

The Meeting commenced at 4.30pm.

IN ATTENDANCE

Administrators Mr Garry Payne, (Chairman), Mr Frank Willan, Mr Max Boyd.

Also present were Mr Mike Rayner (General Manager), Mr Troy Green (Director Technology & Corporate Services), Mr Patrick Knight (Director Engineering & Operations), Mr Noel Hodges (Director Planning & Regulation), Mr Don Buckley (Director Community & Natural Resources), Ms Genevieve Slattery (Executive Officer), Mr Neil Baldwin (Manager Risk and Human Resources/Public Officer) and Maree Morgan (Minutes Secretary)

ABORIGINAL STATEMENT

Administrator Payne 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 Carol Palmer:

Gracious God, from who comes every good and life-giving gift, grant to those who hold office in this Shire of Tweed, the spirit of justice and truth, wisdom and charity, that mindful of their responsibility and of the needs of those they serve, they may promote the welfare of your people and advance your kingdom of justice, love and peace on earth.

We pray also for the Newcastle City Council and for the Shire of Gannawarra, following recent disasters in those areas.

Through Jesus Christ our Lord. Amen.

CONFIRMATION OF MINUTES

Minutes of the Ordinary and Confidential Council Meeting held Tuesday 29 May 2007

96 COUNCIL DECISION:

**Administrator Willan
Administrator Boyd**

RESOLVED that the Minutes of the Ordinary and Confidential Council Meetings held Tuesday 29 May 2007 be adopted as a true and accurate record of proceedings of that meeting.

FOR VOTE - Unanimous

APOLOGIES

Nil.

97 COUNCIL DECISION:

DISCLOSURE OF INTEREST

Administrator Boyd declared a non-pecuniary interest in Item P6 of Planning Committee due to family involvement in Hastings Point area.

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

Nil.

PLANNING COMMITTEE

98 COUNCIL DECISION:

**Administrator Payne
Administrator Willan**

RESOLVED that Council resolves itself into the Planning Committee under the Chairmanship of Administrator Boyd.

FOR VOTE - Unanimous

REPORTS FROM DIRECTOR PLANNING & REGULATION

P1 [PR-PC] Development Application DA06/1469 for a Proposed Boundary Alteration and Erection of a Dual Occupancy at Lot 6, 7 Section 26 DP 8950, No. 44 Riverview Street Murwillumbah

P 58 COMMITTEE DECISION:

**Administrator Willan
Administrator Payne**

RECOMMENDED that Development Application DA06/1469 for a proposed boundary alteration and erection of a dual occupancy at Lot 6 & 7 Section 26 DP 8950, No. 44 Riverview Street Murwillumbah be approved subject to the following conditions: -

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and Plan Nos 1534/06 – 01 and 02 (as amended in red) prepared by Ian Webb Building Design and dated December 2006, as well as the Plan of Proposed Subdivision (Dwg 2646BA/2) prepared by N.C. White & Associates and dated 30 April 2007, 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. The subdivision is to be carried out in accordance with Tweed Shire Council Development Control Plan Part A5 - Subdivision Manual and Councils adopted Development Design and Construction Specifications.
[GEN0125]
4. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within or adjacent to the subject property.
[GEN0135]
5. The proposed demolition of the existing timber garage and outhouse on the subject site is not covered by this approval and is subject to separate development consent.
[GENNS01]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

6. Section 94 Contributions
Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

(a) Tweed Road Contribution Plan: S94 Plan No. 4 (Version 4.0)	\$1,936
Sector9_4	
(b) Open Space (Structured): S94 Plan No. 5	\$240
(c) Open Space (Casual): S94 Plan No. 5	\$51
(d) Shirewide Library Facilities: S94 Plan No. 11	\$212
(e) Eviron Cemetery/Crematorium Facilities: S94 Plan No. 13	\$49
(f) Emergency Facilities (Surf Lifesaving) S94 Plan No. 16	\$62
(g) Extensions to Council Administration Offices & Technical Support Facilities	\$614.22
S94 Plan No. 18	
(h) Cycleways S94 Plan No. 22	\$108
(i) Regional Open Space (Structured) S94 Plan No. 26	\$715
(j) Regional Open Space (Casual) S94 Plan No. 26	\$263

[PCC0215]

7. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.
- Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP2:	1 ET @ \$4598	\$4,598
Sewer Murwillumbah:	1 ET @ \$2863	\$2,863

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[PCC0265]

8. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

9. Application shall be made to Tweed Shire Council under Section 138 of the Roads Act 1993 for works pursuant to this consent located within the road reserve. Application shall include engineering plans and specifications for the following required works: -

(a) Vehicular access to Riverview Street and Nullum Lane.

The above mentioned engineering plan submission must include copies of compliance certificates relied upon and details relevant to but not limited to the following: -

- Road works/furnishings
- Stormwater drainage
- Water and sewerage works
- Sediment and erosion control plans
- Location of all services/conduits
- Traffic control plan

[PCC0895]

10. Prior to the issue of a Construction Certificate the following detail in accordance with Council's adopted Development Design and Construction Specifications shall be submitted to the Principal Certifying Authority for approval.

(a) copies of compliance certificates relied upon

(b) four (4) copies of detailed engineering plans and specifications. The detailed plans shall include but are not limited to the following:

- earthworks
- roadworks/furnishings

- stormwater drainage
- water supply works
- sewerage works
- landscaping works
- sedimentation and erosion management plans
- location of all service conduits (water, sewer, Country Energy and Telstra)

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 and Section 138 of the Roads Act to be certified by an Accredited Certifier.

[PCC0985]

11. Permanent stormwater quality treatment shall be provided in accordance with the following:

- (a) The Construction Certificate Application shall include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development prepared in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality*.
- (b) Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils *Development Design Specification D7 - Stormwater Quality*.
- (c) The stormwater and site works shall incorporate water sensitive design principles and where practical, integrated water cycle management. Typical water sensitive features include infiltration, maximising permeable/landscaped areas, stormwater retention /detention/reuse, and use of grass swales in preference to hard engineered drainage systems.

[PCC1105]

12. Stormwater

- (a) Details of the proposed roof water disposal, including surcharge overland flow paths are to be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. These details shall include likely landscaping within the overland flow paths.
- (b) All roof water shall be discharged to infiltration pits located wholly within the subject allotment.
- (c) The infiltration rate for sizing infiltration devices shall be 3m per day:
 - * As a minimum requirement, infiltration devices are to be sized to accommodate the ARI 3 month storm (deemed to be 40% of the ARI one year event) over a range of storm durations from 5 minutes to 24 hours and infiltrate this storm within a 24 hour period, before surcharging occurs.
- (d) Surcharge overflow from the infiltration area to the street gutter, inter-allotment or public drainage system must occur by visible surface flow, not piped.
- (e) Runoff is to be pre-treated to remove contaminants prior to entry into the infiltration areas (to maximise life of infiltration areas between major cleaning/maintenance overhauls).

- (f) If the site is under strata or community title, the community title plan is to ensure that the infiltration areas are contained within common land that remain the responsibility of the body corporate (to ensure continued collective responsibility for site drainage).
- (g) All infiltration devices are to be designed to allow for cleaning and maintenance overhauls.
- (h) All infiltration devices are to be designed by a suitably qualified Engineer taking into account the proximity of the footings for the proposed/or existing structures on the subject property, and existing or likely structures on adjoining properties.
- (i) All infiltration devices are to be located clear of stormwater or sewer easements.
- [PCC1135]
13. A construction certificate application for works that involve any of the following:-
- connection of a private stormwater drain to a public stormwater drain
 - installation of stormwater quality control devices
 - erosion and sediment control works

Applications for these works must be submitted on Council's standard s68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.

Where Council is requested to issue a construction certificate for civil works associated with this consent, the abovementioned works can be incorporated as part of the cc application, to enable one single approval to be issued. Separate approval under section 68 of the LG Act will then NOT be required.

- [PCC1145]
14. Erosion and Sediment Control shall be provided in accordance with the following:
- (a) The Construction Certificate Application must include a detailed erosion and sediment control plan prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*.
- (b) Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works".

[PCC1155]

PRIOR TO COMMENCEMENT OF WORK

15. The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and the Principal Certifying Authority advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.
- [PCW0005]
16. The erection of a building in accordance with a development consent must not be commenced until:
- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and

- (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (c) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.
17. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least 2 days prior to work commencing. [PCW0215]
18. Residential building work:
(a) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - * in the name and licence number of the principal contractor, and
 - * the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - * the name of the owner-builder, and
 - * if the owner-builder is required to hold an owner builder permit under that Act, the number of the owner-builder permit.- (b) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information. [PCW0235]

19. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every fifteen (15) persons or part of fifteen (15) persons employed at the site. Each toilet provided must be:-

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- (a) a standard flushing toilet connected to a public sewer, or
- (b) if that is not practicable, an accredited sewage management facility approved by the council
- [PCW0245]
20. Where prescribed by the provisions of the Environmental Planning and Assessment Amendment (Quality of Construction) Act 2003, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.
- Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- [PCW0255]
21. The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:
- (a) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and
- (b) Certification of the works performed by the person carrying out the works is to be submitted to the PCA; and
- (c) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-
- (i) the method of protection; and
- (ii) the date of installation of the system; and
- (iii) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
- (iv) the need to maintain and inspect the system on a regular basis.
- Note: Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.
- [PCW0775]
22. Civil work in accordance with a development consent must not be commenced until:-
- (a) a construction certificate for the civil work has been issued in accordance with Councils adopted Development Design and Construction Specification C101 by:
- (i) the consent authority, or
- (ii) an accredited certifier, and
- (b) the person having the benefit of the development consent:
- (i) has appointed a principal certifying authority,
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- (ii) has appointed a Subdivision Works Accredited Certifier (SWAC) in accordance with the Building Professionals Board Accreditation Scheme. As a minimum the SWAC shall possess accreditation in the following categories:

B1: Accredited Certifier – Subdivision certificate

C3: Accredited Certifier – Stormwater Management and facilities design compliance

C4: Accredited Certifier – Stormwater management facilities construction compliance

C5: Subdivision works and building works (location of works as constructed) compliance

C6: Accredited Certifier – Subdivision road and drainage construction compliance

The SWAC shall provide documentary evidence to Council demonstrating current accreditation with the Building Professionals Board prior to approval and issue of any Construction Certificate, and

- (iii) has notified the consent authority and the council (if the council is not the consent authority) of the appointment,

- (iv) a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Subdivision Works Accredited Certifier is erected and maintained in a prominent position at the entry to the site in accordance with Councils Development Design and Construction Specifications. The sign is to remain in place until the Subdivision Certificate is issued, and

- (c) the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the civil work.

[PCW0815]

23. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area where required to the satisfaction of the Principal Certifying Authority.

In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the Local Government Act is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

This sign is to remain in position for the duration of the project.

[PCW0985]

24. An application to connect to Council's sewer or 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]

DURING CONSTRUCTION

25. Building materials used below Council's minimum floor level of RL 7.5m AHD shall be flood compatible.

[DUR1405]

26. All proposed works are to be carried out in accordance with the conditions of development consent, approved construction certificate, drawings and specifications.

[DUR0005]

27. Construction site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council: -
Monday to Saturday from 7.00am to 7.00pm

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]

28. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

[DUR0375]

29. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

[DUR0395]

30. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Occupational Health and Safety Regulation 2001.

[DUR0415]

31. The development is to be carried out in accordance with the current BASIX certificate and schedule of commitments approved in relation to this development consent.

[DUR0905]

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

- Noise, water or air pollution
- Minimise impact from dust during filling operations and also from construction vehicles
- No material is removed from the site by wind

[DUR1005]

33. Landscaping of the site shall be carried out and maintained in accordance with the submitted/approved landscaping plans.

[DUR1045]

34. A certificate is to be submitted by a Registered Surveyor certifying that all habitable floor areas are constructed above 7.5metres AHD, and certifying the actual finished level of the total site. Certification of those levels by a registered surveyor must be submitted to the Principal Certifying Authority prior to proceedings past floor level to ensure that the floor is above flood level.
[DUR1365]
35. Subject to the requirements of the local electricity authority, all electrical wiring, power outlets, switches, etc, should, to the maximum extent possible be located above the design flood level. All electrical wiring installed below the design flood level shall be provided with earth leakage devices.
[DUR1415]
36. The habitable floor area of the building is to be at a level not less than RL 7.5m AHD.
[DUR1435]
37. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Councils adopted Design and Construction Specifications prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
[DUR1875]
38. The proponent shall comply with all requirements tabled within any approval issued under Section 138 of the Roads Act.
[DUR1885]
39. No portion of the structure may be erected over any existing sullage or stormwater disposal drains, easements, sewer mains, or proposed sewer mains.
[DUR1945]
40. The works are to be completed in accordance with Tweed Shire Councils Development Control Plan, Part A5 - Subdivision Manual and Design & Construction Specifications, including variations to the approved drawings as may be required due to insufficient detail shown on the drawings or to ensure that Council policy and/or good engineering practices are achieved.
[DUR2025]
41. Inter allotment drainage shall be provided to all lots where roof water for dwellings cannot be conveyed to the street gutter by gravitational means.
[DUR2285]
42. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
(a) internal drainage, prior to slab preparation;
(b) water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
(c) external drainage prior to backfilling.
(d) completion of work and prior to occupation of the building.
[DUR2485]
43. Plumbing
(a) A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.

