

Mayor: Cr K Milne

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

Minutes

Ordinary Council Meeting Thursday 17 May 2018

held at
**Harvard Room, Tweed Heads Administration
Building, Brett Street, Tweed Heads**
commencing at 5.30pm

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 5.32pm.

IN ATTENDANCE

Cr Katie Milne (Mayor), Cr Reece Byrnes (Deputy Mayor), Cr Pryce Allsop, Cr Chris Cherry, Cr Ron Cooper, Cr James Owen and Cr Warren Polglase

Also present were Mr Troy Green (General Manager), Mr David Oxenham (Director Engineering), Mr Vince Connell (Director Planning and Regulation), Ms Tracey Stinson (Director Community and Natural Resources), Mr Michael Chorlton (Executive Manager Finance, Revenue and Information Technology), Mrs Suzanne Richmond (Executive Manager People, Communication and Governance), Mr Shane Davidson (Executive Officer), Mr Neil Baldwin (Manager Corporate Governance) and Mrs Maree Morgan (Minutes Secretary).

Cr R Cooper was not present at the commencement of the meeting.

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 Murwillumbah Presbyterian Church.

"Gracious God,

We thank you 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 compassion and justice.

Protect our Councillors from seeking 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 weigh up diverse interests and govern for the wider benefit of our community and natural environment.

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

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 19 April 2018

223

Cr C Cherry
Cr J Owen

RESOLVED that:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 19 April 2018 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 - Cr C Milne, Cr C Cherry, Cr W Polglase, Cr J Owen, Cr P Allsop, Cr R Byrnes
ABSENT. DID NOT VOTE - Cr R Cooper

2 [CONMIN-CM] Confirmation of Minutes of Ordinary and Confidential Council Meeting held Thursday 3 May 2018

224

Cr C Cherry
Cr J Owen

RESOLVED that:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 3 May 2018 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 - Cr C Milne, Cr C Cherry, Cr W Polglase, Cr J Owen, Cr P Allsop, Cr R Byrnes
ABSENT. DID NOT VOTE - Cr R Cooper

APOLOGIES

Nil.

DISCLOSURE OF INTEREST

The General Manager, Mr Troy Green declared a Pecuniary Interest in Confidential Item C2 [MM-CM] Contract of Employment for Position of General Manager. The nature of the interest is that it deals with his employment contract. Mr Green advised that he will manage the Interest by vacating the Chamber and taking no part in the discussion or voting on the matter.

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

Nil.

SCHEDULE OF OUTSTANDING RESOLUTIONS

3 [SOR-CM] Schedule of Outstanding Resolutions at 17 May 2018

The Schedule of Outstanding Resolutions report was received and noted.

Cr R Cooper has returned from temporary absence at 05:44PM

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for April 2018

225

Cr K Milne

RESOLVED that:

1. The Mayoral Minute for the month of April 2018 be received and noted.
 2. The attendance of Councillors at nominated Conferences be authorised.
 - Cr J Owen to attend the Floodplain Management Conference to be held at Gold Coast Convention and Exhibition Centre, 2684-2690 Gold Coast Highway, Broadbeach, Queensland on 29 May to 1 June 2018 on the basis of day registration.
 - Cr K Milne to attend the LGNSW Regional North Coast Summit hosted by Bellingen Shire Council, 33-39 Hyde Street, Bellingen, NSW on 12 July 2018.
-

- Cr K Milne, Cr P Allsop, Cr J Owen (to be confirmed) and Cr W Polglase to attend the Australian Regional Development Conference to be held at the Twin Towns Services Club, Wharf Street, Tweed Heads on 17-18 September 2018.
- The Australian Institute of Company Directors Company Directors Course to be resubmitted for consideration at the Council Meeting on 21 June 2018.

The Motion was **Carried**

FOR VOTE - Unanimous

SUSPENSION OF STANDING ORDERS

226

**Cr C Cherry
Cr K Milne**

RESOLVED that Standing Orders be suspended to deal with Late Item 36 on the Agenda.

