

Hunter

Joint Organisation

Minutes of the 28 June 2018 Board Meeting
The Council Chambers, Maitland Town Hall
285 High Street, Maitland

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1. WELCOME AND APOLOGIES

Voting Directors Present

Cr Bob Pynsent, Cessnock City Council
Cr Tracy Norman, Dungog Shire Council
Cr Kay Fraser, Lake Macquarie City Council
Cr Loretta Baker, Maitland City Council
Cr David West, MidCoast Council
Cr Nuatali Nelmes, City of Newcastle
Cr Sue Moore, Singleton Shire Council
Cr Ryan Palmer, Port Stephens Council
Cr Wayne Bedggood, Upper Hunter Shire Council

Non-voting Directors Present

Stephen Wills, Regional Director, Department of Premier and Cabinet
Justin Fitzpatrick-Barr, Acting General Manager, Cessnock City Council
Coralie Nichols, General Manager, Dungog Shire Council
Morven Cameron, CEO, Lake Macquarie City Council
David Evans, General Manager, Maitland City Council
Steve Embry, Acting General Manager, MidCoast Council
Fiona Plesman, Acting General Manager, Muswellbrook Shire Council
Jeremy Bath, CEO, City of Newcastle
Wayne Wallis, General Manager, Port Stephens Council
Jason Linnane, General Manager, Singleton Council
Steve McDonald, General Manager, Upper Hunter Shire Council

Apologies

Cr Martin Rush, Muswellbrook Shire Council

Staff in attendance

Roger Stephan, Interim CEO, Hunter Joint Organisation

In attendance by invitation

Cr Linda Scott, President, Local Government NSW
Chris Presland, Office of Local Government
Virginia Errington, Office of Local Government

RECOMMENDATION:

THAT the apologies be accepted.

Moved: Cr Wayne Bedggood
Seconded: Cr Ryan Palmer

Carried.

2. MINUTES OF THE PREVIOUS MEETING

This was the first meeting of the Hunter Joint Organisation.

3. PRESENTATIONS

- Cr Linda Scott, President, Local Government NSW
- Stephen Wills, Department of Premier and Cabinet

3.1 BUSINESS ARISING FROM PRESENTATIONS

There was no business arising.

4. HUNTER JOINT ORGANISATION MATTERS

4.1 Proclamation

RECOMMENDATION:

THAT:

- 1. The Board note the Proclamation of the Hunter Joint Organisation and the passage of the Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018**
 - 2. It be recorded that the legal name of the newly created entity is the “Hunter Joint Organisation” and that such name will be used in future official correspondence.**
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Moved: Cr Sue Moore
Seconded: Cr Kay Fraser

Carried.

4.2 Election process and appointment of a Returning Officer

RECOMMENDATION:

THAT:

1. The Board note the advice provided by the Office of Local Government regarding the election process to be undertaken at the first meeting of a Joint Organisation
 2. The Board note the appointment of David Evans, General Manager of Maitland City Council, as Returning Officer
 3. The process for the election of the position of Chairperson be by show of hands
 4. The position of Deputy Chairperson not be created.
 5. The election process having been undertaken, and there being only one nomination for the position of Chairperson, it be duly recorded that Cr Bob Pynsent was elected unanimously to the position of Chairperson.
-

Moved: Cr David West
Seconded: Cr Sue Moore

Carried.

4.3 Alternate Members

RECOMMENDATION:

THAT:

1. The information provided by the Office of Local Government in regard to alternate membership of the Joint Organisation be received and noted
 2. It be the preferred position of the Board that the Mayor / Lord Mayor be the sole delegate of a member council on the Board of the Hunter Joint Organisation
 3. It also be noted that it is the preferred position of the Board that there be no alternates to the voting and non-voting members of the Joint Organisation except, in the case of Mayors and General Managers / Chief Executive Officers, on those occasions where a member council has formally resolved to appoint an acting Mayor / General Manager / Chief Executive Officer.
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Moved: Cr Ryan Palmer
Seconded: Cr Kay Fraser

Carried.

4.4 Requirements attaching to the appointment of an Executive Officer

RECOMMENDATION:

THAT the information provided by the Office of Local Government in regard to the appointment of an Executive Officer be received and noted.

Moved: Cr Sue Moore
Seconded: Cr Wayne Bedggood

Carried.

4.5 Appointment of an interim Chief Executive Officer

RECOMMENDATION:

THAT:

1. Mr Roger Stephan's appointment to the position of CEO of the Hunter Joint Organisation for an interim period of six (6) months commencing 1 July 2018 take the form of a secondment from his role as CEO Strategic Services Australia Ltd and under the terms and conditions of his contract of employment with Strategic Services Australia Ltd
 2. For the purposes of Mr Stephan's contract of employment as CEO Strategic Services Australia Ltd, the conclusion of the secondment activate the termination of the contract in accordance with Clause 8.2 of that contract, and
 3. Mr Stephan's appointment by way of secondment be ratified by formal resolution at the first formal meeting of the Hunter Joint Organisation to be held on 28 June 2018, and by resolution at the next scheduled Board meeting of Strategic Services Australia Ltd on 12 July 2018
-

Moved: Cr David West
Seconded: Cr Loretta Baker

Carried.

