

Mid North Coast Joint Organisation Board Meeting Business Paper

Date: 1 May 2020

Location: Via Teleconference

Time: 9:30am



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DEFINITIONS

(Local Government Act and Code of Conduct)

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

(Local Government Act, 1993 section 442 and 443)

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

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

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

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

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

5. CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION:

That the Board confirm:

- 1) The minutes of the MNCJO Board meeting held on 21 February 2020.
- 2) The minutes of the extraordinary MNCJO Board meeting held on 15 April 2020.

REPORT

An MNCJO Board meeting was held on 21 February 2020, with a copy of the minutes included as **Attachment 1**. An extraordinary MNCJO Board meeting was held on 15 April 2020, with a copy of the minutes included as **Attachment 2**.

6. BUSINESS ARISING

RECOMMENDATION:

That the Board note that there is no Business Arising to be tabled at this MNCJO Board meeting, however there will be Business Arising items tabled at future MNCJO Board meetings.

REPORT:

It has not been the practice of the MNCJO Board papers to include business arising, however in line with the MNCJO Board adopted Code of Meeting Practice, an item relating to Business Arising will be included in future MNCJO Board meeting agendas.

7. SPEAKERS

RECOMMENDATION:

That the Board accede to the following requests to address the Board:

- 1) Mr Darren Boulet, Regional Disaster Preparedness Officer, Mid North Coast
- 2) Dr Rebecca Montague-Drake, Koala Ecologist, Hastings-Macleay Koala Recovery Partnership
- 3) Mr Michael Thurston, General Manager, Destination North Coast
- 4) Ms Louise McMeeking, Director North Coast, Department of Regional NSW.

REPORT:

Mr Boulet will provide the Board with an update on the status of the North Coast Disaster Preparedness Program and the work currently underway.



Dr Montague- Drake will provide the Board with an update on the status of the Koala Recovery Partnership project, including feedback her recent participation in the United Nations' World Wildlife event in New York

Mr Michael Thurston will provide the Board with an update on tourism related issues for the mid north coast, including the work Destination North Coast is currently coordinating in relation to the pandemic.

Ms Louise McMeeking will provide an update on the new Department of Regional NSW as well as issues relating to the pandemic etc.

8. MINUTES OF THE GENERAL MANAGERS ADVISORY COMMITTEE MEETING.

RECOMMENDATION:

That the Board note the minutes from the General Managers Advisory Committee meeting held on 2 April 2020 via teleconference.

REPORT:

A meeting of the General Managers Advisory Committee (GMAC) was held via teleconference on 2 April 2020. Minutes of the meeting can be found at **Attachment 3.**

9. CORRESPONDENCE

RECOMMENDATION:

That the Board note the incoming and outgoing correspondence for the period 15 February 2020 to 30 March 2020.

REPORT:

A copy of the correspondence register can be found at **Attachment 4**.

10. KOALA RECOVERY PARTNERSHIP PROJECT UPDATE

RECOMMENDATION:

That the Board:

1) Note the status of the Koala Recovery Partnership project as provided in the verbal update by Dr Montague-Drake.



- 2) Approve the following project activities for the Koala Recovery Partnership project in light of the COVID 19 pandemic constraints:
 - a) The appointment of contractors to undertake work as planned for the long-term monitoring program, utilising job safety protocols as approved by GMAC.
 - b) The appointment of contractors to undertake field surveys to determine the habitat values of potential private properties for inclusion in the Conservation Partners Program, utilising job safety protocols as approved by GMAC.
- 3) Approve the release of Expressions of Interest targeting landholders with more than 5 ha of mapped koala habitat in the Belmore River area, with a view to gauge the extent of potential interest in future participation in the Conservation Partners Program

REPORT:

The Koala Recovery Partnership update report to the Board can be found at **Attachment 5**, with the quarterly update report at **Attachment 6**.

The Koala Recovery Partnership (the Partnership) project would like to move forward with the appointment of contractors to undertake planned work related to the long-term monitoring of Koalas. In light of the COVID-19 restrictions. The Partnership will instigate similar safety measures as those currently being implemented by the Department of Planning, Infrastructure and Environment (DPIE), who are conducting similar surveys in the field.

Similarly, the Partnership propose to appoint contractors to undertake field surveys to determine the habitat values of potential private properties for inclusion in the Conservation Partners Program. This was originally anticipated to be launched with an event at a rural hall in each target area, with Expressions of Interest (EOI's) then submitted by interested landholders. However, with the current COVID-19 restrictions, a modified approach is required.

It is now proposed that the MNCJO release EOI's to properties with more than 5 ha of mapped koala habitat (as determined using the Koala Recovery Partnership's koala habitat maps) in the Belmore River ARKS, to determine if they would be interested in participating in the Conservation Partners Program. An initial desktop review can be carried out and then contractors sent in to do further assessments, if deemed appropriate. The properties are then referred to the Biodiversity Conservation Trust for their determination as to whether they meet the Criteria for inclusion in their program.

A map of the Belmore River area referred to above can be found at **Attachment 7**.

11. REGIONAL DISASTER PREPAREDNESS PROGRAM UPDATE

RECOMMENDATION:

That the Board note the status of then Regional Disaster Preparedness Program as provided in the verbal update from Mr Darren Boulet, the Regional Disaster Preparedness Office for the Mid North Coast.

REPORT:

Mr Boulet will provide the Board with an update on the status of the North Coast Disaster Preparedness Program and the work currently underway.

A copy of the Disaster Preparedness program can be found at Attachment 8.

12. COVID -19 PANDEMIC UPDATE FROM MEMBER COUNCILS

RECOMMENDATION:

That the Board note the verbal updates provided by the General Managers of MNCJO member Councils on their Council responses to the COVID-19 pandemic.

REPORT:

Since the last MNCJO Board meeting in February 2020, the COVID-19 pandemic has impacted on many aspects of our lives. Local government has been at the forefront of managing its services and care for their communities during this pandemic and this agenda item presents each Council an opportunity to inform the MNCJO Board about the relief measures and other initiatives being put in place across their LGA's.

13. ELECTION OF A CHAIRPERSON FOR THE MID NORTH COAST JOINT ORGANISATION

RECOMMENDATION:

That the Board:

- 1) Note that the term of the current Chairperson of the MNCJO expires on 30 June 2020.
- 2) Note that a vacancy will exist for the office of Chairperson of the MNCJO subsequent to 30 June 2020.
- 3) Note that nominations for Chairperson of the MNCJO are now being called by the Executive Officer.
- 4) Note that the election for the Chairperson of the MNCJO will be conducted at the first meeting of the MNCJO Board following 30 June 2020, in accordance with Local Government (General) Regulation 2005, Schedule

- 7A Election of Chairpersons of Joint Organisations.
- 5) Appoint the MNCJO Executive Officer as the Returning Officer for the purpose of the election of the Chairperson of the MNCJO.
- 6) Thank Mayor Liz Campbell for her tireless efforts and advocacy as the Chair of the MNCJO since its establishment.

REPORT:

In accordance with recent advice received from the Office of Local Government (OLG), the term of the current Chairperson of the MNCJO expires on 30 June 2020. As no Chairperson will be present at the start of the first MNCJO Board meeting following 30 June 2020, the first order of business of that Board meeting will be to elect a Chairperson to preside at that meeting.

Assuming the MNCJO Board resolve in line with one of the recommendations included in this report regarding appointing the Executive Officer (EO) as the returning officer for the election of the Chairperson for the MNCJO, the returning officer must give notice of a vacancy in the office of Chairperson of the MNCJO to the General Managers of the member Councils of the MNCJO. This notice was given to the General Managers at the General Managers Advisory Committee meeting held on 2 April 2020.

The candidate for election as Chairperson must be a voting representative of the MNCJO, noting that the only voting members of the MNCJO Board are the Mayors of a member Council. A nomination for Chairperson of the MNCJO may be made without notice, however the nomination must be made in writing by two or more Mayors of member Councils of the MNCJO, one of whom may be the nominee. The nomination is not valid unless the nominee has indicated consent to the nomination in writing. Nominations must be submitted in writing by emailing the returning officer.

At the First Board Meeting subsequent to 30 June 2020 and in the absence of a Chairperson, the Returning Officer will assume the Chair at the start of the MNCJO Board meeting and announce that the first item of business is to elect a Chairperson. The names of nominees will be read out and the nominees will confirm acceptance of the nomination.

If only one voting representative has been nominated for the position of Chairperson, the nominee is elected. If more than one candidate is nominated, the voting representatives will determine by resolution the method of voting for the position of Chairperson, by one of the following methods:

- Open voting (i.e. show of hands)
- Ordinary ballot (i.e. secret ballot)
- Preferential ballot (i.e. place 1, 2, 3 against each candidate).

The returning officer will ask for a motion to be put to the meeting by one of the voting representatives of the Board on the preferred method of voting. This must then be seconded and voted on by the voting representatives.

14. LOCAL GOVERNMENT ELECTION

RECOMMENDATION:

That the Board note that:

- 1) Due to the COVID-19 pandemic, the NSW Government have postponed the 12 September 2020 Local Government Elections until September 2021.
- 2) The 'How to be a Councillor' information awareness sessions and the related media and community awareness campaign have been cancelled.

REPORT:

Please refer to information contained in the Office of Local Government Circular 20-10 dated 25 March 2020 as included as **Attachment 9**

15. OFFICE OF LOCAL GOVERNMENT JOINT ORGANSATION CAPCITY BUILDING FUND

RECOMMENDATION:

That the Board note that:

- 1) The MNCJO has now received \$150,000 from the Office of Local Government as funding for the Capacity Building fund.
- 2) The MNCJO Capacity Building fund project as resolved previously by the MNCJO Board is a Biodiversity Stewardship Project.

REPORT:

On the 8 December 2019, MNCJO submitted a proposal for funding from the Joint Organisation Capacity Building Fund. The proposal describes a Biodiversity Stewardship Project, which includes the following:

- 1) An assessment of the unavoidable biodiversity offset requirements likely to be generated from land already identified for development across the MNCJO region.
- 2) An analysis of potentially available biodiversity stewardship sites on public land in the MNCJO region, and
- 3) The possibility of generating carbon credits and fees to supplement MNCJO income.

Key project outputs are:

- An assessment of the unavoidable biodiversity offset requirements likely to be generated from land already identified for development across the MNCJO region

- A assessment of potential stewardship sites by an accredited assessor to produce clear stewardship options, within each of the member's LGA, for Board consideration
- Advice on the regulatory framework and any constraints that may apply around Councils devolving management of the offsets program and retention of offset revenue
- An analysis of whether credits may be generated for sites deemed to be suitable as biodiversity offset sites, koala safe places sites and koala mono planting sites
- An overall assessment of the potential financial returns associated with the offsetting and/or carbon credit proposition
- Advice on practices, approvals, protocols and internal systems that would be required by the JO to enable potential management of stewardship sites (on behalf of member Councils) be devolved to the MNCJO and retention of any offsets by the MNCJO
- Reports to the MNCJO Board, General Manager's Advisory Committee to the MNCJO Board and the NSW Office of Local Government.
- Reports to member Councils and generation of media regarding the project.
- A stakeholder forum conducted regarding opportunities in the project, once scoped.
- Strengthening of relationships between key stakeholders to the project including the MNCJO, member Councils, the development industry, key government agencies including but not limited to the NSW Department of Planning, Industry and Environment, Disaster Preparedness and Climate Change, plus
- Potentially deliver a model of operation for consideration by other JO's

The above project proposal was approved by the OLG and on 3 April 2020, \$150,000 in grant funding was received by the MNCJO.

For your information, the funding Deed includes the following requirements:

- No later than 24 April 2020, a report consisting of an action plan detailing the manner in which the Joint Organisation will allocate the Funding to the Approved Project, key milestones for the Approved Project, plus the benefits and budget for the approved project. Please note that the OLG have granted an extension of this requirement to the 24th May 2020
- No later than 31 December 2020, a report detailing delivery progress of the approved project with reference to the action plan and expenditure incurred.
- No later than 31 July 2021 or once the funding has been fully expended, whichever is the earlier, a final report on the expenditure of the funding and detailing the delivery of the approved project.

A copy of the funding Deed can be found at **Attachment 10**.

16. MNCJO ANNUAL AUDIT ENGAGEMENT PLAN

RECOMMENDATION:

That the Board note the annual Audit Engagement plan for the 2020 audit of the Mid North Coast Joint Organisation.

REPORT:

It is a requirement that audited financial statements for the financial year ended 30 June 2020 are to be lodged with the OLG by 31 October 2020, in compliance with the Local Government regulation s.417(5) and s.397N(2).

However, in OLG Circular 20-12, released on 17 April 2020, a one month extension has been provide to Councils and Joint Organisation, meaning that audited financial statements must now be lodged by 30 November 2020.

The scheduled engagement plan for the upcoming annual financial audit as issued by the NSW Audit Office can be found at **Attachment 11**.

17. OUR PRECIOUS RESOURCES - MNCJO ADOPTED PROJECT

RECOMMENDATION:

That the Board approve the deferral of the 'Our Precious Resources' project until the current Covid-19 restrictions are removed and an MNCJO Project Officer has been engaged by the MNCJO.

REPORT:

The previously adopted MNCJO Board adopted Our Precious Resources project aims to build on member Councils' previous initiatives that encouraged changed behaviour across our local household, resulting in more efficient utilisation of resources and waste reduction.

The project also aims to enhance people's knowledge, understanding and skills in applying conservation actions into daily life and will also help residents of the mid north coast improve their environmental footprint by reducing household energy and water use.

Following discussion at the GMAC meeting held on 2 April 2020 it is proposed to defer implementation of the Our Precious Resources project whilst COVID-19 restrictions are in place and until such time as an MNCJO Project Officer is in place.

18. UPDATE FROM THE NSW JOINT ORGANISATION CHAIRS FORUM

RECOMMENDATION:

That the Board note the update from the NSW JO Chairs' Forum convened on 5 March 2020 at Parliament House, Sydney.

REPORT:

The NSW Chairs Forum convened on the 5th March in Parliament House Sydney. Minister Pavey, Minister Constance, Minister Hancock and Minister Barilaro addressed the forum, along with Aaron Green, Assistant Auditor General and a representative from LGNSW. The overriding message from all the Ministers was that the NSW Government is committed to assisting Councils mediate the impacts and support their communities to recover from recent natural disasters and that politics between the 3 tiers of government needs to be set aside to enable proper collaboration going forward. Points of interest from the forum are as follows:

Child Abuse- Member Councils need to be certain they are cognizant of the implications for them deriving from the Child Abuse Redress Scheme, which includes for example the need for the Mayor, in certain circumstances, required to make a personal public apology to victims and potentially budgetary provisions required of Councils.

New Road Maintenance Contract to be released shortly will offer opportunities for Joint Organizations as well as Councils.

Fixing Local Roads – All submissions are currently being assessed and successful submissions contacted by 13 March 2020

Fixing Country Bridges - \$500 Million will be available for submissions by the end March 2020. Submissions that detail a regional benefit will be most successful.

Waste- Federal funding for waste and recycling needs to be \$ matched by States. There is some discussion that Procurement Guidelines could be amended to encourage more local recycling material utilised e.g. being utilised in road base.

Bushfire SEPP – Bushfire SEPP being reviewed and will also include conditions of Waste consent for State Significant DAs.