The Motion was **Carried**

FOR VOTE - Unanimous

36 LATE [MM-CM] Tweed Valley Hospital Development

ALTERNATE MOTION

227

Cr K Milne

RESOLVED that:

1. All Councillors be nominated as members of the Tweed Valley Hospital Development – Tweed Shire Council Reference Group:
2. Council notes the inclusion as non-voting Technical Advisers to the Reference Group of the following staff:

Troy Green - General Manager

Vince Connell – Director Planning and regulation

Iain Lonsdale – Unit Coordinator, Strategic Planning and Urban Design

Danny Rose – Manager Roads and Stormwater

3. Council requests the Minister for Health to consider the inclusion of the Director Engineering, David Oxenham as a further non-voting Technical Adviser from Council to enable input into Water and Wastewater Issues.
4. Council requests the Minister for Health to consider the inclusion of the Program Leader – Sustainable Agriculture, Eli Szandala as a further non-voting Technical Adviser from Council to enable input in to the impact on Sustainable Agriculture.
5. In light of the State Government's decision to form a Council Reference Group that does not include community members and consistent with the former resolution of Council, expressions of interest are called for community members to form a Community Reference Group with Councillors and with technical advice from Council staff to assist Councillors in their deliberations on the site selection of the Tweed Valley Hospital to explore alternative sites than that currently nominated at Cudgen.

The Motion was **Carried**

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

AGAINST VOTE - Cr W Polglase, Cr J Owen, Cr P Allsop

RESUMPTION OF STANDING ORDERS

228

**Cr K Milne
Cr C Cherry**

RESOLVED that Standing Orders be resumed.

The Motion was **Carried**

FOR VOTE - Unanimous

RECEIPT OF PETITIONS

5 [ROP] Receipt of Petitions at 17 May 2018

There were no petitions to be received or noted.

ORDERS OF THE DAY

6 [NOM] Nathan Bewes Recognition

ALTERNATE MOTION

229

Cr R Byrnes
Cr W Polglase

RESOLVED that Council liaises with the family of Nathan Bewes who was tragically killed in Afghanistan in 2010 and also with the Murwillumbah RSL Sub-Branch, to identify an appropriate way to recognise his sacrifice such as naming of a park or facility in Murwillumbah in his honour.

The Motion was **Carried**

FOR VOTE - Unanimous

7 [NOM] Sustainable, Wildlife and Marine Life Friendly Products and Packaging Policy

ALTERNATE MOTION

230

Cr K Milne
Cr C Cherry

RESOLVED that this Motion be deferred to a future Council Meeting.

The Motion was **Carried**

FOR VOTE - Cr K Milne, Cr C Cherry, Cr W Polglase, Cr R Cooper, Cr P Allsop, Cr R Byrnes

AGAINST VOTE - Cr J Owen

8 [NOM] Carbon Neutral

Cr J Owen temporarily left the meeting at 06:19 PM.

Cr J Owen has returned from temporary absence at 06:22 PM

231

Cr K Milne
Cr C Cherry

PROPOSED that Council brings forward a report on the organisation becoming carbon neutral for all Council's operations across the Shire.

The Motion was **Lost**

FOR VOTE - Cr C Milne, Cr C Cherry

AGAINST VOTE - Cr W Polglase, Cr J Owen, Cr R Cooper, Cr P Allsop, Cr R Byrnes

9 [NOM] Innovation Fund

232

**Cr K Milne
Cr C Cherry**

RESOLVED that Council develops a funding stream up to \$60,000 similar to Council's community sponsorship and events grants, for innovative solutions to waste, climate change, waterway and environmental challenges.

The Motion was **Carried**

**FOR VOTE - Cr C Milne, Cr C Cherry, Cr R Cooper, Cr R Byrnes
AGAINST VOTE - Cr W Polglase, Cr J Owen, Cr P Allsop**

10 [NOM] Reducing the Footprint of Housing

233

**Cr K Milne
Cr C Cherry**

PROPOSED that Council brings forward a report on options to encourage a reduction in the size of houses being built, including but not limited to appropriate planning controls to address this in the urban and rural areas.

