



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

Councillors: P Allsop
R Byrnes (Deputy Mayor)
C Cherry
R Cooper
J Owen
W Polglase

Agenda

Ordinary Council Meeting Thursday 5 July 2018

held at

**Harvard Room, Tweed Heads Administration Building,
Brett Street, Tweed Heads**

commencing at the conclusion of the Planning Committee meeting
which commences at 5.30pm.

Principles for Local Government

The object of the principles for Tweed Shire Council, as set out in Section 8 of the Local Government Amendment (Governance and Planning) Bill 2016, is to provide guidance to enable council to carry out its functions in a way that facilitates a local community that is strong, healthy and prosperous.

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by Tweed Shire Council:

- (a) Provide strong and effective representation, leadership, planning and decision-making.
- (b) Carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Work with others to secure appropriate services for local community needs.
- (h) Act fairly, ethically and without bias in the interests of the local community.
- (i) Be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by Tweed Shire Council (subject to any other applicable law):

- (a) Recognise diverse local community needs and interests.
- (b) Consider social justice principles.
- (c) Consider the long term and cumulative effects of actions on future generations.
- (d) Consider the principles of ecologically sustainable development.
- (e) Decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Council should actively engage with the local community, through the use of the integrated planning and reporting framework and other measures.

Items for Consideration of Council:

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CONFIRMATION OF PLANNING COMMITTEE MINUTES

1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 5 July 2018

SUBMITTED BY: Corporate Governance

mhm



Making decisions with you
We're in this together

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Making decisions with you
- 2.2 Engagement
- 2.2.4 Councillor and Civic Business - To provide assistance to Councillors and support for Council to operate within its legal framework.

ROLE: **Leader**

SUMMARY OF REPORT:

The recommendations of the Ordinary Planning Committee Meeting held Thursday 5 June 2018 require their adoption by Council for the resolutions to be acted upon.

RECOMMENDATION:

That the recommendations of the Ordinary Planning Committee Meeting held Thursday 5 July 2018 be adopted.

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

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 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.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR ENGINEERING

2 [E-CM] Development in High Flood Hazard Areas

SUBMITTED BY: Roads and Stormwater

mhm



Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.2 Asset Protection
- 1.2.1 Floodplain Management - To manage the risk of flooding and its impacts for property owners and the community.

ROLE: **Leader**

SUMMARY OF REPORT:

Tweed Shire has a number of communities that are exposed to high hazard flood behaviour, in the form of significant flood depths, flood velocities, or a combination of the two. In these areas there is a serious risk to life and to the structural integrity of buildings, as confirmed by the March 2017 flood. Council has been successful in obtaining access to State Government funding for Voluntary House Purchase (VHP) and Voluntary House Raising (VHR) Schemes in South Murwillumbah, Bray Park, Burringbar and Mooball, as recommended by Floodplain Risk Management Studies and Plans (FRMS / FRMP) completed in 2014 and 2015. With the VHP scheme now commencing, Council continues to receive development applications and enquiries proposing new residential dwellings in these same suburbs.

Council's current development controls are contained in Development Control Plan Section A3 – Development of Flood Liable Land (DCP-A3). These controls are well established and clearly limit new subdivision and impose standards on new buildings exposed to high flood risk. However the current controls are limited in preventing landholders from acting on their legal entitlement to develop in accordance with current land zonings, even where that is inconsistent with the intent of the VHP schemes, which is to permanently remove people from high flood hazard areas.

This report proposes an Interim Policy to assist Council officers and landholders in understanding the flood risk and preventing applications for new residential development that is incompatible with the flood hazard of the land. The Interim Policy would remain in place while formal amendment to DCP-A3 is completed in accordance with the recommendations of the FRMPs.

RECOMMENDATION:

That:

- 1. Council prepares an Interim Policy for high flood hazard areas within South Murwillumbah, Bray Park, Burringbar and Mooball. The Interim Policy is to address the issues highlighted in this report, and shall be prepared according to the process detailed therein.**
- 2. Council reviews and updates Development Control Plan Section A3 – Development of Flood Liable Land to incorporate contemporary flood data and the recommendations of the Tweed Valley Floodplain Risk Management Study and Plan and the Tweed Coastal Creeks Floodplain Risk Management Study and Plan.**
- 3. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

REPORT:

Introduction

Tweed Shire Council has a suite of well-established development controls relating to flooding, contained in Tweed Development Control Plan Section A3 – Development of Flood Liable Land (DCP-A3). Many of the current controls remain as they were in the initial version of the DCP from 1986, and a major review of the document has not occurred since 2010. Since then Council has completed Floodplain Risk Management Studies and Plans (FRMS / FMRP) for the majority of the populated floodplain areas within the Tweed Valley (from upstream of Murwillumbah to Tweed Heads) and the Coastal Creeks (Kingscliff to Pottsville, upstream to Burringbar). The FRMPs were adopted in 2014 and 2015. These studies have increased Council's knowledge of flood risk, including flood hazard mapping and evacuation capability assessment. The information is yet to be incorporated into DCP-A3, due to other priority matters taking precedence.

Further and most tellingly, Council experienced a flood of record over significant parts of the Tweed Valley and the upper Coastal Creeks floodplains in March 2017. This has provided the organisation and the community with first hand experience of true flood hazard and risk, including loss of life, enormous clean up and repair costs (both public and private) and substantial and ongoing personal hardship. This provides Council with a unique window to review floodplain development, both existing and future, and make changes where necessary in the acknowledgement that floods of this magnitude will occur again, and that even this record flood will be exceeded one day.

The communities of South Murwillumbah, Bray Park, Burringbar and Mooball are acknowledged in the FRMPs as being at highest risk of the many flood prone towns and villages in the Shire. This is due to the combination of flood depth, flood velocity and lack of warning time in these areas. This statement acknowledges that flood studies are yet to be conducted in hinterland villages such as Chillingham, Tyalgum and Uki, where significant flood risk is known to existing but is yet to be quantified by way of a study.

As reported to the February 2018 Council meeting, Council has been advised of its success in funding eligibility, due to the FRMPs, for Voluntary House Purchase and Voluntary House Raising (VHP / VHR) Schemes in South Murwillumbah, Bray Park, Burringbar and Mooball through the State Government's Floodplain Management Program. Through the June 2018 Council meeting, the first VHP offers have been made on properties in these areas, with the aim of permanently reducing existing risk to people and their property by purchasing and removing these flood prone dwellings.

Through the process of determining priorities for VHP, as well as through enquiries made with the Planning and Regulation Division, it has become apparent that residential zoned land continues to be bought and sold in these high flood hazard localities, and that some are purchasing land with the intent of constructing additional dwellings. Others are in the process of making decisions regarding the ongoing use of their land post-flood, with some choosing to pursue the demolition of aged and flood damaged structures and construction of new dwellings on their allotment.

This presents a conundrum for Council on many fronts. One issue is that the Government and Council is actively funding the purchase of dwellings under the VHP scheme at substantial cost, and that allowing further residential development in these same areas

counteracts that investment. Under current scheme eligibility rules, all new houses will not be eligible for VHP going forward. While those constructing the homes for their own occupation may accept this risk now, it is not equitable to put future land owners in the position where they are exposed to high flood hazard, have difficulties with finance and flood insurance, and be ineligible for government assistance in the next major flood event.

The second issue is that landholders have a lawful right to lodge a Development Application (DA) over their land, should it be for a permissible land use under the Tweed Local Environment Plan (TLEP). Should Council wish to remove or otherwise limit the ability for an existing landholder to exercise their rights in this regard, Council will be liable for some form of compensation. This presents a substantial financial and legal risk on the Council organisation.

