



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

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

Minutes

Ordinary Council Meeting Thursday 3 October 2019

held at

**Harvard Room, Tweed Heads Administration Building,
Brett Street, Tweed Heads**

commencing at the conclusion of the Planning Committee meeting
which commences 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 6.13pm.

IN ATTENDANCE

Cr Katie Milne (Mayor), Cr Chris Cherry (Deputy Mayor), Cr Pryce Allsop, Cr Reece Byrnes, 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 Sustainable Communities and Environment), Mr Michael Chorlton (Executive Manager Finance, Revenue and Information Technology), Mrs Suzanne Richmond (Executive Manager People, Communication and Governance), and Miss Janet Twohill (Minutes Secretary).

APOLOGIES

Nil.

CONFIRMATION OF PLANNING COMMITTEE MINUTES

1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 3 October 2019

431

**Cr R Byrnes
Cr P Allsop**

RESOLVED that the recommendations of the Ordinary Planning Committee Meeting held Thursday 3 October 2019 be adopted.

1 [PR-PC] Development Application DA19/0371 for a Two Lot Boundary Adjustment at Lot 2 DP 850714, No. 1289 Kyogle Road and Lot 92 DP 807666, No. 1317 Kyogle Road Uki

ALTERNATE MOTION

RECOMMENDED that:

1. Council, in accordance with its' resolved position of 1 August 2019, provide in principle approval of this application and that a report be brought back to the next Council meeting including recommended conditions of consent.
2. ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act 1993, because it contains:-
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

2 [PR-PC] Planning Proposal PP17/0001 - Review of Development Standards - Response to Public Exhibition

RECOMMENDED that Planning Proposal PP17/0001 Review of Development Standards (as provided in Attachment 1 to this report) be sent to the Department of Planning, Industry and Environment to have the plan made under s.3.36 of the *Environmental Planning and Assessment Act 1979*.

3 [PR-PC] Planning Proposal PP19/0006 to Amend Tweed Local Environmental Plan 2014 to rezone the Seabreeze Estate Pottsville 'Potential School Site' (Lot 1747 DP 1215252 Seabreeze Boulevard, Pottsville)

RECOMMENDED that:

1. Council endorse submission of the attached planning proposal, as amended in accordance with this report, to the NSW Department of Planning, Industry and Environment for Gateway determination, noting the savings provisions in Section 1.8A of the *Tweed Local Environmental Plan 2014* would apply in relation to any Land and Environment Court judgement regarding DA18/0133;
2. The Minister for Planning, Industry and Environment is advised that Tweed Shire Council is not seeking plan making delegations for this planning proposal;
3. Upon receiving an affirmative Gateway Determination Notice all additional studies or work is to be completed prior to public exhibition and made available with the public exhibition documentation;
4. The minimum exhibition period for the Planning Proposal should be for a period of 28 days or advised by the Gateway Determination; and
5. Following public exhibition of the Planning Proposal a report is to be submitted to Council at the earliest time detailing the content of submissions received and if any issues have been addressed.

4 [PR-PC] Community Participation Plan Requirements

This item was dealt with at Item 6

5 [PR-PC] Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards

RECOMMENDED that Council notes the September 2019 Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards.

ADDENDUM ITEMS

6 ADDENDUM [PR-PC] Community Participation Plan Requirements

ALTERNATE MOTION

RECOMMENDED that Council:

1. Endorses the draft Community Engagement and Participation Plan for public exhibition for a minimum period of 28 days with the following amendments:

Add to point 1 With the following changes to section C2 appendix 2

Rural Zones

Include for advertising and notification:

Animal boarding or training establishment and Forestry

Include for notification:

Dwellings and Dual occupancies

Business Zones

Include for advertising and notification:

neighbourhood supermarket

Include for notification

Medical centre

Neighbourhood shops

Recreation Zones

Include for advertising and notification:

Forestry

Environmental Zones

Include for notification:

Earthworks

And

1. Council's commitment to an engaged community:

Tweed Shire Council shares the community's passion and pride in the Tweed. Council is committed to work with the community to preserve the Tweed's lifestyle, its natural environment, its rural landscape and, as partners make better decisions.