The Motion was **Lost**

**FOR VOTE - Cr C Milne, Cr C Cherry
AGAINST VOTE - Cr W Polglase, Cr J Owen, Cr R Cooper, Cr P Allsop, Cr R Byrnes**

11 [NOM] Air Traffic Pollution

ALTERNATE MOTION

234

**Cr K Milne
Cr R Cooper**

RESOLVED that Council:

1. Writes to Hon. Gabrielle Upton, Minister for the Environment, Minister for Local Government and Minister for Heritage and request that:
 - NSW Environment Protection Authority undertakes a comprehensive, specific and targeted air quality monitoring for Tweed Shire and Gold Coast residents.
 - This report to be made available to Council and the general public.
 - A suitable site in Tweed Heads, Banora Point and Kingscliff that is potentially impacted by air traffic pollution and a suitable site impacted by cane fires and wood heaters to be included in the NSW Air Quality Network.
2. Notes the advice from Gold Coast Airport that they are intending to monitor air pollution of their site.

The Motion was **Carried**

FOR VOTE - Unanimous

ADJOURNMENT OF MEETING

Adjournment for dinner at 7.01pm.

RESUMPTION OF MEETING

The Meeting resumed at 7.52pm.

Cr R Cooper was not present at the recommencement of the meeting.

12 [NOM] Landscaping - South Tweed

ALTERNATE MOTION

235

**Cr K Milne
Cr C Cherry**

RESOLVED that Council undertakes low key landscaping improvements to Minjungbal Drive and brings forward a report on enhanced landscaping planning controls in the South Tweed locality.

Cr R Cooper attended the meeting at 07:55 PM

The Motion was **Carried**

***FOR VOTE - Cr C Milne, Cr C Cherry, Cr R Cooper, Cr P Allsop, Cr R Byrnes
AGAINST VOTE - Cr W Polglase, Cr J Owen***

13 [NOM] Public Toilets - South Tweed Industrial Area

236

**Cr K Milne
Cr C Cherry**

RESOLVED that Council:

1. Seeks the advice of the Tweed Heads Residents' Association and Tweed Heads Business Chamber, in regard the benefit of a public toilet in the South Tweed Heads industrial area.
2. Brings forward a report on the outcome of this consultation.

The Motion was **Carried**

***FOR VOTE - Cr C Milne, Cr C Cherry, Cr R Cooper, Cr R Byrnes
AGAINST VOTE - Cr W Polglase, Cr J Owen, Cr P Allsop***

14 [NOM] Shade Trees in Main Parks

237

**Cr K Milne
Cr C Cherry**

RESOLVED that Council provides additional shade trees in Council's main parks across the Shire.

The Motion was **Carried**

***FOR VOTE - Cr C Milne, Cr C Cherry, Cr R Cooper, Cr P Allsop, Cr R Byrnes
AGAINST VOTE - Cr W Polglase, Cr J Owen***

15 [NOM] Options for Improved Land Management

238

**Cr K Milne
Cr C Cherry**

RESOLVED that:

1. Council officers bring back a report on options for securing land that would be suitable as offset stewardship sites under the Biodiversity Offset Scheme and how this could be funded and managed.
2. In the interim, the Mayor writes to the Local State Members for Lismore and Tweed Heads seeking State consideration for the acquisition of sites that have high biodiversity values for the addition to the National Park Estate and provide examples of such to the State Member.

The Motion was **Carried**

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

AGAINST VOTE - Cr W Polglase, Cr J Owen, Cr P Allsop

16 [NOM] Toilet - Knox Park, Murwillumbah

239

**Cr K Milne
Cr C Cherry**

PROPOSED that Council brings forward a report on options to utilise sustainable building materials in the new Knox Park toilet block and advice from the Access and Inclusion Committee on the proposed removal of the old toilet blocks in the park.

AMENDMENT 1

240

**Cr J Owen
Cr R Byrnes**

RESOLVED that Council, where possible, utilise sustainable materials in the new Knox Park toilet block.

Amendment 1 was **Carried**

FOR VOTE - Cr C Milne, Cr C Cherry, Cr J Owen, Cr P Allsop, Cr R Byrnes

AGAINST VOTE - Cr W Polglase, Cr R Cooper

Amendment 1 on becoming the Motion was **Carried** - (Minute No 240 refers)

FOR VOTE - Cr C Milne, Cr C Cherry, Cr J Owen, Cr R Byrnes

AGAINST VOTE - Cr W Polglase, Cr R Cooper, Cr P Allsop

QUESTIONS ON NOTICE

Nil.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

17 [GM-CM] Tweed Business Investment Prospectus

241

Cr P Allsop

Cr J Owen

RESOLVED that Council:

1. Accepts the matched grant funding of \$50,000 from the NSW Government's Regional Growth - Marketing and Promotion Fund for the development of the Tweed Business Investment Prospectus project;
2. Adopts the expenditure of the grant funds of \$50,000 from the NSW Government's Regional Growth - Marketing and Promotion Fund;
3. Approves the expenditure of \$50,000 from the 2017/18 Economic Development Budget to match the grant funding of \$50,000 from the NSW Government's Regional Growth - Marketing and Promotion Fund;
4. Executes all necessary documentation under the Common Seal of Council.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

18 [PR-CM] Development Application DA10/0020.07 for an Amendment to Development Consent DA10/0020 for the Establishment of a Brothel at Lot 2 SP 84405 No. 2/36 Enterprise Avenue, Tweed Heads South

242

Cr R Cooper

Cr K Milne

RESOLVED that Development Application DA10/0020.07 for an amendment to Development Consent DA10/0020 for the establishment of a brothel at Lot 2 SP 84405 No. 2/36 Enterprise Avenue, Tweed Heads South be approved subject to the following amended condition:

1. Condition No. 43C is to be DELETED and REPLACED with Condition No. 43D which reads as follows:

43D. The hours of operation of the brothel premises are 24 hours per day, seven days per week.

The Motion was **Carried**

FOR VOTE - Cr C Milne, Cr C Cherry, Cr J Owen, Cr R Cooper
AGAINST VOTE - Cr W Polglase, Cr P Allsop, Cr R Byrnes

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

19 [CNR-CM] Allocation of Community Sponsorship

243

Cr C Cherry
Cr J Owen

RESOLVED that:

1. Council endorses the following recommendations for the allocation of the 2017/2018 Community Sponsorship Policy.

Applicant	Amount
Brunswick Valley Kennel Club Inc	\$896
Open Men's Group	\$1,793
Centaur Netball Club	\$2,241
Cudgen Headland Surf Life Saving	\$2,689
Tweed Valley Early Childhood Intervention Service Inc	\$2,689
Tweed Valley Woodcraft Association Inc	\$2,689
Green Heroes	\$3,227
Agape Outreach Inc	\$4,210
Murwillumbah Community Centre	\$4,481
Positive Change for Marine Life	\$4,481
Uki Public School P&C Association	\$4,481
Cabarita Youth Service Inc	\$6,274
Total	\$40,151

2. Successful applicants are required to:
 - a) Acknowledge the contribution to the project by Council in all printed, written and promotional items including media releases and social media; and
 - b) Sign a sponsorship agreement with Council and at the completion of their project must complete the official Acquittal and Project Finalisation Report Form.

3. ATTACHMENTS 1 and 2 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

20 [CNR-CM] Annual Report - Year Three Implementation Tweed Coast Comprehensive Koala Plan of Management

244

**Cr C Cherry
Cr K Milne**

RESOLVED that Council receives and notes the outcomes and status of the third year of implementation of the works program for the Tweed Coast Comprehensive Koala Plan of Management.

The Motion was **Carried**

FOR VOTE - Unanimous

21 [CNR-CM] Sustainability Awards

ALTERNATE MOTION

245

**Cr K Milne
Cr C Cherry**

RESOLVED that Council develops a dedicated Sustainability Awards program and showcase.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR ENGINEERING

PROCEDURAL MOTIONS

246

Cr K Milne
Cr R Byrnes

RESOLVED that Items 22 to 35, with the exception of Items 24, 29 and 30, be considered in block.

The Motion was **Carried**

FOR VOTE - Unanimous

247

Cr K Milne
Cr R Byrnes

RESOLVED that Items 22 to 35, with the exception of Items 24, 29 and 30, be moved in block.

