



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

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

Agenda

Ordinary Council Meeting Thursday 6 June 2019

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 6 June 2019

SUBMITTED BY: Corporate Governance

nhm



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 6 June 2019 require their adoption by Council for the resolutions to be acted upon.

RECOMMENDATION:

That the recommendations of the Ordinary Planning Committee Meeting held Thursday 6 June 2019 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 COMMUNITY AND NATURAL RESOURCES

2 [CNR-CM] Initial Categorisation and Classification of Council Managed Crown Reserves

SUBMITTED BY: Recreation Services

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
- 3.2 Places
- 3.2.7 Parks and Gardens - To provide and manage quality and accessible public parks and gardens for the enjoyment and wellbeing of the community and visitors to the Tweed.

ROLE: **Provider**

SUMMARY OF REPORT:

The *Crown Land Management Act 2016* ("CLM Act") commenced on 1 July 2018. Section 3.23 of the CLM Act states that Council is to manage Crown land it is appointed manager of as if it were public land under the *Local Government Act 1993* ("LG Act").

To ensure that Council complies with the CLM Act, Council must assign one or more categories of community land referred to in section 36 of the LG Act <https://www.legislation.nsw.gov.au/-/view/act/1993/30> to each reserve for which it is the Crown Land manager. The category assigned must be most closely related to the Reserve Purpose for that parcel of land.

Council Crown Land managers must give written notice to the Minister for Water, Property and Housing of the categories to which it has assigned the community land as soon as practicable after assigning them.

Alternatively, if the Reserve Purpose or current land use does not meet the objectives of each of the categories, or cannot continue to be managed as community land, Council can apply to the Minister to classify the Crown land for which it is Manager, as operational. This is proposed for two reserves given reservoirs are located at the site.

Giving notice to the Governor or Minister is a non-delegable function and requires a Council resolution having regard to section 377(1) of the LG Act.

It is now necessary for Council to resolve to give written notice to the Minister of the initial categories assigned to each of the Council managed Crown Reserves to comply with Section 3.23 the CLM Act, together with requesting the Minister's approval to classify those Crown Land parcels where the reservoirs are located.

The initial assignment of categories needs to occur *prior* to the submission of any plans of management for approval under the new CLM Act. Any modifications to the categories can occur as part of the compilation of plans of management for all Council managed Crown Reserves across the shire which is to follow the initial categorisation in accordance with the CLM Act.

RECOMMENDATION:

That:

- 1. Notice be given to the Minister for Water, Property and Housing of the initial categories assigned to each of the Crown Reserves Council manages to comply with Section 3.23 of the *Crown Land Management Act 2016*.**
- 2. Council seeks consent from the Minister for Water, Property and Housing for the classification of Crown Reserves 86173 and 86174 at Lions Lookout Murwillumbah as operational in accordance with Section 3.22 of the *Crown Land Management Act 2016*.**

REPORT:

Background

In 2016 the *Crown Land Management Act 2016* ("CLM Act") was adopted repealing the *Crown Lands Act 1989*. However, some provisions did not come into effect until 1 July 2018. Part 3 of the CLM Act outlines how Crown land must be managed, with Division 3.4 providing for Crown land managed by councils.

The CLM Act introduces significant changes to the management of Crown land by Council. Specifically, councils will now manage their dedicated or reserved land as if it were public land under the *Local Government Act 1993* ("LG Act").

Council is required to undertake the following in accordance with the CLM Act:

1. Nominate Native Title Managers (s8.8);
2. Seek consent from the Minister for the classification of Council managed Crown land as operational for applicable reserves (s3.22(5));
3. Undertake the initial assignment of categories for every Council managed Crown Reserve within the shire (s3.23(2)) that is classified as community land; and
4. Adopt plans of management for every Council managed community land Crown Reserve within the shire within three years from July 2018 (s3.23(6)).

Council resolved to address item 1 at its meeting on 21 March 2019.

This report relates to items 2 and 3 above. Council is required to seek consent from the Minister for Water, Property and Housing for the classification of two Council managed Crown Reserves as operational in addition to the necessity for Council to give written notice to the Minister that it has assigned categories for each of the community land Crown Reserves under its management.

