

# Manly Council



## Agenda

### Ordinary Meeting

Notice is hereby given that a Ordinary Meeting of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

**Monday 19 June 2006**

Commencing at 7:30 PM for the purpose of considering items included on the Agenda.

Persons in the gallery are advised that the proceedings of the meeting are being taped for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes a video camera and any electronic device capable of recording speech.

*Copies of business papers are available at the Customer Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website:  
[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)*

# Seating Arrangements for Meetings

Staff      Staff      General  
                                 Manager      Chairperson      Staff      Minute  
   Taker



**Mayor** Dr Peter  
Macdonald

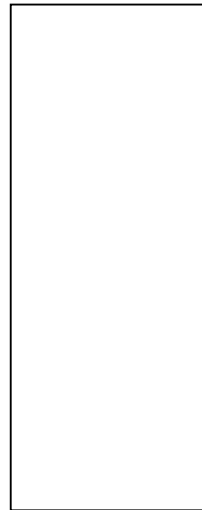
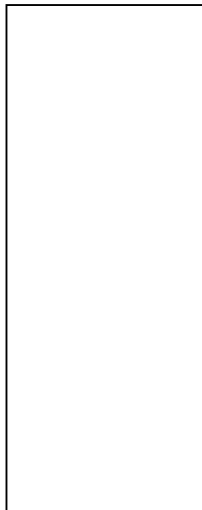
Clr Mark Norek

Clr Joanna Evans

**Deputy Mayor**  
Clr Barbara Aird

Clr Brad  
Pedersen

Clr Richard  
Morrison



Clr Jean Hay AM

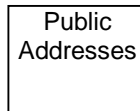
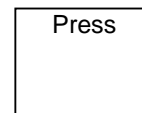
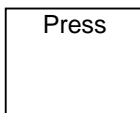
Clr Adele Heasman

Clr Dr Judy Lambert  
AM

Clr Simon Cant

Clr David Murphy

Clr Pat Daley



**Public Gallery**

**Chairperson:** The Mayor, Dr Peter Macdonald  
**Deputy Chairperson:** Deputy Mayor Clr Barbara Aird

**TABLE OF CONTENTS**

Item	Page No.
<b>OPENING PRAYER</b>	
<b>APOLOGIES AND LEAVE OF ABSENCE</b>	
<b>DECLARATIONS OF INTEREST</b>	
<b>CONFIRMATION OF MINUTES</b>	
The Ordinary Meeting of 15 MAY 2006	
<b>PUBLIC FORUM</b>	
<b>MAYORAL MINUTES</b>	
<b>Mayoral Minute Report No. 10</b>	
Respect for the Code of Meeting Practice .....	2
<b>Mayoral Minute Report No. 11</b>	
Fencing of North Harbour Park Playground .....	3
<b>PUBLIC ADDRESSES</b>	
<b>ITEMS FOR BRIEF MENTION</b>	
<b>Item For Brief Mention Report No. 6</b>	
Items for Brief Mention .....	6
<b>Item For Brief Mention Report No. 7</b>	
Referred Items from Planning & Strategy Meeting 13 June 2006 .....	7
<b>GENERAL MANAGERS DIVISION</b>	
<b>General Managers Division Report No. 17</b>	
Fixing of Rates and Charges - 2006/2007 .....	8
<b>General Managers Division Report No. 13</b>	
Adoption of the 2006 - 2009 Management Plan.....	11
<b>CORPORATE SERVICES DIVISION</b>	
<b>Corporate Services Division Report No. 15</b>	
Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007 .....	17
<b>Corporate Services Division Report No. 16</b>	
Accounts - Report on Council Investments - May 2006 .....	36
<b>CLOSED SESSION</b>	
<b>QUESTIONS WITHOUT NOTICE</b>	
<b>MATTERS OF URGENCY</b>	
(In accordance with Clause 14 of the Local Government (Meetings) Regulations, 1993)	

\*\*\*\*\* END OF AGENDA \*\*\*\*\*

**TO:** Ordinary Meeting - 19 June 2006  
**REPORT:** Mayoral Minute Report No. 10  
**SUBJECT:** Respect for the Code of Meeting Practice  
**FILE NO:**

---

### **Background**

The *Manly Council Code of Meeting Practice* (Code) is made under the *Local Government Act 1993* and in accordance with the *Local Government (Meetings) Regulation 1999*. The object of the Code is to provide for the convening and conduct of meetings of Manly Council and the Committees of Council. This includes all Committees including Council/Community Committees. The provisions of this Code are based on the provisions of the Act, the Regulation and on the supplementary provisions adopted by Council. The intent of the Code is to provide for a formal and regulated process in terms of appointment, convening and conduct of each Committee such that an orderly process is respected.

### **Convening of a Committee:**

Under Part 1, section 8 of the Code, 3 days notice must be given of any meeting and such notice must specify time, place and the business on the agenda. Such notice must be given to each member as well as each Councillor. It would be normal practice for the General Manager to be notified and to ratify each meeting.

The member of council staff appointed to service each Committee, must be in attendance and take accurate minutes. Each resolution must be properly recorded.

### **Companion Animals Committee:**

This Committee has been inactive during the term of this Council. It did meet informally in November without community members and did not conduct any valid business. In view of the recent tabling of petitions by several residents with reference to the exercising of dogs, I requested that the General Manager conduct a formal process of seeking nominations for the Committee. In this regard, an invitation was posted in the Manly Council News section of *the Manly Daily*, on Saturday June 10<sup>th</sup>, seeking expressions of interest from members of the community and representatives of animal welfare organisations with applications closing on June 23<sup>rd</sup>. The composition of the Committee is 3 community members and 1 person from an Animal Welfare Organisation.

### **The meeting of the 13<sup>th</sup> June:**

The "so-called" Companion Animals Committee meeting that Councillor Morrison convened, was convened without due notice, it was improper and unconstitutional, and formed with careless indifference to proper processes. The motions passed were invalid and apparently aimed at supporting a partisan position. In my opinion, it constituted an abuse of process and has compromised the impartial neutrality integral to the position of Chairperson. When the Companion Animals Committee is duly appointed, I intend to assume the Chair.

### **RECOMMENDATION**

That all Councillors abide by the Manly Council Code of Meeting Practice in the interests of good governance and respect for due process.

### **ATTACHMENTS**

There are no attachments for this report.

OM190606MM\_1.doc

\*\*\*\*\* End of Mayoral Minute Report No. 10 \*\*\*\*\*

**TO:** Ordinary Meeting - 19 June 2006  
**REPORT:** Mayoral Minute Report No. 11  
**SUBJECT:** Fencing of North Harbour Park Playground  
**FILE NO:**

---

### **Background**

In the past 12 months, concerns have been raised by users of the playground at North Harbour Park about conflict between dogs and small children and risks associated with traffic on nearby Condamine street and the waters of North Harbour. As a result, the Playground Committee requested that a design be prepared for a fence and that it be displayed both on-site and on the Council website. This has resulted in a division of opinion within the community via feedback to the website and through the submission of petitions supporting the "yes" and the "no" case.

Council's Risk Manager was asked to compile a report but it was of limited value as it dealt with the risks associated with dogs but failed to address the risks to small children of the nearby hazards.

Council has fenced a number of playgrounds such as Lagoon Park, Weeroona Park and Tania Park. On the other hand, playgrounds such as Clontarf and Ocean Beach are unfenced. I acknowledge that each playground must be assessed on its own terms, and that in some cases fencing is not required. However, in the case of North Harbour, I believe the prevailing view is that children's safety must take preference over the amenity of the park, particularly following identification of the particular dangers as documented at North Harbour.

If the decision is made to fence this playground, it can be done in such a way as to be unobtrusive, it will keep dogs at bay and mitigate the risks from toddlers straying. The fenced area will occupy approximately 5.6% of the total area of the park and will mean all parties can enjoy this beautiful part of our neighbourhood with increased confidence and security.