- (b) The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage. [DUR2495]
44. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position. [DUR2505]
45. 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]
46. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-
- * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
 - * 50⁰C in all other classes of buildings.
- A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works. [DUR2555]
47. House drainage lines affected by the proposal are to be relocated to Council's satisfaction. Prior to the relocation of any plumbing and drainage lines, a plumbing permit and the relevant plumbing permit fee is to be submitted to Council. Inspection of drainage works prior to covering is required [DUR2565]
48. Where two (2) or more premises are connected by means of a single water service pipe, individual water meters shall be installed to each premise beyond the single Council water meter (*unless all the premises are occupied by a single household or firm*). [DUR2615]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

49. During construction a "satisfactory inspection report" is required to be issued by Council for all works under Section 138 of the Roads Act, prior to backfilling. The proponent shall liaise with Council's Engineering and Operations Division to arrange a suitable inspection. [POC0045]
50. 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 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units). [POC0205]
51. Prior to occupation of the building the property street number is to be clearly identified on the site by way of painted numbering on the street gutter within 1 metre of the access point to the property. The street number is to be on a white reflective background professional painted in black numbers 100mm high.

On rural properties or where street guttering is not provided the street number is to be readily identifiable on or near the front entrance to the site.

For multiple allotments having single access points, or other difficult to identify properties, specific arrangements should first be made with Council and emergency services before street number identification is provided.

The above requirement is to assist in property identification by emergency services and the like. Any variations to the above are to be approved by Council prior to the carrying out of the work.

- [POC0265]
52. Prior to the issue of a final occupation certificate adequate proof and/or documentation is to be submitted to the Principal Certifying Authority to identify that all commitment on the BASIX "Schedule of Commitments" have been complied with.

- [POC0435]
53. All landscaping work is to be completed in accordance with the approved plans prior to any use or occupation of the building.

[POC0475]

54. Prior to the occupation or use of any building and prior to the issue of any occupation certificate, including an interim occupation certificate a final inspection report is to be obtained from Council in relation to the plumbing and drainage works.

[POC1045]

USE

55. All externally mounted air conditioning units, swimming pool pumps, water tank pumps and any other mechanical plant and equipment shall be acoustically treated so as to avoid the creation of offensive, or intrusive noise to any occupant of neighbouring or adjacent premises.

[USE0235]

56. The premises shall be suitably identified by Unit No. (where appropriate) and Street Number displayed in a prominent position on the facade of the building facing the primary street frontage, and is to be of sufficient size to be clearly identifiable from the street.

[USE0435]

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

57. Prior to issue of a subdivision certificate, all works/actions/inspections etc required by other conditions or approved management plans or the like shall be completed in accordance with those conditions or plans.

[PSC0005]

58. Prior to the issue of a Subdivision Certificate a defect liability bond (in cash or unlimited time Bank Guarantee) shall be lodged with Council. The bond shall be based on 5% of the value of the works (minimum \$1,000) which will be held by Council for a period of 6 months from the date on which the Subdivision Certificate is issued. It is the responsibility of the proponent to apply for refund following the remedying of any defects arising within the 6 month period.

[PSC0215]

59. Any damage to property (including pavement damage) is to be rectified to the satisfaction of the General Manager or his delegate PRIOR to the issue of a Subdivision Certificate. Any work carried out by Council to remove material

from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate.

[PSC0725]

60. Prior to the issue of a Subdivision Certificate, Works as Executed Plans shall be submitted in accordance with the provisions of DCP16 - Subdivisions Manual and Councils adopted Design and Construction Specification. The plans are to be endorsed by a Registered Surveyor OR a Consulting Engineer Certifying that:

- (a) all drainage lines, sewer lines, services and structures are wholly contained within the relevant easement created by the subdivision;
- (b) the plans accurately reflect the Work as Executed.

Note: Where works are carried out by Council on behalf of the developer it is the responsibility of the DEVELOPER to prepare and submit works-as-executed plans.

[PSC0735]

61. A Subdivision Certificate will not be issued by the General Manager until such time as all conditions of this Development Consent have been complied with.

[PSC0825]

62. The creation of easements for services, rights of carriageway and restrictions as to user as may be applicable under Section 88B of the Conveyancing Act including (but not limited to) the following:

- (a) Easements for sewer, water supply and drainage over ALL services on private property.
- (b) Right of Way over proposed Lot 2 in favour of proposed Lot 1.

Pursuant to Section 88BA of the Conveyancing Act (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision for maintenance of the right of carriageway/easement by the owners from time to time of the land benefited and burdened and are to share costs equally or proportionally on an equitable basis.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

[PSC0835]

63. Council's standard "Asset Creation Form" shall be completed (including all quantities and unit rates) and submitted to Council with the application for Subdivision Certificate.

[PSC0855]

64. Where new state survey marks and/or permanent marks are placed a copy of the locality sketch relating to the marks shall be submitted to Council within three months of registration of the Subdivision Certificate in accordance with the Survey Practices Regulation.

[PSC0865]

65. Prior to registration of the plan of subdivision, a Subdivision Certificate shall be obtained.

The following information must accompany an application:

- (a) original plan of subdivision prepared by a registered surveyor and 7 copies of the original plan together with any applicable 88B Instrument and application fees in accordance with the current Fees and Charges applicable at the time of lodgement.
- (b) all detail as tabled within Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual, CL 7.6 and Councils Application for Subdivision Certificate including the attached notes.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[PSC0885]

66. Prior to the application for a Subdivision Certificate a Compliance Certificate or Certificates shall be obtained from Council OR an accredited certifier for the following:-
- (a) Compliance Certificate - Roads
 - (b) Compliance Certificate - Water Reticulation
 - (c) Compliance Certificate - Sewerage Reticulation
 - (d) Compliance Certificate - Sewerage Pump Station
 - (e) Compliance Certificate - Drainage

Note:

- 1. All compliance certificate applications must be accompanied by documentary evidence from the developers Subdivision Works Accredited Certifier (SWAC) certifying that the specific work for which a certificate is sought has been completed in accordance with the terms of the development consent, the construction certificate, DCP16 - Subdivision Manual and Councils adopted Design and Construction Specifications.
- 2. The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[PSC0915]

67. The six (6) months Defects Liability Period commences upon the registration of the Plan of Subdivision.

[PSC0925]

68. Prior to the issue of a Subdivision Certificate and also prior to the end of defects liability period, a CCTV inspection of the stormwater pipes and sewerage system including joints and junctions will be required to demonstrate that the standard of the stormwater system is acceptable to Council.

Any defects identified by the inspection are to be repaired in accordance with Councils adopted Development Design and Construction Specification.

All costs associated with the CCTV inspection and repairs shall be borne by the applicants.

[PSC1065]

69. Prior to issuing a Subdivision Certificate, reticulated water supply and outfall sewerage reticulation shall be provided to all lots within the subdivision in accordance with DCP16 - Subdivisions Manual, Councils adopted
-

Development Design and Construction Specifications and the Construction Certificate approval.

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act , 2000 to be certified by an Accredited Certifier.

[PSC1115]

70. The production of written evidence from the local telecommunications supply authority certifying that satisfactory arrangements have been made for the provision of underground telephone supply.

[PSC1165]

71. Electricity

- (a) The production of written evidence from the local electricity supply authority certifying that reticulation of underground electricity (residential and rural residential) has been completed; and

[PSC1185]

FOR VOTE - Unanimous

P2 [PR-PC] Development Application DA06/0225 for a Motorcycle Riding Facility at Lot 503 DP 1000612, No. 11 Donalyn Court, Duranbah

The following person(s) addressed the Planning Committee on the following matter:

Mr J Gilliland
Mrs Fay Dawson
Mr Paul O'Brien
Mrs Kerry Bennett
Mr Gary Gifford
Mr Brian Keating
Mr Greg Rogers
Mrs Bronwyn Gowing

P 59 COMMITTEE DECISION:

Administrator Willan
Administrator Boyd

RECOMMENDED that Development Application DA06/0225 for a motorcycle riding facility at Lot 503 DP 1000612, No. 11 Donalyn Court, Duranbah be refused for the following reasons: -

1. In accordance with Section 79C(ai) of the Environmental Planning and Assessment Act 1979, the development does not comply with the Tweed Local Environmental Plan 2000 specifically having regard to Clause 4 Aims of the Plan, Clause 8 Consent Considerations, Clause 11 The Zones 1(a) and Clause 22 Development Near Designated Roads.
2. In accordance with Section 79C(ai) of the Environmental Planning and Assessment Act 1979, the development is not permissible within the section of

the site zoned 1(b2) Agricultural Protection and is not consistent with Clause 8(2) of the Tweed Local Environmental Plan 2000.

3. In accordance with Section 79C(b) of the Environmental Planning and Assessment Act 1979, the development will have an unacceptable impact on the amenity of the area specifically as a result of noise generated by the proposal.
4. In accordance with Section 79C(b) of the Environmental Planning and Assessment Act 1979, the impact of cut and fill on site cannot be established as insufficient engineering detail has been provided.
5. In accordance with Section 79C(b) of the Environmental Planning and Assessment Act 1979, the development will be visually detrimental to the landscape as extensive cut and fill is necessary.
6. In accordance with Section 79C(b) of the Environmental Planning and Assessment Act 1979, the development will have an unacceptable impact on the safety of motorists particularly on the Pacific Highway.

FOR VOTE - Unanimous

P3 [PR-PC] Development Application DA06/1315 for the Erection of a Golf Pro-Shop Buggy Storage Shed and Pedestrian Bridge at Lot 2 DP 1040576, Leisure Drive Banora Point

The following person(s) addressed the Planning Committee on the following matter:

Mr Chris Larkin

P 60 COMMITTEE DECISION:

**Administrator Boyd
Administrator Willan**

RECOMMENDED that this matter be deferred for consideration to the next Council meeting to be held on Tuesday 10 July 2007.

FOR VOTE - Unanimous

P4 [PR-PC] Land and Environment Court Appeal - DA03/1038 6 Lot Subdivision at Lot 121 DP 755701 Chinderah Bay Drive, Chinderah

P 61 COMMITTEE DECISION:

**Administrator Boyd
Administrator Willan**

RECOMMENDED that the report be received and noted.

FOR VOTE - Unanimous

P5 [PR-PC] Development Application DA06/0627 for a Staged Development for a Rural Land Sharing Community Comprising 14 Dwellings at Lot 1 DP 783885; Lot 6 DP 614304, Cobaki Road Cobaki

The following person(s) addressed the Planning Committee on this matter:

Mr Stewart McIntyre
Mr Ron Button
Mr Rick Jobson
Mrs Jan Fletcher
Mrs Kathryn Leary

P 62 COMMITTEE DECISION:

**Administrator Willan
Administrator Payne**

RECOMMENDED Council refuses the application for the following reasons:

1. Pursuant to Section 79C(1)(a)(i) the development is not considered to be consistent with the aims, intent or objectives of State Environmental Planning Policy No 15 - Rural Landsharing Communities.
2. Pursuant to Section 79C(1)(c) the development site is not considered to be suitable for the proposed development, as evidenced by the potential impact on the agricultural viability of adjoining properties.
3. Pursuant to Section 79C(1)(e) the proposed development has the potential to adversely impact upon adjoining property and as these impacts have not been properly considered or addressed the proposal is considered not in the public interest.
4. Pursuant to Section 5 - Objects, of the environmental Planning and Assessment Act, 1979 the proposed development cannot be determined to satisfy subsection (a)(ii), the orderly and economic use and development of the land.

FOR VOTE - Unanimous

DECLARATION OF INTEREST

Administrator Boyd declared a non-pecuniary interest in Item P6 as he has family involvement in Hastings Point and took no part in the discussions or voting on this matter.

Administrator Willan chaired Planning Committee for this item.