The initial assignment of categories needs to occur **prior** to the submission of any plans of management for approval under the new CLM Act. If the Minister determines that the nominated category is not the most closely related to the reserve purpose, the Minister will issue a direction to Council requiring Council to alter the assigned categorisation which must be adhered to. Any modifications to the categories can occur as part of item 4 and the compilation of plans of management subject to the Minister's approval.

It is noted that, Council has already sought consent for one Reserve to be classified as operational land. At the Council meeting on 21 February 2019, it was resolved to apply for Lot 682 DP 41192 Pioneer Parade Banora Point (Crown Reserve R89237) to be classified as operational land. This is where Unlimited Arts and the State Emergency Service Tweed Heads Unit are situated. Classification of the Crown land as operational land is proposed for the site as the land cannot continue to be used, and dealt with, as it is currently if it continues to be classified as community land as outlined in the CLM Act. This application is still to be determined by the Department.

Classification and Interim Schedule Categorisation Process

To ensure that Council complies with section 3.23 of the CLM Act, Council must assign one or more categories of community land referred to in section 36 of the LG Act, to each crown reserve for which it is manager. The classification and categorisation is summarised in Figure 1 below:

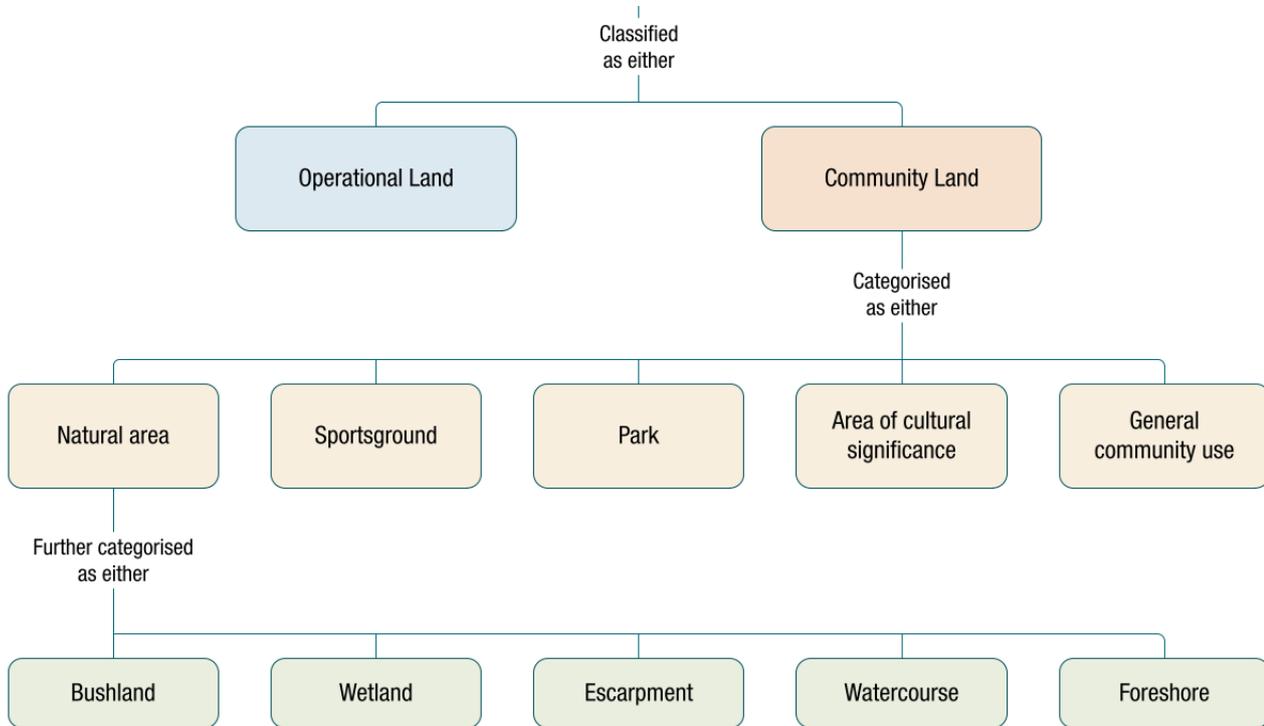


Figure 1: Classification and Categorisation as per Chapter 6 Part 2 of LG Act

If the land does not fall within any of the categories for community land, or it is considered that the land *could not continue to be used and dealt with as it currently can* under the legislation that applies to community land, Council can seek consent from the Minister to classify the Crown reserve under Council management as operational land (s3.22(5)).

