

MAYOR'S REPORT

8th March 2005

M2	COUNTRY MAYORS ASSOCIATION
FILE: *	CLR J A C HAYES

SUMMARY:

To inform Council of the discussions held at the Country Mayors Association meeting.



DESCRIPTION:

The General Manager and myself attended the Country Mayors Association meeting in Sydney on Friday, 25 February.

The meeting was addressed by Commissioner Koperberg of the Rural Fire Service who gave a general overview of the operation of the Service, advice regarding staffing increases due to the transfer of functions and the Service's position regarding the supply of non-standard equipment to brigades.

The RFS will supply non-standard equipment so long as there is a reason for the change and it complies with the requisite legislation.

Council's motion regarding the introduction of heavier penalties for infringement of speed limits by drivers and owners of heavy vehicles was supported. The Chairman is to see the Minister for Police shortly and will bring the matter up with him then.

The Association is to support Ballina Council in its representations to the Department of Infrastructure Planning and Natural Resources in respect to changes to SEPP 5 which is inconsistent with LEP's in that "Seniors Living", in urban zones is limited to a height no greater than two storeys.

There is a lot of concern about the Model Code of Conduct, in particular, the composition of the Conduct Committee and the untenable position in which those members will be placed.

In the case of the Mayor there will be a judgement of peers and in the case of the General Manager, conflict will certainly arise between himself/herself and the elected members. The Association is to make representations to the Minister and is to get a legal opinion on the exposure of members, the implications of Section

435 dealing with surcharging and the necessity to report the committee's activities in open Council.

The Association is also making representations to the Minister on the powers of the Mayor, under Section 226 of the Act and in particular the right of a Mayor to make decisions between Council meetings. Shoalhaven Council's Mayor made a decision between meetings, which was referred to the Ombudsman who has ruled that, the function "To exercise in cases of necessity the policy making functions of the governing body of the Council between meetings of the Council" means matters of "Extreme urgency".

REPORT IMPLICATIONS:

- ***Environmental***

Nil

- ***Social***

The redistribution of Health Funding is expected to increase allocations in rural areas.

- ***Economic (Financial)***

Nil

- ***Policy or Statutory***

SEPP 5 is currently contrary to Councils LEP allowing 8 metre heights.

RECOMMENDATION:

That the information be noted.

.....
J A C Hayes
MAYOR