



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 15 September 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 5.10pm.

IN ATTENDANCE

Cr K Milne (Mayor), Cr G Bagnall (Deputy Mayor), Cr C Byrne, Cr B Longland and Cr W Polglase.

Also present were Mr Troy Green (General Manager), Mr Michael Chorlton (Manager Financial Services for Director Corporate Services), Mr David Oxenham (Director Engineering), Mr Vince Connell (Director Planning and Regulation), Ms Tracey Stinson (Director Community and Natural Resources), Mr Neil Baldwin (Manager Corporate Governance) and Mrs Lisa Bailey (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 General Manager.

We pay that You will guide the Councillors and Council staff of the Tweed Shire Council as they meet together today; that they may think calmly and carefully, decide wisely and prayerfully and may their decision be in accordance with Your will and for the welfare of Your people in the Tweed community. Through Jesus Christ our Lord. Amen.

CONFIRMATION OF MINUTES

1 [CONMIN-CM] Confirmation of the Minutes of the Ordinary Council Meeting held Thursday 18 August 2016

428

Cr C Byrne
Cr K Milne

RESOLVED that the Minutes of the Ordinary Council Meetings held Thursday 18 August 2016 be adopted as a true and accurate record of proceedings of that meeting with the following change (underlined) to Minute No 393 Item 7 [GM-CM] Dissolution of Far North Coast County Council:

- "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 and 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."*

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr P Youngblutt

a1 **[CONMIN-CM] Confirmation of the Minutes of the Ordinary Council Meeting held 1 and 8 September 2016**

429

**Cr C Byrne
Cr K Milne**

RESOLVED that the Minutes of the Ordinary Council Meetings held Thursday 1 and 8 September 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 P Youngblutt

APOLOGIES

Councillor P Youngblutt has informed the General Manager that his absence is due to illness.

430

**Cr K Milne
Cr C Byrne**

RESOLVED that the apology of **Cr P Youngblutt** be accepted and the necessary leave of absence be granted.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr P Youngblutt

DISCLOSURE OF INTEREST

Nil.

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

Nil.

2016/2017 RATES INCENTIVE SCHEME COMPETITION

The Rates Incentive Scheme is a small but integral component of Council's overall rate recovery policy, approximately 5800 ratepayers paid their rates in full for 2016/2017 rating year (40,000 ratepayers in total).

The early payment of rates in full provides Council with an increase in its cash flow, enabling Council to create additional revenue from investments. This additional revenue is used to provide increased funding for services.

The Mayor, Cr K Milne, conducted the draw for the 2016/2017 Rates Incentive Scheme Competition:

First Prize:

\$2500 Sustainable Home Package

Mr Paul Hislop and Mrs Linda Hislop, Kingscliff

Second Prize:

\$1500 Sustainable Home Package

Mrs Celia Perry and Estate of Lawrence Perry, Chinderah

Third Prize:

\$1000 Sustainable Home Package

Mr Peter Sherwood, Tomewin

Each sustainable home package can be tailored to suit the individual needs choosing from items such as solar power, solar hot water, rainwater tanks, window tinting, awnings, water efficient white goods, landscaping and more.

SCHEDULE OF OUTSTANDING RESOLUTIONS

2 [SOR-CM] Schedule of Outstanding Resolutions

The Schedule of Outstanding Resolutions was received and noted.

MAYORAL MINUTE

3 [MM-CM] Mayoral Minute for August 2016

Cr K Milne (Mayor) requested a change to Attendances 30 August 2016 to reflect that a proxy vote was submitted for the Destination Tweed meeting.

431

Cr K Milne

RESOLVED that:

1. The Mayoral Minute for the month of August 2016 be received and noted.
2. The attendance of Cr K Milne at the following conference be authorised:

LGNSW Annual Conference – 16-18 October 2016

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr P Youngblutt

RECEIPT OF PETITIONS

4 [ROP-CM] Receipt of Petitions

The Public Officer, Mr Neil Baldwin, tabled a Petition against the closure and demolition of the Anchorage Island Boardwalk which contained in excess of 200 signatures.

432

Cr K Milne

Cr C Byrne

RESOLVED that the following tabled Petition be received and noted:

Petition AGAINST the Closure and Demolition of the Anchorage Island Boardwalk

Dear Neighbours

*In light of recent information it appears Tweed Shire Council will **not reopen** the boardwalk, in fact, we have intelligence they have tendered quotes for the demolition.*

We are of the understanding Tweed Shire Council has received a quote for the demolition of the boardwalk and we have been told this is in the vicinity of \$50k.

However, Tweed Shire Council advised that the minimum cost to ratepayers to repair the boardwalk is approximately \$10k. The boardwalk is a real asset to Keith Curran Reserve providing ratepayers, families, and visitors a chance to enjoy a daily walk through the bush and then a walk above the water.

