



TWEED SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

Tuesday 16 June 2009

Mayor: Cr J van Lieshout

**Councillors: Cr B Longland, Deputy Mayor
Cr D Holdom
Cr K Milne
Cr W Polglase
Cr K Skinner
Cr P Youngblutt**

COUNCIL'S CHARTER

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

Tweed Shire Council has the following charter:

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

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ABORIGINAL STATEMENT

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands."

CONFIRMATION OF MINUTES

- 1 **Minutes of the Ordinary and Confidential Council Meeting held Thursday 28 May 2009**

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).

1. Minutes of the Ordinary Council Meeting held Thursday 28 May 2009 (ECM 2062584).
 2. **Confidential Attachment** - Minutes of the Confidential Council Meeting held Thursday 28 May 2009 (ECM 2061832).
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MAYORAL MINUTE

2 [MM] Mayoral Minute for the period 20 May 2009 - 5 June 2009

Councillors,

INVITATIONS:

Attended by the Mayor

- 21 May 2009 - Charter Dinner Rotary Club of Tweed Coast, Tropical Fruit World Duranbah

Attended by other Councillor(s) on behalf of the Mayor

- 3 June 2009 - Unveiling & Dedication of Memorial to National Servicemen, Point Danger (Cr Holdom)

Inability to Attend by or on behalf of the Mayor

- 20 May 2009 - NSW Reclaiming First Improving Infrastructure Symposium, Sydney
 - 20 May 2009 - Awards of Excellence Presentation for Murwillumbah & Kingscliff TAFE, Murwillumbah
 - 20 May 2009 - Volunteers Certificate of Appreciation Ceremony for Twin Towns Friends Association, South Tweed Heads
 - 22 May 2009 - Combined Groups Committee Neighbourhood Watch, Banora Point High School (cancelled due to floods)
 - 22 May 2009 - Annual Debutante Ball Mt St Patricks Parents & Friends Association, Mt St Patrick College Murwillumbah (cancelled due to floods)
 - 22 May 2009 - Attwood Marshall Sponsor Race Day, Gold Coast Turf Club
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CONFERENCES:

Conferences attended by the Mayor and/or Councillors

- 22 May 2009 - Koala Conference, Lismore (Cr Longland & Cr Milne were nominated. Unable to attend due to floods)
- 1 June 2009 - LGMA Forum - Sydney (Cr van Lieshout, Cr Polglase)
- 2 & 3 June 2009 - Annual Shires Conference – Sydney (Cr van Lieshout, Cr Polglase & Cr Longland)

Information on Conferences to be held

Councillors, please refer to the Councillor portal for complete Conference information

MEETINGS:

- 1 June 2009 – Chief Executive Officer, Events NSW & Policy Officer to Premier Repco Rally – Sydney
 - 3 June 2009 – Minister for State Development, Hon Ian MacDonald – Repco Rally - Sydney
-

SIGNING OF DOCUMENTS BY THE MAYOR:

- 19 May 2009 – Request – Land Acquisition – Crabbes Creek Road, Crabbes Creek
 - 19 May 2009 – Request – Land Acquisition – Kyogle Road, Uki
 - 28 May 2009 – Transfer – Land Purchase – Lot 25 Dp615931 Eviron
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RECOMMENDATION:

That:-

- 1. That the Mayoral Minute for the period 20 May 2009 to 5 June 2009 be received and noted.**
 - 2. The attendance of Councillors at nominated Conferences be authorised.**
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ORDINARY ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

3 [GM-CM] Local Government Filming Policy

ORIGIN:

General Manager

SUMMARY OF REPORT:

Councils have been asked to comply with the Local Government Filming Protocol by the Director General of the Department of Local Government.

As this is to become a policy of Council and to bring it in line with Councils policies, protocols and procedures it will be referred to as the Local Government Filming Policy.

The Policy has been revised in consultation with the Local Government and Shires Associations of NSW and aims to achieve a balance between the interests of councils and communities while supporting the film industry.

The *Filming Related Legislation Amendment Act 2008* was passed by the NSW Parliament in June 2008 to make NSW more film friendly and as a result this legislation and the Local Government Filming Policy are binding on NSW councils.

This report recommends the fee schedule for Tweed Shire Council as prescribed under the Local Government Filming Policy.

RECOMMENDATION:

That Council:

1. **Notes and adopts the Local Government Filming Policy as prescribed by the Director General of the Department of Local Government.**
2. **Adopts the maximum allowed application fees to fully recover the costs specific to Council for the Local Government Film Policy; does not refund the application fee in the event the filming does not proceed and that these fees be exhibited publicly for 28 days.**

Application Fees

Ultra Low	\$0
Low	\$150
Medium	\$300
High	\$500

Assessment of Traffic Management Fees

Low	\$100
Medium	\$300
High	As per council's adopted road closure fees that apply to other applicants.

3. Recover only direct costs (in addition to the application fees) from services provided by the council such as security, additional site preparation, cleaning, waste management, access and power.
4. Adopt the normal fees for the hire by filmmakers of constructed facilities such as town halls, community centres, and swimming pools as allowable under the Council management plan.
5. Request a bond when required where there is a risk of damage, site remediation or cleaning. The bond will be determined at a reasonable level of estimated cost recovery to be negotiated with the filmmaker on a case-by-case basis.

REPORT:

Tweed Shire Council currently has a Film Locations Guideline Policy which has, at the request of the Department of Local Government, been replaced by the Local Government Filming Protocol.

As this is to become a policy of Council and to bring it in line with Councils policies, protocols and procedures it will be referred to as the Local Government Filming Policy.

Councils have been asked to comply with the Local Government Filming Policy by the Director General of the Department of Local Government. The Policy has been revised in consultation with the Local Government and Shires Associations of NSW. It aims to achieve a balance between the interests of councils and communities while supporting the film industry.

The *Filming Related Legislation Amendment Act 2008* was passed by the NSW Parliament in June 2008 to make NSW more film friendly. This legislation and the new Policy are binding on NSW councils.

Key elements of the Policy include:

- the general principle that local councils are required to approve screen projects unless there are compelling reasons not to do so
- the presumption that filming activities will be allowed on community land subject to environmental protection and express exclusions in applicable plans of management
- local council fees and charges associated with location filming must be reasonable and cost reflective
- that the changes make it easier for filming vehicles to park for an extended period; that getting access to public lands be streamlined for filmmakers and that temporary structures related to filming are now subject to simpler approval processes.