Infrastructure Submissions - it is recommended that any submission for Infrastructure funding be <u>'front loaded'</u> with a statement around alignment with relevant regional strategic plans to highlight the regional focus and regional benefits, as these will be more favourably reviewed.

Auditor General – Revisiting the issue of who controls RMS assets particularly in light of the impacts flowing from the recent Bushfire events. Audit cost are being reviewed but it is unlikely to reduce from a minimum around \$6000 per Audit, with some JOs costs for Audit increasing.

Superannuation for Councillors – Advocacy from LGNSW is continuing with OLG who are reviewing the full implications. Any feedback should be forwarded by end May 2020.

Women in Leadership Awards- 100 nominations were received, which is double the nominations received last year.

19. UPDATE FROM THE NSW JOINT ORGANISATIONS EXECUTIVE OFFICERS NETWORK MEETING

RECOMMENDATION:

That the Board note the update from the NSW Joint Organisations Executive Officers Network meeting convened on 5 March 2020

REPORT:

The NSW JO EO Network Meeting convened on the morning of the 5th March in Parliament House Sydney. The EOs discussed challenges and constraints in their ability to achieve on their mandate with a particular focus on operational financing. The Office of Local Government then provided an update on issues of interest. The key points follow:

\$150,000 JO Capacity Building Fund funding agreements have been delayed and will now be released by Friday 27 March. In recognition of the delay in release of the agreement, the timeframe to commit the funds will be extended from 30 December 2020, to 12 months from the date of the funding deed.(**note:** Funding has now been received and must be committed by 30 June 2021)

The next milestone for the MNCJO Capacity Building Biodiversity Offset project, is the identification of a biodiversity professional to project lead the initiative, to firstly develop an Action Plan to be delivered to OLG by 24 May 2020 and then to develop technical guidelines for procurement of the accredited assessor to undertake assessment of potential sites against the Biodiversity Assessment Methodology (BAM).

A new OLG Portal exclusively for Joint Organisations, will be made available in coming months. This will bring all guidelines and other relevant documentation pertaining to JOs, together in one place. In addition, it will feature a collaborative workflow workspace and *'chat room'* type facility, powered by "Trello" software.

JO Financial Sustainability- OLG indicated they are committed to the continuance of JOs and are *considering* further funding beyond the \$150,000 recently granted, that would enable support of the operational processes of the JOs, as part of next year's budget deliberations.

Election of Chair -It was confirmed that JOs cannot elect a new Chair before 30th June. Election of Chair could be carried out in an extraordinary meeting in July, but it was recognised this potentially could lead to a situation whereby a mayor is elected Chair but lose the Mayor position in the September Council elections, forcing another JO Chair ballot in October. OLG are now considering the implications around extending the current Chairs tenure to align better with the Councils election cycle. An announcement will forthcoming shortly. (**note** it has since been announced that Council elections are deferred but JO Chair election should proceed)

JO Strategic Plan - JOs will need to start the process to refresh their JO Strategic Plan in July 2020. It is expected that the Strategic Plan will articulate from their member Councils' IP & R process, as well as align with the RLE statement of regional priorities. Future annual performance statements should then report against the JOs strategic plan in the following November annually. Guidelines will be published shortly.

Agenda Management software- Hunter JO are currently working with *InfoCouncil* developing specifications for a refined Agenda Management application to enable a more cost effective and efficient system suitable for JO usage. This should be available in coming months.

Future EO meetings are proposing to convene late morning on the day prior to the Chairs to enable more time for meaningful collaboration to be achieved in light of the earlier start time for Chairs Forum constraining the ability of EOs to deliberate. (**note**: Chairs Forum will ongoing commence at noon and end at 4.30/5.00pm)

Guidelines for Councillors are being updated by Office Local Government and due for imminent release, however, due to the local government elections being postponed by 12 months, the release of these guidelines might be some time away.

20. UPDATE ON NORTH COAST SUB-COMMTTEE MEETINGS

RECOMMENDATION:

That the Board note the information provided in the update from the delegates to the following subcommittees:

- North Coast Local Land Services Pests Advisory and the North Coast Weeds Advisory Committees – Craig Swift McNair
- North Coast Drought Task Group Craig Milburn

REPORT:

Craig Swift-McNair, as the MNCJO delegate, will provide the Board with a verbal update on proceedings arising from the North Coast Local Land Services Pests Advisory and the North Coast Weeds Advisory Committees.

Craig Milburn has been appointed as the MNCJO delegate to the North Coast Drought Task Group, however was unable to attend the inaugural meeting due to Council Obligations but appointed an officer as delete to this meeting on his behalf.

21. MNCJO TIMBER BRIDGE PROSPECTUS

RECOMMENDATION:

That the Board:

1) Note that there has been no progress to date with regard to the MNCJO receiving funding support for the MNCJO Timber Bridge Prospectus.

2) Request the Chair write to the Minister for Regional Transport & Roads requesting urgent consideration of funding for implementation of the MNCJO Timber Bridge Prospectus.

REPORT:

The MNCJO Timber Bridge Prospectus was developed by the MNCJO in 2018-2019 and whilst the prospectus gained interest from a range of NSW State government Ministers and staff from within Transport for NSW, there has been little traction in gaining funding to support this timber bridge replacement program.

It is critical to the mid north coast region that our timber bridges are replaced in a timely manner and further to this, in the coming months when we commence our pandemic recovery, it will be important that there are many infrastructure projects undertaken across the region, hence the request for the Chair of the MNCJO to write to the relevant Minister to once again pursue funding for this project.

22. MNCJO FINANCIAL REPORT

RECOMMENDATION:

That the Board:

- 1) Note the information contained with this MNCJO Financial Report and related attachments.
- 2) Note that the Chair of the MNCJO wrote to the Minister for Local Government on 20 April 2020 seeking an urgent cash injection of \$150,000 for MNCJO operational purposes.

REPORT:

At the extraordinary MNCJO Board meeting held on 15 April 2020, the dire financial situation of the MNCJO was discussed amongst other things. One of the resolutions of the MNCJO Board to come from the 15 April 2020 meeting was for the Chair of the MNCJO to write to the Minister for Local Government requesting an urgent cash injection of \$150,000 for MNCJO operational purposes. At the time of writing this report, no response had been received from the Minister, noting that the letter was only send on Monday 20 April 2020.

A copy of that letter can be found at **Attachment 12**.

A copy of the most recent financial report for the MNCJO can be found at **Attachment 13**, with the period of reporting being from 1 July 2019 to 17 April 2020.

A copy of the most recent financial report for the Koala Recovery Partnership can be found at **Attachment 14**, with the period of reporting being from 1 July 2019 to 17 April 2020.

Further discussions on the financial state of the MNCJO and the future viability of the MNCJO will take place at this Board meeting.

23. MNCJO MEETING DATES FOR 2020-2021

RECOMMENDATION

That the Board:

- 1) Set the meeting dates for 2020-2021 MNCJO Board meetings as follows, with the meetings to commence at 9:30am:
- 2) Set the meeting dates for 2020-2021 MNCJO Board meetings as follows, with the meetings to commence at 9:30am:
 - o 3 July 2020
 - 4 September 2020
 - 6 November 2020
 - 5 February 2021
 - o 2 April 2021
 - o 4 June 2021
- 3) Cancel the MNCJO Board meeting scheduled for 12 June 2020 in light of the above-mentioned Board meeting scheduled to take place on 3 July 2020.
- 4) Note that MNCJO Board meetings will take place via tele / video conference until such time as the current social distancing and travel restrictions are lifted.

REPORT:

As per the MNCJO Board adopted Code of Meeting Practice, the Board is required to set the time and date for Board meetings, noting that the MNCJO Board must meet at least four times a year. The recommendations included in this report address this Code of Meeting Practice requirement.

24. DESTINATION NORTH COAST UPDATE

RECOMMENDATION

That the Board note the information provided in the verbal update from Mr Michael Thurston, General Manager, Destination North Coast.

REPORT:

Mr Thurston will provide the Board with an update on the status of the work being done by



Destination	North Coast.	

A copy of the update report can be found at **Attachment 15**.

25. LATE REPORTS

RECOMMENDATION

That the Board note that there are no late reports for tabling at this MNCJO Board meeting

REPORT:

NIL

26. MATTERS RAISED BY VOTING AND NON-VOTING REPRESENTATIVES

RECOMMENDATION:

That the Board note any matters raised by voting and non-voting representatives.

REPORT:

NIL

27. CONFIDENTIAL REPORTS

RECOMMENDATION:

That the Board note that there are no confidential reports to be table at this MNCJO Board meeting.

REPORT:

NIL

MEETING CLOSE:



Mid North Coast Joint Organisation Board Meeting

Minutes

Date: 21st February 2020

Location: C.ex Club — Morgo Street, Urunga

Time: 9.30am

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1. ACKNOWLEDGMENT OF COUNTRY

It was acknowledged that the meeting was held on the traditional lands of the Gumbaynggirr people and respects were extended to the Elders past, present and emerging.

2. ATTENDEES

Mayor Liz Campbell Kempsey Shire Council (Chair)

Mayor Dominic King Bellingen Shire Council (Deputy Chair)

Liz Jeremy Bellingen Shire Council (General Manager)

Stephen Mitchell Kempsey Shire Council (Director), Delegate

Craig Swift-McNair Port Macquarie-Hastings (General Manager)

Tanya Latanville North Coast, Regional NSW, Delegate

Michael Thurston Destination North Coast (General Manager) –Associate member

Fionnuala Dixon Executive Office MNCJO

3. APOLOGIES

Craig Milburn General Manager, Kempsey Shire Council

Mayor Peta Pinson Port Macquarie-Hastings Council (Voting Member)

Louise McMeeking Regional NSW, R. I. A & R (Director North Coast)

Anita Gambhir Engagement Officer - North Coast, and Eastern, Office Local Government

Karen Purser Manager Council Engagement, Office Local Govt.- Delegate

4. OTHER ATTENDEES

Darren Boulet Regional Disaster Preparedness Officer (Mid North Coast), Office of

Emergency Management

5. DECLARATION OF PECUNIARY AND NON-PECUNIARY INTEREST

MOVED: King/Campbell

RECOMMENDATION:

That the Board confirm there are no PECUNIARY OR NON-PECUNIARY Interests

No Pecuniary or Non Pecuniary interests were declared.

CARRIED: 2/0 FOR: *King, Campbell*

6. SPEAKERS

MOVED: King/Campbell

RECOMMENDATION:

That the Board accede to the request from Darren Boulet, Regional Disaster Preparedness Officer (Mid North Coast), Office of Emergency Management, to address the Board:

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

7. CONFIRMATION OF PREVIOUS MINUTES

MOVED: King/Campbell

RECOMMENDATION:

That the Board confirm the minutes of the MNCJO Board meeting held on 6 December 2019:

CARRIED: 2/0

FOR: King, Campbell

AGAINST: Nil

8. CORRESPONDENCE

MOVED: King/Campbell

RECOMMENDATION:

That the Board note the incoming and outgoing correspondence included on the correspondence register, for the period 01/12/2019 to 14/02/2020

CARRIED: 2/0

FOR: King, Campbell

AGAINST: Nil

9. MINUTES OF THE LAST GENERAL MANAGERS ADVISORY COMMITTEE MEETING

MOVED: King/Campbell

RECOMMENDATION:

That the Board note the minutes from the General Managers Advisory Committee (GMAC) meeting held on the 21st January 2020, at Kempsey Shire Council.

CARRIED: 2/0

FOR: King, Campbell

10. STANDING ITEMS

MOVED: King/Campbell

RECOMMENDATION:

That the Board:

- 1. Note the update reports provided by:
 - North Coast, Regional NSW ,Regions, Industry, Agriculture and Resources
 - Office Local Government
 - Destination NSW
- 2. Request General Manager Port Macquarie Hastings Council take forward the Board's concerns around the State Government's Regional Economic Recovery Framework
- 3. Note the requirement for the MNCJO to conduct a ballot for a Chair, at the Board meeting of 1st May 2020, in compliance with Local Government (General) Regulation, Part 11- Election: Division 12 and Schedule 7A
- 4. Request the Executive Officer to follow up with the Office of Local Government requesting the following clarification:
 - The extent and format of the Local Government complaints data that is planned to be included on the 'Your Council' website
 - Will the Office of Local Government supply the full context surrounding the complaints, including:
 - o The nature of the complaint,
 - Council's response to the compliant
 - o Whether the complaint was upheld or otherwise
 - Are there plans for similar complaint comparative data from the NSW state government agencies, to be made equally publicly available

CARRIED: 2/0 FOR: *King, Campbell*

11. KOALA RECOVERY PARTNERSHIP PROJECT

MOVED: King/Campbell

RECOMMENDATION:

That the Board:

- 1. Note that representatives of the Koala Recovery Partnership Project have been invited to participate in an upcoming United Nations world wildlife event, in New York USA.
- 2. Note that the Koala Recovery Partnership will shortly issue two *Requests for Quotations* to undertake post fire surveys that will:
 - Help verify the impacts of the recent Fire events on Koala populations
 - Inform a long-term monitoring program of Koalas in the Hastings-Macleay Area of Regional Koala Significance
- 3. Send a letter to Rebecca Montague Drake to thank her for the level of professionalism and impactful advocacy displayed in her recent testimony at the recent NSW Government Koala Recovery Inquiry
- 4. Request Port Macquarie Hastings Council and Kempsey Shire Council to seek a resolution from their respective Councils, in line with the MNCJO resolution, to support the Great Koala National Park

CARRIED: 2/0 FOR: King, Campbell

AGAINST: Nil

12. MEMORANDUM OF UNDERSTANDING WITH THE OFFICE OF EMERGENCY MANAGMENT

MOVED: King/Campbell

RECOMMENDATION:

That the Board:

- 1. Endorse the Memorandum of Understanding (MOU) between the MNCJO and the Office of Emergency Management (OEM) for the provision of the Regional Disaster Preparedness Program.
- 2. Request the Chair of the MNCJO to sign the above-mentioned MOU on behalf of the MNCJO.

CARRIED: 2/0 FOR: King, Campbell

13. REGIONAL DISASTER PREPAREDNESS PROGRAM OVERVIEW

MOVED: King/Campbell

RECOMMENDATION:

That the Board:

- 1. Note the information provided by Darren Boulet, Regional Disaster Preparedness Officer (Mid North Coast), Office of Emergency Management
- 2. Request for Darren Boulet to provide a report on the Regional Disaster Preparedness Program, as a standing item for all future Board Meetings

CARRIED: 2/0 FOR: King, Campbell

AGAINST: Nil

14. CROWN LAND REFORM

MOVED: King/Campbell

RECOMMENDATION:

That the Board endorse the following actions pertaining to the proposed Crown Lands reforms:

- 1. Liaise with Crown Lands to establish a lands and property management subcommittee, comprising relevant technical staff from the Councils and from Crown Lands. The subcommittee to explore potential ongoing opportunities for sharing resources through the Joint Organisation
- 2. Extend an invitation to Coffs Harbour City Council, Nambucca Shire Council and Clarence Valley Council to participate in a forum, with a view to assist forward movement on identified issues around the Crown Lands Reforms
- 3. A letter to the Minister be drafted requesting funding for a MNCJO resource to help progress the Crown Lands reforms, and to seek an extension to the deadline for implementation of the Crown Lands Reforms.