Written notice must be given to the Minister of the initial categories to which Council has assigned the land as soon as practicable after assigning them (s3.23(4)).

NSW Crown Lands provided an interim schedule of Crown Reserves to councils in May 2018. Council officers undertook a review of the interim schedule noting extensive discrepancies between the interim schedule and Council records. A detailed table of questions was sent to NSW Crown Lands in this regard with a response received in October 2018. After the list of reserves for the shire was clarified, a review was undertaken assessing each Crown Reserve for classification and the initial assignment of categories.

NSW Crown Lands provided “*Guideline - classification of Crown land managed by council Crown land managers*” and “*Guideline - initial categorisation of Crown land managed by council Crown land managers*” (“Guidelines”). The Guidelines have informed the classification and categorisation process and outline example reserve purposes and categories. The Guidelines are an attachment to this Council Report.

The primary consideration for categorisation of land is that the category assigned must be **most closely related to** the Crown Reserve Purpose in accordance with section 3.23(3).

Further, the management of the land in accordance with the assigned category must not be considered to materially harm the use of the land for the reserve purpose.

The format for the advice to the Minister must be provided as outlined within the Guidelines.

It is noted that classification or categorisation may have native title implications and, as such, it is recommended that Council selects a category that most closely matches the original reservation or dedication purpose, or their land management activities may infringe upon native title rights.

If the Minister determines that the nominated category is not the most closely related to the reserve purpose, the Minister will issue a direction to Council requiring Council to alter the assigned categorisation in accordance with section 3.23(5) of the CLM Act. A direction of this nature must be adhered to.

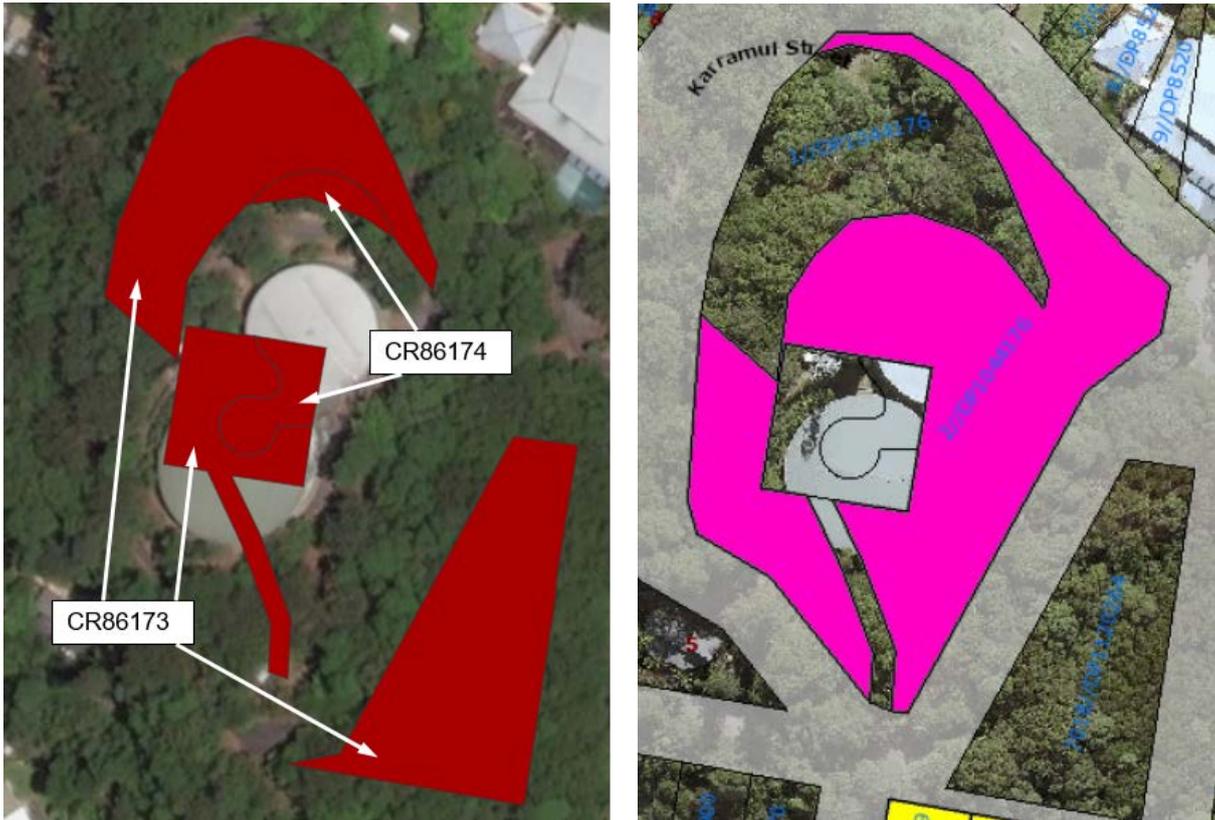
Once categories are assigned to the land, Council can proceed to develop LG Act plans of management for the Crown Reserves under Council management across the shire. Plans of management are only required for community land and may involve re-categorisation should Council wish to pursue this avenue only after considering native title implications. Re-categorisation is subject to further approval from the Minister.