The third issue is the social impact of policy changes in these flood impacted suburbs in light of housing affordability pressures, a lack of government subsidised solutions, and a general lack of residential land and housing stock in the current market. Removing housing / rental stock and further development potential from the Tweed housing market can only place upward pressure on these factors. However it is also an imperative for Council that we cannot continue to allow the use of high flood risk land to accommodate those who are most vulnerable, least equipped to make informed decisions, and least able to recover in the event of a flood. Highly flood prone land may be cheap to purchase and develop, but the ongoing costs to the community are unsustainable.

Interim Policy

These issues were the subject of a workshop with Councillors on 24 May 2018. The same presentation was provided to the Floodplain Management Committee on 15 June 2018. Both groups agreed in principle that changes to Council's current floodplain development approach in high flood hazard areas was warranted, and that the 2017 flood provides a mandate to present these proposed policy changes to the community.

While DCP-A3 restricts subdivision of flood prone land and requires that new dwellings meet relevant standards for the structural integrity of the building and limiting flood damages (e.g. minimum habitable floor levels, minimising ground level enclosures, flood compatible materials), it is currently limited in differentiating between areas of increased flood hazard or difficulties for emergency response. DCP-A3 arguably allows those with a right to build to exercise that right without due regard of these considerations, and this requires review. Following due process (in accordance with the NSW Floodplain Development Manual) for such a review will take time, and therefore Council needs to consider an interim policy position to deal with current and pending DAs.

The following process is proposed to address floodplain development applications in high hazard flood areas:

1. Prepare an Interim Policy in accordance with Section I6 of the NSW Floodplain Development Manual. The Interim Policy is to include the following:
 - a. Define "high flood hazard" in the suburbs of South Murwillumbah, Bray Park, Burringbar and Mooball as those areas mapped as hazard category H5 and H6 using the criteria in Australian Disaster Resilience Guideline 7-3 Flood Hazard (AIDR 2017). Refer to figure below. Hazard is assessed in the land's

pre-development state, and cannot be varied due to filling or other aspects of the proposed development.

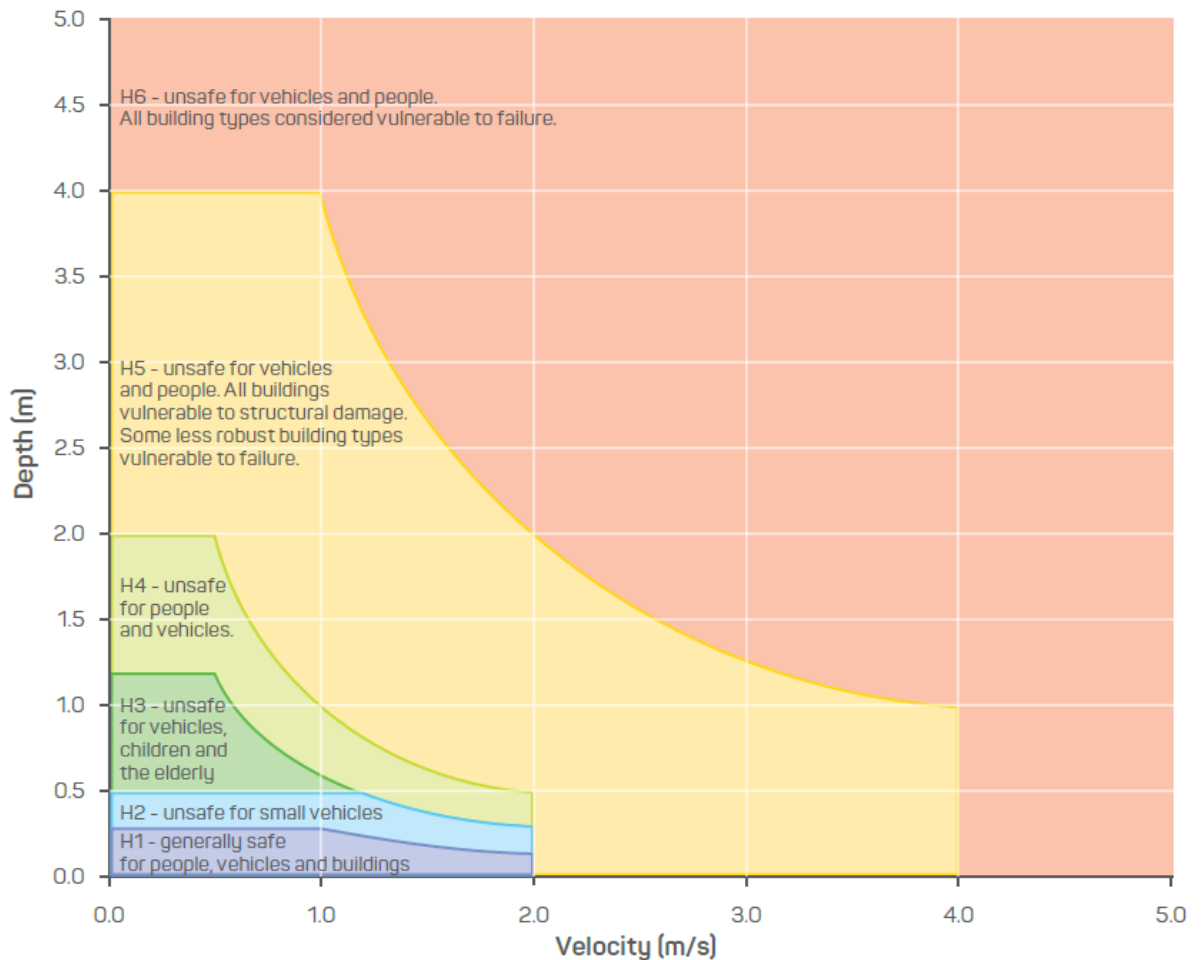


Figure 6: General flood hazard vulnerability curves

- b. Council officers advise any applicants lodging, or intending to lodge, a Development Application for a new residential dwelling within the subject high flood hazard areas that the application is unlikely to be supported due to concerns that the development is incompatible with the flood hazard of the land.
- c. Determination of Development Applications for new residential dwellings within the subject high flood hazard areas received and accepted by Council prior to 19 July 2018 shall be deferred to allow Council officers to undertake negotiations (under the instruction of the General Manager) with the applicant regarding appropriate compensation to encourage the withdrawal of the application. If negotiations are unsuccessful, the application shall be refused on the grounds that the development does not satisfy Clause 7.3 of the Tweed LEP; that is, the development is incompatible with the flood hazard of the land. The Interim Policy does not restrict the applicant's right to appeal the determination in the Land and Environment Court.

- d. Council will continue to accept and process to determination Development Applications for alterations and additions to existing dwellings and ancillary development in high flood hazard areas, in accordance with the controls in the current version of DCP-A3.
 - e. Prohibit boundary adjustments in high flood hazard areas that facilitate the creation of allotments that are conducive to a new dwelling or dwellings. Promote the consolidation of multiple parcels under single private ownership.
 - f. Development applications outside of the defined high flood hazard areas shall continue to be accepted and processed to determination in accordance with the controls in the current version of DCP-A3.
 - g. The Interim Policy shall be in effect until DCP-A3 is amended and a new version is adopted that incorporates the contemporary flood data and recommendations of the Tweed Valley Floodplain Risk Management Study and Plan, and the Tweed Coastal Creeks Floodplain Risk Management Study and Plan, to the satisfaction of Council.
2. Place the draft Interim Policy on Public Exhibition for 42 days (6 weeks) for public submissions.
 3. Publish the high hazard maps and add a notation to s149 planning certificates that a draft Interim Policy applies to impacted land.
 4. Consider submissions, amend the Interim Policy as required, and report to the Floodplain Management Committee seeking endorsement.
 5. Report the final Interim Policy to Council seeking adoption.
 6. Implement the Interim Policy, update s149 notations, and commence the process of amending DCP-A3.

