

Mid North Coast
Joint Organisation

mncjo



Agenda for the MNJCO Meeting

Date: 24 March 2025
Location: Kempsey Shire Council
Time: 2:00 PM



- 1 ATTENDANCE**
- 2 ACKNOWLEDGEMENT OF COUNTRY**
- 3 APOLOGIES**
- 4 DECLARATION OF PECUNIARY AND NON PECUNIARY INTEREST**
- 5 SPEAKERS**
 - 5.1. KERRY GRACE - SOCIAL IMPACTS IN THE REGIONS
 - 5.2. MARTIN BRALEY - NSW TAFE (ASSOCIATE DIRECTOR FOR EMERGENCY PARTNERSHIPS AND GROWTH)
- 6 MINUTES - MNCJO BOARD**
 - 6.1. MNCJO MINUTES FOR CONFIRMATION - 6 DECEMBER 2024
- 7 OTHER JO FORUMS**
 - 7.1. MINUTES - JO CHAIRS - 14 NOVEMBER 2024
- 8 MNCJO PROJECT UPDATES**
 - 8.1. JONZA PROJECT UPDATE
- 9 STANDING UPDATES**
 - 9.1. REGIONAL DEVELOPMENT AUSTRALIA MID NORTH COAST
 - 9.2. NSW PREMIER'S DEPARTMENT
 - 9.3. NORTH COAST DESTINATION NETWORK - MICHAEL THURSTON
 - 9.4. OFFICE OF LOCAL GOVERNMENT - ANITA GAMBHIR
- 10 REPORTS FOR THIS MEETING**
 - 10.1. DRAFT POLICIES
 - 10.2. UPDATED MEETING SCHEDULE
- 11 CONFIDENTIAL MATTERS**
 - 11.1. AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES
 - 11.2. RISK REGISTER 20250205
 - 11.3. MNCJO AUDIT RISK AND IMPROVEMENT COMMITTEE



6 MINUTES - MNCJO BOARD

Item	6.1
Subject	MNCJO Minutes for Confirmation - 6 December 2024
Presented by	Chair

RECOMMENDATION

The MNCJO Board adopt the attached Minutes MNCJO Board - 6 December 2024

ATTACHMENTS

1. MINUTES - MNCJO BOARD - 6 DECEMBER 2024 - Full

Mid North Coast
Joint Organisation

mncjo



Minutes for the MNJCO Meeting

Date: 6 December 2024

Location: Kempsey Shire Council & MS Teams

Time: 9:00 AM



**1 ATTENDANCE**

ATTENDANCE

Voting Members:

Mayor Steve Allan, Bellingen Shire Council

Mayor Adam Roberts, Port Macquarie Hastings Council

Mayor Kinne Ring, Kempsey Shire Council,

Non-Voting Members:

Mark Griffioen, General Manager, Bellingen Shire Council

Craig Milburn, General Manager, Kempsey Shire Council

Steve Mitchell, Director Corporate and Commercial, Kempsey Shire Council

Dr Clare Allen, Chief Executive Officer, Port Macquarie Hastings Council

Elizabeth Fairweather, Executive Officer, MNCJO

In attendance

Nil

2 ACKNOWLEDGEMENT OF COUNTRY

Mid North Coast Joint Organisation acknowledges the various peoples as the Traditional Custodians of the land on which we live, work and learn. We pay our respects to Elders past, present and emerging.

3 APOLOGIES

Anita Gambhir OLG, Madeline Lawler RDA and Michael Thurston DNC

4 DECLARATION OF PECUNIARY AND NON PECUNIARY INTEREST

Nil

5 SPEAKERS - Executive Officer - Introduction to MNCJO

That the MNCJO Board receive the presentation – Introduction to MNCJO

Resolved: Clr Allan/Clr Roberts/Clr Ring

6 MINUTES - MNCJO BOARD

Item	6.1
Subject	Minutes - MNCJO Board - 12 August 2024



Presented by Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

That the MNCJO Board adopt the attached Minutes - 12 August 2024

Resolved: Clr Allan/Clr Roberts/Clr Ring

7 MNCJO PROJECT UPDATES

Item	7.1
Subject	JONZA - Project update
Author	Noam Bardea, Net Zero Acceleration Manager
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

The MNCJO Board receive and note the attached update

Resolved: Clr Allan/Clr Roberts/Clr Ring

8 STANDING UPDATES

Item	8.1
Subject	Destination North Coast
Presented by	Michael Thurston

The MNCJO Board receive and note the attached report from Michael Thurston

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item	8.2
Subject	NSW Premiers Dept - Shaun O'Sullivan and Cass Wilson
Presented by	Shaun O'Sullivan and Cass Wilson



The MNCJO Board receive the verbal update and written report

Resolved: Clr Allan/Clr Roberts/Clr Ring

NSW Government Regional Communities (Consultation Standards) Bill 2024

The purpose: To ensure the NSW government consultation practices are improved for regional, rural and remote communities.

Timeline: The NSW Government has 6 months from October 2024 to develop the guide in consultation with community representatives.

Objectives: Set a prescribed standard, provide guidance to government agencies in how they undertake consultation and provide certainty to regional, rural and remote communities about how they can expect the NSW Government to consult with them.

Standards Reference: The guide will build on the International Association for Public Participation (IAP2) core standards.

Recent Media Releases

[NSW Government commits \\$100,000 to support men's mental health charity | NSW Government](#) – Kempsey and Port Macquarie

[Community Building Partnership grants available soon to boost local community infrastructure projects | NSW Government](#) – opens in January 2025 for one month

More located here: [Ministerial media releases | NSW Government](#)

Have your Say Consultations - share your opinions on new projects, services and government policy.

[Draft conservation strategies | NSW Government](#)

[NSW 2025-26 Pre-budget submission | Have Your Say](#)

[New South Wales Recycled Water Roadmap | NSW Government](#)

[Forestry Industry Action Plan | NSW Government](#)

[Your Voice Our Future | NSW Government](#)

More located here: [Have your say | NSW Government](#)

Open Grants

[Local Government Road Safety Program | Transport for NSW](#) – up to \$10000



[Regional Event Fund - Event Development stream | NSW Government](#) – up to \$50000

[2-Year Multi-year Funding | NSW Government](#) – Arts and Culture - Opening in March 2025

185 Current NSW Government Grants Open – more here: [Grants and funding | NSW Government](#)

135 Current Australian Government Grants Open: [Current Grant Opportunities](#)

Item **8.3**

Subject **Regional Development Australia MNC - Madeliene Lawler**

Presented by **Madeliene Lawler**

The MNCJO Board receive the written report

Resolved: Clr Allan/Clr Roberts/Clr Ring

RDA Mid North Coast is an organisation funded by the federal government to support regional development. The RDAs nationally are required to deliver on their Charter (Attachment 1) in the ways that best support our regional priorities.

RDAs have also been required to develop a plan for their region in order to support stakeholder efforts and priorities in regional development. This was undertaken in 2023 and will be revised in 2026. The Mid North Coast Regional Plan is available [here](#).

We are funded to support collaboration across levels of government and the region. Our Operational Performance summaries for 2023-2024 are available for your consideration [here](#). To summarise the year's efforts, there are Councils that are enthusiastic participants in regional level collaboration and are open to working together with us to progress their LGA's needs and agenda. There are other Councils in the region where getting this open participation is less straightforward. Nevertheless, the region has a lot to gain from working collaborative on its challenges and we have been very pleased to see the renewed commitment from Council Mayors to regional level cooperation.

RDA MNC Priority areas

Key activities of interest for the region:

- Supporting manufacturing and agricultural industry development
- Skills, training and improving our regional outcomes for staffing and employment
- Activating a Circular Economy Precinct in the next 10 years
- Childcare access
- Supporting renewable energy transition
- Improving outcomes in waste

Interest areas for Joint Organisation and RDA Collaboration

There is a strong alignment in the needs and directions of the MNCJO and RDAMNC. We have the



ability to support the work of the MNCJO and are very keen to see collaboration in the following areas:

1. Waste
2. Circular Economy
3. Skills

We look forward to working with you all from 2025 onwards to get the outcomes the region needs for the future.

IGNITE MINIs

Our Ignite Mini event series is back in the region in February. Our locations this year are:

Coffs Harbour 24 February

Valla Beach 26 February

Port Macquarie 28 February

Last year our other three LGAs hosted the events and it was a fantastic opportunity to get the stakeholders together to focus on challenges we are collectively facing.

Our topics this year are:

Learning from our Island communities (Lord Howe and Norfolk Island) Energy

Waste

Circular opportunity and need

First Nations thriving

Agriculture on the MNC

We are keen to see you there.

Item	8.4
Subject	Apology - Office of Local Government
Presented by	Anita Gambhir

9 REPORTS FOR THIS MEETING

Item	9.1
Subject	Annual Performance Statement
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

That MNCJO Board approve the Annual Performance Statement (2024) report and authorise it be placed on the JO website



Resolved: Clr Allan/Clr Roberts/Clr Ring

Item	9.2
Subject	Statement of Revenue Policy
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

That the MNCJO Board:

1. Adopt the revised Statement of Revenue Policy 2024-2025; and
2. Requests the Executive Officer write to member councils requesting payment of 2024-2025 member fees.
3. Continues to advance discussions with our neighbour LGAs with a view to them joining the MNCJO

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item	9.3
Subject	Statement of Strategic Regional Priorities
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

That the MNCJO Board:

1. note the information received regarding development of the Statement of Regional Strategic Priorities, and
2. endorse the 'Plan on a Page' for implementation with the inclusion of a workshop before the March meeting. Invitations to include the Board, General Managers/CEOs and Executive Leadership Teams of member councils..

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item	9.4
Subject	Returns of Interest



Presented by Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

That MNCJO Board:

1. Receive and note the tabled Return of Interests for the 2023/24 Financial Year;
2. Approve the redaction of certain personal information from the Return of Interests (residential address, signature) due to an overriding public interest against disclosure, prior to making them available to the public

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item	9.5
Subject	Code of Conduct Complaint Statistics
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

That the MNCJO Board receive and note the Code of Conduct Complaint Statistics for 2024.

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item	9.6
Subject	Southern Lights
Author	Noam Bardea Net Zero Manager
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

That the MNCJO Board defer the decision on membership to the Southern Lights Program until there's further information including Terms Of Reference and MNCJOs priorities are set

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item	9.7
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Subject **Audit Risk and Improvement Committee Representative**

Presented by **Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation**

That the MNCJO Board nominate Mayor Ring a representative to the Audit Risk and Improvement Committee.

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item **9.8**

Subject **2025 Meeting Date**

Presented by **Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation**

That the MNCJO Board:

1. approved the schedule of meeting dates for 2025, noting correction of Friday 21 November, and
2. one of these meetings to be held at NSW Parliament House.

BOARD - 9am to 1pm

Friday 07 March

Thursday 8 May

Friday 22 August

Friday 21 November

Resolved: Clr Allan/Clr Roberts/Clr Ring

10 CONFIDENTIAL MATTERS

Item **10.1**



Subject **Confidential - Internal Audit – February 2025**

Presented by **Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation**

That the Board note the information received regarding the annual internal audit and endorse the draft Annual Internal Audit Scope.

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item **10.2**

Subject **Confidential - Audit, Risk and Improvement Committee Minutes**

Presented by **Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation**

That the Board receive the MNCJO Audit Risk and Improvement Committee Minutes of 23 October 2024

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item **10.3**

Subject **Confidential - Audit Officer Final Management Letter 2024**

Presented by **Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation**

That the Board note the information received in the Audit Office Final Management Letter 2024 and management's responses.

Resolved: Clr Allan/Clr Roberts/Clr Ring

Item **10.4**

Subject **Confidential - Audit Year Ending 30 June 2025**



Presented by **Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation**

That the Board note the information received from the Audit Office regarding Audit Arrangements for year ending 30 June 2025.

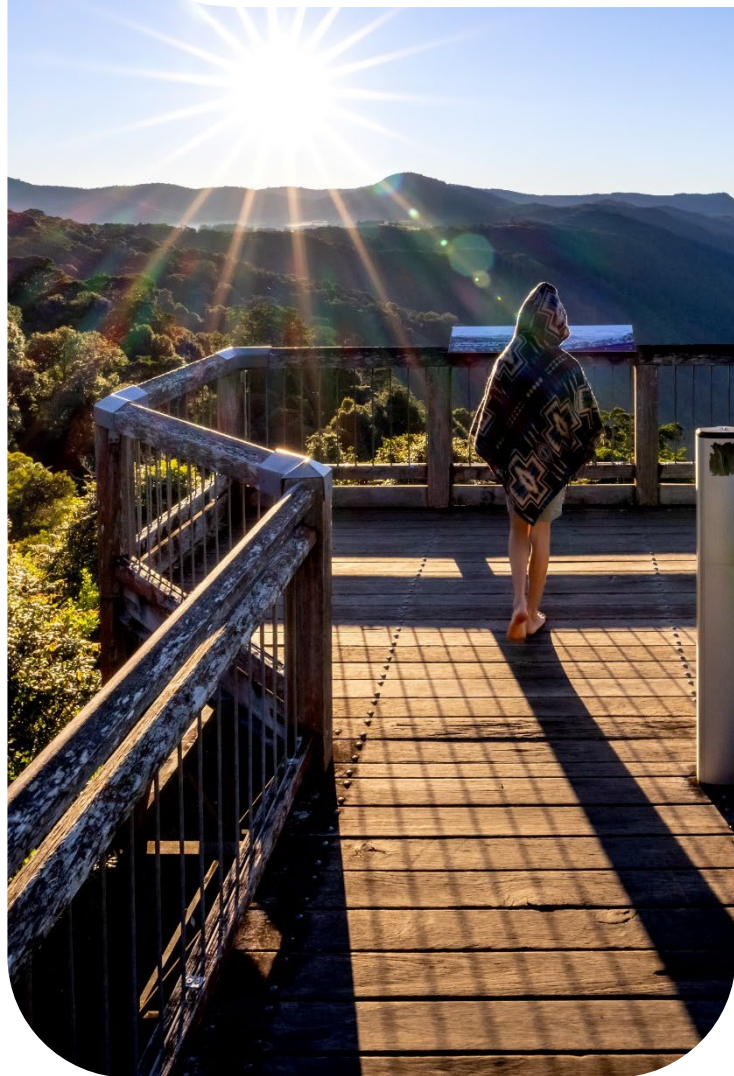
Resolved: Clr Allan/Clr Roberts/Clr Ring

Meeting Close - 10:32am

Mid North Coast Joint Organisation Board Induction Package



Welcome



Welcome to your role as a Board Member of the Mid North Coast Joint Organisation (MNCJO).

The MNCJO is a collaborative body that brings together the 3 councils in the region to provide a united and local voice for our communities.

Councils include Bellingen, Kempsey and Port Macquarie-Hastings.

Acknowledgment of Country

The Mid North Coast Joint Organisation acknowledges the country and history of the traditional custodians of the lands upon which we work and live. We pay our respects to the Elders past, present and emerging, of our region, and of Australia.

MNCJO Establishment

The Mid North Coast Joint Organisation (MNCJO) of Councils was established in 2018 following changes to the Local Government Act (1993) in 2017.

Members of the MNCJO are Bellingen, Kempsey and Port Macquarie-Hastings Councils.

The primary role of the MNCJO is to support a shared approach to the vision and long-term development of the Mid North Coast Region.



BELLINGEN
SHIRE COUNCIL

Mid North Coast
Joint Organisation

mncjo

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Core Functions

The Local Government Act directs that a Joint Organisation has the following principal functions.

- Strategic Planning and Priority Setting
- Inter-Governmental Collaboration
- Regional Leadership and Advocacy
- Building efficient and effective councils.

Joint Organisations are empowered to undertake a range of other functions including capacity building for councils (section 400S) and may undertake regulatory functions of a council if delegated to do so (sections 377 and 379)

MNCJO Board



Chair
Clr. Steve Allan
Mayor
Bellingen Shire Council



Deputy Chair
Clr. Adam Roberts
Mayor
Port Macquarie-Hastings Council



Board Member
Clr. Kinne Ring
Mayor
Kempsey Shire Council



Board Member
Elizabeth Fairweather
Executive Officer
MNCJO



Board Member
Dr. Clare Allen
Chief Executive Officer
Port Macquarie-Hastings Council



Board Member
Mark Griffioen
General Manager
Bellingen Shire Council



Board Member
Craig Milburn
General Manager
Kempsey Shire Council



Board Member
Sean O'Sullivan
Director North
Regional Coordination
NSW Premiers Department

Role of the Mid North Coast JO Board

- Sets the strategic regional priorities and strategy for the organisation.
- Directs and controls the affairs of the organisation in consultation with the Executive Officer.

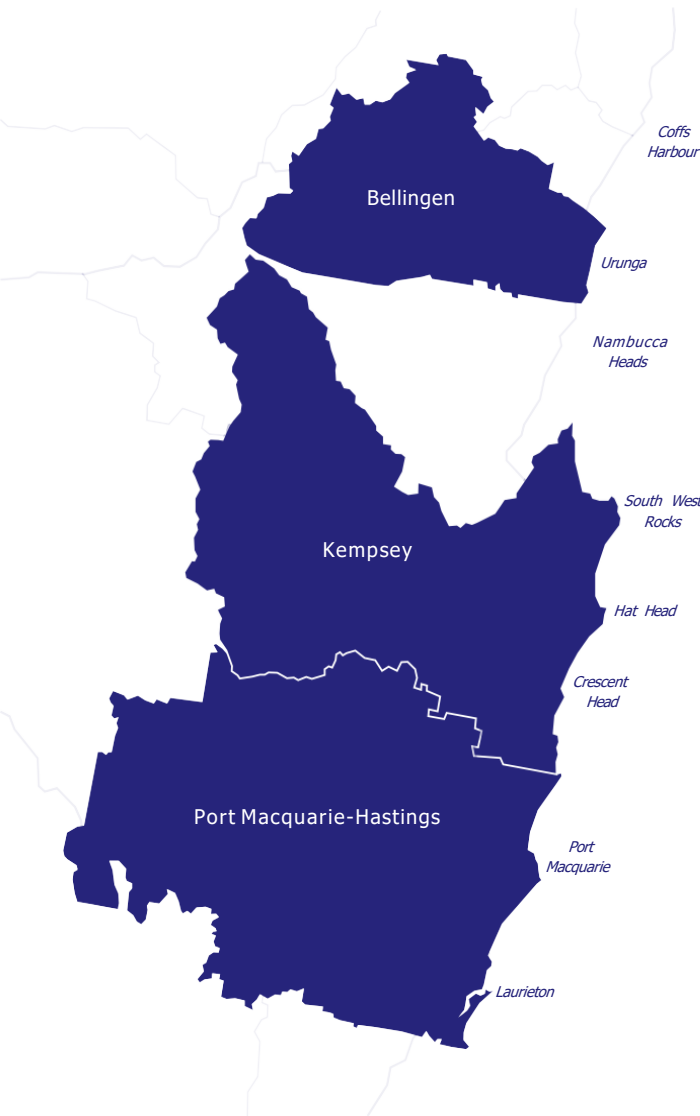




Our focus as a Board is identifying and collaboratively advocating our shared priorities for the region.



Regional Snapshot



132,753
Sum of
Population (ABS
2021)



8,658
Sum of JO
area (km²)



49
Average
median age



15.3
Average
population
density per
capita/ km²



Health Care &
Social Assistance
Most common
main industry



Boasts diverse natural
landscapes and environments
that underpin the livability of
our local communities and
attract significant numbers
of visitors to our region



Has a rapidly growing
population forecast to
reach
142,565
people by 2040

Stakeholder Engagement & Collaboration

Destination North Coast, Office of Local Government and Regional Development Australia (RDA) attend MNCJO Board Meetings.

This provides an excellent opportunity for member councils and the Board to keep up to date on current issues in the one forum and to take advantage of opportunities for constructive engagement.