Giving notice to the Governor or Minister is a non-delegable function and therefore requires a Council resolution in accordance with section 377(1) of the LG Act. It is now necessary for Council to resolve to give written notice to the Minister of the initial categories assigned to each of the Council managed community land Crown Reserves in order to comply with section 3.23 the CLM Act.

Attached to this Council Report is the schedule of the Crown Reserves where Council has been appointed Crown Land Manager and the initial categorisation of each Reserve in accordance with the Guidelines from NSW Crown Lands and the CLM Act.

Lions Lookout Murwillumbah - Crown Reserves 86173 and 86174

The following mapping shows the tenure of the land where two Council water reservoirs are located on Hospital Hill adjacent to Lions Lookout in Murwillumbah. The land tenure is a mix of Council Managed Crown land and Council owned operational land.



Figures 2 and 3: Lions Lookout Murwillumbah Land Tenure
Left: Council Managed Crown Land Crown Reserves 86173 and 86174 mapped red
Right: Council owned Operational land mapped pink

Council's Water and Wastewater Unit supports the classification of the abovementioned Crown Reserves where the reservoirs are located as operational. This will be consistent with the classification of the land where all other reservoirs across the shire are situated.

Council has responsibilities regarding safety, security, restricted public access and public health that result in the land not able to be managed as community land therefore addressing the requirements outlined within section 3.22(5) of the CLM Act for the site to be classified as operational.

Therefore it is recommended that Council seek consent from the Minister for Crown Reserves 86173 and 86174 mapped in red above to be classified as operational land.

OPTIONS:

It is a legislative requirement of Council to give written notice to the Minister of the initial categorisation assigned to Crown land, as referred to in section 36 of the LG Act in accordance with Section 3.23 of the CLM Act. Alternatively, in certain circumstances, Council can apply to the Minister to classify the Crown land it manages as operational land which is proposed for two Crown reserves at Lions Lookout Murwillumbah given reservoirs are located at the site. The giving of a notice to the Minister is a non-delegable function and therefore requires a resolution of Council.

CONCLUSION:

Pursuant to legislative requirements, Council has undertaken an assessment of all Crown Reserves for which it is Crown Land Manager. In accordance with the CLM Act, Council must now give written notice to the Minister for Water, Property and Housing the categories (as

listed under the LG Act) which Council has assigned to each community land Crown Reserve that are most closely related to the respective reserve purposes. Additionally, regarding Council managed Crown land at Lions Lookout Murwillumbah, it is recommended that Council seeks consent from the Minister to classify the Crown land as operational land given reservoirs are located at the site.

COUNCIL IMPLICATIONS:

a. Policy:

Crown Land Management Act 2016
Local Government Act 1993

b. Budget/Long Term Financial Plan:

No future budget implications.

c. Legal:

If no such notice is given to the Minister, Council will not be complying with requirements as Crown Land Managers under the *Crown Land Management Act 2016*. The Department of Planning and Industry are likely to delay any approval of plans of management until after the initial categorisation has occurred.

d. Communication/Engagement:

Inform - We will keep you informed.

No community consultation required.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Schedule of Tweed Shire Council managed Crown Reserves
- initial assigned categorisation. (ECM 5894110)

Attachment 2. Guideline - classification of Crown land managed by council
Crown land managers prepared by NSW Department of
Industry - Land & Water (ECM 5894064)

REPORTS FROM THE DIRECTOR ENGINEERING

3 [E-CM] Annual Indexation of Infrastructure Contribution Rates

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
1.4	Managing Community Growth
1.4.1	Strategic Land-Use Planning - To plan for sustainable development which balances economic environmental and social considerations. Promote good design in the built environment.