CARRIED: 2/0 FOR: King, Campbell

15. LOCAL GOVERNMENT ELECTION COMMUNITY AWARENESS CAMPAIGN

MOVED: King/Campbell

RECOMMENDATION:

That the Board:

- 1. Note that Michael Ferguson, Group Manager Governance PMHC, has been nominated to lead a pre- local government election community awareness campaign, in collaboration with relevant Governance officers from Bellingen Shire Council and Kempsey Shire Councils, for future GMAC report
- 2. Endorse in principle that costs relating to this initiative to be shared equally between the Member Councils

CARRIED: 2/0

FOR: King, Campbell

AGAINST: Nil

16. NSW JOINT ORGANISATIONS CAPACITY BUILDING FUND

MOVED: King/Campbell

RECOMMENDATION:

That the Board:

- 1. Note the announcement from the Hon. Shelley Hancock MP, that the MNCJO has been successful in its application for funding of \$150,000, from the NSW Government's Joint Organisations Capacity Building Fund
- 2. Note that the funding mentioned in (1) above, will be applied to a Biodiversity Stewardship project.

CARRIED: 2/0 FOR: King, Campbell

17. REGIONAL WATER STRATEGY

MOVED: King/Campbell

RECOMMENDATION:

That the Board note:

- 1. The progress towards development of a North Coast Regional Water Strategy
- 2. Note that a workshop has be3een scheduled for 11 march at Kempsey Shire Council office, facilitated by DPIE- Water, with a view to collate feedback on development of a North Coast Regional Water Strategy, from relevant water management staff form across the Councils of the North Coast NSW.

CARRIED: 2/0 FOR: King, Campbell

AGAINST: Nil

18. TRANSFERRAL OF ROADS FROM RURAL AND REGIONAL COUNCILS TO THE STATE GOVERNMENT

MOVED: King/Campbell

RECOMMENDATION:

That the Board note:

- 1. The announcement of the formation of an expert panel to review the transfer of roads from rural and regional Councils to the State Government.
- 2. Councils and Joint Organisations will be invited to make formal submissions to the review in March 2020, with the Final report due to be delivered to the State Government in July 2021.
- 3. The MNCJO will send a submission on the 21 February, referring to the "Regional Road Transfer and NSW Road Classification Review – Independent Panel Terms of Reference"

CARRIED: 2/0

FOR: King, Campbell

19. OUR PRECIOUS RESOURCES

MOVED: King/Campbell

RECOMMENDATION:

That the Board consider the 'Our Precious Resources' project proposal to provide 'in principal' Board endorsement and support.

FOR: King, Campbell
AGAINST: Nil

20. JOINT ROUNDTABLE WITH NSW GOVERNMENT MINISTERS, MNCJO AND NORTHERN RIVERS JOINT ORGANISATION – 25TH MARCH 2020

MOVED: King/Campbell

RECOMMENDATION:

That the Board note:

- 1. That a Roundtable comprising a selection of NSW Government Ministers and representatives of the Northern Rivers Joint Organisation (NRJO) and Mid North Coast Joint Organisation has been confirmed for Wednesday 25 March 2020, to be held in Parliament House, Sydney, commencing at 10:00am
- 2. That the items of business to be discussed at the Roundtable has been confirmed.

CARRIED: 2/0

FOR: King, Campbell

AGAINST: Nil

21. MNCJO BUSINESS ITEMS ONGOING

MOVED: King/Campbell

RECOMMENDATION:

That the Board note the items under auspices of MNCJO that are ongoing, including information on delegates to the Regional Leadership Executive Committees and Subcommittees

CARRIED: 2/0

FOR: King, Campbell

22. NSW JOINT ORGANISATION CHAIRS FORUM- REFERRED ITEMS

MOVED: King/Campbell

RECOMMENDATION:

That the Board:

- 1. Note the information provided in the draft discussion paper on financial sustainability of NSW JOs
- 2. Endorse the definition of JO Sustainability for the purpose of the NSW Joint Organisation Chairs Forum JO sustainability advisory committee
- 3. Consider the amended wording of Clause 6 of the Chairs Forum terms of reference

CARRIED: 2/0 FOR: King, Campbell

AGAINST: Nil

23. CONFIDENTIAL MATTERS

There were no confidential matters tabled for discussion

24. LATE ITEMS AND GENERAL BUSINESS

MOVED: King/Campbell

RECOMMENDATION:

That the Board consider granting leave for the late reports, as noted in the table below, to be reviewed for Board consideration:

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

Motion	Notes	Resolution
That the Board confirm the minutes of the MNCJO Extraordinary Board Meeting held (by teleconference) on the 21 January 2020		CARRIED: 2/0 FOR: King, Campbell AGAINST: Nil
That the Board consider the request from LG Professionals for the MNCJO to Host a regional Local Government Management Challenge later in 2020		DECLINED: 2/0 FOR: Nil AGAINST: King, Campbell
That the Board note the Mayor of Bellingen's concerns around logging in bushfire impacted forests		CARRIED: 2/0 FOR: King, Campbell AGAINST: Nil
That the Board note the request for delegates to be nominated to the following Committees and RLE Subcommittees: a. Weeds Advisory Committee b. Economic and Environment Subcommittee	a) Mayor of Bellingen Shire Council nominated b) Referred to GMAC for an appropriate Council Officer to be assigned.	CARRIED: 2/0 FOR: <i>King, Campbell</i> AGAINST: Nil
That the Board endorse the request for the Koala Recovery Project to contribute \$50 per week to Landcare, to enable the MNCJO Koala Ecologist to be sited in the Landcare Kempsey office		CARRIED: 2/0 FOR: King,Campbell AGAINST: Nil
That the Board note the General Manager PMHC will represent MNCJO at the Ministerial Advisory Group on Bushfire Recovery and will report back at next Board Meeting		CARRIED: 2/0 FOR: King, Campbell AGAINST: Nil

25. NEXT MEETING DATES

MOVED: King/Campbell

RECOMMENDATION:

That the Board resolve the rescheduling of the next Board Meeting to convene on the 1st May 2020 in Kempsey Shire Council Office, commencing 9.30am

CARRIED: 2/0

FOR: King, Campbell



Minutes Mid North Coast Joint Organisation

General Managers Advisory Committee (GMAC) Meeting

Date: 2 April 2020

Location: Video Conference

Time: 9.30am

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1. ACKNOWLEDGEMENT OF COUNTRY

The meeting was chaired by Liz Jeremy, General Manager Bellingen Shire Council, who opened the meeting by acknowledging the Traditional Custodians of the lands of the Mid North Coast, and extended respect to all the Elders past, present and emerging.

2. ATTENDEES

- Craig Milburn, General Manager, Kempsey Shire Council
- Craig Swift-McNair, General Manager, Port Macquarie- Hastings Council
- Liz Jeremy, General Manager, Bellingen Shire Council
- Louise McMeeking, Director North Coast, DPC Regional
- Fionnuala Dixon, Executive Officer NCJO

3. APOLOGIES

There were nil apologies.

4. DISCLOSURES OF INTEREST

RESOLVED:

That GMAC note the declaration by the Executive Officer (EO) of a pecuniary interest in Agenda item 14 at which point the EO will depart the meeting, not taking part in any consideration of the matter.

MOVED: Craig Swift-McNair / Craig Milburn

5. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED:

That the Minutes of the General Managers Advisory Committee convened on the 21st January 2020, be confirmed.

MOVED: Craig Swift-McNair / Craig Milburn

6. CORRESPONDENCE REGISTER

RESOLVED:

That the GMAC note the register of MNCJO correspondence in and out, from 17th January 2020 to 30th March 2020

MOVED: Craig Swift-McNair / Craig Milburn

7. CROWN LANDS REFORM

RESOLVED:

That the GMAC:

- 1. Further discuss the option of a potential appointment to the MNCJO of a Crown Lands Property Officer, including potential opportunities for funding, to help progress the Crown Lands reforms across the member Councils
- 2. Instruct the Executive Officer to move forward with the following actions pertaining to the proposed Crown Lands reforms:
 - Liaise with Crown Lands to establish a lands and property management subcommittee, comprising relevant technical staff from the Councils and from Crown Lands. The subcommittee to explore potential ongoing opportunities for sharing resources through the Joint Organisation.
 - Extend an invitation to Coffs Harbour City Council, Nambucca Shire Council and Clarence Valley Council to participate in a forum, with a view to assist forward movement on identified issues around the Crown Lands Reforms.
 - Request the Executive Officer to draft a letter to the Minister for Lands, requesting funding for a MNCJO resource to help progress the Crown Lands reforms, and to seek an extension to the deadline for implementation of the Crown Lands Reforms.

MOVED: Craig Swift-McNair / Craig Milburn

8. ELECTION OF CHAIRPERSON OF THE MID NORTH COAST JOINT ORGANISATION

RESOLVED

That the GMAC:

- 1. Note the requirements regarding upcoming election for the Chair of Joint Organisations
- 2. Accept this as the formal notification that a vacancy will exist for the office of Chairperson of the MNCJO subsequent to 30th June 2020.
- 3. Appoint the Executive Officer (or delegate) as returning officer to enable the call for nominations for Chairperson of the MNCJO, in accordance with Local Government (General) Regulation 2005, Schedule 7a *Election of Chairpersons of Joint Organisations* to be effected.
- 4. Convene a meeting of the MNCJO on a suitable date in July 2020, with the first item of business being to elect the Chairperson

MOVED: Craig Swift-McNair / Craig Milburn

9. OUR PRECIOUS RESOURCES

RESOLVED

That the GMAC:

- 1. Defer moving forward with the 'Our Precious Resources' project until the current Covid-19 restrictions are removed
- 2. Table a report at the first Board meeting subsequent to 30th June 2020, noting potential funding opportunities, such as Round 3 of the NSW Government's Increasing Resilience to Climate Change program (IRCC), that may become available in the new financial year.

MOVED: Craig Swift-McNair / Craig Milburn

10. MNCIO BUSINESS ITEMS ONGOING

RESOLVED

That the GMAC note the MNCJO business items still in progress

MOVED: Craig Swift-McNair / Craig Milburn

11. MNCJO ANNUAL AUDIT ENGAGEMENT PLAN

RESOLVED

That the GMAC note the 2020 Audit Engagement Plan for the Mid North Coast Joint Organisation

MOVED: Craig Swift-McNair / Craig Milburn

12. REPORT-NSW JOS EXECUTIVE OFFICERS NETWORK MEETING

RESOLVED

That the GMAC note the key points from the NSW JOs Executive Officers Network meeting convened on the 5th March 2020 at Parliament House, Sydney

MOVED: Craig Swift-McNair / Craig Milburn

13. REPORT- NSW JOS CHAIRS FORUM

RESOLVED

That the GMAC note the key points from the NSW JO Chairs' Forum convened on the 5th March 2020 at Parliament House, Sydney

MOVED: Craig Swift-McNair / Craig Milburn

14. CONFIDENTIAL REPORT - MNCJO SUSTAINABILITY

RESOLVED

That the GMAC consider the future sustainability of the MNCJO, noting the departure of the Executive Officer from the meeting.

MOVED: Craig Swift-McNair / Craig Milburn

15. LATE ITEMS

RESOLVED

That the GMAC consider the following late items:

1 Note that the Mid North Coast Media Campaign and Informational sessions related to member Council elections, have been cancelled in line with recent government announcement of postponement of the elections as part of the Covid 19 restrictions

MOVED: Craig Swift-McNair / Craig Milburn

2 Nominate an officer from Kempsey Shire Council as MNCJO delegate to the North Coast Drought Task Group, noting the first meeting will be convened at 11am on 21st of April, by teleconference.

MOVED: Craig Swift-McNair / Craig Milburn

3 Authorise for the Koala Recovery Partnership Project to purchase a single user GIS License to be loaded onto the laptop of the Project Lead, enabling activities to be carried out related to Koala mapping, assessments and surveys.

MOVED: Craig Swift-McNair / Craig Milburn

4 Advise Essential Energy that all MNCJO Board meetings are open to the public and that they can request to present on the occasions that they have a particular matter that requires a Board resolution related to Regional electricity provision and planning.

MOVED: Craig Swift-McNair / Craig Milburn

16. MNCJO BOARD MEETING AGENDA

RESOLVED

That the GMAC approve the following items to be included (in no particular order) on the Agenda of the MNCJO Board meeting scheduled for 1 May 2020, in addition to the usual standing items:

- Notification of the 2020 Annual Audit Engagement Plan for the Mid North Coast Joint Organisation
- Notification of the process surrounding the election of the MNCJO Chair
- Advice pertaining to the deferment of the 'Our Precious Resources' Project
- Feedback on the proceedings from the recent NSW JOs EO Network
- Feedback on the proceedings from the recent NSW JOs Chairs' Forum
- Project update on the Koala Recovery Partnership project, including feedback from the recent participation in the United Nations World Wildlife Event in New York
- COVID-19 impacts, including updates from the GM of each member Council on their individual Council's activities relating to COVID-19
- Update on the postponement of the Local Government Elections across NSW
- Update on the on the North Coast Weeds Advisory Committee and the North Coast Pest Advisory Committee meetings, convened on the 12th March 2020
- MNCJO financial update report and financial sustainability of the MNCJO
- Setting of the MNCJO Board meeting dates for 2020 / 2021, including consideration of cancelling the Board meeting set for 12th June 2020
- Correspondence register
- · Update on ongoing business items.