### **RECOMMENDATION**

1. That Council resolve to fence the playground at North Harbour Park to include the softfall area, the swings and the cycle circuit.
2. That Council allocate the necessary funds in the forthcoming budget.

### **ATTACHMENTS**

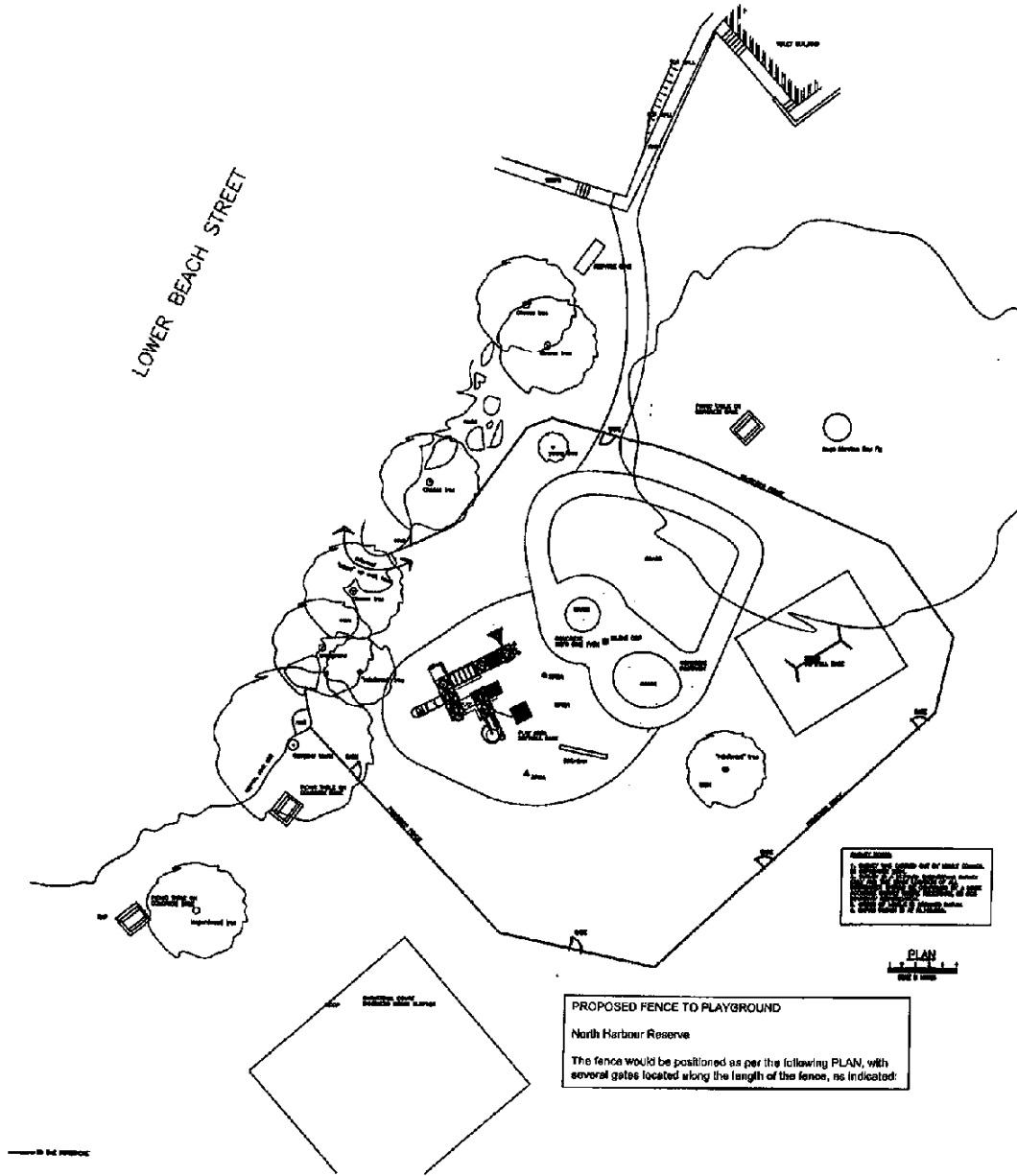
**AT- 1** Map & Sketch of Proposed Fencing 2 Pages

OM190606MM\_2.doc

\*\*\*\*\* End of Mayoral Minute Report No. 11 \*\*\*\*\*

ATTACHMENT 1

Mayoral Minute Report No. 11 - Fencing of North Harbour Park Playground  
Map & Sketch of Proposed Fencing



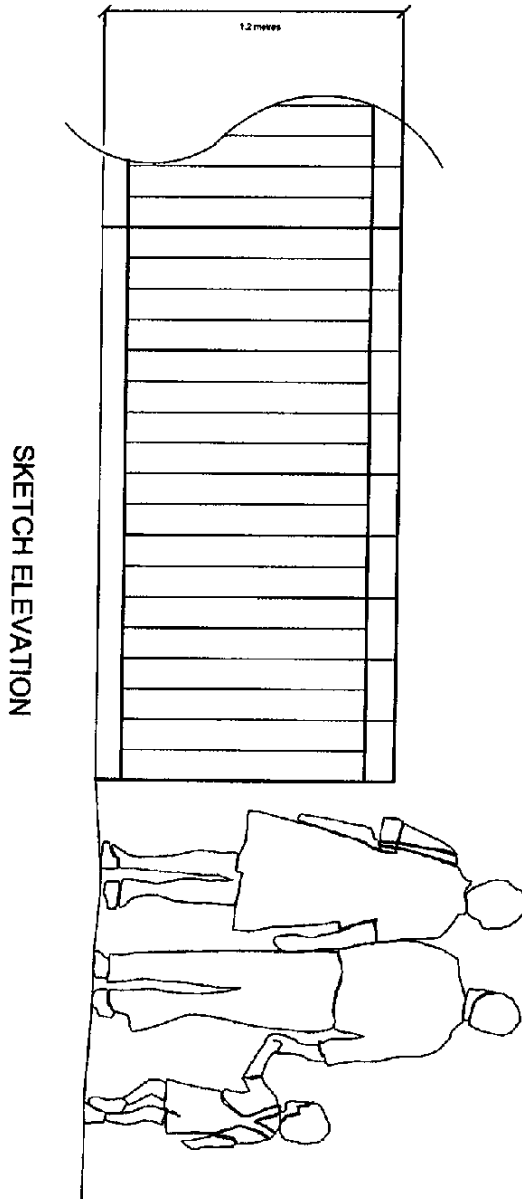
ATTACHMENT 1

Mayoral Minute Report No. 11 - Fencing of North Harbour Park Playground  
Map & Sketch of Proposed Fencing

PROPOSED FENCE TO PLAYGROUND - North Harbour Reserve

North Harbour Reserve is currently a dog off-leash park.

Representation has been made to Manly Council to install a low fence around the playground to keep dogs out, such as shown, following increased community concern over conflict between dogs and children in the vicinity of the playground:



**TO:** Ordinary Meeting - 19 June 2006  
**REPORT:** Item For Brief Mention Report No. 6  
**SUBJECT:** Items for Brief Mention  
**FILE NO:**

---

**1. Minutes Of Meetings:**

- i. MANLY ACCESS COMMITTEE MINUTES OF MEETING HELD ON 18 MAY 2006
- ii. MANLY COMMUNITY SAFETY COMMITTEE MINUTES OF MEETING HELD ON 18 MAY 2006
- iii. MANLY ART GALLERY AND MUSEUM LIAISON COMMITTEE MEETING HELD ON 17 MAY 2006.
- iv. MANLY YOUTH COUNCIL MINUTES OF MEETING HELD ON 22 MAY 2006
- v. MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETINGS HELD ON 10 MAY 2006 & 7 JUNE 2006
- vi. MANLY SISTER CITIES COMMITTEE MINUTES OF MEETING HELD ON 10 MAY 2006
- viii. MANLY VISITOR AND COMMUNITY BOARD COMMITTEE MINUTES OF MEETING HELD ON 4 MAY 2006
- viii. MANLY NEIGHBOURHOOD RENEWAL PROGRAM COMMITTEE HELD ON 10 MAY 2006

**RECOMMENDATION**

1. That the recommendations of **Minutes of Meetings, as listed in item 1, being 1(i) to (viii)** as listed above, be **adopted**.

