



MIDCOAST
council



LOCAL GOVERNMENT ELECTION 2021

Candidate Information Pack



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OUR MISSION:

We deliver benefits for our community in a way that adds value and builds trust

Overview - MidCoast Council Local Government Area

MidCoast Council was formed by NSW Government proclamation on Thursday 12 May 2016 through the merger of the former Great Lakes, Greater Taree and Gloucester Shire Councils, and subsequent dissolution of MidCoast Water on 1 July 2017. All NSW Councils are formed under the [Local Government Act 1993](#).

The MidCoast Council area is predominantly rural, with some residential, industrial and commercial land use.

The Council area encompasses a total land area of over 10,000 square kilometres, of which a large proportion is National Park, State Forest and nature reserves, including beaches, coastline, forests, waterways and mountains.

The original inhabitants of the MidCoast Council area were the Biripi and Worimi Aboriginal people.

The 2021-2022 budget projects that Council will receive income from continuing operations of \$283 million, which consists of \$161 million in rates and annual charges, \$55 million in user charges and fees, \$2 million in interest and investment revenues, \$6 million in other revenues, \$39 million in operating grants and contributions and \$20 million received for capital works through grants and contributions.

Operating expenditure is projected to total \$277 million which includes \$97 million in employee costs, \$10 million in borrowing costs (interest repayments), \$84 million in depreciation on community assets and \$86 million in materials, contracts and other expenses.

Council will undertake a capital works program of approximately \$102 million which includes \$53 million on transport infrastructure assets (roads, bridges, drainage, footpaths etc). This amount includes approximately \$18.0 million of works under the \$100 million roads program that Council is undertaking in partnership with the State Government.

Expenditure of \$12.9 million on sewer infrastructure and \$24.1 million on water infrastructure is also proposed for 2021-2022.

Council will borrow approximately \$8.625 million to meet its share of the 2021-2022 expenditure on the \$100 million roads program. At the same time we will reduce the principal outstanding on existing borrowings by \$19.7 million.

Council manages an asset portfolio of an estimated \$3.6 billion.



10,052 km²

POPULATION
94,395

(ABS ERP 2020)



47,400
DWELLINGS
(NIEIR)

