

ORDINARY COUNCIL

Wednesday 16 October 2019

Ordinary Council Meeting

Wednesday, 16 October 2019

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1 Leadership and Governance

16/10/2019

What we are trying to achieve

A community that works together in decision making that is defined as ethically, socially and environmentally responsible.

What the result will be

We will have:

- A community that has the opportunity to be involved in decision making
- Open, easy, meaningful, regular and diverse communication between the community and decision makers
- Partnerships and collaborative projects, that meet the community's expectations, needs and challenges
- Knowledgeable, skilled and connected community leaders
- Strong corporate management that is transparent

How we will get there

- 1.1 Inform and engage with the community about what Council does using varied communication channels
- 1.2 Maintain strong partnerships between all stakeholders - local, state and federal — so that they are effective advocates for the community
- 1.3 Demonstrate leadership
- 1.4 Use innovative, efficient and sustainable practices
- 1.5 Ensure strong corporate and financial management that is transparent and accountable



Mid North Coast Joint Organisation

Board Meeting

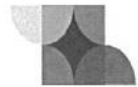
Business Paper

Date: 5 October 2018

Location: Bellingen Shire Council

Time: 8.30am

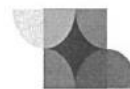
AGENDA

MNCJO BOARD MEETING
5/10/2018

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MNCJO BOARD MEETING
5/10/2018

Item: 1
Subject: ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Gumbaynggirr people who are the Traditional Custodians of this Land. I would also like to pay respect to the elders both past and present and extend that respect to any Aboriginal People present.

Item: 2
Subject: APOLOGIES

NIL

Item: 3
Subject: CONFIRMATION OF MINUTES

RECOMMENDATION

1. That the Minutes of the MNCJO Ordinary Board Meeting held on 17 August 2018 be confirmed.
2. That the Minutes of the MNCJO Extra Ordinary Board Meeting held on 14 September 2018 be confirmed.

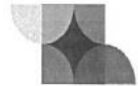
ATTACHMENT A: MNCJO Board Minutes 17 August 2018 and 14 September 2018

Item: 4
Subject: DECLARATION OF INTERESTS

Item: 5
Subject: SPEAKERS

NIL

AGENDA

MNCJO BOARD MEETING
5/10/2018

DISCLOSURE OF INTEREST AT MEETINGS

Name of meeting _____
Meeting date _____
Item / Report Number _____

I _____ declare the following interest:

(name)

Pecuniary – must leave meeting, take no part in discussion and voting.

Non Pecuniary – Significant Conflict – Recommended that Board Member leaves chamber, takes no part in discussion or voting.

Non-Pecuniary – Less Significant Conflict – Board Member may choose to remain in Chamber and participate in discussion and voting.

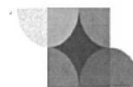
*(Definitions are provided on the next page).

For the reason that -

Signed

Date

AGENDA

MNCJO BOARD MEETING
5/10/2018**DEFINITIONS**

(Local Government Act and Code of Conduct)

Pecuniary – An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

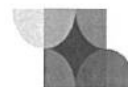
The Council or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. *(Section 451).*

Non-pecuniary – A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest, you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue if the provision in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

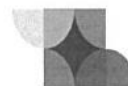
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MNCJO BOARD MEETING
5/10/2018

Item: 6
Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

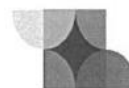
Meeting	Item	Status
17/8/2018	<p>Item: 6.3 FINANCIAL ASSISTANCE GRANTS</p> <p>That the Board request the Executive Officer write to all relevant State and Federal Ministers and their Opposition counterparts, as well as copying to all local State & Federal members of JO member Councils, requesting a review of the Financial Assistance Grants (FAG) to Local Government, with a view to including consideration of horizontal fiscal equalisation in the calculation of FAG funding as per the details proposed by the Productivity Commission in their 15 May 2018 report titled 'Horizontal Fiscal Equalisation' (HFE).</p>	Completed
17/8/2018	<p>6.4. PACIFIC HIGHWAY HANDOVER</p> <p>That the Board:</p> <ol style="list-style-type: none"> 1. Make representations to the NSW Government in relation to the handover of State assets (such as the old Pacific Highway) and in particular request a review of the maintenance handover process to include oversight and determination by the Independent Pricing & Regulatory Tribunal (IPART). 2. Request that a new policy position be determined by the NSW Government in relation to the handover of State assets, so that ownership of former State assets does not impact on the ongoing financial sustainability of Local Government. 	Not completed See item 7.5
17/8/2018	<p>Item: 6.5 MID NORTH COAST JOINT ORGANISATION MEMBERSHIP</p> <p>That the Board;</p> <ol style="list-style-type: none"> 1. Invite Coffs Harbour City Council, Clarence Valley Council and Nambucca Shire Council to join the Mid North Coast Joint Organisation of Councils. 2. Write to the Deputy Premier, The Hon. John Barilaro MP and the Minister for Local Government The Hon. Gabrielle Upton MP informing the Ministers of the MNCJO Board's resolution to invite these councils to join the MNCJO. 	<p>Completed</p> <p>Not completed (Draft with Chair)</p>

AGENDA

MNCJO BOARD MEETING
5/10/2018

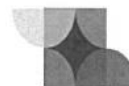
17/8/2018	Item: 6.6 JOINT ORGANISATION BRIDGES (JOB) PROJECT That the Board: <ol style="list-style-type: none"> 1. Delegate to the General Managers any actions required to pursue any applicable funding opportunities for the MNCJO Bridges Project. 2. Allocate an upper limit of \$10,000 to engage resources to produce relevant documentation for the project. 	Completed
17/8/2018	Item: 6.7 IPART FINAL REPORT LOCAL GOVERNMENT RATING REVIEW That the Board request the Executive Officer write to the Minister for Local Government, The Hon. Gabrielle Upton MP and LGNSW, requesting that the IPART Review of the Local Government Rating System Report that was presented to the Minister in December 2016, be immediately released to all Councils for review and comment.	Completed
17/8/2018	Item: 6.8 JOINT ORGANISATION FUNDING That the Board; <ol style="list-style-type: none"> 1. Write to the Deputy Premier The Hon. John Barilaro MP and the Minister for Local Government The Hon. Gabrielle Upton MP advocating for ongoing operational funding to be provided to Joint Organisations, to ensure their ongoing success. 2. Send a copy of the correspondence to all JOs. 	Not completed (Draft with Chair)
17/8/2018	Item: 6.10 TROPICAL SODA APPLE That the Board: <ol style="list-style-type: none"> 1. Liaise with neighbouring JOs i.e. the New England JO, the Northern Rivers JO and the Namoi JO that are impacted by the infestation of TSA, to develop a united approach to garner support to address this issue. 2. Seeks representation with relevant State and Federal Agricultural Ministers, the Deputy Premier and the Federal National Party Leader and to LGNSW to advocate for funding to address the TSA issues being faced by the JO Councils. 	Completed (Update in General Business) Not completed (pending point 1)

AGENDA

MNCJO BOARD MEETING
5/10/2018

17/8/2018	Item: 6.13 EXECUTIVE OFFICER REPORT That the Board; 1. Note the Executive Officer's Report. 2. Write to the Minister for Local Government, The Hon. Gabrielle Upton MP and the Office of Local Government (OLG) thanking the OLG for their support and in particular Chris Presland for his guidance and direction; and the value of this ongoing relationship to the success of the MNCJO.	Completed
17/8/2018	Item: 8 GENERAL BUSINESS <i>That the Board;</i> 1. Write to and make representation to LGNSW in relation to items 6.3, 6.4 and 6.5. 2. Invite The Hon. Ben Franklin, Parliamentary Secretary for Renewable Energy and Northern NSW and The Hon. Peter Primrose MLC, Shadow Minister for Local Government to the next Board meeting in October 2018 at Bellingen Shire Council.	Completed Not completed
14/9/2018	Item: 6.1 FINANCIAL ASSISTANCE GRANTS 1. That the Board write to the President of the Australian Local Government Association (ALGA), Mayor David O'Loughlin supporting the campaign to restore Financial Assistance Grants to at least 1% of Commonwealth taxation revenue. 2. That a copy of this letter is also sent to the Federal Shadow Minister for Regional Development and Local Government Mr Stephen Jones MP	Draft with Chair

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7
Subject: ITEMS OF BUSINESS

Item: 7.1
Subject: EXECUTIVE OFFICER ARRANGEMENTS

RECOMMENDATION

That the Board note the Port Macquarie-Hastings Councils resolution in relation to the MNCJO Executive Officer Arrangements.

REPORT

Extract from the Port Macquarie-Hastings Council meeting minutes of 19 September 2018.

09.07 MID NORTH COAST JOINT ORGANISATION UPDATE

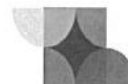
RESOLVED: Alley/Turner

That Council:

- 1. Note the information contained in the Mid North Coast Joint Organisation Update report.*
- 2. Give approval to the General Manager to become the Interim Executive Officer of the Mid North Coast Joint Organisation until such time as a permanent Executive Officer is recruited, by no later than 14 June 2019.*
- 3. Approve reimbursement of expenses for Councillors attending meetings of the Mid North Coast Joint Organisation.*

*CARRIED: 8/0 FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil*

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.2.
Subject: STATEMENT OF STRATEGIC REGIONAL PRIORITIES WORKSHOP

RECOMMENDATION

That the Board consider the following Regional (State wide) priorities for discussion at the NSW Joint Organisation Chairs and Executive Officers meeting to be held at the LGNSW Conference 21 October 2018:

1. Digital enablers, access to high speed internet and mobile services,
2. Transport connectivity,
3. Water security,
4. Energy and renewable energy, and
5. Regional skills development.

REPORT

At the General Managers meeting held on 21 September 2018 the State Wide Regional Strategic Priorities were discussed to identify the top five (5) priorities for the MNCJO Board to consider.

At the MNCJO workshop held 14 September 2018 to craft the Statement of Strategic Regional Priorities the following priorities and projects were considered:

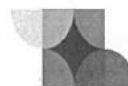
Regional Priorities

- Digital enablers, access to high speed internet coverage and mobile services
- Coastal Zone management planning
- Emergency Management Planning – Resilience
- Regional skills development
- Transport connectivity
- Accessible tourism
- Water security
- Energy

Priority projects:

- Joint Organisation Bridges Project – information forwarded to Dept. Premier and Cabinet.
- Koala Recovery Project – to proceed across the JO with current funding.
- Petroleum Project – application for funding submitted.
- Emergency Management – Community Resilience Project brief for review prepared.
- Local Government Skills Strategy, Skills development more broadly.
- Bio-banking project requires further investigation.
- Renewable energy project requires further investigation.
- Accommodating an ageing population to be deferred.

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.3.
Subject: MNCJO COMMUNITY RESILIENCE PROJECT

RECOMMENDATION

That the MNCJO Board

1. Note the information provided in relation to the Community Resilience Project;
2. Request the General Managers Advisory Committee to further develop the project brief and seek out possible funding opportunities for the project;
3. Request the Executive Officer provide an update report to the December 2018 MNCJO Board meeting on the Community Resilience Project.

REPORT

At the Ordinary MNCJO Board on 17 August 2018 a Community Resilience project was considered. A summary of this project is outlined below.

Community Resilience Project***Objective***

To support local communities, specifically vulnerable, culturally diverse, small business and farming communities to build their capacity to prepare and respond to future disasters.

Rationale

More resilient communities encompass the following components in an ongoing process:

- predict and anticipate disasters;
- absorb, respond and recover from the shock; and
- improvise and innovate in response to disasters.

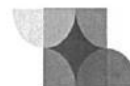
At a practical level, a community's resilience is developed and maintained by partnerships (with all levels of government, non-government and corporate sectors) through support programs, services and resources.

Approach

It is proposed that the MNCJO Community Resilience Project focuses on four (4) primary environments.

Environment	Objectives
Psychosocial	<p>To lessen the psychosocial and health impacts of the disaster upon communities and individuals.</p> <p>To provide regional leadership and coordination and ensure all partners effectively respond to ensure the provision of quality services in the recovery process.</p> <p>To enable opportunities for community members to give back to the community, building our culture of volunteering.</p>

AGENDA

MNCJO BOARD MEETING
5/10/2018

Environment	Objectives
Infrastructure	To restore a functional network of infrastructure which supports community needs within a sustainable level of service for the region.
Environment	To effectively manage an environment which is more resilient, whilst maintaining strong links to biodiversity values and agricultural sustainability in the Region. To undertake, participate in, and promote revegetation programs throughout the Region.
Economic	To create a strong, diverse and resilient economy. To establish stronger collaboration between all levels of government, business and industry to ensure a partnership approach towards economic recovery processes.

Outcomes of the MNCJO Community Resilience Project

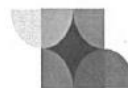
More resilient NSW Mid North Coast communities which:

- can work together cooperatively;
- are more cohesive;
- share knowledge;
- are interconnected and interdependent;
- have a high level of preparedness towards disasters; and
- have greater capacity to be socio-economically sustainable

It is intended to employ a Community Resilience Project Officer to work with state government agencies to:

- hold forums to train and build the capacity of community groups and other stakeholders in understanding disaster preparedness, response and recovery and implementing new shared strategies,
- development of information material and toolkits,
- closely engage with householders, groups, communities and industries to provide resources including booklets, and other information tailored to suit their needs,
- coordinate and foster liaison across local service provider networks to ensure services are meeting demand and address emerging service gaps,
- maintain a communication strategy (across local, district, and regional levels),
- establish and support the Community Reference Groups,
- assist communities to identify recovery needs and support the development and implementation of community recovery and disaster preparedness activities,
- addressing requirements of culturally diverse and the most vulnerable groups/ communities.

AGENDA

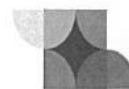
MNCJO BOARD MEETING
5/10/2018*Key Agency Partners*

Dept. Premier and Cabinet	MNC Local Health District
State Emergency Services	Office of Environment and Heritage
Rural Fire Service	Roads and Maritime Services
Dept. Primary Industries	Family and Community Services
Local Land Services	Non-Government Organisations
NSW Police	

Project costs over two years

Employment of project officer (2years)	\$ 300,000
Community Engagement Costs	\$ 60,000
Disaster preparedness projects (est.)	\$ 100,000
Total	\$ 460,000

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.4.
Subject: MNCJO SUBGROUPS

RECOMMENDATION

That the Board;

1. Acknowledges the good work that the previous Mid North Coast Regional Organisation of Council's (MIDROC) subgroups have achieved such as the MidWASTE and Work, Health and Safety (WHS) groups.
2. Establish a range of MNCJO sub-groups, with the sub-groups and the make-up of the sub-groups to be determined by the General Managers as considered appropriate.
3. Consider writing to the MIDROC Board asking them to give consideration to participating in future MNCJO subgroups.
4. Task the General Managers to develop a Charter to be used by all subgroups.

REPORT

The Mid North Coast Regional Organisation of Councils had a range of subgroups working across member Councils including Human Resources, MidWASTE, Planning, Information Technology, Work, Health and Safety and Governance.

These groups worked across the region in identifying opportunities for collaboration and information sharing.

It is proposed that the MNCJO subgroups work on key areas of focus for the Mid North Coast Joint Organisation (MNCJO) to support the strategic direction of the MNCJO and identify areas for resource sharing.

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.5.
Subject: PACIFIC HIGHWAY HANDOVER

RECOMMENDATION

That the MNCJO Board direct the Executive Officer to request a meeting with the Roads and Maritime Services Chief Executive, Mr Ken Kanofski and other government representatives as considered relevant, to discuss options in relation to the handover of State government assets to local government.

REPORT

The General Managers Advisory Committee (GMAC) discussed the Board's 17 August 2018 resolution at their meeting on 7 September 2018. It was determined that plausible options regarding the financial treatment of the handover of state assets to local government needed to be prepared and presented to the NSW Government.

At the GMAC meeting 7 September 2018 the following was resolved.

Item: 5.4. PACIFIC HIGHWAY HANDOVER

RESOLVED

1. That a report be prepared for the October 5 MNCJO Board meeting which provides plausible options for the NSW Government to consider in respect to the handover of state assets to local government.
2. That the report discusses proactive mechanisms to bring these options to the NSW Government's attention.
3. That consideration be given to providing the NSW Auditor General with a copy of the report for comment.
4. That this matter is also referred to the Country Mayors meeting.

- **Moved:** Craig Swift-McNair, Craig Millburn

At the MNCJO Ordinary Board Meeting 17 August 2018 the following was resolved.

Item: 6.4. PACIFIC HIGHWAY HANDOVER

RESOLVED: Pinson/King
That the Board:

1. Make representations to the NSW Government in relation to the handover of State assets (such as the old Pacific Highway) and in particular request a review of the maintenance handover process to include oversight and determination by the Independent Pricing & Regulatory Tribunal (IPART).
2. Request that a new policy position be determined by the NSW Government in relation to the handover of State assets, so that ownership of former State assets does not impact on the ongoing financial sustainability of Local Government.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

REFER- ITEM 12 - CONFIDENTIAL: PACIFIC HIGHWAY HANDOVER REPORT

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.6.
Subject: NORTHERN NSW RENEWABLE ENERGY INITIATIVE

RECOMMENDATION

That the Board notes the Northern NSW Renewable Energy Initiative update.

REPORT

This report is provided by Bill Larkin, (Kempsey Shire Council) MNCJO Representative on the Northern NSW Renewable Energy Initiative intergovernmental working group.

A meeting of the Northern NSW Renewable Energy Initiative intergovernmental working group (which our JO is a part of) on the 29th of August. It was a teleconference meeting. The following is a summary of the outcomes of the meeting;

The group consists of 6 representatives from Department of Premier and Cabinet and 11 representatives from various Council JOs

Working Group Terms of Reference

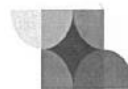
The group discussed the draft terms of reference, and agreed to adopt them, subject to the following amendments:

- Distinguishing that section 2 is about the role/purpose of the working group, while section 5 is about the roles and responsibilities of individual members*
- Adding statements to the membership section: to note that JO representatives may change depending on technical aspects of the project, stating that industry will be consulted, and requiring that alternates need to be endorsed by the relevant JO.*
- Recrafting the introductory sentence to include the North Coast in the statement about the growth of the renewable energy industry.*
- Including a statement that makes it clear that for the purpose of this group and its work, renewable energy is taken to include waste to energy projects.*
- Including a new point under the roles and responsibilities of members to take into account the roles of JO members to: coordinate on behalf of their JO, agree a mechanism for doing so with their JO, gathering required technical expertise from member councils of their JO, and preparing any required reports back to their JO.*
- Adding a section which deals with how the final product prepared by the group will be approved/released, noting a requirement for the Parliamentary Secretary and all four Joint Organisations to be consulted in determining the approach to launch and release at the appropriate point in the project.*

Project Milestones and Accountabilities / Scoping of Existing Initiatives and Resources

Tanya Latanville presented the draft high level project plan, and members discussed the options for assigning responsibility for the necessary tasks to progress the project further. It was agreed that the immediate next steps would be the collection of all relevant case studies from all Councils within the JOs participating in the initiative, and a desktop review of existing resources that might be used to inform the development of the blueprint.

AGENDA

MNCJO BOARD MEETING
5/10/2018

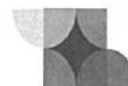
To enable this, it was agreed:

- *DPC would revisit the template to capture the case studies, and circulate this to all members*
- *All members would coordinate case studies across their JO and send these through to DPC to coordinate*
- *DPC will coordinate the desktop review, with all members sending through any relevant materials.*
- *Matt Clarkson agreed to do an international scan for relevant resources to inform the desktop review*
- *Sally Thorsteinsson agreed to do an Australian jurisdictional scan for relevant resources to inform the desktop review*
- *Terry Dodds agreed to bring back any information from Western Australia to inform the review*

Northern NSW Renewable Energy Industry forum

Louise McMeeking advised all of the industry forum DPC was organising for the Parliamentary Secretary in Ballina on 8 October 2018, noting all working group members would be invited. It was agreed to hold the next meeting of the working group the following morning (9 October) in Ballina for those who are staying on to meet face to face.

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.7.
Subject: WHY LOCAL GOVERNMENT MATTERS

RECOMMENDATION

That the MNCJO Board:

1. Note the 'Why Government Matters' report by the Australian Centre of Excellence for Local Government;
2. Request the General Managers Advisory Committee to give consideration to how the content of the 'Why Government Local Matters' report might provide assistance to the MNCJO into the future, or a tailored version of this report for the MNCJO;
3. Request the Executive Officer provide an update report to the December 2018 MNCJO Board meeting on the 'Why Local Government Matters' report.

REPORT

At the GMAC meeting 21 September 2018 the following resolution was passed;

RESOLVED

That the Why Local Government Matters Summary Report 2015, by the University of Technology, Centre for Local Government (UTS:CLG) and Australian Centre of Excellence for Local Government (ACELG) be distributed to the MNCJO Board for discussion.

Moved: Craig Swift-McNair, Craig Millburn

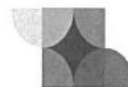
Extract from the "Why Local Government Matters Summary Report 2015" (page 2)

Why Local Government Matters is a major piece of social research on community attitudes to local government undertaken by the UTS Centre for Local Government on behalf of the Australian Centre of Excellence for Local Government (ACELG). The research aims to better understand how and why the activities of local governments, and their roles in society, are valued by communities.

The research investigates:

- *local government's role as a 'place shaper' and its importance in meeting the needs of citizens that drive their attachment to, and satisfaction with, the areas in which they live*
- *the preferences of communities for how their services are delivered at the local level and the ability of local governments to offer flexible and community specific service delivery*
- *theories of governance, particularly community beliefs about big versus small government and its role in the market, the appropriate role for the private sector in local service provision, the preferred extent of public participation in government decision making, and preferences for the realisation of public value*
- *community knowledge of local government, ranked importance of services which can be delivered by local government in different jurisdictions, and attitudes about amalgamation*
- *the attributes of individuals which are theorised to interact with or influence their attitudes and beliefs about each of the areas above, including demographic factors, levels of community participation, personal values and political leanings.*

AGENDA

MNCJO BOARD MEETING
5/10/2018

A telephone survey of 2006 Australians was conducted in November 2014 as stage one of a longitudinal social research project which will also incorporate a qualitative phase in 2015. Summary report This Summary Report presents a snapshot of the main findings of the 2014 survey, with the Full Report available for download on the ACELG website: www.acelg.org.au/WLGM

The individual sections of this report provide a summary of the attitudes of Australians to each of the areas of research listed above, namely:

- What does place mean to people?*
- The role of government?*
- How do people want their services delivered?*
- How do people want to be involved in government?*
- What do people think about local government?*
- How do people's personal characteristics and values impact on their responses?*

ATTACHMENT B: Why Local Government Matters Summary Report 2015

Item: 8
Subject: GENERAL MANAGERS ADVISORY COMMITTEE MINUTES

RECOMMENDATION

That the Board notes the General Managers Advisory Committee minutes.

REPORT

The General Managers Advisory Committee Minutes of 3 August 2018, 7 September 2018 and 21 September 2018.

ATTACHMENT C: General Managers Advisory Committee minutes.

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 9
Subject: CORRESPONDENCE

RECOMMENDATION

That the Board notes the correspondence.

Incoming

3 September 2018 Audit Office of New South Wales
 24 September 2018 Mayor Rhonda Hoban Nambucca Shire Council (email)
 25 September 2018 NSW Leader of the Opposition, Luke Foley MP

Outgoing

12 August 2018 The Hon. John Barilaro MP, Deputy Premier
 10 September 2018 Mayor Jim Simmons, Clarence Valley Council
 10 September 2018 Mayor Rhonda Hoban, Nambucca Shire Council
 10 September 2018 Mayor Denise Knight, Coffs Harbour City Council
 11 September 2018 Namoi, Northern Rivers and New England Joint Organisations
 11 September 2018 Tim Hurst, Chief Executive Office of Local Government
 11 September 2018 The Hon. Gabrielle Upton MP Minister for Local Government
 11 September 2018 Cr Linda Scott, President of LGNSW
 11 September 2018 The Hon. Gabrielle Upton MP Minister for Local Government
 17 September 2018 The Hon. John Barilaro MP, Deputy Premier
 17 September 2018 The Hon. Gabrielle Upton MP Minister for Local Government
 17 September 2018 The Hon. Dominic Perrottet MP NSW Treasurer
 17 September 2018 Luke Foley MP Leader of the Opposition
 17 September 2018 Peter Primrose MLC Shadow Minister for Local Government
 17 September 2018 Ryan Park MP Shadow Treasurer
 17 September 2018 David Harris MP Shadow Minister for Regional Development
 17 September 2018 The Hon. Ben Franklin MLC Parliamentary Secretary for Renewable Energy and Northern NSW
 17 September 2018 The Hon. Walt Secord MLC Shadow Minister for the North Coast
 17 September 2018 Cr Linda Scott, President LGNSW
 17 September 2018 The Hon. Joshua Frydenberg MP Treasurer
 17 September 2018 The Hon. Senator Bridget McKenzie Minister for Regional Services, Sport, Local Government and Decentralisation
 17 September 2018 The Hon. Chris Bowen MP Shadow Treasurer
 17 September 2018 Stephen Jones MP Shadow Minister for Regional Development and Local Government
 17 September 2018 Mrs Leslie Williams MP Member for Port Macquarie
 17 September 2018 The Hon. Melinda Pavey MP Member for Oxley
 17 September 2018 The Hon. Luke Hartsuyker MP Member for Cowper
 17 September 2018 The Hon. Dr. David Gillespie MP Member for Lyne
 18 September 2018 Tim Hurst, Chief Executive Office of Local Government
 18 September 2018 Jane Eales, Biodiversity Officer
 21 September 2018 Ken Gillespie, Don Murray, Harry Henderson Dept. Premier and Cabinet (email)

ATTACHMENT D: Correspondence

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 10
Subject: JOINT ORGANISATION AND LGNSW
CO-DESIGN AND COLLABORATION CONSULTATION DRAFT

RECOMMENDATION

The Joint Organisation and LGNSW Co-design and Collaboration Consultation Draft October 2018 is provided for the MNCJO Board's information.

REPORT

On 26 September 2018 LGNSW released the Consultation Draft for Joint Organisations to comment. Feedback on the draft is required prior to the LGNSW meeting 5 October 2018 and the MNCJO Board meeting of the same day. The Executive Officer is coordinating initial feedback with the MNCJO Chair.

Extract from the Consultation Draft

Purpose:

The purpose of this paper is to seek feedback from Chairs and Executive Officers of the new Joint Organisations (JOs) regarding the way we work together. Comments on the opportunities and operating framework outlined in this paper will form the basis of an ongoing conversation regarding future collaborations. We are keen to develop a relationship that is sustainable and productive into the future, and put forward a range of issues to support an ongoing discussion in the spirit of co-design and collaboration.

Background:

LGNSW is absolutely committed to working closely with and supporting the Joint Organisation (JOs). LGNSW is the peak body for local government in NSW and we are here to support councils individually and collectively. The introduction of the JOs ushers in a new era for local government in NSW. It is important that we work together locally, regionally and at a state-wide level to take advantage of this opportunity to improve the outcomes for councils and the communities they represent.

LGNSW has always promoted regional collaboration and consequently, we have supported the JO concept from the outset. LGNSW was actively engaged in the development of the JO model and our submissions and representations advocated the design criteria supported by councils.

This proposal suggests various ways in which LGNSW and JOs can work together to achieve positive outcomes for all our communities. The proposal provides a high degree of flexibility as the future engagement of individual JOs with LGNSW is likely to vary considerably.

LGNSW will continue to serve and engage with individual council members in the way that it does now. Individual councils will have access to all current services regardless of whether or not their JO chooses to become an Associate member of LGNSW

ATTACHMENT E: Joint Organisation and LGNSW
Co-design and Collaboration Consultation Draft October 2018.

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 11
Subject: GENERAL BUSINESS

RECOMMENDATION

That the MNCJO Board:

1. Note the updates provided on Tropical Soda Apple and the application to the Information and Privacy Commission for the IPART Final Report- Local Government Rating Review;
2. Determine a suitable date for the December 2018 MNCJO Board meeting as not all members are available for the scheduled 7 December 2018 meeting.

REPORT

Tropical Soda Apple

Correspondence was issued to the Namoi, Northern Rivers and New England Joint Organisations. The Namoi Joint Organisation General Managers have supported the initiative and referred the MNCJO request for support and resources to develop a joint project plan to the Namoi Joint Organisations Board meeting scheduled for 2 October 2018.

Information and Privacy Commission (IPC)

An update has been received from the IPC in relation to the MIDROC request for the IPART Final Report –Local Government Rating System Review.

The IPC has requested that the Office of Local Government provide a certificate stating that the IPART Report was submitted as *Cabinet in Confidence*. This certificate needs to be issued by the Department of Premier and Cabinet and submitted to the IPC.

If the certificate is presented to the IPC a report stating this will be provided to MIDROC.

The IPC advise in this event that the Board may make application to the NSW Civil and Administrative Tribunal (NCAT) for the IPART Report, any certificate stating that the Report was submitted as *Cabinet in Confidence* would also be considered by the NCAT.

Item: 12
Subject: CONFIDENTIAL
PACIFIC HIGHWAY HANDOVER

This report is confidential under the provisions of Section 10A(2)(c) of the NSW Local Government Act - information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

MEETING CLOSE:

Page 22 of 22



Mid North Coast Joint Organisation

Board Meeting

Minutes

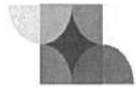
Date: 5 October 2018

Location: Bellingen Shire Council

Time: 8.30am

AGENDA

MNCJO BOARD MEETING
5/10/2018



PRESENT

Voting Members:

Mayor Liz Campbell, Kempsey Shire Council (Chair)
Mayor Dominic King, Bellingen Shire Council (Deputy Chair)
Mayor Peta Pinson, Port Macquarie-Hastings Council

Non-Voting Members:

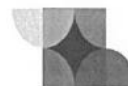
Louise McMeeking, Director Regional, Department of Premier & Cabinet North Coast
Liz Jeremy, General Manager, Bellingen Shire Council
Craig Milburn, General Manager, Kempsey Shire Council
Craig Swift-McNair, General Manager, Port Macquarie-Hastings Council & Interim Executive Officer

Other Attendees:

Anita Gambhir, Council Engagement Officer, NSW Office of Local Government
Jaleen Caples, Principal Project Officer, NSW Office of Local Government

The meeting opened 8.30am

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 1
Subject: ACKNOWLEDGEMENT OF COUNTRY

The Mayor of Bellingen Dominic King, opened the meeting with an Acknowledgement of Country and welcomed members to Bellingen for the meeting of the Mid North Coast Joint Organisation (MNCJO).

Item: 2
Subject: APOLOGIES

RESOLVED: Pinson / King

Nil

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

Item: 3
Subject: CONFIRMATION OF MINUTES

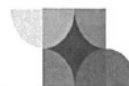
RESOLVED: Pinson / King

1. That the Minutes of the MNCJO Ordinary Board Meeting held on 17 August 2018 be confirmed.
2. That the Minutes of the MNCJO Extra Ordinary Board Meeting held on 14 September 2018 be confirmed.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
5/10/2018



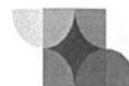
Item: 4
Subject: DECLARATION OF INTERESTS

There were no Declarations of Interest presented.

Item: 5
Subject: SPEAKERS

There were no speakers to the meeting.

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 6
Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

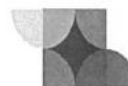
RESOLVED: King / Pinson

That the Board note the business arising as detailed.

CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil

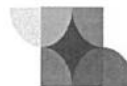
Meeting	Item	Status
17/8/2018	Item: 6.3 FINANCIAL ASSISTANCE GRANTS That the Board request the Executive Officer write to all relevant State and Federal Ministers and their Opposition counterparts, as well as copying to all local State & Federal members of JO member Councils, requesting a review of the Financial Assistance Grants (FAG) to Local Government, with a view to including consideration of horizontal fiscal equalisation in the calculation of FAG funding as per the details proposed by the Productivity Commission in their 15 May 2018 report titled 'Horizontal Fiscal Equalisation' (HFE).	Completed
17/8/2018	6.4. PACIFIC HIGHWAY HANDOVER That the Board: <ol style="list-style-type: none"> 1. Make representations to the NSW Government in relation to the handover of State assets (such as the old Pacific Highway) and in particular request a review of the maintenance handover process to include oversight and determination by the Independent Pricing & Regulatory Tribunal (IPART). 2. Request that a new policy position be determined by the NSW Government in relation to the handover of State assets, so that ownership of former State assets does not impact on the ongoing financial sustainability of Local Government. 	Completed (refer to the MNCJO Board resolution for Item 12 of this agenda)
17/8/2018	Item: 6.5 MID NORTH COAST JOINT ORGANISATION MEMBERSHIP That the Board; <ol style="list-style-type: none"> 1. Invite Coffs Harbour City Council, Clarence Valley Council and Nambucca Shire Council to join the Mid North Coast Joint Organisation of Councils. 2. Write to the Deputy Premier, The Hon. John Barilaro MP and the Minister for Local Government The Hon. Gabrielle Upton MP informing the Ministers of the MNCJO Board's resolution to invite these councils to join the MNCJO. 	Completed Completed

AGENDA

MNCJO BOARD MEETING
5/10/2018

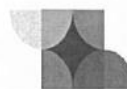
17/8/2018	<p>Item: 6.6 JOINT ORGANISATION BRIDGES (JOB) PROJECT</p> <p>That the Board:</p> <ol style="list-style-type: none"> 1. Delegate to the General Managers any actions required to pursue any applicable funding opportunities for the MNCJO Bridges Project. 2. Allocate an upper limit of \$10,000 to engage resources to produce relevant documentation for the project. 	Completed
17/8/2018	<p>Item: 6.7 IPART FINAL REPORT LOCAL GOVERNMENT RATING REVIEW</p> <p>That the Board request the Executive Officer write to the Minister for Local Government, The Hon. Gabrielle Upton MP and LGNSW, requesting that the IPART Review of the Local Government Rating System Report that was presented to the Minister in December 2016, be immediately released to all Councils for review and comment.</p>	Completed
17/8/2018	<p>Item: 6.8 JOINT ORGANISATION FUNDING</p> <p>That the Board;</p> <ol style="list-style-type: none"> 1. Write to the Deputy Premier The Hon. John Barilaro MP and the Minister for Local Government The Hon. Gabrielle Upton MP advocating for ongoing operational funding to be provided to Joint Organisations, to ensure their ongoing success. 2. Send a copy of the correspondence to all JOs. 	Completed
17/8/2018	<p>Item: 6.10 TROPICAL SODA APPLE</p> <p>That the Board:</p> <ol style="list-style-type: none"> 1. Liaise with neighbouring JOs i.e. the New England JO, the Northern Rivers JO and the Namoi JO that are impacted by the infestation of TSA, to develop a united approach to garner support to address this issue. 2. Seeks representation with relevant State and Federal Agricultural Ministers, the Deputy Premier and the Federal National Party Leader and to LGNSW to advocate for funding to address the TSA issues being faced by the JO Councils. 	<p>Completed</p> <p>Letter to be drafted by the Executive Officer</p>

AGENDA

MNCJO BOARD MEETING
5/10/2018

17/8/2018	Item: 6.13 EXECUTIVE OFFICER REPORT That the Board; 1. Note the Executive Officer's Report. 2. Write to the Minister for Local Government, The Hon. Gabrielle Upton MP and the Office of Local Government (OLG) thanking the OLG for their support and in particular Chris Presland for his guidance and direction; and the value of this ongoing relationship to the success of the MNCJO.	Completed
17/8/2018	Item: 8 GENERAL BUSINESS <i>That the Board;</i> 1. Write to and make representation to LGNSW in relation to items 6.3, 6.4 and 6.5. 2. Invite The Hon. Ben Franklin, Parliamentary Secretary for Renewable Energy and Northern NSW and The Hon. Peter Primrose MLC, Shadow Minister for Local Government to the next Board meeting in October 2018 at Bellingen Shire Council. <i>Clarification provided by the MNCJO Board at the Board meeting held on Friday 5 October 2018, around the purpose of the invitation, being that the Board be able to put questions to the invitees around Local Government in general and Joint Organisations etc. This invitation will go out for the 5 December 2018 MNCJO Board meeting, to be held at Kempsey Shire Council.</i>	Completed Letter to be drafted by the Executive Officer
14/9/2018	Item: 6.1 FINANCIAL ASSISTANCE GRANTS 1. That the Board write to the President of the Australian Local Government Association (ALGA), Mayor David O'Loughlin supporting the campaign to restore Financial Assistance Grants to at least 1% of Commonwealth taxation revenue. 2. That a copy of this letter is also sent to the Federal Shadow Minister for Regional Development and Local Government Mr Stephen Jones MP	Completed Completed

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7
Subject: ITEMS OF BUSINESS

Item: 7.1
Subject: EXECUTIVE OFFICER ARRANGEMENTS

RESOLVED: King / Pinson

That the Board note the Port Macquarie-Hastings Councils resolution in relation to the MNCJO Executive Officer Arrangements.

*CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil*

Item: 7.2.
Subject: STATEMENT OF STRATEGIC REGIONAL PRIORITIES WORKSHOP

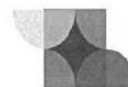
RESOLVED: Pinson / King

That the Board consider the following Regional (State wide) priorities for discussion at the NSW Joint Organisation Chairs and Executive Officers meeting to be held at the LGNSW Conference 21 October 2018:

1. Digital enablers, access to high speed internet and mobile services,
2. Transport connectivity,
3. Water security,
4. Energy and renewable energy, and
5. Regional skills development.

*CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil*

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.3.
Subject: MNCJO COMMUNITY RESILIENCE PROJECT

RESOLVED: Pinson / King

That the MNCJO Board

1. Note the information provided in relation to the Community Resilience Project;
2. Request the General Managers Advisory Committee to further develop the project brief and seek out possible funding opportunities for the project, whilst also including a business stream to the project.
3. Request the Executive Officer provide an update report to the December 2018 MNCJO Board meeting on the Community Resilience Project.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

Item: 7.4.
Subject: MNCJO SUBGROUPS

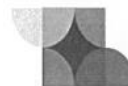
RESOLVED: Pinson / King

That the Board:

1. Acknowledges the good work that the previous Mid North Coast Regional Organisation of Council's (MIDROC) subgroups have achieved such as the MIDWASTE and the Work, Health and Safety (WHS) groups.
2. Establish a range of MNCJO sub-groups, with the sub-groups and the make-up of the sub-groups to be determined by the General Managers Advisory Committee as considered appropriate.
3. Request the Executive Officer write to identified relevant Councils asking them to give consideration to participating in future MNCJO subgroups.
4. Task the General Managers Advisory Committee to develop a Charter to be used by all subgroups.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.5.
Subject: PACIFIC HIGHWAY HANDOVER

Mayor Pinson left the meeting at 8:50am

RESOLVED: King / Campbell

That the MNCJO Board direct the Executive Officer to request a meeting with the Roads and Maritime Services Chief Executive, Mr Ken Kanofski and other government representatives as considered relevant, to discuss options in relation to the handover of State government assets to local government.

CARRIED: 2/0
FOR: King, Campbell
AGAINST: Nil

Item: 7.6.
Subject: NORTHERN NSW RENEWABLE ENERGY INITIATIVE

Mayor Pinson returned to the meeting at 8:55am

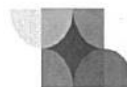
RESOLVED: King / Pinson

That the Board:

- 1) Notes the Northern NSW Renewable Energy Initiative update.
- 2) Requests the Director Regional, Department of Premier & Cabinet North Coast report back to the next MNCJO Board meeting on the outcomes of the Renewable Energy workshop being held in Ballina on Monday 8 October 2018.

CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 7.7.
Subject: WHY LOCAL GOVERNMENT MATTERS

RESOLVED: King / Pinson

That the MNCJO Board:

1. Note the 'Why Government Matters' report by the Australian Centre of Excellence for Local Government;
2. Request the General Managers Advisory Committee give consideration to how the content of the 'Why Government Local Matters' report might provide assistance to the MNCJO into the future, or a tailored version of this report for the MNCJO;
3. Request the Executive Officer provide an update report to the December 2018 MNCJO Board meeting on the 'Why Local Government Matters' report.

CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil

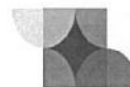
Item: 8
Subject: GENERAL MANAGERS ADVISORY COMMITTEE MINUTES

RESOLVED: Pinson / King

That the Board notes the General Managers Advisory Committee minutes from meetings held on 3 August 2018, 7 September 2018 and 21 September 2018.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 9
Subject: CORRESPONDENCE

In addition to the correspondence listed in the agenda, the Executive Officer tabled the following correspondence:

- Letter from Namoi Unlimited (Namoi Joint Organisation) re Tropical Soda Apple.
- Letter from Clarence Valley Council regarding declining to join the Mid North Coast Joint Organisation.
- Email from Chris Presland from the Office of Local Government regarding his departure from the OLG in October 2018.

RESOLVED: King / Pinson

That the Board notes the correspondence.

CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil

Item: 10
Subject: JOINT ORGANISATION AND LGNSW CO-DESIGN AND COLLABORATION CONSULTATION DRAFT

The Executive Officer tabled the following correspondence:

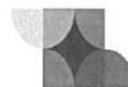
- Email from the Executive Officer to Local Government NSW (LGNSW) providing feedback on the LGNSW document titled *Joint Organisation and LGNSW Co-design and Collaboration Consultation Draft*

RESOLVED: King / Pinson

That the Board note the Joint Organisation and LGNSW Co-design and Collaboration Consultation Draft document, October 2018 and the feedback provided to LGNSW.

CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
5/10/2018

Item: 11
Subject: GENERAL BUSINESS

RESOLVED: Pinson / King

That the Board:

1. Note the update provided on Tropical Soda Apple.
2. Note the update provided on the application to the Information and Privacy Commission for the IPART Final Report- Local Government Rating Review;
3. Determine that Wednesday 5 December will be the final MNCJO Board meeting for 2018, to be held at Kempsey Shire Council.
4. Request the Executive Officer report back to the December 2018 MNCJO Board meeting on the position of other Joint Organisations in relation to the payment of sitting fees for the Mayors of member Councils as members of the Joint Organisation.
5. Note that the Chair of the MNCJO and Mayor Dominic King will address the Nambucca Shire Council meeting being held on Thursday 11 October in relation to the benefits of Nambucca Shire Council joining the MNCJO.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

CONFIDENTIAL COMMITTEE OF THE WHOLE:

RESOLVED: Pinson / King

1. That pursuant to section 10A subsection 2 (c) of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Board in Confidential Committee of the Whole (Closed Session) on the basis that items to be considered are of a confidential nature.
2. That the Board move into Confidential Committee of the Whole (Closed Session) to receive and consider the following items: *Item 12 – Pacific Highway Handover*. This item is considered confidential under Section 10A subsection 2 (c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Board or a member Council is conducting (or proposes to conduct) business.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
5/10/2018

ADJOURN MEETING: The Ordinary MNCJO Board meeting adjourned at 10.05am

Item: 12
Subject: CONFIDENTIAL
PACIFIC HIGHWAY HANDOVER

Matt Fanning, Deputy General Manager of Bellingh Shire Council joined the meeting at 10.05am.

RESOLVED: Pinson / King

That the Board endorse and support the principle advocacy position outlined in the confidential report titled *Pacific Highway Handover* presented by Bellingh Shire Council.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

RESUME MEETING: The Ordinary MNCJO Board meeting resumed at 10.16am

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Pinson / King

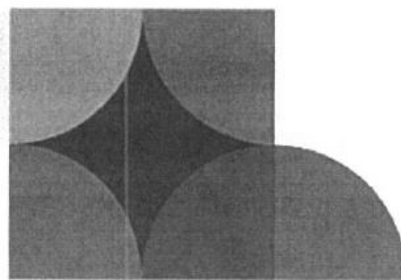
That the abovementioned recommendations from Confidential Committee of the Whole (Closed Session) be adopted:

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

The meeting closed at 10.17am

Mid North Coast
Joint Organisation

mncjo



Mid North Coast Joint Organisation

Board Meeting

Business Papers

Date: 05 December 2018
Location: Kempsey Shire Council
Time: 9.30am

AGENDA

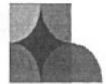
MNCJO BOARD MEETING
05/12/2018

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MNCJO BOARD MEETING
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1. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Dunghutti people who are the Traditional Custodians of this Land. I would also like to pay respect to the elders both past, present and emerging extend that respect to any Aboriginal People present.

2. APOLOGIES

Louise McMeeking, Director Northern DPC Regional

3. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION:

That the Board confirm the Minutes of the MNCJO Board meeting held 05 October 2018.

REPORT

Please refer to **Attachment 1**.

4. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

AGENDA

MNCJO BOARD MEETING
05/12/2018

DISCLOSURE OF INTEREST AT MEETINGS

Name of meeting _____

Meeting date _____

Item / Report Number _____

I _____ declare the following interest:

(name)

Pecuniary – must leave meeting, take no part in discussion and voting.**Non Pecuniary – Significant Conflict** – Recommended that Board Member leaves chamber, takes no part in discussion or voting.**Non-Pecuniary – Less Significant Conflict** – Board Member may choose to remain in Chamber and participate in discussion and voting.

*(Definitions are provided on the next page).

For the reason that -

Signed

Date

AGENDA

MNCJO BOARD MEETING
05/12/2018

DEFINITIONS

(Local Government Act and Code of Conduct)

Pecuniary – An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Council or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. *(Section 451)*.

Non-pecuniary – A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest, you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue if the provision in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

5. SPEAKERS

NIL

AGENDA

MNCJO BOARD MEETING
05/12/2018

6. MNCJO SUB-GROUPS

RECOMMENDATION:

That the Board:

- 1) Request that the General Managers Advisory Committee (GMAC) establish the following MNCJO Sub-Groups:
 - Governance (including internal audit)
 - Natural Resources Management
 - Work, Health & Safety
 - Human Resources
 - Integrated Planning & Reporting
 - Economic Development
- 2) Note that the member Councils of the MNCJO will continue their membership of the MIDWASTE Regional Waste Forum.
- 3) Request the interim Executive Officer formally invite (on behalf of the MNCJO Board), the following Councils to participate in the MNCJO Sub-Groups:
 - Nambucca Shire Council
 - Coffs Harbour City Council
 - MidCoast Council
- 4) Adopt the MNCJO Sub-Group Charter to be used to guide the work of the MNCJO Sub-Groups.

REPORT

At the 5 October 2018 MNCJO Board meeting, the following was resolved:

Item: 7.4.
Subject: MNCJO SUBGROUPS

RESOLVED: Pinson / King

That the Board:

1. Acknowledges the good work that the previous Mid North Coast Regional Organisation of Council's (MIDROC) subgroups have achieved such as the MIDWASTE and the Work, Health and Safety (WHS) groups.
2. Establish a range of MNCJO sub-groups, with the sub-groups and the make-up of the sub-groups to be determined by the General Managers Advisory Committee as considered appropriate.
3. Request the Executive Officer write to identified relevant Councils asking them to give consideration to participating in future MNCJO subgroups.
4. Task the General Managers Advisory Committee to develop a Charter to be used by all subgroups.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

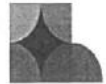
AGENDA

MNCJO BOARD MEETING
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Following on from the above Board resolution, the GMAC considered the most appropriate sub-groups to be established and these are included in Recommendation 1 listed above.

The GMAC has also identified which relevant Councils should be invited to participate in the sub-groups, as included in Recommendation 2 listed above. In addition to this, the GMAC has developed a draft Charter for the sub-groups to ensure that there is consistency of approach and purpose for the sub-groups. The draft Sub-Group Charter can be found at **Attachment 2**.

AGENDA

MNCJO BOARD MEETING
05/12/2018

7. PACIFIC HIGHWAY HANDOVER

RECOMMENDATION:

That the Board:

- 1) Welcome Mr Ken Kanofski from the RMS to the MNCJO Board meeting and provide Mr Kanofski an opportunity to speak.
- 2) Note the confidential business case provided by Bellingen Shire Council titled *Pacific Highway Handover Negatively Affecting Council's Financial Position – Case Study*.

REPORT

At the 5 October 2018 MNCJO Board meeting, the following was resolved:

RESOLVED: King / Campbell

That the MNCJO Board direct the Executive Officer to request a meeting with the Roads and Maritime Services Chief Executive, Mr Ken Kanofski and other government representatives as considered relevant, to discuss options in relation to the handover of State government assets to local government.

CARRIED: 2/0
FOR: King, Campbell
AGAINST: Nil

Following the above Board resolution, Mr Ken Kanofski from the RMS has been invited to attend this MNCJO Board meeting to discuss Pacific Highway handover issues.

Further to the above, please find at **Attachment 3 – Confidential** (provided under separate cover) a copy of a business case document that has been developed by Bellingen Shire Council, which puts into context the issues experience by mid north coast and other Councils in relation to the handover to Councils of RMS assets.

AGENDA

MNCJO BOARD MEETING
05/12/2018

8. MNCJO COMMUNITY RESILIENCE PROJECT

RECOMMENDATION:

That the Board:

- 1) Note the updated brief for the Community Resilience Project which now includes a business stream.
- 2) Note the information in relation to potential funding streams for a Community Resilience Project.

REPORT

At the 5 October 2018 MNCJO Board meeting, the following was resolved:

Item: 7.3.
Subject: MNCJO COMMUNITY RESILIENCE PROJECT

RESOLVED: Pinson / King

That the MNCJO Board

1. Note the information provided in relation to the Community Resilience Project;
2. Request the General Managers Advisory Committee to further develop the project brief and seek out possible funding opportunities for the project, whilst also including a business stream to the project.
3. Request the Executive Officer provide an update report to the December 2018 MNCJO Board meeting on the Community Resilience Project.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

As per Resolution 2 as detailed above from the 5 October 2018 MNCJO Board meeting, a revised Community Resilience project brief which includes information around a business stream can be found at **Attachment 4**.

In relation to potential funding streams for a project around community resilience, the State government, through the NSW Office of Emergency Management, have the Community Resilience Innovation Program (CRIP). According to the Office of Emergency Managements web site, the CRIP is a scheme under the Natural Disaster Resilience Program, funded by the New South Wales and Commonwealth Governments through the National Partnership Agreement on Natural Disaster Resilience.

The CRIP supports a broad range of community-led projects designed to increase all-hazard disaster preparedness and build community capacity and resilience. CRIP projects are based on collaboration and partnership between local community organisations and emergency services agencies. The CRIP aims to:

- Foster ways to effectively engage the local community in creative, community focussed activities that build local capacity and capability for disaster resilience.
- Develop effective partnerships and build networks between local community organisations, councils, businesses and emergency services agencies.
- Share knowledge and lessons learnt about approaches and models through project evaluation.

AGENDA

MNCJO BOARD MEETING
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- Support initiatives that can be integrated into current business and maintained in the longer term,

Projects supported through the CRIP are designed to respond to the specific needs and characteristics of the local community. Projects may involve the entire community or be tailored to the needs of particular groups, such as people identified as more vulnerable to disaster events.

Following is a sample of some of the projects funded under the CRIP during 2017-2018:

Hunter Councils Inc:

Everyone's Talking About It... Let's Get Disaster Ready: \$162,200 to develop a coordinated, all hazards approach to frontline engagement with the community on emergency preparedness and response. This will increase community resilience to natural hazards across all participating councils in the region.

Lismore City Council**Community Recovery and Resilience Action Plan – An Adaptable Community**

Model: \$40,000 to develop model to establish "Community Hubs" during emergencies to support community-led responses to disasters.

Lismore City Council**Get Ready Lismore, Kyogle and Richmond Valley – Know the Risks and Be**

Prepared: \$38,000 to implement a "Get Ready" all-hazards campaign to help residents, visitors and businesses in vulnerable locations in Lismore, Kyogle and Richmond Valley to be disaster ready.

Lismore Chamber of Commerce and Industry

Business Resilience Strategy - Lismore: \$28,780 to develop an online portal to provide businesses in the Lismore region with access to more information before, during and post natural disasters.

Tweed Shire Council

Tweed Byron Resilience Coordination Project: \$84,755 to develop strategies to manage donated goods and spontaneous volunteers for Byron and Tweed Shires.

Wingecarribee Shire Council

Building Extreme Weather Resilience in Seniors: \$69,000 to develop a program that builds resilience in older people to the effects of extreme weather events.

As can be seen from the above information, the CRIP appears to be an appropriate funding stream for the project as detailed in the MNCJO Community Resilience project brief, however the CRIP round for 2017-2018 has already been advertised and closed some months ago and at the time of writing this report, the Office of Emergency Management are unsure of the timing of the funding program for 2019-2020.

Regardless of the above, the interim Executive Officer will continue to explore the CRIP and other funding streams for the Community Resilience project.

AGENDA

MNCJO BOARD MEETING
05/12/2018

9. WHY LOCAL GOVERNMENT MATTERS

RECOMMENDATION:

That the Board:

- 1) Note the confidential proposal from the University of Technology Sydney (UTS) relating to a Mid North Coast Joint Organisation (MNCJO) specific 'Why Local Government Matters' (WLGM) report.
- 2) Endorse the WLGM proposal for referral to member Councils for consideration.
- 3) Request the interim Executive Officer write to the Director Northern, Department of Premier & Cabinet (DPC) Regional on behalf of the Board, requesting financial support for the proposed WLGM report from the DPC, as it will benefit the success of the MNCJO.
- 4) Request the interim Executive Officer table a report at a future MNCJO Board meeting detailing interest from member Councils in participating in and part funding the 'Why Local Government Matters' report.

REPORT

At the 5 October 2018 MNCJO Board meeting, the following was resolved:

Item: 7.7.
Subject: WHY LOCAL GOVERNMENT MATTERS

RESOLVED: King / Pinson

That the MNCJO Board:

1. Note the 'Why Government Matters' report by the Australian Centre of Excellence for Local Government;
2. Request the General Managers Advisory Committee give consideration to how the content of the 'Why Government Local Matters' report might provide assistance to the MNCJO into the future, or a tailored version of this report for the MNCJO;
3. Request the Executive Officer provide an update report to the December 2018 MNCJO Board meeting on the 'Why Local Government Matters' report.

CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil

As per resolution No.2 above, the GMAC considered this issue further at its meeting held on 16 November 2018. As an outcome of that meeting, the General Manager, Bellingen Shire Council made contact with the University of Technology Sydney (UTS) to gain an understanding of how the UTS might best be able to 'localise' the Why Local Government Matters (WLGM) report for the benefit of the MNCJO member Councils. Following is information relating to a proposal from the UTS in relation to WLGM:

AGENDA

MNCJO BOARD MEETING
05/12/2018

1) Background

Why Local Government Matters (WLGM) is a major piece of social research on community attitudes to local government by the Australian Centre of Excellence for Local Government (ACELG). The research aims to better understand how and why the activities of local governments, and their roles in society are valued by communities. The research investigates:

- What does place mean to people?
- The role of government.
- How do people want their services delivered?
- How do people want to be involved in government?
- What do people think about local government?
- How do people's personal characteristics and values impact on their responses?

The report is important for Australian local government and other tiers of government, organisations and agencies that work closely with councils. The results are also invaluable for broader debates about reform of the sector, the role of local government in the federation, and immediate local-level issues such as service delivery, community participation in council decision-making, financial sustainability, and the wellbeing of local government areas.

A Summary Report on this major research piece, as well as some media articles on WLGM can be found at **Attachment 5**.

2) Proposal

A proposal has been received from the UTS, which will be distributed under separate Confidential cover in keeping with the provisions of Section 10(a), (2)(d) of the NSW Local Government Act 1993.

In summary, the proposal is as follows:

- WLGM will establish baseline data to track how communities across the region view the outcomes achieved through collaboration. The effectiveness of regional collaboration in achieving the MNCJO's strategic objectives can then be assessed by comparing how community views about policy outcomes change. This vital performance information can be used to identify areas for continuous improvement in policy and practice or new strategic priorities and communicate the success of MNCJO to communities, stakeholders and the NSW Government.
- WLGM is also valuable for each MNCJO member council individually. WLGM will track how local communities view the outcomes achieved by their Council and the individual strengths of each Council by looking at the outcomes where each performs strongly. It will highlight what is working well, where Councils could learn good practice from across the region, and areas for continuous improvement in policy and practice or new strategic priorities.
- Undertaking a local version of the WLGM will also assist in the development of revised Community Strategic Plans (CSP's) for each member Council, a review of which will be required in 2020, in line with the next local government elections. This insight can provide the foundation for this next round of community engagement that all member Councils will be required to undertake.

AGENDA

MNCJO BOARD MEETING
05/12/2018

- The survey instrument to be used in this research will build on the national WLGM survey to ensure the data generated enables MNCJO to understand how the region compares to other communities and the Australian population as a whole. UTS will also ensure a sample size that allows comparison between the individual communities that make up the MNCJO.
- The UTS has assumed a 95% confidence level with an interval of $\pm 4\%$ at the whole-of-region level, which is a robust level of confidence for social research. In effect this means that if WLGM was run 100 times across the region, we could be sure that 95 of those surveys would return findings within $\pm 4\%$ of the findings of the first survey.
- Research instruments to be used include a 10-minute phone survey of 600 residents, (and an additional five questions to test regional/local issues), three focus groups (one for each LGA) and detailed reporting.

3) Costs to undertake the work

As detailed above, a proposal has been received from the UTS, which will be distributed under separate confidential cover.

Given that the outputs and benefits from undertaking this work would accrue to both the MNCJO and to the member Councils, it is proposed that the MNCJO fund 50% of the cost, with the remaining 50% contributed by the three member Councils, on the basis that the benefits will also accrue to the individual member Councils. It is due to this potential split of costs that Recommendation 2 of this report requests the Board refer this proposal to member Councils for consideration.

AGENDA

MNCJO BOARD MEETING
05/12/2018

10. SITTING FEES FOR MAYORS OF JOINT ORGANISATIONS.

RECOMMENDATION:

That the Board note the information provided relating to the payment of sitting fees for Mayors of Joint Organisations.

REPORT

At the 5 October 2018 MNCJO Board meeting, the following was resolved:

Item: 11
Subject: GENERAL BUSINESS

RESOLVED: Pinson / King

That the Board:

1. Note the update provided on Tropical Soda Apple.
2. Note the update provided on the application to the Information and Privacy Commission for the IPART Final Report- Local Government Rating Review;
3. Determine that Wednesday 5 December will be the final MNCJO Board meeting for 2018, to be held at Kempsey Shire Council.
4. Request the Executive Officer report back to the December 2018 MNCJO Board meeting on the position of other Joint Organisations in relation to the payment of sitting fees for the Mayors of member Councils as members of the Joint Organisation.
5. Note that the Chair of the MNCJO and Mayor Dominic King will address the Nambucca Shire Council meeting being held on Thursday 11 October in relation to the benefits of Nambucca Shire Council joining the MNCJO.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

Further to the above MNCJO Board resolution, the interim Executive Officer made enquiries of other Joint Organisations (JO's) in relation to the payment of sitting fees. The information gathered during this process is reflected in the table below from the JO's that responded. This is provided for the Boards information:

Joint Organisation:	Position on JO Sitting Fees:
Riverina	Will not be paying sitting fees.
New England	Will not be paying sitting fees.
Illawarra Shoalhaven	Will not be paying sitting fees.
Orana	Will not be paying sitting fees.
Namoi	Will not be paying sitting fees.
Hunter	Will not be paying sitting fees.
Far North West	Will not be paying sitting fees.
Riverina & Murray	Will pay the Chairperson \$10,000 pa. No sitting fees are paid for other Board members i.e. other Mayors.
Canberra	Will pay the Chairperson \$10,000 pa. The remaining Mayoral Board members will get a sitting fee of \$250 per meeting – with 4 meetings per year.

AGENDA

MNCJO BOARD MEETING
05/12/2018

11. EXECUTIVE OFFICER POSITION DESCRIPTION & RECRUITMENT PROCESS

RECOMMENDATION:

That the Board:

- 1) Approve the recruitment of a permanent part time Executive Officer up to 80 hours a month.
- 2) Approve the use of the Office of Local Government (OLG) Executive Officer Position Description for use in the recruitment process.
- 3) Approve a Total Remuneration Package (TRP) of \$90,000 be offered for the permanent part time Executive Officer (inclusive of 9.5% Superannuation).
- 4) Approve the recruitment process for the permanent part time Executive Officer to commence in early February 2019, with a view to appointing the Executive Officer from around May 2019, subject to a successful recruitment process.
- 5) Approve recruitment for the permanent part time Executive Officer to be undertaken by Port Macquarie-Hastings Council on behalf of the MNCJO Board.
- 6) Approve the interview panel for the appointment of the permanent part time Executive Officer to include the three Mayors of the MNCJO Board and the interim Executive Officer.

REPORT

As per information previously provided to the Board, following their establishment, Joint Organisations (JO's) were able to appoint an interim Executive Officer (EO) for up to 12 months from the date of the Board appointing them, without advertising and without undertaking the normal recruitment and selection process. In September 2018, the General Manager of Port Macquarie-Hastings Council became the interim Executive Officer of the MNCJO, replacing the original interim Executive Officer who was appointed in June 2018.

Each JO will be required to advertise the permanent EO position and commence recruitment in time to ensure that a permanent appointment can be made before the 12-month anniversary of the appointment of the interim EO. The 12-month anniversary of the appointment of the original EO is **14 June 2019**.

In light of the above, this report asks the Board to consider the Executive Officer Position Description (PD) as per **Attachment 6**, which has been drafted by the Office of Local Government (OLG), noting that the MNCJO is free to tailor this PD to our own JO. From a recruitment perspective and as previously determined, the recruitment process for the permanent EO will be run from Port Macquarie-Hastings Council. It is planned to commence recruitment in early February 2019, with a view to appointing the EO from around 1 May 2019. Commencing in February provides us with some additional time in case there is a need to undertake another round of interviews etc.

As noted in the above recommendations, it is recommended that interview panel for the role of the EO include the three Mayors of the MNCJO as well as the interim EO.

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AGENDA

MNCJO BOARD MEETING
05/12/2018

12. RENEWABLE ENERGY UPDATE

RECOMMENDATION:

That the Board note the information provided relating to the Northern NSW Renewable Energy Initiative.

REPORT

The MNCJO is represented on the Northern NSW Renewable Energy Initiative – Intergovernmental Working Group (Working Group) by the Coordinator Commercial Property & Facilities, Kempsey Shire Council and the Environmental Strategies Officer, Kempsey Shire Council. The Working Group meet on a regular basis and following is an update provided by Kempsey Shire Council following the latest meeting of the Working Group held on 13 November 2018:

- The Working Group is preparing a draft “Blueprint” for how Councils undertake project identification (feasibility) as well as ensuring that it meets permissibility requirements. This is meant to be a generic suite of documents that flow through all of the project requirements right through to tender.
- The development of some of the Blueprint documents may need to be outsourced to a specialist, which may come at a cost to Joint Organisations. If that is the direction the Working Group is heading, then a further report would be tabled at a future meeting of the MNCJO Board to discuss this further, particularly if there is funding required.
- Mapping is currently underway to populate the “shell” Blueprint document with information being obtained from various Councils to populate.
- Uralla Council is currently working on an 800Mw solar farm and this is being driven by community involvement. There are a growing number of community groups being formed in various LGA's that are interested in renewable energy community group formations.
- The Working Group is keen to look for a regional project to trial the Blueprint on.
- Essential Energy is being flooded with applications for renewable energy projects, mainly solar.
- Waste to Energy is gathering momentum and is very widely used in Europe, however not in Australia.
- The NSW Minister for Energy & Utilities is looking at expanding the energy grid, with further information to be obtained.

For information, please find attached at **Attachment 7** a copy of the most recent minutes and business paper from the Working Group.

AGENDA

MNCJO BOARD MEETING
05/12/2018

13. MID NORTH COAST JOINT ORGANISATION WEB SITE

RECOMMENDATION:

That the Board:

- 1) Request the interim Executive Officer proceed to establish an MNCJO web site as detailed in this report.
- 2) Allocate funding of up to \$3,000 for the development of the MNCJO web site.
- 3) Note that the ongoing costs to host the MNCJO web site will be up to approximately \$100 per annum.

REPORT

One of the requirements of setting up a JO is to deliver a web site featuring the adopted visual identity of the JO within the first six months of the establishment of the JO.

As per this requirement, enquiries have been made of the Digital Technology staff at Port Macquarie-Hastings Council as to how the JO can set up an out-of-the-box web site that is low cost and easy to maintain. Preliminary investigations around this have provided the following information:

Cost Estimate:	\$1,500 - \$3,000 depending on how many pages the site is to be.
Time Estimate:	Such a web site may take around 4-6 weeks maximum to set up.
Hosting:	PMHC could host the site, or if preferred, a third party could be used for hosting. This hosting may cost approximately \$100 per annum.
Ongoing Costs:	This depends largely on what changes might be required over any one year to the site. The key ongoing cost would be hosting as detailed above, but it would be prudent to budget around \$1,000 per annum for any design changes required, noting that content updates would be done by the Executive Officer.

AGENDA

MNCJO BOARD MEETING
05/12/2018

14. DRAFT STATEMENT OF REVENUE POLICY

RECOMMENDATION:

That the Board:

- 1) Endorse the draft MNCJO Statement of Revenue Policy to be placed on public exhibition for a minimum of 28 days.
- 2) Note that due to the ensuing Christmas period, the draft MNCJO Statement of Revenue Policy be placed on public exhibition from 10 December 2018 to 25 January 2019.
- 3) Request the interim Executive Officer table a further report to the February 2019 MNCJO Board meeting, detailing the submissions received during the public exhibition period and present the draft Statement of Revenue Policy for consideration by the Board.

REPORT

A requirement of all Joint Organisations is to develop and adopt a Statement of Revenue Policy. The policy needs to be in accordance with Clause 201 (a), (d) and (f) of the Local Government (General) Regulation and must include the following:

- Estimated income & expenditure;
- Proposed fees & charges, if appropriate;
- The proposed pricing methodology, if appropriate;
- Proposed borrowings, if appropriate.

As discussed at previous MNCJO meetings and workshops, it was difficult for the MNCJO to put forward a draft Statement of Revenue Policy when the Statement of Strategic Regional Priorities (SSRP) had yet to be completed and whilst details around the appointment of a permanent Executive Officer had not yet been agreed. Both the SSRP and the appointment of a permanent Executive Officer are to be considered by the MNCJO Board under separate reports to this meeting of the Board.

A copy of the draft Statement of Revenue Policy can be found at **Attachment 8**.

AGENDA

MNCJO BOARD MEETING
05/12/2018



15. MNCJO FINANCIAL UPDATE

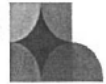
RECOMMENDATION:

That the Board note the information contained in the MNCJO Financial update report.

REPORT

It is a requirement of all Joint Organisations to receive a financial summary relating to expenditure of MNCJO funds each quarter. This report relates to the period from 1 July 2018 to 27 November 2018. Please refer to the information included in **Attachment 9**.

AGENDA

MNCJO BOARD MEETING
05/12/2018

16. KOALA RECOVERY STRATEGY

RECOMMENDATION:

That the Board:

- 1) Note that the in line with the resolution from the General Managers Advisory Committee (GMAC) meeting held on 16 November 2018, the interim Executive Officer has entered into the Koala Recovery Strategy funding agreement with the Office of Environment & Heritage on behalf of the MNCJO.
- 2) Note that Port Macquarie-Hastings Council will act as the host Council for purposes of the Koala Recovery Strategy.

REPORT

As discussed at previous MNCJO Board meetings, Port Macquarie-Hastings Council (PMHC) was giving consideration to entering into a funding agreement with the Office of Environment & Heritage (OEH) for a program titled 'Saving Our Species – Koala Recovery Partnership for the Hastings-Macleay Area of National Koala Significance.' During this period of consideration, the MNCJO was formed and following discussions around this project at several GMAC meetings, discussions between PMHC and OEH took place and this project and related funding was then offered to the MNCJO instead of being a standalone funding agreement / program with PMHC. The funding is for 3 x years at \$150,000 (excluding GST) per year from OEH. A copy of the signed funding agreement can be found at **Attachment 10**.

Following is an extract from the Koala Recovery Partnership Saving our Species (SOS) Charter, which can be found in full at **Attachment 11**.

The Port Macquarie-Hastings LGA and southern part of the Kempsey Shire supports significant populations of koalas and the broad area has been identified by OEH as being an 'Area of Regional Koala Significance' (ARKS). Koala populations in this ARKS have suffered declines largely due to habitat clearing and fragmentation. Other threats include disease, inappropriate fire regimes, logging, road strike and predation by dogs. These threats are unlikely to abate without an array of recovery-focussed management actions to ensure the long-term sustainable management of koalas. The Port Macquarie-Hastings Koala Recovery Strategy identifies the key issues that are impacting the koala population in this area. It provides actions and guidelines to aid in the recovery of the local population and assistance in managing these impacts. The Strategy is based on the scientific information and outcomes of the Port Macquarie-Hastings Koala Habitat Study (Phillips, 2013) and research conducted by PMHC and follows both the National and New South Wales Koala Management Strategies in aligning management and protection measures for koalas. Kempsey Shire Council has also developed a CKPOM for its coastal area, the objectives of which, and actions outlined therein, also align with the NSW Koala Strategy.

This project creates a Koala Recovery Partnership which will seek to deliver the objectives of the NSW Koala Strategy, the PMHC Koala Strategy and draft CKPOM and the Kempsey CKPOM within this important ARKS so as to stabilise/recover local koala populations.

Project Scope:

- To establish a Hastings-Macleay Koala Recovery Partnership (key stakeholders include OEH, PMHC, KSC and the Port Macquarie Koala Hospital)
- To employ an Ecologist (Koala Recovery) to coordinate the delivery of key programs that seek to stabilise/recover local koala populations. Such programs focus on:

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- Community Education and Engagement;
- Coordinating/conducting research for key knowledge gaps;
- Delivering key projects and establish improved schemes for provision of local koala offsets;
- Koala repopulation in unoccupied Hinterland areas;
- Promoting Koala Conservation and the Koala Recovery Partnership;
- Engaging the broader community to work on specific projects;
- Participating in OEH Koala initiatives / workshops / research etc

Project Summary:

This project creates a Koala Recovery Partnership which will seek to deliver the broad objectives of the NSW Koala Strategy, the PMHC Koala Strategy and draft CKPOM and the Kempsey CKPOM within the important Hastings-Macleay ARKS so as to stabilise/recover local koala populations. The Partnership will work with the key stakeholders (OEH, PMHC, KSC and the Koala Hospital and potentially others in time) and the broader community to deliver the actions identified under the four broad pillars identified in the NSW Koala Strategy (and similarly the PMHC Koala Strategy and Kempsey CKPOM), including:

- Koala habitat conservation
- Conservation through community action
- Safety and health of koala populations
- Building our knowledge and education

The Partnership will build synergies (financial and expertise) to greatly enable the delivery of objectives outlined in the various State and Local strategies and would ensure that local initiatives are fully commensurate with strategies outlined at the State level.

It should be noted that currently this project does not officially include Bellingen Shire Council (BSC), however discussions have taken place with the OEH with regard to this and it is likely that BSC will be able to join in with this project once it is operational.

Information relating to the partner financial contributions to this project and proposed expenditure are included in the attached Koala Recovery Partnership Saving our Species (SOS) Charter which can be found at **Attachment 11**.

The interim Executive Officer signed the OEH funding agreement for this project prior to this MNCJO Board meeting as the OEH required the funding agreement to be signed and returned prior to 1 December 2018.

If the MNCJO Board do not wish to pursue the project as detailed above and included in the various attachments, it is likely that PMHC and KSC will do so separate to the MNCJO.

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17. STATEMENT OF STRATEGIC REGIONAL PRIORITIES

RECOMMENDATION:

That the Board:

- 1) Endorse the Statement of Strategic Regional Priorities (SSRP) for the Mid North Coast Joint Organisation (MNCJO) for the purposes of consultation with member Councils.
- 2) Request the interim Executive Officer table a report to the February 2019 MNCJO Board meeting on feedback received from member Councils on the SSRP for further consideration by the MNCJO Board.

REPORT

The Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018 (the Regulation) requires that each Joint Organisation (JO) prepare a Statement of Strategic Regional Priorities (SSRP) and the strategies and plans to achieve them. The SSRP should set out a vision for the region and an overview of the JO's strategic work program to deliver this vision. The statement is a key tool for JO's and must be developed by 31 December 2018 or within six months of establishment, whichever is later.

According to the Fact Sheet on SSRP's provided by the OLG, the SSRP should draw from community strategic plans, regional plans and other strategic documents to clearly identify the top regional priorities for the JO. It should focus on the highest priorities for the region. The SSRP does not need to list every activity the JO may work on, or all the issues which are important to each member Council. These activities and issues can be documented in other, more detailed supporting plans. Due to the long-term nature of strategic projects, the priorities identified in the SSRP are likely to extend over a number of years. It is therefore suggested that the SSRP covers four years and is aligned to the integrated planning and reporting cycle.

At a minimum, an SSRP should include the following:

- A vision – being the JO's vision for the region
- Priorities – approximately five strategic priorities the JO plans to focus on
- Strategies – a small number of strategies the joint organisation will undertake to deliver each priority
- Stakeholders – agencies and organisations the JO will work with to deliver actions and achieve priorities.

In addition to the vision, priorities, strategies and stakeholders, the SSRP may also describe the knowledge or evidence base used to identify the priorities and a small number of measures which the JO will use to demonstrate its success.

The University of Technology Sydney (UTS) have been working with the MNCJO since mid-September 2018 to develop a Statement of Strategic Regional Priorities (SSRP). A workshop was held with the MNCJO Board and the UTS on 14 September 2018 to determine the priorities to be included in the SSRP. Over the following two months, the General Managers of the MNCJO member Councils worked with the UTS to develop the SSRP that is tabled at this meeting and which can be found at **Attachment 12**.

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At the General Managers Advisory Committee (GMAC) meeting held on 16 November 2018, the GMAC resolved to endorse the SSRP for referral to the MNCJO Board for consideration, which is the purpose of this report. The GMAC also resolved that upon appointment of a permanent EO, an implementation plan for the SSRP would be developed, including proposed projects and associated costs.

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18. COST SHIFTING

RECOMMENDATION

That the Board:

- 1) Note the information in relation to cost shifting by other levels of government to local government.
- 2) Request the interim Executive Officer write to the President of Local Government New South Wales (LGNSW), on behalf of the MNCJO Board, requesting further actions and advocacy be undertaken with regard to the burden of cost shifting on local government in NSW.

REPORT

Cost shifting is an issue that impacts every Council in NSW. For many years now, Port Macquarie-Hastings Council (PMHC) has been tracking cost shifting and the impact of it on PMHC through annual reports to Council. The most recent report on cost shifting to PMHC was tabled at the 21 November 2018 Council meeting, with Council resolving the following:

09.09 FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS OF GOVERNMENT

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the information in the Financial Impact of Cost Shifting Report.
2. In particular, note that the ongoing accelerating transfer of responsibilities from the NSW State and Federal Governments to local councils without appropriate offset funding (also known as cost shifting) presently costs Port Macquarie-Hastings Council and our community \$16.123 million per annum - an average of \$1,344,000 per month.
3. Request the General Manager raise the issue of cost shifting at the December 2018 Mid North Coast Joint Organisation Board Meeting.
4. Request that the General Manager raise the issue at 4 December 2018 meeting with the Treasurer and the Member for Port Macquarie, Ms Leslie Williams MP.
5. Request the Communications Portfolio to discuss an appropriate media and communications strategy with the primary objective of informing our community of this ongoing practice by higher levels of government and increasing the community's understanding of how cost shifting negatively impacts Council's ability to support existing services and new services alike.
6. Note that a further report is due to the February 2019 Council Meeting on cost shifting as per the resolution of Council in September 2018.
7. Request the General Manager write to:
 - (a) The Member for Port Macquarie, Ms Leslie Williams MP;
 - (b) The Member for Oxley, the Hon. Melinda Pavey MP;
 - (c) The Member for Cowper, Mr Luke Hartsuyker MP;
 - (d) The Member for Lyne, Dr David Gillespie MP
 - (e) Local Government NSW

Enclosing a full copy of this Financial Impact of cost shifting report and - importantly - request their active assistance in removing this financial burden on our community.

CARRIED: 8/0

FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido and Pinson

AGAINST: Nil

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This report to the MNCJO Board is in response to Resolution 3 as detailed above.

The following are extracts from the above-mentioned PMHC Council report, which can be found in full at **Attachment 13**.

Cost shifting is defined by Local Government NSW (LGNSW) as follows:

"Cost shifting describes a situation where the responsibility for, or merely the costs of, providing a certain service, concession, asset or regulatory function are 'shifted' from a higher level of government on to a lower level of government without providing corresponding funding or the conferral of corresponding and adequate revenue raising capacity."

LGNSW coordinates a cost shifting survey of all NSW Councils in order to establish the impact of cost shifting by the Australian and NSW Governments to NSW Local Government. The last survey was 2015-2016. In that survey, the dollar impact of cost shifting for Port Macquarie-Hastings Council was \$9.7m which included \$1.9m of identified new items including fluoridation of water, maintaining of crown reserves, and cost of maintaining RMS transferred assets.

The most recently published LGNSW Council Survey report, *"The Impact of Cost Shifting on Local Government in NSW: A Survey of Councils"*, (released October 2018) highlighted that despite the recognition of cost shifting and its adverse impacts on NSW Local Government, cost shifting continues to increase. The key points of the LGNSW report are as follows:

- Cost shifting in 2015-2016, (approximately \$820m), is estimated to have increased significantly from \$380m in 2005-2006.
- Cost shifting has increased from 7% of total income before capital in 2013-2014 for all Councils who responded, to 7.5% in 2015-2016. Council's cost shifting as a proportion of total income before capital has increased from 6.1% in 2013-2014 to 8.0% in the most recent 2017-2018 period.
- Not only does cost shifting continue to grow, it is growing at an accelerated rate. PMHC's 2017-2018 cost shifting impact represented a 20% increase on the previous year.
- Per annum cost shifting has more than doubled in the last decade. This is due largely to State Government policies, in particular the waste levy, with the Federal Government responsible for only 2% of cost shifting borne by Councils
- The most significant areas of cost shifting in 2015-2016 were as follows:
 - Waste levy: this was the biggest cost shifting impact on Councils, (46% of Council's total impact in 2017-2018);
 - Emergency Services levy: Councils paid \$127m in mandatory contributions to fund the State Government emergency service agencies, (7% of Council's total impact in 2017-2018, including NSW Fire Brigade and RFS);
 - State libraries: there was a \$130m shortfall in funding required to operate public libraries, (6% of Council's total impact in 2017-2018);
 - Pensioner rebates cost the industry \$61m, (12% of Council's total impact in 2017-2018).

The following table identifies costs shifting impacts on PMHC separated between those arising from State government impacts and those arising from Federal government impact:

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	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
	Actuals	Actuals	Actuals	Actuals	(Based upon budget figures)
Impacts from NSW State Government	\$	\$	\$	\$	\$
Contribution to NSW Fire Brigade	314,202	326,125	332,538	345,477	360,000
Contribution to NSW State Emergency Services	111,214	130,609	142,238	127,032	135,000
Contribution to Rural Fire Service	296,705	310,295	395,697	493,201	520,400
Public Library Operations	707,105	714,641	692,620	762,712	790,177
Onsite Sewerage Facilities	(65,765)	34,376	(97,717)	(144,071)	(50,193)
Administration of the Companion Animals Act	198,869	114,528	258,238	169,633	189,260
Functions as Local Control Authority for Noxious Weeds	243,857	272,601	317,791	356,031	362,795
Functions under the Rural Fires Act	79,877	67,397	86,385	80,426	80,000
Administering Food Safety Regulations	13,152	11,676	30,644	20,447	33,373
Community Safety	4,092	5,397	9,090	396	8,000
Flood Mitigation Programme	22,856	28,698	48,871	36,620	52,219
Road Safety	38,771	31,405	25,071	90,372	53,157
Community & Human Services	465,059	581,977	600,290	602,730	773,084
Waste Levy	2,288,103	3,399,834	4,496,378	5,992,588	5,000,000
Sewerage Treatment System Licence Fee	94,455	85,758	69,120	76,344	103,000
Waste Management Site Licence Fee	9,401	9,638	9,381	11,642	10,600
Processing of DA Fees	(396,676)	(456,739)	(406,672)	(420,630)	206,226
Voluntary Conservation Agreements	5,572	6,526	7,681	8,379	8,547
Administration of Contaminated Land Management	4,439	4,961	5,064	12,281	12,527
Functions under the Protection of the Environment Operations Act	84,809	114,062	143,510	270,203	275,607
Cost of Flooding	126,280	103,395	162,295	166,474	169,803
Cost of Maintaining Crown Reserves	1,645,958	1,742,192	1,980,156	2,213,625	2,257,898
Cost of RMS Transferred Assets - John Oxley Drive	6,843	26,016	38,644	24,414	24,902
Cost of RMS Transferred Assets - John Oxley Drive (Vegetation Management only)	4,495	2,383	3,276	24,861	25,358
Cost of RMS Transferred Assets - Kew (Nancy Bird Walton Drive)	-	-	680	1,574	1,606
Cost of RMS Transferred Assets - Bobs Creek Road	-	-	-	3,868	3,956
Contribution to Regional Arts Development Organisation (Arts Mid North Coast)	12,198	12,480	13,736	15,000	15,750
Subtotal	6,315,672	7,680,251	9,365,226	11,341,649	11,423,061
Impacts from Federal Government	\$	\$	\$	\$	\$
Pensioner Rates Rebates	1,541,201	1,534,104	1,405,330	1,609,963	1,528,600
Immigration Services & Citizenship Ceremonies	4,052	2,394	2,629	1,693	4,000
Subtotal	1,545,253	1,536,498	1,407,959	1,611,656	1,532,600
Total of Cost Shifting Impacts	7,860,925	9,216,749	10,773,185	12,953,305	12,955,661
Other Current and Future Impacts	<p>Note that these areas represent cost shifting impacts which are currently being absorbed or are expected to impact in the future, but which at this stage cannot be fully quantified. For further details, refer to commentary below.</p>				
Cumulative Ongoing Impact of Indexation Freeze on Financial Assistance Grant					
Non Rateable Properties					
Infrastructure Works Associated with Development Undertaken by Other Levels of Government					
Impacts of Forestry Corporation					
Impacts of Biodiversity Conservation Act					
Oversight for Underground Fuel Storage Facilities					
Regulation of Private Water Supplies					
Impacts of Coastal Management Act 2016					
Impacts of Crown Land Management Act					
Impacts of Changes in Bushfire Planning and Management					
Impacts of China's National Sword Policy					

The amounts quantified in the total cost shifting impacts table above are not exhaustive of the cost shifting impact on PMHC. Other impacts of cost shifting that are currently being absorbed by Council or will be absorbed by Council into the future are described as below. The estimated impact of these items on the total cost shifting amount for 2017-2018 follows, notwithstanding that not all items are able to be quantified at this time:

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	2017/2018 Actuals (\$'000)
Total of Cost Shifting Impacts from Table Above	12,953
Cumulative Ongoing Impact of Indexation Freeze on Financial Assistance Grant	785
Non Rateable Properties	1,960
Infrastructure Works Associated with Development Undertaken by Other Levels of Government	400
Impacts of Biodiversity Conservation Act	25
TOTAL IMPACT	16,123

Further to the PMHC report extract as detailed above, Bellingen Shire Council (BSC) tabled a report on cost shifting to their 28 November 2018 Council meeting. At the time of writing this report, the BSC meeting had not taken place, so the Council resolution is unknown. However following is an extract from the BSC, Council report on cost shifting, with a full copy of the report available at **Attachment 14**.

