

Agenda for the Northern Rivers Joint Organisation Board Meeting

Date: 6 August 2018

Location: Ballina Shire Council Chambers

Time: 11.00am

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1 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge that this meeting is held upon the land of the Bundjalung people who are the Traditional Custodians of this Land. We pay our respects to the elders past, present and future.

2 APOLOGIES

- **3** DECLARATIONS OF INTEREST
- 4 ADDRESS BY OFFICIAL VISITOR(S)

5 CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM THE MINUTES

5.1 CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF THE NORTHERN RIVERS JOINT ORGANISATION HELD 22 JUNE 2018

The Minutes of the Ordinary Meeting of the Northern Rivers Joint Organisation held Friday 22 June 2018 are attached for information and adoption by the Board.

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the Northern Rivers Joint Organisation held Friday 22 June 2018 be adopted as a true and accurate record of proceedings of that meeting.

Attachment:

Draft minutes of the ordinary meeting of the Northern Rivers Joint Organisation held 22 June 2018

5.2 CONFIRMATION OF MINUTES OF THE FINAL MEETING OF THE NORTHERN RIVERS REGIONAL ORGANISATION OF COUNCILS (NOROC) HELD 22 JUNE 2018

The Minutes of the Ordinary Meeting of the Northern Rivers Regional Organisation of Councils (NOROC) held Friday 22 June 2018 are attached for information and adoption by the Board.

RECOMMENDATION:

That the Minutes of the final meeting of the Northern Rivers Regional Organisation of Councils (NOROC) held Friday 22 June 2018 be adopted as a true and accurate record of proceedings of that meeting.

Attachment:

Draft minutes of the final meeting of the Northern Rivers Regional Organisation of Councils (NOROC) held 22 June 2018

6 NOTICES OF MOTION

7 REPORTS

7.1 ADOPTION OF NORTHERN RIVERS JOINT ORGANISATION DRAFT CHARTER

At the 22 June 2018 meeting, the Board resolved:

That the draft Northern Rivers Joint Organisation Charter be adopted with the amended vision statement;

'a unified region of well connected, integrated communities affording its people a unique balance of place, lifestyle and opportunity which is known to the nation and the world for its outstanding environmental and scenic values, commitment to sustainability, respect for Aboriginal culture, openness to visitors, entrepreneurial drive, creative and collective spirit and culture, and support for our primary producers'.

and referred to Member Councils for comment before close of business Friday July 27, 2018.

20180622/1

Lismore City Council considered a report on this request at its 17 July 2018 meeting and resolved in part:-

- 1. Requests the following changes to these documents;
 - a. draft Northern Rivers Joint Organisation Charter
- that the Joint Organisation include the mayor and another councillor as voting members of each council.
 - b. draft Northern Rivers Joint Organisation Code of Meeting Practice
- that the code at point 12.13 include unlimited public access
- that the code include a point allowing unlimited public access at meetings
- that all meetings are audio recorded

2. Appoints the Deputy Mayor as the alternate voting delegate or the second voting member if a second voting member is approved by the Joint Organisation.

3. The Joint Organisation is requested to minimise increases in member council contributions in the draft budget.

To date, no further comments have been received.

RECOMMENDATION

That the draft Northern Rivers Joint Organisation Charter be adopted

Attachment

Northern Rivers Joint Organisation Charter – 30 July 2018

7.2 NORTHERN RIVERS JOINT ORGANISATION CODE OF MEETING CONDUCT

At the 22 June 2018 meeting, the Board resolved:

That the draft Northern Rivers Joint Organisation Code of Meeting Practice be adopted and referred to Member Councils for comment before close of business Friday July 27, 2018 noting the modification to Section 12.17 that the first sentence to read "Each speaker will be allowed 5 minutes to make representations."

20180622/8

Lismore City Council considered a report on this request at its 17 July 2018 meeting and resolved in part:-

- b. draft Northern Rivers Joint Organisation Code of Meeting Practice
- that the code at point 12.13 include unlimited public access
- that the code include a point allowing unlimited public access at meetings
- that all meetings are audio recorded

To date, no further comments have been received.