Point 1(c) refers to negotiating compensation with impacted applicants. Without prejudicing negotiations, this could constitute reimbursement of development application fees, costs of preparation of the development application, repayment of previous developer contributions or direct compensation for a “lost” dwelling entitlement based on valuations. It is not possible to predict the cost of these negotiations as they will be site specific.

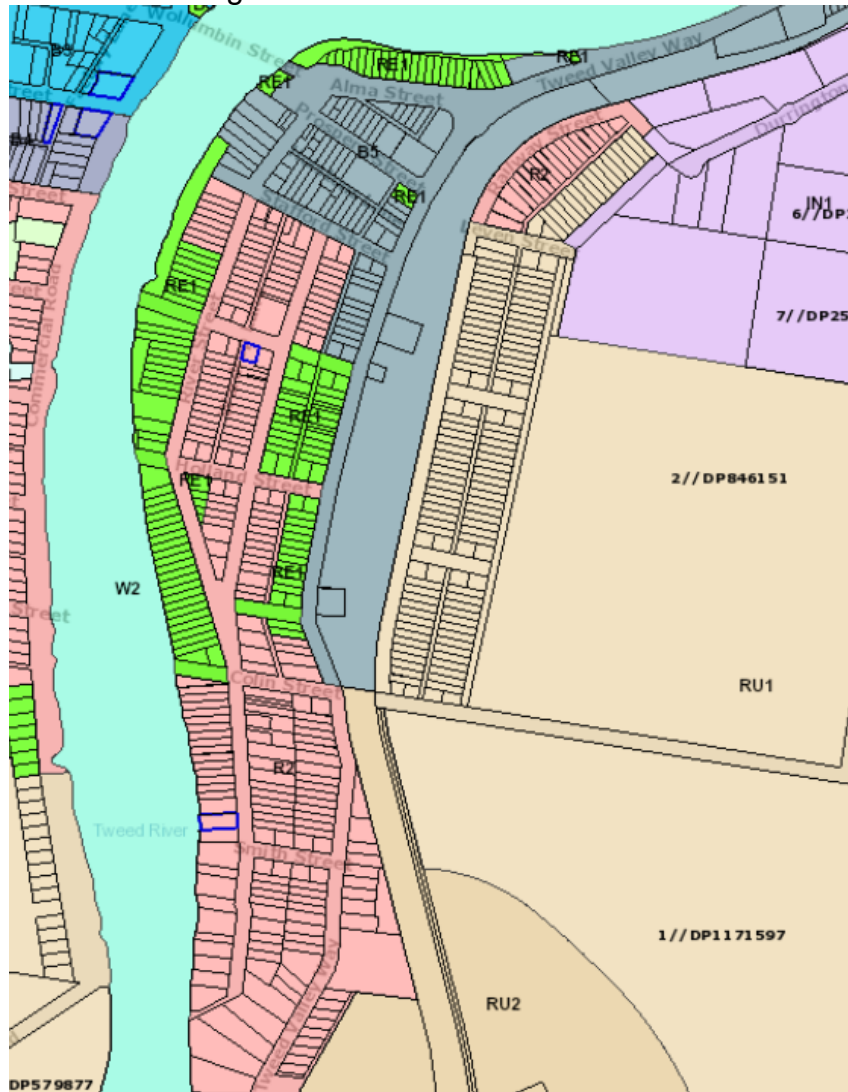
Residential Land Zoning

Council also needs to consider longer term approaches to permanently limiting the development potential for residential zoned land in high flood hazard suburbs. Each urban residential allotment has a “dwelling entitlement” as it is a permitted land use under the Tweed LEP. This allows a DA to be lodged for a dwelling on any residential allotment, and this entitlement cannot be removed or revoked under the current residential zoning.

One approach is back zoning the land to an alternate zone that prohibits dwellings, such as Public Recreation (RE1). However doing so triggers “owner initiated acquisition” provisions under the *Land Acquisition (Just Terms Compensation) Act 1991* and Clause 5.1 of TLEP, which identifies Council as the “relevant acquisition authority” for land mapped as local open space. The legislation requires that if the landowner will suffer hardship due to delay in the land being acquired, the authority must acquire the land within 90 days.

In summary, back zoning should only occur if the Council has the intent and the financial means to purchase all impacted land. Council also needs to consider the ongoing costs of

acquiring and maintaining such substantial land areas. At this stage, this makes back zoning impractical across the high flood hazard suburbs.



Above: TLEP land zoning map for South Murwillumbah

A favoured alternative to back zoning is to promote the consolidation of residentially zoned land. A review of the cadastre in South Murwillumbah confirms that it is relatively common for residential addresses to consist of more than one allotment. In the past this has allowed landholders to apply for a boundary adjustment (which is permitted under DCP-A3 while subdivision to create additional allotment is not) to make their land more conducive for another dwelling on a separate allotment (as dual occupancy is also not permitted under DCP-A3). On a preliminary count there are around 40 properties across South Murwillumbah where this kind of development could occur. It is considered to be the best outcome for these lots to be consolidated by the landholder, thereby retaining a residential zoning, and preserving the current dwelling and private ownership. This requires some incentives to be offered by Council, as the increased value of the existing dwelling with increased land area is unlikely to match the lost value of additional dwelling entitlements. A confidential attachment to this report provides a valuer's report on a consolidation case being considered in South Murwillumbah, which provides an indication of the costs associated with such an approach.



Above: An area of South Murwillumbah showing dwellings located over multiple allotments, as well as allotments that have been subject to previous "boundary adjustments" to facilitate new dwellings.

Beyond residential zoned areas, there are many hundred undeveloped allotments in rural and recreational zones that are considered high flood hazard and should be pursued for consolidation. This should have no impact on current enjoyment of the land, may reduce costs for landholders (e.g. Council rates, land taxes), and significantly reduces the likelihood that the land will be divided up for future development proposals in the longer term, when current experiences of major flooding has faded. The only cost in doing so should be application fees and the preparation of revised plans for land titles.

OPTIONS:

Option 1 – to adopt an Interim Policy for high flood hazard land in South Murwillumbah, Bray Park, Burringbar and Mooball in the terms presented in this report, and commence a review of Development Control Plan Section A3 – Development of Flood Liable Land to incorporate contemporary flood data and the recommendations from Council's FRMPs. Option 1 is the recommendation of this report.

Option 2 – as per Option 1, with alternate considerations in the Interim Policy.

Option 3 – Continue to accept and assess Development Applications for new dwellings on high flood hazard land in accordance with the current version of Development Control Plan Section A3 – Development of Flood Liable Land.

CONCLUSION:

Tweed Shire is subject to many areas that experience high hazard flooding, as experienced in March 2017. While many communities were originally developed with limited knowledge of flooding, Council has conducted two major Floodplain Risk Management Studies and Plans which provide better flood data and identify areas where voluntary purchase is warranted as there are no viable alternative risk mitigation options in these legacy areas. These same areas continue to be subject to development applications for new dwellings, and Council requires an Interim Policy to deal with these issues so that the benefits obtained by VHP are not undone, while our planning scheme, specifically DCP-A3 is formally updated.

