



**EXTRAORDINARY MEETING OF COUNCIL
BUSINESS PAPER**

13 February 2018

Extraordinary Meeting of Council

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OF COUNCIL**

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13 February 2018

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EXTRAORDINARY MEETING OF COUNCIL

13 February 2018



REPORT TO COUNCIL

Department:	General Manager's Office
Submitted by:	<i>Andrew Hopkins</i>
Reference/Subject:	Report # 1 - Joint Organisation Nomination

SUMMARY:

The NSW State Government has recently introduced the Local Government Amendment (Regional Joint Organisations) Act 2017. The legislation allows for councils to voluntarily join Joint Organisations (JOs).

Should council wish to be part of a JO it will need to: a) determine which councils it wishes to form a JO with; and b) resolve to nominate to be a member of a JO with those councils by 28th February 2018.

OFFICER'S RECOMMENDATION:

Option One – New England

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), the Uralla Shire 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.**
- 2. To approve the inclusion of the Council's area in the Joint Organisation's area.**
- 3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:**
 - a. Armidale Regional.**
 - b. Inverell Shire.**
 - c. Glen Innes Severn Shire.**
 - d. Tenterfield Shire. And**
 - e. Moree Shire.**
- 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28 days from the making of this resolution, the General Manager inform the Minister that this resolution has not been rescinded.**
- 6. That Council's preferred name for the proposed Joint Organisation is the "New England Joint Organisation".**
- 7. That Council requests the State Government to provide ongoing financial support towards the operational costs of Joint Organisations, as the Government has established this governance mechanism to better facilitate consultation and coordination between State Agencies and Local Government into the future.**

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Option Two - NAMOI

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), the Uralla Shire 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.*
- 2. To approve the inclusion of the Council's area in the Joint Organisation's area.*
- 3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:*
 - a. Tamworth Regional.*
 - b. Walcha Shire.*
 - c. Liverpool Plains Shire.*
 - d. Narrabri Shire.*
 - e. Gwydir Shire. And*
 - f. Gunnedah Shire.*
- 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.*
- 6. That Council's preferred name for the proposed Joint Organisation is "NAMOI Unlimited".*
- 7. That Council requests the State Government to provide ongoing financial support towards the operational costs of Joint Organisations, as the Government has established this governance mechanism to better facilitate consultation and coordination between State Agencies and Local Government into the future.*

REPORT:

Background

The NSW State Government has recently introduced the *Local Government Amendment (Regional Joint Organisations) Act 2017*. The legislation allows for councils to voluntarily join Joint Organisations (JOs). The government intends that JOs will assist strengthen regional coordination and improve the delivery of important infrastructure and services for communities through strategic planning, collaboration and shared leadership and advocacy (at regional, state and federal levels).

The Minister for Local Government has advised that any council wishing to be part of a JO must submit their intention, by way of resolution, to the government by no later than 28th February 2018. The Minister will then make recommendation to the Governor to establish JOs, by way of proclamation, with the intention that they be operational by 1st July 2018.

JOs can be voluntarily formed by 3 or more councils which exist within the boundaries of the State's 7 eligible 'Planning Regions' (Metropolitan Sydney, Central Coast and the far west regions are not eligible to form JOs at this stage). See pages 5 and 6 in **Attachment A** for a map of the NSW Planning Regions and a list of councils within each region.

Uralla Shire Council is currently a full financial member of the NAMOI JO (which has been a pilot JO leading up to the introduction of the legislation) to the end of June 2018. The NAMOI JO is comprised of Uralla, Tamworth, Walcha, Liverpool Plains, Gunnedah, Narrabri and Gwydir councils. Uralla is also a full member of the New England Group of Councils (NEGOC) which consists of Uralla, Gwydir, Moree, Armidale, Inverell, Tenterfield and Glen Innis councils. Currently there are no fees for membership of the NECOG.

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Together, the NAMOI JO and the NEGOC comprise the New England North West Planning Region.

By letter to the Mayor dated 29th November 2017 the Deputy Premier and the Minister for Local Government invited Uralla to nominate to form a JO. **Attachment B**.

By letter dated 1st December 2017 the Acting Chief Executive of the Office of Local Government provided the General Manager with an information pack which included the following:

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

The letter from the Acting CEO of the Office of Local Government and the associated information pack are included as **Attachment A**, pages 7 and 8 of which contain useful Q&As.

On December 12th 2017 Council held a workshop to discuss the attributes of both the NAMOI JO and the NEGOC.

