

ADDENDUM

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**REPORTS THROUGH THE ACTING GENERAL MANAGER**

**REPORTS FROM THE ACTING GENERAL MANAGER**

**a25 [GM-CM] Independent Local Government Review Panel - Future Directions for NSW Local Government supplementary submission**

**SUBMITTED BY: Acting General Manager**

Valid

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**Civic Leadership**

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**SUMMARY OF REPORT:**

Council at its meeting held 16 May 2013 resolved:

*"That Council submits this report and attachment titled 'Tweed Shire Council response to the Future Directions for NSW Local Government - Twenty Essential Steps - April 2013' to the Independent Local Government Review Panel."*

The Mayor and Senior Officers of the Council attended a consultation session with the Independent Local Government Review Panel Chairman, Professor Graham Sansom and other Northern Rivers Councils in Lismore on Tuesday 11 June 2013. Following discussions and other points raised at the consultation session, the attached supplementary submission provides further comments in relation to the 'Future Directions for NSW Local Government - Twenty Essential Steps - April 2013' document.

**RECOMMENDATION:**

**That Council submits the attachment titled 'Tweed Shire Council Supplementary response to the Future Directions for NSW Local Government - Twenty Essential Steps - April 2013' to the Independent Local Government Review Panel.**

**REPORT:**

The release of the Independent Local Government Review Panel document - *Future Directions for NSW Local Government - Twenty Essential Steps - April 2013* provides a series of draft local government reform proposals for consultation.

Council at its meeting held 16 May 2013 resolved:

*"That Council submits this report and attachment titled 'Tweed Shire Council response to the Future Directions for NSW Local Government - Twenty Essential Steps - April 2013' to the Independent Local Government Review Panel."*

The Mayor and Senior Officers of the Council attended a consultation session with the Independent Local Government Review Panel Chairman, Professor Graham Sansom and other Northern Rivers Councils in Lismore on Tuesday 11 June 2013. Following discussions and other points raised at the consultation session, the attached supplementary submission provides further comments in relation to the '*Future Directions for NSW Local Government - Twenty Essential Steps - April 2013*' document.

The supplementary comments within the supplementary report are highlighted in blue and can be summarised as:

**3. Keep the 'Local' in Local Government**

Position:

Another option could be the creation of three new entities (perhaps county council model) of similar standing within the Northern Rivers. This could comprise a Tweed Valley catchment council, a coastal council comprising Ballina and Byron and an inland council comprising Lismore, Richmond Valley and Kyogle. This would result in the new coastal entity having a population of 63,000 (est. 100,500 by 2036), the inland council having a population of 74,000 (est. 83,200 by 2036) and Tweed with a population of 90,000 (est. 132,000 by 2036). This could potentially achieve stronger communities of interest but still enhance strategic capacity and allow for resource sharing and joint projects between the three new entities.

Suggestions:

If the proposed County Council reforms are to be implemented it is imperative that the position of individual councils are protected and reflected in the voting rights and governance arrangements of the organisation. It is not acceptable that a shire of 9,000 residents will have the same voting rights as a shire of 90,000 residents as is currently the case with NOROC.

ADDENDUM

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## 6. Bolster the Revenue Base

### Position and Suggestions:

#### Developer Contributions - Planning White Paper

### 5. Local Infrastructure vs Regional Infrastructure

Local Infrastructure is defined as:

- Local roads
- Local drainage works
- Open space
- Community facilities

Local contributions must be in accordance with a "Local Infrastructure Plan", presumably similar to current "Section 94 Contributions Plans". Contributions, as now, will be imposed by conditions of development consent and payable to Council.

Regional infrastructure is defined as:

- Regional or state roads
- *Land for drainage*
- Transport infrastructure
- *Regional open space*
- Educational establishments

Regional contributions (which are additional to local contributions) are to be imposed in accordance with a "Regional Infrastructure Plan" which requires these matters to be incorporated into the "Local Plan" (new name for LEP) and Regional Contributions will also be imposed by conditions of development consent, but payable to a "Regional Contributions Fund". Payments out of this fund are to be determined by the "Subregional Planning Board".

Section 7.20 of the Bill advises that "growth infrastructure plans" for a "subregion" (not defined) will identify regional infrastructure for which regional contributions are required.

At present "*land for drainage*" and "*regional open space*" are included in Tweed Shire Council's Section 94 Contributions Plans and they fund infrastructure such as the Western Drainage Scheme, Arkinstall Park and Jack Evans Boatharbour redevelopment. In the new arrangements, this will be taken out of Council's hands and be dealt with by a regional body. This arrangement appears to make little sense in areas like Tweed Shire.

