



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr G Bagnall

**Councillors:** P Youngblutt (Deputy Mayor)  
M Armstrong  
C Byrne  
B Longland  
K Milne  
W Polglase

# Agenda

## **Ordinary Council Meeting Thursday 9 April 2015**

held at Murwillumbah Cultural and Civic Centre  
commencing at 5.00pm

## COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

## Items for Consideration of Council:

ITEM	PRECIS	PAGE
	<b>CONFIRMATION OF PLANNING COMMITTEE MINUTES</b>	<b>5</b>
<b>1</b>	<b>[CONMIN] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 9 April 2015</b>	<b>5</b>
	<b>REPORTS THROUGH THE GENERAL MANAGER</b>	<b>7</b>
	<b>REPORTS FROM THE DIRECTOR CORPORATE SERVICES</b>	<b>7</b>
<b>2</b>	<b>[CS-CM] Proposed Environmental Levy</b>	<b>7</b>

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## CONFIRMATION OF PLANNING COMMITTEE MINUTES

- 1 [CONMIN] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 9 April 2015

SUBMITTED BY: Corporate Governance

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## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership  
1.2 Improve decision making by engaging stakeholders and taking into account community input  
1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
- 

### SUMMARY OF REPORT:

The recommendations of the Ordinary Planning Committee Meeting held Thursday 9 April 2015 require their adoption by Council for the resolutions to be acted upon.

### RECOMMENDATION:

**That the recommendations of the Ordinary Planning Committee Meeting held Thursday 9 April 2015 be adopted.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.5.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*To view any "non confidential" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

Nil.

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE DIRECTOR CORPORATE SERVICES

#### 2 [CS-CM] Proposed Environmental Levy

SUBMITTED BY: Financial Services

Valid

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### Civic Leadership



### Caring for the Environment

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

- 1 Civic Leadership
  - 1.1 Ensure actions taken and decisions reached are based on the principles of sustainability
  - 1.1.1 Establish sustainability as a basis of shire planning and Council's own business operations
  
  - 4 Caring for the Environment
  - 4.1 Protect the environment and natural beauty of the Tweed
  - 4.1.2 Protect, regulate and maintain natural assets (the coastline, coastal and inland waterways, biodiversity, bushland and scenic landscapes) for current and future generations
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#### SUMMARY OF REPORT:

Council at its meeting of 21 November 2013 resolved as follows:

*"That any further consideration of an Environmental Levy be deferred until Council completes:*

1. *The Environmental Sustainability Strategy,*
2. *An analysis of alternative funding sources for environmental projects,*
3. *An assessment of the community's capacity to pay such a levy, and*
4. *This process be completed to enable consideration of a proposed Environmental Levy in the 2015/16 integrated planning and reporting framework process for the 2016/17 financial year."*

Council has recently exhibited the draft Environmental Sustainability Strategy (9 February 2015 to 23 March 2015) for public comment with a further report due back to Council before adoption.

The draft Environmental Sustainability Strategy focuses on:

- a series of environmental sustainability principles that guide actions and decision making;
- a set of project prioritisation criteria to evaluate and rank projects based on the extent to which they support ecological sustainable development principles; and
- the lead actions that Council will pursue between 2015 and 2020 to build on its existing and ongoing environmental sustainability activities.

In relation to consideration of a proposed Environmental Levy in the 2015/2016 Integrated Planning and Reporting Framework process for the 2016/2017 financial year, a Council resolution is required (possible delay and/or size and term) for inclusion or otherwise in the 2015/2016 Revenue Policy.

Concurrent to this consideration is the NSW Local Government 'Fit for the Future' structural reform proposals.

Whilst Council is obliged to complete its response to these proposals (template 2) by 30 June 2015, it is proposed to leverage the opportunity these reforms bring, to undertake a much wider community engagement project.

The project titled 'Tweed - The Future Is Ours' will focus on engaging with the community (inform, educate, consult and involve) on all Council assets, services and service levels they seek in the future, having regard to the legislative and financial constraints placed upon Council.

The 'Tweed - The Future Is Ours' project is proposed to commence from April 2015 through to December 2016 to coincide with the election (September 2016) of a new Council and the mandatory review of the Community Strategic Plan, Delivery Program/Operational Plan and Resourcing Strategy for implementation in the 2017/2018 financial year.