RECOMMENDATION

That the draft Northern Rivers Joint Organisation Code of Meeting Practice be adopted

Attachment

Northern Rivers Joint Organisation Code of Meeting Conduct – 22 June 2018

7.3 ADOPTION OF NORTHERN RIVERS JOINT ORGANISATION EXPENSES AND FACILITIES POLICY

At the 22 June 2018 meeting, the Board resolved:

That the draft Northern Rivers Joint Organisation Code of Meeting Practice be adopted and referred to Member Councils for comment before close of business Friday July 27, 2018.

20180622/9

RECOMMENDATION

That the draft Northern Rivers Joint Organisation Expenses and Facilities Policy be adopted

Attachment

Northern Rivers Joint Organisation Expenses and Facilities Policy

REPORT

The Local Government (General) Regulation S 397H requires that a joint organisation must have a statement of strategic regional priorities setting out the strategic regional priorities for the joint organisation area and the strategies and plans for delivering those strategic regional priorities. The statement is to be prepared no later than December 31, 2018. A joint organisation must consult with the member councils about the content of a proposed statement of strategic regional priorities.

A Statement of Regional Priorities must be prepared by the NRJO by 31 December 2018 or within six months of establishment, whichever is later.

At the 22 June meeting, it was resolved:

- 1. That the NOROC Regional Priorities from the workshops be used to develop a Statement of Strategic Regional Priorities for the Northern Rivers Joint Organisation, excluding the order of priority.
- 2. That the Executive Officer seek proposals from suitable consultants to develop the Statement of Strategic Regional Priorities for the Northern Rivers Joint Organisation with the process to include a minimum of a further two (2) half day workshops with the Board Members.

20180622/14

Muller Enterprise submitted four (4) options to be considered. These options include:

- 1. 1xhalf-day Workshop and documentation of outputs (\$3800.00)
- 2. As above plus copywriting of introductory statement and formatting into a document (\$5350.00)
- 3. All the above plus desk top research and 16-18 page documentation (\$7520.00)
- 4. All the above plus professional graphic design outputs (\$11010.00)
- add extra workshop to each for an extra \$1940.00

RECOMMENDATION

That Muller Enterprise be engaged to undertake the work proposed under Option 3, plus one extra workshop if required, beginning August 22, 2018.

ATTACHMENT

Cost estimate provided by Muller Enterprise

7.5 NORTHERN RIVERS JOINT ORGANISATION ASSOCIATED MEMBERSHIP

Correspondence regarding Associate Membership of the Northern Rives Joint Organisation has been received from Gold Coast City Council and Clarence Valley Council.

Gold Coast City Council has declined the invitation to become associate members of the Northern Rivers Joint Organisation as the Mayor could not ascertain a substantive benefit to Gold Coast residents from involvement in with the NRJO. A copy of this letter is attached.

Clarence Valley Council resolved

"Council advise the Northern Rivers Regional Organisation of Councils that Clarence Valley Council is interested in considering Associate Membership of the Northern Rivers Joint Organisation, dependent on cost and benefits."

A letter outlining the benefits will be sent

RECOMMENDATION

That the report on the Northern Rivers Joint Organisation Associate Membership be noted.

ATTACHMENT:

- 1. Gold Coast City Council letter dated 6 July 2018
- 2. Clarence Valley Council letter dated 15 June 2018

Background

All NRJO Councils have been impacted by the recent issues experienced in the waste and recycling industry (in particular China National Sword Policy and Queensland's Waste Management and Resource Recovery Strategy review). For a region that has critical vulnerabilities in the provision of landfill security, and yet seek to develop innovative job creation and sustainable practices, the current challenges shouldn't be seen as a crisis. More importantly this climate provides an opportunity to again seek regional partnerships, as Northern Rivers council's have recently committed to similar innovative and sustainable outcomes in regard to waste management.

In particular both Tweed and Byron Shire Councils have recently resolved to set zero waste to landfill targets in their forward waste management strategies. Preliminary work conducted as part of Byron Council's Integrated Waste Management and Resource Recovery Strategy has identified that in order to achieve this target, Alternative Waste Treatment technologies for processing residual waste (most likely Energy From Waste) will be required to complement resource recovery and recycling operations. This work noted that many of the proven, available AWT technologies for recovery of residual waste require a larger throughput than what Byron, or any of the NRJO member Councils, can supply on their own. Hence it is accepted that regional collaboration on an AWT solution will likely be necessary to aggregate sufficient volumes of waste to create a viable project.