4.6 Chief Executive Officer role position description

RECOMMENDATION:

THAT the draft position description for the role of Chief Executive Officer be adopted.

Moved: Cr David West
Seconded: Cr Ryan Palmer

Carried.

4.7 Delegations to the Chief Executive Officer

RECOMMENDATION:

THAT the delegations to the Chief Executive Officer as listed in the Statement of Delegations be made.

Moved: Cr David West
Seconded: Cr Sue Moore

Carried.

4.8 Charter of the Hunter Joint Organisation

RECOMMENDATION:

THAT:

1. The draft Charter for the Hunter Joint Organisation be adopted in principle
 2. The CEO draft a generic Member Council report to assist in the Draft Charter consultation process with Member Councils.
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Moved: Cr Ryan Palmer
Seconded: Cr Wayne Bedggood

Carried.

4.9 Draft Expenses and Facilities Policy

RECOMMENDATION:

THAT:

1. The draft Hunter Joint Organisation Expenses and Facilities policy be adopted for the purpose of consulting with Member Councils on its content and direction
 2. A report on the consultation process, including a policy updated to reflect Member Council feedback, be provided to the August Meeting of the Joint Organisation Board.
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Moved: Cr Sue Moore
Seconded: Cr David West

Carried.

4.10 Draft Code of Conduct

RECOMMENDATION:

THAT:

1. The Joint Organisation adopt as its Code of Conduct the Model Code of Conduct for Local Councils in NSW
 2. It be noted that the Model Code is to be amended to reflect the proclamation of Joint Organisations
 3. The Hunter Joint Organisation Code of Conduct be extended to non-voting members of the Board.
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Moved: Cr David West
Seconded: Cr Loretta Baker

Carried.

4.11 Code of Conduct Reviewer Panel

RECOMMENDATION:

THAT the regional code of conduct reviewer panel adopted by the Hunter Trial Joint Organisation in 2017 be appointed as the Hunter Joint Organisation Code of Conduct Reviewer Panel.

Moved: Cr David West
Seconded: Cr Wayne Bedggood

Carried.

4.12 Code of Meeting Practice

RECOMMENDATION:

THAT the draft Code of Meeting Practice be adopted pending further advice / prescription from the Office of Local Government.

Moved: Cr Sue Moore
Seconded: Cr Loretta Baker

Carried.

4.13 s.449 Disclosures of Interest

RECOMMENDATION:

THAT:

1. It be noted that all voting members of the Board (and any alternates) and the Chief Executive Officer are required, for the purposes of section 441, 445 and 449 of the *Local Government Act 1993* to fill out a disclosure of interest form
 2. The requirement in relation to s.440 Disclosures of Interest be applied to the General Managers / Chief Executive Officers of Member Councils
 3. In accordance with s.449 of the Act, a disclosure of interest form be submitted by required individuals to the Interim Chief Executive Officer within three months of appointment to their respective roles.
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Moved: Cr Tracy Norman
Seconded: Cr Ryan Palmer

Carried.

4.14 Political disclosure provisions and Joint Organisations

RECOMMENDATION:

THAT it be noted that s.328A of chapter 10 of the *Local Government Act 1993* provisions relating to political disclosures do not apply to Joint Organisations.

Moved: Cr Sue Moore
Seconded: Cr Tracy Norman

Carried.

4.15 Application for ABN, TFN and Domain name

RECOMMENDATION:

THAT the information report be received and noted

Moved: Cr David West
Seconded: Cr Kay Fraser

Carried.

4.16 Government Information Public Access Act

RECOMMENDATION:

THAT the information report be received and noted

Moved: Cr Wayne Bedggood
Seconded: Cr Ryan Palmer

Carried.

4.17 Office of Local Government Joint Organisation establishment funding

RECOMMENDATION:

THAT the Interim Chief Executive Officer execute the funding agreement as authorised person.

Moved: Cr Wayne Bedggood
Seconded: Cr Ryan Palmer

Carried.

4.18 Meeting Schedule

RECOMMENDATION:

THAT the meeting schedule be adopted except for the October Meeting which is now to be held on 18 October 2018 at Parliament House.

Moved: Cr Ryan Palmer
Seconded: Cr Wayne Bedggood

Carried.

4.19 Draft Budget

RECOMMENDATION:

THAT the draft Budget 2018/2019 be adopted.

Moved: Cr David West
Seconded: Cr Tracy Norman

Carried.

4.20 Strategic Plan

RECOMMENDATION:

THAT the Strategic Plan of the Hunter Joint Organisation as tabled be adopted.

**Moved: Cr Ryan Palmer
Seconded: Cr Loretta Baker**

Carried.

5 General Business

5.1 Advisory Services – Hunter City / Region Deal Readiness Project

RECOMMENDATION:

THAT:

- 1. The Astrolabe Group be engaged to provide Hunter City / Region Deal Readiness project services to the Joint Organisation**
 - 2. The Greater Newcastle Metropolitan Plan Sub-Committee be delegated authority to finalise the consultancy brief within the coming fortnight in conjunction with the Department of Planning and Environment and the Department of Premier and Cabinet**
 - 3. An amount up to \$100,000 be allocated to fund the project.**
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**Moved: Cr Ryan Palmer
Seconded: Cr David West**

Carried.

Meeting closed.