P6 [PR-PC] Development Application DA07/0022 for Multi-Dwelling Housing Comprising 7 Units at Lot 9 DP 14141, No 21 Tweed Coast Road, Hastings Point

The following person(s) address the Planning Committee on this matter:

Mr Gary Thorpe
Mrs Julie Boyd

P 63 COMMITTEE DECISION:

Administrator Payne
Administrator Willan

RECOMMENDED that: -

- A. The State Environmental Planning Policy No. 1 objections to Clause 32B of North Coast Regional Environmental Plan 1988 regarding the overshadowing of the adjoining reserve be supported and the concurrence of the Director-General of the Department of Planning be assumed
- B. Development Application DA07/0022 for multi dwelling housing comprising 7 units at Lot 9 DP 14141, No. 21 Tweed Coast Road Hastings Point be approved subject to the following conditions and the applicant be requested to withdraw the Appeal: -

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and Plan Nos 06158 - sheet Nos TP01 Rev B, TP02 Rev B & TP03 Rev C, prepared by R.H. Franklin & Associates and dated 04/04/07, 04/04/07 & 05/04/07 respectively, except where varied by the conditions of this consent.
[GEN0005]
2. The use of crushing plant machinery, mechanical screening or mechanical blending of materials is subject to separate development application.
[GEN0045]
3. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.
[GEN0115]

-
4. Construction shall comply with AS3959 - 1999 level 2 'Construction of Buildings in bushfire prone areas'. Construction of the western facade shall comply with AS3959 - 1999 level 1 'Construction of Buildings in bushfire prone areas'.
[GENNS02]
 5. As the units have been assessed under 79BA for residential purposes and not 100B for Special Protection Development (tourist facility) the building/s shall not be used as a tourist facility.
[GENNS02]
 6. All fencing shall not be constructed from brushwood or treated pine materials.
[GENNS02]
 7. Roller doors, tilt-a-doors and the like shall be sealed to prevent the entry of embers into the structure.
[GENNS02]
 8. The entire property shall be managed as an 'Inner Protection Area' as outlined within section 4.2.2 in Planning for Bushfire Protection 2001.
[GENNS02]
 9. Access shall comply with section 4.3.2 Planning for Bushfire Protection 2001
[GENNS02]
 10. Reticulated water supply shall comply with AS2419. Locations of fire hydrants are to be delineated by blue pavement markers in the centre of the road.
[GENNS02]
 11. All works shall comply with the Erosion and Sediment Control Plan (Cozens, Regan, Williams Prove, November 2006).
[GENNS01]
 12. The development is to be carried out in accordance with Tweed Shire Council Development Control Plan Part A5 - Subdivision Manual and Councils adopted Development Design and Construction Specifications.
[GEN0125]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

13. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.
[PCC0285]
 14. The bin storage area for each unit is to be appropriately screened. Details of the screening method proposed are to be submitted to Council for approval by the General Manager or their delegate prior to the issue of a construction certificate
[PCCNS02]
-

15. A river bank and riparian vegetation management plan is to be submitted to the satisfaction of the Waterways and Coast Coordinator of Council prior to the issue of a construction certificate. The plan is to contain the following;
- a) River bank works are to be designed in accordance with the Tweed River Estuary Bank Management Plan, 1998.
 - b) Riparian rehabilitation works to use endemic species only.
 - c) The submitted plan must detail the species used, planting density, and locations upon the bank and provide some typical cross-sections to scale of the proposed riverbank revetment works.
- [PCCNS01]
16. Prior to Issue of Construction Certificate
- a) The site is to be filled to a minimum level of RL 2.4m AHD, where the building footprint is located. The fill level of 2.4m AHD is to grade down to the riparian vegetation area located at the rear of the property. The fill is to be retained by perimeter structural walls with concrete lined perimeter drainage or other approved treatment. Site filling and associated drainage is to be designed to address drainage on the site as well as existing stormwater flows onto or through the site, and minimizing the impact of filing on local drainage. Detailed engineering plans of fill levels and perimeter drainage shall be submitted with a S68 stormwater application for Council approval.
 - b) Details of proposed filling/regarding earthworks in the rear yard shall be submitted with the construction certificate application. Finished levels in this area shall match into building pad levels, levels of adjoining land, and levels of the riparian zone, without adverse impact on stormwater management in the area. Retaining walls and batters in excess of 1m in height are not permitted, in accordance with DCP No.47.
- [PCCNS01]
17. Erosion and Sediment Control shall be provided in accordance with the following:
- (a) The Construction Certificate Application must include a detailed erosion and sediment control plan prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*.
 - (b) Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works".
- [PCC1155]
18. A construction certificate application for works that involve any of the following:-
- connection of a private stormwater drain to a public stormwater drain
 - installation of stormwater quality control devices

- erosion and sediment control works

Applications for these works must be submitted on Council's standard s68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.

Where Council is requested to issue a construction certificate for civil works associated with this consent, the abovementioned works can be incorporated as part of the cc application, to enable one single approval to be issued. Separate approval under section 68 of the LG Act will then NOT be required.

[PCC1145]

19. Stormwater

- (a) Details of the proposed roof water disposal, including surcharge overland flow paths are to be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. These details shall include likely landscaping within the overland flow paths.
- (b) All roof water shall be discharged to infiltration pits located wholly within the subject allotment.
- (c) The infiltration rate for sizing infiltration devices shall be 3m per day:
 - * As a minimum requirement, infiltration devices are to be sized to accommodate the ARI 3 month storm (deemed to be 40% of the ARI one year event) over a range of storm durations from 5 minutes to 24 hours and infiltrate this storm within a 24 hour period, before surcharging occurs.
- (d) Surcharge overflow from the infiltration area to the street gutter, inter-allotment or public drainage system must occur by visible surface flow, not piped.
- (e) Runoff is to be pre-treated to remove contaminants prior to entry into the infiltration areas (to maximise life of infiltration areas between major cleaning/maintenance overhauls).
- (f) If the site is under strata or community title, the community title plan is to ensure that the infiltration areas are contained within common land that remain the responsibility of the body corporate (to ensure continued collective responsibility for site drainage).
- (g) All infiltration devices are to be designed to allow for cleaning and maintenance overhauls.
- (h) All infiltration devices are to be designed by a suitably qualified Engineer taking into account the proximity of the footings for the proposed/or existing structures on the subject property, and existing or likely structures on adjoining properties.
- (i) All infiltration devices are to be located clear of stormwater or sewer easements.

[PCC1135]

20. Permanent stormwater quality treatment shall be provided in accordance with the following:

- (a) The Construction Certificate Application shall include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development prepared in accordance with Section

D7.07 of Councils *Development Design Specification D7 - Stormwater Quality*.

- (b) Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils Development Design Specification D7 - Stormwater Quality.
- (c) The stormwater and site works shall incorporate water sensitive design principles and where practical, integrated water cycle management. Typical water sensitive features include infiltration, maximising permeable/landscaped areas, stormwater retention /detention/reuse, and use of grass swales in preference to hard engineered drainage systems.
- (d) Specific Requirements to be detailed within the Construction certificate application include:
 - 1. All driveway runoff shall be treated to remove gross pollutants, oil and sediment contaminants prior to discharge to the stormwater infiltration system.
 - 2. Roof water does not require treatment prior to discharge to the stormwater infiltration system.

[PCC1105]

21. Application shall be made to Tweed Shire Council under Section 138 of the Roads Act 1993 for works pursuant to this consent located within the road reserve. Application shall include engineering plans and specifications for the following required works: -

- a) kerb and gutter and associated road widening is to be constructed along the full frontage of the site on Young Street.
- b) 1.2m wide concrete footpath is to be constructed along the full frontage of the site on Young Street.

The kerb & gutter, associated road widening and 1.2m wide concrete footpath are to be designed and constructed in accordance with Tweed Shire Council's adopted Development Design and Construction Specifications.

The above mentioned engineering plan submission must include copies of compliance certificates relied upon and details relevant to but not limited to the following: -

- Road works/furnishings
- Stormwater drainage
- Water and sewerage works
- Sediment and erosion control plans
- Location of all services/conduits
- Traffic control plan

[PCC0895]

22. A traffic control plan in accordance with AS1742 and RTA publication "Traffic Control at Work Sites" Version 2 shall be prepared by an RTA accredited person shall be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate. Safe public access shall be provided at all times.

[PCC0865]

23. A detailed plan of landscaping is to be submitted and approved by Council's General Manager or his delegate prior to the issue of a Construction Certificate.

[PCC0585]

24. All imported fill material shall be from an approved source. Prior to the issue of a construction certificate details of the source of fill, description of material, proposed use of material, documentary evidence that the fill material is free of any contaminants and haul route shall be submitted to Tweed Shire Council for approval.

[PCC0465]

25. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.
Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP6:	4 ET @ \$4598	\$18,392
Sewer Hastings Point:	5.25 ET @ \$2863	\$15,031

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[PCC0265]

26. Section 94 Contributions
Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in

the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

(a) Tweed Road Contribution Plan: S94 Plan No. 4 (Version 4.0) Sector8a_4	\$10,784
(b) Open Space (Structured): S94 Plan No. 5	\$2,790
(c) Open Space (Casual): S94 Plan No. 5	\$596
(d) Shirewide Library Facilities: S94 Plan No. 11	\$2,462
(e) Eviron Cemetery/Crematorium Facilities: S94 Plan No. 13	\$499
(f) Community Facilities (Tweed Coast - South) S94 Plan No. 15 South Coast	\$3,504
(g) Emergency Facilities (Surf Lifesaving) S94 Plan No. 16	\$717
(h) Extensions to Council Administration Offices & Technical Support Facilities S94 Plan No. 18	\$7,141.75
(i) Cycleways S94 Plan No. 22	\$1,258
(j) Regional Open Space (Structured) S94 Plan No. 26	\$8,315
(k) Regional Open Space (Casual) S94 Plan No. 26	\$3,058

[PCC0215]

27. The developer shall provide 12 parking spaces including parking for the disabled in accordance with Tweed Shire Council Development Control Plan Part A2 - Site Access and Parking Code.

Full design detail of the proposed parking and manoeuvring areas including integrated landscaping shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a construction certificate.

[PCC0065]

28. Any car parking floodlighting shall not spill beyond the boundaries of the site.

[PCC0055]

PRIOR TO COMMENCEMENT OF WORK

29. The erection of a building in accordance with a development consent must not be commenced until:
- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
 - (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (c) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.

[PCW0215]

30. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least 2 days prior to work commencing.

[PCW0225]

31. Residential building work:
- (a) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - * in the name and licence number of the principal contractor, and
 - * the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:

- * the name of the owner-builder, and
 - * if the owner-builder is required to hold an owner builder permit under that Act, the number of the owner-builder permit.
- (b) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

[PCW0235]

32. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every fifteen (15) persons or part of fifteen (15) persons employed at the site. Each toilet provided must be:-
- (a) a standard flushing toilet connected to a public sewer, or
 - (b) if that is not practicable, an accredited sewage management facility approved by the council

[PCW0245]

33. Where prescribed by the provisions of the Environmental Planning and Assessment Amendment (Quality of Construction) Act 2003, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

34. The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:
- (a) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and
 - (b) Certification of the works performed by the person carrying out the works is to be submitted to the PCA; and
 - (c) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-
 - (i) the method of protection; and
 - (ii) the date of installation of the system; and
 - (iii) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and

- (iv) the need to maintain and inspect the system on a regular basis.

Note: Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

[PCW0775]

35. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area where required to the satisfaction of the Principal Certifying Authority.

[PCW0985]

36. Sewer main within site is to be accurately located and the Principal Certifying Authority advised of its location and depth prior to start of any building works.

[PCW1055]

37. An application to connect to Council's sewer or 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]

38. The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and the Principal Certifying Authority advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.

[PCW0005]

DURING CONSTRUCTION

38. Construction site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council: -
Monday to Saturday from 7.00am to 7.00pm

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]

40. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

[DUR0375]

41. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

[DUR0395]

42. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection

nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

[DUR0405]

43. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Occupational Health and Safety Regulation 2001.

[DUR0415]

44. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Occupational Health and Safety Regulation 2001.

[DUR0645]

45. Minimum notice of 48 hours shall be given to Tweed Shire Council for the capping of any disused sewer junctions. Tweed Shire Council staff in accordance with the application lodged and upon excavation of the service by the developer shall undertake Works.

[DUR0675]

46. All cut or fill on the property is to be battered at an angle not greater than 45° within the property boundary, stabilised and provided with a dish drain or similar at the base in accordance with Tweed Shire Councils Design and Construction Specifications, Development Control Plan, Part A5 - Subdivision Manual and Development Control Plan, Part A14 - Cut and Fill on Residential Land to the satisfaction of the Principal Certifying Authority.