**ATTACHMENTS**

There are no attachments for this report.

OM190606IBM\_1.doc

\*\*\*\*\* End of Item For Brief Mention Report No. 6 \*\*\*\*\*



**TO: Ordinary Meeting - 19 June 2006**  
**REPORT: Item For Brief Mention Report No. 7**  
**SUBJECT: Referred Items from Planning & Strategy Meeting 13 June 2006**  
**FILE NO:**

---

The following matters were referred by Planning & Strategy Committee to this Ordinary Meeting for Councillor's consideration:

**MANLY TRAFFIC COMMITTEE – MINUTES OF MEETING HELD ON 29 MAY 2006**

**(a) Item Number: 42/06 Fairlight LATM - Proposed Traffic Management**

The Recommendation of the Committee was to:

1. That Council implement the following LATM measures to the Fairlight Precinct area bounded by Sydney Rd, Condamine St, Lauderdale Ave, Commonwealth Pde West Esplanade and Belgrave St.
2. Further that all devices are to be marked out on site at leased one month before construction commences to allow any additional localised consultation to take place with immediately effected residents.

**(b) Item Number: 43/06 Darley Road, Manly - Traffic Management**

The Recommendation of the Committee was to:

1. That Council approve the traffic management measures proposed for Darley Road between Victoria Parade and Manly Hospital as described in the report, inclusive of items 1 – 6.
2. Further that the proposed traffic management measures be implemented as soon as possible following appropriate consultation with all stakeholders including the Little Manly and Fairy Bower precincts.
3. Further that the existing truck and bus speed limit on Darley Road be retained at 40km/hr at this stage and further speed monitoring be carried out following the implementation of the traffic management measures 1-6."

**(c) Item Number: 44/06 Darley Road and Wentworth Streets, Manly - Traffic Management**

The Recommendation of the Committee was to:

1. That Council officers prepare a design and cost estimate for a kerb blister on the north-west corner of the intersection of Darley Road and Wentworth Street, in consultation with the RTA.
2. Further that Council only consider renewing lease area (B), for the 4 Olives Deli, in the future.
3. Further that Council modify the existing pram ramps on the south-west corner of the intersection, to improve the gradient for wheelchair access."

**RECOMMENDATION**

Items (a) to (c) inclusive be adopted as recommended by the Traffic Committee.

**ATTACHMENTS**

There are no attachments for this report.

OM190606IBM\_2.doc

\*\*\*\*\* End of Item For Brief Mention Report No. 7 \*\*\*\*\*

**TO: Ordinary Meeting - 19 June 2006**  
**REPORT: General Managers Division Report No. 17**  
**SUBJECT: Fixing of Rates and Charges - 2006/2007**  
**FILE NO:**

---

## REPORT

Council is required to make rates and charges for 2006/2007 following the adoption of the Management Plan for the 2006/2007 financial period.

Council has indicated in the Draft Management Plan its intention to levy two (2) Ordinary Rates - an Ordinary Residential Rate on the Land Value of all Rateable Land categorised as Residential and an Ordinary Business Rate on the Land Value of all Rateable Land categorised as Business consisting of two sub-categories, being:

- Manly Business Centre - as delineated on Plan Number 1/280B.
- Business (other than the Manly Business Centre).

Council also indicated in the Draft Management Plan its intention to levy a Special Rate for each of the following areas:

- Manly Business Centre and Ocean Beachfront Improvements
- Balgowlah Business Centre Improvements

Council's advertised Draft Management Plan 2006/2009 contained details of Council's Revenue Policy for 2006/2009. The Revenue Policy provided for a rating structure that is based on an ad valorem (rate in the dollar) with a minimum Rate and these Rates were advertised in the Management Plan. The rate to be levied will be calculated on the land value of the land with a base date 1 July 2005, as determined by the Valuer General.

The Minister has advised Council of a permissible Rate increase for 2006/2007 of 3.6% in accordance with S.506 of the Act.

Since the exhibition of the Management Plan, Council has received additional supplementary valuations from the Valuer General. These new valuations have been supplied as a result of either new subdivisions, strata titling of properties, or valuation objections, and must be used for levying rates in 2006/2007. The following rates and charges now take into account any adjustments as a consequence of these amended and new valuations, so as to ensure that Council does not exceed the permissible rate yield.

## RECOMMENDATION

1. Whereas the detailed draft Estimates of Income and Expenditure of the General Fund, for the period 1 July 2006 to 30 June 2007, were considered by Council on 16 May 2006, and having given public notice in accordance with S.405 of the Local Government Act, 1993, of the Draft Management Plan to allow public submissions on or before 14 June 2006, and whereas the Management Plan and Estimates of Income and Expenditure for the period 1 July 2006 to 30 June 2007, were adopted by Council at the meeting of 19 June 2006, and having considered any matters concerning the Management Plan in accordance with S.406 of the Local Government Act, 1993, Council hereby resolve:

**General Managers Division Report No. 17 (Cont'd)**

2. That the Schedule of Fees and Charges 2006-2007 included and tabled with the 2006/2009 draft Management Plan be adopted;
3. That the draft 2006-2007 draft Budget as presented be adopted;
4. That Council now make the following Rates and Charges for 2006/2007:

**A Ordinary Rates**

- (i) An Ordinary Rate (Residential) of **0.159300** cents in the dollar be made for the year on the land value of all rateable land in the Municipality categorised as Residential in accordance with S.516 of the Local Government Act 1993;
- (ii) An Ordinary Rate - Business - Manly Business Centre of **0.751400** cents in the dollar be made for the year on the land value of all rateable land categorised business within the centre of population defined within the Manly CBD and previously adopted by Council, as delineated on Plan Number 1/280B.
- (iii) An Ordinary Rate – Business - Other of **0.396400** cents in the dollar be made for the year on the land value of all rateable land categorised business within Manly other than that land within the centre of population defined in (ii) above.
- (iv) In accordance with Section 548 of the Local Government Act, 1993, that the minimum amount of the Ordinary Rate that shall be levied in respect of any separate parcel of land, including strata lots and dwellings under company title, be **\$590.98** for the period 1st July, 2006 to 30th June, 2007.

**B. Special Rate – Manly Business Centre Improvements**

- (i) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works, including the Manly Business Centre, The Corso and the Ocean Beach Front improvements, provide services, facilities and activities of specific benefit to the area, and are of special benefit to that portion of Manly as delineated on Plan Number 1/280A previously defined and adopted by Council, and whereas Council having adopted the Management Plan for 2006/2007 – 2008/2009, incorporating the Estimates of Income and Expenditure for the Manly Town Centre Improvements Programme for the period 1st July, 2006 to 30th June, 2007, it is hereby resolved that a Special Rate - Manly Business Centre Improvements of **0.253000** cents in the dollar on the land value of all rateable land as previously defined be now made for the period 1st July, 2006 to 30th June, 2007
- (ii) That in accordance with the provisions of Section 548 of the Local Government Act 1993, that no minimum amount of the Special Rate - Manly Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title for the period 1 July 2006 to 30 June 2007.