The only requirement for councils is to set a fee structure for applicants under the Policy.

In relation to filming related activities councils are only able to impose fees in three areas:

1. For lodgement of an application where an approval is required from council;
2. To recover costs from services provided by the council; and
3. For the hire of constructed facilities such as town halls, community centres, and swimming pools (as allowable under the council management plan).

In addition Council may be able to seek a bond if required.

1. Details of Application fees

Ultra Low	Low	Medium	High
No more than 10 crew	11-25 crew	26-50 crew	> 50 crew
No disruption is caused to the Council's stakeholders, retailers or motorists or other events in the vicinity of the activities	No more than 4 trucks/vans	No more than 10 trucks	> 10 trucks
Activities are contained to footways or public open space areas only	No construction	Some construction	Significant construction
Public safety is maintained at the locations at all times during the conduct of the activities	Minimal equipment/lighting	Equipment used for example, dolly, trucks, medium-sized cranes, jibs	Extensive equipment
Vehicles associated with the conduct of the activities are legally parked at all times and are not driven onto footways, parks or plaza areas	Small or no unit base required	Unit base required	Large unit base required
	Usually 1-2 locations	No more than 4 locations	> 4 locations
\$0	\$0 - \$150	\$0 - \$300	\$0 - \$500

The following fees cover the administrative cost of processing traffic management plans.

Low	Medium	High
Stop/go traffic control on a local or council-managed road.	Stop/go traffic control on a multi-lane or state road	Road closures
Police consultation	Police consultation	Police consultation
	RTA consultation	RTA consultation
\$0 - \$100	\$0 - \$300	As per council's adopted road closure fees that apply to other applicants.

2. Recovering Costs for Council Services

Council may only charge fees for services it has provided. The cost recovery principle to be used for this Film Policy is that costs should reflect the direct costs for the services provided. That is administrative overhead charges should not be included in the calculation. The fee schedules should be itemised and transparent, and calculated at the same rate as other public use of council services and facilities. Recovering costs from services provided by the council could include: security, additional site preparation, cleaning, waste management, access and power. Charges for contracted council services such as cleaning and security must be at competitive market rates and included in Council's Management Plan. The production company may elect to choose alternative suppliers who are legally allowed to carry out the work required, provided this does not conflict with existing contracts council may have for specific services or work on specific sites.

3. Facility/Venue Hire

Councils may impose fees in accordance with the Film Policy for the hire of formal venues such as town halls, community centres, swimming pools, that is, constructed facilities which are subject to hire or fees as general commercial activity (even if at a concessional or negligible rate for council or community uses). Conditions, such as cancellation fees, may apply as with standard hire conditions for the venue.

1. Bond/Remediation (if required)

In some circumstances a bond may be reasonable and necessary. A bond would only apply where there is a risk of damage, site remediation or cleaning where additional costs may apply. The bond will be determined at a reasonable level of estimated cost recovery to be negotiated with the filmmaker on a case-by-case basis. Bonds to be repaid as soon as practicable after the completion of filming and site clean up.

Tweed Shire Council's nominated Film Contact Officer (as required under the Policy) is the Festivals and Events Officer who will assist filmmakers in obtaining the necessary approval, support and access to council services.

Once this Policy is adopted and fees and charges are set a Filming Policy Application Form will be created and published on the Tweed Shire Council website.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

The proposed new fee schedules will comply with the legislation and Policy, and be included in Council's Fees and Charges.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Local Government Filming Policy (ECM 2013413)
 2. Film Locations Guidelines Policy (current policy to be replaced) (ECM 1260523)
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4 [GM-CM] Tweed Link Policy

ORIGIN:

General Manager

SUMMARY OF REPORT:

The Tweed Link is an International Standard Serial Number (ISSN) registered newspaper, ISSN 1327-8630 which is produced weekly by Tweed Shire Council. It has been published since 1998 and has a strong following in the Tweed community.

The Tweed Link is free and is distributed to 38 500 households across the Tweed every week. It is available on Council's website and sent via hard copy and through email subscription lists. It is also available on audio tape. The Tweed Link is produced 49 of the 52 weeks of the year with a three-week break over the Christmas/New Year period.

It is important that the Tweed Link maintains its integrity and continues to be seen by the community as a reliable and news source of Council business.

The Tweed Link operates as a commercial newspaper and is reliant on advertising as a revenue stream. The policy outlines who is eligible to advertise in the Tweed Link and will provide guidance when liaising with potential advertisers.

It is not intended for the Tweed Link to compete with other commercial newspapers that service the Tweed area which is why there are some restrictions in place and a need to formalise the types of advertising the Tweed Link will and will not accept.

The report recommends the adoption of the Tweed Link Policy which addresses editorial requirements, advertising, elected members of Council and subscriptions.

RECOMMENDATION:

That Council adopts the Tweed Link Policy as attached to this report.

REPORT:

The Tweed Link is an International Standard Serial Number (ISSN) registered newspaper, ISSN 1327-8630 which is produced weekly by Tweed Shire Council. It has been published since 1998 and has a strong following in the Tweed community.

The Tweed Link is free and is distributed to 38 500 households across the Tweed every week. It is available on Council's website and sent via hard copy and through email subscription lists. It is also available on audio tape. The Tweed Link is produced 49 of the 52 weeks of the year with a three-week break over the Christmas/New Year period.

The Editor of the Tweed Link is the Communications and Marketing Coordinator position within Council.

As a newspaper the Tweed Link's aim is to adhere to the codes and standards set by the Media Entertainment and Arts Alliance (MEAA), Australian Press Council and others. The Tweed Link operates in a newsprint environment, similar to other commercial newspapers.

It is important that the Tweed Link maintains its integrity and continues to be seen by the community as a reliable news source of Council business. The Tweed Link: publishes Council's statutory and other advertising, reports factual and accurate content to allow the community to make informed decisions on matters relating to Council; informs the community about Council decisions, projects, services and programs and increases awareness and stimulates the development of community understanding about the business of Council as their local government provider.

The Tweed Link operates as a commercial newspaper and is reliant on advertising as a revenue stream. The policy outlines who is eligible to advertise in the Tweed Link and will provide guidance when liaising with potential advertisers.

It is not intended for the Tweed Link to compete with other commercial newspapers that service the Tweed area which is why there are some restrictions in place and a need to formalise the types of advertising the Tweed Link will not accept.

The policy addresses editorial requirements, elected members of Council, advertising and subscriptions.