Please note timber retaining walls are not permitted.

[DUR0835]

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

- Noise, water or air pollution
- Minimise impact from dust during filling operations and also from construction vehicles
- No material is removed from the site by wind

[DUR1005]

48. Building materials used below Council's minimum floor level of RL 2.7m AHD shall be flood compatible.

[DUR1405]

49. Subject to the requirements of the local electricity authority, all electrical wiring, power outlets, switches, etc, should, to the maximum extent possible be located above the design flood level. All electrical wiring installed below the design flood level shall be provided with earth leakage devices.

[DUR1415]

-
50. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Council's adopted Design and Construction Specifications prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
[DUR1875]
51. A garbage storage area shall be provided in accordance with Council's "Code for Storage and Disposal of Garbage and Other Solid Waste".
[DUR2195]
52. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
- (a) internal drainage, prior to slab preparation;
 - (b) water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
 - (c) external drainage prior to backfilling.
 - (d) completion of work and prior to occupation of the building.
- [DUR2485]
53. Plumbing
- (a) A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
 - (b) The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.
- [DUR2495]
54. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
[DUR2505]
55. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.
[DUR2515]
56. Back flow prevention devices shall be installed wherever cross connection occurs or is likely to occur. The type of device shall be determined in accordance with AS 3500.1 and shall be maintained in working order and inspected for operational function at intervals not exceeding 12 months in accordance with Section 4.7.2 of this Standard.
[DUR2535]
57. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-
- * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
 - * 50⁰C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

[DUR2555]

58. Where two (2) or more premises are connected by means of a single water service pipe, individual water meters shall be installed to each premise beyond the single Council water meter (*unless all the premises are occupied by a single household or firm*).
- [DUR2615]
59. The structure is to be sited at least one metre horizontally clear of sewer main on site. All footings and slabs within the area of influence of the sewer main are to be designed by a practising Structural Engineer. The engineer is to submit a certification to the Principal Certifying Authority that the design of such footings and slabs will ensure that all building loads will be transferred to the foundation material and will not effect or be affected by the sewer main.
- [DUR2645]
60. A Sewer manhole is present on this site. This manhole is not to be covered with soil or other material. Should additional fill be proposed in the area of the sewer manhole application shall be made to Council's Engineering & Operations Division for the raising of the manhole.
- [DUR2655]
61. Acid sulfate soils shall not be exposed or disturbed. The maximum depth of excavation, except for placement of service pipes, shall be 1 metre.
- [DURNS01]
62. All demolition works are to observe the guidelines set down under the Environment Protection Authority publication "A Renovators Guide to the Dangers of Lead" and the WorkCover guidelines on working with and handling of asbestos. All asbestos sheeting material shall be disposed to an approved landfill facility.
- [DURNS01]
63. No retaining walls or similar structures are to be constructed over or within the zone of influence of Council's sewer main.
- [DUR2705]
64. During construction, a "satisfactory inspection report" is required to be issued by Council for all s68h2 permanent stormwater quality control devices, prior to backfilling. The proponent shall liaise with Councils Engineering and Operations Division to arrange a suitable inspection.
- [DUR2445]
65. All waters that are to be discharged from the site shall have a pH between 6.5 and 8.5 and suspended solids not greater than 50mg/kg.
- [DUR2435]
66. The site shall not be dewatered, unless written approval to carry out dewatering operations is received from the Tweed Shire Council General Manager or his delegate.
- [DUR2425]
67. Appropriate measures are to be put in place during the construction and/or demolition period to prevent the transport of sediment from the site. Should any material be transported onto the road or any spills occur it is to be cleaned up prior to cessation of same days work and/or commencement of any rain event.
- [DUR2405]

-
68. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.
[DUR2375]
69. Appropriate arrangements to the satisfaction of Council's General Manager or his delegate shall be provided for the storage and removal of garbage and other waste materials. A screened, graded and drained garbage storage area shall be provided within the boundary.
[DUR2205]
70. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction.
[DUR2185]
71. No portion of the structure may be erected over any existing sillage or stormwater disposal drains, easements, sewer mains, or proposed sewer mains.
[DUR1945]
72. Where the kerb is to be removed for driveway laybacks, stormwater connections, pram ramps or any other reason, the kerb must be sawcut on each side of the work to enable a neat and tidy joint to be constructed.
[DUR1905]
73. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.
[DUR1795]
74. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction, operation and, where relevant, the decommissioning of the development.
[DUR1025]
75. The burning off of trees and associated vegetation felled by clearing operations or builders waste is prohibited. All such materials should be chipped on site and used in landscaping unless it is not possible due to size, non suitability of the material or some other limitation, in which case the material will be disposed of at Council's Stotts Creek depot.
[DUR1015]
76. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate/Occupation Certificate.
[DUR0995]
77. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.
[DUR0985]
-

78. Provision to be made for the designation of 2 durable and pervious car wash-down areas. The areas must be identified for that specific purpose and be supplied with an adequate water supply for use within the areas. Any surface run-off from the area must not discharge directly to the stormwater system.

[DUR0975]

79. All new residential dwellings (and extensions comprising over 50% of the original floor area) are to fully comply with Tweed Shire Council Development Control Plan, Part A9 - Energy Smart Housing Policy. In order to comply with the Policy consideration must be given to the building envelope, orientation, insulation, ventilation, thermal mass and zoning.

[DUR0915]

80. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.

[DUR0815]

81. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

- A. Short Term Period - 4 weeks.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

- B. Long term period - the duration.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

[DUR0215]

82. The provision of 12 off street car parking spaces including parking for the disabled where applicable. The layout and construction standards to be in accordance with Tweed Shire Council Development Control Plan, Part A2 - Site Access and Parking Code.

[DUR0085]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

83. 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 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).

[POC0205]

84. Prior to occupation of the building the property street number is to be clearly identified on the site by way of painted numbering on the street gutter within 1 metre of the access point to the property. The street number is to be on a white reflective background professional painted in black numbers 100mm high.

On rural properties or where street guttering is not provided the street number is to be readily identifiable on or near the front entrance to the site.

For multiple allotments having single access points, or other difficult to identify properties, specific arrangements should first be made with Council and emergency services before street number identification is provided.

The above requirement is to assist in property identification by emergency services and the like. Any variations to the above are to be approved by Council prior to the carrying out of the work.

- [POC0265]
85. Prior to the issue of a final occupation certificate adequate proof and/or documentation is to be submitted to the Principal Certifying Authority to identify that all commitment on the BASIX "Schedule of Commitments" have been complied with.

- [POC0435]
86. Prior to the occupation or use of any building and prior to the issue of any occupation certificate, including an interim occupation certificate a final inspection report is to be obtained from Council in relation to the plumbing and drainage works.

- [POC1045]
87. The creation of easements for services, rights of carriageway and restrictions as to user as may be applicable under Section 88B of the Conveyancing Act including the following:
- a) A 3 metre wide easement for the existing sewer main, located at the rear of the property is to be created, burdening the subject lot and benefiting Tweed Shire Council. The easement is to be registered with the Land Titles Office prior to the issue of a occupation certificate.

Pursuant to Section 88BA of the Conveyancing Act (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision for maintenance of the right of carriageway/easement by the owners from time to time of the land benefited and burdened and are to share costs equally or proportionally on an equitable basis.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

[POCNS01]

88. All works specified in the River bank and Riparian vegetation management plan are to be completed to the satisfaction of the General Manager or his delegate prior to the issue of an occupation certificate.

[POCNS01]

89. Prior to the issue of an occupation certificate, the applicant shall produce a copy of the "satisfactory inspection report" issued by Council for all s68h2 permanent stormwater quality control devices.

[POC0985]

USE

90. The premises shall be maintained in a clean and tidy manner. [USE0965]
91. All externally mounted air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of the General Manager or his delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise. [USE0175]
92. 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, odours or the like. [USENS01]

FOR VOTE - Unanimous

DID NOT VOTE - Administrator Boyd - Due to declaration of a non-pecuniary interest.

P 64 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that the Planning Committee resumes in open Council under the Chairmanship of Administrator Payne.

FOR VOTE - Unanimous

99 COUNCIL DECISION:

**Administrator Boyd
Administrator Willan**

RESOLVED that the recommendations of the Planning Committee held Tuesday 19 June 2007 be adopted.

FOR VOTE - Unanimous

ADJOURNMENT OF MEETING

Adjournment to deal with the Community Access Session of Council at 6.16pm.

RESUMPTION OF MEETING

The Meeting resumed at 6.40pm

OPERATIONS COMMITTEE**100 COUNCIL DECISION:**

Administrator Boyd
Administrator Payne

RESOLVED that Council resolves itself into the Operations Committee under the Chairmanship of Administrator Willan.

FOR VOTE - Unanimous

REPORTS THROUGH THE GENERAL MANAGER**O1 [TCS-OC] Monthly Investment Report for Period Ending 31 May 2007****O 144 COMMITTEE DECISION:**

Administrator Willan
Administrator Payne

RECOMMENDED that in accordance with Section 625 of the Local Government Act 1993 the investments totalling \$103,424,103.66, as at 31 May 2007, be received and noted.

FOR VOTE - Unanimous

O2 [EO-OC] Contract EC2006-155 - Upgrade of Lavender Creek Flood Pump Station, Murwillumbah**O 145 COMMITTEE DECISION:**

Administrator Boyd
Administrator Payne

RECOMMENDED that:-

1. Council awards contract EC2006-155 - Upgrade of Lavender Creek Flood Pump Station, Murwillumbah for the amount of \$214,178 (Excl. GST) to Hopedale Services Pty Ltd.
 2. The General Manager be given delegated authority to approve variations up to 20% of the initial contract sum.
 3. Council authorises funding to be re-allocated from savings on the Quinns Bridge project (\$30,146.00), and delayed scour protection and de-silting works at Boat Harbour Bridge (\$97,960.00).
-

FOR VOTE - Unanimous

03 [EO-OC] Kennedy Drive - Traffic Capacity and the Impact of Development

O 146 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:-

1. Council adopts the revised Level of Service D equating to 24,650 vehicles per day on Cobaki Bridge at Kennedy Drive.
2. The current remaining spare traffic capacity (being 1506 vehicle trips per day) to be provided to future development west of Cobaki Bridge on a first in/first served basis.
3. No development is approved west of Cobaki Bridge when the remaining spare traffic capacity of 1,506 vehicle trips per day are consumed.
4. With respect to items (2) and (3) above, a review of traffic generation and development approvals be undertaken in twelve months time.

FOR VOTE - Unanimous

04 [EO-OC] Strategic Asset and Services Management Program

O 147 COMMITTEE DECISION:

**Administrator Payne
Administrator Boyd**

RECOMMENDED that pursuant to the provisions of the Strategic Asset Management Policy, Council determines the following matters to be set out in Schedule 1 of the policy. The decision shall take effect from 19 June 2007.

SCHEDULE 1

ITEM	DETERMINATION
1	<p><u>Application:</u> All non-contracted beaches</p> <p>(a) That the Schedule 6 (Item 2) sign shall not be erected at any beach which is not patrolled by contracted life saving services (refer Schedule 1A Table 2).</p> <p>(b) That in accordance with section 14.12 g) and f) and 13.30.3 c), no Risk Warning Signs shall be erected at any beach (including at any designated entry point) warning the public about any risk specified in 14.12 g) and f), or that a beach is unsupervised, not patrolled or rescue services are not provided or the whereabouts of the nearest patrolled beach or the whereabouts of the nearest public telephone.</p>
2	<p><u>Application:</u> All contracted (patrolled) beaches.</p> <p>(a) That the Schedule 6 (Item 2) sign shall not be erected at any contracted beach.</p> <p>(b) The Risk warning Sign numbered RWSBCH1 be used in accordance with the attached instructions.</p> <p>(c) That except as provided in (b), and in accordance with section 14.12 g) and f) and 13.30.3 c), no Risk Warning Signs shall be erected at any beach (including at any designated entry point) warning the public about any risk specified in 14.12 g) and f); and no Risk Warning Sign shall be erected warning the public that a beach or any particular part of a beach is not patrolled or that rescue services are not provided.</p>
3	For the avoidance of doubt in 1 & 2 “contracted” means a contract between Council and Surf Life Saving INC and excludes SALT.