As detailed in the following table, the estimated impact of cost shifting for Bellingen Shire Council is:

- \$1.996M in 2015-2016, representing 6.9% of total operating income
- \$2.056M in 2016-2017, representing 7.1% of total operating income
- \$1.817M in 2017-2018, representing 6.0% of total operating income

This is a significant impost on Council.

Items as per LGSA Return	2017/18 Actuals	2016/17 Actuals	2015/16 Actuals
Contribution to NSW Fire brigade	330,275	321,656	320,313
Contribution to NSW State Emergency Services	22,242	24,905	22,869
Contribution to Rural Fire Services	49,634	47,775	46,854
Pensioner Rates Rebates	236,130	237,214	242,045
Public Library Operations	442,409	592,132	582,162
Functions as Local Control Authority for Noxious Weeds	88,723	93,793	106,917
Immigration services & Citizenship Ceremonies	790	547	200
Flood mitigation program	15,303	15,227	64,732
Community & Human Services	553,438	534,095	526,268
Waste Levy	77,266	186,572	76,887
Functions under the Protection of the Environment Operations Act	699	2,509	6,432
	1,816,908	2,056,423	1,995,679

It should be noted that the table above is not exhaustive of the cost shifting impact on Council. Other impacts of cost-shifting that are currently being absorbed by Council or will be absorbed by Council into the future are described as follows:

Financial Assistance Grant

In addition to cost-shifting, another factor noted as having a financial impact to Council is the impact of the Federal Government's decision to pause indexation to the Local Government Financial Assistance Grants (FAG) Program for three years commencing 1 July 2014. This freeze was removed for 2017/18 onwards, however, it is estimated that this freeze has resulted in a permanent base reduction of 13%.

AGENDA

MNCJO BOARD MEETING
05/12/2018**Impacts of the Forestry Corporation**

With such large areas of State Forest within our LGA, activities conducted by the Forestry Corporation such as timber logging has a significant impact on the wear and tear of Council assets, specifically our rural roads and timber bridges. This activity impacts significantly on maintenance programs and costs of our rural network. State Forests are exempt from Rates, hence the deterioration of Council assets and the associated increase in maintenance costs is borne by the community.

Handover of Pacific Highway

The handover of Roads and Bridge Infrastructure assets by NSW Roads & Maritime Services (RMS), following the decommissioning of a section of approximately 15 km of the former Pacific Highway between the Shire boundary in the south to Raleigh in the north, within the BSC local government area will have a negative impact on Council's financial position. The initial transfer of assets to Council will result in an immediate negative impact on its bottom line operating result, and on its key performance ratios arising from the significant value of the transferred assets and consequent annual depreciation charges. Council has been in negotiations with RMS in an effort to reach an agreement on the conditions of the transfer and future (long term) funding arrangements for the transferred assets.

As can be seen from the information above from PMHC and BSC, the impact of cost shifting on member Councils of the MNCJO is enormous and prevents funds being spent on other things such as:

- Increased / improved service levels on services to the community
- Additional services to the community
- Increased capital works
- Increased maintenance expenditure
- Increased spend on renewal of assets

As per the recommendation included in this report, the GMAC are proposing that the MNCJO Board write to LGNSW to encourage them to continue to advocate on behalf of local government on the issue of cost shifting in an effort to have the State government understand the impact of many of their decisions on local communities.

AGENDA

MNCJO BOARD MEETING
05/12/2018**19. QUARTERLY UPDATE REPORT – BIODIVERSITY REFORMS****RECOMMENDATION:**

That the Board note the information included in the Quarterly Update Report – Biodiversity Reforms.

REPORT

Please refer to **Attachment 15** for the quarterly report from the Local Government Support Officer – Biodiversity Reforms for the North Coast.

20. MINUTES OF GENERAL MANAGERS ADVISORY COMMITTEE (GMAC) 16 NOVEMBER 2018**RECOMMENDATION**

That the Board note the minutes of the General Managers Advisory Committee meeting held on 16 November 2018.

REPORT

The MNCJO General Managers Advisory Committee meeting was held on 16 November 2018. The minutes of this meeting can be found at **Attachment 16**.

21. MINUTES OF THE JO CHAIRS FORUM MEETING – 21 OCTOBER 2018**RECOMMENDATION**

That the Board note the minutes of the Joint Organisation (JO) Chairs Forum meeting held in Albury on Sunday 21 October 2018.

REPORT

A JO Chairs Forum meeting was held in Albury on Sunday 21 October 2018 during the Local Government NSW annual conference. The forum was attended by Chair of the MNCJO Mayor Liz Campbell and the Craig Milburn, General Manager Kempsey Shire Council. A copy of the minutes can be found at **Attachment 17**.

AGENDA

MNCJO BOARD MEETING
05/12/2018



22. CORRESPONDENCE

RECOMMENDATION

That the Board note the incoming and outgoing correspondence.

REPORT

A correspondence register has been established for all MNCJO correspondence, which can be found at **Attachment 18**. This register details all incoming and outgoing correspondence from 16 July 2018 to 23 November 2018.

23. MATTERS RAISED BY VOTING AND NON-VOTING REPRESENTATIVES

To Be Determined at the Meeting

24. CONFIDENTIAL REPORTS

NIL

MEETING CLOSE:



Mid North Coast Joint Organisation

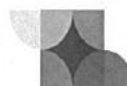
Board Meeting

Minutes

Date: 05 December 2018
Location: Kempsey Shire Council
Time: 9.30am

AGENDA

MNCJO BOARD MEETING
05/12/2018



PRESENT

Voting Members:

Mayor Liz Campbell, Kempsey Shire Council (Chair)
Mayor Peta Pinson, Port Macquarie-Hastings Council

Non-Voting Members:

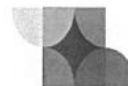
Liz Jeremy, General Manager, Bellingen Shire Council
Craig Milburn, General Manager, Kempsey Shire Council
Craig Swift-McNair General Manager, Port Macquarie-Hastings Council & Interim Executive Officer

Other Attendees:

NIL

The meeting opened 9.36am

AGENDA

MNCJO BOARD MEETING
05/12/2018**1. ACKNOWLEDGEMENT OF COUNTRY**

The Chair opened the meeting with an Acknowledgement of Country and welcomed members to the meeting of the Mid North Coast Joint Organisation (MNCJO).

2. APOLOGIES

Mayor Dominic King, Bellingen Shire Council
Louise McMeeking, Director Northern DPC Regional

RESOLVED: Pinson / Campbell

That the apologies from Mayor Dominic King and Louise McMeeking be accepted.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

3. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED: Pinson / Campbell

That the Board confirm the Minutes of the MNCJO Board meeting held 05 October 2018.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

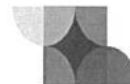
4. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no Declarations of Interest tabled.

5. SPEAKERS

There were no speakers to the meeting.

AGENDA

MNCJO BOARD MEETING
05/12/2018

6. MNCJO SUB-GROUPS

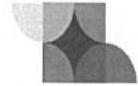
RESOLVED: Pinson / Campbell

That the Board:

- 1) Request that the General Managers Advisory Committee (GMAC) establish the following MNCJO Sub-Groups:
 - Governance (including internal audit)
 - Natural Resources Management
 - Work, Health & Safety
 - Human Resources
 - Integrated Planning & Reporting
 - Economic Development
- 2) Note that the member Councils of the MNCJO will continue their membership of the MIDWASTE Regional Waste Forum.
- 3) Request the interim Executive Officer formally invite (on behalf of the MNCJO Board), the following Councils to participate in the MNCJO Sub-Groups:
 - Nambucca Shire Council
 - Coffs Harbour City Council
 - MidCoast Council
- 4) Adopt the MNCJO Sub-Group Charter to be used to guide the work of the MNCJO Sub-Groups.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018**7. PACIFIC HIGHWAY HANDOVER***RESOLVED: Pinson / Campbell*

That the Board note the confidential business case provided by Bellingh Shire Council titled *Pacific Highway Handover Negatively Affecting Council's Financial Position – Case Study*.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

8. MNCJO COMMUNITY RESILIENCE PROJECT*RESOLVED: Pinson / Campbell*

That the Board:

- 1) Note the updated brief for the Community Resilience Project which now includes a business stream.
- 2) Note the information in relation to potential funding streams for a Community Resilience Project.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018

9. WHY LOCAL GOVERNMENT MATTERS

RESOLVED: Pinson / Campbell

That the Board:

- 1) Note the confidential proposal from the University of Technology Sydney (UTS) relating to a Mid North Coast Joint Organisation (MNCJO) specific 'Why Local Government Matters' (WLGM) report.
- 2) Endorse the WLGM proposal for referral to member Councils for consideration.
- 3) Request the interim Executive Officer write to the Director Northern, Department of Premier & Cabinet (DPC) Regional on behalf of the Board, requesting financial support for the proposed WLGM report from the DPC, as it will benefit the success of the MNCJO.
- 4) Request the interim Executive Officer table a report at a future MNCJO Board meeting detailing interest from member Councils in participating in and part funding the 'Why Local Government Matters' report.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

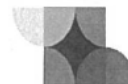
10. SITTING FEES FOR MAYORS OF JOINT ORGANISATIONS.

RESOLVED: Pinson / Campbell

That the Board note the information provided relating to the payment of sitting fees for Mayors of Joint Organisations.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018**11. EXECUTIVE OFFICER POSITION DESCRIPTION & RECRUITMENT PROCESS***RESOLVED: Pinson / Campbell*

That the Board:

- 1) Approve the recruitment of a permanent part time Executive Officer up to 80 hours a month.
- 2) Approve the use of the Office of Local Government (OLG) Executive Officer Position Description for use in the recruitment process.
- 3) Approve a Total Remuneration Package (TRP) of \$90,000 be offered for the permanent part time Executive Officer (inclusive of 9.5% Superannuation).
- 4) Approve the recruitment process for the permanent part time Executive Officer to commence in early February 2019, with a view to appointing the Executive Officer from around May 2019, subject to a successful recruitment process.
- 5) Approve recruitment for the permanent part time Executive Officer to be undertaken by Port Macquarie-Hastings Council on behalf of the MNCJO Board.
- 6) Approve the interview panel for the appointment of the permanent part time Executive Officer to include the three Mayors of the MNCJO Board and the interim Executive Officer.

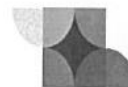
CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

12. RENEWABLE ENERGY UPDATE*RESOLVED: Pinson / Campbell*

That the Board note the information provided relating to the Northern NSW Renewable Energy Initiative.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018**13. MID NORTH COAST JOINT ORGANISATION WEB SITE***RESOLVED: Pinson / Campbell*

That the Board:

- 1) Request the interim Executive Officer proceed to establish an MNCJO web site as detailed in this report.
- 2) Allocate funding of up to \$3,000 for the development of the MNCJO web site.
- 3) Note that the ongoing costs to host the MNCJO web site will be up to approximately \$100 per annum.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

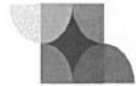
14. DRAFT STATEMENT OF REVENUE POLICY*RESOLVED:*

That the Board:

- 1) Endorse the draft MNCJO Statement of Revenue Policy to be placed on public exhibition for a minimum of 28 days.
- 2) Note that due to the ensuing Christmas period, the draft MNCJO Statement of Revenue Policy be placed on public exhibition from 10 December 2018 to 25 January 2019.
- 3) Request the interim Executive Officer table a further report to the February 2019 MNCJO Board meeting, detailing the submissions received during the public exhibition period and present the draft Statement of Revenue Policy for consideration by the Board.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018

15. MNCJO FINANCIAL UPDATE

RESOLVED: Pinson / Campbell

That the Board note the information contained in the MNCJO Financial update report.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

16. KOALA RECOVERY STRATEGY

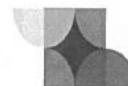
RESOLVED: Pinson / Campbell

That the Board:

- 1) Note that the in line with the resolution from the General Managers Advisory Committee (GMAC) meeting held on 16 November 2018, the interim Executive Officer has entered into the Koala Recovery Strategy funding agreement with the Office of Environment & Heritage on behalf of the MNCJO.
- 2) Note that Port Macquarie-Hastings Council will act as the host Council for purposes of the Koala Recovery Strategy.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018**17. STATEMENT OF STRATEGIC REGIONAL PRIORITIES***RESOLVED: Pinson / Campbell*

That the Board:

- 1) Endorse the Statement of Strategic Regional Priorities (SSRP) for the Mid North Coast Joint Organisation (MNCJO) for the purposes of consultation with member Councils.
- 2) Request the interim Executive Officer table a report to the February 2019 MNCJO Board meeting on feedback received from member Councils on the SSRP for further consideration by the MNCJO Board.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

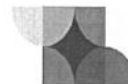
18. COST SHIFTING*RESOLVED: Pinson / Campbell*

That the Board:

- 1) Note the information in relation to cost shifting by other levels of government to local government.
- 2) Request the interim Executive Officer write to the President of Local Government New South Wales (LGNSW), on behalf of the MNCJO Board, requesting further actions and advocacy be undertaken with regard to the burden of cost shifting on local government in NSW.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018**19. QUARTERLY UPDATE REPORT – BIODIVERSITY REFORMS***RESOLVED: Pinson / Campbell*

That the Board note the information included in the Quarterly Update Report – Biodiversity Reforms.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

20. MINUTES OF GENERAL MANAGERS ADVISORY COMMITTEE (GMAC) 16 NOVEMBER 2018*RESOLVED: Pinson / Campbell*

That the Board note the minutes of the General Managers Advisory Committee meeting held on 16 November 2018.

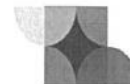
CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

21. MINUTES OF THE JO CHAIRS FORUM MEETING – 21 OCTOBER 2018*RESOLVED: Pinson / Campbell*

That the Board note the minutes of the Joint Organisation (JO) Chairs Forum meeting held in Albury on Sunday 21 October 2018.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

AGENDA

MNCJO BOARD MEETING
05/12/2018

22. CORRESPONDENCE

RESOLVED: Pinson / Campbell

That the Board note the incoming and outgoing correspondence.

CARRIED: 2/0
FOR: Pinson / Campbell
AGAINST: Nil

23. MATTERS RAISED BY VOTING AND NON-VOTING REPRESENTATIVES

- Chair Campbell raised the issue of inviting The Hon. Ben Franklin MLC, Parliamentary Secretary for Renewable Energy and Northern NSW to the 01 February 2019 MNCJO Board meeting to discuss how he and the MNCJO Board can work together.

Action – the interim Executive Officer will write to Parliamentary Secretary to invite him to the 01 February 2019 MNCJO Board meeting.

- Chair Campbell raised the issue of the MNCJO ensuring it keeps up political representations (as a JO) on a range of issues to State politicians.

Action – the interim Executive Officer will request the Parliamentary Secretary for Northern NSW assist in arranging a range of meetings in Macquarie Street for June / July, some three months following the March State election.

- Chair Campbell raised the issue of the MNCJO Bridges project and where discussions are up to with regard to the State funding this project.

Action – the interim Executive Officer will write to the Deputy Premier, Gary Barnes and Chris Hangar to follow up on this proposal.

24. CONFIDENTIAL REPORTS

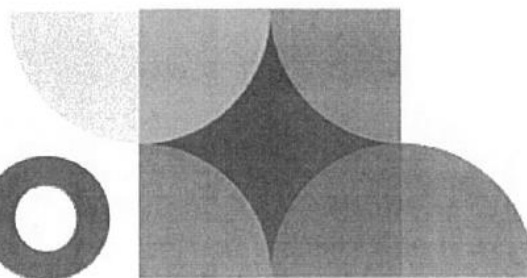
NIL

MEETING CLOSE:

10.28AM

Mid North Coast
Joint Organisation

mncjo



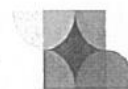
Mid North Coast Joint Organisation

Board Meeting

Business Papers

Date: 01 February 2019
Location: Bellingen Shire Council
Time: 10.30am

AGENDA

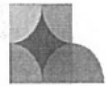
MNCJO BOARD MEETING
01/02/2019

AGENDA

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AGENDA

MNCJO BOARD MEETING
01/02/2019



1. ACKNOWLEDGEMENT OF COUNTRY

The MNCJO Board acknowledges that this meeting is being held on the traditional lands of the Gumbaynggirr people.

2. APOLOGIES

3. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION:

That the Board:

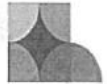
- 1) Confirm the minutes of the MNCJO Board meeting held on 05 December 2018.
- 2) Confirm the minutes of the MNCJO Extraordinary Board meeting held via teleconference on 24 January 2019.

REPORT

Please refer to **Attachment 1** for a copy of the 5 December 2018 and the 24 January 2019 MNCJO Board meeting minutes.

4. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

AGENDA

MNCJO BOARD MEETING
01/02/2019

DISCLOSURE OF INTEREST AT MEETINGS

Name of meeting _____

Meeting date _____

Item / Report Number _____

I _____ declare the following interest:

(name)

Pecuniary – must leave meeting, take no part in discussion and voting.**Non Pecuniary – Significant Conflict** – Recommended that Board Member leaves chamber, takes no part in discussion or voting.**Non-Pecuniary – Less Significant Conflict** – Board Member may choose to remain in Chamber and participate in discussion and voting.

*(Definitions are provided on the next page).

For the reason that -

Signed

Date

AGENDA

MNCJO BOARD MEETING
01/02/2019**DEFINITIONS**

(Local Government Act and Code of Conduct)

Pecuniary – An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Council or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. *(Section 451).*

Non-pecuniary – A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest, you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue if the provision in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

5. SPEAKERS

AGENDA

MNCJO BOARD MEETING
01/02/2019

6. ONGOING FUNDING FOR JOINT ORGANISATIONS

RECOMMENDATION:

That the Board note the information provided in relation to the combined Joint Organisations funding proposal to the NSW government.

REPORT

As previously emailed to the MNCJO Board on 17 December 2018, the Joint Organisation Executive Officers developed a funding proposal (see **Attachment 2**) to be presented to the State government in relation to ongoing operational funding for the JO's. Each participating JO has sent the proposal to the Deputy Premier and to each of their local State members, in an effort to get some traction with the government on the issue of the future financial sustainability of the JO's. The JO Executive Officers intend to follow up this proposal in early 2019.

The MNCJO letter went to the Deputy Premier on 20 December 2018, followed by letters to Leslie Williams, Member for Port Macquarie and Melinda Pavey, Member for Oxley.

7. PACIFIC HIGHWAY HANDOVER UPDATE

RECOMMENDATION:

That the Board note the verbal update provided by the General Manager, Bellingen Shire Council on recent and ongoing discussions with The Hon. Melinda Pavey MP Minister for Roads, Maritime & Freight and Member for Oxley and the Roads & Maritime Services (RMS).

REPORT

The General Manager of Bellingen Shire Council will provide a verbal update on recent and ongoing discussions with the Minister for Roads, Maritime & Freight and the RMS in relation to the handover of the old Pacific Highway.

AGENDA

MNCJO BOARD MEETING
01/02/2019

8. WHY LOCAL GOVERNMENT MATTERS

RECOMMENDATION:

That the Board note the update provided on the 'Why Local Government Matters' report.

REPORT

At the 5 December 2018 MNCJO Board meeting, the following was resolved by the Board:

9. WHY LOCAL GOVERNMENT MATTERS

RESOLVED: Pinson / Campbell

That the Board:

- 1) Note the confidential proposal from the University of Technology Sydney (UTS) relating to a Mid North Coast Joint Organisation (MNCJO) specific 'Why Local Government Matters' (WLGM) report.*
- 2) Endorse the WLGM proposal for referral to member Councils for consideration.*
- 3) Request the interim Executive Officer write to the Director Northern, Department of Premier & Cabinet (DPC) Regional on behalf of the Board, requesting financial support for the proposed WLGM report from the DPC, as it will benefit the success of the MNCJO.*
- 4) Request the interim Executive Officer table a report at a future MNCJO Board meeting detailing interest from member Councils in participating in and part funding the 'Why Local Government Matters' report.*

CARRIED: 2/0

FOR: Pinson / Campbell

AGAINST: Nil

Following on from the above-mentioned Board resolution and in particular relating to resolution 4 above, a report regarding part funding the WLGM research was tabled at the Port Macquarie-Hastings Council (PMHC) meeting on 12 December 2018 requesting that Council contribute \$14,000 to WLGM. PMHC supported the funding proposal put forward, noting that Kempsey Shire Council and Bellingen Shire Council had previously agreed to this funding. This means that as per the report to the 5 December 2018 MNCJO Board meeting, the MNCJO member Councils will contribute 50% of the funding for the WLGM research, with the MNCJO funding the other half.

As a result of the above, a research agreement has been entered into with the University of Technology Sydney and a purchase order has been raised (via PMHC) for the project and initial discussions have now been had with the UTS and the member Councils General Managers.

AGENDA

MNCJO BOARD MEETING
01/02/2019

9. NEW CODE OF MEETING PRACTICE

RECOMMENDATION:

That the Board note the information provided in relation to the new Model Code of Meeting Practice and its applicability to the MNCJO.

REPORT

On 18 December 2018, the Office of Local Government (OLG) released Circular No. 18-45, detailing the commencement of the new Model Code of Meeting Practice (CoMP) for Local Councils in NSW, please refer to **Attachment 3**.

As detailed in the above-mentioned circular, amendments made to the Local Government Act 1993 (LGA) in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016 (the Phase 1 amendments) provide for a model CoMP to be prescribed by the Regulation.

Following an extensive consultation process, a model CoMP has been prescribed under the Local Government (General) Regulation 2005 (the Regulation) and the existing meetings provisions of the Regulation have been repealed.

The model CoMP has two elements as follows:

- It contains mandatory provisions that reflect the existing meetings provisions of the Act and update and enhance the meetings provisions previously prescribed under the Regulation to reflect contemporary meetings practice by councils.
- It contains non-mandatory provisions that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as being best practice for the relevant area of practice.

Importantly for the MNCJO, the model CoMP also applies to meetings of the boards of Joint Organisations and County Councils.

In light of the above, it is anticipated that a report detailing a revised MNCJO CoMP will be tabled at the 5 April 2019 MNCJO Board meeting for consideration, noting that unlike Councils, Joint Organisations do not have to publicly exhibit their revised CoMP. As detailed in the above-mentioned circular, a revised CoMP must be adopted by the MNCJO Board by 14 June 2019.

AGENDA

MNCJO BOARD MEETING
01/02/2019

10. EXECUTIVE OFFICER RECRUITMENT PROCESS UPDATE

RECOMMENDATION:

That the Board note the information provided in relation to the recruitment of the MNCJO Executive Officer.

REPORT

As previously resolved by the MNCJO Board, recruitment for the permanent part time Executive Officer (EO) will take place in early February 2019. Please find below some indicative timelines and other related information:

- Advertise 30 Jan -17 Feb
- Shortlist 18 - 22 Feb
- Interview first two weeks in March 2019 subject to interview panel availability

Actions

- Craig Swift-McNair (Interim Executive Officer) and Jessica Lawton (PMHC Acting Group Manager Organisational Performance) will be the key contacts for this recruitment.
- Interviews will be held at Kempsey Shire Council at a date to be determined, with the panel including all three Mayors of the MNCJO as well as the interim EO.
- Please find attached (**Attachment 4**) a copy of the final advert for this role.
- Applicants will be asked to respond to the essential role requirements as detailed in the Position Description (PD) plus the Focus Capabilities, as previously approved by the MNCJO Board.
- PMHC will be using their online recruitment system called Scout to receive applications. The interim EO will have access to this and to applications as they come in. Short listing is then also done in Scout.
- Pre-employment testing will also be done through a personality profile called a McQuaig as well as a mental agility test.
- Interview questions are to be drafted in the coming weeks and will be circulated to the GMAC and Board for comments in the coming weeks.

AGENDA

MNCJO BOARD MEETING
01/02/2019**11. APPLICATION FOR ASSOCIATE MEMBERSHIP OF THE MID NORTH COAST
JOINT ORGANISATION BY DESTINATION NORTH COAST****RECOMMENDATION:**

That the Board give consideration to inviting Destination North Coast to become an Associate Member of the Mid North Coast Joint Organisation.

REPORT

A request has been received from the Chair and the General Manager of Destination North Coast seeking associate membership of the MNCJO. Please see **Attachment 5**.

The MNCJO Charter is silent on how proposed associate members are considered and appointed to the Board, however in guidance material provided by the Office of Local Government (OLG) it states that from time to time a joint organisation may wish to invite a new non-voting member to join the Board.

In line with this, the recommendation included in this report is for the MNCJO to give consideration to inviting Destination North Coast to become an associate member of the MNCJO.

12. MID NORTH COAST JOINT ORGANISATION WEB SITE UPDATE**RECOMMENDATION:**

That the Board note progress on the development of the MNCJO web site.

REPORT

Following a resolution at the MNCJO Board meeting held on 5 December 2018, Port Macquarie-Hastings Council is now investigating final options for development of the MNCJO web site in line with the budget allocated to this project.

A verbal update on this project will be provided at this Board meeting by the Interim Executive Officer.

AGENDA

MNCJO BOARD MEETING
01/02/2019

13. MNCJO STATEMENT OF REVENUE POLICY – POST EXHIBITION REPORT

RECOMMENDATION:

That the Board adopt the 2018-2019 MNCJO Statement of Revenue Policy.

REPORT

Following a resolution at the MNCJO Board meeting held on 5 December 2018, the draft MNCJO Statement of Revenue Policy was placed on public exhibition from Monday 10 December 2018 to Friday 25 January 2019. At the time of writing this report, no submissions have been received. In light of there being no public submissions received, the recommendation is for the Board to adopt the MNCJO Statement of Revenue Policy as exhibited.

A copy of the Statement of Revenue Policy can be found at **Attachment 6**.

14. MNCJO FINANCIAL UPDATE

RECOMMENDATION:

That the Board note the information contained in the MNCJO Financial update report to end December 2018.

REPORT

It is a requirement of all Joint Organisations to receive a financial summary relating to expenditure of MNCJO funds each quarter, however such a summary will be presented to each MNCJO Board meeting. This report relates to the period 28 November to 31 December 2018 and year to date. Please refer to the financial update included at **Attachment 7**.

AGENDA

MNCJO BOARD MEETING
01/02/2019

15. STATEMENT OF STRATEGIC REGIONAL PRIORITIES

RECOMMENDATION:

That the Board:

- 1) Adopt the MNCJO Statement of Strategic Regional Priorities
- 2) Request the Interim Executive Officer to submit the MNCJO Statement of Strategic Regional Priorities to the NSW Premier, NSW Deputy Premier, the NSW Minister for Local Government, the NSW Department of Premier and Cabinet and the NSW Office of Local Government.

REPORT

Following a resolution at the MNCJO Board meeting held on 5 December 2018, the draft Statement of Strategic Regional Priorities (SSRP) was provided to member Councils for the purposes of consultation with their Council, with a view to the Board considering the SSRP for adoption at this Board meeting. At the time of writing this report, no feedback has been received from member Councils on the SSRP, therefore the recommendation is for the Board to adopt the SSRP.

A copy of the SSRP can be found at **Attachment 8**.

16. PRIVATE NATIVE FORESTRY

RECOMMENDATION:

That the Board:

- 1) Note the Terms of Reference for the review of Private Native Forestry.
- 2) Give consideration to making a joint submission with the Northern Rivers Joint Organisation to the review of Private Native Forestry.

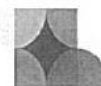
REPORT

As detailed in **Attachment 9**, the NSW Government is reforming the native forestry regulatory frameworks, including private native forestry (PNF), to modernise the regulation and ensure the long-term ecological sustainability of native forestry in NSW.

The NSW Government commenced a review of PNF in November 2018. Local Land Services will lead the PNF Review in collaboration with the Environment Protection Authority and the Department of Primary Industries. The first step in the consultation process is to seek public submissions on this Term of Reference. The Terms of Reference can be found at Attachment 9.

The Board is asked to give consideration to making a joint submission to the review of PNF with the Northern Rivers Joint Organisation (NRJO), assuming the NRJO Board resolves in a similar manner.

AGENDA

MNCJO BOARD MEETING
01/02/2019

17. RFS & SES FUNDING ARRANGEMENTS

RECOMMENDATION:

That the Board:

- 1) Note the information in relation to control of Rural Fire Service (RFS) and State Emergency Services (SES) assets and local government funding of the RFS and SES.
- 2) Request the Interim Executive Officer write to The Hon. Troy Grant MP, Minister for Police and Emergency Services, requesting an update on this issue, following on from the Minister's letter to Local Government NSW in May 2018.

REPORT

The issue of local government's involvement in funding the Rural Fire Service (RFS) and State Emergency Service (SES) and who controls the assets of the RFS and SES is an issue that has been around for many years.

This issue was addressed on several occasions when all MNCJO member Councils were members of the Mid North Coast Regional Organisation of Councils (MIDROC) and it has been raised at several Local Government NSW (LGNSW) annual conferences and through numerous other letters and submissions from many Councils across NSW.

In a letter to the NSW Minister for Police and Emergency Services, The Hon. Troy Grant MP in March 2018, LGNSW requested a response to a motion that was tabled at the 2017 LGNSW annual conference relating to the management of RFS & SES assets. The response from Minister Grant states that officers from the Office of Local Government, NSW Treasury and the agencies should continue to discuss this issue with a view to addressing concerns raised and resolving those concerns. The letter did state that as this is a complex matter with many impacts and disparate views among stakeholders, it may be a while before a resolution is received. A copy of the letter from Minister Grant to LGNSW can be found at **Attachment 10**.

At the time of writing this report, there have been no further developments around this issue to the knowledge of the member Councils, with Kempsey Shire Council raising the issue for discussion with the MNCJO. The General Manager of Kempsey Shire Council will speak to this issue at this MNCJO Board meeting.

AGENDA

MNCJO BOARD MEETING
01/02/2019**18. LOCAL GOVERNMENT PROCUREMENT DRAFT MEMORANDUM OF UNDERSTANDING****RECOMMENDATION:**

That the Board note the information provided in relation to the Local Government Procurement draft Memorandum of Understanding.

REPORT

The MNCJO received an email in late November 2018 from the Chief Executive Officer of Local Government Procurement (LGP), detailing information around the LGP rebate scheme and a draft Memorandum of Understanding (MOU) for the operation of the LGP rebate scheme for 2018-2019.

The LGP intend to undertake some stakeholder engagement on the draft MOU prior to finalising an MOU for 2018-2019. This engagement will take place in late January, early February 2019. Once LGP receive feedback, a final MOU will be prepared for consultation with Councils and it is at this point that a further report will be tabled at a future MNCJO Board meeting.

Please refer to **Attachment 11** for a copy of the email from LGP and the draft MOU.

19. BIODIVERSITY REFORMS QUARTERLY UPDATE**RECOMMENDATION:**

That the Board note the information included in the quarterly Biodiversity reforms update.

REPORT

Please refer to **Attachment 12**, which is the quarterly update on the Biodiversity reforms to the Board.

AGENDA

MNCJO BOARD MEETING
01/02/2019



20. MINUTES OF GENERAL MANAGERS ADVISORY COMMITTEE (GMAC) 18
JANUARY 2019

RECOMMENDATION:

That the Board note the minutes of the General Managers Advisory Committee meeting held on 18 January 2019.

REPORT

The MNCJO General Managers Advisory Committee meeting was held on 18 January 2019. The minutes of this meeting can be found at **Attachment 13**.

21. MINUTES OF THE JOINT ORGANISATION EXECUTIVE OFFICERS MEETING –
26 NOVEMBER 2018

RECOMMENDATION:

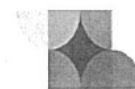
That the Board note the minutes of the Joint Organisation (JO) Executive Officers meeting held in Sydney on 26 November 2018.

REPORT

A JO Executive Officers meeting was held in Sydney on Monday 26 November 2018 with the majority of JO's represented, along with Chris Hangar from the Department of Premier & Cabinet and representatives from the Office of Local Government. The minutes of this meeting can be found at **Attachment 14**.

AGENDA

MNCJO BOARD MEETING
01/02/2019



22. CORRESPONDENCE

RECOMMENDATION:

That the Board note the incoming and outgoing correspondence.

REPORT

A correspondence register has been established for all MNCJO correspondence, which can be found at **Attachment 15**. This register details all incoming and outgoing correspondence from 28 November 2018 to 22 January 2019.

23. MATTERS RAISED BY VOTING AND NON-VOTING REPRESENTATIVES

To Be Determined at the Meeting

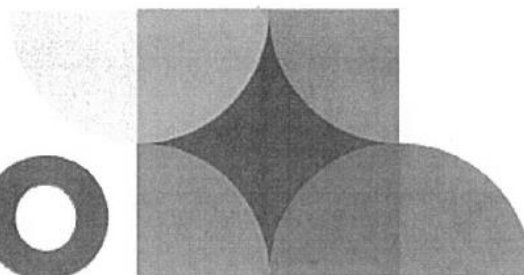
24. CONFIDENTIAL REPORTS

NIL

MEETING CLOSE:

Mid North Coast
Joint Organisation

mncjo



Mid North Coast Joint Organisation

Board Meeting

Minutes

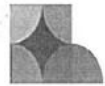
Date: 01 February 2019

Location: Bellingen Shire Council

Time: 10.30am

MINUTES

MNCJO BOARD MEETING
01/02/2019



PRESENT

Voting Members:

Mayor Liz Campbell, Kempsey Shire Council (Chair)
Mayor Dominic King, Bellingen Shire Council (Deputy Chair)

Non-Voting Members:

Louise McMeeking, Director Northern DPC Regional
Liz Jeremy, General Manager, Bellingen Shire Council
Craig Milburn, General Manager, Kempsey Shire Council
Craig Swift-McNair, General Manager, Port Macquarie-Hastings Council & Interim Executive Officer

Other Attendees:

Sonja George – Local Government Manager - Roads and Maritime Services

The meeting opened 10:30am

MINUTES

MNCJO BOARD MEETING
01/02/2019**1. ACKNOWLEDGEMENT OF COUNTRY**

The Chair invited the Mayor of Bellingen, Dominic King to give the Acknowledgement to Country.

2. APOLOGIES

Mayor Peta Pinson, Port Macquarie-Hastings Council

3. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED: King/Campbell

That the minutes be held for confirmation to next Board meeting on the 5 April 2019 in the absence of Mayor Peta Pinson.

CARRIED: King/Campbell

FOR: 2/0

AGAINST: Nil

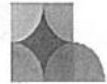
4. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no Declarations of Interest tabled.

5. SPEAKERS

Sonja George – Local Government Manager – Roads and Maritime addressed the MNCJO regarding changes at RMS.

MINUTES

MNCJO BOARD MEETING
01/02/2019**Dealing with Items by Exception:**

At this point in the meeting, the Chairperson put forward a motion as follows:

That in relation to the agenda items included in this agenda, the Board deal with items by exception via a single resolution.

Following discussion with the Board, the following was resolved:

RESOLVED: King/Campbell

That the board resolve to adopt the following multiple items of business by way of this single resolution, being items 6, 8, 9, 12, 13, 14, 15, 17, 18, 19, 20, 21 and 22, and that these items be adopted as per the recommendations included in this agenda.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

6. ONGOING FUNDING FOR JOINT ORGANISATIONS

RESOLVED: King/Campbell

That the Board note the information provided in relation to the combined Joint Organisations funding proposal to the NSW government.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
01/02/2019**7. PACIFIC HIGHWAY HANDOVER UPDATE***RESOLVED: King/Campbell*

That the Board:

1. Note that a meeting was held on Friday 1 February 2019 with The Hon. Melinda Pavey MP Minister for Roads, Maritime & Freight and Member for Oxley, the Roads & Maritime Services (RMS) and the Councils of Bellingen Shire, Nambucca Shire, Kempsey Shire and Port Macquarie-Hastings.
2. Note that agreement was reached at the meeting mentioned in resolution No.1 above that Roads and Maritime would address previous correspondence and the matters raised in the above-mentioned meeting within two weeks.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

Please note that the minutes from the above-mentioned meeting with Minister Melinda Pavey regarding the Pacific Highway are included as an attachment to these minutes.

8. WHY LOCAL GOVERNMENT MATTERS*RESOLVED: King/Campbell*

That the Board note the update provided on the 'Why Local Government Matters' report.

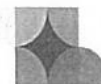
CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

9. NEW CODE OF MEETING PRACTICE*RESOLVED: King/Campbell*

That the Board note the information provided in relation to the new Model Code of Meeting Practice and its applicability to the MNCJO.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
01/02/2019

10. EXECUTIVE OFFICER RECRUITMENT PROCESS UPDATE

RESOLVED: King/Campbell

1. That the Board note the information provided in relation to the recruitment of the MNCJO Executive Officer.
2. In the absence of a Mayor on the interview panel, that a General Manager will fill the position.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

11. APPLICATION FOR ASSOCIATE MEMBERSHIP OF THE MID NORTH COAST
JOINT ORGANISATION BY DESTINATION NORTH COAST*RESOLVED: Campbell/King*

That the Board invite Destination North Coast to become an Affiliate Member of the Mid North Coast Joint Organisation.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

12. MID NORTH COAST JOINT ORGANISATION WEB SITE UPDATE

RESOLVED: King/Campbell

That the Board note progress on the development of the MNCJO web site.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
01/02/2019

13. MNCJO STATEMENT OF REVENUE POLICY – POST EXHIBITION REPORT

RESOLVED: King/Campbell

That the Board adopt the 2018-2019 MNCJO Statement of Revenue Policy.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

14. MNCJO FINANCIAL UPDATE

RESOLVED: King/Campbell

That the Board note the information contained in the MNCJO Financial update report to end December 2018.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

15. STATEMENT OF STRATEGIC REGIONAL PRIORITIES

RESOLVED: King/Campbell

That the Board:

- 1) Adopt the MNCJO Statement of Strategic Regional Priorities
- 2) Request the Interim Executive Officer to submit the MNCJO Statement of Strategic Regional Priorities to the NSW Premier, NSW Deputy Premier, the NSW Minister for Local Government, the NSW Department of Premier and Cabinet and the NSW Office of Local Government.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
01/02/2019

16. PRIVATE NATIVE FORESTRY

RESOLVED: Campbell/King

That the Board:

- 1) Note the Terms of Reference for the review of Private Native Forestry.
- 2) Mid North Coast Joint Organisation make a joint submission with the Northern Rivers Joint Organisation to the review of Private Native Forestry.

CARRIED: Campbell/King
FOR: 2/0
AGAINST: Nil

17. RFS & SES FUNDING ARRANGEMENTS

RESOLVED: King/Campbell

That the Board:

- 1) Note the information in relation to control of Rural Fire Service (RFS) and State Emergency Services (SES) assets and local government funding of the RFS and SES.
- 2) Request the Interim Executive Officer write to The Hon. Troy Grant MP, Minister for Police and Emergency Services, requesting an update on this issue, following on from the Minister's letter to Local Government NSW in May 2018.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

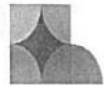
18. LOCAL GOVERNMENT PROCUREMENT DRAFT MEMORANDUM OF UNDERSTANDING

RESOLVED: King/Campbell

That the Board note the information provided in relation to the Local Government Procurement draft Memorandum of Understanding.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
01/02/2019

19. BIODIVERSITY REFORMS QUARTERLY UPDATE

RESOLVED: King/Campbell

That the Board note the information included in the quarterly Biodiversity reforms update.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

20. MINUTES OF GENERAL MANAGERS ADVISORY COMMITTEE (GMAC) 18
JANUARY 2019*RESOLVED: King/Campbell*

That the Board note the minutes of the General Managers Advisory Committee meeting held on 18 January 2019.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

21. MINUTES OF THE JOINT ORGANISATION EXECUTIVE OFFICERS MEETING –
26 NOVEMBER 2018*RESOLVED: King/Campbell*

That the Board note the minutes of the Joint Organisation (JO) Executive Officers meeting held in Sydney on 26 November 2018.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
01/02/2019

22. CORRESPONDENCE

RECOMMENDATION: King/Campbell

That the Board note the incoming and outgoing correspondence.

CARRIED: King/Campbell
FOR: 2/0
AGAINST: Nil

23. MATTERS RAISED BY VOTING AND NON-VOTING REPRESENTATIVES

23.1 NSW Government Caretaker Mode

- Louise McMeeking advised that the NSW Government were entering into Caretaker mode as at 1/3/19.

23.2 Roads Funding

- Craig Swift-McNair suggested and it was agreed by the Board that the NRMA be invited to the MNCJO Board meeting on 5 April 2019 to discuss road funding.

23.3 Climate Council

- Mayor King raised a recent meeting Bellingen Shire Council had with the CEO of the Climate Council of Australia and that the CEO be invited to address the next MNCJO Board meeting on the 5 April 2019 to discuss their work and opportunities to work together.

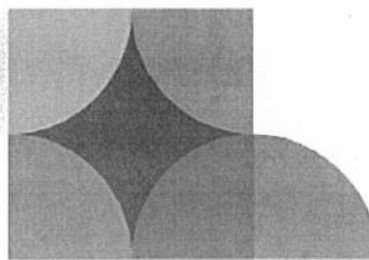
24. CONFIDENTIAL REPORTS

NIL

MEETING CLOSED: 11:25am

Mid North Coast
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Pacific Highway Meeting

1 February 2019 @ 9:00am, Bellingen Shire Council

Present:

- The Hon. Melinda Pavey MP (Minister for Roads, Maritime & Freight and Member for Oxley)
- Les Wells
- John Alexander (Roads & Maritime Services)
- Mayor Liz Campbell (Kempsey Shire Council)
- Craig Milburn (General Manager, Kempsey Shire Council)
- Mayor Dominic King (Bellingen Shire Council)
- Liz Jeremy (General Manager, Bellingen Shire Council)
- Matt Fanning (Deputy General Manager, Bellingen Shire Council)
- Mayor Rhonda Hoban (Nambucca Shire Council)
- Michael Coulter (General Manager, Nambucca Shire Council)
- Craig Swift-McNair (General Manager, Port Macquarie-Hastings Council)
- Alice Burnett

Apologies: Mayor Peta Pinson (Port Macquarie-Hastings Council)

Meeting commenced 9.05am

- Liz Jeremy welcomed everyone to the meeting and talked to the key points included in the Pacific Highway briefing note that was distributed to the Minister the day prior to the meeting. This included detailed information around the long term financial impacts on local Councils when handed over State assets such as the old Pacific Highway and the impacts on the long term financial sustainability and financial ratios of Councils.

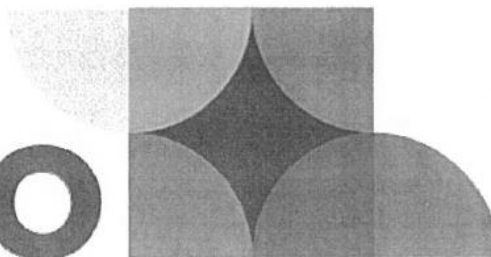
Nambucca Shire Council and Bellingen Shire Council have been working towards a solution on this with the Roads & Maritime Services (RMS), the Office of Local Government (OLG) and the Minister for over 2 years and are keen to finalise key financial aspects of the handover of the old Pacific Highway.

There have been delays in getting responses from the Chief Executive of the OLG on this matter as well as a lack of progress on this from the RMS senior management over this time.

Previously the Minister asked the Councils to present a solution to the RMS in an effort to move this issue forward and this was done in late 2018 (refer to the Pacific Highway briefing note for further details). It would appear that the solution proposed, whilst getting a good hearing from senior management of the RMS, has been buried, noting that the response letter to the Councils from the RMS stated that an RMS policy change would be required and

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that a further response to this would be forthcoming after Christmas, however that response has not been received at the time of this meeting.

- The Minister spoke to the fact that the NSW government has in recent years doubled the roads budget and has assisted in funding replacement of timber bridges across the mid north coast region, plus has agreed with Nambucca and Bellingen Shire Councils' that as part of the old Pacific Highway hand over, the RMS will continue to maintain some concrete and complex bridges in the Nambucca and Bellingen Shire areas.
- John Alexander noted that the RMS are still grappling with the depreciation issue and the IPART suggestions as included in the proposal received from the Councils. It was noted that the Coffs Harbour by-pass project had taken a lot of time and resources from the RMS in recent months. The RMS is conscious that any decisions made in relation to the mid north coast highway hand over, will have flow on effects across the rest of NSW, however the RMS are still willing to find a workable solution on this issue.
- Matt Fanning detailed for the meeting that from a Bellingen Shire Council perspective, the maintenance diary issues relating to the handover have largely been agreed, as well as acceptance of the RMS decision to categorise the old Pacific Highway as a Regional Road. What is outstanding however is the revaluation of the assets prior to handover to Council. The point being that the assets should be revalued in line with their intended new use i.e. not as a State highway; this will then see a reduction in the depreciation impact on Councils. As it stands, the handover of the old Pacific Highway to Bellingen will increase their annual depreciation by \$1.9 million.

Further to the above, the valuation of the 32klm of road that Nambucca Shire Council are to be handed over is approximately \$200 million and this is why there needs to be a revaluation of the assets prior to handover i.e. the new useful life of the old Pacific Highway will be extended substantially due to reduced volumes of traffic etc, which supports the revaluation / depreciation issue.

NSW Treasury guidelines state that assets must be revalued at hand over.

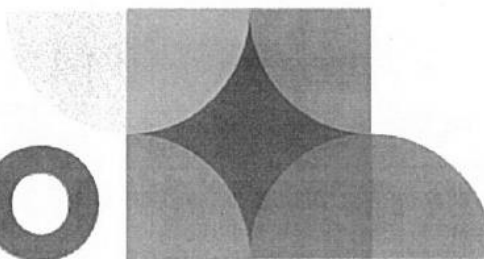
The Councils are looking for a decision maker within the RMS who can make a decision regarding the depreciation and revaluation issue.

Bellingen and Nambucca are now just waiting on final maintenance diary from the RMS and are happy to finalise this, but are looking for a commitment re the handover depreciation issues first.

- Les discussed that the depreciation issue will also have an impact at the NSW Treasury end and this would need to be fully understood prior to any decisions being made.

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- John Alexander committed to having the RMS look further into the NSW Treasury policy issue re the revaluation of the assets to understand what the RMS position is in relation to this.
- Liz Jeremy noted that Bellingen Shire Council are willing to move forward on the maintenance diary side of things and sign off on that whilst working on the depreciation / revaluation issues.

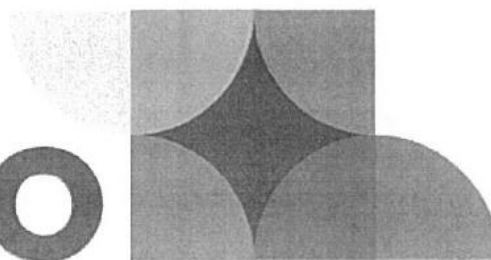
The point was also made that as the Nambucca Shire Council and Bellingen Shire Council operating performance ratios are going to be negatively impacted by the handover, that there needs to be some acknowledgement from the State when audit is done, as to what the reason for the negative impact is. Kempsey brought their handover to account last year at \$1.2 million depreciation, which is equivalent to asking the community for rate rise of around 10% to cover this. On this point, the impact on Bellingen Shire Council from the handover is equivalent to asking the community for a rate rise of approximately 33% and on Nambucca Shire Council, the impact is equivalent to a rate rise of approximately 43%.

This impost on the Councils could also see the participating Councils not having access to the low interest loans from NSW Treasury, due to negative operations performance ratios.

- Michael Coulter noted that the participating Councils surely deserve a letter from the OLG once audit is done for 18/19 noting the impact of the handover on the financials and the long term impact of this.
- Bellingen suggested that if the maintenance diaries were finalised the Councils could be issued with a road occupancy licence so that the Councils could commence works on the road while the revaluation and depreciation issue was addressed.
- Other issues discussed:
 - o Mayor King raised the issue of the use of plastics and glass waste in asphalt, noting that the RMS are not currently using waste in their road maintenance or construction. It was noted that Sutherland Shire Council are undertaking a trial of this at the moment and the Minister noted that such initiatives also depend on the type and use of road.
 - o The Minister asked about any local initiatives with regard to the silage waste i.e. the plastic from the silage. The Minister and Bellingen Shire Council have raised this previously with the Minister for the Environment. Liz Jeremy provided the Minister with a copy of the Bellingen communications on this issue.

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ACTIONS:

- The Minister committed to getting a response from senior management of the RMS on this issue within two weeks from this meeting date, with the letter detailing agreement to finalise the maintenance diary arrangements for Nambucca and Bellingen, whilst also committing the RMS to continuing to work to find a satisfactory solution to the depreciation issue and a timeframe around that.
- It was agreed that the Minister would request the OLG write to the relevant Councils confirming acceptance that the handover has and will impact on their operating performance ratios.
- It was agreed that Liz Jeremy would be the key contact for all communications from the Minister and the RMS around this issue.

Meeting closed 10.05am



Mid North Coast Joint Organisation

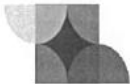
Extraordinary Board Meeting

Business Papers

Date: 24 January 2019
Location: via Teleconference
Time: 2.30pm

AGENDA

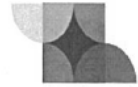
MNCJO BOARD MEETING
24/01/2019



AGENDA

- 1. APOLOGIES 3
- 2. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST 3
- 3. CHANGE OF COMMENCEMENT TIME FOR THE 1 FEBRUARY 2019 MID NORTH COAST JOINT ORGANISATION BOARD MEETING 5

AGENDA

MNCJO BOARD MEETING
24/01/2019

1. APOLOGIES

2. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

DISCLOSURE OF INTEREST AT MEETINGS

Name of meeting _____

Meeting date _____

Item / Report Number _____

I _____ declare the following interest:

(name)

Pecuniary – must leave meeting, take no part in discussion and voting.**Non Pecuniary – Significant Conflict** – Recommended that Board Member leaves chamber, takes no part in discussion or voting.**Non-Pecuniary – Less Significant Conflict** – Board Member may choose to remain in Chamber and participate in discussion and voting.

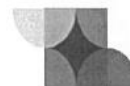
*(Definitions are provided on the next page).

For the reason that -

Signed

Date

AGENDA

MNCJO BOARD MEETING
24/01/2019**DEFINITIONS**

(Local Government Act and Code of Conduct)

Pecuniary – An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

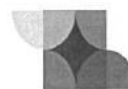
The Council or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. *(Section 451)*.

Non-pecuniary – A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest, you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue if the provision in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

AGENDA

MNCJO BOARD MEETING
24/01/2019**3. CHANGE OF COMMENCEMENT TIME FOR THE 1 FEBRUARY 2019 MID NORTH COAST JOINT ORGANISATION BOARD MEETING****RECOMMENDATION:**

That the Board resolve to change the start time of the 1 February 2019 Mid North Coast Joint Organisation (MNCJO) Board meeting from 9:30am to 10:30am, due to an earlier meeting take place on that date with member Councils of the MNCJO.

REPORT

The adopted Code of Meeting Practice of the Mid North Coast Joint Organisation (MNCJO) provides under Clause 1, that the MNCJO can change the time or date of any particular meetings by resolution at a preceding meeting, without prior notice being given.

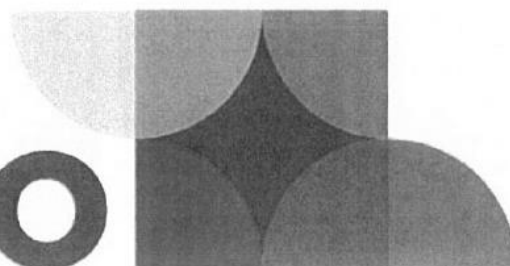
Further to this, Clause 1 also states that the MNCJO Board may transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if the representative who is speaking can be heard by all other representatives.

This extraordinary MNCJO Board meeting (via teleconference) has been called in order for the Board to give formal consideration to changing the start time of the MNCJO Board meeting scheduled for Friday 1 February 2019 at Bellingen Shire Council from 9:30am to 10:30am.

The reason for this proposed change in meeting time is to accommodate a meeting being held earlier that morning between member Councils of the MNCJO and others with the Minister for Roads, Maritime & Freight & Member for Oxley, The Hon. Melinda Pavey MP.

Mid North Coast
Joint Organisation

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**Mid North Coast Joint Organisation
Extraordinary Board Meeting - Minutes**

Date: 24 January 2019
Location: via Teleconference
Time: 2.30pm

PRESENT

Voting Members:

Mayor Liz Campbell, Kempsey Shire Council (Chair)
Mayor Dominic King, Bellingen Shire Council (Deputy Chair)
Mayor Peta Pinson, Port Macquarie-Hastings Council

Non-Voting Members:

Craig Swift-McNair (Interim Executive Officer)

The meeting opened at 2.30pm

1. APOLOGIES

NIL

2. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no Declarations of Interest tabled.

**3. CHANGE OF COMMENCEMENT TIME FOR THE 1 FEBRUARY 2019 MID
NORTH COAST JOINT ORGANISATION BOARD MEETING**

RESOLVED: Pinson / King

That the Board resolve to change the start time of the 1 February 2019 Mid North Coast Joint Organisation (MNCJO) Board meeting from 9:30am to 10:30am, due to an earlier meeting take place on that date with member Councils of the MNCJO.

CARRIED: 3/0

FOR: Campbell / Pinson / King

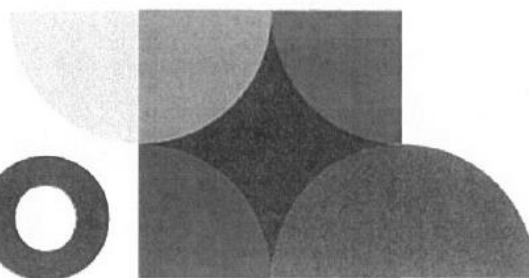
AGAINST: Nil

The meeting closed at 2.33pm

Page 1

Mid North Coast
Joint Organisation

mncjo



Mid North Coast Joint Organisation

Board Meeting

Business Papers

Date: 5 April 2019

Location: Port Macquarie-Hastings Council – Function Room

Time: 9.30am

AGENDA

MNCJO BOARD MEETING
5/04/2019

AGENDA

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AGENDA

MNCJO BOARD MEETING
5/04/2019



1. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge that this meeting is being held on the traditional lands of the Birpai.

2. APOLOGIES

NIL

Please note that MNCJO Chair Liz Campbell will be in attendance at the meeting via Telephone.

In the physical absence of Chair Liz Campbell, MNCJO Deputy Chair Dominic King will Chair this 5 April 2019 MNCJO Board meeting.

AGENDA

MNCJO BOARD MEETING
5/04/2019

3. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

DISCLOSURE OF INTEREST AT MEETINGS

Name of meeting _____

Meeting date _____

Item / Report Number _____

I _____ declare the following interest:

(name)

Pecuniary – must leave meeting, take no part in discussion and voting.**Non Pecuniary – Significant Conflict** – Recommended that Board Member leaves chamber, takes no part in discussion or voting.**Non-Pecuniary – Less Significant Conflict** – Board Member may choose to remain in Chamber and participate in discussion and voting.

*(Definitions are provided on the next page).

For the reason that -

Signed

Date

AGENDA

MNCJO BOARD MEETING
5/04/2019

DEFINITIONS

(Local Government Act and Code of Conduct)

Pecuniary – An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Council or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. *(Section 451)*.

Non-pecuniary – A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest, you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue if the provision in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

AGENDA

MNCJO BOARD MEETING
5/04/2019



4. SPEAKERS

RECOMMENDATION:

That the following requests to address the Board be acceded to:

- Presentation / Discussion on the current planning framework and the Local Strategic Planning Statements by the NSW Chief Planner, Mr Gary White and Mr Alex Smith, Commissioner Coastal Regions, Department of Planning & Environment.
- Presentation / Discussion on Crown Land Reforms by Mr Silas Sutherland, Acting Area Manager North Coast. NSW Department Industry – Lands
- Presentation / Discussion on the MNCJO Koala Recovery Strategy by the newly appointed MNCJO Ecologist, Rebecca Montague Drake.

5. CONFIRMATION OF PREVIOUS MINUTES

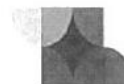
RECOMMENDATION:

That the Minutes of the MNCJO Board meeting of 1 February 2019 be confirmed.

REPORT

Please refer to Attachment 1.

AGENDA

MNCJO BOARD MEETING
5/04/2019

6. NEW MODEL CODE OF MEETING PRACTICE FOR THE MNCJO

RECOMMENDATION:

That the Board:

- 1) Give consideration to the mandatory provisions of the new Model Code of Meeting Practice as it applies to the MNCJO.
- 2) Request the Interim Executive Officer to include the new Model Code of Meeting Practice for final determination at the next MNCJO Board meeting scheduled for 7 June 2019.

REPORT

As previously reported to the MNCJO Board at the 1 February Board meeting, on 18 December 2018, the Office of Local Government (OLG) released Circular No. 18-45, detailing the commencement of the new Model Code of Meeting Practice (CoMP) for Local Councils in NSW.

As detailed in the above-mentioned circular, amendments made to the Local Government Act 1993 (LGA) in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016 (the Phase 1 amendments) provide for a model CoMP to be prescribed by the Regulation.

Following an extensive consultation process, a model CoMP has been prescribed under the Local Government (General) Regulation 2005 (the Regulation) and the existing meetings provisions of the Regulation have been repealed.

The model CoMP has two elements as follows:

- It contains mandatory provisions that reflect the existing meetings provisions of the Act and update and enhance the meetings provisions previously prescribed under the Regulation to reflect contemporary meetings practice by councils.
- It contains non-mandatory provisions that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as being best practice for the relevant area of practice.

Importantly for the MNCJO, the model CoMP also applies to meetings of the boards of Joint Organisations and County Councils.

In light of the above, the Interim Executive Officer has conducted a review of the new CoMP and how it applies to the MNCJO. A marked up copy of the new MNCJO CoMP can be found at **Attachment 2**.

The marked up copy of the new MNCJO CoMP was discussed at the 14 March 2019 General Managers Advisory Committee (GMAC) meeting and it was resolved to table the draft CoMP at this MNCJO Board meeting for consideration by the Board.

AGENDA

MNCJO BOARD MEETING
5/04/2019

It should be noted that unlike Councils, Joint Organisations do not have to publicly exhibit their revised CoMP. As detailed in the above-mentioned circular, a revised CoMP must be adopted by the MNCJO Board by 14 June 2019, therefore as per the recommendation included in this report, the MNCJO Board will need to consider a final version of the CoMP at the 7 June 2019 MNCJO Board meeting.

7. MODEL CODE OF CONDUCT

RECOMMENDATION:

That the Board:

- 1) Adopt the Model Code of Conduct and related Procedures as published by the NSW Office of Local Government.
- 2) Request the General Managers Advisory Committee (GMAC) undertake an MNCJO Expression of Interest process as prescribed under the Procedures for the appointment of a panel of Conduct Reviewers for the MNCJO.

REPORT

On 18 December 2018, the Office of Local Government (OLG) released Circular No. 18-44, detailing the commencement of the new Model Code of Conduct for Local Councils (MCoC).

The new 2018 MCoC and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (Procedures) have now been prescribed under the Local Government (General) Regulation 2005. The new prescribed MCoC and Procedures are available on OLG's website.

Councils and JO's have six months from the date of prescription, (14 December 2018 – 14 June 2019) to adopt a Code of Conduct and procedures based on the prescribed MCoC and Procedures.

The above-mentioned Circular also states that Councils should review their existing panels of conduct reviewers and determine to appoint a new panel using the expression of interest process prescribed under the Procedures if they have not done so in the past four years. Councils may appoint shared panels with other councils including through a joint organisation or another regional body associated with the councils.

The MNCJO has not to date had a requirement to appoint a panel of Conduct Reviewers, however it is now considered appropriate that in light of the above-mentioned Circular, the MNCJO now seek expressions of interest for a panel of Conduct Reviewers across the member Councils of the MNCJO and possibly further abroad.

A copy of the new MCoC altered to be applicable to the MNCJO can be found at **Attachment 3**.

AGENDA

MNCJO BOARD MEETING
5/04/2019

8. PACIFIC HIGHWAY HANDOVER

RECOMMENDATION:

That the Board note the information provided by the General Manager, Bellingen Shire Council regarding any progress that has been made following the meeting with the Minister for Roads, Maritime & Freight on 1 February 2019 regarding the handover of the old Pacific Highway.

REPORT

The MNCJO Board met with the Minister for Roads, Maritime & Freight and Member for Oxley on Friday 1 February in Bellingen regarding the handover of the old Pacific Highway. Commitments were made at that meeting to respond to the MNCJO via the General Manager Bellingen Shire Council within two weeks of that meeting. To date there has been little communication back to the MNCJO on the issues raised at the above-mentioned meeting. The General Manager Bellingen Shire Council will provide an update on the current state of play at this meeting.

9. WHY LOCAL GOVERNMENT MATTERS

RECOMMENDATION:

That the Board note the information provided on the high level results to date of the Why Local Government Matters survey undertaken for the MNCJO by the University of Technology Sydney (UTS).

REPORT

As a result of previous resolutions of the MNCJO Board from 5 December 2018 and 1 February 2019, a research agreement was entered into between the University of Technology Sydney and the MNCJO in early February 2019, commissioning the UTS to undertake the Why Local Government Matters research. This research took place during February 2019, with the initial high level results being provided to member Councils towards the end of March.

A copy of the first-cut high level results will be tabled at this Board meeting for discussion.

AGENDA

MNCJO BOARD MEETING
5/04/2019

10. MID NORTH COAST JOINT ORGANISATION WEB SITE

RECOMMENDATION:

That the Board note progress on the development of the MNCJO web site.

REPORT

Development of the full MNCJO web site is continuing, with completion expected during April 2019. A snapshot of what the web site might look like can be found at **Attachment 4**, noting that this is only a mock up at this stage.

11. SIX MONTHLY PROJECT & EXPENDITURE REPORT

RECOMMENDATION:

That the Board note the report provided to the Office of Local Government on 28 February 2019 as the first six monthly project & expenditure report from the MNCJO.

REPORT

All NSW Joint Organisations (JO's) are required to complete a six monthly progress and expenditure report as part of the funding agreement from the Office of Local Government (OLG). The first report was due on 28 February 2019.

The OLG provided some templates for how these reports could look and the first six monthly report was sent and received by the OLG on Thursday 28 February 2019. In general terms, the report shows how we have expended MNCJO funds to date along with an update on where the MNCJO is up to in relation to various projects etc. A copy of the report can be found at **Attachment 5**.

AGENDA

MNCJO BOARD MEETING
5/04/2019

12. MNCJO BRIDGES RENEWAL PROJECT

That the Board:

- 1) Note that no funding has been forthcoming from the NSW government specifically for the MNCJO Timber Bridges Renewal Project.
- 2) Note that the Deputy Premier announced a regional roads funding package on 24 February 2019, which includes \$500 million under a Fixing Country Bridges program and a \$500 million for Fixing Local Roads, if the NSW Liberal / National Coalition are re-elected at the March 2019 State election.

REPORT

Following is an extract from an email received by member Councils from the Member for Oxley and Minister for Roads, Maritime & Freight, Melinda Pavey on 27 February 2019 regarding the recent NSW Nationals announcements regarding regional roads and bridges funding:

I am writing to inform you about the NSW Nationals commitment to increase funding for regional council roads by \$1 billion over the next five years and transfer more than 15,000 kilometres of Regional Roads back to the state.

This commitment was announced last Sunday by the Deputy Premier and I, which is an unprecedented commitment and will help clear council maintenance backlogs, ensure bridges maintain connections in local communities and ensure that the regional road network is not a burden on regional councils.

If re-elected the NSW Nationals will:

- *Establish a \$500 million Fixing Local Roads program to assist councils in repairing, maintaining and sealing local roads.*
- *Establish a \$500 million Fixing Country Bridges program to replace the worst timber bridges in regional and rural communities.*
- *Establish the pathway to transfer more than 15,000 kilometres of 'Regional Roads' back to the State.*
- *Set up an Independent Panel to liaise with stakeholders and advise the government on the reclassification pathway.*

The Independent Panel will commence in April 2019 and will include a chair and two members who will determine the process, cost and timeline to transfer these regional roads.

The Fixing Local Roads initiative will allow councils to apply for grants to repair, patch or seal priority local roads. This will complement the existing \$543 million Fixing Country Roads and Rail program.

Regional councils currently maintain over 1800 timber bridges across NSW, some of which are over 100 years old. Through the \$500 million Fixing Country Bridges program, councils will be asked to nominate bridges that are currently rated in poor condition to be included in the fund. This is in addition to the \$145 million Bridges for the Bush program.

This brings a total offering of \$1.54 billion to regional councils.

AGENDA

MNCJO BOARD MEETING
5/04/2019

This significant funding program will help clear council maintenance backlogs, ensure bridges maintain connections in local communities and ensure that the regional road network is not a burden on regional councils.

It would appear from the information above that there will be opportunities for the MNCJO and member Councils to take advantage of the Fixing Local Roads and Fixing Country Bridges programs if the Liberal / National Coalition are returned to government following the 23 March 2019 State election, noting that full details on how and when Councils and JO's can apply for these funds has yet to be detailed.

13. JOINT ORGANISATION CALENDAR OF COMPLIANCE AND REPORTING REQUIREMENTS**RECOMMENDATION:**

That the Board note the Joint Organisation Calendar of Compliance and Reporting Requirements as developed and distributed by the Office of Local Government in March 2019.

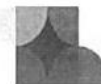
REPORT

On 14 March 2019, the Office of Local Government (OLG) released Circular 19-03 - 2018-19 and 2019-20 Joint Organisation Calendar of Compliance and Reporting Requirements. Key points included in the Circular are as follows:

- The Calendar includes key statutory and other reporting deadlines for Joint Organisations and takes into consideration the different proclamation dates for establishing Joint Organisations.
- The Far North West and Far South West Joint Organisations need to ensure they follow the separate dates for requirements due to their different establishment proclamation date.
- The online Joint Organisation Calendar of Compliance and Reporting, developed by the Office of Local Government (OLG), will be established to reflect the 2018-19 and 2019-20 Calendars.

A copy of the above-mentioned Circular and the Joint Organisation Calendar of Compliance and Reporting Requirements can be found at **Attachment 6**.

AGENDA

MNCJO BOARD MEETING
5/04/2019

14. JOINT MEETING BETWEEN THE MNCJO AND THE NORTHERN RIVERS JOINT ORGANISATION

RECOMMENDATION:

That the Board:

- 1) Give consideration to holding a joint meeting between the MNCJO and the Northern Rivers Joint Organisation, to discuss common issues such as waste, water and community resilience in an effort to understand if there are key priorities that
- 2) Request the Chair of the MNCJO to approach the Chair of the Northern Rivers Joint Organisation to gauge interest in a joint meeting taking place in the coming months.

REPORT

At the General Managers Advisory Committee (GMAC) meeting held on 14 March 2019, there was discussion around the possibility of holding a joint meeting between the MNCJO and the Northern Rivers Joint Organisation in consideration of the fact that there are some common key priorities between the two JO's, being waste, water and community resilience. This report requests the MNCJO Board give consideration to this request.

15. LOCAL STRATEGIC PLANNING STATEMENTS EDUCATION COURSE

RECOMMENDATION

That the Board note the information provided by the University of Technology Sydney (UTS), Institute of Public Policy & Governance in relation to Local Strategic Planning Statements training being offered to Joint Organisations and Councils.

REPORT

On 20 March 2019, the Interim Executive Officer received information from the University of Technology Sydney (UTS) informing us that they have partnered with the NSW Department of Planning & Environment (DPE) to deliver a series of short course on strategic planning and the development of the Local Strategic Planning Statements (LSPS) that NSW regional Councils must have completed by 30 June 2020.

The UTS is offering a range of courses for Councillors and staff on the development of the LSPS, with further information to be found in **Attachment 7**. The Interim Executive Officer has requested that training courses for the lower mid north coast be held in somewhere other than Grafton or Coffs Harbour i.e. Kempsey. At the time of writing this report, no response has been received in regard to this request, however this request is being considered.

AGENDA

MNCJO BOARD MEETING
5/04/2019



16. MINUTES OF THE GENERAL MANAGERS ADVISORY COMMITTEE (GMAC)
MEETING HELD ON 14 MARCH 2019

RECOMMENDATION:

That the Board note the minutes of the General Managers Advisory Committee meeting held on 14 March 2019.

REPORT

The MNCJO General Managers Advisory Committee meeting was held on 14 March 2019. The minutes of this meeting can be found at **Attachment 8**.

17. MINUTES OF NSW JOINT ORGANISATION CHAIRS & EXECUTIVE OFFICERS
MEETINGS.

RECOMMENDATION

That the Board note the minutes from the NSW JO Executive Officers meeting held in Sydney on Wednesday 13 February 2019.

REPORT

Please find the minutes for the above-mentioned meetings at **Attachment 9**.

AGENDA

MNCJO BOARD MEETING
5/04/2019**18. LOCAL GOVERNMENT PROCUREMENT CONTRACT SPEND ANALYSIS –
FEBRUARY 2019****RECOMMENDATION**

That the Board note the information provided by Local Government Procurement in relation to the February 2019 Contract Spend Dashboard.

REPORT

Local Government Procurement (LGP) has provided the MNCJO with the February 2019 report on contract spend amongst the MNCJO member Councils. The relevant information can be found at **Attachment 10**.

19. FINANCIAL AUDIT ARRANGEMENTS FOR THE MNCJO**RECOMMENDATION**

That the Board note the information provided by the NSW Audit Office in relation to the financial audit of the audit arrangements for the MNCJO.

REPORT

The Interim Executive Officer received an email from the NSW Audit Office on 29 January 2019 regarding their need to gather relevant information in order for them to be able to assess the extent of the work required for an audit of the MNCJO.

A copy of the email and the response to the NSW Audit Office can be found at **Attachment 11**.

20. CORRESPONDENCE**RECOMMENDATION**

That the Board note the incoming and outgoing correspondence included on the correspondence register.

REPORT

A copy of correspondence register can be found at **Attachment 12**.

AGENDA

MNCJO BOARD MEETING
5/04/2019



21. GENERAL BUSINESS

CONFIDENTIAL MATTERS:

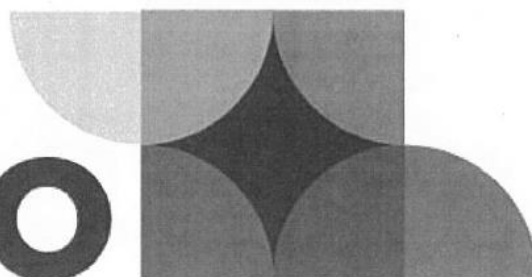
22. APPOINTMENT OF AN MNCJO EXECUTIVE OFFICER

A confidential report will be provided to the Board under separate cover that deals with the appointment of a part time Executive Officer for the MNCJO.

Meeting close:

Mid North Coast
Joint Organisation

mncjo



Mid North Coast Joint Organisation

Board Meeting

Minutes

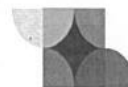
Date: 5 April 2019

Location: Port Macquarie-Hastings Council – Function Room

Time: 9.30am

MINUTES

MNCJO BOARD MEETING
5/04/2019



PRESENT

Voting Members:

Nil

Non-Voting Members:

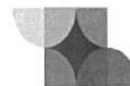
Craig Swift-McNair: Interim Executive Officer (MNCJO) and General Manager, Port Macquarie-Hastings Council

Other Attendees:

Allanah OGorman: Executive Assistant to the General Manager, Port Macquarie-Hastings Council

The meeting opened 9:30am

MINUTES

MNCJO BOARD MEETING
5/04/2019**1. ACKNOWLEDGEMENT OF COUNTRY**

In the absence of the Chair and Deputy Chair or other voting members of the MNCJO, the Executive Officer opened the meeting with an Acknowledgement of Country.

ADJOURNMENT OF MEETING

As per Clause 4(a) of the MNCJO Code of Meeting Practice (adopted 17 August 2018), the quorum of the Board is a majority of voting representatives entitled to vote under the MNCJO Charter. For the MNCJO with only three (3) members, a quorum is attendance of two (2) of the voting members.

A quorum was not present at the commencement of the MNCJO Board meeting on Friday 5 April 2019.

As per Clause 4(c) of the MNCJO Code of Meeting Practice (adopted 17 August 2018), a meeting of the MNCJO must be adjourned if a quorum is not present within half an hour after the time designated for the holding of the meeting, to a time, date (including later that day) and place fixed by the Chairperson, or in his or her absence, by the majority of members present or failing that, by the Executive Officer.

In light of the above, the Interim Executive Officer adjourned the meeting at 9:33am to **Wednesday 10 April 2019 at 3:00pm** via teleconference.

As required by the Local Government (General) Regulation 2005, a quorum was unable to be achieved for the following reasons:

- The Deputy Chair (Mayor Dominic King) made an apology on Wednesday 3 April 2019 and could not attend the meeting due to work commitments. The Deputy Chair was unable to secure the attendance of the Deputy Mayor of Bellingen as an alternate.
- The Chair (Mayor Liz Campbell) had intended to join the meeting via telephone due to previous travel commitments, however after the apology from the Deputy Chair was received, discussions with the Interim Executive Officer confirmed that there was a risk of the Chair's telephone line dropping in and out during the meeting, therefore resulting in the meeting not having a quorum at various times during the meeting. On this basis it was agreed between the Chair and the Interim Executive Officer to adjourn the meeting to another time, date and place.

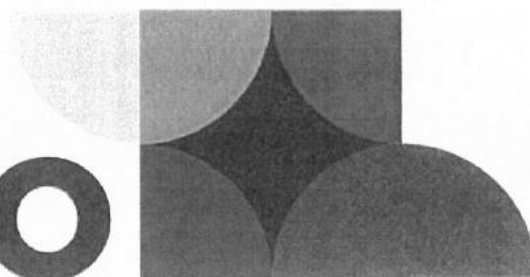
As an MNCJO Board meeting cannot be cancelled or postponed once a notice of meeting has been given, the meeting was formally opened by the Interim Executive Officer and adjourned, as detailed above.

The agenda items for this 5 April 2019 MNCJO Board meeting will be held over to the MNCJO Board meeting set to take place via teleconference on **Wednesday 10 April 2019 at 3:00pm**.

Meeting Close: 9.33am

Mid North Coast
Joint Organisation

mncjo



Mid North Coast Joint Organisation

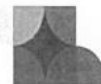
Board Meeting

Business Papers

Date: 12 June 2019
Location: Kempsey Macleay RSL Club - 1 York Lane Kempsey
Time: 9.30am

AGENDA

MNCJO BOARD MEETING
12/06/2019



AGENDA

AGENDA

MNCJO BOARD MEETING
12/06/2019

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AGENDA

MNCJO BOARD MEETING
12/06/2019



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AGENDA

MNCJO BOARD MEETING
12/06/2019

1. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge that this meeting is being held on the traditional lands of the Dunghutti people.

2. APOLOGIES

3. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

DISCLOSURE OF INTEREST AT MEETINGS

Name of meeting _____

Meeting date _____

Item / Report Number _____

I _____ declare the following interest:
(name)

Pecuniary – must leave meeting, take no part in discussion and voting.

Non Pecuniary – Significant Conflict – Recommended that Board Member leaves chamber, takes no part in discussion or voting.

Non-Pecuniary – Less Significant Conflict – Board Member may choose to remain in Chamber and participate in discussion and voting.

*(Definitions are provided on the next page).

For the reason that -

Signed _____

Date _____

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AGENDA

MNCJO BOARD MEETING
12/06/2019

DEFINITIONS

(Local Government Act and Code of Conduct)

Pecuniary – An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Council or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. (Section 451).

Non-pecuniary – A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest, you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue if the provision in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

AGENDA**MNCJO BOARD MEETING
12/06/2019****4. SPEAKERS****RECOMMENDATION:**

That the following requests to address the Board be acceded to:

- Presentation on the MNCJO Koala Recovery Strategy by the MNCJO Ecologist, Rebecca Montague Drake.
- Presentation on progress on Biodiversity reforms from the Local Government Support Officer (Biodiversity Reforms) North Coast (Port Macquarie-Hastings to Tweed), Jane Eales.
- Presentation on the results of the Why Local Government Matters research undertaken by the University of Technology Sydney (UTS) on behalf of the MNCJO, by Professor Roberta Ryan. (Please note that this presentation relates to Item 10 of this agenda).

5. ITEMS BY EXCEPTION**RECOMMENDATION:**

That the following items be deal with by exception:

Items:

6. CONFIRMATION OF PREVIOUS MINUTES**RECOMMENDATION:**

That the Minutes of the MNCJO Board meeting of 10 April 2019 be confirmed.

REPORT

Please refer to **Attachment 1**.

AGENDA

MNCJO BOARD MEETING
12/06/20197. MODEL CODE OF MEETING PRACTICE FOR THE MNCJO & MNCJO BOARD
MEETING DATES FOR 2019-2020

RECOMMENDATION:

That the Board:

- 1) Adopt the Model Code of Meeting Practice to be effective from 14 June 2019.
- 2) Adopt the following meeting dates for MNCJO Board meetings during 2019-2020, noting that each MNCJO Board meeting shall commence at 9:30am unless otherwise resolved by the Board from time to time:

Month	Meeting	Location
2 August 2019	Ordinary Board Meeting	Bellingen Shire Council
11 October 2019	Ordinary Board Meeting	Port Macquarie-Hastings Council
6 December 2019	Ordinary Board Meeting	Kempsey Shire Council
7 February 2020	Ordinary Board Meeting	Bellingen Shire Council
3 April 2020	Ordinary Board Meeting	Port Macquarie-Hastings Council
12 June 2020	Ordinary Board Meeting	Kempsey Shire Council

REPORT

As previously reported to the MNCJO Board at the 1 February 2019 Board meeting and the 10 April 2019 Board meeting, on 18 December 2018, the Office of Local Government (OLG) released Circular No. 18-45, detailing the commencement of the new Model Code of Meeting Practice (CoMP) for Local Councils in NSW, noting that the CoMP is also applicable to meetings of the Boards of Joint Organisations (JO's).

As detailed in the above-mentioned circular, amendments made to the Local Government Act 1993 (LGA) in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016 (the Phase 1 amendments) provide for a model CoMP to be prescribed by the Regulation.

Following an extensive consultation process, a model CoMP has been prescribed under the Local Government (General) Regulation 2005 (the Regulation) and the existing meetings provisions of the Regulation have been repealed.

The model CoMP has two elements as follows:

- It contains mandatory provisions that reflect the existing meetings provisions of the Act and update and enhance the meetings provisions previously prescribed under the Regulation to reflect contemporary meetings practice by councils.
- It contains non-mandatory provisions that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as being best practice for the relevant area of practice.

At the 10 April 2019 Board meeting, the Board resolved the following in relation to the CoMP at Item 6 on that agenda:

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RESOLVED: Campbell / Pinson

That the Board:

- 1) *Give consideration to the mandatory provisions of the new Model Code of Meeting Practice as it applies to the MNCJO.*
- 2) *Request the Interim Executive Officer to include the new Model Code of Meeting Practice for final determination at the next MNCJO Board meeting scheduled for 7 June 2019.*

CARRIED: 3/0

FOR: Campbell, Pinson, King

AGAINST: Nil

In light of the above, the new revised CoMP can be found at **Attachment 2**. Also for reference at **Attachment 3**, is the marked up copy of the new CoMP as presented to the MNCJO Board in April 2019, with Attachment 2 simply being a clean version of the new CoMP.

It should be noted that unlike Councils, Joint Organisations do not have to publicly exhibit their revised CoMP. As detailed in the above-mentioned circular, a revised CoMP must be adopted by the MNCJO Board by 14 June 2019, therefore as per the recommendation included in this report, the MNCJO Board will need to give consideration to adopting the CoMP at this Board meeting.

Clause 3 of the revised CoMP details the timing of ordinary Board meetings and that the Board shall by resolution, set the frequency, time, date and place of its ordinary meetings. The second recommendation included in this report details proposed frequency, times, dates and places for each MNCJO Board meeting during 2019-2020, noting that as per Section 396 of the NSW Local Government Act 1993, at least four meetings per annum are to be held.

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MNCJO BOARD MEETING
12/06/2019

8. MODEL CODE OF CONDUCT

RECOMMENDATION:

That the Board note the information provided in relation to the establishment of a panel of Conduct Reviewers for the MNCJO.

REPORT

At the 10 April 2019 MNCJO Board meeting, the Board resolved the following in relation to Item 7 on that agenda:

RESOLVED: Campbell / Pinson

That the Board:

- 1) Adopt the Model Code of Conduct and related Procedures as published by the NSW Office of Local Government.*
- 2) Request the General Managers Advisory Committee (GMAC) undertake an MNCJO Expression of Interest process as prescribed under the Procedures for the appointment of a panel of Conduct Reviewers for the MNCJO.*

CARRIED: 3/0

FOR: Campbell, Pinson, King

AGAINST: Nil

In line with the second resolution above, the General Managers Advisory Committee (GMAC) gave consideration to the issue of establishing a panel of conduct reviewers at its meeting held on 16 April 2019. At that meeting, the GMAC resolved to request the Interim Executive Officer investigate this issue further, taking into account the fact that the new Code of Conduct procedures state that there is a requirement to undertake an Expression of Interest process to appoint a panel of conduct reviewers.

In light of the above, the Interim Executive Officer has had conversations with Port Macquarie-Hastings Council who have agreed to run an Expression of Interest (EOI) process on behalf of the MNCJO for a panel of conduct reviews. This process may take several months from commencement to final consideration by the MNCJO Board, so it is considered prudent that until such time as a panel of conduct reviewers is in place, that member Councils continue to seek individual quotations from relevant conduct reviewers. It is anticipated that member Councils will need to resolve individually to use the agreed panel of conduct reviewers following the formal EOI process, as will the MNCJO Board at the appropriate time.

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MNCJO BOARD MEETING
12/06/2019

9. PACIFIC HIGHWAY HANDOVER

RECOMMENDATION:

That the Board note the information provided in relation to the Pacific Highway Handover.

REPORT

At the 10 April 2019 MNJCO Board meeting, the following was resolved at Item 8 of that agenda:

RESOLVED: Pinson / King

That the Board:

- 1) Note the information provided by the General Manager, Bellingen Shire Council regarding any progress that has been made following the meeting with the Minister for Roads, Maritime & Freight on 1 February 2019 regarding the handover of the old Pacific Highway.*
- 2) Note that Bellingen Shire Council has initiated discussions with local Department Planning & Industry (DPI) representatives in an effort to ensure the issue of the Pacific Highway handover is raised at the highest levels of the NSW government.*
- 3) Request the Interim Executive Officer write to the relevant NSW government Ministers regarding the issue of the Pacific Highway handover, with the letter to be based on information provided by Bellingen Shire Council, following their above-mentioned discussions.*

CARRIED: 3/0

FOR: Pinson, King, Campbell

AGAINST: Nil

This issue was also considered at the GMAC meeting held on 16 April 2019, where the following was resolved at Item 5 of that agenda:

RESOLVED:

That the GMAC request the Interim Executive Officer write to the appropriate Ministers with regard to progressing discussions on the issue of the Pacific Highway and the negative impact this continues to have on individual Councils financial sustainability, based on information to be provided by Bellingen Shire Council.