Members of the JO are represented on a number of committees (on behalf of the JO). These include:

- Regional Leadership Executive (RLE) Committee
- Joint Organisation of Councils Executive Officers Meetings
- Joint Organisation of Councils Chairs' Meetings
- Mid North Coast Interagency Network (Business NSW, DEWR, Training Services NSW, Regional NSW, DNC)
- North Coast LLS Pests and Weeds Advisory Committee



Vision

The vision of the MNCJO is to help create a vibrant, sustainable region underpinned by economic growth and a commitment to the social and environmental well-being of its communities.

Mission

The mission of the MNCJO is set priorities, lead and advocate for the Mid North Coast region and work collaboratively with the community, government agencies and non-government organisations and businesses to achieve them.

MNCJO Guiding Principles

- Decisions are made with a whole of region focus and flexibility to respond to changing priorities and community needs.
- There is accountability to members and their communities of interest.
- There is a commitment to collaboration and good working relationships.
- There is clear communication between members and other stakeholders.
- There is a commitment to make the MNCJO work effectively and efficiently.
- There is a commitment to evaluating and reporting to ensure targeted outputs and outcomes.

Our Policies and Charter



[MNCJO Code of Conduct Practice](#)

[MNCJO Payment of Expenses and Provision of Facilities Policy](#)

[MNCJO Public Interest Disclosures Protected Disclosures Policy](#)

[MNCJO Charter](#)

[MNCJO Annual Performance Statement 2022- 2024](#)

Statement of Strategic Regional Priority (SSRP)

JO's have a streamlined planning and reporting framework under the 'Local Government (General) Regulation 2021' and the 'Integrated Planning and Reporting Guidelines for local councils in NSW'.

We are required to develop an SSRP which sets out a vision for the region and provides an overview of the actions required to deliver the vision.

The SSRP should draw from the Community Strategic Plans (CSPs) of member Councils, regional-level plans and other state strategic documents to clearly identify the highest regional priorities.





A collective voice of like-minded people has
a stronger impact than a single council
doing it alone.



The MNCJO is a voice for the region

We do this through:

- JO Chair's forum
- Country Mayors' meetings
- LGNSW
- Regional Leadership Executive (RLE)
- Local MPs (Federal and State)
- Working with regional peak bodies (eg RDA)
- Working with adjoining JOs and State Network
- Working with key State Government agencies (NSW Premiers, NSW Reconstruction Authority, TfNSW, DPIE)
- Meetings, media, submissions to government, and correspondence.



3 Local Councils

Port Macquarie-Hastings,
Kempsey, Bellinger.



2 State Electorates

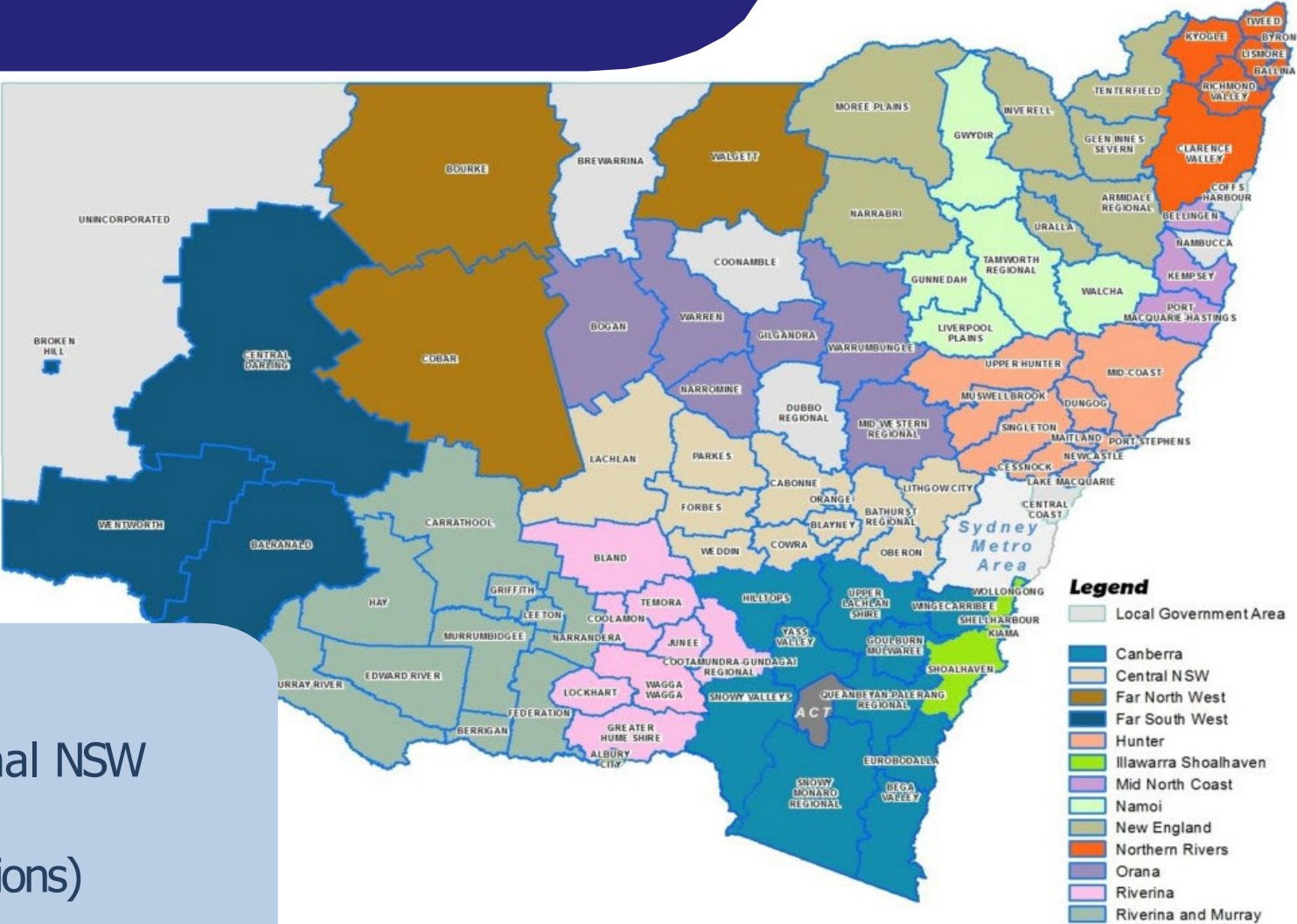
Oxley, Port Macquarie.



2 Federal Electorates

Cowper, Lyne

Network of NSW Joint Organisations



13 Joint Organisations
established across regional NSW
by the Local Government
(Regional Joint Organisations)
Proclamation 2018.

Statutory Functions

Strategic Planning and Priority Setting

Regional Leadership and Advocacy

Intergovernmental Collaboration

The value of Joint Organisations working together



Power of united, democratically elected regional voices, focusing on shared issues and opportunities.

Providing a state-wide forum through which to engage, influence and collaborate with other levels of government.

Current focus areas for cross-JO collaboration

- Program delivery
- Advocacy
- Administration and governance.

How we work together

JO Chairs Forum

- Meets quarterly at NSW Parliament House
- Secretariat provided by Chair's JO
- Meetings incorporate
 - Government Ministers
 - Senior agency representatives and briefings
 - LGNSW & ALGA updates
 - Reports on shared challenges and opportunities across the Network
 - Shared advocacy.



JO Executive Officers Network

- Meets monthly.
- Supports cross JO collaboration
 - Funding and projects
 - Information sharing
 - Compliance, policies and procedures
 - Advocacy submissions.

Joint Organisation Net Zero Acceleration (JONZA)



Funded by Sustainable Councils (NSW DCCEEW) since March 2023, the JONZA program supports a Net Zero Manager in 9 JOs, covering 72 councils across regional NSW.

The program enables collaboration between NSW DCCEEW, JOs and member councils, to build council capacity and reduce emissions

Projects include:

- Completing a renewable energy Power Purchase Agreement (PPA) for 13 councils from Hunter JO, MNCJO and RAMJO, delivering cost and emissions savings.
- Delivering the first net zero training course tailored for local government for 80 council staff.
- Supporting councils across the network to report operational emissions with the Carbon Compass tool.
- Measuring landfill emissions across regional NSW, in partnership with the EPA.
- Working with NSW DCCEEW's EV Team to support the development of the regional EV charging network.

5 JOs have recently been funded under the Disaster Ready Fund R2 to co-design and support delivery of regional Disaster Adaptation Plans with councils and NSWRA.

A network of 8 Joint Organisations working collaboratively across 65 Member Councils, the NSW Reconstruction Authority and State agency partners.



Regional Disaster Risk Reduction & Adaptation Planning

Delivering:

- Multi-hazard risk and climate change assessments.
- Regional disaster risk profiles and needs /opportunities analyses.
- Critical infrastructure studies and resilience plans.
- Monitoring and early warning networks.
- Deliberative community engagement.
- Strategic alignment, networks and partnerships.

New Opportunities

Significant opportunity to build further partnerships with agencies to deliver tailored programs in regional NSW.

Water Loss Management Regional Hubs

- CNSWJO completed pilot.
- Recommended expansion of project to other regions.
- \$11.3m in NSW Government budget for this financial year for this type of programming.
- Enthusiastic and capable NSW Government funding partner.
- Presentation provided to EOs who are responding with levels of interest.
- Project includes income streams to support and build JO financial sustainability.

Audit Risk & Improvement Committee (ARIC)

- All councils and JOs are required to have an ARIC, which can be organisation specific or shared across entities.
- Across the network limited capacity has impacted ability of many to comply with obligations commencing 1 July 2024.
- Preferred pathway is to develop a shared ARIC model between JOs, which better aligns to the financial capacity and risk characteristics of the JO compared to partnering with Member Councils.



Mid North Coast Joint Organisation
End of Term Report
2021 -2024



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For an overview of recent projects,
please view our
[End of Term Report 2021 - 2024](#)



7 OTHER JO FORUMS

Item	7.1
Subject	Minutes - JO Chairs - 14 November 2024
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

RECOMMENDATION

The MNCJO Board receive and note the attached JO Chairs Minutes - 14 November 2025

ATTACHMENTS

1. JO Chairs Minutes
2. NSW JO Chairs Forum Action Register - 14 Nov 2024
3. Presentation - Cross JO Initiatives and Opportunities



OTHER ORGANISATIONS

Item**Subject**

JO Chairs Forum Minutes 20241114

Author

Liz Fairweather, Executive Officer

Presented by

Liz Fairweather, Executive Officer

RECOMMENDATION

That the MNCJO Board receive and note the minutes of the Joint Organisation Chairs meeting held 14 November 2024.

EXECUTIVE SUMMARY

The MNCJO is a member of the Joint Organisations' Chairs Forum. The Chair's Forum is held quarterly and the minutes and attachments for the meeting held 14 November 2024 are attached for the Boards consideration.

REPORT DETAIL

ATTACHMENTS

01_NSW JO Chairs Forum _14 Nov 2024

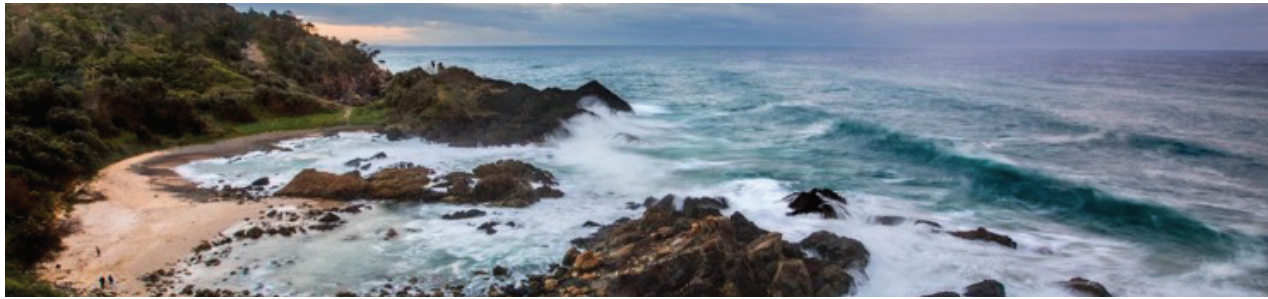
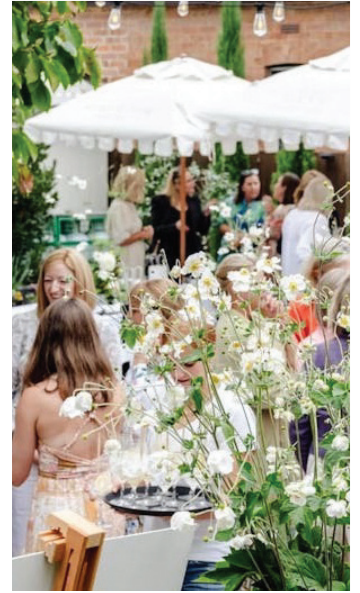
02_NSW JO Chairs Forum Action Register_14 Nov 2024

03_Presentation – Cross JO Initiatives and Opportunities

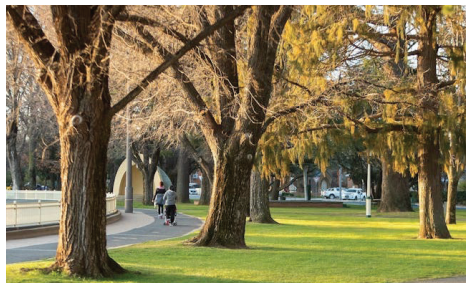
NSW Joint Organisation Chairs Forum Action Register

Date and Agenda Item No.	Report Title	Task	Responsible Person	Target Date	Completion Date	Progress Comments
8/8/2024 6.2	Coalition of Renewable Energy (CoREM) Councils Presentation	Mayor Sam Coupland to provide suitable wording for council reports and recommended motion in support of CoREM Statement of Expectations content and statewide guidelines	Mayor Sam Coupland, Armidale Regional Council	14 November 2024	27 August 2024	Completed CoREM's Statement of Expectations and Armidale's Renewable Energy Community Benefit Statement provided with request from Mayor Coupland for all councils to adopt similar documents
8/8/2024 6.2	Coalition of Renewable Energy Councils Presentation	JOs Chairs Forum members to ask their JOs' member councils to consider passing motions in support of CoREM Statement of Expectations content, councils will need to review Mayor Sam Coupland's wording based on local circumstances and the types of projects and developers in their area.	All JOs Chairs	For review at first meeting 2025		In Progress Update to actions list (14/11/24): Jenny Bennett Executive Officer Central NSW Joint Organisation to prepare report for next meeting regarding the NSW Renewable Energy Planning Framework's new Benefit Sharing Guidelines November 2024 including recommendations for NSW Joint Organisations Chairs Forum and/or individual joint organisations action to progress adoption of local development frameworks, statements of expectations or similar in NSW regional and rural councils.
8/8/2024 5.2	Statewide Joint Organisation Network	Write to Minister for Local Government the Hon. Kristy McBain MP and Minister for Infrastructure, Transport, Regional Development and	Mayor Russell Fitzpatrick supported by	14 November 2024	14 August 2024	Completed Response received from Minister King included in incoming correspondence for 14 November meeting

	Projects and Opportunities	Local Government the Hon. Catherine King MP, for Cr Fitzpatrick, Chair NSW JO Forum to send.	Roger Stephan, Executive Officer Illawarra Shoalhaven JO			
21/03/24 4.3	New Waste Tendering regulation	<p>Write to the Premier, Minister for Local Government and Minister for Environment to:</p> <ul style="list-style-type: none"> • Raise concerns with the regulatory amendments for tendering of local government waste contracts; • Seek clarifications and support regarding complying with the new regulatory requirements; and <p>Support LGNSW's advocacy position regarding legal advice obtained as to the validity of the regulatory amendment</p>	Mayor Russell Fitzpatrick	8 th August 2024	31 July 2024	<p>In Progress</p> <p>Update to action list (14/112024): Secretariat to forward correspondence and attached legal opinion from The Hon Ron Hoenig Minister for Local Government regarding waste tendering legislation amendments to Local Government NSW for information.</p>

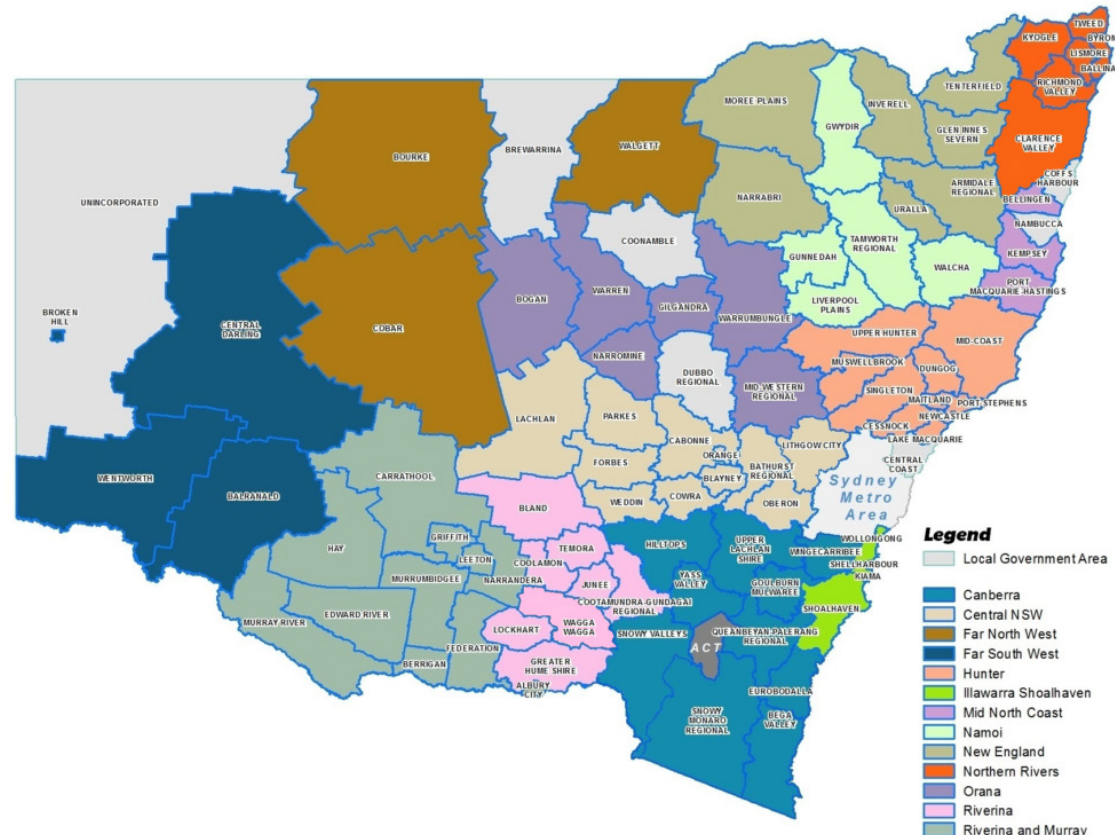


Initiatives, Collaboration and Opportunities across the Joint Organisation Network



NSW Joint Organisations

- 13 Joint Organisations established across regional NSW by the Local Government (Regional Joint Organisations) Proclamation 2018.
- Provide a way for councils, State and Federal Governments and other regional partners to work together on shared regional priorities.
- Deliver a range of regionally focused advocacy and capacity building programs for their Member Councils.



Current Joint Organisation Regional Focus Area

Central NSW JO

- Water Management
- Energy / Net Zero
- Procurement
- Disaster Resilience
- Housing
- Transport & Infrastructure

Canberra Region

- Disaster Resilience
- Net Zero
- Waste / Circular Economy
- Regional Community Strategic Plan

Northern Rivers

- Disaster Resilience
- Housing
- Connectivity
- Net Zero
- Water Shed Initiative

Mid North Coast

- Disaster Resilience
- Net Zero
- Affordable Housing

Far North West

- Tourism
- Air Services
- Net Zero
- Housing
- Staff Retention
- Water Security

Illawarra Shoalhaven

- Economic Development
- Resilience
- Net Zero
- Social & Sustainable Procurement
- Waste

Hunter

- Disaster Resilience
- Circular Economy
- Net Zero
- Tourism & Freight
- Economic Evolution

Riverina Eastern (ROC)

- Energy / Net Zero
- Freight Transport
- Water Management
- Training
- Housing
- Waste

Riverina & Murray

- Energy / Net Zero
- Disaster Resilience
- Water
- Freight Transport
- Waste

The value of Joint Organisations working together

Statutory Functions

Strategic Planning and Priority Setting
Regional Leadership and Advocacy
Intergovernmental Collaboration

- Power of united, democratically elected regional voices, focusing on shared issues and opportunities.