Whilst the original Council resolution is to consider a proposed Environmental Levy in the 2015/2016 Integrated Planning and Reporting Framework process for the 2016/2017 financial year, it may be more appropriate to delay the levy until after the results of the 'Tweed - The Future Is Ours' consultation has concluded so as not to dilute that engagement process.

This would provide a new Council with the assets, service and service level priorities of the community whilst also providing support to any future proposed levy.



**RECOMMENDATION:**

**That Council determines its position as to when to proceed with the process for the consideration of the introduction of an Environmental Levy.**

**REPORT:**

Council at its meeting of 15 August 2013 resolved as follows:

*"Council officers prepare a report for the introduction of an environmental levy of 1% above the capped rate for the consideration of Council at the November 2013 meeting. This levy would be for 2014-2015 financial year and beyond."*

Council at its meeting of the 21 November 2013 resolved as follows:

- "1. A list of environmental projects be prepared from existing and draft environmental management plans and strategies that require additional funding (i.e. not already funded under existing budget allocations) with a view to further considering these for inclusion in the 2014/2015 Integrated Planning and Reporting Framework process.*
- 2. Advice be provided in 2014/2015 Operational Plan and Revenue Policy and Statement of the intent to apply an environmental levy effective from the 2015/2016 financial period.*
- 3. There be no reduction in the current proportion of funds for environmental projects as allocated from General Funds in the 2013/14 budget in the 2015/16 financial period."*

Council at its meeting of 23 January 2014 resolved as follows:

- "1. Proceeds to include information on a proposed 2015/2016 Environmental Levy in the 2014/2015 Integrated Planning and Reporting process based on the Tweed River Bank Management Project, funded by an ordinary rate increase of 1% for a period of 10 years.*
- 2. Consults with the community on the alternatives as detailed within this report."*

Council at its meeting of 20 February 2014 resolved as follows:

the resolution at Minute Number 50 of the Ordinary Council meeting held 23 January 2014 at Item b35 [TCS-CM] Environmental Levy 2015/2016 being:

*" that Council:*

- 1. Proceeds to include information on a proposed 2015/2016 Environmental Levy in the 2014/2015 Integrated Planning and Reporting process based on the Tweed River Bank Management Project, funded by an ordinary rate increase of 1% for a period of 10 years.*
- 2. Consults with the community on the alternatives as detailed within this report."*

**be rescinded"**

Council at its meeting of 20 February 2014 further resolved as follows:

*"That any further consideration of an Environmental Levy be deferred until Council completes:*

1. *The Environmental Sustainability Strategy,*
2. *An analysis of alternative funding sources for environmental projects,*
3. *An assessment of the community's capacity to pay such a levy, and*
4. *This process be completed to enable consideration of a proposed Environmental Levy in the 2015/16 integrated planning and reporting framework process for the 2016/17 financial year."*

In relation to the above resolution:

*Environmental Sustainability Strategy*

Council has recently exhibited the draft Environmental Sustainability Strategy (9 February 2015 to 23 March 2015) for public comment with a further report due back to Council before adoption.

The draft Environmental Sustainability Strategy focuses on:

- a series of environmental sustainability principles that guide actions and decision making;
- a set of project prioritisation criteria to evaluate and rank projects based on the extent to which they support ecological sustainable development principles; and
- the lead actions that Council will pursue between 2015 and 2020 to build on its existing and ongoing environmental sustainability activities.

*Alternative funding sources*

Possible funding sources for environmental projects are limited to:

- existing budget revenues (ie. Re-directed from other programs)
- grants funds (non-recurrent ad hoc funding opportunities from State/Federal Government) or

- the introduction of a Special Rate Variation (Environmental Levy) as outlined in the Council report of 21 November 2013.

Assessment of the Community's ability to pay

An assessment of the community's ability to pay, without commissioning a detailed economic report, can be gleaned from existing Council information.

Weekly household income, 2011



Weekly income  
Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 (Enumerated data)  
Compiled and presented in profile.id by .id, the population experts.