**C. Special Rate – Balgowlah Business Centre Improvements**

- (i) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works including the off-street car parks in Condamine Street, provide services, facilities and activities of specific benefit to the area and is of special benefit to that portion of Balgowlah delineated on Plan Number 5/005B, and whereas Council having adopted the Management Plan for 2006/2007- 2008/2009, incorporating the Estimates of Income and Expenditure for the Balgowlah Business Centre

**General Managers Division Report No. 17 (Cont'd)**

Improvements Programme for the period 1st July, 2006 to 30th June, 2007 it is hereby resolved that a Special Rate - Balgowlah Business Centre Improvements of **0.191200** cents in the dollar on the land value of all rateable land as previously defined be now made for the period 1st July, 2006 to 30th June, 2007

- (ii) That in accordance with the provisions of Section 548 of the Local Government Act, 1993, it is hereby resolved that no minimum amount of the Special Rate - Balgowlah Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title for the period 1st July, 2006 to 30th June, 2007

**D Interest**

That Council adopt the maximum interest rate as advised by the Minister for Local Government for rates, domestic waste management services and annual charges, being **9.0%** per annum in respect of accrual on a simple basis.

**E Domestic Waste Management Services**

In accordance with S.496 of the Local Government Act 1993, that an annual charge of **\$312.00** per annum be made for the period 1st July 2006 to 30th June 2007, for domestic waste management services rendered to all properties categorised residential or non-rateable residential, for each once weekly 80 litre MGB (or equivalent) service.

**F Stormwater Management Service Charge**

The following Stormwater Management Service Charge be levied on all developed rateable land categorised for rating purposes as residential or business:

Land categorised as Residential:	\$25.00	for a single residential dwelling
Residential strata lots:	\$12.50	for each strata unit
Residential flats, community title, tenants-in-common residential units:	\$12.50	for each flat/unit
Land categorised as Business	\$25.00	Plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres up to a maximum charge of \$200.00

**ATTACHMENTS**

There are no attachments for this report.

OM190606GMO\_2.doc

\*\*\*\*\* End of General Managers Division Report No. 17 \*\*\*\*\*

**TO:** Ordinary Meeting - 19 June 2006  
**REPORT:** General Managers Division Report No. 13  
**SUBJECT:** Adoption of the 2006 - 2009 Management Plan  
**FILE NO:**

---

## SUMMARY

The 2006 – 2009 Draft Management Plan has been exhibited for the statutory period and is submitted for adoption by Council.

## REPORT

At the Extraordinary meeting of Council held on Tuesday 16<sup>th</sup> May 2006, Council resolved to adopt for public comment, the Draft 2006-2009 Management Plan.

Accordingly, public notice was given to invite comments on the Draft Management Plan. Copies of the Management Plan were available to peruse from Council's Customer Service Area, the Manly Library and Council's website. The exhibition period concluded on Wednesday 14 June 2006.

To facilitate greater engagement with the public on the Draft Plan, Council produced the "Community Plan" publication, which served to summarise the detail contained in the Draft Plan for residents and members of the general public wishing to obtain information in this abbreviated format.

On the 25 May 2006, the General Manager convened a meeting with the executive of Precincts to go through Council's forward programmes proposed in the Draft Plan.

At the conclusion of the exhibition period, Council received 3 individual submissions; one precinct submission, and one Inter-Forum submission.

In sum, matters raised in the submissions relate to, 1) support for Surf Life Saving Clubs; 2) suggestion for a boardwalk along the foreshore; 3) Environmental Levy; 4) the ongoing operations of the Manly Environment Centre; 5) the proposed Level 3 Library Building Development; 6) the need for an open space acquisition policy; 7) access issues associated with footpaths, and 6) Council's finances

A summary and response to the submissions is provided in a matrix, which is separately attached as (Attachment 1).

## RECOMMENDATION

1. That pursuant to Section 406 and Section 612 of the *Local Government Act*, 1993, the Manly Council Management Plan 2006-2009 (*Manly Plan*) and the 2006/07 Schedule of Fees and Charges be adopted;
2. That the parties who made submissions to the Management Plan be thanked and that written responses to the points raised by them be provided.

## ATTACHMENTS

**AT- 1** Matrix of submissions received 5 Pages

OM190606GMO\_1.doc

\*\*\*\*\* End of General Managers Division Report No. 13 \*\*\*\*\*

**ATTACHMENT 1**

**General Managers Division Report No. 13 - Adoption of the 2006 - 2009 Management Plan**

**Matrix of submissions received**

**Adoption of the 2006 – 2009 Management Plan  
Matrix of submissions received**

<b>Submission no:</b>	<b>Name</b>	<b>Submission</b>	<b>Staff Comments</b>	<b>Recommendation</b>
1	S Crawford SEAFORTH	Requests Council to significantly increase the budget to the three surf life saving clubs that patrol Manly Beach to a more significant level closer to \$100,000 each.	A provision of \$75,000 is in the Management Plan for service to be provided by the three Surf Life Saving Clubs in Manly. This is a 500% increase on the previous years' allocation. This increase recognizes the value of the voluntary beach patrol service provided by the clubs and the importance of the partnership that exists between the clubs and Council in maintaining a safe beach environment for all users.	The level of funding under the service level agreement between Council and surf clubs be reassessment for consideration in the 2007/08 Management Plan.
2	K Finch FAIRLIGHT	Suggests that Council construct a board walk or a pontoon walk along the foreshore below the high water mark at Fairlight to enable walkers to continue along the foreshore rather than along the very busy and dangerous Lauderdale Avenue.	This is an environmentally significant suggestion which would require significant expert input and assessment	The proposal will be referred to the Manly Harbour Foreshores Management Committee for their advice and comment.
3	R Hewitt MANLY	1) Request Environment Levy projects scheduled; Would like undertaking in writing of roll over funds in Environmental Levy;  2) More detail on the operation	2) The operation of the MEC will	1) Noted. Has been attached to the Management Plan for information.  2) No action necessary

**ATTACHMENT 1**

**General Managers Division Report No. 13 - Adoption of the 2006 - 2009 Management Plan**

**Matrix of submissions received**

Submission no:	Name	Submission	Staff Comments	Recommendation
		<p>of MEC; progress report on the Library project;</p> <p>3) Concerned staff for MEC fully funded for 2006/7;</p> <p>4) More detail on open space acquisition policy requested;</p> <p>5) Feels access policy is "neglected";</p> <p>6) seeking commitment that the Fairlight LATM implemented this year;</p> <p>7) Would like response time for precincts to be guaranteed at 10 working days;</p> <p>8) Environment Committee's</p>	<p>remain unchanged over the 06/07 year;</p> <p>3) Current staffing will be maintained.</p> <p>4) There is a specific clause in the Manly LEP 1988 (Clause 12, 13 &amp; 14) identifying land which Council would consider for acquisition in the future if the opportunity arises. This matter is best referred to Council's LEP / DCP working party;</p> <p>5) Council's Social Plan Implementation Committee and the Access Committee are currently addressing the issues of developing an Access Plan for Manly;</p> <p>6) When approved, the scheme is committed for completion in 2006/07</p> <p>7) Council currently aims for a less than 10 working days from receipt of the official precinct minutes.</p> <p>However, maintenance requests made outside of precinct minutes are referred as CARs items</p> <p>8) Comments noted – there is a</p>	<p>3) No action necessary</p> <p>4) Will be referred to the LEP/DCP Working Party</p> <p>5) No additional action is necessary</p> <p>6) No additional action is necessary</p> <p>7) Service Standard to be included in the Management Plan</p> <p>8) No additional action is necessary</p>