MOVED: Craig Milburn / Liz Jeremy

In line with the above GMAC resolution, on 29 April 2019, the Interim Executive Officer wrote to the Minister for Regional Roads & Transport, The Hon. Paul Toole MP. A copy of that letter is included at **Attachment 4**. At the time of writing this report, a response had not yet been received from the Minister.

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MNCJO BOARD MEETING
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10. WHY LOCAL GOVERNMENT MATTERS

RECOMMENDATION:

That the Board:

- 1) Note the Why Local Government Matters research findings and report.
- 2) Refer the Why Local Government Matters research findings and report to member Councils for their information and use.
- 3) Request the General Managers Advisory Committee (GMAC) to give ongoing consideration as to how best to use the Why Local Government Matters research in the development of future projects for the Mid North Coast Joint Organisation.

REPORT

As a result of previous resolutions of the MNCJO Board from 5 December 2018 and 1 February 2019, a research agreement was entered into between the University of Technology Sydney (UTS) and the MNCJO in early February 2019, commissioning the UTS to undertake the Why Local Government Matters (WLGM) research. This research took place during February 2019, with the initial high level results being provided to member Councils towards the end of March.

As detailed in the attached report, WLGM is a landmark social research series by the Centre for Local Government at the University of Technology Sydney. It profiles the attitudes of communities about the place where they live and their local councils. Questions are asked to understand what communities think are the most important features of their place, and their preferences for council services, functions, and governance.

The UTS has conducted WLGM nationally and for councils across most Australian jurisdictions. It provides communities, councils, and other stakeholders with powerful insights on what makes their community unique and what communities' value about their council.

Almost 800 residents were phone polled during February 2019. The survey respondent profile was demographically and spatially matched to the regional population. A sub-sample of 127 residents who also own or manage a business across the region was also included. The breakdown of respondents from each LGA is below:

- Port Macquarie Hastings: N=402
- Kempsey: N=242
- Bellingen: N=149

The total sample of 793 establishes statistical confidence of 95% at the whole-of-region level with a confidence interval of +/- 4%. In effect, if the same survey sample size was used another 100 times, we can be sure the results of 95 of those instances would be within 4% of the first sample.

A high-level overview report on the results of the WLGM research can be found at **Attachment 5**. The overview provides a summary of the results, with the headline results around 'place' being that compared to other parts of Australia, residents of the Mid North Coast were more likely to agree or strongly agree with the following statements about the place where they live:

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- The landscape around them makes them feel good.
- The area reflects the type of person they are.
- They feel a cultural connection to the area.

According to the results of the WLGM research, the above information indicates that Mid North Coast residents feel more attached to the place where they live than most Australians.

Further to the above, the report states that to Mid North Coast residents, the most important parts of the region are the accessibility and quality of essential services and infrastructure, such as good quality roads, bridges, and aged and home care, phone and Internet connections, and access to local shops. Other important features include the degree of social cohesion in the community, being able to live close to friends and family and the level of community creativity. The region's residents are strongly interested in its sustainability and find the availability of locally grown food, using land, water and energy resources wisely, pollution levels and the health of plants and animals are extremely or very important.

Overall, Mid North Coast residents were much more likely to rate these features of the place as very or extremely important. This indicates the region's residents have more intense feelings and views about what makes the place where they live great when compared to other Australians.

Of interest is the fact that the WLGM research shows that overall, Mid North Coast residents are not as concerned about environmental problems such as climate change, as the rest of NSW. However, when asked about the impacts of particular climate and weather related events, residents were more concerned about drought and bushfire and less so about intense rainfall and severe storms.

At the request of the member Councils, the Mid North Coast WLGM research included a question around disaster planning and recovery. The region's residents and business owners were asked whether they have a plan for their household or business on what to do in the event of a natural disaster. Just over half of all households do not have a plan and just under half of all businesses have a plan to continue operating in the event of a natural disaster.

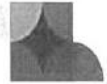
Of the households and businesses that indicated they do not have a plan, about two thirds feel only moderately, slightly or not at all confident they have the information they need to prepare one.

This information is of great value to the MNJCO in light of the fact that one of the projects identified in the MNCJO Statement of Strategic Regional Priorities is around community resilience i.e. building capacity in the regional community to deal with severe weather events and natural disasters.

When it comes to service delivery, funding and governance preferences, the region's residents think government in the area has the capacity to deliver services the community needs and which deliver public value. They believe in good quality, government provided services and see an enlarged and direct service delivery role for councils. They trust the region's public servants to make good decisions, but want to be involved in making decisions because they see this as fundamental to good governance. They are sceptical of market-based service delivery models that use value for money and efficiency as the main decision-making criteria.

According to the report, across Australia, people overwhelmingly believe their local council is the level of government best able to make decisions about their area, and residents of

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the Mid North Coast region are no different. Often this reflects the shorter physical and social distance between communities and their councils when compared to other levels of government, with local government widely regarded as the layer of government that is 'closest to people'.

Mid North Coast residents also have greater awareness of their council than most Australians. They are more likely to correctly answer the name of their council and their local Mayor than other Australians.

As can be seen from the snapshot of results provided above, the WLGM research covered a broad range of areas of interest, with the results providing member Councils and the MNCJO with a unique view of local and regional community attitudes and approaches. As noted earlier, this will not only assist each Council understand their individual community's in a more holistic manner, but may also assist the MNCJO in determining project priorities into the future.

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MNCJO BOARD MEETING
12/06/2019**11. CONFIRMATION OF THE MINISTERS POSITION ON THE ESTABLISHMENT OF
NEW JOINT ORGANISATIONS****RECOMMENDATION:**

That the Board request the Executive Officer write to the new NSW Minister for Local Government seeking confirmation of the Ministers position on the establishment of new Joint Organisations, particularly for the Mid North Coast.

REPORT

Reference is made to previous reports to the MNCJO Board around membership of the MNCJO and the invitation sent by the MNCJO Board to Coffs Harbour City Council and Nambucca Shire Council in 2018, inviting them to join the MNCJO.

It is understood that the above-mentioned Councils are continuing to seek the establishment of a northern mid north coast Joint Organisation and it is considered appropriate that the MNCJO Board now seek confirmation on the position of the new Minister for Local Government, The Hon. Shelley Hancock MP on this issue.

This is considered a critical issue for the future of the MNCJO, as the establishment of any new northern mid north coast Joint Organisation would likely see the demise of the existing MNCJO, due to its lack of viability. The facts being that the MNCJO currently only has three member Councils and the establishment of a northern mid north coast Joint Organisation could see pressure applied to Bellingen Shire Council to join that new northern mid north coast Joint Organisation, therefore leaving only Kempsey Shire Council and Port Macquarie-Hastings Council as members of the MNCJO. This would not only be financially and practically unviable, but it would be against NSW government policy with regard to the minimum number of Councils being able to form a Joint Organisation, that number being three.

12. MID NORTH COAST JOINT ORGANISATION WEB SITE**RECOMMENDATION:**

That the Board note that the MNCJO web site development is now complete.

REPORT

Development of the MNCJO web site is now complete, with the website able to be found at www.mncjo.nsw.gov.au

All MNCJO Board meeting agendas and minutes and related documents can be found on the web site, as well as information about member Councils and MNCJO projects.

If should be noted that a web site for the MNCJO Koala Recovery project is currently under development as one of the actions for the first year of the grant funding. This web site will link to the main MNCJO web site when completed.

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13. FINANCIAL REPORTING SOLUTION FOR THE MNCJO

RECOMMENDATION:

That the Board note that the MNCJO has purchased the Xero software accounting package to manage all MNCJO accounting functions.

REPORT

At the MNCJO Board meeting held on 10 April 2019, the Interim Executive Officer raised the issue of the MNCJO needing to give consideration to purchasing separate accounting software as follows:

The Interim Executive Officer raised the issue of payment of wages to the MNCJO Koala Recovery Ecologist and the permanent part time Executive Officer. It is not appropriate or possible for these two MNCJO employees to be paid via a member Council as they are employees of the MNCJO, not an individual member Council. The only way to do this is for the MNCJO to set up its own accounting software package that will allow for a range of financial transactions to take place for the MNCJO rather than that burden falling on a member Council.

Following consideration of the above at the 10 April 2019 MNCJO Board meeting, the Board resolved as follows

RESOLVED: Campbell / Pinson

That the Board approve the purchase of the Xero accounting software for the purpose of setting up separate MNCJO accounts and for general MNCJO financial transactions.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

From the establishment of the MNCJO, Port Macquarie-Hastings Council (PMHC) has been managing the MNCJO finances through their financial management software. However, as activities for the MNCJO have increased i.e. with the appointment of the permanent Executive Officer and the Koala Recovery Strategy Ecologist, as well as the receipt of grant funding from the former OEH and the need to be able to raise invoices and or purchase orders, it became impractical for PMHC to continue to manage this through their financial management software.

The broader issue being that without a standalone accounting system, there would be great difficulty auditing the MNCJO which will be undertaken by the Audit Office later in 2019, not to mention the complexity this would cause for the PMHC audit for the 2018-2019 financial year.

In light of the above, the MNCJO has now purchased the Xero accounting software package. This is a low cost accounting package that allows the MNCJO financials to stand alone from PMHC, allows access via the Cloud from any location and is simple and easy to use. The cost of the Xero software is \$50 per month, with the system now set up and operational thanks to relevant accounting staff within PMHC.

A sample of the reporting that Xero can provide to the MNCJO can be seen in Item 15 of this agenda.

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MNCJO BOARD MEETING
12/06/2019

14. AUDIT ARRANGEMENT FOR THE MNCJO

RECOMMENDATION:

That the Board note:

- 1) The information from the Audit Office of NSW that Thomas Noble Russell have been appointed to deliver the audit of the MNCJO for a period of up to four years from the 2018-2019 financial year audit.
- 2) That the estimated cost of the 2018-2019 financial year audit is \$7,000 (excluding GST), noting that this fee may change if matters emerge during the audit that significantly change the estimated audit cost.

REPORT

The Audit Office of NSW has informed the MNCJO of the audit arrangements for the 2018-2019 financial year and beyond. Please refer to **Attachment 6**.

The Audit Office has appointed Thomas Noble Russell to deliver the audit for a period of up to four years from the 2018-2019 financial year audit. As with audit arrangements across all NSW Councils, the Audit Office will oversee the audit for the MNCJO.

It is noted that the estimated cost of the 2018-2019 financial year audit is \$7,000 excluding GST, noting that this cost may change if matters significant matters emerge during the audit.

15. MNCJO EXPENDITURE REPORT

RECOMMENDATION:

That the Board note the MNCJO financial update for the period June 2018 to 31 May 2019.

REPORT

Attachment 7 (1), (2) & (3) provides an MNCJO financial update from June 2018 to 31 May 2019. Please note that the format of this report is different to previous reports as it has come from the new Xero accounting software package as detailed in Item 11 of this agenda.

There are three attachments as part of Attachment 7, with Attachment 7 (1) being the consolidated MNCJO update, Attachment 7 (2) being the MNCJO update excluding the Koala Recovery Partnership, with Attachment 7 (3) being the Koala Recovery Partnership only.

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MNCJO BOARD MEETING
12/06/2019

16. ADMINISTRATION COSTS FOR PORT MACQUARIE-HASTINGS COUNCIL

RECOMMENDATION:

That the Board approve payment of \$1,000 (excluding GST) per calendar month to Port Macquarie-Hastings Council to cover costs for the ongoing financial administration requirements of the Mid North Coast Joint Organisation.

REPORT

At the General Managers Advisory Committee (GMAC) meeting held on 16 April 2019, the following was resolved:

That the GMAC request the Interim Executive Officer table the issue of the payment of an ongoing administration charge from the MNCJO to Port Macquarie-Hastings Council for their ongoing administration work related to the MNCJO, at the MNCJO Board meeting to be held on 12 June 2019.

MOVED: Craig Milburn / Liz Jeremy

Since the establishment of the MNCJO in June 2018, Port Macquarie-Hastings Council (PMHC) has undertaken key administration tasks (financial and other) for the MNCJO at no cost to the MNCJO. In addition to this, the General Manager of PMHC has acted as the Interim Executive Officer since 1 October 2018 at no cost to the MNCJO, in an effort to preserve MNCJO funding for project and other purposes.

Now that the MNCJO has engaged a permanent part time Executive Officer (commencing 12 June 2019) and has implemented financial accounting software dedicated to the management of MNCJO finances, there will be less of an impost on PMHC than there has been in the past, however it is considered appropriate to pay PMHC a low monthly fee for the ongoing administrative services being provided to the MNCJO. For clarification, even though a permanent part time Executive Officer has been appointed, there is still a requirement for ongoing financial and other administration for the MNCJO i.e. payment of invoices, employee payments, BAS preparation, audit preparation, meeting arrangements and correspondence management etc. hence the recommendation as included in this report.

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17. ONGOING FUNDING FOR JOINT ORGANISATIONS

RECOMMENDATION:

That the Board note the information provided in relation to a recent workshop of all NSW Joint Organisations, hosted by the Office of Local Government and attended by the Deputy Premier and the Minister for Local Government.

REPORT

On Thursday 30 May 2019, the Chair and Interim Executive Officer of the MNCJO attended a workshop at Parliament House, Sydney, hosted by the Office of Local Government and attended by all Joint Organisations (JO's). The facilitated workshop also saw the attendance in part by the Deputy Premier, The Hon. John Barilaro MP and the Minister for Local Government, The Hon. Shelley Hancock MP.

The workshop follows on from a letter to all Chairs of JO's from the Deputy Premier and the Minister for Local Government on 13 May 2019 (refer to **Attachment 8**), where there was discussion of developing a framework for ongoing collaboration between JO's and the State. A copy of the agenda for the workshop can be found at **Attachment 9**.

As can be seen from the agenda, it was the belief of all JO's that discussions at this workshop would focus not only on a collaboration framework, but also on future funding opportunities for JO's.

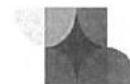
There was detailed discussion at the workshop on what success might look like for JO's into the future in relation to collaboration with the State, plus there was discussion on the various funding programs currently in place across the State as they related to Local Government. There was also discussion on how JO's may be able to take on the administration of some of these funding programs in their regions, whilst earning some administrative fees for doing so from the State, thereby generating a revenue stream that does not currently exist for JO's. It is fair to say that there were very few details provided as to how this might happen, noting that at the time of writing this report, the workshop outcomes and minutes were not available to confirm what was actually discussed and or agreed.

Most importantly however, there was no proposal put forward at the workshop by the State with regard to some base level, ongoing funding being made available to the JO's for their ongoing financial sustainability and viability. As noted above, it was the understanding of all JO's that discussion would take place at this workshop on a model for ongoing funding for JO's, however that was not the case.

Several of the JO's will be working with deficit budgets moving into the 2019-2020 financial year, whilst others will be presenting balanced budgets at best. This is clearly not sustainable and effectively makes the JO's financially unviable. Without appropriate and ongoing funding, JO's will not be able to continue to engage Executive Officers, which is required under the relevant legislation, nor will they be able to undertake projects as detailed in their various Statements of Strategic Priorities.

There is a broad view amongst JO's that it should not be left to member Councils of JO's to fund the JO's into the future. There are some JO's where there is a history of member Councils (via their former Regional Organisations of Councils (ROC)) making substantial financial contributions to the operation of the JO / ROC. It is these JO's that are likely to continue to be more financially viable than others, however as the JO's are a construction

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of the State, it should pass that the State fund the ongoing operation of the JO's to ensure their success.

The overarching feeling of the JO's at the above-mentioned workshop is that all member Councils of JO's are working tirelessly to make their JO's a success, however with membership of a JO not being mandatory for NSW regional and rural Councils, it is likely that some member Councils of JO's will resolve to leave their JO if there is no ongoing funding for the JO's made available by the State.

This is considered a watershed moment for the future of JO's across NSW, so much so that at a meeting held the afternoon of the above-mentioned workshop on 30 May 2019, with JO Chairs and Executive Officers only, a letter was written then and there and signed by all Chairs of the JO's to the Minister for Local Government requesting appropriate ongoing funding. This letter (a copy of which can be found at **Attachment 10**), was hand delivered to the Minister for Local Government on the morning of Friday 31 May 2019 by the Chair of the Canberra Region Joint Organisation, Mayor Rowena Abbey (Yass Valley Council), who had a pre-arranged meeting with the Minister. At the time of writing this report, a response from the Minister for Local Government had not been received.

As per the recommendation included in this report, it is considered prudent that the MNCJO write to the Minister for Local Government reiterating the request for ongoing funding for all JO's, noting that as a three-member Council JO, the MNCJO is at greater risk of being unviable into the future than some of the larger, better funded JO's and it will only take one-member Council to apply to the Minister for Local Government to leave the JO for the MNCJO to cease to exist.

Further information on the financial challenges facing the MNCJO can be found below in the report at Item 18 - 2019-2020 Mid North Coast Joint Organisation Statement of Revenue Policy, including 2019-2020 Budget.

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MNCJO BOARD MEETING
12/06/2019**18. MID NORTH COAST JOINT ORGANISATION STATEMENT OF REVENUE
POLICY & BUDGET, INCLUDING 2019-2020 BUDGET****RECOMMENDATION:****That the Board:**

- 1) Adopt the revised MNCJO Statement of Revenue Policy, including the 2019-2020 Budget.
- 2) Note that there are no borrowings proposed for the MNCJO for the 2019-2020 financial year.

REPORT

A requirement of all Joint Organisations under the Section 397I of the Local Government (General) Regulation 2005 is to develop and adopt a Statement of Revenue Policy. The policy must include the following:

- Estimated income & expenditure;
- Proposed fees & charges, if appropriate;
- The proposed pricing methodology, if appropriate;
- Proposed borrowings, if appropriate.

The first MNCJO Statement of Revenue Policy was adopted by the MNCJO Board on 1 February 2019 and included a budget for the 2018-2019 financial year, with the revised Statement of Revenue Policy including a budget for the 2019-2020 year.

It should be noted that the MNCJO is now moving out of its first year of operation, a year in which there were many actions linked to the set-up of the MNCJO. With the recent appointment of a permanent part time Executive Officer, it is anticipated that during the 2019-2020, further progress will be made on some key MNCJO priorities as detailed under separate reports that form part of this agenda.

As detailed in Item 17 on this agenda, ongoing funding support from the NSW government is going to be critical for the financial viability and success of the MNCJO. At this stage there is little indication that there are any plans to provide ongoing funding support to JO's across NSW, however the MNCJO will continue to advocate for additional funding at every opportunity.

The draft budget included in the 2019-2020 Statement of Revenue Policy includes key expenditure being around the employment of the Executive Officer, project costs, audit fees and travel to and from quarterly Chairs & Executive Officer meetings in Sydney. There is no additional income forecast to be received by the MNCJO during 2019-2020, in line with the above discussions.

A copy of the draft Statement of Revenue Policy (**Attachment 11**), will be forwarded to the Board under separate cover.

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MNCJO BOARD MEETING
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19. EMERGENCY SERVICES LEVY

RECOMMENDATION:

That the Board:

- 1) Advocate to the NSW Government:
 - a) A strong objection to any increase to the Emergency Services Levy (ESL) above rate peg, and note that no consultation was conducted with the Local Government sector in advance of the increase, noting that all Council budgets and integrated plans were either on exhibition or finalised.
 - b) That the value of any increase of the ESL in future years be added to the rate peg, rather than as a separate one-off charge.
 - c) That the ESL be considered as a separate rate collected by Local Government on behalf of the NSW Government.
 - d) That the ESL increase for 2019-2020 be deferred to 2021.

REPORT

The following information has been taken from the Local Government NSW (LGNSW) web site in relation to the Emergency Services Levy (ESL):

Each year, the NSW Government collects payments from Councils and insurers to fund emergency services agencies in NSW, with Councils required to pay 11.7 per cent of the budget required by NSW Emergency Services. These charges are embedded in Council rates and insurance premiums.

From 1 July 2019 the NSW Government plans to collect an additional \$160 million (in 2019/20) from NSW Councils, communities and those paying insurance premiums to provide better workers' compensation coverage for volunteer and career firefighters who are diagnosed with one of 12 specific work-related cancers.

Councils were sent bills with a letter from Revenue NSW in May 2019, saying NSW Council contributions will increase by \$19 million in 2019/20. The letter also foreshadowed increases in the following year, but not the amount.

Each member Council of the MNCJO will be required to pay more towards the ESL than the previous year, meaning that Council will need to find additional funds and/or cut planned initiatives or services.

It should be stated that the MNCJO supports career and volunteer firefighters in NSW – as it does all emergency services workers and volunteers. Indeed, many NSW Council staff and Councillors are volunteers. There is also broadly no issue with the Bill passed in November 2018 to address what was a workers' compensation shortfall. However, local government was at no point advised that it would be required to cover the cost via significant increases to the emergency services levy, or what this cost would be.

For the MNCJO member Councils, the additional cost of the recently announced ESL increases are as follows:

Bellingen - \$90,095
Kempsey - \$91,000

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Port Macquarie-Hastings - \$104,000

This totals \$285,095 for the MNCJO member Councils. This is an unplanned and unbudgeted cost that will be felt by each community across the mid north coast.

LGNSW is calling upon the NSW Government to fund the first 12 months of this extra cost and to work with local government to ensure the implementation of the funding mechanism is fairer into the future.

20. SOUTHERN LIGHTS PROJECT**RECOMMENDATION:**

That the Board note the information provided in relation to the Southern Lights project.

REPORT

As detailed in the minutes of the MNCJO Board meeting held on 10 April 2019, Chair Campbell raised the following in relation to the Southern Lights project:

Chair Campbell raised the Southern Lights project being promoted by south and western JO's and discussed whether this project was something that was of interest to the MNCJO.

In light of the above, the MNCJO Board resolved as follows:

RESOLVED: Campbell / Pinson

That the Board refer discussion on the suitability and applicability of the Southern Lights project to the General Managers Advisory Board (GMAC) for discussion, with a view to GMAC tabling a report on this project at a future MNCJO Board meeting.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

The General Managers considered this item at the General Managers Advisory Committee (GMAC) meeting held on 16 April 2019, where the following was resolved:

That the GMAC request the Interim Executive Officer write to the lead of the Southern Lights project to investigate the possibility of this project being expanded to incorporate MNCJO member Councils.

MOVED: Craig Milburn / Liz Jeremy

In line with the above resolution from the GMAC meeting, the Interim Executive Officer wrote to the lead of the Southern Lights project on 18 April 2019 requesting further information on how and if the MNCJO might be able to join the Southern Lights project. On 20 May 2019 a response was received from the Southern Lights Project Officer, which stated that group were waiting on the State government to respond to them regarding possible funding for the project. It was anticipated that the government would respond to the group by the end of May.

AGENDA

MNCJO BOARD MEETING
12/06/2019

Once the response from the government is received around funding for the project, the project team will be in a better position to understand their next steps, noting that it is likely that we may be too late to join this process. Further information will be provided to the Board as it comes to hand.

21. REGIONAL SALEYARDS

RECOMMENDATION:

That the Board note the information provided in relation to Regional Saleyards.

REPORT

As detailed in the minutes of the MNCJO Board meeting held on 10 April 2019, Chair Campbell raised the following in relation to Regional Saleyards:

Chair Campbell raised the issue of the Kempsey Regional Saleyards and whether there was any interest and or merit in Regional Saleyards becoming an issue for the MNCJO to focus on.

In light of the above, the following was resolved by the MNCJO Board at the 10 April 2019 Board meeting:

RESOLVED: Campbell / Pinson

That the Board refer discussion around Regional Saleyards to the General Managers Advisory Board (GMAC) for discussion, with a view to GMAC tabling a report on this at a future MNCJO Board meeting.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

The General Managers considered this item at the General Managers Advisory Committee (GMAC) meeting held on 16 April 2019, where the following was resolved

That the GMAC:

- 1) Note that following discussion, there is no broad benefit in dealing with regional saleyards on a regional basis due to the fact Kempsey are the only MNCJO member Council with direct responsibility for a saleyard.*
- 2) Request the Interim Executive Officer table the results of this discussion at the MNCJO Board meeting to be held on 12 June 2019.*

MOVED: Craig Swift-McNair / Liz Jeremy

As can be seen from the GMAC resolution above, this issue was discussed by the General Managers and there was general agreement that there was no benefit in regional saleyards becoming a regional issue for the MNCJO, due to the fact that Kempsey is the only member Council with direct responsibility for a saleyard.

AGENDA

MNCJO BOARD MEETING
12/06/2019

22. PAYMENT OF EXPENSES POLICY - PLACING ON PUBLIC EXHIBITION.

RECOMMENDATION:

That the Board:

- 1) Note the inclusion in the draft Payment of Expenses and Provision of Facilities to Members of the Board policy of Sitting Fees for voting Board members.
- 2) Place the revised draft Payment of Expenses and Provision of Facilities to Members of the Board policy on public exhibition for a period of 28 days from Monday 17 June 2019.
- 3) Note that a further report will be tabled at a future MNCJO Board meeting detailing the submissions received from the public during the exhibition period.

REPORT

At the 17 August 2018 MNCJO Board meeting, the Board adopted the MNCJO Payment of Expenses and Provision of Facilities to Members of the Board Policy (the 'Policy') as per the following resolution:

ADOPTION OF MNCJO GOVERNANCE DOCUMENTS

*Resolved: Pinson / King**That the Board adopt the following documents:*

1. MNCJO Charter
2. MNCJO Code of Meeting Practice
3. MNCJO Payment of Expenses and Provision of Facilities Policy
4. MNCJO Public Interest Disclosure Policy

CARRIED: 3/0

FOR: Pinson, King, Campbell

AGAINST: Nil

The policy is designed to cover any needs associated with the exercise by Board Members and the Chairperson of their JO functions that are not otherwise covered under member Council's Expenses and Facilities policies.

As detailed in the minutes of the MNCJO Board meeting held on 10 April 2019, Chair Campbell raised the following in relation to sitting fees for MNCJO Board members:

Chair Campbell raised the issue of sitting fees for the voting members (Mayors) of the MNCJO in light of the additional workload that comes from being a Mayor on a Joint Organisation. The suggestion was for a sitting fee of \$250 be paid to each voting member of the MNCJO, per meeting.

In light of the above, the Board resolved the following:

RESOLVED: Campbell / King

That the Board approve sitting fees for the voting members (Mayors) of the MNCJO Board, with the sitting fee being \$250 per voting member, per meeting.

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AGENDA

MNCJO BOARD MEETING
12/06/2019

CARRIED: 3/0
FOR: Campbell, King, Pinson
AGAINST: Nil

Further to the above, at the GMAC meeting held on 16 April 2019, the following was resolved:

11. SITTING FEES FOR MNCJO VOTING REPRESENTATIVES

RESOLVED:

That the GMAC request the Interim Executive Officer table the MNCJO Payment of Expenses Policy for re-exhibition due to the incorporation of sitting fees for voting representatives of the MNCJO Board as resolved at the MNCJO Board meeting held on 10 April 2019.

MOVED: Craig Swift-McNair / Craig Milburn

In line with the GMAC resolution above, the provision for sitting fees has now been included in a draft revised version of the Policy that will be required to go on public exhibition for a period of 28 days, please see **Attachment 12**. Please refer to Clause 2 e) for the specific clause relating to sitting fees. Following the exhibition period, a further report will be tabled at a future MNCJO Board meeting for the Board to give consideration to adopting the revised policy.

For noting is that fact that in discussions post the MNCJO Board meeting held on 10 April 2019, it was agreed that voting members of the MNCJO Board could apply to have sitting fees paid to them, rather than payments being made automatically. This provision has also been included in the revised draft policy.

AGENDA

MNCJO BOARD MEETING
12/06/2019**23. APPOINTMENT OF A PERMANENT MNCJO EXECUTIVE OFFICER AND
PRIORITY SETTING FOR THE EXECUTIVE OFFICER****RECOMMENDATION****That the Board:**

- 1) Welcome Ms Fionnuala Dixon as Executive Officer of the Mid North Coast Joint Organisation.
- 2) Give consideration to what actions and activities contained within the adopted Statement of Strategic Regional Priorities should be priority actions for the Executive Officer.

REPORT

At the 10 April 2019 MNCJO Board meeting, the following was resolved:

22. APPOINTMENT OF AN MNCJO EXECUTIVE OFFICER

RESOLVED: Campbell / Pinson

That the Board appoint Ms Fionnuala Dixon as Executive Officer of the Mid North Coast Joint Organisation in a part time capacity (80 hours per month) for an initial period of 12 months commencing 11 June 2019, with a Total Remuneration Package of \$90,000 with the option to renew the contract for another 12 months at the sole discretion of the MNCJO Board, subject to satisfactory performance and ongoing funding availability.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

Ms Dixon's first official day in the role of Executive Officer of the MNCJO is Wednesday 12 June 2019, meaning that the Board meeting being held on 12 June 2019 will be the last meeting where the Interim Executive Officer is in place. This means that the new Executive Officer will take the place of the Interim Executive Officer at all JO meetings, with the Interim Executive Officer remaining part of the MNCJO Board as a non-voting member Council General Manager.

Now that the appointment of the new Executive Officer has taken place, it is time for the MNCJO Board to set some priorities for the role of Executive Officer over the next 12 months, this is in addition to the tasks included in the position description for this role.

Attachment 13 shows the Statement of Strategic Regional Priorities (SSRP) as previously adopted by the Board. There are some SSRP activities highlighted in Attachment 13 that the Board may like to consider as appropriate to become key priorities for the Executive Officer, however it is open to the Board to decide what those priorities might be.

Whilst not included as part of the original SSRP, the Board may also like to give consideration to adding a project to the SSRP around Waste Management, particularly to Section 2 - Environment, in consideration of the current issues facing recycling in NSW and across Australia.

AGENDA

MNCJO BOARD MEETING
12/06/2019

24. DELEGATIONS FOR THE MNCJO EXECUTIVE OFFICER

RECOMMENDATION

That the Board adopt the delegations for the role of Executive Officer as outlined in this report.

REPORT

With the appointment of a new Executive Officer of the MNCJO, it is appropriate to review the delegations for the role of Executive Officer.

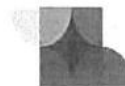
The key delegation to the Executive Officer is to conduct the day-to-day management of the joint organisation in accordance with the strategic regional priorities and other plans, programs, strategies and policies of the JO.

Another key delegation to the Executive Officer is to determine the matters which are to be included in the business papers for JO meetings, subject to the inclusion of the following items whenever they arise, namely:

- (a) reports on matters which cannot be determined under delegated authority.
- (b) reports required to be submitted under any Act, Ordinance or Regulation.
- (c) reference to any deputations which the Board has agreed to receive.
- (d) Matters requiring a determination of Policy.
- (e) Reports directed by the JO to be submitted.
- (f) Matters essential for the JO's information.
- (g) Matters requiring a vote.

It should be noted that the above are simply two of the key delegations to the Executive Officer, please refer to **Attachment 14** for the full list of delegations. Please also note that these delegations are the same delegations that the Interim Executive Officer has been working under from the establishment of the MNCJO.

AGENDA

MNCJO BOARD MEETING
12/06/2019

25. JOINT ORGANISATION GIPA ACT COMPLIANCE OBLIGATIONS

RECOMMENDATION

That the Board note the information provided by the NSW Information & Privacy Commission regarding the obligations of the MNCJO under the Government Information (Public Access) Act 2009 (NSW).

REPORT:

Information has been received by the MNCJO from the CEO of the Information & Privacy Commission NSW regarding a Joint Organisations responsibilities under the GIPA Act. Please refer to **Attachment 15**.

The GIPA Act applies to government information held by agencies and imposes obligations in respect to access to that information. Joint Organisations are subject to the GIPA Act as they fall within the definition of an agency under section 4 of the Act, Section 4 provides that an 'agency' includes a 'local authority'. Clause 2 of Schedule 4 to the GIPA Act defines 'local authority' as a 'council, county council or joint organisation within the meaning of the Local Government Act 1993'.

In light of this, the MNCJO will be required (under Section 125 of the GIPA Act) to report annually on the agency's obligations under the Act to the Minister responsible for the agency, and provide a copy to the Information Commissioner.

The Executive Officer will ensure that this reporting requirement is met along with other compliance reporting required by various Acts and or government agencies as they apply to Joint Organisations.

AGENDA

MNCJO BOARD MEETING
12/06/2019

26. SUSTAINABILITY OFFICER FOR THE MNCJO

RECOMMENDATION

That the Board:

- 1) Request the Executive Officer undertake research into what State or Federal government funding sources might be available to fund an MNCJO Sustainability Officer.
- 2) Request the Executive Officer table a report at a future MNCJO Board meeting detailing the results of investigations into what funding options might be available to the MNCJO for the appointment of an MNCJO Sustainability Officer.

REPORT:

At the General Managers Advisory Committee (GMAC) meeting held on 16 April 2019 the following was resolved:

Item 10: Sustainability Officers

RESOLVED:

That the GMAC request the Interim Executive Officer refer the issue of the MNCJO potentially sharing a Sustainability Officer across member Councils, to the MNCJO Board meeting to be held on 12 June 2019 for consideration.

MOVED: Craig Swift-McNair / Liz Jeremy

At the above-mentioned GMAC meeting, there was a discussion around what each member Council was doing in relation to sustainability. Consensus was that whilst each member Council undertakes a range of specific sustainability initiatives, or initiatives that could be considered sustainable, there is on coordination of these efforts across the mid north coast.

The resolution from the above-mentioned GMAC meeting and as per the recommendation included in this report, requests the MNCJO Board consider seeking information via the Executive Officer on what grant funding opportunities might be available from either the State and / or Federal government for the appointment of an MNCJO Sustainability Officer.

It is envisaged that a Sustainability Officer would facilitate, coordinate and evaluate sustainability initiatives under an MNCJO sustainability plan (to be developed by the Sustainability Officer), to ensure that all member Councils are working towards a sustainable future for all.

AGENDA

MNCJO BOARD MEETING
12/06/2019**27. KEY POLICY PRIORITIES FOR THE NSW LIBERALS & NATIONALS GOVERNMENT****RECOMMENDATION**

That the Board note the key policy priorities for the recently re-elected NSW Liberals and Nationals government.

REPORT:

The NSW Liberals and Nationals Government was returned to office as a result of the NSW election held on 23 March 2019. On 15 April 2019 the Premier and Deputy Premier released a media statement that included the key policy priorities for the new government as follows:

- A strong economy, quality jobs and job security for workers of today and tomorrow;
- Highest quality education no matter where you live or what your circumstances may be;
- Well-connected communities with quality local environments;
- Making Government work better for you by putting the customer at the centre of everything we do; and,
- Breaking the cycle of intergenerational disadvantage by fixing problems that have been in the too-hard basket for too long.

Further detail around these policy priorities can be found in the media statement at Attachment 16.

It is understood that the Premier will release an update on the Premier's priorities for this term of government in the coming months.

28. MACHINERY OF GOVERNMENT CHANGES AND REGIONAL LEADERSHIP EXECUTIVE UPDATE**RECOMMENDATION**

That the Board note the verbal update provided by the Director North Coast, Regional NSW on:

- 1) The Machinery of Government changes taking place in NSW.
- 2) The North Coast Regional Leadership Executive and Statement of Outcomes.

REPORT:

The Director, North Coast Regional NSW will provide a verbal update on the Machinery of Government changes taking place in NSW following the 23 March 2019 State election, plus an update will be provided on the Statement of Outcomes as determined by the North Coast Regional Leadership Executive.

AGENDA

MNCJO BOARD MEETING
12/06/2019**29. REQUEST FROM NORTH COAST LOCAL LAND SERVICES FOR REPRESENTATIVES FOR THE PESTS ADVISORY COMMITTEE & PEST TECHNICAL WORKING GROUP****RECOMMENDATION:**

That the Board nominate:

- 1) A representative from a member Council as the MNCJO representative on the North Coast Local Land Services Pests Advisory Committee.
- 2) A representative from a member Council as the MNCJO representative on the North Coast Local Land Services Pest Technical Working Group

REPORT

A letter was received by the MNCJO from the North Coast Local Land Services (LLS) General Manager, Louise Orr on 27 May 2019, requesting the MNCJO nominate a representative for the North Coast LLS Pests Advisory Committee and the North Coast LLS Pest Technical Working Group. A copy of the letter is included at **Attachment 17**.

Information included in the LLS letter is as follows:

The North Coast Pests Advisory Committee (North Coast PAC) comprises senior representatives from stakeholder groups with responsibility for pest animal management. The North Coast PAC will provide strategic oversight and guidance to pest animal management across the region. North Coast LLS is seeking a representative with the authority to make decisions on pest animal management priorities, and the allocation of appropriate resources to manage of those priorities. The North Coast PAC will meet 2-3 times per year.

The North Coast Pest Technical Working Group (North Coast PTWG) comprises representatives with technical expertise in best pest animal management practice across the region. The roles of the North Coast PTWG will include providing pest management technical advice to the North Coast PAC and local pest control groups on pest animal and population priorities, best management control practices, funding options, monitoring and reporting, and research and development. This group is expected to meet 3-4 times per year.

It is anticipated that the first meetings of both above-mentioned groups will take place in June or July 2019.

30. DESTINATION NORTH COAST - VALUE OF THE VISITOR ECONOMY**RECOMMENDATION:**

That the Board note the verbal update to be provided by the General Manager of Destination North Coast, an Affiliate member of the MNCJO.

REPORT

The General Manager, Destination North Coast will provide a verbal update / presentation on the value of the visitor economy and key Destination North Coast projects currently being undertaken.

AGENDA

MNCJO BOARD MEETING
12/06/2019



**31. MINUTES OF THE GENERAL MANAGERS ADVISORY COMMITTEE (GMAC)
MEETING HELD ON 16 APRIL 2019**

RECOMMENDATION:

That the Board note the minutes of the General Managers Advisory Committee meeting held on 16 April 2019.

REPORT

The MNCJO General Managers Advisory Committee meeting was held on 16 April 2019. The minutes of this meeting can be found at **Attachment 18**

32. MINUTES OF NSW JOINT ORGANISATION CHAIRS & EXECUTIVE OFFICERS MEETINGS.

RECOMMENDATION

That the Board note the minutes from the NSW JO Executive Officers meeting held in Sydney on Thursday 7 March 2019.

REPORT

Please find the minutes for the above-mentioned meeting at **Attachment 19**.

33. CORRESPONDENCE

RECOMMENDATION

That the Board note the incoming and outgoing correspondence included on the correspondence register.

REPORT

A copy of correspondence register can be found at **Attachment 20**.

AGENDA

MNCJO BOARD MEETING
12/06/2019



34. GENERAL BUSINESS

CONFIDENTIAL MATTERS:

NIL

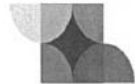
Meeting close:



Mid North Coast Joint Organisation
Board Meeting
Minutes

Date: 12 June 2019
Location: Kempsey Macleay RSL Club - 1 York Lane Kempsey
Time: 9.30am

MINUTES

MNCJO BOARD MEETING
12/06/2019

PRESENT

Voting Members:

Mayor Liz Campbell, Kempsey Shire Council (Chair)
Mayor Dominic King, Bellingen Shire Council (Deputy Chair)
Mayor Peta Pinson, Port Macquarie-Hastings Council

Non-Voting Members:

Louise McMeeking, Director North Coast, DPC Regional
Liz Jeremy, General Manager, Bellingen Shire Council
Craig Milburn, General Manager, Kempsey Shire Council
Craig Swift-McNair, General Manager, Port Macquarie-Hastings Council
Fionnuala Dixon, Executive Officer, MNCJO
Michael Thurston, General Manager, Destination North Coast

Other Attendees:

Anita Gambhir, Council Engagement Manager, North Coast and Eastern Sydney, OLG,
Rebecca Montague-Drake, Koala Recovery Partnership Ecologist
Jane Eales, Biodiversity Reforms Local Government Support Officer, North Coast
Roberta Ryan, Professor, Institute for Public Policy & Governance, Centre for Local
Government, University of Technology Sydney.
Matt Fanning, Deputy General Manager, Bellingen Shire Council.

The meeting opened at 9.35am

MINUTES

MNCJO BOARD MEETING
12/06/2019**1. ACKNOWLEDGEMENT OF COUNTRY**

The Chair opened the meeting by acknowledging that the meeting was being held on the traditional lands of the Dunghutti people.

2. APOLOGIES

NIL

3. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

NIL

4. SPEAKERS

RESOLVED: Pinson / King

That the following requests to address the Board be acceded to:

- Presentation on the MNCJO Koala Recovery Strategy by the MNCJO Ecologist, Rebecca Montague Drake.
- Presentation on progress on Biodiversity reforms from the Local Government Support Officer (Biodiversity Reforms) North Coast (Port Macquarie-Hastings to Tweed), Jane Eales.
- Presentation on the results of the Why Local Government Matters research undertaken by the University of Technology Sydney (UTS) on behalf of the MNCJO, by Professor Roberta Ryan. (Please note that this presentation relates to Item 10 of this agenda).

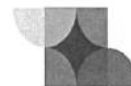
CARRIED: 3/0

FOR: Pinson, King, Campbell

AGAINST: Nil

The above-mentioned speakers addressed the Board and answered questions from the Board. Copies of the relevant presentations will be made available with the minutes of the meeting.

MINUTES

MNCJO BOARD MEETING
12/06/2019

5. ITEMS BY EXCEPTION

RESOLVED: Campbell / Pinson

That the following items be dealt with by exception:

Items: 6, 8, 12, 13, 14, 15, 16, 20, 25, 31, 33.

*CARRIED: 3/0**FOR: Campbell, Pinson, King**AGAINST: Nil*

6. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED: Campbell / Pinson

That the Minutes of the MNCJO Board meeting of 10 April 2019 be confirmed.

*CARRIED: 3/0**FOR: Campbell, Pinson, King**AGAINST: Nil*7. MODEL CODE OF MEETING PRACTICE FOR THE MNCJO & MNCJO BOARD
MEETING DATES FOR 2019-2020*RESOLVED: Pinson / King*

That the Board:

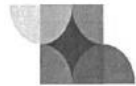
- 1) Adopt the Model Code of Meeting Practice to be effective from 14 June 2019.
- 2) Adopt the following meeting dates for MNCJO Board meetings during 2019-2020, noting that each MNCJO Board meeting shall commence at 9:30am unless otherwise resolved by the Board from time to time:

Month	Meeting	Location
9 August 2019	Ordinary Board Meeting	Bellingen Shire Council
11 October 2019	Ordinary Board Meeting	Port Macquarie-Hastings Council
6 December 2019	Ordinary Board Meeting	Kempsey Shire Council
7 February 2020	Ordinary Board Meeting	Bellingen Shire Council
3 April 2020	Ordinary Board Meeting	Port Macquarie-Hastings Council
12 June 2020	Ordinary Board Meeting	Kempsey Shire Council

- 3) Request the Executive Officer make enquiries about the opportunity for the October 2019 MNCJO Board meeting being held in Parliament House for the purpose of the MNCJO meeting with a range of Ministers.

*CARRIED: 3/0**FOR: Pinson, King, Campbell**AGAINST: Nil*

MINUTES

MNCJO BOARD MEETING
12/06/2019

8. MODEL CODE OF CONDUCT

RESOLVED: Campbell / Pinson

That the Board note the information provided in relation to the establishment of a panel of Conduct Reviewers for the MNCJO.

*CARRIED: 3/0**FOR: Campbell, Pinson, King**AGAINST: Nil*

9. PACIFIC HIGHWAY HANDOVER

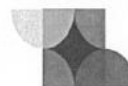
RESOLVED: Pinson / King

That the Board:

- 1) Note the information provided in relation to the Pacific Highway Handover.
- 2) Note the verbal update on a range of road related issues by the Deputy General Manager of Bellingen Shire Council, Matt Fanning.
- 3) Refer this issue to the GMAC and request that the GMAC develop a discussion paper on the issue of the proposed handing back of regional roads by the NSW government.
- 4) Request that the GMAC provide the above-mentioned discussion paper to the Board, with the Director North Coast Regional to forward the discussion paper to the Deputy Secretary of Regional Transport NSW.

*CARRIED: 3/0**FOR: Pinson, King, Campbell**AGAINST: Nil*

MINUTES

MNCJO BOARD MEETING
12/06/2019**10. WHY LOCAL GOVERNMENT MATTERS***RESOLVED: King / Pinson***That the Board:**

- 1) **Note the Why Local Government Matters (WLGM) research findings and report.**
- 2) **Refer the WLGM research findings and report to member Councils for their information and use.**
- 3) **Request the General Managers Advisory Committee (GMAC) to give ongoing consideration as to how best to use the WLGM research in the development of future projects for the Mid North Coast Joint Organisation.**
- 4) **Request the GMAC develop an appropriate media release for the MNCJO Chair with regard to the broad regional results of the WLGM research and the intent behind undertaking the research.**

*CARRIED: 3/0**FOR: King, Pinson, Campbell**AGAINST: Nil***11. CONFIRMATION OF THE MINISTERS POSITION ON THE ESTABLISHMENT OF NEW JOINT ORGANISATIONS***RESOLVED: Pinson / King*

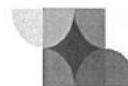
That the Board request the Executive Officer write to the new NSW Minister for Local Government seeking confirmation of the Ministers position on the establishment of new Joint Organisations, particularly for the Mid North Coast.

*CARRIED: 3/0**FOR: Pinson, King, Campbell**AGAINST: Nil***12. MID NORTH COAST JOINT ORGANISATION WEB SITE***RESOLVED: Campbell / Pinson*

That the Board note that the MNCJO web site development is now complete.

*CARRIED: 3/0**FOR: Campbell, Pinson, King**AGAINST: Nil*

MINUTES

MNCJO BOARD MEETING
12/06/2019

13. FINANCIAL REPORTING SOLUTION FOR THE MNCJO

RESOLVED: Campbell / Pinson

That the Board note that the MNCJO has purchased the Xero software accounting package to manage all MNCJO accounting functions.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

14. AUDIT ARRANGEMENT FOR THE MNCJO

RESOLVED: Campbell / Pinson

That the Board note:

- 1) The information from the Audit Office of NSW that Thomas Noble Russell have been appointed to deliver the audit of the MNCJO for a period of up to four years from the 2018-2019 financial year audit.
- 2) That the estimated cost of the 2018-2019 financial year audit is \$7,000 (excluding GST), noting that this fee may change if matters emerge during the audit that significantly change the estimated audit cost.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

15. MNCJO EXPENDITURE REPORT

RESOLVED: Campbell / Pinson

That the Board note the MNCJO financial update for the period June 2018 to 31 May 2019.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

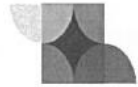
16. ADMINISTRATION COSTS FOR PORT MACQUARIE-HASTINGS COUNCIL

RESOLVED: Campbell / Pinson

That the Board approve payment of \$1,000 (excluding GST) per calendar month to Port Macquarie-Hastings Council to cover costs for the ongoing financial administration requirements of the Mid North Coast Joint Organisation.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
12/06/2019

17. ONGOING FUNDING FOR JOINT ORGANISATIONS

RESOLVED: Pinson, King

That the Board note the information provided in relation to a recent workshop of all NSW Joint Organisations, hosted by the Office of Local Government and attended by the Deputy Premier and the Minister for Local Government.

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

18. MID NORTH COAST JOINT ORGANISATION STATEMENT OF REVENUE POLICY & BUDGET, INCLUDING 2019-2020 BUDGET

RESOLVED: King, Pinson

That the Board:

- 1) Adopt the revised MNCJO Statement of Revenue Policy, including the 2019-2020 Budget.
- 2) Note that there are no borrowings proposed for the MNCJO for the 2019-2020 financial year.

CARRIED: 3/0
FOR: King, Pinson, Campbell
AGAINST: Nil

Mayor Dominic King Left the meeting at 12:15pm

MINUTES

MNCJO BOARD MEETING
12/06/2019**19. EMERGENCY SERVICES LEVY***RESOLVED: Pinson, Campbell***That the Board:****1) Advocate to the NSW Government:**

- a) A strong objection to any increase to the Emergency Services Levy (ESL) above rate peg, and note that no consultation was conducted with the Local Government sector in advance of the increase, noting that all Council budgets and integrated plans were either on exhibition or finalised.
- b) That the value of any increase of the ESL in future years be added to the rate peg, rather than as a separate one-off charge.
- c) That the ESL be considered as a separate rate collected by Local Government on behalf of the NSW Government.
- d) That the ESL increase for 2019-2020 be deferred to 2021.

CARRIED: 2/0
FOR: Pinson, Campbell
AGAINST: Nil

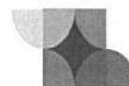
20. SOUTHERN LIGHTS PROJECT*RESOLVED: Campbell / Pinson***That the Board note the information provided in relation to the Southern Lights project.**

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

21. REGIONAL SALEYARDS*RESOLVED: Pinson, Campbell***That the Board note the information provided in relation to Regional Saleyards.**

CARRIED: 2/0
FOR: Pinson, Campbell
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
12/06/2019**22. PAYMENT OF EXPENSES POLICY - PLACING ON PUBLIC EXHIBITION.***RESOLVED: Pinson, Campbell***That the Board:**

- 1) Note the inclusion in the draft Payment of Expenses and Provision of Facilities to Members of the Board policy of Sitting Fees for voting Board members.
- 2) Place the revised draft Payment of Expenses and Provision of Facilities to Members of the Board policy on public exhibition for a period of 28 days from Monday 17 June 2019.
- 3) Note that a further report will be tabled at a future MNCJO Board meeting detailing the submissions received from the public during the exhibition period.

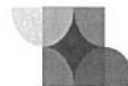
CARRIED: 2/0
FOR: Pinson, Campbell
AGAINST: Nil

23. APPOINTMENT OF A PERMANENT MNCJO EXECUTIVE OFFICER AND PRIORITY SETTING FOR THE EXECUTIVE OFFICER*RESOLVED: Pinson, Campbell***That the Board:**

- 1) Welcome Ms Fionnuala Dixon as Executive Officer of the Mid North Coast Joint Organisation.
- 2) Give consideration to what actions and activities contained within the adopted Statement of Strategic Regional Priorities should be priority actions for the Executive Officer.
- 3) Request the new Executive Officer write to the Interim Executive Officer, thanking him for his work whilst in the role of Interim Executive Officer,

CARRIED: 2/0
FOR: Pinson, Campbell
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
12/06/2019**24. DELEGATIONS FOR THE MNCJO EXECUTIVE OFFICER***RESOLVED: Campbell, Pinson*

That the Board adopt the delegations for the role of Executive Officer as outlined in this report.

CARRIED: 2/0
FOR: Campbell, Pinson
AGAINST: Nil

25. JOINT ORGANISATION GIPA ACT COMPLIANCE OBLIGATIONS*RESOLVED: Campbell / Pinson*

That the Board note the information provided by the NSW Information & Privacy Commission regarding the obligations of the MNCJO under the Government Information (Public Access) Act 2009 (NSW).

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

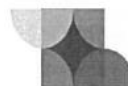
26. SUSTAINABILITY OFFICER FOR THE MNCJO*RESOLVED: Campbell, Pinson*

That the Board:

- 1) Request the Executive Officer undertake research into what State or Federal government funding sources might be available to fund an MNCJO Sustainability Officer.**
- 2) Request the Executive Officer table a report at a future MNCJO Board meeting detailing the results of investigations into what funding options might be available to the MNCJO for the appointment of an MNCJO Sustainability Officer.**

CARRIED: 2/0
FOR: Campbell, Pinson
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
12/06/2019**27. KEY POLICY PRIORITIES FOR THE NSW LIBERALS & NATIONALS GOVERNMENT***RESOLVED: Campbell, Pinson*

That the Board note the key policy priorities for the recently re-elected NSW Liberals and Nationals government.

CARRIED: 2/0
FOR: Campbell, Pinson
AGAINST: Nil

28. MACHINERY OF GOVERNMENT CHANGES AND REGIONAL LEADERSHIP EXECUTIVE UPDATE*RESOLVED: Pinson, Campbell*

That the Board note the verbal update provided by the Director North Coast, Regional NSW on:

- 1) The Machinery of Government changes taking place in NSW.
- 2) The North Coast Regional Leadership Executive and Statement of Outcomes.

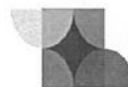
CARRIED: 2/0
FOR: Pinson, Campbell
AGAINST: Nil

29. REQUEST FROM NORTH COAST LOCAL LAND SERVICES FOR REPRESENTATIVES FOR THE PESTS ADVISORY COMMITTEE & PEST TECHNICAL WORKING GROUP*RESOLVED: Pinson, Campbell*

That the Board refer to the GMAC the decision around nominating a representative for the North Coast Local Land Services Pests Advisory Committee and the North Coast Local Land Services Pest Technical Working Group

CARRIED: 2/0
FOR: Pinson, Campbell
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
12/06/2019**30. DESTINATION NORTH COAST - VALUE OF THE VISITOR ECONOMY***RESOLVED: Campbell, Pinson*

That the Board note the verbal update to be provided by the General Manager of Destination North Coast, an Affiliate member of the MNCJO.

CARRIED: 2/0
FOR: Campbell, Pinson
AGAINST: Nil

31. MINUTES OF THE GENERAL MANAGERS ADVISORY COMMITTEE (GMAC) MEETING HELD ON 16 APRIL 2019*RESOLVED: Campbell / Pinson*

That the Board note the minutes of the General Managers Advisory Committee meeting held on 16 April 2019.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

32. MINUTES OF NSW JOINT ORGANISATION CHAIRS & EXECUTIVE OFFICERS MEETINGS.*RESOLVED: Campbell, Pinson*

That the Board note the minutes from the NSW JO Executive Officers meeting held in Sydney on Thursday 7 March 2019.

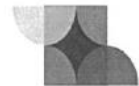
CARRIED: 2/0
FOR: Campbell, Pinson
AGAINST: Nil

33. CORRESPONDENCE*RESOLVED: Campbell / Pinson*

That the Board note the incoming and outgoing correspondence included on the correspondence register.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

MINUTES

MNCJO BOARD MEETING
12/06/2019**34. GENERAL BUSINESS - MATTERS RAISED BY VOTING AND NON-VOTING MEMBERS:**

Mayor Campbell raised the issue of ongoing advocacy from the MNCJO to the NSW government. It is felt that there is often little traction gained by the MNCJO at the Ministerial level on key issues, as opposed to some of the attention that other JO's seem to receive from a range of Ministers.

RESOLVED: Pinson, Campbell

That the Board:

- 1) Request the GMAC give consideration to developing a more formal advocacy approach to the NSW government by the MNCJO.
- 2) Request the Executive Officer seek an MNCJO meeting with the Minister for Regional Transport & Roads, Paul Toole MP immediately following the handing down of the State budget on 18 June 2019, to discuss progressing the MNCJO Timber Bridge Renewal Prospectus.

CARRIED: 3/0
FOR: Campbell, Pinson, King
AGAINST: Nil

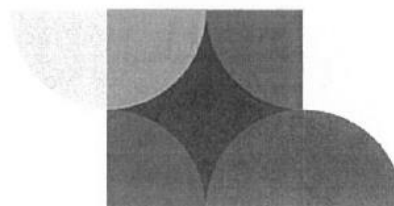
CONFIDENTIAL MATTERS:

NIL

Meeting close: 1.19pm

Mid North
Coast Joint
Organisation

mncjo



**Mid North Coast Joint
Organisation Board Meeting**

Business Papers

Date: 9 August 2019
Location: Bellingen Shire Council - 33 Hyde Street, Bellingen
Time: 9.30am

AGENDA

1.	ACKNOWLEDGEMENT OF COUNTRY	3
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5.	ITEMS BY EXCEPTION	5
6.	CONFIRMATION OF PREVIOUS MINUTES	5
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8.	WHY LOCAL GOVERNMENT MATTERS	7
9.	THE POTENTIAL ESTABLISHMENT OF NEW JOINT ORGANISATIONS	8
10.	BANK ACCOUNTS FOR THE MNCJO.....	8
11.	AUDIT OF THE MNCJO.....	9
12.	PARLIAMENT HOUSE SHOWCASE.....	9
13.	MNCJO TIMBER BRIDGES RENEWAL PROJECT	10
14.	THE NORTH COAST ENABLING REGIONAL ADAPTATION REPORT.....	10
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17.	GENERAL BUSINESS.....	12
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1. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge that this meeting will be held on the traditional lands of the Gumbaynggirr people.

2. APOLOGIES

3. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

DISCLOSURE OF INTEREST AT MEETINGS

Name of meeting _____

date _____

Item/ Report Number _____

I, _____ declare the
following interest: (name)

Pecuniary - must leave meeting, take no part in discussion and voting.

Non Pecuniary - Significant Conflict - Recommended that Board Member leaves chamber, takes no part in discussion or voting.

Non-Pecuniary - Less Significant Conflict - Board Member may choose to remain in Chamber and participate in discussion and voting.

Note: (Definitions are provided on the next page).

For the reason that -

Signed

Date

DEFINITIONS

(Local Government Act and Code of Conduct)

Pecuniary-An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(Local Government Act, 1993 section 442 and 443)

A Councillor or other member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Council or other member must not take part in the consideration or discussion on the matter and must not vote on any question relating to that matter. *(Section 451).*

Non-pecuniary - A private or personal interest the council official has that does not amount to a pecuniary interest as defined in the Act (for example; a friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

If you have declared a non-pecuniary conflict of interest, you have a broad range of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature of your interest and the significance of the issue being dealt with. You must deal with a non-pecuniary conflict of interest in at least one of these ways.

- It may be appropriate that no action is taken where the potential for conflict is minimal. However, council officials should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (for example, participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue if the provision in section 451(2) of the Act apply (particularly if you have a significant non-pecuniary conflict of interest).

4. SPEAKERS

RECOMMENDATION:

That the following requests to address the Board be acceded to:

Tanya Latanville, DPC, Regional - Draft Blueprint Local Government

5. ITEMS BY EXCEPTION

RECOMMENDATION:

That the following items be dealt with by exception:

Items: 6, 8, 10, 11, 15, 16

6. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION:

That the Minutes of the MNCJO Board meeting of 12 June 2019 be confirmed.

REPORT

Please refer to **Attachment 1.**

7. PACIFIC HIGHWAY HANDOVER

RECOMMENDATION:

That the Board note the information provided in relation to the Pacific Highway Handover.

REPORT

At the 10 April 2019 MNJCO Board meeting, the following was resolved at Item 8 of that agenda:

RESOLVED: Moved: Pinson/King

That the Board:

- 1) *Note the information provided by the General Manager, Bellingen Shire Council regarding any progress that has been made following the meeting with the Minister for Roads, Maritime & Freight on 1 February 2019 regarding the handover of the old Pacific Highway.*
- 2) *Note that Bellingen Shire Council has initiated discussions with local Department Planning & Industry (DPi) representatives in an effort to ensure the issue of the Pacific Highway handover is raised at the highest levels of the NSW government.*
- 3) *Request the Interim Executive Officer write to the relevant NSW government Ministers regarding the issue of the Pacific Highway handover, with the letter to be based on information provided by Bellingen Shire Council, following their above-mentioned discussions.*

CARRIED: 3/0

FOR: Pinson, King, Campbell

AGAINST: Nil

Further to the above, in line with a GMAC resolution on 29 April 2019, the Interim Executive Officer wrote to the Minister for Regional Roads & Transport, The Hon. Paul Toole MP. A copy of that letter is included at **Attachment 2**. At the time of writing this report, a response had not yet been received from the Minister

This issue was also considered at the GMAC meeting held on 5 July 2019, where the following was resolved at Item 11 of that agenda:

RESOLVED:

That the GMAC give consideration to the Bellingen Shire Council paper on the handover of regional roads, for development into a discussion paper to be sent to relevant NSW government Ministers and local members, outlining the MNCJO key concerns with the handover process.

MOVED: Craig Milburn / Craig Swift-McNair

At the time of writing this matter has been noted for inclusion as an agenda item for the GMAC meeting scheduled for the 8th August 2019

8. WHY LOCAL GOVERNMENT MATTERS

RECOMMENDATION:

That the Board note:

1. The media release outlining the broad regional results of the WLGM research.
2. A Community Resilience and Disaster Preparedness project grant submission was not submitted to the Community Resilience Innovation Program for grant funding, by the closing date of 23 July.

REPORT

A media release outlining the broad regional results of the WLGM research has been drafted for publication and may be located as **Attachment 3**

A grant funding submission for the proposed Community Resilience and Disaster Preparedness project could not be completed and submitted by the closing date, as the submission requirements were rigorous and included, but were not limited to:

- Written endorsement from an Agency officially responsible for emergency management
- Detailed costings, quotes and timelines
- Full details of community partners and stakeholders

This project will now be brought forward for inclusion as part of the project preparation workshop which is scheduled for the 16 August 2019 and will be facilitated by Malcom Robertson Senior Project Officer, Regional Preparedness Team DOEHL, for consideration for suitability to be submitted for funding under the Increasing Resilience to Climate Change Grants Program (Round 2), which closes on 1 September 2019

9. THE POTENTIAL ESTABLISHMENT OF NEW JOINT ORGANISATIONS

RECOMMENDATION:

That the Board note a meeting has been requested between the new NSW Minister for Local Government and the MNCJO to seek confirmation of the Ministers position on the establishment of new Joint Organisations, particularly for the Mid North Coast.

REPORT

Reference is made to previous reports to the MNCJO Board around membership of the MNCJO and the invitation sent by the MNCJO Board to Coffs Harbour City Council and Nambucca Shire Council in 2018, inviting them to join the MNCJO.

It is understood that the above-mentioned Councils are continuing to seek the establishment of a northern mid north coast Joint Organisation and it is considered appropriate that the MNCJO Board now seek confirmation on the position of the new Minister for Local Government, The Hon. Shelley Hancock MP on this issue.

This is considered a critical issue for the future of the MNCJO, as the establishment of any new northern mid north coast Joint Organisation would likely see the demise of the existing MNCJO, due to its lack of viability. The facts being that the MNCJO currently only has three member Councils and the establishment of a northern mid north coast Joint Organisation could see pressure applied to Bellingen Shire Council to join that new northern mid north coast Joint Organisation, therefore leaving only Kempsey Shire Council and Port Macquarie-Hastings Council as members of the MNCJO. This would not only be financially and practically unviable, but it would be against NSW government policy with regard to the minimum number of Councils being able to form a Joint Organisation, that number being three.

On the 19th July the Executive Officer wrote to Shelley Hancock NSW Minister for Local Government requesting a meeting to seek confirmation of the Minister's position on the establishment of new Joint Organisations, particularly for the Mid North Coast and some other matters. A copy of this letter may be found as **Attachment 4**. At the time of writing the Minister's office has scheduled a meeting for 11am 1st August 2019. Fionnuala Dixon, Craig Swift McNair and potentially Liz Campbell will be in attendance. An update will be provided.

10. BANK ACCOUNTS FOR THE MNCJO

RECOMMENDATION:

That the Board approve establishment with a subsidiary MNCJO bank account at Westpac to enable P-cards to be issued to approved staff.

REPORT

For the effective operation of the MNCJO Purchase Debit cards are required to be issued to the Executive Officer and Ecologist assigned as project lead of The Hastings-Macleay Koala Recovery Partnership initiative. This will allow said officers to pay efficiently for items required in the furtherance of their responsibilities. As the MNCJO is set up as a community account requiring 2 signatories, debit cards cannot be issued. As a solution the bank recommended that a subsidiary account be set up, enabling said cards to be issued. Expenditures will be acquitted in the usual way by submission of invoices for approval, allowing Finance to offset the expenditure against the Master account.

11. AUDIT OF THE MNCJO**RECOMMENDATION:**

That the Board note that Thomas Noble Russell have confirmed the date they will Audit the MNCJO.

REPORT

Thomas Noble Russell have confirmed they will conduct an audit of the MNCJO during the week ending 27 September 2019, when they will be on site to audit Port Macquarie-Hastings Council

12. PARLIAMENT HOUSE SHOWCASE**RECOMMENDATION:**

That the Board note a potential joint Showcase of the Norther Rivers and Mid- North Coast regions is proposed for 1st Quarter 2020.

REPORT

Louise McMeeking, Director DPC North Coast Region, Isabel Perdriau Executive Officer Northern Rivers Joint Organisation and Fionnuala Dixon Executive Officer MNCJO are exploring potential options and viability around a showcase highlighting Produce and s featured Industries from our respective regions. The venue for this showcase is not yet confirmed but it is likely to be in the foyer of Parliament House Macquarie Street, and would be held on a parliamentary sitting day to enable the broadest exposure to politicians, their staff and possibly the public

Potentially this showcase would include:

- A dinner menu at the NSW Parliament House dining room featuring locally produced foods and beverages
- Exhibits and stands showing local produce and tastings

- A workshop of topics of interest to our local producers/suppliers such as
 - How to connect with and supply various markets and restaurants
 - How to set proper rates for goods supplied
 - How to market and distribute produce
 - Other items as agreed
- It is envisioned speakers will be drawn from top chefs and key staff from Sydney markets and wholesalers.

Funding arrangements have not yet been determined and there are number of logistical items to be considered

A further update will be provided as more information comes to hand.

13. MNCJO TIMBER BRIDGES RENEWAL PROJECT

RECOMMENDATION:

That the Board note the information provided in relation to MNCJO Timber Bridges Renewal

This issue was considered at the GMAC meeting held on 5 July 2019, where the following was resolved at Item 6 of that agenda

That the GMAC:

1. Request Matt Fanning, Deputy General Manager Operations, Bellingen Shire Council, to provide an updated MNCJO Timber Bridge Prospectus to the General Manager of PMHC no later than the 22 July 2019, for the purpose of raising this with the Minister for Regional Roads & Transport, Paul Toole MP on 31 July 2019.
2. Request the General Manager of PMHC to make efforts to meet with Nick Berry, Transport NSW and with Shelley Hancock, Minister Local Government, when in Sydney on 31 July, to progress the MNCJO Timber Bridge project.

MOVED: Craig Milburn / Craig Swift-McNair

14. THE NORTH COAST ENABLING REGIONAL ADAPTATION REPORT

RECOMMENDATION:

That the Board note the information provided in relation to the North Coast Enabling Regional Adaption Report

REPORT

The North Coast Enabling Regional Adaptation report has been made available on the *Adapt NSW* website. A copy of this report may be found as **Attachment 5**. The report contains a collective understanding of the likely vulnerability to climate change of the North Coast region and identifies pathways and potential projects to respond.

For the North Coast, nine regional systems were identified as particularly vulnerable and in need of change to ensure effective ongoing government service planning and delivery:

- Settlements and land-use planning
- Resilient communities
- Cultural heritage
- Biodiversity
- Emergency management
- Food and agriculture
- Infrastructure and water
- Energy
- Tourism.

A presentation to the Board around the North Coast Enabling Regional Adaptation report, by Dr Stephen Bygrave – Director Climate Resilience and Net Zero Emissions branch or his delegate, is potentially scheduled for the next MNCJO Board meeting on the 11th October 2019 at Port Macquarie-Hastings Council's office.

**15. MINUTES OF THE GENERAL MANAGERS ADVISORY COMMITTEE
(GMAC) MEETING HELD ON 5th JULY 2019****RECOMMENDATION:**

That the Board note the minutes of the General Managers Advisory Committee meeting held on 5 July 2019.

REPORT

The MNCJO General Managers Advisory Committee meeting was held on 5 July 2019. The minutes of this meeting can be found at **Attachment 6**

16. CORRESPONDENCE**RECOMMENDATION**

That the Board note the incoming and outgoing correspondence included on the correspondence register.

REPORT

A copy of correspondence register can be found at **Attachment 7**

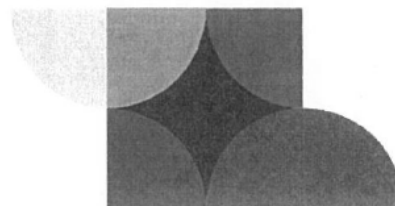
17. GENERAL BUSINESS

18. CONFIDENTIAL MATTERS

There are no confidential matters

Meeting close

Mid North Coast
Joint Organisation
mncjo



Mid North Coast Joint Organisation Board Meeting

Minutes

Date:	9 August 2019
Location:	Bellingen Shire Council - 33 Hyde Street, Bellingen
Time:	9.30am

AGENDA

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5.	CONFIRMATION OF PREVIOUS MINUTES	4
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13.	MNCJO TIMBER BRIDGES RENEWAL PROJECT	7
14.	THE NORTH COAST ENABLING REGIONAL ADAPTATION REPORT	7
16.	CORRESPONDENCE	8
17.	LATE REPORTS	9
18.	CONFIDENTIAL MATTERS	12

PRESENT

Mayor Liz Campbell	Kempsey Shire Council (Chair)
Mayor Dominic King	Bellingen Shire Council (Deputy Chair)
Mayor Peta Pinson	Port Macquarie-Hastings Council
Tanya Lantaville	Department of Premier & Cabinet
Craig Swift-McNair	Port Macquarie-Hastings (General Manager)
Liz Jeremy	Bellingen Shire Council (General Manager)
Craig Milburn	Kempsey Shire Council (General Manager)
Michael Thurston	Destination North Coast (General Manager) –Associate member

APOLOGIES

Louise McMeeking	Department of Premier & Cabinet
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OTHER ATTENDEES

Fionnuala Dixon	Executive Officer (MNCJO)
Anita Gambhir	Engagement Officer - North Coast, and Eastern DPIE
Peter Evans	Engagement Officer - Central NSW DPIE

The meeting opened 9:30am

1. ACKNOWLEDGEMENT OF COUNTRY

Upon the invitation of the Chair, the Mayor of Bellingen opened the meeting by acknowledging the meeting was being held on the traditional lands of the Gumbaynggirr people and extended respects to the Elders, present, past and emerging.

2. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

Nil

3. DRAFT RENEWAL ENERGY BLUEPRINT FOR LOCAL GOVERNMENT

MOVED: KING/PINSON

RECOMMENDATION:

That the Board note that

- 1) The current status of the Draft Renewal Energy Blueprint for Local Government is currently progressing through the DPIE approval process.
- 2) It is anticipated the official launch will occur around the end of September 2019.
- 3) A copy should be released to all Councils/JOs in approximately two weeks.

RESOLVED

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

4. ITEMS BY EXCEPTION

MOVED: KING/PINSON

RECOMMENDATION:

That the following items be dealt with by exception:

Items: 6, 8, 10, 15, 16

RESOLVED

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

5. CONFIRMATION OF PREVIOUS MINUTES

MOVED: PINSON/KING

RECOMMENDATION:

That the Minutes of the MNCJO Board meeting of 12 June 2019 be confirmed.

RESOLVED

CARRIED: 3/0
FOR: Pinson, King, Campbell
AGAINST: Nil

6. PACIFIC HIGHWAY HANDOVER

MOVED: *PINSON/KING***RECOMMENDATION:**

That the Executive Officer draft a letter, under Chair signature, to invite Minister Toole to visit the region to meet with the Board, with a view to build goodwill and better relations

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

7. WHY LOCAL GOVERNMENT MATTERS

MOVED: *KING/PINSON***RECOMMENDATION:**

That the Board note:

- 1) The media release outlining the broad regional results of the WLGM research.
- 2) A Community Resilience and Disaster Preparedness project grant submission was not submitted to the Community Resilience Innovation Program for grant funding, by the closing date of 23 July.

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

8. THE POTENTIAL ESTABLISHMENT OF NEW JOINT ORGANISATIONS

MOVED: *CAMPBELL/PINSON***RECOMMENDATION:**

- 1) The EO is instructed to draft a letter, under Chair signature, to the Minister stating that further to the meeting on 1st August, the MNCJO seeks a formal statement to confirm that there will be no NSW government support for the creation of a Northern Mid North Coast Joint Organisation.
- 2) That the Office of Local Government (OLG) advocate on behalf of the MNCJO to the Minister Local Government regarding supplying formal confirmation for non-establishment of the Northern Mid-Coast Joint Organisation. Engagement Officer to report back next Board meeting.

- 3) That the OLG also advocate to the Minister for Local Government that the funding guidelines of the recently announced \$150K grant, and of future grants, include a provision to allow application of an admin/governance component to support future sustainability of the JO operations.
- 4) The EO is instructed to follow up with the MNCJO Office of Local Government Engagement Officer on the likely timing of the Office of Local Government review on the effectiveness of the Joint Organisations

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

9. BANK ACCOUNTS FOR THE MNCJO

MOVED: *PINSON/KING*

RECOMMENDATION:

That the Board note and approve:

- 1) The opening of a new community solutions account for the MNCJO with Kerry Avery, Alicia Martin and Nicole Spencer as the required 3 signatories on the account and that card access to the be given to Fionnuala Dixon and Rebecca Montague- Drake.
- 2) The account will be set up so those with debit card access can sign for expenditure up to the card balance, in accordance with MNCJO expenditure protocols, policy and within the adopted MNCJO budgets
- 3) An initial deposit will be effected, of an amount as determined by Executive Officer and Signatory but no more than \$5000 per card. This amount to be replenished by Finance upon normal expenditure acquittance process being applied and that such expenditure is in line with adopted MNCJO budgets.

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

11. AUDIT OF THE MID NORTH COAST JOINT ORGANISATION

MOVED: *PINSON/KING*

RECOMMENDATION:

That the Board instruct the Executive Officer to draft a letter to the Minister highlighting the financial impost by the restraint placed on our ability to freely negotiate a market-based fee, potentially eroding the financial viability of the Joint Organisation

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

12. PARLIAMENT HOUSE SHOWCASE

MOVED: *PINSON/KING***RECOMMENDATION:**

That the Board note a potential joint Showcase of the Northern Rivers and Mid-North Coast regions is proposed for 1st Quarter 2020.

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

13. MNCJO TIMBER BRIDGES RENEWAL PROJECT

MOVED: *PINSON/KING***RECOMMENDATION:**

That the Board instruct:

1. The Executive Officer to work with DPIE to determine the process and steps required to enable the Timber Bridges Project to move from an in-principle support status, to a state of action that enables the MNCJO timber bridges project being utilized as a pilot, when the grant funding becomes available
2. The Executive Officer to seek formal confirmation of the 'in principle support' of the Timber Bridges as a pilot program.

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

14. THE NORTH COAST ENABLING REGIONAL ADAPTATION REPORT

MOVED: *KING/PINSON***RECOMMENDATION:**

That the Board note the information provided in relation to the North Coast Enabling Regional Adaption Report

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

15. MINUTES OF THE GENERAL MANAGERS ADVISORY
COMMITTEE (GMAC) MEETING HELD ON 5th JULY 2019

MOVED: *PINSON/KING*

RECOMMENDATION:

**That the Board note the minutes of the General Managers Advisory
Committee meeting held on 5 July 2019.**

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

16. CORRESPONDENCE

MOVED: *KING/PINSON*

RECOMMENDATION

**That the Board note the incoming and outgoing correspondence
included on the correspondence register.**

RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

17. LATE REPORTS

MOVED: CAMPBELL/KING

RECOMMENDATION

That the Board note the information provided in the late reports as detailed in the table below and approve the related resolutions.

Attendee	Report	Resolution
MNCJO	<p>Update provided on the NSW JO Chairs meeting and subsequent EO workshop held on the 1/8 and 2/8 respectively, in Sydney where Hon. Minister Shelley Hancock announced the Government would provide an additional \$150,000 of one-off funding to each Joint Organisation, to be used to assist with (and to demonstrate) capacity building. Further details to be released shortly.</p> <p>An EO workshop was conducted the following days where Hunter JO shared its success with operating commercial entities that help to fund their JO. However, it was cautioned that this was not a model that could be utilized by all JOs as that would create a situation of market saturation.</p> <p>The EOs then brainstormed on current constraints and potential ways forward to achieve sustainability. These discussions and case studies will continue to be explored in subsequent EO workshops</p>	<p>1. That the Board note that MNCJO Chair Liz Campbell will undertake Chairing responsibilities for the next Chairs meeting in October in Sydney for all JOs, with the Executive Officer to organise the meeting and provide administration support.</p>
Tourism NSW:	<p>The Board was updated on the North Coast Tourism Award Gala evening held on the 1/8/2019. Kempsey Shire Council was acknowledged and congratulated on delivering this successful event.</p> <p>Next year Tourism NSW are hoping to launch the findings of the University of NSW study of short stay accommodation conducted across Northern NSW, which will provide an opportunity for benchmarking.</p> <p>It was further advised that Ethical and Wellness is a continuing and growing theme for tourism.</p>	<p>2. That the Executive Officer create a standing item for Tourism NSW on future MNCJO Board Agendas.</p>

	There was some general discussion on the proposal presented at the previous day's GMAC meeting (8 August) by the the National Parks Association of NSW on a proposed Great Koala National Park which potentially provided an opportunity to enhance wellness, ethical and nature-based tourism offerings. It appeared that the proposed model was drawn from NZ which potentially enables an opportunity to deliver jobs while at the same time helping to deliver biodiversity sustainability.	3. That the Board invite the National Park Association of NSW to the next meeting to present on the proposed creation of the Great Koala National Park
Bellingen Shire Council	The Waste Crises issue impacting all Councils was discussed, with a suggestion that a NSW working group is needed to develop a strategy and mechanism to manage waste collectively across NSW	4. That the Board endorse the following resolution for tabling at the next Country Mayors and Chairs Meetings: 5. That Local Government NSW strongly advocates to the NSW Government to ensure the Waste and Recycling Strategy currently under development, recognizes the imperative for significant investment in both research and development, and implementation of on ground infrastructure to enable Australia to respond to the waste crises and manage its waste in a sustainable manner and that there is no delay in significantly extending and increasing the <i>Waste Less Recycle More</i> funding.
Kempsey Shire Council	Advised the Board that Engineers from each member Council met the previous day (8 th August) and are moving forward with potentially identifying opportunities for synergies and collective efforts on water and sewage projects	6. That the Board note that ongoing updates will be provided as progress is achieved.
Port Macquarie Hastings Council	Notified that the initial Pest Advisory Committee meeting was conducted on the 5 th August, which focused on Governance of the Committee, with the draft roles and responsibilities tabled. GM PMHC met with Chris Presland, who is now Director of Natural Disaster Expenditure and Governance, who advised that a Regional Disaster Preparedness Officer will be placed in 3 regions of NSW, but not necessarily in a NSW Government	7. That the Board note the tabled draft roles and responsibilities of the Pest Advisory Committee which can be found as Attachment 1 to these minutes 8. That GM PMHC follow up with Director Natural Disaster Expenditure and Governance to advise of the NMCJO preparedness to accept placement and support of a

	Regional Office, meaning that Councils will be considered if appropriate. In addition, \$100K of funding will accompany the officer to further Community Resilience and Disaster Recovery in their region.	Regional Disaster Preparedness Officer in one of our member Council offices, in light of the finding of the WLGGM report, which highlights that 50% of Householders and less than 60% of Businesses in our region are prepared for recovery following a disaster event.
The Chair	Elaborated further on the NSW JO Chairs meeting and tabled a PowerPoint presentation by Tim Hurst and Steve Orrs which was provided in the Chairs meeting on the 1 st August 2019.	9. That the Board note the presentations which may be found as Attachment 2 to the minutes
DPIE/DPC	<p>There was some general discussion on the role of the DPIE and the relationship with, and differing role from that of the DPC.</p> <p>The role of the DPIE engagement officers was also clarified.</p> <p>It was expressed that a perception sometimes existed that items raised were not progressing and that this was due to regular advice on status not being provided in Board meetings, with the timing of the OLG review of JO effectiveness cited as an example.</p>	<p>10. The Executive Officer to include a standing item on the MNCJO Board agenda to enable an update from the DPIE Engagement Officer, and from DPC regional, each meeting</p> <p>11. DPIE Engagement Officer to provide update on the timing of the OLG review of JO effectiveness and any other items of potential interest to the Board, next meeting</p>
General	To close out the meeting there was some general discussion of items of interest	<p>That the Board note that:</p> <p>12. Local Govt State Award negotiations are ongoing, and the Board will be kept updated.</p> <p>13. Executive Officer is instructed to create a spreadsheet to provide an update on all current and ongoing MNCJO actions, for quarterly Board review</p>

		14. An invitation is to be extended to Nambucca, Coffs and Clarence Councils to attend a Dinner on the 14 October at Warwick Farm as part of the LGNSW annual conference.
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RESOLVED

CARRIED: 3/0
FOR: *Pinson, King, Campbell*
AGAINST: *Nil*

18. CONFIDENTIAL MATTERS

There were no confidential matters

Meeting closed: 12.30pm

Next Meeting: 11 October 9.30am Port Macquarie Hastings Council

ATTACHMENTS APPENDED

1. Draft roles and responsibilities of the Pest Advisory Committee
2. Presentations to the NSW JO Meeting 1 August 2019 being;
 - 2.1 Update Powerpoint by Tim Hurst
 - 2.2 Minutes of the Chairs Meeting
 - 2.3 MOG Changes Regional NSW Powerpoint by Steve Orrs
 - 2.4 Terms of reference Chairs Forum



The Hon. Shelley Hancock MP
Minister for Local Government

Ref: A664987

Clr Liz Campbell
Chair
Mid North Coast Joint Organisation
P O Box 84
PORT MACQURIE NSW 2444

By email: liz.campbell@kempsey.nsw.gov.au

Dear Clr Campbell

It was good to meet with you, Ms Fionnuala Dixon and Mr Craig Swift-McNair on 1 August 2019. Thank you for briefing me on challenges and issues affecting the Mid North Coast Joint Organisations (MNCJO).

I appreciate the commitment to regional collaboration demonstrated by MNCJO and its member councils. As I have stated in the past, I am committed to the success of all JOs and the MNCJO in particular.

I have been clear in my previous correspondence with councils in your region that the NSW Government will not be forming additional joint organisations, and I will continue to encourage the councils in your region which are not in a joint organisation to join the MNCJO.

Demonstrating our ongoing commitment to JOs the Government has recently announced the allocation of a further \$1.95 million to assist each JO to build additional capacity and deliver their strategic regional plans. This means \$150,000 for each JO is available to support them to develop their capability to deliver a range of programs and services on behalf of their communities and the NSW Government.

Thank you again for taking the time to bring your concerns to the Government's attention.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Shelley Hancock', written in a cursive style.

19 SEP 2019

The Hon. Shelley Hancock MP
Minister for Local Government

cc: Ms Fionnuala Dixon, Executive Officer, Mid North Coast Joint Organisation
Email: Fionnuala.Dixon@mncjo.nsw.gov.au

Mr Craig Swift-McNair, General Manager, Port Macquarie-Hastings Council
Email: craig.swift-mcnair@pmhc.nsw.gov.au

GPO Box 5341 Sydney NSW 2001 ■ P: (02) 8574 5400 ■ W: nsw.gov.au/ministerhancock

Mid North Coast Joint Organisation

Income statement and Other Comprehensive Income for the period 9
May 2018 to 30 June 2019

		Actual 9 May 2018 to 30 June 2019 \$
	Notes	
Income from continuing operations		
Revenue:		
Member council contributions	2a	38,182
User charges and fees	2b	-
Interest and investment revenue	2c	442
Grants and contributions provided for operating purposes	2d	450,000
Grants and contributions provided for capital purposes	2d	-
Other Income	2e	1,318
Total income from continuing operations		489,942
Expenses from continuing operations		
Employee benefits and on-costs	3a	38,068
Borrowing costs	3b	-
Depreciation		-
Administrative Expenses	3c	132,817
Total expenses from continuing operations		170,885
Net operating result for the year		319,057
Other comprehensive income		-
Total other comprehensive income		-
Total comprehensive income		319,057

The above Income statement and Other Comprehensive Income should be read in conjunction with the accompanying notes.