The Motion was **Carried**

FOR VOTE - Unanimous

22 [E-CM] RFO2018014 2017/2018 Asphalt Resurfacing Program

248

Cr K Milne
Cr R Byrnes

RESOLVED that in respect to Contract RFO2018014 2017/2018 Asphalt Resurfacing Program:

1. Council awards the offer to East Coast Asphalt and Concrete Edging Pty Ltd ABN 51 755 877 285 for the amount of \$1,357,685.34 (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 in the Contracts Quarterly Report 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

23 [E-CM] RFO2016066 Supply of Water Treatment Chemicals

249

**Cr K Milne
Cr R Byrnes**

RESOLVED that, in respect to Contract RFO2016066 Supply of Water Treatment Chemicals:

1. Council grants a 12 month extension to the contract up to 30 June 2019 to the following organisations for the adjusted contract rates included in the Confidential Attachment 2:

Schedule/Chemical	Contractor	Contractor's ABN
A - Aluminium Chlorohydrate B - Aluminium Sulphate D - Citric Acid Solution G - Sodium Bisulphite Solution	Chemprod Nominees Pty Ltd T/as Omega Chemicals	32 982 143 022
C - Chlorine Gas H - Magnesium Hydroxide Liquid I - Potassium Permanganate	Ixom Operations Pty Ltd	51 600 546 512
E - Hydrated Lime	Sibelco Australia Limited	20 000 971 844
L - Sodium Hydroxide M - Sodium Hypochlorite	Ionics Australasia Pty Ltd T/as Elite Chemicals	54 009 985 326

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. The General Manager be granted delegated authority to extend the contract for a further 12 month term from 1 July 2019 to 30 June 2020 as based on the terms of Contract.
4. 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

24 [E-CM] B-Double Applications - Meeting held 19 April 2018

ALTERNATE MOTION

250

**Cr C Cherry
Cr K Milne**

RESOLVED that:

1. The Minutes of the B-Double Routes Agency Advisory Group meeting held 19 April 2018 be received and noted.

2. **19mB-Double (50t-55t) to Kyogle - NHVR Consent Request Number 1435501r2v1**

The application (NHVR Consent Request Number 1435501r2v1) for the use of a 19m B-Double truck up to 55t on Kyogle Road not be approved as some sections of Kyogle Road south of Kunghur may not be suitable for vehicles in excess of 50t.

3. **19m B-Double (50t-55t) to Dulguigan Quarry - NHVR Consent Request Number 143550r1v1**

The application (NHVR Consent Request Number 143550r1v1) for the use of a 19m B-Double up to 55t on Riverside Drive, Tumbulgum, Terranora Road, Dulguigan Road, North Tumbulgum, Dulguigan be deferred for feedback from NSW Police representative on the B-Double Routes Agency Advisory Group.

The Motion was **Carried**

FOR VOTE - Cr C Milne, Cr C Cherry, Cr W Polglase, Cr J Owen, Cr R Cooper, Cr R Byrnes

AGAINST VOTE - Cr P Allsop

REPORTS FROM THE EXECUTIVE MANAGER FINANCE, REVENUE AND INFORMATION TECHNOLOGY

25 [FRIT-CM] Quarterly Budget Review - March 2018

251

**Cr K Milne
Cr R Byrnes**

RESOLVED that the:

1. Quarterly Budget Review Statement as at 31 March 2018 be adopted.
2. Expenditure and income, as summarised below and detailed within the report, be voted and adjusted in accordance with the revised total expenditure and income for the year ending 30 June 2018.

Description	Change to Vote	
	Deficit	Surplus
General Fund		
<u>Expenses</u>		
Employee costs	0	118,910
Materials & Contracts	14,367,292	0
Interest	0	0
Other Operating costs	0	0
Capital	3,762,906	0
Loan Repayments	0	0
Transfers to Reserves	0	200,000
	18,130,198	318,910
<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	0	0
Operating Grants & Contributions	0	13,172,479
Capital Grants & Contributions	0	4,695,751
User Charges & Fees	0	136,551
Other Operating Revenue	0	595,091
Loan Funds	776,000	0
Recoupments	0	40,000
Transfers from Reserves	52,584	0
Asset Sales	0	0
	828,584	18,639,872
Net Surplus/(Deficit)		0
Sewer Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	0	80,000
Interest	0	0
Other Operating costs	0	0
Capital	0	2,105,207
Loan Repayments	0	0
Transfers to Reserves	756,707	0
	756,707	2,185,207
<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	0	0
Operating Grants & Contributions	0	0
Capital Grants & Contributions	0	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	840,500	0
Transfers from Reserves	588,000	0