EDITORIAL

As with any commercial newspaper, the Tweed Link aims for a balance between editorial and advertising whilst ensuring the editorial is about Council related business or of significant importance to the whole of the Tweed community.

The aim of the Tweed Link is to fill the information gap that exists in this geographically diverse community and to ensure they have accurate and reliable information about the business of Council.

Editorial priorities must be linked to Council business and are based on newsworthy principles these being: timing, significance, proximity, prominence and human interest. This includes however is not limited to key issues of Council such as Council decisions, planning and development information, community services, programs and events, projects and partnerships.

The Tweed Link must be factual, unbiased, timely, relevant to residents of the Tweed Shire, wide ranging, free of political influence, unhindered by group or individual pressure, observant of confidentiality as determined by Council, fair, honest and frank and available to all members of the Tweed community free of charge.

ADVERTISING

The Tweed Link operates as a commercial newspaper and is reliant on advertising as a revenue stream. As a result the Tweed Link has a 'rate card' which details its advertising rates, column sizes, requirements and deadlines. In addition to the rate card, Council has established an 'online advertising calculator' which provides users an instant quote to advertise in the Tweed Link.

Advertisers have the ability to provide black and white camera-ready artwork for the printed Tweed Link as well as full colour for the online and email version.

Paid Advertising

Who is eligible to advertise in the Tweed Link?

- Government bodies (Commonwealth, State and Local Government organisations).
- Affiliated Government authorities and statutory corporations.
- Government affiliated/facilitated programs or events.
- Public educational facilities.
- Registered not-for-profit organisations and community groups (e.g.: business chambers, arts, cultural and sporting organisations and charities).
- Festivals and events funded through Council's Festivals and Donations Funding Policies.
- Consultants (private companies) who are contracted to a Government body are able to advertise providing the content is of community interest; relevant to the project they were engaged for and not promotional in nature.

Commercial organisations, utility companies and consultants contracted to government bodies may on occasion advertise in the Tweed Link providing the content is relevant to a lodged development application, is of community interest and is not promotional in nature. These ads must be factual and to the point and not include any corporate branding or marketing of the said organisation. Advertising of this nature is at the discretion of the Editor.

Who is not eligible to advertise in the Tweed Link?

- Commercial businesses (see exception above).
- Unregistered community groups.
- Political parties/election campaigns.
- Individuals.

In-Kind Advertising

Recognised community residents, ratepayers or progress associations are entitled to advertise their monthly meetings and AGMs in the Tweed Link free of charge. This in-kind advertising space is restricted to no more than 3 column x 1 cm deep. This advertising is considered in-kind support from Council to encourage the Tweed community to participate in their local associations who represent the community on many Council issues. In-kind advertising is recorded and reported on at Council meetings. Any additional advertising above this space allotment will be charged at the rates set out in the Tweed Link rate card.

Note: It is the responsibility of these groups to provide Council with the required wording of these advertisements in electronic form to tweedlink@tweed.nsw.gov.au by the Tweed Link deadlines.

At the discretion of the Editor in-kind advertising can be cancelled without notice at any time if space restrictions apply. Paid advertising will take priority if space is an issue.

Types of Advertising not accepted

Recruitment advertising is not accepted. Only Tweed Shire Council or Council funded corporations/statutory authorities can advertise positions vacant.

Electoral campaigns for individual candidates, parties or political advertising is not accepted.

Public Notice advertising is not open to other 'classified' advertising such as for sale, birthday or engagement announcements.

Advertising that is considered not relevant or of significant community importance, offensive, discriminatory, questionable or in bad taste will not be accepted and is at the sole discretion of the Editor. Final acceptance of any advertising is at the discretion of the Editor.

ELECTED MEMBERS OF COUNCIL

Historically the Tweed Link promotes the business of Council, not individual Councillors. The aim is not to engage in the political process and to only report on the outcome and implementation of Council business.

It is important to maintain community integrity and remain apolitical and impartial at all times to ensure the Tweed Link is seen by the community as a reliable and unbiased news source of Council business.

The Tweed Link makes no reference to Councillors as individuals, they are referred to as 'Council' – the elected members as a whole representing the community.

A long established and historically unwritten rule has been the Tweed Link does not run individual photos of elected Councillors with the exception being the result of new, mayoral or by-elections to inform residents who their elected members are.

SUBSCRIPTIONS

Many ratepayers and people who work in the Tweed live outside of the Tweed shire. To ensure everyone has access to the Council newspaper the Tweed Link is also available by subscription in hard copy or electronic format.

Hard copy subscriptions (black and white) are mailed to the subscriber. The cost recovery fee to cover postage and handling is 6 months - \$15 and 12 month - \$30. This is subject to change at any time in line with increases in postage costs.

An electronic email subscription service is also available to receive the Tweed Link (full colour) direct to participating email accounts free each week. Subscriptions are available online at www.tweed.nsw.gov.au

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

The Tweed Link Policy is a new policy for Council.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Tweed Link Policy (ECM 2065516)
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REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES

5 [TCS-CM] Investment Policy

ORIGIN:

Financial Services

SUMMARY OF REPORT:

Council's Investment Policy requires updating to comply with the current Local Government Ministerial Investment Order dated 31 July 2008 and the Department of Local Government Draft Investment Policy Guidelines released 25 May 2009.

RECOMMENDATION:

That Council adopts the updated Investment Policy (version 1.3) as outlined within and attached to this report.

REPORT:

The updated NSW Minister for Local Government's Investment Order was released 31 July 2008 in response to the findings of the Cole Review. The Cole Review was conducted by a Steering Committee of the NSW Government as a result of investment losses sustained by councils in recent years, particularly capital losses accruing from investment in structured credit products.

The Cole Review recommended:

- Amendments to the Ministerial Investment Order
- Grandfathering existing investments that are excluded by changes made to the Ministerial Investment Order
- Excluding the manufacturers and distributors of investment products from acting as investment advisors to councils
- Suspending investments with specific credit ratings until December 2009.
- Ensuring councils are more fully aware of their obligations under the Local Government Act 1993 and the Trustee Act 1925
- Issuing investment policy guidelines for councils

Further to the updated Ministerial Investment Order, Draft Investment Policy Guidelines were released for consultation on 25 May 2009 by the NSW Department of Local Government to assist councils to invest surplus funds in a prudent and appropriate manner. Many of the proposals put forward in the Draft Guidelines are already incorporated in Council's current Investment Policy.