195
towns
villages
& localities



ROADS 3,599KM

1,845KM OF SEALED ROADS
1,754KM OF UNSEALED ROADS



657
BRIDGES

192km
of coastline



84
PLAYGROUNDS

45
WATER
RESERVOIRS

30
CEMETERIES

3,000 HA
OF PARKS & OPEN SPACE
MANAGED

58
FULL SIZE
PLAYING
FIELDS

13
SKATE
PARKS

1 REGIONAL
AIRPORT



OVER **750** HA
OF MOWING

10 CHLORINATED
POOLS



14 HERITAGE
CONSERVATION AREAS
487 HERITAGE ITEMS

2 OCEAN
POOLS

26

SPORTING
COMPLEXES



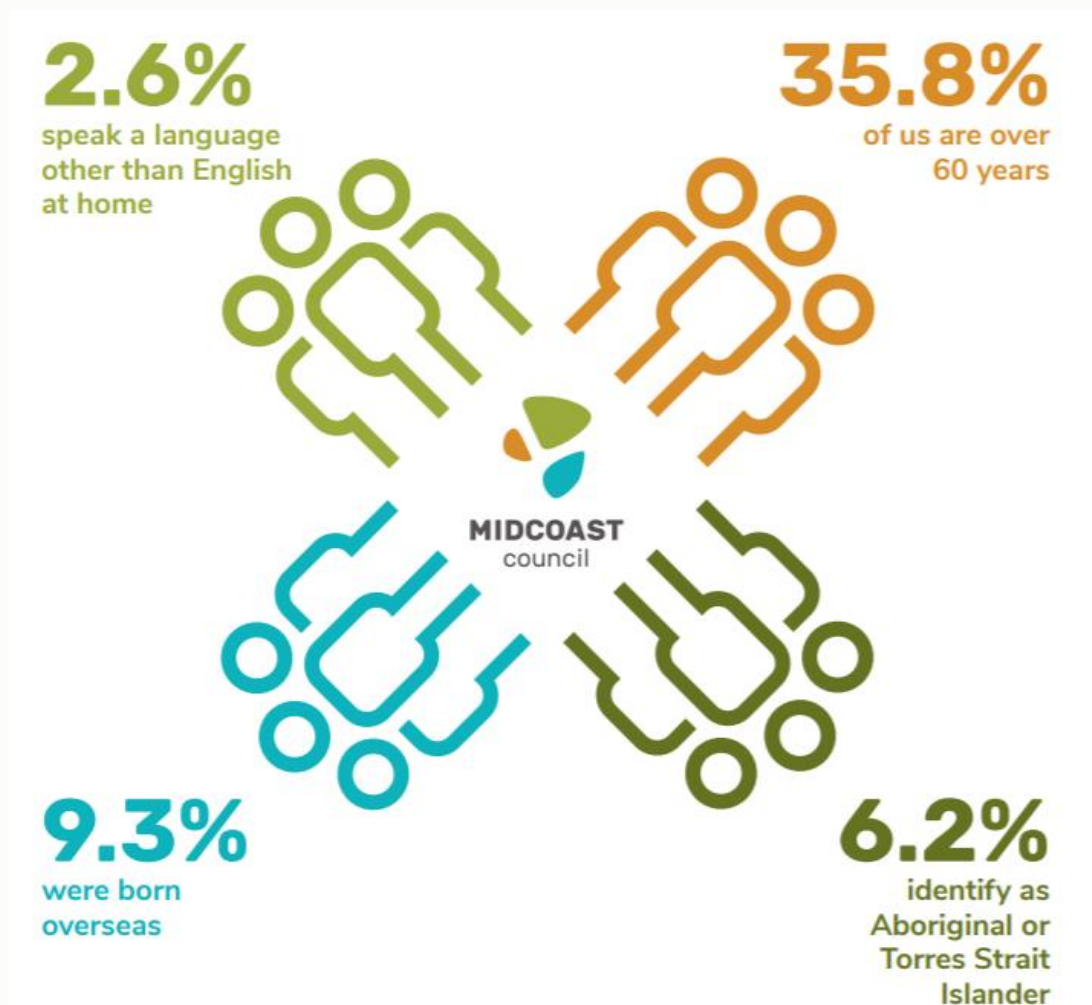
Community Profile

The [Community Profile](#) provides demographic analysis for the local government area based on results from the 2016, 2011, 2006, 2001, 1996 and 1991 censuses.

Economic Profile

Council's [Economic Profile](#) presents economic information that describes the area's role within the broader economy, explore options for economic development and promotes the area's strengths.

We are 94,395 people, living in 196 unique towns and villages, spread across 10,052km². Our needs, backgrounds, interests, skills, ambitions and aspirations are diverse, and this is reflected in the broad range of services and facilities available across the MidCoast



Further information in relation to the local area and Council services can be found in our [Annual Report](#).





Organisation Structure

The General Manager is the most senior employee of Council and is the only member of staff selected and appointed by the Councillors. The General Manager is the primary link between the elected body and its employees. Council staff are responsible to the General Manager.

The General Manager's role is to implement Council decisions without undue delay and carry out functions imposed by legislation.

Under the *Local Government Act 1993* (the Act) the General Manager is responsible for:

- conducting the day-to-day management of the Council in accordance with its strategic plans, programs, strategies and policies
- implementing, without undue delay, lawful decisions of Council
- advising the Mayor and the governing body on the development and implementation of Council's strategic plans, programs, strategies and policies
- advising the Mayor and the governing body on the appropriate form of community consultation on Council's strategic plans, programs, strategies and policies and other matters related to Council
- preparing, in consultation with the Mayor and the governing body, Council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report
- ensuring that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions
- exercising any of the Council functions that are delegated by Council to the General Manager
- appointing staff in accordance with the organisation structure determined under the Local Government Act 1993 and the resources approved by Council
- directing and dismissing staff
- implementing Council's workforce management strategy

The General Manager is also responsible for carrying out any other functions that are conferred or imposed on the General Manager by or under the Act or any other Act including, but not limited to:

Biodiversity Conservation Act 2016

Cemeteries and Crematoria Act 2013

Children (Protection & Parental Responsibility) Act 1997

Coastal Management Act 2016

Community Land Development Act 1989

Companion Animals Act 1998

Contaminated Land Management Act 1997

Conveyancing Act 1919

Crown Land Management Act 2016

Environmental Planning & Assessment Act 1979

Fines Act 1996

Fire and Rescue NSW Act 1989

Fluoridation of Public Water Supplies Act 1957

Food Act 2003

Government Information (Public Access) Act 2009

Heritage Act 1977

Impounding Act 1993

Library Act 1939

Plumbing and Drainage Act 2011

Privacy & Personal Information Protection Act 1998

Protection of the Environment Operations Act 1997

Public Health Act 2010

Public Interest Disclosures Act 1994

Recreational Vehicles Act 1983

Roads Act 1993

Road Transport Act 2013

Rural Fires Act 1997

State Emergency & Rescue Management Act 1989

State Emergency Service Act 1989

State Records Act 1998

Strata Schemes Development Act 2015

Strata Schemes Management Act 2015

Swimming Pools Act 1992

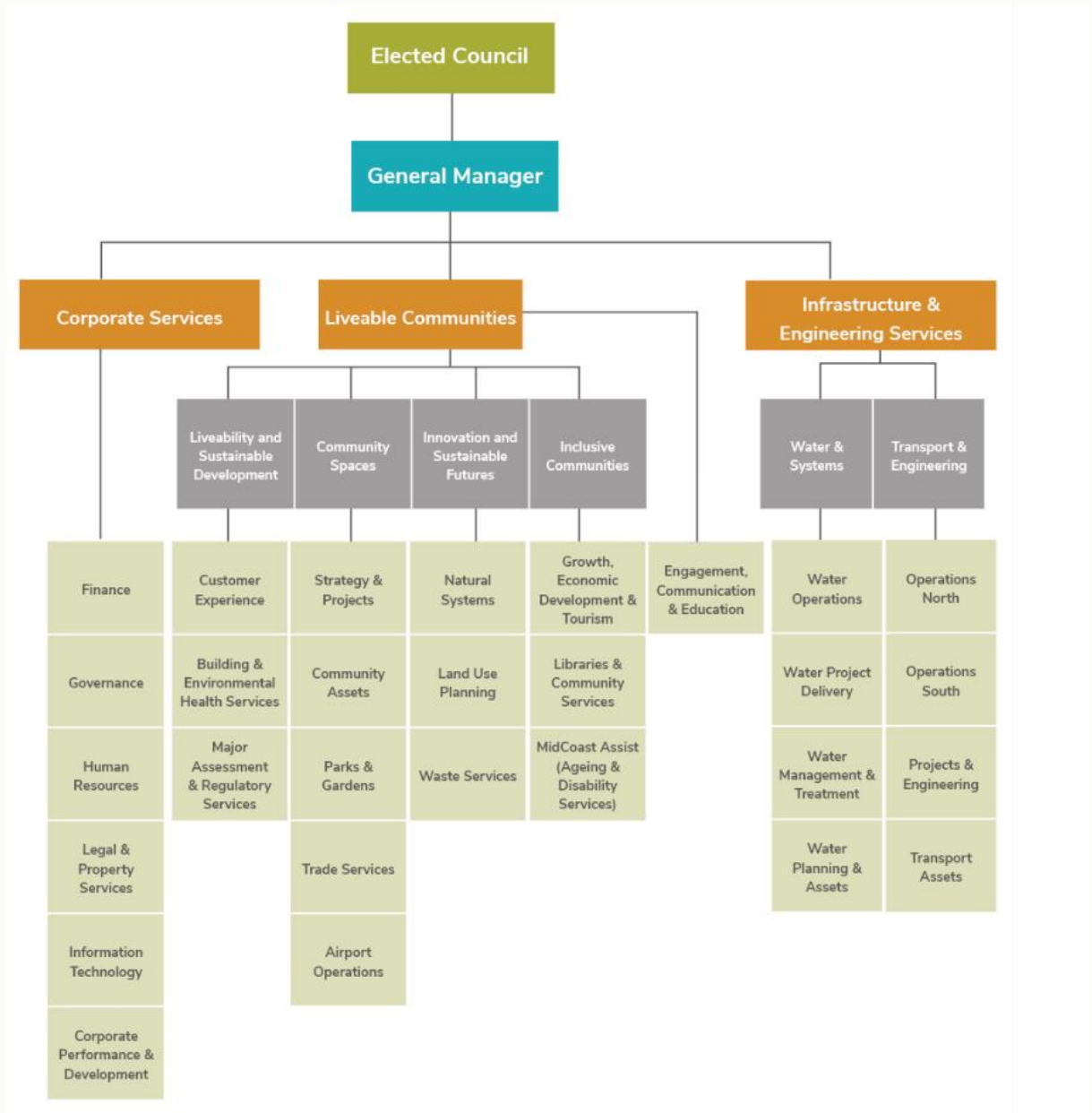
Unclaimed Money Act 1995

Valuation of Land Act 1916

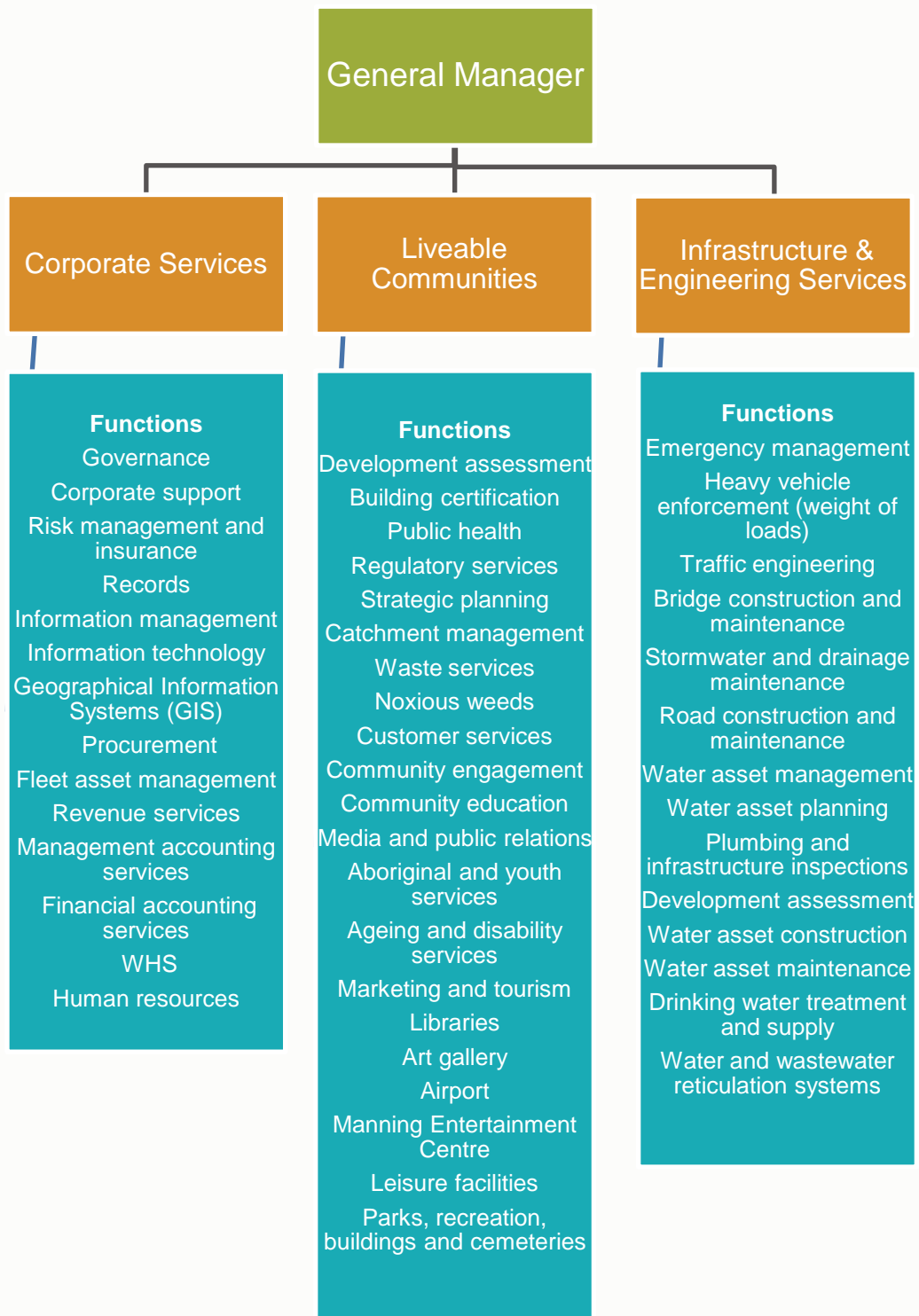
Water Management Act 2000



Organisational structure – by management area



Organisational structure – by functions





Integrated Planning and Reporting (IP&R) Framework

The IP&R Framework begins with the community's, not council's, aspirations for a period of at least 10 years. It includes a suite of integrated plans that set out a vision and goals and the strategic actions required to achieve them. It involves a reporting structure to communicate progress to council and the community as well as a structured timeline for review to ensure the goals and actions are still relevant.