- Providing a state-wide forum through which to engage, influence and collaborate with other levels of government.

- Current focus areas for cross-JO collaboration
 - Program delivery
 - Advocacy
 - Administration and governance.

How we work together



JO Chairs Forum

- Meets quarterly.
- Secretariat shared around the network.
- Meetings incorporate
 - Government Ministers
 - Senior agency representatives and briefings
 - LGNSW & ALGA updates
 - Reports on shared challenges and opportunities across the Network
 - Shared advocacy.

JO Executive Officers Network

- Meets monthly.
- Supports cross JO collaboration
 - Funding and projects
 - Information sharing
 - Compliance, policies and procedures
 - Advocacy submissions.

Joint Organisation Net Zero Acceleration (JONZA)

Funded by Sustainable Councils (NSW DCCEEW) since March 2023, the JONZA program **supports a Net Zero Manager in 9 JOs, covering 72 councils across regional NSW.**

The program enables collaboration between NSW DCCEEW, JOs and member councils, to build council capacity and reduce emissions.



Projects include:

- Completing a renewable energy Power Purchase Agreement (PPA) for 13 councils from Hunter JO, MNCJO and RAMJO, delivering cost and emissions savings.
- Delivering the first net zero training course tailored for local government for 80 council staff.
- Supporting councils across the network to report operational emissions with the Carbon Compass tool.
- Measuring landfill emissions across regional NSW, in partnership with the EPA.
- Working with NSW DCCEEW's EV Team to support the development of the regional EV charging network.

Regional Disaster Risk Reduction & Adaptation Planning



A network of **8 Joint Organisations** working collaboratively across **65 Member Councils**, the NSW Reconstruction Authority and state agency partners.

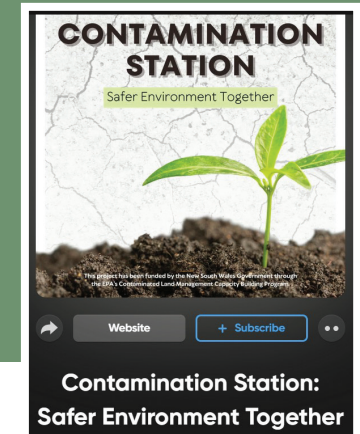
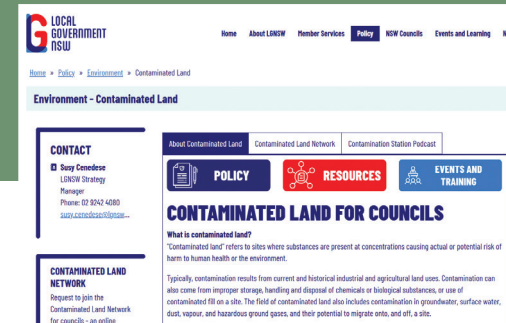
5 JOs have recently been funded under the Disaster Ready Fund to co-design and support delivery of regional Disaster Adaptation Plans with councils and NSWRA.

Delivering:

- Multi-hazard risk and climate change assessments.
- Regional disaster risk profiles and needs / opportunities analyses.
- Critical infrastructure studies and resilience plans.
- Monitoring and early warning networks.
- Deliberative community engagement.
- Strategic alignment, networks and partnerships.



Contaminated Land Council Regional Capacity Building (CRCB) Program 2014 - 2024



The program built capacity in the management of contaminated land in NSW by funding **10 JO-based Council Regional Capacity Building Officers.**



Program outputs included:

- Model Contaminated Land Policies.
- Procedures and registers for managing contaminated land.
- Building knowledge of the legal duties and technical aspects of contaminated land management.
- Successful handover of underground petroleum storage system regulation from the EPA.
- Ongoing LGNSW Contaminated Land webpage, network and Contamination Station podcast.

Advocacy, Governance and Administration



Advocacy

- The JO network regularly collaborate and share advocacy submissions to
 - Government inquiries
 - Policy and legislative reviews / changes.
- Over 30 examples from the last term.
- Links to Country Mayors Association, LGNSW ROC's and other local government advocacy organisations
 - Strength in multiple voices representing multiple councils and regions.

Governance and Administration

- Like councils, JOs need to comply with a wide range of governance and compliance obligations under the Act and Regulation
- Ongoing communication and information sharing across the network continues to support compliance
 - Policies
 - Procedures
 - Reporting
 - Election processes.

New Opportunities

Significant opportunity to build further partnerships with agencies to deliver tailored programs in regional NSW.

Water Loss Management Regional Hubs

- CNSWJO completed pilot.
- Recommended expansion of project to other regions.
- \$11.3m in NSW Government budget for this financial year for this type of programming.
- Enthusiastic and capable NSW Government funding partner.
- Presentation provided to EOs who are responding with levels of interest.
- Project includes income streams to support and build JO financial sustainability.

Audit Risk & Improvement Committee (ARIC)

- All councils and JOs are required to have an ARIC, which can be organisation specific or shared across entities.
- Across the network limited capacity has impacted ability of many to comply with obligations commencing 1 July 2024.
- Preferred pathway is to develop a shared ARIC model between JOs, which better aligns to the financial capacity and risk characteristics of the JO compared to partnering with Member Councils.



8 MNCJO PROJECT UPDATES

Item	8.1
Subject	JONZA Project Update
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

RECOMMENDATION

The MNCJO Board receive and update on the JONZA project from Naom Bardea, Net Zero Manager

ATTACHMENTS

1. JONZA - Project Update Report



MNCJO PROJECT UPDATES

Item

Subject

Net Zero Acceleration update

Author

Naom Bardea, Net Zero Manager

Presented by

Liz Fairweather, Executive Officer

RECOMMENDATION

That the MNCJO Board note the update provided on the Joint Organisation Net Zero Acceleration Program.

EXECUTIVE SUMMARY

The MNCJO successfully gained funding from NSW Department of Climate Change, Energy, Environment and Water (DCCEE) for the delivery of the Joint Organisation Net Zero Acceleration (JONZA) program Round 2.

This report provides an update on the Joint Organisation Net Zero (JONZA) program

REPORT DETAIL

The MNCJO Net Zero Manager (NZM) aids our member councils through specifically targeting projects where organisational resources are limited but significant impact can be achieved by supporting council officers.

JONZA project updates include:

- **EV Charging Solutions manual** - This document has been produced in collaboration with the Northern Rivers Joint Organisation. It has been distributed to Sustainability Officers to assist our member councils with decision making and procedures related to EV charging solutions.
- **Network Energy Constraints** – on behalf of MNCJO member councils Chargeworks have been engaged to develop reports identifying network energy constraints in depots and administration/civic centres. This will assist councils with planning for fleet transition and installation of charging infrastructure in the years ahead. Chargeworks will also liaise with Essential Energy to confirm grid capacity. This work has been funded by DCCEE Net Zero Transport Team.
- **JONZA Workshop** – Following the success of our initial staff workshop a second workshop will be focusing on EV Charging infrastructure and fleet transition. Recognising that net zero emissions is not just about sustainability, all relevant staff from member councils have been invited. Speakers will include:
 - JONZA Manager to discuss the changing EV landscape, opportunities for councils and present the EV Charging Solutions Document
 - Evan Darmanin (Chargeworks) will be providing an update on the network energy constraints report.
 - Dan Wigmore (NSW Net Zero Transport Team) EV Charging and EV Fleet incentive grants that are currently available to councils.

The Joint Organisation Net Zero Acceleration program is on track and operating within budget allocations.

ATTACHMENTS

Nil



9 STANDING UPDATES

Item	9.1
Subject	Regional Development Australia Mid North Coast
Presented by	Madeleine Lawler

RECOMMENDATION

The MNCJO Board receive the attached update from Regional Development Aust. Mid North Coast

EXECUTIVE SUMMARY

The following report details activities of interest for the MNCJO being undertaken by RDAMNC.

The landscape is shifting significantly with the upcoming election and the team are continuing to finalise the remaining projects from the 2024-2025 Business Plan.

RDA MNC Update

Key activities of interest for the region:

- Ignite 2025 – Coffs Harbour, Valla Beach (Nambucca Valley Council) and Port Macquarie hosted the Ignites this year. Topics on the agenda:
 - Insurance costs
 - Agriculture
 - Enterprise Facilitator for the MNC
 - Circular Economy and the urgent solutions needed for waste
 - Skills
 - Over 110 tickets
 - All LGAs have now hosted an Ignite Mini
- Early Childhood is still a continued advocacy focus for the organisation
- Circular Economy and Manufacturing Precinct
- Skills Audit for the MNC

- Housing Developer Forum and next steps

ATTACHMENTS

None



9 STANDING UPDATES

Item	9.2
Subject	NSW Premier's Department
Presented by	Cass Wilson

RECOMMENDATION

MNCJO Board receive and note the attached report from NSW Premier's Department - Cass Wilson - Associate Director Regional Coordination – North Coast Delivery and Engagement Group

ATTACHMENTS

1. Premier's Department - MNC JO Report February 2025

Premiers Department, Delivery and Engagement, Standing Update

Regional Communities Consultation Standards – Community listening sessions

Last month, listening sessions were held in regional communities. As a result, draft Guide outlines have been created to inform the NSW Government's approach to engaging with regional, rural, and remote communities. The guidelines will help the NSW Government to make better decisions and improve the lives of people across NSW, and aims to:

- Set a prescribed standard
- Provide guidance to government agencies in how they undertake consultation
- Provide certainty to regional, rural, and remote communities about how they can expect the NSW government to consult with them

You can view the draft [Consultation Guide here](#) and provide your feedback online at this link:

www.haveyoursay.nsw.gov.au/consultation-regional-communities

The feedback link will be open until 9am on 17 March.

Stronger Places, Stronger People – Learning the Macleay

SPSP is a community-led, collective impact initiative stewarded by the Australian Government in partnership with state and territory governments and 10 communities across Australia; it seeks to disrupt disadvantage and create better futures for children and families through tailored evidence-driven solutions to local problems in partnership with local people.

In February 2025 the NSW Government extended the commitment to the Kempsey SPSP initiative with an investment of \$2.75 million for Learning the Macleay for the next five years (2024 – 2029). The media announcement was made on 12 February 2025 (link below).

Recent Media Releases

[\\$10 million for new health worker accommodation to attract more paramedics to regional NSW](#)

[\\$10 million Good Neighbours Program to tackle pest and weeds across NSW](#)

[\\$34.2 million for new health worker accommodation in Northern NSW](#)

[NSW Government marks 60 years since the Freedom Ride](#)

[\\$5.5 million for health worker accommodation in Coffs Harbour](#)

[NSW Government's crackdown on rogue turf businesses to stop fire ants pays off](#)

[Local knowledge vital to addressing regional crime](#)

[Improving flood resilience in Kempsey Shire](#)

More located here: [Ministerial media releases | NSW Government](#)

Have your Say Consultations - share your opinions on new projects, services and government policy.

[Dorrigo Escarpment great walk](#)

[Restrictive practices legislative framework](#)

[Gig workers and IR Act changes](#)

[Domestic and family violence information sharing in NSW](#)

[Remaking the retirement villages Regulation](#)

[Consultation on council meeting reforms | NSW Government](#)

More located here: [Have your say | NSW Government](#)

Open Grants

[Regional Event Fund - Event Development stream | NSW Government](#)

The Regional Event Fund identifies and supports events in regional NSW that have the potential to act as a 'cornerstone' or flagship tourism event for their area by attracting overnight visitation and delivering long term benefits to the region. Up to \$50,000. This opportunity is ongoing.

[Special Entertainment Precinct Kickstart Grant Program | NSW Government](#)

The purpose of the Program is to encourage local councils to take up and implement **Special Entertainment Precincts (SEPs)** across NSW and support the creation of sustainable and successful permanent SEPs. It will also support actions under the NSW 24-Hour Economy Strategy to foster collaboration and create vibrant, diverse and coordinated precincts. Applications Close 12 March 2025.

[Regional Arts Touring Round 2 | NSW Government](#)

In response to *Creative Communities*, the NSW arts, culture and creative industries policy, the purpose of this funding is to strengthen communities through equitable access to vibrant arts and cultural experiences. Funding request from \$5,000 - \$120,000, application close 17 March 2025

[Strengthening Rural Communities – Small & Vital](#)

Grants up to \$10,000 are available for a broad range of grassroots, community-led initiatives that directly and clearly benefit local communities that strengthen local people, places and climate solutions, with a preference for smaller communities (populations under 15,000).

[Stronger Communities Programme Round 9 | Federal Government](#)

The Stronger Communities Programme provides each of the 151 Federal electorates with \$150,000 to fund small capital projects. Federal Members of Parliament (MPs) identify potential projects and invite applications from their electorate. Each project can apply for up to \$20,000, application close 28 March 2025

[Disaster Ready Fund Round | Federal Government](#)

The Disaster Ready Fund Round (DRF) is the Australian Government's flagship disaster resilience and risk reduction initiative. There is no maximum grant amount, but grants cannot exceed the total available budget. The minimum total project value is \$500,000 for infrastructure funding stream projects, with no minimum for other types. Applications close 2 April 2025.

On Farm Connectivity Program Round 2 | Federal Government

The On Farm Connectivity Program Round 2 (the program) will run over 1 year in 2024-25. This program forms part of the Better Connectivity Plan for Regional and Rural Australia (Better Connectivity Plan) and assists Primary Producers to take advantage of digital agribusiness solutions to boost productivity and improve safety. Grant funding of between \$1,000 - \$30,000 is available, applications close 30 April 2025.

Current NSW Government Grants Open – more here: [Grants and funding | NSW Government](#)

Current Australian Government Grants Open: [Current Grant Opportunities](#)



9 STANDING UPDATES

Item	9.3
Subject	North Coast Destination Network - Michael Thurston
Presented by	Michael Thurston

RECOMMENDATION

That the Board receive a verbal update from North Coast Destination Network - Michael Thurston

ATTACHMENTS

None



9 STANDING UPDATES

Item	9.4
Subject	Office of Local Government - Anita Gambhir
Presented by	Anita Gambhir

RECOMMENDATION

That the Board receive a verbal update from Office of Local Government - Anita Gambhir.

ATTACHMENTS

None



REPORTS FOR THIS MEETING

Item**Subject**

Draft Policies

Author

Liz Fairweather, Executive Officer

Presented by

Liz Fairweather, Executive Officer

RECOMMENDATION

That the MNCJO Board:

1. Endorses the following draft Policies attached to the report for public exhibition:
 - Code of Meeting Practice
 - Code of Conduct
 - Debit and Credit Card Use Policy and Procedure
 - Payment of Expenses and Provision of Facilities
 - Policy Framework
 - Public Interest Disclosure Policy
 - Risk Management Policy and Framework
 - Work Health and Safety Policy (Reportable Incidents)
2. Publish the draft Policies on the MNCJO website for 28 days
3. If public submissions are made during the public exhibition period, a report be furnished to the MNCJO meeting 7 May 2024
4. If no public submissions are made during the exhibition period, the version of draft Policies placed on public exhibition is deemed to be adopted by the Board.

EXECUTIVE SUMMARY

The following policies are to be reviewed within 12 months of the local government elections. This report includes a routine review of these existing regulatory MNCJOs policies:

- Code of Meeting Practice
- Code of Conduct, and
- Payment of Expenses and Provision of Facilities

And in line with local government best practice, recommendation for addition of the following new policies:

- Debit and Credit Card Use Policy and Procedure
- Policy Framework
- Public Interest Disclosure Policy
- Risk Management Policy and Framework
- Work Health and Safety Policy (Reportable Incidents)

REPORT DETAIL

This report outlines any changes to the MNCJOs existing regulatory policies and recommends adoption of some new policies which embody good governance practices.

Existing Policies for renewal:

- **Code of Meeting Practice**

This policy was last reviewed and adopted in November 2022. Amendments to the version presented at this meeting include:

Item 4 – Quorum

This item has been amended to represent the NSW Machinery of Government changes in November 2024. That being, the NSW Government representative on the JO Board is now NSW Premier's Department.

Non-voting Representatives in attendance.

The following are non-voting representatives of the Joint Organisation:

- (a) The NSW Government, as represented by a nominee of NSW Premier's Department.*
- (b) General Managers of non-member Councils*
- (c) Any other non-voting representative as approved by the Board*

Item 7 - Standing orders

The standing orders have been amended in line with the current meeting structure.

- 1. Opening meeting*
- 2. Acknowledgement of country*
- 3. Apologies*
- 4. Declaration of Pecuniary and Non-Pecuniary Interests*
- 5. Speakers (invitation to be approved by Chairperson or Executive Officer)*
- 6. Confirmation of Minutes*
- 7. Business Arising from Minutes*
- 8. Other JO Forums*
- 9. Reports – MNCJO Project Updates*
- 10. Standing Updates – Regional Agencies, OLG*
- 11. Reports for this Meeting*
- 12. Resolve into Confidential Committee of the Whole to deal with Confidential Reports*
- 13. Resolve into Open Meeting*
- 14. Adopt report of Confidential Committee*
- 15. Close*

Item 8 – Adoption of Reports

The following additional words have been added to item 8:

The Board may agree to resolution by consensus.

Item 11.1 – AI Note Taking

Item 11.1 is a new addition to the policy. The following wording has been included -

To uphold the integrity, confidentiality, and privacy of discussions during Mid North Coast Joint Organisation Board meetings, the use of AI-powered tools or software for notetaking, transcription, or recording is strictly prohibited unless explicitly approved by the Board Chair and all participating councils, in accordance with applicable governance policies and regulations.

No further amendments to the Code of Meeting Practice.

- **Code of Conduct**

No amendments to the Code of Conduct.

- **Payment of Expenses and Provision of Facilities**

No amendments to the Payment of Expenses and Provision of Facilities

Sitting fees for voting members remain at \$250

For the purposes of audit notification, the Board are advised that Cr Adams has declined MNCJO sitting fees.

The following new policies and procedures are recommended for adoption. The Board should note these policies and procedures were presented at the Audit, Risk & Improvement Committee meeting held 2 February 2025. They have been updated with any recommended amendments (minor) before presentation to the Board.

- Debit and Credit Card Use Policy and Procedure
- Policy Framework
- Public Interest Disclosure Policy
- Risk Management Policy and Framework
- Work Health and Safety Policy (Reportable Incidents)

ATTACHMENTS

- 01_MNCJO Code of Meeting Practice (draft)
- 02_MNCJO Code of Conduct (draft)
- 03_MNCJO Debit and Credit Card Use Policy and Procedure (draft)
- 04_Payment of Expenses and Provision of Facilities (draft)
- 05_Policy Framework (draft)
- 06_Public Interest Disclosure Policy (draft)
- 07_Risk Management Policy and Framework (draft)
- 07_Work Health and Safety Policy (Reportable Incidents) (draft)

Payment of Expenses and Provision of Facilities (DRAFT)

Version	Adoption Date	Authorised by	Approved by	Revision Date
1	November 2022	Executive Officer	MNCJO Board	September 2024
2	DRAFT	Executive Officer		

Preamble

The Joint Organisation (JO) Expenses and Provision of Facilities Policy is designed to cover any needs associated with the exercise by Board Members and the Chairperson of their JO functions that are not otherwise covered under member Councils' Expenses and Facilities policies.

Board Members and the Chairperson are not entitled to make a claim under a JO Expenses and Provision of Facilities Policy where a claim has been covered under a member Council's policy and vice versa.