Rates, Annual Charges, Interest and Extra Charges Outstanding Percentage ratio

2011/2012	2012/2013	2013/2014
8.08%	7.04%	5.79%

Consideration of proposed Environmental Levy

The term and size of the any rate increase, as a result of the Environmental Levy, needs to be determined by Council. Should Council resolve to proceed with the introduction of an Environmental Levy in the 2016/2017 rating year, community engagement/feedback on the projects and ratepayer impacts will be pivotal in gaining Independent Pricing and Regulatory Tribunal (IPART) approval for any rate increase above the rate peg amount.

The purpose of reporting this proposal in the 2015/2016 Revenue Policy is to commence the community engagement process.

The engagement process will provide ratepayers the opportunity to give their views on the introduction of an Environmental Levy which will further inform Council in future engagements during the 2016/2017 Integrated Planning and Reporting process. Should Council resolve to proceed with the Environmental Levy, the

2016/2017 community engagement and the Integrated Planning and Reporting process will need to commence in late August 2015 to meet the IPART special rate variation timetable.

As a guide the following tables are a comparison of how much extra a property would contribute should an environmental levy of 1% over the notional yield be introduced. The table is in valuation ranges within rating categories.

Comparison of Environmental Levy on properties within valuation ranges

Residential

Range x 1000	Value	Properties	% per range	cum. % per range	Yield	Minimum charge	Maximum Charge	Average Charge
0-100	369,417,489.00	7,225.00	20.30%	20.30%	20,319.20	0.02	5.50	3.01
100-200	1,749,759,761.00	11,083.00	31.14%	51.44%	96,257.92	5.50	11.00	7.84
200-300	2,649,552,703.00	11,049.00	31.04%	82.48%	145,750.71	11.02	16.50	13.36
300-400	1,258,736,893.00	3,671.00	10.31%	92.79%	69,238.66	16.53	22.00	19.04
400-500	542,270,486.00	1,218.00	3.42%	96.21%	29,827.62	22.06	27.50	24.71
500-600	336,384,000.00	618.00	1.74%	97.95%	18,502.68	27.56	33.00	30.19
600-700	205,899,360.00	323.00	0.91%	98.86%	11,325.44	33.06	38.50	35.59
700-800	110,840,000.00	147.00	0.41%	99.27%	6,096.54	38.61	44.00	41.35
800-900	63,003,400.00	74.00	0.21%	99.48%	3,465.36	44.11	49.50	46.95
900-1000	48,008,000.00	50.00	0.14%	99.62%	2,640.48	49.78	55.00	51.99
1000-1500	74,794,200.00	63.00	0.18%	99.79%	4,113.69	55.55	82.50	66.48
1500-2000	76,570,200.00	45.00	0.13%	99.92%	4,211.37	84.70	105.60	94.52
2000-2500	21,322,000.00	10.00	0.03%	99.95%	1,172.72	110.72	137.50	117.47
2500-3000	11,163,000.00	4.00	0.01%	99.96%	613.97	138.05	160.05	153.49
3000-3500	10,132,000.00	3.00	0.01%	99.97%	557.26	176.77	192.39	185.75
3500-4000	11,730,000.00	3.00	0.01%	99.98%	645.15	209.00	220.00	215.05
4000-4500	8,975,000.00	2.00	0.01%	99.98%	493.63	246.13	247.50	246.82
4500-5000	9,820,000.00	2.00	0.01%	99.99%	540.10	269.50	270.60	270.05
6000-6500	6,365,000.00	1.00	0.00%	99.99%	350.08	350.08	350.08	350.08
8000-8500	8,200,000.00	1.00	0.00%	99.99%	451.00	451.00	451.00	451.00
10000-15000	10,600,000.00	1.00	0.00%	100.00%	583.00	583.00	583.00	583.00
40000-45000	40,000,000.00	1.00	0.00%	100.00%	2,200.00	2,200.00	2,200.00	2,200.00
<b>Grand Total</b>	<b>7,623,543,492.00</b>	<b>35,594.00</b>			<b>419,356.58</b>			