Description	Change to Vote	
	Deficit	Surplus
Asset Sales	0	0
	1,428,500	0
Net Surplus/(Deficit)		0
Water Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	0	0
Interest	0	0
Other Operating costs	0	0
Capital	0	1,633,600
Loan Repayments	0	0
Transfers to Reserves	197,000	0
	197,000	1,633,600
<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	0	0
Operating Grants & Contributions	0	0
Capital Grants & Contributions	0	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	1,079,000	0
Transfers from Reserves	357,600	0
Asset Sales	0	0
	1,436,600	0
Net Surplus/(Deficit)		0

The Motion was **Carried**

FOR VOTE - Unanimous

26 [FRIT-CM] Corporate Quarterly Performance Report as at 31 March 2018

252

**Cr K Milne
Cr R Byrnes**

RESOLVED that Council receives and notes the Corporate Quarterly Performance Report as at 31 March 2018.

The Motion was **Carried**

FOR VOTE - Unanimous

27 [FRIT-CM] Monthly Investment Report for period ending 30 April 2018

253

**Cr K Milne
Cr R Byrnes**

RESOLVED that in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 30 April, 2018 totalling \$300,446,551 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE EXECUTIVE MANAGER PEOPLE, COMMUNICATION AND GOVERNANCE

28 [PCG-CM] Mayor and Councillors Annual Fees 2018/2019

254

**Cr K Milne
Cr R Byrnes**

RESOLVED that the fees payable for the Mayor and Councillors for the 2018/2019 financial period be the maximum fees payable to members of the Regional Rural category council as determined by the Local Government Remuneration Tribunal, being:

Mayor	\$43,170
Councillor	\$19,790

It is noted that the Mayoral Fee is payable in addition to the fee paid to the Mayor as a Councillor in accordance with Section 249(2) of the Local Government Act 1993, which collectively equates to a maximum annual amount of \$62,960.

The Motion was **Carried**

FOR VOTE - Unanimous

29 [PCG-CM] Land Negotiation Program - Crown Lands

ALTERNATE MOTION

255

Cr K Milne
Cr R Byrnes

RESOLVED that Council advises the Department of Industry - Lands that it does not wish to participate in the Land Negotiation Program.

The Motion was **Carried**

FOR VOTE - Cr C Milne, Cr C Cherry, Cr R Cooper, Cr R Byrnes
AGAINST VOTE - Cr W Polglase, Cr J Owen, Cr P Allsop

30 [PCG-CM] Legal Services Register Report for the Period 1 January to 31 March 2018

256

Cr W Polglase
Cr J Owen

RESOLVED that Council receives and notes the Legal Services Register Report for the period 1 January to 31 March 2018.

The Motion was **Carried**

FOR VOTE - Unanimous

DELEGATE REPORTS

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

31 [SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 February 2018

257

Cr K Milne
Cr R Byrnes

RESOLVED that the Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 February 2018 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

32 [SUB-TSYC] Minutes of Tweed Shire Youth Council Meeting Held 28 February 2018

258

**Cr K Milne
Cr R Byrnes**

RESOLVED that the Minutes of the Tweed Shire Youth Council Committee Meeting held 28 February 2018 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

33 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held 9 April 2018

259

**Cr K Milne
Cr R Byrnes**

RESOLVED that the minutes of the Sports Advisory Committee Meeting held Monday 9 April 2018 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

34 [SUB-EAC] Minutes of the Equal Access Advisory Committee Meeting held Wednesday 18 April 2018

260

**Cr K Milne
Cr R Byrnes**

RESOLVED that the Minutes of the Equal Access Advisory Committee Meeting held Wednesday 18 April 2018 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

35 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 19 April 2018

261

**Cr K Milne
Cr R Byrnes**

RESOLVED that:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 19 April 2018 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

A1 [LTC] Proudfoots Lane, Murwillumbah

That the "No Stopping" signs on Proudfoots Lane, Murwillumbah behind 128 Murwillumbah Street be removed.