Recent developments within NOROC further enhance the momentum towards regional collaboration. As directed by the State Government, a key deliverable of the Northern Rivers Joint Organisation is to adopt a statement of Regional Priorities. The statement of strategic regional priorities (statement) should set out a vision for the region and an overview of the joint organisation's strategic work program to deliver this vision. Over the last 6 months, NOROC has developed a set of regional priorities. One of which was determined to be Waste Management. The priority will draw from community strategic plans, regional plans and other strategic documents.

The Waste Management priority, as currently drafted, identifies three opportunities, to,

- 1. Adopt collaborative, innovative approaches to waste management to increase recycling and improve cost effective service delivery to Northern Rivers residents and visitors.
- 2. Advocate for changes to NSW waste management regulation including a regulatory intervention to create a market for recycled product and review of the waste levy to facilitate increased funding available for local initiatives.
- 3. Conduct a Northern Rivers pilot of innovative waste processing and/or waste to energy technology

The draft also identifies success in this priority area as, 'Agreement between NOROC councils to proceed with and complete a detailed feasibility study for a regional AWT facility. "

As an indication of Byron Council's commitment to the NRJO Waste Management priority objectives, the subsequent sections of the abovementioned zero waste target resolution (Res 18-149) adopted by Council on 21 June have been reproduced below:-

- Seek regional support, through the Northern Rivers Joint Organisation, and other regional waste bodies, to encourage or incentivise businesses that will manufacture or create product from the recycled product in the region and to develop a region wide zero waste target.
- Support the Northern Rivers Joint Organisation identified priority in waste management to proceed with and complete a detailed feasibility study for a regional AWT facility.
- Write to the Relevant Minister, requesting:

a) That the NSW Government investigate further options for reforming the waste levy grant system, including providing greater flexibility in the grant guidelines for waste management projects.

b) That the NSW Government investigate opportunities to enhance the collaborative powers of Regional Organisations of Councils to encourage investment in waste facilities, to be funded by the waste levy.

c) That the NSW Environment Protection Authority provide additional support to local councils and resource recovery organisations to meet recycling targets and manage issues such as stream contamination, bureaucratic barriers, lack of product stewardship, and limited market opportunities.

d) That the NSW Environment Protection Authority urgently investigate, identify and implement alternative solutions to the ban on the importation of recyclable plastics by China

e) That the NSW Environment Protection Authority, in collaboration with stakeholders, investigate opportunities to embed zero waste strategies and the circular economy in New South Wales.

• Write to Tamara Smith MLA and Ben Franklin MLC seeking their support and advocacy within NSW Parliament

RECOMMENDATION

That the above report be noted

7.7 EXECUTIVE OFFICER REPORT

REPORT

Work is ongoing to dissolve the NOROC organisation and to establish the Northern Rivers Joint Organisation. A key focus is to abide by timelines for various activities which are set in the Act, Regulations or Funding Agreements.

RECOMMENDATION

That Board receives and notes the Executive Officer's Report

ATTACHMENT

Executive Officer's Report

7.8 COMMUNICATION AND ENGAGEMENT PLAN

REPORT

The Local Government Act (1993) S 402A requires that a council establish and implement a strategy (called its community engagement strategy) for engagement with the local community when developing its plans, policies and programs and for the purpose of determining its activities (other than routine administrative matters). It is suggested that this plan be completed within the first three months.

The Joint Organisation is required to develop its own Communication and Engagement Plan. This plan includes key messages about the role of the joint organisation and its commitment to achieving strategic priorities. It demonstrates effective communication with all member councils and stakeholders on implementing strategic priorities, including successes.

RECOMMENDATION

That the Draft Communication and Engagement Plan be adopted.

ATTACHMENT

Draft Communication and Engagement Plan

7.9 STATEMENT OF REVENUE POLICY AND BUDGET

REPORT

The Local Government Act (1993) S 405 requires a Statement of Revenue Policy and the Local Government (General) Regulation (2005) S 397I *Annual statement of revenue policy* requires a joint organisation to adopt a statement of revenue policy for 2018/19, including a budget by 31 August 2018. The statement of revenue policy and budget will be for the period from 30 June 2018 to 30 June 2019.