A summary of recommendations in the Draft Guidelines and Council's responses follows:

- **Action:** All councils are required to develop an investment policy.
Response: Tweed Shire Council has had an investment policy in place since 1994.
- **Action:** As investments are not a principal activity for councils but the knowledge and skill required to manage investments can be quite specialised, councils are encouraged to seek independent financial advice where necessary in preparing an investment policy.
Response: Clause included in attached investment policy update (clause 8).
- **Action:** Councils to invest funds in a prudent and appropriate manner.
Response: Included in investment policy objective since 2005.
- **Action:** Investment policy to outline legislation associated with the investment of surplus funds.
Response: Associated legislation outlined in attached investment policy (clause 2).

- **Action:** Councillors should ensure that Council has an appropriate investment policy that guides the investment of ratepayers' funds in compliance with the council's charter. Councillors must also approve the investment policy by resolution, approve amendments by resolution and review the policy each year. They must also ensure there is open and transparent reporting of council investments to Council and to the ratepayers.
Response: The attached investment policy has been updated to comply with this requirement. Monthly investment reports to Council provide full disclosure of marked to market valuations and yields.
- **Action:** The primary role of the General Manager is to be responsible for the implementation of Council's decision in relation to the investment policy.
Response: Noted.
- **Action:** The Responsible Accounting Officer, as defined by the Local Government (General) regulation 2005, is responsible for keeping the Council's accounting records and ensuring that they are up to date and in an accessible form and monthly reports are provided to council.
Response: Council's current monthly investment report complies with this recommendation.
- **Action:** Council officers that are involved in selecting, reviewing and/or monitoring investment products should use the DLG guidelines to ensure that they understand the parameters, risks and expectations that councils are required to take into account when creating an investment policy.
Response: Noted.
- **Action:** It is considered good practice for Council's investment policy to be available to the public on Council's web site.
Response: Council is compliant with this recommendation as the monthly investment report is posted on Council's web site in conjunction with the minutes of Council meetings. Council's Investment Policy is currently publicly available via Council's website under "Your Council", "Council Policies".

All the Draft Investment Policy Guidelines have been incorporated into Council's Investment Policy.

Tweed Shire Council has had an Investment Policy in place since 1994 and many of the recommendations contained within the Draft Investment Policy guidelines are already contained within Council's current Investment Policy. Regular updates, such as those attached, keep the Policy current and relevant.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

The revised Policy complies with Ministerial Investment Order and Department of Local Government Draft Investment Policy Guidelines.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Updated Investment Policy Version 1.3 (ECM 2069041)
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6 [TCS-CM] Mayor and Councillors Annual Remuneration 2009-2010

ORIGIN:

Corporate Governance

SUMMARY OF REPORT:

The Local Government Remuneration Tribunal has made a determination under sections 239 and 241 of the Local Government Act 1993 in relation to fees payable to Mayors and Councillors for the 2009/2010 financial period.

Council needs to determine the fees payable to the Mayor and Councillors for 209/2010.

RECOMMENDATION:

That the annual fees payable for the Mayor and Councillors for the financial period 2009/2010 be as follows:

Mayor	\$33,840
Councillors	\$15,500

REPORT:

The Local Government Remuneration Tribunal has made a determination under sections 239 and 241 of the Local Government Act 1993 in relation to fees payable to Mayors and Councillors for the 2009/2010 financial period.

Council is classified along with 31 other councils within the Regional Rural category.

In accordance with section 241 of the Local Government Act 1993 the tribunal has determined minimum and maximum annual fees payable to the Mayor and Councillors. The determination in relation to the Regional Rural category is as follows:

	Minimum	Maximum
Councillor	\$7,040	\$15,500
Mayor *	\$14,980	\$33,840

* This fee must be paid in addition to the fee paid to the Mayor as a Councillor in accordance with section 249 (2) of the Local Government Act 1993.

Council has previously determined that the maximum fees are payable to both the Mayor and Councillors. The recommended fees for 2009/2010 are a 2.5% increase above the 2008/2009 fees.

A determination is now required from Council in setting the annual fees payable to the Mayor and Councillors in accordance with sections 248 and 249 of the Local Government Act 1993 to be applied from 1 July 2009.

2009 Report and Determinations

PDF Version

REPORT
and
DETERMINATION
of
THE LOCAL GOVERNMENT REMUNERATION TRIBUNAL
under
SECTIONS 239 AND 241
of the
LOCAL GOVERNMENT ACT 1993

29 April 2009 EXECUTIVE SUMMARY

The Tribunal is required to report to the Minister by 1 May each year as to its determinations of categories and the maximum and minimum amounts of fees to be paid during the following year to mayors, councillors, and chairpersons and members of county councils.

Categories: As forecast in the 2008 Report, the Tribunal has undertaken a fundamental review of the categories of Councillor and Mayoral officers in accordance with section 239 of the Act.

The Tribunal's review has had regard to issues raised in submissions received from the Local Government and Shires Associations ("Associations") and individual Councils, as well as advice received from the Department of Local Government. The Tribunal also considered the findings of previous reviews and considered the relative merits of a number of alternate models.

After considering all these factors the Tribunal finds that there is no strong case to significantly alter the current categories of Councillor and Mayoral offices or to move individual Councils between categories.

While the groupings remain unchanged, the Tribunal has applied descriptive titles for each of the categories. The descriptive titles for the categories are as follows:

Previous Category	New Category
4	Rural
3	Regional Rural
2	Metropolitan
1	Metropolitan Centres
1A	Metropolitan Major
S2	Major City
S1	Principal City
S3	County Councils
S4	County Council – Water

Fees: The Tribunal has also reviewed the minimum and maximum fees applicable to each category.

The Tribunal has had regard to submissions received and to comments made by the Associations and individual Councils with respect to the level of fees. The Tribunal has also considered broader issues facing local government at this time, including the potential impact of State Government planning reforms and the challenges posed by the global economic downturn and its likely impact upon local communities.

Having regard to these factors and after taking the views of the Assessors into account the Tribunal considers that an increase of 2.5 per cent in the fees for Councillors and Mayors is appropriate for the current year and so determines.

The Tribunal's findings in respect of this review are outlined in detail in the main body of the report. The Tribunal's determination provides the categories of Councillors and Mayoral offices and the range of fees effective from 1 July 2009.

