



Notice of Ordinary Meeting

to be held at the Yalawanyi Ganya Council Chambers, with participation via weblink provided to Councillors

25 August 2021 at 2.00pm

The order of the business will be as detailed below (subject to variation by Council):

1. Opening meeting
2. Acknowledgment of Traditional Custodians
3. Prayer
4. Special Activity
5. Apologies or Applications for leave of absence
6. Confirmation of Minutes
7. Disclosures of Interest
8. Mayoral Minute(s)
9. Notices of Rescission
10. Notices of Motions
11. Questions with Notice
12. Reports to Council
13. Matters of urgent business
14. Confidential matters
15. Close of meeting

Adrian Panuccio
General Manager

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NOTICE OF MOTION

NOTICE OF MOTION – CR K BELL

Report Author **Cr Kathryn Bell**

File No. / ECM Index **Notices of Motion**

Date of Meeting **25 August 2021**

SUMMARY OF REPORT

Cr Bell has given notice of her intention to move the motion as detailed below.

NOTICE OF MOTION

That the General Manager report to the next council meeting on progress with rectification of flood damage to MidCoast Council community assets such as parks and gardens.

That the report is to include (but not be limited to):

1. Recreation assets (such as Harry Bennett Park in Taree)
2. The extent, nature and effectiveness of "temporary fixes" and safety devices installed at sites awaiting insurance assessment and/or repair, and
3. Noting the delays in insurance assessments regarding flood damage
 - a. Whether the temporary fixes are sufficient
 - b. Whether the council might be able to take more substantial abatement action at sites, without prejudicing its insurance claims.
4. Progress and cost of repair to community assets
5. Any other flood damage/repair information the General Manager believes is useful and worthwhile information for community members.

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QUESTIONS WITH NOTICE:

QUESTIONS WITH NOTICE – COUNCILLOR P EPOV

Report Author Councillor P Epov

File No. / ECM Index MidCoast Council - Questions with Notice

Date of Meeting 25 August 2021

QUESTION(S):

Question 1

Long Term Financial Plan

Can the General Manager please explain why the recent Long Term Financial Plan (presented to the July 2021, Council Meeting) did not apply the figures that were published in Council's Budget projections contained within the adopted DPOP and why were MidCoast Assist's figures included in the 'General Fund' projections of the Long Term Financial Plan, when it's a separate company, owned by Council, and administered under auspices of the National Competition Policy?

Question 2

Asset Renewal

As there was no Asset Renewal Plan nor a Long-Term Financial Plan for Capital Works (spanning at least 10 years) accompanying the recently published (July 2021 version) of Council's Long-Term Financial Plan, can the General Manager confirm that Council may have significant future asset renewal liabilities which could range into the tens of millions of dollars, as the water and sewer infrastructure in Forster / Tuncurry, Taree and Wingham reaches end of life?

Question 3

Council Wharfs

Can the General Manager advise when all of Council's Wharf's were last inspected, was there a Report published and have there been any incidents in the past 12 months?

RESPONSE BY GENERAL MANAGER:

Question 1

The recent Long-Term Financial Plan is built on the 2021-2022 draft budget that was approved by Council. A range of current indexation factors were applied to the various income and expenditure types with this projected out over a ten-year time horizon.

The budget projections contained within the adopted Delivery Program / Operational Plan were deliberately conservative and based on the inclusion of known increases eg rates, wages, capital programs with the balance of items subject to a minimal or zero increase. The use of projections from previous Long-Term Financial Plans was determined to be inappropriate due to the significant change in economic conditions since those plans were prepared and reviewed.

With respect to the inclusion of MidCoast Assist operations within the General Fund Long Term Financial Plan, this is the correct treatment of the operation. MidCoast Assist is not a separate legal entity or company but its operations are a function of Council.

Council has previously resolved that the MidCoast Assist operations be treated as a Business Unit for compliance with National Competition Policy reporting requirements. This is because it competes with the private sector in the provision of National Disability Insurance Scheme (NDIS) services and due to the financial turnover of this operation. This impacts how it is reported within Council's Annual Financial Statements, requiring the preparation of additional Special Purpose Financial Statements as a Category 1 business unit.

Question 2

The Long-Term Financial Plan is based on the current and projected capital works program.

The ten-year Transport Asset Program was previously reported to Council and is updated ahead of each adoption of the Operating Plan.

For water and sewer infrastructure, the LTFP is based on annual allowances for asset renewals and the major capital projects that form part of the 2018 Strategic Business Plan and 2016 Integrated Water Cycle Management (IWCM) Plan. The IWCM Strategy has commenced being reviewed and a sub-project is underway to refine the ten-year asset renewal programs.

The Operating Results projected in the LTFP are based on the most up to date information. Review will be necessary to examine the impact of escalating construction costs. However, both the water & sewer funds are expected to generate surpluses over the ten-year term. This means they are fully funding asset depreciation and therefore are capable of sustaining asset renewal at the rate which assets are deteriorating.

Question 3

Council wharves were last inspected in September 2019. The inspection program was undertaken by an independent Consulting Engineer.

Council was provided with a report from the Consulting Engineer that was supported by an inspection summary and photos of each of the Council wharves inspected.

This inspection process is part of Council's standard Asset Management framework and was not reported to Council.

Further inspections have been conducted by staff post the March 2021 floods and Council has engaged an independent Consulting Engineer to undertake follow up inspections where there is evidence of damage.

Council staff are aware of one incident on Council wharves over the past 12 months.

CONSIDERATION OF OFFICERS' REPORTS:

GENERAL MANAGER

1. MATTERS OUTSTANDING

Report Author **Adrian Panuccio, General Manager**
File No. / ECM Index **Governance/Council Meetings**
Date of Meeting **25 August 2021**
Authorising Director

SUMMARY OF REPORT

This report provides a list of matters outstanding from Notices of Motion and other Resolutions of Council since 1 January 2018.

SUMMARY OF RECOMMENDATION

That the report and Attachment A be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Section 335(b) of the *Local Government Act 1993* states that one function of the General Manager is to implement, without undue delay, lawful decisions of the Council.

ATTACHMENTS

A: Resolution Register.

Attachment A has been circulated electronically to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

DISCUSSION

This report provides a list of matters outstanding from Notices of Motion and other resolutions of Council. It provides details of:

- Resolution number
- Meeting date
- Item name
- Resolution as adopted
- Responsible Directorate
- Current status of implementation

CONSULTATION

Relevant Directors and staff of Council.

COMMUNITY IMPACTS

To ensure the decisions of Council are implemented.

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

That the report and Attachment A be noted.

DIRECTOR LIVEABLE COMMUNITIES

2. THE BIGHT CEMETERY, WINGHAM – UPDATE 6

Report Author Paul De Szell - Director Liveable Communities

File No. / ECM Index

Date of Meeting 25 August 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report provides both Council and the community with an update on the most recent actions undertaken in relation to The Bight Cemetery, Wingham and seeks Council's adoption of a revised and updated 'The Bight Cemetery Restoration Action Plan'.

SUMMARY OF RECOMMENDATION

1. That Council note the information provided in this report.
2. That Council adopt the revised and updated 'The Bight Cemetery Restoration Action Plan' provided in Attachment A.
3. That all registered parties / affected families be informed of the adoption of a revised and updated 'The Bight Cemetery Restoration Action Plan'.
4. That the process outlined in the revised and updated 'The Bight Cemetery Restoration Action Plan' be commenced without any further delay.

FINANCIAL/RESOURCE IMPLICATIONS

Council's insurers have advised that all rectification works at The Bight Cemetery will be covered under Council's Insurance Policy.

Council will however be required to pay the excess on the policy which is \$12,500. The cost of the excess is proposed to be funded out of revoted unspent funds in the cemetery operations budget which have been transferred to an internal reserve.

LEGAL IMPLICATIONS

Council has sought legal advice (externally) in relation to several matters of interpretation of the Cemeteries and Crematoria Act 2013 and Council's Special Counsel has liaised directly with staff from Cemeteries and Crematoria NSW to assist in this interpretation.

ATTACHMENT

A: The Bight Cemetery Restoration Action Plan

Attachment A has been circulated electronically to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

BACKGROUND

Council at its meeting of 11 September 2019 considered an initial update report in relation to the actions that have occurred and are proposed to occur at The Bight Cemetery, Wingham.

At this meeting Council resolved:

1. *That the information provided in this report be noted; and*
2. *That Council endorse the actions identified in Annexure A to this report.*

The actions identified in Annexure A to the report that were presented to Council on 11 September 2019 were in a tabular form which was updated with additional columns to highlight:

- a) at what stage the action will be undertaken; and
- b) the status of the action.

This was presented to Council on 27 November 2019.

This table is contained in Attachment B in the above-mentioned report.

Also presented to Council at its meeting of 27 November 2019 was a draft 'Restoration Action Plan for The Bight Cemetery', Wingham which was agreed to as a stage two action.

At this meeting Council resolved:

1. *That the information provided in this report be noted.*
2. *That Council liaise with "The Blight of the Bight", community group, National Trust, Heritage Advisor and affected families prior to the formal adoption of the Draft "The Bight Cemetery Restoration Action Plan".*
3. *That information provided by Council in response to GIPA Application 20/20 be provided to Councillors via email by the next Council Meeting.*
4. *Council liaises with the families over the appointment of the stonemasons*

At the Council meeting of 25 March 2020, a report on point two of the above resolution was presented.

This report discussed the feedback received on the draft 'The Bight Cemetery Restoration Action Plan' from Council's Heritage Advisor, Cemeteries and Crematoria NSW, Blight of the Bight community group, National Trust and family members.

At this meeting Council resolved:

1. *Council note the information provided in this report.*
2. *Council engage an independent professionally qualified heritage consultant to prepare a Conservation Management Plan for The Bight Cemetery in accordance with the NSW Heritage Office guidelines and the National Trust Guidelines for Cemetery Conservation.*
3. *Information from the Conservation Management Plan for The Bight Cemetery (once adopted by Council) be used to update the Draft 'The Bight Cemetery Restoration Action Plan'.*

4. *The Draft 'The Bight Cemetery Restoration Action Plan' be updated as recommended in the body of this report.*
5. *Further to consultation with Council's Heritage officer and Heritage Reference group, a further report be provided to Council that includes a finalised Restoration Action Plan for The Bight Cemetery so that it can be adopted and works can proceed.*
6. *As a parallel process, Council undertake the assessment of all impacted headstones as a separate task.*
7. *Council split the repair and restoration into 2 sections (headstones less than 50 years and headstones more than 50 years old).*
8. *Council discuss assessments with families.*
9. *Council proceed with work for headstones less than 50 years old (in parallel with the development of the Conservation Management Plan) if deemed appropriate by Council's Heritage Officer.*

At the Council meeting of 16 December 2020 both Council and the community were provided with an update on the feedback provided in relation to the draft Conservation Management Plan and the revised Restoration Action Plan for The Bight Cemetery, Wingham.

At this meeting Council resolved that:

1. *Council note the information provided in this report.*
2. *Council adopt draft 'The Bight Cemetery Conservation Management Plan' subject to the changes outlined in this report.*
3. *Council adopt the updated 'The Bight Cemetery Restoration Action Plan'.*
4. *That Council acknowledge an error in the original report pertaining to the date in which the Heritage Reference Group received the information in relation to the draft CMP and The Bight Cemetery Restoration Action Plan.*
5. *That a letter be sent to families and contacts to update them.*

More recently, on 30 June 2021 both Council and the community were provided with a further update, which indicated that staff had continued to refine and correct the adopted Conservation Management Plan and confirmed the ongoing desire of staff to move forward and commence the restoration of the monuments and memorials which were laid over in July 2019.

The report also indicated that since the adoption of the Action Plan and Conservation Management Plan, staff had also been working through the advice provided by Cemeteries and Crematoria NSW (CCNSW) that was submitted in relation to the draft Conservation Management Plan and Action Plan for restoration (see Annexure A).

In particular, the last paragraph of the attachment to the advice received from CCNSW (Annexure A) states:

“Council should note that families saying they represent the families of the deceased interment right holder or those interred may not necessarily have the legal right to provide consent to works on monumentation on a grave. As noted above where a holder is deceased, the cemetery operator can transfer the interment right to the beneficiaries of the holder’s estate or their successors, with appropriate supporting documentation. That new holder can then give permission concerning any works to memorialisation of a grave. A cemetery operator cannot override that right. Beneficiaries of an estate may not necessarily be family members or those contacting Council. In addition, succession for those who pass away intestate is determined in accordance with intestacy rules set out in the Succession Act 2006”.

At this meeting Council resolved:

1. *That Council apologises for the delay in carrying out restoration works at The Bight Cemetery.*
2. *That Council liaise with Cemeteries & Crematoria NSW in relation to The Bight Cemetery Restoration Action Plan.*
3. *That Council staff correspond with and update all registered parties/ affected families in relation to enacting the steps outlined in the table of actions within The Bight Cemetery Restoration Action Plan.*
4. *That Council continue to update the conservation management plan (CMP) as necessary as more information comes to light, noting that the CMP is a document that can be edited and updated when needed.*
5. *That Council notes the report.*
6. *That an updated report come back to Council no later than August 2021.*

DISCUSSION

Council staff considered the comments of CCNSW (see Annexure A) and concluded that the issues raised had ramifications, more broadly, for the processes currently adopted to achieve restoration of the 68 affected headstones.

In response, Council sought external legal advice in relation to several matters of interpretation of the Cemeteries and Crematoria Act 2013 and Special Counsel engaged by Council liaised directly with staff from Cemeteries and Crematoria NSW to assist in this interpretation. The purpose of this advice was to assist in legally defining the correct process for both Council and the affected families to follow under the provisions of the Cemeteries and Crematoria Act 2013.

This advice has culminated in the drafting of a revised and updated ‘The Bight Cemetery Restoration Action Plan’ (see Attachment A), which now sets out the correct legal process to achieve restoration of the 68 affected headstones.

Following the completion of this work, a revised and updated ‘The Bight Cemetery Restoration Action Plan’ was forwarded to Cemeteries and Crematoria NSW with a letter which is provided in Annexure B.

In response, Cemeteries and Crematoria NSW have indicated that:

“the process which Council has proposed is consistent with the spirit of the legislation and the provisions of the ActCCNSW does not have any further suggested amendments or specific comments to make on the updated plan and thanks the Council for their co-operation in resolving this matter”.

In addition to these comments Cemeteries and Crematoria NSW have also requested that:

“Council provide CCNSW with quarterly progress reports on the action taken to resolve this matter until all of the rectification works have been completed on the affected headstones. The first progress report, due by end October, should specify the time frames on the Action Plan, including an estimation of when all works will be completed”.

A complete copy of the response provided by Cemeteries and Crematoria NSW is provided in Annexure C.

Council staff have worked closely with both Special Counsel and Cemeteries and Crematoria NSW to revise and update ‘The Bight Cemetery Restoration Action Plan’. Once adopted this will enable a process to begin to achieve restoration of the 68 affected headstones.

Community Consultation

While the community has been consulted at several points during the initial preparation and then revision of ‘The Bight Cemetery Restoration Action Plan’, they have not been consulted in the preparation of the attached revised and updated ‘plan’.

This is because the purpose of the revision and updating has been to define the statutory process that is required to be followed under the Cemeteries and Crematoria Act 2013.

On this basis only Cemeteries and Crematoria NSW, the statutory authority in relation to all Cemeteries and Crematoria in NSW, has been consulted.

Both the community and all registered parties / affected families will be informed if the Council resolves to adopt the revised and updated ‘The Bight Cemetery Restoration Action Plan’.

RECOMMENDATION

1. That Council note the information provided in this report.
 2. That Council adopt the revised and updated ‘The Bight Cemetery Restoration Action Plan’ provided in Attachment A.
 3. That all registered parties / affected families be informed of the adoption of a revised and updated ‘The Bight Cemetery Restoration Action Plan’.
 4. That the process outlined in the revised and updated ‘The Bight Cemetery Restoration Action Plan’ be commenced without any further delay.
-

ANNEXURES

A: Letter from Cemeteries & Crematoria NSW dated 27 November 2020



OUT20/14660

27 November 2020

The General Manager
MidCoast Council
PO Box 482
TAREE NSW 2430

council@midcoast.nsw.gov.au

Dear Mr Panuccio

The Bight Cemetery Conservation Management Plan

Thank you for your email of 15 October 2020 regarding The Bight Cemetery Conservation Management Plan.

Cemeteries & Crematoria NSW (CCNSW) is the part of the NSW Government that regulates cemetery and crematorium operators and provides information on burial and cremation options to the public. Its objectives include ensuring that everyone in NSW has the right to a dignified burial or cremation, that is respectful of religious and cultural beliefs.

CCNSW also has a role in addressing and resolving complaints concerning cemeteries and crematoria, including Crown land, local government, private, church and community operated cemeteries and crematoria.

In commenting on the management plan, I would like to refer to CCNSW's previous letter to you of 5 February 2020 (our reference OUT20/1264) concerning The Bight Cemetery, along with our previous correspondence with Mr Paul De Szell of Mid Coast Council, concerning numerous complaints received by CCNSW in relation to Council's actions in laying down grave monuments within The Bight Cemetery. CCNSW has previously outlined our expectations, as regulator, in addressing the concerns raised.

CCNSW will continue monitoring Council's progress in responding to this matter. We appreciate Council has accepted that Council staff did incorrectly laid down a number of headstones at The Bight Cemetery, Wingham and that, following concerns from the community all work in relation to the laying down of headstones at The Bight and other cemeteries was indefinitely suspended.

CCNSW notes Council's public exhibition of The Bight Cemetery Conservation Management Plan and updated version of The Bight Cemetery Restoration Action Plan are currently on public exhibition. Our comments on these documents are attached for your reference.

These comments do not constitute legal advice but represent CCNSW's understanding of the law. Council is recommended to obtain its own legal advice.

Finally, CCNSW requests that Council continue to keep CCNSW informed of progress to resolve this matter, and that you confirm with us once all of the rectification works have been completed on the affected headstones.

Locked Bag 5022, Parramatta NSW 2124
Tel: 02 9842 8473 ABN: 20 770 707 468
www.dpie.nsw.gov.au/ccnsw

If you have any queries please contact Martin Sewell, Operations Manager at CCNSW, by phone 9842 8470 or email martin.sewell@cemeteries.nsw.gov.au.

Yours sincerely



Jennifer Hickey
Chief Executive Officer
Cemeteries & Crematoria NSW

Attachment 1 – CCNSW comments on The Bight Cemetery Conservation Management Plan

1. **Section 3.2 “State Legislation” on page 9 is missing reference to the *Cemeteries and Crematoria Act 2013* and the *Crown Lands Management Act 2013*.**

The *Cemeteries and Crematoria Act 2013* regulates the interment sector, including cemetery operators such as Mid Coast Council, and interment rights

Under Section 46(1)(e) of the *Cemeteries and Crematoria Act 2013* a cemetery operator must leave any memorial to the deceased person lawfully erected at that site, with the permission of the cemetery operator, undisturbed (providing the interment right remains in force and the memorial is kept in good repair) until such time as the memorial may be disturbed in accordance with the Act unless disturbance at an earlier time is requested or authorised by the holder of the interment right.

The *Crown Lands Management Act 2016* provides for the regulation and management of Crown land in NSW. The Bight Cemetery is on Crown land (State Government land). Council (MCC) has responsibility for the cemetery under s.48 *Local Government Act 1993*. Management of the cemetery must be consistent with the requirements of the *Crown Lands Management Act 2016*.

2. **Section 7.5 “Owner’s Requirements” on page 95 incorrectly refers to The Bight Cemetery as being located on MCC owned land.**

The cemetery is on Crown land (State Government land). MCCC has responsibility for the cemetery under s.48 *Local Government Act 1993*. It should be noted that MCC has not been appointed Crown Land Manager of the land under the *Crown Lands Management Act 2016*. However, Council is the Crown Cemetery Operator of the land under the *Cemeteries and Crematoria Act 2013*.

3. **Section 8.4 “Conservation and Maintenance” on page 99 also needs to note that as stated above under Section 46(1)(e) of the *Cemeteries and Crematoria Act 2013* a cemetery operator must leave any memorial to the deceased person lawfully erected at that site, with the permission of the cemetery operator, undisturbed (providing the interment right remains in force and the memorial is kept in good repair) until such time as the memorial may be disturbed in accordance with the Act unless disturbance at an earlier time is requested or authorised by the holder of the interment right.**

Where a holder is deceased, the cemetery operator can transfer the interment right to the beneficiaries of the holder’s estate or their successors, with appropriate supporting documentation. That new holder can then give permission concerning any works to memorialisation of a grave. A cemetery operator cannot override that right.

If Council was not able to identify beneficiaries of the holder’s estate or successors, CCNSW would expect, consistent with Part 4 of the *Cemeteries and Crematoria Act 2013*, that Council be able to demonstrate they have made reasonable efforts to identify who the beneficiaries of the late interment right holder’s estate are (if any) or their successors, and / or whether any possible other living successors to the holder agrees with proposed monument works at a grave, pending the transfer of the interment right to a new living holder,

This section should also note operators have a responsibility to ensure that monuments are designed and installed to meet appropriate standards and policies—most notably AS 4204:2019 *Headstones and cemetery monuments* and AS 4425:1996 *Above ground burial structures*.

CCNSW comments on The Bight Cemetery Restoration Action Plan:

1. **"7. The Monuments Risk Assessment and Management Program remain suspended.."** on page 7:

As previously requested in correspondence with Council concerning complaints about the laying down of monuments in The Bight Cemetery, CCNSW expects Council to refer to CCNSW any relevant cemeteries policies, processes and procedures prepared in response, for endorsement by CCNSW prior to adoption and implementation by Council

2. **"14. That there be wider promotion and longer notification periods be used because many families are outside the area..."** :

Council should note that families saying they represent the families of the deceased interment right holder or those interred may not necessarily have the legal right to provide consent to works on monumentation on a grave. As noted above where a holder is deceased, the cemetery operator can transfer the interment right to the beneficiaries of the holder's estate or their successors, with appropriate supporting documentation. That new holder can then give permission concerning any works to memorialisation of a grave. A cemetery operator cannot override that right. Beneficiaries of an estate may not necessarily be family members or those contacting Council. In addition succession for those who pass away intestate is determined in accordance with intestacy rules set out in the *Succession Act 2006*.

B: Council letter to Cemeteries & Crematoria NSW dated 19 July 2021



2 Biripi Way | PO Box 482
Taree NSW 2430

19 July 2021

Jennifer Hickey
Chief Executive Officer
Cemeteries & Crematoria NSW
Department of Planning, Industry & Environment

Your ref: OUT20/14660

Attention: Martin Sewell (Operations Manager) – Only by email

Dear Officers

The Bight Cemetery – Update on Conservation Management Plan and Action Plan

Thank you for your letter dated 27 November 2020.

In response to submissions received from the public exhibition of the Bight Cemetery Conservation Management Plan (CMP), including the valuable response from CCNSW, the CMP has been updated and all errors identified thus far have been corrected to the best of Council's knowledge.

As previously communicated to CCNSW, following the incorrect laying down of headstones by Council staff at the Bight Cemetery, the Council held a public meeting and met with interested community representatives. The desired outcomes expressed by the community, and the Council's actions to deliver on them, were endorsed by Council and subsequently documented in the Bight Cemetery Restoration Action Plan (the Action Plan), which was adopted on 16 December 2020.

Council officers have also considered the comments of CCNSW and concluded that the issues raised also have ramifications, more broadly, for the Council's processes to achieve restoration of the 68 affected headstones.

In particular, Council notes the following response from CCNSW:

Where a holder is deceased, the cemetery operator can transfer the interment right to the beneficiaries of the holder's estate or their successors, with appropriate supporting documentation. That new holder can then give permission concerning any works to memorialisation of a grave. A cemetery operator cannot override that right.

If Council was not able to identify beneficiaries of the holder's estate or successors, CCNSW would expect, consistent with Part 4 of the Cemeteries and Crematoria Act 2013, that Council be able to demonstrate they have made reasonable efforts to identify who the beneficiaries of the late interment right holder's estate are (if any) or their successors, and / or whether any possible other living successors to the holder agrees with proposed monument works at a grave, pending the transfer of the interment right to a new living holder.

In order to guide a practical response to the issues raised, Council officers have prepared an amended Action Plan. A copy of the amended Action Plan (dated July 2021) with marked-up

Forster | Gloucester | Taree | Tea Gardens | Stroud | ABN: 44 961 208 161 | Contact us: 7955 7777
council@midcoast.nsw.gov.au | www.midcoast.nsw.gov.au | midcoastcouncil | @midcoastcouncil

tracked-changes showing the amendments from the adopted version (enclosed). It is intended that the amended Action Plan be put before the Council's elected body, with a recommendation for adoption, as soon as possible.

The Council in particular draws your attention to Part 6 of the Action Plan, to which the following additional Action Item has been added:

Action	Details
Seek to determine the legal Interment Right Holder/s for each of the headstones requiring restoration.	<p>Council will:</p> <ol style="list-style-type: none"> 1. Investigate its records; 2. Carry out broad public notification for a 28-day period, inviting applications under the <i>Cemeteries and Crematoria Act 2013</i> to: <ol style="list-style-type: none"> (a) record an interment right devolving to another person (s49 or s50); (b) transfer an interment right to another person or to the Council as cemetery operator (s58 or s59); (c) request a determination as to whether a person/s is the holder of an interment right (s61); 3. Assess and determine any applications received in accordance with the <i>Cemeteries and Crematoria Act 2013</i> and amend the interment right holder in Council's cemetery register accordingly if necessary. <p>Further information in relation to this Action is set out in Annexure B.</p>

The Council's preliminary review of its records reveals that the Council's "old cemetery register" only contains records from 1968 onwards, when the Council's predecessor commenced management of the cemetery.