At least 28 days public notice is required in order to receive community feedback on the Statement of Revenue Policy and Budget. Neither the Act or the regulation state the form of public notice for the revenue statement.

Should the policy be adopted by the Committee at the 06 August 2018 meeting, the requirement for 28-day public notice period will result in an inability to meet the 31 August 2018 deadline. In this instance we have been encouraged to discuss this situation with the Council Engagement Manager.

RECOMMENDATION

That the Draft Statement of Revenue Policy and Budget be adopted and referred to each member council to give public notice of the draft for not less than 28 days.

ATTACHMENT

Draft Statement of Revenue Policy and Budget

REPORT

At the 22 June 2018 meeting the NRJO resolved, in part, as follows:

2. That the Northern Rivers Joint Organisation General Managers Group develop a position description for the Executive Officer role and commence the recruitment process with a report to be provided to the Northern Rivers Joint Organisation providing a shortlist of potential candidates.

The Office of Local Government has developed a sample template for Executive Officers and a copy of the template follows this report. The template meets the needs of the NRJO and the position will be recruited based on that template.

One key decision is whether the Executive Officer position should be full-time or part-time.

At the July 2018 General Managers' Group meeting there was agreement that, at this point in time, there was only justification for the position to be part-time based on 21 to 24 hours per week (equivalent to three days). There was also agreement that remuneration would be similar to a section manager within a council, on a pro-rata basis.

With a car allowance included, and oncosts, this equates to a package of approximately \$100,000 per annum.

Once support costs are added the total estimated costs for the Executive Officer (EO) are estimated at \$173,000, summarised as follows:

Item	Amount (\$)
EO Salary	80,000
EO Superannuation and On-cost	s 10,000
EO Vehicle	8,000
EO Administrative Support (RDA) 50,000
EO Office Space (Rous)	25,000
Total Annual Estimate	173,000

The appointment of this position and the associated operating costs represent a significant increase in operating expenses for the NRJO as compared to the former NOROC.

Based on this increase it is necessary to substantially increase the member fees and a forward financial plan has been prepared to achieve a financially sustainable budget, as per the following two tables.

Item	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Operating Revenues							
Membership Fees	102,893	102,900	128,600	160,800	201,000	251,300	257,600
Myroadinfo Fees	32,800	32,800	33,600	34,400	35,300	36,200	37,100
LG Procurement Rebate	30,087	10,000	10,300	10,600	10,900	11,200	11,500
State Gov't Contribution	0	300,000	0	0	0	0	0
Interest	6,387	7,000	8,000	5,000	2,000	1,000	1,000
Total	172,167	452,700	180,500	210,800	249,200	299,700	307,200
Operating Expenses							
Bank Charges	7	100	100	100	100	100	100
Conferences, Events, Travel	0	10,000	10,300	10,600	10,900	11,200	11,500
Professional Development	0	5,000	5,100	5,200	5,300	5,400	5,500
Exec Officer - Salary/Oncosts	45,004	90,000	92,300	94,600	97,000	99,400	101,900
Exec Officer - Vehicle	0	8,000	8,200	8,400	8,600	8,800	9,000
Exec Officer - Support (RDA)	0	50,000	51,300	52,600	53,900	55,200	56,600
Exec Officer - Office (Rous)	0	25,000	25,600	26,200	26,900	27,600	28,300
MyRoadInfo	27,250	27,900	28,600	29,300	30,000	30,800	31,600
Professional Fees – Audit	0	5,000	5,100	5,200	5,300	5,400	5,500
Media and Communications	0	5,000	5,100	5,200	5,300	5,400	5,500
Record Storage	209	500	500	500	500	500	500
Regional Projects	15,364	150,000	150,000	150,000	100,000	50,000	51,300

Table One - Possible Forward Financial Plan

Sundry Expenses	1,475	2,000	2,000	2,000	2,000	2,000	2,000
Total	89,309	378,500	384,200	389,900	345,800	301,800	309,300
Net Cash Movement	82,858	74,200	(203,700)	(179,100)	(96,600)	(2,100)	(2,100)
Botained Earnings 1 July	200 500	471 400		244.000	1 (2 0 0 0	CC 200	64 100
Retained Earnings - 1 July	388,580	471,400	545,600	341,900	162,800	66,200	64,100