ROLE: **Leader**

SUMMARY OF REPORT:

This report is for the information of Councillors and summarises the effects of indexation on s7.11 Plan developer contribution rates for the new financial year. Contribution rates increase by varying amounts, depending on adopted Plan and Program dates. After indexation, the adjusted median increase per lot per contribution is \$88.

The indexed contribution rates will come into effect on 1 July 2019.

RECOMMENDATION:

That Council notes the indexation of S7.11 (formerly S94) contribution rates as detailed in this report and in accordance with:

- the provisions of Regulation 32 of the Environmental Planning and Assessment Regulation 2000;
- the ABS Implicit Price Deflator (IPD) index as adopted in each Contribution Plan;
- the Tweed Shire Council Land Cost index for March 2019 as published in the 2019/2020 Revenue Policy and Statement and adopted in each Contribution Plan; and
- the clause entitled "Adjustment of Contribution Rates" as adopted in each Contribution Plan.

REPORT:

Background:

Annual indexation in accordance with the clause entitled "Adjustment of Contribution Rates" adopted in each Contribution Plan (and referred to in this report) has been applied to contribution rates each financial year where appropriate since July 2011, and this process is now being repeated for July 2019.

Councillors are reminded that 'Section 94' is now referred to as 'Section 7.11' in the Environmental Planning & Assessment Act, 1979 (EP&A Act). No changes to the practice of administering developer contributions has occurred as a result of this name change. Where appropriate, general references to plans were changed from 'S94 Plan' to 'Contribution Plan'. Note that any remaining references to Section 94 in the body of the plans will not be updated until a plan is amended requiring formal public exhibition.

The indexation of plans first began when Council was directed to review all of its Contribution Plans between July and December 2009 by the NSW Minister for Planning.

All of the plans reviewed were exhibited for comment and adopted by Council at that time in accordance with the usual requirements of the EP&A Act.

What is a S7.11 Plan for?

Section 7.11 of the EP&A Act (formerly S94) enables Council to collect money from developers for the provision of additional infrastructure required as a result of that development. It is an attempt to implement a 'user pays' approach and the intention is to ensure that sufficient arterial road capacity, additional open space, community facilities and other community infrastructure continues to be provided by Council, without placing the burden to pay for that infrastructure onto existing residents and ratepayers.

To collect contributions from developers, Council must have a Contribution Plan in place which has been adopted in accordance with the EP&A Act and Regulations. The plan must spell out the infrastructure required, how much it will cost, and clearly demonstrate a direct link (nexus) between the required work and the demand generated by the new population as a result of development.

Council currently has 23 active Contribution Plans. Approximately half of these apply to the whole shire, the rest are area-specific plans. The majority of plans levy contributions on residential and tourist development, while others, like the Road Contribution Plan (No 4) and Council Admin Facilities Plan (No 18), also levy contributions for commercial development.

Indices:

The Department of Planning's 'template for a S94 Plan' includes clauses for indexation of the works program broken down in terms of land and non-land components, including a localised 'Land Cost Index'. It is open to Council to use any viable index, provided that it is 'readily accessible'.

Regulation 32 of the Environmental Planning and Assessment Regulation 2000 states as follows:

"(3) A council may make the following kinds of amendments to a contributions plan without the need to prepare a new contributions plan:

(a) minor typographical corrections,

(b) changes to the rates of section 94 monetary contributions set out in the plan to reflect quarterly or annual variations to:

(i) readily accessible index figures adopted by the plan (such as a Consumer Price Index), or

(ii) index figures prepared by or on behalf of the council from time to time that are specifically adopted by the plan,

(c) the omission of details concerning works that have been completed."

Consequently, the following indices were selected:

Non land component - IPD (Implicit Price Deflator):

This index is published by the Australian Bureau of Statistics and refers to the value of work done (implicit price deflator). It is referred to as Chain Volume Measures; Engineering Construction; ABS Reference A405071T, ABS Product Number 8782.0.65.001.

This index is applied to components of a Contribution Plan works program for non-land items such as open space embellishment and the construction of buildings, roads and carparks.