IP&R is central to all that Council does and the process is designed to:

- Identify and prioritise key community needs and aspirations
- Identify strategic goals to meet those needs and aspirations
- Ensure that the strategic goals may be achieved within council resources
- Monitor and report on progress

Under NSW legislation councils are required to develop a Community Strategic Plan to create a whole of community vision so that council and the community are all working in the same direction.

The plan also provides a way for council to be accountable to the community and the NSW Government. From this plan, council develops a four-year Delivery Program that sets out the key strategies that council will use to deliver the Community Strategic Plan over the following years.

An annual Operational Plan provides much more detail on how council will deliver the elements of the plan that are under its influence. The relationship of this plan to other key council documents is demonstrated below.



The core components are:

Community Strategic Plan 2018-2030 - MidCoast 2030: Shared Vision, Shared Responsibility

This is the highest-level plan that Council will prepare. The purpose of this plan is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals.

Resourcing Strategy

The priorities and aspirations identified in the Community Strategic Plan cannot be achieved without sufficient resources – time, money, assets and people – to actually carry them out. The Resourcing Strategy consists of three components:

- Long Term Financial Planning
- Workforce Management Planning
- Asset Management Planning

Delivery Program

A statement of commitment to the community from each newly elected council, outlining what it intends to do towards achieving the goals of the Community Strategic Plan, during its term of office.

Operational Plan

This annual plan outlines the individual projects and activities that will be undertaken each year to achieve the commitments made in the Delivery Program.

Annual Report

One of the key points of accountability between Council and the community. It focuses on the implementation of the Delivery Program and Operational Plan as well as information prescribed by the *Local Government Act 1993*.





Elected Member Structure

The Council is made up of 11 Councillors, including the Mayor and Deputy Mayor who are elected to the positions by the elected Councillors. The Mayor holds office for two years and the Deputy Mayor may be elected for either a one or two-year term.

As per the proclamation of 12 May 2016, the local government area is not divided into wards. Councillors need to be aware they will be representing members of the public from across the MidCoast region, regardless of where they live.

Local Government elections are held every four years. However, the new Council term will be for three years, with the next elections to be held in September 2024. This is a result of the postponement of the elections, which were originally due to be held in September 2020, due to the impacts of COVID-19.

Time Management

Being a Councillor is a significant contribution of time.

Function / Item	Time
Council Meetings	8 to 9 hours (1-2 days/month)
Councillor Workshops	6 to 7 hours (1-2 days/month)
Reading agendas and reports	4 to 6 hours per meeting
Professional Development	1 day per month
Engaging with your community	As required
Attending civic and other functions	As required

Use of Technology

- Paper lite program has been introduced across Council including staff and Councillors.
- Councillors are supplied with a laptop, email address and phone
- All correspondence is through email or The Hub
- Agendas and Minutes are provided electronically via The Hub
- All forms are accessed via The Hub



Council Committees and Meetings

Council determines its meeting schedule on an annual basis. The adopted schedule must include a minimum of 10 ordinary Council meetings each calendar year in accordance with the provisions of the Local Government Act. In addition, Council currently conducts an 'open forum' (an opportunity for the community to address matters not on the agenda) and a 'public forum' (an opportunity for members of the community to address matters on the agenda) prior to each ordinary meeting.

Council meeting schedules are set by Council for the forthcoming year. They are usually held on the fourth Wednesday of the month at 2pm, at the Council Chambers located in Yalawanyi Ganya at 2 Biripi Way, Taree.

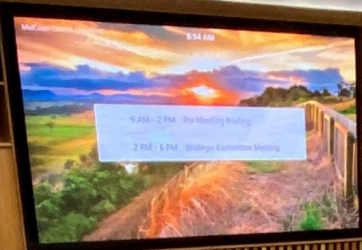
Additional meetings may be scheduled as required. The Council has the capability to alter the meeting day and start time. Council meetings are conducted in accordance with Council's adopted Code of Meeting Practice. Meeting agendas are currently distributed electronically three days prior to the meeting day.

