

The Meeting commenced at 4.30pm.

## **IN ATTENDANCE**

Administrators Mr Garry Payne (Chairman), 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, Rev. Andrew Unwin.

*Eternal God, you are the one who governs all things in heaven and on earth,  
Hear us as we come before you to pray for our country and all those who live here.*

*As your word encourages us, we pray for those who You have given authority to.  
We pray that you will guide their thoughts and actions that they may serve us with true Christian compassion. Strengthen them in their resolve to care for every member of our community regardless of who they are.*

*Remove every hindrance to the advancement of our peoples that in love we might find unity in our community. We pray that you will give us tolerance and acceptance of each other and that peace will spread through our valley.*

*We ask this to the glory of your name through Jesus your Son.*

*Amen.*

## CONFIRMATION OF MINUTES

### Minutes of the Ordinary and Confidential Council Meetings held Tuesday 13 November 2007

#### 187 COUNCIL DECISION:

Administrator Payne  
Administrator Boyd

**RESOLVED** that the Minutes of the Ordinary and Confidential Council Meetings held 13 November 2007 be adopted as a true and accurate record of proceedings of that meeting with the inclusion of the following amendments:

#### PLANNING COMMITTEE

##### Minute No P107

**P3 [PR-PC] Development Application DA07/0547 for a Three (3) Storey Commercial Building Including Café at Lot 11 DP 21242; Lot 1 DP 397057; Lot 1 DP 781718, No. 38-42 Pearl Street, Kingscliff**

A review of the conditions approved at the Meeting held 13 November 2007 indicates that incorrect existing credit was calculated for contributions resulting in an incorrect contribution. Conditions 11 and 12 should now read:

#### 11. 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:<br>S94 Plan No. 4 (Version 4.0)<br>Sector6_4 | <b>\$142,610.00</b> |
| (b) West Kingscliff - Drainage:  |                     |

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0.0743 ha @ \$32708 DCP No. 9 S94 Plan No. 7	\$2,430.20
(c) Extensions to Council Administration Offices & Technical Support Facilities S94 Plan No. 18	\$8,787.72

[PCC0215/PSC0175]

12. 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 DSP5:	<b>14.293 ET @ \$9997</b>	<b>\$142,917</b>
Sewer Kingscliff:	<b>24.54 ET @ \$4804</b>	<b>\$117,924</b>

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/PSC0165]

and

### Minute No P108

#### **P4 [PR-PC] Development Application DA07/0232 for Factory Units at Lot 666 DP 1094312, No. 57-61 Ourimbah Road, Tweed Heads**

A review of the conditions indicated that the incorrect sector has been used in Condition 26 resulting in an incorrect contribution figure. Condition 26 is to be amended to read as follows:

#### 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:<br>S94 Plan No. 4 (Version 4.0)<br><b>Sector1_4</b>                 | <b>\$61,820.00</b> |
| (b) Extensions to Council Administration Offices<br>& Technical Support Facilities<br>S94 Plan No. 18 | \$2,015.17         |

[PCC0215/PSC0175]

**FOR VOTE - Unanimous**

## **APOLOGIES**

Nil.

## **DISCLOSURE OF INTEREST**

Nil.

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

Nil.

## **PLANNING COMMITTEE**

### **188 COUNCIL DECISION:**

**Administrator Payne  
Administrator Boyd**

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

***FOR VOTE - Unanimous***

**REPORTS THROUGH GENERAL MANAGER**

**REPORTS FROM DIRECTOR PLANNING & REGULATION**

**P1 [PR-PC] Section 96 Application DA07/0274.04 for an Amendment to Development Consent DA07/0274 for Alterations & Additions to Dwelling & 1.8m High Front Fence at Lot 104 DP 246488, No. 16 Compass Way, Tweed Heads**

The following person addressed the Planning Committee on this item:

Mr John Preston

**P 113 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that Section 96 Application DA07/0274.04 for an amendment to Development Consent DA07/0274 for alterations & additions to dwelling & 1.8m high front fence at Lot 104 DP 246488, No. 16 Compass Way, Tweed Heads be refused for the following reasons: -

1. The proposed development is not consistent with Council's policy for minor dwelling additions in flood prone areas.
2. Approval of such a development would create an undesirable precedent.

