



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr K Milne

**Councillors:** G Bagnall (Deputy Mayor)  
C Byrne  
B Longland  
W Polglase  
P Youngblutt

# Agenda

## **Ordinary Council Meeting Thursday 7 July 2016**

held at **Harvard Room, Tweed Administration Building, Brett Street,  
Tweed Heads** 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
	CONFIRMATION OF PLANNING COMMITTEE MINUTES	5
1	[CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 7 July 2016	5
	REPORTS THROUGH THE GENERAL MANAGER	7
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2	[GM-CM] Local Government NSW Policy Review	7

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## CONFIRMATION OF PLANNING COMMITTEE MINUTES

- 1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 7 July 2016

**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 7 July 2016 require their adoption by Council for the resolutions to be acted upon.

### RECOMMENDATION:

**That the recommendations of the Ordinary Planning Committee Meeting held Thursday 7 July 2016 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 GENERAL MANAGER

#### 2 [GM-CM] Local Government NSW Policy Review

**SUBMITTED BY: General Manager**

Validms



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 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

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### SUMMARY OF REPORT:

Local Government NSW has embarked on a process of reviewing its Policy Framework and council as a member has been invited to contribute to this review by providing feedback to specific questions by 18 July 2016.

As background to this review, the key role of Local Government NSW (LGNSW) is to advocate and make representations to politicians, decision makers and influencers about the issues that matter most to its members and this is why council contributes as a member, particularly for the wider advocacy role.

The methods LGNSW uses to understand the issues of concern to members are conference resolutions, Board-endorsed submissions and letters from members. These issues, and the Association's position on them, are then developed into Policy Statements.

LGNSW's Policy Statements have become outdated and grown over time to a set of 95 statements which cover a wide range of issues. This large number of statements is also a legacy issue arising from the merger of the Local Government Association and Shires Association. When the two organisations merged and became LGNSW, the policy statements were combined and became LGNSW's "interim" policy statements. These "interim" statements now need review, and organisation's policy framework updated to give LGNSW clearer guidance on the principles and issues which their members want the Association to advocate for, on their behalf.

Therefore, council as a member of LGNSW has been offered the opportunity to respond to this review. These responses will be considered at the LGNSW Board meeting to be conducted in August and then referred to the Annual Conference to be conducted in October 2016.

**RECOMMENDATION:**

**That suitable responses are formulated and provided to Local Government NSW on its current Policy Review.**



## REPORT:

The key role of Local Government NSW (LGNSW) is to advocate and make representations to politicians, decision makers and influencers about the issues that matter most to its members and this is why council contributes as a member, particularly for the wider advocacy role.

The methods LGNSW uses to understand the issues of concern to members are conference resolutions, Board-endorsed submissions and letters from members. These issues, and our position on them, are then developed into Policy Statements.

LGNSW's Policy Statements have become outdated and grown over time to a set of 95 statements which cover a wide range of issues. This large number of statements is also a legacy issue arising from the merger of the Local Government Association and Shires Association. When the two organisations merged and became LGNSW, the policy statements were combined and became LGNSW's "interim" policy statements. These "interim" statements now need review, and organisation's policy framework updated to give LGNSW clearer guidance on the principles and issues which their members want the Association to advocate for, on their behalf.

To gauge feedback from its member councils, LGNSW has compiled a set of responses that are to be responded to online. In an attempt to seek endorsement from council, the questions are provided as follows and council may wish to provide their collective response to these questions to enable them to be submitted.

## Policy Principles Feedback Form

This survey refers to content contained in the Policy Review Discussion Paper, a copy of which is available here: <http://www.lgnsw.org.au/files/imce-uploads/90/LGNSW-Policy-Review-Discussion-Paper.pdf>.

We ask that each council provides ONE response so we can be sure we have a considered view to take to conference.

If you have any questions please contact Margaret Kay on 02 9242 4082 or [margaret.kay@lgnsw.org.au](mailto:margaret.kay@lgnsw.org.au). If you encounter problems completing this form, please email [policy@lgnsw.org.au](mailto:policy@lgnsw.org.au).

### 1. Council

### 2. I acknowledge that this is the official response from council

Yes

### 3. Contact Details

Name	<input type="text"/>
Position	<input type="text"/>
Phone	<input type="text"/>
Email	<input type="text"/>

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## Policy Principles Feedback Form

### 1. What do you see as the primary purpose of the LGNSW policies?

*(select as many as relevant)*

- To frame how the sector responds to issues
- To set the strategic direction for LGNSW for the coming year
- To guide the advocacy efforts of LGNSW
- To guide councils in the development of their own policies
- To record previously endorsed policies and conference resolutions
- Other (please specify)

### 2. Which approach do you prefer?

- Having high-level principles with more detailed position statements on current issues
- Having policies on numerous issues derived from conference motions or Board decisions
- Don't know
- Other (please specify)

### 3. What do you think should be the process for endorsing policy principles?

*(note the 'policy principles' are high-level long term principles rather than a short term position on an issue)*