Mid North Coast Joint Organisation

Notes to the financial statements
9 May 2018 to 30 June 2019

Note 2 Income from continuing operations

	9 May 2018 to 30 June 2019 \$
(a) Member Council contributions	
Port Macquarie Hastings Council	12,728
Kempsey Shire Council	12,727
Bellingen Shire Council	12,727
Total member council contributions	38,182
(b) User charges and fees	
Total user charges and fees	-
(c) Interest and Investment revenue	
Interest in financial assets measured at amortised cost	442
Other	
Total interest and investment revenue (1)	442
(d) Grants	
	Operating Capital
	9 May 2018 to 30 June 2019
Office of Local Government (OLG) joint organisation establishment funding	300,000
Office of Environment & Heritage - Saving our Species - Koala Recovery Partnership	150,000
Total grants	450,000 -

Mid North Coast Joint Organisation

Notes to the financial statements
9 May 2018 to 30 June 2019

Note 3 Expenses from continuing operations

	Actual 9 May 2018 to 30 June 2019 \$
(a) Employee benefits and on costs	
Salaries and wages	26,937
Travelling	6,125
Employee leave entitlements	2,194
Superannuation	2,509
Workers' compensation insurance	303
Other	
Total employee costs expensed	38,068

Accounting policy for employee benefits and on-costs

Employee benefit expenses are recorded when the service has been provided by the employee.

(b) Borrowing Costs

Interest on Loans	-
Total borrowing costs expensed	-

Accounting policy for borrowing costs

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale. Other borrowing costs are expensed.

(c) Administrative expenses

Contractor and consultancy costs	
- Executive Officer Services	20,610
- University Technology Sydney - Statement of Strategic Regional Priorities	8,134
- University Technology Sydney - Draft Communications Plan	12,390
- University Technology Sydney - Project Management	5,000
- University Technology Sydney - Survey Questionnaire Design	5,000
- University Technology Sydney - Micromex Research- Community Survey	64,700
Advertising	3,357
Audit	6,500
Catering	732
Office Expenses	4,527
Other	1,867
Total administrative expenses	132,817



Authorised by: PMHC Council
Authorised date: DD/MM/YYYY
Effective date: DD/MM/YYYY
Next review date: 12 months
from approval
File Number: D2012/380683

PROCUREMENT POLICY

1. INTRODUCTION

This policy has been introduced to outline the minimum standards required for any procurement activity to ensure a transparent probity driven process that can withstand any scrutiny.

2. POLICY STATEMENT AND SCOPE

This policy is intended for all procurement activity of any value or type in accordance with the Act, Regulations and the specific procedures associated with the procurement, in addition to the Local Preference Policy.

The objective of this policy and associated procedures is to detail standard procurement practices across Council and to highlight the obligations of Council officers with the delegated authority to arrange goods and services of any value or type on behalf of Council. This policy and underlying procedures set the ethical ground rules and requirements outlined in the *Local Government Act 1993* and *Local Government (General) Regulations 2005* for all business dealings between Port Macquarie-Hastings Council (PMHC) and our business partners. Furthermore, the procurement policy is based on the underlying principles of Councils' Code of Conduct & Statement of Business Ethics.

2.1 USE OF PUBLIC FUNDS

Under no circumstances are any goods, services or work of any kind to be arranged for a purpose other than a direct business need on behalf of and for PMHC.

2.2 DELEGATED LEVELS OF AUTHORITY

Appropriate levels of authority to incur and approve expenditure will be strictly adhered to and will be monitored regularly. These levels of authority are maintained by each divisions' Executive Assistant and can be found via the Intranet.

Any changes to current levels, or an authorisation level for a new position, require approval from the General Manager. As with the current structure of delegated authorities, the limits put in place will be strictly adhered to with the onus being on the individual employee to ensure they do not abuse their authority level.

Current delegated authorities will also be applicable to the use of purchase cards (P-Cards) across Council. Please refer to the separate purchase card procedure for more details.

An individual Council officer's current level of delegated authority is also applicable at any of the Council's stores and depots.

All requisitions that do not have the appropriate authorisation will be refused and authorisation will be required from that person's direct manager or supervisor before a purchase order is generated.

2.3 TENDER THRESHOLD

Council has a requirement to formally tender for goods and services where the anticipated expenditure for the life of the contract is greater than:

- (i) \$250,000 (inc GST); or
- (ii) \$150,000 (inc GST) for a contract involving the provision of services where those services are, at the time of entering the contract, being provided by employees of council.

Any procurement that involves expenditure above this amount must be conducted in accordance with Council's tendering procedure.

Any purchase of goods and services below the tender threshold must be conducted in accordance with either Council's purchasing procedure or purchase card procedure.

All contracts above \$100,000 must be referred to the Procurement Coordinator before a contract number or purchase order is generated.

2.4 PURCHASE ORDERS

No orders are to be placed with suppliers without an official purchase order being supplied by Council first. All suppliers are instructed not to supply goods unless they make reference to an official Port Macquarie-Hastings Council purchase order number. If a supplier supplies goods without a purchase order number, and produces an invoice to Council without reference to an official purchase order number, then Council reserves the right to refuse payment for those goods or services.

2.5 GIFTS & BENEFITS

Under no circumstances should staff solicit gifts or financial benefit of any kind in return for placing orders or arranging work of any kind with a supplier. As a general rule it is better to refuse any gifts or benefits offered to you. Circumstances may arise where refusal may be difficult or inappropriate. If you accept a gift or benefit, it should be of a token nature (typically under \$50) and must be itemised in Council's Gift & Benefit Register. For further information, please refer to Council's Gifts & Benefits Policy.

2.6 LOCAL SUPPLIER PREFERENCE

Council is committed to supporting the local economy and enhancing the capabilities of local business and industry. The objective is to create a framework that ensures Council gives due consideration to the actual and potential benefits to the local economy of sourcing goods and services locally where possible, whilst maintaining a value for money approach at all times.

The intention of this policy supports Council's commitment to achieve the best value for money outcome to Council and the Community, while maximising opportunities for local business to compete for Council business.

Council acknowledges that it has an important role to play in the local economy and is committed to assisting local industry engage in business with Council. To assist local industry and local economic development, Council will ensure that buying practices, procedures and specifications do not disadvantage local suppliers and ensure transparency in quotation, tendering and contract management practices.

2.7 BREACH OF POLICY

All procurement activity must be conducted in accordance with this policy and the associated procedures. Failure to comply with this policy or associated procedure may result in disciplinary or legal action.

3. RESPONSIBILITIES AND AUTHORITIES

The following Council officers are responsible for the implementation of and the adherence to this Policy:

- General Manager;
- Director Corporate Service;
- Group Manager Financial Services;
- Strategic Procurement Manager
- Procurement Coordinator.

Staff with any level of delegated authority of expenditure are accountable for applying this policy within their areas of responsibility. Specific responsibilities are as follows:-

- The General Manager has ultimate responsibility for procurement and delegated authority of expenditure of funds across PMHC;
- The Group Manager – Financial Services, Strategic Procurement Manager & Procurement Coordinator are responsible for the development of all policies and procedures in relation to procurement across Council;
- The Director and Group Managers of each division are accountable for the implementation, maintenance and the management of any breach of policy within their areas of responsibility in accordance with this policy and related procedures;
- Each member of staff is responsible for ensuring that they fulfil their obligations in relation to this policy, procedures and Code of Conduct when spending public funds.

4. REFERENCES

- Purchasing Procedure
- Tendering Procedure
- Purchase Card Procedure
- Engagement of Consultants Procedure
- Code of Conduct
- Gifts & Benefits Policy
- Statement of Business Ethics

This policy is based on recommendations from the Independent Commission Against Corruption (ICAC), Section 55 of the Local Government Act 1993 (NSW), Part 7 of the Local Government (General) Regulation 2005 (NSW), Councils' Code of Conduct and Statement of Business Ethics.

5. DEFINITIONS

The Act – Local Government Act 1993 (NSW)

Regulations – Local Government (General) Regulations 2005 (NSW)

Delegation – Approval from the General Manager to Council officers - an appropriate level of authority to incur and approve expenditure of Council funds.

Local Supplier – A local supplier with employees based permanently in a Local Government Area (LGA) of the Mid North Coast of NSW or where appropriate, Australian made products.

Probity – Strict adherence to a code of ethics based on undeviating honesty especially in commercial (monetary) matters and beyond legal requirements.

6. PROCESS OWNER

The Group Manager Financial Services is responsible for the review of this Policy. Review of this Policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The following Council officers can provide support and advice on this Policy:

- Group Manager Financial Services;
- Strategic Procurement Manager;
- Procurement Coordinator;
- Procurement & Contracts Officer.

7. AMENDMENTS

Amendments (October 2019)

Policy transferred to new format

Tender threshold changed from \$150,000 to \$250,000

Amendment to the roles and responsibilities to reflect the current organisation structure

Section 2 - added reference to Local Preference Policy

Superseded Documents

Purchasing Policy (06/10/2010)

Tendering Policy (06/10/2010)

Calling of Quotations & Tenders for Contractors Policy (06/10/2010)

Engagement of Consultants Policy (06/10/2010)



PURCHASING PROCEDURE

Responsible Officer	Group Manager, Financial Services
Contact Officer	Strategic Procurement Manager
Authorisation	Port Macquarie-Hastings Council 15/05/2013
Effective Date	16/05/2013
Modifications	03/06/14 (by GM) 16/10/2019 (by Council)
Superseded Documents	Purchasing Policy
Review	Procurement Operations Coordinator June 2015 or as required by any changes to legislation.
TRIM Record Number	D2012/380701
Associated Documents	Procurement Policy Tendering Procedure Purchase Card Procedure Engagement of Consultants Procedure Code of Conduct Gifts & Benefits Policy Statement of Business Ethics

1. INTRODUCTION

This procedure replaces the purchasing policy and should be read in conjunction with the procurement policy and other associated documents as listed above.

2. PROCEDURE OBJECTIVE

The following procedures are designed to ensure that all expenditure of public and ratepayer funds on the purchase of goods & services result in the best value for Port Macquarie-Hastings Council and the Community. The objectives of these procedures are to establish a framework for the implementation of Council's purchasing arrangements as follows:

- Purchases may be partially assessed on their direct & indirect economic consequences to the Port Macquarie-Hastings Local Government Area.
- All suppliers will be given fair and equitable consideration at all times, whether from within the Port Macquarie-Hastings Local Government Area or otherwise.
- All practices and procedures regardless of the size of the transaction be open & transparent and able to withstand public scrutiny.
- Facilitate the procurement of goods and services in the most timely and cost effective manner possible.
- Ensure that Port Macquarie-Hastings Council meets all its Legal and Statutory obligations in relation to procurement.
- Ensure that all staff within Council understand their individual responsibility for following these guidelines.

- Ensure that all goods & services purchased meet appropriate quality standards as set by Council from time to time.

3. PROCEDURE SCOPE

This procedure applies to all Council officers with a delegated authority to incur and approve expenditure for goods and services on behalf of Council.

4. DEFINITIONS

N/A

5. LEGAL & POLICY FRAMEWORK

This procedure is to be read in conjunction with the procurement policy, code of conduct and any other policy or procedure relevant to each procurement.

6. PROCEDURE STATEMENT

This procedure is intended for all procurement activity under the tender threshold of \$150,000 (including GST) and in accordance with the Regulations.

7. IMPLEMENTATION

7.1 Roles and Responsibilities

The following Council officers are responsible for the implementation of and the adherence to this procedure:

- General Manager;
- Director, Corporate Performance;
- Group Manager Financial Services; and
- Strategic Procurement Manager.

7.2 Support and Advice

The following Council officers can provide support and advice on this procedure:

- Group Manager Financial Services;
- Strategic Procurement Manager,
- Procurement Coordinator;
- Procurement & Contracts Officer.

7.3 Communication

The procedure will be communicated utilising the PMHC Intranet.

A brief will be provided for Councillors, Executive Group and Group Managers.

7.4 Procedures and Forms

- Requisition forms – both hard copy and on-line.

8. REVIEW

Review of this procedure will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The Group Manager Financial Services is responsible for the review of this procedure.

PROCEDURE

1 TENDERS & CONTRACTS IN EXCESS OF \$150,000 (Including GST)

For contracts in excess of:

- (i) \$250,000 (inc GST); or
 - (ii) \$150,000 (inc GST) for a contract involving the provision of services where those services are, at the time of entering the contract, being provided by employees of council;
- either formal tenders are to be invited by public advertisement in accordance with *Section 55 of the Local Government Act 1993 & the Local Government (General) Regulation 2005* or accessing an existing contract with a prescribed organisation as below;

-
- Local Government Procurement (LGP)
- Procurement Australia (PA)

For advice on accessing these contracts contact Procurement staff.

Please refer to the separate Tendering Procedure & Project Management Guidelines.

The Project Management Guidelines explains the requirements for an Initial Project Assessment that should be applied to all Projects. The purpose of this assessment is to consider both project risk and project cost to determine the project management rigour which will be applied.

2 GOODS & SERVICES BETWEEN \$100,001 - \$250,000 (Including GST)

For contracts between:

- (i) \$100,000 - \$250,000 (inc GST);
 - (ii) \$150,000 (inc GLS) for contracts involving the provision of services where those services are, at the time of entering the contract, being provided by employees of council,
- either a formal tender or request for quote (RFQ) is to be invited by public advertisement in accordance with Council's tendering Procedure. Such tenders may be submitted to Council, together with a recommendation from the Council Officer or Evaluating Panel calling tenders or authorised & signed by the Director within the division or General Manager.

Circumstances may arise where due to extenuating circumstances an advantageous result would not be achieved by advertising a tender or RFQ. As a minimum, three (3) formal written quotations will be required. If for some reason three (3) written quotes cannot be obtained, the reasons are to be documented and referred back to the appropriate Director. Such contracts must be authorised and signed by the Director within the division.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's authority level. If an entire order is of greater value than the individuals delegated authority level, it must be referred to the appropriate manager for further authorisation.

- Detailed specifications & "Requests for Written Quotation" are to be provided to the suppliers providing quotations.

- Documentation must be retained on file regarding the process undertaken to source the successful supplier.
- Unsuccessful bidders will be notified in writing.
- Upon opening quotations, a schedule of responses will be prepared and forwarded to the appropriate officer or panel for evaluation.
- The appropriate officer or panel will review all quotations and if not accepting the lowest priced bid, then the reasons must be documented and forwarded to the appropriate manager for acceptance and sign off.
- The manager may accept or reject this recommendation. If rejected, then the entire process is to recommence. If the manager decides to accept another supplier not recommended, then full justification for this decision must be documented and recorded.

If a contract already exists for the goods or services in question, then it is at Council's discretion whether it wishes to tender separately or use an existing contract. There are currently two (2) organisations that administer contracts for a range of goods and services that Council can access as below;

- Local Government Procurement (LGP)
- Procurement Australia (PA)

For advice on accessing these contracts contact Procurement staff.

3 GOODS & SERVICES BETWEEN \$50,001 - \$100,000 (Including GST)

There are a number of options open to Council staff for goods & services of this value. Staff can either choose to advertise a tender or RFQ for the relevant goods & services following the guidelines listed in the above clause "Goods & Services between \$100,000 - \$250,000" or obtain at least three (3) written quotations and the most advantageous to Council shall be selected.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's authority level. If an entire order is of greater value than the individuals delegated authority level, it must be referred to the appropriate manager for further authorisation.

- Detailed specifications & "Requests for Written Quotation" are to be provided to the suppliers providing quotations.
- Documentation must be retained on file regarding the process undertaken to source the successful supplier.
- Unsuccessful bidders will be notified in writing.
- If for some reason three (3) written quotes cannot be obtained, the reasons are to be documented and referred back to the appropriate manager.
- Upon opening quotations, a schedule of responses will be prepared and forwarded to the appropriate officer or Committee for evaluation.
- The appropriate officer or committee will review all quotations and if not accepting the lowest priced bid, then the reasons must be documented and forwarded to the appropriate manager for acceptance and sign off.

- The Manager may accept or reject this recommendation. If rejected, then the entire process is to recommence. If the Manager decides to accept another supplier not recommended, then full justification for this decision must be documented.

If a contract already exists for the goods or services in question, then it is at Council's discretion whether it wishes to tender separately or use an existing contract. There are currently two (2) organisations that administer contracts for a range of goods and services that Council can access as below;

- Local Government Procurement (LGP)
- Procurement Australia (PA)

For advice on accessing these contracts contact Procurement staff.

All contracts above \$100,000 must be referred to the Procurement Coordinator before a contract number or purchase order is generated.

4 GOODS & SERVICES BETWEEN \$2,001 - \$50,000 (Including GST)

At least two (2) written quotations are to be obtained and the most advantageous to Council shall be selected. If for some reason two (2) written quotes cannot be obtained, the reasons are to be documented on the requisition and referred back to the appropriate Manager.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's authority level. If an entire order is of greater value than the individuals delegated authority level, it must be referred to the appropriate manager for further authorisation.

The appropriate officer will review all quotations and if not accepting the lowest priced bid, then the reasons must be documented and forwarded to the appropriate manager for acceptance and sign off.

The Manager may accept or reject this recommendation. If rejected, then the entire process is to recommence.

If the Manager decides to accept another supplier not recommended, then full justification for this decision must be documented and recorded.

If a contract already exists for the goods or services in question, then it is at Council's discretion whether it wishes to tender separately or use an existing contract. There are currently three (3) organisations that administer contracts for a range of goods and services that Council can access as below;

-
- Local Government Procurement (LGP)
- Procurement Australia (PA)

For advice on accessing these contracts contact Procurement staff.

5 GOODS & SERVICES BETWEEN \$0 - \$2000 (Including GST)

At least one (1) verbal quotation is required for goods and services at this level of order value. This verbal quotation is to be recorded on the requisition with the supplier's name, contact details and prices.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's authority level. If an entire order is of greater value than the individual's delegated authority level, it must be referred to the appropriate manager for further authorisation.

- In *all* instances, a formal Requisition Form is to be completed and delivered to the Procurement Officer / Stores by whatever means possible.
- The more accurate the information on the requisition form, the more efficient the service provided by the Procurement Department.
- If a requisition is found to be higher in value than the employee's delegated authority level, the order will immediately be referred back to the employee for further approval by their appropriate manager and no further action will be taken with this requisition until such approval is granted.

6 GST

All dollar values mentioned throughout these policies and procedures are GST inclusive. This relates to levels of delegated authority as well as quotations and tenders gained for the purchase of goods and services.

7 EXPENSE REIMBURSEMENT

If a Council officer has incurred expenses in the course of their work for Council, in particular at the attendance of conferences, workshops or deputations etc, then to claim for reimbursement they must complete a "Claim for Reimbursement/Summary of Expenses" form. All claims for reimbursement are to be authorised by the Council officer's direct manager or supervisor. Once authorised, the completed claim form, along with the original receipts are to be forwarded to the payroll department. Payment will be made by EFT through the Accounts Payable Section to your nominated payroll account.

8 CHEQUE REQUISITIONS

Currently, there are several circumstances where a cheque requisition may be required as opposed to following the standard purchasing procedures. Some of these circumstances are listed as follows:

- Donations
- Supplier request
- Conference registrations
- Refunds
- Glasshouse Event Acquittals

In all cases, an official Tax Invoice or receipt that details all relevant information is required from the supplier in order for the cheques to be raised.

If requesting a refund for monies paid to Council, then Council officers must ensure that they supply a receipt number and a receipt date; otherwise refunds cannot be processed.

9 PREFERRED SUPPLIER ARRANGEMENTS

In accordance with *Local Government Act 1993*, preferred supplier arrangements allow individual purchases to be made without calling for tenders or quotations. Council is continuing to appoint

Preferred Suppliers through the formal tendering or RFQ process and a list of these suppliers can be found in Council's Preferred Supplier register, available on the Intranet.

It is expected that such arrangements will be in place for large volume, or frequently purchased products, thus eliminating the need to obtain quotations for purchases. The results for Council will be reduced prices on core, large volume products and services and more efficient use of internal resources.

If large volumes of particular goods or services are required, then Council officers have the right to call for open quotations as required, even if the required goods or services are currently under a preferred supplier arrangement such as a tender agreement.

10 PREFERRED SUPPLIER PERFORMANCE

All preferred suppliers to Council will be subject to constant performance evaluation. Council will develop Service Level Agreements (SLA's) with suppliers on an ongoing basis. Performance evaluation will form a part of all tenders and contracts.

11 PAYMENT PROCEDURES

Currently payments take place on Thursdays, either by EFT or cheque. The closing time for each weeks payment cycle is 2:00pm on the preceding Wednesday. Therefore, all paperwork is required to be signed, authorised and completed and in the accounts payable department by this time to ensure that it can be processed the following day. It is the responsibility of the person requesting payment that all paperwork be completed as required and authorised by the appropriate member of staff. If payment cannot be made on the Thursday as requested, it will be made on Thursday of the following week.

If payment is being made to a new supplier, then it is the responsibility of the initiating officer to provide all the relevant details required for accounts payable to create a new supplier record in the Authority system. These details include, supplier name; supplier address; contact name & details; and most importantly their ABN. In all circumstances Council officers must endeavor to use suppliers who have an Australian Business Number (ABN). If no ABN can be supplied, then the supplier will be required to complete a "Statement by a Supplier" declaration from the tax office. If a supplier does not have an ABN and refuses to sign the declaration, then Council is required by law to withhold 48.5% tax from the supplier.

12 GENERAL

- All official purchase orders generated by Port Macquarie-Hastings Council must include an accurate or as near too accurate as possible purchase price (excluding GST) for every individual item. This is standard purchasing procedure and it eliminates any issue of suppliers charging incorrect prices for goods and services.
- No orders are to be placed with suppliers without an official purchase order being supplied by Council first. All suppliers are instructed not to supply goods unless they make reference to an official Port Macquarie-Hastings Council purchase order number. If a supplier supplies goods without a purchase order number, and produces an invoice to Council without reference to an official purchase order number, then Council reserves the right to refuse payment for those goods or services.
- Under no circumstances are requisition numbers to be substituted or used as official purchase orders.

- Under no circumstances should staff solicit gifts or financial benefit of any kind in return for placing orders or arranging work of any kind with a supplier. As a general rule it is better to refuse any gifts or benefits offered to you. Circumstances may arise where refusal may be difficult or inappropriate. If you accept a gift or benefit, it should be of a token nature (typically under \$50) and must be itemised in Council's Gift & Benefit Register. For further information please refer to Councils Gifts & Benefits Policy.
- Where possible, current suppliers to Council should be utilised. The intention of this is to limit the number of suppliers for the same goods or services.
- Where possible, the on-line requisition system (OLR) should be utilised. The OLR system has been developed to assist the speed, accuracy and audit ability of all purchases. Furthermore, this system provides a paperless process that ensures that all policies, procedures and delegations are compliant.

13 CONFLICT OF INTEREST

Where a Council officer is involved in procurement activity, whether it be on a daily basis, or as part of a tender evaluation panel, or as the person actually responsible for inviting tenders, he/she are obliged to declare any interest or bias he/she may have in regard to a particular supplier.

This conflict of interest could range from a pecuniary interest, to a personal interest such as a family member being involved in that business. The individual is obliged to declare this interest at the outset of the process to avoid any supplier being treated in any way other than fairly and without bias.

It is of paramount importance to Port Macquarie-Hastings Council that all suppliers be treated in an equitable manner and that all dealings are transparent and can withhold public scrutiny.

14 RISK MANAGEMENT

All suppliers, where applicable, must comply with current Environmental, Work Health & Safety & Workers' Compensation legislative requirements and regulations and shall effect & maintain appropriate insurance policies. For further information please refer to Council's Risk Management Policy.

15 SUSTAINABLE CHOICE & ENVIRONMENTAL GOALS & OBJECTIVES

Goals

Wherever possible, Council employees and contractors will pursue the following goals and adhere to the specified objectives when purchasing products and services (noting that these impacts should be considered during the entire life cycle of the product, i.e. the production, distribution, usage and end of life stages):

- Minimise Unnecessary Purchasing - only purchase when a product or service is necessary.
- Minimise Waste - purchase in accordance with avoid, reduce, reuse and recycle strategies.
- Save Water and Energy – purchase products that save energy and/or water.
- Minimise Pollution – avoid purchasing products that pollute soils, air or waterways.

- Non-Toxic – avoid purchasing hazardous chemicals that may be harmful to human health or ecosystems.
- Greenhouse Benefits – purchase products that reduce greenhouse gas emissions.
- Biodiversity & Habitat Protection – purchase in accordance with biodiversity and conservation objectives.
- Value for Money – purchase for best value for money in the long term.
-

Objectives

Council's objectives through sustainable purchasing are to:

- Eliminate unnecessary inefficiency, waste and expenditure.
- Contribute to the combined purchasing power of local government to further stimulate demand for sustainable products, including materials collected through council's kerbside collection.
- Advance sustainability by participating in "closing the life-cycle loop".
- Increase awareness about the range and quality of products available.
- Deliver Council's commitments in relation to ecologically sustainable development (ESD) and other environmental and social objectives.
- Play a leadership role in advancing long-term social and environmental sustainability.

16 EMERGENCY REQUESTS

Circumstances may arise whereby goods or services are required immediately, either in response to some emergency, or simply to fulfill an urgent request that requires fast tracking.

The same practices and procedures are to be followed as in ordinary cases, especially in regard to ensuring that the person requesting the "emergency" goods or services has the delegated authority to do so, as follows:

If a requisition is found to be higher in value than the employees delegated authority level, the order will immediately be referred back to the employee for further approval by their appropriate manager and no further action will be taken with this requisition until such approval is granted.

The imposition of these standard procedures for urgent requests is not in place to impede the urgent nature of the request, but simply to uphold the transparency that Council requires in all procurement transactions. Procurement staff will do everything in his/her power to expedite the urgent nature of the request once correct authorisation is given.

17 ETHICAL STANDARDS

PMHC expects that all relationships with suppliers will be based on ethical standards that are above reproach and most importantly are capable of sustaining all forms of scrutiny. This is to be achieved for the mutual benefit of the supplier, PMHC and the community in which we serve.

If there are ever any circumstances whereby there is evidence that ethical standards have been compromised, then PMHC reserves the right to cease all existing arrangements immediately with the supplier and take all necessary actions to recover its position.

In the execution of all the aforementioned practices and procedures, it is expected that all procurement personnel will display and be seen to display a high standard of ethics. All procurement personnel shall act in such a way as to be beyond reproach and always have their own integrity and the integrity of the Council in mind at all times.

Under no circumstances is a supplier to approach a member of Council's staff or a Councillor, during a period where a product submission or tender has been submitted for evaluation, for the purpose of seeking more information, favourable treatment or for the purpose of offering certain inducements and gifts that may influence the evaluation of the products and / or tender. If there is any evidence of corrupt behaviour from a supplier, Council staff member or Councillor, then all parties involved will be reported to the appropriate authorities.



TENDERING PROCEDURE

Responsible Officer	Group Manager, Financial Services
Contact Officer	Strategic Procurement Manager
Authorisation	Port Macquarie-Hastings Council 15/05/2013
Effective Date	16/05/2013
Modifications	03/06/14 (by GM) 16/10/2019 (by Council)
Superseded Documents	Tendering Policy August 2009
Review	Procurement Operations Coordinator June 2015 or as required by any changes to legislation.
TRIM Record Number	D2012/380704
Associated Documents	Procurement Policy Engagement of Consultants Procedure Code of Conduct Statement of Business Ethics

1. INTRODUCTION

Council is required to formally tender for goods and services where the anticipated expenditure for the life of the contract is greater than:

- (i) \$250,000 (inc GST); or
- (ii) \$150,000 (inc GST) for a contract involving the provision of services where those services are, at the time of entering the contract, being provided by employees of council.

The requirements for tendering are included in this procedure. The tendering policy was first developed in 2003 and has been reviewed several times since to ensure it remains current with any changes in Local Government Regulations and or practices in general.

2. PROCEDURE OBJECTIVE

The purpose and objective of this document is to standardise current tendering practices & procedures across Port Macquarie-Hastings Council. This document will define the procedures by which best practice tendering of goods and services can be fulfilled.

3. PROCEDURE SCOPE

This procedure applies to all Council officers with a requirement to tender.

4. DEFINITIONS

The Act – *Local Government Act 1993 (NSW)*

Regulations – *Local Government (General) Regulations 2005 (NSW)*

Guidelines - Division of Local Government Tendering Guidelines for NSW Local Government (October 2009)

Delegation – Approval from the General Manager to Council officers - an appropriate level of authority to incur and approve expenditure of Council money.

Local Supplier – A local supplier or employees based permanently in the Local Government Area (LGA) or where appropriate, Australian made products.

Probity – Strict adherence to a code of ethics based on undeviating honesty especially in commercial (monetary) matters and beyond legal requirements.

5. LEGAL & POLICY FRAMEWORK

This policy is based on recommendations from the Independent Commission Against Corruption (ICAC), *Section 55 of the Local Government Act 1993 (NSW)*, Part 7 of the *Local Government (General) Regulation 2005 (NSW)* & the Division of Local Government Tendering Guidelines for NSW Local Government (October 2009).

6. PROCEDURE STATEMENT

All Request for Tenders and all two staged request processes where the anticipated expenditure for the life of the contract is greater than:

- (i) \$250,000 (inc GST); or
 - (ii) \$150,000 (inc GST) for a contract involving the provision of services where those services are, at the time of entering the contract, being provided by employees of council
- will be subject to this procedure.

7. IMPLEMENTATION

7.1 Roles and Responsibilities

The following Council officers are responsible for the implementation of and the adherence to this procedure:

- General Manager;
- Director, Corporate Performance
- Group Manager Financial Services; and
- Strategic Procurement Manager.

7.2 Support and Advice

The following Council officers can provide support and advice on this procedure:

- Group Manager Financial Services;
- Strategic Procurement Manager;
- Procurement Coordinator;
- Procurement & Contracts Officer.

7.3 Communication

The procedure will be communicated utilising the PMHC Intranet.

A brief will be provided for Councillors, Executive Group and Group Managers.

7.4 Procedures and Forms

- Procurement Initiation Plan (PIP);
- Declaration of Confidentiality;
- Disclosure of Interest by Designated Person;
- Tendering Checklist;
- Register of Communication.

7.5 Guidelines

Division of Local Government Tendering Guidelines for NSW Local Government (October 2009).

8. REVIEW

Review of this procedure will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The Group Manager Financial Services is responsible for the review of this procedure.

PROCEDURE**Ethical Principles**

The following principles will apply to all Council tenders:

- Parties must conduct the tendering process with honesty and fairness at all levels.
- Parties must conform to all legal obligations.
- Parties must not seek or submit tenders without a firm intention to proceed.
- Parties must not engage in any practice, including improper inducements, which give one party an improper advantage over another.
- Tenderers must be prepared to attest to their probity, and not engage in any form of collusive practice.
- Conditions of tendering must be the same for each tenderer on any particular tender.
- All requirements must be clearly specified in the tender documents and criteria for evaluation must be clearly indicated.
- Evaluation of tenders must be based on the conditions of tendering and selection criteria only, as defined in the tender documents.
- Parties must not disclose confidential or proprietary information. Further, members of the Tender Assessment Committee are to sign and return declarations of confidentiality, which are to be filed appropriately.
- Any party with a conflict of interest must declare that interest as soon as that party knows of the conflict.

- All dealings between client and tenderer are to be transparent and able to withstand public scrutiny.

These ethical principles apply to all parties in the tendering chain, both Council and tenderer.

Council has established a comprehensive Statement of Business Ethics (revised February 2013) that applies to all Council officers; councilors; suppliers; tenderers; contractors & consultants. This statement is available to all providers of goods and services to Council and will be supplied to all tenderers along with other formal tender documentation.

Even if goods & services providers agree to act ethically and are provided with information about how to go about doing so, this does not always ensure ethical practices. The formal Statement of Business Ethics establishes the ground rules for contractors and suppliers working with Council as well as letting them know that ethics are important to Council. It also provides a baseline from which any deviations can be identified and rectified.

Under no circumstances is a tenderer to approach a member of Council's staff (other than the designated contact person for that tender), or a Councillor, at any time during the calling of tenders and during a period where a tender has been submitted for evaluation, for the purpose of seeking more information, favourable treatment or for the purpose of offering certain inducements and gifts that may influence the evaluation of the tender. If there is any evidence of corrupt behaviour from either a tenderer or a Council staff member or Councillor, then all parties involved will be reported to the appropriate authorities.

Confidentiality

All tender documents received by Council will be treated as confidential if the content of the documents contain intellectual property, proprietary, commercial-in-confidence or other confidential information. All members of any tender panel will be required to sign confidentiality agreements. These agreements will be filed on the relevant tender assessment file.

Document management

All tender documents received by Council will be managed in accordance with Council's Document Management Policy. All documents created out of the tender process will be captured, stored, used, accessed and destroyed in accordance with the *State Records Act 1998*.

Conflicts of Interests

Each member of any tender panel will be required to make conflicts of interest declaration at the onset of the tender project. Further, if at any stage a conflict of interest arises, the conflict is to be managed in accordance with Council's Code of Conduct. A "Disclosure of Interest by Designated Person" form must be completed and forwarded to the Director of that staff members' division.

All conflicts of interest are to be filed in TRIM and maintained in accordance with Council's Document Management Policy.

Prohibited Collusive Practices

Collusive practices as referred to in the Ethical Principles that are prohibited are defined to include:

- Agreement between tenderers as to who should be the successful tenderer;
- Any meetings of tenderers to discuss tenders prior to submission of the tenders if Council is not present;

- Exchange of information between tenderers about the tenders;
- Agreements between tenderers for the payment of money or the securing of reward or benefit for the unsuccessful tenderers by the successful tenderer;
- Agreements between tenderers to fix prices or conditions of contract. This means any collaboration between tenderers on prices or conditions to be included in contracts or commissions without the consent of Council;
- Any assistance to any tenderer to submit a cover tender – that is a tender submitted as genuine, but which has been deliberately priced in order not to win the contract.
- Any agreement between tenderers prior to submission of tenders to fix the rate of payment of employer or industry association fees where the payment of such fees is conditional upon the tenderer begin awarded the contract.

Negotiations

The *Local Government Act 1993* (NSW) (in particular Section 55) and the *Local Government (General) Regulation 2005* (NSW) set out strict guidelines on when and how Councils should contract with parties from the private sector. Section 55 states that Councils must invite tenders, by public notice and in accordance with any provisions prescribed by the regulations before entering into certain contracts. The Regulations clearly state that when the tender procedure for a contract does not provide an acceptable option, Councils (subject to the passing of an appropriate resolution that includes Councils reasons for rejecting all tenders) may directly negotiate with a specific contractor.

Negotiating exclusively with one provider or entering into direct negotiations with a prospective provider without first using a competitive process has been identified as a corruption risk by ICAC. This is due to the lack of openness, fairness and accountability and may result in outcomes that deliver less than best value to the community.

If after formal evaluation of a tender, none of the tenders are acceptable to Council, negotiations may be conducted with the tenderer that submitted the most acceptable tender based on the evaluation criteria. As per the *Local Government (General) Regulation 2005* (NSW), prior to entering into negotiations directly with one or more of the tenderers, a report must be written to Council with a recommendation for Council to reject all tenders. Council must then adopt a second recommendation that specifically allows Council officers to negotiate directly with one or more tenderers or other parties as deemed appropriate by Council.

The purpose of the negotiations shall be made clear to all participants prior to the commencement of negotiations. The aim of this is to achieve a tender that is mutually acceptable. Written records of all negotiations, including documentation covering who does what, when and why, must be maintained by Council.

Council should exhaust negotiations with the tenderer that submitted the most acceptable tender before negotiating with the next most acceptable tenderer, unless time constraints or the closeness of the tenders dictate otherwise.

In any tender related negotiations or evaluations, Council must deal fairly with all tenderers in a manner that reflects the ethical principles stated earlier. Council officers must not in any way use the negotiation as an opportunity to trade off different tenderers prices against others in an attempt to seek lower prices. This practice is known as 'bid shopping' and is unacceptable in any tender related negotiations or evaluations.

Formal negotiations with a tenderer are different to gaining clarification of issues during the evaluation of a tender. Through the evaluation process, questions may arise from information provided by one or more of the tenderers. A member of the evaluation committee may seek

clarification on these matters from the relevant tenderer as required. The purpose of this contact is not negotiation, but for clarification purposes only – this contact is not to be used to negotiate other terms and conditions with any particular tenderer, or to allow them the opportunity to gain some advantage over other tenderers.

Contact Person

Council must, in all tenders, nominate a person as a point of contact for any enquiries regarding the tender, the process or feedback.

Tender Threshold

As per the *Local Government (General) Regulation 2005 Part 7* (NSW), the threshold for requiring Council to formally tender for any particular contract for the supply of goods and services is:

(i) \$250,000 (inc GST); or
\$150,000 (inc GST) for a contract involving the provision of services where those services are, at the time of entering the contract, being provided by employees of council \$
for the life of the contract.

The tender threshold must be estimated honestly and with up to date market prices. Further, any options in the contract must be included in the estimate of the value of the contract, for example, if a contract for the first term will cost \$80,000 and an option to extend the contract for a further term is also worth \$80,000 then the tendering requirements are triggered because the value of the whole contract is possibly \$160,000.

Order / Contract Splitting

Under no circumstances is a contract to be deliberately split into two or more parts in an effort to avoid the requirement for tendering. It is highly unlikely that value for money will be achieved for Port Macquarie-Hastings Council by doing this and if a Council officer is found to have acted unethically, then disciplinary action may be taken against that officer.

Tendering Methods

It is the responsibility of the delegated Council officer to select the most appropriate tendering method. It is common to choose the tendering method that is best suited to the procurement to be undertaken.

1. Open Tenders

Where Council tenders by public advertisement with no restriction placed on whom may tender.

2. Selective Tenders

Where invitations to tender for a particular proposed contract are made following a public advertisement asking for Expressions of Interest.

3. Selected Tenders / Pre-qualified Tenders

Whereby recognised contractors selected from a list prepared or adopted previously by the Council are invited to tender for proposed contracts of a particular kind.

As per the *Local Government Act 1993* (NSW), a Council that invites tenders from selected persons only, is taken to comply with the requirements of the Act only if those persons are selected:

- (a) From persons who have responded to a public advertisement for expressions of interest in the particular contract for which tenders are being invited, or
- (b) From persons who have responded to a public advertisement for recognition as recognised contractors with respect to contracts of the same kind as that which tenders are being invited.

4. Existing Contracts

As per *Local Government (General) Regulation 2005 (163 (1A))* the following organisations are prescribed for the purposes of Section 55 (3) (a) of the Act;

- Local Government Procurement (LGP)
- MAPS Group Limited trading as - Procurement Australia (PA)

These organisation regularly facilitate tenders for a range of goods and services on behalf of Councils and other Government entities. If a contract exists for the goods or services in question, then it is at Council's discretion whether it wishes access these contracts.

The use of these contracts means that Council is not required to fulfill the requirements for tendering as outlined in Section 55 of the Act which, in certain circumstances may result in savings to Council. Where these contracts are used, all relevant documentation must be completed and approved in accordance with staff's delegations.

For advice on accessing these contracts contact Procurement staff.

Preferred Supplier Agreements

The term 'preferred supplier arrangement' is as defined by the ICAC as *"...a contract under which there is a standing offer to provide a particular good or service to a council over the period of the contract"* Preferred supplier agreements may also be called 'period contracts', 'standing offer contracts' or 'pre qualified panels'.

Commonly, preferred supplier contracts are used for goods or services that are procured regularly and/or at short notice. Preferred supplier lists will be established and managed from a central organisational perspective. When the need arises, Council will prepare a formal tender as per this policy for the appointment of preferred suppliers.

Pre-tender Meetings

The pre-tender meeting is a critical step in the planning of any procurement – these meetings will help set out the method of tendering and identify strategies to achieve the greatest value for money in the most effective and timely manner whilst fulfilling the obligations of the Act, Regulations and procedures.

A pre-tender meeting must be arranged by the project owner with procurement staff so that an effective and timely procurement can be conducted. The meeting should be used to discuss, but not limited to the following;

- Estimated whole of life cost of the contract;
- Method of procurement;
- Tender Initiation Plans;
- Timing;
- Identify who the key stakeholders are and nominated members of a Tender Evaluation Panel.

A contract number and document folder will be issued by the Procurement Coordinator once a pre-tender meeting has been conducted and all requirements of the tender process have been confirmed and approved.

Procurement Plan and Tender Evaluation & Probity Plan

A Procurement Plan and Tender Evaluation & Probity Plan are to be developed before proceeding to tender. The plans are designed to outline the need, funding, scope, risks, market strategy (method of tendering) and approval to advertise a tender. The plans are key documents for the planning and demonstrated need of a procurement and forms the basis of the pre-tender meeting. The plans are developed by the project owner with the assistance of Procurement. Procurement and Tender Evaluation & Probity Plans templates can be obtained by contacting the Procurement.

Tender Documents

All tender documents should include the following information:

- Details of the tender requirements;
- Specification of the goods or services required that will provide equal opportunity for all potential tenderers to offer goods and services that satisfy Council's needs;
- Give details of the work to be carried out, the goods or facilities to be provided, the services to be performed and if the proposed contract is an installment contract;
- Give details of the installments to be paid by or to Council and the period over which the installments are to be paid and the intervals between payment of the installments;
- Must designate any supporting information required from tenderers;
- Must nominate a contact person for availability during the tender process;
- Must identify the selection criteria on which the assessment of tenders will be based;
- Must clearly define the contractual obligations of both parties;
- Must draw attention to any special conditions or obligations under the contract which may depart from Council's normal practice;
- Include a statement that no binding contract exists until the successful tender is accepted.
- Clear instructions regarding how submissions should be lodged with Council i.e. via hard copy in the tender box only, or are electronic or faxed submissions permissible. If electronic or faxed submissions are permissible, then detailed instructions regarding these methods of submission are to be included.
- Include a statement about the communications protocol both during the tender period and after receipt of submissions.
- A statement detailing the requirements of the Government Information (Public Access) Act 2009.

Tender Evaluation

A Tender Evaluation Panel (TEP) will be formed to evaluate all tender responses. For common use period contracts for the supply of goods & services, the evaluation committee will consist of the following representatives:

- 1 x Procurement Coordinator (or delegate if required - Acting as Probity Advisor)
- 2 x Officers responsible for tender lodgment
- 1 or more independent Council staff – i.e. potentially from unrelated areas of the business.

For all tenders and expressions of interest, a TEP is to be formed and should consist of at least 3 x representatives, led by the head of the section responsible for calling for the particular tender. The TEP representatives shall be chosen depending on the type of goods & services tendered for. It is imperative that the TEP remains representative of the entire Council and that the Procurement Coordinator (or delegate) be present as a Probity Advisor.

Below are the general key areas to be taken into consideration when evaluating a tender:

- **Price** – while price is one of the most important aspects of Procurement, it does not always follow that the lowest price will always win the contract. The requirement is for the most commercially favourable and advantageous tender to be accepted. This may not necessarily be the cheapest tender, but it may address more adequately other areas of evaluation.
- **Commercial Considerations** – these might include the ability of the supplier to deliver the goods and/or services as and when required; the capacity of the supplier to meet environmental and OH&S standards; any previous poor supply performances; inferior product quality; ability to meet appropriate quality standards as set by Council and suitability of the product being tendered.
- **Financial Considerations** - the financial viability and stability of the supplier. If there are questions in this regard, then appropriate advice should be sought.
- **Risk** – a formal risk assessment should be conducted for all major tenders over \$1,000,000. The resulting risk profile should be used in conjunction with analysis of other evaluation criteria to determine the recommended tenderer to Council.

Evaluation Criteria

In addition to prices tendered, evaluation criteria should contain critical factors to be used in the evaluation of tenders. These factors typically include, but are not limited to:

- Whole of life costs / value for money;
- Ability to meet Council's ethical standards;
- Innovation offered;
- Any perceived risks to Council in awarding this tender;
- Delivery times offered;
- Quality offered;
- Previous performance of tenderer;
- Current commitments;
- Experience of tenderer and personnel proposed;
- Capability of the tenderer, including technical expertise, management, human resources, organisational & financial capability and capacity;
- The intention of the tenderer to use competitive services and/or producers and sub-contractors from within the Mid North Coast.
- The ability of the tenderer to meet the specifications as detailed in the tender documents.
- Tenderers WH&S management practices and performance;

- Tenderers safety management practices and performance;
- Tenderers workplace and industrial relations practices and performance;
- Tenderers environmental management experience and performance;
- Tenderers security management practices and performance (if applicable);
- Value-added components such as economic, social, environmental development initiatives if appropriate and relevant to procurement;
- Security management and performance if applicable and
- Conformity of tender with the stated requirements.

In the majority of tenders there will generally be no more than five or six evaluation criteria depending on each individual tender's requirements. The decision on what specific criteria to be used will be made by the appropriate officers responsible for each particular tender. All evaluation criteria should be consistent with the contract requirements and aim to identify the tenderer offering the best value for money.

The weighting of all the evaluation criteria must be determined prior to the tenders being closed and shall not at any time be disclosed to tenderers. Tenderers have a right to expect good faith and efficiency from those people calling and assessing the tenders.

For expressions of interest, the main considerations for selection of prospective tenderers is their capacity and capability to perform the requirements of the proposed contract.

For all tenders and expressions of interest, detailed documentation relating to the evaluation process and the selection of the successful tenderer should be kept and filed appropriately along with other relevant documentation. This documentation will include minutes of evaluation meetings and decisions taken at those meetings.

Each member of the evaluation panel is to review the final evaluation analysis document to ensure it contains no errors or anomalies; then each member is to sign and date the final evaluation analysis document, as evidence that they are in agreement with the result of the evaluation process.

What is Value for Money?

Value for money is determined by considering all the factors, which are relevant to a particular purpose, for example, experience; quality; reliability; timeliness; service, plus Initial & ongoing costs.

These above factors can have a significant impact on benefits and costs. It is important to note that value for money does not automatically mean the "lowest price" – it means the offer that is most advantageous to Council after considering the above factors. Ideally Council officers involved in tender evaluations should be clear about how value for money will be determined in any particular set of circumstances prior to assessing tenders.

Environmental Considerations

All tenders should at the very least specify the minimum environmental standards relevant to the provision of goods and services. The purchase of all goods and services should encompass Environmental Best Practice (EBP) and where applicable, Ecologically Sustainable Development (ESD) guidelines. Waste minimisation in terms of packaging etc should be a key consideration when evaluating goods.

Where applicable, all goods and services must meet energy conservation & greenhouse gas standards, consistent with Council's Greenhouse Gas Strategy.

Tenderers will be required to demonstrate in their tender responses their environmental management and environmental capability. During the course of the contract, Council may measure the tenderers performance against the outcomes proposed in the tender response.

Council will base their tender evaluation on “value for money”, which includes “whole of life” costing.

Environmental Procurement & Sustainable Choice

The purpose of the Sustainable Choice clauses is to provide a purchasing framework that will advance the sustainable use of resources.

Council will demonstrate to the community that the purchasing decisions of our employees can improve markets for recycled content products, enhance environmental quality, be resource responsible and contribute to progress toward sustainability.

For full details on the Sustainable Choice clauses, please refer to Council's official Purchasing procedure.

In-House Tenders

Section 55 (2A) of the *Local Government Act* clarifies that a council may tender for any work, service or facility for which it has invited tenders. The following strategies should be considered for use when tenders from council business units are involved:

- Engagement of an independent assessor to participate in the evaluation of the tenders;
- Ensuring that potential tenderers know that in-house tenders are involved;
- Ensuring that all tendering procedures are followed closely to avoid perceptions of bias and that comprehensive records are kept;
- Ensuring that there is clear physical and operational separation between staff responsible for the tender and those tendering;
- Careful management of access to information – ensure stringent security measures are applied so that in-house tenderers do not have the opportunity to access confidential tender information.

Joint Purchasing Arrangements

Joint purchasing arrangements can provide opportunities for councils to achieve efficiencies through economies of scale and other processes. Section 355 of the *Act* provides that a function of Council may, subject to certain conditions, be exercised in a number of ways. For example, a Council may exercise its functions:

- Jointly by the Council and another Council or Councils, or
- By a delegate of the Council, this may be a voluntary regional organisation of Councils of which the Council is a member.

While section 377 of the *Act* provides that a Council may, by resolution, delegate certain functions to its General Manager or any other person or body (not including another employee of the Council), the provision does not include “the acceptance of tenders which are required under the *Act* to be invited by the Council”. As Councils are unable to delegate the power to determine whether to accept those tenders required by the *Act*, Councils should clearly specify which functions of the tendering process are to be delegated and to whom, especially in relation to joint purchasing arrangements.

Councils could choose to engage in joint purchasing arrangements with other Councils or groups of Councils such as voluntary regional organisations of Councils. However, the functions of deciding to tender, either generally or in regard to a specific tender, and accepting the tender should remain the function of the individual elected Councils and not be delegated.

The delegation of certain functions does not divest the individual elected Councils as principal bodies, of their responsibilities to ensure that accountability and probity is maintained in the tendering process.

Advertisement of Tenders & Expressions of Interest & Collection of Documents

Tender advertisements should include as a minimum the following:

- Express the purpose of the proposed contract;
- A brief description of the scope and requirements of the tender;
- Where tender documents may be obtained and details of a contact person;
- Precise details of where & when tenders will close;
- Details of pre-registration or pre-qualification where applicable.

As required by Part 7 of the *Local Government (General) Regulation 2005* (NSW), Council must advertise all tenders and expressions of interest in the following papers:

- a) A Sydney metropolitan daily newspaper &
- b) Either or both of the following:
 - a. A newspaper circulating in the Council's area;
 - b. A newspaper circulating in the district where potential tenderers are likely to be carrying on business or residing.

(Council advertises in at least one of the local newspapers, being the Port Macquarie News, the Hastings Gazette and the Camden Haven Courier.) Please also refer to Council's formal policy and procedure for the placement of advertisement.

All Council tenders and expressions of interest are to be listed on Council's tendering web site (Tenderlink); <https://www.tenderlink.com/pmhc/> from the day of the first published advertisement. All tenderers are requested to formally register on the tendering web site, which then allows them access to download the tender documents.

The act of a tenderer downloading the tender documents creates an audit trail that is a permanent record for Council of who has received the documents. This then forms part of our Tender Record Keeping Checklist.

If changes are made to the tender documents in the form of an addendum, Council can distribute these via the tendering web site. Once an addendum is loaded on the tendering web site, all parties who have downloaded the tender documents will receive notification that there is an addendum available. Again, this acts as a control to ensure that all tenderers are given the same opportunity and information at all times.

Closing Date for Tenders & Expressions of Interest

Please note that the closing date for all tenders and expressions of interest must be a minimum of 21 days from the date of the first published advertisement. This is a requirement for all formal tenders and expressions of interest. Only in certain extreme circumstances can a shorter tender period be allowed.

If Council believes that there are exceptional circumstances rendering a deadline as inappropriate that would be required to be specified in an advertisement, Council may decide on an earlier deadline. However, the earlier deadline must be a specified time on a date that is at least 7 days after:

- (a) The date of the publication or first publication of the advertisement, or
- (b) The date of the invitation.

If, having specified a deadline in an advertisement, Council becomes aware of circumstances that show that the deadline may not allow enough time for meaningful tenders or applications to be

submitted, it may extend the deadline by specifying a later deadline. If, at the time of extending the deadline, Council has issued invitations or tender documents to tenderers, it must take all reasonably practicable steps to inform those persons of the later deadline.

Council will keep a record of the circumstances requiring either an earlier or later deadline to be specified in such an advertisement or invitation, and which member of staff made the decision to either lengthen or shorten the deadline.

If a Selective Tender process is being undertaken as a result of a formal expression of interest; then the deadline for the formal tender must be specified as at least 21 days from the date of invitation.

Enquiries by Tenderers & the Register of Communication

Council must nominate a contact person as stated earlier in this policy. All enquiries from tenderers to the contact person should be recorded, noting time & date of receipt, the issue raised and any response provided on a formal register of communication. Any information given to a particular tenderer, which clarifies any aspect of the tender, must be promptly communicated in writing to all other tenderers. This does not apply to confidential or intellectual property information. If communication of a simple nature is required that will not result in alterations of the tender document or potential outcome of any submission, this may be done via an on-line forum within Tenderlink. If an on-line forum is used, Council's nominated contact person will be nominated as the mediator of that forum.

If an enquiry leads to the discovery of a significant error, then the information should be communicated to all tenderers.

Communication with Tenderers after Close of Tenders

After the tender has closed and the evaluation process has begun, the following protocol should apply to contact between the tenderers and members of the evaluation panel and other council officials:

- Contact between Council and a tenderer should be in writing at all times and only with the official contact person for that tender, as detailed in the tender documents. If a tenderer contacts a Council officer by telephone, the conversation should be documented and confirmed in writing with the tenderer. This will then form part of the formal communications register relating to each particular tender.
- In general tenderer initiated contact should not be allowed except for the notification of a mistake or anomaly.
- Council initiated contact with a tenderer should be only for the purpose of clarification. The decision to contact a tenderer should be made by the entire evaluation panel
- Where the evaluation panel decide to request clarification from a tenderer, all tenderers are to be given the opportunity to provide clarification on that aspect of the tender if necessary.
- Clarification can only be sought if information received in a tender is open to interpretation or is not clear and where this information is necessary to properly evaluate tenders.
- It is critical that Council initiated contact does not result in any tenderer gaining an unfair advantage over other tenderers i.e. the tenderer is not allowed to revise or enhance the original tender.
- All contact, whether Council or tenderer initiated must be well documented and records maintained.

Amendments to Tender Documents (Addendums)

Where it becomes necessary to amend tender documents, the amendments must be advised as an addendum to all tenderers in sufficient time for them all tenderers to properly consider the addendum before tenders close. Each addendum should state clearly that it is to be incorporated in the original tender documents. Addendums will be distributed via Councils tendering web site. Consideration may need to be given to extending the tender period when an addendum is issued. If the tender period is extended, all tenderers are to be advised of the new closing date and times in line with the requirements of the *Local Government (General) Regulation, Part 7*.

Receipt of & Opening of Tenders

All tenders & expressions of interest for Council have a closing time of 11:00am on any given Thursday, as detailed in the tender document. A minimum of 3 designated Council officers formally open all relevant tenders at 11:00am, pursuant to regulation 175. This formal opening entails the formal recording and stamping of each tender submission received, plus the preparation of an alphabetical schedule of responses, known formally as a Tender List. As soon as practicable after the formal tender opening, the Tender List must be displayed in a place where members of the public can readily see it. Council will post this tender list on the notice board in the main foyer at the Burrawan St offices in Port Macquarie. The formal tender documents are then forwarded to a member of the TEP.

Those tenders submitted to Council electronically in accordance with this procedure, will be included on the list of received tenders at the earliest possible convenience.

Please note that tenderers and members of the public are welcome at formal tender openings. Members of the public, upon request, are entitled to be informed as to whether the Council has received a particular tender and the number of tenders received.

Late Tenders

Council is not permitted to consider a tender unless it is submitted to Council before the closing deadline, or unless evidence can be provided that all requisite essential information was posted or lodged at a Post Office or other recognised delivery agency, before the deadline for the closing of tenders. The tender must be deposited in the correct tender box located in the foyer at Council's Port Macquarie Office, Burrawan Street, prior to the closing time and date of the relevant tender.

Tenders submitted by facsimile or electronically, must be fully received prior to the closing time and date of the tender. Submissions by facsimile or electronically will only be accepted, provided that an original copy of all the requisite essential information is lodged at a Post Office, or other recognised delivery agency, prior to the tender closing time and they must be clearly marked with the time and date of posting, unless otherwise stated in the tender document.

A posted tender which is received after the closing time and date will only be considered if the tenderer can satisfy Council that formal tender documents and all other requisite essential information were posted or lodged at a Post Office or other recognised delivery agency within a reasonable time to ensure delivery before the deadline for closing of tenders, and the tenderer has taken all possible action to expedite delivery when notified of a late arrival.

"Essential information" shall mean all information in the Tender Form and all information, which is required by the Conditions of Tendering to be submitted with the Tender Form.

Please note that it is the tenderers responsibility to ensure that all tender documents are lodged following the instructions stated above.

Electronic Tendering

As per the *Local Government (General) Regulations 2005* (NSW), the following clauses outline Council's policy regarding electronic tendering:

- Tenders may be submitted in writing, by fax or (subject to the items following) by electronic means, however the preferred mode of submission must be detailed in the tender document;
- Electronic tenders shall comply with any guidelines prepared under Section 23A of the *Electronic Transactions Act 2000* (NSW) (no guidelines are yet in operation);
- An electronic tender, to comply, must be sent in a secure form (such as an encrypted document) to ensure that it cannot be subsequently altered;
- Where a tender is sent by fax or electronic means, it must be securely printed by an appropriate person and placed in a sealed envelope and placed in the tender box immediately after it is printed out, prior to the closing date and time of the tender;
- Notification to unsuccessful tenderers may be forwarded by electronic means.

Council is only able to accept electronic submissions via the formal tendering web site located at www.tenderlink.com/pmhc. No email submissions are allowed due to a lack of sophisticated encryption software. Tenderers need to be registered on the tendering web site and to have downloaded the original tender documents in order to be able to upload an electronic submission. Submissions uploaded electronically are stored until the closing time and date, upon which time a set of electronic keys is automatically emailed to Councils Records Staff. This ensures that the submission is unable to be intercepted and interfered with by any person.

Variation of Tenders

Clause 176 of the Regulation provides that tenders may be varied in certain circumstances. Prior to accepting tenders that Council has received; a tenderer may vary the tender by providing Council with further information by way of explanation or clarification, or by correcting a mistake or anomaly.

Such a variation may be made either at the request of the council, or with the consent of the council at the request of the tenderer, but only if, in the circumstances, it appears to Council reasonable to allow the tenderer to provide the information or correct the mistake or anomaly.

If a tender is varied in accordance with this clause, Council must provide all other tenderers whose tenders have the same or similar characteristics as that tender with the opportunity of varying their tenders in a similar way. Council must not consider a variation of a tender made under this clause if the variation would substantially alter the original tender.

If a tenderer submits a tender with qualifications and departures, the qualifications and departures can be considered as anomalies and treated in accordance with Clause 176 of the Regulation. Alternatively, if the qualifications and departures would alter the value of the tender to Council, that alteration can be assessed and the tendered price adjusted for purposes of comparison of tenders. If the tender is considered non-conforming, the tenderer may be asked to withdraw the qualifications and departures. If not withdrawn, the tender may be treated as non-conforming and should not be further evaluated.

Council will keep a record of the circumstances requiring the variation of a tender, and the name of the staff member handling the matter.

Alternative Tenders

Tenderers may be encouraged to offer alternative tenders that do not fully meet the prescriptive conditions of tendering but provide innovative solutions and better value for money. Councils must specify the circumstances in which alternative tenders will be considered. Where a tenderer offers an alternative, a tender for that alternative should not be sought from other tenderers. Councils should not breach confidentiality by using information contained in alternative tenders as the basis for calling subsequent tenders.

Alternative tenders should not be accepted from tenderers that have not submitted a complying tender.

Local Supplier and Australian Made Preference

Council is committed to supporting the local economy and enhancing the capabilities of local business and industry. The objective of this is to create a framework that ensures Council gives due consideration to the actual and potential benefits to the local economy of sourcing goods and services locally where possible, whilst maintaining a value for money approach at all times.

The intention of this supports Council's commitment to achieve the best value for money outcome to Council and the Community, while maximising opportunities for local business to compete for Council business.

Council acknowledges that it has an important role to play in the local economy and is committed to assisting local industry engage in business with Council. To assist local industry and local economic development, Council will ensure that buying practices, procedures and specifications do not disadvantage local suppliers and ensure transparency in quotation, tendering and contract management practices.

Council will engage with local suppliers, businesses and industry to educate and inform about ways to maximise opportunities to secure Council business.

Report to Council following Tender Evaluation

Following the evaluation of tenders by the evaluation panel, a report to Council must be prepared, to allow Council to make the decision whether to accept a tender, or not accept any of the tenders under clause 178 of the *Regulation*. The report to Council should be provided in a timely manner to ensure sufficient time for informed decision-making by Councillors. Where it is necessary for a late matter to be submitted to Council, the report should include the reasons for the late submission of the report.

The Council report should include all information necessary to allow Council to make an informed decision and should include:

- Background information relating to the invitation to tender including;
- Where applicable, the expiry date of the previous contract, the name of the previous contractor, a summary of the performance review of the previous contractor, and whether a review of the nature and terms of the contract was conducted prior to the tender and the results of such a review;
- Details of the sequence of events for the tendering process;
- Details of any change to the conditions of tender or advertising period, why the changes occurred and who authorised the changes;
- Details of the evaluation criteria;
- Details of the evaluation criteria weightings (generally done as a confidential attachment);
- Full details of all tenders received.
- For non-complying or alternate tenders, a detailed analysis of the non-compliance should be included and the reasons for Council to consider this appropriate or otherwise;
- A detailed financial analysis of the tenders providing a comparison of all options on the basis of unit price, service price, annual cost, total cost or other appropriate measures depending on the nature of the tender;
- Details of the evaluation and the analysis of tenders against the criteria, including a summary of the experience of each tenderer in relation to the nature of the tender;
- Details of any post-tender contact and the reasons for or results of that contact, such as contact for the purpose of clarification and the outcome of this clarification;

- Summary of the tender considered most suitable in the circumstances, including the rationale for the conclusions or the rationale for considering none of the tenders suitable;
- A recommendation for the acceptance of a tender including, if applicable, any conditions or requirements associated with the acceptance or proposals to vary the contract conditions as a result of the tendering process or errors in documentation, or a recommendation not to accept any of the tenders.

Information in the report should remain confidential pending Council's determination. In accordance with clause 179 of the *Regulation*, Councils must make information on the outcome of the tendering process publicly available by displaying the name and amount of the successful tender or a notice stating that none of the tenders were accepted.

Notification of the Outcome of Tenders

Unsuccessful Tenderers

All unsuccessful tenderers should be advised in writing (or by electronic means) that their tenders were unsuccessful, only after formal resolution by Council.

No information relating to unsuccessful tenderers will be made available unless otherwise specified in the tender.

An invitation to attend a debriefing meeting, on request, will be contained in the notification to unsuccessful tenderers. The debriefing meeting should indicate how their tender performed against the selection criteria and outline any opportunity for improvement in terms of addressing key criteria.

Successful Tenderers

After a formal report and subsequent acceptance by Council of a successful tenderer or tenderers, the responsible Council officer is to notify the successful tenderer/s in writing (or by electronic means).

Once this is done, Council must display on the notice board in Council's main foyer at Burrawan St, Port Macquarie, a notice specifying the name of the tenderer/s who was accepted and the amount of the successful tender/s, or if no tenders have been accepted, a notice to that effect. This notice should be displayed for a period of up to 48 hours

All formal notifications to tenderers whether successful or unsuccessful are to be filed along with all other relevant tender documentation in Council's electronic document management system.

Risk Management & Insurance Requirements

Council will ensure that appropriate risk management practices and procedures are included in its tender documentation. All successful tenderers will be required to comply with current Environmental, Work Health & Safety & Workers' Compensation legislative requirements and regulations and shall effect & maintain appropriate insurance policies. Following is a list of the insurances a tenderer will generally be required to have, however please note that this list is not exhaustive and is to be used as a guide only as there may be other insurances required for particular contracts that are not listed:

- Public Liability Insurance Cover (Mandatory);
- Workers Compensation Cover (Mandatory);
- Professional Indemnity Insurance Cover (Discretionary);
- Plant & Equipment Insurance Cover (Discretionary);
- Plant & Equipment Registration (Discretionary).

The tender documents will indicate the type and value of insurance that is required for contractors to hold. Tenderers will be required to supply to Council copies of current Certificates of Currency of Insurance and will be contractually bound to maintain the currency of all required insurances for the term of the contract.

Tender Record Keeping Checklist

In conducting the tendering process, it is critical that our formal record keeping for each tender and expression of interest is accurate and comprehensive. The completion of the Tender Record Keeping checklist is a **mandatory** requirement for all tenders and expressions of interest. On completion of the formal process, all documents required on the Tender Record Keeping checklist are to be forwarded to the Procurement & Contracts officer to ensure compliance with the checklist. Please see the attached document – **Tender Record Keeping Checklist**.

Contract Management System

All tenders, expressions of interest and formal requests for quotation are to be recorded in Councils formal Contract Management System. This system is the central repository for all tender related documentation and processes and allows for detailed contract management from the development of the tender documentation through to award of the contract and day-to-day contract management issues.

TENDER RECORD KEEPING CHECKLIST **(To be completed for ALL Tenders)**

The following checklist has been developed following detailed review of the *NSW Local Government (General) Regulation 2005 – Part 7: Tendering* and the *Department of Local Government, Tendering Guidelines for NSW Local Government, October 2009*.

In conducting the tendering process, it is critical that our formal record keeping for each tender is accurate and comprehensive. Below is a *Record Keeping Checklist* that is **mandatory** for each tender. As you work through the tender process, you are required to ensure that all the following items are recorded. On completion of the tender (meaning acceptance of an offer or rejection of all offers), a full set of the following documents is to be copied & sent to the Procurement & Contracts officer for entry into the Contract Management System.



Tendering Checklist

Contract: _____

	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Initials	Date
1. Evidence council selected open or selective tendering methods (clause 166), together with reasons, recorded on file?				
2. Copy advertisement for tenders is on file?				
3. Copy of any other invitation to bid is on file?				
4. Copy of all documents provided to tenders on file?				
5. Documents provided to tenderers include:				
* Details of work, facilities or services				
* Compliance with Regulation cl.170(1)(e) (if appropriate)				
* Closing date and tender lodgement requirements				
* Outline of policies applicable to the procurement				
* Evaluation criteria and methodology				
* Specify contact person				
* Whether formal tender documents are required and how to obtain them				
* Information on obtaining copies of relevant council policies				
* Proposed terms and conditions of contract				
* Specify criteria on which tenders will be assessed				
* Council's Statement of Business Ethics				
* Council's Code of Conduct				
* A statement that unethical or inappropriate conduct will result in the tender being disqualified				
* Advice to tenderers of steps to take if they suspect corrupt and the action the council will take if it suspects corrupt conduct				
* Include information on interaction between council and tenderers including prohibition on contacting councillors				
6. Record of all requests for tender documents on file?				
7. Record of staff involved in preparing and issuing tender documents on file?				
8. Declaration of conflicts of interest for all staff involved on file?				

9. Written records of all communications between tenderers and council staff on file (including records of advertising, attendance and information provided at any briefing sessions)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
10. Full documentation of any changes made to tender specifications (including who made the change and why)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
11. Evidence any changes to tendering specifications communicated to all tenderers or potential tenderers and that no tenderer or potential tenderer was disadvantaged on file?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
12. Records of any variation to closing date (including reasons and identity of who made the decision)	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
13. Evidence council took all reasonable steps to inform tenderers or potential tenderers of the later closing date?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
14. All tenders date and time stamped?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
15. Records of tender opening carried out in accordance with clause 175 of the Regulation (two persons also present/members of public able to attend)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
16. Records of receipt for facsimile and electronic delivery with tenders submitted by fax or electronically?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
17. Documentation recording the acceptance of any late tenders, including when received and why accepted?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
18. Documented tender assessment criteria on file?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
19. Documented tender list in alphabetical order of amounts prepared and displayed at council as per clause 175 of the Tendering Regulation	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
20. Details of any non-complying tenders and why they were assessed as non-complying?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
21. Documented tender assessment matrix completed for every member of assessment panel?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
22. Tender assessment panel members identified and include declaration of conflicts of interest?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
23. Records kept of all communication between potential tenderers and panel members on file?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
24. Records of any variations to tenders under clause 176 including reasons why tender(s) varied and evidence all other tenders of same or similar characteristics were given the same opportunity?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
25. Recommendation for preferred tenderer is in line with assessment documents?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
26. Report to council on the tender includes:				
* Background information on the calling of tenders including history of decision to go to tender	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* Background information on the performance of the previous contractor, if any	Yes <input type="checkbox"/>	No <input type="checkbox"/>		

* Advice on whether, for continuing contracts, the terms of the terms of the contract have been reviewed	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* A summary of the tender process	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* Details of tenders received and details of any non-complying tenders	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* Financial analysis of the comparative tenders based on unit price/service price/annual cost/total contract cost	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* Details of assessment criteria used together with weightings	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* Details of post-tender communication with tenderers	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* Compliance with Regulation cl.178(1A) (if appropriate)	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* Conclusion and recommendation based on analysis of assessment criteria results	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
* If recommendation is not to accept any tender, the reasons for that recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
27. Evidence contract entered by council is in accordance with the tender?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
28. Where council enters into negotiations with one or more unsuccessful tenderers, council resolution includes reasons for that decision, including the choice of tenders with whom it negotiates?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
29. Evidence council advised all tenderers of outcome of process and copy of notice displayed at council advising of outcome (clause 179 of the Regulation)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		

Responsible Officer Signature:

Responsible Officer Name:

Date:

Procurement Coordinator Signature:

Procurement Coordinator Name:

Date:

BUDGET VARIATIONS - September 2019											
Section	Project	Project Description	Capital/ Operating	Division	Full Year Original Budget	Full Year Current Budget	Actuals to 30 September 2019	New Yearly Proposed Budget - September 2019	Movement	Funding Source	EFFECT ON FUNDING POSITION
Adjustments which impact Council's Budget Position											
Council has received notification of it's estimated Financial Assistance Grant from the Local Government Grants Commission for the 19/20 financial year. This amount is slightly less than budgeted and has resulted in an unfavourable budget adjustment of \$24,217											
Corporate	10920	Grants Operating - Corporate	Operating	Corporate	-6,456,700	-6,456,700	-796,165	-6,403,981	-52,719	Revenue	- 52,719
Transport & Traffic	11280	Grants Operating & Civil (Financial Assistance Grant)	Operating	Infrastructure	-2,967,300	-2,967,300	-367,073	-2,995,802	28,502	Revenue	28,502
Hastings Hockey Fields project performed in Sporting Fields Improvement Program. This project has been duplicated in this years program so needs to be removed.											
Parks & Recreation	41857	Port Macquarie Hastings Hockey Fields	Capital	Development & Environment	276,640	276,640	0	237,640	-39,000	Grants	-
Parks & Recreation	11580	Parks & Gardens & Reserve Income	Capital		-13,800	-13,800	0	-52,800	39,000	Revenue	39,000
Total adjustments which impact Council's Budget Position									14,783	14,783	14,783
Grant Funding											
Council has been successful in gaining grant funding from the RMS totalling \$805K for the construction of path and cycleways, pedestrian refuges and kerb ramps across the LGA. Council is required to fund 50% of the project expenditure. This will be met through a transfer from the project budget for general path and cycleways across the LGA (41464) and the existing budget for Gordon & Hollingworth and Hayward St refuges.											
Transport & Traffic	41993	Shared Pathway Ocean Drive - Brotherglen Drive - Pacific Hwy	Capital		0	0	4,664	800,000	-800,000	Grant	0
Transport & Traffic	41994	Construction of Pedestrian Refuges on Ocean Drive	Capital		0	0	701	300,000	-300,000	Grant	0
Transport & Traffic	41995	Construction of Pedestrian Refuges on the Intersection of Seymour & Lake St	Capital		0	0	0	200,000	-200,000	Grant	0
Transport & Traffic	41996	Construct 17 Kerb Ramps in Port Macquarie & Wauchope	Capital		0	0	0	60,000	-60,000	Grant	0
Transport & Traffic	41965	Pedestrian Refuge - Gordon & Hollingworth St	Capital	Infrastructure	180,000	180,000	3,018	187,500	-7,500	Grant	0
Transport & Traffic	41966	Pedestrian Refuge - Hayward St	Capital		60,000	60,000	0	62,500	-2,500	Grant	0
Transport & Traffic	41464	Footpath, cycleway and pedestrian works across the LGA	Capital		989,640	989,640	221	424,640	565,000	Grant	0
Transport & Traffic	19342	Grants Works Program - Roads & Transport	Capital		0	0	0	-805,000	805,000	Grant	0

BUDGET VARIATIONS - September 2019									
Section	Project	Project Description	Capital/ Operating	Division	Full Year Original Budget	Full Year Current Budget	Actuals to 30 September 2019	New Yearly Proposed Budget - September 2019	Effect ON FUNDING POSITION
Council has received a funding variation from the RMS for \$45K for the Pembroke Rd Safety Improvements project.									
Transport & Traffic	41968	Pembroke Rd Safety Improvements	Capital	Infrastructure	130,000	130,000	0	175,000	0
Transport & Traffic	19342	Grants Works Program - Roads & Transport	Capital	Infrastructure	-130,000	-130,000	0	-175,000	0
Council has received black spot grant funding from the RMS in the amount of \$120K for the Wauchope 40km/hr High Pedestrian Activity Area Works									
Transport & Traffic	41589	Wauchope CBD Pedestrian Facilities	Capital	Infrastructure	713,062	713,062	598,119	833,062	0
Transport & Traffic	19332	Grants Works Program - Network & Project Planning	Capital	Infrastructure	0	0	-41,142	-120,000	0
Council has received additional black spot grant funding from the RMS in the amount of \$200K for the installation of profile edge line and profile centre line on the windy section of Bago Rd									
Transport & Traffic	41962	Bago Rd Rehabilitation - Milligans to Bluewater	Capital	Infrastructure	2,563,587	2,563,587	0	2,763,587	0
Transport & Traffic	19332	Grants Works Program - Network & Project Planning	Capital	Infrastructure	0	0	0	-200,000	0
Port Macquarie Regional Stadium project performed in Sporting Fields Improvement Program. This project has been duplicated in this year's program and needs to be removed.									
Parks & Recreation	41716	Port Macquarie Regional Stadium	Capital	Development & Environment	186,973	186,973	0	0	0
Parks & Recreation	19282	Grants - Parks & Gardens	Capital	Development & Environment	-186,973	-186,973	0	0	0
Hastings Hockey Fields project performed in Sporting Fields Improvement Program. This project has been duplicated in this years program so needs to be removed.									
Parks & Recreation	41857	Port Macquarie Hastings Hockey Fields	Capital	Development & Environment	237,640	237,640	0	0	-
Parks & Recreation	19282	Grants - Parks & Gardens	Capital	Development & Environment	-237,640	-237,640	0	0	0
Total Grant Funding								745,387	0

BUDGET VARIATIONS - September 2019											
Section	Project	Project Description	Capital/ Operating	Division	Full Year Original Budget	Full Year Current Budget	Actuals to 30 September 2019	New Yearly Proposed Budget - September 2019	Movement	Funding Source	EFFECT ON FUNDING POSITION
S7.11 Contributions											
Budget adjustment to cover costs associated with the maintenance of Lakeside Woods. Council collected these funds under a VPA Agreement.											
Natural Resources	41807	Lakeside Woods Environmental Management	Capital	Natural Resources	0	1,855	0	5,046	-3,191	Reserve	0
Natural Resources	19236	s7.11 Funding - Natural Resources	Capital		-7,184	-7,184	0	-10,375	3,191	Reserve	0
Total S7.11 Contributions									3,191		0
Movements between Projects											
Transfer of OP budget 4.2.1.06 "Developmet of environmental program of works to ensure compliance of Airport biocertification" to a separate GL project for ease of cost/budget tracking											
Natural Resources	41986	Airport Biobank Management Actions	Capital	Natural Resources	0	0	889	75,000	-75,000	Revenue	-75,000
Natural Resources	41846	Airport Biocertification Strategy	Capital		514,260	514,260	15,073	439,260	75,000	Revenue	75,000
Total Movements between Projects									75,000		0
Budget Variation Requests - Approved by Executive											
Kendall Emergency Trunk Main. This project was initiated with a \$250K budget to facilitate investigation and design options for the new main crossing of the Camden Haven River. Following design completion in August 2019 and pricing received in September, the budget requires adjusting to reflect the confirmed scope of this project.											
Water Supply	29251	Renewals - Live Water Mains	Capital	Water Supply	900,000	900,000	751	438,974	461,026	Reserve	0
Water Supply	20154	Kendall Emergency Water Trunk Main	Capital		0	0	881	461,026	-461,026	Reserve	0
Beechwood Water Supply Upgrade. This budget adjustment is to cover the additional costs to complete of the Hastings River underbore and changes to Connection 2 at Rosewood Reservoir.											
Water Supply	29251	Renewals - Live Water Mains	Capital	Water Supply	900,000	438,974	751	313,736	125,238	Reserve	0
Water Supply	20152	Beechwood Rosewood Reservoir Connection	Capital		509,579	509,579	454,001	634,817	-125,238	Reserve	0

BUDGET VARIATIONS - September 2019									
Section	Project	Project Description	Capital/ Operating	Division	Full Year Original Budget	Full Year Current Budget	Actuals to 30 September 2019	New Yearly Proposed Budget - September 2019	Effect on Funding Position
The Hatch Rd Upgrade. This is for investigation and design for the sealing of approximately 3kms of the Hatch Rd. This is to be funded from the Roads and Traffic General Design Works budget.									
Transport & Traffic	41990	The Hatch Rd - Reseal Sections	Capital	Infrastructure	0	0	0	50,000	-50,000 Revenue
Transport & Traffic	41481	Additional Design Works Funding	Capital		230,664	230,664	5,206	180,664	50,000 Revenue
Budget Adjustment for Depot Clean Up. Additional scope than originally envisaged. Approximately 80% of the costs incurred relate to tip fees at Cairncross.									
Work Health & Safety	41896	Depot Clean Up	Capital		0	0	1,222	11,896	-11,896 Reserve
Fleet & Depot Management	40722	New Works Depot	Capital	Fleet & Depot Management	1,988,969	1,988,969	3,000	1,963,969	25,000 Reserve
Fleet & Depot Management	19139	Plant Replacement Reserve	Capital		-5,288,969	-5,288,969	0	-5,275,865	-13,104 Reserve
Total Budget Variations approved by Executive									0
ORGANISATIONAL TOTAL - THIS REVIEW									
FORECAST FOR FINANCIAL YEAR ENDED 30 JUNE 2020									
Original Budget as at 1 July 2019									
Plus: Adjustments									
July Review									
August Review									
September Review									
FORECAST FOR 30 JUNE 2020									
Notes:	1	The result shown above is the general fund result. All surpluses/deficits in the water, sewerage and waste funds are transferred to/from reserves.							
	2	Reserve are internal restrictions that hold funds for a specific purpose, e.g. The airport has its own reserve and all income and expenditure relating to the airport is credited/debited to that reserve.							
	3	Council projects are funded from a variety of funding sources. Below is a definition of the various types of funding that are used to fund projects. Revenue - All funds that are generated through rates, annual charges, fees and charges, interest etc. These funds are untied and can be expended on any project that Council considers appropriate. Grants - Government grants can either be monetary or otherwise and may be tied or untied. Tied grants are required to be used for a specific purpose such as the construction of a road. Untied grants may be applied for any purpose council considers appropriate. Contributions - Contributions are non-reciprocal transfers to Council in the sense that Council is not required to give value in exchange for the contributions directly to the contributor. Examples are contributions given by ratepayers towards capital works in their vicinity. Reserves - Reserves are internal restrictions held for a specific purpose, e.g. The airport has its own reserve and all income and expenditure relating to the airport is credited/debited to that reserve.							
	4	S7.11 and S64 Contributions - Section 7.11 of the NSW Environmental and Planning Act (1979) and section 64 of the Local Government Act (1993) provides NSW local government with a formal legal framework for levying developers for the provision of infrastructure, services and amenities - known as developer contributions. Some projects are funded by multiple funding sources, e.g. a capital project may be funded by s7.11 funds, grants and revenue. The effect on capital column will only show the revenue funding adjustment as the other types of funding will have an income line budget adjustment shown in the report.							
						Shortfall		-975,198	
						Surplus		0	
						Surplus		125,477	
						Shortfall		14,783	
								-834,938	
				</					



Monthly Investment Report

September 2019

 IMPERIUM MARKETS	<p>Level 14, 5 Martin Place Sydney, NSW 2000 Website: https://www.imperium.markets Email: michael.chandra@imperium.markets Phone: +61 2 9053 2987 ABN: 87 616 579 527 ACN: 616 579 527 AFSL No. 429718 (Authorised Representative) Holder of an Australian Market Licence</p>
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Executive Summary

Compliance

Compliance Measure	Within Policy Limits (Y/N)	Reason if Not Compliant
Term to Maturity	Yes – Compliant	n/a
Counterparty	Yes – Compliant	n/a
Credit Quality	Yes – Compliant	n/a

Performance

As at 30/09/2019	1m (actual)	1m (% p.a.)	FYTD (actual)	FYTD (% p.a.)
AusBond Bank Bill Index	0.08%	1.03%	0.29%	1.15%
Council's Portfolio[^]	0.24%	2.95%	0.72%	2.90%
Outperformance	0.16%	1.92%	0.43%	1.75%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

Council's Portfolio

Asset Allocation

The portfolio is predominately directed to fixed term deposits (93%). The remainder of the portfolio is directed to the overnight cash account with Westpac (6%) and the introduction of the FRN with Bendigo-Adelaide (1%).

Should credit securities become more attractive relative to deposits, we would consider increasing the allocation to liquid senior floating rate notes (FRNs). This will not only offer additional upside with regards to the portfolio's investment returns, but also provide additional liquidity (FRNs are saleable – generally accessible within 2 business days). FRNs are also dominated by the higher rated ADIs which allows Council to maintain a bias towards the higher rated banks.

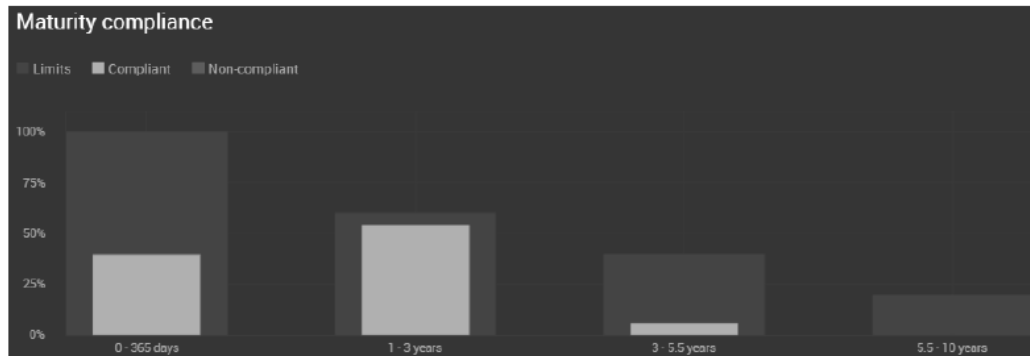
With further rate cuts on the horizon over the next 6-12 months, the priority should be to lock in any attractive medium-longer dated fixed deposits that may be available.





Term to Maturity

All maturity limits (minimum and maximum) comply with the Investment Policy. Medium-Term (3-5½ years) assets account for around 6% of the total investment portfolio, with capacity of around \$100m at month-end.