COUNCIL IMPLICATIONS:

a. Policy:

This report recommends the creation of a new policy document.

b. Budget/Long Term Financial Plan:

The legacy flood issues that confront Tweed Shire Council represent considerable financial risk. The do-nothing approach will see repeat flood events impacting on highly flood liable communities, and divert increasing levels of resources into recovery and repair efforts.

Intervention by Council in the form of tightened development controls or prohibiting development of zoned residential land will lead to compensation negotiations and/or legal challenges with associated costs.

A valuation report is included as a confidential attachment to try and quantify likely compensation for the consolidation of undeveloped residential land in South Murwillumbah.

c. Legal:

As above, changes in policies relating to development of flood prone land, and particularly where applications have already been lodged with Council under the existing planning scheme, may lead to Land and Environment Court appeals.

Changes to flood prone land policies by Council need to adhere to the process prescribed by the NSW Floodplain Development Manual, in order to maintain Council's legal indemnity under s733 of the Local Government Act 1993.

d. Communication/Engagement:

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

The issues outlined in this report are largely location specific. Individual applicants will be subject to specific negotiations and require information relevant to their property and its flood affectation.

More broadly, publicly available flood hazard mapping and related notations on s149 planning certificates will assist people in their decision making around property purchases and development applications.

Changes to flood policy documents require public exhibition and will be reviewed by the Floodplain Management Committee which includes community and industry representatives.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Valuation by Valuers Australia dated 13 June 2018 (ECM5364957).

3 [E-CM] Review of Car Parking Requirements for Small Business

SUBMITTED BY: Roads and Stormwater

mhm



People, places and moving around
Who we are and how we live

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 People, places and moving around
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

ROLE: **Provider** **Advocate**

SUMMARY OF REPORT:

Council at its meeting on 19 April 2018 considered a report on requirements for parking for small business approvals. It resolved to refer the report and its attachments to the Business Chambers for their information and any feedback.

The report and attachments were sent to the Business Chambers in Murwillumbah, Tweed Heads and Kingscliff on 4 May 2018, requesting any feedback by 15 June 2018. At the time of writing no feedback has been received from the Business Chambers.

Accordingly, the original report is attached for finalisation, with the previous recommendation to note the report and retain the existing parking policy framework.

RECOMMENDATION:

That Council notes the review of car parking requirements for small business, and retains the existing parking policy framework.

REPORT:

Council at its meeting on 19 April 2018 considered a report on requirements for parking for small business approvals. Council resolved:

"that Council refers the report and attachments - [E-CM] Review of Car Parking Requirements for Small Business - to the Business Chambers for their information and any feedback."

The report and attachments were sent to the Business Chambers in Murwillumbah, Tweed Heads and Kingscliff on 4 May 2018, requesting any feedback by 15 June 2018. No submissions were received by this date, and at the time of writing none of the Business Chambers have contacted the Roads and Stormwater Unit regarding the report.

Accordingly, the original report is re-tabled as an attachment for finalisation, with the previous recommendation to note the review and retain the existing parking policy framework.

OPTIONS:

1. To note the review of car parking requirements for small business, and retain the existing parking policy framework.
2. To consider an alternative parking policy based on the options provided in the April 2018 report.

Option 1 is the recommendation of this report.

CONCLUSION:

At the request of Council, the previous report regarding car parking requirements for small business and its attachments have been forwarded to the Business Chambers. No feedback has been received. As such, the April 2018 report is again tabled so that the matter can be finalised.

COUNCIL IMPLICATIONS:

a. Policy:

Refer to attachment.

b. Budget/Long Term Financial Plan:

Refer to attachment.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Prior to finalisation the report considered on 19 April 2018 has been sent to the Business Chambers for their feedback. None has been forthcoming.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Review of Car Parking Requirements for Small Business
(19 April 2018 Ordinary Meeting Council Report)
(ECM5364867).

REPORTS FROM THE EXECUTIVE MANAGER FINANCE, REVENUE AND INFORMATION TECHNOLOGY

4 [FRIT-CM] 2018/2019 - Making of the Rate Report

SUBMITTED BY: Financial Services

mhm



Making decisions with you
We're in this together

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Making decisions with you
2.2	Engagement
2.2.5	Financial Services - To collect and manage Council funds and provide information and advice to support sound financial decision-making.

ROLE: **Provider**

SUMMARY OF REPORT:

Council, at its meeting of 21 June 2018, resolved to adopt the Delivery Program 2017/2021, Operational Plan 2018/2019; Revenue Policy and Statement 2018/2019, Budget 2018/2019, Fees and Charges 2018/2019 and Resourcing Strategy 2018 supporting the 2017/2027 Community Strategic Plan.

In accordance with the provisions of the Local Government Act 1993 a rate or charge is made by resolution of Council, and each rate or charge is to be made for a specified year, being the year in which the rate or charge is made or the next year. Accordingly, a rate or charge must be made before 1 August in the year for which the rate or charge is made or before such later date in that year as the Minister may, if the Minister is of the opinion that there are special circumstances, allow.

The basis of this report is the formal Making of the Rate and Charges for 2018/2019.

RECOMMENDATION:

That:

- 1. Council makes the 2018/2019 rates and charges in accordance with the provisions of sections 493, 494, 495, 495A, 496, 498, 501, 502, 506, 508A, 541, 548 and 553 of the Local Government Act 1993:**

(a) Ordinary Rates (section 494, 498, 508A)

(i) Residential Rate

A Residential Rate of .4789 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Residential with a minimum rate of one thousand and forty six dollars and forty five cents (\$1,046.45) in respect of any separate parcel of rateable land.

(ii) Farmland Rate

A Farmland Rate of .3371 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Farmland with a minimum rate of one thousand and forty six dollars and forty five cents (\$1,046.45) in respect of any separate parcel of rateable land.

(iii) Business Rate

A Business Rate of .5021 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Business with a minimum rate of one thousand and one hundred and fifty dollars and thirty five cents (\$1,150.35) in respect of any separate parcel of rateable land.

(b) Annual Charges (Section 495, 495A, 496, 501, 502 and 553)

(i) Sewerage Access Charge (Section 501)

A sewerage access charge on the rateable land value of all applicable rateable land in the Tweed Shire Council area with an access charge of eight hundred and thirty seven dollars and ninety five cents (\$837.95) in respect of any separate parcel of rateable land.

Non-Residential and Non-Strata Multi-Residential Assessments - The minimum non-residential sewerage access charge will be \$837.95

The minimum non-residential sewerage access charge shall be equivalent to the residential sewerage access charge.

The non-residential sewerage access charge (SAC) for properties with a larger than 20mm water service shall be calculated in the same way as the water access charge:

$$\text{Non-residential SAC (\$)} = \text{Residential SAC (\$)} \times R \times CF \times SDF$$

Where:

R = Meter Ratio being the ratio of the water meter cross sectional area to that of a 20mm water meter's cross sectional area (See Table 1)

CF = Consumption Factor for the previous 12 months as displayed in Table 1 (The Consumption Factor has been

introduced to acknowledge that the size of the water meter does not always reflect the volume of water used).
SDF = Sewer Discharge Factor: Percentage of the metered water consumption that is deemed to be discharged to the sewerage system.