1. EXPENSES

(a) Travel Expenses

Members cover their own costs for accommodation and travel to and from meetings of the Board and its Committees but may claim these expenses from their own Council as these expenses are incurred while undertaking Council business.

Expenses for use of a private motor vehicle will be based on the relevant kilometer rate in the Local Government Award or relevant member Council policy.

(b) Conferences, Seminars, and Inspections – Reimbursement of Costs

Subject to JO approval or approval by the Chairperson if insufficient time for JO approval.

- (i) Registration: including official luncheons, dinners, and tours relevant to the conference.
- (ii) Accommodation:
 - Meal allowances (dinner and lunch) - \$ 100 (per day)
 - Accommodation (capital city) - \$ 400 (per day)
 - Accommodation (country areas) - \$ 250 (per day)
 - and reasonable telephone costs.
- (iii) Accommodation for the night before or after the conference where necessary.

Expenses for representing the region will be considered by the Board if sufficient time allows or by the Chair where the request is made before the expense is incurred.

Expenses for use of a private motor vehicle will be based on the relevant kilometer rate in the Local Government Award or relevant member Council policy.

Travel by air (when required) to be economy class.

The Chairperson needs the concurrence of the other voting Board members if insufficient time is available for the request to be approved in a formal Board meeting.

(c) Payment of Carer's expenses

Provision will be made for the making of payments for reasonable requests for expenses associated with carer responsibilities.

2. FACILITIES

(a) Members

The Members are to receive the benefit of the following JO facilities:

- (i) Meeting Meals and Refreshments – provision of meals and refreshments associated with JO, Committee and Working Parties/Special Committee meetings.
- (ii) Meeting Rooms – Provision of meeting facilities for the purpose of JO, Committee and Working Parties/Special Committee meetings (and for meeting with constituents), where available.
- (iii) Photocopiers – provision of photocopying facilities at the JO's Office for official purposes.

(b) Chairperson

In addition to those facilities provided to the Members, the Chairperson is to receive the benefit of:

- (i) Secretarial Services – word processing and administrative support provided by the Executive Officer.
- (ii) Administrative Support – assistance with functions, organisation, meetings, and the like for official purposes.

(c) Deputy Chairperson (if appointed)

In addition to those facilities provided to the Members, the Deputy Chairperson is to receive the benefits of the Chairperson when acting in the office of JO Chairperson.

(d) Arbitration of Claims

The Chairperson, (the Deputy Chairperson when the claim is made by the Chairperson), and the Executive Officer will be responsible for determining whether all claims are reasonable and within the guidelines set by the policy adopted by the Organisation. Any member dissatisfied with the determination can request the matter be submitted to Council for consideration (e)Sitting Fees for Voting Members of the Board.

(e) Sitting Fees for Voting Members

A sitting fee will be made available, \$250 per meeting upon application, to the voting members of the Board (Mayors) or their delegates for attendance at MNCJO Board meetings. Application for payment of a sitting fee is to be made to the Executive Officer in writing, who will then process the application for payment.

CODE OF MEETING PRACTICE (Draft)

Version	Adoption Date	Authorised by	Approved by	Revision Date
1	17 August 2018	Executive Officer	MNCJO Board	
2	November 2022	Executive Officer	MNCJO Board	
3	DRAFT	Executive Officer		

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1 INTRODUCTION

This Code of Meeting Practice (this Code) is made under section 360 of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2005 (the Regulation).

Ordinary meetings of the Joint Organisation (JO) will commence at 9.00am unless otherwise arranged prior to the meeting. At least four meetings per annum will be held, refer to Section 396 of the Local Government Act.

The JO may change the time or date of any meetings, by agreement of the Board, without prior notice being given.

The Board of a Joint Organisation may transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if the representative who is speaking can be heard by all other representatives

2 MEETING PRINCIPLES

Joint Organisation and committee meetings should be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:* The community has confidence that Board Members and staff act ethically and make decisions in the interests of the whole community.
- Respectful:* Board Members, staff and meeting attendees treat each other with respect.
- Effective:* Meetings are well organised, effectively run and skilfully chaired.
- Orderly:* Board Members, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 NOTICE OF MEETING

An agenda for meetings of the Board will be provided to members five (5) working days before the meeting.

Subsequent to circulation to members the agenda will be placed on the JO website.

3.1 EXTRA-ORDINARY MEETINGS

Call by Board Members for Extraordinary meetings will be guided by Section 366 of the Local Government Act

The Chairperson may, if he/she is of the opinion that a situation exists which warrants the holding of an extraordinary meeting, at short notice, call such a meeting.

The period of notice for such a meeting shall be at the Chairperson's discretion [Local Government Act S:367(2)].

3.2 MEETINGS HELD BY AUDIO-VISUAL LINK

A meeting of the Joint Organisation or a committee of the Joint Organisation may be held by audio-visual link where the Executive Officer determines that the meeting should be held by audio-visual link.

This Code applies to a meeting by audio-visual link in the same way it would if the Board Member, staff or committee member was attending the meeting in person. Where a Board Member is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.

A Board Member, staff or committee member or must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.

A Board Member, staff or committee member must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the Joint Organisation or the committee into disrepute.

4 QUORUM

The quorum for a meeting of the Board is a majority of voting representatives entitled to vote under the JO Charter.

Non-voting Representatives in attendance.

The following are non-voting representatives of the Joint Organisation:

- (a) The NSW Government, as represented by a nominee of NSW Premier's Department.
- (b) General Managers of non-member Councils
- (c) Any other non-voting representative as approved by the Board

A meeting of a JO must be adjourned if a quorum is not present:

- (a) within half an hour after the time designated for the holding of the meeting;
- (b) at any time during the meeting.

In either case, the meeting must be adjourned to a time, date (including later that day) and place fixed:

- (a) by the Chairperson; or,
- (b) in his or her absence – by the majority of the Members present; or
- (c) failing that, by the Executive Officer.

The Executive Officer must record in the JO's Minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the JO, together with the names of the members present (Local Government (General) Regulation Clause 233).

5 VOTING ENTITLEMENTS

There is one voting representative for each Member Council.

A motion at a meeting of the Board of a JO is taken to be defeated in the event that no consensus on the item in question can be reached (In effect, this means that, unlike Councils, the Chairperson of the Joint Organisation Board does not have a casting vote.)

Non-voting representatives are entitled to participate in debate and speak on (but not move, second, amend or vote on) motions.

6 QUESTIONS WITHOUT NOTICE

In alignment with the Local Government (General) Regulation, Clause 249.
Questions may be put to the Board and Executive Officer

A Board Member may:

- (a) through the Chairperson, put a question to another Board member or Executive Officer, and
- (b) through the Executive Officer, put a question to a JO employee.

However, a Board Member, Executive Officer or JO employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.

The Board Member must put every such question directly, succinctly and without argument.

The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Board Member, Executive Officer or JO employee under this clause

7 STANDING ORDERS

The general order of business for an ordinary meeting of the Joint Organisation shall be:

1. Opening meeting
2. Acknowledgement of country
3. Apologies
4. Declaration of Pecuniary and Non-Pecuniary Interests
5. Speakers (invitation to be approved by Chairperson or Executive Officer)
6. Confirmation of minutes
7. Business Arising from Minutes
8. Other JO Forums
9. Reports – MNCJO Project Updates
10. Standing Updates – Regional Agencies, OLG
11. Reports
12. Resolve into Confidential Committee of the Whole to deal with Confidential Reports
13. Resolve into Open meeting
14. Adopt report of Confidential Committee
15. Close

Provided that the JO may, after the confirmation of the Minutes of the previous meeting, make a variation of the order of the business to accord precedence to any matter set down on the business paper for consideration.

8 METHOD OF ADOPTION OF REPORTS

Voting and Non-Voting representatives always speak to a Motion. No debate is allowed on any item without a motion having first been moved and seconded.

The Board may agree to resolution by consensus.

9 MOTIONS OF DESSENT

See Local Government (General) Regulation, Clause 248.

10 NEWS MEDIA AND PUBLIC ATTENDANCE

The news media and members of the public are invited to attend all JO Board and Committee meetings. The media and the public will be only excluded from attendance when the Board or Committee is considering matters in Confidential pursuant to Section 10A of the Local Government Act (1993).

Prior to distributing the business paper for any JO Board or Committee meetings, the Executive Officer will determine, in accordance with the Local Government (General) Regulation, Clause 240 if any items in the business paper come within the provisions of this Section and will mark any such items "CONFIDENTIAL".

Business papers for all JO and Committee meetings will only be made available on the web for public perusal (following distribution to the Board members). Business papers made available to the public will exclude those reports marked "Confidential" in the terms of the above.

11 ELECTRONIC RECORDING OF MEETINGS

The Executive Officer may use an electronic recorder, or any other electronic recording device, to record the proceedings of a meeting of the JO or a committee for the purpose of ensuring that the minutes accurately record the proceedings.

The Executive Officer will, if the Executive Officer proposes to use an electronic recording device, inform the person presiding at the meeting who will, immediately after the opening of the meeting, tell the meeting that the proceedings are to be recorded.

Any electronic recording made by the Executive Officer of the proceedings of a meeting of the Council or a Committee, and any copy of such a recording, will be deleted by the Executive Officer as soon as possible after the minutes of the meeting are confirmed.

With the exception of the Executive Officer, no person may use any electronic recording device, to record the proceedings of a meeting of the JO or a committee unless the JO has so resolved, and the use is in accordance with the conditions of use specified in the resolution. In any resolution allowing the use of any electronic recording device the JO shall specify the meeting, or meetings, to which the resolution is to relate and the conditions, if any, subject to which the use is permitted.

11.1 AI NOTE TAKING

To uphold the integrity, confidentiality, and privacy of discussions during Mid North Coast Joint Organisation Board meetings, the use of AI-powered tools or software for notetaking, transcription, or recording is strictly prohibited unless explicitly approved by the Board Chair and all participating councils, in accordance with applicable governance policies and regulations.

12 PARTICIPATION BY MEMBERS OF THE PUBLIC

Official visitors are persons that the JO has invited to attend a meeting.

The Chairperson, Executive Officer or the person presiding at a meeting will determine the time to be allocated for an official visitor to address a meeting of the JO, including the time to be allocated for questions by representatives to the official visitor.

Members of the public wishing to address a meeting of the JO will give their names and details of the item of business on which they wish to address the meeting to the Executive Officer, prior to the commencement of the meeting.

There will be a maximum of three (3) public speakers permitted to address the Board. If there are more than three (3) speakers wishing to speak, then the first three (3) requests received will have precedence.

The Chairperson or the person presiding at a meeting will determine by reference to the list prepared by the Executive officer prior to the commencement of the meeting, what members of the public will be permitted to address a meeting of the JO.

The Chairperson or the person presiding at a meeting will announce the name of any person who is to be permitted to address the meeting at the start of the meeting.

A person permitted to address the meeting will be allowed three (3) minutes, without interruption by representatives, to do so. At the end of the three (3) minutes, if the person indicates that they wish to continue, the Chairperson or the person presiding at the meeting may allow an additional two (2) minutes. No further additional time will be allowed unless the JO so resolves.

13 ELECTION OF CHAIRPERSON, DEPUTY CHAIRPERSON AND MEMBERS OF COMMITTEES

Election of the JO Chairperson and Deputy Chairperson (if required) by the voting representatives of the member Councils – See Local Government (General) Regulation, Part II – Elections: Division 12 and Schedule 8.

The election of the Chairperson and Deputy Chairperson will be considered as an item in the Executive Officer's Report to the JO meeting.

- (a) at the first meeting of the JO after an ordinary election of members of the JO, and
- (b) at the first meeting of the JO after each two year anniversary of that ordinary election until the next ordinary election of members of the JO is held.

14 PECUNIARY INTEREST – REPRESENTATIVES AND STAFF

Voting and Non-Voting representatives or staff, in matters before the JO or Committee meetings, who have a pecuniary interest must disclose the interest and the nature of the interest to the meeting when the declarations of interest are requested.

Voting and Non-Voting representatives or staff must, when the matter is being considered, re-declare their interest and the nature of the interest and leave the room while the matter is being determined.

Voting and Non-Voting representatives and staff should refer to the JO's Code of Conduct for more detailed information.

15 COMMITTEES

15.1 APPOINTMENT AND PURPOSE (CHARTER)

A JO Board may appoint or elect such Committees as it considers necessary (Section 355(b) and (c), (1993) Local Government Act and Local Government (General) 2005 Regulation, Clause 260). The JO

Board will specify the charter of each of its Committees when the committee is appointed or elected, but may from time to time amend those charters, by a resolution of the Board.

Note: Committees are an extension of the JO into a specialised area. They derive any powers they may have from the JO and can exercise these powers through the JO by making recommendations which the JO can adopt, or by acting in accordance with a specific delegation of powers. The JO's Committee structure can vary from time to time in accordance with a specific JO resolution. A list of the JO's Committees is available from the Executive Officer's office.

Each Committee shall regulate its own procedures, subject to compliance with the Local Government Act 1993, Local Government (General) Regulation and the Code of meeting Practice (Clause 265 – local Government (General) Regulation).

15.2 RESPONSIBILITIES

- (a) To consider agenda items, and make recommendations to the JO Board (or decisions, if holding delegated authority from the JO);
- (b) To observe requirements of The Local Government Act (1993), Local Government (General) Regulation (2005) and this Code of Meeting Practice;
- (c) To observe requirements of the Charter given by the JO Board;
- (d) To represent the views of the organisations you represent (if any) on the JO's Committee.

Note: Should a Committee wish to recommend to the JO Board on a matter outside its charter, it should do so by acknowledging this, then recommend the JO refer such matter to the appropriate Committee, for consideration and recommendation.

15.3 PROCEDURAL MATTERS

- (a) Agendas for Committee meetings will be circulated to members and all voting and non-voting representatives at least five (5) days before the meeting. (Local Government (General) Regulation 262).
- (b) The Agenda will include advice as to whether such previous report was adopted by the JO Board, amended and adopted, or rejected.
- (c) Advice – an appropriate employee will attend Committee meetings to advise on agenda matters, if required.

15.4 ABSENCE FROM COMMITTEE MEETINGS

See Clause 268 of the Local Government (General) Regulation.

15.5 ELECTION OF COMMITTEE CHAIRS

See Clause 267 of the Local Government (General) Regulation.

The Chair's responsibility is to ensure that the Committee's charter is implemented and to chair meetings in accordance with the Act, Regulations and Code. The Chair is accountable to the JO Board through the JO Chairperson.

16 CLOSED MEETINGS – PUBLIC SUBMISSIONS

The JO Board or a Committee of the JO of which all the members are Voting Representatives, may close to the public parts of the meeting of the JOs or committees in accordance with Sections 10A, 10B, 10C and 10D of the Local Government Act.

Members of the public must be given the opportunity immediately after a resolution to refer the matter into Confidential Committee has been moved or seconded, to make representations on whether a matter should be dealt with in Confidential Committee or not. The time permitted for each speaker will be one minute and an overall maximum of five minutes (five speakers). (See Clause 252, Local Government (General) Regulation).

16.1 OBLIGATION OF BOARD MEMBERS ATTENDING BY AUDIO VISUAL LINK

Board Members attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

17 EXCLUSION FROM MEETINGS

A Chairpersons of meetings of the Joint Organisation and committees of the Joint Organisation are authorised under this code to expel any person, including any Board Member, from a Joint Organisation or committee meeting, for the purposes of section 10(2)(b) of the Act.

A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Joint Organisation for engaging in or having engaged in disorderly conduct at the meeting.

If a Board Member or member of public is attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the Chairperson of the meeting or a person authorised by the Chairperson, may terminate the Board Member's audio-visual link to the meeting.

18 USE OF MOBILE PHONES AND UNAUTHORISED RECORDINGS

Board Members, Joint Organisation staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Joint Organisation and committees of the Joint Organisation.

A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Joint Organisation or a committee of the Joint Organisation without the prior authorisation of the Joint Organisation or the committee.

19 RECORD OF MEETINGS

The Executive Officer or his/her representative will attend all meetings and will keep an accurate record of proceedings in accordance with section 375(1) of the Local Government Act and the Local Government (General) Regulation, Clause 254 for:

- (a) JO Board meetings;
- (b) JO Committees (Local Government (General) Regulation, Clause 266). Minutes are to be kept and presented to the JO Board for all meetings of Committees, for noting and / or action as appropriate.

Code of Conduct (Draft)

Version	Adoption Date	Authorised by	Approved by	Revision Date
1	25 November 2022	Executive Officer	MNCJO Board	07 March 2025
2	DRAFT	Executive Officer		

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1. INTRODUCTION

This Code of Conduct (“Code of Conduct”) is made for the purposes of section 440 of the Local Government Act 1993 (“the Act”). For the purposes of section 440 of the Act, the Code of Conduct comprises all parts of this document.

Joint Organisation Board Members, members of staff of the Joint Organisation, independent conduct reviewers, members of Joint Organisation committees including a conduct review committee (collectively Joint Organisation Officials) must comply with the applicable provisions of the Joint Organisation’s Code of Conduct in carrying out their functions as Joint Organisation officials. It is the personal responsibility of Joint Organisation officials to comply with the standards in the code and regularly review their personal circumstances with this in mind.

2. GENERAL CONDUCT

2.1 You must not conduct yourself in a manner that:

- a) is likely to bring the Joint Organisation or other Joint Organisation officials into disrepute
- b) is contrary to statutory requirements or the Joint Organisation’s administrative requirements or policies
- c) is improper or unethical
- d) is an abuse of power
- e) causes, comprises or involves intimidation or verbal abuse
- f) involves the misuse of your position to obtain a private benefit
- g) constitutes harassment or bullying behaviour under this code or is unlawfully discriminatory.

2.2 You must act lawfully and honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (*section 439*).

Fairness and Equity

2.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

2.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

Harassment and Discrimination

2.5 You must not harass or unlawfully discriminate against others or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.

2.6 For the purposes of this code, “harassment” is any form of behaviour towards a person that:

- a) is not wanted by the person
- b) offends, humiliates or intimidates the person, and
- c) creates a hostile environment.

Bullying

You must not engage in bullying behaviour towards others.

2.7 For the purposes of this code, “bullying behaviour” is any behaviour in which:

- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
- b) the behaviour creates a risk to health and safety.

2.8 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- a) aggressive, threatening or intimidating conduct
- b) belittling or humiliating comments
- c) spreading malicious rumours
- d) teasing, practical jokes or ‘initiation ceremonies’
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker’s skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

2.9 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a Joint Organisation policy or administrative processes.

Work health and safety

2.10 All Joint Organisation officials owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the Joint Organisation to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons

- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the Joint Organisation to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the Joint Organisation relating to workplace health or safety that has been notified to Joint Organisation staff
- e) report accidents, incidents, near misses, to the Executive Officer or such other staff member nominated by the Executive Officer, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Binding caucus votes

- 2.11 You must not participate in binding caucus votes in relation to matters to be considered at a Joint Organisation or committee meeting.
- 2.12 For the purposes of clause 2.13, a binding caucus vote is a process whereby a group of Board Members are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Joint Organisation or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the Joint Organisation or committee.
- 2.13 Clause 2.13 does not prohibit Board Members from discussing a matter before the Joint Organisation or committee prior to considering the matter in question at a Joint Organisation or committee meeting, or from voluntarily holding a shared view with other Board Members on the merits of a matter.
- 2.14 Clause 2.13 does not apply to a decision to elect the Chairperson or Deputy Chairperson, or to nominate a person to be a member of a Joint Organisation committee or a representative of the Joint Organisation on an external body.

Obligations in relation to meetings

- 2.15 You must comply with rulings by the chair at Joint Organisation and committee meetings or other proceedings of the Joint Organisation unless a motion dissenting from the ruling is passed.
- 2.16 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other Joint Organisation officials or any members of the public present during Joint Organisation or committee meetings or other proceedings of the Joint Organisation (such as, but not limited to, workshops and briefing sessions).
- 2.17 You must not engage in conduct that disrupts Joint Organisation or committee meetings or other proceedings of the Joint Organisation (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

- 2.18 If you are a Board Member, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the Joint Organisation, or of a committee of the Joint Organisation. Without limiting this clause, you must not:
- a) leave a meeting of the Joint Organisation or a committee for the purposes of depriving the meeting of a quorum, or
 - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another Board Member from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.