LOCAL GOVERNMENT REMUNERATION TRIBUNAL

2009 ANNUAL REVIEW

REPORT

BACKGROUND

1. Pursuant to Section 241 of the Local Government Act 1993 (the Act) the Local Government Remuneration Tribunal hereby determines in each category of Council, the maximum and minimum amount of fees to be paid to Mayors and Councillors of Councils, as well as chairpersons and members of County Councils.
2. On 26 November 2008 the Tribunal wrote to all Mayors advising of the commencement of the 2009 annual review. In respect of this review the Tribunal advised Councils that in addition to reviewing the minimum and maximum fee levels it would undertake a fundamental review of the categories. Section 239 of the Act requires the Tribunal to determine the categories of Councils and Mayoral offices at least once every 3 years.
3. The Tribunal last undertook a fundamental review of the categories of councils in 2006. As a result of that review the former categories of 4 and 5 were merged to form a new category 4. The background and findings of that review can be found in the 2006 Report and Determination.

2009 REVIEW OF CATEGORIES

4. Section 239 of the Act requires the Tribunal to determine categories for councils and mayoral offices for the purpose of determining fees, and Section 240 of the Act requires the Tribunal to determine categories according to the following matters:

"240 (1)

- the size of areas
- the physical terrain of areas
- the population of areas and the distribution of the population
- the nature and volume of business dealt with by each Council
- the nature and extent of the development of areas
- the diversity of communities served
- the regional, national and international significance of the Council
- such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government
- such other matters as may be prescribed by the regulations. "

5. Prior to undertaking its review of categories the Tribunal, as is its normal practice, invited submissions from Mayors. For the current review the Tribunal requested that any submissions made should address the following matters.
 - o Should the existing categories be reduced/expanded and if so on what basis.
 - o Whether the current categorisation is appropriate for your Council. If not, where you consider it should be categorised and on what basis you consider this re-categorisation should be granted.
 - o Significant changes in the role and responsibilities of Councillors and Mayors since 2006.
 - o Other matters you may wish the Tribunal to consider as part of this review.
6. The Tribunal also wrote to the Presidents of the Local Government and Shires Associations (LGSA) in similar terms, and subsequently met with the President of the Shires Association and Deputy President of the Local Government Association. The Tribunal wishes to place on record its appreciation to the President and Deputy President for meeting with the Tribunal.

SUBMISSIONS RECEIVED

7. In response to this review the Tribunal received 25 submissions from individual Councils, two combined submissions and a submission from the Local Government and Shires Association. The key points from those submissions are summarised below.

Category 1A

8. Penrith supports the current system of categorisation for Councils. The Council considers it appropriate to reclassify Penrith from 1A to S2 in view of the Council's identified regional planning and service delivery role and its need to put in place policies and programs that transcend the traditional local government boundaries.

Category 1

9. The Tribunal has received a number of individual submissions and a combined submission on behalf of Bankstown, Baulkham Hills, Fairfield, Gosford, Hornsby, Lake Macquarie and Sutherland Councils.
10. The combined submission largely seeks recategorisation to either 1A or S2 or the creation of a new category for this group. It argues that the nature of change for these Councillors and Mayors has been substantial with greater obligations imposed by legislation, compliance and reporting requirements, community expectations, increased reporting and other complexities attaching to the functions of Council.
11. Individual submissions have been received from Gosford, Randwick, Sutherland, The Hills Shire, Willoughby and Wyong Councils. All Councils in this group have sought recategorisation into either categories 1A or S2.
12. Randwick City Council has sought recategorisation into Category 1A on the basis of the complexity of its environment and operations that distinguish it from other Category 1 Councils, these include high population density, large non-resident population and facilities of State importance.
13. Wyong has sought recategorisation to either 1A or S2 on the basis of its regional responsibilities and in particular the operation of a separate Water Authority (with Gosford City Council) and responsibilities associated with this in regard to workload for Councillors.
14. Willoughby also seeks regional recognition to the same status as Parramatta (S2). A number of factors impacting upon the Council area, including increased budget, population growth, visitor numbers, and the impact of the upgrade of the Chatswood Transport Interchange, require additional time and effort from the Mayor and Councillors for setting the policies and direction for the Council.

Category 2

15. Auburn, Burwood, Canterbury, Holroyd and Kogarah Councils have all sought recategorisation to Category 1.
16. The submission from Auburn has argued that there are significant demands placed upon Councillors, much of which stems from the needs of constituents of a multi-cultural and socio-economically diverse community. In that respect the demands placed upon Councillors in Auburn may be greater than others in Category 2 and sufficient to differentiate them from this group.
17. Burwood and Holroyd Councils argue that the Tribunal should recognise their regional

focus. Burwood has argued that an over emphasis on geographic size and resident population results in Burwood being categorized with its more suburban neighbours rather than amongst its regional centre peers of Hurstville and Bankstown. Similarly, Holroyd has argued that it is now a centre of regional significance and has grown in much the same way as Hurstville, North Sydney and Willoughby grew into regionally dominant local government areas. In addition, Holroyd has argued that Councillors are now required to have broader skills to enable them to address issues such as climate change and changing development trends and community needs.

18. The submission from Canterbury argues that based on the criteria as outlined in section 240 of the Act the Council is more appropriately grouped in Category 1. The submission also requests that the Tribunal consider alternate existing models for categorising Councils, including the ALGA classification scheme.
19. The submission from Kogarah Council also seeks recategorisation to Category 1 on the basis of the growth and importance of Kogarah Town Centre and the impact this has had on the role and functions of Councillors and the Council.

Category 3

20. Submissions have been received from the following Councils in category 3: Cessnock, Hawkesbury, Kempsey, Lismore, Shoalhaven and Tamworth Regional.
21. Tamworth Regional, Shoalhaven City and Hawkesbury Councils support the creation of a new category of larger Category 3 Councils or Regional Councils.
22. Tamworth Regional has argued that a case exists to create a new Category for large rural regional Councils. Such a group should reflect the level of responsibility, accountability, services and facilities provided and functions discharged by the Council.
23. Shoalhaven has argued that a case exists to differentiate the smaller Councils in category 3 from the larger Councils like Shoalhaven. Shoalhaven has also suggested an alternative category structure which would provide for a base level of remuneration together with additional incremental payments based upon the level of Council responsibility ie water/sewerage, population density etc.
24. Submissions received from Cessnock and Lismore have not sought change to the current categories but seek to increase fees in recognition of increased workload.