FOR VOTE - Unanimous

05 [EO-OC] Trimming of Trees Fronting Surf Clubs

O 148 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that Council approves the trimming of vegetation:-

1. In front of the Fingal Rovers Surf Club and the Cabarita Beach Surf Club to allow for casual surveillance of the beach subject to the following conditions:-
 - a) The extent of the trimming is to be the minimum required to facilitate the required view lines.
 - b) The extent of the pruning is to be determined by Council officers in consultation with the surf club.
 - c) Only Council staff are authorised to undertake the pruning.

2. Obscuring views from Council constructed viewing platforms as required to maintain the intended view.

FOR VOTE - Unanimous

06 [CNR-OC] Water Supply & Sewerage Development Servicing Plans

O 149 COMMITTEE DECISION:

**Administrator Payne
Administrator Boyd**

RECOMMENDED that:-

1. Council adopts the Water Supply and Sewerage Developer Servicing Plans and the associated developer charges incorporated in Council's Revenue Policy and Fees and Charges as below:-

Area	Sewerage	Water Supply
All Areas per ET	\$4,804	\$9,997

2. The development servicing plans be forwarded to the Department of Water and Energy for registration.

FOR VOTE - Unanimous

07 [CNR-OC] EC2007-030 Tender for the Supply, Delivery & Installation of ICP-OES Laboratory Instrumentation

O 150 COMMITTEE DECISION:

**Administrator Boyd
Administrator Payne**

RECOMMENDED that:

1. The tender from PerkinElmer be accepted for a sum of \$194,610 GST exclusive.
2. The General Manager is given delegated authority to engage the preferred provider of Operating Lease Finance under Contract AC2007-035 to procure the ICP-OES.

FOR VOTE - Unanimous

O8 [CNR-OC] Request for "In Kind" Support/Waive Fee**O 151 COMMITTEE DECISION:**

Administrator Boyd
Administrator Payne

RECOMMENDED that Council, with reference to the request from United Hospital Auxiliaries of NSW Inc (Tweed Heads Branch), Council provides the Tweed Heads Civic Centre for a reduced fee of \$114 being 50% of the full fee of \$228 for the Auxiliary's fashion parade to be held on 28 May 2007, and that Council's support is recognised with the following acknowledgement "This programme has been supported by Tweed Shire Council".

FOR VOTE - Unanimous

O9 [CNR-OC] Entomological Control Report for Period March to May 2007**O 152 COMMITTEE DECISION:**

Administrator Boyd
Administrator Payne

RECOMMENDED that this report on Entomological Control for the period March to May 2007 be received and noted.

FOR VOTE - Unanimous

O 153 COMMITTEE DECISION:

Administrator Willan
Administrator Payne

RESOLVED that the Operations Committee resumes in open Council under the Chairmanship of Administrator Payne.

FOR VOTE - Unanimous

101 COUNCIL DECISION:

Administrator Willan
Administrator Boyd

RESOLVED that the recommendations of the Operations Committee held Tuesday 19 June 2007 be adopted.

FOR VOTE - Unanimous

SCHEDULE OF OUTSTANDING RESOLUTIONS

Nil.

ADMINISTRATOR'S MINUTE

[AM] Signing of Documents

102 COUNCIL DECISION:

**Administrator Boyd
Administrator Payne**

RESOLVED that the information regarding signing of documents by Administrators be received and noted.

FOR VOTE - Unanimous

ORDINARY ITEMS FOR CONSIDERATION

REPORTS FROM THE GENERAL MANAGER

Nil.

REPORTS FROM THE DIRECTOR PLANNING & REGULATION

Nil.

REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES

- 1 [TCS-CM] 2007/2010 Draft Management Plan incorporating Council's 7 Year Infrastructure and Services Plan; 2007/2008 Draft Budget and Fees & Charges**

Administrator Payne expressed the Administrators appreciation and wished it placed on record their appreciation to all staff involved, for the clarity of the documentation (Management Plan, 7 Year Infrastructure & Services Plan and Budget) being well prepared and clearly explained.

103 COUNCIL DECISION:

**Administrator Boyd
Administrator Willan**

RESOLVED that:-

1. Council's 2007/2010 Draft Management Plan including years 2-7 of the 7 Year Infrastructure and Services Plan for the period 2007/2013, and incorporating the 2007/2008 Draft Budget based on an 8% increase in general income over 2006/2007, the 2007/2008 Draft Revenue Policy and the 2007/2008 Draft Fees and Charges be adopted.
2. The Draft Revenue Policy and Fees and Charges for interest on unpaid rates and charges be amended to 10% per annum in accordance with the Minister for Local Government notice.
3. The Environmental Enforcement Levy (Development Applications) of 0.1% of the Contract Price of development up to and including \$2M, which does not increase for development over \$2M and which was advertised with the Draft Management Plan, be included in the 2007/2008 Fees and Charges.
4. An application be made under Section 508A of the Local Government Act 1993 to the Minister for Local Government for a special variation to General Income in 2007 for years 2008/2009 to 2012/2013 of:

2008/2009	6%
2009/2010	6%
2010/2011	5%
2011/2012	4%
2012/2013	4%

respectively, in addition to 3.8% as the allowable annual Ministerial increase in general income, for the purpose of funding expenditure for years 3-7 contained in Council's 7 Year Infrastructure and Services Plan 2006/2013.

5. As part of the application for a special variation, Council reports to the Department of Local Government on the alterations from the original 7 Year Infrastructure and Services Plan as contained in the instrument under Section 508A(1) and 48(3) of the Local Government Act 1993 dated 10 July 2006.

FOR VOTE - Unanimous

REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS

Nil.

REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

2 [SUB-PTWG] Minutes of the Public Transport Working Group Committee Meeting held Friday, 20 April 2007

104 COMMITTEE DECISION:

Administrator Boyd
Administrator Willan

RECOMMENDED that the:-

1. Minutes of the Public Transport Working Group Committee Meeting held Friday 20 April 2007 be received and noted; and
2. Director's recommendations be adopted as follows

OM2 Barnby Street Subdivision

That the Committee's recommendation be endorsed being:

"That Council:

1. *Considers a dedicated Public Transport Policy, making provision in the 2008/9 budget; and*
2. *involves transport operators in pre-DA or subdivision design discussions at the concept stage."*

OM12 Maintenance of Council Bus Shelters

That the Committee's recommendation be endorsed being:

"That Council notes the Public Transport Working Group Committee's recommendation in relation to maintenance of Council Bus Shelters."

BA3(b) Studies, Inquiries and Promotions - Sustainable Transport and Travel by Council Staff

That the Committee's recommendation be endorsed being:

"That Council receives and notes the report (attached).

*Sustainable Transport and Travel by Council Staff
A Draft Report for PTWG Consideration*

Summary

This Report examines possible Council policies to encourage use of sustainable forms of travel by Council staff. It describes existing practice and incentives determining modes of travel, and identifies options for increasing sustainable commuting and work travel.

Recommendations

That Council considers options to encourage sustainable transport, in particular:

Reimburse bus fares for staff commuting,

Mandate as policy use of public transport for staff travel between specified major destinations,

Provide bicycle/motorbike parking and change facilities at civic centres and depots,

Provide parking only for cars regularly used for pooling.

REPORT

Background

The Public Transport Working Group is Council's advisory committee on public transport matters. Its remit is to promote awareness of public transport and the use of more sustainable forms of transport in the Shire. It liaises between the Council, Council's infrastructure providers, State Government agencies, community organisations, transport operators, transport users and the general public.

Almost all staff commuter travel is currently by private car. Some staff members have voluntarily formed car pools to share driving and costs. Cars used include privately owned cars, cars provided in Council salary packages and cars leased to staff by Council. For travel during work Council provides three pool cars, leased cars may be used, or private car costs may be reimbursed.

Current Travel Incentives - Commuting:

Council does not reimburse the cost of travel to work. It does however provide effective incentives to use cars for commuting by:

Including cars in some salary packages,

Leasing cars to staff members on favourable terms,

Providing free parking for staff at both civic centres.

The combination of these incentives ensures staff are virtually tied to using cars for all their travel needs. The value of the incentives paid for by ratepayers amounts to several hundred thousand dollars per year. The lease arrangements are not restricted to staff who work outside the office, but are available to office workers for commuting. It is not clear whether these subsidies for car use are Human Resources policies to attract/retain staff, or Operational/Business policies to assist staff

mobility, but they do not appear to be essential to Council operations.

Current Travel Incentives – Travel while at work:

During the working day or evenings some staff travel to clients' homes, meetings, events, education, site inspections, in addition to travel to outdoor work sites (the latter using Works Unit vehicles). Council encourages use of pool or leased vehicles, but does provide reimbursement for both private car use and public transport fares where approved. There are additional incentives for car use however:

3 pool cars are maintained and fuelled for staff use,

Salary packaged cars are allowed free fuel,

Leased cars are available for general staff use with free fuel.

The value of the incentives for car use is very much higher than for public transport use, and includes the cost of fuel for a fleet of some 60 cars. It appears that the use of leased cars and salary package cars with free fuel during the working day assists justification of leasing essentially for commuting purposes.

The Need to Provide Incentives for Sustainable Travel:

Car travel is recognised as a convenient mode of travel but inefficient use of energy, and a major component of greenhouse gas production, global warming and air pollution, including carcinogens.

More sustainable transport is now a major objective of Government policy, including policy for Local Governments. These policies are not supported by current car use incentives. Some Councils have prepared Green Plans to facilitate staff travel by various modes.

Public transport, cycling and walking are modes of transport more consistent with current policies, and proactive Governments have set targets to increase the proportion of general public transport usage.

The proportion in Tweed is unknown, but believed to be around 2% for work travel, and somewhat higher for other purposes.

Efforts have been made recently to increase the attractiveness of public transport by increasing the number of routes and services, and their frequency and hours of operation in Tweed. This local investment in services needs to attract greater patronage in order to make a return; the Council staff of 640 is a significant component of potential patronage currently not available.

Options for Sustainable Travel Incentives:

A more balanced range of travel incentives could be devised, based on the following principles:

- 1. Mode-neutral subsidies - spend less on subsidising commuter travel and work travel by car:*

Eliminate provision of staff parking, or charge an economic rate for staff parking?

Provide parking only for cars regularly used for pooling?

Ensure car lease charges are revenue neutral?

Do not allow salary package cars or leased cars free fuel?

Limit the number of salary packages that include cars?

Do not lease cars to staff unless they are essential to carry out the job?

2. *Implement mechanisms to encourage staff to choose public transport and other sustainable modes:*

Reimburse bus fares for commuting as well as for travel during work?

Provide bicycle/motorbike parking and change facilities at civic centres and depots?

Charter buses to staff residential areas?

Provide information to staff about bus services?

Promote the benefits of public transport to staff – relaxation, safety, low cost?

Mandate use of public transport for staff travel between major destinations, eg, Murwillumbah and South Tweed/Tweed Heads

Conclusions:

Many jobs within Council will continue to require use of either Council vehicles or private cars for efficient work practices.

There are opportunities, however, to alter the balance between lease/private car and sustainable transport modes in specific areas, particularly for commuting.

Some cars are used for commuting only, and occupy free parking space that could more efficiently be developed as office or productive work space for Council.

Some cars are leased to staff for commuting with no tangible benefit to Council's operations.

There has not been any consideration of the need to promote sustainable transport as part of Council's transport arrangements.

Council policies relating to staff transport need to remove the strong bias towards car use and replace it with a bias towards sustainable transport use, using some of the options listed above.

The most effective options to encourage sustainable transport are:

Reimburse bus fares for staff commuting,

*Mandate as policy use of public transport for staff travel between specified major destinations,
Provide bicycle/motorbike parking and change facilities at civic centres and depots,
Provide parking only for cars regularly used for pooling.*

GB2. Pottsville Community Association Representation

That the Committee's recommendation be endorsed being:

"That Council endorses Terry O'Toole as the representative of the Pottsville Community Association on the Public Transport Committee."

FOR VOTE - Unanimous

3 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 17 May 2007

105 COMMITTEE DECISION:

**Administrator Boyd
Administrator Willan**

RECOMMENDED that the:-

1. Minutes of the Local Traffic Committee Meeting held Thursday 17 May 2007 be received and noted; and
2. Director's recommendations be adopted as follows

A. FORMAL ITEMS SECTION

A1 [LTC] Wharf Street, Tweed Heads

"That Council endorses, subject to Police approval, a street march for NAIDOC Week on Friday 6 July 2007 to travel from the Tweed Heads Civic Centre north through to the Chris Cunningham Park along Wharf Street, Tweed Heads to commence at 10:00am to be concluded by 11.00am."