***FOR VOTE - Unanimous***

**P2 [PR-PC] Section 96 Application DA05/0308.16 for an Amendment to Development Consent DA05/0308 for a Staged Residential Subdivision (3 Stages) Comprising 89 Single Dwelling Lots, 7 Duplex Blocks, 1 Drainage Reserve, 1 Residue Lot & 2 Public Reserves at Lo**

The following person addressed the Planning Committee on this item:

Mrs Diana Ericksen

**P 114 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that this item be deferred.

***FOR VOTE - Unanimous***

**P3 [PR-PC] Section 96 Application DA02/1983.12 for an Amendment to Development Consent DA02/1983 for the Use of Property for Filming and Producing a Television Program at Lot 74, 77, 93 DP 755715, Dungay Creek Road, Dungay**

**P 115 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that Section 96 Application DA02/1983.12 for an amendment to Development Consent DA02/1983 for the use of property for filming and producing a television program at Lot 74, 77, 93 DP 755715, Dungay Creek Road, Dungay be approved subject to the following conditions being amended: -

1. Amend the Consent to state at the end:

The consent to expire on 1 June 2011

2. Add two new conditions as follows:

- 1B. Prior to commencement of filming in the 2008/2009 Filming Session the applicant is to provide to Council a further flora and fauna assessment and a Plan of Management to address any environmental impacts from the filming activities for the duration of the consent. The assessment report is to include consultation with the Department of the Environment & Climate Change.

- 1C. Prior to commencement of the filming in the 2008/2009 Filming Session the applicant is to obtain a current approval to operate an on-site sewerage management system.

3. Council acknowledges that Conditions 34B and 34C have not been enforced for the current filming season as Granada have been liaising directly with persons with concerns. If the matter has required Council involvement Granada have contacted Council and sought resolutions as required. This process appears to be working better than last years process which did involve compliance with conditions 34B and 34C.

Therefore it is recommended to amend conditions 34B and 34C to read as follows:

- 34B. Should Council receive complaints regarding use of the subject site Council can instigate the commencement of a Community Liaison Committee that consists of a representative of the local community, a

representative of Granada Productions Pty Ltd, representatives from Council's Planning and Development Division, Environment and Community Services Division and Engineering and Operations Division. This Committee could monitor the performance of the Management Plan referred to in Condition 34A.

- 34C. If the Community Liaison Committee is formed a community liaison officer and community contact phone number shall be available on a 24 hour basis on the days of the production (including 24 hours pre and post the commencement of the production). Details of the name of the contact person and the contact telephone number must be provided to Council, locally advertised and affected residents notified of these details by means of an individual letter drop to each household.

**FOR VOTE - Unanimous**

**P4 [PR-PC] Section 96 Application DA07/0457.03 for an Amendment to Development Consent DA07/0457 for Demolition of an Existing Building & Erection of a McDonald's Restaurant at Lot 1 DP 543048; Lot 1 DP 781505; Lot 723 DP 820649, No. 63 Minjungbal Drive**

The following person addressed the Planning Committee on this item:

Mr Julian Bunting from URBIS representing McDonald's Restaurants

**P 116 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that Section 96 Application DA07/0457.03 for an amendment to Development Consent DA07/0457 for demolition of an existing building and erection of a McDonald's Restaurant at Lot 1 DP 543048; Lot 1 DP 781505; Lot 723 DP 820649, No. 63 Minjungbal Drive & Parry Street, Tweed Heads South be approved subject to the following amendments as follows:

1. Condition 21 be deleted and replaced with Condition 21A as follows:
  - 21A. *Prior to the Construction Certificate being issued, a Site Management Plan for the ongoing use and management of the site shall be prepared and submitted to the satisfaction of Council's General Manager or delegate. The Plan shall include but is not limited to the management of mechanical plant and associated equipment (particularly where noise levels can be altered), closure and management of the car park area between 12am and 5am daily, management of the Playland area, proposed site security including management of patrons and antisocial behaviour, monitoring and management of litter, and general site management.*