MOVED: Craig Swift-McNair / Craig Milburn

17. NEXT MEETING

Date to be confirmed

Register of MNCJO Correspondence in/out

MNCJO INCON	AING CORRESPONDENC	CE REGISTER – 17/1/2	020 to 30/3/2020	
DATE	FROM	то	SUBJECT	NOTES
17/1/2020	Executive Officer Namoi	Executive Officer MNCJO	Copy of letter from Namoi to Fire Commissioner requesting an extension to payments and claims – Section 44 RFS Act.	
22/1/2020	Service NSW	Executive Officer MNCJO	Announcement of online information hub – Bushfire impacted businesses	
23/1/2020	Mica McGee EA to Minster	Executive Officer MNCJO	Declining the 2 nd invitation to attend rescheduled Board or GMAC meeting – citing priority obligations	
29/1/2020	Vanessa Balzan LGNSW	Executive Officer MNCJO	Announcing appointment of A/CEO Kylie Yates	
29/1/2020	Westpac Bank	Executive Officer MNCJO	Bank Statement MNCJO	
5/2/2020	OMSBUDSMAN Office	Executive Officer MNCJO	Confirmation of receipt of MNCJO PID	
11/2/2020	Gearoid Fitzgerald Auditor	Executive Officer MNCJO	Notice of MNCJO mention in NSW LG Auditor General Report	
18/2/2020	Andy Vinter Landcare	Executive Officer MNCJO	Response (in affirmative) to MNCJO request for work station in Landcare Office Kempsey - KRP Ecologist	\$50 pw rent from 1 March 2020
20/2/2020	Murry Benton Inca Consulting	Executive Officer MNCJO	Notification of commencement of DPIE review of the regional planning program and request for feedback	Referred to member Councils
21/2/2020	NSW Economy Innovation Network	Executive Officer MNCJO	Newsletter	
21/2/2020	OLG	Executive Officer MNCJO	Circular 20-04- Land Use Planning changes- Bushfire Recovery	Referred to member Councils
23/2/2020	Roads Classification Review	Executive Officer MNCJO	Confirmation of Submission	
06/3/2020	OLG	Executive Officer MNCJO	Circular- 20-06- Novel Corona Virus Update	Referred to member Councils
18/3/2020	Dave Salisbury Essential Energy	Executive Officer MNCJO	Seeking to attend future MNCJO Board meetings (once Covid dissipates) with a view to providing updates to Board to enable closer working relationship with Local Councils on matters related electricity provision and planning	GMAC Agenda item 15
20/3/2020	Rik Whitehead, Deputy Director North Coast, Regional NSW	Executive Officer MNCJO	Request for nominee to participate in the first meeting of the North Coast Drought Task Group at 11am on 21st of April. North Coast Drought Task Group (teleconference)	20/3/2020
25/3/2020	OLG	Executive Officer MNCJO	Circular 20-10 Postponement of the September 2020 Local Government Elections	
26/3/2020	New Public Health Order	Executive Officer MNCJO	Outlines those facilities directed to close at the start of 26 March 2020. • caravan parks and camping grounds • indoor recreation facilities • public swimming pools, and	

		• community facilities. Exemptions have been granted from these closures for early education and childcare facilities, when the facility is being used to provide a voluntary service to assist vulnerable members of the public or are used to accommodate permanent residents of the caravan park or camping ground or other persons who have no other place of permanent residence, and allowing visitors to visit such persons; Food markets have also been exempted	
27/3/2020	 Executive Officer MNCJO	Feedback on the Private Native Forestry Review Terms of Reference and invitation to JO/Councils to provide submission on the PNF Codes of Practice which have been released for an 8-week public consultation period.	Submissions close 19 May 2020
27/3/2020	 Executive Officer MNCJO	Media release on th NSW Govt's release of the second stage of its economic package aimed at keeping people in jobs, helping businesses and supporting the most vulnerable in the face of the COVID-19 pandemic	

MNCJO OUTGOI	MNCJO OUTGOING CORRESPONDENCE REGISTER		1 January 2020 to 30 March 2020	
DATE	FROM	ТО	Organisation	SUBJECT
20/1/2020	Executive Officer	Executive Management Committee	Macleay Valley Landcare	Request for workstation Kempsey Landcare office – KRP Ecologist
21/02/2020	Mayor L. Campbell	Transport NSW	Road Classification Review	Submission - Road Classification Review Panel Terms of Reference

Submitted to GMAC Meeting 2/4/2020



Koala Recovery Partnership Report to the MNCJO Board 1st May 2020

General Overview

Quarterly Report -1st January 2020 to March 31st 2020

The last quarter has once again been productive for the Koala Recovery Partnership as shown in the attached quarterly report outlining our progress against previously-established milestones. The last quarter has certainly also been full of unexpected happenings. Our project objectives for the quarter took unexpected variations for several reasons, including:

- 1. The 2019/2020 bushfires,
- 2. The invitation to attend the United Nations World Wildlife Day activities in New York, and
- 3. The Covid-19 outbreak.

The ways that each of these factors has impacted, and is likely to continue impacting, the Koala Recovery Partnership's activities is outlined below.

The Bushfires

Post-fire Monitoring Surveys:

The bushfires impacted large areas of Lake Innes Nature Reserve. DPIE was given \$30,000 to study koala survivorship in areas of Lake Innes post-fire. I designed the surveys, worked with DPIE on the methodology, undertook GIS work and liaised with the contractors and NPWS staff for access. Surveys were also undertaken in Crowdy Bay National Park. I was originally intending to accompany the dog-handling contractor on these surveys, but due to Covid-19 restrictions, was not able. I am likely to play a role in the coming months in analysing the results of these surveys to better understand koala survivorship in these areas and how this relates to fire severity and potential impacts on local populations. This has all taken time that was not scheduled for in the original project plan and may continue in the coming months.

Koala Habitat Study:

The Koala Habitat Study "Spatio-temporal Partitioning of Koala Habitat" was designed to examine habitat preferences of koalas in the study area and koala behaviour. Large areas of the radio-tracked koalas' home ranges were burnt and hence it was deemed unsafe to send contractors in to undertake this work as originally outlined in the Project Plan. The availability of the new Plant Community Type mapping meant that a detailed desktop study was instead undertaken. The study found many interesting results and has been used to declare another new Area of Regional Koala Significance in the Hastings-Macleay. Declaring an ARKS assists with State Government funding.

FABCON/Fire-Training:

At the December meeting of the Koala Recovery Partnership Advisory Committee, it was agreed to 'back park' both FABCON and the Fire Training Programs for at least one quarter given the 2019/2020 fire season. The KRP Advisory Committee will discuss the project at their next meeting.









United Nations World Wildlife Day

Dr Montague-Drake, the MNCJO Koala Ecologist was invited by the Koala Hospital to be part of a panel entitled "Global Warning: Wildlife and Wildfire" as part of the United Nations World Wildlife Day 2020 activities in New York.

It was an amazing opportunity to showcase koalas, koala conservation and the work of the Koala Recovery Partnership on a global stage. The Panel was moderated by Tim Kelly (ex-CEO of National Geographic, CEO of the Global Commons Alliance). Dr Montague-Drake was the first speaker, talking about the impacts of habitat loss, drought and bushfires on koalas, potential solutions and the role of the Koala Recovery Partnership.

Cheyne Flanagan then discussed the role of the Koala Hospital, particularly during the bushfire crisis. The third panellist was Nick Boyle, Director Welfare, Conservation and Science at Taronga Zoo who discussed conservation breeding programs. The panel was concluded by Kira Mileham, Director of Strategic Partnerships, Species Survival Commission with the International Union of the Conservation of Nature who discussed the IUCN's Red List and koala's status.

The event was attended by United Nations delegates, representatives from leading environmental Not-For-Profit organisations, such as the Jane Goodall Foundation, Ivonne Higuero, Secretary-General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), wealthy philanthropists and many others from industries relating to nature conservation.

The attendance was a bit lower than expected (still several hundred people) due to the Coronavirus- which was already having an impact in many countries and prevented delegates from travelling. The event required a lot of preparation and liaison with the moderator and other panellists and several 'dress rehearsals' were held at the Paley Centre. The event started with formal 'drinks and nibbles' in the hall of the Paley Centre which enabled the panellists to chat with the representatives present. As part of this event, Dr Montague-Drake also did an interview with *Mongabay*, a world-renowned online environmental news site, that publishes globally in eleven languages (see: https://news.mongabay.com/2020/03/how-to-help-koalas-recover-after-australias-fires-ga-with-rebecca-montague-drake/).

All panellists were then invited to attend official proceedings for the United Nations World Wildlife Day at the United Nations Headquarters, where after the formal proceedings we were able to talk to UN delegates and other VIPs.

The main outcomes were:

- Meeting key international stakeholders in the field of species conservation.
- A better understanding of how to 'pitch' to global not-for-profits and philanthropic organisations for investment purposes and key contacts in this area;
- Promoting the koala, its conservation status and our work, on a global stage.
- Firming up networks with Taronga Zoo for future project ideas;
- Development of new connections with international government bodies that exert influence on domestic policy development (CITES, CMS and UNEP).









- Development of connections with IUCN and opportunities for involvement in red list review for koalas with potential change listing (which in turn delivers greater protection/funding).
- Media engagements to further increase the profile of the Koala Recovery Partnership.
- Increasing the broader profile of the Koala Recovery Partnership (our Facebook page covering the trip to the United Nations World Wildlife Day received more than 37,000 hits).
- Learning that there is a lack of awareness in other countries about the threats that face Australia's wildlife, particularly with reference to climate change issues and clearing. This lack of awareness is likely to reduce the accessibility of funding from global partners.

Covid-19 Pandemic

The Covid-19 pandemic has resulted in numerous changes to the Koala Recovery Partnership with the cancellation of two immediate activities:

- 1. The Ecologist attending the post-fire surveys in Willi Willi, Werrikimbie, Lake Innes and Crowdy Bay National Parks, and
- 2. Cancelled our scheduled koala feed tree giveaway days (the Grafton Nursery has agreed to keep the trees until September when this activity will be reviewed.).

Covid-19 and Project Delivery Timelines

The Project Plan lists the following activities for the next two quarters:

Program	Apr 20	Jul 20	Comment
Governance			Not impacted though meetings are now conducted online/telephone
Koala Monitoring	Contractors appointed & monitoring undertaken		If approved
Habitat Protection	Planning Underway for Conservation Partners Program	Program commences	If approved
Habitat Creation	NA		NA
Habitat Study	Spatio-Temporal Habitat Study Report being written	Spatio-Temporal Habitat Study Report being written	This is now complete
Koala Smart	Assistance with Delivery of On-ground Projects to schools	Assistance with Delivery of On-ground Projects to schools	Deferred due to Covid-19. Will continue to work with educators on preparation of curriculum materials
FABCON			Deferred due to Covid-19. Cannot gather stakeholders together effectively for discussions.
Fire and Koala Training Program	Training delivered through workshops	Training delivered through workshops	Deferred due to Covid-19
KPOM Review	NA	NA	Probably defunct given new Koala Habitat Protection SEPP
Community Engagement	Ongoing	Ongoing	Ongoing through Gumtips articles, Facebook posts, media articles, requests for information etc









Covid-19 impact on Koala Ecologist

Dr Montague-Drake is working from home to comply with social distancing rules and the closure of Kempsey Landcare office, focusing on the following tasks:

- 1. While the Koala Hospital Clinical Database is 'offline' at the Koala Hospital, Dr Montague-Drake is undertaking a big 'overhaul' of the database to fix glitches, clean it and do a fresh data extraction. This database is a very important asset for research and understanding koalas in our region, so it is important to invest time into it periodically.
- 2. Preparation of a submission on the new Private Native Forestry Codes for the North Coast. Private native forestry, in its current form, is a major threat to koalas and hence providing evidence to help refine the Codes is important.
- 3. Self-training in new ArcGIS online products, including ArcSurvey 123 (and designing field templates for the long-term monitoring surveys), ArcExplorer and more uses of ArcStory.
- 4. Continuing to engage with the community via Facebook posts, media articles (e.g. one currently being written to promote our new Koala Habitat Planting map resource) etc;
- 5. Preparation of all material for roll out of Conservation Partners Program and potentially engage contractors to undertake this work
- 6. Preparation of all material and resources (including field data collection systems) for roll out of long-term monitoring program
- 7. Undertaking data entry, analysis and mapping of results of post-fire surveys for Lake Innes and potentially Crowdy Bay. Dissemination of results through a range of mediums
- 8. Assisting curriculum developer for Koala Smart State-wide rollout.
- 9. Other activities as arise or are directed by the Koala Recovery Partnership Advisory Committee meeting (currently scheduled for 15th April).









Actions This Quarter	Progress to Quarterly Milestones As Outlined in Project Plan	Progress Towards Program Outcomes	Issues/ Risks/Wins/Comments
Program: "Governance"	-	-	
Operating Systems	ITC systems removed from PMHC systems and new systems operating smoothly. (Phone, laptop, field tablet purchased).	Complete	Question for MNCJO: We are currently on a Natural Disaster Package ESRI account (free for 90 days) but need to soon migrate to another system. We could be on a Not-for-Profit account which would cost us only c. \$150 p.a. but believe that GMAC has resolved to not go for not-for-profit status for the MNC JO and instead pay \$1500 from the KRP budget per annum. Please confirm.
Office Set-up	NA		Note: RMD started at the Macleay Landcare office on 10/3/20. She was there until the 19/3/20 but then the office and the greater showground area was shut from 24/3/20 due to Coronavirus.
Uniforms and Business Cards: Corporate work and field shirts and business cards ordered for public events	NA	✓	
GMAC Meeting	NA	√	Note: Representation to GMAC has still only been quarterly. Where possible, we would like to speak directly to GMAC for clear communication.









Actions This Quarter	Progress to Quarterly Milestones As Outlined in Project Plan	Progress Towards Program Outcomes	Issues/ Risks/Wins/Comments
Program: "Community Educatio	n and Engagement"		
Met with Kate Washington, Shadow Minister for the Environment in Port Macquarie to talk about the impacts of bushfires on koalas and recovery actions	Quarterly Milestone: Community and Stakeholder Engagement is undertaken	✓	
Two articles for the quarterly Gumtips magazine: "Koala Impacts and Recovery Amongst the Ashes" & "On Flagship and Umbrella Species and Why They are so Important"	Quarterly Milestone: Community and Stakeholder Engagement is undertaken	✓	
Analysis on impacts of fires on koala habitat in the Port Macquarie-Hastings LGA: sent to PMHC & DPIE and via Facebook	Quarterly Milestone: Community and Stakeholder Engagement is undertaken	✓	Note: It was disappointing that this was not disseminated by the Legal Officer (the appointed contact) to PMHC as they then duplicated this work with the GIS unit. Please encourage PMHC staff to liaise with the Koala Ecologist on koala-related matters.
Finalising videos for Koala ARKs	Quarterly Milestone: Community and Stakeholder Engagement is undertaken	✓	
Attendance at United Nation's World Wildlife Day 2020 events in New York, including being a panellist on a session entitled "Global Warning: Wildlife and Wildfire" (see Introduction)	Quarterly Milestone: Community and Stakeholder Engagement is undertaken	✓	Note: Our Facebook post on this event has attracted more than 37,000 hits, hundreds of 'likes' and saw our page membership grow.
Media interview for Mongabay an online environmental news website (globally renowned, published across 11 languages)	Quarterly Milestone: Community and Stakeholder Engagement is undertaken	✓	See: https://news.mongabay.com/2020/03/ho w-to-help-koalas-recover-after- australias-fires-qa-with-rebecca- montague-drake/
Two media articles or Port News and Macleay Argus on the World Wildlife Day events (content written by RMD)	Quarterly Milestone: Community and Stakeholder Engagement is undertaken	✓	









Actions This Quarter	Progress to Quarterly Milestones As Outlined in Project Plan	Progress Towards Program Outcomes	Issues/ Risks/Wins/Comments
Program: "Koala Monitoring"			
Koala Monitoring/Survey Workshop with DPIE: best methods, regional variation and flaws with existing methods. Consideration of survey methodology against BAM methods.	NA		
Scientific Licence and State Forests Permits submitted	Quarterly Milestone: Being planned		
Met with John Turbill (DPIE) to finalise methods.	Quarterly Milestone: Being planned	/	
Request for Quotes for contractors prepared and Executive Officer has reviewed once. EO to review again and then to be released within the coming days with statement that work will commence once the MNC JO deems it appropriate for field work to be conducted given Covid-19 restrictions.	Quarterly Milestone: Being planned		Question for MNCJO: MNC JO to determine stance on appointing contractors to undertake field work during Covid19 isolation measures: Do you consider this to be allowable? What restrictions would you see put in place to minimise risk? Note that DPIE are continuing with similar contracting work for koalas in accordance with the atatched sheet.
RMD designing ArcSurvey123 packages to accompany surveys to streamline data collection	Quarterly Milestone: Being planned	√	
Help DPIE design and organise post-fire monitoring surveys in Crowdy Bay and Lake Innes National Parks. Site selection, access, methods, liaising with contractors etc.	Was not part of the original workplan. \$30,000 was given by DPIE to specifically study Lake Innes as a nationally-important population RMD may also play a role in analysing the forthcoming data		Note: Lake Innes surveys commence next week. Preliminary data from the Crowdy Bay surveys suggests continued koala presence in areas unburnt and of low severity.