At its ordinary meeting of 19th December 2017, Council resolved (12.12/17) as follows:

That;

Council resolve to hold an extraordinary meeting on Tuesday 13th February 2018 at 12:00 noon to:

- a) Determine whether to be a member of a Joint Organisation; and*
- b) Dependent upon a), determine which other councils Uralla Shire Council wishes to form a Joint Organisation with.*

Discussion

Should Uralla wish to become a member of a JO, it must do so with 2 or more of the other 11 councils within the New England North West Planning Region. There are no inhibitors within the legislation to JOs offering associate membership to councils which are not full members of a specific JO. Therefore, which ever JO Uralla joins, it could be an associate of the other/another JO within its Planning Region – providing that JO offers associate memberships.

The information pack at **Attachment A** includes, at pages 1 and 2, the nomination form which must be completed by councils wishing to form a JO. The nomination form asks each council to list each of the councils which is nominating to be a member of the JO. To do this each council should have made a predetermination about and reached agreement or consensus with those councils with which it wishes to form a JO. In this regard, the Uralla Mayor has had verbal discussions with each of the councils within our Planning Region and has received positive support from the councils of both the NAMOI JO and the NEGOC for Uralla to be a member of their individual groups. At the time of writing the likely composition of the two JOs in Uralla's Planning Region is as follows:

NAMOI:

Tamworth Regional, Gwydir, Liverpool Plains, Walcha, Gunnedah and Narrabri Councils.

NECOG:

Armidale, Tenterfield, Inverell, Glen Innes Severn, Moree Plains Councils.

The composition of these groups may change prior to the 28th February.

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Should council wish to join a JO it must do so by the 28th February 2018 and it should do so by way of the template resolution which is included at page 3 of the information pack at Attachment A.

The legislation contains a provision which limits the period within which a rescission motion can be made, about JO nomination, to a 28 day period.

It is noted that Glen Innes Severn Shire and Inverell Shire added two additional elements to their resolutions about this matter, those are a) suggesting a preferred name for the JO and b) requesting ongoing financial assistance from the government for the operational costs of the JO – on the basis that JO's are a state initiative which are intended, in part, to promote better alignment between state and local government. Both of these additional elements are worthy of consideration.

Conclusion

Should Council determine to nominate to be a member of a JO it can resolve to join either NAMOI or New England. Council may also wish to take the opportunity to nominate a name for its preferred JO and to request the state government to provide ongoing financial assistance towards the operational costs of the JO.

There are two options set out in the Officers Recommendation. Council should resolve to adopt one of those options.

Prepared by staff member:	Andrew Hopkins
TRIM Reference Number:	TBC
Approved/Reviewed by Manager:	N/a
Department:	General Manager's Office
Attachments:	A: Letter from OLG A/CEO and JO Info'Pack B: Letter from Minister



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

Our Reference: A573390
Your Reference:
Contact: Chris Presland
Phone: 02 8289 6800

Mr Andrew Hopkins
General Manager
Uralla Shire Council
PO Box 106
URALLA NSW 2358

1 December 2017

ahopkins@uralla.nsw.gov.au

Dear Mr Hopkins

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.

Council has recently been invited to nominate to form a JO and I encourage you to commence negotiations with the councils in your planning region on how a JO may be established to best support your community.

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.

The Office of Local Government welcomes this opportunity to work with you in establishing a JO and is available to discuss what assistance can be offered to your council and region as you consider the benefits of joining a JO.

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

Yours sincerely

Tim Hurst
Acting Chief Executive
Office of Local Government



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.

Nominations should be submitted to 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.*