**ATTACHMENT 1**

**General Managers Division Report No. 13 - Adoption of the 2006 - 2009 Management Plan**

**Matrix of submissions received**

<b>Submission no:</b>	<b>Name</b>	<b>Submission</b>	<b>Staff Comments</b>	<b>Recommendation</b>
		<p>opposition to allocate \$50,000 to MEC Building Fund to be noted.</p> <p>9) Comments made on the pros and cons of drawing down funds from reserves as opposed to loaning funds for key projects like Corso. Requests transparent statement of assets, liabilities and net cash assets;</p>	<p>resolution of Council supporting this project.</p> <p>9) The capital structure is geared to a financial strategy that aims to minimize financing costs while maintaining council's capacity to deliver programs in any given period.</p>	<p>9) Noted</p>
4	Mr Richard Hewitt on behalf of Fairlight Precinct Community Forum	<p>1) Environment Levy projects should be scheduled;</p> <p>2) Clear statement about the long term future of the MEC building and its ongoing operations needs to be made ie its objectives &amp; its planned future location;</p> <p>3) Council needs a plan and a budget for acquiring open space for community use. Like to see a documented plan for providing access for wheelchairs and prams along busy roads and more money allocated to addressing access issues;</p> <p>4) seeking commitment Fairlight LATM implemented</p>	<p>2) The operation of the MEC will remain unchanged over the 06/07 year;</p> <p>3) Council's Social Plan Implementation Committee and the Access Committee are currently addressing the issues of developing an Access Plan for Manly;</p> <p>4) When approved, the scheme is committed for completion in</p>	<p>1) Noted. Has been attached to the Management Plan for information.</p> <p>2) No additional action is necessary</p> <p>3) Matters to be referred to appropriate committees.</p> <p>4) No additional action is necessary</p>



**ATTACHMENT 1**

**General Managers Division Report No. 13 - Adoption of the 2006 - 2009 Management Plan**

**Matrix of submissions received**

Submission no:	Name	Submission	Staff Comments	Recommendation
		<p>this year</p> <p>5) Fairlight Shops Urban design Plan - request for funds allocated to this project this year to be rolled over to 06/07 budget;</p> <p>6) East west cycle way route precinct requests more detailed information be provided within 2 months – preference for option 3b of consultant’s report previously circulated on this matter on path cycling, Lauderdale south side from King Ave to Federation Point);</p> <p>7) Confirmation requested on schedule and timetable of completion of key infrastructure projects particularly in relation to pavement / pathway works;</p> <p>8) Requests guaranteed response time to precincts suggest 10 working days.</p>	<p>2006/07</p> <p>5) Funding should be available in the 06/07 global roads budget to complete an adopted projects. If not a variation will be made to the budget at the relevant time.</p> <p>6) A detailed design for a shared footway on Lauderdale Avenue (southern side) is being planned for the 2006/7 year. Construction will take place over 06/07 and 07/08 financial years</p> <p>7) Key / major infrastructure works are advised to either the precincts and via various Council Committees (as appropriate) as they progress. SPIC Committee get updated on access pathway / footpath issues.</p> <p>8) Council currently aims for a less than 10 working days from receipt of the official precinct minutes.</p> <p>However, requests made outside of precinct minutes would to treated as CARs items</p>	<p>5) No additional action is necessary</p> <p>6) No additional action is necessary</p> <p>7) No additional action is necessary</p> <p>8) Service Standard to be included in the Management Plan</p>

**ATTACHMENT 1**

**General Managers Division Report No. 13 - Adoption of the 2006 - 2009 Management Plan**

**Matrix of submissions received**

<b>Submission no:</b>	<b>Name</b>	<b>Submission</b>	<b>Staff Comments</b>	<b>Recommendation</b>
5	Mr Hewitt on behalf of Interforum representing Clontarf, Corso, Fairlight, Fairy Bower, Little Manly & North Harbour Precincts	<p>1) seeking commitment Fairlight LATM implemented this year</p> <p>2) Request for Council to spell out it future plans for the operation and location of the MEC;</p> <p>3) More information on Council reserve allocations requested eg net worth;</p> <p>4) Request detail of Environmental Levy expenditure;</p> <p>5) Request the development by Council of Open Space acquisition plan;</p> <p>6) request Council to develop an access policy and set targets for accessible pathways being constructed.</p>	<p>1) When approved, the scheme is committed for completion in 2006/07</p> <p>2) Council is committed to the work of the MEC and its operation will remain unchanged</p> <p>3) Council's financial position is reported and audited each year. Council's equity position is published in its Annual Reports.</p> <p>5) There is a specific clause in the Manly LEP 1988 (Clause 12, 13 &amp; 14) identifying land which Council would consider for acquisition in the future if the opportunity arises. This matter is best referred to Council's LEP / DCP working party;</p> <p>6) Council's Social Plan implementation Committee and the Access Committee are currently addressing the issues of developing an Access Plan for Manly.</p>	<p>1) No additional action is necessary</p> <p>2) No additional action is necessary</p> <p>3) No additional action is necessary</p> <p>4) Noted. Has been attached to the Management Plan for information.</p> <p>5) Refer to the LEP/DCP Working Party</p> <p>6) Refer to the Social Plan Implementation Committee.</p>

**TO:** Ordinary Meeting - 19 June 2006  
**REPORT:** Corporate Services Division Report No. 15  
**SUBJECT:** Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007  
**FILE NO:**

---

## SUMMARY

The Local Government Remuneration Tribunal has handed down its Report for 2006/2007 regarding the Category of Councils, and the fees payable to the Mayor and Councillors as from 1 July 2006.

## REPORT

Under the Act, the Council must pay the Mayor and each Councillor an annual fee. The fee must be fixed by Council and must be in accordance with the appropriate determination of the Local Government Remuneration Tribunal being equal to or greater than the minimum but not greater than the maximum of the appropriate category. The same fee must be paid to each Councillor.

The Tribunal has now made a determination for 2006/2007, handing down its Report on 19 April 2006.

The Tribunal considered that the criteria applicable to Category 2 remains relevant and that the Councils within this Category continue to be appropriate. The Tribunal was not convinced by submissions received from Category 2 Councils that they warrant re-categorisation to a higher category (*Clause 28 of the Report*).

The Tribunal has determined that fees for Councillors and Mayors should be increased by 4%, effective from 1 July 2006.

A copy of the Report is **attached** for information.

Manly Council is classified as a Category 2 (Suburban) Council - for which the Tribunal has set the following minimum and maximum fees to apply for 2006/2007 :

	Minimum	Maximum
<b>Mayor Allowance</b> (current maximum fee paid \$29,345)	\$13,510	\$30,520
<b>Councillors Fees</b> (current maximum fee paid \$13,440)	\$ 6,355	\$13,980

The fee payable to Mayors is in addition to Councillor fees.

At Council's Meeting held on 27<sup>th</sup> July 1998, Council resolved as follows:

“ That in respect of future determinations by the Local Government Remuneration Tribunal, Council, as policy, set the Mayor and Councillor remuneration fees at the maximum level determined by that body.”

It is recommended that Council resolve as follows:

**Corporate Services Division Report No. 15 (Cont'd)**

**RECOMMENDATION**

That Council reaffirm its previous policy adopted in July 1998 to set the Mayor and Councillor remuneration fees for the period 1 July 2006 to 30 June 2007 at the maximum level determined by the Local Government Remuneration Tribunal.