Of the 68 affected headstones, only 25 relate to an interment after 1968. That is, in respect of more than half of the memorials, the Council does not hold any records as to the original interment right holder. In such circumstances, it cannot be assumed that the person interred was the interment right holder.

With this in mind, to address the very likely circumstances that a holder of an interment right cannot be conclusively determined, the Council proposes the following course of action (see Annexure B):

Circumstances	Process
If no applications are received or if the determination of any applications results in there being no registered holder in respect of an interment right relevant to a headstone proposed for repair.	<p>The Council will consult with registered interested family members in relation to the proposed restoration works.</p> <p>Whether to proceed with a particular scope of works for a headstone will be decided on a case-by-case basis, taking into account any submissions received.</p>

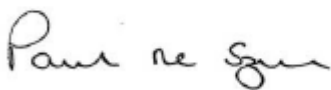
If there is no registered holder and no registered family members.	The Council will proceed with a particular scope of works in accordance with the principles in this Action Plan and the Conservation Management Plan.
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Several other associated amendments have been made to guide the communications by Council with both family members who have registered their contact details and the lawful interment right holder.

I wish to notify CCNSW of this intended course of action (as documented in the revised Action Plan) and provide CCNSW with an opportunity for comment. I would be grateful if CCNSW could review the enclosed amended Action Plan and advise if it has any objection to the processes, actions and outcomes proposed therein.

Should you wish to discuss, please contact me on (02) 7955 7410 or by email paul.deszell@midcoast.nsw.gov.au

Yours sincerely



Paul De Szell
Director Liveable Communities



C: Letter from Cemeteries & Crematoria NSW dated 13 August 2021



OUT21/10336

13 August 2021

The General Manager
MidCoast Council
PO Box 482
TAREE NSW 2430

council@midcoast.nsw.gov.au

Attention Paul De Szell

Dear Mr Panuccio

The Bight Cemetery Restoration Action Plan

Thank you for Council's email of 19 July 2021 regarding the updated The Bight Cemetery Restoration Action Plan.

After reviewing the updated plan, Cemeteries & Crematoria NSW (CCNSW) considers the process which Council has proposed is consistent with the spirit of the legislation and the provisions of the Act. These comments do not constitute legal advice but represent CCNSW's understanding of the law. Council is recommended to obtain its own legal advice.

CCNSW acknowledges that you will be undertaking a public information program to identify interment rights holders and urges you to undertake that process as soon as possible.

CCNSW also requests that Council provide CCNSW with quarterly progress reports on the action taken to resolve this matter until all of the rectification works have been completed on the affected headstones. The first progress report, due by end October, should specify the time frames on the Action Plan, including an estimation of when all works will be completed.

CCNSW does not have any further suggested amendments or specific comments to make on the updated plan and thanks the Council for their co-operation in resolving this matter.

If you have any queries please contact Martin Sewell, Operations Manager at CCNSW, phone 9842 8470 or email martin.sewell@cemeteries.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads 'Jennifer Hickey'.

Jennifer Hickey
Chief Executive Officer
Cemeteries & Crematoria NSW

Locked Bag 5022, Parramatta NSW 2124
Tel: 02 9842 8473 ABN: 20 770 707 468
www.dpie.nsw.gov.au/ccnsw

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3. INTEGRATED DEVELOPMENT – HUNTINGTON CIRCUIT, HARRINGTON

Report Author Ben Lim-Cooper - Development Assessment Planner

DA No. DA2020/7263

Date of Meeting 25 August 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

Council is in receipt of a Development Application (DA2020/7263) for an integrated development consisting of a 45-lot community title subdivision, construction of 44 dwellings and associated roadways on land described as Lot 52, DP 271329, Huntington Circuit, Harrington.

Eight submissions have been received in relation to the proposed development.

DETAILS

Date Received: 2 February 2021

Applicant: Willow Tree Planning

Owner: Roche Group Pty Ltd

Land: Lot 52, DP 271329, Huntington Circuit, Harrington, NSW, 2427.

SUMMARY OF RECOMMENDATION

That the development application be approved subject to conditions.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Statement of Environmental Effects

B: Submissions

Due to the size of Attachment A this has been circulated in electronic format only to Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

Attachment B has been circulated electronically to the Councillors and Senior Staff, however this attachment is publicly available on Council's website. The copy on the website has had the personal information redacted to protect the privacy of the members of the public providing submissions.

The site is irregular in shape and has a total area of approximately 5.8 ha.

The land within the site is relatively flat and is clear of vegetation.

Land adjoining the northern, eastern and southern boundaries of the site comprise established residential lots which maintain frontage with Boambee Street, Mary Ann Court, Minimbah Avenue and Beach Street respectively.

Land adjoining the western boundary of the site comprises newly created community title lots.

SITE HISTORY

Lot 52, DP271329 is a residue lot created under development consent 228/2019/DA which was issued on 4 April 2019.

In addition to creating this development lot, the development consent also approved 50 single-storey dwellings and roadways. The approved lot plan is shown in Figure 3 below.

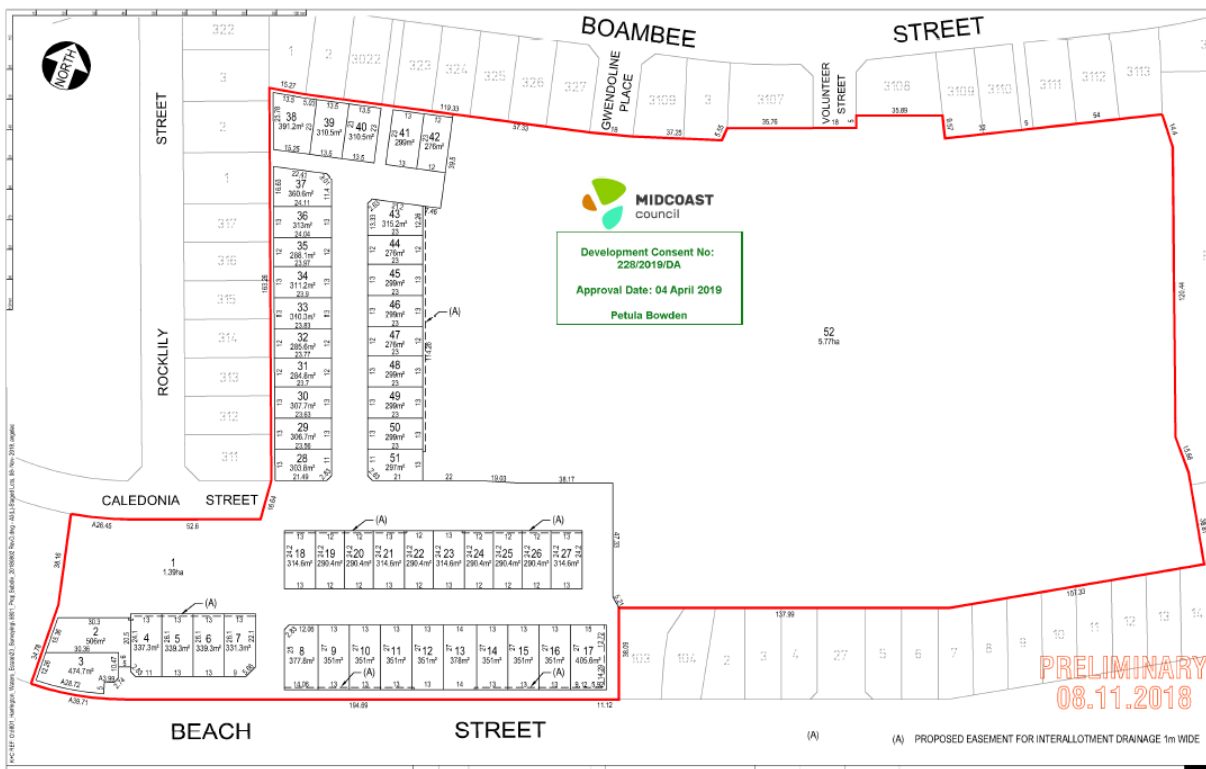


Figure 3: Approved Plan Extract (228/2019/DA) (Source: King + Campbell)

PROPOSAL

The proposed integrated development involves a community title subdivision, construction of single-storey dwellings and associated roadways.

Community Title Subdivision

The proposal seeks consent for a 45-lot community title subdivision of the land.

The subdivision intends to create 44 residential lots and one residue lot. The proposed subdivision will be integrated with the previously approved community title subdivision adjoining the western boundary of the site.

The proposed residential lots will have areas ranging from approximately 275m² – 430m². The residue lot will have an area of approximately 3.77 ha.

Residential Dwellings

The proposal also seeks to construct single-storey dwellings on each of the proposed residential lots. The dwellings will be delivered in two stages.

Six separate dwelling typologies are proposed to be constructed ranging between two and three bedrooms with each typology providing a different architectural design.

The proposed dwelling designs are shown in the plans prepared by King + Campbell provided in Attachment A to this Report.

Roads

The proposed development also seeks construction of internal roadways providing vehicular access to each proposed residential lot.

This would see an easterly extension of Huntington Circuit to the west of the site and construction of new roads being Road 4, 5 and 9. These roads will be maintained by the Community Association.

Roads will have a constructed carriageway width of 5.5 metres within a 15-metre-wide road reserve.

Staging

The proposal is intended to be staged as follows:

Stage 1: Subdivision of Lot 52 DP271329 to create 22 lots, 1 community development lot and 1 residue lot.

Stage 2: Construction of 22 dwellings.

Stage 3: Subdivision of the community development lot into 22 lots.

Stage 4: Construction of 22 dwellings.

REPORT

Environmental Planning & Assessment Act 1979

Under Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP & A Act), a consent authority (the Council) when determining a development application, “*is to take into consideration such of the following matters as are of relevance to the development the subject of the development application*”.

The relevant matters for consideration are summarised on the following pages:

4.15 (1)(a)(i) the provisions of any environmental planning instrument

State Environmental Planning Policy

State Environmental Planning Policy (Coastal Management) 2018

The site is mapped as being within the 'coastal environment area' and Division 3 of the *State Environmental Planning Policy (Coastal Management) 2018* (Coastal SEPP) is applicable to the proposed development.

Table 1 below lists the matters for consideration prescribed by Clause 13 of the Coastal SEPP and details how they relate to the proposed development.

Table 1: Clause 13 Coastal SEPP Considerations	
Clause 13	Comment
1(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,	<p>The site benefits from a pre-approved water sensitive design strategy which reduces nutrient loads exiting the site. Council's Water Quality team have reviewed the proposal and supported the development subject to conditions.</p> <p>As detailed later in this Report, the proposed development is acceptable in relation to ecological impacts.</p> <p>The proposed development will not adversely impact on the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment.</p>
(1)(b) coastal environmental values and natural coastal processes,	<p>The proposed development is not located within proximity to the coast and will not adversely impact on coastal environmental values and natural coastal processes.</p>
(1)(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,	<p>The site is not located within proximity to any sensitive coastal lakes identified within Schedule 1 of the Coastal Management SEPP.</p>
(1)(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,	<p>The proposed development will not impact on any marine vegetation, undeveloped headlands or rock platforms.</p> <p>As addressed later in this Report, the proposed development is acceptable in relation to ecological impacts.</p>
(1)(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	<p>The site is separated from any waterbody or foreshore area by established residential lots and constructed roadways.</p> <p>The proposed development will not adversely impact on existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.</p>

<i>(1)(f) Aboriginal cultural heritage, practices and places,</i>	A search of the AHIMs database reveals no known items of Aboriginal heritage within proximity to the site.
<i>(1)(g) the use of the surf zone.</i>	The proposed development will not impact on the surf zone.

State Environmental Planning Policy No 55—Remediation of Land

The site is not identified as being potentially contaminated land based on review of Council’s records. Furthermore, the site is not known to have been previously used for any potentially contaminating land use.

The proposed development satisfies the relevant provisions contained within *State Environmental Planning Policy No 55—Remediation of Land*.

Draft Local Environmental Plan

No draft Local Environmental Plans are applicable to the proposed development.

Local Environmental Planning Instruments

Greater Taree Local Environmental Plan 2010

Development consent is sought for:

- Community Title subdivision; and
- Dwelling houses.

The site is zoned ‘R1 General Residential’ under the provisions of the *Greater Taree Local Environmental Plan 2010* (LEP).

In accordance with Clause 2.3(2), a consent authority must have regard to the objectives for the development in a zone when determining a development application in respect of land within the zone, which for the R1 zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Community Title subdivision’, is permissible in the R1 zone with the consent of Council pursuant to Clause 2.6(1) of GTLEP.

Dwelling Houses are permissible in the R1 Zone with the consent of Council.

The proposed development will contribute housing supply to meet the needs of the community. The proposed development provides a total of six different dwelling typologies which will provide a variety of housing types and densities. The proposed development satisfies the relevant objectives of the R1 Zone.

Clause 4.1 of the GTLEP generally permits the subdivision of land in the R1 zone with a minimum lot size of 450m².

The proposal before Council provides for lots that do not comply with this control. This clause however does not apply in relation to the individual lots in a community title scheme. Lots of the size proposed (275-430m²) can therefore be approved and created as community title lots.

In summary, the proposal allows for diversity in housing without adversely impacting upon amenity. The subject application is considered satisfactory with respect to the GTLEP as outlined in the table below:

LEP Clause	Response
<i>2.1 Land use zones</i>	The subject site is zoned R1 General Residential. Community title subdivision and dwelling houses are permissible with consent in the R1 zone subject to consent.
<i>2.6 Subdivision – consent requirements</i>	This clause requires Development consent for subdivision
<i>4.1 Minimum subdivision lot size</i>	The minimum Torrens title subdivision lot size applying to the land is identified as 450m ² . The proposal seeks consent for a Community Title subdivision however as per the provisions of sub-clause 4.1(4) this Clause does not apply to Community Title Subdivisions. The creation of allotments smaller than the minimum subdivision lot size is therefore permissible under a Community Title scheme.
<i>4.1A Subdivision of certain residential lots</i>	Each Lot within the proposed subdivision shall be connected to a reticulated water and sewerage system.
<i>4.3 Height of buildings</i>	The maximum building height identified for the site is 8.5m. The proposed dwelling types are all single storey and are therefore compliant with this height restriction.
<i>4.4 Floor space ratio</i>	The maximum floor space ratio applying to the subject site is 0.6:1. The floor space ratios range from 0.39:1 – 0.56:1.
<i>5.10 Heritage</i>	<p>The proposed development is not located within a heritage conservation area or within proximity to any items of heritage.</p> <p>A basic AHIMS search was conducted and the search reveals no known items of aboriginal cultural heritage located within proximity to the proposed development.</p>
<i>7.1 Acid sulfate soils</i>	<p>The subject site is identified as containing Class 3 ASS. The site has been the subject of filling as a part of works associated with DA358/2009. As a result, the subject site has existing site levels between RL2.4m AHD and RL 4m AHD. The existing levels are understood to be approximately 1.5m higher than the natural ground surface.</p> <p>It is unlikely that any excavation works associated with the development would be 1m below natural ground levels (approximately 2.5m below existing surface level) and it is unlikely that potential or actual acid sulfate soils will be encountered.</p>

7.2 Flood planning	Whilst the site is mapped as being flood prone land, this does not reflect the current state of the site. The site was subject to filling approved under 358/2009/DA which raised the levels of the land above the flood planning level. The proposed development is therefore considered to be satisfactory from a flood perspective.
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4.15 (1)(a)(ii) the provisions of any draft environmental planning instrument

No draft environmental planning instrument is applicable to the proposed development.

4.15 (1)(a)(iii) any development control plan

Greater Taree Development Control Plan 2010

The following is a summary of the evaluation of the proposal pursuant to the relevant provisions of the Greater Taree Development Control Plan 2010 (DCP 2010).

The aims of the Plan are to ensure good quality, sustainable development outcomes that maintain a high level of environmental amenity.

The Plan is designed to allow flexibility in the application of its controls where strict compliance is considered unreasonable or unnecessary provided the relevant objectives of the Plan have been achieved.

The DCP does not have controls for integrated housing nor community title subdivision and a merit based assessment has been carried out.

The development essentially comprises 2 components: community title subdivision and dwelling houses in an “integrated housing” style of development.

Part C - Subdivision requirements

- Lot size and configuration

The proposed community title lots are typically rectangular shaped with areas between 275-430m²

The proposed lots will typically contain a 12 or 13 metre site frontage to the internal road and a depth of 23 – 24m. Some minor variations in lot size will occur throughout the estate, particularly on corner lots with those lots

- Roads

The roads proposed as a part of this application will be maintained as open accessways, typically being 5.5m carriageway width within a 15m wide reserve.

The roads, albeit private roads, are proposed to be designed and constructed in accordance with the provisions of Auspec. In this regard, the roads are proposed to be designed and constructed to Council’s local street design standards with respect to longitudinal gradings, cross falls, pavement surface; and pavement design.

Auspec provides standards for road reserve and carriageway widths for public roads. Relevant road categories for the subject development, if the roads were public roads, are Access Place 5.5m carriageway width and 13.5m to 15m road reserve width. The

development proposes reserve and carriageway widths that are appropriate for the servicing and amenity of the development.

Part H - Residential requirements

The application includes architectural plans for a dwelling house on each of the proposed allotments. Part H of the DCP provides specific objectives and performance criteria for residential development.

- **Site Coverage and Lot Requirements**

Development surrounding the subject site is primarily single storey residential dwellings consistent with that proposed.

All of the proposed dwellings comply with the 0.6:1 requirement, with floor space ratios ranging between 0.39:1 to 0.56:1.

- **Building Setbacks**

Given that the application seeks consent for community title subdivision and all of the internal roads will be maintained in community ownership, the setback provisions defined within the DCP for residential development to public roads do not apply to the proposed development. Each of the proposed dwellings are however, considered to comply with the following DCP design principles as demonstrated below:

All of the proposed dwellings are to be set back 5.75m from the edge of the road.

- **Building Height**

The maximum height permitted is 8.5m. All of the proposed dwellings are of a single storey nature with heights of 5.1m to 5.3m.

- **Car Parking and Access**

Two bedroom dwellings are required to provide 1 car space and 3 bedroom dwellings are required to provide 2 car spaces. All of the proposed garages are directly accessible off a straight driveway from the internal private roads. Each garage is setback a minimum of 5.75m from the edge of kerb and is considered to provide suitable visual opportunities for pedestrians and vehicles.

All of the 3 bedroom dwelling types provide 2 garaged parking spaces whilst the 2 bedroom dwelling types provide 1 garaged parking space.

- **Private Open Space**

Each of the proposed dwellings provides useable, level private open space directly accessible from the internal living areas. This area consists of minimum 4m x 4m area. These areas are all located within the rear yard of the proposed dwellings and are therefore suitably screened from adjacent dwellings and passers-by.

The development also includes communal facilities (228/2019/DA) including a club house, swimming, pool, gymnasium and tennis court. These facilities will be available for all residents within the community title development.

- **Solar Access and Overshadowing**

All of the dwellings proposed as a part of this application are single storey and have external open space areas directly accessible from the internal living rooms. The proposal is not considered to detrimentally impact solar access, or cause detrimental overshadowing to any existing surrounding dwellings.

- Acoustic & Visual Privacy

Given the level nature of the site, and the single storey construction proposed, it is considered that internal boundary fencing (1.8m high) will provide suitable visual and acoustic privacy between the proposed dwellings and adjoining properties

- Views

The subject site and surrounding lands are predominately flat. The site is almost entirely surrounded by existing residential development. The proposed development is therefore considered very unlikely to affect any view sharing or compromise views from public thoroughfares or from private living areas

- Safety, Security and Entrances

All of the proposed dwelling types have been designed so as to front the internal street. The entrance of all dwelling types is also considered to be clearly defined and visible from the internal street. The proposed dwelling types are all considered to offer suitable opportunities for casual surveillance.

- Front Fencing

No front fences to individual allotments are proposed as a part of the proposal.

- Controls for specific forms of residential accommodation (One storey detached dwellings):

The residential development provisions in the DCP are intended for development upon lots fronting a public road. In the community title scheme proposed reduced lot sizes apply and the lots all have frontage to a private internal access road. As the proposed dwellings will not front a public street the setback has been reduced to 1m, with a typical distance of 5.75m to the kerb to allow a vehicle to park in front of the garage and not overhang the pavement.

The individual private open space areas of the proposed dwellings do not comply with the minimum standards specified within the DCP, being a minimum of 80m² of private open space directly linked to the principal living areas, with minimum dimensions of 6m x 4m. Nevertheless the private open space areas provided for the smaller dwellings proposed are considered adequate as it is proposed as a level area of private open space directly linked to the principal living areas measuring a minimum of 4m x 4m (or 16m²). The proposal further provides other area of open space including communal facilities for all residents to utilise. These facilities include a club house, landscape areas, swimming pool, gym and tennis court.

It is considered that the integrated housing development has a built form that is consistent with the desired future character of the locality and will not detract from the amenity of existing or future nearby residents or the existing quality of the environment.

4.15 (1)(a)(iia) any planning agreement or any draft planning agreement

No planning agreements are applicable to the proposed development.

4.15 (1)(a)(iv) any matters prescribed by the regulations

Not Applicable

4.15 (1)(b) the likely impacts of that development

Context and Setting

The proposed development will integrate with established residential areas adjoining the site, with the size of residential lots not dissimilar to surrounding lots. The proposed subdivision is consistent with the surrounding subdivision pattern, particularly to the west of the site. The proposed dwellings will be similar in design, bulk and scale with existing dwellings which characterise the 'Harrington Waters' residential estate.

The proposed development is consistent with the context and setting of surrounding development.

Site Design and Internal Design

The proposed design of the development is considered to be consistent with the adjoining road layout pattern. Lot sizes will vary between 275m² and 430m². Proposed dwellings are all to be single-storey and of 2-3 bedroom configuration. Dwellings will be constructed of a mix of brick veneer and lightweight cladding with custom orb roofing. Roads within the development will be constructed to a width of 5.5m within a 15m road reservation. This is largely consistent with the surrounding network.

Access, Transport and Traffic

The proposal will see the easterly extension of Huntington Circuit, which is a community lot approved as part of the community title subdivision to the west of the site. Huntington Circuit links directly with Caledonia Street (Public road) and this connection will provide the main vehicle entry and exit to the subdivision.

The internal road network will connect with Gwendoline Street and will provide exit from the site only, with entry to the subdivision via Gwendoline Street prohibited. Only dwellings within the northern section of the subdivision are likely to exit via Gwendoline Street, with the majority of vehicles exiting the site via Huntington Circuit and Caledonia Street.

The internal road network and proposed vehicular entry and exit arrangements have been reviewed by Council's Development Engineer and have been supported. No traffic or access impacts are considered likely to prevail.

Economic and Social Impacts

The proposed development presents an orderly development which provides for the housing needs of the community and increases population density in an area with good access to services. Furthermore, the construction of the proposed development will provide for employment opportunity. In this respect, the proposed development will result in positive economic and social impacts.

Amenity

The construction stage of the proposed development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval will be conditioned to ensure construction activities do not unreasonably impact on the adjoining properties and the environment by way of noise, erosion, dust and the like. In addition it is recommended that a Construction Management Plan which specifically addresses the generation of dust and noise

during both stages of the development be required to be 21 submitted to Council for approval prior to the issuing of a Construction Certificate (Subdivision).

4.15 (1)(c) the suitability of the site for the development

There are no physical constraints, heritage, threatened species or extractive resource constraints impacting on the development.

The development will not give rise to unmanageable transport demands, adequate recreational opportunities will be provided, all services will be available and there will be acceptable impacts on adjoining land owners.

The site is considered to be suitable for the proposed development as demonstrated through the assessment process. Due consideration has been given to the site attributes which are considered conducive to the proposed development.

4.15 (1)(d) any submissions made in accordance with this Act or the Regulations

The application was notified in accordance with Council’s notification procedures from 04/02/2021 to 24/02/2021.

A total of eight submissions were received. Concerns raised in submissions and details of how Council has considered or has addressed these concerns are provided in the Submissions Table below.

Submissions Table	
Concern	Comment
Additional traffic generation	<p>Whilst it is acknowledged that traffic generation will increase as a result of the development, it is considered that the surrounding road network and proposed internal road network is adequate to support an increase in traffic.</p> <p>The proposed development was supported by a Traffic Engineering Report prepared by TPS Group and dated 23 October 2020. The proposal was referred to Council’s Development Engineers who have supported the proposal and the conclusions of the Report.</p>
Additional traffic on Boambee Street	<p>The proposal utilises Boambee Street as a receiver road for exiting traffic via Gwendoline Street only. It is considered that not all of the dwellings proposed under this application will utilise Gwendoline Street and Boambee Street, with dwellings particularly in the southern section of the site, expected to use Caledonia Street to exit the site.</p> <p>It is not considered that the increased traffic along Boambee Street will significantly impact on surrounding lands.</p>
Opposition to Gwendoline Street and Volunteer Street being utilised as thoroughfare	<p>Gwendoline Street is to be utilised as an exit point only. As detailed above, it is considered that only dwellings within the northern portion of the subdivision will utilise Gwendoline Street to exit the site.</p> <p>The internal network proposed under this application does not provide physical connection with Volunteer Street and is not a consideration under this application. Consideration for traffic</p>

	impacts associated with use of Volunteer Street will be considered if and when this is proposed in the future.
<i>Request additional exit onto Beach Street</i>	Proposed internal road network has been reviewed by Council's Development Engineers and deemed compliant. Creating an additional access point on Beach Street has the potential to generate unnecessary traffic impacts on Beach Street which is considered to be subject to a higher traffic volume.
<i>Traffic Impact Assessment suggest traffic is not suitable to exit via Gwendoline Street</i>	Irrespective of whether the Traffic Report assessed traffic impacts associated with use of Gwendoline Street, Council's development engineers have reviewed this arrangement and deemed it acceptable.
<i>Inadequate Notification Period</i>	Development application was notified in accordance with Council's Community Engagement Strategy. All publicly notified documentation was available to view on the NSW Planning Portal and MidCoast Council's website.
<i>Dust and air pollution during construction</i>	Conditions of consent will be imposed to minimise and mitigate and potential dust and air pollution during construction. Non-compliance with this condition will be subject to compliance action.
<i>Proposed development is not suitable for the site</i>	The proposed development integrates with the surrounding residential subdivision pattern and will utilise the existing road network. The development is not dissimilar to the previously approved development to the west of the site and results in no unreasonable impacts on the surrounding neighbourhood. The site is considered suitable to accommodate the proposed development.