3. PECUNIARY INTERESTS

What is a pecuniary interest?

- 3.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 3.3.
- 3.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 3.6.
- 3.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 3.4 For the purposes of clause 3.3:
- (a) Your “relative” is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 3.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 3.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or

- (b) just because the person is a member of, or is employed by, a Joint Organisation or a statutory body, or is employed by the Crown, or
- (c) just because the person is a member of, or a delegate of a Joint Organisation to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

3.6 You do not have to disclose the following interests for the purposes of this Part:

- (a) your interest as an elector
- (b) your interest as a ratepayer or person liable to pay a charge
- (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the Joint Organisation in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a Joint Organisation committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the Joint Organisation committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the Joint Organisation of an agreement between the Joint Organisation and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the Joint Organisation of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Joint Organisation in respect of similar matters with other residents of the area:
 - i) the performance by the Joint Organisation at the expense of your relative of any work or service in connection with roads or sanitation

- ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the Joint Organisation by or under any Act conferring functions on the Joint Organisation, or by or under any contract
- (j) an interest relating to the payment of fees to Board Members (including the Chairperson and deputy Chairperson)
- (k) an interest relating to the payment of expenses and the provision of facilities to Board Members (including the Chairperson and Deputy Chairperson) in accordance with a policy under section 252 of the LGA,
- (l) an interest relating to an election to the office of Chairperson arising from the fact that a fee for the following 12 months has been determined for the office of Chairperson
- (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Board Member or a Joint Organisation committee member
- (o) an interest arising from the appointment of a Board Member to a body as a representative or delegate of the Joint Organisation, whether or not a fee or other recompense is payable to the representative or delegate.

3.7 For the purposes of clause 3.6, “relative” has the same meaning as in clause 3.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

3.8 Designated persons include:

- (a) the Executive Officer
- (b) other senior staff of the Joint Organisation for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the Joint Organisation) who is a member of staff of the Joint Organisation or a delegate of the Joint Organisation and who holds a position identified by the Joint Organisation as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest
- (d) a person (other than a member of the senior staff of the Joint Organisation) who is a member of a committee of the Joint Organisation identified by the Joint Organisation as a committee whose members are designated persons because the functions of the committee involve the exercise of the Joint Organisation’s functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member’s duty as a member of the committee and the member’s private interest.

- 3.9 A designated person:
- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
 - (b) must disclose pecuniary interests in accordance with clause 4.10.
- 3.10 A designated person must disclose in writing to the Executive Officer (or if the person is the Executive Officer, to the Joint Organisation) the nature of any pecuniary interest the person has in any Joint Organisation matter with which the person is dealing as soon as practicable after becoming aware of the interest.
- 3.11 Clause 3.10 does not require a designated person who is a member of staff of the Joint Organisation to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.
- 3.12 The Executive Officer must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.
- 3.13 A disclosure by the Executive Officer must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the Joint Organisation and the Joint Organisation must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by Joint Organisation staff other than designated persons?

- 3.14 A member of staff of Joint Organisation, other than a designated person, must disclose in writing to their manager or the Executive Officer the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.
- 3.15 The staff member's manager or the Executive Officer must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by Joint Organisation advisers?

- 3.16 A person who, at the request or with the consent of the Joint Organisation or a Joint Organisation committee, gives advice on any matter at any meeting of the Joint Organisation or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 3.17 A person does not breach clause 3.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a Joint Organisation committee member?

3.18 A Joint Organisation committee member must disclose pecuniary interests in accordance with clause 3.28 and comply with clause 3.29.

3.19 For the purposes of clause 3.18, a “Joint Organisation committee member” includes a member of staff of Joint Organisation who is a member of the committee.

What disclosures must be made by a Board Member?

3.20 A Board Member:

- (a) must prepare and submit written returns of interests in accordance with clause 3.21, and
- (b) must disclose pecuniary interests in accordance with clause 3.28 and comply with clause 3.29 where it is applicable.

Disclosure of interests in written returns

3.21 A Board Member or designated person must make and lodge with the Executive Officer a return in the form set out in schedule 2 to this code, disclosing the Board Member’s or designated person’s interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a Board Member or designated person, and
- (b) 30 June of each year, and
- (c) the Board Member or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

3.22 A person need not make and lodge a return under clause 3.21, paragraphs (a) and (b) if:

- (a) they made and lodged a return under that clause in the preceding 3 months, or
- (b) they have ceased to be a Board Member or designated person in the preceding 3 months.

3.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

3.24 The Executive Officer must keep a register of returns required to be made and lodged with the Executive Officer.

3.25 Returns required to be lodged with the Executive Officer under clause 3.21(a) and (b) must be tabled at the first meeting of the Joint Organisation after the last day the return is required to be lodged.

3.26 Returns required to be lodged with the Executive Officer under clause 3.21(c) must be tabled at the next Joint Organisation meeting after the return is lodged.

3.27 Information contained in returns made and lodged under clause 3.21 is to be made publicly available in accordance with the requirements of the *Government Information*

(Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 3.28 A Board Member or a Joint Organisation committee member who has a pecuniary interest in any matter with which the Joint Organisation is concerned, and who is present at a meeting of the Joint Organisation or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 3.29 The Board Member or Joint Organisation committee member must not be present at, or in sight of, the meeting of the Joint Organisation or committee:
- (a) at any time during which the matter is being considered or discussed by the Joint Organisation or committee, or
 - (b) at any time during which the Joint Organisation or committee is voting on any question in relation to the matter.
- 3.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 3.28 and 3.29 where they participate in the meeting by telephone or other electronic means.
- 3.31 A disclosure made at a meeting of a Joint Organisation or Joint Organisation committee must be recorded in the minutes of the meeting.
- 3.32 A general notice may be given to the Executive Officer in writing by a Board Member or a Joint Organisation committee member to the effect that the Board Member or Joint Organisation committee member, or the Board Member's or Joint Organisation committee member's spouse, de facto partner or relative, is:
- (a) a member of, or in the employment of, a specified company or other body, or
 - (b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the Joint Organisation in which it is given (whichever is the sooner), sufficient disclosure of the Board Member's or Joint Organisation committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the Joint Organisation or Joint Organisation committee after the date of the notice.
- 3.33 A Board Member or a Joint Organisation committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Board Member or Joint Organisation committee member has an interest in the matter of a kind referred to in clause 3.6.
- 3.34 A person does not breach clauses 3.28 or 3.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

- 3.35 Despite clause 3.29, a Board Member who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 3.36 Clause 3.29 does not apply to a Board Member who has a pecuniary interest in a matter that is being considered at a meeting if:
- (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Joint Organisation's area, or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Joint Organisation's area, and
 - (b) the pecuniary interest arises only because of an interest of the Board Member in the Board Member's principal place of residence or an interest of another person (whose interests are relevant under clause 3.3) in that person's principal place of residence, and
 - (c) the Board Member made a special disclosure under clause 3.37 in relation to the interest before the commencement of the meeting.
- 3.37 A special disclosure of a pecuniary interest made for the purposes of clause 3.36(c) must:
- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
 - (b) be laid on the table at a meeting of the Joint Organisation as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 3.38 The Minister for Local Government may, conditionally or unconditionally, allow a Board Member or a Joint Organisation committee member who has a pecuniary interest in a matter with which the Joint Organisation is concerned to be present at a meeting of the Joint Organisation or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- (a) that the number of Board Member prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - (b) that it is in the interests of the electors for the area to do so.
- 3.39 A Board Member or a Joint Organisation committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the Joint Organisation or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 3.38, must still disclose the interest they have in the matter in accordance with clause 3.28.

4. NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 4.1 Non-pecuniary interests are private or personal interests a Joint Organisation official has that do not amount to a pecuniary interest as defined in clause 3.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 4.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 4.3 The personal or political views of a Joint Organisation official do not constitute a private interest for the purposes of clause 4.2.
- 4.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of Joint Organisation decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 4.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 4.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 4.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of Joint Organisation staff other than the Executive Officer, such a disclosure is to be made to the staff member's manager. In the case of the Executive Officer, such a disclosure is to be made to the Chairperson.
- 4.7 If a disclosure is made at a Joint Organisation or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 4.6.
- 4.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.

- 4.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 3.1, but it involves:
- a) a relationship between a Joint Organisation official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 3.4 or another person from the Joint Organisation official's extended family that the Joint Organisation official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
 - c) an affiliation between the Joint Organisation official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a Joint Organisation official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - d) membership, as the Joint Organisation's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the Joint Organisation and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 3.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 4.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a Joint Organisation or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 3.28 and 3.29.
- 4.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

- 4.12 If you are a member of staff of Joint Organisation other than the Executive Officer, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the Executive Officer, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the Chairperson.
- 4.13 Despite clause 4.10(b), a Board Member who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.14 Joint Organisation committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the Joint Organisation committee.

Political donations

- 4.15 Board Member should be aware that matters before Joint Organisation or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 4.16 Where you are a Board Member and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before Joint Organisation,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 3.28 and 3.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 4.17 For the purposes of this Part:
- a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.
- 4.18 Board Member should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a Board Member is endorsed, may still give rise to a non-pecuniary conflict of interest. Board Member should determine whether or not such conflicts are significant for the purposes of clause 4.9 and take the appropriate action to manage them.

- 4.19 Despite clause 4.16, a Board Member who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 4.20 A Board Member who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Joint Organisation's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Joint Organisation's area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the Board Member discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 4.6.

- 4.21 The Minister for Local Government may, conditionally or unconditionally, allow a Board member or a Joint Organisation committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the Joint Organisation or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of Board Member prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

- 4.22 Where the Minister exempts a Board Member or committee member from complying with a requirement under this Part under clause 4.21, the Board Member or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 4.6.

Other business or employment

- 4.23 The Executive Officer must not engage, for remuneration, in private employment, contract work or other business outside the service of the Joint Organisation without the approval of the Joint Organisation.

- 4.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Joint Organisation that relates to the business of the Joint Organisation or that might conflict with the staff member's Joint Organisation duties unless they have notified the Executive Officer in writing of the

employment, work or business and the Executive Officer has given their written approval for the staff member to engage in the employment, work or business.

- 4.25 The Executive Officer may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the Joint Organisation that relates to the business of the Joint Organisation, or that might conflict with the staff member's Joint Organisation duties.
- 4.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Joint Organisation if prohibited from doing so.
- 4.27 Members of staff must ensure that any outside employment, work or business they engage in will not:
- a) conflict with their official duties
 - b) involve using confidential information or Joint Organisation resources obtained through their work with the Joint Organisation including where private use is permitted
 - c) require them to work while on Joint Organisation duty
 - d) discredit or disadvantage the Joint Organisation
 - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with Joint Organisation

- 4.28 You may have reason to deal with your Joint Organisation in your personal capacity (for example, as a ratepayer, recipient of a Joint Organisation service or applicant for a development consent granted by Joint Organisation). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 4.29 You must undertake any personal dealings you have with the Joint Organisation in a manner that is consistent with the way other members of the community deal with the Joint Organisation. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

5. PERSONAL BENEFIT

- 5.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a Joint Organisation official or someone personally associated with them for their personal use and enjoyment.
- 5.2 A reference to a gift or benefit in this Part does not include:
- a) items with a value of \$10 or less
 - b) a political donation for the purposes of the *Electoral Funding Act 2018*
 - c) a gift provided to the Joint Organisation as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any

individual Joint Organisation official or someone personally associated with them

- d) a benefit or facility provided by the Joint Organisation to an employee or Board Member
- e) attendance by a Joint Organisation official at a work-related event or function for the purposes of performing their official duties, or
- f) free or subsidised meals, beverages or refreshments provided to Joint Organisation officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as Joint Organisation-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) Joint Organisation functions or events
 - v) social functions organised by groups, such as Joint Organisation committees and community organisations.

Gifts and benefits

5.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the Joint Organisation, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

5.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

5.5 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 5.7, accept any gift or benefit of more than token value as defined by clause 5.9
- e) accept an offer of cash or a cash-like gift as defined by clause 5.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the Joint Organisation being in or entering into a customer–supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the Joint Organisation.

5.6 Where you receive a gift or benefit of any value other than one referred to in clause 5.2, you must disclose this promptly to your manager or the Executive Officer in writing.

The recipient, manager, or Executive Officer must ensure that, at a minimum, the following details are recorded in the Joint Organisation's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

- 5.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the Joint Organisation, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

- 5.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- b) gifts of alcohol that do not exceed a value of \$100
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

- 5.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 5.5(d) and, subject to clause 5.7, must not be accepted.

- 5.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

- 5.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.

- 5.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

"Cash-like gifts"

- 5.13 For the purposes of clause 5.5(e), "cash-like gifts" include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or

internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 5.14 You must not use your position to influence other Joint Organisation officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A Board Member will not be in breach of this clause where they seek to influence other Joint Organisation officials through the proper exercise of their role as prescribed under the LGA.
- 5.15 You must not take advantage (or seek to take advantage) of your status or position with Joint Organisation, or of functions you perform for Joint Organisation, in order to obtain a private benefit for yourself or for any other person or body.

6. RELATIONSHIPS BETWEEN JO OFFICIALS

Obligations of Board Member and administrators

- 6.1 Each Joint Organisation is a body politic. The Board Member or administrator/s are the governing body of the Joint Organisation. Under section 223 of the LGA, the role of the governing body of the Joint Organisation includes the development and endorsement of the strategic plans, programs, strategies and policies of the Joint Organisation, including those relating to workforce policy, and to keep the performance of the Joint Organisation under review.
- 6.2 Board Member or administrators must not:
- a) direct Joint Organisation staff other than by giving appropriate direction to the Executive Officer by way of Joint Organisation or committee resolution, or by the Chairperson or administrator exercising their functions under section 226 of the LGA
 - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the Joint Organisation or a delegate of the Joint Organisation in the exercise of the functions of the staff member or delegate
 - c) contact a member of the staff of the Joint Organisation on Joint Organisation-related business unless in accordance with the policy and procedures governing the interaction of Board Member and Joint Organisation staff that have been authorised by the Joint Organisation and the Executive Officer
 - d) contact or issue instructions to any of the Joint Organisation's contractors, including the Joint Organisation's legal advisers, unless by the Chairperson or administrator exercising their functions under section 226 of the LGA.
- 6.3 Despite clause 7.2, Board Member may contact the Joint Organisation's external auditor or the chair of the Joint Organisation's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of staff

- 6.4 Under section 335 of the LGA, the role of the Executive Officer includes conducting the day-to-day management of the Joint Organisation in accordance with the strategic plans, programs, strategies and policies of the Joint Organisation, implementing without undue delay, lawful decisions of the Joint Organisation and ensuring that the Chairperson and other Board Member are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 6.5 Members of staff of Joint Organisation must:
- a) give their attention to the business of the Joint Organisation while on duty
 - b) ensure that their work is carried out ethically, efficiently, economically and effectively
 - c) carry out reasonable and lawful directions given by any person having authority to give such directions
 - d) give effect to the lawful decisions, policies and procedures of the Joint Organisation, whether or not the staff member agrees with or approves of them
 - e) ensure that any participation in political activities outside the service of the Joint Organisation does not interfere with the performance of their official duties.

Inappropriate interactions

- 6.6 You must not engage in any of the following inappropriate interactions:
- a) Board Member and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
 - b) Joint Organisation staff approaching Board Member and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
 - c) subject to clause 8.6, Joint Organisation staff refusing to give information that is available to other Board Members to a particular Board Member
 - d) Board Member and administrators who have lodged an application with the Joint Organisation, discussing the matter with Joint Organisation staff in staff-only areas of the Joint Organisation
 - e) Board Member and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the Board Member or administrator has a right to be heard by the panel at the meeting
 - f) Board Member and administrators being overbearing or threatening to Joint Organisation staff
 - g) Joint Organisation staff being overbearing or threatening to Board Member or administrators
 - h) Board Member and administrators making personal attacks on Joint Organisation staff or engaging in conduct towards staff that would be contrary

to the general conduct provisions in Part 2 of this code in public forums including social media

- i) Board Member and administrators directing or pressuring Joint Organisation staff in the performance of their work, or recommendations they should make
- j) Joint Organisation staff providing ad hoc advice to Board Member and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) Joint Organisation staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) Board Member attending on-site inspection meetings with lawyers and/or consultants engaged by the Joint Organisation associated with current or proposed legal proceedings unless permitted to do so by the Joint Organisation's Executive Officer or, in the case of the Chairperson or administrator, unless they are exercising their functions under section 226 of the LGA.

7. ACCESS TO INFORMATION AND RESOURCES

Board Member and administrator access to information

- 7.1 The Executive Officer is responsible for ensuring that Board Member and administrators can access information necessary for the performance of their official functions. The Executive Officer and public officer are also responsible for ensuring that members of the public can access publicly available Joint Organisation information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 7.2 The Executive Officer must provide Board Member and administrators with the information necessary to effectively discharge their official functions.
- 7.3 Members of staff of Joint Organisation must provide full and timely information to Board Member and administrators sufficient to enable them to exercise their official functions and in accordance with Joint Organisation procedures.
- 7.4 Members of staff of Joint Organisation who provide any information to a particular Board Member in the performance of their official functions must also make it available to any other Board Member who requests it and in accordance with Joint Organisation procedures.
- 7.5 Board Member and administrators who have a private interest only in Joint Organisation information have the same rights of access as any member of the public.
- 7.6 Despite clause 7.4, Board Member and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to Joint Organisation information in relation to the matter unless the information is otherwise available to members of the public, or the Joint Organisation has determined to make the information available under the GIPA Act.

Board Member and administrators to properly examine and consider information

- 7.7 Board Member and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 7.8 Where the Executive Officer or public officer determine to refuse access to information requested by a Board Member or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the Board Member or administrator to perform their official functions (see clause 7.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 7.6). The Executive Officer or public officer must state the reasons for the decision if access is refused.

Use of certain Joint Organisation information

- 7.9 In regard to information obtained in your capacity as a Joint Organisation official, you must:
- a) subject to clause 7.14, only access Joint Organisation information needed for Joint Organisation business
 - b) not use that Joint Organisation information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with Joint Organisation
 - d) only release Joint Organisation information in accordance with established Joint Organisation policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 7.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 7.11 In addition to your general obligations relating to the use of Joint Organisation information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
 - b) protect confidential information
 - c) only release confidential information if you have authority to do so
 - d) only use confidential information for the purpose for which it is intended to be used
 - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
 - f) not use confidential information with the intention to cause harm or detriment to the Joint Organisation or any other person or body

- g) not disclose any confidential information discussed during a confidential session of a Joint Organisation or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

7.12 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) the Joint Organisation's privacy management plan
- e) the Privacy Code of Practice for Local Government

Use of Joint Organisation resources

7.13 You must use Joint Organisation resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

7.14 Union delegates and consultative committee members may have reasonable access to Joint Organisation resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

7.15 You must be scrupulous in your use of Joint Organisation property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

7.16 You must avoid any action or situation that could create the appearance that Joint Organisation property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

7.17 You must not use Joint Organisation resources (including Joint Organisation staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

7.18 You must not use the Joint Organisation letterhead, Joint Organisation crests, Joint Organisation email or social media or other information that could give the appearance it is official Joint Organisation material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

- 7.19 You must not convert any property of the Joint Organisation to your own use unless properly authorised.

Internet access

- 7.20 You must not use Joint Organisation's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the Joint Organisation's reputation.