**ATTACHMENTS**

**AT- 1** Report & Determination of Local Government Remuneration Tribunal 17 Pages

OM190606CSD\_1.doc

\*\*\*\*\* End of Corporate Services Division Report No. 15 \*\*\*\*\*

**ATTACHMENT 1**

---

**Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of  
Local Government Remuneration Tribunal - 2006/2007  
Report & Determination of Local Government Remuneration Tribunal**

---

**REPORT**

**and**

**DETERMINATIONS**

**Of**

**THE LOCAL GOVERNMENT REMUNERATION  
TRIBUNAL**

**Under**

**SECTIONS 239 AND 241**

**of the**

**LOCAL GOVERNMENT ACT 1993**

**19 April 2006**

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

#### LOCAL GOVERNMENT REMUNERATION TRIBUNAL

#### 2006 ANNUAL REVIEW

#### GENERAL:

1. Pursuant to Section 241 of the Local Government Act 1993 (the Act) the Local Government Remuneration Tribunal hereby determines the categories for Councils, County Councils and mayoral officers and 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. The Tribunal made its initial determination in 1994. Because of limited material and time available this determination was regarded as an interim determination.
3. In 1995 the Tribunal undertook a thorough investigation into the roles and responsibilities of Councillors and Mayors, and embarked on an extensive program of consultation with and visits to Local Councils across the State. As a result of that review, the Tribunal 1995 report determined that the then 177 General Purpose Councils would be categorized into five general categories or two special categories. County Councils would be considered as a separate group.
4. The distinguishing features of each Category are set out in the 1995 Report. The overall structure of the categories has remained largely unchanged since its introduction in 1995.
5. Section 239 of the Act requires the Tribunal to determine the categories of Councils and mayoral offices at least once every 3 years. In practice the Tribunal has reviewed the categorisation of Councils annually based on submissions received. Since 1995, thirty nine Councils have been recategorised and two new categories (Category 1A and Category S4) created.

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007 Report & Determination of Local Government Remuneration Tribunal

---

#### BACKGROUND TO THE CURRENT REVIEW:

6. The review of Categories was commenced in 2003. For reasons outlined hereunder the Tribunal has not completed this review until now. For this reason the Tribunal has provided information that, while provided by Councils for previous annual reviews remains relevant to the consideration of Council Categories and categorisation undertaken as part of the current review.
7. Since the Tribunal initially determined the Categories in 1995 there have been significant changes in the structure of local government Councils in NSW; most notably the reduction in the number of general purpose Councils from 177 to 152 as at 30 June 2005.
8. In addition, significant population growth has had an impact on a number of Councils particularly those in outer metropolitan Sydney and larger rural Councils.
9. In recognition of these changes, in 2003 the Tribunal undertook a preliminary review of Councils with a regional focus within Category 3. The Tribunal postponed further consideration of this group until a number of rural amalgamations under way at that time had been resolved.
10. In the 2004 report the Tribunal advised that it would defer consideration of Categories until the completion of the Government's structural reform programme. In this Report the Tribunal also advised that it would undertake a fundamental review of the Categories in 2005 to determine whether they should be retained or whether changes were warranted. The Tribunal commenced its investigation with a review of Categories 1, 1A and Special Category 2.
11. For the 2005 Review, Councils in this group were asked to address the following:

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

- *Is the current Category structure of S2, 1A and 1 appropriate? Should these Categories be reduced/expanded and if so on what basis?*
- *Does the current Category definition still accurately describe your Council?*
- *Whether the current categorisation is appropriate for your Council? If not where should it be categorised and on what basis should this re-categorisation be granted?*
- *Has the role of your Council changed since 1995? If so how?*
- *What additional responsibilities has your Council undertaken since 1995, what are the issues facing Council in the next few years and what steps is Council taking to address them?*
- *What other matters would you wish the Tribunal to consider as part of this review?*

#### **Submissions Received**

The following submissions were received in response to this request:

#### **Special Category S2**

##### **Newcastle City Council**

Newcastle City Council supported the Tribunal's method of categorisation as determined in the 1995 report and that Special Category S2 was still appropriate for Newcastle. The Council did however seek an increase in fees to a level which adequately reflects the workload of Councillors. The submission highlighted the establishment of some 40 committees under section 355 of the Act and the additional representation Council provides on the boards or committees of 21 external organisations.

#### **Category 1A**

##### **Penrith City Council**

The submission argued that the Council's current Category 1A classification remains the appropriate Category in view of Council's identified regional planning and service delivery role and the need to put in place policies and programs that transcend traditional local government boundaries.



## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

#### Category 1

**Joint submission from Bankstown, Baulkham Hills, Campbelltown, Fairfield, Gosford, Hornsby, Lake Macquarie and Sutherland Councils.**

The joint submission sought to re-categorise these Councils into Category 1A. Alternatively, it was recommended that the Tribunal consider the option of consolidating categorise S2, 1A and 1 or developing a new alternative categorisation system.

This joint submission argued that each of the Councils has experienced rapid development, an expansion in the role of Mayors and Councillors, a greater complexity in service delivery and extended accountabilities. In addition, the concept of minimum and maximum fees no longer has relevance to Category 1 Councils. The submission pointed out all Category 1 Councils pay the maximum fees as recompense for the roles of Councillor and Mayor.

It was also put to the Tribunal that each of the eight Councils has operated successfully as regional leaders of large communities and each has developed innovative service solutions appropriate to their geographic locality.

It was claimed that since the introduction of the 1993 Act, the role and commitment of Councillors and Mayors has been extended through new performance obligations, greater community expectations, a greater concentration on representative function and more defined statutory obligations.

#### **North Sydney.**

The submission from North Sydney Council stated that current Category structure is adequate. However, it was suggested that North Sydney Council would be more appropriately categorized as 1A due to its increased significance both regionally and nationally. Also the fee scale

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

should allow for more discretionary power of each Council in determining Councillor and Mayoral allowances.

12. Following receipt of these submissions the Tribunal decided to broaden its review to include all Councils. Councils were asked to address the same issues. The following submissions received from Councils in categories 2 to 5 are summarized below.

#### Category 2

Canada Bay, Holroyd and Waverley Councils all sought re-categorisation to Category 1.

Canada Bay raised the impact on Councillors of the additional responsibilities associated with the transformation of disused industrial sites into modern residential developments, increased population, and major regional economic change.

Holroyd Council's submission argued that the Council has grown and changed dramatically in recent times into one of the state's prominent industrial areas with significant cultural challenges. In addition, the Council has emphasised the extent of its cultural diversity and the additional responsibilities for elected representatives.

Waverley has based its argument for re-categorisation on the importance of its regional retail and transport interchange facilities, its national importance as a tourist destination and the scope and scale of development in the area.

#### Category 3

Submissions were received from the following Category 3 Councils: Byron, Clarence Valley, Hastings, Coffs Harbour, Maitland, Shoalhaven,

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

Tweed, Tamworth Regional, Hawkesbury City, and Wingecarribee.

Clarence Valley, Hastings and Coffs Harbour City and Tamworth Regional Council supported the creation of a new Category for large regional Councils.

Such Councils, the submission argued, may be characterised as having large populations/areas, population growth, a regional significance, ecologically sustainable development and community services. Tamworth Regional and Clarence Valley have also highlighted the additional role and responsibilities of Councillors in the new amalgamated Council areas.

Shoalhaven City Council sought re-categorisation to Category 1A since the nature of its work is more closely associated with larger urban cities. Tweed Shire Council sought reclassification to Category 1 to recognise the sustained policy pressures of a high multi-purpose authority. This submission was received prior to the removal of the Council by the Minister.

Hawkesbury City and Wingecarribee Shire Council sought an increase in fees due to increased workload and the diversity and complexity of issues dealt with by Councillors. Wingecarribee has also questioned the equity of Category 3 Councils and Category 2 Councils being remunerated at the same level.

#### **Category 4**

Submissions from Councils in this group were received from Kiama, Richmond Valley and Yass Valley Councils. Kiama has supported the current Category structure for Categories 2 to 5. However the Council considers it should more appropriately be grouped in Category 3. Yass Valley Council recommended a move toward a remuneration system based on the time and effort expended by Councillors and Mayors. Richmond Valley has sought a review of the current Category structure.