4.15 (1)(e) the public interest

The proposal is not considered likely to detract from the character of the existing streetscape or the general residential locality, nor will it undermine any of the social or economic values of the site or surrounding area. The proposal is considered to be consistent with the objectives of the relevant zone and will not have an unreasonable impact upon neighbouring properties.

Accordingly, approval of the proposed development would not be contrary to the public interest.

Section 7.11 Developer Contributions

The proposed development will incur developer Section 7.11 developer contributions as follows:

Stage 1: 22 residential lots, 1 community development lot and 1 residue lot.

Total contributions amount: **\$161,737.61**

Stage 3: Subdivision of community development lot into 22 residential lots.

Total contributions amount: **\$147,673.47**

CONCLUSION

The site is described as Lot 52, DP271329, Huntington Circuit, Harrington.

The proposed development seeks approval for an “Integrated Development” consisting of a staged 45-lot community title subdivision, construction of 44 dwelling houses and associated roadways.

The proposed development has demonstrated compliance with the provisions contained within the relevant SEPPs and the LEP. Furthermore, the proposed development complies with relevant controls contained within the DCP, with variations to some development controls being adequately justified by the applicant and supported by Council staff.

The proposed development is considered to be suitable for the site and does not raise any issues contrary to the public interest.

RECOMMENDATION

It is recommended that Development Application DA2020/7263 for an “Integrated Development” consisting of a staged 45-lot community title subdivision, construction of 44 dwelling houses and associated roadways on land described as Lot 52, DP 271329, Huntington Circuit, Harrington be approved subject to the conditions contained in Annexure A.

ANNEXURE

A: Conditions of consent

General Conditions

1. Development in accordance with approved plans

The development must be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan type/Supporting Document	Plan No. & version	Prepared by	Dated
Proposed Plan of Subdivision	Sheet 1, Rev B	King + Campbell	04.06.2020
Staging Plan	Sheet 2, Rev E	King + Campbell	11.08.2020
Stage 1	Sheet 16, Rev E	King + Campbell	11.08.2020
Stage 2	Sheet 16, Rev E	King + Campbell	11.08.2020
Stage 2	Sheet 17, Rev E	King + Campbell	11.08.2020
Site Plan	Sheet 1, Rev E	King + Campbell	11.08.2020
Type A – Floor Plan, Roof Plan, Schedules	Sheet 3, Rev E	King + Campbell	11.08.2020
Type B – Floor Plan, Roof Plan, Schedules	Sheet 5, Rev E	King + Campbell	11.08.2020
Type D – Floor Plan, Roof Plan, Schedules	Sheet 7, Rev E	King + Campbell	11.08.2020
Type E – Floor Plan, Roof Plan, Schedules	Sheet 9, Rev E	King + Campbell	11.08.2020
Type I – Floor Plan, Roof Plan, Schedules	Sheet 13, Rev E	King + Campbell	11.08.2020
Type F – Floor Plan, Roof Plan, Schedules	Sheet 11, Rev E	King + Campbell	11.08.2020
Type A – Section, Elevations	Sheet4, Rev E	King + Campbell	11.08.2020
Type B – Section, Elevations	Sheet 6, Rev E	King + Campbell	11.08.2020
Type D – Section, Elevations	Sheet 8, Rev E	King + Campbell	11.08.2020
Type E – Section, Elevations	Sheet 10, Rev E	King + Campbell	11.08.2020
Type F – Section, Elevations	Sheet 12, Rev E	King + Campbell	11.08.2020
Type I – Section, Elevations	Sheet 14, Rev E	King + Campbell	11.08.2020
Site Landscape Master Plan	Sheet 20, Rev E	King + Campbell	11.08.2020
Landscape Sections A-A & B-B	Sheet 21, Rev E	King + Campbell	11.08.2020
Section C-C & Typical Services Street Plan	Sheet 22, Rev E	King + Campbell	11.08.2020
House Landscape Plan	Sheet 23, Rev E	King + Campbell	11.08.2020
Landscape Planting Palette	Sheet 24, Rev E	King + Campbell	11.08.2020

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

2. Staged Consent

The development is to be carried out in the following stages:

Stage 1: Subdivision of Lot 52 DP271329 to create 22 lots, 1 community development lot and 1 residue lot.

Stage 2: Construction of 22 dwellings.

Stage 3: Subdivision of the community development lot into 22 lots.

Stage 4: Construction of 22 dwellings.

Reason: To allow the development to be carried out in a coordinated manner.

3. Compliance with National Construction Code Series - Building Code of Australia

All building work must be carried out in accordance with the requirements of the *National Construction Code Series - Building Code of Australia* as in force on the date the application for the relevant construction certificate or complying development certificate was made.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

4. Notification of *Home Building Act 1989* requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- a) in the case of work for which a principal contractor is required to be appointed:
 - i) the name and licence number of the principal contractor, and
 - i) the name of the insurer by which the work is insured under Part 6 of that Act,
- b) in the case of work to be done by an owner-builder:
 - i) the name of the owner-builder, and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

5. Adjustment to utility services

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to Council.

Reason: To ensure utility services remain in a serviceable condition.

6. Support for neighbouring buildings

If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's one expense:

- a) protect and support the adjoining premises from possible damage from the excavation, and
- b) where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

Reason: To protect development on adjoining premises. Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

Conditions which must be satisfied prior to the issue of a Subdivision Works Certificate

7. Works within the road reserve

Prior to the issue of a subdivision works certificate for the relevant stage, an application for a Public Engineering Works Permit (PEWP) must be submitted to and approved by Council for the road reserve works listed in the table below.

Work	Standard to be provided
Design of connection to existing road reserve in Gwendoline Place to be submitted and approved under section 138 of the Roads Act.	In accordance with MidCoast Council Standard Auspec 'No Through Road' Signage as required. Driveway threshold to be designed to blend in with existing width of Gwendoline Place.
New kerb and gutter and road pavement to merge with existing	Provision of concrete kerb and gutter and extension of the existing bitumen seal to the new kerb and gutter to Council's Adopted Engineering Standard.

Reason: To ensure works within Council's road reserve are constructed to a suitable standard for public safety.

8. Erosion and sediment control plan

Prior to the issue of a subdivision works certificate for the relevant stage, an erosion and sediment control plan prepared by a suitably qualified person in accordance with "*The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction*" (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Reason: To protect the environment from the effects of erosion and sedimentation.

9. Bond required to guarantee against damage to public land

Prior to the issue of a subdivision works certificate for the relevant stage, a Damage Bond Application form together with payment of a bond in the amount of \$6000 and a non-refundable administration fee of \$330 must be submitted to Council. The bond is payable for the purpose of funding repairs to any damage that may result to Council assets from activities/works associated with the construction of the development and to ensure compliance with Council standards and specifications.

A final inspection will be carried out by the responsible Council officer and the bond (minus any fees required for additional inspections) will be considered for refund:

- a) once all works, including landscaping, driveway construction, turfing, etc, have been completed, and
- b) following issue of a subdivision certificate.

The damage bond is reviewed periodically and therefore the fee and bond amount payable will be determined from Council's current fees and charges document at the time of lodgement of the damage bond.

Reason: Protection of public assets.

10. MidCoast Council Water Services approval

Prior to the issue of a subdivision works certificate for the relevant stage, a Certificate of Attainment from MidCoast Council Water Services, stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development, must be submitted to the certifying authority.

Reason: To ensure suitable water and sewage disposal is provided to the development.

11. Engineering construction plans

Prior to the issue of a subdivision works certificate for the relevant stage, engineering construction plans and specifications must be submitted to and approved by the certifying authority. The plans must include details of the works listed in the table below in accordance with Council's current design and construction manuals and specifications. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

Required work	Specification of work
Kerb & gutter, road shoulder construction	Kerb and gutter, road shoulder and associated drainage construction, footpath formation and turfing.
Full width road construction	Full width road and drainage construction for all proposed roads on the approved plan.
Service conduits	Service conduits to each of the proposed new allotments laid in strict accordance with the service authorities' requirements.
Street lighting	Street lighting must be provided to the requirements of the energy supply authority and <i>Australian Standard AS/NZS 1158: Lighting for roads and public spaces</i> .
Estate sign and/or structure	Council will not accept ownership or responsibility for the sign or structure. Council will need to be satisfied that a Plan is in place that will provide for ongoing maintenance of the sign and/or structure. Council reserves the right to assess the condition of the sign or structure and also its relevance at intervals of 5 years. The Estate name will not be recognised by Council as part of a property address.
Stripping and stockpiling	Stripping and stockpiling of existing topsoil on site, prior to commencement of earthworks, and the subsequent re-spreading of this material together with a sufficient quantity of imported topsoil so as to provide a minimum thickness of 80mm over the allotments and footpaths and public reserves, upon completion of the development works.
Inter-allotment drainage	An inter-allotment drainage system to an approved public drainage system for each of the proposed new lots where it is not possible to provide a gravity connection for stormwater runoff from future development on the lot to the kerb and gutter.
Stormwater outlets	An energy dissipating pit with a suitably installed locked grated outlet to all pipes or any other drainage structures. Grates must be of galvanised weldlock construction.

Reason: To ensure works within Council's Road Reserve are constructed to a suitable standard for public safety.

12. Traffic management plan

Prior to the issue of a subdivision works certificate for the relevant stage, a traffic management plan including measures to be employed to control traffic (inclusive of construction vehicles) during construction of the subdivision must be submitted to and approved by the certifying authority. The traffic control plan must be designed in accordance with the requirements of the Roads and Traffic Authority's Manual, *Traffic Control at Work Sites Version 2*, and Australian Standard AS 1742.3: *Manual of uniform traffic control devices - Traffic control for works on roads*.

The plan must incorporate measures to ensure that motorists using the road adjacent to the development, residents and pedestrians in the vicinity of the development are subjected to minimal time delays due to construction on the site or adjacent to the site.

The traffic control plan must be prepared by an accredited person trained in the use of the current version of *RTA Traffic Control at Work Sites manual*.

The approved Construction traffic management plan must be implemented prior to the commencement of work.

Reason: To ensure public safety during the construction of the development.

13. Stormwater details

Prior to the issue of a subdivision works certificate for the relevant stage, plans and specifications detailing the method of stormwater disposal from the site must be submitted to and approved by MidCoast Council. The stormwater system must be designed to comply with the requirements of Australian Standard AS/NZS 3500.3: *Plumbing and drainage – Stormwater drainage*. The stormwater disposal system must discharge to the approved drainage point in Boambee street.

An approval is to be obtained under Section 68 of the Local Government Act 1993 to carry out stormwater drainage work.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

Conditions which must be satisfied prior to the issue of a Construction Certificate

14. Erosion and sediment control plan

Prior to the issue of a construction certificate for the relevant stage, an erosion and sediment control plan prepared by a suitably qualified person in accordance with "*The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction*" (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Reason: To protect the environment from the effects of erosion and sedimentation.

15. BASIX

Prior to the issue of a construction certificate for the relevant stage, BASIX Certificate/s must be revised. The revised BASIX must nominate to connect rainwater tanks to the toilets, laundry and outdoor use for each dwelling within the development.

Reason: To protect water quality.

16. BASIX Certificate

Prior to the issue of a construction certificate for the relevant stage, plans and specifications detailing all of the BASIX Certificate commitments must be submitted to and approved by the certifying authority. The proposed development must be constructed in accordance with the requirements of the relevant BASIX Certificate. Where changes to the development are proposed that may affect the water, thermal comfort or energy commitments, a new BASIX Certificate will be required.

Reason: Prescribed condition under the Environmental Planning and Assessment Regulation 2000.

Conditions which must be satisfied prior to the commencement of any development work

17. Subdivision works certificate required

Prior to the commencement of any subdivision construction work (including excavation), a subdivision works certificate must be issued by a certifying authority.

Reason: Statutory requirement under the Environmental Planning and Assessment Act 1979.

18. Construction certificate required

Prior to the commencement of any building work (including excavation), a construction certificate must be issued by a certifying authority.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

19. Construction management plan

A Construction Management Plan is to be prepared detailing all aspects of the proposed site construction and mitigating measures proposed to be employed to ensure the ongoing maintenance of amenity for adjoining residents.

This plan must include details of measure to be put in place in the event that Acid Sulphate Soils are encountered during site works. A copy of the plan must be submitted to and approved by council.

Reason: To maintain amenity during construction of the development.

20. Erosion & sediment measures in accordance with approved plans

Prior to the commencement of work, erosion and sediment controls must be installed in accordance with the approved erosion and sediment control plan and must be maintained for the duration of the project.

Reason: To protect the environment from the effects of erosion and sedimentation.

21. Notification of commencement and appointment of principal certifying authority

Prior to the commencement of any building or subdivision construction work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days notice to Council, in writing, of the persons intention to commence construction work.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

22. Toilet facilities - sewerred areas

Prior to the commencement of work, toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet connected to a public sewer.

Reason: To maintain public health.

23. Site construction sign

Prior to the commencement of work, a sign or signs must be erected in a prominent position at the frontage to the site.

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

Conditions which must be satisfied during any development work

24. Site access

Public access to the site and building works, materials and equipment on the site is to be restricted when building work is not in progress or the site is unoccupied. Public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

Reason: To ensure public health and safety during the construction of the development.

25. Construction times

Construction works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:

Monday to Friday, from 7 am to 6 pm.
Saturday, from 8 am to 1 pm.

No construction and/or demolition work, including deliveries are to take place on Sundays or Public Holidays.

Reason: To maintain amenity during construction of the development.

26. Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Reason: To protect the environment from the effects of erosion and sedimentation.

27. Construction dust suppression

All necessary works must be undertaken to control dust pollution from the site. These works must include, but are not limited to:

- a) restricting topsoil removal;
- b) regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);
- c) alter or cease construction work during periods of high wind.

Reason: To maintain amenity during construction of the development.

28. Builders rubbish to be contained on site

All builders rubbish is to be contained on the site in a suitable waste bin/enclosure. Building materials must be delivered directly onto the property. Footpaths, road reserves and public reserves must be maintained clear of rubbish, building materials and other items at all times.

Reason: To ensure that materials and waste do not adversely affect traffic or pedestrian safety and amenity.

29. Aboriginal heritage

This consent does not authorise the harming of an Aboriginal object or place. Under the National Parks and Wildlife Act 1974, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object or place. If an Aboriginal object is found, whilst undertaking development work, all work must stop and the NSW Office of Environment and Heritage notified. All directions of the Office of Environment and Heritage must be complied with at all times.

Reason: To protect Aboriginal heritage.

30. Comply with construction management plan

All measures contained within the approved construction management plan must be implemented and maintained for the duration of the development works.

Reason: To ensure public safety during the construction of the development.

Conditions which must be satisfied prior to the issue of any Subdivision Certificate

31. Completion of works

Prior to the issue of a subdivision certificate for the relevant stage, all roads, drainage and civil works, required by this development consent and associated construction certificate, must be completed. Works must include the restoration, replacement and/or reconstruction of any damage caused to surrounding public infrastructure, including damage to road pavements along any haulage routes used for the construction of the subdivision.

Reason: To ensure civil works are appropriately constructed.

32. Stormwater drainage work

Prior to the issue of a subdivision certificate for the relevant stage, stormwater must be collected and disposed of to the Boambee street drainage system. Drainage lines within the road reserve must be sewer class or other approved equivalent. All drainage works must be installed by a suitably qualified person and in accordance with the requirements of *Australian Standard AS/NZS 3500.3: Plumbing and drainage – Stormwater drainage*.

All requirements detailed in the s.68 approval must be completed to Council's satisfaction.

Reason: To ensure compliance with the development consent and statutory requirements.

33. Plan of subdivision

An application for a subdivision certificate for the relevant stage must be made on the approved form and must be accompanied by the subdivision certificate fees, in accordance with Council's adopted schedule of fees and charges. Three (3) copies of the plan of subdivision must be submitted with the application for a subdivision certificate. The location of all buildings and/or other permanent improvements including fences and internal access driveways/roads must be indicated on one copy of the plan.

Reason: To ensure adequate identification of boundaries and the location of structures.

34. Management Statements

Prior to the issue of a subdivision certificate for the relevant stage, the Community Management Plan must be submitted to and approved by Council.

The Community Management Plan must include a requirement that only the dwellings approved under this consent are to be constructed on the approved lots.

Reason: To ensure that the management of the subdivisions is consistent with the development consent.

35. Certificates for engineering works

Prior to the issue of a subdivision certificate for the relevant stage, all test certificates, owners manuals, warranties and operating instructions for civil works, mechanical and/or electrical plant, must be submitted to Council. A certificate from a suitably qualified engineer certifying that all works have been constructed in accordance with the approved plans and Council's adopted engineering standards must also be submitted to Council.

Reason: To ensure civil works are constructed in accordance with the approved plans and Council specifications.

36. Works-as-executed plans

Prior to the issue of a subdivision certificate for the relevant stage, works-as-executed plans, certified by a suitably qualified engineer or a registered surveyor, must be submitted to Council. Where the design is carried out utilising computer aided design (CAD), all CAD computer files must be provided on compact disc (CD) with the final drawings. The CAD files must include all lot and road boundaries, lot numbers and easements. The data must be supplied in accordance with the requirements of Council's GIS Officer.

Reason: To provide Council with accurate records of civil works.

37. Certificate for pipes, access driveways, etc. within easements

Prior to the issues of a subdivision certificate for the relevant stage, a certificate from a registered surveyor must be submitted to the certifying authority certifying that all pipelines, structures, access driveways and/or services are located wholly within the relevant easements.

Reason: To ensure works are constructed in accordance with the approved plans and Council.

38. Electricity supply certificate

Prior to the issue of a subdivision certificate for the relevant stage, a certificate of compliance from the electricity supply authority must be submitted to Council stating that satisfactory arrangements have been made for the provision of electricity supply throughout the subdivision.

Reason: To ensure that utility services have been provided to the newly created lots.

39. Telephone supply certificate

Prior to the issue of a subdivision certificate for the relevant stage, a certificate of compliance from the telephone supply authority must be submitted to Council stating that satisfactory arrangements have been made for the provision of telephone supply throughout the subdivision.

Reason: To ensure that utility services have been provided to the newly created lots.

40. Water and sewer supply certificate

Prior to the issue of a subdivision certificate for the relevant stage, a certificate of compliance from MidCoast Council Water Services must be submitted to Council stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development.

Reason: To ensure that utility services have been provided to the newly created lots.

41. National broadband network

Prior to the issue of a subdivision certificate for the relevant stage, an underground connection to the national broadband network must be provided to each lot and a certificate of practical completion from the national broadband network authority must be submitted to the certifying authority stating that an underground connection to the national broadband network has been provided to each lot.

Reason: To ensure that utility services have been provided to the newly created lots.

42. Section 7.11 contributions

Prior to the issue of a subdivision certificate for the relevant stage, a monetary contribution must be paid to Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979. The services and facilities for which the contributions are levied and the respective amounts payable under each of the relevant plans are set out in the following table:

Stage 1:

Harrington

Local facilities	\$78,872.29
Greater Taree facilities	\$82,865.32
Total	\$161,737.61

Stage 3:

Harrington

Local facilities	\$72,013.83
Greater Taree facilities	\$75,659.64
Total	\$147,673.47

Contribution rates are subject to indexation.

The Contributions Plan and the Standard Schedule for Section 7.11 Plans may be viewed on Council's web site or at Council's offices.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Conditions which must be satisfied during any development work

43. Works to be completed

The building or part thereof must not be occupied or used until an occupation certificate has been issued in respect of the building or part.

Reason: To ensure compliance with the development consent and statutory Requirements.

44. BASIX Compliance

Prior to the issue of an occupation certificate, all of the required commitments listed in the BASIX certificate must be fulfilled.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

45. Subdivision certificate issued

Prior to the issue of an occupation certificate, a subdivision certificate for the relevant stage must be issued. For example, an occupation certificate for a dwelling in Stage 2 must not be issued until the subdivision certificate for Stage 1 has been issued. An occupation certificate

for a dwelling in Stage 4 must not be issued until the subdivision certificate for Stage 3 has been issued.

Reason: To ensure compliance with this consent.

4. BARRINGTON COAST DESTINATION MANAGEMENT QUARTERLY REPORT (Q4: APR-JUNE 2021)

Report Author Sharon Bultitude - Destination Management Coordinator

File No. / ECM Index Tourism - General

Date of Meeting 25 August 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The purpose of this report is to provide Council with the April – June 2021 quarterly update on the successful delivery of Barrington Coast Destination Management outcomes.

SUMMARY OF RECOMMENDATION

That the content of this report be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENT

A: Barrington Coast Destination Management Quarterly Report April-June 2021

Attachment A has been circulated electronically to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

BACKGROUND

This is the second quarterly update presented to Council on the delivery of Barrington Coast Destination Management outcomes.

DISCUSSION

During the final quarter of 2020/21, the Destination Barrington Coast team has continued to respond quickly and proactively to the dynamic tourism environment, ensuring that the Barrington Coast region is 'top-of-mind' for visitors seeking a holiday or short-break.

The report provides information on destination marketing and media activity, delivery of visitor services and collaboration and communication with industry and other stakeholders.

Destination Marketing

Website – www.barringtoncoast.com.au:

Traffic to the new destination website continues to grow rapidly. Work this quarter has focused on the development of additional local 'Explore Field Guides' to assist with the Marketing Campaign

delivery. All traffic to the website is tracked via Google Analytics and Hubspot CRM (Customer Request Management system).

Key quarterly performance stats:

- **61,091** Sessions
- **112,783** Page views
- **1:32** Average session duration

Top Explore Field Guide: *'Where to see snow in the Barrington Tops'* (6,077 views)

Social Media:

Barrington Coast Facebook and Instagram pages continue to show strong growth, with an incredibly engaged audience of over 110,000. The Barrington Coast social media audience, is the third largest in NSW, behind Visit NSW & Sydney.

Key quarterly performance stats:

- **114,443 total audience**
- **2,031 new followers**
- **331 pieces of content posted**
- **3.5 million reach (uniquely viewed)**
- **93,850 likes**
- **3,511 comments**

The top performing post this quarter was one featuring animals enjoying the snow at Aussie Ark, with **1,568 total likes, comments & shares** and **58,495 people reached**.

Destination Marketing Campaign:

The inaugural Destination Marketing Campaign was launched into market in April. The Campaign contains three main components:

- **Brand Awareness:** 3 months (Apr-June)
- **Acquisition:** 3 months (June-Aug)
- **Marketing Partnership Program:** participating business advertising due to commence July. (ongoing review in light of COVID lockdown)

Phase 1: Brand Awareness

The brand awareness phase has been focused on the following key advertising activities:

- Google Search & Google Display Network Advertising
- Social Media Advertising
- Taboola Native Advertisements
- YouTube pre-roll advertising
- Campaign billboards across Sydney & Newcastle

Interim results have been extremely strong during this period, helping to build great awareness of the new brand across our core target markets. The COVID lockdown in key areas of Sydney assisted towards the end of this quarter, with the significant increase in screen-time witnessed during lockdown, which has resulted in more "eye-balls" on the Barrington Coast digital advertising.

Due to the ongoing COVID situation and trend noted above, the decision was made to reduce allocated daily spend on this advertising component to enable an extension of this awareness phase beyond to July, in order to capitalise on the increased exposure.

Phase 2: Acquisition

A new Campaign micro-site has been built within the main destination website. All traffic generated directly from the campaign advertising (acquisition) is driven to this microsite. To ensure consistency of experience between marketing mediums, the micro-site has been designed with the same “look & feel” as the Campaign advertising creative.

Key results (June)

- **26,657** total microsite users
- **40k** total page views
- **1,397** conversions
- **5,269** views of Campaign Partner Pages
- **3.6 million** (number of times Barrington Coast advertising content has been displayed)
- **62,217** website sessions (51%) from paid media activity

Campaign Blogs

Dedicated Campaign Blog articles have proved extremely popular with new visitors to the site. Some of the most popular include:

- ‘8 water insta worthy views & hiking trails’
- ‘Put the best country bakeries to the taste test’
- ‘Our ideas for ‘girls’ only short breaks’

Campaign Objectives & Key Performance Indicators (KPIs)

The following overarching objectives and KPIs were established for these initial phases of the Campaign:

1. Drive traffic to the Barrington Coast website (CTA)

KPI: 20,000 unique visitors to the website per month.

Achieved.

2. Increase social media engagement.

KPI: 5% increase in social media engagement compared to last quarter

Not achieved this quarter. (Note: Part of this can be explained by the previous quarter results being so high. Increase over the period of the campaign may be a more suitable measure.)

3. Build industry partner participation.

KPI: 30 paid participants in the campaign

28 partners currently on-board.

Media Activity

This quarter the region received more great organic media coverage resulting from collaboration with various media channels including the following:

- **Weekend Sunrise:** Channel 7, visited Forster-Tuncurry with live crosses to Hamilton's Oyster Bar & Restaurant.
- **Caravan World:** Article on caravanning in the Great Lakes.
- **Out & About With Kids Magazine:** Article on where to eat, stay & play in Pacific Palms.