Table 1. Consumption Factors

Meter size (mm)	20	25	32	40	50	80	100	150	200	250	300
Meter Ratio (R)	1	1.56	2.56	4.0	6.25	16.0	25.0	56.25	100	156.25	225
Consumption Range (kL)	Consumption Factor (CF)										
0 - 290	1.000	0.640	0.391	0.250	0.160	0.063	0.040	0.018	0.010	0.006	0.004
291 - 454	1.000	1.000	0.610	0.391	0.250	0.980	0.063	0.028	0.016	0.010	0.007
455 - 743	1.000	1.000	1.000	0.640	0.410	0.160	0.102	0.046	0.026	0.016	0.011
744 - 1,160	1.000	1.000	1.000	1.000	0.640	0.250	0.160	0.071	0.040	0.026	0.018
1,161 - 1,814	1.000	1.000	1.000	1.000	1.000	0.391	0.250	0.111	0.063	0.040	0.028
1,815 - 4,640	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.284	0.160	0.102	0.071
4,641 - 7,250	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.444	0.250	0.160	0.111
7,251 - 16,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.563	0.360
16,315 - 29,000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.640
29,001 - 45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.694
Over 45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000

Vacant assessments rated to sewerage – an access charge of \$837.95

(ii) Water Access Charge (Section 501)

Residential assessments – an access charge of \$173.15

Non-Residential and Non-Strata Multi-Residential Assessments - The minimum non-residential water access charge will be \$173.15

The non-residential water access charge (WAC) for properties with a larger than 20mm water service shall be calculated as shown below:

$$\text{Non-residential WAC (\$)} = \text{Residential WAC (\$)} \times R \times CF$$

Where:

R = Meter Ratio being the ratio of the water meter cross sectional area to that of a 20mm water meter’s cross sectional area (see Table 2).

CF = Consumption Factor for the previous 12 months as displayed in Table 2 (The Consumption Factor has been introduced to acknowledge that the size of the water meter does not always reflect the volume of water used).

Table 2. Consumption Factors

Meter size (mm)	20	25	32	40	50	80	100	150	200	250	300	
Meter Ratio (R)	1	1.56	2.56	4.0	6.25	16.0	25.0	56.25	100	156.25	225	
Consumption Range (kL)	Consumption Factor (CF)											
0	290	1.000	0.640	0.391	0.250	0.160	0.063	0.040	0.018	0.010	0.006	0.004
291	454	1.000	1.000	0.610	0.391	0.250	0.980	0.063	0.028	0.016	0.010	0.007
455	743	1.000	1.000	1.000	0.640	0.410	0.160	0.102	0.046	0.026	0.016	0.011
744	1,160	1.000	1.000	1.000	1.000	0.640	0.250	0.160	0.071	0.040	0.026	0.018
1,161	1,814	1.000	1.000	1.000	1.000	1.000	0.391	0.250	0.111	0.063	0.040	0.028
1,815	4,640	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.284	0.160	0.102	0.071
4,641	7,250	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.444	0.250	0.160	0.111
7,251	16,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.563	0.360	0.250
16,315	29,000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.444
29,001	45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.694
Over 45,314		1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000

A volumetric charge of \$2.96 per kilolitre will apply for all consumption up to .8219kl per day based on the daily average over the billing period.

A high consumption volumetric charge of \$4.44 per kilolitre will apply for all consumption above .8219kl per day based on the daily average over the billing period.

Vacant assessments rated to water – an access charge of \$173.15

Properties will be levied the water access charge in accordance with the Local Government Act including the description of what land may be subject to the water access charge.

(iii) Koala Beach Special Rate (Section 495)

A Koala Beach Special Rate of .0678 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land:

Lot 1 DP 86409	Lot 62 DP 864094	Lot 216 DP 1033384	Lot 202 DP 1033384
Lot 2 DP 864093	Lot 63 DP 864094	Lot 217 DP 1033384	Lot 203 DP 1033384
Lot 3 DP 864093	Lot 64 DP 864094	Lot 218 DP 1033384	Lot 204 DP 1033384
Lot 4 DP 864093	Lot 65 DP 864094	Lot 219 DP 1033384	Lot 205 DP 1033384
Lot 5 DP 864093	Lot 66 DP 864094	Lot 220 DP 1033384	Lot 206 DP 1033384
Lot 6 DP 864093	Lot 67 DP 864094	Lot 221 DP 1033384	Lot 207 DP 1033384
Lot 7 DP 864093	Lot 68 DP 864094	Lot 222 DP 1033384	Lot 208 DP 1033384
Lot 8 DP 864093	Lot 69 DP 864094	Lot 223 DP 1033384	Lot 209 DP 1033384
Lot 9 DP 864093	Lot 70 DP 864094	Lot 224 DP 1033384	Lot 210 DP 1033384
Lot 10 DP 864093	Lot 71 DP 864094	Lot 225 DP 1033384	Lot 211 DP 1033384
Lot 11 DP 864093	Lot 72 DP 864094	Lot 226 DP 1033384	Lot 451 DP 1040725
Lot 12 DP 864093	Lot 73 DP 864094	Lot 227 DP 1033384	Lot 452 DP 1040725
Lot 13 DP 864093	Lot 74 DP 864094	Lot 228 DP 1033384	Lot 453 DP 1040725
Lot 16 DP 864093	Lot 75 DP 864094	Lot 229 DP 1033384	Lot 454 DP 1040725
Lot 17 DP 864093	Lot 76 DP 864094	Lot 230 DP 1033384	Lot 455 DP 1040725

