



# **SUPPLEMENTARY BUSINESS PAPER**

**(Item 14)**

**GENERAL MEETING**

**Wednesday 10 February 2016**

**at 6:30PM**



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## 14 EXTENSION OF ACTING GENERAL MANAGER APPOINTMENT

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At the 8 July 2015 General Meeting, Council considered Mayoral Minute No. MM5/15 – Resignation of General Manager and Appointment of an Acting General Manager – Delegation and Power of Attorney – and appointed the Deputy General Manager, Corporate Support – Mr Gary Bensley to be the Acting General Manager of the Hornsby Shire Council from 26 August 2015 to 1 April 2016. Council also granted Mr Bensley a Delegation of Authority and a Power of Attorney to assist him in carrying out the duties of General Manager in as an efficient and effective manner as possible. In making its decision, Council's expectation was that the NSW Government would be releasing its Fit for the Future program by the end of 2015 and that a review of the Acting General Manager arrangements could be made at some stage following those announcements.

General Manager's Report No. GM2/16 – Local Government Reform – Fit for the Future Update, which is on the agenda for the 10 February 2016 General Meeting, advises that on 18 December 2015 the Government proposed that the Hornsby Shire Council area (north of where the M2 Motorway crosses the Shire) be merged with Ku-ring-gai Council and that part of the Hornsby Shire south of the M2 become part of Parramatta City Council. Those proposals, along with 33 others across the State, were formally referred to the Chief Executive of the Office of Local Government on 6 January 2016. The Chief Executive subsequently referred individual merger proposals to delegates for examination and report on whether the mergers should go ahead.

Each of the delegates are required to hold a public inquiry in respect of their allocated proposal to give councils and members of the public a chance to have their say on the proposals. The delegates will also accept written and online submissions until 28 February 2016. Following the public consultation period, the delegates will prepare and submit a report to the Minister for Local Government and also provide a copy of the reports to the Boundaries Commission for comment. If the Government decides to proceed with the proposals after considering the delegate reports and Boundaries Commission comments, it appears that new councils will be created and operate under interim arrangements from mid-2016 until elections are held, probably in March 2017. Under the interim arrangements, the Government would appoint either an administrator or some or all of the existing councillors from Hornsby and Ku-ring-gai to govern the new council; as well as an interim general manager.

Based on that latest available information, I propose that Mr Bensley's acting arrangements in respect of the General Manager position at Hornsby Council be extended until the Government finalises its decision about whether a merger of Hornsby and Ku-ring-gai Councils is to occur. If the merger is to proceed, it would be appropriate for the acting arrangements to remain in place until the Government appoints an interim General Manager for the combined Hornsby/Ku-ring-gai Council. If the merger is not to proceed, it would be appropriate for the acting arrangements to remain in place until Hornsby Council undertakes a recruitment process and appoints a new General Manager. The Delegation of Authority and Power of Attorney should also continue in line with the above.

**RECOMMENDATION**

THAT:

1. The Deputy General Manager, Corporate Support – Mr Gary Bensley continue to act as General Manager of Hornsby Shire Council until the NSW Government finalises its decision about whether a merger of Hornsby and Ku-ring-gai Councils is to occur.
2. In respect of 1. above:
  - a) If the Government decides a merger is to proceed, Mr Bensley continue to act as General Manager until the Government appoints an interim General Manager for the combined Hornsby/Ku-ring-gai Council and the interim General Manager takes up that role.
  - b) If the Government decides a merger is not to proceed, Mr Bensley continue to act as General Manager until Hornsby Council undertakes a recruitment process, appoints a new General Manager and the new General Manager takes up that role.

STEVE RUSSELL

Mayor

**Attachments:**

There are no attachments for this report.

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