Council has established Advisory Committees which are responsible for reporting to Council on strategic and specialised matters. The composition of Advisory Committees usually includes Councillors, Community members and agency representatives.

Current committees include:

- Audit, Risk and Improvement Committee (currently two Councillor representatives)
- Barrington Coast Destination Management Reference Group (currently two Councillor representatives)
- Bulahdelah Highway Service Centre Planning Agreement Reference Group (up to two Councillor representatives)
- Community Inclusion and Wellbeing Reference Group (currently two Councillor representatives)
- Community Recovery Bushfire Reference Group (currently two Councillor representatives)
- Economic Development Working Group (currently three Councillor representatives)
- Floodplain Management Advisory Committee (currently two Councillor representatives)
- Heritage Reference Group (currently two Councillor representatives)
- Local Traffic Committee (one Council representative)
- Manning River Estuary Coastal Management Program Reference Group (up to two Councillor representatives)
- MidCoast Cultural Plan 2036 Reference Group (currently two Councillor representatives)
- Old Bar – Manning Point Coastal Management Program Reference Group (two Councillor representatives)
- Sport and Recreation Reference Group (up to two Councillor representatives)





Fees, Facilities and Expenses

Mayor/Councillor Fees

Council determines the fee for the Mayor and the Councillors in accordance with section 248 and 249 of the Local Government Act noting the fee must be within the range determined by the Local Government Remuneration Tribunal. The tribunal determines the annual maximum and minimum amount of fees to be paid to Mayors and Councillors for each category of Council. The MidCoast Council's category is "Regional Centre" and the applicable fees for 2021/2022 are in \$24,810 per Councillor with an additional fee for the Mayor of \$61,280. The fee is paid monthly in arrears. The fee is treated as income for tax purposes.

Facilities and Expenses

The Local Government Act requires Council to adopt a policy that allows for Councillors to receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties as elected representatives of their local communities.

Council will meet some expenses and provide other tools to help you carry out your role. Expenses can include training, conferences, travel, telephone and internet. Other tools may include a device on which you can undertake council business. Councils can also provide support to help Councillors who have a disability or other special needs. The [Councillor Expenses and Facilities Policy](#) outlines relevant details.

A Councillor Handbook has been prepared by the Office of Local Government, in conjunction with Local Government NSW as a guide to becoming a Councillor in NSW.

The roles of the Mayor, Councillors and the General Manager, their responsibilities and relationships are outlined in Section 2. The [handbook](#) is a valuable resource.

Conduct

All council officials are required to conduct themselves in accordance with standards of behaviour set out in the MidCoast Council [Code of Conduct](#)

Council officials are expected to:

- conduct themselves in a manner that will not bring the council into disrepute
- act lawfully, honestly and exercise due care
- treat others with respect and not harass or discriminate against them, or support others who do so
- consider issues consistently, promptly and fairly
- ensure development decisions are properly made and deal fairly with all parties involved
- disclose and appropriately manage conflicts of interests including, in the case of Councillors, from reportable political donations
- use and secure information appropriately and not disclose confidential information
- use council resources ethically, effectively and efficiently



Oath or Affirmation for Councillors

Section 233A of the Local Government Act 1993 covers the Oath and Affirmation for Councillors

233A Oath and affirmation for Councillors

- 1) A Councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the Councillor is elected
- 2) The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form:

Oath

I [*name of Councillor*] swear that I will undertake the duties of the office of Councillor in the best interests of the people of the *Mid-Coast Council area* and *Mid-Coast Council* and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I [*name of Councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the *Mid-Coast Council area* and the *Mid-Coast Council* and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

- 3) A Councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a Councillor (other than the first meeting of the council after the Councillor is elected to the office or a meeting at which the Councillor takes the oath or makes the affirmation) until the Councillor has taken the oath or made the affirmation.
- 4) Any absence of a Councillor from an ordinary meeting of the council that the Councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.
- 5) Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a Councillor in the exercise of the Councillor's functions.
- 6) The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).





Disclosures

Political donations and electoral expenditure must be disclosed to the NSW Electoral Commission after each financial year.

