



AGENDA FOR EXTRA ORDINARY COUNCIL MEETING

20 MARCH 2018

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that an Extra Ordinary Council Meeting of Walgett Shire Council will be held at the **Council Chamber, Walgett on the 20th March 2018** commencing at **10:00am** to discuss the items listed in the Agenda.

Don Ramsland
GENERAL MANAGER

CONFLICT OF INTERESTS

What is a "Conflict of Interests" – A conflict of interests can be two types:

Pecuniary – an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-Pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature.)

Remoteness

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Who has a Pecuniary Interest? – A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below)

Relatives, Partners

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter

N.B. "Relative", in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse.
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company of other body, or
- Just because the person is a member of, or is employed by, the Council
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) At any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) At any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge – A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-Pecuniary Interest – Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-Pecuniary conflicts of interest must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

Disclosure to be Recorded (S453 Act)

A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

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## **Local Government Act 1993**

### **Chapter 3 section 8A**

#### **GUIDING PRINCIPLES FOR COUNCILS**

##### **(1) Exercise of functions generally**

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

##### **(2) Decision-making**

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

##### **(3) Community participation**

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures

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## 1. OPENING OF MEETING

Time: \_\_\_\_\_ am

## 2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

*I would like to acknowledge the traditional owners of the lands within the Walgett Shire and I would also like to acknowledge the Aboriginal and Torres Strait Islander people who now reside within this Shire.*

## 3. LEAVE OF ABSENCE

| Leave of Absence                                                                                                                                                                                                                       |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p><b>Recommendation:</b></p> <p>That the leave of absence received from _____ are accepted and a leave of absence granted.</p> <p><b>Moved:</b>                      <b>Clr</b></p> <p><b>Seconded:</b>                <b>Clr</b></p> |  |

#### **4. DECLARATION OF PECUNIARY/NON PECUNIARY INTERESTS**

*Councillors and senior staff are reminded of their obligation to declare their interest in any matters listed before them.*

*In considering your interest you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.*

*Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.*

*Councillors must state their reasons in declaring any type of interest.*

| Councillor | Item No. | Pecuniary/Non-Pecuniary | Reason |
|------------|----------|-------------------------|--------|
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|            |          |                         |        |
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|            |          |                         |        |

## 5. REPORTS FROM OFFICERS

### 5.1 GENERAL MANAGER

#### 5.1.1 FURTHER REPORT – PROPOSED JOINT ORGANISATIONS

**REPORTING SECTION:** General Manager  
**AUTHOR:** Don Ramsland – General Manager  
**FILE NUMBER:** 18/260

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**Summary:**

To further consider what action Council should be taking in respect of determining whether or not to join a JO and, if so, in what region.

**Background:**

The local government reform process has been in train since the “2036 Forum” was held in Dubbo in 2011 . We have now reached the stage where we should be focussed on the “where to from here” rather than dwelling in the past

The legislation establishing JOs has identified three (3) core functions each JO will undertake:

- regional strategic planning and priority setting
- intergovernmental collaboration
- regional leadership and advocacy

These functions are embodied in new legislation vide Section 400R (1) but the import of Section 400R (3) still requires clarification:

Chapter 12 – Part 7 – Section 400R

**Principal functions of joint organisations**

*(1) A joint organisation has the following principal functions:*

*(a) to establish strategic regional priorities for the joint organisation area and to establish strategies and plans for delivering those strategic regional priorities,*

*(b) to provide regional leadership for the joint organisation area and to be an advocate for strategic regional priorities,*

*(c) to identify and take up opportunities for inter-governmental co-operation on matters relating to the joint organisation area.*

*(2) In establishing strategic regional priorities for the joint organisation area, a joint organisation is to consider any relevant strategic priorities or plans of member councils and the State government.*

*(3) A strategic regional priority, or a plan or strategy for delivering a strategic regional priority, established by a joint organisation does not limit the operation of or otherwise affect any regional plan or strategy given effect to under the Environmental Planning and Assessment Act 1979 (including any regional plan made under Part 3B of that Act)*

The key criteria for forming a JO include:

- Aligning with, or nesting within one of the State’s planning regions.
- Being able to demonstrate a clear community of interest between member Councils and regions.
- Any JO established not adversely impacting on other Councils or JO’s (e.g. leaving too few councils to form a JO)
- Where possible being based around strong regional centre.
- Being of appropriate size and capacity to partner with NSW Government and Commonwealth Government agencies and other organisations.