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

#### Category 5

Submissions were received from Corowa, Greater Hume, Lachlan, Liverpool Plains, Upper Hunter, Berrigan and Gwydir Shire Councils. These Councils all sought re-categorisation from Category 5 to Category 4. Those Councils affected by amalgamations have highlighted the additional responsibility for Councillors associated with the increased workload, populations and economic activity. An increase in the minimum and maximum fees have been sought to recognise these additional responsibilities.

13. In addition, the Tribunal has received a submission from the Local Government and Shires Association (the Associations).

The Associations did not address those questions asked by the Tribunal in regard to the current categorisation scheme. They had, however, argued for an increase in fees to a level which more adequately reflect the roles and responsibilities of Councillors and Mayors. The Associations suggested that no Mayor should receive less than \$20,000 p.a. (inclusive of the Councillors fee) and that fees for Councillors and Members in all categories, other than S1, be increased by 10% and the additional fees for Mayors and Chairpersons be increased by 21.5%.

The Associations also raised the following issues which impact on the role and responsibility of Councillors.

- Devolution – wherein new responsibilities are imposed upon local Council by other spheres of government;
- Increased community expectations
- Stringent planning and building regulations
- Increased street lighting charges
- Expenses associated with total catchment management
- The provision of public health infrastructure and services support
- The provision of community law and safety measures, often as a result of public perceptions of increased crime and declining police numbers in county areas.

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

14. Prior to completion of the 2005 Review, the Tribunal received a request from the Minister for Local Government asking that the Tribunal defer making its determination because:

*"...the Department of Local Government will undertake a review of the expenses policies adopted by Councils with a view to guidelines being developed. Councils are currently required, pursuant to section 252 of the Act, to adopt a policy for the payment of expenses to mayors, deputy mayors and other Councillors.*

*As the issues surrounding the payment of fees and expenses are related, the Minister has requested that the Tribunal defer its review of categories until such time as the Department has completed its review. One option being considered is the central regulation of expenses and whether different categories of Councils should have variable expense structures."*

15. The Tribunal made no changes to the categories of Councils or the fees for Councillors and Mayors from those determined in 2004 but following this determination the Minister, on 29 June 2005, issued a special reference to the Tribunal to review its determinations of 13 April 2005.

16. On 19 July 2005 the Tribunal wrote to all Councils and the Local Government and Shires Association of NSW advising of the Special Reference from the Minister. The Tribunal further advised that it intended;

*"...as far as practicable, to complete its review of specific categories of Councils. In particular, the Tribunal will be concentrating on the current Category structure to determine whether it is still appropriate given the changes that have occurred since it was established in 1995. In addition the Tribunal will consider the categorisation of newly amalgamated Councils."*

17. In undertaking this review the Tribunal advised that it would be relying on the submissions received for the 2005 annual review but that Councils would be welcome to make any further submissions.

18. The Tribunal completed its review on 19 December 2005. The Tribunal

## ATTACHMENT 1

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007 Report & Determination of Local Government Remuneration Tribunal

---

provided for a 4 percent increase in fees effective on and from 1 July 2005 for Councillors and Mayors. In respect of the Categories and the categorisation of Councils the Tribunal stated that since 1995 the Tribunal has determined Categories of Councils on the basis of the criteria prescribed in the legislation,

*"... Since then the Tribunal has considered individual applications. Where there has been a case established to the Tribunal's satisfaction that the original categorisation should be amended, this has occurred.*

*As part of the 2006 review the Tribunal is examining its original criteria particularly in light of amalgamations and having regard to submissions received seeking re-categorisation. On the basis of this review, and after considering the views of the Assessors, the Tribunal will determine whether any changes to the current Category structure are appropriate as well as the Councils within each Category."*

#### CURRENT REVIEW:

19. On 10 February 2006 the Tribunal wrote to all Mayors advising the commencement of the 2006 annual review. In respect of categorisation the Tribunal stated:

*"...The Tribunal previously received detailed submissions on categorisation from Councils as part of the 2004 and 2005 reviews. As a result the Tribunal is not calling again for submissions regarding the categorisation of Councils as part of this review. Mayors are welcome to make further submissions if they wish to submit additional information. In particular, Mayors of categories 4 and 5 are invited to provide their views on combining categories 4 and 5 as a single Category. "*

20. The Tribunal received a number of submissions either restating previous matters in support of re categorisation or for retention of existing Category groupings. In respect of the merging of Categories 4 and 5 there seems to be general support for the proposal based on the submissions received.

#### CATEGORISATION:

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

#### Categories S1, S2, 1A and 1

21. In 2001 the Tribunal created Category 1A. The Tribunal had regard to the submissions of the Associations and some Category 1 Councils concerning the weight to be given to the population of the Category 1 Councils. The Tribunal determined that Councils with the significant features of Category 1 and with a residential population of 250,000 or more would qualify for inclusion in that group. Blacktown City Council was the only Council that met the Category 1A criteria.
22. In 2002 the Tribunal also included Penrith City Council in Category 1A. The basis upon which this was determined is outlined in full in the Tribunal's 2002 Report and need not be repeated here, suffice it to say that in the Tribunal's view the regional significance of Penrith was greater than those of other Category 1 Councils.
23. Since then a number of the larger Category 1 Councils have made a joint submission seeking inclusion in Category 1A. The Tribunal was asked to review this submission again as part of the current review. A summary of this submission has been outlined above.
24. The Tribunal has given careful consideration to the contents of this submission but finds that these eight Councils do not as yet meet the criteria for inclusion in Category 1A. None of the Councils have a population of 250,000 or more and in the Tribunal's view none have the regional significance of Penrith although on both criteria some Councils within Category 1 are moving towards meeting one or both criteria within the next few years.
25. The Tribunal considers that overall the criteria for Categories S1, S2, 1A and 1 are still accurate and the Councils within each Category are appropriate.

#### Categories 2 and 3

## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

#### **Category 2 – Suburban Councils**

26. This group comprises Councils within the Sydney Metropolitan area. The main activities of this group include:

- 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

27. Other issues for these Councils include environmental issues, ageing infrastructure and urban consolidation. Such activities having neither the scale nor diversity of operation of Category 1 Councils. Nor do they have the regional significance of Category 1 Councils.

28. Overall the Tribunal considers that the criteria applicable to Category 2 remains relevant and that the Councils within this Category continue to be appropriate. The tribunal has not been convinced by submissions received from Category 2 Councils that they warrant re-categorisation to a higher Category.

#### **Category 3 – Rural Regional Councils**

29. The principal characteristic of these Councils is now regionalism and, in some cases accompanied by 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. These Councils general have a significant urban population existing along side traditional farming sector and surrounded by smaller towns and villages.

30. The criteria applied to these Councils continues to be relevant and the Councils within this Category are still considered to be appropriate. As with the Category



## ATTACHMENT 1

---

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007

### Report & Determination of Local Government Remuneration Tribunal

---

2 Councils the Tribunal is not satisfied that Category 3 Councils should be re-categorised at this time.

#### Category 4 and Category 5 Councils

31. Category 4 and 5 Councils account for just over half of all Councils in NSW. These Councils generally have smaller populations and are less likely to have a regional focus. The Council may have one or two significant townships combined with a considerable rural population. The activities of Category 4 and Category 5 Councils are predominantly concerned with providing a broad range of community services. These may include the provision and maintenance of roads and bridges, weed eradication, rubbish collection and the maintenance of public conveniences and recreational grounds. Councils in this group range from Mid- Western Regional with a population of 22,494 to Urana with 1,414.
32. The role and responsibilities of Category 4 and 5 Councils is, as noted above virtually identical. For this reason the Tribunal considers that Category 5 Councils should be merged with Category 4 Councils. Category 5 will be abolished as a result. Such a proposal has the support of Councils who commented on this issue to the Tribunal.
33. The Tribunal will review the Categories of Councils again as part of the 2009 review. Until then the Tribunal would not expect to move Councils within categories unless there is a significant change in the role and responsibilities of individual Councils.