- Endorsement at LGNSW Annual Conference
- Endorsement by the LGNSW Board
- Other (please specify)

### 4. What do you think should be the process for endorsing position statements?

*(note the position statements would be updated more often to reflect the current and emerging issues for the sector. These sit under the principles)*

- Endorsement at LGNSW Annual Conference
- Endorsement by the LGNSW Board
- Other (please specify)

**5. The Discussion paper sets out 12 high-level policy principles under 7 areas. Are these the areas for which we should have policy principles?**

	Yes	No	Don't know
Economic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Planning	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Social and Community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Governance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Commitment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

**6. Do you agree with the 12 policy principles as expressed on pages 5 & 6 of the discussion paper?**

- Yes
- No

If No, which would you change? Please provide proposed wording.



## Policy Statements from other jurisdictions

A summary of the approaches taken by other State and Territory Local Government Associations in Australia, and internationally, is at Appendix 1. The general consensus is that, due to the breadth and complexity of issues for which policy positions could be articulated, a core set of fundamental principles that underpin the more issue-specific policies is favoured. This provides a 'policy compass' without being overly prescriptive, and enables our more detailed positions to evolve in step with issues.

## LGNSW Draft Policy Principles

The Working Committee developed a set of 12 Draft Policy Principles which are presented here for members' feedback. A set of discussion questions are listed at the end of the document, and reproduced in a feedback form circulated with this paper.

### Economic

1. Local government must have control of its revenue raising.
2. Local government demands fair funding for its infrastructure and service responsibilities (ie no 'cost shifting').

### Infrastructure

3. Local government is best placed to plan for essential local infrastructure.

### Planning

4. Local Government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities.
5. Local government planning prioritises community quality of life.

### Environment

6. Local government actions reflect Ecologically Sustainable Development principles:
  - a. Intergenerational equity – today's actions maintain or enhance the environment for future generations
  - b. Precautionary principle – prevent environmental degradation
  - c. Conservation of biological diversity
  - d. Improved valuation and pricing of environmental resources – recognising the value of the environment to the community.

### Social and community

7. Local government services embody the principles of Social Justice:
  - a. Equity – fair distribution of resources
  - b. Rights - equality for all people
  - c. Access – to services essential to quality of life
  - d. Participation – of all people in their community.



### Governance

8. Local government must be constitutionally recognised and respected as an equal sphere of government.
9. Local government is democratically elected to shape, serve and support communities.
10. Local government is committed to the principles of good governance.

### Commitment

11. Local government is responsible and accountable to the citizens and the communities they represent through consultative processes, legislative accountabilities, efficient delivery of services and effective customer service.
12. Local government is a responsible and ethical employer.

### 7. Do you agree that these are the key areas for which position statements should be developed?

*In the proposed framework, position statements would cover the top 10-15 critical issues for the sector (existing and emerging), and would be periodically updated and replaced over time*

	Yes	No	Don't know
Constitutional recognition of Aboriginal people	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strong and inclusive communities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sustainable library services and programs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Natural resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Climate change	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Extended producer responsibility	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sustainability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Revenue and funding	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Planning	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Constitutional recognition of local government	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Democracy and governance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

**8. Do you like the format of the position statements as shown in the example in the Policy review paper pages 7, 8 & 9?**

- Yes
- No
- Don't know
- Other (please specify)



## Example 1

# Strong and Inclusive Communities – Position Statement

## Policy Principles

This Position Statement relates to the following Policy Principles of LGNSW:

2. Local government demands fair funding for its infrastructure and service responsibilities.
7. Local government services embody the principles of Social Justice:
  - a. Equity – fair distribution of resources
  - b. Rights - equality for all people
  - c. Access – to services essential to quality of life
  - d. Participation – of all people in their community.

## Current Position

Local government in NSW is central to planning for inclusive communities and building social capital and community cohesion. Local government recognises that there are particular needs arising from communities of geography and identity that require local responses. Local government respects the right to self-determination and supports reconciliation with Aboriginal people.

Local government is well positioned to continue its lead role in building the inclusiveness of the local community, by coordinating and supporting local area activities. As a regulator, Local Government makes a positive impact on the inclusiveness of the community through development controls, public domain management policies and strategic planning.

As a service provider, local government meets the gaps in service provision when there are no other providers, particularly in rural and remote areas. It also supports other providers by accommodating services in council buildings and providing local facilities for services and support activities. Local government is a significant provider of services to all members of the community including older people, people with disability, families, children, young people, aboriginal people and people from all cultures and backgrounds. These services are most effective when they are appropriately resourced, intervene early and take a harm minimisation approach to create safe and liveable communities.

Effective linkages between local, other spheres of government and the private sector are essential to creating inclusive communities. Funding for community development positions in Local Government is augmented by Local Government by around 60% on average, representing a significant value add to the investment by NSW and Commonwealth governments.

