

10.7 Richmond Tweed Regional Library - Structure



Premier & Cabinet
Division of Local Government

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Our Reference: A257685
Your Reference: Regional Library
Contact: David Rolls
Phone: 02 4428 4210

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



18 OCT 2011

Dear Mr Hickey

I am writing in reply to your letter of 29 August 2011 regarding the operating arrangements for the delivery of joint library services between Ballina Shire Council, Byron Shire Council, Lismore City Council and Tweed Shire Council.

You have asked whether or not the Minister for Local Government and the Division of Local Government, Department of Premier and Cabinet would support the formation of a county council as the means of providing joint library services for the four councils.

Section 383 of the *Local Government Act 1993* provides that a council may make a proposal to the Minister to establish a county council. If the Minister decides to proceed with a proposal, sections 384 and 385 of the Act require public notice to be given of the proposal and any person affected by the proposal to be given the opportunity to make representations to the Minister. After considering all representations received during the public consultation process, the Minister may recommend to the Governor that the proposal be implemented.

Neither the Division nor the Minister can provide approval in principle for any statutory application. As you may appreciate, the Division must remain in a position to provide the Minister with independent advice on the merits of each application, untainted by the perception of any predetermined opinions. In turn, the Minister would consider each application on its merits.

However, in general terms and as a matter of guidance for councils contemplating making such an application to the Minister, the applicant councils would need to present a sound business case for the Minister's consideration. That business case should demonstrate that the councils have considered all reasonably practicable options and that the county council option was the most beneficial option for the residents of the council's areas, particularly in terms of cost and service delivery.

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Finally, I note that should the four councils wish to form a county council as the means of providing joint library services for their local government areas, they will also need to obtain the prior approval of the Minister for the Arts and the approval of the Minister for Local Government under section 12A of the *Library Act 1939*.

I trust this information is of assistance.

Yours sincerely



Steve Orr
Acting Chief Executive, Local Government
A Division of the Department of Premier and Cabinet



Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Our reference: 29405-2

20 December 2011

Dear Mr Hickey

Richmond-Tweed Regional Library

I refer to your letter of 25 November 2011 inviting my team member Cameron Morley to advise on future structure and management options available to the councils involved in the Richmond-Tweed Regional Library. It is pleasing that Ballina Shire Council wishes to progress the provision of a regional library service.

You will recall that I contacted you and the General Managers of Tweed, Lismore and Byron in June 2010 offering the State Library's assistance in the resolution of the Richmond-Tweed Regional Library Agreement issue.

Since then the Library Act 1939 has been amended to include S12A, which enables two or more councils to propose alternate structures for the operation of regional library services. As advised in my letter to council general managers of 19 October 2011 (attached) such proposals would be considered jointly by the State Library and the Department of Premier and Cabinet, Division of Local Government (DLG) and would require Ministerial approval.

The State Library can provide advice under s12(1) and s12(2) of the Library Act. The Library has provided commentary to Lismore City Council on the new draft Agreement and considers that it complies with the Library Act 1939, s12(1).

In response to your request, in light of the advice already provided by the Library on

the proposed new agreement and the investigation by Ballina outlined in your letter, I consider that a further general report by the State Library is unlikely to provide your council with significantly more information.

The Library would like to see the issues concerning the Richmond Tweed regional Library resolved. Should Ballina with one or more of the Richmond-Tweed councils be interested in forming a submission under S12A, the Library and the Division of Local Government can meet at the State Library with delegated Council representative/s to discuss developing your submission. Please let me let me know if you wish to pursue this option.

However, I need to emphasise that any library arrangement proposed under section 12A of the Library Act will require the approval of the Minister for the Arts and the agreement of the Minister for Local Government. The State Library and the Division of Local Government will not be in a position to commit to any particular model.

In general terms and as a matter of guidance for councils contemplating making such an application, the Councils will need to present a sound business case for consideration. That business case should demonstrate that the Councils have considered all reasonably practicable options and that the proposed option is the most beneficial option for the residents of each Council's area, particularly in terms of service delivery and cost effectiveness.

Yours sincerely



Frances Sims

Director, Public Library & Community Learning Services



Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Dear Mr Hickey

Library Act 1939 section 12A

I am writing to inform you that a process for the operation of the new s12A of the Library Act 1939 has been agreed upon with the NSW Department of Premier and Cabinet, Local Government Division.

You will be aware that the NSW Government has created additional flexibility in the operation of regional public library services through the introduction of the new Section 12A into the Library Act 1939. Section 12 of the Act enables councils to agree to provide library services regionally, that is across more than one council area. Such arrangements are termed "regional libraries". At present 70 NSW councils are party to s12 agreements for library services.

Prior to the amendment, councils entering into such arrangements needed to adopt an executive council model as detailed in Section 12(1) or (12)2 of the Act. This involved one council accepting the responsibility for the management and provision of the library (or an aspect of the library service) on behalf of the other council or councils. The other council or councils also needed to delegate their library management to the executive council.