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

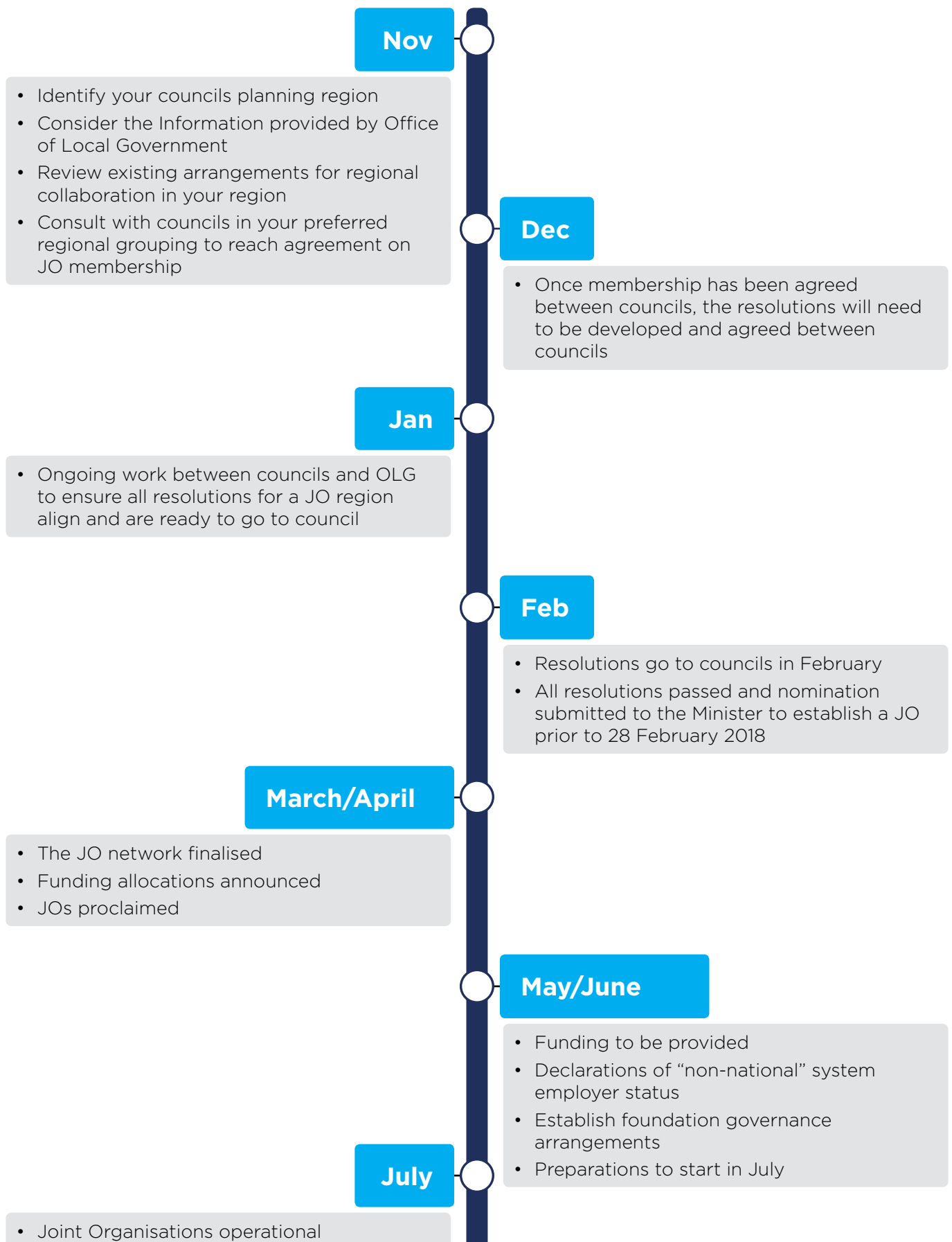
3. *That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:*