A2 [LTC] Wintersun Festival - Traffic Plan

"That Council endorses the associated Traffic Control Plan as shown on Drawing No. 010507 for the Wintersun Festival subject to the satisfactory resolution of the following:

1. *Provision of details of the location of all variable message signs for the event.*
2. *Provision of details of all proposed car parking areas.*

3. *Stuart Street remaining open to traffic at Bay Street intersection.*
4. *Wharf Street is to remain as two way traffic flow to Boundary Street, Tweed Heads.*
5. *All signage and barriers must comply with relevant standards for night time visibility."*

A3. [LTC] Philip Street, Pottsville

"That:-

1. *A disabled parking space be provided in the off road car park adjacent to Pottsville Oval and*
2. *The two existing disabled parking spaces on Philip Street adjacent to the shops be endorsed for regulatory signage."*

FOR VOTE - Unanimous

ORDERS OF THE DAY

- 4 [NOR] Notice of Rescission - [EO-OC] EC2007-007 Tenders for the Supply of Contract Truck Haulage**

NOTICE OF RESCISSION:**106 COUNCIL DECISION:**

**Administrator Boyd
Administrator Willan**

RESOLVED that Minute No O 131 of the Operations Committee Meeting held 29 May 2007, endorsed by Minute No 86 of the Council Meeting held 29 May 2007 being:

07 [EO-OC] EC2007-007 Tenders for the Supply of Contract Truck Haulage

O 131 COMMITTEE DECISION:

**Administrator Willan
Administrator Boyd**

RECOMMENDED that contracts for Contract Truck Haulage for the period 1 July 2007 until 30 June 2009 be offered to the following tenderers ;-

11.5 – 15 Tonne A Rate

Ranking	Name	Truck Capacity	Truck A Rate
1	CM & SM Fraser Pty Ltd	13.5	\$55.00
1	Carool Water	13	\$55.00
1	Carool Water	13	\$55.00
1	Carool Water	13	\$55.00
1	Carool Water	13	\$55.00
1	Brett Backhouse	12	\$55.00
2	O'Keeffe Quarries	12.5	\$59.00
3	Bernard Wayne Leveridge	11.5	\$60.00
3	CM & SM Fraser Pty Ltd	13.5	\$60.00
4	Cam Earthworx	12	\$61.50
5	Steven John Currant	13.5	\$62.00
6	Craig James Ryan	12.5	\$62.50
6	Craig James Ryan	13.75	\$62.50
7	Brian Jeffery Booth	12.3	\$64.00
8	Darrell Keith Porter	12	\$64.50
8	Christopher Glen Wilson	13	\$64.50
9	Jake Sydney Stanborough	14	\$64.90
9	Cam Earthworx	12.5	\$64.90
9	Col Moore and Sons	14	\$64.90
9	Col Moore and Sons	14	\$64.90
10	Mathew James Milsom	13	\$65.00
10	Gary David Marshall	13.21	\$65.00
11	Brims' Coaches Pty Ltd	12.7	\$65.50
12	Mark O'Keeffe Tipper Hire	12.5	\$66.00
12	Dennis Davies	12	\$66.00
12	Robert Barry Turner & Leone Joy Turner	14	\$66.00
13	Beacon Trust Tipper Hire	13	\$68.00
13	Beacon Trust Tipper Hire	12	\$68.00
14	Sutton Excavations	12	\$68.20
14	Sutton Excavations	12	\$68.20
15	Warren Richard Ambrose	13.5	\$70.00
15	Peter Lawler	13	\$70.00
15	Peter Lawler	13	\$70.00
15	Christopher Leon Reeve	12	\$70.00
15	Mark Andrew Piper and Jennifer Jane Piper	13	\$70.00
15	Mark Andrew Piper and Jennifer Jane Piper	13	\$70.00
16	Brims' Coaches Pty Ltd	12.7	\$71.50
16	David & Karen Colleton	13	\$71.50
17	Christopher Leon Reeve	12	\$73.00
17	Christopher Leon Reeve	13	\$73.00
18	Robert William Clapham	12	\$74.80
19	Keith Dunn Earthmoving	12	\$75.90
20	Ian Tagget Earthmoving	13	\$76.00
20	Ian Tagget Earthmoving	13	\$76.00
20	Ian Tagget Earthmoving	13	\$76.00

20	Ian Tagget Earthmoving	13	\$76.00
20	Ian Tagget Earthmoving	13	\$76.00
21	Col Moore and Sons	13	\$77.00
21	Col Moore and Sons	13	\$77.00
21	Col Moore and Sons	12	\$77.00
21	Col Moore and Sons	13	\$77.00
21	Col Moore and Sons	12	\$77.00
21	Col Moore and Sons	12	\$77.00
22	Brims Earthmoving Pty Ltd	12	\$82.50
23	Byrnesys A1 Excavations	12	\$85.00
24	Hardy's Excavations Pty Ltd	12.5	\$88.00
24	Stacka Enterprises	13.5	\$88.00
24	Geoffrey Neil Barnard	14	\$88.00
24	Shackell Haulage	12	\$88.00
24	V & S Flemming Pty Ltd	11.8	\$88.00
25	Francis John Karam	13	\$93.50

Truck and Dog A Rate

Ranking	Name	Truck & Dog Capacity	Truck & Dog A Rate
1	CM & SM Fraser Pty Ltd	33.5	\$85.00
1	Carool Water	28.5	\$85.00
1	Carool Water	28.5	\$85.00
1	Carool Water	28.5	\$85.00
1	Carool Water	28.5	\$85.00
2	O'Keeffe Quarries	30	\$90.00
3	Cam Earthworx	28	\$92.00
4	CM & SM Fraser Pty Ltd	33.5	\$95.00
5	Brims' Coaches Pty Ltd	32.7	\$96.80
6	Cam Earthworx	30	\$98.45
7	Mark O'Keeffe Tipper Hire	32.5	\$99.00
7	Brian Jeffery Booth	26	\$99.00
7	Sutton Excavations	25.5	\$99.00
8	Steven John Currant	29	\$99.50
9	Christopher Leon Reeve	26	\$100.00
9	Peter Lawler	28	\$100.00
9	Peter Lawler	32.5	\$100.00
9	Mark Andrew Piper and Jennifer Jane Piper	28	\$100.00
9	Mark Andrew Piper and Jennifer Jane Piper	28.5	\$100.00
10	Mathew James Milsom	T.B.A.	\$101.00
11	Brims' Coaches Pty Ltd	32.7	\$104.50
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Christopher Leon Reeve	26	\$105.00
12	Christopher Leon Reeve	27.5	\$105.00

13	Christopher Glen Wilson	28	\$110.00
13	Col Moore and Sons	33	\$110.00
13	Col Moore and Sons	33	\$110.00
14	Sutton Excavations	31	\$115.00
15	Stacka Enterprises	31	\$115.50
16	Byrnesys A1 Excavations	24	\$120.00
17	David & Karen Colleton	33	\$123.20
18	Col Moore and Sons	33	\$130.00
18	Col Moore and Sons	33	\$130.00
18	Col Moore and Sons	33	\$130.00
18	Col Moore and Sons	33	\$130.00
19	Shackell Haulage	31.5	\$132.00
20	Gary David Marshall	T.B.A.	\$135.00
21	Brims Earthmoving Pty Ltd	32	\$137.50

Truck with 500mm Rock Rate

Ranking	Name	Truck Capacity	Truck w/500mm dia Rock Rate
1	CM & SM Fraser Pty Ltd	13.5	\$65.00
1	CM & SM Fraser Pty Ltd	13.5	\$65.00
2	Bernard Wayne Leveridge	11.5	\$70.00
3	Keith Dunn Earthmoving	12	\$75.90
4	Col Moore and Sons	14	\$77.00
4	Col Moore and Sons	14	\$77.00
5	Cam Earthworx	12	\$84.70
6	Christopher Leon Reeve	12	\$85.00
7	Dennis Davies	12	\$88.00
8	Warren Richard Ambrose	13.5	\$90.00
8	Christopher Leon Reeve	12	\$90.00
8	Christopher Leon Reeve	13	\$90.00
9	Vos Flemming Pty Ltd	11.8	\$94.00
10	Darrell Keith Porter	12	\$95.00
11	Robert William Clapham	12	\$99.00
12	Carool Water	13	\$100.00
12	Carool Water	13	\$100.00
12	Carool Water	13	\$100.00
12	Carool Water	13	\$100.00
12	Steven John Currant	13.5	\$100.00
13	Stacka Enterprises	13.5	\$105.60
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
15	Hardy's Excavations Pty Ltd	12.5	\$110.00
15	O'Keeffe Quarries	12.5	\$110.00
15	Christopher Glen Wilson	13	\$110.00
15	Gary David Marshall	13.21	\$110.00

15	Geoffrey Neil Barnard	14	\$110.00
16	Mathew James Milsom	13	\$115.00
17	Beacon Trust Tipper Hire	13	\$120.00
17	Shackell Haulage	12	\$120.00
18	Mark O'Keeffe Tipper Hire	12.5	\$130.00
19	Byrnesys A1 Excavations	12	\$140.00
20	Brian Jeffery Booth	12.3	\$200.00
20	Peter Lawler	13	\$200.00
20	Peter Lawler	13	\$200.00
20	Mark Andrew Piper and Jennifer Jane Piper	13	\$200.00
20	Mark Andrew Piper and Jennifer Jane Piper	13	\$200.00

Semi Tipper A Rate

Ranking	Name	Semi-Tipper Capacity	Semi-Tipper A Rate
1	CM & SM Fraser Pty Ltd	na	\$99.00
2	Ian Tagget Earthmoving	22	\$105.00
2	Ian Tagget Earthmoving	22	\$105.00
2	Ian Tagget Earthmoving	22	\$105.00
2	Ian Tagget Earthmoving	22	\$105.00
2	Ian Tagget Earthmoving	22	\$105.00
3	Byrnesys A1 Excavations	25	\$120.00
3	Peter Lawler	28.5	\$120.00
4	Carool Water	28.5	\$150.00
4	Carool Water	28.5	\$150.00
4	Carool Water	28.5	\$150.00
4	Carool Water	28.5	\$150.00
4	Peter Lawler	28	\$150.00
4	Mark Andrew Piper and Jennifer Jane Piper	28	\$150.00
4	Mark Andrew Piper and Jennifer Jane Piper	24	\$150.00

86 COUNCIL DECISION:

Administrator Boyd
Administrator Willan

RESOLVED that the recommendations of the Operations Committee held Tuesday 29 May 2007 be adopted.

be rescinded.

FOR VOTE - Unanimous

5 [NOM] EC2007-007 Tenders for the Supply of Contract Truck Haulage

NOTICE OF MOTION:

107 COUNCIL DECISION:

**Administrator Boyd
Administrator Willan**

RESOLVED that:

1. The Information Report under the Heading "Supporting Information" herein, regarding EC2007-007 Tenders for the Supply of contract Truck Haulage, be received and noted.
2. Contracts for Contract EC2007-007 Truck Haulage for the period 1 July 2007 until 30 June 2009 be offered to the following tenderers :-

Small Truck

Ranking	Name	Truck CC
1	Harding's Earthmoving	7.5
2	Road Tech and Environmental Services	7.5
3	Karen Joy Porter	8
4	Hardy's Excavations Pty Ltd	11

11.5 – 15 Tonne A Rate

Ranking	Name	Truck CC
1	CM & SM Fraser Pty Ltd	13.5
1	Carool Water	13
1	Carool Water	13
1	Carool Water	13
1	Carool Water	13
1	Brett Backhouse	12
2	O'Keefe Quarries	12.5
3	Bernard Wayne Leveridge	11.5
3	CM & SM Fraser Pty Ltd	13.5
3	John Kenneth Leeman	12.5
4	Steven John Currant	13.5
4	Hardings	12
4	Hardings	12
4	Hardings	12
5	Craig James Ryan	12.5
5	Craig James Ryan	13.75
5	Gary William Mortimer	12.4
6	Brian Jeffery Booth	12.3
7	Darrell Keith Porter	12
7	Christopher Glen Wilson	13
8	Jake Sydney Stanborough	14
8	Cam Earthworx	12.5
8	Col Moore and Sons	14
8	Col Moore and Sons	14
9	Mathew James Milsom	13
9	Gary David Marshall	13.21
10	Brims' Coaches Pty Ltd	12.7
11	Mark O'Keefe Tipper Hire	12.5