#### **FEES:**

34. The Tribunal has reviewed the current economic data including cost of living figures. The Tribunal notes that since 2003 Councillors have received increases totalling 10.5 percent and mayors have received increases totalling 14 percent.
35. On this occasion the Tribunal considers, after considering key economic

**ATTACHMENT 1**

---

**Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of  
Local Government Remuneration Tribunal - 2006/2007  
Report & Determination of Local Government Remuneration Tribunal**

---

indicators, and after taking the views of the Assessors into account, that an increase of 4 percent in the fees for Councillors and Mayors is appropriate and so determines.

**Local Government Remuneration Tribunal**

(The Honourable Charles L Cullen QC)

Dated: 19 April 2006

## ATTACHMENT 1

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007 Report & Determination of Local Government Remuneration Tribunal

---

#### DETERMINATION PURSUANT TO SECTION 242 OF CATEGORIES OF COUNCILS AND COUNTY COUNCILS EFFECTIVE FROM 1 JULY 2006

<b>Category S1 (1 Council)</b>	Sydney
<b>Category S2 (3 Councils)</b>	Newcastle Parramatta Wollongong
<b>Category S3</b>	County Councils
<b>Category S4</b> (engaged in significant commercial activities)	County Councils
<b>Category 1A (2 Councils)</b>	
Blacktown Penrith	
<b>Category 1. (16 Councils)</b>	
Bankstown	Liverpool
Baulkham Hills	North Sydney
Campbelltown	Randwick
Fairfield	Ryde
Gosford	Sutherland
Hornsby	Warringah
Hurstville	Willoughby
Lake Macquarie	Wyong
<b>Category 2. (21 Councils)</b>	
Ashfield	Lane Cove
Auburn	Leichhardt
Botany	Manly
Burwood	Marrickville
Camden	Mosman
Canada Bay	Pittwater
Canterbury	Rockdale
Holroyd	Strathfield
Hunters Hill	Waverley
Kogarah	Woollahra
Kuring Gai	

## ATTACHMENT 1

### Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2006/2007 Report & Determination of Local Government Remuneration Tribunal

#### Category 3. (32 Councils)

Albury City	Greater Taree
Armidale Dumaresq	Griffith
Ballina	Hastings
Bathurst Regional	Hawkesbury
Bega Valley	Kempsey
Bluc Mountains	Lismore
Broken Hill	Maitland
Byron	Orange
Cessnock	Pt Stephens
Clarence Valley	Shellharbour
Coffs Harbour	Shoalhaven
Dubbo	Tamworth Regional
Eurobodalla	Tweed Heads
Gt Laks	Wagga Wagga
Goulburn Mulwaree	Wingecarribcc
Queanbeyan	Wollondilly

#### Category 4. (77 Councils)

Barranald	Glen Innes Severn	Narromine
Bellingen	Gloucester	Palerang
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**

**ATTACHMENT 1**

---

**Corporate Services Division Report No. 15 - Mayors' and Councillors' Fees - Determination of  
Local Government Remuneration Tribunal - 2006/2007  
Report & Determination of Local Government Remuneration Tribunal**

---

**Category S3 (10 Councils)**

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

**Category S4 (6 Councils)**

Central Tablelands	MidCoast
Cudgegong	Riverina Water
Goldenfields Water	Rous

**TOTAL COUNTY COUNCILS 16**

**TO: Ordinary Meeting - 19 June 2006**  
**REPORT: Corporate Services Division Report No. 16**  
**SUBJECT: Accounts - Report on Council Investments - May 2006**  
**FILE NO:**

## SUMMARY

Latest accounting statements for the period to 31 May, 2006.

1. Statement showing general fund bank account balance as at 31 May, 2006.
2. Cash investments as at 31 May, 2006.

## REPORT

### 1. Statement Showing General Fund Bank Account Balance as at 31 May, 2006

Limit of overdraft arranged with bank	<b>\$400,000.00 Dr</b>
Bank Balance as at 31 May, 2006 <sup>(1)</sup>	<b>\$352,095.04 Cr</b>

### 2. Details of Council Investments Pursuant to the General Regulation as at 31 May, 2006,

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

For the information of Councillors, the following cash investments were held by Council as at 31 May, 2006.

Invest Date	Maturity/ Call date	Institution	Term (Days)	Rate	Amount	Interest
15/07/02	15/07/07	HSBC	1826	6.37	1,000,000.00	15,916.75 <sup>(2)</sup>
15/08/02	15/07/07	HSBC	1795	6.37	2,008,481.93	31,833.50 <sup>(2)</sup>
30/07/02	12/12/06	Bendigo Bank	1596	7.61	510,200.00	9,512.49 <sup>(3)</sup>
08/08/02	08/08/07	Bank of Qld	1826	7.17	1,000,000.00	18,072.33 <sup>(4)</sup>
02/09/02	28/09/06	Suncorp Metway	1487	6.75	1,005,210.00	33,750.00 <sup>(5)</sup>
18/02/03	18/02/08	Macquarie Bank	1826	5.75	1,000,000.00	28,750.00 <sup>(6)</sup>
02/04/04	02/04/09	Adelaide Bank	1826	6.54	500,000.00	8,179.12 <sup>(7)</sup>
03/12/04	03/12/09	NM R'child & Son (Aust)	1826	6.65	700,000.00	11,640.48 <sup>(8)</sup>
15/12/04	15/12/09	Aust Central C/U	1826	6.80	1,000,000.00	16,987.49 <sup>(9)</sup>
25/10/05	25/10/06	Emu Structured Note	365	7.00	500,000.00	35,000.00 <sup>(11)</sup>
21/05/04	21/05/07	CBA	1095	6.20	719,877.16	44,632.38 <sup>(10)</sup>
11/04/06	11/07/06	IMB	91	5.81	1,250,000.00	18,106.51
11/04/06	11/07/06	Credit Union Australia	91	5.92	3,000,000.00	44,278.35
11/04/06	11/07/06	BankWest	91	5.72	2,000,000.00	28,521.64
		LGFS Ethical Fund	@CALL	5.90	1,037,016.84	
		IMB	@CALL	5.45	1,505,000.00	
		CBA	@CALL	5.45	<u>58,439.42</u>	
					<b>18,794,225.35</b>	

**Corporate Services Division Report No. 16 (Cont'd)**

- 1) **Balances from \$250,001 to \$500,000 earns 4.50%pa**
- 2) Interest to 15 July, 2006 only
- 3) Interest to 12 June, 2006 only
- 4) Interest to 8 August, 2006 only
- 5) Interest to 28 March, 2005 only
- 6) Interest to 18 August, 2006 only
- 7) Interest to 2 July, 2006 only
- 8) Interest to 3 June, 2006 only
- 9) Interest to 15 June, 2006 only
- 10) Interest to 21 May, 2007 only
- 11) Interest calculated at the guaranteed interest floor of 7.00%pa for the first year

Except for (5), (6), (10) and (11) interest is calculated at a floating rate, fixed for the duration of each subsequent quarter, based on the prevailing interest rates at the quarterly reset date(s).

<b>Investment Performance</b>	<b>Council</b>	<b>Benchmark*</b>	<b>90 day BBSW**</b>
Returns - May 2006 [%pa]:	<b>6.23</b>	<b>6.05</b>	5.80

\* benchmark is 90day BBSW plus 0.25%pa

\*\* 90 day BBSW is the average 90 day bank bill rate for the month.

Certification – Responsible Accounting Officer

The Chief Financial Officer hereby certifies that the investments listed above have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

**RECOMMENDATION**

1. That the statement of General Fund Bank Account balance as at 31 May, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 31 May, 2006 be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

OM190606CSD\_2.doc

\*\*\*\*\* End of Corporate Services Division Report No. 16 \*\*\*\*\* .