**Current Position:**

As previously advised, meetings were held with the OLG Acting Chief Executive Officer, Mr. Tim Hurst, while Council representatives were in Sydney at the LGNSW annual conference in December when the following issues were discussed/determined:

- Western Division Councils can now be part of a Joint Organisation of Councils
- There is no need for any further legislative changes to allow the Far West Western
- Councils to participate in a JO with Cabinet being the determining body
- The Far West Councils can elect to join another JO e.g. RAMROC or OROC as full members despite the previously announcement that the JO a Council could join needed to be nested within the Planning Region of that Council i.e. Far West
- Part of the criteria for a western division JO is that it would need to be based on a regional centre and as such a JO in the far West would need to include Broken Hill
- The money to establish a JO in the Far West would be funded from additional funding and not come out of the 3.3 million dollars allocated to JOs across the State
- Consideration MAY be given to the establishment of a Far West Secretariat with funding from OLG although this “was a matter for the Minister”
- Similarly the possibility of some recurrent funding was raised for either a JO or a Secretariat and again the answer was that “this was also an issue for the Minister”
- Councils in the Far West could be Full Members of a JO outside the Far West and Associate Members of a Far West JO
- The Regulations were not yet written but would not provide any significant variances to the legislation
- Councils should be aware of the voluntary nature of the membership of a JO but also be mindful that once you are in you are in “unless the Minister proclaims otherwise”
- The service delivery aspects of the old Far West Initiative are still being pursued by both State and Federal Governments but how this will occur and what local Governments’ role could be was not identified
- Councils’ involvement in the FWI concept as it had evolved were essentially finished
- The assessment of a Council’s eligibility for T-Corp funding will need to be reviewed as the Far West Councils were not previously included in the assessment process
- The functions of a JO are limited to the three (3) functions identified in the legislation unless additional functions are delegated by the Councils.

All Councils across the area covered by the Orana Regional Organisation of Councils (OROC) and in Western Division are continuing to closely consider to their options in relation to the potential membership of the proposed Joint Organisation of Councils.

Some Councils within OROC have already indicated they are prepared to join a JO whilst at least one has indicated that it will not be joining any JO.

Other Councils are at this stage considering their options and others have indicated that they were awaiting the release of the proposed Regulations prior to making a decision.

There has been the need for a little more clarity to be provided in relation to memberships of JOs or otherwise and with this in mind both Cobar Shire and Broken Hill City Council arranged for seminars with a hope that some clarity could be provided. However, following those seminars there were still questions to be answered.

Western Division Councils will gave the matter further consideration at their annual conference on 26 February, 2018. Details of the motion will be tabled at the meeting.



At the OROC meeting on 16 March, 2018 it was resolved:

- “1. The executive officers report on JO’s be noted
2. Dubbo City Council advised that they will not be part of a JO
3. Individual Council’s make their own decisions with regards joining a JO”

The stance being taken by Dubbo City Council in determining not to become a member of a JO has immediately had the impact of a number of other OROC Councils reconsidering their position.

Whilst it is believed that Councils no longer have the option of sitting back prior to determining which JO to join, obviously those Councils who sign up first will be in a position to have a major input into determining the roles and functions of the JO they join.

Councils who join later will have little or no say in determining the JO structure.

Again as previously advised, the OLG has written to all General Managers (see letter attached) outlining the procedure for making a Joint Organisation nomination.

Basically this requires each Council writing to the Minister for Local Government stating that they have resolved to be a member of a Joint Organisation, enclosing a copy of Council’s resolution to join a Joint Organisation, nominating which other Councils will, or are likely to be, part of that organization.

The time for an application to be made has now been extended to Friday 23 March, 2018. The General Manager must also inform the Minister that on expiry of a period of 28 days from making the resolution that it has not been rescinded.