Joint Organisation record keeping

- 7.21 You must comply with the requirements of the *State Records Act 1998* and the Joint Organisation's records management policy.
- 7.22 All information created, sent and received in your official capacity is a Joint Organisation record and must be managed in accordance with the requirements of the *State Records Act 1998* and the Joint Organisation's approved records management policies and practices.
- 7.23 All information stored in either soft or hard copy on Joint Organisation supplied resources (including technology devices and email accounts) is deemed to be related to the business of the Joint Organisation and will be treated as Joint Organisation records, regardless of whether the original intention was to create the information for personal purposes.
- 7.24 You must not destroy, alter, or dispose of Joint Organisation information or records, unless authorised to do so. If you need to alter or dispose of Joint Organisation information or records, you must do so in consultation with the Joint Organisation's records manager and comply with the requirements of the *State Records Act 1998*.

8. MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

- 8.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 8.2 For the purposes of clause 8.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another Joint Organisation official
 - b) to damage another Joint Organisation official's reputation
 - c) to obtain a political advantage
 - d) to influence a Joint Organisation official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - e) to influence the Joint Organisation in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - f) to avoid disciplinary action under the Procedures

- g) to take reprisal action against a person for making a complaint alleging a breach of this code
- h) to take reprisal action against a person for exercising a function prescribed under the Procedures
- i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 8.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 8.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 8.5 For the purposes of clauses 8.3 and 8.4, a detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 8.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 8.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 8.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

- 8.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 8.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 8.11 You must not make allegations about, or disclose information about, suspected breaches of this code at Joint Organisation, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 8.12 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the

purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

- 8.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 8.14 Complaints alleging a breach of this Part by a Board Member to the Executive Officer or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the Joint Organisation for consideration in accordance with the Procedures.

Complaints alleging a breach of this Part by other Joint Organisation officials are to be managed by the Executive Officer in accordance with the Procedures.

9. DEFINITIONS

In this code the following terms have the following meanings:

administrator	an administrator of a Joint Organisation appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of “Joint Organisation committee”
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
Joint Organisation	includes county Joint Organisations and joint organisations
Joint Organisation committee	a committee established by a Joint Organisation comprising of Joint Organisationlors, staff or other persons that the Joint Organisation has delegated functions to and the Joint Organisation’s audit, risk and improvement committee
Joint Organisation committee member	a person other than a Joint Organisationlor or member of staff of a Joint Organisation who is a member of a Joint Organisation committee other than a wholly advisory committee, and a person other than a Joint Organisationlor who is a member of the Joint Organisation’s audit, risk and improvement committee
Joint Organisation official	includes Joint Organisationlors, members of staff of a Joint Organisation, administrators, Joint Organisation committee

	members, delegates of Joint Organisation and, for the purposes of clause 4.16, Joint Organisation advisers
Joint Organisationlor	any person elected or appointed to civic office, including the Chairperson and includes members and chairpersons of county Joint Organisations and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of Joint Organisation	a person (other than a Joint Organisationlor or member of staff of a Joint Organisation) or body, and the individual members of that body, to whom a function of the Joint Organisation is delegated
designated person	a person referred to in clause 4.8
election campaign	includes Joint Organisation, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
Executive Officer	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 4000 of the LGA
LGA	<i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
Chairperson	includes the chairperson of a county Joint Organisation or a joint organisation
members of staff of a Joint Organisation	includes members of staff of county Joint Organisations and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion

the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Joint Organisations in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a Joint Organisation committee that the Joint Organisation has not delegated any functions to

Debit/Credit Card Use Policy and Procedure (DRAFT)

Version	Adoption Date	Authorised by	Approved by	Revision Date
1	DRAFT	Executive Officer	MNCJO Board	
2				

Debit/Credit Card Use Policy

1 Purpose

Corporate Debit/Credit Cards can often be an efficient procurement method for low risk purchases where other methods of payment are unavailable. The purpose of this Policy is to provide a clear framework to enable the appropriate use of corporate Debit/Credit cards issued to MNCJO staff, and where relevant and appropriately approved, other parties such as selected sub-contractors.

The Mid North Coast Joint Organisation (MNCJO) commits itself to ensuring that an accountable Debit/Credit card expenditure framework is established to regulate usage of corporate Debit/Credit cards.

This policy aims to incorporate necessary controls to support the mitigation of risks associated with corporate card usages whilst acknowledging they are an alternative procurement method which can be a more efficient and effective payment management system.

2 Scope

This policy applies to all MNCJO staff and any other approved parties who are issued with a corporate Debit/Credit card to undertake appropriate transactions in the course of their official business.

MNCJO staff who are issued with a corporate Debit/Credit card must also hold a delegation from the Executive Officer authorising them to do so.

3 Eligibility

The Executive Officer has been issued with a Debit/Credit card authorised by the MNCJO Board. A request for additional cards for staff will be approved by the Executive Officer.

If the MNCJO has at any time more than one Debit/Credit card an up-to-date Debit/Credit card register including details of card ownership, limits and delegations must be kept in support of this policy and included as an attachment, and provided alongside any review of this policy, such as in annual audit, general risk management and Audit Risk Improvement Committee activities.

4 Debit/Credit limits

The Corporate Debit/Credit card has a limit of \$5,000. Any changes will be determined by the Executive Officer and agreed to by the MNCJO Board.

Aggregation of purchases is not permitted. Order splitting to stay under the purchasing limits is illegal.

5 Condition of use

Debit/Credit cards must only be used for official MNCJO business, such as travelling expenses, training activities and general goods and services purchases. Debit/Credit cards may also be used for over the counter or e-commerce transactions (over the phone or internet).

Debit/Credit cards must **not** be used for:

- i. Cash advances
- ii. Purchases that are beyond expenditure limits or entitlements
- iii. To purchase any goods or services for personal benefit
- iv. Not for personal use; and
- v. The payment of fines, even where these are incurred while the cardholder is engaged in MNCJO business.

Corporate Debit/Credit cards are not to be used for private or unauthorised transactions. Cardholders will be personally liable for purchases that cannot be shown to be related to MNCJO business.

Corporate Debit/Credit cards should only be used in situations where it is not reasonably possible to go through MNCJO's standard procurement process for the ordering and/or payment of goods and services

6 Cardholder responsibilities

- a. Cardholders will be personally responsible and accountable for the safekeeping of the card
- b. All transaction slips and supporting tax invoices are to be retained.
- c. Lost or stolen cards are to be cancelled immediately and reported to Executive Officer and the Finance Manager.

7 Reconciliation

- a. Corporate Debit/Credit card holders will be distributed with monthly statements. The cardholder must reconciliation process and provide receipts to the finance manager within five (5) working days of the 28th of the month, in alignment with the end of the Debit/Credit card cycle
- b. Monthly reconciliations are to be signed off by the card holder and sent to the finance manager for processing.
- c. The finance manager is to ensure the reconciliation balances and all transactions are within the MNCJO Debit/Credit/Card Policy.

8 Disputed purchases

In the event a dispute occurs, the cardholder should notify the Executive Officer and attempt to correct the situation with the Merchant. In many cases, a simple telephone call can resolve any problems without delay. Should this not be the case, the finance manager will attempt to resolve the matter with the bank particularly for matters such as duplicate charges, non-receipt of goods ordered, or Debit/Credits not processed.

9 Breach of policy

All suspected breaches of this policy must be immediately reported to the Executive Officer or the Finance Manager for investigation

Failure to adhere with provisions outlined in this policy or the misuse of funds may result in suspension or cancellation of a corporate Debit/Credit card and/or disciplinary action.

10 Variation

MNCJO reserves the right to vary the terms and conditions of this policy, subject to a report to the MNCJO board and subject to their final approval.

END OF POLICY

DRAFT

Attachment A – Debit/Credit Card Register

MNCJO DEBIT/CREDIT CARD REGISTER					
AUTHORISED CARD HOLDER	CARD LIMIT	DELEGATION LEVEL	PROJECT	AUTHORISATION DATE	AUTHORISATION SPECIFICS
Executive Officer	\$5,000	\$250,000			

Policy Framework (DRAFT)

Version	Adoption Date	Authorised by	Approved by	Revision Date
1	DRAFT	Executive Officer	MNCJO Board	
2				

1. Purpose

The purpose of the Policy Framework is to provide direction for the creation, review, amendment, and rescission of Mid North Coast Joint Organisation policies.

2. Statement

Mid North Coast Joint Organisation (MNCJO) is committed to following the Policy Framework (Framework) to:

- implement and execute strategy;
- establish standards of employee and Councillor behaviour;
- promote governance best practice and manage risk;
- comply with legislative requirements; and
- effectively run the business of MNCJO.

3. Scope

The Framework applies to all employees and Councillors, and to all policies, procedures, and guidelines, developed for and on behalf of MNCJO.

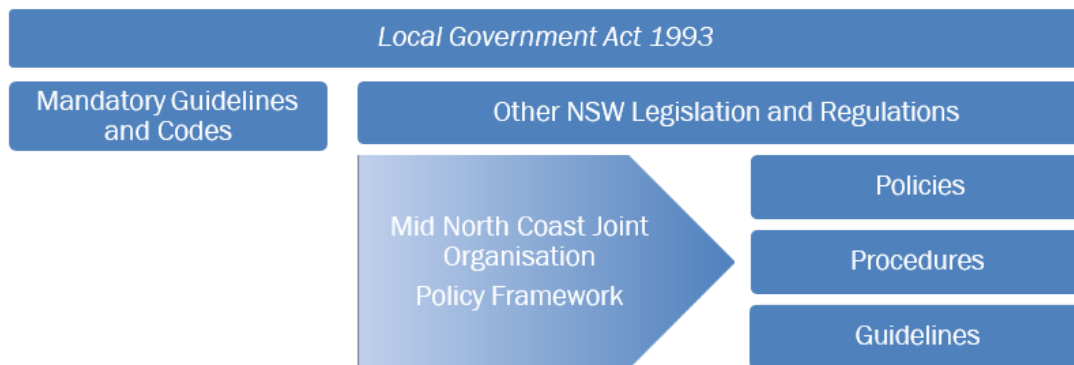
4. Principles

All policies, procedures, and guidelines must be:

- clear, simple to read, and easily understood;
- created, reviewed, amended, and rescinded as per the legislative requirements;
- approved by the MNCJO Board;
- communicated to, and easily accessible by, all employees and Councillors (where appropriate); and
- must not be contrary to current legislation, regulation, or policy.

5. Policy Framework Hierachy

The Policy Framework fits within MNCJO's broader governance structure under the *Local Government Act 1993*.



5.1 Policies

A policy is a formal document containing a mandatory statement of principles that set direction for our strategy, governance and risk management, legal requirements, values, and operations.

Policies outline what we as employees must do to deliver our regional strategic vision. They provide an approved way of operating and consistency in decision making in relation to a particular matter. This in turn reduces MNCJO's risk exposure.

Mid North Coast Joint Organisation produces two types of policies:

- External policies** - support strategy, governance and risk management, or comply with legislative requirements; and
- Internal policies** - establish our values, support MNCJO operations, or legislative requirements.

5.1.1 Authorisation

All policies must be authorised by the MNCJO Board.

5.1.2 Consultation

Consultation for all policies should be presented to the following stakeholders:

- Audit, Risk and Improvement Committee
- The General Managers Advisory Committee
- The MNCJO Board

5.2 Procedures

A procedure is a formal document containing a mandatory process, practice, or action required to implement and comply with a policy. While policies outline what we must do as employees, procedures tell us how we must do it, to meet the principles contained in the policy.

5.3 Guidelines

A guideline is a non-mandatory document that suggests steps or methods to help implement a policy or procedure. A guideline provides additional support, or guidance, to help accurately interpret a policy, and/or action a procedure.

5.4 Frameworks

A Framework is an overarching collection of resources such as policies, procedures, and guidelines which provide direction on a specific topic or business function. A framework may also include video and interactive online modules. A Framework may or may not be formalised by a document such as this one.

6. Reporting

A status report will be provided annually to the MNCJO Board - outlining the status of internal and external policies;

The format and information provided will be determined by the Executive Officer.

7. Records Management

All policies, procedures and guidelines must be:

- a. Registered on the MNCJO Policy Register;
- b. Added to the MNCJO website www.mncjo.nsw.gov.au (external policies)
- c. Stored on the shared MNCJO OneDrive (all policies, procedures, and guidelines).

8. References and Related Documents

- [Local Government Act 1993](#)
- [Local Government \(State\) Award 2020](#)
- [Work Health and Safety Act 2011](#)
- Other legislation as appropriate

9. Responsible Officer

For more information on the Policy Framework or its associated documents please contact the Executive Officer. (Executive.officer@mncjo.nsw.gov.au)

Public Interest and Disclosures Policy (V2 DRAFT)

Version	Adoption Date	Authorised by	Approved by	Revision Date
1	10/08/2018	Executive Officer	MNCJO Board	August 19 2024
2	DRAFT	Executive Officer	MNCJO Board	

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Purpose

Mid North Coast Joint Organisation (MNCJO) is required to have a Public Interest Disclosure (PID) Policy under section 42 of the Public Interest Disclosures Act 2022 (PID Act). The purpose of the PID Policy is to outline:

- a. how MNCJO will support and protect a person who comes forward with a report of serious wrongdoing;
- b. how MNCJO will deal with the report and MNCJO's other responsibilities under the PID Act;
- c. who to contact to make a report;
- d. how to make a report; and
- e. the protections which are available under the PID Act.

This policy also documents MNCJO's commitment to building a speak up culture. Part of that speak up culture is having in place a framework that facilitates public interest reporting of wrongdoing by protecting those who speak up from detrimental action and ensuring those who receive reports of wrongdoing take appropriate action to investigate or otherwise deal with them. In NSW, that framework is the PID Act.

Accessibility of this policy

This policy is available on the MNCJO publicly available website.

A copy of the policy is also sent to all staff of MNCJO on their commencement.

This policy is stored on the MNCJO OneDrive for all staff to access..

Scope

This policy applies to, and for the benefit of, all public officials in NSW. You are a public official if you are:

- a. MNCJO employee;
- b. Council employee;
- c. Councillor;
- d. contractor, subcontractor, or volunteer who provides services, or exercises functions, on behalf of MNCJO; or
- e. worker for an entity (such as a non-government organisation) who is contracted by MNCJO to provide services or exercise functions on behalf of MNCJO - if they are involved in undertaking that contracted work.

The Executive Officer, other nominated disclosure officers and managers within MNCJO have specific responsibilities under the PID Act. This policy also provides information on how people in these roles will fulfil their responsibilities.

Other public officials who work in and for the public sector, but do not work for MNCJO may use this policy if they want information on who they can report wrongdoing to within MNCJO.

Other public officials, who do not work for MNCJO, may use this policy for information on how to report wrongdoing within MNCJO.

The PID Policy does **not** apply to:

- a. people who have received services from MNCJO i.e. members of the general public who want to make a complaint about those services;

- b. people such as contractors or suppliers who provide services **to** (not on behalf of) MNCJO, for example, an employee of a company that sold computer software to MNCJO; or
- c. people engaged as consultants - consultants are not considered public officials under the PID Act.

This means that if a person is not an employee, Councillor, volunteer, contractor or subcontractor (providing services on behalf of MNCJO), this policy does not apply to their complaint, however, complaints can still be made to MNCJO at executive.officer@mncjo.nsw.gov.au

Principles

To ensure our obligations under the PID Act are met, MNCJO will provide:

- a. information on ways to make a voluntary PID under the PID Act;
- b. the names and contact details for nominated disclosure officers;
- c. the roles and responsibilities of people who hold particular roles at MNCJO under the PID Act;
- d. what information is received after making a voluntary PID;
- e. protections available to those who make a report of serious wrongdoing under the PID Act and what MNCJO will do to protect them;
- f. procedures for dealing with disclosures;
- g. procedures for managing the risk of detrimental action and how to report detrimental action;
- h. record-keeping and reporting requirements; and
- i. how MNCJO will comply with the PID Act and this policy.

If you require further information about this policy, how public interest disclosures will be handled and the PID Act you can:

- confidentially contact a nominated disclosure officer within MNCJO
- contact the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au, or
- access the NSW Ombudsman's PID guidelines which are available on its website.

If you require legal advice with respect to the PID Act or your obligations under the PID Act, you may need to seek independent legal advice.

1. How to make a report of serious wrongdoing

(a) Reports, complaints and grievances

When a public official reports suspected or possible wrongdoing in the public sector, their report will be a PID if it has certain features which are set out in the PID Act.

Some internal complaints or internal grievances may also be PIDs, as long as they have the features of a PID. If an internal complaint or grievance is a report of serious wrongdoing, we will consider whether it is a PID. If it is a PID, we will deal with it as set out in this policy, but we will also make sure we follow our Code of Conduct.

It is important that we quickly recognise that we have received a PID. This is because once a PID is received, the person who has made the report is entitled to certain protections and we have certain decisions that we have to make on how we will deal with the PID and how we will protect and support the person who has made the report.

(b) When will a report be a PID?

There are three types of PIDs in the PID Act. These are:

2. **Voluntary PID:** This is a PID where a report has been made by the public official because they decided, of their own accord, to come forward and disclose what they know.
3. **Mandatory PID:** This is a PID where the public official has made a report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
4. **Witness PID:** This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

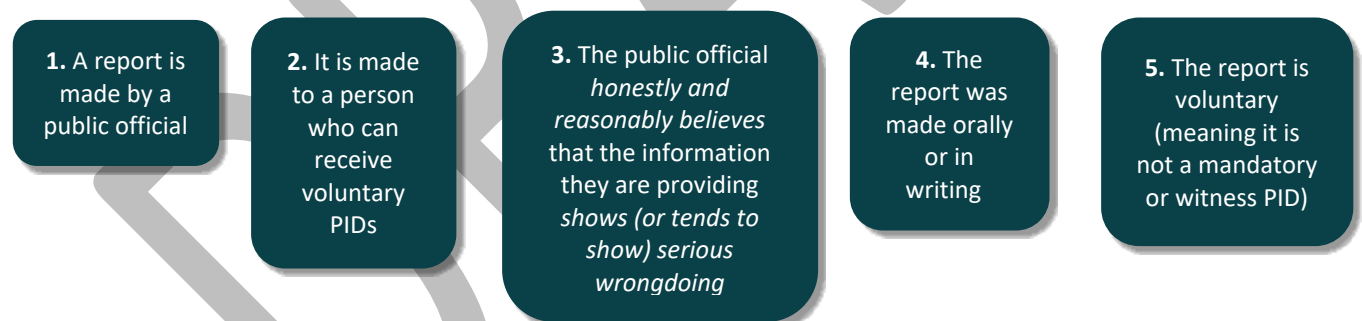
This policy mostly relates to making a voluntary PID and how we will deal with voluntary PIDs. People who make a mandatory PID or a witness PID are still entitled to protection. More information about protections is available in section 2 of this policy.

You can find more information about mandatory and witness PIDs in the Ombudsman's guidelines [Dealing with mandatory PIDs](#) and [Dealing with witness PIDs](#).

Voluntary PIDs are the kind of PIDs most people have in mind when they think about public interest reporting and 'whistleblowing'.

They involve a public official making a report because they have information that they believe shows (or tends to show) serious wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.

A report is a voluntary PID if it has the following five features, which are set out in sections 24 to 27 of the PID Act:



If the report has all five features, it is a voluntary PID.

A public official will not be expected to prove that what was reported actually happened or is serious wrongdoing. They do have to honestly believe, on reasonable grounds, that the information reported shows or tends to show serious wrongdoing.

Even though a public official does not have to prove the serious wrongdoing happened, or provide evidence, a mere allegation with no supporting information is unlikely to meet this test.

If MNCJO make an error and do not identify that a voluntary PID has been made, the person who made the report will still be entitled to the protections under the PID Act.

If a person makes a report and believes an error has been made by not identifying a voluntary PID, this should be raised with a nominated disclosure officer, or contact officer for the report. If not satisfied with this outcome, the report maker may seek an internal review, or MNCJO may seek to conciliate the matter.

Public officials may also contact the NSW Ombudsman. Further information on rights to internal review and conciliation is found in section 7 of this policy.

(c) Who can make a voluntary PID?

