

Mayor: Cr K Milne

Councillors: P Allsop
R Byrnes
C Cherry (Deputy Mayor)
R Cooper
J Owen
W Polglase

Minutes

Extraordinary Council Meeting Monday 21 August 2017

held at
**Council Chambers, Murwillumbah Civic & Cultural Centre,
Tumbulgum Road, Murwillumbah**
commencing at 11.00am

Principles for Local Government

The object of the principles for Tweed Shire Council, as set out in Section 8 of the Local Government Amendment (Governance and Planning) Bill 2016, is to provide guidance to enable council to carry out its functions in a way that facilitates a local community that is strong, healthy and prosperous.

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by Tweed Shire Council:

- (a) Provide strong and effective representation, leadership, planning and decision-making.
- (b) Carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Work with others to secure appropriate services for local community needs.
- (h) Act fairly, ethically and without bias in the interests of the local community.
- (i) Be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by Tweed Shire Council (subject to any other applicable law):

- (a) Recognise diverse local community needs and interests.
- (b) Consider social justice principles.
- (c) Consider the long term and cumulative effects of actions on future generations.
- (d) Consider the principles of ecologically sustainable development.
- (e) Decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Council should actively engage with the local community, through the use of the integrated planning and reporting framework and other measures.

The Meeting commenced at 11.24am.

IN ATTENDANCE

Cr Katie Milne (Mayor), Cr Chris Cherry (Deputy Mayor), Cr Reece Byrnes and Cr Ron Cooper,

Also present were Mr Troy Green (General Manager), Ms Liz Collyer (Director Corporate Services), Mr Vince Connell (Director Planning and Regulation), Ms Tracey Stinson (Director Community and Natural Resources), Mr Scott Green (Communications - Media) 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 read by the General Manager.

APOLOGIES

Attendee Cr W Polglase has informed the General Manager that his absence is caused by being on interstate commitments.

Attendee Cr J Owen has informed the General Manager that his absence is caused by work commitments.

Attendee Cr P Allsop was not present at the commencement of the meeting 11:24 AM.

411

Cr C Cherry
Cr K Milne

RESOLVED that the apology of Councillors W Polglase and J Owen be accepted and the necessary leave of absence be granted.

The Motion was **Carried**

FOR VOTE - Cr R Byrnes Cr C Cherry, Cr R Cooper, Cr K Milne
ABSENT. DID NOT VOTE - Cr J Owen, Cr W Polglase, Cr P Allsop

DISCLOSURE OF INTEREST

Nil.

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

Nil.

MAYORAL MINUTE

1 [MM-EXT] Gold Coast Airport

412

Cr K Milne

RESOLVED that: Council:

1. Writes to the Federal Minister for Infrastructure and Transport - the Hon. Mr Darren Chester and the NSW Minister for the Environment - the Hon. Ms Gabrielle Upton, to express Council's serious concerns regarding the clearing and earthworks associated with the Instrument Landing System at the Gold Coast Airport on the NSW Crown Reserve, over and above the footprint for the stated siting of the localiser antennae from Runway 14 and calling for an immediate halt to the works and a full inquiry into the processes of the matter.
2. Requests a response to be provided as a matter of urgency due to the significant environmental impacts currently occurring from the works on Endangered Ecological Communities, the drainage channel and the wetland areas that are vital to the whole ecosystem functioning of the Cobaki Broadwater and Class 1 Fishery habitats
3.
 - a) Contrary to the approved Gold Coast Airport (GCA) Instrument Landing System (ILS) Major Development Plan (MDP) stated siting of the localiser antenna to be 300m from runway 14 end (on the NSW Crown Reserve) the siting of the antenna is 450m from runway 14 end. An additional 150m development footprint on the Reserve was included in the approval of the ILS development footprint other than required for the siting of the localiser antenna. The 300m siting of the localiser antenna is from the 'Runway End Safety Area' (RESA) not the current runway 14 end which is 2,342m with a RESA of approx. 150m beyond runway 14 end as required under CASR Part 139 Manual of Standards (s.6).
 - b) The additional 150m development footprint of clearing and earthworks on the Reserve included in the ILS MDP approval facilitates the increasing of the operational length of runway 14 to the south without disclosure of the additional works contrary to the requirement of the Airports Act (s.91(1)(c).
 - c) The additional clearing within the additional 150m development footprint on the Reserve also facilitates the relocation of the runway 32 landing threshold approx. 300m to the south and the requirement for a new 'Obstacle Limitation Surface' (OLS) plan over the Reserve.