The JO Regulations broadly address the following matters:

1. The Establishment of a Charter incorporating operational and governance principles
2. Provisions for the election of a Chairperson from the member mayors
3. What to do if votes are tied
4. Appointment of alternate delegates
5. Expenses and facilities policy
6. Remote participation and voting
7. Planning and reporting requirements
8. Executive Officer appointment process
9. Other staff arrangements
10. Application of the LGA and JO Regulation

However, the following issues remain to be negotiated in respect of JO membership:

- a. What happens when the Regional Centre Council does not belong to the JO?
- b. What State and Federal Government Functional areas will be devolved to JOs?
- c. What expenses can a JO claim re-imbursement for when undertaking functions identified in (b) above?
- d. How will cost sharing functions be distributed within a JO?
- e. When will Councils be formally advised of the future of the Far West Initiative?
- f. What will happen to Councils who do not belong to a JO with regards T-Corp access?
- g. Could a JO be formed without membership of the regional Centre Council?
- h. What other funds are available to establish a JO secretariat and also be available on an ongoing basis?

There may be other issues that Councillors may wish to raise as well.

**Relevant Reference Documents:**

- A letter from the Deputy Premier and Minister for Local Government to the Mayor in relation to the formation of JOs
- A letter from the Acting Chief Executive Officer of the Office of Local Government to the General Manager.
- Publication - Joint Organisations "Working together for Regional Communities"
- The Joint Organisation nomination form
- A publication - Joint Organisation - Frequently Asked Questions.
- JO Draft Regulations

**Stakeholders:**

Office of Local Government Department of Premier and Cabinet  
Walgett Shire Council  
OROC member Councils  
Western Division Councils

**Governance issues:**

The process required to establish joint organisations has now been mapped out by the OLG. However, certain aspects of the process have still to be ironed out and clarified.

**Environmental issues:**

Much of the JO concept is based around future planning initiatives, which is why JOs can only be formed in respective Environment Planning Regions unless otherwise approved.

The import of Section 400R(3) is still to be clarified

**Financial Implications:**

The financial implications that will flow from membership of a Joint Organisation are still unknown as many issues are yet to be clarified.

The original concept of a JO centred on resource sharing and economies of scale and any resultant cost savings. Whether any such cost savings can be retained by the JO or shared with the State Government is also yet to be clarified

It would seem that any "seed funding" for the establishment of a JO (\$300K) will be more than likely consumed by the cost of employing a Chief Executive Officer in the first year and other things including office set up, office telecommunications and transport.

Any additional staff would need to be paid for through project-based based grants or costs savings yet to be identified.

It is likely that once established, the ongoing costs of operating a JO will have to be met by the member Councils. This could possibly be by way of formula based on a base rate plus a per head of population amount as is currently the situation with OROC or an annual flat contribution as has been the case with Western Division.

None of this can really be quantified until the roles and responsibilities particular JOs are determined.

**Legal Issues:**

The Amendment Act 2017 establishes that the formation of a Joint Organisation is Voluntary. Even though this is a voluntary process, it would appear that Councils that are not members of a JO will not be able to access State Government benefits such as any of the investment and loan funding opportunities that will be available through JOs.

**Alternative Solutions/Options:**

- Do nothing.
- Continue as a member council of the Orana Regional Organisation of Councils only.
- Apply to join a JO based on the current OROC boundary with associate membership with a Western Division JO.
- Apply to join a Western Division based with associate membership with an Orana JO.
- Consider what other options are available for JO membership/associate membership.
- Request an extension of time to allow the various proposals being put forward by neighbouring councils to be examined before making any decision.
- Negotiate with the State Government for additional incentives to join a JO over and above those already identified.

**Conclusion:**

Council needs to determine whether or not it wishes to proceed with becoming a member of a JO and in which area. It then needs to pass the necessary resolution to this effect in the prescribed format and advise the Minister for Local Government accordingly.

Alternatively, Council could combine with other neighbouring Councils to negotiate additional incentives before agreeing to become part of a JO.

**Further Report – Proposed Joint Organisations****Recommendation:**

That:

1. Walgett Shire Council determine whether or not it wishes to nominate to join a Joint Organisation based on the current OROC boundary also nominating which other Councils will, or are likely to be, part of that organization and Council later consider associate membership with a Western Division JO if appropriate and
2. Further that the Minister for Local Government be informed of Council's decision in this regard and Council also inform the Minister, upon the expiry of a period of 28 days from the making of this resolution, that this resolution has not been rescinded OR.
3. Council consider combining with other neighbouring Councils to negotiate additional incentives before agreeing to become part of a JO OR
4. Council consider requesting an extension of time in which to put together a JO proposal with neighbouring Councils

**Moved:**

**Seconded:**

**Attachments:**

Letter dated 1 December 2017 from the Office of Local Government plus nomination form



## Office of Local Government

5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541

Our Reference:  
Your Reference:  
Contact:  
Phone:

A573390

Chris Presland  
02 4428 4100

Mr Donald Ramsland  
General Manager  
Walgett Shire Council  
PO Box 31  
WALGETT NSW 2832

1 December 2017

[dramsland@walgett.nsw.gov.au](mailto:dramsland@walgett.nsw.gov.au)

Dear Mr Ramsland

I am pleased to be writing to you following the recent passage by the NSW Parliament of the *Local Government Amendment (Regional Joint Organisations) Bill 2017*. This legislation allows for councils to voluntarily join new Joint Organisations (JOs) to strengthen regional coordination and improve the delivery of important infrastructure and services for communities through strategic planning, collaboration and shared leadership and advocacy.

While the Far West was not initially included in the original JO consultation, your Council has been provided the opportunity to consider being part of a JO, and we would like to hear from your Council about what its preferences are.

To assist Council in considering to form a JO, enclosed is an information pack that includes the following resources:

- Guidance information on how to submit a nomination to form a JO
- Frequently Asked Questions
- Office of Local Government contacts for support.

In addition to the design criteria set for other councils, the Government has provided some further criteria below in regards to the Far West councils:

- Far West Councils will be given the option to be full voting members of JOs within their own or across different State Government planning boundaries
- Seed funding will be provided to any newly created JO in the Far West consistent with the funding being provided to establish other new JOs.



The Office of Local Government will be working with Far West councils in the coming months to address the findings of their asset management and financial sustainability reviews. This work will inform consideration of providing access to the NSW Treasury Corporation local government borrowing facility to Far West Councils.

Please contact Mr Chris Presland, Director Reform Implementation on (02) 4428 4100 or [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) if you have any further enquiries.

Yours sincerely



**Tim Hurst**  
**Acting Chief Executive**  
**Office of Local Government**

To nominate each council should:

- ## Forming a Joint Organisation – Checklist

An optional text box is provided if you wish to provide further information to support the Joint Organisation nomination:

-

# Joint Organisation nomination



**6.** Please confirm that your nomination is based around a strong regional centre or centres.

Yes      No

**7.** Please confirm that the proposed Joint Organisation will be an appropriate size and have capacity to partner with the NSW Government, the Commonwealth Government and other organisations.

Yes      No

**8.** Please specify any non-financial support required to ensure your Joint Organisation proposal is implemented successfully.

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Nominations should be submitted to [jointorganisations@olg.nsw.gov.au](mailto:jointorganisations@olg.nsw.gov.au) and marked 'Nomination for Joint Organisation'. Councils are required to submit their nomination by **28 February 2018**.

**The Joint Organisation Network will be finalised in March 2018. Joint Organisations will be proclaimed to enable commencement in July 2018.**

# Proposed JO resolution for councils



**The council resolutions are a critical input in the process of getting Joint Organisation areas recommended to the Governor by the Minister. It is important these resolutions align for groups of councils that wish to form a Joint Organisation.**

Once the resolutions have been made by councils the Minister must wait at least 28 days before recommending the Joint Organisation to the Governor.

The resolutions must be worded in a way that will allow for any changes in proposed membership that could potentially occur within the 28 days (e.g. a council rescinds the decision to join the Joint Organisation) without compromising the ability of the remaining councils to still form the Joint Organisation.

Below is a suggested Joint Organisation Resolution for councils. It is advisable any resolution is made following commencement of the legislation (to be advised by the Office of Local Government).

*In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (**Act**), the [NAME OF COUNCIL] (**Council**) resolves:*

- 1. That the council inform the Minister for Local Government (**Minister**) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (**Joint Organisation**) in accordance with this resolution.*

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- 2. To approve the inclusion of the Council's area in the Joint Organisation's area.*