Council's professional staff guide participants as they strive to achieve their aspirations for the Tweed. This will provide support and result in self development opportunities through their role as partners in decision making.

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Council's responsibility is to work in the best interests of the Tweed as a whole and to consider a broad cross-section of views. Councillors can then fulfil their

role as elected representatives and make better final decisions. In making the final decision they will be guided on policy, legal and statutory matters by professional staff.

The priorities of Tweed communities will differ. The complexity of issues will differ. The format of engagement will be tailored to ensure that input from the community delivers a workable outcome.

The Community

2. Objectives of engaging with the community.

Having the community partners value the professional staff for their guidance role in the engagement process.

3. Principles of community engagement and participation

Figure 5 to now read:

.....to provide a framework for ongoing consultation.

Notifying the public when an item is on exhibition

Text contained in speech bubble on page 20 to now read:

Community engagement is the process of partnering with people in the decisions that affect their lives.

2. Considers any public submissions following the public exhibition of the Plan; and
3. In accordance with Section 23 of the *Environmental Planning and Assessment Regulation 2000* a notice be published in the Tweed Link notifying of Council's intent to repeal *Section A11 Public Notification of Development Proposals* of the *Tweed Development Control Plan 2008* and the reasons for the repeal.

7 LATE [PR-PC] Development Application DA18/0730 for the Use of Part of the Shed as a Rural Workers Dwelling at Lot 22 DP 1006926 & Lot 23 DP 1006926 Kanes Road, Cudgera Creek

ALTERNATE MOTION

RECOMMENDED that Council approve the application in accordance with A - C below:

- A. The development proposal has been considered in accordance with the relevant provisions of the NSW Environmental Planning and Assessment Act 1979 and on balance is suitable to be determined by way of approval.

Community views were considered as part of the assessment in accordance with Council's Development Control Plan and the NSW Environmental Planning and Assessment Act 1979 requirements for public notification.

- B. Development Application DA18/0730 for a rural workers dwelling at Lot 22 DP 1006926 & Lot 23 DP 1006926 Kaners Road, Cudgera Creek be approved subject to the following conditions:

"DEFERRED COMMENCEMENT"

This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule "A". Such evidence is to be provided within six months of the date of notification.

Upon the consent authority being satisfied as to compliance with the matters set out in Schedule "A". The consent shall become operative and take effect from the date of notification under Section 95 of the Environmental Planning and Assessment Regulations subject to the conditions set out in Schedule "B".

SCHEDULE "A"

Conditions imposed pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act, 1979 and Section 95 of the Regulations as amended.

- A. Lot 22 DP 1006926 and Lot 23 DP 1006926 are to be consolidated into one lot under one title. The plan of consolidation shall be registered with the Land and Property Information (LPI) (formerly the Lands Titles Office).

SCHEDULE B

NOTE: THIS PART OF THE CONSENT WILL NOT BECOME OPERABLE UNTIL COUNCIL ADVISES THAT THE MATTERS CONTAINED IN SCHEDULE A ARE SATISFIED.

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and the following plans:

- Site Plan, prepared by Planit Consulting and dated September 2013;
- Ground Floor Plan, prepared by the applicant;
- Mezzanine Level Plan, prepared by the applicant;
- South & North Elevation, prepared by the applicant; and
- East & West Elevation prepared by the applicant,

except where varied by the conditions of this consent.

[GEN0005]

2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

[GEN0115]

3. A roof catchment water supply source shall be provided for domestic purposes where a Council reticulated supply is unavailable. Any domestic water supply roof collection system should be fitted with a first flush device and adequately maintained to ensure a safe and suitable drinking water supply, where applicable. The minimum storage tank capacity shall reflect

the dry seasonal periods experienced in the locality and shall be in addition to any fire fighting capacity requirements stipulated by the NSW Rural Fire Services. The minimum storage capacity required shall be to the satisfaction of the General Manager or delegate. This storage is independent to any required for fire-fighting purposes.