Table Two – Possible Annual Membership Fees

Item	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Membership Fees							
Ballina Shire	17,567	17,567	21,900	27,400	34,200	42,600	43,700
Byron Shire	15,067	15,067	19,300	24,100	30,100	37,600	38,500
Kyogle	9,924	9,924	13,100	16,400	20,500	25,500	26,100
Lismore City	18,307	18,307	22,200	27,700	34,600	43,200	44,300
Richmond Valley	13,084	13,084	16,700	20,800	26,000	32,500	33,300
Tweed Shire	28,944	28,944	35,400	44,400	55,700	69,800	71,700
Total Fees	102,893	102,893	128,600	160,800	201,000	251,300	257,600
Annual Increase (%)	0%	0%	25%	25%	25%	25%	2.5%

Key assumptions in this financial plan are:

- Membership Fees Due to the increase in operating expenses there is a need to increase membership fees to a level where forecast revenues match forecast expenses. To achieve this, fees are increased by 25% per annum for a period of four years from 2019/20 to 2022/23 and then by CPI. There is no change recommended to the 2018/19 fees as compared to 2017/18.
- The membership fees are based on the existing NOROC structure, which is a 50% allocation of operating costs spreadly evenly between the member councils and the remaining 50% distributed based on population.

- The Office of Local Government has advised that it will be providing \$300,000 to the NRJO in its first year to assist with the transition to a Joint Organisation. This contribution helps manage the increase in member fees.
- There is some uncertainty in respect to the magnitude of the LG Procurement rebate and a nominal allowance of \$10,000 has been included for 2018/19 onwards.
- Executive Officer Support (RDA) Based on the proposal from Regional Development Australia (RDA).
- Executive Officer Office (Rous) Based on the proposal from Rous County Council.
- Regional Projects The key roles of the NRJO are to advocate for the region and to pursue projects of a regional nature and / or resource sharing initiatives. This line item is an annual allocation for these projects.
- NOROC had significant retained earnings and these earnings are applied over the four year fee transition period to help manage the financial impact of the increased membership fees.

In summary this financial plan provides a four year period for member councils to steadily increase their membership fees, with the NRJO then operating on a sustainable basis from 2023/24 onwards.

This financial plan will be reviewed on an annual basis.

It is recommended that the NRJO Executive Officer be recruited based on a part-time basis as per this financial plan, and that the financial plan also be adopted, particularly for 2018/19.

RECOMMENDATIONS

- 1. That the NRJO Executive Officer be recruited on a part-time basis (i.e. 21 to 24 hours per week equivalent to three days).
- 2. That the NRJO adopts the financial plan as outlined in Tables One and Two of this report for the 2018/19 financial year.

7.11 OPENING AND MANAGEMENT OF BANK ACCOUNTS

REPORT

The Local Government Act (1993) S 408 the establishment of a Consolidated fund and a Trust Fund. All money and property received by a council must be held in the council's consolidated fund unless it is required to be held in the council's trust fund.

RECOMMENDATION

- 1. That the Chair and the Executive Officer are regarded as the "Beneficial Owners" of the Joint Organisation.
- 2. That required bank accounts be established at Summerland Credit Union.
- 3. That two of following three signatories be required to sign and approve payments: The Chair, the Executive Officer and the General Manager of the Council to which the Chair belongs.
- 4. That the Chair and the Executive Officer be issued with Summerland Credit Union Debit Cards.
- 5. That the Secretariat be approved to process all banking transactions.

REPORT

The NSW EPA has grant funding available in respect to contaminated land management. Following discussions with all member councils of the NRJO, it is proposed that the NRJO submit an application for \$140,000 per year for three years.

The eligible bodies for grants are JOs or groups of three or more councils, with applications now open and closing on Friday 17 August 2018.