Actions This Quarter	Progress to Quarterly Milestones As Outlined in Project Plan	Progress Towards Program Outcomes	Issues/ Risks/Wins/Comments
Program: "FABCON"			
None	Original Quarterly Milestone: Working with RFS on finalising Report	At the December KRP Advisory Committee, it weas decided to put FABCON on hold for at least one quarter to enable time for Agencies to reassess policies/directions after the 2019-20 fires.	Note: Will need to discuss with the KRP Advisory Committee the future direction of FABCON at the April KRP AC meeting.
Program: "Fire Training"		T	T.A
None	Original Quarterly Milestone: Being Planned	See Above	As above
Program: "Koala Habitat Study"		•	
The 2019/2020 fires burnt a significant amount of the study area rendering field work impossible over these months. Given the availability of the new Plant Community Type mapping, it was decided to undertake a desktop analysis instead. The analysis yielded very interesting results which have been used for real wins and greater understanding of koalas. A summary was sent to DPIE for promotion through NSW Koala Country.	Quarterly Milestone: Consultants appointed and undertaking field study.	The project is now COMPLETE	Note: The analysis has led to the creation of a new ARKS (Area of Regional Koala Significance) by DPIE in the area roughly between Crescent Head Rd, Maria River and Beranghi Rd and south to the Hastings River. This is now known as the "Belmore River ARKS". This will see additional investment of State funding for koalas into this area watch this space!









Actions This Quarter	Progress to Quarterly Milestones As Outlined in Project Plan	Progress Towards Program Outcomes	Issues/ Risks/Wins/Comments
Program: "Koala Smart"			
Meeting with DPIE, Teachers and Curriculum Designers at Sea Acres to design Koala Smart curriculum for State-wide role out of the program. Attended to provide expert advice/ideas (DPIE are handling the State-wide rollout). A virtual interview has been scheduled with curriculum developers.	Quarterly Milestone: Being planned	✓	The work being done now will ensure that when the Koala Smart program is rolled out State-wide (probably in 2021), it will be better than ever!
Delivery of programs in schools and implementation of 2019 ideas from schools	Quarterly Milestone: Being planned	Covid-19 means this is not possible for the foreseeable future.	Unlikely for programs to be delivered in schools this year due to Covid-19. Schools are likely to remain closed in Term 2, meaning that Terms 3 and 4 will have a focus on core learning.
Program: "Habitat Protection"			•
Presented at the Koala Parliamentary Inquiry at the Glasshouse and conducted follow-up work	NA	√	
Submission on new Koala Habitat Protection SEPP on behalf of the Koala Recovery Partnership/MNCJO. Also provided advice to the Office of Local Government (upon request) to help formulate their submission. Similarly provided information to the other Koala Recovery Officers (one of whom also provided a submission).	NA		
Met with the Biodiversity Conservation Trust and John Turbill at Coffs Harbour to discuss the Conservation Partners Program roll-out, It was agreed that (now) Belmore River ARKS area would be the first area to be targeted. Awaiting information from the Biodiversity Conservation Trust to enable roll out of the program.	Quarterly Milestone: Being Planned	✓	Note: Will need advice from MNC JO on what is acceptable during Covis-19 situation and how property targeting is to be done. See cover note.
Reviewed Macleay Landcare Networks Land for Wildlife grant, wrote letter of support. Will later do extension programs as part of that program.	NA	√	









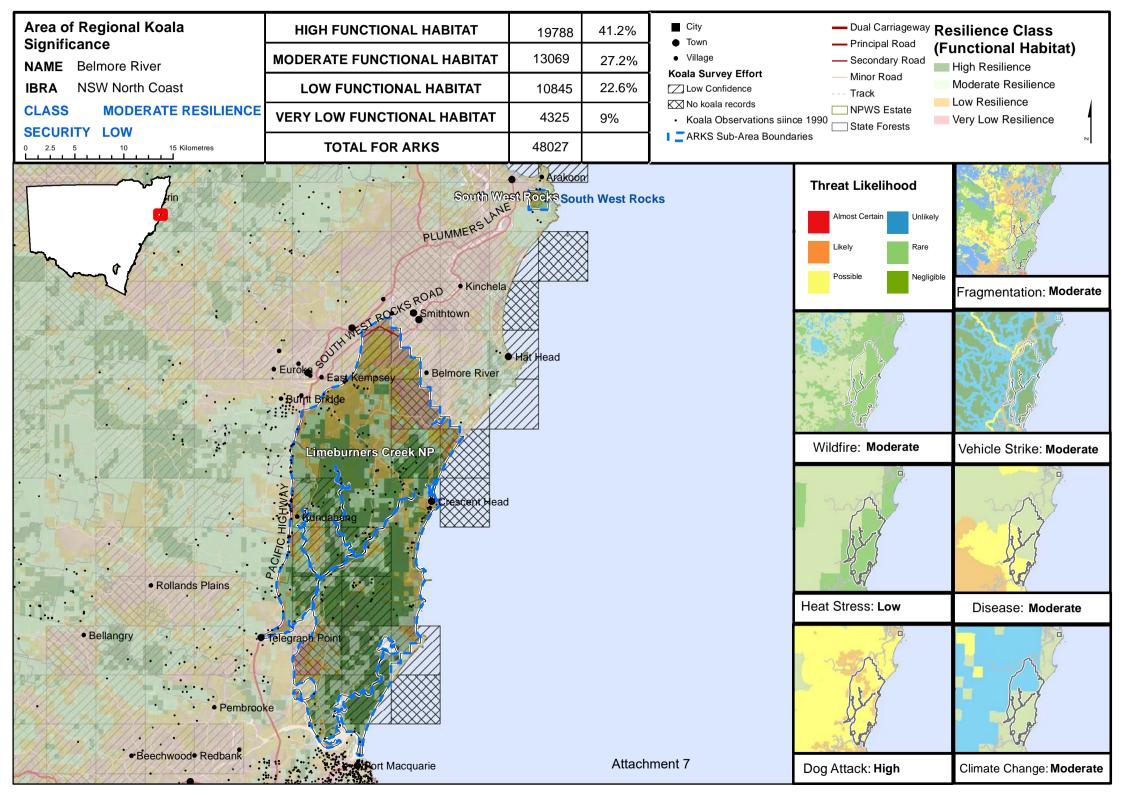
Actions This Quarter	Progress to Quarterly Milestones As Outlined in Project Plan	Progress Towards Program Outcomes	Issues/ Risks/Wins/Comments
Program: "Habitat Creation"			
Online Koala Habitat Planting Map product created**. It enables landholders and Councils to zoom into any property/area of the Kempsey or Port Macquarie-Hastings LGAs and click on an area to determine the most appropriate koala food trees and nitrogen-fixers for koala habitat restoration purposes. It comes with information about koalas and undertaking planting programs. This involved a comprehensive review of koala feed trees under the DPIE Koala Feed Tree Review document with considerations of climatereadiness and local PCT assemblages, designing the 'back-end' of the product with the attribute tables and the 'front end' (the visible ArcStory).	NA		Win: This is a really good product that can be used by landholders and Councils to guide species selection for koala habitat restoration. It is timely given the intended KFT give-aways.
Referred a grant from Landcare Australia to Macleay Landcare Network to enable propagation of koala feed trees in local Landcare nurseries. Helped Macleay Landcare refine their application and wrote a letter of support.	NA		
Program: "KPOM Review"			
No intended actions yet: see Project Plan	No milestones set for this quarter.	NA	Note: The new Koala Habitat Protection SEPP was launched on the 1 st March. This SEPP, together with the associated Development Guidelines, sets much tighter parameters for KPOMs. The goal of this project was to assess the successes/failures of KPOMs but there is probably little point reviewing old KPOMs for this purpose now. The program will need review with the KRP Advisory Committee.

^{**} Online Koala Habitat Planting Map link: https://storymaps.arcgis.com/stories/8f2d48172a5b45f48fdea4fea47532dc









MID NORTH COAST DISASTER PREPAREDNESS PROGRAM



MNCJO Progress Report

Summary

Consultation and stakeholder engagement were the initial priority at the commencement of this role and had the most influence on initial activities. The Mid North Coast Regional Disaster Preparedness Officer has participated in the following groups and committees:

- Mid North Coast General Managers Working Group
- MNC Regional Recovery Committee
- North Coast Regional Leadership Executive Environment & Economy Sub-Committee
- Transition North Coast Strategic Working Group
- MNCJO Board (new standing agenda item to report to)
- Kempsey LEMC & Rescue Board
- Coffs Harbour & Bellingen LEMC & Rescue Board
- Port Macquarie Hastings LEMC & Rescue Board
- Regional Emergency Management Committee

Following initial consultation and guidance provided by the MNCJO the proposed work and projects were further clarified.

Presentations have been developed for each of the proposed sites within the MNCJO;

Port Macquarie Hastings Council - Pappinbarra

Kempsey Shire Council - Bellbrook

Bellingen Shire Council - Hydes Creek

Contacts that have been provided by council have been contacted and initial planning arrangements made. A further four presentations are either under development or awaiting site proposal from the responsible councils within the MNCROC;

Clarence Valley & Coffs Harbour - Orara Valley

Coffs Harbour City Council – Awaiting recommendation

Clarence Valley Council - Awaiting recommendation

Nambucca Valley Council - Awaiting recommendation (either Hyland Park or our Burrapine).

In addition to the developing relationships with each Get Ready contact an informal partnership with Local Government Association of South Australia Emergency Management office has been developed to share ideas and resources.

Further relationships have also been developed with Coffs Harbour City Council after supporting them during the recruitment of a council Recovery Officer position. The RDPO was able to provide subject matter expertise and acted as one of the interview panel.

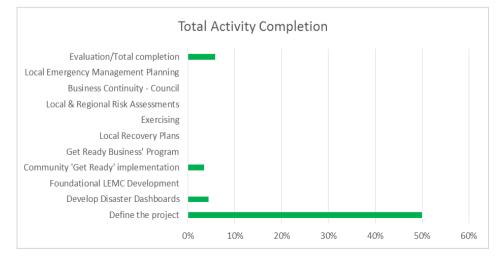
Finally an opportunity has emerged through discussions with RFS Superintendent Sean McArdle to partner with Oz Green who were recently awarded CRIP funding. Oz Green are planning to run a similar program to the proposed Get Ready projects in communities within the Bellingen Shire Council. Following initial discussions it was clear that Oz Green have an informed approach with proven success delivering these sorts of programs. Investigations into how the RDPO can support and partner with their project will continue.

Key Achievements

- MNCJO noting and supporting the proposed work plan and schedule
- Key stakeholders identified and contact made for Get Ready Bellingen, Bellbrook and Pappinbarra
- Commencement of dashboard development following successful procurement process

Future Activities - Short term

- Collaborate with RFS, SES and EICU to develop layers for dashboards
- Engage designer to develop community hazard brochure template.
- Investigate online community forum capabilities in light of COVID-19.





Circular to Councils

Circular Details	20-10 / 25 March 2020 / A696536
Previous Circular	20-06 Novel Coronavirus (COVID-19) Development Updates
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance Team/ 02 4428 4100/ olg@olg.nsw.gov.au
Action required	Information

Postponement of the September 2020 Local Government Elections

What's new or changing?

- The Minister for Local Government has announced that the September 2020 local government elections will be postponed to address the risks posed by the COVID-19 virus.
- The Local Government Act 1993 (the Act) has been amended to confer on the Minister, a time-limited power to postpone council elections.
- The amendment, which operates for only a limited period of 12 months, allows the Minister by an order published in the Gazette, to postpone elections for 12 months from the date of the order. The order may be extended for an additional period to 31 December in the year after the order is made.
- The postponement of the next election will not change the future schedule of council elections, and the subsequent election will still proceed in September 2024.

What this will mean for your council

- Where the Minister exercises the power to postpone elections under section 318B, the election requirements of the Act are suspended for the period specified in the order and current councillors will continue to hold their civic offices.
- Popularly elected mayors will continue to hold their office until an ordinary election is held. In the case of mayors elected by councillors, mayoral elections will need to be held for mayors elected in September 2018 when their two year-terms expire. Mayors elected in September 2019 will continue to hold office until September 2021, once the election date is determined.
- The composition of joint organisation boards may need to change if mayors of member councils elected by councillors are not re-elected.
- The postponement of elections will have implications for the activities councils may be required to undertake in the current and next integrated planning and reporting (IP&R) cycles. In general, OLG will seek to extend the current IP&R cycle for 12 months, with a next cycle to be truncated to 3 years. The Office of Local Government will be providing further detailed guidance on this and other changes to statutory timeframes that may become necessary as a result of deferring elections.

Where to go for further information

 For further information please contact the Council Governance Team on 02 4428 4100 or by email at <u>olg@olg.nsw.gov.au</u>.

Tim Hurst Deputy Secretary

Local Government, Planning and Policy

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FUNDING DEED JOINT ORGANISATION CAPACITY BUILDING

This Deed is made this day of 2020

Between:

The Crown in the right of the State of New South Wales acting through the Office of Local Government, Department of Planning Industry and Environment ABN 20 770 707 468 of 5 O'Keefe Avenue, Nowra New South Wales 2541 ("the Provider")

and;

The Joint Organisation described in Attachment 1 ("the Joint Organisation").

Background

- A. Following the NSW Government's commitment to support the sustainability of joint organisations and to assist them in building additional capacity, the Government has established the Joint Organisation Capacity Building Fund (the Fund).
- B. The purpose of the Fund is to provide joint organisations with financial assistance to build additional capacity and to deliver their strategic plans.
- C. The Provider will provide the Joint Organisation with financial assistance from the Fund (the Funding) and the Joint Organisation agrees to accept the Funding in accordance with the terms of this Deed.

Operative Provisions:

1. Definitions and interpretation

- 1.1 In this Deed, unless the context otherwise requires:
 - "Approved Project" means the project(s) described in Item 1 of Attachment 1.
 - "Business Day" means a day which is not a Saturday, Sunday or public holiday in Sydney NSW;
 - "Commencement Date" means the date specified in Item 2 of Attachment 1.
 - "Deed" means this funding deed and its attachments;
 - "Funding" means the payment the Provider will make to the Joint Organisation as specified in Item 4 of Attachment 1;
 - "Funding Guidelines" means the Joint Organisation Capacity Building Guidelines issued by the Office of Local Government (and as may be amended from time to time).
 - "Funding Period" means the period specified in Item 3 of Attachment 1 (unless varied by agreement by the parties);
 - "GST" has the meaning as given in the GST Law;
 - "GST Law" means A New Tax System (Goods and Services) Tax Act 1999, related legislation and any delegated legislation made pursuant to such legislation;

"Minister" means the Minister for Local Government;

"Party" means a party to this Deed;

"Reports" means the reports specified in Attachment 2;

"Tax Invoice" has the same meaning as given in the GST Law;

"Unexpended Funding" means Funding paid by the Provider to the Joint Organisation that is unspent and includes Funding that is committed but unspent.