Where there is (counterparty) capacity to invest in attractive 3-5½ year investments, we recommend this be allocated to new any remaining attractive fixed term deposits (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 – 365 days	\$117,873,552	39.71%	0%	100%	\$178,999,925
✓	1 – 3 years	\$161,000,000	54.23%	0%	60%	\$17,124,086
✓	3 – 5.5 years	\$17,999,925	6.06%	0%	40%	\$100,749,466
✓	5.5 – 10 years	\$0	0.00%	0%	20%	\$59,374,695
		296,873,477	100.00%			



Counterparty

As at the end of September, Council did not have an overweight position to any single ADI. Overall, the portfolio is diversified across the investment grade credit spectrum (rated BBB- or higher), with no exposure to unrated ADIs.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	NAB	AA-	\$49,000,000	16.51%	30.00%	\$40,062,043
✓	WBC (St George)	AA-	\$74,873,552	25.22%	30.00%	\$14,188,491
✓	Rabobank	A+	\$13,000,000	4.38%	20.00%	\$46,374,695
✓	ICBC Sydney	A	\$52,000,000	17.52%	20.00%	\$7,374,695
✓	ING Bank Aus.	A	\$33,000,000	11.12%	20.00%	\$26,374,695
✓	AMP Bank	BBB+	\$5,000,000	1.68%	10.00%	\$24,687,348
✓	BOQ	BBB+	\$28,000,000	9.43%	10.00%	\$1,687,348
✓	Bendigo	BBB+	\$4,999,925	1.68%	10.00%	\$24,687,423
✓	Auswide	BBB	\$16,000,000	5.39%	10.00%	\$13,687,348
✓	ME Bank	BBB	\$2,000,000	0.67%	10.00%	\$27,687,348
✓	Newcastle PBS	BBB	\$19,000,000	6.40%	10.00%	\$10,687,348
			\$296,873,477	100.00%		

On 27th August, AMP Bank was downgraded by ratings agency S&P to BBB+ (negative watch), from A- (negative watch). Their short-term rating was unchanged at A-2. This was a result of AMP Group selling its life insurance arm at a revised deal earlier in the month. S&P believed that the group's profits will be less diversified going forward due to this sale. We have no issues with Council's exposure to AMP Bank given they continue to have a robust balance sheet with their level of capital remaining above the minimum regulatory requirement set by APRA.

We remain supportive of the regional and unrated ADI sector (and have been even throughout the GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

APRA's Chairman affirmed that the banks had satisfactorily moved towards an '*unquestionably strong*' capital position and that bank's stress testing contingency plans were now far better positioned than was previously the case years ago. APRA's stress test which hypothetically increased the unemployment rate to 11% (more than double the current rate) and for house prices to fall 35% showed the banks remained above the minimum capital levels. We note that APRA's latest discussion paper also highlighted that the domestic major banks were required to raise more capital while the lower rated ADIs were already deemed to be at a satisfactory level.

Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). We believe that deposit investments with the lower rated ADIs should be continued going forward, particularly when they offer 'above



market’ specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio’s overall returns.

In the current environment of high regulation and scrutiny, all domestic ADIs continue to carry high levels of capital, particularly amongst the lower (“BBB”) and unrated ADIs. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC.

The biggest single risk that depositors face in the current low interest rate environment is not credit risk, but reinvestment risk.





Credit Quality

The portfolio remains lightly diversified from a credit ratings perspective. The portfolio is entirely directed to the investment grade ADIs (BBB- or higher), with zero allocation to unrated ADIs. There is high capacity to invest in the higher rated ADIs (A or higher), particularly after the downgrades of BoQ and Bendigo-Adelaide Bank in May 2017, as well as AMP Bank in August 2019, which are all now in the "BBB" rated category.

There is also still some capacity to invest within the "BBB" rated ADIs – approximately \$14m at month-end.

Given the large number of "BBB" rated ADIs issuing deposits currently in the market (and conversely, the low number of "A" or higher rated ADIs), we suggest Council direct new funds into this sector, where attractive. We note that it is within this category where the most value is currently experienced. The difference in pricing can amount up to 10-20bp on any day.

Should Council continue to exclude investments amongst the unrated ADI sector, we recommend the 10% allocation be directed to the "BBB" rated sector.

All ratings categories are within the Policy limits:

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AA Category	\$123,873,552	41.73%	100%	\$172,999,925
✓	A Category	\$98,000,000	33.01%	60%	\$80,124,086
✓	BBB Category	\$74,999,925	25.26%	30%	\$14,062,118
✓	Unrated ADIs	\$0	0.00%	10%	\$29,687,348
		\$296,873,477	100.00%		



Performance

Council's performance for the month ending 30 September 2019 is summarised as follows:

Performance	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.08%	0.25%	0.60%	0.25%	1.35%
AusBond Bank Bill Index	0.08%	0.29%	0.74%	0.29%	1.74%
Council's Portfolio[^]	0.24%	0.72%	1.47%	0.72%	2.98%
Outperformance	0.16%	0.43%	0.73%	0.43%	1.24%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

For the month of September, the deposit portfolio provided a solid return of +0.24% (actual), outperforming the benchmark AusBond Bank Bill Index return by +0.16% (actual). The strong performance continues to be driven by the handful of deposits still yielding above 3% p.a. However, some of these individual deposits are approaching maturity and will be reinvested at much lower prevailing rates.

Over the past 12 months, the deposit portfolio returned +2.98% p.a., outperforming bank bills by 1.24% p.a. and more than double the official cash rate of 1.35%. This has been very strong given deposit rates reached their all-time lows and margins have generally contracted over the past 3 years.

We are pleased that PMHC remains amongst the best performing Councils in the state of NSW where deposits are concerned, earning on average, more than \$600,000 in additional interest income compared to its peers (as per our July 2019 rankings). We have been pro-active in our advice about protecting interest income and addressing reinvestment risk for many years and encouraged to maintain a long duration position. This is now reflected by the high performance of the investment portfolio. Of the 71 individual deposits PMHC held, 27 are still yielding higher than 3.00% p.a. That is, around 38% of outstanding deposits held is earning an interest rate that is three times the prevailing cash rate of 1.00%.

Investors using the Imperium Markets platform have reduced the invisible costs associated with brokerage, and thereby lift client portfolio returns as investors are able to deal in deposits directly with the ADIs and execute at the best price possible. Council has experienced this over the past 18 months, receiving on average, 2-4bp higher for every deposit dealt on the platform.



Council's Term Deposit Portfolio & Recommendation

As at the end of September 2019, Council's deposit portfolio was yielding 2.82% p.a. (down 6bp from the previous month), with an average duration of ~1½ years. Where possible, we recommend Council extends or at least maintains this average duration. In the low interest rate environment, the biggest collective risk that the local government sector has faced over the post-GFC era has been the dramatic fall in interest rates - from 7¼% to the current historical low levels of 1.00% (and likely lower over coming months).

As the past decade has highlighted (post-GFC era), we have seen too many portfolios' roll a high proportion of their deposits between 3-6 months, resulting in their deposits being reinvested at lower prevailing rates. That is, depositors have generally not insured themselves against the low interest rate environment by diversify their funding across various tenors (out to 5 years) but rather placed all their 'eggs in one basket' and kept all their deposits short. **Reinvestment risk has collectively been and continues to be the biggest detriment to depositors' interest income over the post-GFC period. Another interest rate cut was delivered on 1st October, taking the cash rate down to 0.75%.**

At the time of writing (early October), we see value in:

ADI	LT Credit Rating	Term	T/D Rate
Judo Bank	Unrated	2 years	~2.10% p.a.
BoQ	BBB+	5 years	2.00% p.a.
BoQ	BBB+	4 years	1.90% p.a.
BoQ	BBB+	3 years	1.80% p.a.
Auswide Bank	BBB	2-3 years	~1.75% p.a.
AMP Bank	BBB+	2-3 years	^1.70% p.a.
BoQ	BBB+	2 years	1.70% p.a.

[^] AMP T/Ds – these are grossed up rates which includes a 0.20% p.a. rebated commission from Imperium Markets



For those investors that have capacity issues with the “BBB” and unrated ADI sector, we see value in:

ADI	LT Credit Rating	Term	T/D Rate
ICBC, Sydney Branch	A	2-3 years	~1.65%-1.75% p.a.
Westpac	AA-	2 years	~1.55% p.a.

The above deposits are suitable for investors looking to provide some income protection and mitigate reinvestment/rollover risk in the low interest rate environment, and particularly with further interest rate cuts imminent on the horizon.

For terms under 12 months, we believe the strongest value is currently being offered by a number of lower and unrated ADIs offering above-market specials (dependent on daily funding requirements):

ADI	LT Credit Rating	Term	T/D Rate
Judo Bank	Unrated ADI	6 months	2.25% p.a.
Judo Bank	Unrated ADI	12 months	2.20% p.a.
Judo Bank	Unrated ADI	9 months	2.15% p.a.
Judo Bank	Unrated ADI	3 months	2.05% p.a.
AMP Bank	BBB+	6 months	^1.95% p.a.
AMP Bank	BBB+	7-12 months	^1.90% p.a.
Australian Military Bank	Unrated ADI	12 months	1.74% p.a.
Australian Military Bank	Unrated ADI	9 months	1.72% p.a.
ME Bank	BBB	3-5 months	1.70% p.a.
BoQ	BBB+	6-12 months	1.65% p.a.
Bendigo-Adelaide Bank	BBB+	3-6 months	1.60% p.a.

[^] AMP T/Ds – these are grossed up rates which includes a 0.20% p.a. rebated commission from Imperium Markets



Amongst the higher rated ADIs ("A" rated or higher), the following deposits remain attractive for terms under 12 months:

ADI	LT Credit Rating	Term	T/D Rate
Macquarie Bank	A	3, 4 and 6 months	1.70% p.a.
ICBC, Sydney Branch	A	12 months	~1.70% p.a.
NAB	AA-	3-5 months	1.68% p.a.
NAB	AA-	6 months	1.65% p.a.
NAB	AA-	12 months	~1.58% p.a.
Westpac	AA-	12 months	~1.56% p.a.



Senior FRNs & Recommendations

Over September, amongst the senior major bank FRNs, physical credit securities were marked wider at the longer end of the curve. Those investors that require liquidity with a domestic major bank (highly rated) and can roll down the curve should invest in 5 year terms over 3 year terms (or shorter), given the ability to lock in capital gains as early as two years after being launched. **The grossed up return would be closer to around +115-120bp over a 2 year holding period in a relatively stable credit environment.**

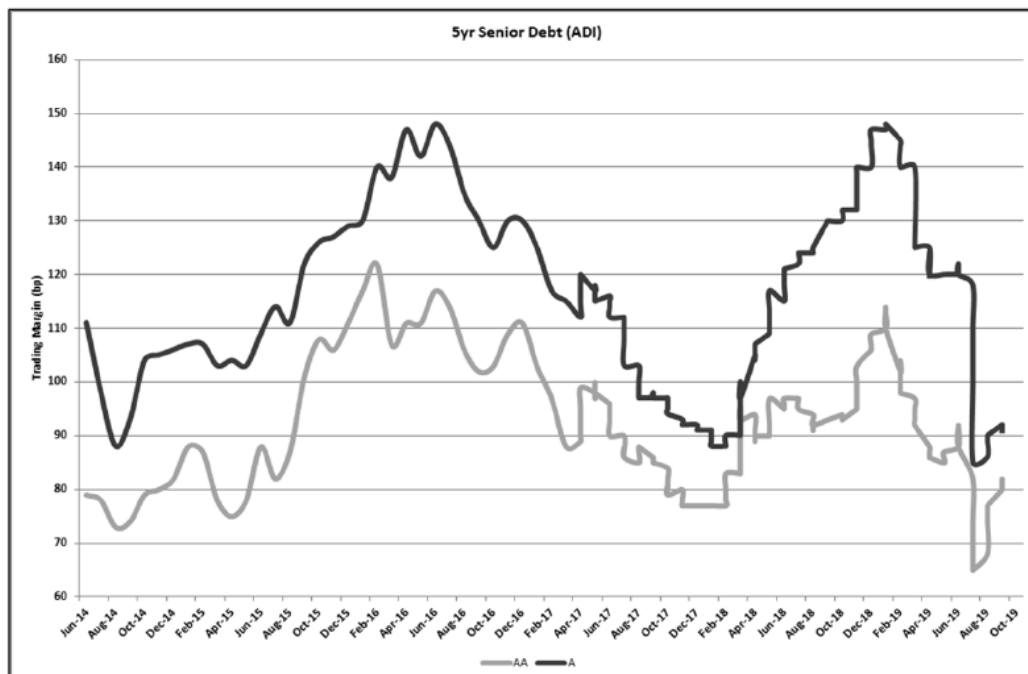
During the month, HSBC Sydney Branch (AA-) priced a dual 3 and 5 year benchmark issue at +63bp and +83bp respectively, which we believed was offered at fair value.

Collectively over the month, the "A" and "BBB" rated cohort were marked marginally wider across 3 and 5 year tenors. There remains little turnover in the secondary market amongst these sectors.

Overall, credit remains tight on a historical basis, reaching their levels experienced in early 2018. With a further rate cut priced in over coming months, any medium-longer-dated fixed deposits offered above +100bp should be considered. FRNs will continue to play a role in investor's portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).

Senior FRNs (ADIs)	30/09/2019	31/08/2019
"AA" rated – 5yrs	+82bp	+77bp
"AA" rated – 3yrs	+59bp	+57bp
"A" rated – 5yrs	+92bp	+90bp
"A" rated – 3yrs	+73bp	+72bp
"BBB" rated – 3yrs	+98bp	+97bp

Source: IBS Capital



Source: IBS Capital

We now generally **recommend switches** ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before 2022 for the "AA" rated ADIs (domestic major banks);
- On or before 2020 for the "A" rated ADIs; and
- Within 12 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last 1-2 years are now generally holding sub-optimal investments and are not maximising returns by foregoing realised capital gains. In the current low interest rate environment, any boost in overall returns should be locked in when it is advantageous to do so.

In late August, Council put in a bid of \$3m into the new Bendigo (BBB+) 5 year FRN at +97bp, which settled in early September. This FRN should be viewed as a 4 year holding period, with the ability to 'roll down the curve', realise capital gains which would boost the overall return of the investment portfolio.

At this stage, we prioritise medium-longer dated deposits (2-5 years) given further rate cuts are factored in over coming months.



Economic Commentary

International Market

With global central banks moving towards an easing bias, this boosted sentiment during September, as most global equity markets returned back to positive territory. **In the US, the S&P 500 Index rose +1.72%**, while the NASDAQ gained **+0.46%**. Across Europe, the main economies also rose, led by Germany's DAX (+4.09%), France's CAC (+3.60%) and UK's FTSE Index (+2.79%).

The US Fed delivered a 25bp rate cut to 1.75%-2.00%, their second cut in over a decade, citing *"global developments for the economic outlook as well as muted inflation pressures"*. The median dots do not show any further rate cuts in 2019, although 7 out of 17 officials are favouring one easing. Meanwhile, the US unemployment rate remained steady at 3.7% in August. Core CPI came in at +0.3% (expected +0.2%), to be up +2.4% over the past year (previous highs set in September 2018).

US House Speaker Nancy Pelosi announced a **formal impeachment enquiry for President Trump** which triggered a temporary 'risk off' mood in financial markets.

The US imposed a new round of tariffs on Chinese imports. A 15% duty now applies to \$110bn of Chinese imports hitting consumer goods ranging from footwear to technology gadgets such as Apple watch. China responded with its own batch of tariffs expected to hit about \$75bn of US goods.

The ECB moved with a 10bp cut to the deposit rate from -40bp to -50bp. They will also restart an open-ended QE bond buying programme at a rate of €20b per month commencing November 1st.

The Bank of England left their policy unchanged, taking the attitude a smooth Brexit would instigate rate hikes. UK inflation was much softer than expected, with annual core CPI down to +1.5%.

UK lawmakers passed a bill to delay Brexit by 327 to 299 votes, with debate moving the House of Lords. The UK's highest court ruled unanimously that the advice Boris Johnson gave the Queen on suspending parliament for five weeks was unlawful.

Recessionary fears in Germany escalated after the German Manufacturing PMI disappointed, coming in at 41.4, the weakest reading in 10 years.

Norway's Norges Bank raised rates to 1.50% from 1.25% in an adverse response to action being taken by other major central banks globally.

China announced a 0.5% cut to RRR for all banks effective 16th September, with a further 1% reduction in two stages for some city commercial banks (from 15th October and 15th November).

The MSCI World ex-AUS rose +1.94% for the month of September.

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+1.72%	+1.19%	+2.15%	+11.14%	+8.58%	+10.91%
MSCI World ex-AUS	+1.94%	+0.15%	-0.21%	+8.24%	+5.29%	+7.02%
S&P ASX 200 Accum. Index	+1.84%	+2.37%	+12.47%	+11.88%	+9.50%	+8.15%

Source: S&P, MSCI



Domestic Market

The RBA kept interest rates unchanged at 1.00% in its meeting in September. **The September Minutes provided a more dovish tone, after the Board dropped the reference (August Minutes) to waiting for an “accumulation” of evidence in deciding to cut rates again.** Instead, the Board would “*asses developments in both the international and domestic economies, including labour market conditions, and would ease monetary policy further if needed*”.

Governor Lowe commented they are will be looking at the “*accumulation of evidence*” to justify a further rate cut, particularly surrounding the uncertainty around the global outlook.

The July unemployment rate increased from 5.2% to 5.3% and the underemployment rate also jumped from 8.4% to 8.6%. The rise was partly driven by a new all-time high participation rate of 66.2%.

Q2 GDP growth came in at +0.5% q/q, below the RBA’s forecast of +0.8% q/q. On an annual basis, GDP came in +1.4%, matching the lowest point reached since the GFC. The industry’s that were a drag to GDP came from the drought, weaker manufacturing, construction and retail.

Retail sales missed expectations, falling by -0.1% in July (market expecting +0.2%) after a +0.4% increase in June. This was the first fall since April, with weakness across most categories of sales and states.

The trade surplus fell from a record high of \$8.0b in June to \$7.3b in July, close to market expectations. Exports increased by a modest +0.6% in July after a +1.4% rise in June, while imports rose +2.9% in July.

The budget is broadly back in balance, the best result since 2007-08. The government announced the final budget outcome for 2018-19, with an underlying cash deficit of \$0.7b (+0.0% of GDP), compared with a deficit of \$10b in 2017-18 (-0.5% of GDP).

The Australian dollar rebounded +½% this month, finishing at US67.49 cents (from US67.18 cents the previous month).

Credit Market

The main global credit indices widened over September due the ongoing concerns surrounding the outlook for global growth. Credit spreads remain very tight on a historical basis (trading around early 2018 levels):

Index	September 2019	August 2019
CDX North American 5yr CDS	60bp	54bp
iTraxx Europe 5yr CDS	55bp	49bp
iTraxx Australia 5yr CDS	67bp	64bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	September 2019	August 2019
Bloomberg AusBond Bank Bill Index (0+YR)	+0.08%	+0.08%
Bloomberg AusBond Composite Bond Index (0+YR)	-0.49%	+1.51%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.12%	-0.04%
Bloomberg AusBond Credit Index (0+YR)	-0.13%	+0.87%
Bloomberg AusBond Treasury Index (0+YR)	-0.67%	+1.95%
Bloomberg AusBond Inflation Gov't Index (0+YR)	+0.08%	+0.56%

Source: Bloomberg

Other Key Rates

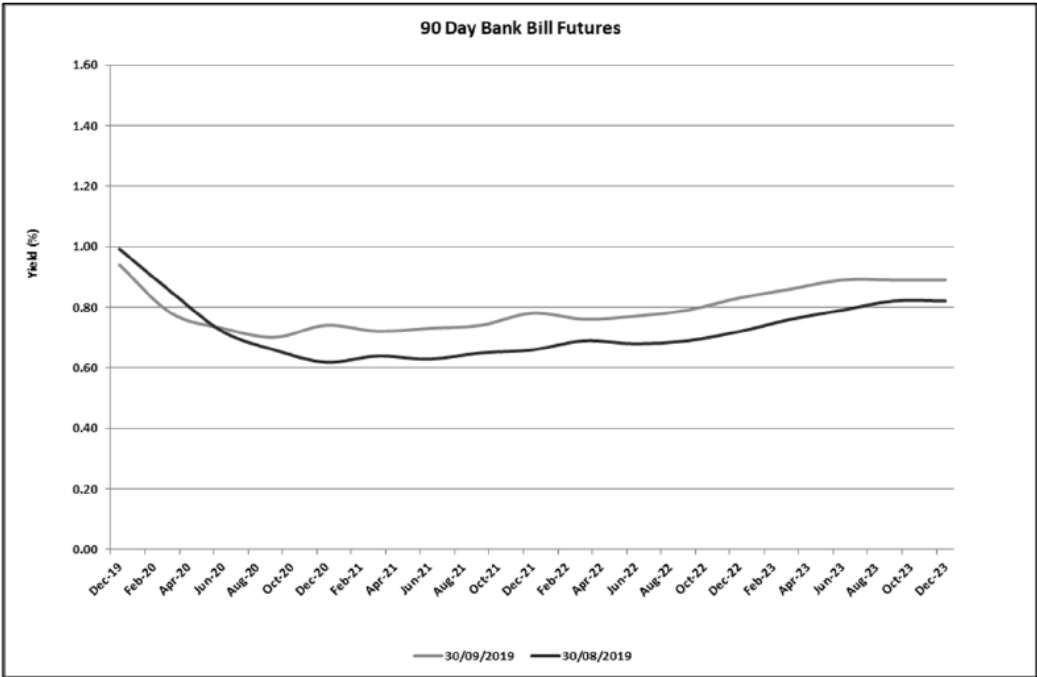
Index	September 2019	August 2019
RBA Official Cash Rate	1.00%	1.00%
90 Day (3 month) BBSW Rate	0.95%	0.97%
3yr Australian Government Bonds	0.73%	0.67%
10yr Australian Government Bonds	1.01%	0.89%
US Fed Funds Rate	1.75%-2.00%	2.00%-2.25%
10yr US Treasury Bonds	1.68%	1.50%

Source: RBA, AFMA, US Department of Treasury



90 Day Bill Futures

Over September, bill futures marginally rose across the longer-end of the curve despite ongoing expectations of further rate cuts. **At month-end, the futures market was fully pricing in the next 25bp rate cut by November 2019 (potentially 1st October 2019), and a further 25bp cut by mid-2020, which would take the official cash rate down to 0.50%.**



Source: ASX



Fixed Interest Outlook

With global inflation remaining low and downside risks for global growth increasing (driven by the ongoing trade wars and geopolitics), most global central banks have reverted to an easing bias. After the US Fed cut rates again in mid-September, the market was factoring in around a 67% chance of another 25bp rate cut on 11th December 2019 at month-end.

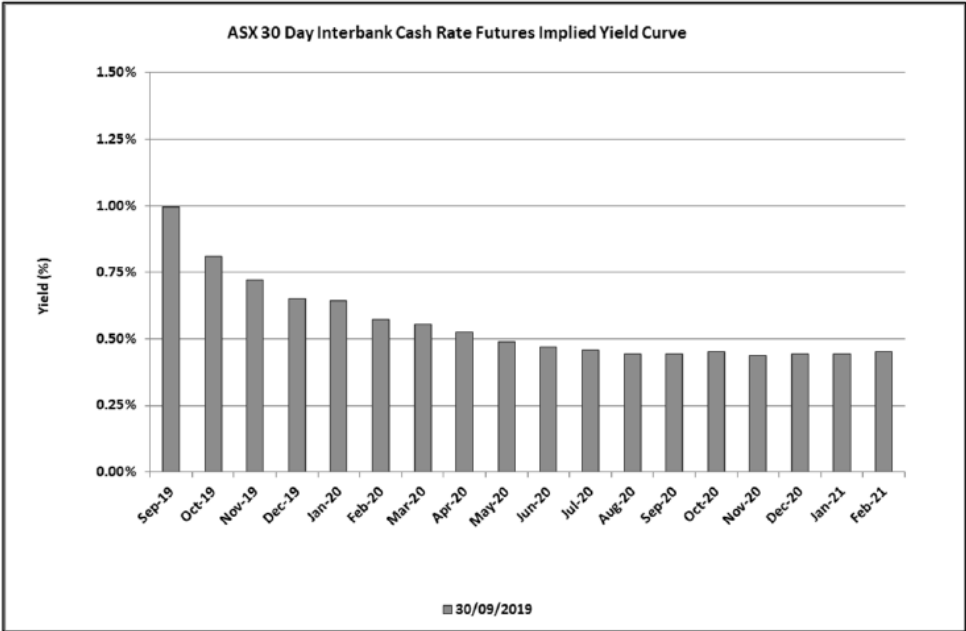
Domestically, the RBA remains on an easing bias looking to address the 'spare capacity' in the economy, particularly following the uptick in the unemployment rate. The RBA has suggested that additional stimulus through further rate cuts may be warranted in order to target full employment. Their forward guidance is now to expect an *"extended period"* of low interest rates to achieve full employment and progress towards their inflation target.

The global key risks for the RBA stem from the impact of ongoing trade and technology disputes, softening inflation, political uncertainty (e.g. US, Brexit, Hong Kong, Italy) and a broader slowdown in the global economy. The Board will continue to assess developments in the global and domestic market before considering further rate cuts.

The RBA has discussed unconventional policy measures if rates reached new lows. This includes purchasing of government securities by the RBA to lower the risk-free interest rate, particularly if the labour market continues to show signs of weakness.

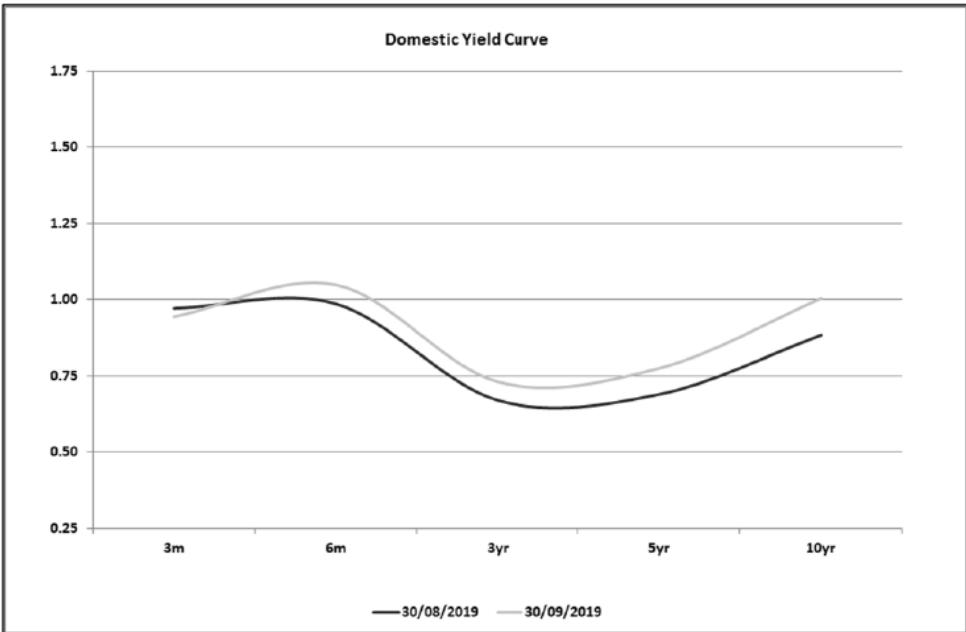
Domestically, they are closely monitoring employment, inflation, wage growth, housing and consumption. Should these areas continue to show signs of softening, **the RBA remains on hand to adjust the official cash rate lower if required.**

The futures market currently prices in around a 78% chance of 25bp rate cut on 1st October 2019, while fully pricing the next cut by 5th November 2019, taking the official cash rate down to 0.75%. An additional 25bp cut is also priced into the market by mid-2020 (down to 0.50%):



Source: ASX

Over the longer-term, the domestic bond market continues to suggest a ‘lower-for-longer’ period of interest rates. Over the month, yields rose up to 12bp at the longer end of the curve, although 10-year government bond yields remain trading around the 1% level:



Source: AFMA, ASX, RBA

**Disclaimer**

The information in this document is intended solely for your use. The information and recommendations constitute judgements as of the date of this report and take into account the information you provided to Imperium Markets about your investment objectives and investment policy. If the recommended product provider uses our market platform, Imperium Markets receives 1bp p.a. of the value of the investments they transact through the platform. However, we always recommend the best rate available to us, regardless of whether the recommended provider uses our platform. You are responsible for deciding whether our recommendations are appropriate for your particular investment needs, objectives and financial situation.



Monthly Investment Report

01/09/2019 to 30/09/2019



Portfolio valuation

As at 30/09/2019



Issuer	Rating	Type	Interest	Purchase	Maturity	Rate	Value	Accrued	AccrMTD	Ref
NAB	AA-	TD	Annual	11/07/2018	15/10/2019	2.8500	3,000,000.00	19,208.22	7,027.40	GMI-DEAL-10547992
ICBC Sydney Branch	A	TD	Annual	31/10/2018	29/10/2019	2.8300	4,000,000.00	103,895.89	9,304.11	00001
ICBC Sydney Branch	A	TD	Maturity	20/11/2018	12/11/2019	2.8600	5,000,000.00	123,410.96	11,753.42	0125001100000186702
ICBC Sydney Branch	A	TD	Annual	13/11/2018	19/11/2019	2.8600	4,000,000.00	100,922.74	9,402.74	00003
AMP Bank	BBB+	TD	Maturity	29/05/2019	25/11/2019	2.4500	5,000,000.00	41,952.05	10,068.49	TD341584423
ICBC Sydney Branch	A	TD	Annual	28/11/2018	26/11/2019	2.8200	5,000,000.00	118,594.52	11,589.04	00006
Westpac	AA-	TD	Qtly	14/12/2018	10/12/2019	2.7300	3,000,000.00	3,365.75	3,365.75	7389786
Westpac	AA-	TD	Qtly	14/12/2018	17/12/2019	2.7300	4,000,000.00	4,487.67	4,487.67	7389774
Westpac	AA-	TD	Qtly	14/01/2019	14/01/2020	2.7200	5,000,000.00	29,063.01	11,178.08	7448784
Members Equity Bank	BBB	TD	Annual	24/01/2017	24/01/2020	3.2600	2,000,000.00	44,657.53	5,358.90	22835
ICBC Sydney Branch	A	TD	Maturity	20/02/2019	04/02/2020	2.7200	1,000,000.00	16,618.08	2,235.62	00010
ING Direct	A	TD	Annual	15/02/2018	17/02/2020	2.8700	4,000,000.00	71,710.68	9,435.62	30810
ING Direct	A	TD	Annual	28/02/2018	03/03/2020	2.8900	4,000,000.00	68,093.15	9,501.37	378133
Newcastle Permanent	BBB	TD	Annual	10/03/2016	10/03/2020	3.7000	2,000,000.00	41,358.90	6,082.19	29843
ING Direct	A	TD	Annual	02/03/2018	17/03/2020	2.8800	4,000,000.00	66,595.07	9,468.49	378677
Rural (Bendigo Group)	BBB+	TD	Maturity	18/04/2019	14/04/2020	2.5500	2,000,000.00	23,194.52	4,191.78	2952006
Auswide Bank	BBB	TD	Maturity	30/04/2019	29/04/2020	2.4500	5,000,000.00	51,684.93	10,068.49	
BOQ	BBB+	TD	Annual	19/05/2017	19/05/2020	3.0000	3,000,000.00	33,041.10	7,397.26	453470
ING Direct	A	TD	Annual	22/05/2018	26/05/2020	2.9400	4,000,000.00	42,529.32	9,665.75	403498
ING Direct	A	TD	Annual	29/05/2018	09/06/2020	2.8800	3,000,000.00	29,589.04	7,101.37	6775257
Westpac	AA-	TD	Qtly	06/06/2018	16/06/2020	2.9100	5,000,000.00	9,965.75	9,965.75	6795148
NAB	AA-	TD	Annual	03/07/2018	07/07/2020	2.9000	5,000,000.00	35,753.42	11,917.81	10545823
NAB	AA-	TD	Annual	11/07/2018	14/07/2020	2.9200	3,000,000.00	19,680.00	7,200.00	GMI-DEAL-10547993
ING Direct	A	TD	Annual	21/08/2018	25/08/2020	2.8500	4,000,000.00	12,805.48	9,369.86	424329
ING Direct	A	TD	Annual	13/09/2018	08/09/2020	2.8700	4,000,000.00	5,661.37	5,661.37	429068
Westpac	AA-	TD	Annual	13/09/2017	14/09/2020	3.1700	3,000,000.00	4,689.86	4,689.86	032-697 116017
ING Direct	A	TD	Annual	13/09/2018	22/09/2020	2.8700	4,000,000.00	5,661.37	5,661.37	429067
NAB	AA-	TD	Annual	17/10/2018	13/10/2020	2.7800	4,000,000.00	106,325.48	9,139.73	GMI-DEAL-10573417
ICBC Sydney Branch	A	TD	Annual	31/10/2018	27/10/2020	2.9300	6,000,000.00	161,350.68	14,449.32	00002

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate	Value	Accrued	AccrMTD	Ref
ICBC Sydney Branch	A	TD	Annual	13/11/2018	10/11/2020	2.9300	5,000,000.00	129,241.10	12,041.10	00004
ICBC Sydney Branch	A	TD	Annual	05/12/2018	08/12/2020	2.8600	2,000,000.00	47,013.70	4,701.37	0125001100000186702
ICBC Sydney Branch	A	TD	Annual	14/12/2018	15/12/2020	2.8900	6,000,000.00	138,244.93	14,252.05	00009
BOQ	BBB+	TD	Annual	24/01/2017	25/01/2021	3.6500	2,000,000.00	50,000.00	6,000.00	438425
Westpac	AA-	TD	Annual	21/02/2017	22/02/2021	3.3900	2,000,000.00	41,237.26	5,572.60	032-586 519825
BOQ	BBB+	TD	Annual	10/03/2016	10/03/2021	3.8000	3,000,000.00	63,715.07	9,369.86	391843
ING Direct	A	TD	Annual	20/02/2019	16/03/2021	2.8200	2,000,000.00	34,458.08	4,635.62	475707
Westpac	AA-	TD	Qtly	22/03/2018	23/03/2021	3.0200	4,000,000.00	2,647.67	2,647.67	6791206
Westpac	AA-	TD	Qtly	22/05/2018	25/05/2021	3.1000	4,000,000.00	13,589.04	10,191.78	6927394
BOQ	BBB+	TD	Annual	29/05/2019	31/05/2021	2.3000	3,000,000.00	23,630.14	5,671.23	167170
Rabobank Australia	A+	TD	Annual	08/06/2017	07/06/2021	3.0200	5,000,000.00	46,334.25	12,410.96	25359
Westpac	AA-	TD	Qtly	06/06/2018	15/06/2021	3.1000	3,000,000.00	6,369.86	6,369.86	6795153
NAB	AA-	TD	Annual	03/07/2018	22/06/2021	3.0000	4,000,000.00	29,589.04	9,863.01	10545826
NAB	AA-	TD	Annual	03/07/2018	06/07/2021	3.0000	3,000,000.00	22,191.78	7,397.26	083-375 99-999-9947
Westpac	AA-	TD	Qtly	17/07/2018	13/07/2021	3.0400	5,000,000.00	31,649.32	12,493.15	7052868
NAB	AA-	TD	Annual	26/07/2018	20/07/2021	3.0400	4,000,000.00	22,321.10	9,994.52	GMI-DEAL-10552065
Westpac	AA-	TD	Annual	24/07/2019	23/07/2021	1.7500	4,000,000.00	13,232.88	5,753.42	24072017-00045
NAB	AA-	TD	Annual	02/08/2018	03/08/2021	3.0700	5,000,000.00	25,232.88	12,616.44	GMI-DEAL-10554251
ICBC Sydney Branch	A	TD	Annual	30/08/2019	30/08/2021	1.6200	5,000,000.00	7,101.37	6,657.53	
Westpac	AA-	TD	Qtly	13/09/2018	14/09/2021	2.8800	5,000,000.00	7,101.37	7,101.37	7180013
NAB	AA-	TD	Annual	27/09/2018	28/09/2021	3.0500	5,000,000.00	1,671.23	1,671.23	GMI-DEAL-10568550
Auswide Bank	BBB	TD	Annual	30/09/2019	30/09/2021	1.7500	4,000,000.00	191.78	191.78	
Westpac	AA-	TD	Qtly	13/09/2018	12/10/2021	2.8900	5,000,000.00	7,126.03	7,126.03	7179943
ICBC Sydney Branch	A	TD	Annual	05/12/2018	07/12/2021	3.0100	4,000,000.00	98,958.90	9,895.89	0125001100000186702
Newcastle Permanent	BBB	TD	Qtly	07/02/2019	08/02/2022	3.0500	4,000,000.00	18,383.56	10,027.40	1381/37459
Westpac	AA-	TD	Annual	21/02/2017	21/02/2022	3.6100	2,000,000.00	43,913.42	5,934.25	23294
NAB	AA-	TD	Annual	21/02/2017	21/02/2022	3.4600	5,000,000.00	105,221.92	14,219.18	10420935
BOQ	BBB+	TD	Annual	15/03/2017	15/03/2022	3.8000	2,000,000.00	41,643.84	6,246.58	445483
Newcastle Permanent	BBB	TD	Qtly	12/03/2019	22/03/2022	2.9000	4,000,000.00	6,038.36	6,038.36	1684
Newcastle Permanent	BBB	TD	Annual	27/03/2019	29/03/2022	2.8000	5,000,000.00	72,109.59	11,506.85	
Newcastle Permanent	BBB	TD	Qtly	18/04/2019	19/04/2022	2.7000	4,000,000.00	22,191.78	8,876.71	1978
BOQ	BBB+	TD	Annual	28/05/2019	30/05/2022	2.4000	4,000,000.00	33,139.73	7,890.41	167130
Rabobank Australia	A+	TD	Annual	08/06/2017	07/06/2022	3.2200	5,000,000.00	49,402.74	13,232.88	25360
NAB	AA-	TD	Annual	02/08/2018	02/08/2022	3.2200	4,000,000.00	21,172.60	10,586.30	GMI-DEAL-10554252

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate	Value	Accrued	AccrMTD	Ref
NAB	AA-	TD	Annual	16/08/2018	16/08/2022	3.0500	4,000,000.00	15,375.34	10,027.40	GMI-DEAL-10557367
ICBC Sydney Branch	A	TD	Annual	28/08/2019	29/08/2022	1.6400	5,000,000.00	7,638.36	6,739.73	00011
Auswide Bank	BBB	TD	Maturity	06/09/2019	06/09/2022	1.8000	3,000,000.00	3,698.63	3,698.63	
Rabobank Australia	A+	TD	Annual	13/09/2017	13/09/2022	3.3800	3,000,000.00	5,000.55	5,000.55	27388
Westpac	AA-	TD	Annual	13/09/2017	13/09/2022	3.4100	3,000,000.00	5,044.93	5,044.93	032-697 116 009
Auswide Bank	BBB	TD	Annual	30/09/2019	30/09/2022	1.7500	4,000,000.00	191.78	191.78	
BOQ	BBB+	TD	Annual	28/05/2019	29/05/2023	2.5500	4,000,000.00	35,210.96	8,383.56	167127
BOQ	BBB+	TD	Annual	27/06/2019	27/06/2023	2.2000	5,000,000.00	28,931.51	9,041.10	
Bendigo and Adelaide	BBB+	FRN	Qtly	06/09/2019	06/09/2024	1.9730	2,999,925.00	4,054.11	4,054.11	BEN060919
BOQ	BBB+	TD	Annual	27/09/2019	27/09/2024	2.0000	2,000,000.00	438.36	438.36	175130
Westpac	AA-	CASH	Month	30/09/2019	30/09/2019	1.4500	17,873,552.02	21,301.36	21,301.36	WESTPAC COMMERCIAL BANK 31 DAY NOTICE SAVER ACCOUNT
TOTALS							\$296,873,477.02	\$2,798,818.75	\$589,844.78	

2 Your Community Life

16/10/2019

What we are trying to achieve

A healthy, inclusive and vibrant community.

What the result will be

We will have:

- Community hubs that provide access to services and social connections
- A safe, caring and connected community
- A healthy and active community that is supported by recreational infrastructure
- A strong community that is able to identify and address social issues
- Community participation in events, programs, festivals and activities

How we will get there

- 2.1 Create a community that feels safe
- 2.2 Advocate for social inclusion and fairness
- 2.3 Provide quality programs, community facilities and public spaces, for example, community halls, parks and vibrant town centres
- 2.4 Empower the community through encouraging active involvement in projects, volunteering and events
- 2.5 Promote a creative and culturally rich community

PMHC Council Meeting 18/09/2019

I've come here tonight to ask why the community believe PMHC seem to be lacking in their ability to complete a project in an on-time basis.

The Lake Cathie Bonny Hills Area 14 has been in council for in excess of 15 years, and in recent years the green light was given on the Area 14 development, why has the council taken so long in completing their responsibility with reticulated water for Area 14. The reticulated water or grey water from the Bonny Hills sewerage treatment plant has been in the making for over 12 years and possibly up to 15 years. The purple or lilac pipe was laid along the Cathie straight for the grey water to go back into the community for watering lawns, gardens, etc. although PMHC has made it compulsory for all new houses in Area 14 to have the inclusion of grey water drainage and usage, it has still not been delivered to homes in Area 14.

Are councillors aware that these new homes, at a cost to the owners, who are community members have had to include the plumbing for the grey water collection, at a real cost to the price of their homes by approximately \$8,000.00 to \$10,000.00, but the council have not completed their responsibility to release this water to the community, however, I believe the council is nearing completion to release the grey water, but only to the Lake Cathie playing fields and the privately owned by members Port Macquarie Golf Course. I personally don't live in Area 14 but I have friends that live there, and if I was in their situation I would be pushing for a class action against the council for making the community pay for a product that the council can't and haven't delivered for them to use. That might set the cat amongst the pigeons.

Also, during the elections earlier this year, this council was complacent in pushing for funding from either State or Federal Government, always referring to the fact that NO project is shovel ready.... WHY NOT. What about the revetment wall. Why hasn't the revetment wall at Lake Cathie been started and completed. How long ago was it that council made a decision to cut the facilities from

the homes on Illaroo Drive, only to find out council were outside of their jurisdiction to do this. Just build the revetment wall for crying out loud

Recently 2 of our councillors attended a conference to inform them the best way to have a happy community was to listen to them, so where is it going so wrong in this LGA, who isn't listening, or who isn't speaking up for our community.

Do the councillors know that Lake Cathie has some of the highest rates in the PMHC LGA!, possibly in NSW, our footpaths, gutter and drainage leave a lot to be desired, let alone anything to do with our poor lake system. The rate payers that live on the lake pay over \$1000.00 per annum more than one street back, which is due to our beautiful lake views, well at the moment we only have sand flats and swamp to look at so why hasn't the council decreased the rates for resident around the lake until such time as this is rectified????

As our elected councillors can't you see why the community are feed up and frustrated when the staff come up with new projects like the skate park in Lake Cathie, the orbital road in Port when they haven't delivered projects like the revetment wall in Cathie, the reticulated water for Area 14 that commenced well over 12 years ago, and I haven't even discussed Sovereign Hills/Thrupster area, let alone a pedestrian crossing in Laurieton going where the staff recommend.

Isn't it councillors role to advocate for the community, because if that's the case you are doing a poor job of advocating for the community, and the community are sick and tired of the bull that goes on with the senior council staff not getting things right and on track.

Is it the councillors responsibility to make sure the staff look after the community, not tell the community what the staff want us to have, if so, as councillors shouldn't you be keeping the senior staff on their toes rather than keeping them in their cushy jobs.

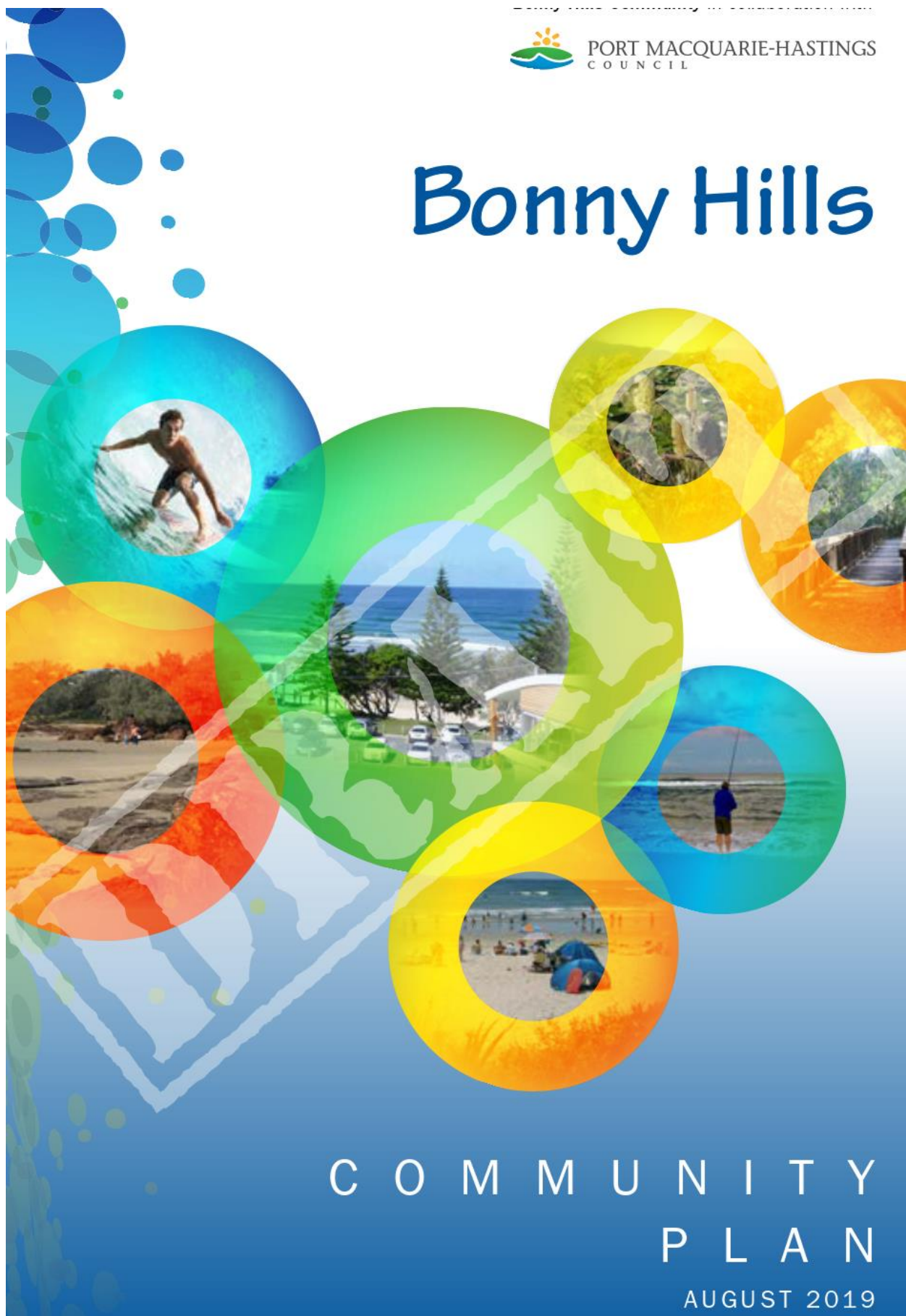
08 MAYOR'S SPORTING FUND - APPLICATIONS RECEIVED

CONSENSUS:

1. That Madelaine Goodridge receive \$350.00 to assist with the expenses she will have incurred travelling to and competing at the NSWCHS Track and Field Championships held at Sydney Olympic Park from 4 - 6 September inclusive.



Bonny Hills



FOREWORD

ACKNOWLEDGMENT OF COUNTRY

The Bonny Hills Community-Council Action Team acknowledges the Birpai people as the traditional custodians of the land now known as Bonny Hills. We pay our respects to Elders both past and present and extend that respect to all other Aboriginal and Torres Strait Islander people.



FROM THE MAYOR, PETA PINSON

I am delighted to present the Bonny Hills Community Plan, which sets out the vision, goals and priorities for improving the quality of life for the residents of Bonny Hills for the next five to ten years. This Community Plan recognises that the natural environment of the Bonny Hills area is a great asset that is key to the character and aesthetic of the village, attracts visitors and inspires the community to be the best it can be.

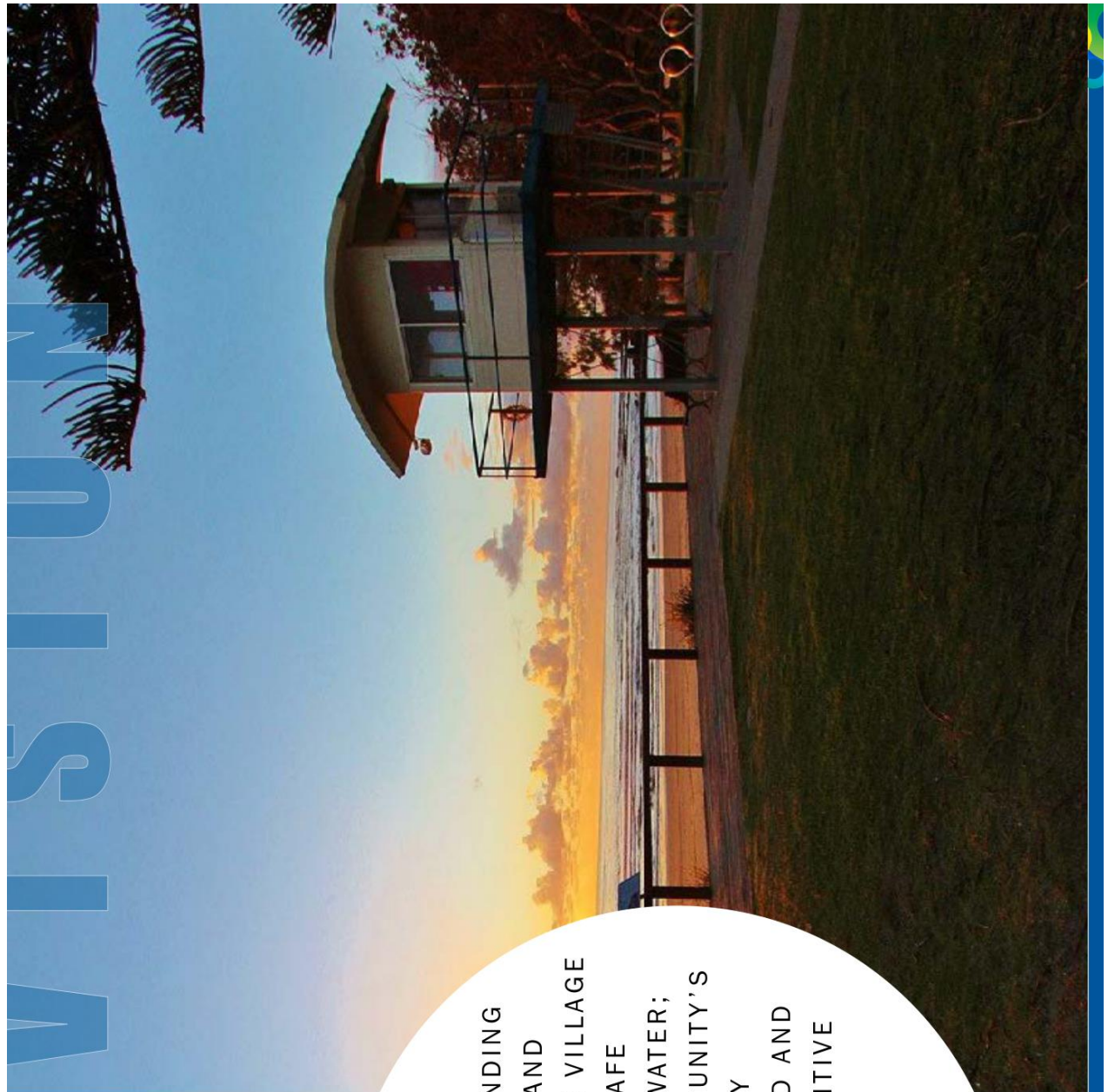


FROM THE BONNY HILLS COMMUNITY REPRESENTATIVES OF THE COMMUNITY COUNCIL ACTION TEAM

The Bonny Hills Community has appreciated the opportunity to be the first involved in Council's Community Planning initiative. This process enabled us to discuss, identify and take ownership of the specific aspects which are important to the residents of our village.

Foremost in the mind of the community is the need to maintain and enhance the natural and built environment along with the strong community spirit that prevails here. Important considerations when determining priorities for the future of Bonny Hills were our community's demographic, as well as the various groups and local businesses which contribute to its social interaction, wellbeing and economy.

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OUR VISION

The Vision for Bonny Hills was constructed by the community in 2004, and was reconfirmed at the community meetings in 2017-2018 but with an increased emphasis on managing future growth.

CONSERVE OUR SURROUNDING
NATURAL ENVIRONMENT AND
WILDLIFE; MAINTAIN OUR VILLAGE
CHARACTER; PROMOTE SAFE
ROADS; ENSURE CLEAN WATER;
AND SUSTAIN OUR COMMUNITY'S
QUALITY OF LIFESTYLE BY
ENSURING WELL-PLANNED AND
ENVIRONMENTALLY SENSITIVE
DEVELOPMENT

COMMUNITY PLANNING FOR BONNY HILLS

A Community Plan is developed through a partnership between Council and the Community producing a five to ten year plan for future actions and investments.

Ongoing community planning is seen as the key to developing a strong partnership between Council and the community to:

- Understand what our communities value;
- Understand the issues and priorities for each community;
- Better incorporate these priorities into Council's planning framework;
- Work together to deliver the identified priorities.

The Bonny Hills Community Plan evolved from:

- Three Council-coordinated workshops, attended by a total of over 100 community members, to identify and prioritise values, issues and opportunities;
- Interim meetings between Bonny Hills Progress Association executive members and Council officers to advance the process;
- A Family Day at Rainbow Beach Reserve to seek wider views, sponsored by Council;
- An on-line survey on Council's website;
- Production of a DRAFT Community Plan for endorsement by Councillors in September 2018;
- Formation of a Bonny Hills Community-Council Action Team (CCAT) in December 2018;
- Bonny Hills CCAT monthly meetings to further develop the Community Plan.

This Plan is a community-led blueprint which highlights what is special or unique about the area and reflects the aspirations, strengths and the vision that the community has for its future. It identifies key priorities and actions to achieve the community's vision - the responsibility for which will be shared between the community and Council.

The CCAT consisted of a number of Council staff and volunteers representing a wide cross-section of the Bonny Hills community such as business owners, education providers, Wauchope-Bonny Hills Surf Life Saving Club, Hall Committee members, Bonny Hills Progress Association and the broader community.

With thanks to: Ann Drury, Brian Barker, Jock Garven, John Drinan, Kathy Regan, Natalie Southwell, Nigel Swift, Paul Thompson, Peter Smith, Roger Barlow, Stephen Roberts and Tony Robinson.





INTRODUCING BONNY HILLS

Bonny Hills is a coastal village of approximately 3000 people, 25 km south of Port Macquarie. Located on Birpai land, it was originally timbered with heath-covered hills rolling down to the ocean, but was opened up for farming and cattle in the early 20th Century. Eventually it became a seaside get-away for residents of Wauchope.

Now Bonny Hills residents are an urban mix of young families, business people, retirees and holiday makers. Distinguishing features are a seaside village atmosphere; substantial areas of native flora and open space; businesses dispersed throughout; and a strong community spirit with many active community organisations including a significant surfing fraternity.

The beautiful natural environment and the village atmosphere are the overwhelming reasons why Bonny Hills people love their place. Within these, the beach and a caring, collaborative community stand out as elements to be preserved at all costs. Undoubtedly, these are also the main features that draw many holidaymakers here.

The community is very active. Many businesses meeting diverse needs are distributed throughout the village, some obvious, while examples of others are found in the pages of regular editions of the Bonny Hills Community Newsletter. Prominent among the many community organisations are

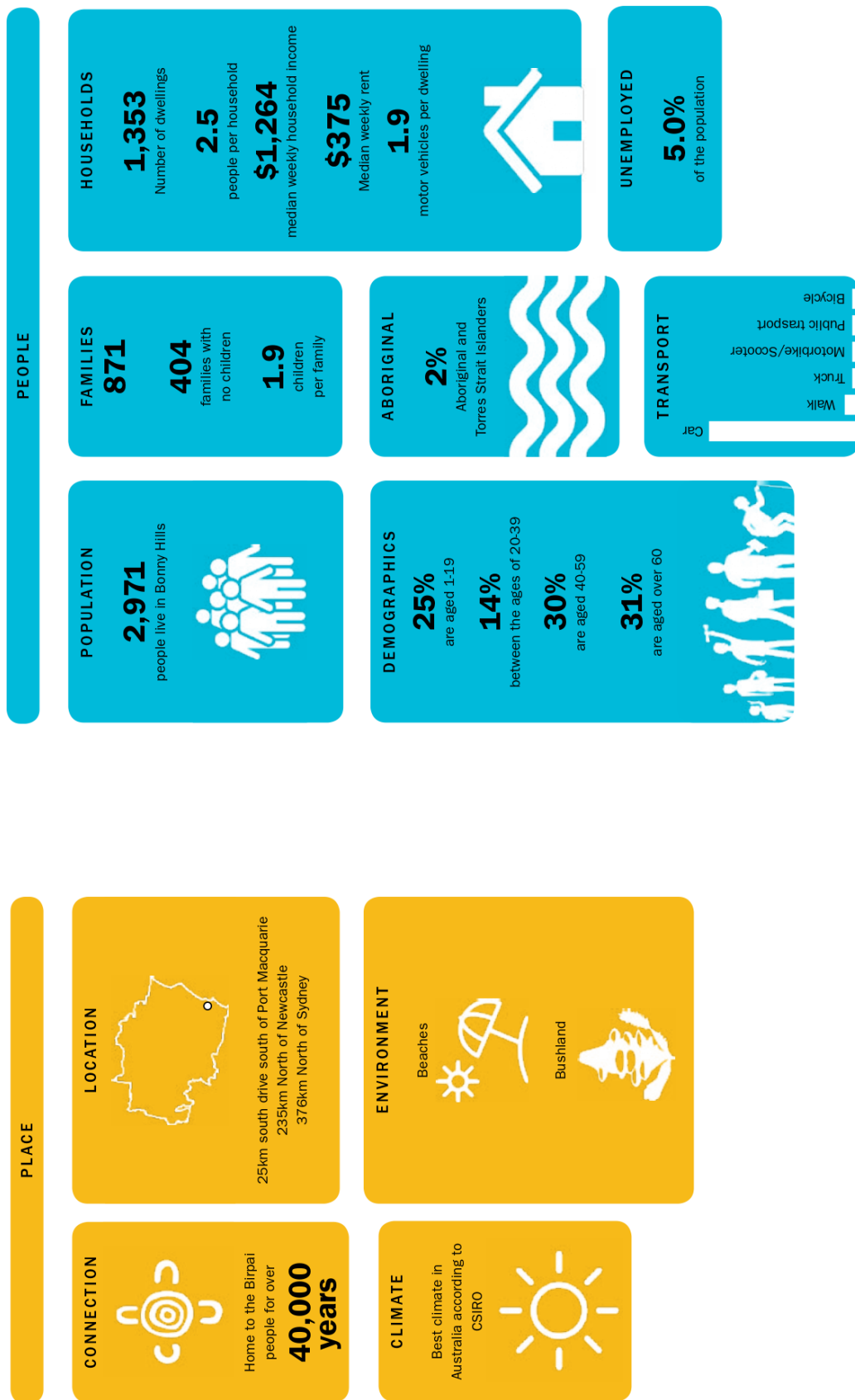
the Wauchope-Bonny Hills Surf Life Saving Club, Country Womens' Association, Rural Fire Service, Landcare, Physical Culture, Tennis Club and Bonny Hills Progress Association, which sit alongside many smaller special interest groups.

Statistics for Bonny Hills taken from the 2016 Census are presented on page 11 (Australian Bureau of Statistics website). Of note, many younger residents leave following high school, presumably to pursue education and job opportunities, and countering this, the village appears to be favoured as a retirement destination. The population of Bonny Hills and Lake Cathie is projected to grow by approximately 44.2% by 2036, with 55% of growth likely to be in young families (Source: Population Forecast by .id consulting pty ltd).

Residents were spread over 1,353 total dwellings, 92% of which were separate houses. Half of all private dwellings were owned outright with 10% unoccupied - presumably holiday residences. Close to two thirds (64%) of occupied dwellings had two or more vehicles, which is in line with the high dependency on cars for transport. There was a balanced mix of professions, the main employment groupings being: managers, professionals, community & personal service, trade workers and clerical & administration.

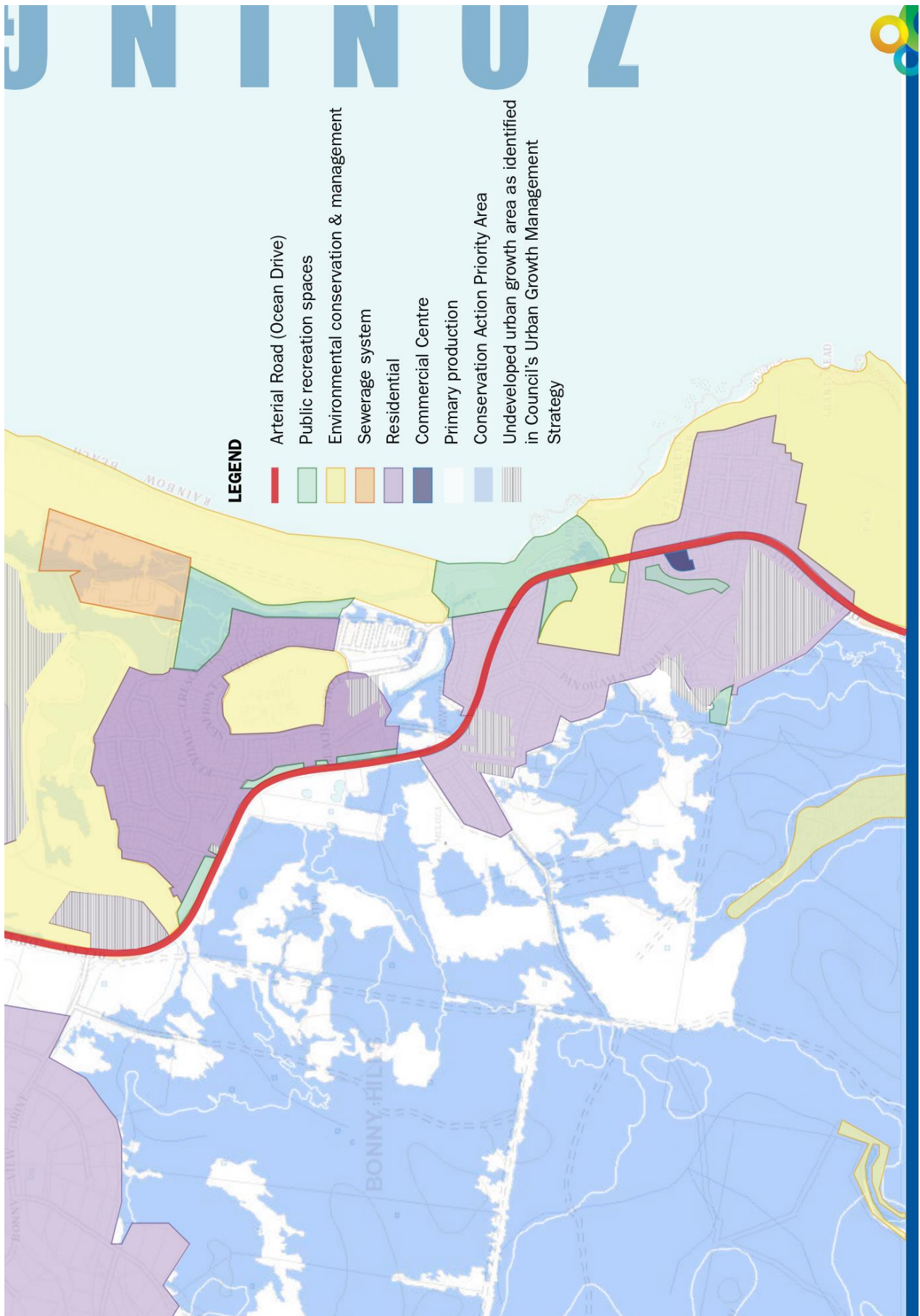


COMMUNITY PROFILE



Information used has been sourced from
 • 2016 Census of Population and Housing: Australian Bureau of Statistics







COMMUNITY VIEWS

Answers to questions asked of community participants in the various forums revealed the following:

The Bonny Hills community supports sound planning that allows for growth while respecting and preserving the things they value, especially the natural environment and its village character.

There is no appetite for intrusive industrial development or high-rise housing but, instead, a concern to address existing issues that impinge on the safety and quality of life.

Of longer-term importance are the things that enhance the sense and experience of community, and the need for a deliberate focus on the needs of the young.

Bonny Hills residents also highlighted the need for improved footpath and cycleway connections as well as continued progress on upgrading Ocean Drive to ensure functionality and public safety. Maintaining water quality and ensuring water security into the future are also key as the population grows. The community also highlighted their desire to maintain a tree canopy on development sites so as not to intrude on the natural environment that is so prized by residents. Sympathetic redesign of the northern and southern entries to Bonny Hills is also needed to better reflect the village identity.

The following Action Plan addresses these issues.



GOALS AND ACTION PLAN

The vision for Bonny Hills indicates that residents enjoy their stunning natural environment and wildlife in a close-knit community that celebrates its seaside village character and remains well connected to surrounding towns.

The goals encompassed in this vision are:

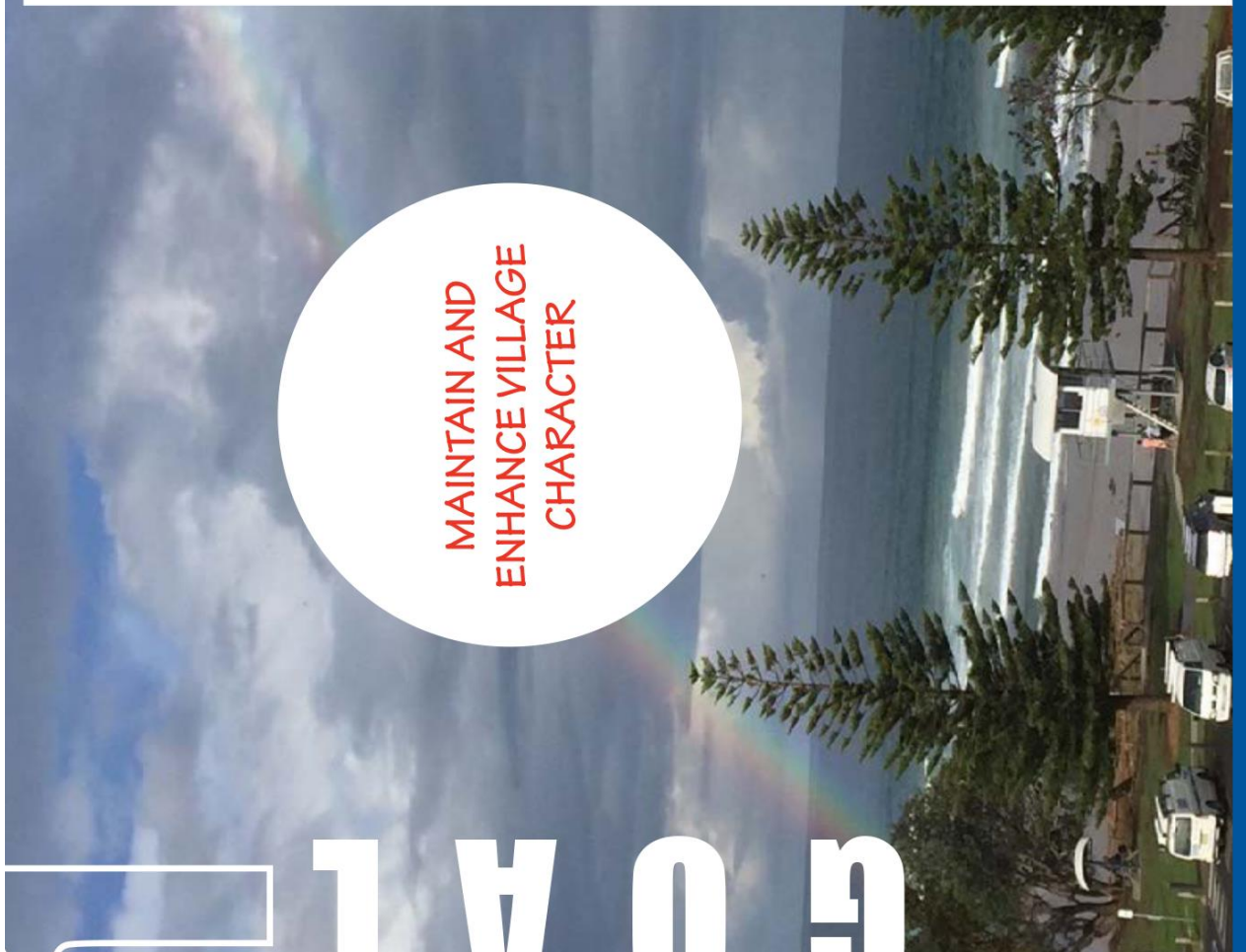
- Maintain and enhance the village character of Bonny Hills;
- Maintain the natural environment;
- Ensure safe access and movement of people around and through the community;
- Manage future growth to ensure that the inclusive nature of the community is not lost.



The following Action Plan summarises the priorities identified for implementation over the five to ten year period 2019/20 to 2023/24. These actions were derived from community requests and subsequent considerations by the CCAI.







OBJECTIVE 1.1: TO REVIEW AND UPDATE 2012 RESERVES MASTER PLAN, INCLUDING ALL RESERVES AND LINKAGES BETWEEN THEM

ACTION 1:

Identify methods, resources and deliver an updated Master Plan with final recommendations following community consultation (Target May 2020)

ACTION 2:

Execute recommendations from the Master Plan according to the timetable, including annual review of progress over an agreed timetable

OBJECTIVE 1.2: TO IDENTIFY AND UNDERTAKE ADDITIONAL WORKS TO ENHANCE THE VILLAGE CHARACTER OF BONNY HILLS

ACTION 1:

Specify the deficiencies in the Gateway entrances to Bonny Hills including gravel stockpiles, and explore possible solutions for discussion with Council and inclusion of remedial actions in 2020/21 and subsequent Operational Plans (Target February 2020)

ACTION 2:

Upgrade the viewing area around Grants Head Reservoir off Skyline Place

ACTION 3:

Install a mural on the Rainbow Beach Reserve amenities block as part of an initiative to promote better artwork and minimise graffiti tagging by October 2019

ACTION 4:

Identify initiatives that will maintain and enhance the integrity of the beaches in Bonny Hills in the face of the increasing pressures from nature and man (Target June 2020)





OBJECTIVE 2.1: TO UNDERTAKE ENVIRONMENTAL ASSESSMENTS OF THE AREA WEST OF OCEAN DRIVE, AND THE NATURE RESERVES AROUND BONNY HILLS, AND SALTWATER CREEK AND DUCHESSE CREEK RIPARIAN ZONES TO DETERMINE OWNERSHIP, BIODIVERSITY STATUS, NEEDS FOR CONSERVATION AND REMEDIATION AND THE INTEGRITY OF WILDLIFE CORRIDORS

ACTION 1:

Utilise existing biodiversity maps [basis of Council's Biodiversity Strategy] and local expertise and knowledge as a 'first pass' assessment of the status of Bonny Hills' native flora and fauna resources (Target March 2020)

ACTION 2:

Make recommendations about areas warranting conservation or remediation and the likely resources required to execute proposed actions (Target March 2020)

ACTION 3:

Examine the current hazard reduction burning regime for bushland around Bonny Hills with the aims of determining its adequacy for safety purposes and its appropriateness for maintaining flora and fauna (Target June 2020)



ENSURE SAFE
ACCESS AND
MOVEMENT OF
PEOPLE AROUND
THE AND THROUGH THE
COMMUNITY

OBJECTIVE 3.1: TO ENSURE SAFE PEDESTRIAN AND CYCLE LINKS THROUGHOUT BONNY HILLS AND TO NEIGHBOURING COMMUNITIES

ACTION 1:

Conduct a preliminary audit of pathways within Bonny Hills and identify priorities for consideration in Council's 2020/21 Operational Plan

ACTION 2:

Revisit and refine the preliminary audit of internal pathways (both walking and cycling), including adequacy of lighting and signage accessibility, and identify the order of priorities for consideration in subsequent Operational Plans (Target November 2019)

ACTION 3:

Repair pathway and install signage on the Bonny Hills to North Haven walking track (Target June 2020)

ACTION 4:

Investigate the opportunity to construct a new walkway and cycleway connecting the communities Lake Cathie, Bonny Hills and North Haven

OBJECTIVE 3.2: TO ENSURE SAFE ROADWAYS THROUGHOUT BONNY HILLS FOR PEOPLE AND WILDLIFE (NOTE THAT OCEAN DRIVE ELEMENTS SHOULD BE CONSIDERED AS PART OF THE OCEAN DRIVE CORRIDOR PLAN MR600/MR538)

ACTION 1:

Continue to develop the Ocean Drive Corridor Plan (Project MR 600/MR 538: Providing an Ocean Drive Upgrade Design)

ACTION 2:

Sequence the priorities identified in Action 1 for inclusion in subsequent Operational Plans

ACTION 3:

Identify solutions to traffic and parking issues in Jungarra Cr relating to patronage of the medical centre (Target November 2019)

ACTION 4:

Identify and prioritise secondary road issues in Bonny Hills for presentation to Council (Target June 2020)

ACTION 5:

Settle the issue raised by community members of a Bonny Hills bypass by requesting information on the assessed need/feasibility/cost and from this the likelihood and estimated time frame for implementation (Target June 2021)



OBJECTIVE 4.1: TO ENSURE FUTURE GROWTH IS ALIGNED WITH THE NATURAL AND BUILT ENVIRONMENTS**ACTION 1:**

Examine Council's Urban Growth Management Strategy and other relevant documents to identify possible issues regarding Council's plans for future growth in and around Bonny Hills (Target December 2020)

ACTION 2:

Light industry location and management - request immediate participation by CCAT in Council's current planning for this facility

ACTION 3:

Options for future use of the quarry site beyond its current life to be explored [following confirmation of expected lifespan] (Target March 2021)

ACTION 4:

Assess the adequacy of meeting and performance room facilities in and around Bonny Hills and the options to remedy deficiencies with recommendations identified (Target May 2020)

ACTION 5:

Council to investigate modes of communication that better inform the community about issues of importance to them including existing practice, rules, regulations, progress of actions and what lies outside of Council control (Target June 2020)

ACTION 6:

Determine the extent of NBN and mobile blackspots around Bonny Hills and if necessary, advocate for remedial action (Target November 2019)

ACTION 7:

Identify opportunities to reduce Bonny Hills carbon footprint by leveraging Council, State and Community initiatives, initially by 31 March 2020 and ongoing thereafter

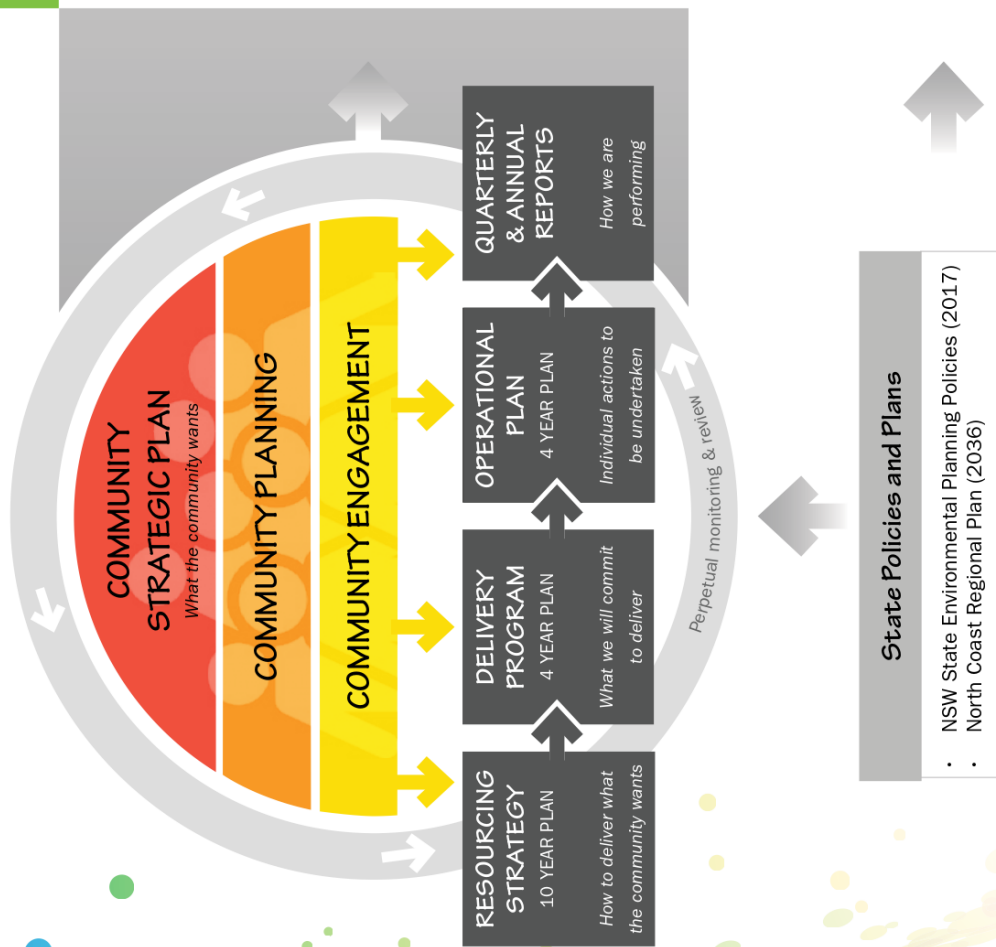
**Actions 4-7 are strategic issues identified by CCAT subsequent to initial planning.*

All actions and ideas captured to date are available on Council's Have Your Say webpage haveyoursay.pmhcnsw.gov.au/bonnyhills



APPENDIX A: COUNCIL'S STRATEGIES, POLICIES AND PROJECTS

ENGAGEMENT & PLANNING CYCLE



A number of Council's strategic and planning documents are intrinsically linked to the development of Community Planning in the region. Some of these key documents are shown below.

PORT MACQUARIE-HASTINGS COUNCIL DOCUMENTS

Natural & Built Environment	Community Life	Leadership & Governance	Business & Industry
<ul style="list-style-type: none"> Pedestrian Access and Mobility Management Plan (2015 & 2017) Integrated Water Cycle Management (WCM) Strategy (2020)² Urban Growth Management Strategy (2017 - 2036) Recreation Action Plan (2017 - 2025) Local Environmental Plan (2011) Biodiversity Strategy (2017-2030) Development Control Plan (2013) Draft Coastal Koala Plan of Management (2018) Koala Recovery Strategy (2018) Bike Plan (2015) 	<ul style="list-style-type: none"> Cultural Plan (2018 - 2021) Art in Public Places Policy (2002)¹ Community Inclusion Action Plan (2019 - 2021)² Disability Inclusion Action Plan (2017 - 2021) 	<ul style="list-style-type: none"> Community Engagement Policy and Strategy¹ Commercial Business Units Plans Local Strategic Planning Statement (2020-2027)² 	<ul style="list-style-type: none"> Economic Development Strategy (2017-2021) Greater Port Macquarie Destination Management Plan

1 - Updated Plan under development
2 - Under development

pmhc.nsw.gov.au

PORT MACQUARIE-HASTINGS COUNCIL

PO Box 84
Port Macquarie
NSW Australia 2444
DX 7415

council@pmhc.nsw.gov.au
pmhc.nsw.gov.au

ABN 11 236 901 601

PORT MACQUARIE OFFICE

17 Burrawan Street,
Port Macquarie NSW 2444
Telephone (02) 6581 8111
Facsimile (02) 6581 8123

WAUCHOPE OFFICE

49 High Street,
Wauchope NSW 2446
Telephone (02) 6589 6500

LAURIETON OFFICE

9 Laurie Street,
Laurieton NSW 2443
Telephone (02) 6559 9958



PORT MACQUARIE-HASTINGS
COUNCIL

Bonny Hills Community in collaboration with
**PORT MACQUARIE-HASTINGS
COUNCIL**



INTRODUCTION

The Goals, Objectives and Actions contained in the Community Plan on pages 22 to 29 came from two sources:

- The range of views expressed by the Bonny Hills Community at meetings held by Council, and from on-line feedback.
- Discussion by the Community-Council Action Team (CCAT) of any significant issue that may have been overlooked.

What follows is a summary of our community's views listed under related Goals and Objectives. These will be further considered as each action is undertaken.

Note that where similar comments were made on an issue, they have been combined for the sake of brevity.

OBJECTIVE 1.1: TO REVIEW AND UPDATE 2012 RESERVES MASTER PLAN, INCLUDING ALL RESERVES AND LINKAGES BETWEEN THEM**ACTION 1**

Identify methods, resources and deliver an updated Master Plan with final recommendations following community consultation (Target May 2020)

ACTION 2

Execute recommendations from the Master Plan according to the timetable, including annual review of progress over an agreed timetable.

SUMMARY OF COMMUNITY VIEWS TO CONSIDER

- Undertake additional planting of native trees and landscaping on Rainbow Beach.
- Investigate options to upgrade pedestrian access to Rainbow Beach (stairs, erosion and embankments)
- Review, upgrade and extend parking at Rainbow Beach and Surf Club
- Upgrade parking at Beach Street (paved and marked)
- Investigate options for passive/ active recreational spaces in Bonny Hills
- Storm water upgrades, new toilet blocks/ upgrade at Bartlett's Beach
- Consider the development of a management plan for Rainbow Beach which includes restoration
- Investigate increased shading for playgrounds and adult supervisors
- Purchase Lot 2 Beach Street (Goat Paddock) and create a car park
- Maintain the beach and surrounds to cope with the amount of people and water quality for swimming
- Explore options for sporting field north of St Kitts Way
- Improved management of paraglider activities at Bartlett's Reserve
- Investigate the viability and location of a Community Garden
- Undertake an upgrade of playground near the community hall
- Investigate options to erect a boat ramp

- Investigate locations to install a dog water fountain, a fish cleaning station and a barbeque area
- Upgrade of toilets at Bartlett's Reserve
- Provide additional seating under the pines at Rainbow Beach Reserve
- Move the seats on the edge of the escarpments at Bartlett's Beach Reserve to a safer location
- Upgrade the playground at Rainbow Beach Reserve to cater for all ages and ensure inclusivity

OBJECTIVE 1.2: TO IDENTIFY AND UNDERTAKE ADDITIONAL WORKS TO ENHANCE THE VILLAGE CHARACTER OF BONNY HILLS

ACTION 1

Specify the deficiencies in the Gateway entrances to Bonny Hills including gravel stockpiles, and explore possible solutions for discussion with Council and inclusion of remedial actions in 2020/21 and subsequent Operational Plans (Target February 2020)

ACTION 2

Upgrade the viewing area around Grants Head Reservoir off Skyline Place

ACTION 3

Install a mural on the Rainbow Beach Reserve amenities block as part of an initiative to promote better artwork and minimise graffiti tagging by October 2019

ACTION 4

Identify initiatives that will maintain and enhance the integrity of the beaches in Bonny Hills in the face of the increasing pressures from nature and man (Target June 2020)

SUMMARY OF COMMUNITY VIEWS TO CONSIDER

- Perform regular checks that quarry traffic, noise and blasting time comply with conditions of approval, and respond to community complaints
- Explore options to retain larger lot sizes in Bonny Hills
- Clean up existing graffiti and develop a strategy for diverting graffiti artists into more acceptable avenues.
- Design and implement Gateway Entrances. Southern entrance remove road waste opposite Grants Head. Explore options to redesign truck yard at Northern entrance.
- Investigate options for kerb & guttering along Ocean Drive to mitigate flooding of homes
- Maintain local character of beach scape by limiting heights of new buildings or creating a visual buffer
- Clean Rainbow Beach weekly
- Ensure compliance with building codes [keeping building heights restricted was a source of concern for many residents]
- Consider the establishment of a community garden
- Monitor vehicle access to Reserves and beaches including illegal camping (esp. Grants Beach)
- Consider removal of vehicle access to Rainbow Beach north of Duchess Creek
- Calls for a town Centre. A village gathering space.