[GEN0310]

PRIOR TO COMMENCEMENT OF WORK

4. An application to carry out plumbing and drainage works, together with any prescribed fees including inspection fees, is to be submitted to and approved by Council prior to the commencement of any building works on the site.

[PCW1065]

5. Prior to the commencement of any work on site the applicant shall obtain approval to install an onsite sewage management system under Section 68 of the Local Government Act 1993. Any approval to install an on-site sewage treatment system and disposal system shall comply with the recommended on site sewage treatment and disposal method as detailed in the On-site Sewage Management Design Report Proposed Farm Building for Lot 22 DP 1006926, 148 Kaners Road, Cudgera Creek prepared by HMC Environmental Consulting (ref: HMC2018.105) and dated May 2018 including all recommendations of that report and any addendum to the report or to the satisfaction of Councils General Manager or his delegate.

[PCWNS01]

DURING CONSTRUCTION

6. Commencement of work, including the switching on and operation of plant, machinery and vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 6.00pm

No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

7. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

- Noise, water or air pollution.
- Dust during filling operations and also from construction vehicles.
- Material removed from the site by wind.

[DUR1005]

8. The builder must provide an adequate trade waste service to ensure that all waste material is suitably contained and secured within an area on the site, and removed from the site at regular intervals for the period of construction/demolition to ensure no material is capable of being washed or blown from the site.

[DUR2185]

9. All waste shall be collected, stored and disposed of in accordance with the provisions of Tweed Shire Council Development Control Plan Section 15 - Waste Minimisation and Management.

[DUR2195]

10. Overflow relief gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.

[DUR2545]

11. Install smoke detectors in the dwelling in accordance with part 3.7.2 of the National Construction Code and Australian Standard AS3786. The smoke detectors must be energised by the energy supply system which is available to the dwelling and shall be interconnected.

Provide certification from the licensed Electrician after installation of the smoke detectors which confirms compliance with AS 3786.

[DURNS01]

12. The exportation or importation of waste (including VENM & ENM) from or to the site must be in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW Environmental Protection Authority "Waste Classification Guidelines".

[DURNS02]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

13. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 6.9 and 6.10 unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).

[POC0205]

14. A final occupation certificate must be applied for and obtained within 6 months of any Interim Occupation Certificate being issued, and all conditions of this consent must be satisfied at the time of issue of a final occupation certificate (unless otherwise specified herein).

[POC0355]

15. Prior to occupation or commencement of use a drinking water quality management plan or drinking water quality assurance program prepared in accordance with the Private Water Supply Guidelines, NSW Health 2016 and the Public Health Regulation 2012 shall be prepared and maintained on site. All activities shall comply with the adopted assurance program and the program shall be made available to Council's Authorised Officer upon request.

[POC0950]

16. Prior to occupation the applicant or business operator is to be registered in Council's Private Water Supply Register and pay the appropriate fee under Council's schedule of fees and charges.

[POC0955]

17. Prior to the occupation of any building and prior to the issue of any occupation certificate a final inspection report is to be obtained from Council to verify the satisfactory installation of all plumbing and drainage and the on-site sewage management facility.

[POC1035]

18. Prior to the occupation and prior to the issue of any occupation certificate for the dwelling, the applicant shall obtain approval to operate the on-site sewage management facility under Section 68 of the Local Government Act 1993.

[POC1040]

19. Prior to the issue of an occupation certificate for the Rural Workers cottage the Applicant shall obtain a Building Information Certificate from Council. The Building Information Certificate will not be released until the following matters have been satisfied:

1. Provide a Certificate from a practising Structural Engineer which states that the shed, as constructed, is structurally stable for its intended use,
2. Provide a Statutory Declaration from the property owner which confirms that:
 - i. a barrier, installed to prevent transfer of moisture from the ground into the dwelling, has been installed beneath the floor slab,
 - ii. a barrier has been provided in wet areas such as bathrooms and laundry which will prevent water penetrating into concealed spaces.
3. Install smoke detectors in the dwelling in accordance with part 3.7.2 of the National Construction Code and Australian Standard AS3786.