Destination Services

Visitor Enquiries:

Quarterly figures for Barrington Coast staffed Visitor Centres (Forster, Gloucester & Taree)

- **Total visitors:** 10,102 (up on Q3)
- **Total phone calls:** 937 (up on Q3)
- Forster received the highest number of visitor walk-ins (68%) and the second highest phone enquiries (39%)
- Gloucester followed with 20.7% of walk-ins & 50.6% of calls (highest)
- Taree received 11.3% & 6.3% of total walk-ins and calls, respectively.

New Visitor Signage:

The roll-out of new Barrington Coast visitor signage continued during the quarter with the installation of new signs at the Taree Airport.

Industry and Stakeholder Communication and Collaboration

Industry & Stakeholder Newsletters:

In Q4 15 Barrington Coast Newsletters were delivered to industry, local businesses and key stakeholders. This included 11 weekly Talkin' Tourism and 4 Special Edition Newsletters.

- **7,771** newsletters delivered (up on Q3)
- **2,514** unique newsletter opens (av. 33.8%) (up on Q3)
- **339** unique link clicks (av. 6.5%)

The '**Marketing Campaign Goes Live**' Special Edition Newsletter received both the most opens and link clicks.

The resulting statistics highlight the importance of this medium in communicating tourism information to our local businesses and stakeholders.

Industry Capacity Building Workshop:

In June, the Barrington Coast team invited local tourism businesses to a '*Social Media for Business*' Workshop conducted by Lyndsey Douglas from 'Writers Who'. Feedback from the 20 businesses who attended was overwhelmingly positive, with 100% of attendees saying they would recommend it to other businesses.

A recording of the session has subsequently been shared with businesses unable to attend on the day.

Surfing NSW:

Barrington Coast and Surfing NSW collaborated on a social media campaign to coincide with the NSW Surf Masters event held at Boomerang Beach in June. A surfing family who uses the handle '@summerofseventyfive' on social media posted content both during and after the event highlighting their experiences around the destination in their VW camper van. This content was shared across both the VW and Surfing NSW social media channels, producing great results.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The work of the Destination Management Team is aligned to the Community Strategic Plan and Operational Plan – predominantly relating to our '*thriving and growing economy*'

RECOMMENDATION

That the content of this report be noted.

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5. SERVICE NSW FOR BUSINESS

Report Author **Robyn Brennan - Economic Development Coordinator**

File No. / ECM Index **Small Business Friendly Council**

Date of Meeting **25 August 2021**

Authorising Director **Paul De Szell - Director Liveable Communities**

SUMMARY OF REPORT

The purpose of this report is to provide background information and seek support to renew Council's agreement with Service NSW to provide 'Service NSW for Business'.

SUMMARY OF RECOMMENDATION

That Council delegate authority to the General Manager to enter into an agreement with Service NSW

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

BACKGROUND

Council entered into an agreement in 2019 with Service NSW to promote and provide access to NSW Government information and services, to better assist business owners and to support the local economy. At the time, this service was titled 'Easy to do Business'. This title has now changed to 'Service NSW for Business' and the agreement is now due for renewal.

DISCUSSION

Service NSW for Business provides free, personalised support to small business owners, to help them understand industry regulations, to guide them through transactions and to access support.

The services provided to business owners include:

- Business Concierges offering over-the-phone, email and face-to-face support and case management.
- An online Business Profile to make it faster and easier for business owners to transact with NSW Government.
- Guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support and information.
- Online business information hubs including how-to guides to help business owners understand key tasks and the support available when starting and running a business in NSW.

The intention of the Partnership Agreement is to build awareness of the specialist advice services available, ensure Council staff can direct enquiries to these services and provide applicants with the skills to be better informed and researched prior to lodging any applications with Council for business operations.

Council's responsibilities in the Partnership Agreement are to:

- Provide Service NSW with all information, inputs, resources and subject matter expertise in a timely manner as required to enable Service NSW to provide the services as set out in the Agreement; and
- Take responsibility for the management of records it receives or holds following the exercise of a customer service function by Service NSW.

By renewing the Partnership Agreement, Council will continue to be provided with the opportunity to engage with all services across Service NSW.

There is no cost to participate in the program and it continues to promote a good relationship between Service NSW and Council.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This program will assist with the delivery of the following community value and strategy identified in the Community Strategic Plan and Delivery Program:

Our thriving and growing economy

Strategy 10.2: *Provide an environment to grow and strengthen local businesses and attract new business*

RECOMMENDATION

That Council delegate authority to the General Manager to enter into an agreement with Service NSW to provide the 'Service NSW for Business' program.

6. MIDCOAST COUNCIL WASTE MANAGEMENT STRATEGY 2030

Report Author David Rees – Manager Waste Services

File No. / ECM Index

Date of Meeting 25 August 2021

Authorising Director Paul De Szell – Director Liveable Communities

SUMMARY OF REPORT

This report provides an update on the implementation of the MidCoast Council Waste Management Strategy 2030.

SUMMARY OF RECOMMENDATION

1. That staff undertake a review of the MidCoast Council Waste Management Strategy 2030 to ensure that the strategy aligns with the NSW State Government's Waste and Sustainable Materials Strategy 2041 and MidCoast Council's Climate Change Policy and Action Plan.
2. That staff develop an Action Plan to implement the MidCoast Council Waste Management Strategy 2030 (as amended).

FINANCIAL/RESOURCE IMPLICATIONS

Waste Services Coordinators and their teams will be responsible for the operational implementation of the Waste Strategy whilst the Manager of Waste Services will be responsible for the strategic direction of Waste Services in accordance with the strategy.

Financial Modelling is required to understand how current fee structures, future operational expenditure and capital expenditure requirements will impact the sustainable delivery of Waste Services with the implementation of Food and Organic Processing (FOGO) planned within the next five years.

ATTACHMENTS

- A: MidCoast Council Waste Management Strategy 2030
- B: Department of Planning, Industry and Environment released the *NSW Waste and Sustainable Materials Strategy 2041*

Attachments A & B have been circulated electronically to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website.

BACKGROUND

On 18 December 2019 Council resolved:

- “1. That the MidCoast Council Waste Management Strategy 2030 provided in Attachment A be adopted.
2. That detailed action plans arising from the strategy be presented to Council, and a report on the progress against strategy objectives and targets be provided to Council on an annual basis”.

The adoption of the MidCoast Council Waste Management Strategy 2030 (see Attachment A) set clear objectives and targets to ensure that MidCoast Council continued to provide sustainable waste services to the MidCoast community, whilst also being proactive and innovative in the way we managed waste products into the future.

The overall objectives and goals of the strategy were developed in consultation with government agencies, community and internal stakeholders to ensure the waste strategy aligned with Government and Industry objectives.

In June 2021, the Department of Planning, Industry and Environment released the *NSW Waste and Sustainable Materials Strategy 2041* (see Attachment B).

Stage 1 of this strategy “2021-2027”, focuses on environmental benefits and economic opportunities in how we manage our waste. The State Strategy mandates Food and Organic Processing and reaffirms ambitious targets for net zero emissions from organic waste by 2030.

Key targets of the Waste and Sustainable Materials Strategy 2041 are listed below:

- reduce total waste generated by 10% per person by 2030
- have 80% average recovery rate from all waste streams by 2030
- significantly increase the use of recycled content by governments and industry
- phase out problematic and unnecessary plastics by 2025
- halve the amount of organic waste sent to landfill by 2030.
- introduce a new overall litter reduction target of 60% by 2030 and a plastic litter reduction target of 30% by 2025, as set out in the *NSW Plastics Action Plan*
- set a goal to triple the plastics recycling rate by 2030, as set out in the *NSW Plastics Action Plan*
- reaffirm our commitment to the goal of net zero emissions from organic waste by 2030, as laid out in the *NSW Net Zero Plan Stage 1: 2020–2030*
- establish new indicators to help us track our progress on infrastructure investment and the cost of waste services
- develop a new measure of the emissions performance of our waste and materials management. This will help us to track our performance across the lifecycle of materials.

Discussion

It is evident that the Waste Services team have made limited progress in delivering the MidCoast Council Waste Management Strategy 2030 with only a few of the key outputs being achieved or progressed in the first two years. This is summarised in Table 1 below.

It has been difficult for the team to deliver the strategy due to the ongoing vacancy in the Waste Services Manager role and the significant disruption of services that occurred due to the 2019-2020 bushfire season and the March 2021 major flood.

Table 1: Progress Against Waste Strategy 2030 Objectives & Key Outputs

Resources	Objectives	2021 Key Outputs	Key outputs to date
<p>Education Coordinator and team</p> <p>BWRF funding</p>	<p>Avoidance & Reuse</p> <p>1. 20% of residents aware of Reimagine Waste activities and programs by 2021</p>	<p>1. Evaluation of avoidance and reuse activities delivered to date</p>	<p>1. Food Waste diversion – ReIn/Tumbleweed online <i>Scraps to Soil</i> tutorial and subsidised compost bin offer. Commenced 2018. To date 865 households are participating in food waste diversion. Face-to-face <i>Scraps to Soil</i> workshops ceased in early 2020 due to COVID-19 pandemic restrictions.</p> <p>2. Mobile CRC Trailer ceased operations in early 2020, due to COVID-19 pandemic and operational constraints. Approximately 6.5 tonne was collected in 2019 and 10 tonnes in 2018. These were monthly site locations across the LGA</p> <p>3. Reimagine waste activities and plans have been affected by the COVID-19 pandemic. As a result, online workshops were trialled, and social media messaging increased.</p>
<p>Education Coordinator, Waste Officer Domestic and Commercial Services and team</p> <p>BWRF funding</p>	<p>2. 30% decrease in household red bin contents by 2030</p>	<p>2. Education plan based on waste hierarchy, and targeting residents, visitors and businesses</p>	<p>1. Five Year Education plan has been developed, approved and in process.</p> <p>2. Baseline community recycling survey conducted November 2020 (n=685)</p> <p>The results showed that the overall survey score is 59 out of a possible 100.</p> <p>This number is based on the responses of each participant across four different categories; 1) sorting and separating; 2) in the house; 3) what goes where and 4) waste education satisfaction.</p> <p>3. 2021 Household Kerbside Waste Audit – results pending</p> <p>4. 2021 Multi-Unit Dwellings Waste Audit – baseline –</p>

			<p>results pending – draft results attached.</p> <p>5. Waste Officer Domestic and Commercial Services in partnership with Waste Aid – implementation of the Cabarita waste management plan, providing education and improving waste collection services e.g. removal of bulk waste bins and delivery of 140ltr waste bins along with 240ltr recycling bins. The program included a community participation clean up, recycling caddies will be distributed to each household during the re-scheduled NAIDOC celebration day and the installation of public litter bins within the Cabarita community will be installed on completion of the Roads2Home program works.</p>
Waste Programme Coordinator and Team	<p>COLLECTION/ PROCESSING</p> <p>1. Continuity of service maintained through timely introduction of new contracts</p> <p>2. Increased food waste and recyclables diversion achieved</p>	<p>1. New waste recycling & organics collection and processing contract in place by June 2021</p> <p>2. Options paper prepared for commercial service</p>	<p>1. Not Achieved, existing contract extended for 3 years</p> <p>2. Not Achieved</p>
Team Leader, Waste Operations and team	<p>WASTE/ RECYCLING FACILITIES</p> <p>1. Waste and recycling infrastructure meets current and future community needs</p> <p>2. Increased take up of recycling services at transfer stations</p>	<p>1. Council report on key infrastructure options by April 2020</p> <p>2. All site management contracts in place by June 2020</p>	<p>1. Not Achieved</p> <p>2. Achieved March 2021</p>
Team Leader, Waste Operations and team	<p>DISPOSAL</p>	<p>1. Taree landfill contract, extension</p>	<p>1. Partly Achieved - Remediation underway</p>

	<ol style="list-style-type: none"> 1. Continuity of landfill provision ensured 2. Sites meet and exceed minimum environmental standards 	<p>and remediation complete</p> <ol style="list-style-type: none"> 2. Plans for Minimbah, Stroud and Gloucester landfills developed 	<ol style="list-style-type: none"> 2. Partly Achieved, Taree & Stroud Waste Management Plans in place. Gloucester Landfill management plan still to be developed
Waste Management Coordinator	<p>RESEARCH & DEVELOPMENT</p> <ol style="list-style-type: none"> 1. Build internal capacity to identify service improvements 2. Identify innovative solutions for waste issues 3. Research alternative waste treatment (AWT) technologies 	<ol style="list-style-type: none"> 1. Integrated waste data collection and reporting methods developed 2. Innovation paper prepared covering new services and technology options 	<ol style="list-style-type: none"> 1. Not Achieved, Waste Restructure currently underway. 2. Not Achieved 3. Waste Service currently investigating landfill gas capture project, textile recycling initiatives as well as alternate options for plastic recycling.

Given the recent release of the “NSW Waste and Sustainable Materials Strategy 2041” and the lack of implementation of Council’s strategy, now is an opportune time to review and update the MidCoast Council Waste Management Strategy 2030. Once the strategy has been updated an Action Plan will need to be developed for its implementation.

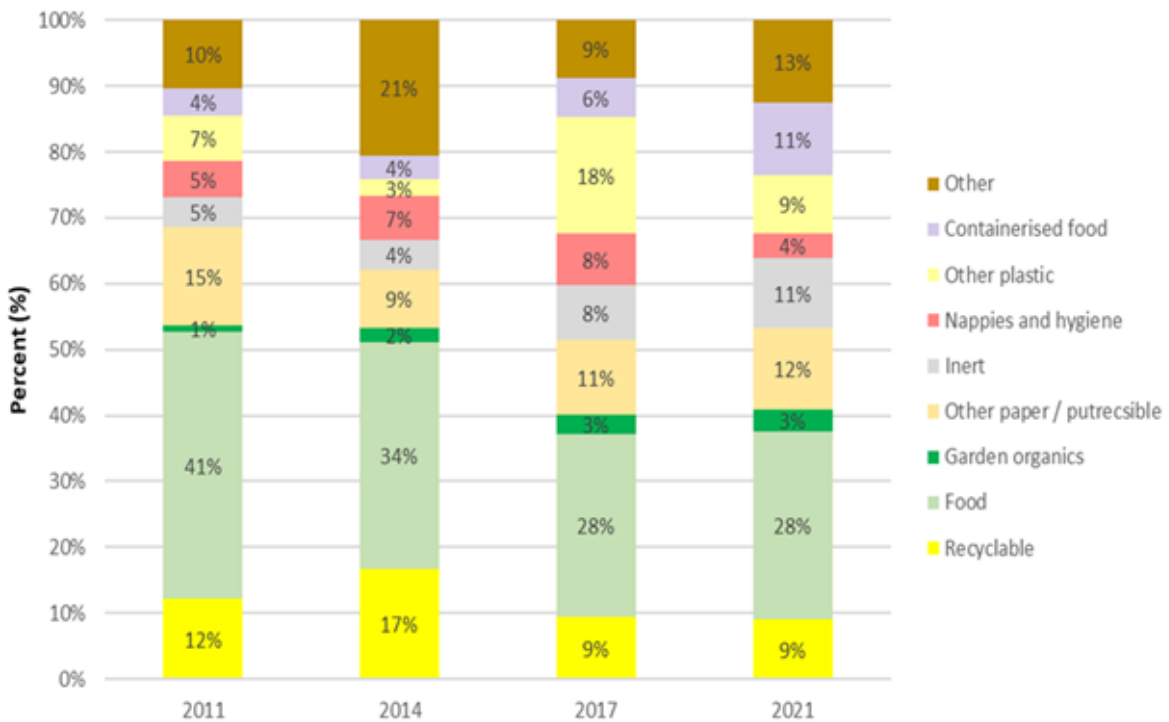
Moving forward it will be the Manager of Waste Services responsibility to ensure that Council’s strategy aligns with both State and Federal Waste Strategies into the future and is delivered in accordance with the endorsed action plan.

The most pressing issue in this regard is that the new State Strategy mandates Food and Organic Processing and reaffirms ambitious targets for net zero emissions from organic waste by 2030 Work has recently commenced to obtain data so as to understand the challenges ahead in delivering this outcome. For example, bin composition studies have been undertaken in the MidCoast Council area in May and June of 2021 with results shown in figures 1 and 2 on the following page:

Figure 1 - General waste generation kg



Figure 2 - General waste composition %



These preliminary results support the implementation of a FOGO service prior to 2030 with approximately 40-50% of materials in the red bin eligible to be processed through a FOGO service. The reduction of organic material going to landfill will also reduce harmful greenhouse gas emissions emitting from our landfills.

Waste services are currently working on tender documents for the new Waste Collection Contract with FOGO planned to be introduced as a new service within the term of the next contract.

The results obtained also show a change in the composition of waste with containerised food increasing to 11% from 6% in 2017 and other plastics decreasing to 9% from 18% in 2017, the survey also shows a decrease in waste on average in the red bin dropping from 8.8kg per bin in 2017 to 8.1kg in 2021.

Importantly, the results do not provide a complete picture of waste in the MidCoast as waste facilities have received higher than average tonnages of waste this year with an average diversion rate of 48.3%. The main contributing factor to the lower than average diversion rate is the 4,500 tons (approx.) of flood debris disposed of at the facilities with an additional 3000 tons of clean fill required to construct additional landfill cells and bury hazardous waste produced by the natural disaster.

Council should see an increase in diversion over the next 12 months with the implementation of a new waste facility and operations contract that was recently awarded. The new contract was developed to provide the resources and equipment to deliver on the targets within the waste strategy increasing resource recovery at our landfill and transfer stations and improving our tip shop facilities by encouraging the community to reuse, reduce and recycle.

RECOMMENDATION

1. That staff undertake a review of the MidCoast Council Waste Management Strategy 2030 to ensure that the strategy aligns with the NSW State Government's Waste and Sustainable Materials Strategy 2041 and MidCoast Council's Climate Change Policy and Action Plan.
 2. That staff develop an Action Plan to implement the MidCoast Council Waste Management Strategy 2030 (as amended).
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7. DISASTER RECOVERY GRANTS POLICY

Report Author **Gemma Cluff – Disaster Recovery Grants Officer**

File No. / ECM Index

Date of Meeting **25 August 2021**

Authorising Director **Paul De Szell – Director Liveable Communities**

SUMMARY OF REPORT

This report seeks adoption of a draft Disaster Recovery Grants Policy as well as the appointment of three councillors to assess applications submitted under the policy.

SUMMARY OF RECOMMENDATIONS

That:

1. The Draft Disaster Recovery Grants Policy (provided in Annexure A) be adopted by Council.
2. Three councillor representatives be appointed to the Disaster Recovery Grants panel for the assessment of applications for funding.

FINANCIAL/RESOURCE IMPLICATIONS

The Disaster Recovery Grants program is being provided through joint Commonwealth-State Disaster Recovery funding arrangements. This funding has been provided to Council by Resilience NSW.

LEGAL IMPLICATIONS

The Disaster Recovery Grants program complies with the financial assistance provisions of the Local Government Act (s356).

BACKGROUND

The Bushfire Community Recovery and Resilience Fund (BCRRF) is designed to undertake activities within a disaster declared LGA that would contribute to community recovery and/or resilience including projects which support community wellbeing.

Council has applied for and has received funding (\$144,000) under stream 1 of BCRRF for a Disaster Recovery Grants program. This funding is required to be spent and acquitted by 30 June 2022 which leaves little time to deliver the program.

The objective is to deliver small scale grants for locally led community recovery activities. The purpose is to support communities to overcome from the social impacts of the 2019 bushfires.

Grant applications will need to address one or more of the following Disaster Recovery Outcomes:

- The needs of vulnerable groups are addressed in disaster recovery
- The community is aware of the disaster recovery processes
- The community can express its changing disaster recovery needs

- The community has improved capacity and capability to respond to future disasters

A draft Disaster Recovery Grants Policy has been prepared to achieve the following agreed principles:

- Support the delivery of projects and activities that pursue our values of a connected community and unique, diverse and culturally rich community;
- Be designed to support equity;
- Be delivered within the budget allocation.

CONSULTATION

The draft Disaster Recovery Grants Policy has been developed in accordance with the Bushfire Community Recovery and Resilience Fund, Phase Two Stream 1 guidelines.

Unfortunately, there has not been an opportunity to present the draft policy to Councils Policy Working Group and given the limited timeframe to deliver the program the draft policy has been reported directly to Council.

Implementation of the Disaster Recovery Grants Policy will be supported by a program of community information, education and support.

COMMUNITY IMPACTS

The Commonwealth-State Disaster Recovery funding has been provided to support community recovery in areas in New South Wales impacted by the unprecedented bushfires from 31 August 2019.

The Disaster Recovery Grants Policy will support the delivery of community development and capacity building projects and activities across the local government area.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Values: Unique, diverse and culturally rich communities.

Strategy: Support the strengthening of social connectedness through programs and partnerships.

RISK CONSIDERATION

The draft Disaster Recovery Grants Policy has been designed to comply with the financial assistance provisions of the Local Government Act 1993 (s356).

RECOMMENDATION

That:

1. The Draft Disaster Recovery Grants Policy (provided in Annexure A) be adopted by Council.
 2. Three Councillor representatives be appointed to the Disaster Recovery Grants panel for the assessment of applications for funding.
-

ANNEXURE

A: Draft Disaster Recovery Grants Policy



Policy

Name of policy:	Disaster Recovery Grants Program		
Adoption by Council:		Minute number:	
Review timeframe:	Not required – 12 month program		
Next scheduled review date:	30 June 2022		
Responsible division:	Liveable Communities		

Policy objective

The Disaster Recovery Grants program aims to improve community capacity and the capability of community members to respond to future disaster and to raise awareness that planning for disasters is a shared responsibility.

This policy provides a framework for the provision of temporary financial assistance by MidCoast Council to eligible local organisations/groups for the purpose of:

- delivering community development and capacity building projects and activities through the grants program.
- delivering projects that directly benefit the community and contribute to disaster recovery outcomes.

Policy statement

Council is committed to providing financial assistance, through the Disaster Recovery Grant funding program to support the delivery of projects and activities that pursue our values of a connected community and unique, diverse and culturally rich community.

Council recognises the critical role community organisations play in helping residents prepare for future events and raising awareness that preparedness and prevention in disaster risk reduction is a shared responsibility.

Council is committed to ensuring that processes and decision making relating to the Disaster Recovery Grant funding program are fair, consistent and transparent.

The following principles guide the implementation of this policy:

- **Equity:** all eligible organisations have equal opportunity to apply for financial assistance
- **Value for Money:** obtaining the best mix of services to meet the community's needs within available funding and selecting the mix of resources that deliver the best possible outcome;
- **Transparency and integrity:** funds are assessed and allocated transparently to recipient projects that demonstrate integrity in their delivery;
- **Capacity building and community ownership:** recognition that the best outcomes can be achieved through building upon the skills and assets that already exist in the

community; and meaningful empowerment of the people to fulfil community desires and aspirations;

- **Innovation:** projects that don't duplicate existing projects or services and show that they meet a need in the community;
- **Sustainability:** that community infrastructure is built, developed and maintained in a way that ensures long term viability;
- **Consistency:** funding administration procedures are consistent across funding program;
- **Collaboration:** the best outcomes can be achieved for people and the community through collaboration between Council, community groups and organisations; and
- **Probity:** funding administration must be conducted with integrity, honesty and scrutiny.

Coverage of the policy

The policy applies to financial and in-kind assistance provided by Council to eligible organisations/groups through the Disaster Recovery Grants program for the delivery of projects and activities in the MidCoast Council Local Government Area.

This policy does not apply to sponsorship or events where their primary purpose is outside the objectives outlined in this policy.

Strategic Plan link

Values: Our unique, diverse and culturally rich communities; and a connected community.

Strategy: Support the strengthening of social connectedness through programs and partnerships.

Disaster Recovery Funding Program

Council will provide financial assistance to eligible organisations/groups for community development and capacity building activities under the Disaster Recovery Grants program.

<p>Purpose:</p>	<p>To provide eligible organisations/groups with a one-off grant donation to:</p> <ul style="list-style-type: none"> • Deliver community development and capacity-building projects and activities; • Purchase items of equipment required to deliver community development and capacity building projects and activities; • Improve community capacity and the capability of community members to respond to future disasters • Raise awareness that planning for disasters is a shared responsibility
<p>Value:</p>	<p>Eligible organisations/groups may apply for a grant between \$2,000 - \$15,000.</p> <p>Eligible organisations/groups may only receive one grant under this program.</p>

Exclusions:	<p>Applications for the following will not be considered:</p> <ul style="list-style-type: none"> • Funding for items relating to ongoing operations or administrative costs such as uniforms, utilities, stationary or wages; • Projects or services that duplicate the core business of Council and/or State or Federal Government Departments. • Reimbursement of funds that have already been spent or expenses that have already been incurred; and/or • Fundraising via direct requests for donations
Applications:	<p>Funds under this program are made available on application through the Disaster Recovery Grant round. Applications must complete Councils 'Disaster Recovery Grant application form' to apply.</p>
Assessment Criteria:	<p>Applications under this category will be assessed with consideration to:</p> <ul style="list-style-type: none"> • The extent to which they pursue one or more of the following objectives <ul style="list-style-type: none"> - Facilitate the establishment of new, innovative community capacity-building and development projects and services - Develop existing community projects and services, or purchase of equipment which builds capacity to enhance the lives of those living in the MidCoast Council Local Government Area - Support for not-for-profit organisations and community-based groups which provide a service meet a demonstrated need within the community • The extent to which the project or activity budget demonstrates good value for money and is comprehensive and realistic together with the organisations current financial position
Assessment process:	<p>A team of three Councillors with the assistance of the Disaster Recovery Grants Officer will conduct a pre-assessment of applications against the policy to determine eligibility and make recommendations on assistance for eligible organisations for the panels consideration.</p> <p>Eligible applications will then be assessed by a panel of three councillors appointed by Council for the duration of the program.</p> <p>Where necessary, advice may be sought from relevant Council committees and/or officers as part of the assessment process.</p>
Accountability:	<p>Recipients are required to provide Council with a final project acquittal at the end of the funding period, report on the success of the projects and areas for improvement in the project deliver, outcomes and outputs developed.</p>

Definitions

Community-based group is defined as a group with a clear purpose and objectives, however, may not have progressed to the point of having legal status. The group must be open, be managed by a committee, maintain up-to date financial records and contribute in a positive way to the wellbeing of residents in the MidCoast Council local government area.