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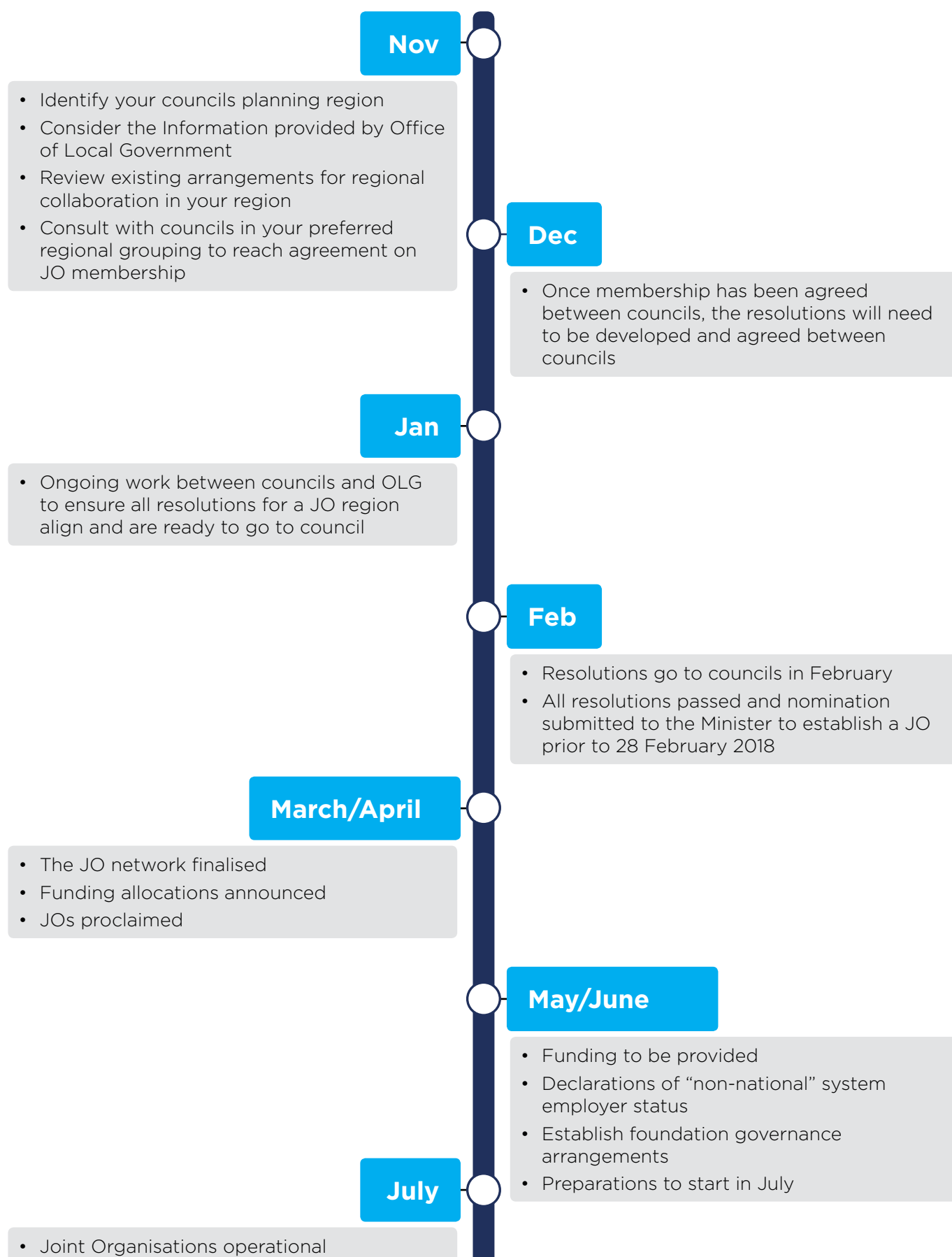
- 3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:*  
*a) [INSERT A LIST OF ALL RELEVANT COUNCIL AREAS WITHIN THE RELEVANT STATE PLANNING REGIONS]*