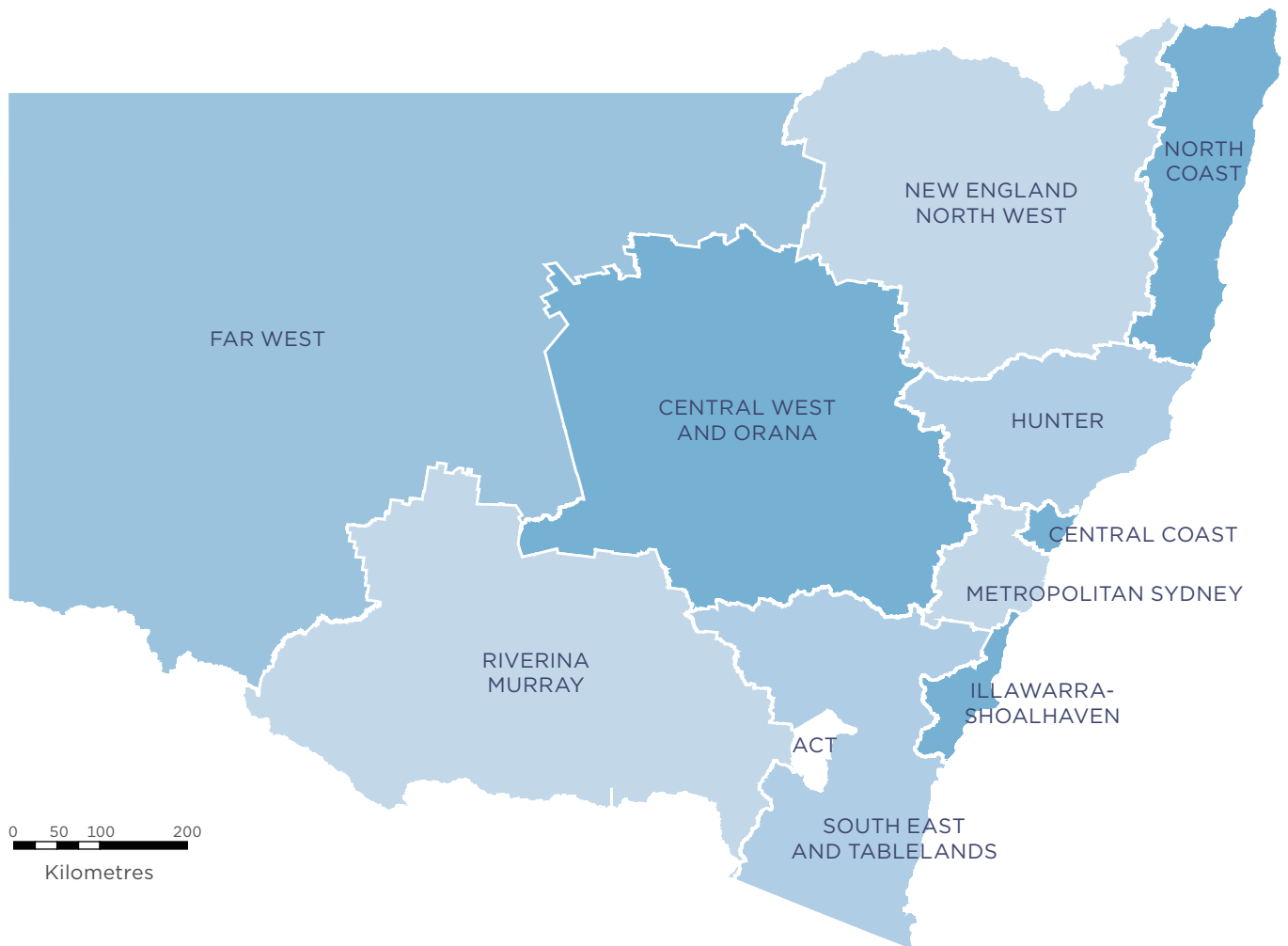
a) [INSERT A LIST OF ALL RELEVANT COUNCIL AREAS WITHIN THE RELEVANT STATE PLANNING REGIONS]

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
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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

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 0418406733 02 49212603	Aaron Spadaro, Senior Coordination Officer
Northern NSW (Tamworth) 0477316 189 0267602671	Alison McGaffin, Director, Northern NSW
Northern NSW (Coffs Harbour) 0481 919 697 02 66598651	Andrew Hegedus, Director North Coast
Southern NSW (Wollongong) 0477 320 822 0242536301	Anthony Body, Director Southern Region
Southern NSW (Queanbeyan) 0427 454 375 02 92283296	Heidi Stratford, Director South East and Tablelands
Western NSW (Dubbo) 0400 364 960 02 68267801	Ashley Albury, Director, Western NSW
Western NSW (Wagga) 0417947976	Trudi McDonald, Director Riverina Murray



The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales,
Minister for Skills and Minister for Small Business

B17/7458

29 November 2017

Clr Michael Pearce
Mayor
Uralla Shire Council
PO Box 106
URALLA NSW 2358

By email: mayor@uralla.nsw.gov.au

Dear Clr Pearce

We are pleased to inform you that the NSW Parliament recently passed the *Local Government Amendment (Regional Joint Organisations) Bill 2017*.

Joint Organisations (JOs) are a key part of the Government's commitment to build stronger councils and improve service delivery and infrastructure across rural and regional NSW.

JOs will provide the governance structures and funding to allow communities across the state to grow to their full potential.

JOs will transform the way local councils and State agencies collaborate, plan, set priorities and deliver important projects in regional NSW. They will provide a forum for key stakeholders to work together on the issues that matter most for regional communities such as boosting economies, creating jobs and improving transport, community infrastructure and services.