Community capacity building is defined as promoting the capacity of local communities to develop, implement and sustain their own solutions to problems in a way that helps them shape and exercise control over their physical, social, economic and cultural environments.

Donation is defined as a cash or in-kind contribution for a specified purpose in line with section 356 of the Local Government Act.

Eligible organisation is defined as an incorporated association and not-for-profit organisation that operates and delivers activities in the MidCoast Council local government area.

An unincorporated community-based group that operates and delivers activities in the MidCoast Council local government area may apply for assistance under this Policy under the auspice of an Eligible Organisation.

Individuals, commercial organisations and organisations that are the responsibility of State or Federal Governments (e.g. Schools) are not eligible to apply for assistance under this Policy.

Not-for-profit organisation is defined as an organisation whose income, assets and surplus funds are used to achieve its purpose and objectives and are not distributed to members, owners or shareholders while it is operating and ceases to operate. The legal status of these organisations may include incorporated associations, companies limited by guarantee, charities and co-operatives.

Service functions of Council are defined as the activities carried out by Council, appropriate to the current and future needs of the community, as outlined in Council's Delivery Program and Operational Plan.

References and related documents

Funding Deed of Agreement between MidCoast Council and Resilience NSW

Responsible officer (position)

Manager of Libraries and Community Services

Attachments

Nil

8. STRATFORD FUNDING

Report Author Lyndie Hepple - Coordinator Community Development

File No. / ECM Index

Date of Meeting 25 August 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report seeks approval from Council to commit 50% of Stratford Coal contributions annually to the Gloucester Education Fund.

SUMMARY OF RECOMMENDATION

That 50% of the annual contributions from Stratford Coal be allocated to the Gloucester Education Fund.

FINANCIAL/RESOURCE IMPLICATIONS

There is no budgetary impact as the practice of allocating 50% of contributions to the Gloucester Education Fund has occurred since the formation of MidCoast Council.

LEGAL IMPLICATIONS

The Development Consent requires the Stratford Mine to contribute funds for Community Enhancement and expires at the end of 2024.

BACKGROUND

Both the Duralie and Stratford Coal mines have contributed funds to Council for community benefit, under their relevant Development Approvals.

A proportion of funding has historically been allocated to the Gloucester Education Fund, administered by a community group, to benefit young people in the Gloucester area. The support takes the form of scholarships and assistance to local businesses to employ apprenticeships.

The Education Fund assists approximately 10 young people each year, with further education and qualification opportunities, without which they would struggle to make a start in life.

DISCUSSION

While Duralie Coal mine near Stroud has contributed to the Education Fund, the facility is winding down and is no longer relevant to the current discussion.

The Development Consent for Stratford Coal under the heading 'Community Enhancement' states that the mine *'shall pay to CSC (Gloucester Shire Council) a total of \$550 a year for each full-time equivalent employee/contractor on the site. This payment is for the provision of infrastructure and services generated by the development. It is also to be indexed in accordance with the CPI for the December quarter of the previous year (except for the initial payment).'*

The Development Application for the mine was approved for 11 years in 2015, although mining operations didn't begin until 2018. The mine is expected to run for 7 years and is currently 4 years

into that timeframe, so there are another 3 years of mining production with operations expected to conclude at the end of 2024 under the current consent.

Based on the current number of full-time employees, the annual contribution made by the mine is approximately \$36,000. Therefore a 50% allocation to the Gloucester Education Fund is \$18,000 pa.

The former Gloucester Shire Council contributed 50% of Stratford contributions each year, to the Gloucester Education Fund in order to provide opportunities for young people in the Gloucester area to access tertiary education and apprenticeships.

The Chair of the Gloucester Education Fund has approached Council requesting a commitment in writing, to continue this arrangement in order to benefit the young people in the Gloucester area.

COMMUNITY IMPACTS

The Gloucester area experiences high levels of disadvantage and is ranked the 6th most disadvantaged area within the MidCoast LGA.

There are few opportunities for young people to obtain tertiary education and qualifications unless they leave the area. Lack of public transport makes travel to the Manning Region in order to access the Taree University Campus difficult.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

WE VALUE... our unique, diverse and culturally rich communities	Strengthen the capacity of our young people to participate and thrive in community life.
WE VALUE... our thriving and growing economy	Increase opportunities for quality education and training

RECOMMENDATION

That 50% of the annual developer contributions from Stratford Coal be allocated to the Gloucester Education Fund.

9. DISABILITY INCLUSION ACTION PLAN – IMPLEMENTATION PROGRESS REPORT

Report Author	Lyndie Hepple - Coordinator Community Development
File No. / ECM Index	Disability Inclusion
Date of Meeting	25 August 2021
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

In June 2017 Council adopted its inaugural Disability Inclusion Action Plan (DIAP). This report details progress made in implementing that plan over the last 12 months.

SUMMARY OF RECOMMENDATION

That the information in the report be noted and reported to the Minister for Disability Services in line with the provisions of the Disability Inclusion Act 2014.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Under the provisions of the Disability Inclusion Act 2014, Council is required to:

- Have a current Disability Inclusion Action Plan (DIAP) in place
- Register a copy of the DIAP with the Disability Council of NSW, and
- Report DIAP progress annually to the Minister for Disability Services.

ATTACHMENTS

A: Disability Inclusion Action Plan Progress Report 2020/21

Attachment A has been circulated electronically to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

BACKGROUND

In 2008 the Australian Government committed to implementing the United Nations (UN) Convention on the Rights of Persons with Disabilities:

“to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.”

In 2014, in order to fulfil this commitment, the NSW Government introduced the Disability Inclusion Act, 2014 (“the Act”). The Act required all Councils to have a Disability Inclusion Action Plan in place by June 2017.

MidCoast Council’s Disability Inclusion Action Plan (DIAP) was adopted on 28 June 2017 and the plan was registered with the Disability Council of NSW.

Plans have a 4-year duration. Consequently, a new plan was to have been in place by June 2021. The Pandemic which affected Australia in 2020 greatly affected the ability of Councils to consult with people with disability, and Councils were granted an extension for the development new DIAPs until June 2022.

As a result, on 10 March 2021, Council formally resolved to extend the current DIAP until June 2022 to ensure that a valid DIAP was in place while consultation occurs for the next iteration of the DIAP.

The Act requires Councils to report annually on progress made in implementing the DIAP and to submit the progress report to the Minister for Disability Services. Attachment A outlines progress made during the 12 months since the last report.

COMMUNITY IMPACTS

The work completed over the last 12 months towards delivery of the MidCoast Council DIAP demonstrates and reinforces Council’s commitment to enhancing the accessibility and inclusiveness of our community.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

We value our unique, diverse and culturally rich communities	We are a diverse community that works together to care for all our members
We value a connected community	It is safe and easy to get around our region We protect the health and safety of our communities

RECOMMENDATION

1. That the information in the report be noted;
2. That as soon as practicable after preparing the annual report, the Minister for Disability Services be provided with that part of the report relating to the implementation of the Disability Inclusion Action Plan, in line with the reporting requirements of the Disability Inclusion Act, 2014.

10. DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY – JULY 2021

Report Author Paul De Szell - Director Liveable Communities
File No. / ECM Index Development Consents Issued Under Delegated Authority
Date of Meeting 25 August 2021
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report outlines each of the development determinations which have been issued during July 2021 under delegated authority.

SUMMARY OF RECOMMENDATION

It is recommended that the information be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil

ATTACHMENT

A: Determinations made during July 2021

Attachment A has been circulated electronically to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

REPORT

120 development determinations were made during July 2021 under the authority delegated to me on 3 May 2018. Details of these determinations are contained in Annexure "A".

Should any Councillor have a query regarding the attached Annexure, please contact the Director Liveable Communities so that the appropriate documentation may be brought to the meeting for clarification.

RECOMMENDATION

That the information be noted.

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11. MATTERS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT

Report Author Paul De Szell - Director Liveable Communities

File No. / ECM Index Land & Environment Court Appeals

Date of Meeting 25 August 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report both lists and provides an update on matters that are currently before the Land and Environment Court.

SUMMARY OF RECOMMENDATION

It is recommended that the information be noted.

FINANCIAL/RESOURCE IMPLICATIONS

As identified in Attachment 'A'.

LEGAL IMPLICATIONS

As identified in Attachment 'A'.

ATTACHMENT

A: List of matters currently before the Land and Environment Court

Attachment A has been circulated electronically to the Councillors and Senior Staff and this attachment is publicly available on Council's website.

REPORT

This report both lists and provides an update on the matters that are currently before the Land and Environment Court. The information is provided for the consideration of Council.

RECOMMENDATION

It is recommended that the information be noted.

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12.COMMUNITY INCLUSION AND WELLBEING REFERENCE GROUP MEETING NOTES

Report Author Lyndie Hepple – Coordinator Community Strengthening
File No. / ECM Index Committees / Working Groups
Date of Meeting 25 August 2021
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report presents the notes of the Community Inclusion and Wellbeing Reference Group meeting held on 29 July 2021.

SUMMARY OF RECOMMENDATION

That the Community Inclusion and Wellbeing Reference Group meeting notes of 29 July 2021(provided in Annexure A) be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

DISCUSSION

The Community Inclusion and Wellbeing Reference Group was established by resolution of Council at its Ordinary Meeting on 31 October 2018.

The Reference Group meets at least quarterly to provide strategic advice and feedback to assist Council in making the MidCoast an accessible, inclusive and cohesive community, where all people can participate fully in community life, regardless of their age, ability or background.

CONSULTATION

Meeting agendas and draft meeting notes were distributed to all Reference Group members.

COMMUNITY IMPACTS

The Community Inclusion and Wellbeing Reference Group reflects the value Council places on our unique, diverse and culturally rich communities as well as our connected community.

The group assists Council to deliver on the following strategies from the Community Strategic Plan:

- Provide equitable access to services, programs, spaces and facilities;
- Strengthen the capacity of our young people to participate and thrive in community life;
- Support the strengthening of social connectedness through programs and partnerships; and
- Welcome people of all abilities and backgrounds

RECOMMENDATION

That the Community Inclusion and Wellbeing Reference Group meeting notes of 29 July 2021 (provided in Annexure A) be noted.

ANNEXURE

A: Community Inclusion and Wellbeing Reference Group meeting notes of 29 July 2021



Community Inclusion and Wellbeing Reference Group

Date	29 July 2021	Time	10:00am – 11:30
Venue	Zoom	Note-taker	Lyndie Hepple
Present	Lyndie Hepple, John Price, Mark Norris, Judy Hollingworth, Cr Katheryn Smith, Liz Green, Donna Hudson, Hannah Earley		
Apologies	Paul De Szell, Felicity Carter, David Isbel, Karen Fuller		

Meeting items

1. Meeting opened welcome and Acknowledgement of Country

Cr Katheryn Smith

2. Declaration of Conflicts of Interest

None

3. Action Items Update

- Most actions are now complete
- Invite CEO's to attend on alternating basis – invitations are being sent, but no attendance yet, and Pandemic situation in NSW now an added complication
- Housing Forum – anticipated date for end of April had to be postponed as there was more work required to engage key stakeholders. Lyndie Hepple and Chris Jones (Manager Libraries & Community Services) are attending a full day Regional Meeting of Community Planners in Coffs Harbour (Covid-19 permitting) where the topic is Housing. Planning for a local forum will recommence after that meeting.
- MidCoast Awards/Inclusion Award – MidCoast Awards had committed to discussing whether this was desirable/feasible but have not provided an update. Lyndie has followed up but still no response.
- Ageing Strategy – Focus group meetings were cancelled due partly to low response rate, but also Public Health Orders. Calypso has been talking to invitees one on one for feedback and suggestions on how to address needs identified during consultation. Finalisation of strategies this week to feed into Draft document. Now that Council elections have been postponed the Draft can be submitted to Council for endorsement for public exhibition soon. CIWRG will be advised when that happens to enable the group to have opportunity for further input.

4. Governance update

Donna Hudson, Governance Liaison and Projects Coordinator attending the meeting, and advised:

- Council elections deferred to 4 December due to Covid-19. Council will enter the caretaker period from 25 October which means that no major decisions can be made during that time. It will take about three weeks for the determination on the outcome (results), ie around 23 December. The first Council meeting needs to be held within 3 weeks, ie the first or second week of January. During the first two

meetings of the new Council there will be a lot of work required to induct new Councillors and bring them up to date. Many decisions will be required about the direction for the next 4 years and key focus areas, including committees – what are they, membership, appointing Councillors to each committee, etc. Some prework happening now including consultation with existing committees in order to provide feedback for the new Council to enable them to make more informed decisions. Council Officers need to know what's worked, what's not worked and suggestions in order to provide feedback.

Discussion about what has worked:

- Challenges at the start due to staff changes. Barriers to getting up and running but doing well now. Consistency is key to progressing.
- Been a very welcoming group. Everyone's opinions are welcomed, discussions are always friendly, and opinions are respected.
- Lost a few members which was disappointing – need to think of ways to address that.
- Been a difficult environment to get runs on the board given the challenges (staffing, Pandemic etc).
- One of the reasons we lost members at the start is that each person came from a different area with different ideas of what they wanted to achieve. First couple of meetings were a bit difficult and a couple of people may have given up and left. As discussions have progressed, each member has realised how each niche demographic fits into the bigger picture, and that none is more important than any other.
- If the committee continues part of the orientation should be more of an explanation of the objectives to avoid the situation described above.
- Appreciation of the wide range of backgrounds and experiences. Good to see so many people able to be involved and represent the needs and wellbeing of the community.
- Group is very happy with Cr Smith's leadership.

What hasn't worked:

- Physical attendance was problematic for at least one member, and Zoom is inaccessible for another. A mixture of in-person and zoom appears to be the best solution.
- A couple of members dropped off due to changes in roles – conflicting commitments.
- Locations, dates and times of meetings – not every date and time will work for all members – also contributes to drop off in membership. Could include dates and times of meetings at the time of calling for membership so that potential members know if they will be able to commit. Suggestion for alternating days for meetings (eg Wednesday and Thursday) in order to accommodate as many people as possible.
- Re membership – the new Council will decide the way forward. It may continue with additional members sought (which will contribute to continuity and momentum) or they may decide to start over. Donna will send questions via Lyndie to ask existing members if they have desire to stay on in 2022, which will help inform the new Council.

Terms of Reference:

- No feedback provided during the meeting. Terms of Reference will be sent out after the meeting for review and comment.

- Question about '*strategic advice and direction*'. Cr Smith advised that Council takes feedback from these committees very seriously.

Other information:

- The Mayor is re-elected in September regardless of the delay in the election. The Mayor and Deputy Mayor positions will become vacant in September and opened to the existing Council. New office bearers will hold those positions for 3 months until the elections in December. It has no impact on the Councillor representation on the existing committees.
- There was clarification that there will no changes to staff roles when a new council is appointed.

5. General

- Consultation for the Disability Inclusion Action Plan (DIAP) is about to commence. The Community Inclusion & Wellbeing Reference Group will have further opportunity to provide input to the strategies when the consultation period is completed.
- **Action:** Lyndie to send survey link to participants. Members to encourage their networks to also complete the survey. Lyndie to include as an Agenda item when consultation is complete.
- Felicity Carter, member of this Group, received an OAM. The Community Inclusion & Wellbeing Reference Group congratulates Felicity as the award is well deserved. See Attachment for Great Lakes Advocate article on Felicity
- Include tour of Yalawanyi Ganya at next meeting.

6. Meeting review and Close

Next meeting

Date	Thursday 30 September 2021	Time	10.00am
Venue	Council Chambers, 2 Biripi Way, Taree + Zoom for those who can't attend in person		

17 June 2021

Coomba Park community worker

Felicity Carter met the news she had received a mention in the year's Queen's Birthday honours with a mixture of surprise, disbelief, humility and honour. A passionate and dedicated community worker, Felicity has been awarded a prestigious OAM (Medal of the Order of Australia) for her selfless service to the Great Lakes region.

"There are so many (other) deserving people in this community, I feel doubly honoured to be recognised for just doing something I love and feel so strongly about," she said. "My passion has always been to try to re-dress some of the imbalances that exist in our society, especially concerning children."

Her passion can be traced back to her school days when she taught a young illiterate next-door neighbour how to read. "I believe every child should have the opportunity to read," she said.

However, her volunteering journey began in earnest 17 years ago after settling permanently on her parents' 200ha Coomba Park cattle property.

Raised and educated primarily in Sydney, Felicity also spent time her early years in Parkes - in the State's Central West - before her dentist dad took the family off to Britain.

After completing her secondary school education, she studied agriculture science, specialising in animal husbandry at Sydney University before forging a diverse range of careers in clinical research, human resources and business consulting. Relocating to the Great Lakes back in 2004 gave Felicity the opportunity to concentrate on her passion; literacy with the establishment of ASHOW, (after school heroes on Wallis) program for primary students. "I was part of a mentoring program in both high schools and was struck by the similarity of difficulties facing teenagers -low literacy and numeracy - as well as lack of confidence and connectedness. "I wondered why we were waiting till kids were 15, so in 2007, ASHOW for primary students, was created.

"To support ASHOW, it was an easy step to tutoring some of the same students at our local primary school. "What can be better than seeing a child overcome a previously insurmountable obstacle and gain new confidence and enthusiasm for learning?" At the same time Felicity began working with talented Aboriginal children who, while in primary school were what she described as good "primary school citizens" but as soon as they hit high school the wheels fell-off. Felicity described working with and getting to know Worimi Elders, Janice Paulson, Lynette Davis, Pam Paulson, Steve Brereton, Noeline Lever, Margie Donnelly and educator, Lee Townsend as one of life's greatest joys.

"Working together with these inspirational Elders to create programs supporting education and culture has had a powerful impact on me and changed my life for the better. "Equally, collaborating on these projects with strong women like Patsy Browne,

Margaret Gardner, Elaine Charker and Kylie Honor, also volunteers, makes working across communities so much more effective.

Her passion for literacy, and as a member of the Forster Neighbourhood Centre committee, earned Felicity an invitation from (then) Great Lakes Library manager, Chris Jones (now MidCoast Libraries) to work on an adult literacy project. With a group of committed volunteers the one-on-one tutoring program was initially introduced to the wider community before being drafted into the Aboriginal community. It gained immediate traction, she said. "I felt this one-on-one tutoring by volunteers could be replicated with Aboriginal students and so began a hugely fruitful consultation process with Worimi Elders who agreed and insisted that there was a solid cultural component to our tutoring program not only for the kids, but to ensure tutors gained cultural sensitivity training. And so, Better Learning, Better Communities (BLBC) was created.

"The value and richness of building-in Aboriginal cultural awareness to BLBC has ensured that not only are Aboriginal children gaining the benefit of a closer connection with Elders, but so is our wider Mid Coast community. "The opportunity to work with these Elders on collaborative events like Wallis Lake Cultural cruises, the annual Big Sing by the Sea, Baraya-djukal, Garuwa-ga, and most recently a combined singing group Baraya Wakulda (meaning "Singing Together") has enriched my life forever. "Being able to deliver BLBC at Tobwabba Aboriginal Medical Service has benefited students and tutors immeasurably.

"I love that the kids walk over to TAMS by themselves to come to BLBC, but personally, as President of Forster Neighbourhood Centre and a board member of Great Lakes Women's Shelter, I can help to keep communication channels open and facilitate co-ordination between us - my greatest motivator, connecting people and services for the greatest benefit of all. "I am deeply honoured to be recognised on behalf of this group of exceptional people."

Community Inclusion and Wellbeing Reference Group

Action items update

Item No	Description	Date Raised	Action for	Due Date/ Timeframe	Status Update as at 27/09/19
1	Invite medical centre CEOs to attend on alternating basis.	29/3/19	HE	Ongoing	Ongoing
2	Walk around community for disability	28/02/20	LH		Done on Thursday 22 April. Economic Development has followed up with businesses since and implemented actions identified by those present.
3	Invite new caretaker CEO of community transport to attend next meeting	28/02/20	LH		Invitation to meeting on 29/7 had been accepted, but when Agenda was emailed, bounce back received advising that CEO was on annual leave until 2/8. Invitation to September meeting will be sent.
4	Housing Forum – set date, identify relevant stakeholders, MC	15/12/20	LH	December 2021	Consultation with stakeholders continues. Date to be determined.
5	Disability Inclusion Action Plan – bring consultation outcomes to CIWRG for information	15/12/20	LH	July 2021	Consultation commencing. CIWRG encouraged to complete survey, and to distribute to networks and encourage them to participate..
6	North Tuncurry Development – SIA	15/12/20	LH	Jan 2021	DA not yet lodged.
7	Road resurfacing/patching. Loose gravel causes problems with wheelchairs	15/12/20	LH		Completed. LH spoke to Engineers and provided photos supplied by Bucketts Way Neighbourhood Group. They agreed to organise a sweep of the affected road.
8	Policy on non-working dogs in Council Buildings.	15/12/20	LH		Completed. Council's position is no non-working dogs in Council buildings. Signage in progress

9	Covered disability parking spots	15/12/20	LH		Completed. LH discussed with Engineers. Will be considered in future developments. LH sent letters to Stockland and Myall Quay shopping centres requesting consideration of this need. Letters sent to RSL and Bowling Clubs across the LGA.
10	MidCoast Awards/Inclusion Award	28/1/2021	LH	June 2021	LH spoke to MidCoast Awards exploring possibility of an Access Award. They advised that they recently reduced the number of awards as it was felt there were too many but agreed to discuss at next meeting. Awaiting response.
11	Scooter workshops – Gloucester	28/1/2021	LH		Lyndie organised for a workshop in May when the Road Safety Officer returns from extended leave
12	Council printed material – font and size	28/1/2021	LH		Lyndie spoke to Comms Team – they are more aware
13	Toilets in Little Street – size and unisex	28/1/2021	LH		As this building was built in the 70's it is pre unisex. Recent refurb – but was only cosmetic. No walls or structure were adjusted. The layout is as per the time, including widths. Post-refurb inspection by a building surveyor identified no issues and it is compliant for door widths and circulation space. There is a minor incursion into the path of travel from the men's urinal however this is compliant from when it was built and will be fixed when the building is reconfigured in the future. Unisex accessible amenities are available further down Little St at Paradise Marina, at Forster Main Beach and there are plans for the Boat Harbour and Tuncurry Waterfront. When we do a major refit at the Memorial Dr/Little St amenities, a unisex access facility will be included.
14	DCJ Funding for lift and change facilities	28/1/2021	LH		The Lift and Change Facility at Fotheringham Park has been waiting on parts on the manufacturer for 2 years as they arrived broken in shipping and the

15	Lifts at pools	28/1/2021	LH			supplier would not resupply until his insurance came through. This has since been approved and the unit should be working by the end of this month
16	Ageing Strategy	27/5/21	LH			Lifting chairs at Council's Gloucester Pool and the YMCA's Manning Centre. These units require significant ongoing repairs and costly maintenance, an issue that needs consideration for future funding applications Draft Ageing Strategy will be presented to Council in next two months. Lyndie will advise CIWRG so that they have opportunity to provide input.
17	Friendship group	27/5/21	LH CW			Put Jane O'Dwyer in touch with Karen Fuller Calypso to assist Karen with listing Friendship Group on the Community Directory

Key:

Not yet scheduled for commencement	Committed and on schedule	Committed and not on schedule or overdue	Complete	→	Deferred	W	Withdrawn
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DIRECTOR INFRASTRUCTURE & ENGINEERING

13. MONTHLY CAPITAL WORKS PROJECT STATUS REPORT

Report Author Lorna Barber, Project Officer – Water Project Delivery
Greg Blaze, Coordinator Project Delivery - Transport

File No / ECM Index

Date of Meeting 25 August 2021

Authorising Director Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

This monthly report provides the status of major infrastructure and engineering projects and highlights potential issues with schedule, cost or impacts on delivery.

SUMMARY OF RECOMMENDATION

That the Monthly Project Status Report be received, and gateway report endorsed with revised milestones.

FINANCIAL / RESOURCE IMPLICATIONS

Projects within the report are included in the 2021/22 Operational Plan. Funding for these projects is budgeted in either the Capital Works Plan, by grants or by Council's Road Maintenance Council Contract RMCC with Transport for NSW. Projects are currently progressing within their allocated budget unless noted otherwise.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

- A: Transport & General - Project Status Report
- B: Water & Wastewater - Project Status Report
- C Forster STP Blower ready to design & implement Gateway Report.

Attachments A, B & C have been distributed electronically to the Councillors and Senior Staff, however these attachments are publicly available on Council's website.

DISCUSSION

A brief synopsis of the status of current major projects follows:

Transport & General Projects FY21/22

Special Projects

- Cundletown Northern Gateway Roundabout Stage 1 – in construction concrete roundabout and road tie-ins. Scheduled to be completed November 2021.

Urban Rehabilitation

- McCullagh Lane Carpark, Wingham – Completed late July.
- Farquhar Street, Wingham – Drainage works completed early August, roundabout works for Farquhar / Primrose to commence mid-August. Water services relocations complete.
- York Street, Taree – Construction of a roundabout. Contractor is continuing works on-site and is programmed to be completed in August.