The smoke detectors must be energised by the energy supply system which is available to the dwelling and shall be interconnected.

Provide certification from the licensed Electrician who installed the smoke detectors which confirms compliance with AS 3786.

4. Provide an overflow relief gully to the septic drainage line which satisfies Australian Standard AS 3500.
5. Provide a "works as completed" plan of the internal and external sanitary drainage for the dwelling and a 'Compliance Certificate' which has been signed by the licensed Plumber who carried out the sanitary plumbing & drainage installation for the dwelling.

6. Provide certification from the Glazier who manufactured the windows, glass doors and shower screen which states that these building elements have been designed & constructed in accordance with Australian Standard AS 2047-1999 & AS 1288-2006

[POCNS01]

USE

20. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.

[USE0125]

21. The rural workers dwelling is to be occupied only by a person engaged in agricultural pursuits on the property in accordance with this consent.

[USE0425]

22. All wastes shall be collected, stored and disposed of in accordance with any approved Waste Management Plan or to the satisfaction of the General Manager or delegate.

[USE0875]

23. Subdivision of the development, including strata subdivision, is not permitted.

[USE1255]

24. In the event that untreated or untested water is supplied for rural worker or tourist type accommodation a warning sign shall be displayed at all fixtures. Such signs shall state the source of raw water and method of treatment, if any.

[USE1475]

- C. That a Penalty Infringement Notice (\$6,000) be issued to the applicant being Tamara Haulage Pty Ltd for undertaking development without consent.
- D. 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

DISCLOSURE OF INTEREST

Nil.

ITEMS TO BE MOVED FROM CONFIDENTIAL TO ORDINARY/ORDINARY TO CONFIDENTIAL

Nil.

MAYORAL MINUTE

a1. [MM-CM] Bray Park Weir Tidal Protection Project Reference Group
432

RESOLVED that the new landowner adjoining the Bray Park Weir, Mr Tahl Jenkins, be permitted to attend the Bray Park Weir Tidal Protection Project Reference Group meetings as a non-voting guest.

The Motion was **Carried**

FOR VOTE - Unanimous

ORDERS OF THE DAY

Nil.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

2 [GM-CM] Business Investment Policy - Review

433

Cr W Polglase
Cr P Allsop

RESOLVED that Council publicly exhibits the amendment to the Business Investment Policy (Version 2.1) for a period of 28 days with 42 days allowed for public submissions.

The Motion was **Carried**

FOR VOTE - Unanimous

3 [GM-CM] Tweed Destination Management Plan

434

Cr P Allsop
Cr W Polglase

PROPOSED that Council adopts the Tweed Destination Management Plan as attached to this report.

AMENDMENT 1

435

Cr K Milne
Cr C Cherry

RESOLVED that Council adopts the Tweed Destination Management Plan as attached to this report with the following amendments:

Page 2 – Delete;

*“GENERAL MANAGER – TWEED SHIRE COUNCIL
Mr Troy Green
General Manager - Tweed Shire Council
<to be supplied>”*

Page 2 – Insert;

“MAYOR – TWEED SHIRE COUNCIL

The Tweed stands out as a magnificent nature-based tourism destination. Our pristine coastline, estuarine and subtropical environment, formed in the caldera of an ancient shield volcano, has created a truly unique place. The Destination Management Plan (DMP) expresses a very clear aspiration to sustain and care for our community and environment. We are surrounded by nature at its best, with World Heritage-listed national parks to the west and marine reserves to the east. We are merely custodians of this ancient landscape, so we welcome visitors who share the same values as our community.