The new s12A enables councils that wish to operate regional library services using alternative arrangements to propose the arrangements that suit their situation. Please note that no Council is required to enter into arrangements under section 12A.

Such proposals need to be approved by the Minister for the Arts with the agreement of the Minister for Local Government. This will ensure that alternative arrangements for regional libraries meet the Library Act and Local Government Act requirements and Government policies.

Section 12A proposals by two or more councils are to be made to the Minister for the Arts. The proposal assessment process will include advice from the State Library and the Local Government Division, Department of Premier and Cabinet.

Please contact Cameron Morley, Manager, Funding and Advisory Services, State Library of NSW on 02 9273 1483 for further detail.

Yours sincerely,

Frances Sims

Director, Public Library and Community Learning Services

19 October 2011

RICHMOND TWEED REGIONAL LIBRARY CALCULATION OF COUNCIL CONTRIBUTIONS 2011/12										
		BALLINA COSTS SHARE		BYRON COSTS SHARE		LISMORE COSTS SHARE		TWEED COSTS SHARE		TOTALS
1) Branch Costs:										
Salaries		\$660,977		\$562,179		\$767,280		\$944,979		
Transfer from Reserves		\$0		-\$40,200		\$0		\$0		
Total Branch Costs		\$660,977		\$521,979		\$767,280		\$944,979		\$2,895,215
2010/11 Comparison & % Change for 2011/12		\$594,848	11.1%	\$462,347	12.9%	\$702,596	9.2%	\$842,875	12.1%	
2) Mobile Library Costs :										
Salaries	\$97,702									
Vehicle Running	\$45,200									
Internet	\$2,500									
Trailer Loan Repayment	\$2,000									
Transfer to Reserve	\$30,000									
% service time	\$177,402	\$18,419	10.38%	\$35,868	20.22%	\$56,226	31.69%	\$66,889	37.70%	\$177,402
Hours of Service in each Area			4.75		9.25		14.50		17.25	45.75
2010/11 Comparison & % Change for 2011/12		\$18,240	1.0%	\$35,519	1.0%	\$55,679	1.0%	\$66,239	1.0%	
3) Bookstock Costs :										
Salaries - Acquisitions	\$100,626									
Salaries - Cataloguing	\$112,613									
Technical Aids	\$15,000									
Maintenance	\$37,000									
Periodicals	\$49,800									
Libraries Australia Licence	\$8,500									
Public Internet Access	\$21,500									
Library Resource Materials	\$793,600									
% Population - Annexure II - # 2	\$1,138,639	\$229,575	20.16%	\$174,046	15.29%	\$240,985	21.16%	\$494,034	43.39%	\$1,138,639
2010/11 Comparison & % Change for 2011/12		\$252,705	-9.2%	\$191,392	-9.1%	\$267,637	-10.0%	\$537,978	-8.2%	
4) Computer System Costs										
Salaries	\$127,005									
Hardware Maintenance	\$17,300									
Software Maintenance	\$60,200									
Headquarter & Branch IT Link Charges	\$75,400									
System Upgrade	\$77,000									
Net Reserve Movement	-\$22,000									
% Terminals	\$334,905	\$71,414	21.32%	\$64,026	19.12%	\$86,189	25.74%	\$113,277	33.82%	\$334,905
Number of PC's in each Area			29		26		35		46	136
2010/11 Comparison & % Change for 2011/12		\$60,942	17.2%	\$62,734	2.1%	\$72,450	19.0%	\$114,882	-1.4%	
5) Headquarter Costs										
Salaries	\$817,144									
Net Other	\$104,400									
Headquarter Costs Apportioned per Capita	\$921,544	\$185,804	20.16%	\$140,862	15.29%	\$195,038	21.16%	\$399,840	43.39%	\$921,544
2010/11 Comparison & % Change for 2011/12		\$194,600	-4.5%	\$147,385	-4.4%	\$206,099	-5.4%	\$414,280	-3.5%	
2011/12 COUNCIL CONTRIBUTIONS		\$1,166,200	4.00%	\$936,800	4.16%	\$1,345,700	3.16%	\$2,019,000	2.16%	\$5,467,700
POPULATION		43,581	20.16%	33,039	15.29%	45,747	21.16%	93,784	43.39%	216,150
PER CAPITA		\$26.76		\$28.35		\$29.42		\$21.53		
INCREASE IN CONTRIBUTION		\$44,900		\$37,400		\$41,200		\$42,700		
<u>2010/11 COMPARISON</u>										
Council Contributions	\$1,121,300	\$899,400	4.00%	\$899,400	4.16%	\$1,304,500	3.16%	\$1,976,300	2.16%	\$5,467,700
Population	42,937	32,519	20.22%	32,519	15.31%	45,474	21.42%	91,407	43.05%	212,337
Per Capita Costs	\$26.12	\$27.66	2.47%	\$27.66	2.52%	\$28.69	2.54%	\$21.62	-0.43%	\$25.75