The currently available IPD figures are for December 2018, released by the ABS in April 2019. As a matter of interest, the IPD has increased 4.76% since December 2017.

Land component - TSC Land Cost Index:

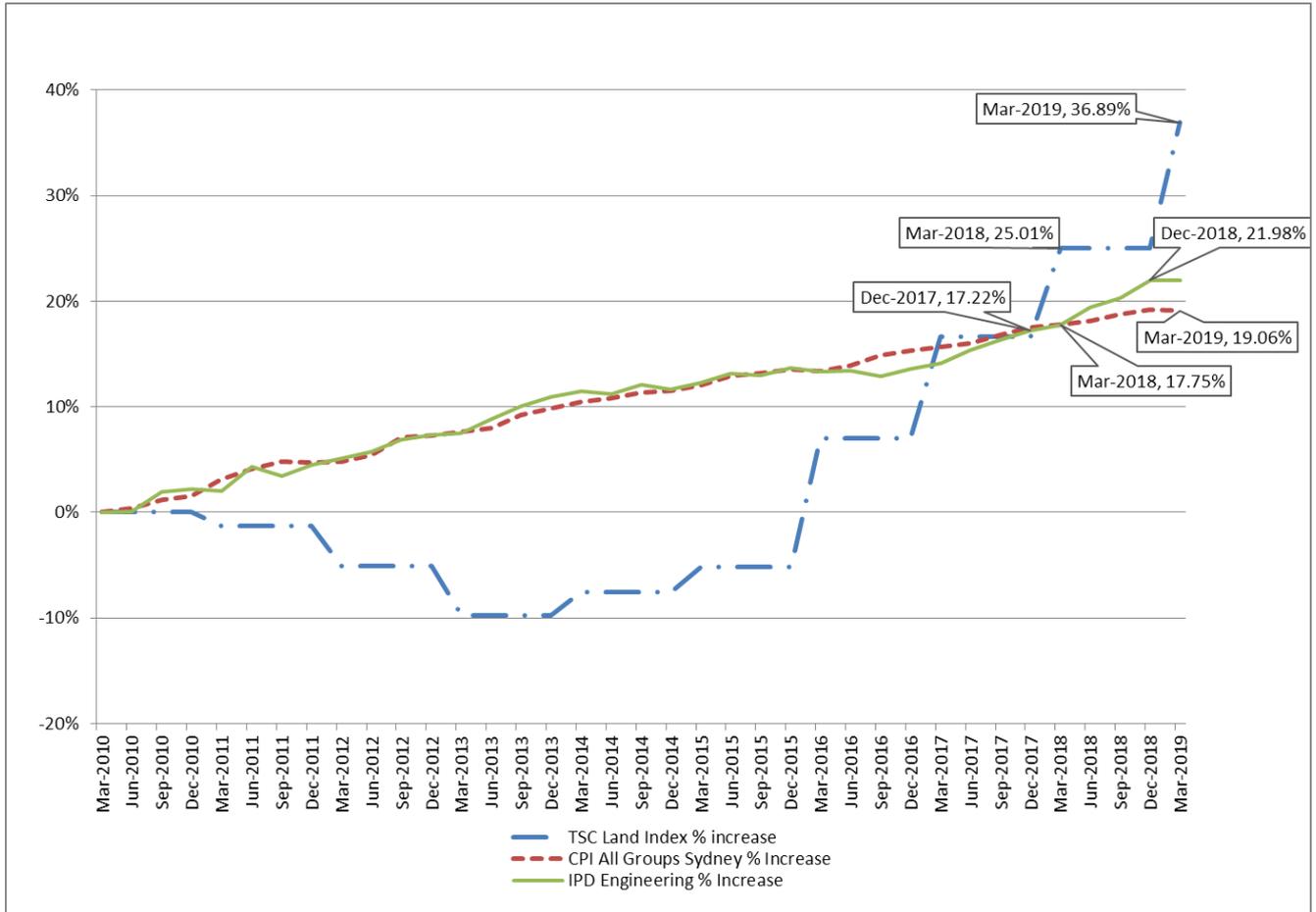
Tweed Shire Council's Land Cost Index is a simple index calculated with reference to the movement in annual median property sale values and is published annually under the heading **Land Cost Indexation** in Council's Revenue Policy.