Category 4

25. Submissions from Councils in this group were received from Forbes, Moree Plains, Temora, Upper Lachlan, Glen Innes Severn and a combined submission from the Western Division Group of the Shires Association representing the Councils of Balranald, Bogan, Bourke, Brewarrina, Carrathool, Central Darling, Cobar, Hay, Lachlan, Moree Plains, Walgett, Wentworth and Broken Hill City.
26. Glen Innes Severn and Forbes Councils have supported a remuneration model which would provide levels of fees consistent with fees payable by interstate jurisdictions (QLD and VIC).
27. Upper Lachlan has argued for recategorisation to category 3 on the basis of population and the large number of communities within the Council area.
28. The combined submission from the Western Division Group of the Shires Association has sought to recategorise these Councils into category 3. The submission argues that no matter how small the Local Government areas may be in population size or rate base, there remains a very high demand on the services of Councillors and Mayors, most notably on the Mayors themselves.
29. The submission from the Local Government and Shires Association (the Associations) argues that a number of Councils in category 3 should be reviewed by the Tribunal and placed in category 1. Recategorisation is said to be justified for these Councils on the basis of population, population growth, expenditure and revenue.
30. In addition, the Associations have reiterated their long held position that the maximum fees payable to Mayors and Councillors should be substantially increased in order to adequately remunerate Councillors for their roles and responsibilities.
31. As in previous submissions the Associations have argued that Mayoral and Councillor remuneration should be set as a percentage to MPs remuneration.

The following arguments are provided to show congruence in roles:

- Mayors undertake activities in representing the interests of their constituents;
- Mayors attend State, Commonwealth and Local Government functions;
- Mayors participate in the activities of recognized political parties, including participation in national, State and regional conferences, branch meetings,

- electorate Councils meetings, executive meetings and committee meetings;
- Mayors are elected by their communities;
- as with MPs, the community has access to Mayors who receive petitions, complaints and the like.

CATEGORISATION - FINDINGS

32. Underpinning any categorisation scheme, including that developed by the Tribunal, is the basic premise that Councils in each category have a large number of features in common. This is not straightforward as each Council has challenges and issues which are unique.
33. Councils face a broad and diverse range of issues which reflect the differing needs of their communities and the ability of Councils to serve those needs. For example, some Councils face challenges associated with providing services for tourists and/or a large non-resident daily workforce while other Councils have high proportions of disadvantaged, elderly or non-English-speaking residents. Some Councils are experiencing population growth of more than 2% per annum while others have falling populations. Some are facing the challenges associated with development in high density urban areas and others have scattered populations and long distances. Some have inherited ageing infrastructure and others have low incomes.
34. As each Council is different, there will often be anomalies between Councils in different categories while ever there is a requirement to "categorise" them. The Tribunal recognises this explicitly by providing for a fee structure that overlaps between the categories.
35. In its 1995 review the Tribunal established the features of Councils in each of the categories determined. The categories were developed after extensive consultations with Councils throughout the State as well as consideration of local government schemes existing elsewhere at the time. Since then the Tribunal has comprehensively reviewed the categories on a number of occasions and made changes where necessary, including the introduction of new categories S4 in 1999, 1A in 2002 and the merger of categories 4 and 5 in 2006
36. The Tribunal does and will continue to consider recategorisation. But unless there are to be very large numbers of categories, and fine distinctions to be made among different groupings, there will always be room for differences of view on the relative roles and responsibilities of various Councils.
37. There are presently seven categories of Councils and (apart from the City of Sydney) four levels of remuneration. In the absence of any major change in the structure of Local Government in NSW (as has occurred in Victoria and Queensland) there is no apparent merit in attempting to break those categories up into a greater number of categories or subcategories and making fine distinctions between the relative levels of remuneration - bearing in mind that the only legislative purpose of categorisation is to determine remuneration.
38. In reviewing the existing model of categorisation the Tribunal has given extensive consideration to a number of alternatives. A number of submissions requested that the Tribunal have regard to alternative categorisation models such as that used by the NSW Local Government Grants Commission and developed by the Australian Local Government Association (ALGA).
39. Classification schemes are developed for particular purposes and no two schemes are identical. The classification scheme developed for the ALGA has a purpose different from the categorisation required of the Tribunal under the NSW Local Government Act 1993. The categories as developed by the Tribunal are for the sole purpose of setting fees. Had Parliament wanted the Tribunal to adopt an existing scheme the legislation would have reflected that requirement.
40. In considering the relative merits of the alternate models for the purposes of this review the Tribunal examined a large amount of statistical and demographic material, including population and financial data, indices of diversity and socio-economic status, and indicators of regional significance.
41. The Tribunal has also had regard to the findings of previous reviews and the issues raised by the Associations and individual Councils, as well as advice received from the Department of Local Government.
42. After considering all these factors the Tribunal finds that there is no strong case to significantly alter the current categories of Councillor and Mayoral offices.
43. While the groupings will remain unchanged, the Tribunal has applied descriptive titles for each of the categories. The existing system of numbering the categories creates the perception of a ranking system which is not appropriate and which does not adequately indicate the nature of the differences between the various groups.
44. The descriptive titles for the categories are as follows:

Existing Category	New Category
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4	Rural
3	Regional Rural
2	Metropolitan
1	Metropolitan Centres
1A	Metropolitan Major
S2	Major City
S1	Principal City
S3	County Councils
S4	County Council – Water

45. The characteristics of Councils categorised into each of these groups are outlined in detail in Appendix A.
46. The Tribunal will again review categories of Councils as part of the 2012 review. Until then the Tribunal would not expect to move Councils within categories unless there is a significant change in the roles and responsibilities of particular Councils.