OBJECTIVE 2.1: TO UNDERTAKE ENVIRONMENTAL ASSESSMENTS OF THE AREA WEST OF OCEAN DRIVE, AND THE NATURE RESERVES AROUND BONNY HILLS, AND SALTWATER CREEK AND DUCHESS REEK RIPERIAN ZONES TO DETERMINE OWNERSHIP, BIODIVERSITY STATUS, NEEDS FOR CONSERVATION AND REMEDIATION AND THE INTEGRITY WILDLIFE CORRIDORS

ACTION 1

Utilise existing biodiversity maps [basis of Council's Biodiversity Strategy] and local expertise and knowledge as a 'first pass' assessment of the status of Bonny Hills' native flora and fauna resources (Target March 2020)

ACTION 2

5 of 10

Make recommendations about areas warranting conservation or remediation and the likely resources required to execute proposed actions (Target March 2020)

ACTION 3

Examine the current hazard reduction burning regime for bushland around Bonny Hills with the aims of determining its adequacy for safety purposes and its appropriateness for maintaining flora and fauna (Target June 2020)

SUMMARY OF COMMUNITY VIEWS TO CONSIDER

- Assessment of the "environmental value" of the area west of Ocean Drive down to southern entrance (exact area to be defined)
- Assessment of the potential for conservational and recreational use of the above area
- Identification of ways on how to use and add recreational spaces without negative impact on the environment
- Assessment of how to modify existing tracks and paths and how to link them together e.g. bike track between Bonny Hills and North Haven taking into account environmental impacts
- Study of erosion along beaches and creeks and options for reduction of erosion and remediation
- Flood study of Saltwater Creek and Duchess Creek
- Investigate the repair of Grants Head track
- Investigate opportunity to create an under & overpass for native species access
- Advocate for the reduction of tree removal in new residential developments
- Monitor water quality around our creeks and ocean.
- Conserve native trees, including planting of corridors in new developments
- Investigate why the trees are dying along Beach Foreshore
- Undertake a Saltwater Creek environmental assessment
- Encourage planting of appropriate tree species by residents
- Removal of pine trees and replacement with native vegetation
- Lot 2 Beach Street (Goat Paddock) returned to the koalas and the people

6 of 10

- Consider removal of the vine covering Spoonneys cliff face in an environmentally appropriate manner
- Consider regular fire hazard reduction on beach area
- Investigate options to educate the community on the impact of feral cats on Australian native fauna and wildlife

OBJECTIVE 3.1: TO ENSURE SAFE PEDESTRIAN AND CYCLE LINKS THROUGHOUT BONNY HILLS, AND DEVELOPMENT OF WALKWAY AND CYCLEWAY LINKS TO NORTH HAVEN AND LAKE CATHIE

ACTION 1

Conduct a preliminary audit of pathways within Bonny Hills and identify priorities for consideration in Council's 2020/21 Operational Plan

ACTION 2

Revisit and refine the preliminary audit of internal pathways (both walking and cycling), including adequacy of lighting and signage, and identify the order of priorities for consideration in subsequent Operational Plans (Target November 2019)

ACTION 3

Repair pathway and install signage on the Bonny Hills to North Haven walking track (Target June 2020)

SUMMARY OF COMMUNITY VIEWS TO CONSIDER

- Develop plan for safe pedestrian links through Bonny Hills, and ensure footpaths are wide enough for multiple users
- Consider options for a Kendall Cr path to accommodate prams, bikes etc. (thru to Beach St)
- Consider the development of pathways from The Top Shop to Panorama Drive
- Consider the development of pathways south to skatepark and community hall
- Assess development of boardwalk along Duchess Creek with exit points to Rainbow Beach (existing pathway severely degraded)
- Investigate the development of a walkway and cycle path linkage plan to Lake Cathie & North Haven

OBJECTIVE 3.2: TO ENSURE SAFE ROADWAYS THROUGHOUT BONNY HILLS FOR PEOPLE AND WILDLIFE**ACTION 1**

Continue to develop The Ocean Drive Corridor Plan (Project MR 600/MR 538: Providing an Ocean Drive Upgrade Design)

ACTION 2

Sequence the priorities identified in Action 1 for inclusion in subsequent Operational Plans

ACTION 3

Identify solutions to traffic and parking issues in Jungarra Cr relating to patronage of the medical centre (Target November 2019)

ACTION 4

Identify and prioritise secondary road issues in Bonny Hills for presentation to Council (Target June 2020)

ACTION 5

Settle the issue raised by community members of a Bonny Hills bypass by requesting information on the assessed need/feasibility/cost and from this the likelihood and estimated time frame for implementation (Target June 2021)

SUMMARY OF COMMUNITY VIEWS TO CONSIDER

- Explore options to alleviate traffic congestion at entrance to top caravan park (often cars/vans waiting to turn in create long queues onto road)
- Investigate reduction of traffic speeds on Ocean Drive
- New medical centre has implications for traffic and parking congestion in Jungarra Cres
- Pedestrian and motorist safety are considered to be issues along Graham St
- There were numerous calls for a Bonny Hills bypass
- Roundabout at Ocean Drive and Beach – opposite Nursery
- Assess the need for pedestrian crossings on Ocean Drive

OBJECTIVE 4.1: TO ENSURE FUTURE GROWTH IS ALIGNED WITH THE NATURAL AND BUILT ENVIRONMENTS**ACTION 1**

Examine Council's Urban Growth Management Strategy and other relevant documents to identify possible issues regarding Council's plans for future growth in and around Bonny Hills (Target June 2020)

ACTION 2

Light industry location and management - request immediate participation by CCAT in Council's current planning for this facility

ACTION 3

Options for future use of the quarry site beyond its current life to be explored [following confirmation of expected lifespan] (Target March 2021)

ACTION 4

Assess the adequacy of meeting and performance room facilities in and around Bonny Hills and the options to remedy deficiencies with recommendations delivered by (Target May 2020)

ACTION 5

Council to investigate modes of communication that better inform the community about issues of importance to them including existing practice, rules, regulations, progress of actions and what lies outside of Council control (Target June 2020)

ACTION 6

Determine the extent of NBN and mobile blackspots around Bonny Hills and if necessary, advocate for remedial action (Target November 2019)

ACTION 7

Identify opportunities to reduce Bonny Hills carbon footprint by leveraging Council, State and Community initiatives, initially by 31 March 2020 and ongoing thereafter

SUMMARY OF COMMUNITY VIEWS TO CONSIDER

- Climate change impacts to be considered in future planning
- Identify alternative locations for the creation of a local light industry precinct out of sight and away from commercial and residential areas
- Carefully consider and identify options for future urban growth in Bonny Hills (there was a large cry for planned, sustainable development)
- Transport connectedness
- Explore options for Grant's Head Quarry post closure
- Prospects for young people – facilities and jobs. Focus on those under 30yrs of age
- Concerns that water pressure is already inadequate in higher parts of Bonny Hills
- Concerns about the adequacy of wastewater infrastructure with further development
- NBN and mobile phone issues
- Consider implementation of surf patrols at North Rainbow Beach as South Middle Rock Beach is unpatrolled
- Consider the development of an economic development plan for Bonny Hills
- Investigate the potential of setting up a community/business contributions fund for projects
- Investigate the opportunity to install adult exercise equipment trail through Bonny Hills

ENGAGEMENT REPORT - DEVELOPING A COMMUNITY PLAN FOR BONNY HILLS

Survey Report 17 August 2019 - 15 September 2019

Total submissions received: 7
Online Submissions received: 5
Email submissions received: 2

ONLINE SURVEY REPORT

Visitors Summary



Highlights

TOTAL VISITS	130	MAX VISITORS PER DAY	17
NEW REGISTRATIONS	1		
ENGAGED VISITORS	5	INFORMED VISITORS	73
		AWARE VISITORS	99

Aware Participants		99	Engaged Participants		5
Aware Actions Performed		Participants	Engaged Actions Performed		Registered Unverified Anonymous
Visited a Project or Tool Page		99	Contributed on Forums		0 0 0
Informed Participants		73	Participated in Surveys		2 3 0
Informed Actions Performed		Participants	Contributed to Newsfeeds		0 0 0
Viewed a video		0	Participated in Quick Polls		0 0 0
Viewed a photo		0	Posted on Guestbooks		0 0 0
Downloaded a document		64	Contributed to Stories		0 0 0
Visited the Key Dates page		0	Asked Questions		0 0 0
Visited an FAQ list Page		0	Placed Pins on Places		0 0 0
Visited Instagram Page		0	Contributed to Ideas		0 0 0
Visited Multiple Project Pages		63			
Contributed to a tool (engaged)		5			

Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	Share your thoughts on the Bonny Hills Community Plan	Archived	19	2	3	0

Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Bonny Hills Community Plan (Draft)	59	72
Document	Summary of Community Views	17	22
Document	Flyer - Community Plan - Share your thoughts with us	5	5
Video	Council is working with Communities to plan for the future	0	0

SUMMARY - SUBMISSIONS OF THE BONNY HILLS COMMUNITY PLAN

Submitted online: <https://haveyoursay.pmhc.nsw.gov.au/bonnyhills>
Wed 28/08/2019 2:09 PM

Share your thoughts on the Bonny Hills Community Plan

I am encouraged by the ideas put forward for the future of Bonny Hills, in particular the addressing of protection for native flora and fauna.

Which action(s) would you like to add to the Action Plan?

With particular reference to mental health, social isolation and loneliness being a real concern in our society. Would the inclusion of a community garden such as The Lost Plot community garden in Port Macquarie be a feasible project for consideration? A project such as this would provide a wonderful setting for whole community involvement from young to older members, school groups, parents with young children and those looking to reconnect and find purpose. There are many in our local community with the skills and valuable knowledge to make a project such as this successful. Thank you for your time.

Submitted online: <https://haveyoursay.pmhc.nsw.gov.au/bonnyhills>
Wed 28/08/2019 7:57 PM

Share your thoughts on the Bonny Hills Community Plan

Hi, I would like to see better management of cats. My parents and i are avid bird watchers. Indoor restrictions for cat owners will help conserve native bird numbers. It would be great if the regions fire brigades did more research into the increased fire threat they are creating through reduction burns. Science had proven prescription/reduction burning is making the situation worse. And the thick smoke which has been settling over Bonny Hills became an health problem. It would be great to put a bike path/lane between Lake Cathie and North Haven so i don't expect to be killed every time i ride that stretch of road to go grocery shopping or see the physio. If the GreenCorp volunteers could avoid poisoning the bushland where there are known bower bird nests and the grumpy old vigilante planting trees planted species which are endemic instead of similar it would be great! Thanks :)

Which action(s) would you like to add to the Action Plan?

No Answer

Submitted online: <https://haveyoursay.pmhc.nsw.gov.au/bonnyhills>
Tue 10/09/2019 11:39 AM

Share your thoughts on the Bonny Hills Community Plan

I think the BH Community Plan, if implemented, is positive for the area. Unrestricted & uncontrolled development will see the area quickly lose its appeal, which to some degree has already started happening.

Which action(s) would you like to add to the Action Plan?

I would like to see consideration given by Council to the setting aside an area for the provision of a comprehensive Aquatic Center for all year round use. This type of facility is badly needed in the area. People are currently travelling to Taree (and even Forster) to use their Aquatic Center because the Port Macquarie facility is outdated & over crowded & the Laurieton & Kendall facility exposed, unheated & open only part of the year. Forward thinking in this area please. Thank you for the opportunity.

Submitted online: <https://haveyoursay.pmhc.nsw.gov.au/bonnyhills>
Fri 13/09/2019 11:39 AM

Share your thoughts on the Bonny Hills Community Plan

Too broad, specifics need to be presented to the community.

Which action(s) would you like to add to the Action Plan?

- Bike track connection to Laurieton to also prevent the total closure of Bonny Hills due to triathlon - Road improvement - Upgrade of children's playground near community hall. It's a hazard as is. - The boat ramp - implementation of a dog water fountain, fish cleaning station, bbq area and picnic tables. Tar road and beautification of area. - Updated of public toilets near Bartletts Beach.

Submitted online: <https://haveyoursay.pmhc.nsw.gov.au/bonnyhills>
Sun 15/09/2019 8:48 PM

Share your thoughts on the Bonny Hills Community Plan

It is encouraging that there is a strategic plan in place. Our views/thoughts are as follows: - it is important that BH is not just seen as a distant suburb of Port Mac but an entity and village in its own right - we agree that a developed industrial area should not be intrusive or highly visible/overbearing on the nature of the suburb - there is a high need to quickly address footpath and cycles. It would be great to link Lake Cathie and BH and North Haven - Pedestrian access crossing Ocean Drive important. This need is very obvious in the intersection b/w the top shop

and Panorama Drive where crossing to the east side is highly dangerous - consider by pass of Bonny Hills - We agree the need to focus on the young and that this area not just be seen as an opportune space to centralise over 50's and aged care. - -

Which action(s) would you like to add to the Action Plan?

- An improvement in the maintenance schedule (more frequent) of parks and gardens in Bonny Hills. eg: Rainbow beach reserve, top park near shop, park on Jordan Ave, entry ways at south and north end - An articulated plan to develop a buzzing central area in Bonny Hills. This would likely be improvement to Rainbow beach reserve area to include the following: improved play park; well established and maintained gardens/park; high traffic ground level cafe replicating the concept of Town beach and north haven where a strong community base has been established. - Bus walks over Grants Head and through to North Haven to be developed, well signed and maintained

*Submitted via Email to communityplans@pmhc.nsw.gov.au
Sun 15/09/2019 10:11 PM*

Hi Felicity,

My wife and I filled in the community survey but on sending we forgot to include an additional comment regarding the improvement of the local beach scape and thus creating a centralised hub for the community. The detail is as follows:

Create additional seating at Rainbow Beach foreshore. This would include large box seating around the existing pines similar to the box seating at Westport park thus utilising existing shade and creating community seating for beach goers in an area that is otherwise dirt and woodchip.

If this detail could be added to our response it would be much appreciated.

Thank you Felicity.

*Submitted via Email to communityplans@pmhc.nsw.gov.au
Fri 13/09/2019 9:46 AM*

I have some suggestions and questions. I use a wheely-walker and the other day I used the footpath from Jordan Avenue to Bartlett Street and onto Ocean Drive, Bonny Hills. There is a very bad slope, towards the roadside, which is very dangerous. On my way back I used the other side of the road with no footpath and it was much better and I did not feel the ground underneath my walker was continually trying to throw me on the road. I suggest one of your older employees borrow a walker and try this section up and down. I was not at all keen to come down this section of road.

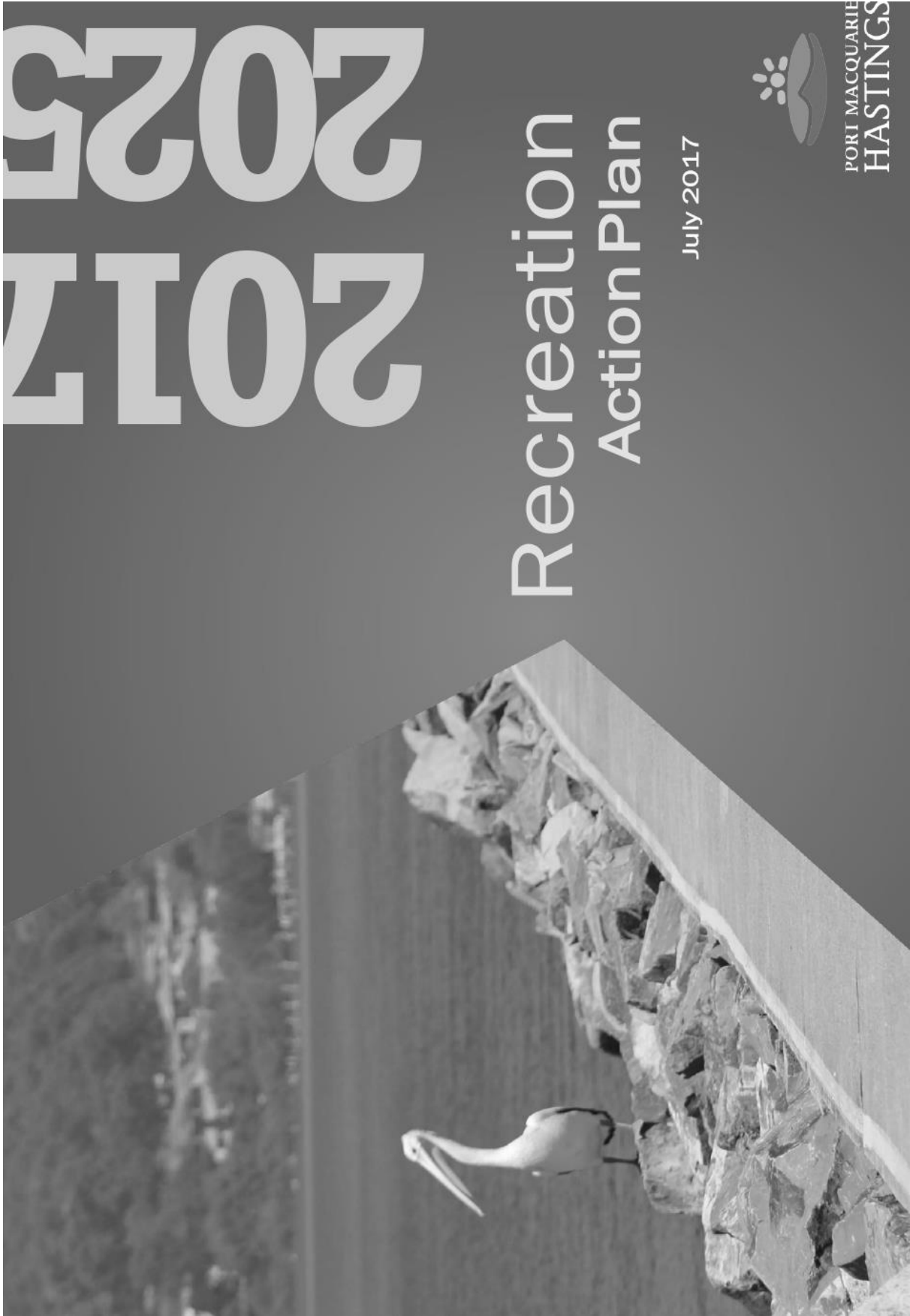
Council have just recently placed a sign on the intersection of Jordan Avenue and Hill Street. This, I presume, was done as a safety measure, and in my opinion should always come first. The only thing amiss is the fact that the sign does not show the road into the Bartlett's Beach car park. Was this intentional? This small piece of road is fed from three different directions and is always busy with traffic, and in school holidays and on any weekend carries more traffic than the other three roads put together, and much pedestrian traffic as well. Mothers' with toddlers, prams, dogs and kids keen to get to the beach or reserve. The local community would like to have this error fixed as a matter of some urgency. Perhaps adding a "Careful – children

about" sign. Please let me know. Also concerning this piece of road into the car park at Bartlett's Beach, a couple of small speed bumps are badly needed for safety reasons, as well as to stop the hooners who speed in and out without even stopping. I have raised this request with Council previously without as much as a reply.

The two "spirit" benches on the edge of the escarpment at Bartlett's Beach Reserve are in very dangerous positions, and like the footpath I mentioned, slope down into a dangerous drop, very bad for little kids, the elderly and once again, wheely-walkers – on a reserve just made for public enjoyment and exercise, young and old alike.

These seats I mentioned were ear-marked to be moved back from the edge by three or four meters on the Bonny Hills Master Plan. We are still waiting. One of these seats sits on the edge of a landslip. It originally had a nine foot sheer drop in front. Because of the amount of footballs, soccer balls, cricket and tennis balls one Jack Russell chasing a tennis balls and one wheely-walker parked in front of the seat, there is no possible way of getting them out, without going around and fighting your way up from the beach. I started to imagine an elderly person or young child going down the slope into the hole. I am like that, my friends say it is a wonderful gift to possess, I don't know. I do know it has made me a 1000 times more friends than enemies, and that the other great things which make up my life inspire me with truth, love and passion for people and this endangered environment.

The saddest thing is that the people with the most power over our environment and the safety of our wonderful citizens, have no idea about either. These two groups are the Bonny Hills Progress Association and PMHC. These people think the long term survival of our environment revolves around Lamandra and woodchip, when in fact both are a curse to our flora and fauna. Their idea of safety is to fill the toddler's playground at Rainbow Beach with rocks and concrete structures, including the path to the point it has become the most avoided playground around with head injuries to toddlers being the most common at this site. Horrific for child and parent. Once again we were promised nice coloured playground equipment in the Bonny Hills Master Plan, but got this. Where did the money go for this equipment and the relocation of the "spirit" seats mentioned above? Lake Cathie playground is fun and colourful, well done. The Rainbow Beach playground is more like an SAS training ground and extremely dangerous for small kids – proven many times with bloody toddlers.



Overview

Port Macquarie Hastings Council recognises the importance of sport and recreation as an integral part of our social fabric, generating community cohesion and attracting visitors to the region. Our region has some fantastic recreational resources including the Port Macquarie Coastal Walk, Port Macquarie Skatepark, the Wauchope All-Abilities Playground, our sporting facilities, and iconic beaches. It is vital that Council works with the community to deliver and enhance these services and opportunities.

As a Council, we need to be well prepared to continue the delivery of an appropriate level of recreational facilities and services into the future. This includes maintaining a commitment to the provision of sports facilities, providing for participation in unstructured activities and a variety of passive and active recreational pursuits.

Due to the increase in facilities and services provided to and required by the community, provision of these opportunities has become more complex. Council must plan, develop and manage suitable allocation of funding, resources and priorities to ensure all members of the community are offered the opportunity to participate.

The Recreation Action Plan (the Plan) aims to provide Council with the necessary framework to provide for sport and recreation facilities in the short to medium term.



Plan

The Plan has been developed using information provided by the Recreation Needs Study (the Study) performed by Ross Planning in 2014, as well as consultation with the community, land managers, government agencies, Council staff and other organisations with an interest in sport and recreation.

The Plan provides Council and the community with the road map for meeting the current and future needs in sport and recreation requirements commencing in 2017. Timelines and prioritisation of projects within the Plan take into account the risks, implications and financial constraints limiting the ability to deliver projects within the Port Macquarie- Hastings Local Government area.

In development of the Plan Council has considered various communities demands for new facilities, grounds and other infrastructure. Council emphasises the importance of adaption and renewal of existing facilities. The Plan also identifies that there is a real need to match the current and future supply of programs to community needs and emerging demands.

While much of the responsibility for progressing these priorities will rest with Council, the community and other stakeholders also share this responsibility. Council, its community, land managers and other government agencies each have a role to play. These are identified as system partners. A partnership approach is required to address identified issues. There is a need for resourcing, coordination, clearer responsibility and accountability. Aligning the priorities of Council with not only the community but other system partners includes:

- National and State affiliated bodies and their policy devolvement and direction
- Greater investment in the development of partnerships with current and newly identified system partners, i.e. independent schools and use of facilities
- Exploration of innovative design and delivery of sport and recreational facilities
- Engagement with private enterprise.



July 2017 Update

This is an updated Plan which reflects current priority projects required to meet community needs along with facilities needed to meet forecast growth in the Port Macquarie – Hastings.

The status of actions identified for delivery in the previous Plan between 2014/15 and 2016/17 is outlined in Appendix 1.

The updated Plan:

- Reflects a number of strategic projects identified within the Council adopted 2017/18 Operational Plan.
- Is consistent with the draft Section 94 Open Space Contributions Plan (S94 Plan) currently under development. It is possible that there will be changes made to the works program within the S94 Plan prior to adoption which may trigger further modifications to this Plan in future.
- Captures changes in Council priorities including development of sports fields at Wauchope and sports field improvements aligned with optimising utilisation of Council owned sport fields
- Includes actions arising from the completion of the Camden Haven and Hastings River Recreational Boating Needs Investigations.

The Plan identifies three timelines for delivery of priority projects:

Immediate	2017/18
Short term	2018/19 - 2019/20
Medium term	2020/21 - 2024/25

This change in approach has been developed to provide some flexibility in timing for delivery of priority projects. This flexibility will assist in ensuring that the Plan remains relevant.



Reporting

Port Macquarie-Hastings Council is funded to achieve agreed outcomes and measures as defined in the adopted Operational Plan.

Each year an annual report which details performance against the agreed outcomes within the Plan will be reported to Council for information.

The Plan will be subject to review and it may be necessary to modify the action plan in accordance with changing community needs, financial position of Council, ability to deliver within timeframe and legislative requirements. Modification may comprise the inclusion of new projects or the deletion of identified projects.



Related Documents

Camden Haven River Recreational Boating Needs Investigation 2017 (Roads and Maritime Services)

Hastings Regional Crown Reserve - Precinct A Plan of Management 2014 (Department of Primary Industries - Lands & Forestry)
http://www.crownland.nsw.gov.au/_data/assets/pdf_file/0003/652827/Hastings_Regional_Crown_Reserve_Precinct_A_Plan_of_Management.PDF

Hastings River Recreational Boating Needs Investigation 2017 (Roads and Maritime Services)

Mid North Coast Regional Boating Plan 2015 (Transport for NSW)
<http://maritimemanagement.transport.nsw.gov.au/documents/mid-north-coast-reg-boating-plan.pdf>

Port Macquarie-Hastings Bike Plan 2015 (Port Macquarie - Hastings Council)
<http://www.pmhc.nsw.gov.au/Services/Transport/Cycling>

Port Macquarie-Hastings Recreation Needs Study 2015 (Port Macquarie - Hastings Council)

Stuart Park/Woods Street Sports Fields Master Plan 2014 (Port Macquarie - Hastings Council)

Wayne Richards Park Master Plan 2014 (Port Macquarie - Hastings Council)

Westport Park Plan of Management 2013 (Department of Primary Industries - Lands & Forestry)
http://www.crownland.nsw.gov.au/_data/assets/pdf_file/0018/651231/Westport_Plan_of_Management.pdf

Action Plan - Immediate Priority Projects (2017/18)

Recreation Action Plan 2015-2025

Priority	Project Detail	Project Partner	Alignment with other plans/strategies	Risk	Multi-year project
Camden Haven River Recreational Boating Improvements	Dunbogan Reserve Boat Ramp upgrade - Construction Bruce Porter Reserve Boat Ramp Upgrade - Detailed design and construction	Roads & Maritime Services	Mid North Coast Regional Boating Plan	Availability of grant funding	Yes
Foreshore Reserve, Lake Cathie	Develop Master Plan	Lake Cathie Progress Association			No
Flynn's Beach, Port Macquarie	Develop Master Plan	DPI - Lands & Forestry			No
Lank Bain Sports Complex, Wauchope	Provide new sports field flood lighting	Lank Bain Sports Management Committee	Optimising Utilisation of Port Macquarie Sports Fields		No
Oxley Oval, Port Macquarie	Provide new sports field flood lighting		Optimising Utilisation of Port Macquarie Sports Fields		No
Port Macquarie Pool upgrade	Develop a strategic concept plan for Port Macquarie Pool including the site selection process				No
Port Macquarie Coastal Walk	Complete Master Plan Commence upgrade of prioritised sections of the walk	DPI - Lands & Forestry	Hastings Regional Crown Reserve - Precinct A Plan of Management		Yes
Rocks Ferry Reserve, Wauchope	River bank revetment wall - Construction	DPI - Lands & Forestry		Availability of grant funding	No
Rocks Ferry Reserve, Wauchope	Install floating recreational boating pontoon	Roads & Maritime Services			No
Sports Fields, Wauchope	Detailed design and commence construction				Yes
Thrumster Sports Fields	Detailed design and approvals				No

Recreation Action Plan 2017-2025

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Wauchope Pool Upgrade	Stage 2 Construction	Department of Infrastructure				Yes
Westport Park, Port Macquarie	Riverwall and Promenade upgrade – design and construct	DPI – Lands & Forestry	Westport Park Plan of Management	Availability of grant funding		No

Action Plan - Short Term Priority Projects (2018/19 - 2019/20)

Priority	Project Detail	Project Partner	Alignment with other plans/strategies	Risk	Multi-year project
Hastings River, Port Macquarie - new recreational boating facility	Detailed design and approvals	Roads & Maritime Services	Mid North Coast Regional Boating Plan	Availability of grant funding	Yes
Lake Cathie Bonny Hills Sports Complex (Stage 1)	Construction			That developer led detailed design and fill works are not complete	Yes
Lake Cathie Skate Park	Facility development	Lake Cathie Bonny Hills Lions Club		Location for facility yet to be resolved	No
Macquarie Park, Port Macquarie	Provide new sports field flood lighting	DPI - Lands & Forestry	Optimising Utilisation of Port Macquarie Sports Fields		No
McInherney Park, Port Macquarie - provide additional water craft storage facilities	Design and construction	McInherney Park recreational boating groups			No
North Haven to Bonny Hills Coastal Walk	Facility upgrade	DPI - Lands & Forestry			No
Port Macquarie Pool upgrade	Detailed designs and approvals				No
Settlement Point Reserve - provide water craft storage facility	Design and construction	Flamin' Dragons Port Macquarie/ Port Macquarie Maroro Outrigger Canoe Club			No
Hastings Regional Sports Fields, Wauchope	Continue construction				Yes
Stuart Park, Port Macquarie	Install sub-soil drainage to sports fields		Optimising Utilisation of Port Macquarie Sports Fields		No

Recreation Action Plan 2017-2025 11

The Boom Reserve, Port Macquarie - Leash Free Dog Exercise Park	Design and construction					No
Town Green, Port Macquarie - playground upgrade	Design and construction	DPI - Lands & Forestry	Hastings Regional Crown Reserve - Precinct A Plan of Management			No
User Pays Policy	Develop and implement					No
Woods Street Sports Fields, Port Macquarie	Provide new sports field flood lighting		Optimising Utilisation of Port Macquarie Sports Fields			No
Wrights Creek and Yaranabee Creek Corridors, Port Macquarie	Bike Path Feasibility Study	NPWS, Landcare				No

Action Plan - Medium Term Priority Projects (2020/21 - 2024/25)

Priority	Project Detail	Project Partner	Alignment with other plans/strategies	Risk	Multi-year project
Bain Park, Wauchope - reserve and playground upgrade	Design and construction	DPI - Lands & Forestry			No
Camden Haven Walkway/Cycleway provision	Design and construction in accordance with adopted bike plan		PMHC Bike Plan		Yes
Camden Haven Sporting and Equestrian Facility	Detailed design & approvals		Optimising Utilisation of Port Macquarie Sports Fields		Yes
Hastings River, Port Macquarie - new recreational boating facility	Construction	Roads & Maritime Services	Mid North Coast Regional Boating Plan	RMS Boating Now grant funding not provided	Yes
Lake Cathie Bonny Hills Sports Complex (Stage 2)	Construction				Yes
Macquarie Park, Port Macquarie - upgrade amenities	Design and construction	DPI - Lands & Forestry	Optimising Utilisation of Port Macquarie Sports Fields		No
Nobby's Headland, Port Macquarie - upgrade access to monument	Design and construction	DPI - Lands & Forestry			No
Port Macquarie Walkway/Cycleway provision	Design and construction in accordance with adopted bike plan		PMHC Bike Plan		No
Port Macquarie Pool upgrade	Construction				Yes
Rotary Park, Port Macquarie - reserve and playground upgrade	Design and construction	DPI - Lands & Forestry	Hastings Regional Crown Reserve - Precinct A Plan of Management		No
Stuart Park, Port Macquarie - facility upgrade (amenities renewal; provision of additional shade and seating)	Design and construction		Optimising Utilisation of Port Macquarie Sports Fields		No

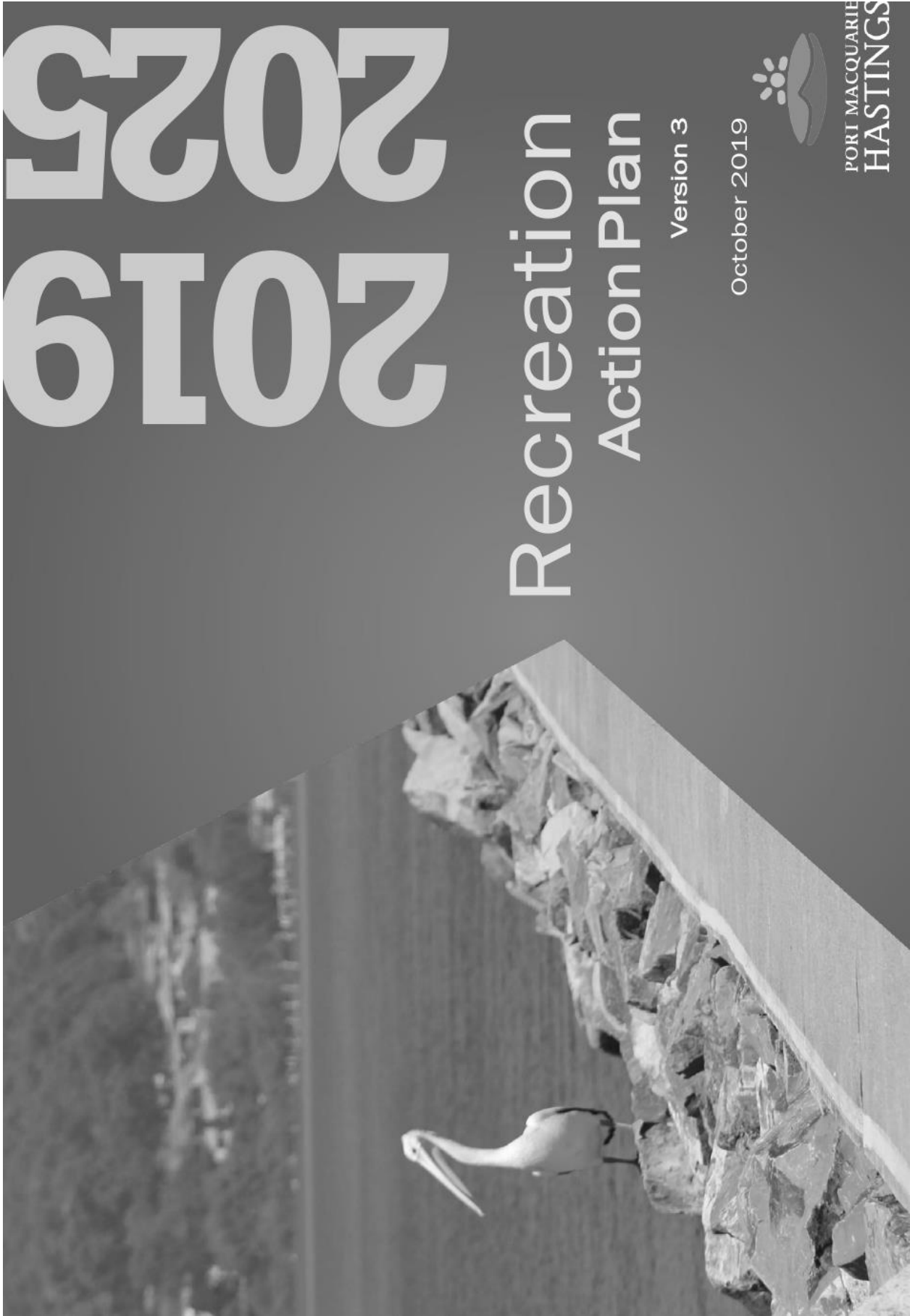
Thrumster Sports Fields	Construction				Yes
Town Beach Reserve, Port Macquarie – reserve and playground upgrade	Design and construction	DPI – Lands & Forestry	Hastings Regional Crown Reserve - Precinct A Plan of Management		No
Town Green, Port Macquarie – upgrade Central and West sections	Design and construction	DPI – Lands & Forestry	Hastings Regional Crown Reserve - Precinct A Plan of Management		Yes
Wayne Richards Park, Port Macquarie (Stages 3 & 4)	Construction		Wayne Richards Park Master Plan	Council depot relocation delay	Yes
Westport Park, Port Macquarie – Liwi's Place Playground upgrade	Design and construction	Touched by Olivia Foundation			No

Appendix 1 – Status of actions 2014/15 – 2016/17

Project	Year	Current Status	Comment
Implement volunteer parks maintenance workforce	2014/15	Complete	
Development of Gogik Track (Stage 2)	2014/15	Complete	
Establish process for community led sport and recreation improvement projects	2014/15	Complete	http://www.pmhc.nsw.gov.au/Facilities-amp-Recreation/Outdoor-Spaces/Sports-Fields/Sporting-Facility-Upgrade-application-form
Develop web pages for sporting facilities	2014/15	Complete	http://www.pmhc.nsw.gov.au/Facilities-amp-Recreation/Outdoor-Spaces/Sports-Fields
Delivery of Tacking Point Lighthouse Reserve Master Plan (Stage 4)	2014/15	Complete	
Permanent recruitment of Sport and Recreation Officer	2014/15	Complete	
Develop an e-newsletter for sport and recreation groups	2015/16	Complete	
Wauchope Pool Refurbishment (Stage 1)	2015/16	Complete	Delivery of Stage 2 scope of works has commenced
Develop & implement quarterly audit process for sport/recreational facilities	2015/16	Complete	
Town Beach Kiosk/Marine Rescue Facility upgrade	2015/16	Complete	
Develop a leash free dog exercise park at Henry Kendall Reserve	2015/16	Complete	
Wayne Richards Park, Port Macquarie – Construct Multipurpose Field (Stage 5)	2015/16	Commenced	Completion scheduled for July/August 2017
Update Parks and Reserves Use Policy to include sport facilities	2015/16	Commenced	Draft policy to be reported to Ordinary Council Meeting July/August 2017

Rocks Ferry Reserve, Wauchope - installation of floating pontoon	2015/16	Commenced	Completion scheduled for December 2017
Develop a user pays policy for sports fields	2015/16	Outstanding	Review of user pays models completed. Policy development not progressed.
Develop sports forums across the Local Government Area	2015/16	Outstanding	One forum held late 2015 and was well supported by sporting groups. Subsequent event was cancelled due to lack of interest.
Camden Haven Recreational Boating Needs Study	2016/17	Complete	Report developed and adopted by Roads & Maritime Services
Hastings River, Port Macquarie - identify site and develop a Concept Plan for a new boating facility	2016/17	Complete	Report developed and adopted by Roads & Maritime Services
Expansion of Port Macquarie Indoor Stadium	2016/17	Complete	
Upgrade Town Green East, Port Macquarie	2016/17	Commenced	Completion scheduled for November 2017
Establish Sports Council	2016/17	Outstanding	
Develop Area 14 (Lake Cathie/Bonny Hills) sports fields	2016/17	Outstanding	Detailed design responsibility of the developer; has been delayed pending Construction Certificate approval associated with adjacent infrastructure
Wayne Richards Park, Port Macquarie - Construct (Stage 3)	2016/17	Outstanding	Detailed design process yet to commence; Construction requires relocation of Port Macquarie Council Works Depot





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Overview

Port Macquarie-Hastings Council recognises the importance of sport and recreation as an integral part of our social fabric, generating community cohesion and attracting visitors to the region. Our region has some fantastic recreational resources including the Port Macquarie Coastal Walk, Port Macquarie Skatepark, the Wauchope All-Abilities Playground, our sporting facilities, and iconic beaches. It is vital that Council works with the community to deliver and enhance these services and opportunities.

As a Council, we need to be well prepared to continue the delivery of an appropriate level of recreational facilities and services into the future. This includes maintaining a commitment to the provision of sports facilities, providing for participation in unstructured activities and a variety of passive and active recreational pursuits.

Due to the increase in facilities and services provided to and required by the community, provision of these opportunities has become more complex. Council must plan, develop and manage suitable allocation of funding, resources and priorities to ensure all members of the community are offered the opportunity to participate.

The Recreation Action Plan (the Plan) aims to provide Council with the necessary framework to provide for sport and recreation facilities in the short to medium term.



October 2019 Update

This is an updated Plan which reflects current priority projects required to meet community needs along with facilities needed to meet forecast growth in the Port Macquarie-Hastings.

The status of actions identified for delivery in the previous Plans (Recreation Action Plan 2015-2025 and Recreation Action Plan 2017-2025) is outlined in Appendix 1.

The Plan has been revised to reflect:

- Finalisation of the Port Macquarie-Hastings Open Space Contribution Plan
- Changing community, Council and State Government priorities
- Opportunities to reduce overall project cost and minimise impact on user groups by aligning project stages where appropriate
- Condition based asset information, providing clarity as to when assets need to be replaced
- Likely availability of funding sources
- Actions identified in recently developed Community Plans.
- A desire to optimise the use of existing open spaces.

The updated Plan, identifies three timelines for delivery of priority projects:

Immediate	2019-2020
Short term	2020-2021 to 2021-2022
Medium term	2022-2023 to 2024-2025



Immediate Priority Actions 2019/2020			
Guiding Principle	Area	Facility	Project Detail
Planning for growth	Lake Cathie/Bonny Hills	Rainbow Beach Sports Fields	Finalise detailed design and approvals and commence construction
		Hastings River Recreational Boating Improvements	Design and approvals for a new boat launching facility
		Red Ochre Park	Construction of a new park
	Port Macquarie	Wayne Richards Park Stages 3 and 4	Detailed design and approvals
	Thrumster	Thrumster Sports Fields	Detailed design and approvals
	Wauchope	Hastings Regional Sports Fields	Finalise detailed design and approvals and commence construction
	Beechwood	Beechwood Tennis Courts	Upgrade Facility
		Laurieton Sports Complex	Upgrade amenities and provide lighting to netball courts (100 lux)
		North Haven to Bonny Hills Coastal Walk	Coastal Walk Upgrade
		Riverview Reserve	Playground Upgrade
Improving existing facilities	Camden Haven	Scribbly Bark Reserve	Playground Upgrade
		Kendall Local Park	Skatepark Replacement
		Kew Community Park	Provision of new children's play space and associated infrastructure
	Kew/Kendall	Kendall Sports Ground	Sports Facility Upgrade
		Bonny Hills Reserves	Review Bonny Hills Reserves Master Plan
	Lake Cathie/Bonny Hills	Foreshore Reserve	Master Plan Implementation and construction of Skate Facility

North Shore	Lake Cathie Sport Fields	Install irrigation and improve playing surface	
	Coal Wharf Reserve	Reserve Upgrade	
	Blair Reserve	Playground Upgrade	
	Flynns Beach	Continue seawall upgrade - Stage 1	
Port Macquarie	Oxley Oval	Contribution to amenities and Lighting upgrade to 300 lux	
	Port Macquarie Aquatic Facility	Commence detailed design and approvals	
	Port Macquarie Coastal Walk - Kenny Walk, Doctors Walk and Charlie Uptin to Flagstaff Hill	Coastal Walk Upgrade	
	Port Macquarie Foreshore Promenade	Detailed design & approvals	
	Port Macquarie Regional Stadium	New Training Field & Lighting	
	Ruins Way Park	Park Upgrade	
	Settlement Point Reserve	Playground Upgrade	
	Stuart Park	Upgrade to Regional Sporting Precinct	
	Town Beach Park	Playground Upgrade	
	Town Green Central & West	Detailed design & approvals	
Telegraph Point	Charlie Watt Reserve	Upgrade sports field lighting (50 lux) & provision of field drainage	
Wauchope	Andrews Park	Provide sports field lighting (50 lux)	
	Bain Park	Develop Master Plan	
	Blackbutt Park	Facility Upgrade	
Various	Rocks Ferry Reserve	Playground Upgrade	
	Crown Reserves	Develop Plans of Management for Council Crown Land Managed sites	

Short Term Priority Actions 2020/2021 - 2021/22			
Guiding Principle	Area	Facility	Project Detail
Planning for growth	Wauchope	Hastings Regional Sporting Fields - Stage 1	Continue construction
		Camden Haven Surf Club Building	Design and approvals for replacement of facility
	Camden Haven	Laurieton Swimming Pool	Upgrade pool heating system
	King Creek	Narran Park	Playground Replacement at end of useful life.
	Lake Cathie/Bonny Hills	Bonny Hills Community Hall Reserve	Playground Upgrade
		Rainbow Beach Reserve	Reserve Upgrade
	North Shore	Ferry Reserve	Boat Ramp Renewal
		Blair Reserve, Lighthouse Beach	Provision of accessible public toilets
		Flynns Beach	Reserve Upgrade
		John Dick Reserve	Playground Replacement at end of useful life.
Improving existing facilities		McInherney Park	Contribution to new boat storage facility for inclusion of public amenities
		Port Macquarie Coastal Walkway	Upgrade Walkway Town Beach to Town Beach North; Continue upgrading of Kenny Walk
		Port Macquarie Regional Sports Stadium	Sports Facility Upgrade
	Port Macquarie	Town Green Central	Reserve Upgrade
		Town Green West	Reserve Upgrade
	Wauchope	Bain Park	Reserve and Playground Upgrade

		Bindi Close Reserve	Playground Upgrade
		Lank Bain Park Sports Ground	Sports Facility Upgrade

Medium Term Priority Actions 2022/2023 - 2024/25			
Guiding Principle	Area	Facility	Project Detail
Planning for growth	Lake Cathie/Bonny Hills	Rainbow Beach	Construction of new Pedestrian Facility
		Fernbank Creek	Construct new boat launching facility
	Port Macquarie	Wayne Richards Park Sporting Complex	Sports Facility Upgrade
	Thrumster	Thrumster Sports Fields	Construction of Sporting Facility
Improving existing facilities		Apex Park	Amenities Upgrade and Provision of Playground
		Beach to Beach Walk	Pedestrian Facility
		Camden Haven Surf Club Building	Construction
		Laurieton War Memorial Reserve	Reserve Upgrade
		Pilot Beach Reserve	Reserve and Playground Upgrade
	Camden Haven	Wallace Reserve	Playground Upgrade
	Comboyne	Pioneer Park Comboyne	Playground Upgrade

Ellenborough	Ellenborough Reserve	Renewal of amenities at end of useful life
Kew/Kendall	Norrie Reserve	Playground Replacement at end of useful life.
Lake Cathie/Bonny Hills	Explorers Way Reserve	Playground Upgrade
	Jonathan Dixon Reserve	Amenities Upgrade
	Port Macquarie Aquatic Facility	District Facilities (Stage 1A)
	Absolom Reserve	Playground Upgrade
	Amethyst Way Reserve	Playground Upgrade
	Ashdown Reserve, Ashdown Drive	Playground Upgrade
	Flagstaff Hill Reserve	Local Facilities
	Greenmeadows Reserve	Playground Upgrade
	Hudson Avenue Park	Playground Upgrade
	McInherney Park	Reserve Upgrade
	Mimosa Park	Playground Upgrade
	Port Macquarie Aquatic Facility	Construction of Stage 1
	Port Macquarie	Bicycle Facility
	Port Macquarie Rowing Club Reserve	Reserve Upgrade
	Rotary Park	Playground Upgrade
	Ruins Way Park	Playground Upgrade
Port Macquarie	Sandhurst Reserve	Playground Replacement at end of useful life.

		The Boom Reserve	Playground Replacement at end of useful life.
		Waterlily Park	Playground Upgrade
		Westport Park	Amenities, Reserve and Playground Upgrade
		Fairmont Gardens Sporting Fields	Reserve Upgrade
		Lank Bain Park Sports Ground	Lighting Upgrade
		Rocks Ferry Reserve	Reserve Upgrade
		Timbertown Estate Reserve	Playground Upgrade
	Wauchope		

Appendix 1

Completed Recreation Action Plan Priority Actions 2015-2019

- Construction of Googik Track (Stage 2)
- Establish process for community led sport and recreation improvement projects
- Develop web pages for sporting facilities
- Delivery of Tacking Point Lighthouse Reserve Master Plan (Stage 4)
- Permanent recruitment of Sport and Recreation Officer
- Develop an e-newsletter for sport and recreation groups
- Wauchope Pool Refurbishment (Stages 1 and 2)
- Develop & implement quarterly audit process for sport/recreational facilities
- Town Beach Kiosk/Marine Rescue Facility upgrade
- Develop a leash free dog exercise park at Henry Kendall Reserve
- Wayne Richards Park, Port Macquarie – Construct Multipurpose Field (Stage 5)
- Finalisation of the Camden Haven Recreational Boating Needs Study
- Hastings River, Port Macquarie – identify site and develop a Concept Plan for a new boating facility
- Expansion of Port Macquarie Indoor Stadium
- Upgrade Town Green East, Port Macquarie
- The site selection process for a new Port Macquarie Aquatic Facility has reconfirmed Macquarie Park as the preferred site
- Installation of a recreational boating pontoon at Rocks Ferry Reserve
- Construction of revetment wall to address river bank erosion at Rocks Ferry Reserve
- Development and adoption of the Port Macquarie Coastal Walk Master Plan
- Development and adoption of the Flynns Beach Master Plan





- Development and adoption of the Lake Cathie Foreshore Reserve Master Plan
- Provision of sports field flood lighting at Oxley Oval
- Provision of additional sports field flood lighting at Lank Bain Sports Complex
- Construction of Port Macquarie Dog Off-leash park at Stuart Park
- Construction of the Westport Park segment of the Foreshore Walkway
- Upgrade boat launching facility at Bruce Porter Reserve, Laurieton
- Upgrade boat launching facility at Dunbogan Reserve.

3 Your Business and Industry

16/10/2019

What we are trying to achieve

A region that is a successful place that has vibrant, diversified and resilient regional economy that provides opportunities for people to live, learn, work, play and invest.

What the result will be

We will have:

- A strong economy that fosters a culture supportive of business and ensures economic development of the region
- Townships, villages and business precincts that are vibrant commercial, cultural, tourism, recreational and/or community hubs
- A region that attracts investment to create jobs
- Partnerships that maximise economic return and create an efficient and effective business environment

How we will get there

- 3.1 Embrace business and a stronger economy
- 3.2 Create vibrant and desirable places
- 3.3 Embrace opportunity and attract investment to support the wealth and growth of the community
- 3.4 Partner for success with key stakeholders in business, industry, government, education and the community

From: Mark.Spry@jlta.com.au <Mark.Spry@jlta.com.au>
Sent: Monday, 16 September 2019 5:13 PM
To: Ruth King <Ruth.King@pmhc.nsw.gov.au>
Subject: RE: Risk advice - Paragliders use of Bartletts Beach and Reserve

Hi Ruth,

I have reviewed the risk assessment. It appears that they have considered all of the major hazards and risks.

I have had experience with the governing bodies for paragliding and hang gliding, and club level organisations under those bodies. They have always been professional and staunch advocates for the safe practice of their sports and very mindful of their interactions with the public and environment.

Regards

Mark Spry | Regional Risk Manager | Statewide Mutual
Jardine Lloyd Thompson Pty Ltd | Level 37 Grosvenor Place, 225 George Street, Sydney Australia
2000
m: +61 437 691 586 | e: Mark.spry@jlta.com.au | w: www.statewidemutual.com.au
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4 Your Natural and Built Environment

16/10/2019

What we are trying to achieve

A connected, sustainable, accessible community and environment that is protected now and into the future.

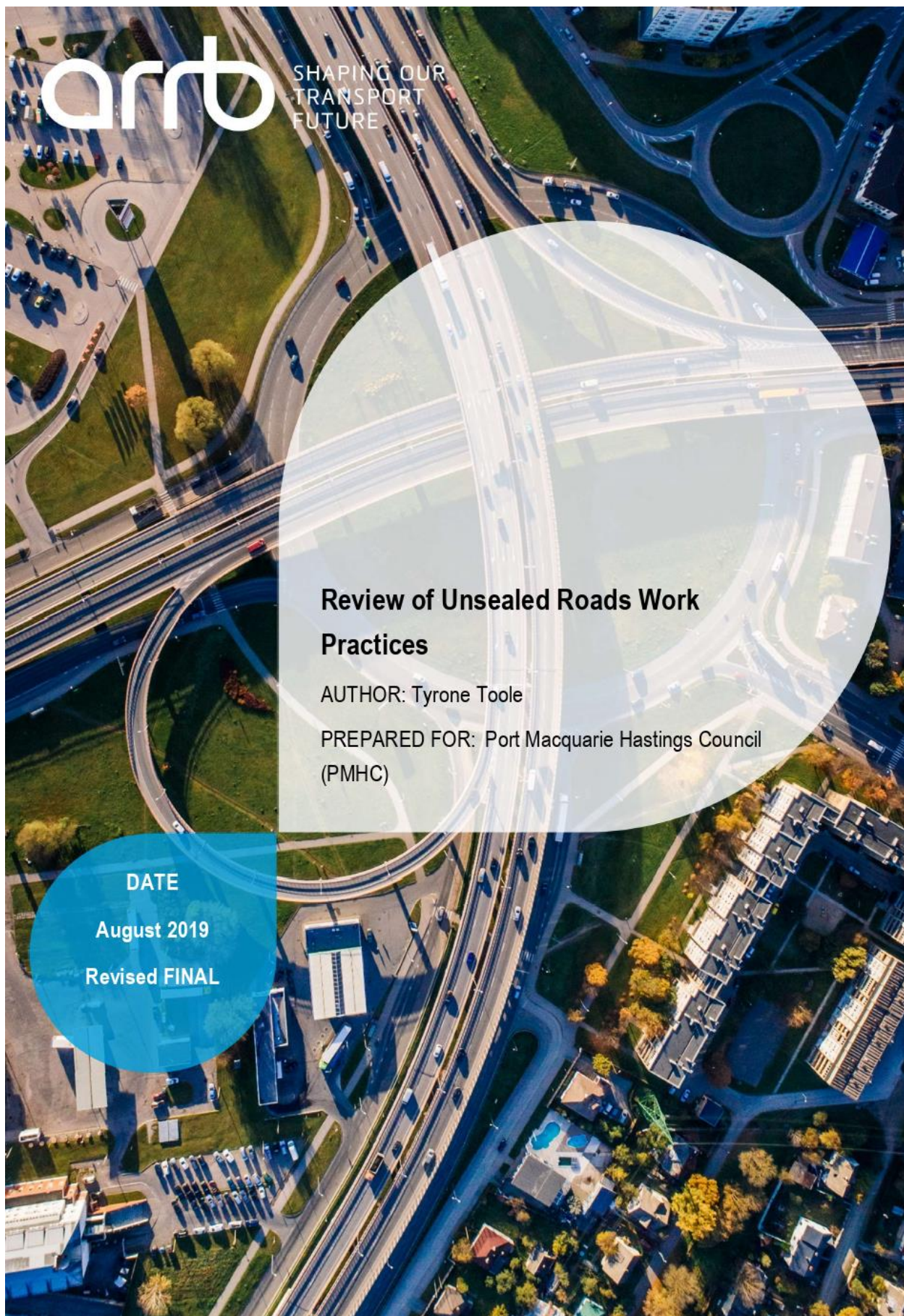
What the result will be

We will have:

- Effective management and maintenance of essential water, waste and sewer infrastructure
- A community that is prepared for natural events and climate change
- Sustainable and environmentally sensitive development outcomes that consider the impact on the natural environment
- Accessible transport network for our communities
- Infrastructure provision and maintenance that meets community expectations and needs
- Well planned communities that are linked to encourage and manage growth
- Accessible and protected waterways, foreshores, beaches and bushlands
- An environment that is protected and conserved for future generations
- Renewable energy options that are understood and accessible by the community

How we will get there

- 4.1 Provide (appropriate) infrastructure and services including water cycle management, waste management, and sewer management
- 4.2 Aim to minimise the impact of natural events and climate change, for example, floods, bushfires and coastal erosion
- 4.3 Facilitate development that is compatible with the natural and built environment
- 4.4 Plan for integrated transport systems that help people get around and link our communities
- 4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area
- 4.6 Restore and protect natural areas
- 4.7 Provide leadership in the development of renewable energy opportunities
- 4.8 Increase awareness of issues affecting our environment, including the preservation of flora and fauna



SHAPING OUR
TRANSPORT
FUTURE

Review of Unsealed Roads Work Practices

AUTHOR: Tyrone Toole

PREPARED FOR: Port Macquarie Hastings Council
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Author	Tyrone Toole	PL	Lory Noya	QM

ARRB – YOUR NATIONAL TRANSPORT RESEARCH ORGANISATION

ABN 68 004 620 651

With offices in Brisbane, Sydney, Adelaide, Perth.

National Transport Research Centre and Head Office: 80a Turner St, Port Melbourne, 3207 VIC, Australia

arrb.com.au

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SUMMARY

Objectives and scope

Port Macquarie Hastings Council engaged ARRB to conduct an independent review of the current practices undertaken in unsealed roads maintenance operations. This has been supported by Councillors and Council staff and has the following objective and anticipated key outcomes.

Review the newly adopted Unsealed Roads Policy and related maintenance work practices and determine the suitability of both with regard to the limitations of Council's funding and resources.

The review is in support of the Council's a new Unsealed Roads Policy, the purpose of which is to provide clear direction for a fair and equitable service for all road users with consistent levels of service and consideration of road usage and the limits of funding and resources. Unsealed roads are a highly emotive and complex issue that affects a small percentage of rate payers but the impacts for those affected are often quite significant and can often be isolating.

With the addition of land tenure issues and Crown road reserves, managing unsealed roads is also a complex area to administer with single person issues often dominating discussion to the detriment of the broader rate payers. Public safety risks are typically lower for these roads due to lower traffic volumes.

The study reviewed and provides recommendations on the following:

- a) current work practices performed by Council during unsealed roads maintenance activities including scheduled maintenance grading and gravel resheeting works.
- b) the suitability and application of the Unsealed Roads Policy with regard to the limitations of Council's funding and resources.

Main findings related to work practices

1. Scheduled maintenance grading

The schedule and types of operation employed are considered good practice, with the levels of service in the field observed to be satisfactory in most cases, with the exception of sections observed to rut and have reported problems of slipperiness under wet conditions (see below). Practices will however be challenged as roads wear further, with the desirable crown shape of a five per cent camber being increasingly difficult to achieve (see below).

2. Gravel resheeting works

Gravel wearing surface performance using traditional road materials sources is generally satisfactory with reported (very) low rates of material loss, and little evidence of build-up of lost material as windrows on the road edge. Whilst this is a very good achievement, the assumed rates are approximately 8 times lower than typical rates, and between 2 and 4 times lower than the best previously observed rates. Of concern is whether this is sustainable, and whether it is simply a matter of time before a significant backlog becomes evident. The low rates are also likely to be impacting asset value, with this a risk if conditions rapidly change.

Other aspects of performance of note include:

- Deformation of wearing course materials on hilly sections, with slipperiness under wet conditions.
- The performance of traditional materials is consistent with the good practices employed.
- The performance of the trialled recycled building materials was judged to be unsatisfactory. Whilst the intent to reuse materials is commendable, more appropriate use should be considered if economic.
- The performance of reclaimed millings was observed to be very good with the example having very good surface cohesion, suggesting the material complies with the recommended performance guidelines.

Main findings related to the suitability and application of the Unsealed Roads Policy

1. Funding

Whereas current funding levels support the scheduled grading and current resheeting levels on Major Roads and Local Roads, the adequacy of these in the medium- long term is questionable for the following reasons:

- Reactive works on other roads (Access Tracks, Unformed Roads and Unsealed Car Parks) could increase as a consequence of increased deterioration over time including from greater traffic levels, and climatic events. No quantitative, proactive assessment is done.
- Progressive wear of the crown on priority roads, as opposed to average material loss, which is likely to require additional funding above the current allocations. An assessment of this is required as a matter of urgency with a need to confirm the level of risk given the significant differences between the scheduled resheeting estimates and those based on the national Local Road Deterioration Studies (LRDS), noting that current PMHC rates of resheeting are between 4 and 8 times lower than LRDS model estimates. It is highly likely that future funding for Gravel Resheeting will need to be increased.
- Estimates of the possible resheeting needs have been made based on the best available information related to the quality of maintenance work undertaken by PMHC and the best available evidence from quantitative research studies. The gross average annual resheeting cost is estimated to be approximately \$1.37 million which is almost 3 times the average allocation in recent years, and that included in future estimates. This figure accounts for needs on major roads and local roads based on a combination of traffic and climate related wear, and for FWD tracks based on a time-based frequency using local knowledge.

2. Resources

Whereas equipment and human resources appear adequate based on current schedules and funding levels, this should be examined for the following reasons:

- If a proactive strategy was adopted to ensure sustainable operation of Access Tracks, Unformed Roads and Unsealed Car Parks
- If partial regraveling/crown restoration, or more extensive resheeting, was undertaken on a widespread basis on the network.

Main recommendations related to work practices

1. Scheduled maintenance grading

- a) The schedule and types of operation should be continued with a monitoring program initiated to quantify the results in order to validate the judgements made during this review and by the PMHC managers.
- b) In support of the above PMHC should consider adopting the practice of having regular measurement of road roughness with a class 3 roughness measurement instrument, e.g. the ARRB Roughometer. This would provide:
 - a more objective measure of performance
 - a way to measure trend and rate of deterioration after re-grading or resheeting
 - greater confidence in planning and a chance to review unsealed roads levels of service
 - a better link to planning

2. Gravel resheeting works

- a) Strict selection criteria in relation to the recommendation in the ARRB Unsealed Roads Manual (USRM) for unsealed wearing courses should be applied.
- b) Where alternative sources are considered these should be assessed in relation to the USRM, and only used where they are compliant with requirements or are incorporated into a blended material which meets the requirements. Recycled building materials do not meet these requirements, and if economic they should only be used in a suitable blend.

- c) The significant differences in the scheduled and estimated rates of material loss poses a significant risk, particularly as roads age with the possibility that severe distress could occur rapidly as the residual material approaches a minimum to prevent overstressing. Possible approaches include:
- Concentrating full resheeting on higher order roads, with a depth of 100 mm being adequate in any new layers to prevent lamination.
 - Ensuring adequate crown shape on all roads through a combination of full resheeting and a gravel top-up (50 mm minimum) as a crown restoration strategy on lower order roads. This could be achieved by using appropriate natural road building materials or, if economic, by introducing recycled building materials into the existing wearing course in restoring the road crown and reducing rutting and slipperiness on certain roads.

The aim should be to achieve the requirements of the USRM performance guide. Full scale trials should be undertaken to design any blends and establish suitable work methods.

Recommendations on the suitability and application of the Unsealed Roads Policy

1. Funding

- a) A comprehensive whole of life cost-based program for Major Roads and Local Roads should be undertaken to address future scheduled grading needs and resheeting, including crown restoration across the network. This should be preceded by an assessment of ride quality and road shape and observed problem locations requiring more extensive work.
- b) The above recommendation should be supported by an assessment of remaining gravel depth to inform future resheeting needs.
- c) A proactive assessment of funding needs on FWD Access Tracks, Unformed Roads and Unsealed Car Parks at a maximum interval of 5-years should be undertaken to better estimate funding needs rather than adopt a fully reactive strategy. This could inform a scheduled approach and/or ensure sufficient funds are available on an average annual basis to meet needs. An analysis of historical costs would also be useful, with the aim of undertaking a proactive pothole and surface shape repair program.

2. Resources

A re-evaluation of equipment and human resources should be undertaken upon completion of Recommendation 1.

ACKNOWLEDGEMENTS

ARRB wishes to acknowledge the support of Port Macquarie Hastings Council operations managers and staff in the execution of this review.

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1 INTRODUCTION

1.1 OBJECTIVE

Port Macquarie Hastings Council has engaged ARRB to conduct an independent review of the current practices undertaken in unsealed roads maintenance operations. This has been supported by Councillors and Council staff and has the following objective and anticipated key outcomes.

Review the newly adopted Unsealed Roads Policy and related maintenance work practices and determine the suitability of both with regard to the limitations of Council's funding and resources.

1.2 BACKGROUND

Council recently adopted a new Unsealed Roads Policy in November 2018. The purpose of the policy is to provide clear direction for a fair and equitable service for all road users with consistent levels of service and consideration of road usage and the limits of funding and resources. Unsealed roads are a highly emotive and complex issue that affects a small percentage of rate payers but the impacts for those affected are often quite significant and can often be isolating.

With the addition of land tenure issues and Crown road reserves, managing unsealed roads is a complex area to administer with single person issues often dominating discussion to the detriment of the broader rate payers. Public safety risks are typically lower for these roads due to lower traffic volumes and the subsequent reduced likelihood of crashes when compared to higher trafficked roads like the Oxley Highway, Ocean Drive or Hastings River Drive.

During policy adoption, a review of the policy and more broadly Council's existing work practices was incorporated into the Council resolution. It is expected that this independent review of Council's unsealed road maintenance practices will provide comfort to many rate payers in these areas.

1.3 SCOPE

The scope of the study is as follows:

- a) Review current work practices performed by Council during unsealed roads maintenance activities including but not limited to, scheduled maintenance grading and gravel resheeting works.
- b) Critically evaluate the suitability and application of the Unsealed Roads Policy with regard to the limitations of Council's funding and resources.
- c) Provide a report and discuss the findings with operational staff providing commentary around the suitability of current work practices.
- d) Provide recommendations for further process improvement.

1.4 STRUCTURE AND CONTENTS OF THIS REPORT

Following this introduction, the report is structured as follows:

- Section **Error! Reference source not found.**, Appreciation and approach, describes our understanding of the issues the Council faces, illustrates possible solutions identified prior to the commencement of the project, and describes the tasks considered in undertaking the review.
- Section 3, Findings of visit to PMHC and observed road conditions and operations, describes the results of the visit including a drive over of a selection of representative roads and associated observations and discussions. It also presents supporting analysis and comments on unsealed road materials and operations, and the Unsealed Roads Policy,
- Section 4, Summary of findings and recommendations.

The report also includes the following appendix:

- Appendix A, Photographs and Notes from Field Visit.

2 APPRECIATION AND APPROACH

2.1 APPRECIATION

Much like most councils who manage unsealed roads, PMHC are challenged in managing their network of unsealed roads to customer expectations. These challenges include the need to balance the service levels capable of being delivered to the community (the customers), which is diverse in terms of its concentration. The road availability and usage vary significantly between relatively dense networks to sparse networks with few dwellings. Expectations however do not reflect the actual level of use, yet such considerations are fundamental to efficient and affordable road service delivery. In such circumstances, single landowner/resident issues can dominate priorities, with structured network programming suffering and ultimately reducing the achieved levels of service.

Whereas road safety risks are likely to be lower for much of the network, partly due to lower traffic and possibly lower speeds, the quality of property access will vary noting the road classification extends to access tracks which are mostly suited to 4WD vehicles. This concept of a 'design vehicle' is important and is consistent with the variation in operational conditions on the lowest order roads.

From a general road classification viewpoint, the information provided by Council would suggest the network performs a variety of functions and falls into a range of road classifications in relation to those described in the ARRB Unsealed Roads Manual (USRM) (ARRB 2009).

A key reason for consideration of a rational classification is to determine realistic operational conditions on a network, with this providing a basis for a 'gap' analysis. Depending on the assessed conditions, and use of the network, safe operating speeds will also vary. Such considerations are also important in benchmarking levels of service.

A further consideration is the quality and maintainability of the surface, and the provision and protection (maintenance) of roadside assets to ensure adequate operational performance. Grading and resheeting frequencies provided by Council give some indication of the likely surface quality, with the risk of water-related damage also noted particularly for lower order roads. Whilst the grading frequencies seem reasonable, the re-sheeting frequency is very low, being between four and eight times lower than typical rates based on ARRB's local road deterioration studies (Martin et al 2013 and Austroads 2018). It is however noted that the surface materials differ varying from imported materials to natural, formed or unformed surfaces. In such circumstances it is important to assess actual 'fitness for purpose', this being important along with geometrical/terrain characteristics.

From the information provided the frequency of grading would seem at the lower end for major roads, but this is dependent on the techniques employed, e.g. heavy formation grading with water and compaction could easily provide a longer lasting surface quality. The nature of the traffic and driver behaviour, particularly speeds, would also drive performance. Performance is often attributed to the prevailing weather with a tendency for roads to be dusty and corrugated in dry weather or slippery during wet weather.

All Unsealed Roads deteriorate at varying rates immediately after the conclusion of grading activities, with this dependent on the techniques employed and the quality of the operation and a distinction needs to be made between work treatments which:

- reprocess and reshape the surface, usually accompanied by watering and compaction, to produce a smooth well-knit surface (referred to as full reprocessing)
- allow some reworking in the presence of natural moisture (recent rainfall) and limited traffic compaction (referred to as heavy grading)
- only re-spread loose material across the roadway with almost no change in the shape of the underlying surface, with a result that the material will be displaced quickly with surface conditions deteriorating quickly to pre works levels (referred to as light grading).

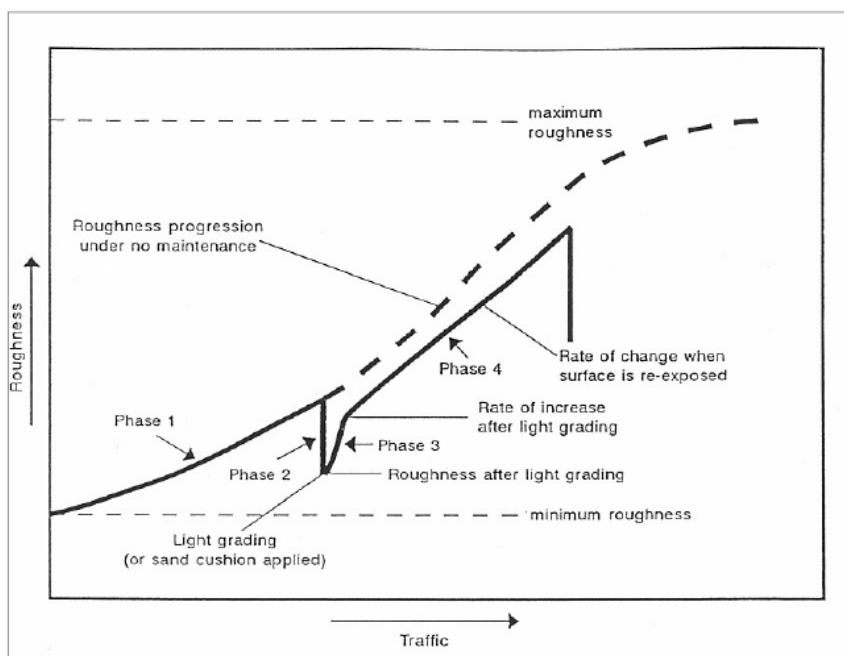
The observed trends and response to maintenance and construction activities has led to the following four phase model for the progression of roughness for unsealed roads (Morosiuk & Toole 1997):

- Phase 1 – the rate of wear of the original surface before any maintenance is applied
- Phase 2 – the change in general distress, usually represented by roughness, as a result of maintenance
- Phase 3 – the rate of wear, or removal of the uncompacted or loosely compacted upper surface layer immediately after maintenance
- Phase 4 – the longer-term rate of wear of the surface once any loose or poorly compacted material is removed.

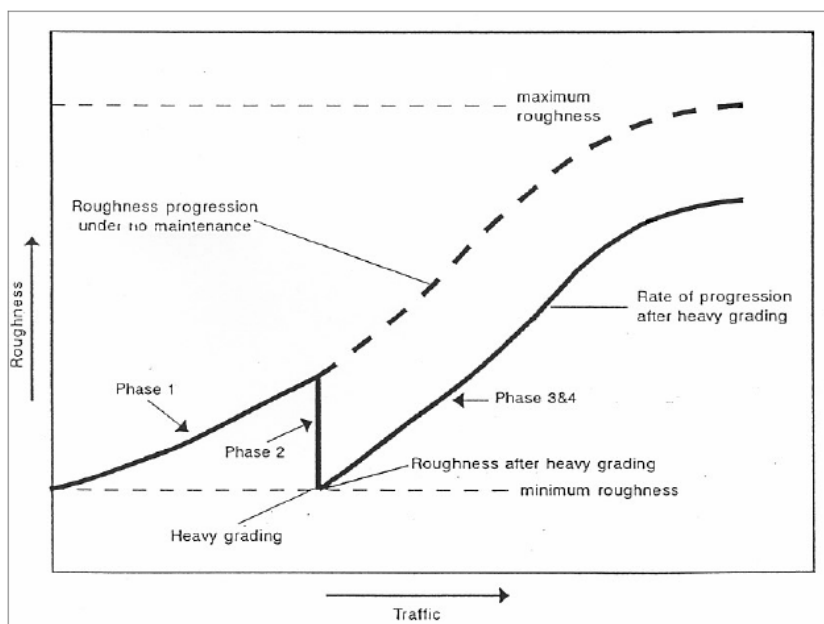
The model is illustrated in Figure 1 and forms a convenient framework for describing the application of current unsealed road roughness progression models in determining life cycle behaviour and, thereafter, optimum maintenance frequencies. Figure 1(a) represents light grading (or blading) in the absence of water, whereas Figure 1(b) represents heavy grading or full reprocessing. The costs of these operations differ considerably, and therefore needs to be reflected in any life-cycle cost analysis. At a practical level, location factors may mean that techniques which are feasible are limited due to the lack of water sources, and due to low or unpredictable rainfall.

Figure 1: Illustration of the four-phase roughness progression model for unsealed roads

(a) Effect of light grading



(b) Effect of heavy grading or full reprocessing



Source: Morosiuk & Toole 1997

A further observation is, whereas our belief was that the overall level of budget did not appear unreasonable for a roughly 450km long unsealed road network, our opinion on this has been revised based on an analysis of findings particularly with respect to gravel resheeting rates with a recommendation made to substantially increase the recheeting budget. This is explained later in the report.

Further considerations included:

1. What inspection types and frequencies are performed by PMHC; i.e. is a differentiation made between:
 - 'safety and hazard' type inspections to ensure the safe operation of the network including responding to customer requests, where justifiable
 - maintenance and program driven inspections to ensure the overall 'asset preservation' program is appropriate and well targeted with a medium to long term view
 - formal condition inspections which aim to identify performance issues, including materials issues, drainage, etc so that recurring issues are identified and addressed
2. Do unsealed maintenance practices follow 'good' practice and are they delivered effectively by in-house units and contract teams, with techniques including:
 - full water and compaction during resheeting operations
 - use of blended materials, involving plant mixing or on-road mixing
 - possible over/under servicing of roads depending on a variety of factors, including customer complaints.

2.2 APPROACH

Noting that the Council seeks advice on a rational basis for its unsealed roads policy, the following approach was adopted with the aim of benchmarking and confirming a rational basis for unsealed roads management and works.

1. An initial review of the various issues related to road condition, maintenance planning, and operations for each road type and use aim to broadly benchmark the service levels, both achieved and desirable.

2. Assessment of typical roads and identification of performance issues and contributory factors covering a representative sample of the full network
3. Review of maintenance and construction techniques applied, including the supply and processing of imported materials and their properties and suitability.
4. Assessment of maintenance management processes and criteria, and the quality and comprehensiveness of available data
5. Provision of recommendations on immediate solutions and those requiring wider consideration, with this aiming to quantify the following:
 - a. current service delivery practices, and the specific techniques employed and how they are specified in management and contract documents
 - b. current plant availability and the extent to which the current fleet and that used by suppliers is 'fit-for-purpose'
 - c. the selection and application of pavement and wearing course materials
 - d. the capture and management of unsealed road infrastructure data as a basis for planned maintenance and renewal, and for meeting road management obligations.
 - e. a more comprehensive basis for maintenance and renewal planning, and its application in developing a long-term program which both meets community obligations and optimises longer term investment.

3 FINDINGS OF VISIT TO PMHC AND OBSERVED ROAD CONDITIONS AND OPERATIONS

3.1 VISIT PROGRAM

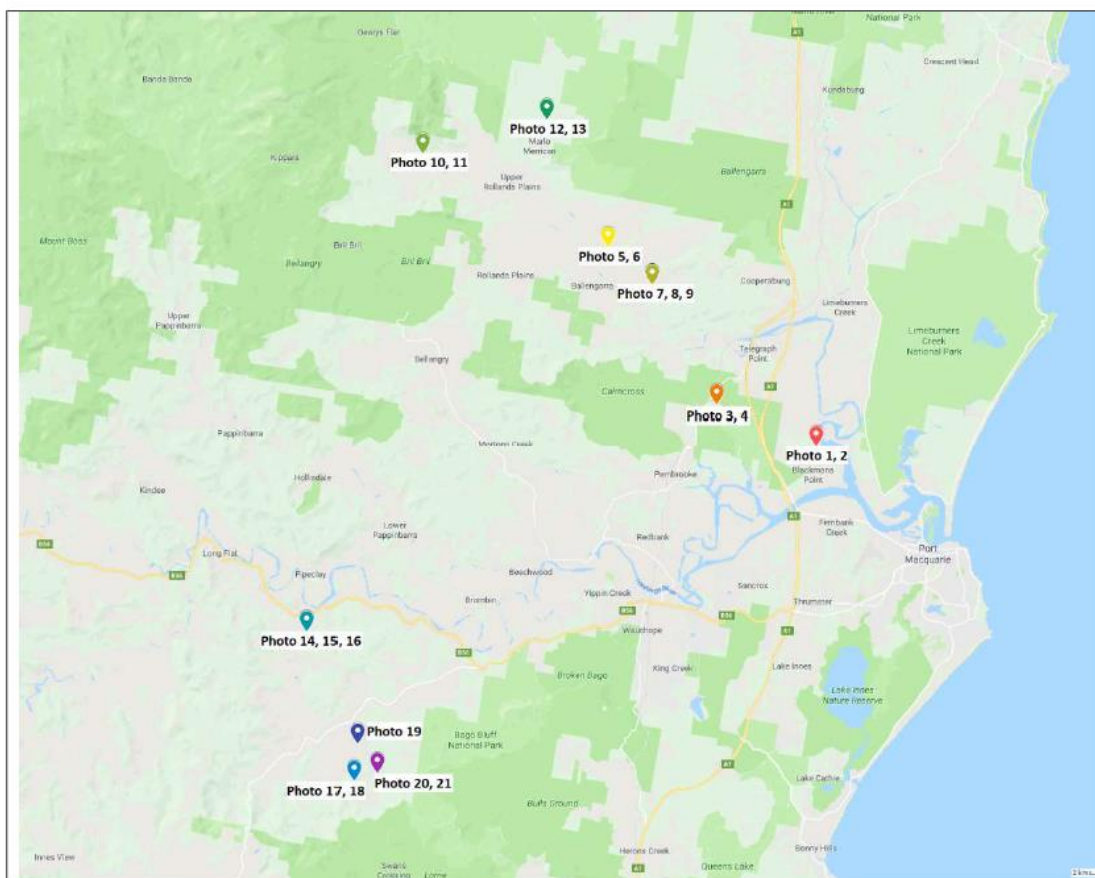
The visit program is summarised in Table 1 and was dominated by a full day visit to sites around the Local Government Area, with notes and photographs documented in Appendix A with the distribution of sites illustrated in Figure 2. The visit commenced with an initial briefing at PMHC offices which reinforced initial observations made as part of the ARRB proposal and highlighted the following:

- General satisfaction with the quality of maintenance grading operations, with this to be confirmed through visiting sites which are both due for re-grading (end of cycle) and post grading
- Recent use of recycled building materials (crushed concrete) in resheeting operations, with the properties and performance of these materials requiring assessment in comparison with historical sources
- Assessing performance under different road use including lightly trafficked access roads and more heavily trafficked (and heavily loaded) roads
- Observations on vegetation management practices
- Other observations, including related to drainage and water crossings and general road safety considerations.

Table 1: Visit Program

Date/Time	Location	Activity
26/06/2019, 08.00 – 09.00	PMHC offices	Initial briefing and discussion
26/06/2019, 09.00 – 12.30	Network and materials stockpiles	<ul style="list-style-type: none"> • Airport Stockpile • The Hatch Road • Cairncross Waste Facility • Ballengara Bransdon Road • Gum Scrub Road • Upper Rollands Plains Road • Little Loops Road • Clarefield Dungay Road • Stoney Creek Road
26/06/2019, 13.00 – 15.30	Network	<ul style="list-style-type: none"> • Deep Creek Road • Byabarra Bagnoo Rd • Jones Road • Lantana Road • Stennets Road • Lorne Road • Logans Crossing Road • Herons Creek Road
27/06/2019, 08.00 – 09.30	PMHC offices	Debrief/discussion

Figure 2: Distribution of sites visited



3.2 FINDINGS AND OBSERVATIONS FROM THE FIELD VISIT

3.2.1 GENERAL

Relevant findings and observations related to current work practices for a number of unsealed road maintenance activities are presented and discussed below. They cover the following activities:

- Maintenance grading
- Resheeting
- Vegetation management.

3.2.2 MAINTENANCE GRADING

Maintenance grading is performed on a scheduled basis with this being adhered to in most cases. The interval varies by road category, which is also indicative of the level of traffic which uses the roads in question, as summarised below:

- Major Roads – every 6 months (Traffic count generally more than 100 vehicles/day)
- Local Roads – every 12 months (Traffic count generally less than 100 vehicles/day)
- Access Tracks - On an as-needs basis where impassable by a standard 4WD vehicle
- Unformed - No pavement maintenance.
- Unsealed Car Parks - On an as-needs basis following risk assessment.

Road conditions were observed on roads due for re-grading (end of cycle), immediately post (and during) grading, and between maintenance cycles.

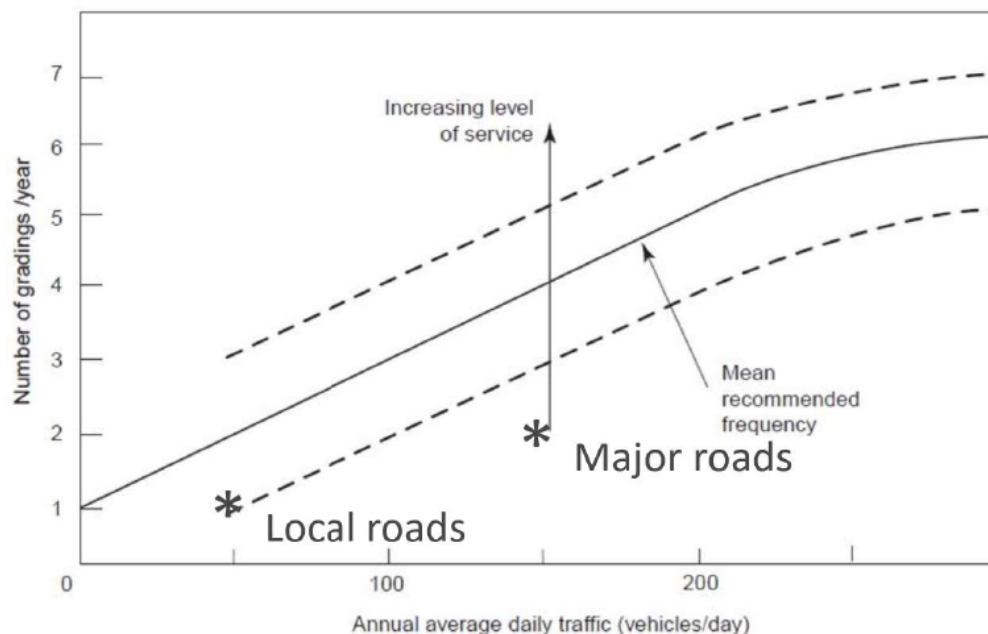
It was confirmed that grading was undertaken either with water applied using water bowzers and compaction, or with compaction during periods when sufficient moisture existed in the surfacing material.