- d) Under the current runway operational capacity there is an existing airside perimeter road with an access road onto the Reserve. Under this existing runway operational capacity there should be no requirement to relocate the southern end of the airside perimeter road to the southern end of the localiser development footprint on the Reserve and to extend the western side of the airside perimeter road onto the Reserve.
- e) The additional works of clearing, earthworks and development of the airside perimeter road on the Reserve within the additional 150m development footprint on the Reserve other than required for the siting of the localiser antenna 300m from runway 14 end but facilitating increasing the runway operational length is subject to a MDP under the Airports Act (s.89(ba)).
- f) GCA is the responsible entity as the airport Lessee for the above elements of the additional development works included in the ILS MDP approval and is subject to the requirements under the Airports Act administered by the Minister for Infrastructure and Transport and as such Airservices Australia and the Air Services Act 1995 have no authority.
- g) Pursuant to the Airports Act 1996 (s.94(5)) the Minister must not approve a draft MDP unless it is consistent with the final Master Plan (MP) in force at the airport. No aviation development was disclosed on the NSW Crown Reserve in the GCA MP 2011 (s1.0, fig.1.4, pg.32/s.7.0, pg.83-86) in force at the time of the approval.
- h) The fact of the ILS being an antiquated ground-based radio system that will be obsolete in the near future and the modernisation program commenced 4th February 2016 is transitioning Australian airports to satellite technology. The ILS development footprint on the NSW Crown Reserve will form much of the GCA's proposed runway extension confirmed in a number of documents including the GCA's MDP 2017 which will have significant economic, social and environmental impacts within the Tweed Shire. Of particular concern, is the impacts of sterilizing or restricting property owners legal land-use rights and affordable housing.

AMENDMENT 1

413

**Cr R Byrnes
Cr R Cooper**

PROPOSED that Council:

1. Writes to the Federal Minister for Infrastructure and Transport the Hon. Mr Darren Chester and the NSW Minister for the Environment Gabrielle Upton, to express Council's serious concerns regarding the clearing and earthworks associated with the Instrument Landing System at the Gold Coast Airport on the NSW Crown Reserve, over and above the footprint for the stated siting of the localiser antennae from Runway 14, calling for an investigation into the processes of the matter.
2. Requests a response to be provided as a matter of urgency due to the significant environmental impacts currently occurring from the works on Endangered Ecological

Communities, the drainage channel and the wetland areas that are vital the whole ecosystem functioning of the Cobaki Broadwater and Class 1 Fishery habitats.

Amendment 1 was **Lost**

FOR VOTE - Cr R Byrnes

AGAINST VOTE - Cr C Cherry, Cr R Cooper, Cr K Milne

ABSENT. DID NOT VOTE - Cr J Owen, Cr W Polglase, Cr P Allsop

The Motion was **Carried** (Minute No 413 refers).

FOR VOTE - Cr C Cherry, Cr R Cooper, Cr K Milne

AGAINST VOTE - Cr R Byrnes

ABSENT. DID NOT VOTE - Cr J Owen, Cr W Polglase, Cr P Allsop

<p>THERE HAS BEEN A RESCISSION MOTION RECEIVED FROM COUNCILLORS ALLSOP, OWEN AND POLGLASE ON THIS MATTER.</p>
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There being no further business the Meeting terminated at 11.39am



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

Chairman