- Coorilla Street, Hawks Nest – preliminary reconstruction works commenced with main works to be undertaken in August.

Rural Rehabilitation

- Lansdowne Rd, Cundletown – Reconstruction of approx. 1km road pavement. Works commenced mid-May and scheduled for completion in late August.
- Waitui Rd, Hannam Vale/Waitui – Reconstruction and bitumen sealing of approx. 3km of road pavement. Design nearing completion. Expected commencement of works early September, to be undertaken by internal works crews.

Rural Construction

- Bombah Point Road, Bombah Point – Construction of a sealed road pavement. Works are programmed to start after completion of Coorilla Street.

Regional Rehabilitation

- Avalon Road, Dyers Crossing – Ditchfield Contractors commenced works in January. The project has been broken down into three stages. Stage 1 works have been predominantly completed and was the largest of the 3 stages. Construction of the remaining stages has commenced and will continue for the first quarter of the new financial year. Scheduled completion late September.
- Manning River Drive, Taree – Stage 2 works include extending the service road beyond the service station. Works completed in early August.
- Isabella Street, Wingham – Reconstruction from Dennes to Primrose Streets. Contractor commenced works on-site in early June and is making good progress. Works to be completed mid-August.
- The Bucketts Way, Tinonee – Durack Civil have progressed well and the work was completed early July.
- The Bucketts Way, Stroud – The St Clairs project. Council's Stroud construction crew are currently finishing up on this project, due for completion mid-August.
- The Thunderbolts Way, Tibbuc – Reconstruction and upgrade to road pavement. Road corridor works underway. Retaining walls have been completed and works now progressing on drainage works. Forecast completion is September/October.
- Carsons Lookout, Mares Run/Baxters Ridge – road reconstruction commenced in late June, expected completion September.
- The Bucketts Way, Allworth – Quotes have been received for RFQ and the contract has been let. Works to commence in August.

Bridge Renewals

Fixing Country Bridges MOU has been finalised in June to coordinate delivery of bridges with Central Coast Council and Dungog Shire Council. Bridge construction panel contract to be established.

- Fairbairns Bridge, Fairbairns Rd – Bridge completed, awaiting construction of new road approaches.
- Parsons Bridge, Bunyah Rd / Willina Rd – Design has been completed. Side-track now in use and bridge work commenced. To be completed early November.
- Cox Bridge, Caparra Rd – Design completed, RFQ issued for side-track construction, due for commencement in August.
- Little Tiri Bridge, Tiri Rd – Construction commenced early July, due for completion November
- Killabakh Creek Bridge, Yarrat Rd – Design is complete construction to commence mid-August.

- Sheathers Bridge, Hannam Vale Rd – Tender awarded at the July meeting, works to commence late August.
- The Falls Bridge, Glenwarrin Rd – Design completed. Internal team will commence construction in October once concrete works finished at Farquhar St.

Other Internal Council Works

- Dredging Farquhar – dredging works currently underway, expect completion September.

Panel Contract Utilisation

Report for Civil Consultants to July Council meeting, Panel updated.

Civil Consultants

- RFQ for survey required for 4 bridges out to panel.

Water & Wastewater Asset Renewal Programs FY21/22

- Sewer Pump Renewals Program – Design review completed for 3 sites including Smiths Lake and Taree.
- Water Mains Renewal Program – Work on multiple mains in Tuncurry commenced. Water extension and renewal works at Gipps Street and Cowper Street in Taree commenced in preparation for roadworks. Contractor engaged as part of road renewals at Cowper Street, Stroud.
- Water Treatment Plant Renewals Program – Works continued at Bootawa and Tea Gardens.
- SCADA and Electrical Renewals Program – Works continued at 7 sites including Old Bar, Dawson River and Wingham.
- Water Pump Station RTU Renewals Program – Quotation requested for 7 sites including Harrington, Coopernook and Crowdy Head.
- Smart Meter Installation Program – Meters for smart meter trial have been delayed. 14 installations have been undertaken as part of the Large Customer Engagement Program in the past 3 months (28 total to date).

Water & Wastewater Major Capital Projects

- Sewer Pump Station Switchboard Renewals – Continued finalising design packages for Smiths Lake. Procurement for 4 sites underway. Design modifications continued at Pacific Palms. Installation packages for Taree and Forster released to market.
- Sewer Treatment Plant (STP) Chemical Systems Upgrades – Dosing Pipework continued and new chemical tanks were delivered at Tuncurry RTP.
- Gloucester Reservoir & Associated Mains – Bulk earthworks completed at Cemetery Road site. Rising main pipework commenced from corner of WTP site to showground Road. Lift and lay pipework planning continued.
- Gloucester Sewerage Treatment Plant Replacement – 90% Concept phase deliverables are being finalised including concept design report. Draft detailed design specification is undergoing review. Draft Review of Environmental Factors completed. Planning proposal for rezoning to allow construction has been completed. Negotiations with EPA to finalise effluent quality targets is ongoing.
- Hallidays Point Sewer Pump Station no.13 – Contractor engaged and contract documentation completed. Update of REF commenced.

- Pacific Palms Sewage Treatment Plant, Stage 1 – Wall slab, reinforcement and concrete placement continues at Pond 1. Blinding layer, rear guard water stop installation, base slabs, wall panel formwork, reinforcement and placement continued to Pond 2.
- Black Head Water Main Replacement - 375mm pipework approx 93% complete for Stage 1. Work resumed on stage 2 due to good weather.
- Hawks Nest Sewer Treatment Plant, Upgrade Date 2 & 3 – Concept design continues. Consultant engaged to complete flora / fauna assessment and Review of Environmental Factors. 90% design drawing received and circulated for comment.
- Tea Gardens New Pump Station and Rising Main – Route options exploration continued in preparation for stakeholder workshop proposed in August.
- Comboyne Communication Tower, Construction and Implementation – Final geotechnical and resistivity report has been completed. Concept drawing completed. Tower location consultation has commenced.
- Harrington Sewer Treatment Plant, Upgrade – Tender documentation produced.
- Taree Sewer Pump Station 01 & 06, Switchboard Upgrades – Continued development of draft detailed Design Scope of Works. Started to Develop Risk Management Plan and Matrix. Updated Project Management Plan. Started to prepare concept technical note to confirm and define scope for design.
- Nabiac Water Treatment Plant, Upgrade Stage 2A – Tender contract negotiation started. Development of Natural Resources Access Regulator (NRAR) submission continues. Report prepared for procurement of micro-membrane equipment. Obtained ground water modelling report from consultant.
- Forster Sewer Treatment Plant EAT 1 & 4 Blowers – Review on concept report completed. Quotation for increased sized blower received.
- Harrington Sewer Pump Station, Vacuum Station Odour Upgrade – Consultants selected and instructed to complete peer review and environmental planning.

CONSULTATION

The management and coordination of all aspects of infrastructure and engineering projects are undertaken in consultation with a range of internal and external stakeholders.

The internal stakeholders which have contributed to the preparation of this monthly report include:

- | | |
|-----------------------------|--------------------------------|
| - Transport Assets | - Operations (North and South) |
| - Projects and Engineering | - Water Operations |
| - Water Assets and Planning | - Water Management & Treatment |
| - Water Project Delivery | - Finance |

COMMUNITY IMPACTS

Community impacts are considered and managed in accordance with communication plans tailored to individual projects. Regular reporting of progress and advanced notice of issues is coordinated through our Communications Team.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

These activities align with the following objectives of MidCoast Council's Operational Plan:

Objective 2, Strategy 2.2, Focus Ref 2.2.2:

Ensure consultation on future capital projects that provide opportunities or impact upon individual qualities of towns / villages

Objective 4, Strategy 4.2, Focus Ref 4.1.1

Deliver maintenance programs within allocated budgets

Objective 6, Strategy 6.2, Focus Ref 6.2.5:

Implement the long term service delivery strategies and plans (incl. the Integrated Water Cycle Management Plan, Drinking Water Quality Management Plan and the Asset Class Management Strategy) for Water Services

Objective 9, Strategy 9.2, Focus Ref 9.4.2:

Incorporate streetscape considerations in road designs

TIMEFRAME

The timeframes associated with each infrastructure and engineering project are outlined in Attachments A, B and C.

BUDGET IMPLICATIONS

These activities are proceeding within existing financial and resource allocations. Projects listed within this report have been included in the 2021/22 Budget and future financial years' budgets.

RISK CONSIDERATION

The risks associated with each infrastructure project are identified and managed within individual management plans in accordance with the risk management framework.

RECOMMENDATION

1. That the Monthly Project Status Report be received, and gateway reports endorsed.
2. That the gateway report for Forster Sewer Treatment Plant EAT 1 & 4 Blowers Replacement be endorsed

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14. WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT – JULY 2021

Report Author Robert Scott, Director Infrastructure & Engineering Services

File No. / ECM Index

Date of Meeting 25 August 2021

Authorising Director Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

The report provides key information on performance of our water and wastewater services.

SUMMARY OF RECOMMENDATION

That the Report for July 2021 be received and noted.

ATTACHMENTS

A: Water and Wastewater Monthly Performance Report – July 2021

Attachment A has been circulated electronically to Councillors and Senior Staff, however this attachment is publicly available on Council's website.

BACKGROUND

The report provides a snapshot of water and sewerage performance metrics. This enables management to identify and take appropriate action on a timely basis.

DISCUSSION

Water usage is slightly below average levels for July. The wet weather earlier this year has resulted in water usage being below average for most months. Drinking water quality compliance remained high. There were no Critical Control Point exceedances during the month.

Compliance with Environment Protection Licences remains high, at over 99%.

The volume of sewage treated is marginally lower than last year and slightly above the average for this time of year.

The levels of recycled water use are well below average. This is expected during the cooler conditions where there has been a lot of rainfall.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report aligns with;

- Strategy 6.2 - *Continue to develop a sustainable network of water, sewer and storm water systems to meet community needs and health and safety standards.*
 - 3 Year Focus - 6.2.4 - *Deliver ongoing service quality and continuity with increasing efficiency and better performance for Water Services*

- Strategy 15.1 – *Provide clear, accessible, timely and relevant information to support and inform the community.*
 - 3 Year Focus - 15.1.5 - *Maintain existing reporting capability in Water Services for capital projects and operations.*

RISK CONSIDERATION

The Risk and Compliance section specifically reports on treatment plant licence compliance, drinking water quality and any environmental impacts from sewage spills.

RECOMMENDATION

That the Water and Wastewater Monthly Performance Report for July 2021 be received and noted.

15. CONTRACT FOR SUPPLY OF MICRO FILTRATION EQUIPMENT FOR NABIAC WATER TREATMENT PLANT STAGE 2

Report Author Bill Baines, Project Manager
Mitchell Stace, Manager Water Project Delivery

File No. / ECM Index

Date of Meeting 25 August 2021

Authorising Director Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

This report provides for the procurement of Micro Filtration equipment for the NABIAC Water Treatment Plant Stage 2 project.

SUMMARY OF RECOMMENDATION

The recommendation is to proceed to purchase the membrane equipment required for the project from Pall Water Pty Ltd without proceeding to call open tenders on the basis they are the supplier of this proprietary equipment and a better outcome would not be achieved through open tendering.

FINANCIAL, BUDGET & RESOURCE IMPLICATIONS

The NABIAC Water Treatment Plant Stage 2 project is one of the projects within the Delivery and Operating Plan 2021/2022. The project is proposed to be partially funded by Council and NSW State Government.

The implementation of Stage 2 is part of the Long-Term Financial Plan (LTFP). A budget of \$2,500,000 has been allocated in the 2021/2022 budget. Further budget has been forecast in FY22/23 to complete the project.

Completion of this project is a component of the NSW Government's Critical Drought Initiative Package with a portion (\$1.7M) of the necessary funding having been provided by the NSW Government in order to achieve the project objectives.

The project was also listed as a priority under the NSW State Government's former Safe & Secure Water program.

LEGAL IMPLICATIONS

This recommendation seeks to use the provisions of Section 55 of the Local Government Act 1993 and the Local Government (General) Regulation 2005 in appropriate circumstance with open tendering unlikely to achieve a better result.

ATTACHMENTS

A: CONFIDENTIAL – Business Case and Options Evaluation Report

Annexure A has been classified as confidential and circulated to the Councillors and Senior Staff only. The Attachment has been classified as **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would if disclosed:
- (i) prejudice the commercial position of the person who supplied it

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

BACKGROUND

The Nabiac Water Treatment Plant Stage 2 project is part of our plan to expand the Nabiac Water Supply scheme. The following points provide a summary of the issues relating to the project;

- The intention is to enable the supply from the Nabiac Water Scheme to increase from 12ML/d to 18ML/d. This will also provide a level of redundancy in the system so that maintenance or breakdowns can be addressed without compromising the daily capacity of the plant.
- Bootawa Dam has a capacity of 2,200 ML and is about 16 metres deep. This is a small storage, providing around 100 days of supply. Long term plans for water security include the concept of a second water storage dam at Peg Leg Creek. The high capital cost and long delivery time for projects of this magnitude means we need to consider alternatives to address water security risk in the short term.
- Stage 2 of the Nabiac Water Supply Scheme reduces the water demand on Bootawa Dam storage and effectively doubles the number of days of storage if extraction from the Manning River ceased. Increased storage and pumping capacity, in conjunction with existing infrastructure at the Nabiac Water Treatment has been deemed the most appropriate short-term water solution to limit the impacts of a prolonged period of drought.
- Expansion of the plant was part of the original concept that was approved. The timing for the expansion has been brought forward in response to the recent drought.
- A portion of the project is to procure additional like for like Micro Filtration Equipment. The construction contractor for Stage 2 will install the equipment as part of the main contract works.

The most recent project estimate during the concept design phase was \$10M, excluding any contingencies.

TENDER EVALUATION

The scope of the required equipment is identical to what was supplied for the first stage of the plant. During Stage 1, the Micro Filtration equipment was sourced directly from the manufacturer and provided to the Construction Contractor for installation. The same approach is proposed for Stage 2.

The evaluation panel for this contract comprised of staff from our Project Delivery and Procurement teams. The panel considered compliance with the specification, technical worth, pricing and the divergence from the requirements of the Procurement Policy and Procedures.

The contract for equipment supply for stage 2 is proposed to be a fixed lump sum with monthly progress claims for budget control. The contract is nominally for a period of ten (10) months, late August 2021 until early May 2022. This coincides with the overall detailed design phase, so the equipment is available when the construction contractor is appointed in May 2022.

A detailed tender report summarising the formal justification is contained in Confidential Annexure A.

CONSULTATION

As the project moves into the design and planning phase, further communication and management of issues impacting stakeholders and the community will be assessed in line with Council's Risk Management Process.

During the detailed design stage, we will undertake an updated Review of Environmental Factors (REF) assessment to ensure that potential impacts of the project can be mitigated. No major impacts are anticipated.

Consultation with the community will be ongoing with updates to Council's website, media releases.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The design and construction of the Nabiac Water Treatment Plant Stage 2 project is part of the 2021/22 delivery and operational plans (DPOP).

Reference to the DPOP:

Strategy 6.2: Continue to develop a sustainable network of water, sewer and storm water systems to meet community needs and health and safety standards

Item 6.2.5: Implement the long-term service delivery strategies and plans (incl. the Integrated Water Cycle Management Plan, Drinking, Water Quality Management Plan, and the Asset Class Management Strategy) for Water Services; Nabiac bore field and water treatment plant upgrade.

TIMEFRAME

The period of contract is nominally a 10-month contract. It is anticipated that the contract will start in September 2021 pending post tender negotiations. Extensions of time and other issues allowed under the contract may result in the period being extended however we will actively manage these risks.

RECOMMENDATION

It is recommended that Council;

1. Not to require open tendering under Section 55(3)(i) of the Local Govt Act 1993 on the basis that there are limited suppliers and that a better outcome is unlikely to be achieved through inviting open tenders.
2. Award the contract for supply of Micro Filtration equipment to Pall.
3. Authorise execution of the contract by the General Manager, with an apparent contract price of \$1,260,500 (ex GST) following, and subject to any minor addendum to the contract to clarify the specification.

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16. NAMING PROPOSAL FOR UNNAMED ROAD OFF THE BRANCH LANE

Report Author Greg Blaze, Team Leader Development Engineering
Application No. RDA2021/0154
Date of Meeting 25 August 2021
Authorising Director Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

The purpose of this report is to seek Council's preferred name for an unnamed gravel road off The Branch Lane.

SUMMARY OF RECOMMENDATION

The name for the existing gravel road off The Branch Lane be called Mill Lane.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

BACKGROUND

Council has received a Road and Bridge Naming application (RDA2021/0154) to name an unnamed gravel road off The Branch Lane, The Branch. The application was received from a landowner who gains access to their property from this road which is approximately 550m in length. The location of the unnamed road is shown in Annexure A.

The application provided three suggested names in the following order of priority: -

1. **Mill Lane** – reason – there was an old timber mill on the block adjoining the lane, the ruins are still visible.
2. **Larpent Lane** – reason – the gravel road starts at The Branch Lane and runs directly to Larpent River. Locals drive down this road to view the river.
3. **Twig Lane** – reason – the unnamed road is an off-shoot of The Branch Lane.

In accordance with Council's road naming protocols, the name **Mill Lane** was advertised in public notices in the Myall Coast News (NOTA) and on Council's website and one response was received from a person from Karuah. The response objected to the proposal of Mill Lane and outlined some of the history of the road, confirming that it did provide access to a timber mill which was owned by the Royce family. The correspondent also stated that the Royce family were the driving force in opening up The Branch. One of this family formed the Branch Progress Association and aquaculture co-operative for local farmers, noting that the family had "*made a huge difference to this little valley over the years*". This correspondent has proposed that the unnamed road be called **Royce Lane**.

DISCUSSION

As the unnamed gravel road is a Public Road for which Council is the default road authority, Council is responsible for determining the road name. When considering names for local roads, Council generally complies with the "NSW Address Policy and User Manual" document prepared by the Geographical Names Board (GNB). Each of the names proposed have been reviewed in accordance with the guidelines of this document with comments as follows: -

1. **Mill Lane** – the original application proposed the name **Old Mill Lane**, however, the above manual states that a road shall not include qualifying terminology, such as the prefix "Old". When this issue was raised with the applicant and considering that the GNB would likely reject the initial proposal, the applicant agreed that the name could be amended to **Mill Lane**.
2. **Larpent Lane** – The above manual states that road names shall not be duplicated within a 30km radius for rural areas. It is noted that there is a Larpent Avenue in The Branch and a Larpent Street in Allworth, which means that Larpent Lane would likely be rejected by the GNB.
3. **Twig Lane** – There are no known Twig Lanes within the Mid-North Coast area and there appears to be no issues with this name.
4. **Royce Lane** – Council's current practice when considering road names for new subdivisions is to request developers to present names that reflect aboriginal names, local history, early explorers/settlers/pioneers, war casualty lists or thematic names such as flora, fauna or ships. In addition, the naming of roads after living people is not permitted. The naming of roads after former residents is discouraged. Council's experience is that proposals of this kind can lead to division within the community and other associated problems.

The proposal for Royce Lane was forwarded to the original applicant who stated a desire to keep Mill Lane as the preferred name given its connection to the local area and the history of the gravel road, being the location of a timber mill.

CONSULTATION

Consultation for the proposed road naming included advertisement in the local news facility, the Myall Coast News. Letters were also written to the other property owners (2 off) that were directly affected by the proposal. Responses were received from these owners with information as follows:

1. One respondent was happy to go with **Mill Lane**.
2. The second respondent preferred **Little Branch Lane** (this is problematic as prefixes would likely be rejected by the GNB). This respondent rejected the idea of naming the road **Royce Lane** as to name it after a resident would be unfair to the other residents in the area. The respondent agreed that if Council named the road **Mill Lane** that this would be acceptable.

COMMUNITY IMPACTS

There is expected to be no significant negative community impact with the naming of this gravel road. In a positive sense, the road naming will assist people who may have been lost in the area due to inaccurate information on maps Apps.

TIMEFRAME

The road name adopted will be notified to GNB and will take effect shortly after.

BUDGET IMPLICATIONS

There are no significant budget implications from this report. Funding for signage will be covered in the existing budget allocations,

RISK CONSIDERATION

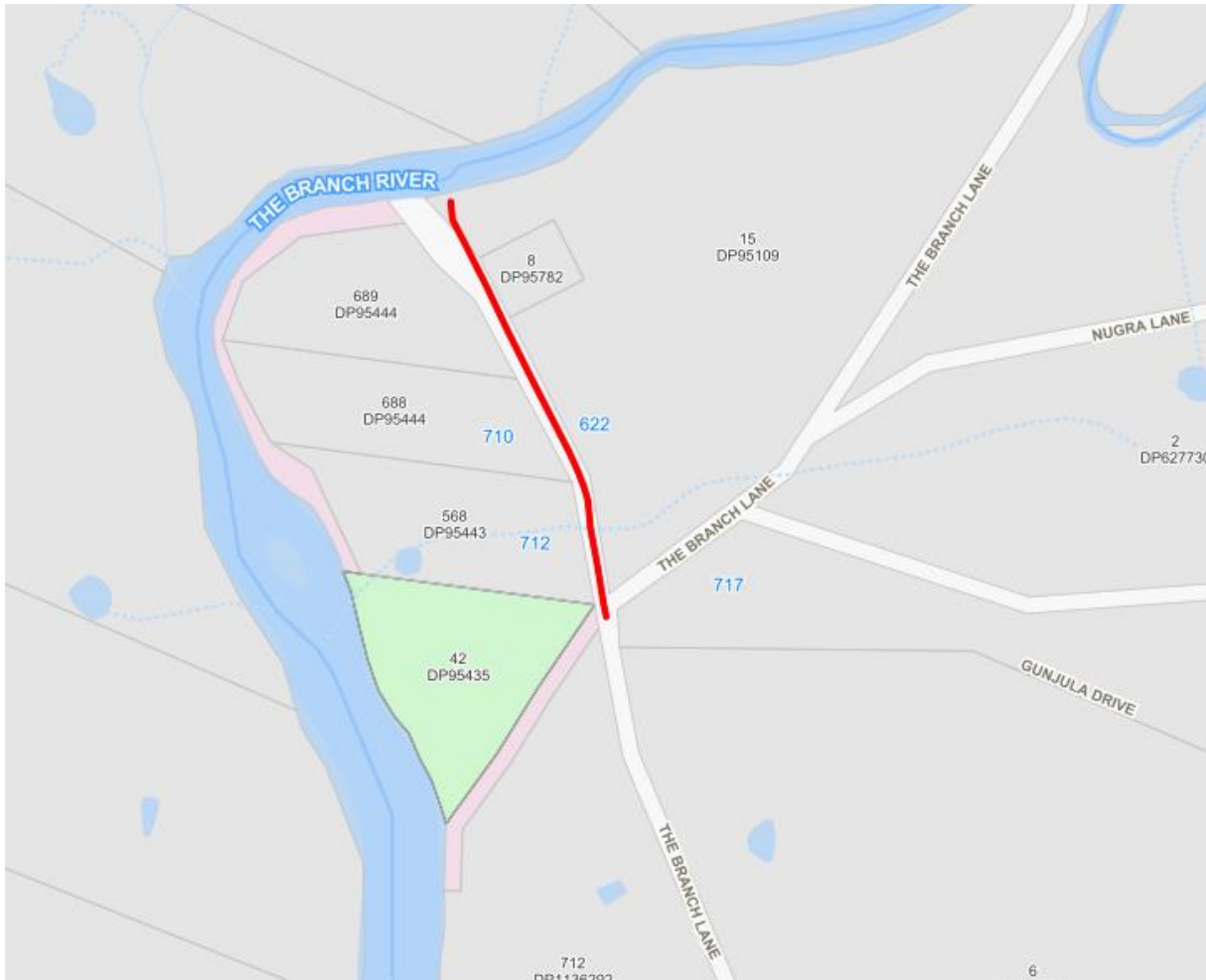
The consultation process undertaken to arrive at the road name has been used to mitigate any potential reputational risk of selecting a name that doesn't share local residents' support.

RECOMMENDATION

That the unnamed gravel road be called ***Mill Lane***.

ANNEXURES

A: Location of Unnamed Road – off The Branch Lane



17. PROPOSED TESLA SUPER CHARGER – TAREE

Report Author **Scott Nicholson, Manager Transport Assets**
File No. / ECM Index **Roads - Planning**
Date of Meeting **25 August 2021**
Authorising Director **Robert Scott, Director Infrastructure and Engineering Services**

SUMMARY OF REPORT

This report advises of a proposal by Tesla to install a supercharger station in the Taree area.

SUMMARY OF RECOMMENDATION

It is recommended that Council support the proposed Taree based Tesla electric vehicle recharge station in principle and delegate authority to the General Manager to continue negotiations with Tesla and execute an agreement for the installation / operation of the electric vehicle recharge station.

FINANCIAL/RESOURCE IMPLICATIONS

Infrastructure upgrades will be funded by Tesla along with maintenance for the duration of the licence agreement.

LEGAL IMPLICATIONS

This installation will be subject to a negotiated legal agreement between Council and Tesla. The Legal and Property Services Team have provided preliminary comments on the agreement and will review the final agreement before execution.

ATTACHMENTS

A: Draft Supercharger agreement for the installation of an electric vehicle recharge station

The attachment is CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

Details, should they be revealed, may result in commercial disadvantage to parties involved in the negotiations. Some information provided to Council by other party is provided on the basis that Council will treat it as commercial in confidence.

BACKGROUND

Council was recently approached by Tesla seeking discussions regarding the possible installation of a Tesla Supercharger electric vehicle recharge station in the MidCoast Council area.