The grading operation observed during the visit (see Photos 20 and 21 from Lantana Road, Byabarra (Appendix A)) represent medium formation grading where the road surface is cut/shaped using the grader blade without ripping, with materials being moved into windrows and re-laid in typically 3 passes and compacted. The resulting finish and quality of mixing and resspreading was judged to be good, and adequate. It was noted from discussion with the operator that tyning is not used widely, with a risk of damage to the surface and bringing up materials from below, but it is applied where potholes and deformation exists at localised spots.

In most cases observed the surface materials did not display a tendency to corrugate (with the exception of recently used recycled building materials). However, the potential for rutting was evident on steeper grades (see Photos 14 and 15 - Deep Creek Road, Bagnoo (Appendix A)), whereas at other locations good performance was observed (Photos Photo 17 and 18 - Jones Road, Byabarra (Appendix A)). Such a variation is not surprising and, provided the difference is not extreme and conditions can be restored through scheduled grading, is not a serious concern.

Overall, the schedule of grading was reasonably consistent with guidance in this area. Figure 3 shows a comparison of PMHC grading frequency for local and major roads with those recommended from international guidance in this area (TRL 1987).

Figure 3: Typical grading frequency by road use

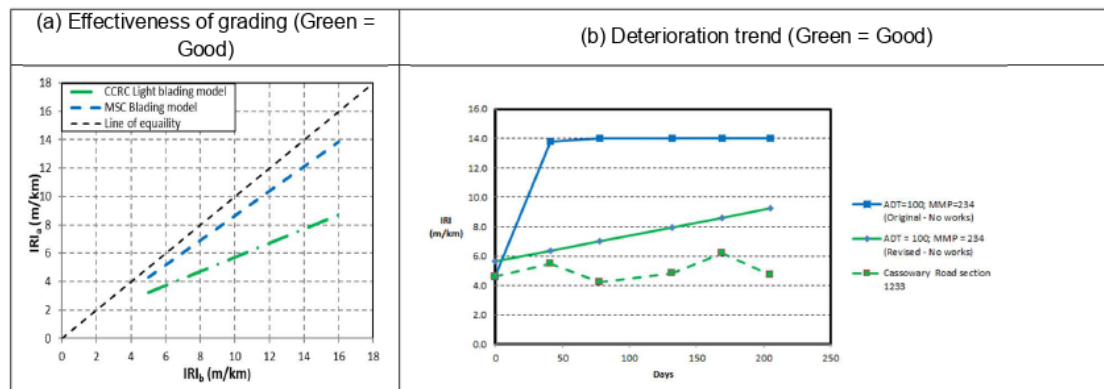


Source: Transport Research Laboratory (1987)

Whereas the frequency of grading would seem to be at the lower end for major roads, confirmation that medium formation was grading with water and compaction is applied suggests a lower frequency as occurs could provide an adequate result. Performance is also driven by the mix of traffic, and where low proportions of heavy vehicles exist then the effective AADT would be lower.

A further observation is the practice employed by PMHC is likely to lead to more effective grading practice as illustrated in Figure 4(a), and slower deterioration (represented by good practice) in ride quality as illustrated in Figure 4(b). The specific examples draw on research under the Local Roads Deterioration Study (LRDS), with the example of good practice determined through greater control in construction and maintenance practices. Further details are provided in Austroads (2018) and Martin et al (2013). A maximum roughness of 8 – 10 m/km IRI is suggested as an upper limit for intervention in order to deliver an appropriate service level. The grading intervals of 6 months and 12 months for Major Roads and Local Roads respectively are likely to deliver adequate conditions based on trends illustrated in Figure 4(b) for typical roads and historical materials sources.

Figure 4: Impact of quality and type of grading on performance



Source: Austroads (2018)

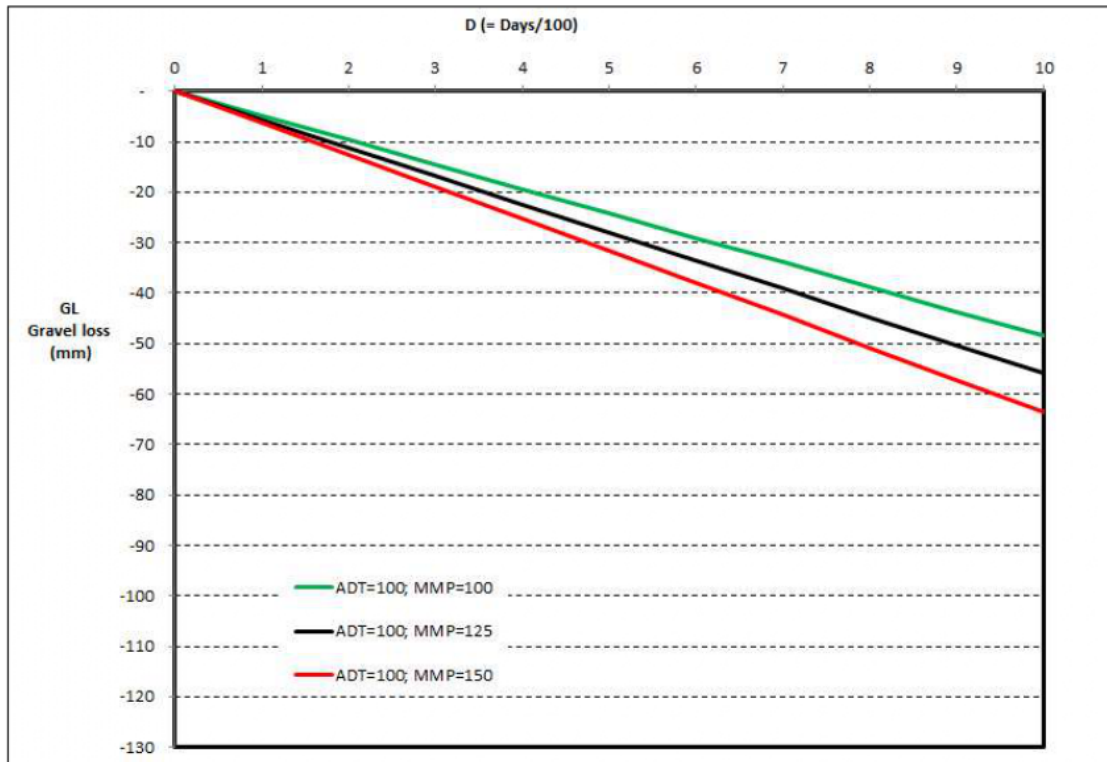
However, the observed effectiveness of grading is likely to be challenged on roads surfaced with recycled building materials, with poor performance observed on The Hatch Road (Photos 1 and 2), with this a consequence of unsuitable materials properties (see later discussion in Section 3.2.3).

In contrast to the recycled building material, the use of reclaimed millings for gravel resheeting on Gum Scrub Road (Photo 7) from the Airport Stockpile appears successful. Materials properties for this site have not been reviewed but the observed performance suggests a suitable material.

3.2.3 RESHEETING

As noted earlier in Section 2.1, the re-sheeting frequency seems very low, with resheeting lives of 36 years for Major Roads and 115 years for Local Roads stated in the 'Unsealed Roads Policy'. The implied rates of material loss are considerably lower than those estimated based on the national Local Roads Deterioration Study, which was managed and reported by ARRB on behalf of councils throughout Australia (Martin et al 2013). Estimates for the Port Macquarie and Hasting LGA are shown in Figure 5. They suggest approximately 20 mm loss per year per 100 vehicles per day, which would imply a resheet life of approximately 15 years at 50 vehicles per day and 5 years at 150 vehicles per day. Lower rates have been observed through various international studies, including where the effectiveness of grading was high (Toole 1987), construction quality was good, and the materials were ideal for the location. However, whereas a halving of the rate is judged possible, and a quarter of the rates has been observed before (Figure 7), the reported rates are between 7 and 8 times less than the average modelled rates. A concern is whether this is realistic, and whether there is a substantial risk of more rapid deterioration in future. Without extensive assessment of the residual thickness of materials and checking of the actual road shape, this remains an unknown.

Figure 5: Estimated annual rates of material loss per 100 AADT for the Port Macquarie and Hasting LGA

**Notes:**

D – Days since last grading

ADT – Annual daily traffic

MMP – Mean monthly precipitation (mm)

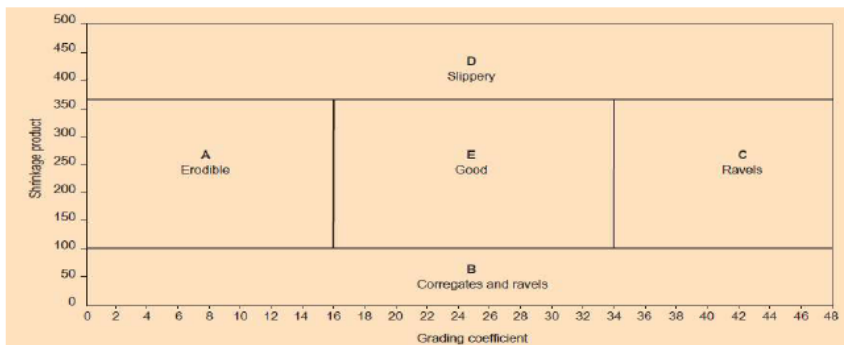
During the site visit, evidence of moderate or high rates of material loss was not observed nor was inadequate cover thickness and associated deformation observed. In a single example on Lantana Road, the supervisor and operators suggested the road had not received any resheeting in more than 20 years. Whereas this to some extent confirms that rates of loss are low, with this most probably a consequence of materials properties and effective techniques, the risk of conditions deteriorating quickly due to inadequate gravel is a major risk. This is likely to increase as traffic levels grow and sources of materials supply change, and roads increase in age and therefore cumulative wear.

A key aspect of the grading operations which are undertaken is to ensure the camber is not lost, for which sufficient material needs to be present to ensure the crown can be restored. Where full resheeting is not required, partial resheeting/top-up should be undertaken at periodic intervals and at specific locations to ensure adequate shape. An estimate of this could be determined by measuring camber/crossfall at intervals along each road.

One of the observations made during the visit to the Hatch Road was that the crown seems to be flat. A minimum of 5% cross fall is recommended by the ARRB USRM for all unsealed road classes except for 4WD tracks (ARRB, 2009). Studies have also shown that a 1% reduction of cross-fall leads to 20 per cent reduction in the effective life of a grading or resheeting treatment leading to poor performance and increased costs (Toole et al 2001).

A further concern is with respect to new sources of materials, including recycled building materials, and a check on the compliance of materials with the gravel wearing surface properties performance guide (Figure 6) is recommended.

Figure 6: Relationship between gravel wearing surface properties and performance



Notes:

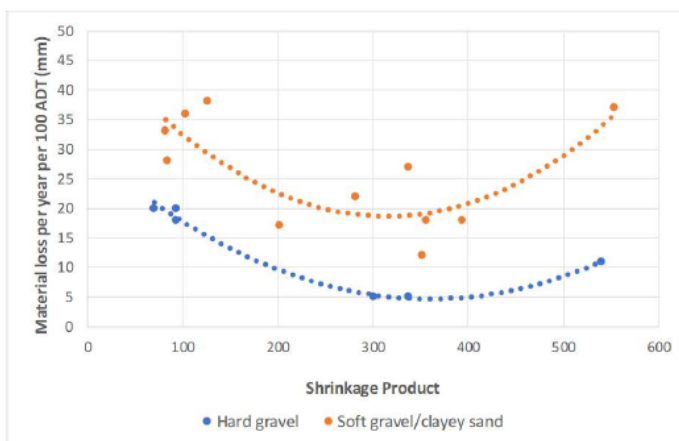
Shrinkage product (SP) = linear shrinkage x % passing the 0.425 mm sieve.

Grading coefficient (Gc) = (% passing the 26.5 mm sieve – % passing the 2 mm sieve) x per cent passing the 4.75 mm sieve/100.

Source: Jones and Paige-Green (1996).

Road deterioration (RD) models exist which account for materials properties. Although few studies have been sufficiently comprehensive to confirm the relative quantitative importance of differences in material properties, evidence is available from a number of sources, including from Australia (Martin et al. 2013) and southern Africa (Paige-Green 1987 and Toole (1987)). The latter study illustrated the effect of materials properties, with performance being dependent on the amount and plasticity of the soil fines, represented by the shrinkage product, and material hardness (Figure 7). Whilst the optimum (mid-range) values differ, with the example from a semi-arid climate, the consequence of not achieving the desirable properties is very evident, with a doubling or quadrupling in material loss possible if a material is substantially deficient in its shrinkage product. The very low rates associated with optimum properties are close to, but still higher than the PMHC rates.

Figure 7: Rate of material loss of calcareous wearing courses under regular maintenance



Source: Adapted from Toole (1987).

Test properties were provided by PMHC for a number of sources, although their use on the network is not known. These are summarised in Table 2, with the last two columns added based on the assumption that the materials are gravel in texture.

Table 2: Properties of local materials in PMHC

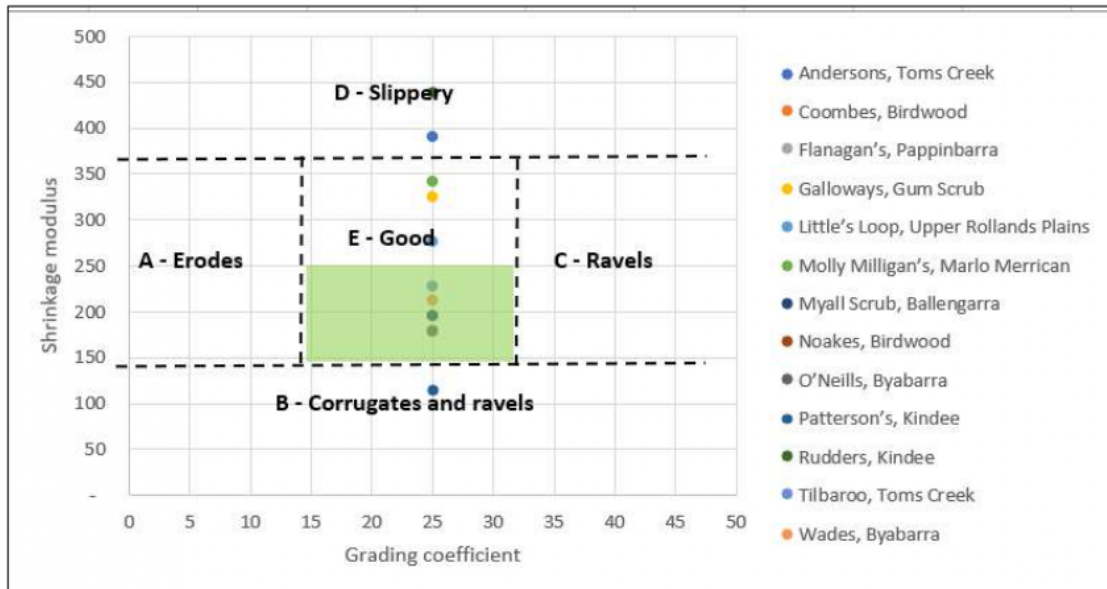
Source and Sample	Material	CBR at Standard compaction	Swell %	PI %	Estimated SP	Classification (1)
Andersons Quarry, Toms Creek, QA-5	Sandy GRAVEL, extremely weathered to slightly weathered basalt	8	0.0	24	390	Poor, slippery
Coombes Quarry, Birdwood, QA-04	Sandy GRAVEL, sandstone, shale and mudstone	20	0.0	11	179	<u>Good</u>
Flanagan's Quarry, Pappinbarra, QA-09	Gravelly Sandy Clay, Highly to slightly weathered sandstone	12	0.0	12	195	<u>Good</u>
Galloways Quarry, Gum Scrub, QA-12	Sandy GRAVEL, sandstone, mudstone and conglomerate	8	1	20	325	Good (Borderline slippery)
Little's Loop Quarry, Upper Rollands Plains, QA-10	Sandy GRAVEL, moderately to slightly weathered siltstone	8	1.0	17	276	Good
Molly Milligan's Quarry, Marlo Merrican, QA-11	Sandy GRAVEL, moderately to slightly weathered sandstone	25	0.0	21	341	Good (Borderline slippery)
Myall Scrub Quarry, Ballengarra, QA-13	Sandy GRAVEL, moderately to slightly weathered sandstone	20	-0.5	12	195	<u>Good</u>
Noakes Quarry, Birdwood, QA-3	Sandy GRAVEL moderately to slightly weathered siltstone	30	0.0	11	179	<u>Good</u>
O'Neills Quarry, Byabarra, QA-06	Sandy GRAVEL, highly to slightly weathered sandstone	40	0.0	11	179	<u>Good</u>
Patterson's Quarry, Kindee, QA-8	Sandy GRAVEL, highly to slightly weathered sandstone	20	-0.5	7	114	Poor, corrugates and ravel
Rudders Quarry, Kindee, QA-07	Sandy GRAVEL, highly to slightly weathered siltstone and mudstone	30	0.0	27	439	Poor, slippery
Tilbaroo Quarry, Toms Creek, QA-02	Sandy GRAVEL, moderately to slightly weathered limestone and mudstone	16	0.0	14	228	<u>Good</u>
Wades Quarry, Byabarra, QA-01	Sandy GRAVEL, highly to slightly weathered sandstone	60	0.0	13	211	<u>Good</u>

Notes:

1. According to unsealed wearing course performance guide (Figure 6).

A grading coefficient has not been quoted on the assumption also that the materials are mid-range gravels in particle size distribution for which a Gc of 25 has been applied. The results have also been plotted on the performance guide, as shown in Figure 8. The 'shaded' area (in Green) represents a desirable lower SP range of 'good' performance under heavy vehicles.

Figure 8: Properties of materials in PMHC against unsealed wearing course performance guide



A total of 7 of the 12 samples fall within the desirable area, able to cope with heavy vehicles, whereas a further 2 samples are also considered good but with the likelihood of being slippery in wet conditions and potentially unsatisfactory under heavy vehicles. The latter tendencies were evident during the field visit at a number of sites, and is consistent with the source rock types, with a predominance of weathered sedimentary rocks comprising a mixture of sandstones, siltstones and mudstones.

Improvements to the more plastic, slippery materials could be possible through blending with recycled building materials; the assumption being that these are of low/nil plasticity but well graded and therefore suitable for such use. Example properties supplied by PMHC are shown in Figure 9, and combined gradings for two stockpiles are shown in Figure 10. The grading is close to the bottom of the grading envelope and combined with its low plasticity and high CBR value this would suggest a suitable material for blending with plastic gravels. However, a tighter envelope is suggested, i.e. one which differs from the ARRB USRM example (ARRB 2009), with an upper limit of passing the 0.425 mm sieve of approximately 40%, and with less than 20% passing the 0.075 mm sieve. This is more consistent with the example of practice New Zealand in the ARRB USRM (see USRM Table 3.4), the upper limit of which is reproduced in Figure 10. Guidance on the design of a blended material is available in the USRM, Chapter 3.8.4, where a simple example of blending two materials is illustrated, and involves applying the following formula to the particle size distribution results for two materials:

$$\text{Combined blend (\% passing selected sieve)} = (A\% \times A_{\text{pass}}/100) + (B\% \times B_{\text{pass}}/100)$$

Where

A% = percentage of material A being added

A_{pass} = percentage of material A passing allocated sieve

B% = percentage of material B being added

B_{pass} = percentage of material B passing allocated sieve

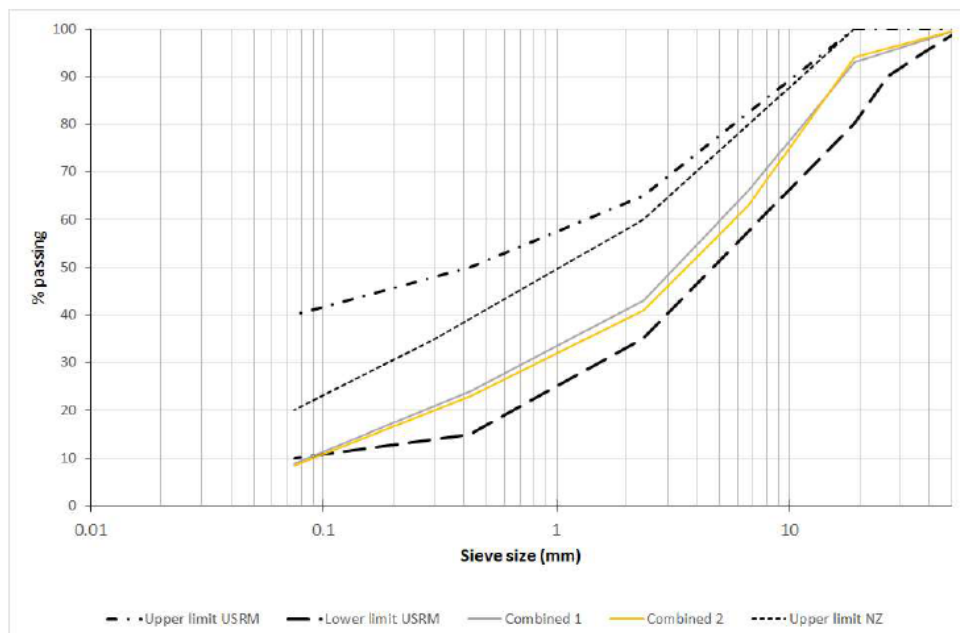
The use of recycled building materials without blending, as illustrated on the trial conducted on The Hatch (Photos 1 and 2), can be problematic with corrugations and potholes developing in a short time, with the material possessing a low proportion of materials passing the 0.075 mm sieve with non-plastic fines. This would place it at the bottom of Zone B (Corrugates and ravels) in the performance guide which is consistent with observations. However, the material used on Gum Scrub (Photos 7 and 8) reported as reclaimed millings appears to be performing well, but its properties are unknown. The need is to ensure materials are compliant with good practice recommendations or are blended to achieve a compliant material. This presumes there are no health concerns with the use of the recycled material.

Figure 9: Example properties of recycled concrete

SPECIFICATION		TEST RESULTS								
		40mm Recycled Concrete (Sub Lots - RMS T106/107)			Combined Sample (AS1289 Grading#)	40mm Recycled Concrete (Sub Lots - RMS T106/107)			Combined Sample (AS1289 Grading#)	Total Average
		1	2	3		4	5	6		
Coarse Particles										
% Passing 53mm sieve	100	100	100	100	100	100	100	100	100	100
% Passing 19.0mm sieve	50 - 85	95	99	93	93	89	99	93	88	94
% Passing 6.7mm sieve	30 - 55	61	81	66	66	55	72	54	52	63
% Passing 2.36mm sieve	25 - 50	36	57	44	43	36	47	32	33	41
Fine Particle size distribution ratios										
For the portion passing 2.36mm: % Passing 425um sieve	35 - 60	57	54	57	56	55	57	58	48	55
For the portion passing 425um: % Passing 75um sieve	35 - 60	41	38	41	37	36	37	34	31	37
For the portion passing 75um: % Passing 13.5um sieve	35 - 65	57	59	63		56	60	54		58
Plasticity and strength indicators										
Liquid Limit (if non-plastic)	max 23									
Plastic Limit (if Plastic)	max 20									
Plasticity Index	3 to 12				NP				NP	
Max Dry Compressive strength	min 1.0MPa									
Aggregate Wet Strength	min 50kN								87	
Wet/Dry Strength Variation	max 60								24	
4 Day soaked CBR** (98% Mod.)	30				110				90	100

Notes: * Applicable if PI <1; **Criteria adopted from ARRB Special Report 41

Figure 10: Combined gradings for recycled concrete from a single source



3.2.4 VEGETATION MANAGEMENT

Vegetation management with respect to unsealed road surfaces and road edges is performed by undertaking a spraying program three-four weeks in advance of surface grading. This results in little accumulation of vegetation within the verge and any windrows that form. The treatment is therefore effective.

Further aspects related to vegetation management are addressed in a separate review and report, the main comment from the field visit being that vegetation within the road reserve appears to be largely under control and the intervals between management activities is not excessive.

3.2.5 OTHER ACTIVITIES

Other activities or conditions observed including water crossings, specifically bridges, and surface drainage.

Few problems were observed, with a very good example of a low cost (and efficient) bridge replacement at Ready Money Bridge on Upper Rollands Plains Rd. This was an example where a full replacement was done over several days rather than attempting to replace components. An example of surface deterioration with potholes existed on a bridge located on Jones Road, Byabarra. Such conditions should be addressed with suitable repairs using an ancillary crew independent of the grading crews. Such a crew exists within PMHC and should be deployed rapidly in such circumstances.

No specific examples of critical drainage conditions were observed, the assumption being that the PMHC are aware of its importance.

3.2.6 SUPPORTING PROGRAM DOCUMENTATION

The following documents exist which support the current program on grading and resheeting:

- 2019-20 Unsealed Roads Grading Programme
- 2019-20 Unsealed Roads Gravel Resheeting Programme.

The document contents are consistent with the statements made by managers and supervisory staff and articulate the strategy employed. They also include a list of scheduled activities by road, which provides a useful means of communicating to the public and Council.

3.3 COMMENTARY ON THE UNSEALED ROAD POLICY

3.3.1 SCOPE OF THE POLICY

The Unsealed Roads Policy sets out the principles by which Council manages the unsealed road network and how it currently maintains the approximately 450km of unsealed road network in accordance with Roads Act 1993. The policy includes and addresses the following:

- a clear statement of scope, including the road categories it addresses and the service levels it aims to deliver
- the management principles it applies, including scheduled programs of grading and resheeting, and risk management
- its approach to consideration of the sealing and upgrading of local roads, including addressing drainage, width, safety, surface and structures improvement or replacement, and possible sources of funding
- Other aspects covered include:
 - Transfer of roads
 - Enclosure Permits
 - Sale of Roads
 - Installation of Cattle Grids and Public Gates
 - Driveways / Road Crossings
 - Crown Road Maintenance
 - Private Works on Public Roads
- levels of service, with an emphasis on grading and resheeting
- a statement of Responsibilities and Authorities, including those for the
 - Council members
 - General Manager and Directors
 - Group Manager Transport and Stormwater Network
 - Operations Manager and Operations Engineers
 - Coordinators.

3.3.2 IMPROVEMENT AREAS AND FURTHER ANALYSIS: POLICY

From the perspective of maintaining a well-managed program the main concerns related to the application of the Policy include:

1. The extent to which unsealed road assets subject to reactive work, namely on Access Tracks, Unformed Roads and Unsealed Car Parks, could suddenly increase the demand on PMHC resources to the detriment of the well-managed program on Major and Local roads.
2. The level of potential demand resulting from damage or deficiencies in roadside and non-pavement assets, with these being reactive in nature except for scheduled vegetation maintenance.
3. A quantitative basis for validating current levels of service and predicting future needs. This would build on the commentary made on the grading and resheeting program and could help justify appropriate funding levels under different future traffic use scenarios. It would require better knowledge of traffic levels and network conditions including measured ride quality, road shape and gravel depths. As noted earlier, the assumed lives of resheeting operations are extremely long and unlikely to be sustainable. Lower values should be considered in future planning, with different rates assumed for lower and higher order (and more heavily trafficked) roads.

As an example of the effect of the need for more frequent resheeting, an estimate of needs has been made based on the best available evidence from research studies where account has been taken of the basic underlying of material loss as illustrated in Figure 5. The estimate has accounted for the length of major roads and local road types in PMHC, the average road widths and resheeting costs and estimated traffic levels. A simpler approach was taken to estimating needs on FWD tracks with this based on a typical level of spot repairs undertaken at 10-year intervals. The basis for the calculations are shown in Table 3, and the resulting estimates amount to a gross average annual resheeting cost of approximately \$1.37 million. This is almost 3 times the average allocation in

recent years, and that included in future estimates. It is also higher than the anticipated allocation of \$900,000 for 2019/20, which is clear in the right direction for managing risks.

Table 3: Estimate of average annual resheeting costs

Strategy	Estimated annual material loss per 100 ADT	Relative wear rates	Approximate frequency per 100 ADT (years)	Major Roads	Local Roads	4WD Access Tracks	Total annual cost
No Maintenance	20	1	8	2,371,842	2,110,744	28,075	4,510,661
Sub-optimum maintenance	13	0.7	12	1,541,697	1,371,984	28,075	2,941,756
'Best practice' maintenance	6	0.3	25	711,553	633,223	28,075	1,372,851

Notes:

- Average resheeting cost of approximately \$109,807 per km based on Council analysis for Major Roads for 6 m formation width at 150 mm depth. Prorata rate applied for Local Roads based on a 5 m formation width.
- Estimates for FWD tracks based on a 10-year cycle of spot repairs to maintain access using the Old Highway, Debenham - 4WD access track as an example. Cost is approximately 12.5% of the equivalent full resheeting cost for a 3 m wide track.
- Estimates assume a road length of 108 km and 346 km for Major Roads and Local Roads respectively, and 50 km for FWD Access Tracks.
- Traffic estimates assume 150 ADT and 50 ADT for Major Roads and Local Roads respectively, with the frequency of esheeting varied in proportion to traffic.

4. A further need is to extend reporting of the achievement of network operations and customer feedback in a manner that allows issues and trends associated with different road types to be analysed. This should be a simple extension of the current reporting which includes CRM requests and their completion by each maintenance category and area. This would help confirm the risks and level of effort associated with a reactive strategy for managing different assets.

A proactive needs assessment is warranted, this differing from a regular risk management inspection by identifying deficiencies and their causes.

4 SUMMARY OF FINDINGS AND RECOMMENDATIONS

4.1 FINDINGS

The main findings

1. Work practices
 - a) Scheduled maintenance grading
 - The schedule and types of operation employed are considered good practice, with the levels of service in the field observed to be satisfactory in most cases, with the exception of sections observed to rut and have reported problems of slipperiness under wet conditions (see below).
 - Practices will however be challenged as roads wear further, with the desirable crown shape of a five per cent camber being increasingly difficult to achieve (see below).
 - b) Gravel resheeting works
 - Gravel wearing surface performance using traditional road materials sources is generally satisfactory with reported (very) low rates of material loss, and little evidence of build-up of lost material as windrows on the road edge. However, whilst this is a very good achievement, the rates are approximately 8 times lower than typical rates, and between 2 and 4 times lower than the best previously observed rates. Of concern is whether this is sustainable, and whether it is simply a matter of time before a significant backlog becomes evident. The low rates are also likely to be impacting asset value, with this a risk if conditions rapidly change.
 - With respect to other aspects of performance the following was also noted:
 - Deformation of wearing course materials was observed on hilly sections, with slipperiness under wet conditions also reported.
 - The performance of traditional materials is consistent with the good practices employed and the characteristics of the materials in relation to the unsealed road performance guide.
 - The performance of the trialled recycled building materials as wearing course materials was judged to be unsatisfactory, with sections displaying corrugations and a propensity to pothole consistent with the performance guide. Whilst the intent to reuse materials is commendable, more appropriate use should be considered possibly as a blend with plastic materials to achieve a desirable result.
 - The performance of reclaimed millings was observed to be very good with the example having very good surface cohesion, suggesting the material complies with the recommended performance guidelines for unsealed wearing courses.
2. Suitability and application of the Unsealed Roads Policy
 - a) Funding

Whereas current funding levels support the scheduled grading and current resheeting levels on Major Roads and Local Roads, the adequacy of these in the medium and long term for the full network is questionable for the following reasons:

 - Reactive works on other roads (Access Tracks, Unformed Roads and Unsealed Car Parks) could increase as a consequence of increased deterioration over time including from greater traffic levels, and climatic events. No quantitative, proactive assessment is done.
 - Progressive wear of the crown on priority roads, as opposed to average material loss, which is likely to require additional funding above the current allocations. An assessment of this is required as a matter of urgency with a need to confirm the level of risk given the significant differences between the scheduled estimates and those based on the national Local Road Deterioration Studies.

- Estimates of the possible resheeting needs have been made based on the best available information related to the quality of maintenance work under by PMHC and the best available evidence from quantitative research studies. The gross average annual resheeting cost is estimated to be approximately \$1.37 million which is almost 3 times the average allocation in recent years, and that included in future estimates. This figure accounts for needs on major roads and local roads based on a combination of traffic and climate related wear, and for FWD tracks based on a time-based frequency using local knowledge.
- b) Resources
Equipment and human resources appear adequate based on current schedules and funding levels, with the following exceptions:
 - If a proactive strategy was adopted to ensure sustainable operation of Access Tracks, Unformed Roads and Unsealed Car Parks
 - If partial regravelling/crown restoration, or more extensive resheeting, was undertaken on a widespread basis on the network.

4.2 RECOMMENDATIONS

The main recommendations are as follows:

1. Work practices
 - a) Scheduled maintenance grading
 - The schedule and types of operation should be continued with a monitoring program initiated to quantify the results in order to validate the judgements made during this review and by the PMHC managers.
 - In support of the above PMHC should consider adopting the practice of having regular measurement of road roughness with a class 3 roughness measurement instrument, e.g. the ARRB Roughometer. This would provide:
 - a more objective measure of performance
 - a way to measure trend and rate of deterioration after re-grading or resheeting
 - greater confidence in planning and a chance to review unsealed roads levels of service
 - a better link to planning
 - b) Gravel resheeting works
 - Strict selection criteria in relation to the recommendation in the ARRB Unsealed Road Manual for unsealed wearing courses should be applied.
 - Where alternative sources are considered these should be assessed in relation to the Manual, and only used where they are compliant with requirements or are incorporated into a blended material which meets the requirements. Recycled building materials do not meet these requirements, and if economic they should only be used in a suitable blend.
 - The significant differences in the scheduled and estimated rates of material loss poses a significant risk, particularly as roads age with the possibility that severe distress could occur rapidly as the residual materials approaches a minimum to prevent overstressing. Possible approaches include:
 - Concentrating full resheeting on higher order roads, with a depth of 100 mm being adequate in any new layers to prevent lamination.
 - Ensuring adequate crown shape on all roads through a combination of full resheeting and a gravel top-up (50 mm minimum) as a crown restoration strategy on lower order roads. This could be achieved by using appropriate natural road building materials or, if economic, by introducing recycled building materials into the existing wearing course in restoring the road crown and reducing rutting and slipperiness on certain roads.

The aim should be to achieve the requirements of the USRM performance guide. Full scale trials should be undertaken to design any blends and establish suitable work methods.

- o Undertaking an investigation of remaining gravel thickness to confirm the adequacy of the depth of material. This highlighted as a major concern.

2. Suitability and application of the Unsealed Roads Policy

a) Funding

- A comprehensive whole of life cost-based program for Major Roads and Local Roads should be undertaken to address future scheduled grading needs and resheeting, including crown restoration across the network. This should be preceded by an assessment of ride quality, remaining gravel thickness and road shape and observed problem locations requiring more extensive work. This would confirm whether the current estimates, or alternative estimates of material loss, and resheet life are justified.
- A proactive assessment of funding needs on FWD Access Tracks, Unformed Roads and Unsealed Car Parks at a maximum interval of 5-years should be undertaken to better estimate funding needs rather than adopt a fully reactive strategy. This could inform a scheduled approach and/or ensure sufficient funds are available on an average annual basis to meet needs. An analysis of historical costs would also be useful, with the aim of undertaking a proactive pothole and surface shape repair program.

b) Resources

A re-evaluation of equipment and human resources should be undertaken upon completion of Recommendation 1.

5 REFERENCES

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Appendix A



PHOTOGRAPHS AND NOTES FROM FIELD VISIT




<p>Photo 1 - The Hatch Road (near property No. 150): Use of recycled building materials – crushed concrete resheet with low camber and water ponding and corrugations – resheeted November 2018</p>	
<p>Photo 2 - The Hatch Road (near property No. 150): Use of recycled building materials – crushed concrete resheet with low camber and water ponding and corrugations – resheeted November 2018</p>	
<p>Photo 3 - Cairncross Waste Facility, Pembroke: Processed recycled building materials – crushed concrete material well graded with sandy texture and clay staining when wet</p>	



<p>Photo 4 - Cairncross Waste Facility, Pembroke: Pre-processed recycled building materials – crushed concrete material well graded with sandy texture and clay staining when wet</p>	
<p>Photo 5 - Ballengara Bransdon Road, Gum Scrub: 6 month grade, last graded, 8-5-19 - resheeted over 4 km over the past 4 years using a mix of quarried overburden and reclaimed gravel material</p>	
<p>Photo 6 - Ballengara Bransdon Road, Gum Scrub: 6-month grade, last graded, 8-5-19 - resheeted over 4 km over the past 4 years using a mix of quarried overburden and reclaimed gravel material</p>	

<p>Photo 7 - Gum Scrub Road, Gum Scrub - Gravel Resheeted using reclaimed millings from Airport Stockpile - resheeted and graded, 28-5-19</p>	
<p>Photo 8 - Gum Scrub Road, Gum Scrub - Gravel Resheeted using reclaimed millings from Airport Stockpile - resheeted and graded, 28-5-19</p>	

<p>Photo 9 Photo 8 - Gum Scrub Road, Gum Scrub - Gravel Resheeted using reclaimed millings from Airport Stockpile - resheeted and graded, 28-5-19</p>	
<p>Photo 10 – Inspection of Ready Money Bridge on Upper Rollands Plains Rd</p>	
<p>Photo 11– Inspection of Ready Money Bridge on Upper Rollands Plains Rd</p>	

<p>Photo 12 - Clarefield Dungay Road Marlo Merrican: 12-month grade, last graded, 13-3-19</p>	
<p>Photo 13 - Clarefield Dungay Road, Marlo Merrican: 12-month grade, last graded, 13-3-19</p>	
<p>Photo 14 - Deep Creek Road, Bagnoo with rutting on steep slopes, 11 months post grading</p>	

<p>Photo 15 - Deep Creek Road, Bagnoo with rutting on steep slopes, 11 months post grading</p>	
<p>Photo 16 - Deep Creek Road with better performance on rolling terrain</p>	
<p>Photo 17 - Jones Road, Byabarra with better performance on rolling terrain</p>	

<p>Photo 18 - Jones Road, Byabarra showing good performance</p>	
<p>Photo 19 - Jones Road, Byabarra with issues at bridge approaches</p>	
<p>Photo 20 - Lantana Road, Byabarra, 12-month grade, last graded, 29-6-18. Medium formation grading with 'Sandvig' teeth and deadweight compaction. Surface material most probably a yellow mudstone.</p>	

<p>Photo 21 - Lantana Road, Byabarra, 12-month grade, last graded, 29-6-18. Medium formation grading with 'Sandvig' teeth and deadweight compaction. Surface material most probably a yellow mudstone.</p>	
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REVIEWED		
Project Leaders	Tyrone Toole	
Quality Managers		

CONTACT US

Tyrone Toole
Chief Technology Leader
Next Generation Asset Management
E: tyrone.toole@arrb.com.au

Cassandra Simpson
Principal Professional Leader
Next Generation Asset Management
E: cassandra.simpson@arrb.com.au

Brook Hall
Principal Professional
Sustainability and Resilience
E: brook.hall@arrb.com.au

ARRB.COM.AU





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Draft Planning Proposal Policy

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1. INTRODUCTION

Port Macquarie-Hastings Council has prepared this Planning Proposal Policy to establish Council's process and the requirements for the submission of Planning Proposal Applications by proponents.

Council, as a Planning Proposal Authority under the *Environmental Planning and Assessment (EP&A) Act 1979*, is required to assess and prepare planning proposals to amend its Local Environmental Plan (LEP).

The Policy aims to improve efficiencies in the components of the plan-making process that are within the control of Council, noting that the NSW Department of Planning, Industry & Environment (the Department) plays a key role in the Planning Proposal and LEP process, as well as public authorities.

Significantly, the content of the Policy cannot be inconsistent with the *Environmental Planning & Assessment Act 1979* and regulations, and the Department's key guideline documents for Planning Proposals being - *A guide to preparing planning proposals* and *A guide to preparing local environmental plans* (referred to as the Department's guidelines in this Policy).

2. DEFINITIONS

In this Policy, words and phrases have the following meaning:

Council means the council of an area, and includes an administrator.

Councillor means a person elected or appointed to civic office, and includes a mayor.

Council approved Structure Plan or Master Plan means a Structure Plan and/or Master Plan which has been subject to a public exhibition process and has been approved at an Ordinary Meeting of Council following exhibition.

Council land means land that is owned and/or managed by Council, including Community land, Operational land and Crown land under trust management of the Council.

Council staff means a member of Council staff.

Crown managed land has the same meaning as in the *Crown Land Management Act 2016*.

Department's guidelines means the Department of Planning, Industry & Environment's key guideline documents for Planning Proposals being - *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*, as updated from time-to-time.

Gateway Determination means a document issued by the Minister for Planning or their delegate that specifies whether a planning proposal is to proceed and if so, in what circumstances.

Local Environmental Plan means an environmental planning instrument that imposes development standards to control land use and development. It can apply to the whole of the local government area or to a particular area or site.

Lodgement Date means the date upon which Council has received a formal Planning Proposal Application containing the information identified in clause 3.5 of this policy.

Planning Agreement means an agreement referred to in section 7.4 of the Environmental Planning & Assessment Act 1979.

Planning Proposal means a written document that explains the intended effect of a proposed local environmental plan and sets out the justification for making that plan which has been prepared in accordance with the NSW Government Department of Planning & Environment's *A guide to preparing planning proposals*, as updated from time-to-time.

Planning Proposal Application means an application described in Section 3.5 of this Policy.

Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 means the strategy approved by the NSW Government on 2 November 2018 and published on Council's website.

Pre-Gateway Consultation means consultation undertaken early in the process and prior to an assessment report on a Planning Proposal Application being considered at an Ordinary Meeting of Council and a Gateway Determination being issued.

Proponent means the person, company or organisation who completes the Planning Proposal Application Form and is the point of contact for all matters and correspondence relating to the Planning Proposal Application. A Proponent can be a private land owner, developer, consultant, State Agency or Council or someone nominated by the land owner to act on their behalf.

Public authority means:

- a) a public or local authority constituted by or under an Act, or
- b) a Public Service agency, or
- c) a statutory body representing the Crown, or
- d) a Public Service senior executive within the meaning of the *Government Sector Employment Act 2013*, or
- e) a statutory State owned corporation (and its subsidiaries) within the meaning of the *State Owned Corporations Act 1989*, or
- f) a chief executive officer of a corporation or subsidiary referred to in paragraph (e), or
- g) a person prescribed by the regulations for the purposes of this definition.

Reportable political donation means a reportable political donation within the meaning of the *Electoral Funding Act 2018* that is required to be disclosed under that Part.

Strategic Merit Test means an assessment undertaken against the Assessment Criteria in the Department of Planning, Infrastructure and Environment's *A guide to preparing planning proposals* which is used to justify a Planning Proposal.

Urban Growth Area Boundary means the growth boundary identified in the Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 and approved by the NSW Government on 2 November 2018.

3. POLICY STATEMENT AND SCOPE

3.1. Policy Statement

This Policy aims to inform and educate the community about the Planning Proposal process and guide proponents in the submission of Planning Proposal applications, in order to improve the quality and efficiency of assessment of Planning Proposals by Council.

3.2. Objectives

The objectives of the Policy are to:

- Establish Council's process and the requirements for the submission of Planning Proposal applications to amend the LEP,
- Clearly articulate the respective roles and responsibilities of the Proponent and Council in the process,
- Identify how the review and assessment of Planning Proposal applications will be undertaken so that Council can be consistent in its approach,
- Provide early advice as to the likely timeframes for processing a Planning Proposal Application, and
- Provide timely review of Planning Proposal applications and advice as to the likely issues to be addressed, and information that will be required to support a Planning Proposal Application.

3.3. Policy Scope

- a) This Policy applies to all Planning Proposal applications made to amend the Port Macquarie-Hastings LEP 2011 (LEP 2011), whether made by private property owners, developers, Council (acting as developer) or public authorities.
- b) Where there is an inconsistency between this Policy, State planning legislation and the Department's guidelines, the provisions of the State legislation and the Department's guidelines prevail.

3.4. What is a Planning Proposal?

A Planning Proposal is a document that explains the intended effect of a proposed LEP or an amendment to the LEP and sets out the justification for making that plan or amendment. The preparation of a Planning Proposal is the first step in preparing an LEP or an amendment to a LEP. A Planning Proposal can request an amendment to the zoning of land, development standards applying to land (such as building height, floor space ratio or lot size), or to the permitted land uses.

Council or a public authority can initiate a Planning Proposal based on a strategic direction or policy, or a landowner may request Council to consider the preparation of an amendment to the LEP.

3.5. What is a Planning Proposal Application?

In the context of this Policy, a Planning Proposal Application means a formal application which requests changes to the Port Macquarie-Hastings LEP 2011 comprising:

- i. A completed Planning Proposal Application Form,
- ii. A Planning Proposal document prepared in accordance with the Department's *A guide to preparing planning proposals*, as updated from time-to-time,
- iii. Any other supporting technical studies and/or documentation including information identified at a formal Pre-Lodgement meeting, and

- iv. Payment of the prescribed fees.

A Planning Proposal Application will not be accepted by Council for lodgement and is not considered to be a formal application unless items i - iv above have been met.

The Lodgement Date for a Planning Proposal Application will be the date upon which Council has received all of this information.

3.6. Consideration of Planning Proposal Applications

- a) In order to maximise public benefit for the Port Macquarie-Hastings community, Council aims to ensure that large scale strategic planning projects are prioritised. Planning Proposal applications to rezone land or change the development standards or permitted land uses for specific sites will only be prioritised in the following circumstances:
- i. Where there is consistency with the *North Coast Regional Plan 2036, Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 (UGMS)*, a Council approved Structure Plan or Master Plan, or similar strategy or policy,
 - ii. Where a proposed amendment to the LEP can demonstrate strategic merit in terms of the Department's guidelines,
 - iii. Where the proposal is likely to have significant public benefit in terms of:
 - Economic development and employment generation;
 - Social services such as education, medical or community facilities and services;
 - Significant employment generating development including business and tourism development;
 - The promotion of compact urban form, housing choice and affordability;
 - The preservation and conservation of land with high environmental values;
 - Reducing an identified conflict between incompatible land uses.
 - iv. Where it is necessary to correct an error or anomaly in the LEP (e.g. mapping), or
 - v. Where development of land in accordance with the existing zoning may not be in the public interest and requires amendment.
- b) The following Planning Proposal applications will generally not be supported by Council:
- Proposals that are inconsistent with the UGMS;
 - Proposals that involve the development of areas of high environmental and/or cultural value;
 - Proposals that adversely impact on the retail centres hierarchy and/or character of retail centres;
 - Proposals that conflict with Council's economic development objectives for employment and industry or proposing the loss of employment zoned lands;
 - Proposals that do not promote the orderly and efficient provision of essential services, such as water, sewer and road infrastructure;

- Where a proposal seeks to amend LEP controls that are less than 5 years old, unless it can clearly justify that it meets the Strategic Merit Test in the Department's guidelines.

3.7. Pre-Lodgement Meetings

- a) Proponents are required to have a Pre-Lodgement meeting with Council staff prior to preparing and lodging a Planning Proposal Application with Council.
- b) The purpose of a Pre-Lodgement meeting is to provide early advice as to the merits of the proposed amendment to the LEP, the likely issues to be addressed, and identify the supporting technical studies and information that will be required to support a Planning Proposal Application.
- c) Council staff will provide the Proponent with the minutes following the Pre-Lodgement meeting outlining issues that will need to be addressed in any future Planning Proposal Application. The comments provided do not bind Council in any way, and Council gives no undertaking that the lodgement of a Planning Proposal Application will result in the requested amendment to the LEP occurring.
- d) A discount on the LEP fee payable will apply where a formal Pre-Lodgement meeting has been held with Council staff.
- e) Where more than 12 months has passed between the date of a Pre-Lodgement meeting and lodgement of a Planning Proposal Application, a new Pre-lodgement meeting will be required as changes to legislation and policies could affect the information and technical studies to be lodged with an application.
- f) Evidence of any pre-lodgement discussions, negotiations and agreements between Council staff and the Proponent on the key issues and scope of work to be completed should be provided in the Planning Proposal Application.

3.8. Planning Proposal Applications – Format and Lodgement Requirements

A Planning Proposal must be prepared in accordance with Section 3.33 of the EP&A Act 1979 and relevant Department guidelines for planning proposals and LEPs.

- a) Section 3.33 of the EP&A Act outlines that a Planning Proposal must include the following components:
 - i. A statement of objectives or intended outcomes of the proposal
 - ii. An explanation of the provisions of the proposal
 - iii. A justification for those objectives and outcomes, including how it is to be implemented – details on why Council should support the change in zoning or development standards and compliance with relevant Ministerial directions under Section 9.1 of the EP&A Act
 - iv. Maps containing sufficient detail to indicate the effect of the proposed changes to the LEP including proposed land use zone, building height, floor space ratio, heritage areas, flood prone land etc
 - v. Details of the community consultation to be undertaken.
- b) The Planning Proposal is to be structured in accordance with Section 2 (The parts of a planning proposal) of *A guide to preparing planning proposals*. The Planning

Proposal must set out each question and respond with accurate, current and sufficient information to allow assessment of the proposal by Council officers, Councillors and the Department.

- c) A Proponent must provide enough information in the Planning Proposal Application to demonstrate justification that there is strategic and site-specific merit in the proposed amendments to the LEP proceeding by providing a response to each question in Section 2.3.1 of *A guide to preparing planning proposals*.
- d) The following is required to be lodged as part of a Planning Proposal Application:
- i. Planning Proposal document prepared in accordance with the Department's guidelines justifying the proposal;
 - ii. Appropriate supporting technical studies completed by suitably qualified experts to demonstrate the capacity of the land, concept diagrams, preliminary plans and illustrative maps. This may include (but is not limited to) the following considerations and any information identified at a Pre-Lodgement meeting:
 - Environmental – flora and fauna, bush fire, flooding, stormwater management, riparian, geotechnical, acid sulphate soils, coastal, contamination;
 - Indicative development concept showing the nature and scale of development envisaged for the site and the relationship to the surrounding area;
 - Traffic, parking, access and transport;
 - Urban design analysis;
 - Heritage;
 - Economic impact and viability assessments;
 - Agricultural land capability/ land use conflict assessment;
 - Social and cultural matters including Aboriginal and European archaeology, open space management;
 - Infrastructure servicing and potential funding arrangements;
 - Visual impact;
 - Noise impact;
 - Any other matters specific to the Planning Proposal Application.

Note: Supporting technical studies referred to in ii) above are generally to be no older than 12 months and undertaken in accordance with current legislation applying at the time of lodgement of the Planning Proposal Application.

The Proponent is required to ensure that the assumptions, key findings and recommendations of any technical studies are consistent with one another and that they are integrated into the Planning Proposal document.

- iii. A completed Planning Proposal Application Form (including the legal property description and land owner's consent).
- iv. A completed Political Donations and Gifts Disclosure Statement, if a reportable political donation has been made to anyone by any person with a financial interest in the Planning Proposal Application,

- v. The submission of all documentation in an electronic format (PDF). As all documentation will need to be uploaded on Council's website for consultation it should be kept in the range of 5 - 20MB.
 - vi. Mapping data is to be supplied in a georeferenced format, compatible with standard GIS software (e.g. georeferenced CAD file (dwg etc.)).
 - vii. Payment of applicable fees in accordance with Council's current Fees and Charges.
- e) Council staff may not accept the lodgement of a Planning Proposal Application if the proposal is lacking the information and detail required of a Planning Proposal as outlined in this Section of the Policy.

3.9. Planning Proposal Application Process

Note: Figure 1 below provides a Flowchart of the Planning Proposal Application process as it is generally undertaken at Port Macquarie-Hastings Council.

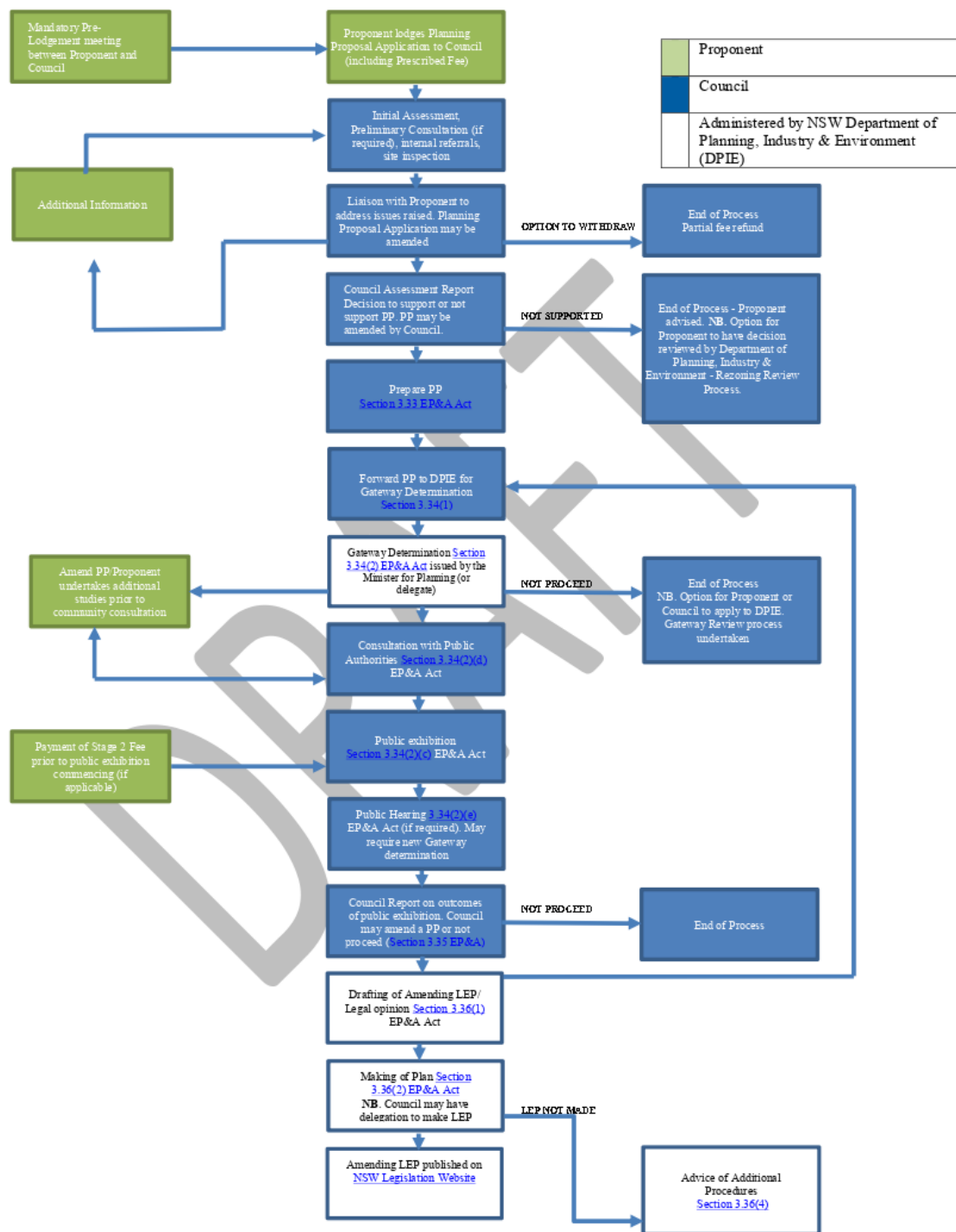
Assessment by Council Officers

- a) Once a Proponent lodges a Planning Proposal Application, Council staff will commence an initial assessment of the Planning Proposal Application against the Strategic Merit Test contained in the Department's *A guide to preparing planning proposals*, to determine if the application has strategic and site-specific merit.
- b) The initial assessment will be undertaken within 60 calendar days of the Lodgement Date of the Planning Proposal Application and will include internal referrals, site inspection, and may include Pre-Gateway Consultation with the community to better understand planning considerations and local attitudes to the Planning Proposal.

Note: When calculating the length of the assessment period, the day on which the Planning Proposal Application is lodged, as well as the following day are not counted, to allow Council time to register and check the application.

- c) Following completion of the initial assessment within the time period referred to in clause b) above, Council staff will liaise with the Proponent in order to address any issues raised. This may require additional information and/or studies to be provided by the Proponent, and subsequent review and further internal referrals to be undertaken by staff. This may result in the Planning Proposal Application being amended by the Proponent.
- d) If Council staff do not consider that a Planning Proposal Application demonstrates strategic and site specific merit in accordance with the Strategic Merit Test in the Department's *A guide to preparing planning proposals*, and the requested amendments to the LEP are not supported, the Proponent will be advised in writing and an option provided at this stage of the process to withdraw the application and receive a partial fee refund.
- e) If a Proponent is dissatisfied with the assessment by Council staff provided pursuant to clause d) above, an option is available to request a review by Council's Director Development & Environment. The Proponent must make this request in writing, outlining the reasons for such a review.

Figure 1: Flowchart of Planning Proposal Application Process



Report to Council

- f) Following completion of the assessment of a Planning Proposal Application, Council staff will prepare a report with a recommendation to the Council to determine whether or not to support the preparation of a Planning Proposal in accordance with Section 3.33 of the EP&A Act.
- g) If the preparation of a Planning Proposal is endorsed by Council, it will be forwarded to the Department of Planning, Industry & Environment to request a Gateway Determination under Section 3.34 of the EP&A Act. **Note:** A LEPs Online System is available for any person to follow the process of a Planning Proposal once it has been submitted to the Department for a Gateway Determination.
- h) In making a decision to support the preparation of a Planning Proposal, Council may amend the proposal from that lodged by the Proponent for any reason.
- i) If the preparation of a Planning Proposal is not supported by Council, the matter is complete. The Proponent will be advised of Council's decision, and there is an option for the Proponent to have the decision reviewed by the Department under the Rezoning Review process.

Gateway Determination

- j) If the Department determines that the Planning Proposal should proceed, a Gateway Determination will be issued to Council which includes conditions for the processing of the proposal. The conditions may relate to public exhibition, consultation with public authorities, studies or additional information to be provided by the Proponent and the timeframe for completion of the matter.
- k) If the Department does not support the Planning Proposal, it will advise Council of its decision. Council staff will advise the Proponent of the Department's decision, including any reasons provided by the Department for not supporting the Planning Proposal.
- l) If the Gateway Determination decision is to not proceed, an option is open to the Council or Proponent, within 42 days from being notified by the Department to request a Gateway Review. Further information on this process is available on the Department's website: The Gateway Process
- m) No fees are refundable to the Proponent in the event that the Gateway Determination and/or a Gateway Review process determines that the Planning Proposal is not to proceed.

Consultation

- n) Council staff will consult with relevant public agencies/ organisations in accordance with conditions of the Gateway Determination.
- o) Council staff will also undertake community consultation in accordance with the Gateway Determination as required under section 3.34(2)(c), Schedule 1 clause 4 of the EP&A Act and the Council's adopted Community Participation Plan.
- p) As part of the formal public exhibition, Council will also notify any submitters where Pre-Gateway Consultation has been undertaken on the Planning Proposal Application as referred to in Section 3.9 b) of this Policy.

- q) Where a Planning Proposal Application is accompanied by an offer to enter into a Planning Agreement under Section 7.4 of the EP&A Act under which a material public benefit will be provided, the Planning Agreement is required to be signed between the parties prior to formal public exhibition of the Planning Proposal commencing.
- r) In respect of a Planning Proposal Application requesting the reclassification of land, a public hearing under Section 3.34(2)(e) of the EP&A Act will be held prior to a report on the outcomes of the formal public exhibition being presented to Council. The Proponent is required to pay the Council's costs to conduct the public hearing in accordance with Council's Fees and Charges.
- s) At the conclusion of the public exhibition, Council staff will review any submissions received and liaise with the Proponent in relation to the general issues raised within the submissions. Copies of submissions can be provided to the Proponent upon written request.

Post-Exhibition Report to Council

- t) At the conclusion of formal public exhibition, Council staff will prepare a report to the Council on the issues raised in any submissions received and whether any amendments should be made to the Planning Proposal to address these issues or for any other reason.
- u) If the Council resolves to approve the Planning Proposal, as exhibited or with amendments of a minor nature, Council staff will proceed to finalise the plan.
- v) If Council resolves to make significant changes to the Planning Proposal following formal public exhibition, this will require an amended Planning Proposal to be prepared and forwarded to the Department for an altered or new Gateway Determination to be issued. The Gateway Determination will specify the consultation requirements for the amended proposal.
- w) If Council resolves not to approve the Planning Proposal, the process will end and Council staff will advise the Proponent and the Department of its decision.

Finalisation

- x) Following Council's decision to support a Planning Proposal, Council staff will liaise with the NSW Parliamentary Counsel's Office to draft the amending LEP to give effect to the Planning Proposal, and with the Department to undertake mapping changes (if required), and prepare a report under section 3.36 of the EP&A Act.
- y) Council is able to make a LEP giving effect to a Planning Proposal if the Gateway Determination has authorised Council to do so. After the proposed local environmental plan is made, it is published on the [NSW Legislation](#) website and becomes law.
- z) Where Council has not been authorised to make a LEP, the plan will be made by the Minister for Planning and published in the same manner as referred to in clause y) above.

3.10. Ownership of the Planning Proposal

Once the Planning Proposal Application is reported to Council and a decision is made to support the preparation of a Planning Proposal (refer Step g) above), then the Planning Proposal becomes the Council's Planning Proposal.

The Planning Proposal document which is submitted for a Gateway Determination is the responsibility of Council. Council is responsible for ensuring that the level of detail in the Planning Proposal document is sufficient to respond to the statutory requirements of the EP&A Act and the requirements set out in the Department's *A guide to preparing planning proposals*.

3.11. Reclassification of Public Land

If a Planning Proposal Application includes the reclassification of public land, in addition to the requirements for all Planning Proposal applications outlined in Section 3.8 of this Policy, the Proponent must address the Secretary's requirements as outlined in the Department's "*A guide to preparing local environmental plans*" and also the information requirements of the Department's LEP Practice Note – Classification and reclassification of public land through a local environmental plan (PN 16-001, 5 October 2016).

3.12. Planning Proposal Applications on Council land

- a) Planning Proposal applications lodged:
 - i. On Council land or where Council is the Proponent, or
 - ii. By Council staff or a Councillor and/or a relative of Council staff or a Councillor,

are to be referred to the Director Development & Environment for a determination on whether external planning consultants should be engaged to assess and report to Council on an application, in order to manage potential conflict of interest and increase transparency in the process.

- b) Where a decision is made by the Director Development & Environment to engage external planning consultants to assess and report on a Planning Proposal Application, Council will not use consultants who undertake planning and development work in the Port Macquarie-Hastings local government area in order to maintain independence and transparency in the assessment and reporting process.
- c) Where external consultants have been engaged, the Proponent will be advised and is required to pay Council's costs in accordance with Section 3.32(3) of the EP&A Act, in addition to the fees payable under Council's current Fees & Charges.
- d) Where Council has a role as both a developer and a planning proposal authority in a Planning Proposal Application, Council may engage probity advisors to independently review the planning process and provide probity reports and/or recommendations on the statutory procedures involved in preparing a Planning Proposal for Council land.

3.13. Including additional land and removing land

- a) Council may add land to a Planning Proposal and likewise may remove land from a Planning Proposal prior to a request for a Gateway Determination.
- b) Council will only do this if:
 - i. It is satisfied that the addition and/or removal of the land will lead to a better planning outcome,
 - ii. It has consulted with the owner/s of the land to be added or removed, and
 - iii. It has consulted with the Proponent to fund any specialist studies likely to be required.

3.14. Changing the Proponent

Council is to be advised in writing of a request to change the Proponent for a Planning Proposal Application and this should be supported by an acknowledgement, in writing, from the previous Proponent. Council staff will confirm in writing the change of Proponent.

3.15. Withdrawing a Planning Proposal Application

- a) Council is to be advised in writing by the Proponent if a Planning Proposal Application is to be withdrawn. Council staff will acknowledge in writing the withdrawal of the application. No further work will be undertaken on the matter.
- b) A partial refund of Stage 1 Fees paid may be made at the discretion of the Director Development & Environment if a Planning Proposal Application is withdrawn early in the process. The amount of refund will be determined by Council and based on the amount of Council resources used.
- c) Any refund will be made to the same person or company who made the original payment.
- d) No refund of Stage 1 Fees will be made if the Planning Proposal Application has been reported to the Council and the application has not been supported.

3.16. Grouped LEP Amendments

- a) Council in its discretion may process a Planning Proposal Application as part of grouped amendment to the Local Environmental Plan, and not individually, if a number of applications have been lodged at a similar time and if this is deemed to be a more efficient use of the Council's resources.
- b) If a Planning Proposal Application is proposed to be progressed as part of a grouped amendment, Council staff will advise the Proponent in writing.

3.17. Proponent's Risks in making a Planning Proposal Application

Prospective Proponents should note the following risks prior to lodging a Planning Proposal Application at Council:

- a) Council can request that the Minister for Planning not proceed with a Planning Proposal at any point of the process, including after all investigations, analysis and community engagement has been completed.
- b) The Planning Proposal process can occur over lengthy timeframes, depending on the nature and complexity of the proposal, and there are several key milestones that need to be achieved along the way. With each one there is a risk for the process to cease.
- c) Council staff may, based on a preliminary desktop assessment of a submitted Planning Proposal Application determine that the information submitted is not satisfactory and an option should be provided to the Proponent to withdraw the application. This may arise where the initial review of the information submitted reveals that the proposal is inconsistent with local and/or state policy, or is subject to insurmountable environmental constraint etc.
- d) Council gives no undertaking that the processing of a Planning Proposal Application will result in the requested amendment to the LEP occurring. It is possible that all the steps in the process can be completed and an amendment declined by Council or the Minister for Planning.

3.18. Planning Proposal Application Fees

- a) For the fees applicable to Planning Proposal Applications please refer to Council's current Schedule of Fees and Charges.
- b) The Proponent is required to pay the prescribed fee on lodgement of the Planning Proposal Application. Due to the statutory processes and timelines associated with Planning Proposal Applications even relatively minor proposals can have significant costs for Council.
- c) For LEP Amendments where significant support studies are required, a two-stage fee structure applies being Stage 1 (Lodgement and Review) and Stage 2 (Exhibition and Finalisation). The Stage 2 component of the fee is payable prior to public exhibition of the Planning Proposal commencing. **Note:** Proponents should confirm with Council staff the Stage 2 fee payable.
- d) Studies required to inform a Planning Proposal (either prior to a Gateway Determination or as required by a condition of a Gateway Determination) are to be commissioned and funded by the Proponent.
- e) Where a public hearing is required to be held (for example, when reclassifying land) or has been requested, the fee to be paid by the Proponent will be based on full cost recovery.

4. RESPONSIBILITIES AND AUTHORITIES

- a) Section 3.9 of this Policy together with the Flowchart at **Figure 1** outline the Planning Proposal Application process as it is generally undertaken at Council and the responsibilities of Councillors, Council staff, the Department, Proponents and public authorities in the process.
- b) Council is responsible for making a decision on whether or not to support a Planning Proposal Application lodged by a Proponent in response to being presented with an

assessment report prepared by Council staff. At the completion of public exhibition, Council is responsible for considering a report on any submissions received and making a decision whether the Planning Proposal should proceed, be varied or not proceed.

- c) Council staff are responsible for undertaking the review, assessment and reporting of a Planning Proposal Application. This includes but is not limited to requesting additional information and/or studies from the Proponent, preparing Council reports, preparing the Planning Proposal and seeking a Gateway Determination from the Department, undertaking consultation with public authorities, arranging public exhibition of the Planning Proposal and in some cases making the LEP.
- d) The Proponent is responsible for attending a mandatory Pre-lodgement meeting, the preparation of a Planning Proposal Application in accordance with the requirements of this Policy including payment of the prescribed fee, providing additional information and/or studies when requested to inform the assessment of the Planning Proposal and in response to any conditions of the Gateway Determination.
- e) The Department is responsible for administering components of the Planning Proposal process including but not limited to determining whether a Planning Proposal should proceed, the minimum period of public exhibition of the Planning Proposal, any consultation required with public authorities and the anticipated timeframe for completion of the Planning Proposal.
- f) To ensure this Policy is implemented effectively, Council will employ a variety of strategies including:
 - i. Referral to relevant sections of this Policy when assessment reports on Planning Proposal Applications are being considered by Council,
 - ii. A review of the Policy within 12 months of any general election of the Council. A review of this Policy can be initiated outside of this timeframe at the discretion of the General Manager to ensure that any relevant changes to legislation or guidelines that affect Planning Proposals are incorporated into this Policy.

5. REFERENCES

NSW Environmental Planning & Assessment Act 1979
NSW Environmental Planning and Assessment Regulation
Local Government Act 1993
State Environmental Planning Policies
Section 9.1 Ministerial directions
Standard Instrument – Principal Local Environmental Plan

North Coast Regional Plan 2036
Port Macquarie-Hastings Towards 2030 Community Strategic Plan

Port Macquarie-Hastings Local Environmental Plan 2011

NSW Department of Planning & Environment, *A guide to preparing planning proposals*
NSW Department of Planning & Environment, *A guide to preparing local environmental plans*

Port Macquarie Hastings Urban Growth Management Strategy 2017 – 2036 (endorsed 2 November 2018)

Draft Port Macquarie-Hastings Community Participation Plan 2019

Council Policies

Making of Council Policy (Effective 15 September 2015)

Community Engagement Policy (Effective 17 July 2014)

Planning Agreements Policy (2006)

Port Macquarie-Hastings Council Schedule of Fees and Charges

Planning Proposal Application Form

6. PROCESS OWNER

The Director Development & Environment is responsible for the implementation of this Policy.

The Land Use Planning Team may provide advice and support on this Policy.

7. AMENDMENTS

Nil - New Council Policy.



Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Council is open for business from 8.30 - 5pm Monday - Friday
p (02) 6581 8111
e council@pmhc.nsw.gov.au

v1 03/19

Planning Proposal Application Form

Amendment to the Port Macquarie Hastings LEP 2011 - Environmental Planning & Assessment Act 1979

Advisory Notes:

It will be necessary for a Planning Proposal Application to be prepared in accordance with Council's Planning Proposal Policy as adopted by Council on XX. This is in addition to any State legislative requirements mentioned in this form.

An Application will not be accepted by Council for lodgement and is not considered to be a formal application unless the requirements of the Planning Proposal Policy have been met.

Where an Application has been accepted for lodgement, this does not infer that Council will be in a position to act upon the request immediately, nor that Council will agree to prepare a Planning Proposal as requested. Council reserves the right to request further information, if necessary, upon formal assessment of the proposal.

Filling in this form and the Checklist at the back of the form will help you prepare and lodge a complete Planning Proposal Application.

For further information and/or enquiries contact Council's Strategic Planning Team on (02) 6581 8111.

1. Proponent Details

Council will only contact the Proponent as the point of contact and all correspondence will be forwarded to this name and address.

Contact name:	Phone/mobile contact:
Company name:	ABN/ACN:
Company address:	
Email address:	
Proponent signature:	Date:

2. Description of the Land

Property descriptions of all land the subject of the Planning Proposal Application are required.

Property address (including street name, number and postcode):		
Lot:	Section:	DP:
Site area (ha):		

3. Landowner Details and Consent

If extra space is required, please attach additional details.

Owners name(s):	Phone/mobile contact:
Address:	
Email address:	
<input type="checkbox"/> I/we being the owner(s) of the properties identified above, consent to the submission of this Planning Proposal Application	
<input type="checkbox"/> I/we being the owner(s) of the land associated with the application give consent for the Proponent (listed in the Section 1 Proponent Details above) to act on my/our behalf.	
<input type="checkbox"/> Is the land Crown Land (within the definition of the <i>Crown Lands Act 2016</i>)?	<input type="checkbox"/> Yes (if yes please ensure owner's consent has been signed by officer of the Department of Industry, authorised for these purposes by a delegate of the Minister for Planning & Public Spaces. <input type="checkbox"/> No
Disclosure Statement - Transparency	
I am an employee/Councillor or relative of an employee/Councillor of Port Macquarie-Hastings Council.	<input type="checkbox"/> Yes (if yes please state relationship): <input type="checkbox"/> No

Landowner(s) signature*:	Date:
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**If signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence (e.g. power of attorney, executor, trustee, company director).*

4. Pre-lodgement Meeting

Has a mandatory Pre-lodgement Meeting been held with Council's Strategic Planning Team prior to lodgement of this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of officer/s:	Date held*:

**Pre-lodgement meetings should be held no more than 12 months before lodgement of a Planning Proposal. Where more than 12 months has passed since the time of a Pre-lodgement meeting, a further meeting is required prior to the application being lodged.*

5. Planning Proposal Description

Proposed amendment to LEP – what are you applying to amend? <i>(please tick all that apply)</i>			
<input type="checkbox"/> Zone	<input type="checkbox"/> Floor Space Ratio	<input type="checkbox"/> Minimum Lot Size	<input type="checkbox"/> Height of Building
<input type="checkbox"/> Heritage	<input type="checkbox"/> Additional Permitted Use	<input type="checkbox"/> Reclassification of land	
Other/Clause (please provide a brief description)			
Planning Proposal objectives and intended outcomes (please describe what the Planning Proposal Application is intended to allow e.g. a zone change to allow construction of townhouses, office development, retail etc.).			

6. Accompanying Documentation

Please list all documents and studies being lodged and refer to the Checklist at the end of this form for the information to be lodged with a Planning Proposal Application.

--

Document copies required:

- One electronic copy of all documents is required in PDF format and no single document/ study is to be larger than 20MB
- Mapping data must be supplied in a georeferenced format, compatible with standard GIS software (e.g. georeferenced CAD file - dwg)
- Submitted via drop box – contact Council Strategic Planning staff for details

7. Fees

Please confirm that fees have been paid in accordance with Council's adopted Fees and Charges. Where Stage 2 fees apply, they will be payable prior to a notice of public exhibition being placed in local papers.

☐ Yes – Stage 1 fee has been paid (please attach proof of payment)

Note: Please see [Council Fees and Charges](#) for more information on Stage 1 fees or contact the Customer Service Team.

8. Political Donations and Gifts Disclosure

Is a Political Donations and Gifts Disclosure Statement required (sect 10.4 (4) and (5) of the EP&A Act)?

☐ Yes (if Yes, a statement must be completed and attached to this application)

☐ No

Note: For more information on reportable political donations and gift disclosures and whether you are required to make a disclosure, please see Council's [Political Donations and Gift Disclosure Statement Form](#).

Applicant's Declaration

☐ I agree that all information given in this request is true and correct. I also understand that, if incomplete, the Planning Proposal Application may be delayed or returned. I understand payment of fees may not result in the desired change to the LEP. I understand that timeframes cannot be guaranteed and may vary.

Signature:

Date:

* **Privacy** – The personal information that Council is collecting from you on this Application is personal information for the purposes of the *Privacy and Personal Information Protection Act 1998*. Council will use the information and materials provided for notification and advertising purposes, and materials provided with this Application will be made available to the public for inspection and copying at Council's Customer Service Centre's and on the [haveyoursay](#) section of the website during any public exhibition period.

* **Copyright** – This Application and any documents submitted in association with the Application may be open access information under the *Government Information (Public Access) Act 2009*. Documents are made publically available on Council's website and in other ways that the Council considers appropriate.

9. Planning Proposal Application Checklist

The following information must be submitted with all applications.

Item		Proponent to tick ✓		Office use only
		Y	N	
1	Completed Application Form with land owner(s) consent	<input type="checkbox"/>	<input type="checkbox"/>	
2	Payment of Application Fee	<input type="checkbox"/>	<input type="checkbox"/>	
Site Information				
3	Description of the subject land and the locality	<input type="checkbox"/>	<input type="checkbox"/>	
4	Current zoning	<input type="checkbox"/>	<input type="checkbox"/>	
5	Site plan drawn to scale identifying physical features such as trees, watercourses, topography, existing buildings etc.	<input type="checkbox"/>	<input type="checkbox"/>	
6	Site analysis of property and surrounding environment identifying any relevant significant issues, such as development constraints (e.g. bushfire, flooding, geotechnical, threatened species, contamination, Aboriginal/European heritage, impacts to traffic/site access etc.)	<input type="checkbox"/>	<input type="checkbox"/>	
7	Details of current existing uses, approvals and development on the land, and surrounding properties and the potential impact of the proposal on the surrounding area	<input type="checkbox"/>	<input type="checkbox"/>	
8	Photographs of the site and surrounding area	<input type="checkbox"/>	<input type="checkbox"/>	
Planning Proposal The Planning Proposal document must be prepared in accordance with Section 3.33 of the EP&A Act 1979 and Department of Planning & Environment's "A guide to preparing Planning Proposals" and "A guide to preparing LEPs". These can be accessed on the Department's website: https://www.planning.nsw.gov.au/				
9	Objectives and intended outcomes of the Planning Proposal – description of what the application is intended to allow	<input type="checkbox"/>	<input type="checkbox"/>	
10	Justification for those objectives, outcomes and provisions, including any anticipated public and/or environmental benefit that would result from the proposed amendment	<input type="checkbox"/>	<input type="checkbox"/>	
11	Explanation of the intended land uses/activities for the site requiring a rezoning or change to planning controls	<input type="checkbox"/>	<input type="checkbox"/>	
12	An explanation of the provisions to be included in the LEP amendment – proposed zoning, change in permissible use etc.	<input type="checkbox"/>	<input type="checkbox"/>	
13	Draft amended mapping – current and proposed indicative maps showing where the planning proposal seeks to amend the Port Macquarie-Hastings LEP 2011 in relation to Land Zoning, Height of Buildings, Floor Space Ratio, Minimum Lot Size etc.	<input type="checkbox"/>	<input type="checkbox"/>	
14	Relevant information provided to assess the environmental impacts of the proposal on the site and surrounding environment (e.g. traffic studies, commercial/economic viability analysis, ecological assessment, built form analysis, noise analysis, infrastructure servicing etc.)	<input type="checkbox"/>	<input type="checkbox"/>	
15	Demonstrated consistency with the strategic planning framework: <ul style="list-style-type: none"> • North Coast Regional Plan 2036 • Council's Towards 2030 Community Strategic Plan • Port Macquarie-Hastings Council endorsed Strategies and Policies including the Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 • Council approved Structure Plans and Master Plans • Applicable State Environmental Planning Policies (SEPPs) 	<input type="checkbox"/>	<input type="checkbox"/>	

Item		Proponent to tick ✓		Office use only
	• Applicable Ministerial Directions (s9.1 directions)			
16	Planning Proposal prepared in accordance with Section 3.33 of the EP&A Act 1979 and <i>A guide to Preparing Planning Proposals</i> (NSW Department of Planning & Environment)	<input type="checkbox"/>	<input type="checkbox"/>	
17	Details provided of any consultation undertaken to inform the preparation of the Planning Proposal Application (e.g. discussions with relevant State Government agencies, adjoining neighbours etc.)	<input type="checkbox"/>	<input type="checkbox"/>	
Supporting Studies and Information In addition to the above mandatory information, a Planning Proposal Application should be accompanied by relevant and current supporting studies (less than 12 months old) which justify the proposal, and any information identified at the Pre-Lodgement meeting. Copies of all supporting studies must be submitted at the time of lodgement.				
18	Traffic and Transport An assessment considering the likely impact of the planning proposal on local traffic and transport issues, road network, public transport infrastructure and/or cycle and pedestrian movement, and access to the site	<input type="checkbox"/>	<input type="checkbox"/>	
19	Environmental Considerations May include specialist reports addressing: bushfire hazard, acid sulphate soils, noise impact, visual impact, flora and/or fauna, soil stability, erosion, sediment, landslip assessment and subsidence, water quality, stormwater management, flooding, site contamination, sea level rise, agricultural land capability/land use conflict Note: If the land is mapped as important farmland, an assessment against the Interim Important Farmland Variation Criteria at Appendix B of the <i>North Coast Regional Plan 2036</i> is required. This is in addition to any land use capability report that may be necessary.	<input type="checkbox"/>	<input type="checkbox"/>	
20	Urban Design Site analysis, building mass and/or block diagram study (changes in building height and FSR), development yield analysis (lots or jobs created), draft Development Control Plan provisions or other design guidelines	<input type="checkbox"/>	<input type="checkbox"/>	
21	Economic Economic impact and viability assessments, retail centres hierarchy and/or employment land analysis	<input type="checkbox"/>	<input type="checkbox"/>	
22	Social and Cultural Heritage impact, Aboriginal archaeology, open space management, European archaeology, social and cultural impacts and stakeholder engagement	<input type="checkbox"/>	<input type="checkbox"/>	
23	Infrastructure Infrastructure servicing and potential funding arrangements	<input type="checkbox"/>	<input type="checkbox"/>	
24	Any other matters relevant to the specific Planning Proposal	<input type="checkbox"/>	<input type="checkbox"/>	
Development Concept				
25	An indicative development concept, illustrating the nature and scale of development envisaged for the site – built form, open space, vehicular and pedestrian access etc., and relationship with surrounding area. This information could include a draft Development Control Plan containing guidelines to assist in providing a framework to assess future development on the site.	<input type="checkbox"/>	<input type="checkbox"/>	

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2018/507****DATE: 27/08/2019****PRESCRIBED CONDITIONS**

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

A – GENERAL MATTERS

- (1) (A001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table, as stamped and returned with this consent, except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Plans	DWG No. 10551 (Sheet 1 to 5)	Beukers & Ritter Consulting	July 2019
Bushfire Hazard Assessment		David Pensini	July 2018
RFS General Terms of Approval	D18/6637	Alan Bawden	17 October 2019

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

- (2) (A002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
 - the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

- (3) (A003) The proponent shall submit an application for a Subdivision Certificate for Council certification with all relevant documentation.
- (4) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (5) (A009) The development site is to be managed for the entirety of work in the following manner:
- Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - Appropriate dust control measures;

3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via appropriate receptacles into separate waste streams;
5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
6. Building work being limited to the following hours, unless otherwise permitted by Council;
 - Monday to Saturday from 7.00am to 6.00pm
 - No work to be carried out on Sunday or public holidaysThe builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (6) (A013) The general terms of approval from the following authorities, as referred to in section 4.50 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.
 - **NSW Rural Fire Service** - The General Terms of Approval, Reference D18/6637 and dated 17 October 2018, are attached and form part of this consent.
- (7) (A032) The developer is responsible for any costs relating to minor alterations and extensions to ensure satisfactory transitions of existing roads, drainage and Council services for the purposes of the development.
- (8) (A033) The applicant shall provide security to the Council for the payment of the cost of the following:
 - a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
 - b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
 - c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

Such security is to be provided to Council prior to the issue of the Subdivision Certificate/Construction Certificate or Section 138 of the Roads Act, 1993.