## Future Direction

Local government must be funded for the role it plays in community capacity building and supporting inclusion. In particular, local government must be funded to develop Disability Inclusion Action Plans.

Date Created: 8 March 2016

Date reviewed:





## Example 2

# Infrastructure – Position Statement

## Policy Principles

This Position Statement relates to the following Policy Principles of LGNSW:

1. Local government must have control of its revenue raising.
2. Local government demands fair funding for its infrastructure and service responsibilities.
3. Local government is best placed to plan for essential local infrastructure.

## Current Position

Local government is an effective and efficient infrastructure planner and deliverer, and is very good at identifying local needs based on their strategic integrated planning processes. Our infrastructure responsibilities include local road and bridge networks, local water and sewerage utilities, stormwater and water cycle management, buildings and facilities, regional airports and aerodromes, parks, recreation, cultural, family and community services facilities, and a range of other infrastructure vital to local communities.

Infrastructure comprises the assets needed to provide people with access to economic and social facilities and services. In general, infrastructure facilities are fixed in place, are expensive and time consuming to plan and build, are durable and have on-going operating costs. Infrastructure requires increasing maintenance as the asset ages and periodic replacement of components is required to compensate for wear and tear to prolong the asset's life. Infrastructure often has environmental and social benefits that cannot be fully recovered by user charges.

NSW local government strongly advocates increased infrastructure investment by all spheres of government and recognises the need for strategic planning and investment across Australia and within NSW for these shared infrastructure responsibilities. Councils are at the coalface when it comes to infrastructure. They are acutely aware of their own infrastructure backlogs and they are equally aware of the national and state infrastructure deficiencies in their communities.

It is also necessary to understand the financial impacts on councils often associated with large scale national or state infrastructure projects and population growth generally. Growth generated by such projects often creates additional demand for local infrastructure and facilities (e.g. parks, roads, sporting facilities, community facilities). Programs need to recognise this and ensure financial assistance is provided to councils where required.

## Future Direction

LGNSW supports fairer funding of infrastructure provided through long established partnerships between Australian, NSW and local governments for shared infrastructure and service responsibilities.

**Date Created: 8 March 2016**

**Date reviewed:**





## Example 3

# Climate Change – Position Statement

### Policy Principles

This Position Statement relates to the following Policy Principles of LGNSW:

- 6..Local government actions reflect Ecologically Sustainable Development principles:
  - a. Principle of integration – consideration of environmental, economic and social impacts in decision making.
  - b. Intergenerational equity – today’s actions maintain or enhance the environment for future generations
  - c. Precautionary principle – lack of full scientific certainty should not delay action to protect the environment; avoid serious or irreversible damage to the environment wherever practicable, and an assessment of the risk-weighted consequences of various options.
  - d. Conservation of biological diversity
  - e. Improved valuation, pricing and incentive mechanisms – including polluter pays; prices include the full life cycle of the costs of providing goods and services; and environmental goals should be pursued in the most cost effective way to enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

### Current Position

Local government recognises four priority areas for action to address climate change:

- reduction of Australia’s carbon emissions through effective mitigation strategies;
- planning for and adapting to a changing climate;
- significant structural adjustment in businesses and communities which may arise from transitioning to a low carbon economy and adapting to the impacts of climate change; and
- the provision of leadership and support for both councils and their communities.

NSW local government supports an integrated approach to the development and implementation of climate change mitigation and adaptation strategies, including shared responsibility and collaboration across all levels of government, industry and the community.

Local government supports long term and strategic consideration of climate change issues across the range of local government functions and services.

NSW local government supports reducing carbon emissions through a polluter pays market mechanism rather than financed through limited public funds. Measures to reduce emissions should come from all sectors of the economy including energy generation, mining, transport, waste, buildings and agriculture.

NSW local government also supports policies that promote the use and further development of renewable energy; and practices that conserve energy and/or increase energy efficiency. Complementary policies also need to focus on adapting to the impacts of climate change.

Local government supports global agreements to reduce carbon emissions and believes that Australia should be a signatory to a binding global response and strategy.

### Future Direction

Local government calls on other spheres of government to continue to work with and support councils to reduce the risk of climate change impacts on the community.

Date Created: 8 March 2016

Date reviewed:

9. What is the single most important local government sector-wide policy issue for your council?

10. Any other comments?

**OPTIONS:**

Council can provide feedback to this survey, or it may wish to not provide any feedback.

**CONCLUSION:**

To ensure that Local Government retains its focus as the hardest working sphere of government, a positive and interactive approach needs to be implemented by its peak body – Local Government NSW. Providing positive feedback into this review process will ensure that the association maintains an important advocate for New South Wales Local Government.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

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

An annual membership contribution is paid to Local Government NSW.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

Important feedback will be provided through this survey. This will be further enhanced by the attendance of the voting delegates at the Annual LGNSW Conference to be conducted in October 2016, where they will be given the opportunity to further debate and provide input on this topic.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Local Government NSW – Policy review – Discussion Paper  
(ECM 4117315)

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