The revised TSC Land Index is published annually. At the time of preparation of this report, the currently available Land Cost Index figures are for March 2019, to be published in Council's Draft Revenue Policy 2019/2020. As a matter of interest, the land index has increased 11.88% since March 2018.

CPI All Groups (Sydney):

Section 94 Plan No 28 - Seaside City was indexed in the annual cycle for the first time in 2014, in accordance with clauses in the plan which enable indexation in line with the ABS CPI index for All Groups (Sydney), ABS Reference 6401.0 Consumer Price Index. As a matter of interest, the CPI has increased 1.31% since March 2018.

Cumulative movement of indices since March 2010 is shown in the chart below. It should be noted that indexation in each plan is recalculated each year from the specific works program item base year in the originally adopted plan. Specific details of the calculation relevant to each plan are included as an appendix in the plan.



Effect of negative movements in indices:

The template for a S94 Plan, and therefore each updated Tweed Shire Council Contribution Plan, contains the following statements in the clause entitled 'Adjustment of Contribution Rates':

Note: *In the event that the Current IPD is less than the previous IPD, the Current IPD shall be taken as not less than the previous IPD.*

Note: *In the event that the Current LV Index is less than the previous LV Index, the Current LV Index shall be taken as not less than the previous LV Index.*

Effect of indexation on contribution rates:

Plan		Component	Current \$	Per unit	Rate at 1 July 2019	Increase per unit	Increase per lot
1	Banora Point Open Space	Structured Open Space	\$1297	person	\$1389	\$224	\$537
		Casual Open Space with dedication	\$270	person	\$285	\$45	\$107
		Casual Open Space no dedication	\$827	person	\$873	\$46	\$109
2	Banora Point West Drainage Scheme	Drainage	\$16,179	HA	\$17,076	\$897	\$90
4	Tweed Road Contribution Plan	Tweed Heads	\$921	Trip	\$972	\$51	\$332
		Tweed Heads South	\$1,489	Trip	\$1,571	\$82	\$534
		Cobaki	\$1,555	Trip	\$1,642	\$87	\$566
		Bilambil Heights	\$3,203	Trip	\$3,381	\$178	\$1,158
		Terranora	\$2,246	Trip	\$2,370	\$125	\$813
		Kingscliff	\$1,283	Trip	\$1,354	\$71	\$462
		Duranbah/Cabarita	\$1,293	Trip	\$1,365	\$72	\$469
		LAC4: Casuarina	\$1,483	Trip	\$1,565	\$82	\$534
		Pottsville	\$1,450	Trip	\$1,531	\$81	\$527
		LAC3: Koala Beach/Seabreeze	\$1,527	Trip	\$1,612	\$85	\$553
		Murwillumbah	\$1,488	Trip	\$1,570	\$82	\$533
		Rural - Inner East	\$2,041	Trip	\$2,154	\$113	\$735
		Burringbar	\$1,414	Trip	\$1,492	\$78	\$507
		Rural - Inner North	\$3,307	Trip	\$3,490	\$183	\$1,190
		Rural - Inner West	\$2,529	Trip	\$2,669	\$140	\$911
Rural - Other	\$2,862	Trip	\$3,021	\$159	\$1,034		
5	Local Open Space	Structured Open Space	\$297.62	person	\$314.10	\$16.48	\$39.84
		Casual Open Space	\$260.03	person	\$274.43	\$14.40	\$34.63
7	West Kingscliff	Structured Open Space	\$1,505	person	\$1,656	\$151	\$362
		Drainage	\$73,559	HA	\$81,789	\$8,230	\$823
10	Cobaki Lakes	Community facilities	\$544	person	\$574	\$30	\$73
11	Libraries		\$389	person	\$410	\$22	\$52
12	Bus Shelters	bus shelters	\$29.46	person	\$31.09	\$1.63	\$4
13	Eviron Cemetery	Cemetery	\$56.20	person	\$58.24	\$2	\$4.90
15	Community Facilities	Community facilities	\$641.20	person	\$676.68	\$35	\$85
18	Council Admin/Tech Support	Admin	\$911	person	\$915	\$4	\$9