It also provides a platform for people to observe the natural habitat, fish, mangroves, stingrays and how the tide interacts with river creatures.

In addition, parents on the boardwalk teach their children how to fish, respect the environment, whilst enjoying the sunshine and beautiful outdoor view.

If you are concerned about the loss of this valuable asset we would appreciate if you could take the time to sign the below so we can take up the subject on your behalf with Tweed Shire Council.

Date 8/8/16 - Ian Young and Jenny Young (Curran), Discovery Cove, Anchorage Island.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr P Youngblutt

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

a4 [GM-CM] Fingal Rovers Surf Life Saving Club

LATE ITEM

433

Cr W Polglase

Cr B Longland

RESOLVED that Item a4 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 P Youngblutt

434

**Cr W Polglase
Cr K Milne**

RESOLVED that Council supports the request from the Fingal Rovers Surf Life Saving Club to contribute:

1. \$16,700 (including GST) to supply materials and fittings for Stage 1 of the fit out of the Club; and
2. \$15,000 (including GST) contribution to supply materials and fittings for Stage 2 of the fit out of the club to be funded from unspent funds from the 2015/2016 Surf Life Saving Budget.
3. ATTACHMENT 1 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.

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt***

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

Nil.

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

- 5 [CNR-CM] Licence to Pottsville and District Men's Shed Inc. - Lot 301 DP 1125090 at Pottsville**

435

**Cr W Polglase
Cr B Longland**

RESOLVED that Council:

1. Approves the granting of a five year licence to the Pottsville & District Men's Shed Inc. over part of Lot 301 in DP 1125090 at Pottsville.
2. Executes all necessary documentation under the Common Seal of Council.

AMENDMENT

436

**Cr K Milne
Cr G Bagnall**

PROPOSED that this matter be deferred until further advice from the Department of Industry-Lands and advice in regard to the Rural Fire Service and State Emergency Service future requirements.

Amendment was **Lost**

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

The Motion was **Carried** (Minute Number 435 refers)

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

6 [CNR-CM] Tweed Stormwater Quality Management Plan 2016

437

**Cr C Byrne
Cr W Polglase**

RESOLVED that Council adopts the Tweed Urban Stormwater Quality Management Plan 2016.

The Motion was **Carried**

**FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt**

REPORTS FROM THE DIRECTOR ENGINEERING

7 [E-CM] Road Naming - Tweed Heads South

438

**Cr C Byrne
Cr W Polglase**

RESOLVED that Council:

1. Advertises its intention to name the laneway which runs off Seaview Street at Tweed Heads South as "Herbies Lane" allowing one month for submissions or objections to the proposal.
2. Notifies the relevant authorities under the provisions of the Roads (General) Regulation 2008
3. ATTACHMENTS 1 to 3 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (a) personnel matters concerning particular individuals (other than councillors)

The Motion was **Carried**

***FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt***

8 [E-CM] 39 Terrace Street, Chinderah

439

**Cr K Milne
Cr G Bagnall**

PROPOSED that Council notes the lack of historic information regarding the construction of open drains in and around Lot 2 DP 1127741;

AMENDMENT

440

**Cr C Byrne
Cr B Longland**

RESOLVED that Council:

1. Notes the lack of historic information regarding the construction of open drains in and around Lot 2 DP 1127741;

2. Advises the Stirling family that based on existing information, Council does not claim ownership or responsibility for the open drain that has been constructed within Lot 2 DP 1127741.

Amendment was **Carried**

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

Amendment on becoming the Motion was **Carried** - (Minute No 440 refers)

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

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

9 [CS-CM] In Kind and Real Donations - April/May/June 2016

441

Cr W Polglase
Cr C Byrne

RESOLVED that Council notes the total donations of \$238,977.48 for the period April/May/June 2016.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt

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

This item was dealt with at Item Number a10 (Minute Number 442 refers).

a10 [CS-CM] Monthly Investment and Section 94 Development Contribution Report for Period ending 31 August 2016

LATE ITEM

442

Cr C Byrne
Cr W Polglase

RESOLVED that Item a10 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 P Youngblutt

443

Cr C Byrne
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 August 2016 totalling \$265,474,380 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt

ORDERS OF THE DAY

11 [NOM] Pottsville Men's Shed - Ideal Central Location

444

Cr K Milne
Cr G Bagnall

PROPOSED that Council brings forward a report to the next Council meeting on the proposed future use of the Crown Land areas located behind the existing Pottsville Rural Fire Service and SES, and the potential of all parties to work together to provide for a site for the Pottsville Men's Shed in this location, in accordance with Council's previous resolution of 21 August 2014 "*to pursue alternative sites*" including future development or appropriately zoned sites that could accommodate the Men's shed in the longer term on a permanent basis.