- 1.2 In this Deed, headings are for convenience only and do not affect the interpretation of this Deed and, unless the context otherwise requires:
 - (a) words importing the singular include the plural and vice versa;
 - (b) other parts of speech and grammatical forms of a word or phrase defined in this Deed have a corresponding meaning;
 - (c) a reference to a legislative provision or legislation (including subordinate legislation) is to that provision or legislation as amended, re-enacted or replaced, and includes any subordinate legislation issued under it;
 - (d) a reference to a party to any document includes that party's successors and permitted assigns;
 - (e) a reference to dollars or \$ is to an amount in Australian currency;
 - (f) a reference to a clause, party or attachment is a reference to a clause of, and a party and attachment to, this Deed.
- 1.3 Where any time limit pursuant to this Deed falls on a Saturday, Sunday or public holiday in Sydney NSW then that time limit shall be deemed to have expired on the next Business Day.
- 1.4 This Deed is not to be interpreted against the interests of a party merely because that party proposed this document or some provision in it or because that party relies on a provision of this document to protect itself.

2. Payment of the Funding

2.1 The Provider will provide the Funding to the Joint Organisation within 30 days of the Provider receiving this deed duly executed by the Joint Organisation.

3. GST

3.1 Unless otherwise indicated, all consideration for any supply under this Deed is exclusive of any GST imposed in relation to the supply.

- 3.2 If:
 - (a) despite any other provisions of this Deed, GST is imposed on any supply by the Joint Organisation to the Provider under this Deed; and
 - (b) the Provider is or will be entitled to receive an input tax credit (as defined in the GST Law) in relation to that supply,

the Provider will pay to the Joint Organisation an additional amount equal to the GST imposed on that supply, at the time and in the manner payment is otherwise payable under this Deed in relation to that supply.

- 3.3 The Joint Organisation must be registered under the GST Law at the time the provider makes any supply under this Deed on which GST is imposed.
- 3.4 If the Joint Organisation is not registered under the GST Law as required under clause 3.3, it will not be entitled to receive any additional amount as provided under this clause 3.
- 3.5 If for any reason the Provider pays to the Joint Organisation an amount under this clause 3 which is more than the GST imposed on the supply, the Joint Organisation must repay the excess to the Provider upon demand or the Provider may set of the excess against any other amounts due to the Joint Organisation.

4. How the Funding is to be used

- 4.1 The Joint Organisation must:
 - (a) use the Funding for the Approved Project;
 - (b) use the funding for purposes authorised by the Funding Guidelines;
 - (c) only use the funding within the Funding Period.
- 4.2 Without limiting clause 4.1, the Joint Organisation must not use the Funding:
 - (a) for capital expenditure;
 - (b) to meet operational costs.
- 4.3 For the purposes of processing and recording all Funding receipts and expenditure, the Joint Organisation must, throughout the Funding Period, demonstrate, to the reasonable satisfaction of the Provider, that adequate internal financial controls are in place within an existing account controlled by the Joint Organisation identified for use for the purposes of this Deed.
- 4.4 The Joint Organisation shall not make any change to the Approved Project without the prior written consent of the Provider.

5. Repayment

5.1 The Joint Organisation must repay to the Provider:

- (a) any part of the Funding spent on purposes not authorised by this Deed within 28 days of a demand notice being sent by the Provider;
- (b) unless otherwise agreed, any and all unexpended portions of the Funding within 28 days of the expiry or earlier termination of this Deed.
- 5.2 Where the Joint Organisation has failed to comply with this Deed, the Provider may determine the amount of the funding which is repayable pursuant to clause 5.1 and may serve a notice on the Joint Organisation specifying the amount so determined which the Joint Organisation must repay.
- 5.3 Any repayment the Provider claims from the Joint Organisation under this clause 5 will be a debt due and owing by the Joint Organisation to the Provider. A Certificate executed by the Provider shall be deemed to be conclusive evidence, without more, of the amount owed.

6. General undertaking of Joint Organisation

- 6.1 The Joint Organisation must-
 - (a) at all times duly perform its obligations under this Deed and promptly inform the Provider of any occurrence which might adversely affect its ability to do so in a material way;
 - (b) comply with all Local, State and Commonwealth laws, rules regulations and bylaws;
 - (c) comply with the Funding Guidelines;
 - (d) cooperate fully with the Provider in the administration of this Deed.

7. Records and inspection

- 7.1 The Joint Organisation must-
 - (a) ensure that adequate financial records relating to the Funding are kept and maintained during the Funding Period;
 - (b) retain the records referred to in the preceding subclause throughout the Funding Period and for seven (7) years after the expiry or earlier termination of this Deed;
 - (c) upon request by the Provider, arrange for such records to be made available for inspection by the Provider's authorised representative (including the taking of such extracts and the making of such copies as the representative considers appropriate) and assist the representative in carrying out the inspection.
- 7.2 The Provider has statutory obligations to ensure the accountability of expenditure of funds including the Funding and, accordingly, the Joint Organisation is required to be accountable for all of the Funding the Joint Organisation receives under this Deed.

8. Reporting requirements

- 8.1 The Joint Organisation shall-
 - (a) submit the Reports to the Provider, in a form satisfactory to the Provider, within the timeframes stipulated in Attachment 2;
 - (b) at the Provider's request, submit, within the timeframe stipulated by the Provider, any other information that may, in the Provider's opinion, be necessary to establish to the Provider's satisfaction that the terms of this Deed have been or are being met by the Joint Organisation.

9. Monitoring and evaluation

- 9.1 The Joint Organisation -
 - (a) acknowledges that the Provider's representative may maintain regular contact with the Joint Organisation to monitor the implementation and performance of this Deed; and
 - (b) agrees to co-operate with the Provider's representative in this regard; and
 - (c) agrees to comply with any reasonable direction issued by the Provider.

10. Publicity

- 10.1 The Joint Organisation shall comply with the NSW Government Funding Acknowledgement Guidelines, as amended from time to time, in terms of Funding acknowledgment on publicity material, inclusion of logo and the approval process, so far as is reasonably practicable, in promotional materials or any public statements about the Joint Organisation.
- 10.3 The Provider and any other agency of the NSW Government may publicise the awarding of the Funding and in that material include reference to:
 - (a) the name of the Joint Organisation;
 - (b) the amount of the Funding;
 - (c) any photographs relating to the Joint Organisation supplied to it by the Joint Organisation.

11. Indemnity

11.1 The Joint Organisation indemnifies the Crown in right of the State of New South Wales, including the Provider and its officers, employees and agents (those indemnified) against any claim, action, damage, loss, liability, cost, charge, expense, outgoing or payment which those indemnified pay, suffer, incur or are liable for in connection with this Deed in respect of any unlawful, wrongful, wilful or negligent act or omission of the Joint Organisation or its officers, employees, agents, contractors and volunteers.

- 11.2 The Joint Organisation's liability to indemnify those indemnified under this Deed shall be reduced proportionally to the extent that any unlawful, wrongful, wilful or negligent act or omission of those indemnified caused or contributed to the liability or loss.
- 11.3 Any amount payable to those indemnified under this indemnity is payable on demand.
- 11.4 The indemnities contained in this Deed are continuing obligations of the Joint Organisation, separate and independent from the other obligations of the Joint Organisation and survive the termination of this Deed.

12. Variation

12.1 A variation of any term of this Deed must be in writing signed by the Parties.

13. Termination

- 13.1 The Provider may at any time without cause terminate this Deed by giving the Joint Organisation 10 days' written notice.
- 13.2 In addition to the rights of the Provider under clause 13.1, if the Joint Organisation fails to comply with any provision of clause 4 the Provider may immediately terminate this Deed by notice in writing.
- 13.3 If the Joint Organisation fails to comply with any other clause of this Deed, the Provider may give the Joint Organisation notice specifying the failure and requiring the Joint Organisation to remedy the failure within 14 days or another time specified by the Provider in its absolute discretion.
- 13.4 If the Joint Organisation does not remedy the failure within the specified time, the Provider may immediately terminate this Deed by notice in writing.
- 13.5 If this Deed is terminated in accordance with this clause 13, the Joint Organisation must:
 - (a) return all portions of the Funding that remain unexpended by the Joint Organisation in accordance with clause 5.1; and
 - (b) take all steps reasonably necessary to minimise any loss the Provider may suffer as a result of the termination of this Deed.
- 13.6 Any termination of this Deed by the Provider is without prejudice to any of the Provider's accrued rights or remedies.

14. Dispute resolution

- 14.1 The Parties agree that any dispute arising under this Deed will be dealt with as follows:
 - (a) A Party claiming that a dispute has arisen must give written notice of the dispute to the other Party.
 - (b) On receipt of this notice the Parties must within fourteen (14) days of receipt seek to resolve the dispute by referring the matter to personnel who have authority to intervene and facilitate some form of resolution.
 - (c) If the dispute is unresolved within a fourteen (14) day period or within such further period as the Parties agree in writing then the dispute is to be referred to the Australian Commercial Dispute Centre (ACDC) for mediation.
 - (d) The mediation shall be conducted in accordance with the ACDC Guidelines for Commercial Mediation which are operating at the time the matter is referred to ACDC and which set out the procedures to be adopted, the process of selection of mediator and the costs involved.
 - (e) If the dispute is not settled within 28 days (or such other period as agreed to in writing between the Parties) after appointment of the mediator, or if no mediator is appointed within 28 days of the referral of the dispute to mediation, the Parties may pursue any other procedure available at law for resolution of the dispute.
 - (f) The Parties must continue performing their obligations under this Deed while the dispute is being resolved, to the extent practicable to do so;
 - (g) A Party must attempt to settle any dispute in relation to this Deed in accordance with this clause (Dispute resolution) before resorting to court proceedings or other dispute resolution process;
 - (h) Nothing in this clause (Dispute resolution) prevents either Party from seeking urgent interlocutory relief or the Provider exercising its rights to terminate this Deed.
- 14.2 Nothing in this Deed prevents the Minister or the Departmental Chief Executive (as defined in the *Local Government Act 1993*) from exercising powers available to them under the *Local Government Act 1993*.

15. Notices

- 15.1 A notice or demand under this Deed must be in writing and faxed, emailed, posted or delivered to the address of the other Party as stated in Item 2 of Attachment 1, or such other address specified by notice in writing by the other Party.
- 15.2 A notice under this Deed will deemed to be served:
 - (a) if hand delivered, on delivery;
 - (b) if sent by post, three Business Days after the date of posting;

- (c) if sent by facsimile, when the sender's facsimile generates a message confirming successful transmission of the total number of pages of the notice:
- (d) if sent by email, when the sender's computer generates a message confirming the email has been received by the other Party.

16. General

- 16.1 This Deed constitutes the entire agreement and understanding between the Parties as to the subject matter of this Deed. Any prior arrangement, representations or undertakings as to the subject matter of this Deed are superseded.
- 16.2 Each Party bears its own costs in connection with the preparation and execution of this Deed.
- 16.3 No failure or delay by the Provider in exercising any right, power or remedy under this Deed and no course of dealing or grant by the Provider to the Joint Organisation of any time or other consideration, will operate as a waiver of the breach or a default by the Joint Organisation. Any waiver by the Provider of a breach of this Deed will not be construed as a waiver of any further breach of the same or any other provision.
- 16.4 If any part of this Deed is prohibited, void, illegal or unenforceable, then that part is severed from this Deed but without affecting the continued operation of the remainder of the Deed.
- 16.5 This Deed is governed by the laws in force in the State of New South Wales and each Party submits to the exclusive jurisdiction of the Courts exercising jurisdiction in the State of New South Wales, and the courts of appeal from those courts.
- 16.6 Any clause of this Deed that by its nature should survive termination or expiry of this Deed shall so survive including, including, without limitation, the following:
 - (a) clause 1 Definitions and interpretation
 - (b) clause 11 Indemnity
 - (c) clause 13 Termination
 - (d) clause 14 Dispute resolution
 - (e) clause 15 Notices
 - (f) clause 16 General

ATTACHMENT 1 DETAILS

Item 1 Biodiversity Stewardship Project

Item 2 Contact Details

Provider	Name: The Crown in the right of the State of New South Wales acting through the Office of Local Government, Department of Planning, Industry and Environment. ABN: 20 770 707 468 Postal Address: 5 O'Keefe Avenue, Nowra, NSW 2541 Contact Person: Anita Gambhir Phone: 0472 818 554 Fax: 02 4428 4169
Joint	Email: olg@olg.nsw.gov.au Name: Mid North Coast Joint Organisation
Organisation	Postal Address: PO Box 84, Port Macquarie, NSW 2340 Contact Person: Fionnuala Dixon Phone: 0407 069 592 Email: Executive.Officer@mncjo.nsw.gov.au

Item 3 Funding Period

Commencement Date: The date of this Deed.

End Date: 30 June 2021.

Item 4 Funding

Amount of Funding: \$150,000 (excluding GST).

ATTACHMENT 2

REPORTS

The Joint Organisation must prepare and submit to the satisfaction of the Provider the reports meeting the description and requirements specified below, at the times and frequency specified below. The Provider may prescribe the form of reports and manner of submission by written notice to the Joint Organisation from time to time.

- 1. No later than 24 April 2020, a report consisting of an action plan detailing the manner in which the Joint Organisation will allocate the Funding to the Approved Project, key milestones for the Approved Project, benefits and budget for the Approved Project.
- 2 No later than 31 December 2020, a report detailing delivery progress of the Approved Project with reference to the action plan and expenditure incurred.
- 3. No later than 31 July 2021 or once the Funding has been fully expended, whichever is the earlier, a final report on the expenditure of the Funding and delivery of the Approved Project.
- 4. Any other supporting documentation requested by the Provider.

Executed as a Deed:

Office of Local Government

Signed for and on behalf of the Crown in right of the State of New South Wales acting through the Office of Local Government, Department of Planning, Industry and Environment by its authorised signatory but not so as to incur personal liability:

Signature of Authorised Signatory	Signature of Witness
Name of Authorized Signatury	Name of Witness
Name of Authorised Signatory	Name of Witness
Position of Authorised Signatory	Address of Witness
Date	

The Joint Organisation

By entering into this Deed the signatory warrants that the signatory is duly authorised to execute this Deed on behalf of Mid North Coast Joint Organisation

Signed, sealed and delivered for and on behalf of Mid North Coast Joint Organisation

26	ampleel	Foixon	
-	Signature of Authorised Signatory	Signature of Witness	
Mayor	Liz Campbell	Fionnuala Dixon	
-	Name of Authorised Signatory	Name of Witness	
Chair of MNCJO		Executive Officer MNCJO	
-	Position of Authorised Signatory	Address of Witness	
25/03	3/2020	Box 84, Port Macquarie, NSW,2444	
-	Date		



Ms Fionnuala Dixon
Executive Officer
Mid North Coast Joint Organisation
c/- Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Contact: Gearoid Fitzgerald

Phone no: 9275 7392

Our ref: D2003364/1867

26 February 2020

Dear Ms Dixon

Audit of the Mid North Coast Joint Organisation for the year ending 30 June 2020

Attached is the Annual Engagement Plan (AEP) for the audit of the Mid North Coast Joint Organisation's financial statements for the year ending 30 June 2020. The AEP reflects conditions unique to this engagement. You will find the standard Terms of Engagement on the Audit Office website at https://www.audit.nsw.gov.au/our-stakeholders/local-government.

If you would like to discuss the AEP, please call me on 9275 7392 or Mr Adam Bradfield from Thomas Noble & Russell on 6626 3000. The AEP should be tabled at the next Board meeting.