Lot 18 DP 864093	Lot 77 DP 864094	Lot 231 DP 1033384	Lot 456 DP 1040725
Lot 19 DP 864093	Lot 78 DP 864094	Lot 232 DP 1033384	Lot 457 DP 1040725
Lot 20 DP 864093	Lot 79 DP 864094	Lot 233 DP 1033384	Lot 458 DP 1040725
Lot 21 DP 864093	Lot 80 DP 864094	Lot 234 DP 1033384	Lot 459 DP 1040725
Lot 30 DP 864094	Lot 81 DP 864094	Lot 235 DP 1033384	Lot 460 DP 1040725
Lot 31 DP 864094	Lot 82 DP 864094	Lot 236 DP 1033384	Lot 461 DP 1040725
Lot 32 DP 864094	Lot 83 DP 864094	Lot 237 DP 1033384	Lot 301 DP 1049060
Lot 33 DP 864094	Lot 84 DP 864094	Lot 238 DP 1033384	Lot 302 DP 1049060
Lot 34 DP 864094	Lot 85 DP 864094	Lot 239 DP 1033384	Lot 303 DP 1049060
Lot 35 DP 864094	Lot 86 DP 864094	Lot 240 DP 1033384	Lot 304 DP 1049060
Lot 36 DP 864094	Lot 87 DP 864094	Lot 241 DP 1033384	Lot 305 DP 1049060
Lot 37 DP 864094	Lot 88 DP 864094	Lot 242 DP 1033384	Lot 306 DP 1049060
Lot 38 DP 864094	Lot 91 DP 864094	Lot 243 DP 1033384	Lot 307 DP 1049060
Lot 39 DP 864094	Lot 92 DP 864095	Lot 244 DP 1033384	Lot 308 DP 1049060
Lot 40 DP 864094	Lot 93 DP 864095	Lot 245 DP 1033384	Lot 309 DP 1049060
Lot 41 DP 864094	Lot 94 DP 864095	Lot 246 DP 1033384	Lot 310 DP 1049060
Lot 42 DP 864094	Lot 95 DP 864095	Lot 247 DP 1033384	Lot 311 DP 1049060
Lot 43 DP 864094	Lot 96 DP 864095	Lot 248 DP 1033384	Lot 312 DP 1049060
Lot 44 DP 864094	Lot 97 DP 864095	Lot 249 DP 1033384	Lot 313 DP 1049060
Lot 45 DP 864094	Lot 98 DP 864095	Lot 250 DP 1033384	Lot 314 DP 1049060
Lot 46 DP 864094	Lot 99 DP 864095	Lot 251 DP 1033384	Lot 315 DP 1049060
Lot 47 DP 864094	Lot 100 DP 864095	Lot 252 DP 1033384	Lot 316 DP 1049060
Lot 48 DP 864094	Lot 101 DP 864095	Lot 253 DP 1033384	Lot 317 DP 1049060
Lot 49 DP 864094	Lot 14 DP 870694	Lot 254 DP 1033384	Lot 318 DP 1049060
Lot 50 DP 864094	Lot 15 DP 870694	Lot 255 DP 1033384	Lot 319 DP 1049060
Lot 51 DP 864094	Lot 22 DP 870695	Lot 256 DP 1033384	Lot 320 DP 1049060
Lot 52 DP 864094	Lot 23 DP 870695	Lot 257 DP 1033384	Lot 321 DP 1049060
Lot 53 DP 864094	Lot 24 DP 870695	Lot 258 DP 1033384	Lot 322 DP 1049060
Lot 54 DP 864094	Lot 25 DP 870695	Lot 259 DP 1033384	Lot 323 DP 1049060
Lot 55 DP 864094	Lot 26 DP 870695	Lot 260 DP 1033384	Lot 324 DP 1049060
Lot 56 DP 864094	Lot 27 DP 870695	Lot 261 DP 1033384	Lot 325 DP 1049060
Lot 57 DP 864094	Lot 28 DP 870695	Lot 262 DP 1033384	Lot 326 DP 1049060
Lot 58 DP 864094	Lot 29 DP 870695	Lot 263 DP 1033384	Lot 327 DP 1049060
Lot 59 DP 864094	Lot 213 DP 1033384	Lot 264 DP 1033384	Lot 328 DP 1049060
Lot 60 DP 864094	Lot 214 DP 1033384	Lot 265 DP 1033384	Lot 329 DP 1049060
Lot 61 DP 864094	Lot 215 DP 1033384	Lot 201 DP 1033384	Lot 330 DP 1049060
Lot 331 DP 1049060	LOT 396 DP 1052083	Lot 516 DP 1068516	Lot 569 DP 1076975
Lot 332 DP 1049060	Lot 397 DP 1052083	Lot 519 DP 1076975	Lot 570 DP 1076975
Lot 333 DP 1049060	Lot 398 DP 1052083	Lot 520 DP 1076975	Lot 571 DP 1076975
Lot 334 DP 1049060	Lot 399 DP 1052083	Lot 521 DP 1076975	Lot 572 DP 1076975
Lot 335 DP 1049060	Lot 400 DP 1052083	Lot 522 DP 1076975	Lot 573 DP 1076975
Lot 336 DP 1049060	Lot 401 DP 1052083	Lot 523 DP 1076975	Lot 574 DP 1076975
Lot 338 DP 1049060	Lot 402 DP 1052083	Lot 524 DP 1076975	Lot 575 DP 1076975
Lot 340 DP 1049061	Lot 403 DP 1052083	Lot 525 DP 1076975	Lot 576 DP 1076975
Lot 342 DP 1049061	Lot 404 DP 1052083	Lot 526 DP 1076975	Lot 577 DP 1076975

Lot 343 DP 1049061	Lot 405 DP 1052083	Lot 527 DP 1076975	Lot 578 DP 1076975
Lot 344 DP 1049061	Lot 406 DP 1052083	Lot 528 DP 1076975	Lot 579 DP 1076975
Lot 346 DP 1049061	Lot 407 DP 1052083	Lot 529 DP 1076975	Lot 580 DP 1076975
Lot 347 DP 1049061	Lot 408 DP 1052083	Lot 530 DP 1076975	Lot 581 DP 1076975
Lot 348 DP 1049061	Lot 409 DP 1052083	Lot 531 DP 1076975	Lot 582 DP 1076975
Lot 349 DP 1049061	Lot 410 DP 1052083	Lot 532 DP 1076975	Lot 583 DP 1076975
Lot 350 DP 1049061	Lot 411 DP 1052083	Lot 534 DP 1076975	Lot 584 DP 1076975
Lot 351 DP 1049061	Lot 412 DP 1052083	Lot 535 DP 1076975	Lot 585 DP 1076975
Lot 352 DP 1049061	Lot 413 DP 1052083	Lot 536 DP 1076975	Lot 586 DP 1076975
Lot 353 DP 1049061	Lot 414 DP 1052083	Lot 537 DP 1076975	Lot 587 DP 1076975
Lot 354 DP 1049061	Lot 415 DP 1052083	Lot 538 DP 1076975	Lot 588 DP 1076975
Lot 355 DP 1049061	Lot 416 DP 1052083	Lot 539 DP 1076975	Lot 589 DP 1076975
Lot 356 DP 1049061	Lot 417 DP 1052083	Lot 540 DP 1076975	Lot 590 DP 1076975
Lot 357 DP 1049061	Lot 418 DP 1052083	Lot 541 DP 1076975	Lot 591 DP 1076975
Lot 339 DP 1052080	LOT 419 DP 1052083	Lot 542 DP 1076975	Lot 592 DP 1076975
Lot 370 DP 1052082	LOT 420 DP 1052083	Lot 543 DP 1076975	Lot 593 DP 1076975
Lot 371 DP 1052082	Lot 421 DP 1052083	Lot 544 DP 1076975	Lot 594 DP 1076975
Lot 372 DP 1052082	Lot 422 DP 1052083	Lot 545 DP 1076975	Lot 595 DP 1076975
Lot 373 DP 1052082	Lot 423 DP 1052083	Lot 546 DP 1076975	Lot 596 DP 1076975
Lot 374 DP 1052082	Lot 424 DP 1052083	Lot 547 DP 1076975	Lot 597 DP 1076975
Lot 375 DP 1052082	Lot 425 DP 1052083	Lot 548 DP 1076975	Lot 598 DP 1076975
Lot 376 DP 1052082	Lot 426 DP 1052083	Lot 549 DP 1076975	Lot 599 DP 1076975
Lot 377 DP 1052082	Lot 90 DP 864094	Lot 550 DP 1076975	Lot 600 DP 1076975
Lot 378 DP 1052082	Lot 89 DP 864094	Lot 551 DP 1076975	Lot 601 DP 1076975
Lot 379 DP 1052082	Lot 212 DP 1033384	Lot 552 DP 1076975	Lot 602 DP 1076975
Lot 380 DP 1052082	Lot 200 DP 1033384	Lot 553 DP 1076975	Lot 603 DP 1076975
Lot 381 DP 1052082	Lot 501 DP 1068516	Lot 554 DP 1076975	Lot 604 DP 1076975
Lot 382 DP 1052082	Lot 502 DP 1068516	Lot 555 DP 1076975	Lot 605 DP 1076975
Lot 383 DP 1052082	Lot 503 DP 1068516	Lot 556 DP 1076975	Lot 606 DP 1076975
Lot 384 DP 1052082	Lot 504 DP 1068516	Lot 557 DP 1076975	Lot 607 DP 1076975
Lot 385 DP 1052082	Lot 505 DP 1068516	Lot 558 DP 1076975	Lot 608 DP 1076975
Lot 386 DP 1052082	Lot 506 DP 1068516	Lot 559 DP 1076975	Lot 739 DP 1076973
Lot 387 DP 1052082	Lot 507 DP 1068516	Lot 560 DP 1076975	Lot 919 DP 1077493
Lot 388 DP 1052082	Lot 508 DP 1068516	Lot 561 DP 1076975	Lot 610 DP 1077500
Lot 389 DP 1052082	Lot 509 DP 1068516	Lot 562 DP 1076975	Lot 611 DP 1077500
Lot 390 DP 1052082	Lot 510 DP 1068516	Lot 563 DP 1076975	Lot 612 DP 1077500
Lot 391 DP 1052082	Lot 511 DP 1068516	Lot 564 DP 1076975	Lot 613 DP 1077500
Lot 392 DP 1052082	Lot 512 DP 1068516	Lot 565 DP 1076975	Lot 614 DP 1077500
Lot 393 DP 1052083	Lot 513 DP 1068516	Lot 566 DP 1076975	Lot 615 DP 1077500
Lot 394 DP 1052083	Lot 514 DP 1068516	Lot 567 DP 1076975	Lot 616 DP 1077500
Lot 395 DP 1052083	Lot 515 DP 1068516	Lot 568 DP 1076975	Lot 617 DP 1077500