*The recommendations of the NSW Police Service (letter dated 3 September 2007) are to be incorporated into the Site Management Plan. The Site Management Plan shall detail how all of these recommendations are to be implemented.*

*The approved Site Management Plan shall be kept onsite and implemented upon commencement of restaurant operations.*

2. Condition 24 be amended as follows:

24A. 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) <i>Tweed Road Contribution Plan: S94 Plan No. 4 (Version 4.0) Sector2_4</i>	<u>\$95,094.14</u>
(b) <i>Extensions to Council Administration Offices &amp; Technical Support Facilities S94 Plan No. 18</i>	\$276.96

3. Condition 131 be deleted and replaced with Condition 131A as follows:

131A *The trading hours for the restaurant shall be limited to the following:*

- *24 hours, seven days a week for the drive through facility only.*
- *5am to 12 midnight, seven days a week for the internal and external dining areas and the car park area.*

4. The following new PCC condition be added:



*Prior to the issue of a Construction Certificate, details of the proposed barriers for the car park area are to be prepared and submitted to the satisfaction of Council's General Manager or delegate.*

5. The following new USE condition be added:

*Physical closure of the car park area by use of substantial barriers to the satisfaction of Council's General Manager or delegate shall occur from 12 midnight to 5am, seven days a week.*

**FOR VOTE - Unanimous**

**P 117 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

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

**FOR VOTE - Unanimous**

**189 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Payne**

**RESOLVED** that the recommendations of the Planning Committee held Tuesday 4 December 2007 be adopted.

**FOR VOTE - Unanimous**

**OPERATIONS COMMITTEE**

**190 COUNCIL DECISION:**

**Administrator Payne  
Administrator Boyd**

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

**FOR VOTE - Unanimous**

## REPORTS THROUGH THE GENERAL MANAGER

### **O1 [GM-OC] Tweed Economic Development Corporation (TEDC) Audited Financial Report - Financial Year 2006/2007 and Quarterly Financial Report July to September 2007**

#### **O 318 COMMITTEE DECISION:**

**Administrator Payne  
Administrator Boyd**

**RECOMMENDED** that Council receives and notes the:

1. Audited financial statements from Tweed Economic Development Corporation for the financial year 2006/2007,
2. Quarterly financial report from Tweed Economic Development Corporation for the quarter 1 July to 30 September 2007.

***FOR VOTE - Unanimous***

#### **LATE ITEM**

#### **O 319 COUNCIL DECISION:**

**Administrator Payne  
Administrator Boyd**

**RESOLVED** that Item aO1 being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

***FOR VOTE - Unanimous***

### **aO1 [GM-OC] Chinderah Bay Drive, Chinderah**

#### **O 320 COMMITTEE DECISION:**

**Administrator Payne  
Administrator Boyd**

**RECOMMENDED** that Council:

1. Enters into negotiations with Hutchinson Builders for a separate agreement over Lots 3, 5 and 7 in DP 1080842 whereby Council buy back these foreshore parcels should development not occur within a negotiated period;
2. Should negotiations fail to reach agreement between Council and Hutchinson Builders prior to the option exercise date of 15 January 2008,

then the General Manager is authorised to exercise the option after 15 January 2008 and before 14 February 2008;

3. Agrees to the transfer of the lease over Lots 2, 4, 6 and 8 in DP 1080842 between Council and Riverpoint Pty Ltd to Hutchinson Builders; and
4. All documentation be executed under the Common Seal of Council.

**FOR VOTE - Unanimous**

**O2 [EO-OC] Proposed Cycleway between Shearwater Parade and Blue Waters Crescent, Tweed Heads West**

**O 321 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that Council:-

1. Approves the construction of a boardwalk and cycleway from Blue Waters Crescent to Shearwater Parade, Tweed Heads West; and
2. Votes \$55,000 from the Kennedy Drive Sewer rising main project and \$55,000 from the loan funded capital works program to construct the proposed boardwalk and cycleway.