Plan		Component	Current \$	Per unit	Rate at 1 July 2019	Increase per unit	Increase per lot
19	Casuarina Beach/Kings Forest	Community Facilities	\$1,037	person	\$1,094	\$57	\$138
		Structured Open Space	\$636	person	\$697	\$60	\$144
21	Terranora Village	Structured Open Space	\$607.05	person	\$641	\$33.59	\$80.61
		Community facilities	\$206.61	person	\$218	\$11.43	\$27.44
22	Cycleways	Cycleway	\$219.25	person	\$231.41	\$12.16	\$29.18
23	Offsite Parking	Tweed Heads	\$30,535	space	\$32,979	\$2,444	NA
		Murwillumbah	\$18,648	space	\$19,679	\$1,031	NA
		Kingscliff	\$32,421	space	\$34,214	\$1,793	NA
		Bogangar/Cab. Bch	\$32,421	space	\$34,214	\$1,793	NA
		Pottsville	\$26,524	space	\$29,459	\$2,935	NA
		Fingal Head	\$3,397	space	\$3,585	\$188	NA
25	SALT Open Space & Associated Carparking	Structured Open Space	\$1,183	person	\$1,295	\$112	\$269
26	Regional Open Space	Structured Open Space	\$1,777	person	\$1,875	\$99	\$236
		Casual Open Space	\$506	person	\$534	\$28	\$67
27	Tweed Heads Master Plan	Open space and streetscaping	\$616	person	\$616	Nil	Nil
28	Seaside City	For existing and new subdivisions, excludes structured open space (to developer) 20,620	\$21,689	person	\$21,871	\$182	\$473
		For new subdivisions only, structured open space (to Council)	\$1,742	person	\$1,756	\$14	\$36

OPTIONS:

- Note the indexation of contribution rates as recommended.

CONCLUSION:

Given that Council is authorised to regularly index contribution rates under the provisions of Regulation 32 of the Environmental Planning and Assessment Regulation 2000, and by the clause entitled "Adjustment of Contribution Rates" as adopted in each Contribution Plan, indexation has been applied to contribution rates as detailed in this report. Contribution Plans have been updated to specify the contribution and Council's financial systems have been updated accordingly. The updated contribution rates become effective on 1 July 2019. This report is tabled for the information of Councillors.

COUNCIL IMPLICATIONS:

a. Policy:

- Council's adopted Contribution Plans.
- NSW Environmental Planning and Assessment Act, 1979 and Regulations.

b. Budget/Long Term Financial Plan:

Because the Environmental Planning and Assessment Regulations and Council's adopted Contribution Plans allow for indexation of contribution rates, Council is able to annually adjust contribution rates in accordance with specific adopted indices, thereby enabling Council to require that developers fairly contribute towards the current actual cost of providing the facilities required as a result of that development, as identified in the Contribution Plans.

c. Legal:

Council is authorised to regularly index contribution rates under the provisions of Regulation 32 of the Environmental Planning and Assessment Regulation 2000, and by the clause entitled "Adjustment of Contribution Rates" as adopted in each Contribution Plan.

d. Communication/Engagement:

Inform - We will keep you informed.

This is an administrative change which is documented within the previously exhibited and amended Contribution Plan.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

C1 [GM-CM] Review of Organisation Structure

REASON FOR CONFIDENTIALITY:

Local Government Act

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

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

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: **Leader**

C2 [GM-CM] Business Investment Policy

REASON FOR CONFIDENTIALITY:

Local Government Act

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

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

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
- 3.1 People
- 3.1.5 Economic Development - To support the local economy and attract new business and employment to the Tweed.

ROLE: **Leader**

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES IN COMMITTEE

C3 [CNR-CM] RFO2019062 Operation and Management of Tweed Regional Gallery and Margaret Olley Art Centre Cafe

REASON FOR CONFIDENTIALITY:

Local Government Act

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mhm



People, places and moving around
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LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 People, places and moving around
- 3.2 Places
- 3.2.2 Art Gallery - To promote awareness, enjoyment and understanding of the visual arts through collections, exhibitions, education and community programs.

ROLE: **Provider**

REPORTS FROM THE DIRECTOR ENGINEERING IN COMMITTEE

C4 [E-CM] Northern Rivers Rail Trail (Tweed) - Acceptance of Role as Land Manager

REASON FOR CONFIDENTIALITY:

The entire report needs to be confidential because it discusses the cost estimate details for the project based on Council's on-formation concept design and might be injurious to the future tender process, which includes an invitation for tenders to provide and off-formation option(s).

Local Government Act

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

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: **Leader**
