

## Addendum Report

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### REPORTS THROUGH THE GENERAL MANAGER

#### REPORTS FROM THE GENERAL MANAGER

- a9 [GM-CM] Tweed Shire Council participation in establishing a pilot Joint Organisation with other NOROC Councils

SUBMITTED BY: General Manager

Valid



### Civic Leadership

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.3 Delivering the objectives of this plan
- 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
- 1.4 Strengthen coordination among Commonwealth and State Governments, their agencies and other service providers and Statutory Authorities to avoid duplication, synchronise service delivery and seek economies of scale
- 1.4.1 Council will perform its functions as required by law and form effective partnerships with State and Commonwealth governments and their agencies to advance the welfare of the Tweed community

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#### SUMMARY OF REPORT:

In response to the *Revitalising Local Government - Final Report of the NSW Independent Local Government Review Panel - October 2013* Council at its meeting of 20 February 2014 resolved that:

*"Council submits this report and attachment titled 'Tweed Shire Council response to the Revitalising Local Government - Final Report of the NSW Independent Local Government Review Panel - October 2013 to the Division of Local Government.'"*

Within this submission Council supported participation in establishing a pilot Joint Organisation with other NOROC Councils and outlined the need for careful consideration and discussions in relation to any Joint Organisation's governance arrangements.

The NSW Government's response to the *Revitalising Local Government - Final Report of the NSW Independent Local Government Review Panel - October 2013* titled *Fit the Future* was released in September 2014.

Amongst the large raft of measures contained within *Fit for the Future*:

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*"The NSW Government is now seeking approximately four Pilots, or groups of councils from regional NSW with a good track record in working together, to help co-design and pilot a robust yet flexible model for Joint Organisations. The pilot will be conducted in a collaborative way over the next 12-18 months between the State Government and regional Pilot Joint Organisations, with involvement from the Department of Premier and Cabinet, Office of Local Government, other State agencies and relevant local government regions.*

*Regions, or groups of councils from regional NSW, that are interested in applying to become Pilots are asked to prepare and submit an Expression of Interest proposal to the Office of Local Government."*

*Fit for the Future* provides NOROC with the opportunity to submit an expression of interest to participate in a pilot program, however prior to any NOROC decision, it is recommended that Council resolve its interest to participate in the establishment of a pilot Joint Organisation so that any new organisation is created in a manner which represents the views of Council and the Tweed Shire community.

### **RECOMMENDATION:**

#### **That Council:**

- 1. Endorses participation in the Northern Rivers Joint Organisation pilot program as outlined in the *Fit for the Future* report.**
- 2. Notifies NOROC of its willingness to participate in the Northern Rivers Joint Organisation pilot program.**

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**REPORT:**

In response to the *Revitalising Local Government - Final Report of the NSW Independent Local Government Review Panel - October 2013* Council at its meeting of 20 February 2014 resolved that:

*"Council submits this report and attachment titled 'Tweed Shire Council response to the Revitalising Local Government - Final Report of the NSW Independent Local Government Review Panel - October 2013 to the Division of Local Government."*

Within this submission Council supported participation in establishing a pilot Joint Organisation with other NOROC Councils:

**"Part C: Structures and Boundaries**

**10.0 Advancing Structural Reform**

*Recommendation 31 Introduce additional options for local government structures, including regional Joint Organisations, 'Rural Councils' and Community Boards, to facilitate a better response to the needs and circumstances of different regions (10.1)*

*Council supports this recommendation in principle, but is cautious in regard to the some elements surrounding a Joint Organisation.*

*It is imperative that the position of individual councils are protected and reflected in the voting rights and governance arrangements of the Joint Organisation. It is not acceptable that a shire of 9,000 residents will have the same voting rights as a shire of 90,000 residents. Equally, weighting voting rights to population numbers could see two councils dictate all outcomes (Tweed/Lismore - 56.27% of the vote; Tweed/Ballina - 56.24% of the vote; Tweed/Byron - 52.12% of the vote). Careful considerations and discussions will be needed to find an acceptable solution.*

	2006	2011	2016	%	2021	2026	2031	2036
Ballina	40,300	43,000	45,800	17.63	48,500	51,300	53,800	56,200
Byron	30,700	32,900	35,100	13.51	37,400	39,800	42,100	44,300
Kyogle	9,700	9,500	9,400	3.62	9,200	9,100	8,900	8,800
Lismore	44,200	45,000	45,900	17.67	46,700	47,700	48,500	49,200
Richmond Valley	22,100	22,700	23,300	8.97	23,900	24,400	24,900	25,200
Tweed	83,100	91,800	100,300	38.61	108,700	116,900	124,800	132,000
<b>TOTAL</b>	<b>230,100</b>	<b>244,900</b>	<b>259,800</b>	<b>100.00</b>	<b>274,400</b>	<b>289,200</b>	<b>303,000</b>	<b>315,700</b>

