision and Associated Works at Lot 156 DP 628026 No 40 Creek Street, Hastings Point

### NOTICE OF RESCISSION:

314

Cr C Byrne  
Cr W Polglase

**RESOLVED** that the resolution from the meeting held on Thursday 6 August 2015 at Minute No 420 Item No C1 titled [PR-CM] Class 1 Appeal Development Application DA15/0201 for a 20 Lot Subdivision and Associated Works at Lot 156 DP 628026 No 40 Creek Street, Hastings Point being:

*"... that Council engages its solicitors, and suitable consultants, if required, to defend the deemed refusal appeal for DA15/0201.*

*The basis of Council's defence includes, but is not limited to, aspects of the following that relate to the current Development Application:*

- 1. The reasons for refusal of the subdivision by the Department of Planning on 9 February 2012.*
- 2. Council's refusal of DA13/0189 on 21 November 2013.*
- 3. Draft amendments to the Hastings Point Locality Plan and Local Environmental Plan 2014 that relate to Council's resolution of 6 November 2014."*

***be rescinded.***

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

The Motion was **Lost** on the Casting Vote of the Mayor.

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- 2 [NOM] Class 1 Appeal Development Application DA15/0201 for a 20 Lot Subdivision and Associated Works at Lot 156 DP 628026 No 40 Creek Street, Hastings Point

Following the outcome of the resolution of the Notice of Rescission this Motion was not required.

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**CONFIDENTIAL ITEMS FOR CONSIDERATION**

Nil.

There being no further business the Meeting terminated at 3.12pm.



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

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**Chairman**

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