This AEP is not intended for publication. It may not be distributed to persons other than those who will sign the Statement by Members of the Board and Management made pursuant to section 413(2)(c) of the *Local Government Act 1993* or others you determine to be charged with governance of the Joint Organisation.

Yours sincerely

Gearoid Fitzgerald

Goard Lityprald

Delegate of the Auditor-General for New South Wales

cc: Cr Liz Campbell, Chairperson



Annual Engagement Plan

for the year ending 30 June 2020

Mid North Coast Joint Organisation



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1. SCOPE

This Annual Engagement Plan (AEP) contains important information about this year's audit.

The scope of our audit comprises:

- audit of the Joint Organisation's General Purpose Financial Report, issuing:
 - an Independent Auditor's Report on the general purpose financial statements in accordance with section 417 of the Local Government Act 1993 (LG Act)
 - a report on the conduct of the audit in accordance with section 417(3) of the LG Act

2. KEY ISSUES

The table below details our audit assessment of issues and risks that may impact this year's audit and how the audit team will respond to them.

Audit issue or risk	Exposure	Audit response

Significant audit risks

New Accounting Standards

The following new accounting standards issued by the Australian Accounting Standards Board became effective for reporting periods beginning on or after 1 January 2019:

- AASB 15 'Revenue from Contracts with Customers'
- AASB 16 'Leases'
- AASB 1058 'Income of Not for Profit Entities'.

AASB 1059 'Service Concession Arrangements: Grantors' also became effective for reporting periods beginning on or after 1 January 2020.

Significant preparation is required by management to apply these standards and ensure the 2019–20 financial statements materially comply with the requirements.

Further details on the requirements of these new standards are in Appendix two.

Not being sufficiently prepared to apply the new accounting standards in the 2019–20 financial statements, including having the necessary comparative information, may result in material misstatement.

We will review the 2019–20 financial statements for the application of AASB 15, 16, 1058 and 1059 to ensure the:

- recognition and measurement requirements have been considered across all income streams and lease agreements/service contracts
- financial statements include required disclosures, including comparatives.



Audit issue or risk **Exposure** Audit response Quality and timeliness of financial reporting Inadequately planned financial We will review and comment on Quality and timeliness of financial reporting is key for sound financial reporting process increases the the effectiveness of The Joint management, public accountability risk of poor quality financial Organisation's financial reporting and effective decision making. statements and / or not meeting process. the statutory deadline. Absence of an effective project plan for year-end financial reporting can result in delays, errors, poor quality and increased audit costs. Quality and timeliness can improve by: preparing proforma financial statements before 30 June 2020 assessing the impact of material, complex and one-off significant transactions assessing the impact of new and revised accounting standards effective in the current and future years regularly reconciling key accounts and clearing reconciling items

The significance of the issues and risks may change and new developments may emerge during the audit. We will inform you of significant new matters as they arise and the likely impact on the audit.

3. AUDIT APPROACH

Audit approach for key business and accounting processes

The audit approach is developed based on our understanding of the issues, new developments and key risks that may impact the financial statements. We have obtained an understanding of the Joint Organisation's business and accounting processes and internal controls relevant to the financial statements to help us identify risks that may impact the financial statements.

<u>Appendix one</u> details our observations on the business and accounting processes relevant to the financial statements and our planned audit approach. We will inform you of significant matters that impact the audit as they are identified.

Your feedback on the planned audit approach is welcomed.

Follow up of issues identified in the previous audit

The audit team will examine, update and report on the status of issues raised in last year's Engagement Closing Report and Management Letter.

4. ENGAGEMENT COMMUNICATIONS

Communications to 'Those Charged with Governance'

Senior members of the audit team will attend relevant Board meetings and brief those charged with governance on audit progress, identified issues and their resolution.

We will liaise with management and those charged with governance to determine the meetings we will attend.



We have identified those charged with governance for the Joint Organisation as:

- the Executive Officer who will receive our Engagement Closing Report, identifying audit findings, and the type of opinion we anticipate issuing prior to signing the financial statements.
 The Executive Officer will also receive the Management Letter containing detailed explanations of significant matters, governance matters, significant weaknesses and recommendations for improvement identified in the current audit
- the Chairperson, who will receive the Independent Auditor's Report for the general purpose financial statements and the Report on the Conduct of the Audit. The Chairperson will also receive copies of the Engagement Closing Report and Management Letter.

Please advise the audit team if additional persons charged with governance should be included in these communications. The <u>Terms of Engagement</u> contains more information on the Audit Office's communication obligations.

5. ENGAGEMENT TIMETABLE

General purpose financial statements

The engagement timetable, designed to achieve statutory financial reporting requirements, has been discussed and agreed with Ms Fionnuala Dixon (Executive Officer).

Ev	ent	Date(s)
•	Audit team starts audit planning	June 2020
•	Audit team emails Engagement Information Request to Ms Kerrie Avery of Port Macquarie-Hastings Council and the Executive Officer	30 June 2020
•	The Joint Organisation gives financial statements and supporting working papers listed in the Engagement Information Request to the audit team for the:	7 August 2020
	- general purpose financial statements	
•	Audit team starts audit of financial statements	10 August 2020
•	Audit clearance meeting	21 August 2020
•	Audit Office issues draft management letter (if applicable)	24 August 2020
•	The Joint Organisation provides responses to the management letter (if applicable)	28 August 2020
•	Audit Office issues Engagement Closing Report and management letter	31 August 2020
•	The Joint Organisation gives the audit team final version of draft Annual Report to review for consistency with the financial statements	As soon as available
•	The Joint Organisation signs and gives Management Representation Letter to audit team (sample on the Audit Office website: http://www.audit.nsw.gov.au/Publications/Client-Service-Resource)	Mid-September 2020
•	The Joint Organisation approves financial statements for lodgement to OLG and for public exhibition, and the Chairperson, Voting Representative Board Member and Executive Officer sign the statement	Mid-September 2020
•	Audit Office issues to the Joint Organisation and to the Chief Executive of OLG, in accordance with section 417 of the LG Act the:	Mid-September 2020
	- Independent Auditor's Report on the general purpose financial statements	
	- Report on the Conduct of the Audit	
•	Audit Office reports any identified significant issues to the Minister in accordance with section 426 of the LG Act	Mid-September 2020



6. OTHER ENGAGEMENTS

Additional Engagements

Please advise the audit team if the Joint Organisation wishes to engage the Audit Office to perform additional audits, reviews or acquittals. Separate engagement letters will be issued to confirm the terms, scope, key issues and fee arrangements for requests received after the issue of this AEP.

7. ENGAGEMENT FEES

	2020	2019	Increase/(decrease)
	\$	\$	\$	%
Estimated audit fee	6,660	6,500	160	2.5
Total audit fee (excluding GST)	6,660	6,500	160	2.5
Total audit hours	35	33	2	6
Average hourly rate	190	196		3

The 2020 estimated audit fee includes:

- Independent Auditors' Reports in accordance with section 417 of the LG Act:
 - a report on the general purpose financial statements
 - a report on the conduct of the audit.

The estimated audit fee is based on estimated hours, the audit team structure and charge-out rates, known changes in the Joint Organisation's operations and audit requirements.

The fee may change if matters, not known at the date of this plan, emerge during the audit and significantly change the estimated audit cost. Proposals for additional fees will be discussed with management.

The Audit Office has published its 'pricing approach' to provide transparency about its pricing model and hourly charge-out rates for each role. The Audit Office performs multi-layered benchmarking to promote accountability for its use of public resources. For more information, please refer to the publication on the Audit Office's website.

The Joint Organisation will be invoiced monthly as costs are incurred. The Audit Office's payment terms are 14 days.

Please provide the Audit Office with a purchase order for the total estimated audit fee.

8. ENGAGEMENT TEAM

Engagement team

The proposed audit team for this engagement is:

Engagement Controller: Gearoid Fitzgerald, CA

Delegate of the Auditor-General for New South Wales, Financial Audit Services

02 9275 7392

Email: gearoid.fitzgerald@audit.nsw.gov.au



Involvement of other members in public practice

Audit Service Provider Engagement Partner: Adam Bradfield, CA

Partner, Audit & Assurance

02 6626 3000

Email: adam.bradfield@tnr.com.au

Audit Service Provider Engagement Manager: Sally Opie, CA

Manager, Audit & Assurance

07 5593 1601

Email: Sally.Opie@tnr.com.au

Auditor independence

We confirm, to the best of our knowledge and belief, the proposed audit team meets the independence requirements of the Australian Auditing Standards, and other relevant ethical requirements relating to the audit of the financial statements. In conducting the audit of the financial statements, should any contraventions to independence arise you will be notified of these on a timely basis.

Ethical standards have specific restrictions on employment relationships between an auditee and members of its current or previous audit teams. Please discuss the prospective employment of a current or former audit team member before starting formal employment negotiations with them.

9. FINANCIAL REPORTING MATTERS

Appendix two provides an overview of new accounting standards effective for the first time in the current and next financial year that are likely to have a significant impact on the Joint Organisation's financial statements. The transition to and implementation of these standards will take a significant amount of time and effort. It is important for management to assess the impact of these standards on the Joint Organisation's financial statements and adequately plan for their implementation.

10. REPORTING TO PARLIAMENT

The Auditor-General's Report to Parliament (the Report) will report on trends and provide an independent assessment of the sector focusing on the following areas:

- the results of the council audits of the 2019–20 financial statements
- themes and key observations relating to the councils'
 - financial reporting
 - governance and internal controls
 - information technology
 - asset management
 - financial performance and sustainability.

<u>Appendix three</u> provides details of recently tabled reports which may be relevant to the Joint Organisation.

11. OTHER MATTERS

Workplace Health and Safety Legislation

Workplace health and safety (WHS) laws make the Joint Organisation responsible for meeting legislated standards to ensure the health, safety and welfare for the audit team when they are at your premises.



It is the Joint Organisation's responsibility to:

- provide the audit team with suitable accommodation and appropriate WHS induction
- · implement effective health and safety management systems to manage any hazards and risks
- ensure the audit team is aware of and complies with special personal protective equipment requirements
- appropriately brief the audit team and issue them with the necessary personal protective equipment and training in its proper use.

Further details are provided in the Terms of Engagement.

Matters covered elsewhere

Please read the AEP together with the standard <u>Terms of Engagement</u>, which provides additional information on:

- the Auditor-General's responsibilities
- auditee resources
- engagement approach
- · communication and reports
- submitting financial statements for audit
- materiality, risk and the inherent limitations of an audit
- provision of working papers
- representations
- access
- clearance meetings
- accommodation, facilities and staff amenity
- determination of fees for engagements.

Publications

The Audit Office has the following useful publications on our website:

- <u>'Annual Work Program 2019–20'</u> explains how the Audit Office decides what to focus on and
 what we intend to cover in the next year. It also gives Parliament, the entities we audit and the
 broader community some certainty over future topics and the timing of our reports
- <u>'Professional Update'</u> published quarterly to help auditees and our staff keep abreast of key accounting, auditing and legislative developments in the NSW public sector, including pronouncements by professional standard setters and changes in the regulatory environment. To subscribe or access previous editions please visit our website at: https://www.audit.nsw.gov.au/our-work/resources
- <u>'Financial Reporting Issues and Developments'</u> for the local government sector detailing:
- · current issues and financial reporting developments that may impact the audit
- accounting standards and pronouncements issued during the year that may impact the financial statements and/or annual report
- <u>'Local Government Pronouncements Guidance Note'</u> listing key reporting pronouncements issued by OLG.



APPENDIX ONE – AUDIT APPROACH FOR KEY BUSINESS AND ACCOUNTING PROCESSES

The table below details our observations on the business and accounting processes relevant to the financial statements and our planned audit approach

Business / accounting process	Observation of business / accounting process	Audit approach
Revenue and receivables	The Joint Organisation receives grant funding from the NSW Government and as well, receives membership fees from member Councils.	We will evaluate the design and implementation of relevant controls within the revenue process and perform substantive procedures to provide assurance that grants and membership fees are fairly stated.
Purchasing and payables	The Joint Organisation uses Xero to initiate, process and record purchases. It relies on automated and IT-dependent manual controls to ensure that all valid purchasing transactions are processed and accurately recorded in accordance with the Joint Organisation's policies. We have identified the following risks: non-compliance with policies and procedures incorrectly classifying transactions ineffective procurement controls fraud and error.	We will evaluate the design and implementation of relevant controls. This will include assessing management controls ensuring the Joint Organisation's procurement policies are complied with. Our substantive audit procedures will be designed to address other identified risks.
Payroll and related provisions	The Joint Organisation uses Xero to initiate, process and record payroll transactions. Management relies on automated and IT-dependent manual controls to ensure that all valid payroll transactions are processed and accurately recorded in accordance with the Joint Organisation's policies. We have identified the following risks: non-compliance with policies and procedures incorrectly estimating provisions and on-costs ineffective payroll controls, including lack of segregation of duties fraud and error.	We will evaluate the design and implementation of relevant controls. Our substantive audit procedures will be designed to address other identified risks.



APPENDIX TWO – FINANCIAL REPORTING DEVELOPMENTS

New accounting standards

AASB 15 'Revenue from Contracts with Customers'

AASB 15 introduces a new five-step model for recognising revenue based on the principle that revenue is recognised when control of a good or service transfers to a customer. AASB 15 may impact the timing and amount of revenue recorded in Joint Organisation's financial statements, particularly for grant revenue. AASB 15 also increases the amount of disclosures required.

AASB 15 is effective for not for profit entities for financial years beginning on or after 1 January 2019. The Joint Organisation will apply AASB 15 in its current year financial statements.

To effectively implement AASB 15, the Joint Organisation will need to have:

- an understanding of the new requirements and authoritative implementation guidance published by the AASB
- adequately planned and prepared for its application, including training staff
- reviewed its current contracts with customers, including ensuring the contract register is complete
- prepared for increased disclosures in the financial statements
- assessed whether existing systems can capture key information requirements of the new standard and updated or implemented new systems where required
- considered the impact on reporting to stakeholders regarding the Joint Organisation's financial position and performance.

The Joint Organisation will need to keep detailed working papers evidencing it has complied with the requirements of AASB 15, such as working papers to support:

- key decisions and judgements made, for example whether contracts are in the scope of AASB 15, identification of performance obligations, determination and allocation of the transaction price, timing of revenue recognition
- financial statement disclosures.

NSW Treasury has released:

• <u>'Guidance for AASB 15 Revenue from Contracts with Customers'</u> which provides an overview of the requirements of AASB 15 including disclosures and practical transitional impacts.

AASB 1058 'Income of Not-for-Profit Entities'

AASB 1058 provides guidance to help not-for-profit entities account for transactions conducted on non-commercial terms and the receipt of volunteer services. AASB 1058 may significantly impact the timing and amount of income recorded in Joint Organisation's financial statements, particularly for grant income.

AASB 1058 is effective for not-for-profit entities for financial years beginning on or after 1 January 2019. The Joint Organisation will apply AASB 1058 in its current year financial statements.

Joint Organisation's will need to consider AASB 1058 in conjunction with AASB 15 to determine how to record transactions.