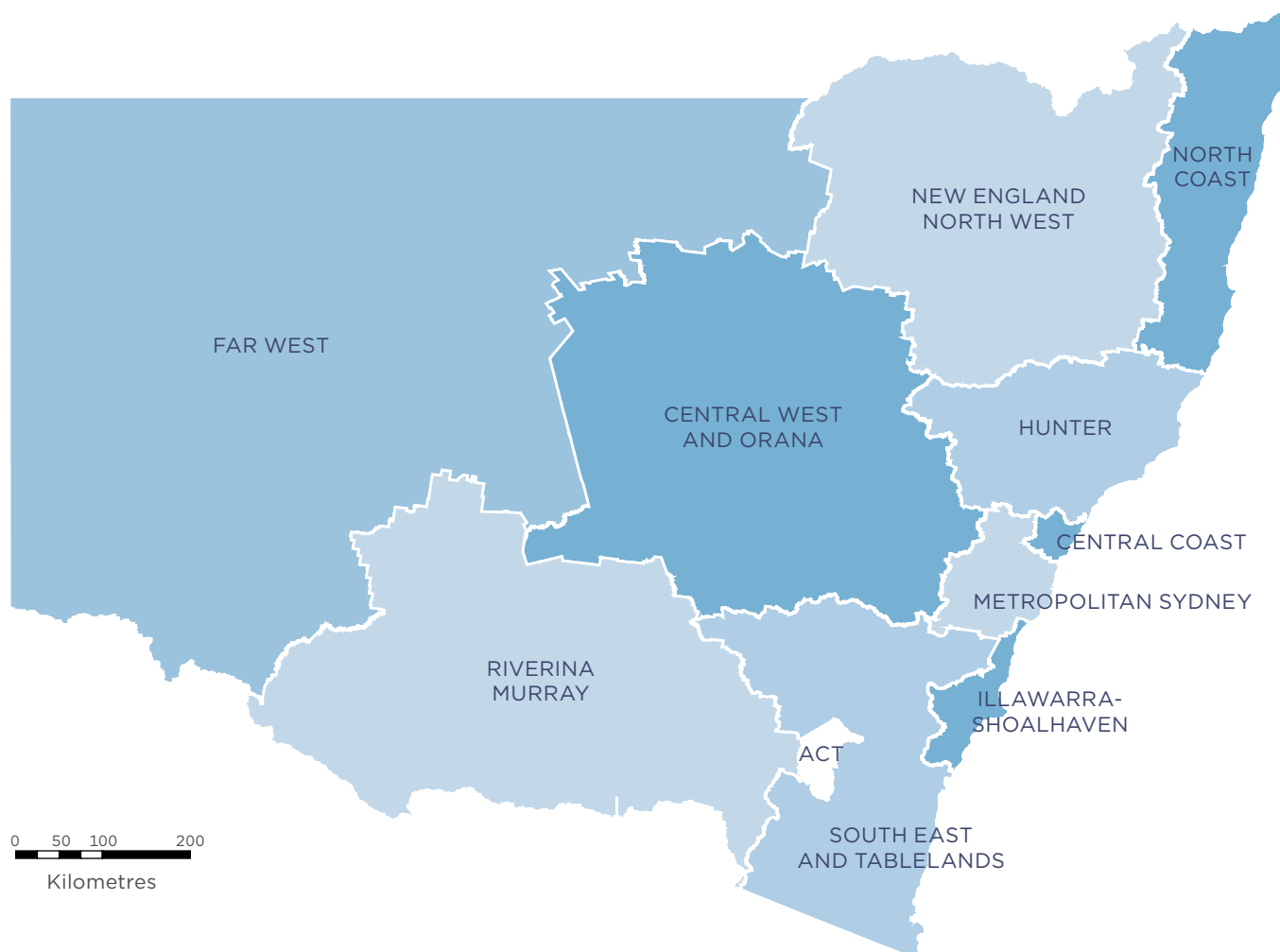
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- 4. That before 28 February 2018, the General Manager provide the Minister with a copy of this resolution including the date on which Council made this resolution.*
- 5. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager inform the Minister that this resolution has not been rescinded.*



# Joint Organisation formation and implementation timeline for councils





# Distribution of councils in NSW planning regions



## Central West and Orana

|                           |                        |                            |                              |
|---------------------------|------------------------|----------------------------|------------------------------|
| Bogan Shire Council       | Lachlan Shire Council  | Warren Shire Council       | Narromine Shire Council      |
| Parkes Shire Council      | Forbes Shire Council   | Weddin Shire Council       | Coonamble Shire Council      |
| Gilgandra Shire Council   | Dubbo Regional Council | Cabonne Shire Council      | Cowra Shire Council          |
| Orange Shire Council      | Blayney Shire Council  | Warrumbungle Shire Council | Mid-Western Regional Council |
| Bathurst Regional Council | Lithgow City Council   | Oberon Council             |                              |

## Hunter

|                            |                             |                         |                       |
|----------------------------|-----------------------------|-------------------------|-----------------------|
| Upper Hunter Shire Council | Muswellbrook Shire Council  | Singleton Shire Council | Mid-Coast Council     |
| Dungog Shire Council       | Maitland City Council       | Cessnock City Council   | Port Stephens Council |
| Newcastle City Council     | Lake Macquarie City Council |                         |                       |