The NSW Government will work closely with JOs to build the strong partnerships that are required to make a real difference to communities. We would like to acknowledge the extensive contribution that councils and pilot JOs have made in providing advice and support to the process to date.

The feedback and lessons learned is reflected in the final JO model. Importantly, JO's will be voluntary and a matter for your council to determine in consultation with your neighbours.

Uralla Shire Council is invited to nominate to form a JO within your planning region. Councils have the flexibility to design a JO that will work for your region and we encourage you to start talking to councils within your planning region to choose the membership of your JO as the first step towards this exciting initiative.

The NSW Government has committed \$3.3 million to support the establishment of JOs. The Office of Local Government (OLG) is providing a comprehensive program of support to help councils facilitate discussions, design an effective JO and form new partnerships to work on projects that cross their geographical borders.

OLG is writing to General Managers with detailed guidance on the process and support the Government will be providing to assist councils in their decision making.

The NSW Government looks forward to working with councils to implement an effective network of JOs that deliver real benefits to the people of regional NSW.

Yours sincerely



The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales
Minister for Skills
Minister for Small Business



The Hon. Gabrielle Upton MP
Minister for the Environment
Minister for Local Government
Minister for Heritage

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REPORT TO COUNCIL

Department:	Community and Governance
Submitted by:	<i>Trish Kirkland</i>
Reference/Subject:	Report # 2 - Proposed Financial Assistance to BlazeAid Incorporated

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	1.3 A diverse and creative culture
Strategy:	1.3.1 Lobby government, companies and other individuals to secure funding for cultural and creative expression fields.
Action:	1.3.1.2.1 Provide the annual community grants program

SUMMARY:

This report addresses a request for Financial Assistance to cover the cost of fees and charges for use of Council owned and managed facilities by registered charity BlazeAid Incorporated.

OFFICER'S RECOMMENDATION:

1. That Council give 28-days public notice of the proposed \$18,630 in financial assistance to cover the cost of Council fees for the use of the Bundarra School of Arts Hall and kitchen and the Bundarra Caravan Park by BlazeAid Incorporated.
2. That Council, subject to not receiving submissions opposing the proposal during the 28-day public notice period, contribute \$18,630.00 in financial assistance to BlazeAid Incorporated to cover the cost of Council fees for the use of the Bundarra School of Arts Hall and kitchen and the Bundarra Caravan Park.

BACKGROUND:

At the end of January the Bonnay fire, near Bundarra, affected approximately 11,500 hectares in the Tamworth Regional Council and Uralla Shire Council areas. It is estimated that five (5) properties within Uralla Shire have been impacted with losses of fencing and livestock, and feed.

It is understood 5-10% of the properties impacted upon by the fire are located within Uralla Shire and the balance are located within the Tamworth Regional Council area.

BlazeAid Incorporated (BlazeAid) is a registered charity which establishes basecamps in communities impacted by natural disasters, and helps by providing volunteers to work with affected individuals and families to clear debris and rebuild fencing.

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REPORT:

It is understood that a member, or members, of the broader community impacted upon by the Bonnay fire requested BlazeAid establish a basecamp in Bundarra.

BlazeAid operate with their volunteers working from a basecamp located in a local caravan park with amenities, and somewhere with cooking facilities and a place to eat meals and hold meetings. For more information about BlazeAid, please refer to <http://blazeaid.com.au/how-to-get-fencing-help/establishing-a-blazeaid-basecamp-in-your-community/>.

BlazeAid have requested that Council make the Bundarra School of Arts Hall and kitchen, and the Bundarra Caravan Park available as a contribution to the BlazeAid community assistance effort.

BlazeAid usually request, or are pledged, a cash contribution from councils towards the costs of setting up the basecamp, and from the community in the form of support towards the provision of meals.

It is understood Tamworth Regional Council will consider making a cash contribution for the purpose of BlazeAid offsetting its basecamp establishment costs. It is recommended that Uralla Shire Council does not provide a cash contribution but, instead, provides an 'in kind' contribution by way of donating the value of the 'usage' fees for the Bundarra School of Arts Hall and Kitchen, together with the Bundarra Caravan Park to the BlazeAid effort.