To determine the applicable standard, the Joint Organisation will need to have:

- an understanding of the new requirements
- adequately planned and prepared for its application, including training staff
- determined the fair value of assets provided to the Joint Organisation on non-commercial terms (at significantly less than fair value)
- reviewed existing and new grant agreements
- assessed whether existing systems can capture key information requirements of the new standard and updated or implemented new systems where required
- considered the impact on reporting to stakeholders regarding the Joint Organisation's financial position and performance

The Joint Organisation will need to keep detailed working papers evidencing how it has complied with the requirements of AASB 1058, such as working papers to support:

- key decisions and judgements made, for example which standard each revenue stream should be recognised under, whether grant agreements have sufficiently specific performance obligations, the fair value of assets received on non-commercial terms, fair value of volunteer services
- financial statement disclosures.

NSW Treasury has released:

• <u>'Guidance for AASB 1058 Income of not-for-profit entities'</u> which provides an overview of the requirements of AASB 1058 including disclosures and practical transitional impacts.

AASB 16 'Leases'

AASB 16 changes the way lessees treat operating leases for financial reporting. With a few exceptions, operating leases will now be recorded in the Statement of Financial Position as a right of use (ROU) asset, with a corresponding liability. AASB 16 will result in more assets and liabilities being recorded in the Statement of Financial Position and change the timing and pattern of expenses recorded in the Income Statement.

AASB 16 is effective for financial years beginning on or after 1 January 2019. The Joint Organisation will apply AASB 16 in its current year financial statements.

To effectively implement AASB 16, the Joint Organisation will need to have:

- an understanding of the new requirements, including training staff
- adequately planned and prepared for its application
- reviewed its current lease agreements and ensured its leases registers/database are complete
- assessed whether existing systems can capture key information requirements of the new standard and updated or implemented new systems where required
- considered the impact on reporting to stakeholders regarding the Joint Organisation's financial position and performance.

The Joint Organisation will need to keep detailed working papers evidencing how it has complied with the requirements of AASB 16, such as working papers to support:

- key decisions and judgements made, for example whether contracts contain a lease, its
 assessment of whether the Joint Organisation is reasonably certain to exercise lease options,
 discount rate, fair value of peppercorn leases
- financial statement disclosures.



NSW Treasury has released:

• <u>'Guidance for AASB 16 Leases'</u> which provides a high-level summary of AASB 16 including the practical transitional impacts and practical expedients.

AASB 1059 'Service Concession Arrangements: Grantors'

AASB 1059 provides guidance for public sector entities (grantors) who enter into service concession arrangements with private sector operators for the delivery of public services.

An arrangement within the scope of AASB 1059 typically involves a private sector operator designing, constructing or upgrading assets used to provide public services, and operating and maintaining those assets for a specified period of time (e.g. roads, prisons, hospitals and energy suppliers). In return, the private sector operator is compensated by the public sector entity.

AASB 1059 may result in Joint Organisations recognising more service concession assets (SCAs) and liabilities in their financial statements. SCA and liabilities of service concession arrangements will be recognised earlier (when construction of the asset commences, rather than at its completion).

AASB 1059 is effective for Joint Organisations for the 2020–21 financial year. The AASB deferred the effective date of AASB 1059 from 1 January 2019 to 1 January 2020 to assist stakeholders with their implementation efforts.

To prepare for the changes, the Joint Organisation will need to:

- understand the new requirements, including providing training for staff
- assess the terms and conditions of existing arrangements with private sector operators to
 assess whether they fall within the scope of AASB 1059 and meet the criteria for recognition as
 a SCA or whether they are a leasing or outsourcing arrangement
- develop an implementation plan to apply AASB 1059 if an arrangement falls within the scope of AASB 1059
- consider the impact on reporting to stakeholders regarding the Joint Organisation's financial position and performance.

The Joint Organisation will need to keep detailed working papers evidencing how it has complied with the requirements of AASB 1059, such as working papers to support:

- key decisions and judgements made, for example whether the arrangement falls within the scope of AASB 1059, the fair value of the SCA at the inception of the arrangement, determining the asset and service components of the arrangement, pattern of revenue recognition under the grant of a right to the operator model
- financial statement disclosures.

NSW Treasury has released <u>TPP 19-06 'AASB 1059 Service Concession Arrangements: Grantors – Scoping'</u> which provides guidance for GSF agencies on applying the requirements of AASB 1059.



APPENDIX THREE – RECENTLY TABLED AUDITOR-GENERAL'S REPORTS TO PARLIAMENT

Each year the Auditor-General produces Financial Audit, Performance Audit and Special Reports to Parliament (collectively referred to as Reports). Recently tabled Reports which may be relevant to the Joint Organisation include:

Name	Issued	Overview	
Financial Audit			
State Finances 2019	10 October 2019	This report summarises the financial audit result of the Total State Sector Accounts. The Total State Sector comprises 304 entities controlled by the NSW Government with total assets of \$468 billion and total liabilities of \$218 billion.	
		The report also highlights the results of key government initiatives and provides information on the factors that have the potential to impact the accuracy and completeness of the Total State Sector Accounts in coming years.	
Internal Controls and Governance	6 November 2019	This report analyses the internal controls and governance of 40 of the largest agencies in the NSW public sector for the year ended 30 June 2019. However, the matters covered in this report are relevant to all public sector entities.	
		The report provides insights into the effectiveness of controls and governance processes in the NSW public sector by:	
		 highlighting the potential risks posed by weaknesses in controls and governance processes 	
		 helping agencies benchmark the adequacy of their processes against their peers 	
		 focusing on new and emerging risks, and the internal controls and governance processes that might address those risks. 	
Special Reviews			
Engagement of probity advisers and probity auditors	27 May 2019	This report assessed whether Transport for NSW, the Department of Education and the Ministry of Health:	
		 complied with the requirements of 'PBD-2013-05 Engagement of Probity Advisers and Probity Auditors' 	
		 effectively ensured they achieved value for money when they used probity practitioners. 	
		The Audit Office also surveyed 40 NSW Government agencies with the largest total expenditures (top 40 agencies) to get a cross sector view of their use of probity practitioners.	

A full list of our tabled Reports is available on the Audit Office $\underline{\text{website}}$.

OUR VISION

Our insights inform and challenge government to improve outcomes for citizens.

OUR PURPOSE

To help parliament hold government accountable for its use of public resources.

Level 19, Darling Park Tower 2 201 Sussex Street Sydney NSW 2000 Australia

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mail@audit.nsw.gov.au

Office hours: 8.30am-5.00pm



audit.nsw.gov.au



20 April 2020

The Hon. Shelley Hancock MP Minister for Local Government

By Web

Dear Minister Hancock.

Firstly, let me thank you and the NSW government for the way in which you have approached the management of the current pandemic. We appreciate the efforts the government, yourself and the Office of Local Government have gone to, to assist local government during this difficult time.

Secondly, whilst the timing of this letter is not necessarily ideal in relation to the issues that the Mid North Coast Joint Organisation (MNCJO) member Councils and the NSW government are currently dealing with, I must bring to your urgent attention, the urgent issue of the financial sustainability of the MNCJO.

I have previously written about the long term financial sustainability of the MNCJO, with broader Joint Organisation (JO) financial sustainability issues being discussed at many of the JO Chairs and Executive Officers (EO) meetings. I appreciate that with your support, there is now in place the NSW Joint Organisation Advisory Committee (JOAC), which has been tasked with exploring ways in which JO's may be able to become financially sustainable. At the time of writing this letter, I am not aware of when the JOAC will next meet, noting the discussion paper that was released in March 2020 for comment by each JO.

Whilst the work of the JOAC to date is to be applauded and may well result in an improved model for the financial sustainability of JO's being agreed to into the future, the financial situation for the MNCJO is now dire. We recently terminated our part time EO in an effort to preserve the limited funds left to manage the day to day operations of the MNCJO. One of the MNCJO member Council General Managers will now take on the role of the EO, at no cost to the MNCJO, in an effort to ensure that the MNCJO can continue to operate for the time being.

As is well documented, the NSW government established JO's to undertake functions to achieve strategic regional priorities and inter-governmental relations. However, apart from the initial investment of \$300,000 per JO provided in 2018, there has been no funding forthcoming from the NSW government to JO's to assist in delivering on these key functions.

It is acknowledged that the NSW government never committed to funding the ongoing operation of JO's when JO's were initially established, however it was clearly the hope of many Councils and certainly the hope of the MNCJO that the government would review this position in light of the fact that it was the NSW government who promoted the JO's as a new way of working regionally with the government. If JO's are to be seen as a 'joint venture' between the NSW government and local government, then resourcing needs to be allocated to enable the regions to pursue the core JO functions and the ongoing operations of the JO's.

At an extraordinary meeting of the MNCJO Board held on Wednesday 15 April 2020, the Board resolved (amongst other things) that in light of the current financial position of the MNCJO, I write to you and to the Deputy Secretary, Local Government, Planning & Policy, requesting additional



operational funding of \$150,000 for the MNCJO, hence this letter to you. In order for the MNCJO to continue to operate, we require this injection of funds urgently, otherwise each MNCJO member Council will be required to table a report at upcoming meetings of their Council's, detailing the current financial state of the MNCJO and that of course may well put the future of the MNCJO in jeopardy. At the time of writing this letter, the MNCJO only has enough funds to take us to the end of the current financial year, hence the urgency around our request for operational funding.

As one of the smallest JO's with only three members, the MNCJO Board has always been concerned about whether we could be financially viable into the future, particularly once the initial allocation of \$300,000 was expended. Whilst the MNCJO has developed a range of projects that are at various stages of delivery, none of these projects or the funding attached to them will provide ongoing operational funding to the MNCJO. We really do appreciate the recent receipt of \$150,000 as part of the Capacity Building fund, however it is project specific and is not able to be used now for ongoing operational purposes.

All member Councils of the MNCJO have worked tirelessly to ensure the success of the MNCJO and we would be extremely disappointed if the efforts to date were in vain. We implore you to give urgent consideration to our request for \$150,000 in operational funding so that the MNCJO can continue to operate, whilst we continue to search for ways in which the MNCJO may be able to become financially sustainable into the future.

Thank you in advance for taking the time to read this letter. I am more than happy to discuss this further with you at your convenience. I can be contacted via email at liz.campbell@kempsey.nsw.gov.au or on 6566 3224.

I look forward to speaking with you soon.

Yours sincerely

Mayor Liz Campbell Chair Mid North Coast Joint Organisation

Financial Summary (MNCJO project to date) - MNCJO Income and Expenditure			
REPORTING PERIOD:	MNCJO start date to 30/6/19	1/7/19 to 17/4/20	Total life of MNCJO
INCOME	Opening Balance	Net Activity	Closing Balance
Grant Income - MNCJO Establishment	\$300,000.00	\$0.00	\$300,000.00
Grant Income - MNCJO Capacity Building Funding	\$0.00	\$150,000.00	\$150,000.00
Interest from Bank Account	\$442.07	\$213.20	\$655.27
TOTAL INCOME	\$300,442.07	\$150,213.20	\$450,655.27
EXPENDITURE	Opening Balance	Net Activity	Closing Balance
Audit & Insurance	\$0.00	\$6,500.00	\$6,500.00
Governance	\$0.00	\$3,669.33	\$3,669.33
NSWJO Chairs Forum	\$0.00	\$1,275.69	\$1,275.69
MNCJO Board - Meeting Costs	\$3,507.19	\$4,225.29	\$7,732.48
MNCJO Board - Sitting Fees	\$0.00	\$2,750.00	\$2,750.00
MNCJO Hosted Forums	\$0.00	\$497.83	\$497.83
Salary & Overheads	\$5,192.34	\$80,402.26	\$85,594.60
Office Expenses	\$30,459.47	\$5,083.40	\$35,542.87
Social Research	\$95,224.28	\$30,000.00	\$125,224.28
TOTAL EXPENDITURE	\$134,383.28	\$134,403.80	\$268,787.08
NET RESULT	\$166,058.79	\$15,809.40	\$181,868.19

Note: Amounts reported are ALL GST exclusive

Financial Summary- Koala Recovery Partnership (KRP) Project-Income and Expenditure

REPORTING PERIOD:	KRP start project to 30/6/19	1/7/19 to 17/4/20	Total life of KRP
INCOME	Opening Balance	Net Activity	Closing Balance
Grant Income- Office of Environment & Heritage - Saving our Species	\$150,000.00	\$150,000.00	\$300,000.00
Grant Income - FABCON Funding	\$0.00	\$17,131.00	\$17,131.00
Contributions Income - Koala Hospital	\$0.00	\$50,000.00	\$50,000.00
Contributions Income - Member Councils	\$0.00	\$110,000.00	\$110,000.00
TOTAL INCOME	\$150,000.00	\$327,131.00	\$477,131.00
EXPENDITURE	Opening Balance	Net Activity	Closing Balance
LAFENDITORE	Opening Balance	Net Activity	Closing Balance
Community Education and Engagement	\$2,676.70	\$4,026.52	\$6,703.22
Project Governance & Admin	\$25,397.56	\$60,611.29	\$86,008.85
KRP Website and Social Media	\$9,478.18	\$1,540.72	\$11,018.90
FABCON Expenditure	\$0.00	\$374.00	\$374.00
TOTAL EXPENDITURE	\$37,552.44	\$66,552.53	\$104,104.97
NET RESULT	\$112,447.56	\$260,578.47	\$373,026.03

Note: Amounts reported are ALL GST exclusive



Destination North Coast - Mid North Coast Joint Organisation of Councils Update

Crisis Management

Covid19 has consolidated the challenges that our industry has faced since the start of the bush fire crisis in late 2019. Unfortunately, the impacts of the Covid19 crisis have been all encompassing. Below is a summary of the results from a survey that DNC have conducted with our stakeholders in relation to the impacts of Covid19:

- 91% of respondents stated the crisis has impacted their business significantly
- 52% of respondents stated they have experienced a decline in business of 80-100%
 26% of respondents stated they have experienced a decline in business of 20-80%
 22% of respondents stated they have experienced a decline in business of 0-20%
- 43% of respondents stated they have reduced staffing levels by 80-100%
 28% of respondents stated they have reduced staffing levels by 20-80%
 29% have had to make no reductions to staffing levels
- 71% of respondents stated they have experienced a decline in forward bookings of 80-100%

In response the team at DNC have instigated a series of measures to assist our stakeholders in dealing with Covid19 crisis. Weekly stakeholder calls have been instigated for LGA Tourism Managers and Tourism Associations representatives. The calls provide crisis updates and provide a forum to share challenges and ideas.

In addition to the weekly calls for LGA's and tourism associations we are in the process of creating a series of special webinar events for all stakeholders. The first webinar will be held on Friday 17th April and will focus on available government funding and financial management. Feedback from stakeholders regarding the topics that they are seeking information will dictate the content for future webinars.

Business Events

The BE team continue to assist stakeholders mitigate the challenges of the Covid19 crisis. Similar to what has been instigated for the LGA's and Tourism Associations a weekly call has been established for our Business Events stakeholders. The weekly calls cater for LGA and industry stakeholders and has proven to be popular with those in attendance, particularly those who have been temporarily stood down. The calls will also incorporate a series of guest speakers that started with Tim Jack Adams and a presentation on his wellness program.

Future Demand and Accommodation Reinvestment Projects

DNC have undertaken a project to map anticipated future demand and our regions to capacity to facilitate the projected demand. The first draft of the project has been delivered. Once complete the report will be shared with all LGA's within our region. The analysis has been constructed at an LGA then regional level. The report incorporates detailed information on demand, current product offerings, customer sentiment and suggested future projects.