## New England North West

|                            |                                 |                           |                                |
|----------------------------|---------------------------------|---------------------------|--------------------------------|
| Moree Plains Shire Council | Narrabri Shire Council          | Gunnedah Shire Council    | Liverpool Plains Shire Council |
| Gwydir Shire Council       | Tamworth Regional Council       | Inverell Shire Council    | Uralla Shire Council           |
| Tenterfield Shire Council  | Glen Innes Severn Shire Council | Armidale Regional Council | Walcha Council                 |

## North Coast

|                         |                         |                         |                                 |
|-------------------------|-------------------------|-------------------------|---------------------------------|
| Tweed Shire Council     | Kyogle Council          | Lismore City Council    | Byron Shire Council             |
| Ballina Shire Council   | Richmond Valley Council | Clarence Valley Council | Coffs Harbour City Council      |
| Bellingen Shire Council | Nambucca Shire Council  | Kempsey Shire Council   | Port Macquarie-Hastings Council |

## Riverina Murray

|                            |                          |                                       |                          |
|----------------------------|--------------------------|---------------------------------------|--------------------------|
| Hay Shire Council          | Edward River Council     | Murray River Council                  | Carrathool Shire Council |
| Griffith City Council      | Murrumbidgee Council     | Berrigan Shire Council                | Bland Shire Council      |
| Leeton Shire Council       | Narrandera Shire Council | Federation Council                    | Temora Shire Council     |
| Coolamon Shire Council     | Junee Shire Council      | Wagga Wagga City Council              | Lockhart Shire Council   |
| Greater Hume Shire Council | Albury City Council      | Cootamundra-Gundagai Regional Council | Snowy Valleys Council    |

## South East and Tablelands

|                                      |                               |                             |                           |
|--------------------------------------|-------------------------------|-----------------------------|---------------------------|
| Hilltops Council                     | Yass Valley Council           | Upper Lachlan Shire Council | Goulburn Mulwaree Council |
| Queanbeyan-Palerang Regional Council | Snowy Monaro Regional Council | Wingecarribee Shire Council | Eurobodalla Shire Council |
| Bega Valley Shire Council            |                               |                             |                           |

## Illawarra Shoalhaven

|                         |                         |                           |                         |
|-------------------------|-------------------------|---------------------------|-------------------------|
| Shoalhaven City Council | Kiama Municipal Council | Shellharbour City Council | Wollongong City Council |
|-------------------------|-------------------------|---------------------------|-------------------------|

# Joint Organisation

## Frequently Asked Questions



### **Q1: What is a Joint Organisation?**

**A:** A Joint Organisation is a new entity under the Local Government Act comprising member councils in regional NSW to provide a stronger voice for the communities they represent.

Each Joint Organisation will comprise at least three member councils and align with one of the State's strategic growth planning regions. One of the member council's mayors will be elected chairperson and an Executive Officer may be appointed.

### **Q2: How will Joint Organisations benefit councils and communities in regional NSW?**

**A:** Joint Organisations will transform the way that the NSW Government and local councils collaborate, plan, set priorities and deliver important projects on a regional scale. These new partnerships will benefit local communities across regional NSW by working across traditional council boundaries.

### **Q3: How do we know Joint Organisations will work?**

**A:** The Joint Organisation model has been developed in close consultation with councils and the NSW Government has listened to regional councils to get the model right. This included a pilot program for five groups of councils to test a range of options, which involved the participation of 43 councils and delivered a range of initiatives and projects to those regions.

An independent evaluation of the pilot program found Joint Organisations bring benefits to regional communities in delivering on-the-ground projects and attracting more investment to regional communities.

### **Q4: Why should councils choose to form a Joint Organisation?**

**A:** Joint Organisations will provide a forum for councils, agencies and others to come together and focus on their regional priorities – the things that matter for that region. Joint Organisations will help drive the delivery of important regional projects – the infrastructure and services that local communities need and deserve.

Joint Organisations will also provide councils with a more efficient way to deliver shared services for members and the region. Where member councils agree, they can choose to share a common approach to services such as information technology, water management services and community strategic planning. The NSW Government will provide \$3.3 million to support councils to establish Joint Organisations

### **Q5: Can councils determine their own regional boundaries?**

**A:** While the choice to join, and composition of a Joint Organisation is voluntary, the NSW Government will only support the creation of Joint Organisations within existing State planning regions and in regional NSW. Councils have told us that effective collaboration will only be realised when State and local government boundaries are aligned.