**FOR VOTE - Unanimous**

**O3 [EO-OC] Natural Disaster Mitigation Program Grant Funding 2007/2008**

**O 322 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Payne**

**RESOLVED** that Council formally accepts the following grant funding in accordance with the standard Natural Disaster Mitigation Program funding agreement and provides the necessary amount to match the Government grants from its 2007/08 allocation for each project:-

Grant Program	Project	Funding Ratio	Total Grant Funding	Required Council Funding
Natural Disaster Mitigation Program (Commonwealth and State funding)	South Murwillumbah Levee Repairs	1:1:1	\$80,000	\$40,000
Natural Disaster Mitigation Program (Commonwealth and State funding)	Tweed Shire Coastal Creeks Flood Study	1:1:1	\$100,000	\$50,000
Natural Disaster Mitigation Program (Commonwealth and State funding)	Tweed Valley Risk Management Study and Plan	1:1:1	\$80,000	\$40,000

**FOR VOTE - Unanimous**

**O4 [EO-OC] Application to Close and Purchase Part of Road Reserve - Kyogle Road, Byangum**

**O 323 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that:-

1. Council approves the closure of the road reserve, which runs between Lot 1 in DP 1103150 and Lot 108 in DP 755702;
2. The applicant bears all the survey and legal costs and purchases the subject land as determined in value by a local registered valuer;
3. The title of the closed road be consolidated with the adjacent land at the applicants cost;
4. Easements be created over public authority reticulation services, if any;
5. The applicant bears all future liability in the event of any possible land contamination as a result of the adjacent Dip Site known as Byangum Dip; and
6. All necessary documentation be executed under Common Seal of Council.

**FOR VOTE - Unanimous**

**O5 [EO-OC] Contract EC2007-111 - Piling for Giddys Bridge over Bilambil Creek, Urliup Road, Bilambil****O 324 COMMITTEE DECISION:****Administrator Boyd  
Administrator Payne****RECOMMENDED that:**

1. The tender from Davbridge Constructions be accepted for the value of \$158,180.00 (excluding GST).
2. The General Manager be given delegated authority to approve variations up to 10% of the contract value.
3. The ATTACHMENT 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*****O6 [EO-OC] Licence of Road Reserve – Murwillumbah Pistol Club – Wardrop Valley****O 325 COMMITTEE DECISION:****Administrator Boyd  
Administrator Payne****RECOMMENDED that**

1. Council resolves to enter into a collateral licence agreement with the Murwillumbah Pistol Club Inc for a term of five years and with an option for a further five years that runs with the lease to the Pistol Club;
2. All necessary documentation be executed under the Common Seal of Council.

***FOR VOTE - Unanimous***

**O7 [CNR-OC] Tweed Shire Community Safety Action Plan**

This item was withdrawn at the Meeting.

**O8 [CNR-OC] Request for "In Kind" Support/Waive Fee**

**O 326 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that Council, with reference to the request from Rotary Club of Tweed Heads South Inc, provides the Tweed Heads Civic Centre for a reduced fee of \$187.50 being 50% of the full fee of \$375 for the Rotary Art Show which was held on 28 to 30 September 2007.

***FOR VOTE - Unanimous***

**O9 [CNR-OC] Water Supply & Sewerage Performance Report 2005/2006**

**O 327 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that Council:-

1. Notes the Water Supply & Sewerage Performance Report for 2005/2006.
2. Places copies of the report at the Murwillumbah and Tweed Heads Civic Centres and advises of such in the Tweed Link.

***FOR VOTE - Unanimous***

**O10 [CNR-OC] EC2007-108 Sewer Rehabilitation – Various Locations**

**O 328 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that:

1. The tender from Insituform Pacific Pty Limited be accepted to the value of \$219,476.88 (excluding GST)

2. The General Manager be given delegated authority to approve variations up to 20% of the Contract value.
3. The ATTACHMENT 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***

**O 329 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

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

***FOR VOTE - Unanimous***

**191 COUNCIL DECISION:**

**Administrator Payne  
Administrator Boyd**

**RESOLVED** that the recommendations of the Operations Committee held Tuesday 4 December 2007 be adopted.

***FOR VOTE - Unanimous***

**SCHEDULE OF OUTSTANDING RESOLUTIONS**

Nil.

