

Bulahdelah Highway Service Centre - Planning Agreement Reference Group

Background

The Bulahdelah Highway Service Centre - Planning Agreement Reference group was re-established by resolution of MidCoast Council on 9 March 2022.

Purpose

A Voluntary Planning Agreement in relation to the Bulahdelah Highway Service Centre was executed on 12 May 2022.

The Voluntary Planning Agreement requires monetary contributions totalling \$500,000 to be paid towards:

- a) Public domain improvements, to items such as streets/roads, parks and foreshore areas (e.g. lighting, landscaping, seating signage)
- b) General business assistance available to Bulahdelah businesses (e.g. marketing, merchandising, website advice/tutorials);
- c) RV – friendly town improvements (e.g. a designated RV parking area); and
- d) Local promotions within the highway service centre, either in the form of an area for advertising / brochures or via digital means.

The key purpose of the Reference Group is to identify and prioritise proposed projects / improvements within Bulahdelah that align to the outcomes identified in points (a) to (d) above.

Key Functions

The Bulahdelah Highway Service Centre Planning Agreement Reference Group will provide guidance to Council on the following (but not limited to) key areas:

- Identifying street improvements to Bulahdelah, including landscaping.
- Identifying additional facilities and infrastructure for RV/caravans.
- Identifying business assistance package options.
- Identifying options for local promotions of the area at the Highway Service Centre.
- Identification of other improvements to Bulahdelah.
- Prioritising the list of improvements.
- Engaging with the community to 'test' the list and priorities.
- Providing a final priority list of improvements and recommendations on the business assistance package and local promotions options.

Roles & responsibilities

Membership

The membership of the Reference Group shall comprise:

- up to two Councillors
- up to two representatives from the Bulahdelah Chamber of Commerce
- up to seven representatives from the Bulahdelah community
- staff representatives from the following Council Teams – Landuse Planning, Growth Economic Development and Tourism and Community Spaces
- from time to time, other people, including Council staff representatives who have clearly defined interest in topics being discussed by the group.

The following observers to the reference group may facilitate discussion but may not influence outcomes:

- The Bulahdelah Highway Service Centre landowner/proponent/applicant

A member's appointment may be ended on the basis of one of the following:

- resignation of a member
- regular non-attendance at meetings (note: members shall be considered to have vacated their position if they have been absent from three consecutive meetings without an apology)
- failure to respect the protocols and confidentiality requirements (set out below)

Chairperson

The Reference Group shall be chaired by one of the nominated Councillor Co-chairs. If the nominated Councillors are not available the replacement Chair shall be the alternate Councillor appointed to the group, or if unavailable, the staff representative as required.

Committee members

The members of the Committee will be appointed by Council following a publicly advertised process. Members shall be expected to bring diverse knowledge, skills, experience as well as:

- Currently residing within the general locality of Bulahdelah; and
- Demonstrating a commitment to and interest in the growth and development of the Bulahdelah township
- Support of the Planning Proposal for the Bulahdelah Highway Service Centre and an understanding of the beneficial economic impacts of the Highway Service Centre and opportunities for improvements arising from a proposed Planning Agreement.

A nomination form must be completed by interested representatives and all nominations will be assessed against their stated knowledge, experience, skills and responses to the criteria relevant to the Bulahdelah Highway Service Centre Planning Agreement Reference Group.

Council support

To enable the Reference Group to operate effectively Council staff shall provide:

- any material and draft documents to undertake tasks / projects and an opportunity for discussion at meetings (as agenda items)
- regular updates on key projects and activities relevant to the Reference Group's purpose expert advice from the different areas of Council, as required
- open and transparent communications on community inclusion and wellbeing issues
- secretariat services and venues for meetings

Dissolution

Council may determine to dissolve the Reference Group. This may be initiated for the following reasons:

- the reference group has achieved its purpose for establishment
- the Reference Group has become unproductive
- the Reference Group can no longer attract membership
- Council has determined the Reference Group no longer services the priorities and/or core business of Council
- Legislation has changed the roles and responsibilities of Council

Commitments

Confidentiality

From time to time, members may be required to review and comment on draft documentation that has not been formally considered by the Council's decision-making body.

In these circumstances, it is crucial members understand the status of any documentation and the importance of maintaining confidentiality if they wish to have preliminary input. Discussion may take place on matters subject to State or Federal Government protocols that need to be adhered to.

Members may also be privy to financial, legal or personal landowner information, which cannot be disclosed outside of the committee.

Each member is required to agree to the confidentiality requirements of membership.

Meetings

The group shall meet a minimum quarterly, at a time and location agreed by the members, for a maximum of 2 hours, unless agreed by the group.

A quorum for attendance shall be a minimum of half of the membership plus one.

The following meeting protocols shall apply:

- members shall respect the role of the Chair in the conduct of the meetings
- members shall respect the right of every members to speak and put forward their views
- members shall respect the Chair's decisions (if a consensus is not able to be reached) in relation to agenda items and timeframes
- meetings are generally run through consensus, however, should the need arise for a vote,

Terms of reference

only the Councillors and community members shall participate (ie Council staff are not to participate in any voting), having one vote each. Where there is an opposing view the members can choose to have their name recorded in the minutes stating their position.

- agenda and supporting documentation will be distributed electronically (by email) five days prior to the meeting date
- minutes shall be taken at each meeting and made available to members within two weeks minutes, providing an overview of discussions and actions to be progressed, shall be taken at each meeting and made available to members within two weeks of the meeting. Minutes will be maintained electronically and distributed to members via email. Minutes shall be made publicly available on Council's website, however, it is recognised that confidential items are not to be made public
- Meetings may be undertaken by teleconference if required
- Where possible, members shall be notified in advance of any confidential items

It is agreed that items raised outside of these meeting times will be provided to members via email for discussion and comment.