To aid this process the NSW Government has consulted the sector on boundary criteria which they can take into account when determining the membership of their Joint Organisation.

Joint Organisation boundaries should:

- align with, or 'nest' within one of the State's planning regions
- demonstrate a clear community of interest between member councils and regions
- not adversely impact on other councils or JOs, for example, leaving too few councils to form a JO
- be based around a strong regional centre or centres
- be of an appropriate size to partner with State, Commonwealth and other partners.
- Consistent with previous Government decisions, Joint Organisations will not be considered for metropolitan Sydney and the Central Coast at this time.

## **Q6: Are Far West Councils able to form a JO?**

**A:** The Government will be writing to Far West councils to advise them of their opportunity to form or join a JO. This will include specific guidance applicable to Far West councils only.

## **Q7: What are the next steps for interested councils?**

**A:** Councils are invited to nominate to form a Joint Organisation in their region. Councils are encouraged to open discussions with their neighbours as soon as possible.

The Office of Local Government is available to facilitate these discussions and provide support to councils through the nomination process. Specific requirements to form a Joint Organisation will be provided to councils shortly.

Each Joint Organisation will be created by a proclamation and the NSW Government will then ask the Commonwealth to endorse each Joint Organisation as a non-national system employer to ensure that any staff of a Joint Organisation, with the exception of the Executive Officer, are employed under the State local government award.

## **Q8: What support will be provided to councils and Joint Organisations once established?**

**A:** The Office of Local Government will work with Joint Organisations to support their establishment and ensure they have the necessary systems and governance in place for the Joint Organisations to deliver results for regional communities.

The Office of Local Government and the Department of Premier and Cabinet will foster collaboration between Joint Organisations and State agencies to identify and act on opportunities to benefit regional communities.

## **Q9: Can councils choose not to participate?**

**A:** Councils can choose not to become a member of a Joint Organisation. The Government strongly encourages all councils in regional NSW to consider the benefits and opportunities offered by Joint Organisations.

Councils that are members of Joint Organisations will be able to take advantage of investment opportunities that are delivered through the Joint Organisation.

## **Q10: What funding is available to Joint Organisations?**

**A:** The Government will provide up to \$3.3 million in seed funding to Joint Organisations to support their establishment. The Government will identify opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisations, with maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

All Joint Organisations, whether they were pilot regions or not, will be provided with seed funding.

Further details on funding arrangements will be provided to councils.

## **Q11: Will this funding be enough to help councils establish a JO?**

**A:** The NSW Government is providing significant funding and support to help those councils that choose to establish a Joint Organisation. The pilot program demonstrated that groups of councils can achieve substantial benefits for their communities and significant cost savings by working together through a Joint Organisation.

## **Q12: How are Joint Organisations different to Regional Organisations of Councils?**

**A:** The Joint Organisation model provides for greater certainty and continuity as well as recognising the unique differences in the many regions of NSW. While some ROCs have been effective, they have varied functions, membership, and governance structures which often makes collaboration more difficult.

## Website

[www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)

## OLG key contacts

|                                                       |              |
|-------------------------------------------------------|--------------|
| Chris Presland, Director of Reform Implementation     | 0413 274 882 |
| Melissa Gibbs, Director Policy and Sector Development | 0491 225 904 |
| Office of Local Government, Development Team          | 02 4428 4100 |

## Secure Stronger Councils Portal

A secure portal is available for councils to access information and share resources on Joint Organisations. To access the portal go to <https://portal.strongercouncils.nsw.gov.au>

You will need to login and register with your council email address.

OLG will use the portal to provide up to date information and share best practice between councils and Joint Organisations during the formation and implementation phase.

## Department of Premier and Cabinet Regional contacts

|                                                            |                                                     |
|------------------------------------------------------------|-----------------------------------------------------|
| Hunter<br>0418406733   02 49212603                         | Aaron Spadaro, Senior Coordination Officer          |
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| Northern NSW (Coffs Harbour)<br>0481 919 697   02 66598651 | Andrew Hegedus, Director North Coast                |
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| Southern NSW (Queanbeyan)<br>0427 454 375   02 92283296    | Heidi Stratford, Director South East and Tablelands |
| Western NSW (Dubbo)<br>0400 364 960   02 68267801          | Ashley Albury, Director, Western NSW                |
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