(iv) Cobaki Environmental Special Rate (Section 495)

A Cobaki Environmental Special Rate of 1.0460 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land:

Lot 54 DP 755740
Lot 55 DP 755740
Lot 1 DP 570076
Lot 46 DP 755740
Lot 200 DP 755740
Lot 201 DP 755740
Lot 202 DP 755740
Lot 205 DP 755740
Lot 206 DP 755740
Lot 209 DP 755740
Part Lot 199 DP 755740
Lot 228 DP 755740
Lot 2 DP 566529
Part Lot 199 DP 755740
Lot 1 DP 562222
Lot 1 DP 570077
Lot 305 DP 755740
Lot 1 DP 823679
Lot 1 DP 1169394

(v) Domestic Waste Management Annual Charge (Section 496)

A Domestic Waste Management Annual Charge for all land within the declared domestic waste scavenging area, maps of which are available from Council's Waste Management Unit. An annual charge of sixty nine dollars and eighty cents (\$69.80) in respect of any applicable land within the declared domestic waste scavenging area.

(vi) Domestic Waste Service Annual Charge (Section 496)

In 2018/2019 the Domestic Waste Management Service Charge for the standard 140L garbage bin weekly collection will be one hundred and eighty six dollars (\$186.00) per annum per service. As part of the new bin system, the 140L garbage bin fortnightly collection will be the predominant service for residential rated properties within the urban footprint at a cost of one hundred and sixty three dollars and fifty cents (\$163.50) per annum per service. Residents may choose to have either a larger or smaller bin with the charge for each listed in the table below in respect of any applicable serviced land within the declared domestic waste scavenging area.

Service Type	Charge
80 litre fortnightly waste service	\$160.00
140 litre fortnightly waste service	\$163.50

240 litre fortnightly waste service	\$180.00
80 litre weekly service	\$181.00
140 litre weekly service	\$186.00
240 litre weekly service	\$205.00

(vii) Landfill Management Charge (Section 501)

A Landfill Management Annual Charge for all rateable land within the boundary of the Tweed Shire. An annual charge of fifty two dollars (\$52.00) in respect of all rateable land within the boundary of the Tweed Shire.

(viii) Domestic Waste Service Organic Collection Charge (Section 496)

In 2018/19 Council will be providing a weekly collection service for household organics including food waste. This service will be part of the compulsory suite of services provided to residential properties within the urban footprint. The service will not however be compulsory to Multi Unit development where there are more than two titles on the site. The charge in 2018/19 related to the collection of the organics bin and the processing of this waste to produce a value added compost material is eighty two dollars and forty cents (\$82.40) per bin for a 240 litre weekly service. Additional organics waste collection service will be available to domestic multi-unit properties at a charge of eighty two dollars and forty cents (\$82.40) per annum for a weekly service.

(ix) Waste Minimisation and Recycling Annual Charge (Section 496)

A Waste Minimisation and Recycling Annual Charge for all land within the declared domestic waste scavenging area, maps of which are available from Council's Waste Management Unit. An annual charge of fifty four dollars and fifty cents (\$54.50) in respect of any applicable land within the declared domestic waste scavenging area.

2. In accordance with section 566(3) of the Local Government Act 1993 that the maximum rate of interest payable on overdue rates and charges be 7.5% pa.

REPORT:

Council, at its meeting of 21 June 2018, resolved to adopt the Delivery Program 2017/2021, Operational Plan 2018/2019; Revenue Policy and Statement 2018/2019, Budget 2018/2019, Fees and Charges 2018/2019 and Resourcing Strategy 2018 supporting the 2017/2027 Community Strategic Plan. Council is now required to make the rate for 2018/2019.

In accordance with the provisions of the Local Government Act 1993 a rate or charge is made by resolution of Council, and each rate or charge is to be made for a specified year, being the year in which the rate or charge is made or the next year. Accordingly, a rate or charge must be made before 1 August in the year for which the rate or charge is made or before such later date in that year as the Minister may, if the Minister is of the opinion that there are special circumstances, allow.

The basis of this report is the formal Making of the Rate and Charges for 2018/2019.

OPTIONS:

Not Applicable.

CONCLUSION:

After the adoption of the Revenue Policy and Statement 2018/2019, Council is now required to make the rate for 2018/2019.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

The current number of rateable properties as at 1 July 2018 for ordinary rates is:

Residential	37,086
Business	1,838
Farmland	1,496
Total	40,420

The minimum rates are as follows:

	Residential	Farmland	Business
Ordinary rate	\$1,046.45	\$1,046.45	\$1,150.35
Sewerage charge	\$837.95	\$837.95	\$837.95
Water Access Charge	\$173.15	\$173.15	\$173.15
Garbage Service Charge 140l	\$370.20	\$310.30	\$407.40
Landfill Management Charge	\$52.00	\$52.00	\$52.00
Total	\$2,479.75	\$2,419.85	\$2,620.85

The rates and charges income is included in the 2018/2019 Budget and Long Term Financial Plan.

Note:

The ad valorem rate in the dollar for Residential, Farmland and Business rate categories presented in this report have increased slightly compared to the amount included in the 2018/2019 Revenue Policy and Statement, although the minimum rate has remained unchanged. The change in the ad valorem rates is due to changes in property status, the revaluation process, supplementary valuation additions, the land valuation objections and the finalisation of postponed rate proportion of valuation.

c. Legal:

Rates Levied in accordance with the Local Government Act 1993, Sections:

- 493 Categories of ordinary rates and categories of land
- 494 Ordinary rates must be made and levied annually
- 495 Making and levying of special rates
- 495A Strata Lots and company titles taken to be separate parcels of land for annual charges
- 496 Making and levying of annual charges for domestic waste management services
- 498 The ad valorem amount
- 501 For what services can a Council impose an annual charge?
- 502 Charges for actual use
- 506 Variation of general income
- 508A Special variation over a period of years
- 541 Differing amounts for a charge
- 548 Minimum amounts
- 553 Time at which land becomes subject to special rate or charge
- 566 Accrual of interest on overdue rates and charges

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE EXECUTIVE MANAGER PEOPLE, COMMUNICATION AND GOVERNANCE

5 [PCG-CM] Councillor Induction and Professional Development Policy Version 1.0

SUBMITTED BY: Human Resources

mhm



Behind the scenes
Providing support to make it happen

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Behind the scenes
4.1	Assurance
4.1.1	Governance - To provide assistance to Councillors and support for Council to operate within its legal framework.

ROLE: Collaborator Provider Leader

SUMMARY OF REPORT:

The Office of Local Government (OLG) Consultation Draft Councillor Induction and Professional Development Guidelines released in December 2017, has driven the need to formalise Councils approach to individualised professional development planning and reporting for elected members.

Endorsement is sought for the attached draft Councillor Induction and Professional Development Policy version 1.0 (Attachment 1) which includes provision of a councillor professional development budget spanning the four (4) year elected term.

Endorsement is also sought for a Councillor Professional Development budget to be implemented for the remaining 2 years of the current council term.