Limitations

While the Bulahdelah Highway Service Centre Planning Agreement Reference Group may provide guidance to Council on key issues such as corporate policy and objectives, marketing strategy, resource allocation, and decisions, the Reference Group may not:

- attempt to influence or discuss any such other matter of the Planning Proposal;
- on Council's behalf agree to any acquisitions of land;
- incur expenditure by Council;
- make any payment to members of the Reference Group
- accept public liability risk from another organisation
- make grant applications dependent on or committing Council to expenditure, either initial or ongoing
- bind Council
- become involved in the day to day operations of Council activities

Code of conduct & Conflict of interest

All members are required to comply with Council's Code of Conduct (copy attached to this document) and participate in Code of Conduct training and an induction provided by Council.

In accordance with the Code and training, a member of the Reference Group who has a financial, commercial or economic interest in any matter before the group (conflict of interest) must disclose the nature of the interest to the meeting and must leave the meeting while the matter is being considered.

Contact with the media

Media enquiries relating to the work or operation of the committee are to be referred to and managed by Council's Communications team. Media statements cannot be made by members of the committee.

Where a member considers that there needs to be a media comment in relation to any items discussed by the committee, the member must bring the matter to the attention of the Council staff representative.

Review

An annual summary report, which captures the actions of the group, is to be provided each year for inclusion in Council’s Annual Report. Additional reports to Council may also be necessary when key milestones are reached, or to progress elements of a specific project or specific recommendations to Council.

The membership and these Terms of Reference are to be reviewed at the end of the Council term, within three months of the Council election.

Governance

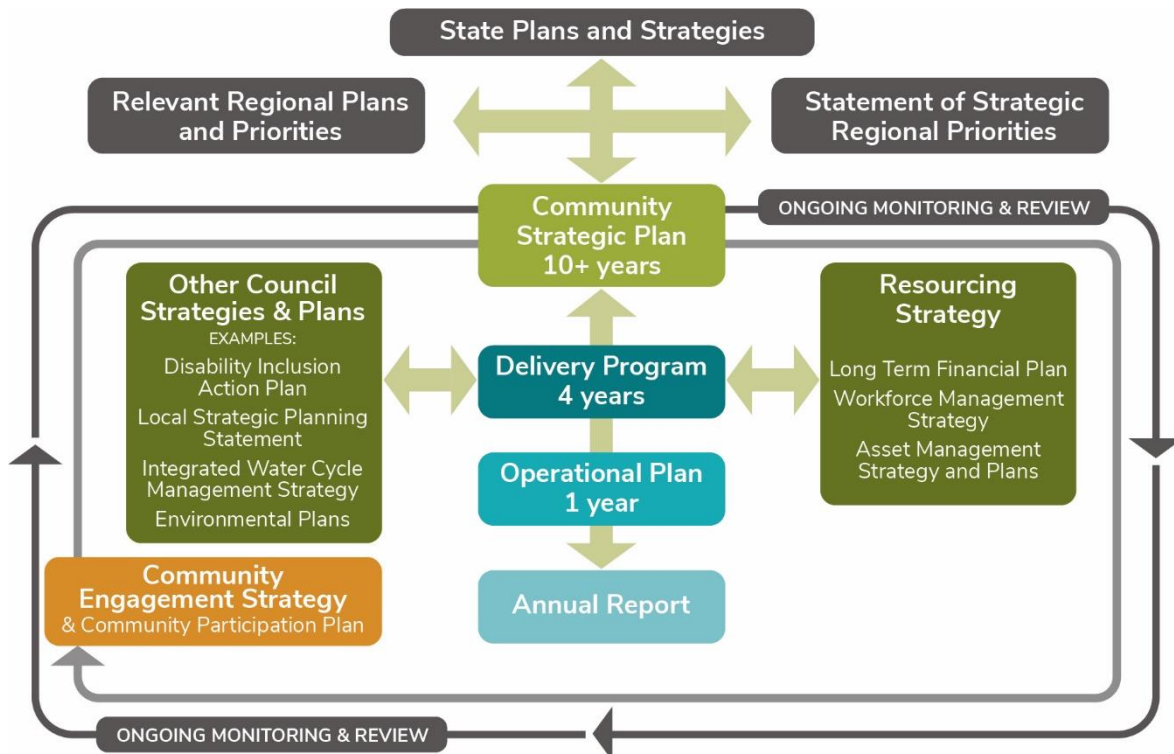
Integrated planning & reporting requirements of Local Government

The scope of work for the MidCoast Economic Development Strategy - Reference Group is to provide guidance, support and advocacy to ensure the timely development and adoption of an Economic Development Strategy for the MidCoast Local Government Area.

Accordingly, the group supports the achievement of Delivery Program and Operational Plan strategies, focus areas and actions associated with supporting our towns and villages through sustainable economic growth.

This aligns with the Integrated Planning & Reporting Framework (shown below and outlined in the Local Government Act). All of the activities of the group need to align with the outcomes in the Community Strategic Plan and subsequent endorsed Council strategies.

Integrated Planning and Reporting Framework



Attachments

- Voluntary Planning Agreement in relation to the Bulahdelah Highway Service Centre - executed on 12 May 2022
- Code of Conduct
- Gifts and Benefits Policy