The Motion was **Lost**

FOR VOTE - Cr G Bagnall, Cr K Milne

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

ABSENT. DID NOT VOTE - Cr P Youngblutt

12 [NOM] Green Energy Investment

445

Cr K Milne

Cr G Bagnall

PROPOSED that Council brings forward a report on undertaking large scale investment in greenhouse gas emissions reductions in light of rapidly worsening Climate Change.

The Motion was **Lost**

FOR VOTE - Cr G Bagnall, Cr K Milne

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

ABSENT. DID NOT VOTE - Cr P Youngblutt

13 [NOM] Food For Thought Forum

446

Cr K Milne

Cr G Bagnall

PROPOSED that Council:

1. Notes the enthusiasm of the participants of Council's Food for Thought Forum and commends staff for a very successful event.
2. Brings forward a report on the outcomes of the Forum and a quarterly report on progress in the areas relevant to Council including but not limited to:
 - a) Potential for becoming a signatory to the 'Urban and Regional Food Declaration'.
 - b) Options for developer contribution fees to be reduced / waived for a period to foster these small business and farm industries.
 - c) Planning controls to designate 'clean green zones' in industrial areas to provide for sensitive/organic industry areas, so these businesses are not at risk of incompatible neighbouring businesses moving in afterwards that may use harsh chemicals etc.

The Motion was **Lost**

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

QUESTIONS ON NOTICE

Nil.

DELEGATE REPORTS

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

PROCEDURAL MOTIONS

447

Cr C Byrne
Cr W Polglase

RESOLVED that Items 14 to 17 be considered in block.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt

Cr W Polglase temporarily left the meeting at 06:28 PM.

448

Cr K Milne
Cr B Longland

RESOLVED that Items 14 to 17 be moved in block.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase, Cr P Youngblutt

14 [SUB-TRAG] Minutes of the Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 10 February 2016

449

**Cr K Milne
Cr B Longland**

RESOLVED that the Minutes of the Tweed Regional Gallery Advisory Committee Meeting held Wednesday 10 February 2016 be received and noted.

The Motion was **Carried**

**FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase, Cr P Youngblutt**

15 [SUB-TRAG] Minutes of the Tweed Regional Gallery Advisory Committee Meeting held Wednesday 11 May 2016

450

**Cr K Milne
Cr B Longland**

RESOLVED that:

1. The Minutes of the Tweed Regional Gallery Advisory Committee Meeting held Wednesday 11 May 2016 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

Resignation of Robert Appo from the Committee

"That Mr Mark Cora, Indigenous Officer Arts Northern Rivers, is the recommended replacement for Robert Appo and that Mr Cora's nomination be put forward for inclusion on the committee in September when the Council committees are decided."

The Motion was **Carried**

**FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase, Cr P Youngblutt**

16 [SUB-TRAG] Minutes of the Tweed Regional Gallery Advisory Committee Meeting held Wednesday 3 August 2016

451

**Cr K Milne
Cr B Longland**

RESOLVED that the Minutes of the Tweed Regional Gallery Advisory Committee Meeting held Wednesday 3 August 2016 be received and noted.

The Motion was **Carried**

**FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase, Cr P Youngblutt**

17 [SUB-TRC] Minutes of the Tweed River Committee Meeting held Wednesday 10 August 2016

452

**Cr K Milne
Cr B Longland**

RESOLVED that:

1. The Minutes of the Tweed River Committee Meeting held Wednesday 10 August 2016 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:
 - A2. PFAS Contamination at Gold Coast Airport

That Council writes to the NSW Environment Protection Authority requesting that testing of seafood from Cobaki and Terranora Broadwater, and the Tweed Estuary, be expedited in order to assess the risk of human exposure to the PFAS/PFOS contaminants derived from Gold Coast Airport.

The Motion was **Carried**

**FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr W Polglase, Cr P Youngblutt**

18 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 11 August 2016

Cr W Polglase has returned from temporary absence at 06:30 PM

453

Cr C Byrne
Cr B Longland

RESOLVED that:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 11 August 2016 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A1 [LTC] Nullum Street, Murwillumbah

That:

1. *The "no stopping" zone on the western side of Nullum Street, Murwillumbah adjacent to Sathya Sai Primary School be increased to 9m from the crossing.*
2. *The Police be requested to enforce the speed limit during school zone hours on Nullum Street, Murwillumbah.*

A2 [LTC] Buchanan Street, South Murwillumbah

That a "No Stopping" zone be installed on the western side of Buchanan Street from Tweed Valley Way to 15 metres south of the petrol station's driveway.

A3 [LTC] Wharf Street, Murwillumbah

That the existing loading zone on Wharf Street, Murwillumbah adjacent to Ju Ju's Café be converted to a two hour parking in business hours 9.00am to 5.00pm Monday to Friday and 9.00am to 12.00pm Saturday zone.