REVIEW OF FEES

47. As stated in prior determinations, the Tribunal does not consider that poor performance, perceived or otherwise, by a small number of Councils and/or Councillors is representative of local government across the State. The Tribunal is well aware that many Councils are doing an excellent job in and for their communities. The Tribunal would wish to acknowledge this, but its legislated role is limited to determining fees. As outlined in previous determinations and confirmed by the review the Tribunal has conducted for this year, the Tribunal does not consider it either appropriate or practicable to factor in a measure reflecting performance when determining an overall adjustment in fees.
48. The Tribunal has had regard to the submissions received and to comments made by the Associations in regard to the level of fees. Suggestions that fees be set as a percentage of the salary of a Member of Parliament are not supported. The reasons for this have been outlined in previous determinations.
49. A number of submissions have sought an adjustment in fees to reflect the increasing amount of time Councillors are spending on Council business. As the NSW Local Government Act 1993 provides for a high level of delegation to Council staff, the amount of time devoted to local government is largely within the discretion of Councils themselves. And an increase in time spent does not of itself necessarily indicate any change in the roles and responsibilities of Councillors.
50. Technological advances such as the widespread use of the internet, email and mobile telecommunications mean that members of the public have greater access than ever to their elected representatives. And as matters become more complex and legislation specifies more responsibilities, Councillors and Mayors need to have broader and deeper skills, knowledge and experience than may have been expected in the past. The Tribunal is aware that the Department of Local Government, in association with the LGSA, has provided extensive training for Councillors and Mayors to assist in addressing these issues. While these developments undoubtedly place additional demands upon Councillors and Mayors, the demands are not unique to local government but apply throughout all areas of responsibility in society and in workplaces.
51. The Tribunal notes that despite the additional demands, the number of people seeking election to local government continues to increase. During 2008, 4410 persons nominated for election to local government. This is an increase of 28% over the 3,428 persons who nominated for election in 2004.
52. The Tribunal is aware that there are also broader issues facing local government in NSW at the present time - in particular, the impact of State government planning reforms. These reforms will result in a range of Council development and planning responsibilities being transferred to either the Planning Assessment Commission or to Joint Regional Planning Panels. While these changes are still to be fully realised, the Tribunal will monitor over the coming year the likely impact of planning reforms on Councillor roles and responsibilities.
53. The Tribunal is also aware that the global economic downturn poses significant challenges to local government. The downturn in economic activity has affected and will continue to affect all levels of government including local government. The Tribunal will also monitor how Councils manage these challenges. To offset the likely impact on local communities, Councils across Australia have received grants under the Federal Government Community Infrastructure Program to assist Councils to build and renew local infrastructure. The Tribunal notes that Councils in NSW have already received \$85 million and will be eligible for a share of a further \$500 million to be distributed to Councils and Shires across Australia. These grants will pose challenges to Councils given the timeframes imposed to

complete grant related projects.

54. Having regard to these factors and after taking the views of the Assessors into account the Tribunal considers that an increase of 2.5 per cent in the fees for Councillors and Mayors is appropriate for the current year and so determines. An increase greater than this amount would be excessive given the current state of the global economy and local economies as indicated by recent key economic indicators and wage movements across the public and private sectors.

Local Government Remuneration Tribunal

Helen Wright
Dated: 29 April 2009

DETERMINATION PURSUANT TO SECTION 239 OF CATEGORIES OF COUNCILS AND COUNTY COUNCILS EFFECTIVE FROM 1 JULY 2009

Category - Principal City (1)

Sydney

Category - Major City (3)

Newcastle

Parramatta

Wollongong

Category - Metropolitan Major (2)

Blacktown

Penrith

Category - Metropolitan Centre (16)

Bankstown Liverpool

Baulkham Hills North Sydney

Campbelltown Randwick

Fairfield Ryde

Gosford Sutherland

Hornsby Warringah

Hurstville Willoughby

Lake Macquarie Wyong

Category - Metropolitan (21)

Ashfield Lane Cove

Auburn Leichhardt

Botany Manly

Burwood Marrickville

Camden Mosman

Canada Bay Pittwater

Canterbury Rockdale

Holroyd Strathfield

Hunters Hill Waverley

Kogarah Woollahra

Ku ring Gai

Category - Regional Rural (32)

Albury City Greater Taree

Armidale Dumaresq Griffith

Ballina Hastings

Bathurst Regional Hawkesbury

Bega Valley Kempsey

Blue Mountains Lismore

Broken Hill Maitland

Byron Orange

Cessnock Pt Stephens

Clarence Valley Shellharbour

Coffs Harbour Shoalhaven

Dubbo Tamworth Regional

Eurobodalla Tweed Heads

Gt Lakes Wagga Wagga

Goulburn Mulwaree Wingecarribee

Queanbeyan Wollondilly

Balranald Glen Innes Severn Narromine

Category - Rural (77)

Balranald Glen Innes Severn Narromine

Bellingen Gloucester Palerang

http://www.rentribunals.nsw.gov.au/local_government/2009_report_and_determinati... 22/05/2009

Berrigen	Greater Hume	Parkes
Bland	Gundagai	Oberon
Blayney	Gunnedah	Richmond Valley
Bogan	Guyra	Singleton
Bombala	Gwydir	Snowy River
Boorowa	Harden	Temora
Bourke	Hay	Tenterfield
Brewarrina	Inverell	Tumbarumba
Cabonne	Jerilderie	Tumut
Carrathool	Junee	Upper Hunter
Central Darling	Kiama	Upper Lachlan
City of Lithgow	Kyogle	Uralla
Cobar	Lachlan	Urana
Conargo	Leeton	Wakool
Coolamon	Liverpool Plains	Walcha
Cooma-Monaro	Lockhart	Walgett
Coonamble	Mid-Western Regional	Warren
Cootamundra	Moree Plains	Warrumbungle
Corowa	Murray	Weddin
Cowra	Murrumbidgee	Wellington
Deniliquin	Muswellbrook	Wentworth
Dungog	Nambucca	Yass Valley
Forbes	Narrabri	Young
Gilgandra	Narrandera	

TOTAL GENERAL PURPOSE COUNCILS 152

Category - County Councils Water (5)

Central Tablelands	Riverina Water
Goldenfields Water	Rous
MidCoast	

Category - County Councils Other (9)

Castlereagh – Macquarie	Richmond River
Central Murray	Southern Slopes
Far North Coast	Upper Hunter
Hawkesbury River	Upper Macquarie
New England Weeds	

TOTAL COUNTY COUNCILS 14

DETERMINATION PURSUANT TO SECTION 241 OF FEES FOR COUNCILLORS AND MAYORS

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, members and chairpersons of County Councils effective on and from 1 July 2009 are determined as follows:

	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*		
	Minimum	Maximum	Minimum	Maximum	Maximum
Principal City	21,140	31,000	126,310	170,150	170,150
Major City	14,080	23,250	29,940	67,750	67,750
Metropolitan Major	14,080	23,250	29,940	67,750	67,750
Metropolitan Centre	10,560	19,730	22,460	52,410	52,410
Metropolitan	7,040	15,500	14,980	33,840	33,840
Regional Rural	7,040	15,500	14,980	33,840	33,840
Rural	7,040	9,290	7,480	20,280	20,280

County Council – Water	1,400	7,750	3,000	12,730
County Council - Other	1,400	4,640	3,000	8,460

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

Local Government Remuneration Tribunal

Helen Wright
Dated: 29 April 2009

• APPENDIX A

CATEGORIES OF COUNCILS AND MAYORAL OFFICES

Principal City

It is appropriate that the Tribunal retain a separate category for the City of Sydney in recognition of its role as the commercial, cultural, entertainment and ceremonial centre of the City and State. Sydney City Council will be classified as Principal City for this purpose.