It should also be noted that the DP&I population forecast from 2006 to 2036 (highlighted in more detail in Section 13) estimates a population increase for the proposed Northern Rivers County Council of 85,000 people. 80,000 of this increase will occur within the growth Shires of Tweed, Ballina and Byron, whose property purchasers will predominately fund these regional contribution funds.

ADDENDUM

It is understood these provisions in the Bill arise from *land for drainage* and *regional open space* issues in Sydney. For instance the South Creek catchment in Western Sydney includes a number of Council areas (Camden, Liverpool and Penrith) which contain a number of designated urban growth areas. Strategic planning and management of the South Creek waterway, stormwater quality, detention and riparian restoration to accommodate the considerable impacts of the proposed urbanisation are considered to be regional issues that require a multi-council or regional management and contributions funding. Similarly regional open space facilities would be shared across a number of Western Sydney councils.

The issue does not arise in most non-Sydney council areas. In particular, the Tweed does not share significant drainage catchments with any other council and similarly Tweed's regional open space facilities have little to do with any other NSW councils, although there is a significant shared relationship with Gold Coast City. It would be totally inappropriate as an example for a regional body based in say Lismore to be making contribution funding and works decisions for stormwater drainage land at Cobaki or the next stage of Jack Evans Boat Harbour.

The solution of this issue for all councils except the Sydney area is to remove "land for drainage" and "regional open space" out of the "Regional Infrastructure" category and place them in the "Local Infrastructure" category.

### 13. Build Strong Regions

Position:

#### 2. Influence of Gold Coast / South East Queensland

The strong relationship between Tweed Shire and the Gold Coast is further supported by the following travel data:

	<i>Local Government Area</i>			
	<b>Ballina</b>	<b>Byron</b>	<b>Gold Coast</b>	<b>Lismore</b>
Travel to Tweed Shire for work	72	486	3,498	47
Travel from Tweed Shire for work	134	587	6,131	127

Source: Australian Bureau of Statistics, Census of Population and Housing 2011. Compiled and presented in profile.id by .id, the population experts.

#### OPTIONS:

1. Submit this report and the attached Tweed Shire Council Supplementary response to the Future Directions for NSW Local Government - Twenty Essential Steps - April 2013 to the Independent Local Government Review Panel.
2. Amend the Tweed Shire Council Supplementary response to the Future Directions for NSW Local Government - Twenty Essential Steps - April 2013 and submit to the Independent Local Government Review Panel.

ADDENDUM

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3. Defer the Tweed Shire Council Supplementary response to the Future Directions for NSW Local Government - Twenty Essential Steps - April 2013 to the June 2013 Council meeting to allow further debate on the response.

**CONCLUSION:**

Council agrees that reform within the Local Government Sector is needed to supply a more sustainable approach to the infrastructure and services provided and agreed with respective NSW communities.

However, Council is concerned with proposed changes, particularly when they are considered in the context of the Planning White Paper. Tweed's uniqueness to the Queensland border and a CBD which is shared with Coolangatta requires a different approach compared to other regional areas of NSW. To this end, Council supports the Panel's position that one size does not fit all.

Council has adopted a position that will place the community of the Shire in the best possible position both now and into the future. It is essential therefore that Tweed can resource share and strategically plan with its neighbours on both sides of the border. Tweed maintains therefore that it exist in its own right as a general purpose council or as a multi-purpose county council, with the ability for an affiliate membership to Northern Rivers/Greater Richmond Valley County Council so that it can participate in NSW regional projects and resource sharing of mutual benefit such as the Library, Waste, etc; and on other matters to the north in Queensland such as health, transport, law and order, community services, etc.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not applicable.

**b. Budget/Long Term Finance Plan:**

Not applicable.

**c. Legal:**

Not applicable.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

ADDENDUM

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
- 1.3 Delivering the objectives of this plan.
  - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan.
  - 1.3.2 Council will seek the best value in delivering services.
  - 1.3.3 Existing and future community assets will be properly managed and maintained based on principles of equity and sustainability.
- 1.4 Strengthen coordination among Commonwealth and State Governments, their agencies and other service providers and Statutory Authorities to avoid duplication, synchronise service delivery and seek economies of scale.
  - 1.4.1 Council will perform its functions as required by law and form effective partnerships with State and Commonwealth governments and their agencies to advance the welfare of the Tweed community.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- Attachment 1. Tweed Shire Council's Supplementary Response to the Future Directions for NSW Local Government - Twenty Essential Steps - April 2013 (ECM 3091279).
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