*Cr. Katie Milne
Mayor - Tweed Shire Council”*

Page 3 – Acknowledgements: Insert;

“This document has been a team effort to bring together, as it will be to deliver into the future. We would acknowledge Destination Tweed, Destination Tweed Collective 2050 and the Regionality consultancy for undertaking a large proportion of the initial consultation with local industry stakeholders and drafting of this plan.

Thanks goes to the strategic partners for their contribution; including the NSW Parks and Wildlife Service, Destination New South Wales, Destination North Coast, Northern Rivers Food, Destination Tweed Collective 2050, the Tweed Experiences Network, tourism operators and small business”

Page 4 – Request Tweed Tourism Company to amend the draft;

Expand the Table of Contents

Page 4 –Amend to include;

A statement about the environmental values of the Tweed.

Page 7 – Next Steps: Delete;

“The document was developed and endorsed by industry and community stakeholders, in consultation with TSC. The review has then tested its validity with further consultation.

Once adopted by TSC under the Economic Development Strategy, the DMP will require the establishment of a broad-based industry and stakeholder Destination Management Group (DMG) led by TSC, through its Economic Development Unit (EDU)."

Page 7 – Next Steps: Insert;

"The document was commissioned by TSC and developed and endorsed by industry and community stakeholders. The review has then tested its validity with further consultation.

Once adopted by TSC, the DMP will require the establishment of a broad-based industry and stakeholder Destination Management Group (DMG) led by TTC. "

Page 15 – Key Consultation: Themes Delete;

**Section Key Consultation Themes – Initial Draft, and
Section Key Consultation Themes – Draft Review Process.**

Page 15 –Request Tweed Tourism Company to Insert;

A new section under Strategic Insights - Stakeholder and Community Engagement which summarises the community and industry consultation that was undertaken in preparing the DMP.

Page 17 – Delete;

"There have been a number of attempts to investigate opportunities on Mount Nullum over the past decades."

Page 17 – Delete;

"Provide Trade Ready Programs through the Tweed Tourism Academy to help operators prepare for and develop export markets"

Page 17 – Insert;

"Provide Trade Ready Programs through to help operators prepare for and develop export markets"

Page 26 – Dot Point 1: Delete;

"Work with the traditional owners and indigenous businesses to develop indigenous tourism opportunities and enterprises to ensure that:

- ▶ *Products and experiences reflect and respect the culture and traditions of the traditional owners; and*
- ▶ *Potential key locations such as Wollumbin, Letitia Spit and South Kingscliff with significant opportunity to develop critical infrastructure and enable the traditional owners to develop sustainable businesses and a unique platform to educate and, where appropriate, to share their cultural heritage in a way that respects their traditions;"*

Page 26 – Dot point 1: Insert;

"Work with the traditional owners and indigenous businesses to:

- ▶ *identify indigenous tourism opportunities and enterprises,*
- ▶ *identify enablers for potential indigenous tourism opportunities (eg, Minjungbal Aboriginal Cultural Centre),*
- ▶ *establish the appropriate use of cultural tourism to educate and share native heritage in a respectful way, and*

- ▶ *ensure that the products and experiences in the region reflect and respect the native culture and traditions;*

Page 34 – at Strategic Priority 1: Delete;

“Facilitate the adoption of the DMP by TSC and establish a DMG as a collective leadership structure under the EDU to oversee implementation of the DMP.”

Page 34 – at Strategic Priority 1: Insert;

“Facilitate the adoption of the DMP by TSC and establish a DMG as a collective leadership structure under the Tweed Tourism Company to oversee the implementation of the DMP and report back to Council on a quarterly basis.”