A2 [LTC] Battle Recharge - 25 to 29 July 2018

That the proposed Battle Recharge on Wednesday 25 July to Sunday 29 July 2018 be supported subject to:

1. *NSW Police approval being obtained.*
2. *Endorsement of the event by Cycling/Triathlon NSW.*
3. *Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.*
4. *Community and affected business consultation addressing raised concerns.*
5. *The event organiser notifies Tweed Shire 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.*
6. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.*
7. *Adequate public liability insurance being held by the event organiser.*

8. *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.*
9. *Consultation with emergency services and any identified issues addressed.*
10. *Arrangements made for private property access and egress affected by the event.*
11. *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.*
12. *The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.*
13. *The event be conducted in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.*
14. *A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.*

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A3 [LTC] Hogans Road, Upper Duroby

That the signage on Hogans Road approaching the creek crossing near Gumbleton Road be upgraded to reflect the current Australian Standard AS1742.2 Clause 4.6.6.1 which shows a "Road Narrows" symbol with a one lane plate and a "No Overtaking or Passing on Bridge" sign.

A5 [LTC] Collier Street and The Village Lane, Cudgen

That yellow "No Stopping" lines be installed at the intersection of The Village Lane and Collier Street to reinforce the existing road rule that prohibits parking within ten metres of an intersection.

The Motion was **Carried**

FOR VOTE - Unanimous

ADDENDUM ITEMS

Nil.

LATE ITEMS

36. [MM-CM] Tweed Valley Hospital Development

This item was dealt with earlier in the meeting. (Minute No 227 refers.)

CONFIDENTIAL COMMITTEE

EXCLUSION OF PRESS AND PUBLIC

262

Cr R Byrnes
Cr P Allsop

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 MATTERS

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 DIRECTOR ENGINEERING IN COMMITTEE

C1 [E-CM] Clarrie Hall Dam - Land Acquisition - 511 Doon Doon Road, Doon Doon

REASON FOR CONFIDENTIALITY:

This report discusses commercial negotiations 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 30

That:

1. Council approves entering into a contract for the purchase of 511 Doon Doon Road, Doon Doon comprised in Lot 2 in DP 838936 for the amount agreed and determined by valuation.

2. Council executes all necessary 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:-
 - (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

LATE ITEMS IN COMMITTEE

MAYORAL MINUTE IN COMMITTEE

C2 [MM-CM] Contract of Employment for Position of General Manager

DECLARATION OF INTEREST

The General Manager, Mr Troy Green declared a Pecuniary Interest in this item. The nature of the interest is that it deals with his employment contract. Mr Green advised that he will manage the Interest by vacating the Chamber and taking no part in the discussion or voting on the matter.

REASON FOR CONFIDENTIALITY:

This report details the process for negotiation and execution of a new contract of employment for the position of General Manager in Council.

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 31

That:

1. Council re-appoints Mr Troy Green as its General Manager under a 5 year contract of employment commencing on 23 December 2018, in the standard format required by the Department of Premier and Cabinet, and under the same terms and conditions as his current contract of employment, including no changes to the current total remuneration package (TRP).
 2. The Mayor be authorised to execute the contract of employment as detailed in clause 1 above as soon as is practicably possible for the benefit of both parties.
-

The Motion was **Carried**

FOR VOTE - Unanimous

COMMENTS FROM MAYOR

Council's General Manager, Troy Green, is currently employed under a Contract of Employment which is in the standard format required by the Department of Premier and Cabinet. That contract is due to expire on 22 December 2018.

Under Clause 5 of that contract, Troy was required to advise Council by 23 March 2018 if he wished to negotiate a new contract of employment with Council.

Troy advised me, and all Councillors, by memo dated 14 March 2018 that he did wish to seek re-appointment to the position of General Manager with Council under the same terms and conditions as are contained in his existing contract, whilst preserving all the entitlements therein.

Troy's annual performance reviews over the past 4 and a half years as Council's General Manager reflect a high level of satisfaction with his performance and the outcomes delivered over this period.

In particular, Council highlights Troy's Leadership of the organisation and in the community, especially evident during the devastating floods experienced recently, the fact that Council has continued to be assessed by the State Government as financially fit for the future, and the extraordinary commitment Troy has made both to the position and in the local community.

Accordingly, Council has unanimously resolved today to re-appoint Troy to a new 5 year contract of employment as Council's General Manager, under the same terms and conditions as his current contract of employment, including no changes to the current total remuneration package, and I will be delighted on Council's behalf to execute that contract with Troy in the near future.

263

Cr K Milne
Cr C Cherry

RESOLVED that the recommendations of the Confidential Committee be adopted.

The Motion was **Carried**

FOR VOTE - Unanimous

There being no further business the Meeting terminated at 9.20pm



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

Chairman