Advice received from BlazeAid is that the basecamp will remain in Bundarra for approximately 3 months. The prescribed Council Fees for the use of the facilities are:

• Bundarra School of Arts Hall	Hall Hire Fee	\$44.00 per day	x 90 days	= \$3,960.00
• Bundarra School of Arts Hall	Kitchen Hire Fee	\$23.00 per day	x 90 days	= \$2,070.00
• Bundarra Caravan Park	Per Camp Site	\$20.00 per night	x 7 sites x 90 days	= \$12,600.00
			Total	<u>\$18,630.00</u>

It is proposed that Financial Assistance be provided to BlazeAid to cover the Council fees that would otherwise be levied for use of the Bundarra School of Arts Hall and kitchen and also for the Bundarra Caravan Park for the duration of the basecamp.

It should be noted that BlazeAid propose to only use the kitchen in the hall for breakfast and dinner and plan to impose minimal impact upon any other users of the hall whilst BlazeAid requires the facility. It is not known with certainty how much of the hall will be required for use by BlazeAid. It may only be the kitchen and a small portion of the 'hall' for the purposes of dining. Therefore, whilst Council is required to adhere to the provisions of S356 of the Act (with regard to the giving of financial assistance), the practical reality is that the existence of BlazeAid in the hall and kitchen will not completely inhibit some of the other users of the hall from undertaking their activities.

It should also be noted that BlazeAid will establish an office at the CWA building in Bundarra for the purposes of administering the discharge of their assistance operations throughout the duration of the basecamp. Initial discussions with BlazeAid indicate that the volunteers providing meals at the School of Arts Hall will be drawn largely from the local Bundarra community, including the CWA.

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KEY ISSUES:

- Council can only waive a fee in accordance sections 610E(2) of the Act.
- Council can provide financial assistance under section 356 of the Act subject to providing at least 28-days public notice in accordance with section 705 of the Act, advising the intention to make a resolution to provide the financial assistance.
- In accordance with section 706 of the Act, anyone may make a submission to Council during the public notice period, and before determining the matter notified, the council must consider all submissions duly made to it.

CONCLUSION:

This report recommends that Council, subject to receiving no submissions opposing the proposal during the public notice period, provide financial assistance to BlazeAid to the value of \$18,630 for the Council fees that would be levied for the use of the Bundarra School of Arts Hall and the Bundarra Caravan Park for the duration of the basecamp. Should Council receive submissions opposing the proposal during the public notice period, a further report will be provided to Council for consideration.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

Section 356 of the Local Government Act requires public notice for at least 28 days.

2. Policy and Regulation

Council has a Donations – Section 356 Policy, refer:

http://uralla.nsw.gov.au/files/uploaded/file/Your%20Council/Council%20Documents/Operating%20Policies/Policy%201.2.06/1_2_06_Donations_-_Section_356.pdf

Local Government Act 1993

Section 610E, Council may waive or reduce fees states:

- (1) A council may waive payment of, or reduce, a fee (whether expressed as a actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.
- (2) However, a council must not determine a category of cases under this section until it has given public notice of the proposed category in the same way as it is required to give public notice of the amount of a proposed fee under section 610F (2) or (3).

Section 377, General power of the council to delegate, states (in Part):

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:
 - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons

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- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:
- (a) The financial assistance is part of a specified program, and
 - (b) The program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) The program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) The program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.

Section 356, Can a council financially assists others states:

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:
 - (a) The financial assistance is part of a specific program, and
 - (b) The program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) The program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) The program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work

Section 705, What is public notice? states:

- (1) If the council or another person is required to give public notice under this Act, the notice must state the place at which, the dates on which, and the times during which the matter publicly notified may be inspected by the public.
- (2) The notice is to be in the approved form.
- (3) The notice is to be given in a manner determined by the council with the object of bringing the matter notified to the attention of as many people in its area as possible.

Section 706, What happens after a council gives public notice? states:

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- (1) If public notice is given by the council, anyone may make a written submission to the council during the period of public notice (or any longer period allowed by this Act for the making of submissions) concerning the matter notified.
- (2) Before determining the matter notified, the council must consider all submissions duly made to it.

3. Financial (LTFP)

The financial assistance will be recorded as an expense in the Community Development Donations budget, with a corresponding entry to record the income in Council's User Fees and Charges budget.

Should Council provide the financial assistance as proposed, there will be a need to increase the expense budget by approximately \$9,000 and income budget by approximately \$14,000 at the next quarterly budget review.

4. Asset Management (AMS)

Nil

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Nil

7. Performance Measures

Nil

8. Project Management

Nil

Trish Kirkland
Director Community and Governance

Attachments: Nil

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END OF BUSINESS PAPER