11	Dennis Davies	12
11	Robert Barry Turner & Leone Joy Turner	14
11	Robert Barry Turner & Leone Joy Turner	14
12	Beacon Trust Tipper Hire	13
12	Beacon Trust Tipper Hire	12
13	Sutton Excavations	12
13	Sutton Excavations	12
14	Warren Richard Ambrose	13.5
14	Peter Lawler	13
14	Christopher Leon Reeve	12
14	Mark Andrew Piper and Jennifer Jane Piper	13
14	Hardings Earthmoving	13.4
14	Hardings Earthmoving	13.4
14	Hardings Earthmoving	13.4
15	Brims' Coaches Pty Ltd	12.7
15	David & Karen Colleton	13
15	Stephen John Pont	12.38
16	Christopher Leon Reeve	12
16	Christopher Leon Reeve	13
17	Keith Dunn Earthmoving	12
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
19	Col Moore and Sons	13
19	Col Moore and Sons	13
19	Col Moore and Sons	12
19	Col Moore and Sons	13
19	Col Moore and Sons	12
19	Col Moore and Sons	12
20	Byrnesys A1 Excavations	12
21	Hardy's Excavations Pty Ltd	12.5
21	Stacka Enterprises	13.5
21	Geoffrey Neil Barnard	14
21	Shackell Haulage	12
21	Vos Flemming Pty Ltd	11.8
22	Francis John Karam	13

Truck and Dog A Rate

Ranking	Name	Truck & Dog CC
1	CM & SM Fraser Pty Ltd	33.5
1	Carool Water	28.5
2	Hardings Earthmoving	25.5
3	O'Keeffe Quarries	30
4	CM & SM Fraser Pty Ltd	33.5
5	Brims' Coaches Pty Ltd	32.7
6	Cam Earthworx	30
7	Mark O'Keeffe Tipper Hire	32.5
7	Sutton Excavations	25.5
8	Steven John Currant	29
9	Christopher Leon Reeve	26
9	Peter Lawler	32.5
9	Mark Andrew Piper and Jennifer Jane Piper	28
9	Hardings Earthmoving	32.4
9	Hardings Earthmoving	32.4
9	Hardings Earthmoving	32.4
10	Brims' Coaches Pty Ltd	32.7
11	Ian Tagget Earthmoving	25

11	Ian Tagget Earthmoving	25
11	Ian Tagget Earthmoving	25
11	Ian Tagget Earthmoving	25
11	Ian Tagget Earthmoving	25
11	Christopher Leon Reeve	26
11	Christopher Leon Reeve	27.5
12	Col Moore and Sons	33
12	Col Moore and Sons	33
13	Sutton Excavations	31
14	Stacka Enterprises	31
15	David & Karen Colleton	33
16	Col Moore and Sons	33
16	Col Moore and Sons	33
16	Col Moore and Sons	33
16	Col Moore and Sons	33
17	Shackell Haulage	31.5

Truck with 500mm Rock Rate

Ranking	Name	Truck CC
1	CM & SM Fraser Pty Ltd	13.5
1	CM & SM Fraser Pty Ltd	13.5
2	Bernard Wayne Leveridge	11.5
3	Keith Dunn Earthmoving	12
4	Col Moore and Sons	14
4	Col Moore and Sons	14
5	Gary William Mortimer	12.4
6	Christopher Leon Reeve	12
7	Dennis Davies	12
8	Warren Richard Ambrose	13.5
8	Christopher Leon Reeve	12
8	Christopher Leon Reeve	13
9	Vos Flemming Pty Ltd	11.8
10	Darrell Keith Porter	12
11	Robert Barry Turner & Leone Joy Turner	14
11	Stephen John Pont	12.38
12	Carool Water	13
12	Carool Water	13
12	Carool Water	13
12	Carool Water	13
12	Steven John Currant	13.5
13	Stacka Enterprises	13.5
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
15	Hardy's Excavations Pty Ltd	12.5
15	O'Keeffe Quarries	12.5
15	Gary David Marshall	13.21
15	Geoffrey Neil Barnard	14
15	Hardings Earthmoving	13
16	Mathew James Milsom	13
17	Beacon Trust Tipper Hire	13
17	Shackell Haulage	12
18	Mark O'Keeffe Tipper Hire	12.5
19	Byrnesys A1 Excavations	25
20	Brian Jeffery Booth	12.3
20	Peter Lawler	13
20	Mark Andrew Piper and Jennifer Jane Piper	13

20	John Kenneth Leeman	12.5
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Semi Tipper A Rate

Ranking	Name	Semi-Tipper CC
1	Carool Water	29
2	Hardings Earthmoving	24
3	CM & SM Fraser Pty Ltd	N/A
4	Col Moore and Sons	26.3
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
6	Byrnesys A1 Excavations	25

3. The Attachment, to this report, be treated as Confidential in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

FOR VOTE - Unanimous

6 [NOR] Notice of Rescission - [EO-OC] EC2007-008 Contract Plant Hire

NOTICE OF RESCISSION:

108 COUNCIL DECISION:

**Administrator Boyd
Administrator Willan**

RESOLVED that Minute No O 132 of the Operations Committee Meeting held 29 May 2007, endorsed by Minute No 86 of the Council Meeting held 29 May 2007 being:

O8 [EO-OC] EC2007-008 Contract Plant Hire

O 1 COMMITTEE DECISION:

**Administrator Boyd
Administrator Willan**

RECOMMENDED that the following tenderers be offered contracts for the hire of contract plant for the period 10 July 2007 until 30 June 2009:-

FRONT END LOADERS / BACKHOE

Rank	Tenderer	A Rate/ per Hr
1	Cabarita Backhoe Hire	\$65.89
2	Hamers Hoe Hire	\$70.00
3	Shaun Hugh O'Keefe	\$85.00
4	Hardy's Excavations Pty Ltd	\$88.00
4	Hardy's Excavations Pty Ltd	\$88.00
5	Hardy's Excavations Pty Ltd	\$93.00
<i>Front End Loaders</i>		
1	Robert Barry & Leone Joy Turner	\$88.00
2	Kevin John & Karen Joy Porter	\$72.00

SKID STEER LOADER & ATTACHMENTS

Rank	Tenderer	A Rate/ per Hr
1	Cam Earthworks	\$53.45
2	G.S.M. Bobcat Hire	\$53.90
3	Road Tech Environmental Services	\$54.00
4	Cam Earthworks	\$54.50
5	Darren Perandis	\$55.00
5	Brett Backhouse	\$55.00
6	Total Hire	\$60.00
7	Peter Lawler	\$62.00
8	CM & SM Fraser	\$65.00
9	All Action Earthmoving	\$72.00
10	Maccas Crane Hire	\$73.36
11	Dean Rayner	\$73.40
12	Victor Bianchetti	\$75.00
13	Hardy's Excavations	\$77.00
14	Greg Reeve	\$80.00
15	Clough Bros – No Broom	\$80.00
16	Clough Bros – No Broom	\$80.00
17	Byrnesy's Excavation – No Broom	\$82.00
18	Clough Bros – No Broom	\$84.00
19	Alphabets Bobcat & Tipper Hire	\$88.00
20	All Action Earth Moving	\$95.00

EXCAVATORS

Mini 1- 3 Tonne

Rank	Tenderers	A Rate / Per Hr
1	Macca's Crane	\$68.64
2	Hardy's Excavations	\$77.00

3 Tonne

Rank	Tenderers	A Rate / Per Hr
1	Kevin John and Karen Joy Porter	\$60.00
2	Gary David Marshall	\$63.50
3	G & K Neilson	\$68.00
4	Cam Earthworx	\$53.00 (No Att)
5	Clough Bros	\$115.50
6	Tyco Water	\$100.00

5 Tonne		
Rank	Tenderer	A Rate / Per Hr
1	Road Tech and Environmental Services	\$50.00
2	L.J & S.J Hall	\$53.50
3	Road Tech and Environmental Services	\$56.00
4	All Action Earthmoving	\$59.90 Min 4 Hrs
5	Banora Excavations	\$60.00 - Nth Area Only
6	Murnane Earthmoving Pty Ltd	\$62.00
7	Murnane Earthmoving Pty Ltd	\$67.00
8	Hardings Earthmoving	\$68.00
9	Darren Rochford	\$75.00
9	V & S Flemming Py Ltd	\$75.00
10	Keith Dunn Earthmoving	\$77.00
11	Sutton Excavation	\$78.00
12	Maca's Cane and Border Hire Pty. Ltd.	\$80.08
12 Tonne		
Rank	Tenderer	A Rate / Per Hr
1	Robert Barry & Leone Joy Turner	\$66.00
2	Brett Backhouse	\$77.00
3	O'Keefe earthmoving	\$80.00
4	Darrell Porter	\$86.00
5	V&S Flemming Py Ltd	\$88.00
6	Ian Tagget Earthmoving	\$90.00
20 Tonne		
Rank	Tenderer	A Rate / Per Hr
1	Murnane Earthmoving Pty Ltd	\$82.00
2	O'Keefe earthmoving	\$88.00
2	Robert Barry & Leone Joy Turner	\$88.00
3	CM & SM Fraser Pty Ltd	\$89.90
3	Doug Quinn	\$90.00
4	V&S Flemming Py Ltd	\$92.00
5	Keith Dunn Earthmoving	\$93.50
6	Hardings Earthmoving	\$99.00
7	Ian Tagget Earthmoving	\$100.00
8	Ian Tagget Earthmoving	\$110.00
8	Byrnesy's A1 Excavations Pty Ltd	\$110.00
30 Tonne		
Rank	Tenderer	A Rate / Per Hr
1	O'Keefe Quarries Pty Ltd	\$110.00
2	Clough Bros	\$125.50
2	Ian Tagget Earthmoving	\$125.00
3	On-Trax Crushing & Screening	\$126.50
4	Byrnesy's A1 Excavations Pty Ltd	\$132.00
5	CM & SM Fraser Pty Ltd	\$135.00

ROLLERS

2 - 4 Tonne Twin Drum Vib (CC10)

Rank	Tenderer	A Rate Per Day + Transport
1	Coates Hire Operations Pty Ltd	\$121.51
2	Hakka Hire	\$150.00
3	Robert Barry & Leone Joy Turner	\$154.00
4	Remo Plain	\$145.00
5	Twin City Hire	\$132.00
6	Conplant Ammann Australia	\$165.00

Vib Flat Drum 10-20 Te

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$242.00
2	Dymar Plant Hire Pty Ltd	\$286.00
3	Remoplains Pty Ltd	\$308.00
4	Coates Hire Operations Pty Ltd	\$375.37

Double Drum 10 - 20 Te

Rank	Tenderer	A Rate Per Day + Transport
1	Coates Hire Operations Pty Ltd	\$195.05
2	Robert Barry & Leone Joy Turner	\$242.00
3	Remoplains Pty Ltd	\$260.00
4	National Hire	\$290.00
5	Dymar Plant Hire Pty Ltd	\$297.00
6	Conplant Ammann Australia	\$308.00

8 - 26 Te Padfoot

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$264.00
2	Coates Hire Operations Pty Ltd	\$285.43
3	National Hire	\$290.00
4	Remoplains Pty Ltd	\$308.00
5	Dymar Plant Hire Pty Ltd	\$330.00
6	Hardings Earthmoving	\$90.00
7	Robert Barry & Leone Joy Turner	\$242.00

10 - 27 Te Multi Tyred

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$231.00
2	Remoplains Pty Ltd	\$245.00
3	Dymar Plant Hire Pty Ltd	\$275.00
4	National Hire	\$340.00
5	Coates Hire Operations Pty Ltd	\$390.60

17 - 21 Te 3Pt Roller

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$198.00
1	Dymar Plant Hire Pty Ltd	\$198.00
2	Robert Barry & Leone Joy Turner	\$200.00
3	Coats Hire Operations	\$230.00

Compactor 17 - 30 Te

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate Per Day + Transport</i>
1	Coates Hire Operations Pty Ltd	\$270.55
2	Dymar Plant Hire Pty Ltd	\$605.00
3	Remoplains Pty Ltd	\$682.00
4	Conplant Ammann Australia	\$704.00

CRANES

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / Per Hr</i>
1	Maca's Crane Hire Pty. Ltd. - 2.5 Te	\$120.00
	Franna	\$104.66
2	Gold Coast Cranes Franna	\$120.00
	All Terrain 40 Te	\$155
3	Victor Bianchetti 8 Te	\$98.00

Crane Truck

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / Per Hr</i>
1	Gary Arnold 1.6 Te	\$82.50
2	Maca's Crane Hire 1.6 Te	\$99.00
3	Gregory Reeve 1.0 Te	\$66.00

Tilt Tray Trucks

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / Per Hr</i>
1	Murnane Earthmoving Pty Ltd	\$66.00
2	Murwillumbah Truck Centre	\$79.20
3	Maca's Crane hire	\$80.08