All Councillors and designated staff must complete and lodge with the general manager, a return disclosing his or her pecuniary interests.

Whilst the annual return contains personal information including name, address and signature, as well as information about:

- property and shareholdings
- gifts received
- debts owed
- other sources of income
- positions held in a trade union or business or professional organisation

The Governance team applies the Public Interest test, prior to publishing the annual disclosure on Council's website.

It is also a requirement that the interests of Councillors in relation to media, social media pages and websites that regularly comment on MidCoast Council business be disclosed in the form of a public 'Media, Social Media and Websites Disclosures Register'

Gifts and Benefits

The conduct of council business may give rise to gifts or benefits of appreciation being offered to Council Officials. As a general rule, Council discourages the offering or acceptance of gifts regardless of the token value but does acknowledge that on occasions a gift cannot be reasonably refused. Given the potential for acceptance of gifts and benefits to be misinterpreted, it is necessary for Council Officials to conduct themselves in accordance with a recognised and appropriate set of transparent procedures.

Council officials must avoid situations in which the appearance may be created that any person or organisation, through the provision of hospitality and other gifts or benefits of any kind, is securing or attempting to secure a favour from that Council official and Council.

Council officials are encouraged to refuse gifts, hospitality or other benefits of any kind, and all gifts, whether accepted or refused, need to be declared.

Council's Code of Conduct outlines the standard of conduct expected of all Council officials. This Policy aims to ensure that Council performs its public functions fairly and impartially in accordance with the Code.

Guidance is also outlined in Council's [Gifts and Benefits Policy](#).

Conflicts of Interest

A conflict of interest occurs when the private interests of a public official come into conflict with their duty to act in the public interest. Conflicts of interest are particularly relevant where the public official has a decision-making role. Conflict of interests can include the following:

- Pecuniary interest – where you or your extended family have a financial interest.
- Non-pecuniary interest – where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.

Conflicts of interest are not wrong in themselves and can happen without anyone being at fault. However, it is vital that they are disclosed and managed effectively so that public officials perform their duties in a fair and unbiased way.





Election Information

The New South Wales Electoral Commission (NSWEC) has been engaged to conduct the election and the method of voting is proportional representation (similar to Senate voting) whereby a candidate gains a quota of the formal votes.

Prospective candidates and groups looking to contest the 2021 Election should familiarise themselves with the process for [becoming a candidate](#).

Election calendar

What are the key dates?

(taken from the NSW Electoral Commission [website](#))

Monday 28 June 2021

- Nominations Online Management System available to prospective candidates in late June / early July

Thursday 1 July 2021

- Capped expenditure period opens

Monday 26 July 2021

- Lodgement of nominations open
- Start of regulated period for electoral material
- 6pm: Close of roll for the purposes of being a candidate, nominator and roll printing

Tuesday 27 July 2021

- Lodgement of postal vote applications open

Wednesday 4 August 2021

- 12 noon: Close of nominations and close of registration of candidates and groups
- Registration of electoral materials open

Thursday 5 August 2021

- 10am: Conduct of ballot paper draw

Monday 23 August 2021

- Pre-poll voting period opens

Friday 27 August 2021

- 5pm: Close of registration of electoral material
- Close of registration for third-party campaigners

Monday 30 August 2021

- 5pm: Close of postal vote applications

Friday 3 September 2021

- Close of pre-poll voting period

Saturday 4 September 2021

- **Election day** – 8am – 6pm
- Close of capped expenditure period
- 6pm: End of regulated period for electoral material



Resources

- MidCoast Council website <https://www.midcoast.nsw.gov.au>
- MidCoast Council policies <https://www.midcoast.nsw.gov.au/Policies>
- Office of Local Government <https://www.olg.nsw.gov.au/>
- Local Government NSW <https://lgnsw.org.au/Public/Default.aspx> – the peak industry association that represents the interests of NSW councils
- New South Wales Electoral Commission <https://www.elections.nsw.gov.au/>
- Local Government Act 1993 (NSW) <https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1993-030>
- Independent Commission Against Corruption (ICAC) <https://www.icac.nsw.gov.au/>
- NSW Ombudsman <https://www.ombo.nsw.gov.au/>
- Australian Local Government Association (ALGA) <https://alga.asn.au/>