The Tesla Supercharger system is used exclusively for Tesla vehicles. In July 2021, a statement from Tesla's Elon Musk advised that the unique charging system will be opened to other electric vehicles later this year. It is unknown which markets would be first, but assurance was given that the system would open to all countries over time. The network of Tesla chargers are all connected

and the system will direct Tesla drivers to the nearest preferred charging unit based on such parameters as remaining charge and available charging bays.

The proposed charging station requires 6 dedicated bays for Tesla vehicles and a further 7th bay can be added to support a generic destination AC charger for general public use.

The power requirements are quite onerous and the feasibility of a site is often governed by the availability of electricity infrastructure. The station requires:

- 250kw per bay/stall
- 1000Amp 3 phase transformer
- 6 parking bays for the Tesla Supercharger system + 1 additional bay for an AC charger
- 5 to 6 m² of space for the supporting equipment/cabinets. Typically, this infrastructure is placed behind the kerb but can be installed in a further parking bay if site constraints limit the available room.

Initial timing suggests the facility would be open to the public in late July 2022 depending on delays with utilities.

Council has previously facilitated the installation of an NRMA electric vehicle charging station at Nabic in 2018. The site is working as intended and is considered an attractor for the Nabic village.

DISCUSSION

The preferred site for the Tesla Supercharger Station needs to be available 24 hours and close to facilities such as shops. An essential component of the selected site is access to the power grid at a reasonable installation cost.

The facility is also seen as an opportunity for economic development in the area by attracting motorists away from the Pacific Highway who may not normally be planning to stop in our area.

Several potential sites were discussed but many were dismissed for reasons such as the loss of important parking spaces which are required for other uses and the availability of nearby power supply. Three potential sites were considered in further detail at both Taree and Nabic. These included:

- Art Gallery – Macquarie Street, Taree
- Wynter Street, Taree between the Hungry Jacks access and Manning Mall access
- Public carpark adjacent to the Nabic Hotel

Nabic Village Futures Group (NVFG) were consulted regarding the proposed location at Nabic. The NVFG used their reach to canvass members regarding the proposal and provided the following comment *‘the overwhelming response was NO – the total number of parking spaces available to all users of the carpark should not be reduced.’* Parking is a premium at this location and based on the comments received, the Nabic site is considered not viable.

Business Taree also provided general comments on the proposal. They are supportive of the facility in Taree and the potential increase in visitors from hosting a charging site. Business Taree favoured the Wynter Street site given the proximity to the shopping precinct.

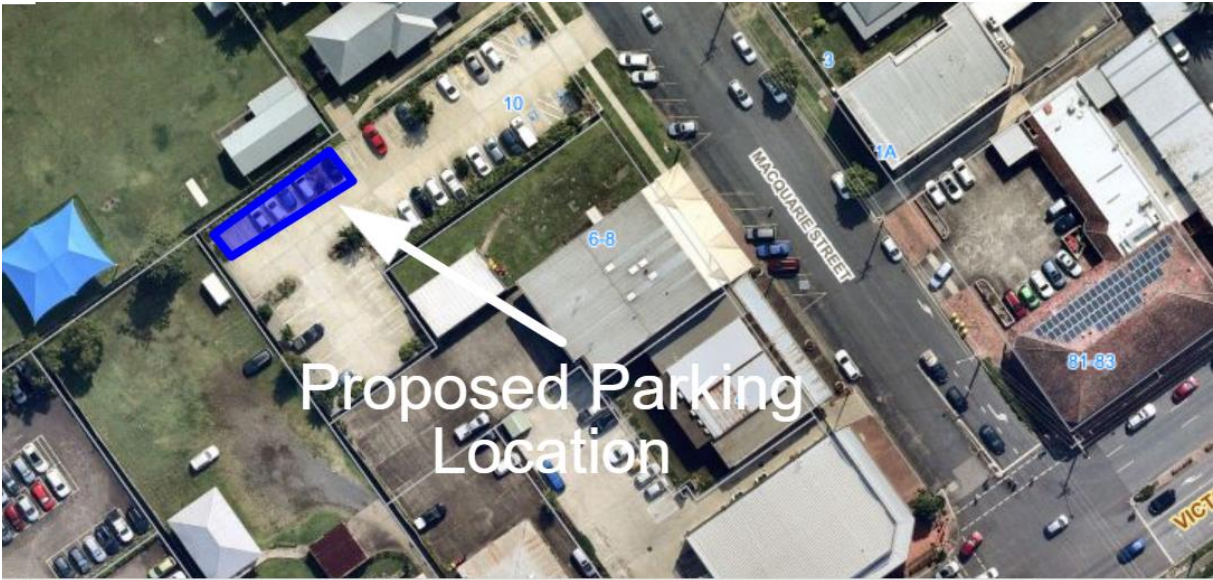
A charging station in Wynter Street would require some minor civil works to convert the current nose-in parking to rear-to-kerb 90° parking for the charging bays. These changes to the parking bays are required to ensure the charging infrastructure is located behind the kerb and clear of the travel lanes. This can be achieved with concrete islands and would be similar to the parking

changes that were implemented in Albert Street adjacent to the Taree Police Station. The location of the proposed parking in Wynter Street is shown below.



The Growth, Economic Development and Tourism team provided comments on the Art Gallery carpark location in Macquarie Street. The charging station was supported by the team and aligned with the business model for the facility. Although further away from shops than Wynter Street, there is reasonable access to Victoria Street businesses. Being off the roadside and within a carpark is a further advantage of this site.

The concrete carpark would allow reverse parking with no additional civil works. The possible bay locations are shown below.



Both locations are considered acceptable and meet the general criteria that Tesla are seeking for their charging stations. Should Council be accepting of either site, Tesla would undertake detailed studies to determine the preferred site which is likely to be determined by electricity supply constraints.

CONSULTATION

The proposal has been discussed with the Nabiac Village Futures Group and Business Taree as detailed in the discussion.

COMMUNITY IMPACTS

The Tesla Supercharging Station is being provided as a support for the travelling public as well as the local community. The installation is also seen as an attractor to passing motorists who may not otherwise stop in our area.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Strategy 4.1: Plan for, provide and maintain a safe road network that meets current and future needs

Alignment with the Climate Change Policy, specifically *'Council will use its influence to lead and support the community to reduce its own emissions, which encompasses action around strategic planning, education and capacity building, incentives and financial support, advocacy and collaboration, infrastructure development and land use planning.'*

TIMEFRAME

It is likely the installation would be completed in late July 2022 but is dependent on utility works.

BUDGET IMPLICATIONS

Installation works to be funded by Tesla along with ongoing maintenance for the term of the agreement.

RISK CONSIDERATION

The proposal will be subject to a legal agreement with Tesla, with the installation subject to approval by the Local Traffic Committee.

RECOMMENDATION

It is recommended that Council:

1. In principle, support the proposed Tesla Supercharge station in Wynter Street, Taree or the Art Gallery in Macquarie Street, Taree, subject to feasibility assessment completed by Tesla.
 2. Delegate authority to the General Manager to continue negotiations with Tesla and execute an agreement for the installation and operation of the electric vehicle recharge station at the feasible location.
-

18. FLOODPLAIN MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES

Report Author **Evan Vale, Team Leader Coastal, Flooding and Drainage**
File No. / ECM Index **Committees/Working Groups**
Date of Meeting **25 August 2021**
Authorising Director **Robert Scott, Director Infrastructure and Engineering Services**

SUMMARY OF REPORT

This report presents the meeting notes of the Floodplain Management Advisory Committee meeting held on 23 July 2021.

SUMMARY OF RECOMMENDATION

That the Floodplain Management Advisory Committee meeting notes provided in Attachment A be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

A: Floodplain Management Advisory Committee meeting notes of 23 July 2021

Attachment A has been provided electronically to the Councillors and Senior Staff, however this attachment is publicly available on Council's website.

BACKGROUND

The Floodplain Management Advisory Committee meeting was established by a resolution of Council at its Ordinary Meeting of 20 December 2017.

The purpose of the Floodplain Management Advisory Committee is to advise Council on the development and implementation of Floodplain Risk Management Plans for the MidCoast Council local government area. Floodplain risk management plans provide specific advice in relation to how to:

- reduce the impact of flooding and flood liability on the community;
- reduce private and public losses resulting from flooding;
- recognize flood prone land as a valuable resource which should not be necessarily sterilized; and
- take into account social, economic, ecological and cultural factors.

CONSULTATION

Meeting agendas and draft meeting notes were distributed to all Committee members and on the Council Flooding Management webpage.

COMMUNITY IMPACTS

Membership consists of the following members:

- Councillors – up to 2 (Chair and deputy chair);
- Local SES Controller or nominee;
- Representative of the Department of Planning, Industry and the Environment – 1 nominated representative;
- Community representative (up to 8) – who have an interest on expertise in local catchment flooding issues;
- Manager Transport Assets;
- Manager Strategic Planning;
- Team Leader Coastal, Flooding and Drainage; and
- From time to time, other people who have clearly defined interest in topics being pursued by the Committee.

Unfortunately, both nominated Councillors were unavailable to chair the meeting and Scott Nicholson, Manager Transport Assets, chaired the meeting under the provisions of the Terms of Reference. Cr Hutchinson did participate via Zoom for portions of the meeting around other prior engagements.

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

That the Floodplain Management Advisory Committee meeting notes provided in Attachment A be noted.

DIRECTOR CORPORATE SERVICES

19. DELIVERY PROGRAM/OPERATIONAL PLAN TWELVE MONTH REVIEW (JULY 2020-JUNE 2021)

Report Author Jennifer Trotter, Integrated Planning and Reporting Officer
File No. / ECM Index MidCoast Council Operational Plan 2020-21
Date of Meeting 25 August 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

Under the Integrated Planning and Reporting (**IP&R**) Framework all Councils are required to report on the progress of implementation of their Delivery Program and Operational Plan on a six-monthly basis.

The Delivery Program and the Operational Plan (**DPOP**) have been combined into one document for ease of reading for the community, and to clearly indicate the link to the Community Strategic Plan (**CSP**).

Attachment A details progress on what has been delivered in the last twelve months and how Council has tracked to deliver the one-year actions as outlined in the DPOP.

SUMMARY OF RECOMMENDATION

That the twelve-month review of the 2020-2021 DPOP be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Financial implications are reported separately through the quarterly budget review.

LEGAL IMPLICATIONS

Six-monthly reporting on the Delivery Program/Operational Plan is a legislative requirement pursuant to S404(5) of the Local Government Act 1993.

ATTACHMENTS

A: MidCoast Council: 2020-2021 DPOP Twelve-Month Review (1 July 2020 - 30 June 2021)

Attachment A has been circulated electronically to the Councillors and senior staff however this Attachment is publicly available on Council's website.

BACKGROUND

The Local Government Act 1993 requires progress reports to be provided to Council, with respect to the principal activities detailed in the Delivery Program and Operational Plan, at least every six months.

Section 404(5) of the *Local Government Act 1993* provides:

(5) The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every six months.

Attachment A provides an overview of the implementation of the 2020-2021 MidCoast Council DPOP as at 30 June 2021, specifically reviewing the progress and status of activities identified in the Plan.

Operational Plans are Council’s commitment to their community on how and where funds will be expended and what services and activities the community can expect to be delivered during the year. These plans link to the CSP, being the long-term aspirations of the community.

The endorsement of the first CSP for the MidCoast area ‘MidCoast 2030 – Shared Vision, Shared Responsibility’ adopted in April 2018 informed the 2018-2021 Delivery Program and 2020-2021 Operational Plan. The CSP was used as the overarching framework to outline the 3 Year focus areas for Council’s term in office (the Delivery Program) and the yearly actions (the Operational Plan) to realise the goals of the Delivery Program.




DISCUSSION

Format of the Review

Each of the one-year actions has a Performance Measure column, a Results column and the designated responsibility area under the MidCoast Council organisational structure. Under the “June 2021 Results” header there are two columns – status and comments.

- **Status**




Status is shown as either:

-  Completed
-  Delayed
-  Revised or withdrawn

- **Comments**

Performance results are as at the 30 June 2021.

Summary of results

	Completed	76.50%
	Delayed	22.50%
	Revised/Withdrawn	1%

COMMUNITY IMPACTS

The twelve-month review allows the community to examine how Council is delivering against its commitments.

RISK CONSIDERATION

The twelve-month review meets Council’s legislative requirements.

RECOMMENDATION

That the twelve-month review of the 2020-2021 DPOP be noted.

20. INVESTMENTS REPORT – JULY 2021

Report Author Phil Brennan, Manager Finance

File No. / ECM Index Investments - Monthly Reports

Date of Meeting 25 August 2021

Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report provides details of the funds invested by Mid-Coast Council under section 625 of the Local Government Act 1993 as required by clause 212 of the Local Government (General) Regulation 2005.

SUMMARY OF RECOMMENDATION

That the report be received and noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

A monthly report on Investments made and held by Council together with a statement by Council's Responsible Accounting Officer is required by legislation.

BACKGROUND

Section 625 of the Local Government Act 1993 permits a Council to invest money that is not, for the time being, required for any other purpose. This money may only be invested in a form of investment that has been notified in an Order by the Minister for Local Government.

Clause 212 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of Council must provide Council with a written report setting out all money invested under section 625 of the Local Government Act, at the last day of the month immediately preceding the meeting. It also requires that the Responsible Accounting Officer must include a certificate as to whether or not the investments have been made in accordance with the Act, Regulations and Policies. This Certificate is included as Annexure A.

Council considered and adopted a revised Investment Policy at its Strategic Meeting held on 14 July 2021. The new Policy amends some of the limits that are reported on and the new limits are contained within this report.

DISCUSSION

At 31 July 2021 Council had \$228,020,819 in invested funds with financial institutions.

Those funds consist of:

Product	Amount Invested
At-Call Accounts	\$18,880,819
6 Month Notice Accounts	\$5,000,000
Term Deposits	\$137,750,000

Floating Term Deposits	\$4,000,000
Floating Rate Notes	\$59,390,000
Government Issued Bonds	\$3,000,000
Total	\$228,020,819

Of that amount the following is the break-up of those funds between the 3 Funds operated by Council:

Fund	Amount Invested
General Fund	\$152,069,437
Water Fund	\$7,500,303
Sewer Fund	\$68,451,079
Total	\$228,020,819

The Investment Policy requires a report on the following matters:

1. *Details of each investment* - these details are shown in Annexure B to this report. That report provides the following detail for each investment held by Council:

Investment Date, Interest Rate, Security Type, Duration, Amount Invested, Maturity Date, Counter Party (who holds the investment), Credit Rating

2. *Counterparty Holdings*

The Policy provides for the following Counterparty Limits (maximum amount to be held with any one institution):

Credit Rating	Individual % of Portfolio
AAA / A-1	40%
AA / A-1	40%
A / A-1 & A / A-2	20%
BBB / A-2	10%
BBB- / Unrated	2%
TCorp IM Funds	20%

Additionally the total investments held in BBB- rated and ADI / unrated financial institutions are not to exceed 5.00% of the total portfolio.

The position at 31 July 2021 with respect to Counterparty compliance is as follows:

Counterparty	Rating	Amount Invested	% Invested	Max % Limit	Comply (Y / N)
NSWTC ICM CF (TCorp)	AA+	\$7,439	0.00%	20.00%	Y
ANZ Bank	AA-	\$13,850,303	6.07%	40.00%	Y
Commonwealth Bank / BankWest	AA-	\$29,873,077	13.10%	40.00%	Y
NAB	AA-	\$44,200,000	19.38%	40.00%	Y
Westpac	AA-	\$20,000,000	8.77%	40.00%	Y
NT Gov't	Aa3	\$3,000,000	1.32%	40.00%	Y
Suncorp-Metway	A+	\$2,550,000	1.12%	20.00%	Y
UBS	A+	\$5,540,000	2.43%	20.00%	Y
Bank of China	A	\$1,000,000	0.44%	20.00%	Y

Counterparty	Rating	Amount Invested	% Invested	Max % Limit	Comply (Y / N)
ICBC	A	\$14,000,000	6.14%	20.00%	Y
ING Bank	A	\$2,000,000	0.88%	20.00%	Y
Macquarie Bank	A	\$5,500,000	2.40%	20.00%	Y
Mizuho Bank Ltd	A	\$2,000,000	0.88%	20.00%	Y
Australian Military Bank	BBB+	\$7,000,000	3.07%	10.00%	Y
Bank of Queensland	BBB+	\$17,800,000	7.81%	10.00%	Y
Bendigo - Adelaide / Rural Bank	BBB+	\$6,700,000	2.94%	10.00%	Y
RACQ Bank	BBB+	\$1,500,000	0.66%	10.00%	Y
AMP Bank	BBB	\$20,250,000	8.88%	10.00%	Y
Auswide Bank	BBB	\$7,000,000	3.07%	10.00%	Y
Greater Bank	BBB	\$10,000,000	4.39%	10.00%	Y
Newcastle Permanent	BBB	\$6,750,000	2.96%	10.00%	Y
MyState Bank	BBB	\$7,500,000	3.29%	10.00%	Y
Total		\$228,020,819	100.00%		

The percentage of the portfolio held in BBB- rated and ADI / unrated financial institutions at 31 July 2021 is 0.00% which is within the limit.

Council is within counterparty limits for all holdings at the end of July 2021.

3. Dissection based on Maturity Horizon

The policy requires that Council maintain sufficient funds in on-call accounts and short-term investments to ensure that liquidity and income requirements are met. Once liquidity requirements are met, the portfolio maturity profile will aim to spread risk across the investment horizon.

The following table shows the break-up of the portfolio based on the investment term at the time of purchase of the investment.

Investment Term	Amount	% of Portfolio	Policy Limits
Cash	\$18,880,819	8.28%	
0 - 3 months	\$0	0.00%	10% - 100%
3 - 6 months	\$5,000,000	2.19%	0% - 90%
6 - 12 months	\$24,000,000	10.53%	0% - 90%
12 - 24 months	\$47,000,000	20.61%	0% - 70%
24 - 60 months	\$129,140,000	56.64%	0% - 60%
Greater than 5 years	\$4,000,000	1.75%	0% - 25%

It should be noted that the 3 - 6 month investments are 6 month terms, the 6 - 12 months are all 12 month terms while the 12 - 24 months are becoming evenly spread between 12 and 24 month terms. Council has exceeded the 50% policy limit for the 24-60 month term when considered from the perspective of the term of the investment at the time of purchase. However, Council's Investment Advisor, Imperium Markets, considers the policy application from the perspective of the time to maturity which follows below and is within policy limits.

The current positioning of the portfolio based on the remaining term to maturity is as follows:

Investment Maturity	Amount	% of Portfolio	Policy Limits
Cash	\$18,880,819	8.28%	
0 - 3 months	\$46,750,000	20.50%	10% - 100%
3 - 6 months	\$13,300,000	5.84%	0% - 90%
6 - 12 months	\$33,000,000	14.47%	0% - 90%
12 - 24 months	\$50,240,000	22.03%	0% - 70%
24 - 60 months	\$65,850,000	28.88%	0% - 60%
Greater than 5 years	\$0	0.00%	0% - 25%

This indicates that Council still has acceptable levels of funds maturing over the short-term to meet liquidity requirements. The above indicates that Council still has capacity to increase its holdings in longer dated maturities and its Investment Advisor, Imperium Markets, continue to support this re-positioning of the portfolio, which has been underway for a period of time.

4. Portfolio by Credit Rating

The table below shows the diversification of the portfolio by credit rating:

Credit Rating	Amount	% of Portfolio	Policy Limits
AAA Category	\$0	0.00%	0% - 65%
AA Category	\$110,930,819	48.65%	20% - 85%
A Category	\$32,590,000	14.29%	15% - 60%
BBB Category	\$84,500,000	37.06%	0% - 45%
BBB- / Unrated ADIs	\$0	0.00%	0% - 5%
Total	\$228,020,819	100.00%	

Council is within the policy limits across the credit ratings at the end of July 2021.

As Council will have noticed over the past reports the 60 / 40 split between A (and above) and B rated investments is normally very close to those limits. This reflects the risk v return environment that presently exists. Returns for A (and above) rated financial institutions are low as are the number of these institutions that will actually offer reasonable rates and better value is available in the BBB category and with a number of unrated Authorised Deposit Institutions (ADIs).

Council's Investment Advisor, Imperium Markets provides the following advice in respect of ratings changes that have recently occurred:

"During December 2020, rating's agency S&P delivered a once-notch credit downgrade to the New South Wales state government from AAA to AA+, citing a deterioration in its balance sheet due to the economic impact from COVID-19. As such, the TCorpIM Cash Fund has been downgraded accordingly."

"During September 2020, ratings agency S&P downgraded AMP Bank by one notch to 'BBB' stating that its view that *"the overall creditworthiness of the AMP Group is weaker"* and that *"the group is exposed to challenges that may disrupt its overall strategic direction and its ability to effectively execute its strategy"*.

Separately, Moody's downgraded MyState Bank's long-term credit rating from Baaa1 (BBB+ equivalent from S&P) to Baa2 (BBB equivalent from S&P). The downgrade reflects the bank's lower financial buffers in a more challenging operating environment when compared to its peers. Moody's acknowledged though that the bank's capital ratio remained steady during the 2020 financial year.

We have no issue with Council's investments with both AMP Bank and MyState, given they are senior ranked assets, very low risk and high up the bank capital structure."

Council has completed the process of registering so that funds can be placed with ICBC (Industrial & Commercial Bank of China Ltd, Sydney Branch) in an effort to expand the number of A rated institutions that hold Council deposits. ICBC is ranked as the largest bank in the world by assets and holds Standard & Poors credit rating of A – long term and A-1 – short term. Deposits would be made to the Sydney Branch which is an ADI (authorised deposit-taking institution) and subject to APRA requirements. It should be noted that this a 'branch of a foreign bank' and the Federal Claims Scheme – Federal Government guarantee of \$250,000 does not apply to term deposits.

Investments with ICBC do meet the requirements of the Ministerial Investment Order and interest rates being offered are noticeably higher than those being offered by other A-rated institutions. A further investment of \$2,000,000 has been made with ICBC for a term of 2 years at an interest rate of 0.73%. By way of comparison Council invested a similar amount for the same term in January 2021 and received a rate of 0.60%.

At the end of July 2021 62.94% of the portfolio is held with institutions that are rated at A or higher. Council holds no BBB- investments (the lowest investment grade rating) or unrated ADIs at the present time.

As previously reported, during March 2020, and given the significant fluctuations being observed across stock markets, a decision was made to redeem funds held within the TCorp Short Term Income Fund with these funds subsequently placed within an At-Call account with the Commonwealth Bank. This fund relies on unit prices to determine the value of Council's investment and while the fund has a AAA rating by virtue of its State Government ownership (recently downgraded to AA+) it does not provide a guarantee of principal and there was a risk of a negative return. To protect the capital investment, the decision was made to redeem these funds. A small amount remains within that account to keep it active in anticipation of depositing funds into it at an appropriate time in the future.

5. Performance of the Portfolio

Council's performance (excluding cash holdings) for the month ending 31 July 2021 is summarised below.

Performance	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.01%	0.03%	0.05%	0.01%	0.14%
Ausbond Bank Bill Index	0.00%	0.01%	0.01%	0.00%	0.05%
Council's TD Portfolio	0.09%	0.26%	0.54%	0.09%	1.19%
Council's FRN Portfolio	0.08%	0.24%	0.48%	0.08%	1.02%
Council's Bond Portfolio	0.09%	0.27%	-	-	-
Council's Portfolio	0.08%	0.25%	0.52%	0.08%	1.14%
Outperformance	0.08%	0.24%	0.51%	0.08%	1.09%

This shows that Council's total portfolio outperformed the benchmark index over the month of July.

Official Cash Rate Movements:

During June 2019 the Reserve Bank of Australia (RBA) lowered the official cash rate by 25 basis points to 1.25%. It followed this up at its July 2019 Board Meeting with a further 25 basis point cut leaving the official cash rate at 1.00%.

The RBA subsequently cut the official cash rate by 25 basis points at its October 2019 meeting leaving the official cash rate at 0.75%. The RBA did not change official interest rates at its November or December 2019 meetings. However, economists continued to predict a further easing in the new year (2020).

The RBA reduced the official interest rate to 0.50% at its scheduled 3 March 2020 Board Meeting to “support the economy as it responds to the global coronavirus outbreak”. On 19 March 2020 the RBA held an emergency meeting and announced a further 25 basis point cut, bringing the official cash rate down to 0.25%, their “effective lower bound”. Their forward guidance is not to raise rates until there is a sustainable recovery and its economic objectives of full employment and target inflation are back on track.

However, there has been a recent suggestion that the RBA could ease policy further by cutting the cash rate, 3-year yield target and Term Funding Facility (TFF) rate by 15bp to 0.10% (from 0.25%).

At the 3 November 2020 RBA Board Meeting the official interest rate was reduced to 0.10% with the Board not expecting to increase the cash rate for at least 3 years. This will impact on forecast interest income over the medium – longer term and this will be reflected in the Long Term Financial Plan which is currently being reviewed.

Council has lengthened the duration of its portfolio so as to provide some protection from these rate cuts and reinvestment risk. The weighted average duration of its term deposit portfolio is now around 462 days or 1.25 years. Council’s investment advisors (Imperium Markets) continue to recommend that Council seek to further extend this average duration and place funds with longer durations (3 – 5 years).

However, there will be a reduction in anticipated returns on investments as these longer term investments gradually mature and are re-invested at lower rates than have historically been available.

RECOMMENDATION

That the report be received and noted.

Investment Certificate

In accordance with the provisions of the Local Government (General) Regulations, Part 9 Division 5 Clause 212, I certify that Council's Investments have been made in accordance with the Local Government Act 1993, Regulations and Council's Investment Policy.

This certificate is to be read in conjunction with the Investment Report and Annexures for the month of July 2021.