RECOMMENDATION:

That the Council endorses:

1. The attached Councillor Induction and Professional Development Policy version 1.0 and in accordance with Section 161 of the Local Government Act 1993 dispenses with the requirement of advertising the Policy as it relates directly to councillors and has no public impact; and

2. **An annual professional development budget of \$8500 for each Councillor for the remaining 2 years of the current term, with the provision in year 1 (2018 – 2019) for Councillors to borrow up to a maximum of 30% from their year 2 budget (2019 – 2020), and unspent funds from year 1 to roll into year 2; and**
3. **A separate budget allocation for the Mayor to attend the bi-annual Mayoral weekend seminars.**

REPORT:

Tweed Shire Council is committed to ensuring that the Mayor and Councillors have access to training and educational opportunities to assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the Local Government Act 1993 ('the Act').

Councillors are individually and collectively accountable to the local community for the performance of the council. Each Councillor has a responsibility to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.

The General Manager of Tweed Shire Council is responsible for reporting to Council on all induction and professional development activities offered to each Councillor annually, as well as reporting this information on the Council's website.

In supporting the development of councillor specific learning and development plans, Council has utilised the Local Government NSW (LGNSW) *Capability Framework* and associated online tool *PD in a Box*.

As of 31 May 2018, all Tweed Shire Councillors have completed draft professional development plans, with support offered through Council's Learning and Development Officer.

An amalgamated report drawn from the Councillors self-assessments identified four (4) common capabilities in which Councillors may benefit from further professional development.

These 4 areas are:

1. Personal attributes | Display resilience and adaptability
2. Results | Plan and prioritise
3. Resources | Finance
4. Resources | Procurement and contracts

(See attachment 2 for details of the self-assessment report that includes behavioural indicators for each capability).

The following activities have been identified by the General Manager as options for assisting in bridging these capability gaps that would benefit all Councillors in developing confidence in the 4 identified capability areas, and each Councillor will be encouraged to attend:

1. Learning activity: LGNSW Media Skills

Capability: Personal attributes | Display resilience and adaptability

Delivered as a 1 day in-house workshop at the Tweed or Murwillumbah Civic Centre. The total cost for up to 16 participants is \$5,845 (Inc GST). If fully subscribed through councillor and other senior officer attendance the cost to each councillor's professional development budget would be approximately \$370.

2. Learning activity: LGNSW Finance for non-finance managers

Capability: Resources | Finance

Delivered as a 1 day in-house workshop at the Tweed or Murwillumbah Civic Centre. Costs to be confirmed.

3. **Learning activity: Tweed Shire Council Procurement and Contracts Workshop**
Capability: Resources | Procurement and contracts
Workshop to be developed and delivered by relevant council officers at no direct cost to councillors professional development budgets.
4. **Learning Activity: Workshop/Mentoring on dealing with the challenges of being an elected Councillor**
Capability: Results | Plan and prioritise
Potential providers and costs to be confirmed.

Councillors draft professional development plans require final review and formalisation including consideration of additional proposed Council initiated development programs prior to formal approval for individual course attendance with Tweed Shire Council's *Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy*.

As referred to in the proposed policy (Attachment 1 – p.7), it is recommended that a term budget allocation be provided to support the training and professional development activities undertaken by the mayor and councillors. The following budget framework provides an indication of the proposed allocation of funds for future Council terms, however as there are only 2 years remaining of the current term, an alternative budget has also been proposed to cover this period.

The following considerations have been integrated into the proposed budget:

1. The need for **annual budgets to be specified within each 4 year term** to allow for financial record keeping and reporting;
2. The need for **greater allocation of expenses in the first 2 years of each 4 year term, as well as the ability to use additional funds up to the value of 30% from the following years budget** due to increased professional development expenses required for new Councillors;
3. Attendance at the bi-annual Mayor Weekend Seminar's for the Mayor suggests an **additional Mayoral budget be allocated to facilitate attendance**;
4. Any **surplus expenses from an annual allocation to be rolled over** into the related councillor's budget for the following year allowing access to the full 4 year term budget as needed.

It is forecast that the following budget allocations would provide sufficient funding for councillors to complete appropriate amounts of professional development during their 4 year term:

A 4 year term budget of approximately \$182,000 be allocated which is inclusive of:

1. A term budget per councillor of \$26,000;

2. Funds not spent in the current year would carry forward into the following year's budget;
3. Councillors are able to borrow up to 30% of the following years funds for current professional development needs;
4. Funds are not transferrable from one Council term to another;
5. An additional mayoral term budget sufficient to cover attendance at the Mayoral Weekend Seminars (Currently \$10,560).

The funds would be distributed as follows:

Year	Yearly budget*	Per councillor budget*
1 (-3months)	\$59,500	\$8,500
2	\$59,500	\$8,500
3	\$35,000	\$5,000
4 (+3 months)	\$28,000	\$4,000
Sub Total	\$182,000	\$26,000
Total 4 year term budget		\$182,000

For the remainder of the current Council term, endorsement is sought for the following alternate funding structure:

1. Each councillor to be allocated an annual budget of \$8,500;
2. Funds not spent in the first year can be rolled into the second year;
3. Councillors are able to borrow up to 30% of the following years funds for current professional development needs;
4. Funds are not transferrable from one Council term to another;
5. An additional mayoral term budget sufficient to cover attendance at the Mayoral Weekend Seminars (Currently \$10,560).

OPTIONS:

That the Council endorses:

1. a) the draft Councillor Induction and Professional Development Planning Policy version 1.0; or
b) the draft Councillor Induction and Professional Development Planning Policy version 1.0 with specified amendments.
2. a) an annual professional development budget of \$8 500 for each Councillor for the remaining 2 years of the current term, with the provision in year 1 (2018 – 2019) for Councillors to borrow up to a maximum of 30% from their year 2 budget (2019 – 2020), and unspent funds from year 1 to roll into year 2; or

- b) an annual professional development budget for each elected member for the remaining 2 years of the current term with specified amendments.
- 3. a) a separate budget allocation for the mayor to attend the bi-annual Mayoral weekend seminars; or
- b) no budget allocation for the mayor to attend the bi-annual Mayoral weekend seminars.

CONCLUSION:

In accordance with proposed amendments to the *Local Government Act* council will be required to ensure it has robust systems in place to support appropriate councillor induction and professional development programs. The attached documents detail how council proposes to meet its obligations in this regard. The documents include the establishment of a councillor professional development budget. Additionally, recommendations are made in relation to common areas requiring additional professional development along with the recommendation that council coordinate externally facilitated but internally delivered workshops for all councillors.

COUNCIL IMPLICATIONS:

a. Policy:

Councillor Induction and Professional Development Policy Version 1.0
Office of Local Government Councillor Induction and Professional Development Guidelines.

b. Budget/Long Term Financial Plan:

An annual budget will be made available for Professional Development which will be aggregated across the 4 year term of the council.

c. Legal:

The general manager is to report to council meetings as outlined in the draft Councillor Induction and Professional Development Policy version 1.0 (Attachment 1 – p.13).

The general manager is to ensure these reports are published on the council's website.

d. Communication/Engagement:

Inform - We will keep you informed.

A Councillor workshop has been conducted as well as individual discussions with the Councillors to determine the Professional Development pathways.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Draft Councillor Induction and Professional Development Policy Version 1.0 (ECM 5367559).

Attachment 2. PD in a Box self-assessment overview – combined councillor results (ECM 5367604).

Attachment 3.

Office of Local Government Consultation Draft Councillor
Induction and Professional Development Guidelines
(ECM 5367646).