Major City

This category includes the large cities of Newcastle City Council, Wollongong City Council and Parramatta City Council.

These Councils are metropolitan in nature with major industrial areas, major residential, commercial and tourism activities and significant education and health care facilities. They may be differentiated from those described as Metropolitan Major and Metropolitan Centres on the basis of their significant regional focus.

Newcastle City Council provides regional services to residents across the Hunter and the Mid North Coast. The Newcastle Port Corporation, which is one of the world's largest coal export ports, is located within the Council area. Ventures such as these, which have a broader State and national focus, impact upon the operations of the Council.

Similarly Wollongong City Council provides regional services to the South Coast region which is an area of significant growth. The City also contains the steel works and the Port Kembla Port Corporation. Traditionally a commodities good port, the port is currently undergoing major expansion that will see general and bulk cargoes, containers and vehicle handling become increasingly more important.

Parramatta City Council provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. Parramatta is also considered as an alternative CBD for metropolitan Sydney with a number of large public and private sector organisations relocating their head offices to this location.

Metropolitan Major

Blacktown City Council and Penrith City Council are classified as Metropolitan Major. These Councils have a residential population greater than 250,000 or have another special feature of section 240 which the Tribunal considers distinguishes them from other Metropolitan Councils.

Blacktown City Council has the greatest population of all Councils in NSW, with a current population in excess of 280,000. As articulated in the 2001 Report and Determination the Tribunal accepts that such a significant population imposes additional burdens of responsibility on Councillors and Mayors and justifies recognition for remuneration purposes.

The Tribunal recategorised Penrith City Council into the same category as Blacktown City Council in 2002. While Penrith does not have a population greater than 250,000, it provides significant regional services to greater western Sydney, residents of the Blue Mountains and Nepean districts and to residents of the Central West of NSW. The Tribunal's review finds that the unique characteristics of Penrith City Council continue to warrant its inclusion within the category of Metropolitan Major for remuneration purposes. The extent of regional servicing is considered to be greater than those services provided by other Metropolitan Councils.

Metropolitan Centre

These Councils are typically large multi-purpose organisations which serve as regional centres for the interests of a wider number of residents.

They are characterised by large populations, such as Sutherland Shire Council with a population in excess of 200,000, and large revenues, such as Wyong City Council with a total operating revenue in excess of \$200 million per annum. Council business may include significant infrastructure and support for commercial and retail facilities such as Ryde, Willoughby and North Sydney Councils. A number of Councils in this group have high levels of population growth and urban residential development such as The Hills Shire Council. Councils in this category including Randwick City Council also host significant sports/recreation/cultural facilities and major educational and/or health facilities.

The breadth of these operations impacts upon the role and responsibilities of Councillors and Mayors and warrants recognition for remuneration purposes.

Metropolitan

The remaining metropolitan Councils have smaller populations and in some cases smaller areas than other Councils in the metropolitan region. The scale or diversity of operations is less than for the Councils classified as Metropolitan Centres. While a number of the Councils display characteristics similar to those of Councils categorised as Metropolitan Centres, such as high population densities, the primary activities of these Councils would be expected to be:

- The design and maintenance of public works
- Waste and environmental services
- Upkeep of parks and reserves
- Approval of building and development applications
- Monitoring of services such as building control, health, food etc.
- Strategic planning, child care, community development
- Provision of facilities such as public halls and swimming pools

Other issues for these Councils include environmental issues, ageing infrastructure and urban consolidation, with such activities having neither the scale nor diversity of operation of Metropolitan Centres.

Rural Regional

Characteristics of these Councils are regionalism and growth. The major town centres of regional Council areas are important centres of commerce, trade, work and recreation for thousands of people in and outside the local government area which these towns serve.

This category includes the large rural centres of Wagga Wagga, Tamworth, Armidale, Orange, Albury, Dubbo and Bathurst. These Councils generally have a significant urban population existing alongside their traditional farming sector, and are surrounded by smaller towns and villages. These large rural centres often contain a regional airport and provide significant educational, health, sport and recreational facilities for communities throughout their region. In addition, a number attract large visitor numbers to established tourism ventures, such as the Western Plains Zoo, or events, including the Tamworth Country Music Festival and Bathurst Motor races.

This category also contains the large Councils located on or close to the coast. These Councils have high levels of population, including Tweed, Shoalhaven, Port-Macquarie Hastings, Coffs Harbour and Blue Mountains Councils and significant population growth, including Maitland, Tweed and Queanbeyan Councils. These factors impact upon the planning responsibilities of these Councils which are reflected in the high number of development applications, specifically in Tweed, Shoalhaven, Coffs Harbour and Clarence Valley Councils. Several of these areas also provide significant regional services including regional airports and recreation and tourist facilities.

These factors impact upon the roles and responsibilities of Councillors and Mayors and are reflected in the range of remuneration provided for this group.

Rural

These Councils have many of the features of Rural Regional Councils but have smaller populations and are less likely to have a regional focus. They may have one or two significant townships combined with a considerable rural population.

The activities of rural Councils are predominantly concerned with a broad range of community services including the provision of road services and the maintenance of roads, bridge maintenance, weed eradication, rubbish collection and the maintenance of public conveniences and recreational grounds.

In addition, they are often engaged in tourism promotion on a significant scale and are often involved in industrial development and planning and environment matters.

Categories of County Councils, Chairperson and Member Offices

County Councils Water

These County Councils provide water and/or sewerage functions. While a number of councils provide water and/or sewerage services to their local communities, the joint approach by County Councils in planning and installing large water reticulation and sewerage systems requires additional time and energy of those Councillors who are prepared to accept these additional responsibilities.

County Councils Other

These County Councils are those involved in noxious weed eradication or flood plain management.

County Councils involved in noxious weed eradication are specified as a Local Control Authority under the *Noxious Weeds Act* 1993. These County Councils are formed to administer, control and eradicate declared noxious weeds.

There is currently one County Council responsible for Flood Plain Management – Richmond River County Council.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Maximum fees would result in an expenditure of \$142,340

The 2009/2010 budgeted estimated expenditure is \$149,490

POLICY IMPLICATIONS:

In accordance with the relevant sections of the Local Government Act 1993

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).

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CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

1 [GM-CM] Tweed Link Print Tender 2009

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c)(d) 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
 - (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
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