Page 35 – at Strategic Priority 3 a.: Delete dot points;

- *Cultural*

Page 35 – at Strategic Priority 3 a.: Insert dot points;

- *Cultural / Arts*
- *Sustainability*

Page 35 – at Strategic Priority 4 b.: Insert;

“Continue to commission a periodic market research report for the agreed stakeholders”

Page 36 – at Strategic Priority Item 6.: Insert;

New 6c): *“Develop an action plan to realise our stretch goal of being recognised as Australia’s most sustainably managed destination by 2025.”*

New 6d): *“Investigate with Tourism NSW the World Tourism Organisation’s (UNTWO) Sustainable Tourism 2030 targets and the UN Sustainable Development Goals.”*

New 6e): *“Develop a method to communicate the ethos of Responsible Tourism to the local tourism industry.”*

Page 38 – at Strategic Priority Item 8 a.: Delete;

“the Tweed Tourism Academy”

Page 38 – at Strategic Priority Item 8 d.: Delete;

“Tweed Tourism Academy”

Page 40 – at Strategic Action 9 b.: Delete;

“Tweed Tourism Academy, including”

Page 42 – at Strategic Action 13 a.: Delete;

“Tweed Tourism Academy”

Page 42 – at Strategic Action 13 a.: Include;

“Tourism Training Organisation”

Page 42 – at Strategic Action 14 a.: Delete;

“Tweed Tourism Academy”

Page 42 – at Strategic Action 14 a.: Include;

“Tourism Training Organisation”

Document Generally:

Request Tweed Tourism Company to amend the DMP to identify and promote walking trails generally through all promotional media including maps, flyers and web site.

Request Tweed Tourism Company to amend the DMP to strengthen and promote the Tweed as a destination for accessible tourism.

Remove all references to specific organisations and insert general references as follows;

Remove Reference	Insert Reference
“Destination Tweed” or “DT”	“Local Industry Bodies” or “LIB”
“Tweed Experiences Network” or “TEN”	“Local Industry Bodies” or “LIB”
“Northern Rivers Food” or “NRF”	“Regional and Local Food Groups” or “RLFG”
“Tweed Valley Rail Trail” or “TVRT”	“Northern Rivers Rail Trail” or “NRRRT”
“Economic Development Unit” or “EDU”	“Tweed Shire Council” or “TSC”
“TSC Comms”	“Tweed Shire Council” or “TSC”
“Tweed Byron Group” or “TBG”	Remove – Not Used
“Local Tourism Organisation” or “LTO”	“Tweed Tourism Co.” or “TTC”
“Tourism Contractor”	“Tweed Tourism Co.” or “TTC”
“Recreation Vehicle” or “RV”	Remove – Not Used
“Tweed Nature-Based Tourism Action Plan” or “TNBTAP”	Remove – Not Used

Make amendments as necessary to fix any grammatical errors and layout issues provided it does not make any substantive change to the content of the document.

Amendment 1 was **Carried**

FOR VOTE - Unanimous

Amendment 1 on becoming the Motion was **Carried** - (Minute No 435 refers)

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT

4 [SCE-CM] Classification of Council Managed Crown Reserves 86173 and 86174 at Lions Lookout Murwillumbah

436

Cr K Milne
Cr P Allsop

Cr W Polglase temporarily left the meeting at 06:33 PM.

RESOLVED that:

1. Council seeks consent from the Minister for Water, Property and Housing for the following land to be classified as operational land in accordance with Section 3.22 of the *Crown Land Management Act 2016*:
 - All of Crown Reserve 86174; and
 - Part of Crown Reserve 86173 comprising Lot 7011 DP1058669, Lot 7017 DP 1061544 and a 10m wide strip through Lot 7018 DP 1120264;at Lions Lookout Murwillumbah as mapped in Figure 5 within the report.
2. Notice be given to the Minister for Water, Property and Housing of the initial category of park to be assigned to the remaining community land within Council managed Crown Reserve 86173 to comply with Section 3.23 of the *Crown Land Management Act 2016*.
3. After the initial categorisation process, Council will then request that the remaining category of community land within Crown Reserve 86173 be altered to Natural Area/bushland and included in the proposed Plan of Management for land categorised as Natural Area/bushland.