A4 [LTC] Tweed's Biggest Dinner Party - Murwillumbah and Wharf Streets, Murwillumbah

There are no objections to the temporary closure of Murwillumbah Street and Wharf Street, Murwillumbah for the conduct of the Tweed's Biggest Dinner Party on 3 December 2016, subject to the following conditions:

1. *Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.*
2. *Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.*

3. *The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.*
4. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.*
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. *That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.*
10. *The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.*

A5 [LTC] Alma Street and Tweed Valley Way, South Murwillumbah

That the designation of a B-Double route on Tweed Valley Way from Buchanan Street to Alma Street, South Murwillumbah is not supported.

A6 [LTC] Sunshine Avenue, Tweed Heads South

That the existing "No Parking / No Stopping" sign on Sunshine Avenue, Tweed Heads South which is located approximately ten metres north of the driveway entrance to Lindisfarne Anglican Grammar School be relocated south ten metres to the driveway entrance.

A7 [LTC] Oxford Street, Kingscliff

That the end 45 degree angle parking space on Oxford Street, Kingscliff closest to Kingscliff High School be converted to motorcycle parking as per AS2890.5.

A8 [LTC] Loading Zone on Coronation Avenue, Pottsville

That the two loading zones on Coronation Avenue, Pottsville near the butchers shop be made into one loading zone and that it be signposted "Loading Zone 7.00am to 9.00am Monday to Friday".

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt

EXCLUSION OF PRESS AND PUBLIC

454

Cr K Milne
Cr C Byrne

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
ABSENT. DID NOT VOTE - Cr P Youngblutt

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] Murwillumbah Railway Station

REASON FOR CONFIDENTIALITY:

This report relates to possible commercial dealings that should not be disclosed.

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: -

- (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 B Longland has returned from temporary absence at 06:39 PM

C 29

That Council:

1. Authorises the General Manager to enter into lease negotiations for the Murwillumbah Railway Station.
2. A report be brought back to a future Council meeting which includes the terms and conditions of the future potential lease.

*The Motion was **Carried***

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr P Youngblutt

aC1 [GM-CM] Murwillumbah Airfield - Lease Negotiations

LATE ITEM

C 30

That Item aC1 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 P Youngblutt

REASON FOR CONFIDENTIALITY:

This report deals with lease negotiations with specific individuals.

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: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

That Council:

- a) Bring forward a report investigating all development and leasing options available for the Murwillumbah Airfield; and
- b) Advise the potential lessee that the current lease negotiations for the western side of the Murwillumbah Airfield will be suspended until this report is determined by Council.

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr G Bagnall, Cr C Byrne, Cr W Polglase

AGAINST VOTE - Cr K Milne

ABSENT. DID NOT VOTE - Cr P Youngblutt

REPORTS FROM THE DIRECTOR ENGINEERING IN COMMITTEE

C2 [E-CM] Assignment of Licence Agreement over Road Reserve - Wharf Street, Tweed Heads

REASON FOR CONFIDENTIALITY:

This report relates to commercial negotiations between Council and the proposed Licensee as well as the commercial transactions of the proposed Assignee (Elanor) and Licensee (Tweed Mall).

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: -

- (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.

C 31

Cr W Polglase

Cr C Byrne

That:

1. Approves the assignment and novation of Licence Agreement from Tweed Mall Pty Ltd for the use and management of the car park in Wharf Street, Tweed Heads adjacent to Tweed Centro to an entity within the Elanor Investors Limited group or the Elanor Funds Management Limited group; and
2. Executes all necessary documentation under the Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Cr B Longland, Cr G Bagnall, Cr C Byrne, Cr W Polglase

AGAINST VOTE - Cr K Milne

ABSENT. DID NOT VOTE - Cr P Youngblutt

C3 [E-CM] Clarrie Hall Dam - Land Acquisition - 141 Lone Pine Road, Doon Doon

REASON FOR CONFIDENTIALITY:

This reports discusses commercial discussions and private financial arrangements which should not be disclosed to the public in order to protect the privacy of the affected individuals.

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: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

C 32

That Council:

1. Approves entering into a contract for the purchase of 141 Lone Pine Road, Doon Doon comprised in Lot 6 DP 261570 for the amount agreed and set out in the body of the report; and
2. Executes all documentation under the Common Seal of Council.
3. ATTACHMENT 1 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.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt

C 33

Cr B Longland
Cr C Byrne

RESOLVED that the Committee resumes in Open Council.

The Motion was **Carried**

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr P Youngblutt

455

Cr B Longland
Cr C Byrne

RESOLVED that the recommendations of the Confidential Committee be adopted.

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr P Youngblutt

There being no further business the Meeting terminated at 6.51pm



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

Chairman

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