*Tweed Shire Council would be willing to participate in a pilot program that may advance and explore this issue.....*

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### 11.0 Regional Joint Organisations

Recommendation 35 *Establish Joint Organisations for each of the regions shown on Map 2 by means of individual proclamations negotiated under new provisions of the Local Government Act that replace those for County Councils (11.5)*

- *Defer establishment of JOs in the Sydney metropolitan region, except for sub-regional strategic planning, pending further consideration of options for council mergers (11.5)*
- *Enter into discussions with 2-3 regions to establish 'pilot' JOs (11.5)*
- *Re-constitute existing County Councils as subsidiaries of new regional Joint Organisations, as indicated in Table 5 (11.2)*
- *Establish Regional Water Alliances in each JO along the lines proposed in the 2009 Armstrong-Gellatly report (11.3)*
- *Set the core functions of Joint Organisations by means of Ministerial Guidelines (11.6)*
- *Seek federal government agreement to make JOs eligible for general-purpose FAGs (11.6)*

*Council supports the recommendations in principle as outlined in the response to recommendation 31.*

*The role of the Regional Water Alliance, as outlined in Recommendation 17, requires more clarity in regards to the practical consequences and determination of a suitable voting/decision making mechanism that is cognisant of representational voting and constituent member voting.*

*The core functions of the JO could also be determined by the member councils rather than by Ministerial guideline.*

*Consideration should be given by Northern Rivers Council's to be part of the initial 'pilot' Joint Organisation as proposed."*

As outlined within the submission, careful considerations and discussion need to take place in relation to any Joint Organisation's governance arrangements as well as the short and longer term core functions to be undertaken.

The NSW Government's response to the *Revitalising Local Government - Final Report of the NSW Independent Local Government Review Panel - October 2013* titled *Fit the Future* was released in September 2014.

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Amongst the large raft of measures contained within *Fit for the Future*:

*"The NSW Government is now seeking approximately four Pilots, or groups of councils from regional NSW with a good track record in working together, to help co-design and pilot a robust yet flexible model for Joint Organisations. The pilot will be conducted in a collaborative way over the next 12-18 months between the State Government and regional Pilot Joint Organisations, with involvement from the Department of Premier and Cabinet, Office of Local Government, other State agencies and relevant local government regions.*

### Expression of Interest

*Regions, or groups of councils from regional NSW, that are interested in applying to become Pilots are asked to prepare and submit an Expression of Interest proposal to the Office of Local Government that addresses the criteria below.*

*Expressions of Interest close on 17 October 2014 and should:*

- **define** how **your region aligns** with or nests within the **State** strategic planning regions
- explain why you want to be involved and **demonstrate why your region would make a good Pilot**
- **demonstrate a level of commitment** to participate in the process from proposed member councils
- **demonstrate a good track record of collaboration** between member councils and others in your region
- provide information about your proposed **program of work** and **indicate how it is appropriate**
- provide information about **how your Pilot Joint Organisation would operate**, including what form it would take and plans for an Executive Officer.

*Fit for the Future* provides NOROC with the opportunity to submit an expression of interest to participate in a pilot program, however prior to any NOROC decision, it is recommended that Council resolve its interest to participate in the establishment of a pilot Joint Organisation so that any new organisation is created in a manner which represents the views of Council and the Tweed Shire community.

### **OPTIONS:**

1. Council supports participating in establishing a pilot Joint Organisation with other NOROC Councils.
2. Council does not support participating in establishing a pilot Joint Organisation with other NOROC Councils.

### **CONCLUSION:**

It is recommended that Council take the opportunity to co-design and influence the structure and operations of any future Northern Rivers Joint Organisation.

### **COUNCIL IMPLICATIONS:**

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**a. Policy:**

Not Applicable

**b. Budget/Long Term Financial Plan:**

The state government has offered assistance in the formation of pilot Joint Organisations through the *Fit for the Future* program.

**c. Legal:**

The legal creation of the Joint Organisations will be a key component of the new Local Government Act.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Fit for the Future - Joint Organisations - A roadmap for intergovernmental collaboration in NSW, September 2014 (ECM 3481118).

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