The aims of this project are to employ a CRCB Officer who can provide support for:

- developing contaminated land policies, procedures and registers
- reviewing existing contaminated land policies and procedures against the relevant legislation
- conducting workshops on the legal obligations and technical aspects of contaminated land management
- guiding and supporting planning officers on contaminated land issues and
- assisting with the handover to councils of Underground Petroleum Storage Systems (UPSS) regulation in August 2019

Grant recipients will become the employer of the officer and will contribute funds and resources to support the officer such as:

- Office accommodation, including IT equipment and telephone
- Line management/day to day supervision
- Workable connections and contact to allow the employee to work across the JO area
- Uniforms, if required
- General systems training
- Transport eg. a vehicle for site visits when required

It is proposed that the officer will be based at the Ballina Shire Council Administration Centre as a central location for the region with the grant funding covering all salary costs, overheads and ancillary expenses such as additional consultancies.

The EPA is offering assistance to complete the grant applications with the deadline to apply for that assistance being Friday 27 July 2018. An application for assistance was lodged on behalf of the NRJO by Ballina Shire Council.

Support for the application has been provided by Lismore City Council, Tweed Shire Council, Kyogle Council, Richmond Valley Council, Byron Shire Council and Ballina Shire Council. Clarence Valley Council also expressed an interest in being included in the application however due to the size of Clarence Valley Council it was preferable to involve them informally only.

Rachael Jenner, from Ballina Shire Council is coordinating this project, and Rachael will be in attendance at this meeting to answer any questions. Further information is also available from the EPA as per the following link:

https://www.epa.nsw.gov.au/working-together/grants/council-regional-capacity-building-program

Contaminated land management is a key issue for all member councils and this grant application, if successful, will support a coordinated and consistent approach across the region, as well as providing significant additional resources to increase our commitment to proactively managing contaminated land.

Recommendation

That the Northern Rivers Joint Organisation supports a grant application for the Council Regional Capacity Building Program – Contaminated Land Management, with that application to be lodged by Ballina Shire Council on behalf of the Joint Organisation.

NOROC STATEMENT OF COMPREHENSIVE INCOME AS AT 30 JUNE 2018

	2018	2018	2017	
	Budget	Actual	Actual	
Income				
Membership Fees	102,893	102,893	102,893	
Interest Received	5,000	6,387	5,118	
MyRoadinfo Fees	34,700	32,800	33,300	
Local Government Procurement Rebate		30,087	29,786	
Cost Recovery - Conference Fees	-	1	-	
Total Income	142,593	172,168	171,097	
Expenditure				
Amortisation			20,226	
Bank Charges		7	7	
Conferences and Events	4,000		-	
Counillor Professional Fees	5,000			
MyRoadInfo	31,400	27,250	31,390	
Professional Fees - Audit	4,700	1 A 1	3,244	
Profile and Communication	15,000	8	-	
Record Storage	500	209	209	
Secretarial Services	65,000	45,004	39,431	
Pacific Highway Task Force	5,000		1.1	
Resource Sharing	170,000	6,305	327	
Strategic Plan - Review		14	-	
Strategic Direction		9,059	6,279	
Sundry Expenses (includes catering)	6,000	1,474	1,033	
Total Expenditure	306,600	89,309	102,146	
Surplus / (Deficit) for Year	(164,007)	82,858	68,952	
Retained Profits at Beginning of Financial Year	388,580	388,580	319,628	
Retained Profits at End of Reporting Period	224,573	471,438	388,580	

NOROC STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2018

	2018 Actual	2017 Actual
Current Assets		
Bank Account	444,164	362,676
Accrued Income	-	416
Accrued Interest	-	-
GST Receivable Membership Fees Receivable	30	1,487
MyRoadInfo Fees Receivable	-	-
Total Current Assets	444,193	364,579
Non Current Assets		
Intangible Assets	27,245	27,245
Total Non Current Assets	27,245	27,245
Total Assets	471,438	391,824
Current Liabilities		
Accrued Expenses	-	3,244
GST Payable		-
Total Current Liabilities	-	3,244
Total Liabilities	-	3,244
Net Assets	471,438	388,580
Member's Funds		
Retained Profits	471,438	388,580
Total Members' Funds	471,438	388,580

RECOMMENDATION:

That NRJO notes the contents of the NOROC financial report for the period ending 30 June 2018.

- 8 URGENT BUSINESS
- 9 CONFIDENTIAL REPORTS