CONCRETE PUMPS

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / Per Hr</i>
1	Coastcrete Concrete Pumping	Unit rates

RUBBER TYRED TRACTORS & ATTACHMENTS

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate</i>
1	Craig King	\$45.00
2	Graeme Farrell – 110 HP	\$50.00
3	Graeme Farrell - 80 HP	\$50.00
4	David and Karen Colleton	\$56.10
5	Murnane Earthmoving Pty Ltd	\$58.00
6	Murnane Earthmoving Pty Ltd	\$58.00
7	David and Karen Colleton	\$58.30

LOW LOADERS

Low Loaders

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate /Per Hr</i>
1	Hardings Earthmoving	\$120.00
2	Ian Tagget Earthmoving	\$120.00
3	Byrnesy's A1 Excavations Pty Ltd	\$132.00

WATER TRUCKS

Single Axle

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate/ Per Hr</i>
1	J.L. Wise Water Carrying	\$46.00
2	MA & JJ Piper	\$52.00
3	Tweed Valley Water Supplies x 2	\$55.00
3	Tweed Valley Water Supplies	\$55.00

Dual Axle

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / per Hr</i>
1	Brims Coaches Pty Ltd	\$50.60
2	Gary Arnold	\$50.60
3	C&S Fraser	\$51.50
3	Carool Water	\$54.00
3	Carool Water	\$55.00
3	Carool Water	\$57.00
4	MA & JJ Piper	\$56.00
5	Tweed Valley Water Supplies x 2	\$58.00
6	C&P Reeve	\$60.00
7	C&P Reeve	\$65.00
8	B&L Turner	\$66.0
9	Hardinga	\$66.00

UTES

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate /Per Day</i>
1	Network Rentals	\$39.00
2	Murwillumbah Truck Centre	\$51.48
3	Budget	\$58.08

PIPE CLEANING EQUIPMENT & CAMERAS

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate</i>
1	Trans Pacific Industrial Solutions	Unit Rates
2	Barry Bros	Unit Rates
3	Pipe Vision Australia	Unit Rates

BOOM TYPE FLAIL MOWERS & SAWS

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate</i>
1	Eastcoast Slope Mowers and Slashers	\$70.00

TREE MULCHING MACHINERY & GANG

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate/ per Hr</i>
1	Victor Bianchetti – Truck, Chipper & C 'saw Op	\$155
2	Road Tech Environmental Services	Unit Rates
3	Tallow Tree Services	Unit Rates

MILLING & PROFILER MACHINE & ATTACHMENTS

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate/ per Hr</i>
1	W.D Enterprises P/L – 1000 mm Wide	\$374.00
	W.D Enterprises P/L – 1300 mm Wide	\$412.00

SMALL PLANT ITEMS

Rank	Tenderer	A Rate
1	Twin City Hire	Unit Rates
2	Coates Hire	Unit Rates
3	Hakka Hire	Unit Rates

VARIABLE MESSAGE BOARD & PORTABLE TRAFFIC SIGNALS

Rank	Tenderer	Rate Per Day VMB	Rate Per Traffic Signals
1	Ezi - Light	\$77.78	\$110.20
2	National Hire	\$112.53	\$157.90
3	Coates Hire	\$150.00	\$160.00

86 COUNCIL DECISION:
Administrator Boyd
Administrator Willan

RESOLVED that the recommendations of the Operations Committee held Tuesday 29 May 2007 be adopted.

be rescinded.

FOR VOTE - Unanimous

7 [NOM] [EO-CM] EC2007-008 Contract Plant Hire

NOTICE OF MOTION:

109 COUNCIL DECISION:

Administrator Boyd
Administrator Willan

RESOLVED that:

1. The Information Report under the Heading "Supporting Information" herein, regarding [EO-OC] EC2007-008 Contract Plant Hire be received and noted.
2. Contracts for EC2007-008 Contract Plant Hire for the period 1 July 2007 until 30 June 2009 be offered to the following tenderers:-

Plant Hire

FRONT END LOADERS / BACKHOE

Rank	Tenderer
1	Cabarita Backhoe Hire
2	Hamers Hoe Hire
3	Shaun Hugh O'Keefe
4	Hardy's Excavations Pty Ltd
4	Hardy's Excavations Pty Ltd
5	Hardy's Excavations Pty Ltd
Front End Loaders	
1	Robert Barry & Leone Joy Turner
2	Kevin John & Karen Joy Porter
SKID STEER LOADER & ATTACHMENTS	
1	Cam Earthworks
2	G.S.M. Bobcat Hire
3	Road Tech Environmental Services
4	Cam Earthworks
5	Darren Perandis
5	Brett Backhouse
6	Total Hire
7	Peter Lawler
8	CM & SM Fraser
9	All Action Earthmoving
10	Maccas Crane Hire
11	Dean Rayner
12	Victor Bianchetti
13	Hardy's Excavations
14	Greg Reeve
15	Clough Bros – No Broom
16	Clough Bros – No Broom
17	Byrnesy's Excavation – No Broom
18	Clough Bros – No Broom
19	Alphabets Bobcat & Tipper Hire
20	All Action Earthmoving
EXCAVATORS	
Mini 1-3 Tonne	
1	Macca's Crane
2	Hardy's Excavations
3 Tonne	
1	Kevin John and Karen Joy Porter
2	Gary David Marshall
3	Cam Earthworx
4	Clough Bros
5	Tyco Water

5 Tonne	
1	Road Tech and Environmental Services
2	L.J & S.J Hall
3	Road Tech and Environmental Services
4	All Action Earthmoving
5	Banora Excavations
6	Murnane Earthmoving Pty Ltd
7	Murnane Earthmoving Pty Ltd
8	Hardings Earthmoving
9	Darren Rochford
9	V & S Flemming Pty Ltd
10	Keith Dunn Earthmoving
11	Sutton Excavation
12	Maca's Crane and Borer Hire Pty Ltd
12 Tonne	
1	Robert Barry & Leone Joy Turner
2	Brett Backhouse
3	O'Keefe Earthmoving
4	Darrell Porter
5	V&S Flemming Pty Ltd
6	Ian Tagget Earthmoving
20 Tonne	
1	Murnane Earthmoving Pty Ltd
2	O'Keefe Earthmoving
2	Robert Barry & Leone Joy Turner
3	CM & SM Fraser Pty Ltd
3	Doug Quinn
4	V&S Flemming Pty Ltd
5	Keith Dunn Earthmoving
6	Hardings Earthmoving
7	Ian Tagget Earthmoving
8	Ian Tagget Earthmoving
8	Byrnesy's A1 Excavations Pty Ltd
30 Tonne	
1	O'Keefe Quarries Pty Ltd
2	Clough Bros
2	Ian Tagget Earthmoving
3	On-Trax Crushing & Screening
4	Byrnesy's A1 Excavations Pty Ltd
5	CM & SM Fraser Pty Ltd
ROLLERS	
2 – 4 Tonne Twin Drum Vib (CC10)	
1	Coates Hire Operations Pty LTd
2	Hakka Hire
3	Robert Barry & Leone Joy Turner
3	Robert Barry & Leone Joy Turner
3	Robert Barry & Leone Joy Turner

4	Remo Plain
5	Twin City Hire
6	Conplant Ammann Australia
Vib Flat Drum 10-20 Tonne	
1	Conplant Ammann Australia
1	Robert Barry & Leone Joy Turner
2	Dymar Plant Hire Pty Ltd
3	Remo Plain
4	Coates Hire Operations Pty Ltd
Double Drum 10 – 20 Tonne	
1	Coates Hire Operations Pty Ltd
2	Remoplains Pty Ltd
3	National Hire
4	Dymar Plant Hire Pty Ltd
5	Conplant Ammann Australia
8 – 26 Tonne Padfoot A Rate	
1	Robert Barry & Leone Joy Turner
2	Hardings Earthmoving
8 – 26 Tonne Padfoot C Rate	
1	Robert Barry & Leone Joy Turner
2	Conplant Ammann Australia
3	Coates Hire Operations Pty Ltd
4	National Hire
5	Remo Plains
6	Dymar Plant Hire Pty Ltd
10 – 27 Tonne Multi Tyred	
1	Conplant Ammann Australia
2	Remoplains
3	Dymar Plant Hire Pty Ltd
4	National Hire
5	Coates Hire Operations Pty Ltd
17 – 21 Tonne 3Pt Roller	
1	Conplant Ammann Australia
1	Dymar Plant Hire Pty Ltd
2	Robert Barry & Leone Joy Turner
3	Coats Hire Operations
Compactor 17-30 Tonne	
1	Coates Hire Operations Pty Ltd
2	Dymar Plant Hire Pty Ltd
3	Remoplains
4	Conplant Ammann Australia
CRANES	
1	Macca's Crane Hire Pty Ltd –2.5 Te
	Franna
2	Gold Coast Cranes Franna
	All Terrain 40 Te
3	Victor Bianchetti 8 Te

Crane Truck	
1	Gary Arnold 1.6 Te
2	Maca's Crane Hire 1.6 Te
3	Gregory Reeve 1.0 Te
Tilt Tray Trucks	
1	Murnane Earthmoving Pty Ltd
2	Murwillumbah Truck Centre
3	Maca's Crane Hire
CONCRETE PUMPS	
1	Coastcrete Concrete Pumping
Rubber Tyred Tractors & Attachments	
1	Craig King
2	Graeme Farrell – 110 HP
3	Graeme Farrell – 80 HP
4	David and Karen Colleton
5	Murnane Earthmoving Pty Ltd
6	Murnane Earthmoving Pty Ltd
7	David and Karen Colleton
LOW LOADERS	
1	Hardings Earthmoving
2	Ian Tagget Earthmoving
3	Byrnesy's A1 Excavations Pty Ltd
WATER TRUCKS	
Single Axle	
1	J.L. Wise Water Carrying
2	Tweed Valley Water Supplies x 2
2	Tweed Valley Water Supplies
Dual Axle	
1	Brims Coaches Pty Ltd
2	Gary Arnold
3	C&S Fraser
3	Carool Water
3	Carool Water
3	Carool Water
4	MA & JJ Piper
5	Tweed Valley Water Supplies x 2
6	C&P Reeve
7	C&P Reeve
8	B&L Turner
9	Hardings
UTES	
1	Network Rentals
2	Murwillumbah Truck Centre
3	Budget

PIPE CLEANING EQUIPMENT & CAMERAS	
1	Trans Pacific Industrial Solutions
2	Barry Bros
3	Pipe Vision Australia
BOOM TYPE FLAIL MOWERS & SAWS	
1	Eastcoast Slope Mowers and Slashers
Tree Mulching Machinery & Gang	
1	Victor Bianchetti, Truck, Chipper & C'saw Op
2	Road Tech Environmental Services
3	Tallow Tree Services
MILLING & PROFILER MACHINE & ATTACHMENTS	
1	W.D Enterprises P/L – 1000 mm Wide
	W.D Enterprises P/L – 1300 mm Wide
VARIABLE MESSAGE BOARD & PORTABLE TRAFFIC SIGNALS	
1	Ezi – Light
2	National Hire
3	Coates Hire
Concrete Cutters	
1	A Grade Concrete Cutting
SMALL PLANT ITEMS	
1	Twin City Hire
2	Coates Hire
3	Hakka Hire

3. The Attachment, to this report, be treated as Confidential in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

FOR VOTE - Unanimous

QUESTION TIME

Nil.

RETIREMENT OF COUNCIL'S CIVIC LIAISON OFFICER

Administrators Payne, Willan and Boyd thanked Council's Civic Liaison Officer, Mrs Marilyn Smith, for her service to Council over the years and wished her the best on her upcoming retirement.

COMMITTEE OF THE WHOLE

110 COUNCIL DECISION:

Administrator Payne

Administrator Willan

RESOLVED that Council resolves itself into a Confidential Committee of the Whole 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

FOR VOTE - Unanimous

The General Manager reported that the Confidential Committee of the Whole 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 FROM THE DIRECTOR ENGINEERING & OPERATIONS

REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS

1 [EO-CM] Kingscliff Sewage Treatment Plant

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) 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 37 COMMITTEE DECISION:

That Council adopts Option 1 as detailed in the body of the report.

FOR VOTE - Unanimous

111 COUNCIL DECISION:

**Administrator Payne
Administrator Willan**

RESOLVED that the recommendations of the Confidential Committee of the Whole be adopted.

FOR VOTE - Unanimous

There being no further business the Meeting terminated at 7.08pm

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**Minutes of Meeting Confirmed by Council
at Meeting held**

Chairman