Any public official can make a voluntary PID — see ‘Who this policy applies to’. You are a public official if:

- a. MNCJO employee; or
- b. Council employee;
- c. Councillor; or
- d. contractor, subcontractor, or volunteer who provides services, or exercises functions, **on behalf of** MNCJO; or
- e. worker for an entity (such as a non-government organisation) who is contracted by MNCJO to provide services or exercise functions **on behalf of** MNCJO - if they are involved in undertaking that contracted work.

A public official can make a PID about serious wrongdoing relating to any public agency, not just MNCJO. This means that MNCJO may receive PIDs from public officials outside of MNCJO. It also means that public officials within MNCJO can make a PID to any agency, including an integrity agency like the Independent Commission Against Corruption (ICAC) and the NSW Ombudsman. See [Annexure B](#) for a list of integrity agencies.

(d) What is serious wrongdoing?

Reports must be of one or more of the following categories of *serious wrongdoing* to be a voluntary PID (in addition to having the other features set out here). Serious wrongdoing is defined in the PID Act as:

- *corrupt conduct* — such as a public official accepting a bribe
- *serious maladministration* — such as MNCJO systemically failing to comply with proper recruitment processes when hiring staff
- *a government information contravention* — such as destroying, concealing or altering records to prevent them from being released under a Government Information Public Access application
- *a local government pecuniary interest contravention* — such as a senior staff member recommending a family member for a MNCJO contract and not declaring the relationship
- *a privacy contravention* — such as unlawfully accessing a person’s personal information on an agency’s database
- *a serious and substantial waste of public money* — such as an agency not following a competitive tendering process when contracting with entities to undertake government work.

When a person makes a report to MNCJO, they do not need to state what category of serious wrongdoing they are reporting, or even that they are reporting serious wrongdoing.

For more information see the Ombudsman’s guideline [What is serious wrongdoing?](#)

(e) Who can I make a voluntary PID to?

For a report to be a voluntary PID, it must be made to certain public officials.

Making a report to a public official who works for MNCJO

You can make a report inside MNCJO to:

- a. the Executive Officer;
- b. a disclosure officer or disclosure coordinator - see [Annexure A](#);
- c. manager - to whom the public official reports directly or indirectly, or a public official who directly or indirectly supervises the report maker. Some public officials may have more than one manager. The manager must ensure the report is communicated to a disclosure officer on the public official's behalf, or, may accompany the report maker while they make the report to a disclosure officer.

Note: for a contractor, subcontractor, or volunteer, or an employee, partner or officer of an entity that provides services **on behalf** of MNCJO or exercises functions of MNCJO, their manager is the public official at MNCJO who oversees those services or functions, or manages the relevant contract, or volunteering arrangement

Making a report to a recipient outside of MNCJO

A report can be made to a public official in another agency (meaning an agency outside of MNCJO) or an integrity agency. This includes:

- a. the head of another agency - this means the head of any public service agency;
- b. an integrity agency - see [Annexure B](#);
- c. a disclosure officer for another agency - ways to contact disclosure officers for other agencies can be found in an agency's PID policy on their public website; and
- d. a Minister or a member of a Minister's staff but the report must be made in writing.

If making a disclosure outside of MNCJO, it is possible that it will be referred back to MNCJO so that appropriate action can be taken.

Making a report to a Member of Parliament or journalist

A disclosure to a Member of Parliament (MP) or journalist is different to other reports. A public official can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:

- a. they have first made substantially the same disclosure (previous disclosure) to someone who can receive disclosures; and
- b. the previous disclosure must be substantially true; and
- c. they did not make the previous disclosure anonymously; and
- d. they did not give a written waiver of right to receive information relating to the previous disclosure; and
- e. they did not receive the following from MNCJO:
 - notification that MNCJO will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency; or
 - the following information at the end of the investigation period:
 - i. notice of MNCJO decision to investigate the serious wrongdoing;
 - ii. a description of the results of an investigation into the serious wrongdoing; and
 - iii. details of proposed or recommended corrective action as a result of the previous disclosure or investigation.

Investigation period means:

- a. after six months from the previous disclosure being made, or
- b. after 12 months if applying for an internal review of MNCJO's decision within six months of making the disclosure.

If all the above requirements are met, a disclosure to an MP or journalist may be a voluntary PID.

(f) What form should a voluntary PID take?

A voluntary PID may be made:

- *in writing* - this could be an email or letter to a person who can receive voluntary PIDs;
- orally - a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone, or virtually; or
- *anonymously* - write an email or letter or call a person who can receive PIDs to make a report without providing a name or anything that might identify the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. Even if a person chooses to remain anonymous, they will still be protected under the PID Act. It may be difficult, however, to investigate the matter(s) disclosed if MNCJO cannot contact the person for further information;

(g) What should I include in my report?

Provide as much information as possible to enable MNCJO to deal with the report effectively. The following information should be included:

- a. date, time, and location of key events;
- b. names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved;
- c. the report maker's relationship with the person(s) involved, such as whether they work closely with them;
- d. an explanation of the matter being reported;
- e. how the report maker became aware of the matter being reported;
- f. possible witnesses; and
- g. any other information that supports the report.

(h) What if I am not sure if my report is a PID?

Public officials should report all wrongdoing they become aware of regardless of whether they think it is serious wrongdoing. It is important for MNCJO to understand what is or may be occurring.

MNCJO are then responsible for making sure the report is handled appropriately under the PID Act, or if it is not a PID, in line with other procedures. Even if the report is not a PID, it may fall within another of MNCJO's policies for dealing with reports, allegations, or complaints.

(i) Deeming that a report is a voluntary PID

The Executive Officer can, in certain circumstances, determine that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. This is known as the 'deeming power'.

By deeming that a report is a voluntary PID, it ensures that the public official is provided with protections under the PID Act.

If a public official makes a report that has not met all the requirements of a voluntary PID, they may refer the matter to the Executive Officer and request that they consider deeming the report to be a voluntary PID.

A decision to deem a report to be a voluntary PID is at the discretion of the Executive Officer. For more information see the Ombudsman's guideline [Deeming that a disclosure is a voluntary PID](#).

(j) Who can I talk to if I have questions or concerns?

Further information about this policy, how public interest disclosures will be handled, or the PID Act, contact:

- a. a disclosure officer - see [Annexure A](#);
- b. the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au; or
- c. access the NSW Ombudsman's PID guidelines at www.ombo.nsw.gov.au.

For legal advice with respect to the PID Act or obligations under the PID Act seek independent legal advice.

2. Protections

(a) How is the maker of a voluntary PID protected?

When a public official makes a voluntary PID they receive special protections under the PID Act. MNCJO are committed to taking all reasonable steps to protect a person from detriment as a result of having made a PID. MNCJO are also committed to maintaining a person's confidentiality as much as possible while the PID is being dealt with.

MNCJO will not tolerate any type of detrimental action being taken against a person because they have made a report, might make a report or are believed to have made a report.

The maker of a voluntary PID is protected in the following ways:

- *Protection from detrimental action*
 - a. A person cannot take detrimental action against another person because they have made a voluntary PID or are considering making a PID. Detrimental action includes bullying, harassment, intimidation or dismissal.
 - b. Once MNCJO become aware that a voluntary PID by a person employed or otherwise associated with MNCJO that concerns serious wrongdoing relating to MNCJO has been made, MNCJO will undertake a risk assessment and take steps to mitigate the risk of detrimental action occurring against the person who made the voluntary PID.
 - c. It is a criminal offence for someone to take detrimental action against a person because they have made or may make a voluntary PID. It is punishable by a maximum penalty of 200 penalty units, or imprisonment for five years, or both.
 - d. A person may seek compensation where unlawful detrimental action has been taken against them.
 - e. A person can apply for a court order (injunction) where detrimental action is threatened or has occurred, for example, an order to prevent dismissal or to require reinstatement.

Note: a person who makes a PID can still be subject to reasonable management action such as ordinary performance reviews and performance management. Provided such action is not taken because of the PID it is not detrimental action under the PID Act.

- *Immunity from civil and criminal liability*

Some public officials are subject to a duty of confidentiality that prevents them disclosing certain information that they obtain or become aware of at work. Sometimes, in order to make a PID, public

officials will need to breach or disregard such confidentiality duties. If that happens, a public official cannot be disciplined, sued or criminally charged for breaching confidentiality.

- *Confidentiality*

Public officials and MNCJO must not disclose information tending to identify a person as the maker of a voluntary PID unless doing so is permitted by the PID Act.

- *Protection from liability for own past conduct*









The Attorney General can give the maker an undertaking that a disclosure of their own past conduct will not be used against them if a person discloses their own wrongdoing or misconduct while making a report. This undertaking can only be given on application by an integrity agency to the Attorney General.

(b) Protections for people who make mandatory and witness PIDs

Apart from PIDs that are made voluntarily by public officials, there are other types of reports that are recognised as PIDs under the PID Act:

- *A mandatory PID:* This is a PID where the public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
- *A witness PID:* This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator

Protections for makers of mandatory and witness PIDs are detailed in the table below.

Protection	Mandatory PID	Witness PID
Detrimental action — It is an offence to take detrimental action against a person based on the suspicion, belief or awareness that a person has made, may have made or may make a PID.		
Right to compensation — A person can initiate proceedings and seek compensation for injury, damage or loss suffered as a result of detrimental action being taken against them.		
Ability to seek injunction — An injunction can be sought to prevent the commission or possible commission of a detrimental action offence against a person. For example, an order to prevent dismissal or to require reinstatement.		
Immunity from civil and criminal liability — a person will not incur civil or criminal liability if the person breaches a duty of confidentiality while making a disclosure. This means that legal action cannot be taken against a person for: <ul style="list-style-type: none"> • breaching a duty of secrecy or confidentiality, or • breaching another restriction on disclosure. 		

3. Reporting detrimental action

If a person who reports wrongdoing experiences adverse treatment or detrimental action such as bullying or harassment, report this immediately to MNCJO or an integrity agency, options include:

- a. the Executive Officer;
- b. a disclosure officer - see [Annexure A](#);
- c. the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au;

See [Annexure B](#) for a full list of integrity agencies and their contact details

4. General support

When a report is identified as a voluntary PID, the maker of the report will be allocated a key contact person at MNCJO who will take steps to protect their interests, for example, if they are at risk of detrimental action.

Employees can access confidential and free personalised counselling and advice through MNCJO's Employee Assistance Program (EAP). This includes face to face counselling, phone and video counselling, online live chat, online resources, and is available to access 24 hours per day, seven days per week.

See also [Annexure B](#) for a list of integrity agencies and their contact details.

5. Roles and responsibilities of MNCJO employees

Certain people within MNCJO have responsibilities under the PID Act.

Executive Officer

(a) The Executive Officer is responsible for:

- fostering a workplace culture where reporting is encouraged
- receiving disclosures from public officials
- ensuring there is a system in place for assessing disclosures
- ensuring the MNCJO complies with this policy and the PID Act
- ensuring that the MNCJO has appropriate systems for:
 - overseeing internal compliance with the PID Act
 - supporting public officials who make voluntary PIDs, including by minimising the risk of detrimental action
 - implementing corrective action if serious wrongdoing is found to have occurred
 - complying with reporting obligations regarding allegations or findings of detrimental action
 - complying with yearly reporting obligations to the NSW Ombudsman.

(b) Disclosure officers

Disclosure officers are responsible for:

- receiving reports from public officials
- receiving reports when they are passed on to them by managers
- ensuring reports are dealt with appropriately, including by referring the matter to the appropriate complaint unit (if relevant)
- ensuring that any oral reports that have been received are recorded in writing.

(c) Managers

The responsibilities of managers include:

- receiving reports from persons that report to them or that they supervise
- passing on reports they receive to a disclosure officer.

(d) All employees

All employees must:

- report suspected serious wrongdoing or other misconduct
- use their best endeavours to assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of MNCJO
- treat any person dealing with or investigating reports of serious wrongdoing with respect.

All employees must not take detrimental action against any person who has made, may in the future make, or is suspected of having made, a PID.

6. How we will deal with voluntary PIDs

(a) How MNCJO will acknowledge that we have received a report and keep the person who made it informed

When a disclosure officer in MNCJO receives a report which is a voluntary PID, or looks like it may be a voluntary PID, the person who made the report will receive the following information:

- a. an acknowledgment that the report has been received. This acknowledgement will:
 - state that the report will be assessed to identify whether it is a PID;
 - state that the PID Act applies to how MNCJO deals with the report;
 - provide clear information on how this policy can be accessed; and
 - provide details of a contact person and available supports.
- b. if the report is a voluntary PID, the maker will be informed as soon as possible how MNCJO intends to deal with the report. This may include:
 - investigating the serious wrongdoing;
 - referring the report to a different agency (if appropriate) to deal with the voluntary PID - the maker will be provided with details of the referral;
 - not investigating the report and to not referring it to another agency for it to be investigated - the maker will be informed of the reasons for this decision - and the NSW Ombudsman will be informed of the decision.



- c. if MNCJO decides to investigate the serious wrongdoing, updates will be provided on the investigation at least every three months. During this time, if more frequent updates are preferred, the report maker can contact their nominated contact person, as provided in the acknowledgement letter.
 - upon completion of any investigation into serious wrongdoing a report will be provided with the following information:
 - i. a description of the results of the investigation - that is, whether it was found that serious wrongdoing took place;
 - ii. information about any corrective action as a result of the investigation/s - this means what action was taken in relation to the person who engaged in the serious wrongdoing or if the serious wrongdoing was by MNCJO, and what has been put in place to address that serious wrongdoing; and
 - corrective action could include taking disciplinary action against someone or changing the practices, policies, and procedures that MNCJO has in place which led to the serious wrongdoing.
- d. there may be some details about both the findings made as a result of the investigation, and the corrective action taken, that cannot be revealed. MNCJO will balance the right of a person who makes a report to know the outcome of that report, with MNCJO's other legal obligations.
- e. if a person makes an anonymous report, in many cases MNCJO may not be able to provide this information.

(b) How we will deal with voluntary PIDs

Once a report that may be a voluntary PID is received MNCJO will look at the information contained in the report to see if it has the features of a voluntary PID. This assessment is undertaken to identify whether the report is a voluntary PID or another type of disclosure, and to make sure that the right steps are followed. If it is a voluntary PID, MNCJO will comply with the requirements in the PID Act.

Report not a voluntary PID

If the report is not a voluntary PID it will be dealt with in a manner consistent with the applicable MNCJO policy and procedure or through an alternate process. The report maker will be informed that the PID Act does not apply and how the concerns raised in the report will be addressed.

If a report maker disagrees with the assessment they can raise it with the person who has communicated the outcome or a disclosure officer. A request can be made for an internal review or that the matter be conciliated. MNCJO can, but do not have to, request the NSW Ombudsman to conciliate the matter

Cease dealing with report as voluntary PID

MNCJO may stop dealing with a voluntary PID because it does not have all the features required of a PID i.e. it is not actually a voluntary PID. In this case MNCJO will deal with the initial report as outlined above - see Report not a voluntary PID for further information.

Where the report is a voluntary PID

If the report is a voluntary PID:



- a. in most cases, MNCJO will conduct an investigation to make findings about whether the serious wrongdoing disclosed in the report occurred, who was involved, who was responsible, and whether the people involved, or MNCJO, engaged in serious wrongdoing. There may be circumstances where an investigation is not warranted — for example, if the conduct has previously been investigated.
- b. there may be circumstances where MNCJO decide that the report should be referred to another agency, such as an integrity agency. For example, reports concerning possible corrupt conduct may be required to be reported to the ICAC in accordance with section 11 of the Independent Commission Against Corruption Act 1988.
- c. before referring a matter, MNCJO will discuss the referral with the other agency, and provide the report maker with details of the referral along with a contact person within the other agency.
- d. if MNCJO decide not to investigate a report, and to not refer the matter to another agency, the report maker will be informed of the reasons and the NSW Ombudsman will be notified

(c) How we will protect the confidentiality of the maker of a voluntary PID

MNCJO understands that people who make voluntary PIDs may want their identity and the fact that they have made a report to be confidential.

Under the PID Act, information tending to identify a person as the maker of a voluntary PID (known as identifying information) is not to be disclosed by a public official or an agency.

There are certain circumstances under the PID Act that allow for the disclosure of identifying information. These include:

- a. where the person consents in writing to the disclosure;
- b. where it is generally known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker;
- c. when the public official or MNCJO reasonably considers it necessary to disclose the information to protect a person from detriment;
- d. where it is necessary the information be disclosed to a person whose interests are affected by the disclosure;
- e. where the information has previously been lawfully published;
- f. when the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the individual disclosing the information;
- g. when the information is disclosed for the purposes of proceedings before a court or tribunal
- h. when the disclosure of the information is necessary to deal with the disclosure effectively
- i. if it is otherwise in the public interest to disclose the identifying information.

MNCJO will not disclose identifying information unless it is necessary and authorised under the PID Act. Steps will be put in place to keep the identifying information of the maker and the fact that a report has been made confidential. It may not be possible to maintain complete confidentiality while progressing the investigation,

however, MNCJO will do all that can be practically done to not unnecessarily disclose information from which the maker of the report can be identified. To do this MNCJO will:

- a. limit the number of people aware of the maker's identity or information that could identify them;
- b. where MNCJO must disclose information that may identify the maker of the PID, will still not disclose the actual identity of the maker of the PID, unless MNCJO has their consent to do so;
- c. ensure that any person who knows the identity of the maker of a PID is reminded of their legal obligation to keep the maker's identity confidential;
- d. ensure that only authorised persons have access to emails, files, or other documentation that contain information about the identity of the maker;
- e. undertake an assessment to determine if anyone is aware of the maker's identity, and if those persons have a motive to cause detrimental action to be taken against the maker, or impede the progress of the investigation; and
- f. provide information to the maker of the PID about the importance of maintaining confidentiality and advising them how best to protect their identity, for example, by telling them not to discuss their report with other staff.

If confidentiality cannot be maintained or is unlikely to be maintained, MNCJO will:

- a. advise the person whose identity may become known;
- b. update the agency's risk assessment and risk management plan;
- c. implement strategies to minimise the risk of detrimental action;
- d. provide additional support to the person who has made the PID; and
- e. remind persons who become aware of the identifying information of the consequences for failing to maintain confidentiality, and that engaging in detrimental action is a criminal offence, and may also be a disciplinary matter.

(d) How we will assess and minimise the risk of detrimental action

MNCJO will not tolerate any detrimental action being taken by any person against a person who has made a PID, investigators, witnesses or the person the report is about.

MNCJO will assess and take steps to mitigate detrimental action from being taken against the maker of a voluntary PID, the person whose conduct is the subject of a PID, investigators, and witnesses. These steps include:

To assess and minimise the risk of detrimental action, MNCJO will:

- a. limit the number of people who are aware of the maker's identity or information that could identify them;
- b. where MNCJO must disclose information that may identify the maker of the PID, will still not disclose the actual identity of the maker of the PID, unless MNCJO has their consent to do so;
- c. ensure that any person who does know the identity of the maker of a PID is reminded that they have a legal obligation to keep their identity confidential;
- d. ensure that only authorised persons have access to emails, files or other documentation that contain information about the identity of the maker;
- e. undertake an assessment to determine if anyone is aware of the maker's identity and if those persons have a motive to cause detrimental action to be taken against the maker or impede the progress of the investigation; and
- f. provide information to the maker of the PID about the importance of maintaining confidentiality and advising them how best to protect their identity, for example, by telling them not to discuss their report with other staff.

Detrimental action against a person is an act or omission that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person (whether express or implied). Detriment to a person includes:

- a. injury, damage or loss;
- b. property damage;
- c. reputational damage;
- d. intimidation, bullying or harassment;
- e. unfavourable treatment in relation to another person's job;
- f. discrimination, prejudice or adverse treatment;
- g. disciplinary proceedings or disciplinary action; or
- h. any other type of disadvantage.

Detrimental action does not include:

- a. lawful action taken by a person or body to investigate serious wrongdoing or other misconduct;
- b. the lawful reporting or publication of a finding of serious wrongdoing or other misconduct;
- c. the lawful making of adverse comment, resulting from investigative action;
- d. the prosecution of a person for a criminal offence; or
- e. reasonable management action taken by someone in relation to a person who made or may make a PID. For example, a reasonable appraisal of a PID maker's work performance.