Cr W Polglase has returned from temporary absence at 06:36 PM

The Motion was **Carried**
FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR ENGINEERING

5 [E-CM] RFO2019068 Water Main Replacement - Tamarind Avenue and Willow Avenue Bogangar

437

Cr W Polglase
Cr C Cherry

RESOLVED that in respect to Contract RFO2019068 Water Main Replacement - Tamarind Avenue and Willow Avenue, Bogangar:

1. Council awards the Contract to Van Damme Projects Pty Ltd (ABN 94 163 642 420, ACN 163 642 420) for the amount of \$235,950.00 (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 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

REPORTS FROM THE EXECUTIVE MANAGER FINANCE, REVENUE AND INFORMATION TECHNOLOGY

6 [FRIT-CM] Carry Over Works from 2018/19 to 2019/20 Budget

438

Cr W Polglase

Cr P Allsop

RESOLVED that Council adopts the Carry Over Works from 2018/2019 and the expenditure and income, as detailed within the report, be applied to the 2019/2020 Budget.

The Motion was **Carried**

FOR VOTE - Unanimous

REPORTS FROM THE EXECUTIVE MANAGER PEOPLE, COMMUNICATION AND GOVERNANCE

7 [PCG-CM] Proposed Amendments Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy and Councillor Induction and Professional Development Policy

439

Cr W Polglase

Cr P Allsop

RESOLVED that Council endorses:

1. The proposed amendments to the:
 - a. Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy(v1.2); and
 - b. Councillor Induction and Professional Development Policy (v1.1).
2. Payment of the AICD membership renewal for Cr Owen as expenditure under his Councillor Training Allowance.

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

AGAINST VOTE - Cr K Milne

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

PROCEDURAL MOTIONS

440

Cr W Polglase

Cr K Milne

RESOLVED that Items 8 to 11 be considered in block.

The Motion was **Carried**

FOR VOTE - Unanimous

441

Cr W Polglase

Cr K Milne

RESOLVED that Items 8 to 11 be moved in block.

The Motion was **Carried**

FOR VOTE - Unanimous

8 **[SUB-SAC] Minutes of the Sports Advisory Committee Meeting held 24 June 2019**

442

Cr W Polglase

Cr K Milne

RESOLVED that the Minutes of the Sports Advisory Committee Meeting held Monday 24 June 2019 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

9 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 August 2019

443

**Cr W Polglase
Cr K Milne**

RESOLVED that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 August 2019 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

GB3. Local Government Aboriginal Network Conference (LGAN)

That subject to availability, the Aboriginal Advisory Committee nominates Victor Slockee to attend the 2019 Local Government Aboriginal Network Conference. If Victor Slockee is unable to attend the conference, the AAC nominated Des Williams as the alternate delegate.

The Motion was **Carried**

FOR VOTE - Unanimous

10 [SUB-CHAC] Minutes of the Community Halls Advisory Committee Meeting held 28 August 2019

444

**Cr W Polglase
Cr K Milne**

RESOLVED that the minutes of the Community Halls Advisory Committee meeting held Wednesday 28 August 2019 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

11 [SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 August 2019

445

**Cr W Polglase
Cr K Milne**

RESOLVED that the Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 August 2019 be received and noted.

The Motion was **Carried**

FOR VOTE - Unanimous

CONFIDENTIAL COMMITTEE

EXCLUSION OF PRESS AND PUBLIC

446

**Cr P Allsop
Cr C Cherry**

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 ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION IN COMMITTEE

C1 [PR-CM] Development Application DA18/0730 for the Use of Part of the Shed as a Rural Workers Dwelling at Lot 22 DP 1006926 & Lot 23 DP 1006926 Kaners Road, Cudgera Creek

This item was dealt with during the Planning Committee at Item 7.

447

**Cr P Allsop
Cr R Byrnes**

RESOLVED that the Committee resumes in Open Council.

The Motion was **Carried**

FOR VOTE - Unanimous

There being no further business the Meeting terminated at 6.52pm



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

Chairman