Average Levy per property

11.78

**Business**

Range x 1000	Value	Properties	% per range	cum. % per range	Yield	Minimum charge	Maximum Charge	Average Charge
0-100	26,034,726.00	462.00	25.65%	25.65%	1,431.99	0.03	5.50	3.09
100-200	55,776,908.00	387.00	21.49%	47.14%	3,067.90	5.55	11.00	8.00
200-300	43,911,874.00	177.00	9.83%	56.97%	2,415.60	11.06	16.50	13.58
300-400	57,540,158.00	164.00	9.11%	66.07%	3,165.01	16.56	22.00	19.12
400-500	54,012,832.00	119.00	6.61%	72.68%	2,970.96	22.06	27.50	24.77
500-600	42,581,102.00	78.00	4.33%	77.01%	2,342.13	27.56	32.84	30.05
600-700	45,630,630.00	71.00	3.94%	80.96%	2,509.83	33.00	38.50	35.75
700-800	30,098,000.00	40.00	2.22%	83.18%	1,655.43	38.58	43.95	41.46
800-900	47,333,000.00	56.00	3.11%	86.29%	2,603.43	44.00	49.50	46.69
900-1000	28,416,750.00	30.00	1.67%	87.95%	1,562.98	49.72	55.00	51.99
1000-1500	118,032,200.00	98.00	5.44%	93.39%	6,491.82	55.55	82.50	66.58
1500-2000	67,041,000.00	39.00	2.17%	95.56%	3,687.27	83.05	110.00	94.60
2000-2500	49,237,000.00	21.00	1.17%	96.72%	2,708.05	113.30	137.50	128.33
2500-3000	35,615,000.00	13.00	0.72%	97.45%	1,958.83	138.05	165.00	148.31
3000-3500	29,770,000.00	9.00	0.50%	97.95%	1,637.35	170.50	192.50	181.66
3500-4000	30,780,000.00	8.00	0.44%	98.39%	1,692.90	199.65	220.00	210.01
4000-4500	33,845,000.00	8.00	0.44%	98.83%	1,861.48	221.38	247.50	232.69
4500-5000	28,670,000.00	6.00	0.33%	99.17%	1,576.85	251.35	275.00	260.37
5000-5500	20,901,000.00	4.00	0.22%	99.39%	1,149.56	278.69	298.87	287.85
5500-6000	11,198,000.00	2.00	0.11%	99.50%	615.89	305.69	310.20	307.95
6000-6500	18,730,000.00	3.00	0.17%	99.67%	1,030.15	331.65	367.50	343.38
7000-7500	7,110,000.00	1.00	0.06%	99.72%	391.05	391.05	391.05	391.05
7500-8000	7,520,000.00	1.00	0.06%	99.78%	413.60	413.60	413.60	413.60
8500-9000	9,000,000.00	1.00	0.06%	99.83%	495.00	495.00	495.00	495.00
9500-10000	10,000,000.00	1.00	0.06%	99.89%	550.00	550.00	550.00	550.00
10000-15000	11,280,000.00	1.00	0.06%	99.94%	620.40	620.40	620.40	620.40
15000-20000	18,000,000.00	1.00	0.06%	100.00%	990.00	990.00	990.00	990.00
<b>Grand Total</b>	<b>938,065,180.00</b>	<b>1,801.00</b>			<b>51,595.46</b>			