(e) How MNCJO will deal with allegations of a detrimental action offence

If MNCJO become(s) aware of an allegation that a detrimental action offence has occurred or may occur, MNCJO will:

- a. take all steps possible to stop the action and protect the person(s);
- b. take appropriate disciplinary action against anyone that has taken detrimental action;
- c. refer any evidence of a detrimental action offence to the Commissioner of Police and the ICAC
- d. notify the NSW Ombudsman about the allegation of a detrimental action offence being committed;

(f) What MNCJO will do if an investigation finds that serious wrongdoing has occurred

Following an investigation, a report of findings will be provided to the Executive Officer. If it is found that serious wrongdoing or other misconduct has occurred, the Executive Officer will review the recommendations and take the appropriate action to address that wrongdoing or misconduct. This is also known as corrective action, and may include:

- a. a formal apology;
- b. improving internal policies to adequately prevent and respond to similar instances of wrongdoing;
- c. providing additional education and training to staff where required;
- d. taking employment action against persons involved in the wrongdoing, such as termination of employment, relocation, a caution, or reprimand; or
- e. payment of compensation to people who have been affected by serious wrongdoing or other misconduct

7. Review and dispute resolution

(a) Internal review

A person who has made a voluntary PID can seek an internal review of the following decisions:

- a. that MNCJO is not required to deal with the report as a voluntary PID;
- a. to stop dealing with the report because MNCJO decided it was not a voluntary PID;
- b. to not investigate the serious wrongdoing and not refer the report to another agency; or
- c. to cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.

MNCJO will ensure internal reviews are conducted by the Executive Officer in compliance with the PID Act.

An application for an internal review must be in writing and submitted with the relevant supporting material within 28 days of the person who made the report being informed of MNCJO's decision. The application should state the applicant's reasons why they believe MNCJO's decision should not have been made.

(b) Voluntary dispute resolution

If a dispute arises between MNCJO and a person who has made a report which is, or may be, a voluntary PID, MNCJO may request the NSW Ombudsman to conciliate the dispute. Conciliation is a voluntary process and will only be suitable for disputes where MNCJO and the maker of the report are willing to resolve the dispute.

8. Other agency obligations

(a) Record-keeping requirements

MNCJO must keep full and accurate records with respect to all information received in connection with the PID Act. This ensures that MNCJO complies with its obligations under the *State Records Act 1998*.

(b) Reporting of voluntary PIDs and MNCJO annual return to the Ombudsman

The Executive Officer will provide an annual return to the NSW Ombudsman which includes:

- a. information about voluntary PIDs received by MNCJO during each return period (yearly with the start date being 1 July);
- b. action taken by MNCJO to deal with voluntary PIDs during the return period; and
- c. how MNCJO promoted a culture in the workplace where PIDs are encouraged.

(c) How MNCJO will ensure compliance with the PID Act and this policy

To ensure compliance to the PID Act MNCJO will:

- a. maintain compliance to the PID Act in the Legislative Compliance Register; and
- b. report instances of non-compliance to the Audit, Risk, and Improvement Committee.



Annexure A — Names and contact details of disclosure officers for MNCJO

Location	Role	Contact
MNCJO	Executive Officer & Disclosure Coordinator	Executive.officer@mncjo.nsw.gov.au
Port Macquarie Hastings Council	Chief Executive Officer (Re: Executive Officer Only)	Port Macquarie Hastings Council Po Box 84 Port Macquarie NSW 2444
Bellingen Shire Council	General Manager (Re: Executive Officer Only)	Bellingen Shire Council 33 Hyde Street Bellingen NSW 2454
Kempsey Shire Council	General Manager (Re: Executive Officer Only)	Kempsey Shire Council PO Box 3078 West Kempsey NSW 2440

Notes:.

- Public officials within MNCJO can find contact details for the above on the MNCJO website.
- Public officials external to MNCJO can email executive.officer@mncjo.nsw.gov.au to make initial contact with the Disclosure Coordinator



Annexure B — List of integrity agencies

Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pm Monday to Friday Writing: Level 24, 580 George Street, Sydney NSW 2000 Email: info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	Telephone: 02 9275 7100 Writing: GPO Box 12, Sydney NSW 2001 Email: governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	Telephone: 02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday Writing: GPO Box 500, Sydney NSW 2001 or faxing 02 9264 5364 Email: icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	Telephone: 02 9228 3023 Writing: PO Box 5341, Sydney NSW 2001 Email: oiicac_executive@oiicac.nsw.gov.au
The Law Enforcement Conduct Commission	Serious maladministration by the NSW Police Force or the NSW Crime Commission	Telephone: 02 9321 6700 or 1800 657 079 Writing: GPO Box 3880, Sydney NSW 2001 Email: contactus@lecc.nsw.gov.au
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC and LECC officers	Telephone: 02 9228 3023 Writing: GPO Box 5341, Sydney NSW 2001 Email: olecc_executive@olecc.nsw.gov.au
Office of the Local Government	Local government pecuniary interest contraventions	Email: olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au
The Information Commissioner	Government information contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au

DRAFT

Risk Management Policy and Framework (DRAFT)

Version	Adoption Date	Authorised by	Approved by	Revision Date
DRAFT				
1		Executive Officer	MNCJO Board	
2				

Purpose

The purpose of this policy is to express MNCJO commitment to implementing organisation-wide risk management principles, systems and processes that ensure the consistent, efficient and effective assessment of risk in all MNCJO planning, decision-making and operational processes.

Policy Intent

MNCJO maintains a strong commitment to embedding effective risk management into all activities. Management has the responsibility to evaluate the risk environment, to put in place appropriate controls and to monitor the effectiveness of these controls. Management must also communicate our risk management framework, plan, and procedures throughout MNCJO.

The objectives of this policy are to facilitate MNCJO striking a balance between risk management and opportunity taking, whilst achieving the MNCJOs objectives:

- a) Ensuring risk management is integrated into MNCJO's strategic and operational planning processes to:
 - i. Avoid, eliminate, or minimise harm and/or loss, and
 - ii. Minimise the adverse impacts that uncertainty presents to the achievement of MNCJO's Statement of Strategic Regional Priorities (SSRP)
- b) Supporting and enabling:
 - i. Delivery of equitable and appropriate services
 - ii. Innovation and business improvement
 - iii. Risk management practices that lead to a risk aware culture
- c) Having regard to long-term and cumulative commitments by the MNCJO to environment, economic, social and governance objectives.

Our Strategic Priorities

Risk management is a fundamental component of decision making in MNCJO activities, and all decisions made by MNCJO, and its Officers will consider the risks involved in taking those decisions and the impact of those decisions on the achievement of MNCJO's objectives.

Successful implementation of the Risk Management Framework will enhance the delivery of our endorsed Statement of Strategic Regional Priorities (SSRP).

Risk Management Framework

MNCJO provides services to Mid North Coast member councils and from time to time has funding contractual obligations with government and non-government agencies. The MNCJO has its own strategic goals and objectives that it seeks to achieve on behalf of the Mid North Coast member councils and their communities.

It is therefore incumbent on MNCJO to understand the internal and external risks that may impact the delivery of these services, contracts and strategic objectives and have processes in place to identify, mitigate, manage and monitor those risks to ensure the best outcome for MNCJO, staff and the member councils.

MNCJO has developed a risk management framework consistent with accepted Australian Risk Management Standard (AS ISO 31000:2018 Risk Management) to assist it to identify, treat, monitor and review all risks to its operations and strategic objectives and apply appropriate internal controls.

MNCJO is committed to the principles, framework and process of managing risk as outlined in accepted Australian Risk Management Standard (AS ISO 31000:2018 Risk Management) and commits to fully integrating risk management within the MNCJO and applying it to all decision-making, functions, services and activities of the MNCJO in accordance with our statutory requirements.

Responsibilities

MNCJO aims to create a positive risk management culture where risk management is integrated into all everyday activities and managing risks is an integral part of governance, good management practice and decision-making. It is the responsibility of every staff member to observe and implement this policy and MNCJO risk management framework.

All staff are responsible for identifying and managing risk within their work areas.

Key responsibilities include:

- being familiar with, and understanding, the principles of risk management
- complying with all policies, procedures and practices relating to risk management
- alerting management to risks that exist within their area, and
- performing any risk management activities assigned to them as part of their daily role.

Risk management is a core responsibility for all senior staff/management at the MNCJO. In addition to their responsibilities as staff members, senior staff/management are responsible for:

- ensuring all staff manage their risks within their own work areas. Risks should be anticipated, and reasonable protective measures taken
- encouraging openness and honesty in the reporting and escalation of risks
- ensuring all staff have the appropriate capability to perform their risk management roles
- reporting to the Executive Officer on the status of risks and controls, and
- identifying and communicating improvements in MNCJO risk management practices to MNCJO risk management function.

MNCJO risk management function is available to support staff in undertaking their risk management activities.

To ensure MNCJO is effectively managing its risk and complying with its statutory obligations, MNCJO Audit, Risk and Improvement Committee (ARIC) and internal audit function is responsible for reviewing the MNCJO:

- risk management processes and procedures
- risk management strategies for major projects or undertakings
- control environment and insurance arrangements

- business continuity planning arrangements, and
- fraud control plan.

Monitoring And Review

MNCJO is committed to continually improving its ability to manage risk. MNCJO will review this policy and its risk management framework at least annually to ensure it continues to meet the requirements of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021*, and the MNCJO requirements.

Reporting

The Executive Officer (EO) will report matters of risk and compliance to the MNCJO Board.

Further Information

For further information on MNCJO risk management policy, framework and process, contact the Executive Officer on executive.officer@mncjo.nsw.gov.au

Work, Health and Safety/Reportable Incidents Policy (DRAFT)

Version	Adoption Date	Authorised by	Approved by	Revision Date
1	DRAFT	Executive Officer	MNCJO Board	
2	DRAFT	Executive Officer	MNCJO Board	

Policy Objectives

The objectives of the Mid North Coast Joint Organisation's (the MNCJO's) Work, Health and Safety Policy are to:

- Create and maintain a safety culture whereby all workers are aware of, enact and champion the principles of workplace health and safety
- Ensure as far as reasonably practicable that the workplace is safe and hazard free
- Ensure early reporting of accidents, incidents and hazards
- Act proactively in relation to investigating, managing and controlling risks
- Enable access for all workers to relevant workplace health and safety training/education
- Encourage reporting of behaviours which breach the MNCJO's Workplace Health and Safety Policy
- Ensure there are processes in place as far as reasonably practicable to consult, co-operate and coordinate activities in regard to workplace health and safety
- Ensure all individuals described in the scope of this policy where reasonably practicable demonstrate a health and safety duty in respect to workplace health and safety including the MNCJO's policies, practices and procedures.

Policy Scope

This policy applies to all personnel deemed as *workers* as indicated in section 7 of the *Work Health and Safety Act 2011*. This includes the MNCJO permanent, temporary and casual employees and extends to cover all other people such as contractors or subcontractors, an employee of a labour hire company, an outworker, an apprentice or trainee, a work experience student and a volunteer.

This policy also extends to cover visitors.

Policy Statement

The MNCJO is committed to providing a safe and healthy workplace through the management of and/or elimination of conditions/hazards that could result in personal injury or ill health. The MNCJO will do all that is reasonably practicable to ensure safe and healthy work practices. The MNCJO considers that workplace health and safety is a joint responsibility between the MNCJO, its employees and all other people deemed as workers as indicated in section 7 of the *Work Health and Safety Act 2011*.

Responsibility

The MNCJO has a health and safety duty where reasonably practicable to ensure the health, safety and welfare of all its workers including visitors. In meeting this obligation the following responsibilities have been identified.

The Executive Officer will:

- Ensure the policy framework promotes a safe and healthy place to work, for all persons described in the scope of this policy
- Take action to ensure due diligence in providing and maintaining a safe and healthy working environment
- Ensure appropriate mechanisms for consultation with the workers who carry out work for the MNCJO who are likely to be directly affected by a matter related to workplace health and safety
- Ensure prompt notification of accidents, incidents or hazards
- Manage the MNCJO's health and safety consultative processes
- Model appropriate workplace safety behaviours and monitor the work environment to ensure acceptable standards of behaviour are observed at all times
- Where identified take corrective or preventative action to eliminate or mitigate hazards/risks
- Ensure staff are aware of and understand the MNCJO's Workplace Health and Safety Policy and associated plans, protocols and procedures
- Ensure the implementation and support of the MNCJO's safety management system
- Ensure Safe Work Method Statements and related documentation relevant to the Joint Organisation's operations are prepared, approved and implemented through staff education, feedback, monitoring and review
- Ensure compliance with incident notification requirements as set out in this policy and in relevant legislation including the Work Health and Safety Act 2011.

Managers and Coordinators will:

- Model appropriate workplace safety behaviours and monitor the work environment to ensure acceptable standards of behaviour are observed at all times
- Take action to ensure due diligence in providing and maintaining safe and healthy working conditions
- Where identified take corrective or preventative action to eliminate or mitigate hazards/risks
- Ensure staff are aware of and understand the MNCJO's Workplace Health and Safety Policy and associated plans, protocols and procedures
- Ensure prompt notification of accidents, incidents or hazards
- Provide assistance and support to the MNCJO's health and safety consultative processes
- Ensure Safe Work Method Statements and related documentation relevant to the Joint Organisation's operations are prepared, approved and implemented through staff education, feedback, monitoring and review
- Comply with incident notification requirements as set out in this policy and in relevant legislation including the Work Health and Safety Act 2011.

General Staff, Casual and Temporary Employees will:

- Model appropriate workplace safety behaviours and monitor the work environment to ensure acceptable standards of behaviour are observed at all times
- Ensure individual behaviour complies with the MNCJO's Workplace Health and Safety Policy, and established safe work practices
- Participate in workplace inspections to ensure workers are working in a safe environment and in accordance with the MNCJO's safety management plans, procedures and practices
- Ensure prompt notification of accidents, incidents or hazards
- Where identified take corrective or preventative action to eliminate or mitigate hazards/risks
- Ensure the appropriate use of all safety and personal protective equipment
- Ensure staff are aware of and understand the MNCJO's Workplace Health and Safety Policy and associated plans, protocols and procedures
- Provide assistance and support to the MNCJO's health and safety consultative processes
- Comply with incident notification requirements as set out in this policy and in relevant legislation including the Work Health and Safety Act 2011.

Work Health and Safety Consultation

Work health and safety consultation requirements are clearly defined under Part 5, Division 2 Consultation with workers of the *Work Health and Safety Act 2011*.

Section 48 (Nature of Consultation) requires that:

- Relevant information is shared with workers
- Workers are given reasonable opportunity to:
 - Express their views and to raise work health or safety issues
 - Contribute to the decision making process
- The views of workers are taken into account by the MNCJO, and
- If the workers or group of workers are represented by a Health and Safety Representative, consultation must involve that representative.

To ensure the objectives of this policy are achieved, the MNCJO through the safety management system will support ongoing work health and safety consultation. Consultation in relation to work health and safety may be undertaken by one or a combination of the following:

- Toolbox talks
- Staff meetings

Incident notification

Any serious injury or illness, a death or a dangerous incident must be reported to the CEO and to SafeWork NSW on [13 10 50](tel:131050) as an urgent investigation may be needed.

Staff must take care not to disturb the incident scene until SafeWork NSW inspector arrives at the site or until direction is given by an inspector. Staff may help an injured person and ensure safety of the site.

Incidents can be notified 24 hours a day, 7 days a week by calling 13 10 50. Staff must also:

- provide first aid and make sure the worker gets the right care
- record it in the [register of injuries](#)
- notify your insurer within 48 hours.

Please note that your responsibility to not disturb the incident scene does not prevent any action to:

- assist an injured person
- remove a deceased person
- make the site safe
- assist with a police investigation, if directed
- comply with an inspector request.

What incidents need to be notified?

A “notifiable incident” under the work [the legislation](#) relates to:

- the death of a person
- a serious injury or illness of a person
- a potentially dangerous incident.

Examples of these incidents are available in Safe Work Australia's [Incident notification information sheet](#).

If you're still unsure, make contact with the CEO and / or call SafeWork NSW on 13 10 50.

How SafeWork NSW will respond

SafeWork NSW's [Customer service standard - Notifying a WHS incident \(PDF 1.5MB\)](#) is about the notification process. It outlines the process they follow when responding to incidents, what we can expect from them and how they can help.

Penalties for failure to conform with requirements in regard to Incident Notification

Penalties apply for not notifying incidents. The [maximum penalty](#) for failing to notify is \$50,000 for a body corporate and \$10,000 for an individual.

More information:

- [SafeWork NSW incident response and investigations - what to expect - Customer Service Standard \(PDF 1.5MB\)](#) - outlines the investigation process and what we can expect from them if an investigation is undertaken following an incident. It outlines what happens after the initial notification process.
- [When to notify blood, body substance and needlestick injuries](#)
- Use the [Have you been injured at work?](#) web app to find out what you need to do next. The app contains information on weekly payments and entitlements and help in planning recovery and return to work.
- Download and display the [If you get injured at work poster](#).
- Contact icare for information on [notifying a workplace injury and the claims process](#).
- For recovery at work information visit the [State Insurance Regulatory Authority, Injury Advice Centre](#).

Policy Definitions

THE MNCJO

The Mid North Coast Joint Organisation

Officer

A person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business as per section 9 of the Corporations Act 2001 of the Commonwealth (WHS Act 2011 – Definitions)

Safety Management System

A safety management system is a guide that assists the MNCJO to systematically achieve and maintain standards for managing safety and health. It brings together the policies and procedures required to effectively mitigate the risks associated with the MNCJO's operations.

Notifiable Incident

A “notifiable incident” under the work [the legislation](#) relates to:

- the death of a person
- a serious injury or illness of a person
- a potentially dangerous incident.

SIRA

If you get injured at work

- 1 Tell your employer**
Tell your employer as soon as you can. Your employer must notify the insurer within 48 hours. If your injury is serious, your employer must notify SafeWork NSW immediately on 13 10 50.
- 2 See your doctor**
See your doctor and get a **certificate of capacity** for your employer to send to the insurer.
- 3 Recover at work**
If you are able, stay at work or plan how to return to work to help you get better sooner. Your employer is required to provide suitable work to help you recover.

You can make a workers compensation claim which may cover medical expenses, and weekly payments if you need time off work. Talk to your employer's insurer for more information.

Your employer's workers compensation insurer Contact

Your employer or return to work coordinator Contact

All employers must ensure information regarding notifying injuries and making claims is available to workers at all times under NSW legislation. Visit www.sira.nsw.gov.au for more information or email contact@sira.nsw.gov.au or call 13 10 50.

State Insurance Regulatory Authority

NSW GOVERNMENT



10 REPORTS FOR THIS MEETING

Item	10.2
Subject	Updated Meeting Schedule
Presented by	Liz Fairweather, Executive Officer - Mid North Coast Joint Organisation

RECOMMENDATION

That the MNCJO Board approved the updated schedule of meeting dates for 2025.

EXECUTIVE SUMMARY

In December 2024 the MNCJO Board resolved the scheduled meetings for 2025.

Further investigation has been undertaken into hosting a MNCJO Board meeting at NSW Parliament House and a meeting room has been secured.

In line with this booking, it is now proposed the Board meeting be held 9am to 10:30am on Wednesday 7 May 2025 (previously Thursday 8 May).

Meetings with various NSW Government Ministers will be held after the Board meeting. A separate agenda and briefing notes will be distributed once invitations are confirmed.

Updated schedule for 2025 MNCJ Board Meetings:

2025 MNCJO BOARD MEETINGS	
10:30am – 01:00pm	Friday 07 March – F2F Kempsey
09:30am – 10:30am	Wednesday 07 May – NSW Parliament House
09:00am – 01:00pm	Friday 22 August
09:00am – 01:00pm	Friday 21 November

ATTACHMENTS

None