**ADMINISTRATOR'S MINUTE**

**[AM] Signing of Documents**

**192 COUNCIL DECISION:**

**Administrator Boyd**

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## **Administrator Payne**

**RESOLVED** that the information provided for the signing of documents 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**

Nil.

### **REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS**

Nil.

### **REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES**

Nil.

### **REPORTS FROM SUB-COMMITTEES/WORKING GROUPS**

- 1            **[SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 November 2007**

### **193 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that the:-

1. Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 November 2007 be received and noted; and



2. Director's recommendations be adopted as follows

**BUSINESS ARISING****BA3 Terms of Reference**

That:-

1. Council appoints Mrs Bakoi Boulton as a member of the Committee as one of the "two representatives from Tweed Aboriginal & Torres Strait Islander Community".
2. The Tweed Aboriginal advisory Committee be advised that the representation from the Tweed Byron Local Aboriginal Land Council is to be one person with an alternative as per the Terms of Reference.

**FOR VOTE - Unanimous**

- 2 **[SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 15 November 2007**

**194 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Payne**

**RECOMMENDED** that the:-

1. Minutes of the Local Traffic Committee Meeting held Thursday 15 November 2007 be received and noted; and
2. Director's recommendations be adopted as follows

**[LTC - A1] Hungerford Lane, Kingscliff**

That 'No Parking' signage be installed on the northern side of Hungerford Lane from Seaview Street to the Azura development basement car park entry.

**[LTC - A2] Gray Street, Tweed Heads West**

That 'No Parking' signage be installed on Gray Street, Tweed Heads West from the last driveway on the north western end to the entrance to the Council Depot.

**[LTC - A3] Bay Street Business Permit Parking**

That this matter be listed on the Outstanding Resolutions List.

**[LTC - A5] Leisure Drive, Banora Point**

That:-

1. A "No U-Turn" sign (B size) be installed on Leisure Drive at the centre median 50m east of Madeira Street.
2. A "Left Turn Only" sign be installed at the Leisure Drive entrance/exit from the Banora Central Shopping Centre.

**[LTC - B1] Banora Point Public School - Pioneer Parade Banora Point**

That the Committee has no objection to the location of the proposed car park driveway for the Banora Point Public School, subject to appropriate signage and linemarking being provided at the car park exit and at the Johnson Street, Pioneer Parade intersection.

***FOR VOTE - Unanimous***

**ORDERS OF THE DAY**

Nil.

**QUESTION TIME**

Nil.

**ADJOURNMENT OF MEETING**

Adjournment for to deal with the Community Access Session at 5.06pm.

**RESUMPTION OF MEETING**

The Meeting resumed at 5.18pm

**COMMITTEE OF THE WHOLE**

**195 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Payne**

**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:-

**CONFIDENTIAL ITEMS FOR CONSIDERATION**

**REPORTS THROUGH GENERAL MANAGER IN COMMITTEE**

**REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS**

**1 [EO-CM] Renaming Condong Street, Kunghur**

**REASON FOR CONFIDENTIALITY:**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors)

**C 55 COMMITTEE DECISION:**

That:-

1. Council publicises its intention to re-name Condong Street, Kunghur to Browns Lane, allowing one month for submissions and/or objections to the proposal; and
2. Council notifies the relevant authorities under the provisions of the Roads (General) Regulation 1994.

***FOR VOTE - Unanimous***

**2 [EO-CM] EQ2007-118 Expressions of Interest - Sale & Marketing of Council Properties**

**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 56 COMMITTEE DECISION:**

That Council enters into negotiations to engage CB Richard Ellis to market and sell the following Council commercial properties:

- (i) Proudfoots Lane site comprised of Lots 1 to 3 in DP 772254 and Lot 4 in DP 772202;
- (ii) Sunnyside Car Park comprised in Lot 1 in DP 709231; and
- (iii) Hastings Road, Bogangar comprised in Lot 3 in DP 842350; and

***FOR VOTE - Unanimous***

**196 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Payne**

**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 5.20pm



**Minutes of Meeting Confirmed by Council**

**at Meeting held .....**

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**Chairman**