Average Levy per property

28.65

**Farmland**

Range x 1000	Value	Properties	% per range	cum. % per range	Yield	Minimum charge	Maximum Charge	Average Charge
0-100	799,950.00	17.00	1.10%	1.10%	44.03	0.03	5.44	2.59
100-200	3,446,000.00	21.00	1.36%	2.45%	189.58	6.60	11.00	8.95
200-300	38,301,000.00	144.00	9.30%	11.76%	2,106.84	11.11	16.50	14.13
300-400	110,810,100.00	314.00	20.28%	32.04%	6,095.20	16.56	22.00	19.31
400-500	147,455,000.00	325.00	20.99%	53.04%	8,110.87	22.06	27.50	24.76
500-600	110,155,000.00	200.00	12.92%	65.96%	6,058.96	27.61	33.00	30.33
600-700	108,643,960.00	167.00	10.79%	76.74%	5,975.78	33.06	38.50	35.55
700-800	74,252,000.00	98.00	6.33%	83.07%	4,084.09	38.67	44.00	41.51
800-900	52,579,000.00	62.00	4.01%	87.08%	2,891.99	44.22	49.50	46.57
900-1000	50,843,000.00	53.00	3.42%	90.50%	2,796.46	49.56	55.00	52.41
1000-1500	121,951,500.00	102.00	6.59%	97.09%	6,707.36	55.55	82.50	67.63
1500-2000	35,024,000.00	20.00	1.29%	98.39%	1,926.32	83.05	110.00	96.85
2000-2500	20,722,000.00	9.00	0.58%	98.97%	1,139.71	111.65	134.75	126.72
2500-3000	8,380,000.00	3.00	0.19%	99.16%	460.90	145.75	165.00	153.63
3000-3500	13,000,000.00	4.00	0.26%	99.42%	715.00	170.50	192.50	179.67
3500-4000	15,450,000.00	4.00	0.26%	99.68%	849.75	200.75	220.00	209.92
4500-5000	4,900,000.00	1.00	0.06%	99.74%	269.50	269.50	269.50	269.50
5500-6000	6,000,000.00	1.00	0.06%	99.81%	330.00	330.00	330.00	330.00
6500-7000	13,900,000.00	2.00	0.13%	99.94%	764.50	379.50	385.00	382.25
11000-15000	11,000,000.00	1.00	0.06%	100.00%	605.00	605.00	605.00	605.00
<b>Grand Total</b>	<b>947,612,510.00</b>	<b>1,548.00</b>			<b>52,121.84</b>			

Average Levy per property

33.67

**Total Yield**

**523,073.88**



### ***Tweed - The Future Is Ours***

Local Government in NSW is undergoing proposed structural reform through the NSW Government 'Fit for the Future' proposals.

Whilst Council is obliged to complete its response to these proposals (template 2) by 30 June 2015, it is proposed to leverage the opportunity these reforms bring, to undertake a much wider community engagement project.

The project titled 'Tweed - The Future Is Ours' will focus on engaging with the community (inform, educate, consult and involve) on all Council assets, services and service levels they seek in the future, having regard to the legislative and financial constraints placed upon Council.

The 'Tweed - The Future Is Ours' project is proposed to commence from April 2015 through to December 2016 to coincide with the election (September 2016) of a new Council and the mandatory review of the Community Strategic Plan, Delivery Program/Operational Plan and Resourcing Strategy for implementation in the 2017/2018 financial year.

Whilst the original Council resolution is to consider a proposed Environmental Levy in the 2015/2016 Integrated Planning and Reporting Framework process for the 2016/2017 financial year, it may be more appropriate to delay the levy until after the results of the 'Tweed - The Future Is Ours' consultation has concluded so as not to dilute that engagement process.

This would provide a new Council with the assets, service and service level priorities of the community whilst also providing support to any future proposed levy.

Ultimately Council needs to determine whether to defer any proposed environmental levy to enable a co-ordinated approach through the 'Tweed - The Future Is Ours' process. The advantage of engaging with the community regarding the environmental priorities concurrently with 'Tweed - The Future Is Ours' saves Council having to submit to IPART two separate Special Rate Variation applications.

### **OPTIONS:**

1. Delay any consideration of the introduction of an Environmental Levy until the conclusion of the 'Tweed - The Future Is Ours' community consultation (December 2016), noting that the community will have an opportunity to comment on the level of service and funding provided to the environment through this process which would help to inform any special rate variation application and specific consultation required by IPART.
2. Proceed with the Council resolution to enable consideration of a proposed Environmental Levy in the 2015/2016 Integrated Planning and Reporting Framework process for the 2016/2017 financial year and determine the size and term of any levy.
3. Not proceed with an Environmental Levy.

**CONCLUSION:**

There are many worthwhile projects that could benefit from additional funding through an Environmental Levy, however with the proposed 'Tweed - The Future Is Ours' project aimed at engaging with the community on all Council assets, services and service levels, it may be considered more appropriate to delay the introduction of any possible Environmental Levy.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

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

The introduction of an Environmental Levy matched against equivalent expenditure will have no negative effect on the Budget/Long Term Financial Plan position.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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