



COMMENTS ON PROPOSED JOINT ORGANISATION MODEL

Principles

JOs should:

- have legal status
- be enabled through the Local Government Act and recognised in other relevant laws
- be owned by, and accountable to, member councils rather than be a ‘fourth tier’ of government
- not impose significant red tape, cost or risks and ensure benefits outweigh costs and risks
- embed collaborative relationships between local government and the State Government, as well as a wide range of other stakeholders and partners
- have a consistent core model with flexible elements
- protect entitlements for council staff through the Local Government (State) Award
- enable significant projects and initiatives, and associated funding and assets, to be managed regionally
- ensure good governance
- serve the best interests of the region and its communities.

Agreed.

Core functions

- Regional strategic planning and priority setting
- Intergovernmental collaboration
- Regional leadership and advocacy

Agreed.

Optional functions

Optional functions will be enabled, but not defined, by the legislation. These may include regional service delivery or capacity building activities. JOs should determine the best vehicle to undertake optional functions. **Agreed.**

A new entity

JOs will be bodies corporate established by proclamation under the Local Government Act. The proclamations will designate JO regions. All general purpose councils within each designated region must be a member of the JO.

The State Government will be an associate member of each JO Board. The legislation will also provide the option for other associate, non-voting members to be on the JO Board such as councils from other JO areas, cross border partners or county councils, where appropriate.

The JO Board must appoint an Executive Officer with appropriate skills based on a flexible standard contract. The JO may also employ additional staff under the Local Government (State) Award. **Agreed.**

Representation and operation of the Board

There will be core requirements for a number of key governance aspects to ensure robust, transparent and effective decision making and operation of the Board.

The requirements for membership and operation of the JO Board will be that:

- the Mayor will be the legislated member council representative on the JO, with the JO enabled to appoint additional elected representatives as long as representation remains equal. General Managers will participate in JO Board meetings in an advisory capacity. **The legislated member council representative should be the Mayor or the Mayor's delegate. It is also considered the JO should be able to determine, if it wishes, to appoint General Manager as voting delegates.**
- an alternate representative, preferably the Deputy Mayor where there is one, may be appointed in certain circumstances where the Mayor cannot be represented, for example, due to illness or leave. **Agreed.**
- remote or proxy voting may occur in circumstances where it is impractical for the representative to attend in person. **Agreed.**
- the relevant Department of Premier and Cabinet (DPC) Regional Coordinator will represent the State Government on the Board in an associate, non-voting capacity. **Agreed.**
- the Board members will be appointed for a two year term, with the Chair chosen by voting representatives of the Board. **Agreed.**
- the role of Board members and Chair will be modelled on relevant roles of a councillor and mayor in the Local Government Act, plus the need to act in the best interests of the region as a whole.
- all member councils will have equal voting rights. **Agreed.**
- a simple majority at a meeting at which a quorum is present will be required for a decision to be made. The Chair of the JO will not have a casting vote. **Agreed.**
- Board members will not be paid sitting fees. However, a one-off increase to the Mayoral fee will be considered as part of the councillor remuneration review to commence in the coming months.

The JO should determine whether it wishes to pay sitting fees subject to a scale determined by the OLG in line with Boards with similar responsibilities, such as Local Land Services.

Planning and reporting

JOs will be required to prepare succinct strategic priorities and work plans and produce succinct annual performance reports. **Agreed.**

Financial resourcing

The State Government will provide seed funding of \$300,000 per JO. **Agreed, and should apply to all JOs on their promulgation.** Member councils will fund the ongoing functions of the JO. These contributions will be worked out by each JO using a regionally negotiated formula. JOs will have a range of other funding opportunities, including the ability to apply for grants and generate income from activities they undertake. **A State contribution should reflect the new commitment of State Government and the efficiencies that partnership brings to the State. This recurrent contribution could be gradually reduced as the JO matures and become more self sufficient.**

JO formed corporations and other entities

JOs will be enabled to undertake optional functions directly, through member councils and through corporations and/or other entities. **Agreed.**

An emerging direction to inform an appropriate model for JOs to form corporations and other entities has been developed and is included for feedback. **Noted.**