The security is to be for such reasonable amount as is determined by the consent authority, being an amount that is 10% of the contracted works for Torrens Title subdivision development/the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development by way of:

- i. deposit with the Council, or
- ii. an unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred to above and on application being made to the Council by the person who provided the security any balance remaining is to be refunded to, or at the direction of, that person. Should Council have to call up the bond and the repair costs exceed the bond amount, a separate invoice will be issued. If no application is made to the Council for a refund of any balance remaining of the security within 6 years after the work to which the security relates has been completed the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

- (9) (A195) The Building Identified as "Ex" on Plan/Drawing No: 10551, is to be maintained as a Shop and not used as dwelling.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (B014) Provision to each lot of a separate metered water connection to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies.
- (2) (B024) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (3) (B195) A Water Supply reticulation plan is required to show all existing and proposed water services to the lot.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (C001) A minimum of one (1) week's notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.

D – DURING WORK

- (1) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

Should asbestos be present, its removal shall be carried out in accordance with the National OH&S Committee – *Code of Practice for Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces*.

For further information on asbestos handling and safe removal practices refer to the following links:

[Safely disposing of asbestos waste from your home](#)

[Fibro & Asbestos - A Renovator and Homeowner's Guide](#)

[Asbestos Awareness](#)

E – PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE

- (1) (E008) Payment to Council, prior to the issue of the Subdivision Certificate of the Section 7.11 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 as amended, and in accordance with the provisions of the following plans:
 - Port Macquarie-Hastings Administration Building Contributions Plan 2007

- Hastings S94 Administration Levy Contributions Plan
- Port Macquarie-Hastings Open Space Contributions Plan 2018
- Hastings S94 Major Roads Contributions Plan
- Port Macquarie-Hastings Community Cultural and Emergency Services Contributions Plan 2005

The plans may be viewed during office hours at the Council Chambers located on the corner of Burrawan and Lord Streets, Port Macquarie, 9 Laurie Street, Laurieton, and High Street, Wauchope.

The attached "Notice of Payment" is valid for the period specified on the Notice only. The contribution amounts shown on the Notice are subject to adjustment in accordance with CPI increases adjusted quarterly and the provisions of the relevant plans. Payments can only be made using a current "Notice of Payment" form. Where a new Notice of Payment form is required, an application in writing together with the current Notice of Payment application fee is to be submitted to Council.

- (2) (E009) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution, prior to the issue of a Subdivision Certificate, of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
 - augmentation of the local area water supply
- (3) (E068) Prior to the issue of a Subdivision Certificate, evidence to the satisfaction of the Certifying Authority from the electricity and telecommunications providers that satisfactory services arrangements have been made to the lots or dwellings.
- (4) (E082) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision or Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.
- (5) (E195) Before the issuing of the Subdivision Certificate, the Buildings Identified as "Ex" and "Ex Shed" on Plan/Drawing No: 10551, are to be modified to be wholly within the proposed boundary of proposed lot 3 and converted back into a shop.
- (6) Prior to the issue of the Subdivision Certificate, details of compliance with the bushfire hazard assessment, prepared by David Pensini, July 2018, is to be provided to the Principal Certifying Authority.

F – OCCUPATION OF THE SITE

- (1) (F195) The Building Identified as "Ex" on Plan/Drawing No: 10551, is not to be used as a dwelling.

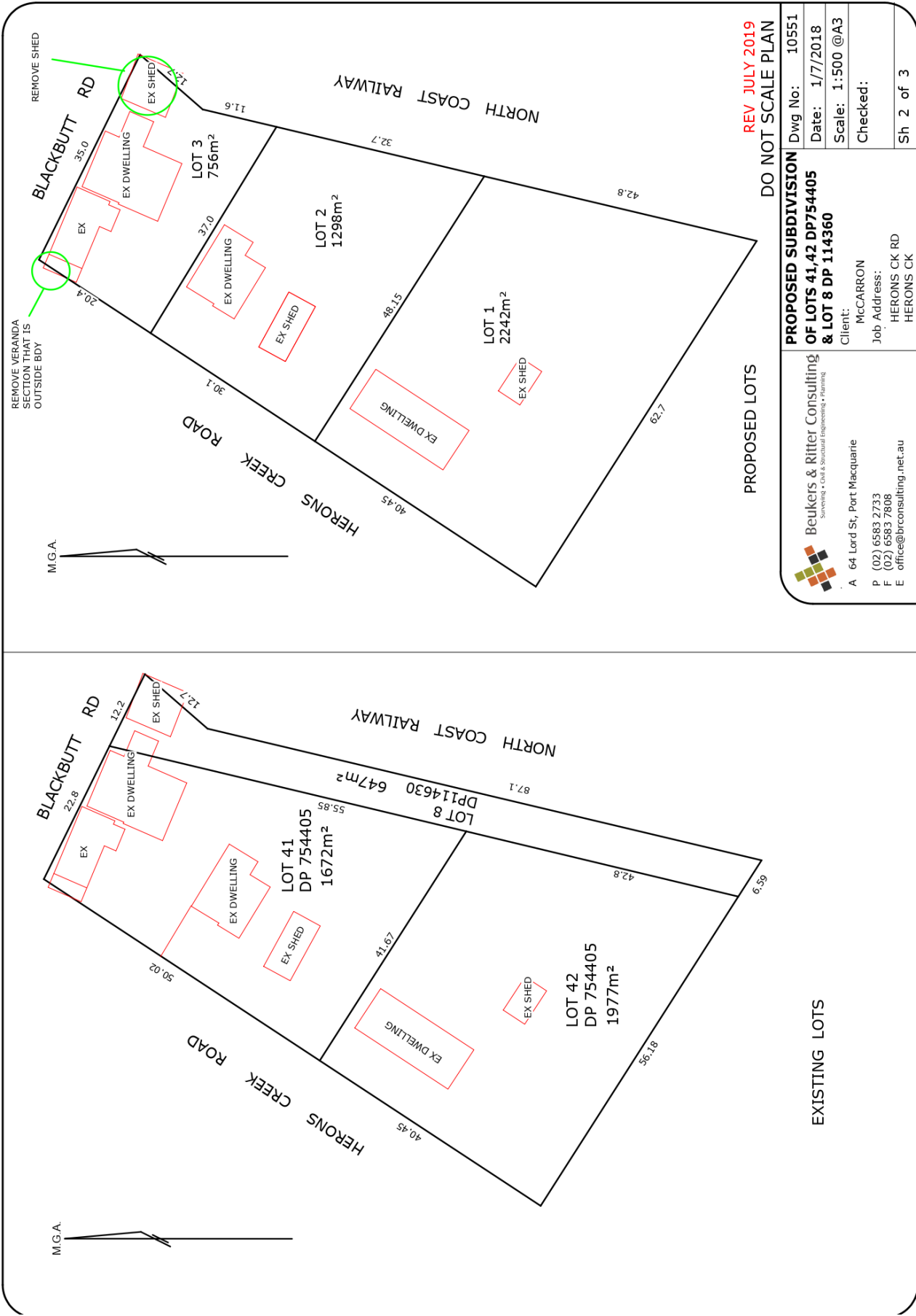


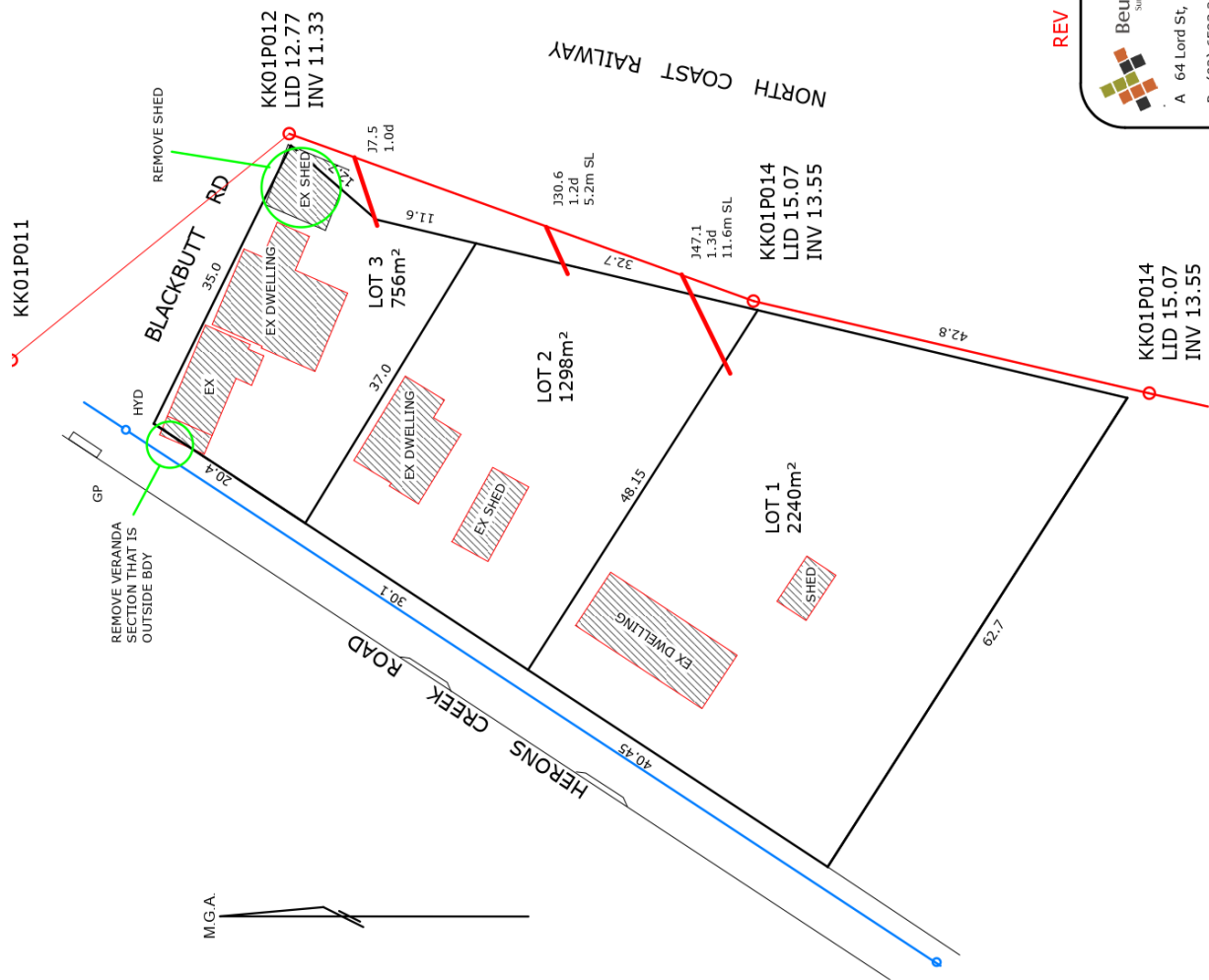
Report has been generated by various sources and is provided for information purposes only. Spatial Services does not warrant or represent that the information is free from errors that it is exhaustive. Spatial Services gives no warranty in relation to the information, especially material supplied by third parties. Spatial Services accepts no liability for loss, that you may incur relating to any use or reliance upon the information in this report.

DO NOT SCALE PLAN

 Beukers & Ritter Consulting <small>Servicing • Civil & Structural Engineering • Planning</small>	PROPOSED SUBDIVISION OF LOTS 41, 42 DP 754405 & LOT 8 DP 114360		
	Client:	McCARRON	
	Job Address:	HERONS CK RD HERONS CK	
	A 64 Lord St, Port Macquarie P (02) 6583 2733 F (02) 6583 7808 E office@brconsulting.net.au	Dwg No:	10551
		Date:	1/7/2018
		Scale:	1:1000 (@A3)
		Checked:	
		Sh	1 of 3

W.A.U.





GENERAL

- This plan is to be used in conjunction with the engineering plans, and any other plans or written instructions that may be issued relating to development of the subject site.
- Do not stain dimensions by scaling the drawings.
- The contractor shall obtain a permit for construction or clarification of the drawings from the Council.
- Confirmation prior to commencing construction.
- Where new works about the contractor shall ensure that a smooth new profile, free from abrupt changes is obtained.
- These plans shall be used in conjunction with all approved drawings & any other plans or written instructions that may be issued relating to development of the subject site.
- It is the contractor's responsibility to ascertain in the field the location and level all existing services (Telstra, underground power, sewer, water, etc.) and to ensure that any proposed works do not damage them. Any damage shall be made good at the cost to the proprietor.
- Location of all drainage lines within easement to be fixed and verified by survey.
- Subsoil drainage is presently contained within a depth to road adjacent to natural surface is 1400mm or more. Install a 1m length of subsoil drain on the upstream side of all drainage pits within an upstream pipe.
- Surface cut and fill and other measures as required to be constructed to ensure that drainage is maintained at all times during construction such measures are to be maintained at all times during construction period.
- To be in accordance with AUSPEC No. 1 Font Macquarie Holdings Council Version 2010 Edition.
- All works within road reserves must be carried out by a council registered contractor.
- Traffic control to AS1742.32.
- Contractor to take appropriate dust suppression measures as necessary to ensure that dust is controlled in accordance with AS1742.32.
- Filling works shall be controlled in full as defined in AS1742.32.
- Filling management plan by contractor in accordance with AS1742.32.

EXISTING SERVICES

- The contractor shall be responsible for the drawings originate from supplied data.
- The contractor shall be responsible for the accuracy and completeness is not guaranteed, it is the responsibility of the contractor to determine and confirm the location and the accuracy of the data.
- Due to the fact that excavating near existing gas or electrical services shall be undertaken over communication, gas or electrical services. Hand excavation only in these areas.
- The contractor shall be responsible for the protection of existing services. The contractor shall be responsible for the contractor to ensure that the contractor shall be supervised by the contractor under the supervision of the superintendent, and a site visit.
- The contractor shall be responsible for the alignment of existing services (if required) in areas affected by the works unless otherwise noted on the drawings or by the superintendent.
- The contractor shall ensure that all site buildings not affected by the proposed works are not damaged.
- The contractor shall be responsible for the implementation of the program of relocation and/or construction of temporary services and for any associated interruption of supply.
- The contractor shall contract temporary services to maintain existing services and ensure that the contractor shall be responsible for the relocation & approval of the superintendent. Once diversion is complete and the contractor shall be responsible for the satisfaction of the superintendent's requirements to the satisfaction of the superintendent.

WORK AS EVOKED INFORMATION

WORK AS EXECUTED INFORMATION
All relevant work as executed information as required by Port Macquarie Hastings Council is to be forwarded to the submitting consultant by the contractor.

03/05/05
03/05/05

3. **What is the difference between a *strong* and a *weak* type?**
- **Strong type:** A type that has a unique value for each instance of the type. For example, the type `int` is a strong type because it has a unique value for each instance of the type.
- **Weak type:** A type that has multiple values for each instance of the type. For example, the type `String` is a weak type because it has multiple values for each instance of the type.
4. **What is the difference between a *primitive* and a *reference* type?**
- **Primitive type:** A type that is not a reference type. For example, the types `int`, `double`, and `boolean` are primitive types.
- **Reference type:** A type that is a reference type. For example, the types `String`, `Integer`, and `Boolean` are reference types.
5. **What is the difference between a *variable* and a *constant*?**
- **Variable:** A variable is a storage location that can hold a value that can change. For example, the variable `x` can hold the value 10, and then it can be changed to hold the value 20.
- **Constant:** A constant is a storage location that holds a value that cannot change. For example, the constant `PI` holds the value 3.14159, and this value cannot be changed.
6. **What is the difference between a *local* and a *global* variable?**
- **Local variable:** A local variable is a variable that is only visible within a specific scope. For example, a variable declared inside a method is a local variable.
- **Global variable:** A global variable is a variable that is visible throughout the entire program. For example, a variable declared outside of any method is a global variable.
7. **What is the difference between a *static* and a *non-static* variable?**
- **Static variable:** A static variable is a variable that belongs to the class rather than to any specific instance of the class. For example, the variable `count` in the `Person` class is a static variable.
- **Non-static variable:** A non-static variable is a variable that belongs to a specific instance of the class. For example, the variable `name` in the `Person` class is a non-static variable.
8. **What is the difference between a *final* and a *non-final* variable?**
- **Final variable:** A final variable is a variable that cannot be reassigned. For example, the variable `PI` is a final variable.
- **Non-final variable:** A non-final variable is a variable that can be reassigned. For example, the variable `x` is a non-final variable.
9. **What is the difference between a *public* and a *private* variable?**
- **Public variable:** A public variable is a variable that can be accessed from anywhere in the program. For example, the variable `count` in the `Person` class is a public variable.
- **Private variable:** A private variable is a variable that can only be accessed within the class it is declared in. For example, the variable `name` in the `Person` class is a private variable.
10. **What is the difference between a *protected* and a *default* variable?**
- **Protected variable:** A protected variable is a variable that can be accessed within the class it is declared in, and within any subclass. For example, the variable `age` in the `Person` class is a protected variable.
- **Default variable:** A default variable is a variable that can be accessed within the class it is declared in, and within any package. For example, the variable `name` in the `Person` class is a default variable.
11. **What is the difference between a *final* and a *non-final* method?**
- **Final method:** A final method is a method that cannot be overridden. For example, the method `toString` in the `Person` class is a final method.
- **Non-final method:** A non-final method is a method that can be overridden. For example, the method `getName` in the `Person` class is a non-final method.
12. **What is the difference between a *public* and a *private* method?**
- **Public method:** A public method is a method that can be accessed from anywhere in the program. For example, the method `toString` in the `Person` class is a public method.
- **Private method:** A private method is a method that can only be accessed within the class it is declared in. For example, the method `getName` in the `Person` class is a private method.
13. **What is the difference between a *protected* and a *default* method?**
- **Protected method:** A protected method is a method that can be accessed within the class it is declared in, and within any subclass. For example, the method `age` in the `Person` class is a protected method.
- **Default method:** A default method is a method that can be accessed within the class it is declared in, and within any package. For example, the method `name` in the `Person` class is a default method.
14. **What is the difference between a *final* and a *non-final* class?**
- **Final class:** A final class is a class that cannot be subclassed. For example, the class `String` is a final class.
- **Non-final class:** A non-final class is a class that can be subclassed. For example, the class `Person` is a non-final class.
15. **What is the difference between a *public* and a *private* class?**
- **Public class:** A public class is a class that can be accessed from anywhere in the program. For example, the class `Person` is a public class.
- **Private class:** A private class is a class that can only be accessed within the package it is declared in. For example, the class `Person` is a private class.
16. **What is the difference between a *protected* and a *default* class?**
- **Protected class:** A protected class is a class that can be accessed within the package it is declared in, and within any package. For example, the class `Person` is a protected class.
- **Default class:** A default class is a class that can be accessed within the package it is declared in, and within any package. For example, the class `Person` is a default class.
17. **What is the difference between a *final* and a *non-final* interface?**
- **Final interface:** A final interface is an interface that cannot be implemented. For example, the interface `Comparable` is a final interface.
- **Non-final interface:** A non-final interface is an interface that can be implemented. For example, the interface `Runnable` is a non-final interface.
18. **What is the difference between a *public* and a *private* interface?**
- **Public interface:** A public interface is an interface that can be accessed from anywhere in the program. For example, the interface `Comparable` is a public interface.
- **Private interface:** A private interface is an interface that can only be accessed within the package it is declared in. For example, the interface `Person` is a private interface.
19. **What is the difference between a *protected* and a *default* interface?**
- **Protected interface:** A protected interface is an interface that can be accessed within the package it is declared in, and within any package. For example, the interface `Person` is a protected interface.
- **Default interface:** A default interface is an interface that can be accessed within the package it is declared in, and within any package. For example, the interface `Person` is a default interface.
20. **What is the difference between a *final* and a *non-final* package?**
- **Final package:** A final package is a package that cannot be subclassed. For example, the package `java.lang` is a final package.
- **Non-final package:** A non-final package is a package that can be subclassed. For example, the package `java.util` is a non-final package.
21. **What is the difference between a *public* and a *private* package?**
- **Public package:** A public package is a package that can be accessed from anywhere in the program. For example, the package `java.lang` is a public package.
- **Private package:** A private package is a package that can only be accessed within the package it is declared in. For example, the package `Person` is a private package.
22. **What is the difference between a *protected* and a *default* package?**
- **Protected package:** A protected package is a package that can be accessed within the package it is declared in, and within any package. For example, the package `Person` is a protected package.
- **Default package:** A default package is a package that can be accessed within the package it is declared in, and within any package. For example, the package `Person` is a default package.
23. **What is the difference between a *final* and a *non-final* module?**
- **Final module:** A final module is a module that cannot be subclassed. For example, the module `java.lang` is a final module.
- **Non-final module:** A non-final module is a module that can be subclassed. For example, the module `java.util` is a non-final module.
24. **What is the difference between a *public* and a *private* module?**
- **Public module:** A public module is a module that can be accessed from anywhere in the program. For example, the module `java.lang` is a public module.
- **Private module:** A private module is a module that can only be accessed within the package it is declared in. For example, the module `Person` is a private module.
25. **What is the difference between a *protected* and a *default* module?**
- **Protected module:** A protected module is a module that can be accessed within the package it is declared in, and within any package. For example, the module `Person` is a protected module.
- **Default module:** A default module is a module that can be accessed within the package it is declared in, and within any package. For example, the module `Person` is a default module.

REV JULY 2019

DO NOT SCALE PLAN

Beukers & Ritter Consulting
Surveying • Civil & Structural Engineering • Planning

A 64 Lord St, Port Macquarie
P (02) 6583 2733
F (02) 6583 7808
E office@brconsulting.net.au

**PROPOSED SUBDIVISION
OF LOTS 41,42 DP754405
& LOT 8 DP 114360**

Client: MCCARRON
Job Address: HERONS CK RD
HERONS CK

Developer Charges - Estimate

Applicants Name: J R & K M McCarron
Property Address: Herons Creek Road, Herons Creek
Lot & Dp: Lot(s):41 & 42, and 8,DP(s):754403 and 114360
Development: 3 Lot Subdivision including a clause 4.6 variation of clause 4.1 of the Port Macquarie Hastings Local Environmental



Water and Sewerage Headworks Levies are levied under S64 of the LGA Act & S306 of the Water Management Act 2000.
 Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act and Council's Contribution Plans.

Levy Area	Units	Cost	Estimate
1 Water Supply	0.6	\$10,190.00 Per ET	\$6,114.00
2 Sewerage Scheme Camden Haven	0	\$3,866.00 Per ET	\$0.00
3 Since 1.7.04 - Major Roads - Camden Haven - Per ET	0.2	\$8,448.00 Per ET	\$1,689.60
4 Since 31.7.18 - Open Space - Camden Haven - Per ET	0.2	\$6,003.00 Per ET	\$1,200.60
5 Commenced 3 April 2006 - Com, Cul and Em Services CP - Camden Haven	0.2	\$4,449.00 Per ET	\$889.80
6 Com 1.3.07 - Administration Building - All areas	0.2	\$910.00 Per ET	\$182.00
7 N/A			
8 N/A			
9 N/A			
10 N/A			
11 N/A			
12 Bushfire Additional	0.2	\$505.00 Per ET	\$101.00
13 N/A			
14 N/A			
15 Admin General Levy - Applicable to Consents approved after 11/2/03	2.2% S94 Contribution		\$89.30
16			
17			
18			
Total Amount of Estimate (Not for Payment Purposes)			\$10,266.30

NOTES: These contribution rates apply to new development and should be used as a guide only.
 Contributions will be determined in conjunction with a Development Application (DA) or Complying Development Application (CDA).
 DAs will be subject to the contributions plans in force at the time of issue of the Consent and for CDCs at time of lodgement.
 Contribution Rates are adjusted quarterly in line with the CPI.

DATE OF ESTIMATE:

29-Aug-2019

Estimate Prepared By Steven Ford

This is an ESTIMATE ONLY - NOT for Payment Purposes

: M McCarron, Herons Creek Road, Herons Creek, 29-Aug-2019.xls

PORT MACQUARIE-HASTINGS COUNCIL



CLAUSE 4.6 REQUEST FOR VARIATION

CLAUSE 4.1 LOT SIZE OF HASTINGS LEP 2011

Development Application No.
DA 2018.507.1

Boundary adjustment - 3 lots into 3 lots and
minor alterations to existing dwelling

434 – 440 Herons Creek
Road, Herons Creek

July 2019

DM Planning
dmplan@hotmail.com
c/- PO BOX 6149
Port Macquarie NSW 2444

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



1.0 Introduction

- The development site consists of Lots 41 & 42 DP 754405 and Lot 8 DP 114360, being No. 434 – 440 Herons Creek Road, Herons Road, as shown in Figure 1 below.
- This is a request to vary a development standard pursuant to the provisions of Clause 4.6 of Hastings Local Environmental Plan 2011 (HLEP 2011), the relevant clause being Clause 4.1 Minimum subdivision lot size.
- The relevant minimum lot size for the subject site is 2,000sqm.
- The relevant minimum lot size is a development standard for the purposes of the *EP&A Act 1979*.
- This request to vary the minimum lot size development standard considers the judgment in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 ("Initial Action").
- The objective of Clause 4.6 1(a) is to provide an appropriate degree of flexibility in applying certain development standards to particular development. The intent is to achieve better outcomes for and from development by allowing flexibility in particular circumstances in accordance with Clause 4.6 1(b).
- The relevant plans relied upon are those submitted as part of DA2018 – 507.1.



Figure 1: Development site

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



2.0 Development Standard to be Varied – Lot Size

The relevant *development standard* to be varied is the 2,000sqm minimum lot size control under Clause 4.1(3) of Hasting LEP 2011. Clause 4.1 of HLEP relevantly provides:

4.1 Minimum subdivision lot size

- (1) *The objectives of this clause are as follows:*
 - (a) *to ensure that lot sizes are compatible with local environmental values and constraints,*
 - (b) *to facilitate efficient use of land resources for residential and other human purposes,*
 - (c) *to minimise the fragmentation of rural land suitable for sustainable primary production,*
 - (d) *to protect high ecological, scientific, cultural or aesthetic values of land in environment protection zones.*
- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (3A) *If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included when calculating the size of the lot for the purposes of this clause.*
- (4) *This clause does not apply in relation to the subdivision of any land:*
 - (a) *by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or*
 - (b) *by any kind of subdivision under the Community Land Development Act 1989.*

The relevant minimum lot size map (LSZ_0011A) is identified below:



"V" = 2,000sqm

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



3.0 Nature of Variation Sought

The requested variation is based on the following subdivision plan:

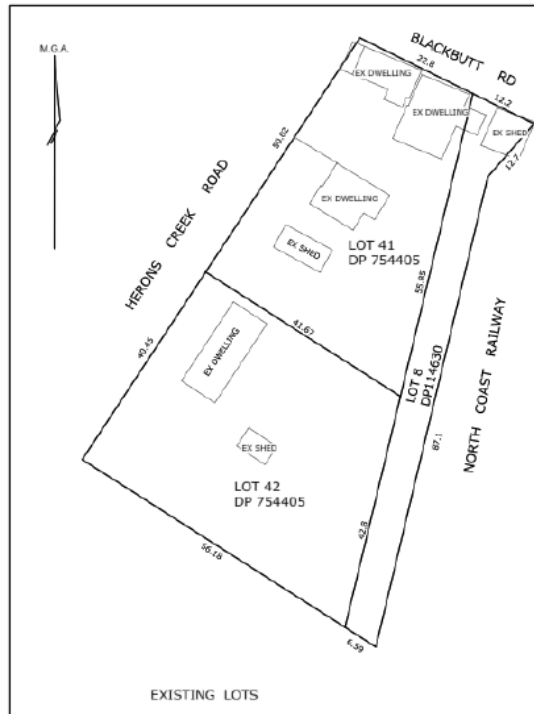


Figure 2: Existing lot layout

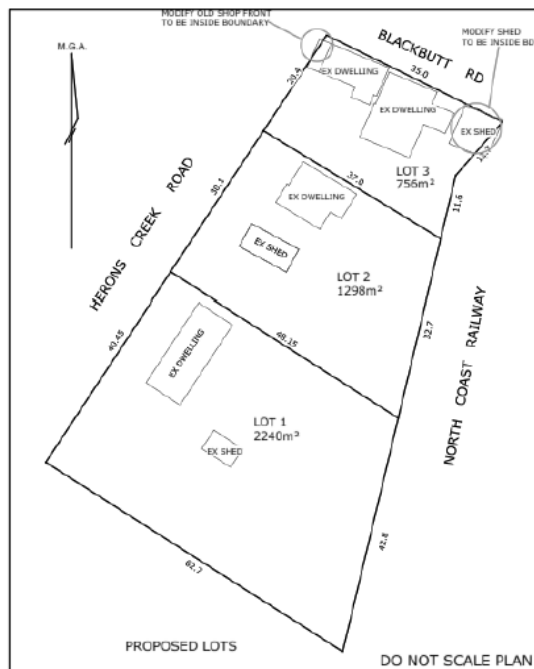


Figure 3: Proposed lot layout and lot sizes

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



The existing and proposed lot sizes may be summarised as follows:

Existing	Area (m ²)	Proposed	Area (m ²)	Percentage variation to 2,000sqm standard
Lot 41	1,672	Lot 1	2,240	Complies
Lot 42	1,977	Lot 2	1,298	Less 702 m ² or 35%
Lot 8	647	Lot 3	756	Less 1,244 m ² or 62.2%

4.0 **Lot Size – Development Standard**

A development standard is defined in S 1.4 of the *Environmental Planning and Assessment Act 1979* to mean:

"provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of:

- (a) the area, shape or frontage of any land, the dimensions of any land, buildings or works, or the distance of any land, building or work from any specified point,*
- (b) the proportion or percentage of the area of a site which a building or work may occupy,*
- (c) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,*
- (d) the cubic content or floor space of a building,*
- (e) the intensity or density of the use of any land, building or work,*
- (f) the provision of public access, open space, landscaped space, tree planting or other treatment for the conservation, protection or enhancement of the environment,*
- (g) the provision of facilities for the standing, movement, parking, servicing, manoeuvring, loading or unloading of vehicles,*
- (h) the volume, nature and type of traffic generated by the development,*
- (i) road patterns,*
- (j) drainage,*
- (k) the carrying out of earthworks,*
- (l) the effects of development on patterns of wind, sunlight, daylight or shadows,*
- (m) the provision of services, facilities and amenities demanded by development,*
- (n) the emission of pollution and means for its prevention or control or mitigation, and*
- (o) such other matters as may be prescribed."*

The 2,000sqm minimum lot size standard is a *development standard* as defined under the *EP&A Act 1979*.

5.0 **Clause 4.6 of Hastings Local Environmental Plan 2011**

The following provides a response to relevant Clause 4.6 provisions:

Clause 4.6(2) provides that:

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

The minimum lot size development standard is not expressly excluded from the operation of cl4.6 and accordingly, consent may be granted.

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



Clause 4.6(3) relates to the making of a written request to justify the contravention of a development standard and states:

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

The proposed development does not comply with the minimum lot size development standard pursuant to cl4.1 of the HLEP 2011. However, strict compliance is considered to be unreasonable and unnecessary in the circumstances of this case as detailed in section xxx of this request.

Sufficient environmental planning grounds exist to justify contravening the development standard as detailed in Section 8.0. The lot size variations, in this particular case, are a function of the existing development on three lots.

Clause 4.6(4) provides that consent must not be granted for development that contravenes a development standard unless:

- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) *the concurrence of the Secretary has been obtained.*

Sections 7.0 and 8.0 of this written request addresses the matters required under cl4.6(4)(a) of the HLEP 2011 and cl4.6(4)(b).

Clause 4.6(5) provides that:

- (5) *In deciding whether to grant concurrence, the Secretary must consider:*
 - (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - (b) *the public benefit of maintaining the development standard, and*
 - (c) *any other matters required to be taken into consideration by the Secretary before granting concurrence.*

Section 10.0 below of this written request addresses the matters required under cl4.6(5) of the HLEP. Clauses 4.6(6) and (8) are not relevant to the proposed development and cl 4.6(7) is an administrative clause requiring the consent authority to keep a record of its assessment under this clause after determining a development application.

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



6.0 Relevant Decisions

Initial Action (*Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118*): Preston CJ indicated that cl4.6 does not directly or indirectly establish a test that a non-compliant development should have a neutral or beneficial effect relative to a compliant development. Rather, the non-compliance should be assessed with regard to whether the impacts are reasonable in the context of achieving consistency with the objectives of the zone and the objectives of the development standard. The relevant test is whether the environmental planning grounds relied upon and identified in the written request are “sufficient” to justify the non-compliance sought.

Further, there is no requirement for a development to result in a “*better environmental planning outcome*” relative to a development that complies with the development standard and a lack of adverse impacts is valid.

7.0 Clause 4.6(3)(a): Unreasonable or Unnecessary Circumstances of the Case

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

(a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case*

COMMENT:

A review of the minimum lot size development standard objectives provides a reference from which to demonstrate that compliance is *unreasonable* and are achieved notwithstanding a variation with the standard.

The minimum lot size objectives are as follows:

(a) *to ensure that lot sizes are compatible with local environmental values and constraints,*

- The development site is located on the eastern side of Herons Creek Road, being the three dwellings south of the intersection of Blackbutt Road.
- The three dwellings are sited within the existing village area, being contributory features and part of creating the village character. Notwithstanding, the old shop and the rear shed of that dwelling are sited over the relevant property boundaries.
- Lot 8 is a long narrow lot and not conducive to development. This is major impediment to the design and layout of any building or structures on this site.
- There are no significant trees or vegetation that is required to be removed in order to facilitate the boundary adjustments.

(b) *to facilitate efficient use of land resources for residential and other human purposes,*

- The current lot configuration is not an efficient use of the three lots as Lot 8 is a long narrow lot and not conducive to development. This is a major impediment to the design and layout of any building or structures on this site.
- The shop front and shed are sited over the boundaries of Lot 41 and Lot 8 – not a legal or efficient use of the lots. It is proposed to undertake minor alterations to both structures to correct the siting of each structure.

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



- The proposed lot layout creates three allotments, each with a dwelling and associated structures and domestic backyard and garden areas. Each lot is a more efficient layout and design within the village development pattern.

(c) *to minimise the fragmentation of rural land suitable for sustainable primary production,*

- Not applicable – the land is not zoned rural.

(d) *to protect high ecological, scientific, cultural or aesthetic values of land in environment protection zones.*

- Not applicable – the land is not zoned environment protection and does not contain any particular environmental values in relation to ecological, cultural or aesthetic values.

8.0 **Clause 4.6(3)(b) – Sufficient Environmental Planning Grounds**

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

(b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

Justification provided for the variation applies to this particular application and not environmental planning grounds that could apply to all lands zoned RU5 Village, as follows:

- The proposal is a boundary adjustment only, it does not increase the number of lots within the village zone;
- The area of existing Lot 8 was
- The proposal does not result in any additional dwellings within the village and therefore no additional loading on existing public or private infrastructure;
- The proposal does not involve any tree removal or other change to existing vegetation on any of the lots;
- Minor alterations are proposed to one of the dwellings in order to located fully on the private land – an improvement over the existing situation;
- The proposal does not require any changes to the existing access to each of the proposed lots;
- The proposal is generally consistent with the development pattern of dwellings within the village area, including the variety of lots size in the immediately vicinity of the site (as per the aerial photo below):



Figure 4: Existing development pattern in the Herons Creek Village area.

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size



Based on the above the consent authority can be satisfied that there are sufficient environmental planning grounds to warrant the variation.

Further to the above, there is a lack of adverse amenity impacts arising from the proposed boundary adjustment, as follows:

- There are no additional lots created;
- There are no additional dwellings created;
- The structures currently overhanging the boundaries are to be modified to comply with the boundary lines.
- The minor building works do not impact on any adjoining or adjacent property;
- The proposed lot layout is a more efficient use of the land area.

In summary, the minimum lot size variation is considered to be in the public interest given its ability to satisfy the relevant development standard objectives, satisfy the zone objectives and not cause any undue environmental impacts.

9.0 **Clause 4.6(4)(a)(ii) Zone Objectives and the Public Interest**

Consistency with the Zone Objectives

The development site is located within the RU5 Village zone. The objectives of that zone are as follows:

Zone RU5 Village

Objectives of zone

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*

The development does not change the current use of the land.

- *To permit development that is appropriate in scale and type with the characteristics of a rural village.*

The development does alter the scale of the existing development and remains consistent with the development pattern, lot sizes and character of the existing village area.

- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*

The development does not result in any conflict between landuses and is surrounded by other land zoned RU5 zone.

Overall, the development is consistent with the RU5 zone objectives. Together with satisfying the relevant development standard objectives and not resulting in any adverse impacts on the land or the broader village area, the development is considered to be in the public interest.

10.0 **Other Matters for Consideration**

Step 4 - Clause 4.6(4)(b) – The Concurrence of the Secretary has been obtained

On 21 February 2018, the Secretary of the Department of Planning and Environment issued a Notice ('the Notice') under cl. 64 of the *Environmental Planning and Assessment Regulation 2000* providing that consent authorities may assume the Secretary's concurrence for exceptions to development standards for applications made under cl4.6 of the HLEP.

The Court has power to grant development consent to the proposed development even though it contravenes the development standard, without obtaining or assuming the concurrence of the Secretary by reason of s39(6) of the *Land and Environment Court Act 1979* (the Court Act).

Clause 4.6 Request for Variation
434 – 440A Herons Creek Rd, Herons Creek
Boundary Adjustment - variation to lot size

**Clause 4.6(5) - Concurrence Considerations**

In the event that concurrence cannot be assumed pursuant to the Notice, cl4.6(5) of the LEP provides that in deciding whether to grant concurrence, the Secretary must consider:

- (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) *the public benefit of maintaining the development standard, and*
- (c) *any other matters required to be taken into consideration by the Secretary before granting concurrence.*

The proposed contravention of the minimum lot size development standard has been considered in light of cl4.6(5) as follows:

- The proposed non-compliance does not raise any matter of significance for State or regional environmental planning as it is peculiar to the proposed development, as submitted in the Development Application to Hastings Council. It is not directly transferrable to any other site in the immediate locality, wider region or the State and the scale of the proposed development does not trigger any requirement for a higher level of assessment;
- As indicated in Section 8.0 the proposed contravention of the development standard is considered to be in the public interest because it is consistent with the objectives of the zone and the objectives of the development standard.

11.0 Conclusion

The proposed development contravenes the Minimum Lot Size development standard under cl4.1 of HLEP 2011. The minimum lot size control under cl4.1 of the HLEP is a development standard and is not excluded from the application of cl4.6. The proposal, being a boundary adjustment that results in two lot below the minimum lot size, is non-compliant with the control.

This written request to vary the development standard has been prepared in accordance with cl4.6(3) of the LEP and demonstrates that strict compliance with the development standard is unreasonable and unnecessary for the reasons outlined in section 7.0 and outlines in Section 8.0 the environmental planning grounds that are sufficient to justify the contravention of the lot size development standard in the particular circumstances of this case.

In conclusion the proposal is considered to be in the public interest as both the relevant development standard objectives and the zone objectives are satisfied by the development. Further, there are no identified adverse environmental impacts arising from the development.

On this basis, it is with confidence that this clause 4.6 written request for variation to clause 4.1 Minimum Lot Size under HLEP 2011 is submitted to Council in support of DA 2018-507.1

DJ McKenzie
Planning Consultant
DMPlanning



Australian Government
Department of the Environment and Energy

Ref: MC19-008358

Mr Craig Swift-McNair
General Manager
Port Macquarie Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Dear Mr Swift-McNair

Thank you for your letter of 3 July 2019 to the Minister for the Environment, the Hon Sussan Ley MP, providing a copy of a submission to Council from the community group, Revive Lake Cathie, and seeking advice on the Lake Cathie Opening Strategy. Your letter has been passed on to the Department of the Environment and Energy to reply.

The Australian Government has a national role in the implementation of the Ramsar Convention on wetlands of international importance, but as you would be aware, no role in the day to day management of the wetlands of the Lake Innes - Cathie catchment. Nevertheless, I commend the Council on your engagement with stakeholders in the management of the system, and your decision to review the Opening Strategy and improve the management of the Lake.

In terms of funding, there may be an opportunity for the Revive Lake Cathie Group or the Council, to apply for funds under the Australian Government's Communities Environment Program, to undertake management actions resulting from the review. The program provides up to \$150,000 for each electorate to support cleaner and greener communities, including restoring coasts, wetlands, riverbanks and waterways. Your local Federal Member can be contacted regarding possible nomination for funding. Further details are at:
<http://www.environment.gov.au/cep>

I also recommend that you contact wetlands staff in the Region Operations Division of the NSW Department of Planning, Industry and Environment for advice about management measures that could be undertaken at Lake Cathie.

Thank you for bringing this matter to the Government's attention.

Yours sincerely

Mark Taylor
Assistant Secretary
Commonwealth Environmental Water Office

31 July 2019

PORT MACQUARIE HASTINGS 11078	
TRIM No	UM10
6 AUG 2019	
Keyword	
Activity	
Subject	
Folder	SF12/9915

**Planning,
Industry &
Environment**

Our Ref: DOC19/602545
Your Ref: SF12/9915

General Manager
Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2484

Attention: Ms Melissa Watkins, Director, Development and Environment

Dear Mr Swift-McNair

Subject: Request for advice on the management of Lake Cathie

Thank you for your letter dated 9 July 2019 about the management of Lake Cathie seeking advice from the Biodiversity and Conservation Division of the Department of Planning, Industry and Environment on the review of the Lake Cathie Opening Strategy. I appreciate the opportunity to provide input.

The Biodiversity and Conservation Division (BCD) was in the Office of Environment and Heritage (OEH) but now forms part of the Environment, Energy and Science Group in the Department of Planning, Industry and Environment (see <https://www.dpie.nsw.gov.au>).

Our Waters, Floodplains and Coast Team are best-placed to provide comment on behalf of the Department for the management of Lake Innes and Lake Cathie, and that this is underway through the interagency consultation process that the Port Macquarie Hastings Council has recently initiated. Hence, we do not have any comments on this matter that relate to conservation planning at this stage.

If you have any further questions about this matter, Dr Andrew Huggett, Senior Conservation Planning Officer, Biodiversity and Conservation, can be contacted on 6659 8240 or at andrew.huggett@environment.nsw.gov.au.

Yours sincerely

15 August 2019

DIMITRI YOUNG
Senior Team Leader Planning, North East Branch
Biodiversity and Conservation

22 AUG 2019	
TRIM No	
Keyword	
Activity	
Subject	
Folder	SF12/9915

Locked Bag 914 Coffs Harbour NSW 2450
Federation House, Level 8
24 Moonee Street Coffs Harbour NSW 2450
Tel: (02) 6659 8200 Fax: (02) 6659 8281
ABN 20 770 707 468
dpie.nsw.gov.au



Port Macquarie-Hastings Council

Koala Recovery Strategy 2018

Port Macquarie-Hastings Koala Recovery Strategy

Acknowledgements

This strategy was prepared by Port Macquarie-Hastings Council with contributions from those listed below.

Expert advisory panel

Jason Berrigan -NatureCall Environmental

Cheyne Flanagan - Koala Protection Society NSW & Port Macquarie Koala Hospital

Andrew Marshall - National Parks and Wildlife

Dr Steve Phillips - Biolink

John Turbill - Office of Environment and Heritage

Community panel (as part of the Comprehensive Koala Plan of Management)

Councillor Lisa Intemann

Councillor Trevor Sargent

John Jayes - North Coast Environment Council

Ken Aplin – Mammologist

Patrick Mcentee - Conservationist

Michelle Love - Local Development Industry

Jenny Russell – Conservationist

Bunyah Local Aboriginal Land Council

Tony Thorne - Local Development Industry

Michale Mowle - Local Development Industry

Bev Sibthorpe – Conservationist

Sally Stutsell – Conservationist

Cheyne Flanagan - Koala Protection Society Australia & Port Macquarie Koala Hospital

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Message from the Mayor

The koala is an iconic and important native Australian animal. We are very lucky to have a nationally significant population of koalas here in the Port Macquarie-Hastings as well as the internationally recognised Port Macquarie Koala Hospital, one of few such institutions in Australia.

The koala contributes to the character of the area, with many koalas visible within our urban areas. The koala is also important for our economy, attracting many visitors to the area each year.

In 2013, Biolink prepared a comprehensive report on the state of koala populations and habitat in our area. The report identified the need for council to take a proactive approach to identifying important habitat areas and setting out a management framework. Council is committed to providing habitat for our koalas to ensure a permanent free-living population over their present range.

The successful implementation of the Port Macquarie-Hastings Koala Recovery Strategy relies on Council working together with the New South Wales Government, landowners, environmental groups and the community over the next 10 years.

This is a strategy for all of us - Council, natural resource managers, residents, businesses and tourists - and will guide how we work together to manage and conserve our koala population and manage koala habitat into the future.



Cr Peta Pinson

Mayor, Port Macquarie-Hastings

1 Executive Summary

Koalas (*Phascolarctos cinereus*) are tree-dwelling, Folivore (leaf eating), medium-sized marsupials and are the most iconic of Australia's wildlife species. Since the arrival of Europeans, the koala has suffered a dramatic decline in numbers and distribution and is currently listed as 'vulnerable to extinction' under Federal legislation.

The Port Macquarie-Hastings koala population has suffered decline largely due to habitat clearing, modification and fragmentation. Other threats to the local population include disease, fire, logging, road deaths and predation by dogs. These threats are unlikely to abate without action. An array of recovery focussed management actions are needed to ensure the long-term sustainable management of koalas across the region.

The Port Macquarie-Hastings Koala Recovery Strategy has been developed by Port Macquarie-Hastings Council (PMHC) to identify the key issues that are impacting the local koala population. It provides actions and guidelines to aid in the recovery of the local koala.

The Port Macquarie-Hastings Koala Recovery Strategy aims to:

- safeguard the welfare of koalas and reverse the current population decline;
- encourage management of areas of Koala habitat and increase habitat linkage opportunities;
- maintain the genetic diversity of koalas in the LGA;
- reduce Koala road strike;
- reduce domestic dog attacks;
- assist in the development of Fire Management Plans for the LGA;
- increase community and public awareness concerning Koala conservation and management; and
- increase our understanding of local threats to population by undertaking selective and localised research.

2 Introduction

Koalas (*Phascolarctos cinereus*) are tree-dwelling, Folivore (leaf eating), medium-sized marsupials that worldwide, are the most recognised of Australia's wildlife species. The koala is found in Australia's eastern and southern coastal regions, inhabiting Queensland, New South Wales, Victoria, and South Australia. Since the arrival of Europeans, the koala has suffered a dramatic decline in numbers and distribution and is currently listed as 'vulnerable to extinction' under the Biodiversity Conservation Act 2016. Such listing gives the species more protection and attention, and means proposals for development that will affect koala habitat are rigorously assessed.

The Port Macquarie-Hastings area is home to an estimated 2,000 koalas - a nationally significant population with most located in the coastal strip east of the Pacific Highway. The local koala population has suffered decline largely due to habitat clearing and fragmentation. Other threats to the local population include disease, fire, logging, road deaths and predation by dogs. These threats are unlikely to abate without action, and may be further exacerbated by climate change impacts. An array of recovery-focussed management actions are needed to ensure the long-term sustainable management of koalas across the region.

The Port Macquarie-Hastings Recovery Koala Strategy ('the Strategy') has been developed by Port Macquarie-Hastings Council (PMHC) to identify the key issues that are impacting the koala population in the PMHC Local Government Area (LGA). It provides actions and guidelines to aid in the recovery of the local population and assistance in managing these impacts.

The Strategy is based on the scientific information and outcomes of the Port Macquarie-Hastings Koala Habitat Study (Phillips, 2013) and follows both the National and (Draft) New South Wales (NSW) Koala Management Strategies in aligning management and protection measures for koalas.

The Strategy aims to:

- Safeguard the welfare of koalas and reverse the current population decline
- Encourage management of areas of Koala habitat and increase habitat linkage opportunities
- Maintain the genetic diversity of koalas in the LGA
- Reduce Koala road strike
- Reduce domestic dog attacks
- Assist in development of Fire Management Plans for the LGA
- Increase community and public awareness concerning Koala conservation and management

Extract from the PMHC “Towards 2030: Community Strategic Plan”

What are we trying to achieve?

We understand and manage the impact that the community has on the natural environment. We protect the environment now and in the future.

How do we get there?

- 4.1 Protect and restore natural areas,
- 4.7 Increase awareness of and plan for the preservation of local flora and fauna,
- 4.9 Manage development outcomes to minimise the impact on the natural environment

We will have:

An environment that is protected and conserved for future generations, development outcomes that are ecologically sustainable and complement our natural environment, and residents that are environmentally aware and take a sense of local pride at our region being home to an internationally recognised, iconic animal.

Through this strategy, PMHC is committed to the health and welfare of koalas and their habitat and recognises the social, educational, and economic benefits of having a thriving population of koalas in Port Macquarie-Hastings LGA.

3 Koalas in New South Wales

In NSW, koalas mainly live on the central and north coasts, with some populations west of the Great Dividing Range, on the south coast and on the southern tablelands. Most populations live in isolated habitats and many areas in which koalas are most abundant are subject to intense pressures. Koalas are listed as 'vulnerable' under the *Biodiversity Conservation Act 2016* as NSW populations have declined by an estimated 26% over the past 15 to 21 years. Development of areas of Core koala habitat is managed under State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP44).

Protecting and managing koalas today is a complex task. Much of their habitat occurs on private land where there are many competing land uses and the range of management issues is varied. The need for a strategic approach across all land managers to the management of koalas to maximise the effectiveness of conservation efforts has been recognised by NSW Government who are developing a NSW Koala Strategy. The draft NSW Koala Strategy is scheduled for release in December 2017 (OEH, 2017).

Three coastal koala populations in NSW, previously supporting large populations have now been listed as 'endangered populations', including the area between the Tweed and Brunswick Rivers, the Hawks Nest and Tea Gardens populations, and, the Pittwater LGA. All of these populations, and many others that are not listed, have shown similar trajectories of decline in line with the Adams-Hosking *et al.* (2015) review of 26% with this decline expected to continue for the next three generations.

Coastal areas with their high levels of development are not the only regions where koala populations are under threat. Inland areas also show declining koala populations due to habitat loss and habitat degradation (attributable to increased drought events, hotter weather and extreme climatic events).

Koalas have also declined in the central west region, with the Pilliga Forests population (in the Narrabri Shire LGA) showing a decline of 80% since the 1990s. The NSW Chief Scientist and Engineer (2016) and Predavec (2016) suggest that the Liverpool Plains and Gunnedah koala populations have experienced similar declines.

4 Koalas in Port Macquarie-Hastings

Koalas have a long history in the Port Macquarie-Hastings area. Sighting records date back to 1949 with historical photographs showing evidence of a significant koala population well into the preceding century. Unfortunately during these early times koalas were hunted for their skins, depleting the number in this area considerably. Koalas feature in many Aboriginal dreaming and creation stories and are a totemic species of many tribes. Today, Port Macquarie-Hastings supports a nationally significant population of about 2,000 koalas. One of the largest populations of koalas remaining on the east coast of Australia (Phillips, 2013).

Koalas are found across most of the PHMC LGA with the highest concentration (66%) living east of the Pacific Highway in the urban areas. At present, more than 80,000 hectares (21%) of the LGA is classified as suitable koala habitat with about 24% of this habitat occupied by koalas (Phillips, 2013). This occupancy figure is low when compared to similar areas on the north coast of NSW. Notably, most koala habitat occurs outside formally protected areas such as National Parks, and is instead occurring across different land uses and tenures within the LGA.

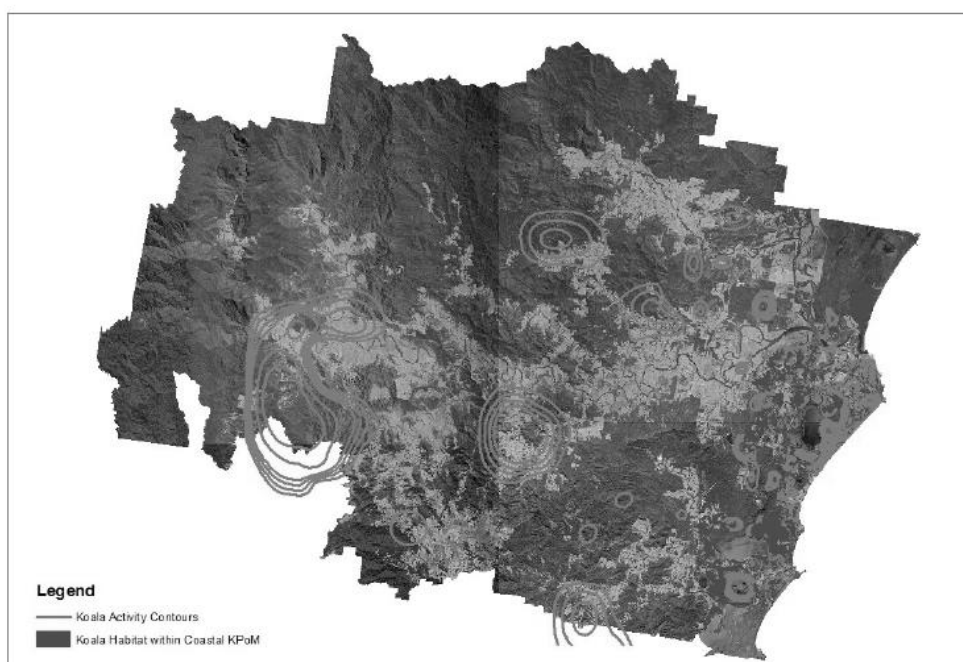


Figure 1 Coastal Koala habitat and activity contours within the Local Government Area.

Survey data indicates approximately 1,200 koalas occur in the coastal strip east of the Pacific Highway between the Hastings and Camden Haven Rivers. This includes a nationally significant source population with an estimated population size of greater than 500 individuals located on public and freehold lands surrounding Lake Innes. Secondary geographically discrete populations occur around Telegraph Point-Red Hill, Bonny Hills and Camden Haven, Dunbogan and around Yarras-Debenham in the western reaches of the Hastings Valley (Figure 1).

Based on the current population configuration in the coastal strip and records in the higher elevated areas to the west, at least four genetically distinct koala populations are considered likely within the LGA. Preserving unique koala genomes and the genetic diversity they provide is of fundamental importance to koala population health, increasing their resilience to physical abnormalities, diseases and their ability to adapt to change.

Research in 2013 concluded that the Extent of Occupancy of Koalas within LGA hadn't changes, which is synonymous with a stable population (Phillips, 2013). However, recent Port Macquarie Koala Hospital records and population modelling undertaken subsequently by Council points to a decline in the local coastal population (Figure 2). Without intervention and clear direction and action to mitigate or remove some of the threats currently impacting on the koala population in the PMHC LGA, it is likely that they will become extremely rare in most areas within 25 years and functionally extinct within the next 50 years.

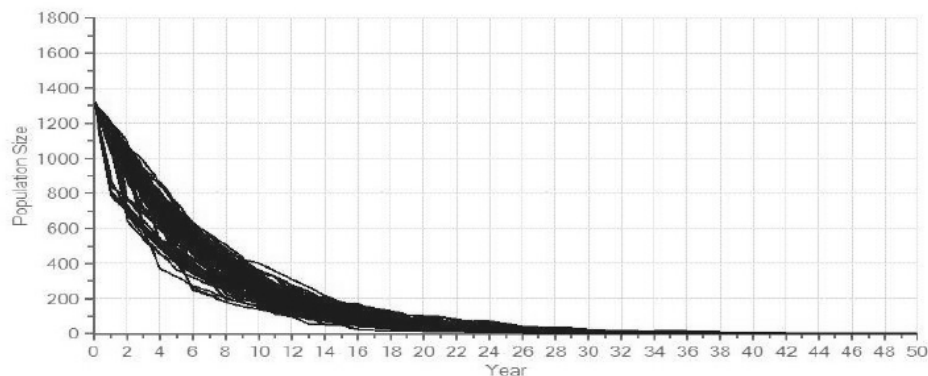


Figure 2 Koala Population Viability Assessment. - Projected population decline if current threat levels remain

5 The challenges faced by koalas

By 2036, the Port Macquarie-Hastings region is expected to be home to approximately 108,000 people, most living in the coastal region, east of the Pacific Highway. The need to accommodate this population growth, including new subdivision areas and new roads to connect them, will put pressure on existing areas of koala habitat on privately owned land. Without a strategic approach to managing development in or close to this koala habitat, vital areas may be lost entirely or become isolated or reduced in size so that their ability to maintain a healthy koala population is threatened. Barriers to recruitment and dispersal are created through fragmentation of koala habitat isolating individuals and sub-populations, altering population dynamics, impeding gene flow and the ability to maintain effective recruitment levels.

Urban development close to koala populations poses several significant threats to individual koalas including attack by domestic dogs and road strikes. While koalas spend the majority of their time in trees they also need to come to ground to move between trees within their home range. For koalas living in or near urban areas much of their habitat is dissected by roads placing them at greater risk of being struck by cars, particularly at night. Climbing over fences into backyards where dogs may be present can lead to confrontation and serious injuries or death to the koala.

Large landscape bushfire (wildfire) is a major threat to koalas in the PMHC LGA. Koalas become trapped at the top of trees and cannot escape. Koalas frequently therefore experience direct mortality or injuries, such as burnt paws, which effects their ability to forage and climb trees. Wildfire can also result in severe short-term shortages of food resources for local populations. The PMHC koala population has predominant concentrations in the Lake Innes and Yarras-Debenham areas. A severe wildfire in either of these areas could therefore greatly impact the LGA's koala population. Conversely, a lack of fire, promotes rainforest colonisation in the coastal region of the LGA, which degrades koala habitat. Careful management of fire regimes, through prescribed or hazard reduction burning, in and around koala habitat is therefore important to protect local populations.

Forestry harvesting on both state forests estate and private lands (under Private Native Forest Code of Practice approvals) can significantly impact on koala habitat by selectively removing key food trees and degrading habitat quality. Lack of adequate pre-harvest surveys, particularly on private lands, often means that management prescriptions are not triggered or implemented.

Koalas are vulnerable to a wide range of diseases, including the highly infectious bacterial disease *Chlamydia*. Such diseases tend to become more prevalent when koalas are under stress which can be the case with decreased habitat opportunities and the increasing impacts of urbanisation (e.g. McAlpine *et al.*, 2017). These koala diseases not only result in increased

mortality of individuals, but can also render koalas infertile. This means that while koala populations might appear 'stable' while the current cohort of individuals are still alive, the future is bleak with low numbers of young being produced.

Overall, the current estimated average "area of occupancy" (*% of occupied habitat*) by free-ranging koala populations across the LGA is considered to be less than optimal, at 24% (Phillips, 2013)

Population modelling based on koala activity data has resulted in identification of key koala population hubs, the largest of which is located around the northern fringes of Lake Innes, Kooloonbung Creek and the Christmas Bell Plains, with smaller outliers in the Lake Cathie and Bonny Hills localities. Population cells in the Red Hill – Telegraph Point area and at Dunbogan likely represent extreme outliers of other koala genomes centred to the north (Kempsey) and south (Taree) respectively. West of the Pacific Highway, one or more population cells are also present in the Yarras–Debenham area. However more detailed surveys are required to fully document the population in the western areas of the LGA.

Knowledge of koalas in the western parts of the LGA is lacking, both in terms of habitat selection, home range size and distribution.

In summary, the Port Macquarie-Hastings koala population is under threat from a variety of processes (Figure 3):

- destruction of koala habitat by clearing for urban development, roadwork, forestry, and agricultural activities
- fragmentation of koala habitat such that barriers to recruitment and dispersal are created
- domestic dog attacks
- vehicular strikes
- wildfire and prescribed burns
- stress and associated illnesses and diseases.

The loss of habitat and or the fragmentation severely interrupts the home range, movement patterns, social structure and stress levels in koala populations, making them much more vulnerable to disease, road strike and dog attack. Thus taking in its totality, habitat loss and fragmentation is considered the principal cause of decline in koala populations.

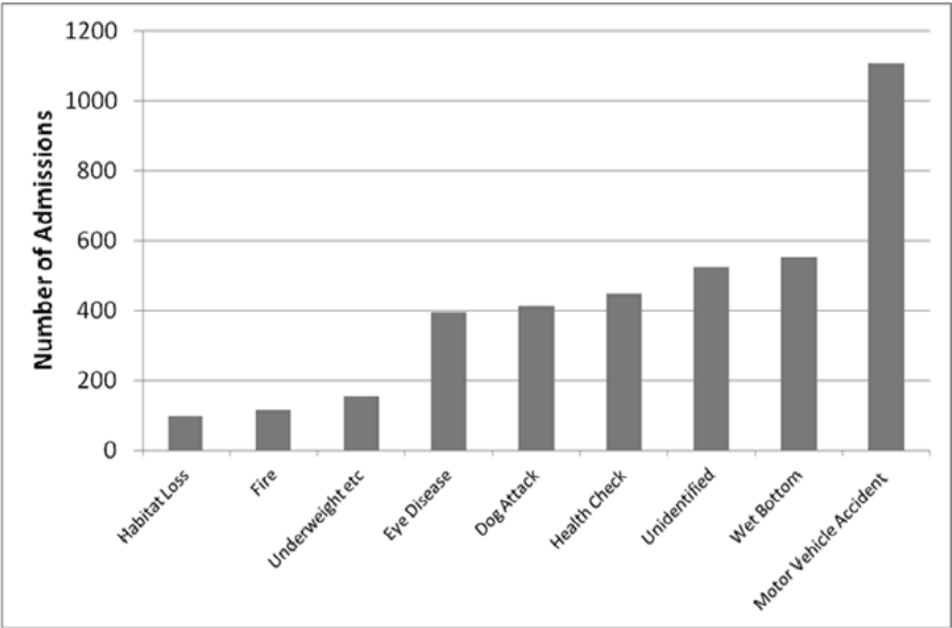


Figure 3 Total Koala Admissions to the Local Koala Hospital, Port Macquarie

6 Recommended Actions

6.1 Habitat Loss, Modification and Fragmentation

Koalas face many threats to an increasingly cleared, developed and fragmented landscape. The biggest threat to koalas is habitat loss, including impacts from clearing for development and selective logging. Much of the koala's habitat in Port Macquarie Hastings area overlaps with areas where significant clearing has occurred, and continues to occur, for urban, industrial and rural development.

Data found by Phillips (2013) supports an assertion that the long-term logging of tree species preferred by koalas is having an effect on koala carrying capacity. As of 2016 there was 3,413ha of approved Private Native Forest (PNF) operations located on land that has been identified as Core Koala Habitat in Council's draft Comprehensive Coastal Koala Plan of Management. This represents 21% of all core Koala Habitat mapped east of the Pacific Highway and could be a significant threat to the long-term viability of the local koala population.

In order to meet NSW government logging quotas, Forest Corp are required to or are sourcing source timber from trees below 400mm DBH (Diameter at Breast Height) size. Phillips (2013) identified that on low fertility soils, koalas tend to preferentially select larger tree sizes. This implies that the ongoing practice of logging small trees on Forest Corp land may continue to suppress the ability for impacted koalas to recover, or that the removal of smaller trees sizes will over time degrade koala habitat quality, and limit their home ranges to protected gullies and exclusion zones containing remaining koala food trees.

Habitat loss associated with residential and industrial development has been historically poorly managed through piece-meal site-specific Koala Plans of Management. The major failings of site-specific KPoMs include the inability to adequately address a development within the landscape setting and to assess cumulative impacts over time and space. Such important issues of addressing home ranges, variations in seasonal occupation, and habitat corridors, are more often overlooked. On average, this has led to the net loss of koala habitat, and the increase of threats such as dog attacks and road strike in areas regulated by site-specific Koala Plans of Management.

Habitat fragmentation can also be a contributing factor to population decline. Research by McAlpine *et al.* (2005; 2006; 2007) suggests that the chances of koalas being present declines rapidly as the percentage of koala habitat or overall forest cover falls below 60-70% of the landscape.

HABITAT LOSS, MODIFICATION AND FRAGMENTATION

Recommended Actions: The loss and fragmentation of koala habitat is proposed to be managed by the following actions:

1. Completion and adoption of the Coastal Koala Plan of Management and review provisions in the Development Control Plan (DCP).
2. Request an update of the NSW Biodiversity Values Map pursuant to Biodiversity Conservation Act 2016 to include core koala habitat as per approved Coastal Koala Plan of Management.
3. In partnership with NSW OEH update the NSW koala likelihood model based on updated home range information and koala habitat mapping (see Research Initiatives) to improve koala habitat protection measures associated with private native forestry.
4. Expand Coastal Koala Plan of Management to include the entire LGA once home range study and fine scale habitat mapping is complete (see Research Initiatives)
5. Explore re-populating unoccupied koala habitat on rural lands with willing landholders.
6. Resolve, by way of Council internal procedure, that development approved under Part 5 of the Environmental Planning and Assessment Act 1979 be subject to the same provisions as those outlined in Council's Coastal Koala Plan of Management.
7. Ensure land rezoning take into account koala habitat as per council's CKPoM (once approved)

6.2 Koalas and Roads

Koalas spend most of their time in trees, but they do need to come to ground to move between trees within their home range. This on-ground movement mostly occurs at night but koalas can be active at any time. Between July and September, koalas will spend more time moving across the ground as adult males seek mates and juveniles disperse into new home ranges.

For a koala living in or near areas that have been developed and urbanised, much of their habitat is dissected by roads. On-ground movement across these roads places koalas at great risk of being hit by cars, particularly at dawn and dusk. This risk increases where traffic volume and speed are high and where road position and road design create 'black spots' where koalas are hard to see. Vehicle related koala mortality has the most significant impact on koalas after habitat clearing and fragmentation with many of the koalas that are killed being breeding-age animals. Figure 4 details koala roads strike occurrences since 2000. The road strike 'black spots', contributing to the majority of koala deaths, as of 2017, are identified as:

1. Ocean Drive between Port Macquarie and Lake Cathie
2. Pacific Highway between the Oxley Highway and Kew interchanges
3. Lake Road between Blackbutt Road and Hill Street
4. Oxley Highway between Morton Street and Widderson Street

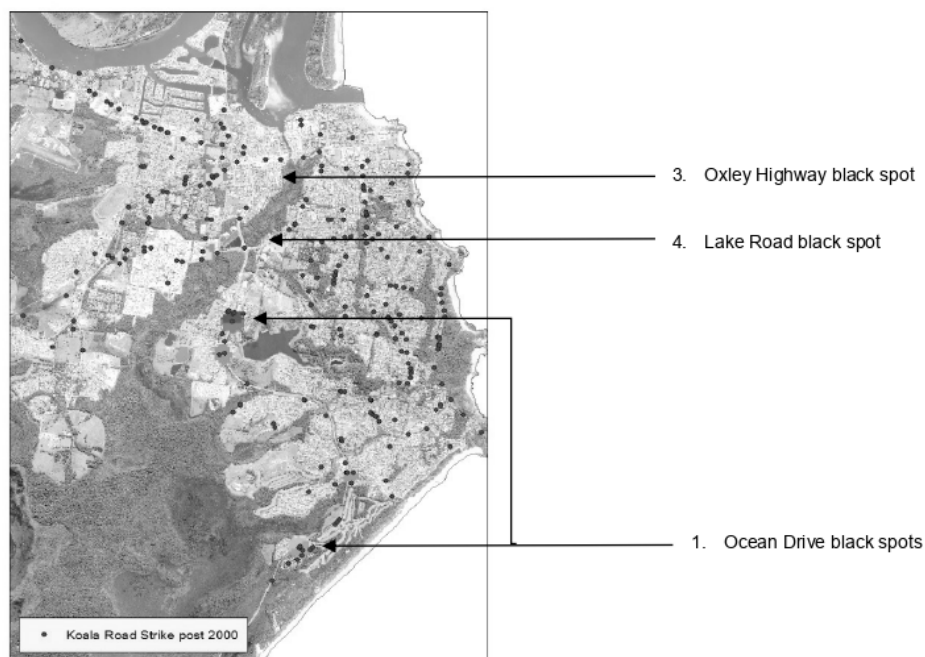


Figure 4 Heat Map Analysis of Koala Road Strike post 2000. Areas of frequent road strike is represent by green to yellow (moderate) and orange to red (high) clustering

ROAD STRIKE

Recommended Actions: Reduction of koala road strike is to be achieved through the following actions:

1. Risk of road strike on future development regulated by provisions and road design measures detailed in Council's Coastal Koala Plan of Management.
2. Design and trial an 'urban-friendly' koala road grid solution to be used on urban road intersections together with fit for purpose koala proof fencing to exclude koala from high risk roads.
3. Install koala proof fencing and koala grids at major intersections shown to be koala black spots.
4. Target and investigate solutions to reduce road strike on currently identified roads, as listed below, and future sites as identified:
 - Lake Road between Blackbutt Road and Hill Street
 - Oxley Highway between Morton Street and Widderson Street
5. Advocate for the installation of koala proof fencing on the Pacific Highway between the Oxley Highway and Kew interchanges.

6.3 Koalas and Dogs

As habitat patches become smaller and more fragmented, koalas are more likely to move through developed urban areas. Koalas have to cross roads in these urban areas and move through properties where they may be attacked by dogs. Koalas on the ground are particularly vulnerable to dog predation especially when they traverse a dogs 'territory' or backyard.

The high prevalence of domestic dogs in the Port Macquarie –Hastings established urban areas results in serious injuries and death to koalas. Domestic dog attacks are the second highest cause of admissions to the Port Macquarie Koala Hospital. Figures 5 and 6 detail areas subject to frequent dog attacks by way of heat map analysis. Areas of high incidents of dog attacks since 2000 include Oceanview Terrace, Swift Street, and McLaren Drive in Port Macquarie, and Ernest Street in Lake Cathie.

Many dogs are curious by nature. Even if they generally don't chase wildlife, their investigation of a koala in their backyard may cause injuries to both the koala and the dog. A small quick bite is enough to kill a koala as they have thin skin and low resilience to injury.



Figure 5 Dog attack incidents in Port Macquarie post 2000. Areas of frequent dogs attacks represent by yellow (moderate) and red (high) clustering

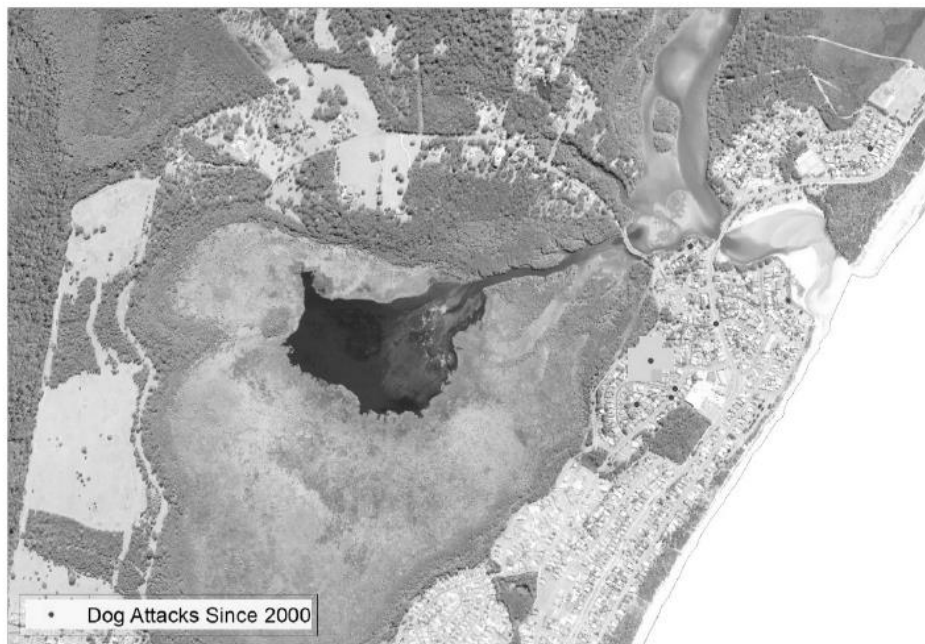


Figure 6 Dog attack incidents in Lake Cathie post 2000. Area of frequent dog attacks represented by orange (moderate) clustering

DOG PREDATION

Recommended Actions: Reduction in domestic dog attack incidents are to be achieved by the following actions:

1. Risk of dog attack from future development be regulated by provisions / development design measures detailed within Council's Coastal Koala Plan of Management.
2. Develop a dog desensitisation training mobile app and education material to be provided to all new registered dogs and to local dog clubs.
3. Where dog desensitisation is not an option, investigate measures with the home- or dog-owner to exclude koalas from entering the property in areas as per action 2.
4. Provide annual community education /awareness information at the start of each year's breeding season and upon registration of new dogs in areas of koala habitat.

6.4 Wildfire and high intensity prescribed burning

Natural random events such as large-scale wildfires can have a massive impact on the local koala population. High intensity wildfires in koala habitat result in canopy scorching and can cause significant multiple mortalities leaving large tracts of unoccupied habitat and a collapse in the social structures of koala populations and loss of genetic diversity. Recovery from wildfires is often measured in decades.

High intensity prescribed burning, where canopy scorch is prevalent can also have a similar effect. Timely koala rescue efforts post-fire are problematic due to safety constraints associated with working on a fire ground. Two examples of recent wildfires within Port Macquarie Hastings Core Koala Habitat include the airport fire in 2002 and the wildfires on the Dunbogan Peninsular in 2005 and 2012 respectively (Figure 7).

Koalas have evolved with fire. Their habitat, being wet or dry sclerophyll forest, requires burning to maintain its ecological function and health. However, as land use and development has boxed and fragmented koalas into ever smaller habitats, and as fire regimes and climate change events continue to be larger and more intense, the ability for koala populations to recover from fire is greatly reduced.



Figure 7 Wildfires within Core Koala Habitat in the Port Macquarie Hastings LGA: Airport (left) and Dunbogan Peninsular (right)

The issue of managing fire and koala habitat is a complex problem and is currently being explored through the recently formed Hastings-Macleay Fire and Biodiversity Consortium (FABCON). This consortium, consisting of representatives from OEH, RFS, Fire and Rescue, the Port Macquarie Koala Hospital, Forest Corp, Kempsey Shire Council and Port Macquarie-Hastings Council, is progressing with the development of a Hastings-Macleay Koala Fire Plan for the coastal koala habitat areas in both LGAs. The plan seeks to improve koala conservation by:

- reducing the impact of catastrophic wildfires on koalas
- conducting ecological burning (where required) to prevent the modification of koala habitat and succession of key areas of koala habitat from eucalypt-dominated communities into rainforest
- ensuring that all hazard reductions are undertaken in a manner which is beneficial to koala conservation and does not harm individual animals
- improving knowledge on fire management and koala activity levels and health.

The Hastings-Macleay Koala Fire Plan will seek to achieve these aims by:

- identifying important koala habitat patches at risk from fire;
- identifying important koala habitat patches that may require a burn;
- examining site and landscape-scale management regimes that may be applied to benefit koala habitat on these sites (site by site basis)
- examining the impact of fire on koala persistence through examination of fire history (intervals and intensity), vegetation types and koala activity levels
- examining the impact of fire (intensity/ weather conditions/type of burn) on koalas (fatalities/injuries data from the Port Macquarie Koala Hospital database)
- developing a Code of Practice for Hazard Reduction Burning in Koala Habitat
- developing a Code of Practice for Koala Rescue following Fire.

FIRE MANAGEMENT

Recommended Actions: The issue of managing fire and koala habitat is currently being explored through the Hastings-Macleay Fire and Biodiversity Consortium (FABCON) who will produce a Hastings-Macleay Koala Fire Plan for the coastal koala habitat areas in both LGAs.

This strategy seeks to enable FABCON to meet its stated objectives and aims.

7 Other Strategic Recovery Initiatives

A summary of the recommended koala recovery plan management actions are provided in Table 1. In addition to these recommendations, recovery initiatives to mitigate local threats and respond to recovery of koala population have also been explored.

7.1 Research

There are still some large knowledge gaps in understating of koalas in the Port Macquarie Hastings LGA. Research priorities include:

- Undertake fine scale detailed koala habitat mapping for land west of the Pacific Highway.
- Identify if large areas of unoccupied koala habitat are occurring within the LGA as a legacy of wildfires, habitat fragmentation, and the historic skin trade. This information would inform the establishment of a potential koala relocation programme with participating rural landholders and the Port Macquarie Koala Hospital, subject to licencing approvals.
- Undertake an analysis of home ranges of local koalas and their seasonal use of landscapes in the western areas of the LGA.

7.2 Community Education

- Develop a dog desensitisation training mobile app and education material to be provided to all new registered dogs and to local dog clubs.
- Explore availability of 'Citizen Science' koala location app and education materials for the community to register sightings of koalas.
- Partner with the Port Macquarie Koala Hospital to undertake annual school and community education to foster behavioural change in order to reduce threats to the koala population.
- Undertake koala friendly backyard assessment with participating community members to improve survivability of the remnant koala habitat in urban areas.

8 Measuring Success and Strategy Review

Measuring the success of the Koala Recovery Strategy is of utmost importance. Within the first three months of the Strategy's adoption an expert panel will be formed to design a monitoring program in conjunction with the Comprehensive Koala Plan of Management. The monitoring plan will include but will not be limited to:

1. A comprehensive initial survey to examine likely population within the Coastal KPOM area (using genetics) delivered within the first 12 months;
2. Snapshot surveys using a stratified, replicated design at the 1, 3 and 5 year mark which can examine broad population trends; and
3. A follow-up survey using the genetic methods at the 5 year mark.

The Strategy will be reviewed in accordance with the findings of the monitoring.

Success should be measured by the following metrics:

1. Stable Koala Population by 2023, with a trend of increasing population by 2029
2. Stable or increasing Area of Occupation and Extent of Occupation by 2029
3. 50% reduction in road strike and dog attack admissions to the Port Macquarie Koala Hospital by 2023
4. Implementation of the Hastings Macleay Koala Fire Plan.

Koala population assessment will be measured by the following indicators:

- Prevalence of factors affecting mortality (relative admissions for koala disease, road strike, dog attack, fate of release animals and number of euthanised koalas). This will be undertaken on an annual basis and results compared against previous years.
- Area of occupation and extent of occupation. This will be undertaken every four years using the results of The Great Koala Count, other citizen science initiatives and additional Council SAT survey work.
- Assessment of abundance trends in sub-populations, undertaken using Rapid SAT methodology and consideration of activity levels (Phillips and Wallis, 2016). A stratified sample of the different sub-populations will be undertaken every 2 years.

Review of this plan will be undertaken every 6 years.

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Table 1: Recovery Actions

Recovery Initiative	Action	Priority	Timing	Cost	Key Performance Measures
Habit Degradation and Fragmentation	Completion and adoption of the Coastal Koala Plan of Management (CKPoM) and update provisions in the Development Control Plan (DCP).	High	September 2018	Council In kind	Plan is adopted by Council and approved by the NSW Department of Planning and Environment

	Request for an update of the NSW Biodiversity Values Map to include core koala habitat as per approved Comprehensive Koala Plan of Management.	Medium	Upon approval of CKPoM	Council In kind	Biodiversity Values Map updated
	Update the NSW Koala likelihood model based on updated data on home range information and koala habitat mapping*	Medium	Upon completion of data	Council in kind	NSW Koala likelihood model updated
	Expand Comprehensive Koala Plan of Management to include the entire LGA*	High	2018-2020	Council In-kind	Plan is adopted by Council and approved by the NSW Department of Planning and Environment
	Repopulate unoccupied koala habitat*	Medium	2020-2026	Council and Port Macquarie Koala Hospital in-kind + \$20,000 p.a for 5 years	Suitable Port Macquarie Koala Hospital patients successfully relocated to unoccupied habitat with participating landholders.
	Part 5 internal procedure for managing Koala Habitat	High	Upon approval of CKPoM	Council In kind	Procedure adopted and REF template updated.

- Contingent on completion of habitat mapping and home range analysis (see research initiative)

Recovery Initiative	Action	Priority	Timing	Cost	Key Performance Measure
Road Strike	Design and trial an 'urban- friendly' koala road grid solution to be used on urban road intersections together with fit for purpose koala proof fencing at high risk sites.	High	2017-2018	\$10,000	Koala grid and fit for purpose fence trailed and approved for urban streets.
	Install 28.8km of koala proof fencing and koala grids at major intersections on Ocean Drive, from Koala Street to the Lake Innes Fire trail	High	Upgrade of Ocean Drive or external funding	\$1.32M (as part of RMS funded Ocean Drive upgrade)	Fence and grids installed. Road strike reduced by 90%
	Investigate solutions to reduce road strike on: <ul style="list-style-type: none"> Lake Road between Blackbutt Rd and Hill St Oxley Highway between Morton St and Widderson St 	High	2019-2021	In-kind	Road strike mitigation measures designed and with allocated budget
Dog Attack	Advocate for the installation on koala proof fencing on the Pacific Highway between the Oxley Highway and Kew interchanges	High	2019-2020	RMS funded	RMS commits to installing fence and allocates budget
	Council to work with willing landowners with problem dogs in areas supporting koalas. This would be achieved by Council paying to retrofit fences to ensure koala exclusion on properties	High	2018 onwards	\$20,000 p.a	At least 3 properties retro-fitted each year.

Recovery Initiative	Action	Priority	Timing	Cost	Key Performance Measure
Fire	Complete Hastings- Macleay Koala Fire Plan	High	2017-2019	\$41,000 (grant funded)	Plan completed and actions implemented by agencies
Research	Undertake fine scale detailed koala habitat mapping is as required for land west of the Pacific Highway.	High	2018-2020	\$80,000	Mapping completed to standard that is accepted by DPE and OEH
	Koala home range analysis	High	2017-2019 (underway)	\$8,000 (grant funded)	Home ranges defined for western division of LGA
	Assessment of koala presence of habitat previously considered to be 'Unoccupied' habitat	Medium	2020 onwards	\$20,000	
Education	Dog desensitisation training app and Brochures	Medium	2019-2020	\$25,000	App and brochures developed and used by 50% of new dog owners.
	Citizen science koala location app	Medium	2019-2020	\$10,000	App developed and utilised by local community
	Annual School education programme		2019-2020 onwards	Incorporated into existing council community education programs	100% of local primary schools engaged per annum.
Monitoring	Koala population assessment	Medium	2018 every 3 years there after	\$90,000 every 3 years	Data is current and relevant to measure the success of the strategy.

9 References

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Appendix 1: Tree preferences in the LGA

Data from 10,186 trees collected during the course of the field assessment were augmented by other local studies in order to more thoroughly investigate utilisation of potential koala food trees. Consistent with previous work, 11 species were identified as the most significant koala food trees utilised by Koalas within the LGA:

Tallowwood, *Eucalyptus microcorys*
Swamp Mahogany, *E. robusta*
Forest Red Gum, *E. tereticornis*
Small-fruited Grey Gum, *E. propinqua*
Bastard Tallowwood, *E. planchoniana*
Orange Red Gum, *E. bancroftii*
Scribbly Gum, *E. racemosa*
Tallowwood hybrid, *E. patentinervis*
Flooded Gum, *E. grandis*
Blue Gum, *E. saligna*
Red Mahogany, *E. resnifera*