A handwritten signature in black ink, appearing to read 'Phil Brennan', enclosed within a large, loopy circular flourish.

Phil Brennan
Responsible Accounting Officer
12 August 2021

A: Mid-Coast Council Investments at 31 July 2021

Details of Mid-Coast Council Investments at 31 July 2021 - By Counterparty

Institution	Rating	Acquisition Date	Interest Rate	Invested	Days	Maturity Date	Product	Fund	% of Portfolio
AMP	BBB / A-2	23-Jul-20	1.00%	\$3,000,000.00	180	19-Jan-21	6mth Not	General	
AMP	BBB / A-2	23-Jul-20	1.00%	\$2,000,000.00	180	19-Jan-21	6mth Not	Sewer	
AMP	BBB / A-2	10-Sep-18	BBSW+108	\$1,500,000.00	1096	10-Sep-21	FRN	General	
AMP	BBB / A-2	20-Mar-19	BBSW +164	\$2,000,000.00	905	10-Sep-21	FRN	General	
AMP	BBB / A-2	10-Jul-19	BBSW +1.08	\$2,000,000.00	793	10-Sep-21	FRN	General	
AMP	BBB / A-2	10-Sep-18	BBSW +1.08	\$1,000,000.00	1097	11-Sep-21	FRN	Sewer	
AMP	BBB / A-2	22-Aug-19	BBSW +1.08	\$1,000,000.00	751	11-Sep-21	FRN	Sewer	
AMP	BBB / A-2	22-Aug-19	BBSW +1.08	\$1,000,000.00	751	11-Sep-21	FRN	General	
AMP	BBB / A-2	09-Aug-19	2.00%	\$1,000,000.00	730	8-Aug-21	Term Deposit	General	
AMP	BBB / A-2	23-Sep-19	1.50%	\$1,250,000.00	731	23-Sep-21	Term Deposit	General	
AMP	BBB / A-2	12-May-20	1.55%	\$2,500,000.00	548	11-Nov-21	Term Deposit	Water	
AMP	BBB / A-2	02-Jun-20	1.45%	\$2,000,000.00	541	25-Nov-21	Term Deposit	General	
				<u>\$20,250,000.00</u>					8.88%
ANZ Bank	AA- / A-1+	31-Jul-21		\$303.24	0		At Call	Water	
ANZ Bank	AA- / A-1+	24-Feb-20	BBSW+93	\$1,000,000.00	1096	24-Feb-23	FRN	Sewer	
ANZ Bank	AA- / A-1+	24-Feb-20	BBSW+93	\$850,000.00	1096	24-Feb-23	FRN	General	
ANZ Bank	AA- / A-1+	06-Dec-18	BBSW+1.03	\$4,000,000.00	1826	6-Dec-23	FRN	General	
ANZ Bank	AA- / A-1+	29-Aug-19	BBSW +77	\$1,500,000.00	1827	29-Aug-24	FRN	General	
ANZ Bank	AA- / A-1+	06-Sep-19	BBSW+97	\$1,000,000.00	1827	6-Sep-24	FRN	General	
ANZ Bank	AA- / A-1+	06-Sep-19	BBSW+97	\$1,500,000.00	1827	6-Sep-24	FRN	Sewer	
ANZ Bank	AA- / A-1+	16-Jan-20	BBSW+76	\$2,000,000.00	1827	16-Jan-25	FRN	General	
ANZ Bank	AA- / A-1+	16-Jan-20	BBSW+76	\$2,000,000.00	1827	16-Jan-25	FRN	Sewer	
				<u>\$13,850,303.24</u>					6.07%
Australian Military Bank	BBB+ / A-2	26-Jun-20	1.01%	\$3,000,000.00	730	26-Jun-22	Term Deposit	Sewer	
Australian Military Bank	BBB+ / A-2	14-Apr-21	0.76%	\$2,000,000.00	1093	11-Apr-24	Term Deposit	General	
Australian Military Bank	BBB+ / A-2	13-Apr-21	0.76%	\$2,000,000.00	1098	15-Apr-24	Term Deposit	General	
				<u>\$7,000,000.00</u>					3.07%
Auswide Bank	BBB / A-2	12-Aug-19	1.95%	\$2,000,000.00	731	12-Aug-21	Term Deposit	General	
Auswide Bank	BBB / A-2	12-Sep-19	1.75%	\$1,000,000.00	735	16-Sep-21	Term Deposit	General	
Auswide Bank	BBB / A-2	03-Oct-19	1.72%	\$2,000,000.00	735	7-Oct-21	Term Deposit	General (Strong Comm)	
Auswide Bank	BBB / A-2	19-Mar-20	1.70%	\$2,000,000.00	1092	16-Mar-23	Term Deposit	General	
				<u>\$7,000,000.00</u>					3.07%
Bank of China	A / A-1	26-Apr-19	BBSW +1.00	\$1,000,000.00	1270	17-Oct-22	FRN	Sewer	
				<u>\$1,000,000.00</u>					0.44%

Bank of Queensland Ltd	BBB+ / A-2	06-May-21	BBSW+63	\$4,000,000.00	1826	6-May-26	FRN	General	
Bank of Queensland Ltd	BBB+ / A-2	27-Nov-19	1.60%	\$1,800,000.00	736	2-Dec-21	Term Deposit	General	
Bank of Queensland Ltd	BBB+ / A-2	10-Dec-20	0.55%	\$2,000,000.00	364	9-Dec-21	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	30-Apr-20	1.45%	\$2,500,000.00	728	28-Apr-22	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	12-Mar-20	1.70%	\$3,000,000.00	1463	14-Mar-24	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	16-Aug-19	2.00%	\$2,500,000.00	1827	16-Aug-24	Term Deposit	General	
Bank of Queensland Ltd	BBB+ / A-2	16-Aug-19	2.00%	\$2,000,000.00	1827	16-Aug-24	Term Deposit	Sewer	
				\$17,800,000.00					7.81%
Bendigo & Adelaide	BBB+ / A-2	12-Dec-19	BBSW+85	\$3,000,000.00	1096	12-Dec-22	FRN	General	
Bendigo & Adelaide	BBB+ / A-2	12-Dec-19	BBSW+85	\$2,000,000.00	1096	12-Dec-22	FRN	Sewer	
Bendigo & Adelaide	BBB+ / A-2	02-Dec-20	BBSW+52	\$1,700,000.00	1826	2-Dec-25	FRN	General	
				\$6,700,000.00					2.94%
Commonwealth Bank	AA- / A-1+	31-Jul-21		\$10,679,436.66	0		At Call	General	
Commonwealth Bank	AA- / A-1+	31-Jul-21		\$8,193,639.62	0		At Call	Sewer	
Commonwealth Bank	AA- / A-1+	11-Jan-19	BBSW +1.13	\$2,000,000.00	1826	11-Jan-24	FRN	Sewer	
Commonwealth Bank	AA- / A-1+	28-Aug-20	0.70%	\$2,000,000.00	356	19-Aug-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	29-Sep-20	0.70%	\$2,500,000.00	380	14-Oct-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	29-Sep-20	0.70%	\$2,500,000.00	387	21-Oct-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	25-Mar-21	0.41%	\$2,000,000.00	364	24-Mar-22	Term Deposit	General	
				\$29,873,076.28					13.10%
Greater Bank	BBB / A-2	13-Nov-20	1.00%	\$3,000,000.00	1095	13-Nov-23	Term Deposit	General	
Greater Bank	BBB / A-2	17-Jun-21	0.40%	\$1,000,000.00	365	17-Jun-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.12%	\$2,000,000.00	723	23-Jun-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.12%	\$2,000,000.00	744	14-Jul-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.15%	\$2,000,000.00	1094	29-Jun-23	Term Deposit	General	
				\$10,000,000.00					4.39%
ICBC	A / A-1	25-Feb-21	0.73%	\$2,000,000.00	728	23-Feb-23	Term Deposit	General	
ICBC	A / A-1	04-Mar-21	0.75%	\$3,000,000.00	735	9-Mar-23	Term Deposit	General	
ICBC	A / A-1	01-Apr-21	0.68%	\$2,500,000.00	735	6-Apr-23	Term Deposit	General	
ICBC	A / A-1	14-Apr-21	0.63%	\$2,000,000.00	730	14-Apr-23	Term Deposit	General	
ICBC	A / A-1	10-Dec-20	0.90%	\$2,000,000.00	1099	14-Dec-23	Term Deposit	Sewer	
ICBC	A / A-1	15-Apr-21	1.35%	\$2,500,000.00	1827	16-Apr-26	Term Deposit	General	
				\$14,000,000.00					6.14%
ING	A / A-1	28-Aug-20	0.61%	\$2,000,000.00	363	26-Aug-21	Term Deposit	Sewer	
				\$2,000,000.00					0.88%

Macquarie Bank	A / A-1	07-Aug-19	BBSW+80	\$1,250,000.00	1827	7-Aug-24	FRN	General	
Macquarie Bank	A / A-1	07-Aug-19	BBSW+80	\$1,250,000.00	1827	7-Aug-24	FRN	Sewer	
Macquarie Bank	A / A-1	07-Feb-20	BBSW+84	\$1,500,000.00	1832	12-Feb-25	FRN	General	
Macquarie Bank	A / A-1	07-Feb-20	BBSW+84	\$1,500,000.00	1832	12-Feb-25	FRN	Sewer	
				\$5,500,000.00					2.41%
Mizuho Bank Ltd	A / A-1	21-Oct-20	BBSW + 53	\$2,000,000.00	1094	20-Oct-23	FRN	General	
				\$2,000,000.00					0.88%
My State Bank	BBB / A-2	08-Oct-20	0.70%	\$1,500,000.00	371	14-Oct-21	Term Deposit	Sewer	
My State Bank	BBB / A-2	05-Nov-20	0.65%	\$2,000,000.00	364	4-Nov-21	Term Deposit	General	
My State Bank	BBB / A-2	11-Mar-21	0.50%	\$2,000,000.00	364	10-Mar-22	Term Deposit	Sewer	
My State Bank	BBB / A-2	18-Mar-21	0.45%	\$2,000,000.00	364	17-Mar-22	Term Deposit	Water	
				\$7,500,000.00					3.29%
National Australia Bank	AA- / A-1+	26-Sep-18	BBSW +93	\$3,000,000.00	1826	26-Sep-23	FRN	General	
National Australia Bank	AA- / A-1+	10-Sep-20	0.77%	\$2,000,000.00	371	16-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	10-Sep-20	0.77%	\$1,500,000.00	378	23-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	17-Sep-20	0.75%	\$2,000,000.00	378	30-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	17-Dec-20	0.54%	\$3,000,000.00	364	16-Dec-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	11-Feb-21	0.42%	\$3,000,000.00	364	10-Feb-22	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	10-Dec-20	0.63%	\$1,500,000.00	732	12-Dec-22	Term Deposit	General	
National Australia Bank	AA- / A-1+	19-Jan-21	0.60%	\$3,000,000.00	728	19-Jan-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	12-Mar-20	1.40%	\$2,000,000.00	1095	12-Mar-23	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	13-Mar-20	1.40%	\$2,200,000.00	1098	16-Mar-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	22-Apr-21	0.62%	\$2,000,000.00	728	20-Apr-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	22-Apr-21	0.62%	\$2,000,000.00	735	27-Apr-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	13-May-21	0.60%	\$2,000,000.00	728	11-May-23	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	27-May-21	0.58%	\$2,000,000.00	728	25-May-23	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	03-Jun-21	0.65%	\$2,000,000.00	728	1-Jun-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	08-Jul-21	0.65%	\$2,500,000.00	735	13-Jul-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	29-Jul-21	0.65%	\$2,000,000.00	730	29-Jul-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	26-Nov-20	0.65%	\$2,000,000.00	1092	23-Nov-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	03-Jun-21	0.80%	\$2,000,000.00	1098	6-Jun-24	Term Deposit	General	
National Australia Bank	AA- / A-1+	29-Apr-21	1.25%	\$2,500,000.00	1820	23-Apr-26	Term Deposit	Sewer	
				\$44,200,000.00					19.38%
Newcastle Permanent	BBB / A-2	21-Mar-18	BBSW +165	\$500,000.00	1405	24-Jan-22	FRN	General	
Newcastle Permanent	BBB / A-2	06-Feb-18	BBSW +140	\$1,250,000.00	1826	6-Feb-23	FRN	General	
Newcastle Permanent	BBB / A-2	21-Mar-18	BBSW +140	\$500,000.00	1783	6-Feb-23	FRN	General	
Newcastle Permanent	BBB / A-2	04-Jun-18	BBSW +140	\$1,000,000.00	1708	6-Feb-23	FRN	General	
Newcastle Permanent	BBB / A-2	25-Jan-19	3.05%	\$2,000,000.00	1098	27-Jan-22	Term Deposit	Sewer	

Newcastle Permanent	BBB / A-2	07-Feb-19	3.05%	\$1,500,000.00	1099	10-Feb-22	Term Deposit	General	
				<u>\$6,750,000.00</u>					2.96%
Northern Territory	Aa3	15-Apr-21	0.80%	\$1,000,000.00	1157	15-Jun-24	Gov't Bond	General	
Northern Territory	Aa3	15-Apr-21	1.10%	\$1,000,000.00	1522	15-Jun-25	Gov't Bond	General	
Northern Territory	Aa3	30-Apr-21	1.30%	\$1,000,000.00	1872	15-Jun-26	Gov't Bond	General	
				<u>\$3,000,000.00</u>					1.32%
RACQ Bank	BBB+ / A-2	23-May-19	BBSW+105	\$1,500,000.00	1096	23-May-22	FRN	General	
				<u>\$1,500,000.00</u>					0.66%
Suncorp Metway	A+ / A-1	30-Jul-19	BBSW+.78	\$1,250,000.00	1827	30-Jul-24	FRN	General	
Suncorp Metway	A+ / A-1	24-Feb-21	BBSW+45	\$1,300,000.00	1826	24-Feb-26	FRN	General	
				<u>\$2,550,000.00</u>					1.12%
T-Corp	AA+ / A-1+	31-Jul-21		\$7,439.26	0		At Call	Sewer	
				<u>\$7,439.26</u>					0.00%
UBS	A+ / A-1	21-May-20	BBSW + 105	\$940,000.00	914	21-Nov-22	FRN	General	
UBS	A+ / A-1	08-Mar-18	BBSW +90	\$2,000,000.00	1826	8-Mar-23	FRN	General	
UBS	A+ / A-1	30-Jul-20	BBSW+87	\$1,600,000.00	1826	30-Jul-25	FRN	General	
UBS	A+ / A-1	30-Jul-20	BBSW+87	\$1,000,000.00	1826	30-Jul-25	FRN	Sewer	
				<u>\$5,540,000.00</u>					2.43%
Westpac Bank	AA- / A-1+	02-Aug-19	Cash Rate +1.00	\$2,000,000.00	732	3-Aug-21	FTD	Sewer	
Westpac Bank	AA- / A-1+	13-May-19	BBSW + .95	\$2,000,000.00	1827	13-May-24	FTD	Sewer	
Westpac Bank	AA- / A-1+	28-Aug-20	0.73%	\$3,000,000.00	363	26-Aug-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	28-Aug-20	0.73%	\$3,000,000.00	370	2-Sep-21	Term Deposit	Sewer	
Westpac Bank	AA- / A-1+	03-Sep-20	0.75% - Qtrly re-set	\$2,000,000.00	371	9-Sep-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	26-Jun-20	0.92%	\$3,000,000.00	741	7-Jul-22	Term Deposit	Water	
Westpac Bank	AA- / A-1+	30-Jun-20	0.89%	\$2,500,000.00	744	14-Jul-22	Term Deposit	Sewer	
Westpac Bank	AA- / A-1+	30-Jun-20	0.89%	\$2,500,000.00	751	21-Jul-22	Term Deposit	General	
				<u>\$20,000,000.00</u>					8.77%
				<u>\$228,020,818.78</u>					100.00%

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21.2021-2022 MONTHLY BUDGET VARIATION REPORT – JULY 2021

Report Author Phil Brennan, Manager Finance
File No. / ECM Index Financial Management – Compliance - S0108-00275 Standards & Statutory Requirements
Date of Meeting 25 August 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report advises Council of proposed budget variations identified during July 2021.

SUMMARY OF RECOMMENDATION

That the monthly budget variation report for July 2021 be noted and the budget variations proposed, including transfers to and from reserves be approved.

FINANCIAL/RESOURCE IMPLICATIONS

As set out in the report.

LEGAL IMPLICATIONS

Nil.

BACKGROUND

As Council is aware the development of a monthly budget variation reporting process has been underway over the last 12 months with the goal being to commence formal reporting to Council at the commencement of the 2021-2022 financial year. This is the first major step in developing the underlying base data to move to a position where Council receives financial dashboard status reports of key indicators and outcomes as requested in Councillor Pontin's Notice of Motion of 26 August 2020.

These monthly budget variation reports are in addition to the Quarterly Budget Review (QBR) Reports that are required to be completed and presented to Council within 8 weeks of the end of each quarter.

Council will receive monthly variation reports in respect of July, August, October, November, January, February, April and May. QBR reports will be presented that cover quarters ended September, December and March and will include the full suite of prescribed reports.

This report details monthly budget adjustments recommended to be made for the month of July 2021.

The Council adopted 2021-2022 budget position at the commencement of the financial year was a Consolidated shortfall of \$12,507,981 made up of the following components:

Fund	Original Projected Result
General Fund (incl MCA)	\$2,435,742 (Deficit)
Water Fund	\$10,531,026 (Deficit)
Sewer Fund	\$458,787 (Surplus)
Consolidated Result	\$12,507,981 (Deficit)

The budget adjustments contained in this report increase the Consolidated deficit result by \$241,500. Details of those adjustments are set out below.

There are minimal adjustments outlined for July however it is expected that there will be a greater number reported in August and September as work on the 2020-2021 financial statements is completed, carry forward items are introduced into the 2021-2022 budget and other budget variations arising since preparation of the 2021-2022 budget are confirmed.

From a General Fund perspective and as previously discussed with Council, the projected budget deficit can be absorbed by the accumulated working funds of Council for this financial year.

However, this is not an ideal situation and every effort needs to be made to reverse this position and move to a projected budget surplus over the course of the year.

The Water Fund budget deficit is related to the large capital expenditure associated with the Gloucester Water project which is currently underway. This is a one-year impact on this Fund.

DISCUSSION

The July budget variations are:

- Building Services – Other Fines & Costs – Increase in income of \$2,000 based on review of 2020-2021 actual income.
- Communications – Budget re-allocation of \$120,000 from general Communications allocation to Water Education Project – no impact on projected budget result.
- Community Services – Grants – Increase in income of \$3,000 to recognise expected receipt of Grant towards Youth Week activities.
- Growth, Economic Development & Tourism – Include in budget new grant funding and corresponding expenditure of \$145,000. This is a CSGA Austrade Grant for the Barrington Coast Arts Trail & Barrington Coast Beats Festival projects – no impact on projected budget result.
- Growth, Economic Development & Tourism – Reduce income by \$27,000 being Fees – Memberships (\$18,000) to reflect the Tourism Partnership Program will not operate in 2021-2022 and Other Miscellaneous Income (\$9,000) to reflect that the Tea Gardens CTC will not underwrite the cost of the Tea Gardens VIC from 1 July 2021.
- Growth, Economic Development & Tourism – MRAG – Increase expenditure by \$15,000 for the purchase of stock for re-sale. Budget reduced during 2020-2021 due to COVID-19 and not re-instated into 2021-2022 budget. Off-setting income already included in original budget for 2021-2022.
- Growth, Economic Development & Tourism – MRAG – Budget re-allocation of \$25,000 from MRAG Exhibition Operating expenditure to MRAG Capital Expenditure to fund the installation of Exhibition Lighting.
- Growth, Economic Development & Tourism – MRAG – Event Sponsorship - \$5,000 increase in expenditure budget to reflect Council resolution 144/21.2 from Council meeting of 2 June 2021.
- Finance – Rating Services – Valuation Fees – Increase expenditure budget by \$19,500 to reflect increase in land valuation fees for the 2021-2022 financial year as advised by the NSW Valuer General's Office.
- Information Technology – Software Maintenance – Increase expenditure budget by \$200,000 for Technology One SAAS fees due to increase in number of rateable properties (on which fees are calculated) and for additional modules implemented during Property & Revenue system implementation.
- Water Management & Treatment (WMAT) – Water Quality & Compliance – increase income by \$20,000 for Laboratory Fees generated from external customers for laboratory services. This income is split between the Water & Sewer Funds.

The amended budget result at the completion of the July budget review is as follows:

Fund	Original Projected Result	July Adjustments	Amended Projected Result
General Fund (incl MCA)	\$2,435,742 (Deficit)	\$261,500	\$2,697,242 (Deficit)
Water Fund	\$10,531,026 (Deficit)	-\$10,000	\$10,521,026 (Deficit)
Sewer Fund	-\$458,787 (Surplus)	-\$10,000	-\$468,787 (Surplus)
Consolidated Result	\$12,507,981 (Deficit)	\$241,500	\$12,749,481 (Deficit)

There have been no variations identified during the reporting period for Council’s MidCoast Assist business unit.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report addresses Delivery Program / Operational Plan focus area 13.3.1 – Develop a Financial Management Reporting Framework that includes the 1-year action for 2021-2022 of ‘Provide monthly budget variance reports top MAENX and Council’.

RECOMMENDATION

That the monthly budget variation report for July 2021 be noted and the budget variations proposed, including transfers to and from reserves be approved.

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22. FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

Report Author Phil Brennan, Manager Finance
File No. / ECM Index 2020-2021 Financial Statements
Date of Meeting 25 August 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

The purpose of this report is to advise Council that the draft General Purpose & Special Purpose Financial Statements for the period ended 30 June 2021 are currently being prepared and require a Council resolution to refer them to audit.

SUMMARY OF RECOMMENDATION

1. That Council refer the draft 2020-2021 Annual Financial Statements to the NSW Audit Office for audit.
2. That the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer sign the Statement by Councillors and Management for both the General Purpose & Special Purpose Financial Statements.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Section 413 (1) of the Local Government Act, 1993 requires that "a council must prepare financial reports for each year and must refer them for audit as soon as practicable".

BACKGROUND

The 2020-2021 Annual Financial Statements (consisting of the General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules) are currently being prepared in accordance with:

- The Local Government Act 1993 and associated Regulations
- Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board; and
- The Local Government Code of Accounting Practice and Financial Reporting.

The audit of these draft statements by the New South Wales Audit Office will commence on 6 September 2021. To allow the audit to commence Council is required to resolve to refer the draft financial reports to audit and is required to sign the Statement by Councillors and Management that the reports will be prepared in accordance with the abovementioned legislation, codes and standards. A copy of the Statements to be signed are included as Annexure A and B.

The agreed Audit Engagement Plan provides that the audit will take place over the period from 6 September 2021 to 11 October 2021 with the Engagement Closing Report to be issued on 15 October 2021. As in previous years the auditors and management will discuss this report and the audited draft Financial Statements with Council and its Audit, Risk & Improvement Committee.

The audited draft Financial Statements will then be referred to Council at an Ordinary Council Meeting for approval in late October. This then enables the release of the Auditor's Reports prior to lodgement of the audited Financial Statements with the Office of Local Government (OLG) by 31 October 2021.

The audited Financial Statements are then placed on public exhibition and following that the Auditors will present the independent audit report to Council.

The process is summarised below:

1. NSW Audit Office conducts audit of draft financial statements - 6 September – 11 October 2021
2. NSW Audit Office issues Engagement Closing Report - 15 October 2021
3. Audit, Risk and Improvement Committee Meeting to consider draft financial statements – Date to be confirmed
4. Council approves draft financial statements for lodgement with OLG and for public exhibition 27 October
5. Council submits audited financial statements and the Independent Auditor's Reports to OLG and the Australian Bureau of Statistics by 31 October 2021
6. Following Public Exhibition period audited financial statements and the Independent Auditor's Reports are presented to a Council meeting – Date to be confirmed

RECOMMENDATION

1. That Council refer the draft 2020-2021 Annual Financial Statements to the NSW Audit Office for audit.
 2. That the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer sign the Statement by Councillors and Management for both the General Purpose & Special Purpose Financial Statements.
-

ANNEXURES

A: Statement by Councillors & Management – General Purpose Financial Reports

MidCoast Council

General Purpose Financial Statements
for the year ended 30 June 2021

Statement by Councillors and Management

Statement by Councillors and Management made pursuant to Section 413(2)(c) of the *Local Government Act 1993* (NSW)

The attached general purpose financial statements have been prepared in accordance with:

- the *Local Government Act 1993* and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 25 August 2021.

David West
Mayor
25 August 2021

Claire Pontin
Councillor
25 August 2021

Adrian Panuccio
General Manager
25 August 2021

Phil Brennan
Responsible Accounting Officer
25 August 2021

B: Statement by Councillors & Management – Special Purpose Financial Reports

MidCoast Council

Special Purpose Financial Statements

for the year ended 30 June 2021

Statement by Councillors and Management

Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- the NSW Government Policy Statement *'Application of National Competition Policy to Local Government'*,
- the Division of Local Government Guidelines *'Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality'*,
- the Local Government Code of Accounting Practice and Financial Reporting,
- the NSW Office of Water Best-Practice *Management of Water and Sewerage Guidelines*.

To the best of our knowledge and belief, these statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.
- present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 25 August 2021.

David West
Mayor
25 August 2021

Claire Pontin
Councillor
25 August 2021

Adrian Panuccio
General Manager
25 August 2021

Phil Brennan
Responsible Accounting Officer
25 August 2021

A handwritten signature in cursive script, appearing to read 'Panuccio', enclosed within a light gray rectangular border.

Adrian Panuccio
General Manager