## Meeting Commenced at 3:00pm

## **BUSINESS:**

- 1) Apologies
- 2) Declarations of Interest.
- 3) a. Confirmation of Minutes of the Meeting held 21<sup>st</sup> September, 2023.
  - b. Matters arising out of Minutes. (Not elsewhere reported)
- 4) Correspondence
  - a. Agenda A (Information Only)
  - b. Agenda B
- 5) General Manager's Report
  - 5.1 General Manager's Report
  - 5.2 Executive Manager, Corporate & Community Services' Report
  - 5.3 Executive Manager, Engineering & Technical Services' Report
  - 5.4 Executive Manager, Development & Environmental Services' Report
- 6) Reports: Delegates/Mayor/Councillors

**PRESENT:** Clr David McCann, Clr Alan White, Clr Bronwyn Hatty, Clr Wayne Lewis, Clr Colin McKinnon, Clr Jeremy Crocker, Clr Kathy Maslin, Clr Garth Perkin and Clr Bruce Hutcheon.

- STAFF:Tony Donoghue, General Manager;<br/>Courtney Armstrong, Acting General Manager;<br/>Tony Kelly, Executive Manager, Engineering & Technical Services
- APOLOGY: Colby Farmer, Executive Manager, Development & Environmental Services

This is Page No. 1 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

....,............GENERAL MANAGER.

..... MAYOR.....

## 1) APOLOGIES

RESOLVED on the motion of Clr Crocker and seconded by Clr White that the apology of Colby Farmer be received and accepted. <u>168/10/2023</u>

## 2) DECLARATIONS OF INTEREST

Nil

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# 3a) CONFIRMATION OF MINUTES OF THE MEETING HELD 21<sup>ST</sup> SEPTEMBER 2023.

RESOLVED on the motion of Clr Crocker and seconded by Clr White that the Minutes of the Meeting held 21<sup>st</sup> September 2023 as circulated be confirmed and adopted. <u>169/10/2023</u>

## 3b) MATTERS ARISING OUT OF THE MINUTES

There were no matters arising out of the Minutes.

This is Page No. 2 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

..... MAYOR.....

..../......GENERAL MANAGER.

# 4) CORRESPONDENCE

## AGENDA A (FOR INFORMATION ONLY)

## 1a) ACTIVITY REPORTS

## General Manager's Note

- ➔ The below reports are operating reports only for use by Senior Staff. They are submitted to Council as part of Agenda A for information only.
  - 1) Operating Statistics of the Coolamon Shire Library for September 2023. Attachment No. 1.1
  - 2) Community Development Officer's Report for September 2023. Attachment No. 1.2
  - 3) Tourism & Business Development Officer's Report for September 2023. Attachment No. 1.3
  - 4) Road Safety Officer's Activity Report for September 2023. Attachment No. 1.4
  - 5) Allawah Community Care Report for September 2023. Attachment No. 1.5

## 2a) INFORMATION PAPERS

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- → The following papers have been distributed with Council's supplementary material as being matters of information/interest to Councillors. If Councillors desire any further information on the matters distributed, then that can be raised with the General Manager.
  - 1) Minutes of the Beckom Hall and Community Committee AGM and August meeting held 8<sup>th</sup> August 2023. <u>Attachment No. 2.1</u>
  - Minutes of the Advance Matong Committee monthly Meeting held 11<sup>th</sup> September 2023. <u>Attachment No. 2.2</u>

Note: The Minutes of the Section 355 Committees are for notation only and this does not necessarily mean any action recommended has been endorsed by Council.

....,............GENERAL MANAGER.

..... MAYOR.....

This is Page No. 3 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Champers, Coolamon on the 19<sup>th</sup> October 2023.

The Section 355 Committee will need to follow the appropriate due process to action any recommendations

**RESOLVED** on the motion of Clr Perkin and seconded by Clr Lewis that the correspondence listed in Agenda A be received and noted. <u>170/10/2023</u>

This is Page No. 4 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Champers, Coolamon on the 19<sup>th</sup> October 2023.

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# 5) GENERAL MANAGER REPORTS

## 5.1) GENERAL MANAGER REPORTS

## GM1) COOLAMON SHOWGROUND (S.04-02, SC526)

➔ Coolamon Shire Council had previously sent correspondence to the Minister for Crown lands seeking confirmation from Crown Lands about the possibility of a lease agreement between Council and another body at the Coolamon Showground for periods greater than 20 years.

The reason for this request was to ensure that any significant capital investment by the third party could be recouped over a greater lease period. Attachment No.3

Council met with Greg Sullivan, Executive Director Land & Asset Management and Shona Cowley, Group Leader Property Management Wagga on site to discuss the proposal.

Subsequent to this meeting the attached letter was received from Mr. Steve Kamper Minister for Lands and Property, indicating that subject to an appropriate business case and master plan for the area being carried out, that this request for extended lease periods would be considered.

This is positive news for Council who are currently undertaking both a business plan and a strategic master plan for the Coolamon Showground.

## **Recommendation**

For Council information

**RESOLVED** on the motion of Clr White and seconded by Clr Perkin that the report be received. <u>171/10/2023</u>

This is Page No. 5 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Champers, Coolamon on the 19<sup>th</sup> October 2023.

..... MAYOR.....

.....GENERAL MANAGER.

## GM2) CROWN LAND – TOWNSHIP OF MARRAR (L.02-02, SC570)

Correspondence has recently been received from the Minister for Lands and Property, Mr. Steve Kamper indicating that the Crown Land located within the centre of Marrar is not considered a viable option for either sale to Council or future housing opportunities.

As this issue was discussed at the same meeting with Greg Sullivan and Shona Cowley from Crown Lands, it was included in the letter relating to the above report and is therefore also in attachment 3.

## **Recommendation**

For Council information

**RESOLVED** on the motion of Clr Maslin and seconded by Clr White that the report be received. 172/10/2023

## GM3) ELECTION UPDATE (E.01-.01, SC157)

→ With the next Council Elections less than a year away Council has started to receive information from the NSW Electoral Office in regards to how these elections are to be conducted. A copy of the election update has been provided for your information. Attachment No.4

As this election gets closer additional information will be provided as it is received.

## **Recommendation**

For Council information

RESOLVED on the motion of Clr White and seconded by Clr Maslin that the Report be received.  $\frac{173/10/2023}{2}$ 

This is Page No. 6 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

...... MAYOR.....

.....GENERAL MANAGER.

## GM4) GROWORX PROPOSAL – ALLAWAH LODGE (A.05-13, SC1475)

Council now expect the ten workers from the Philippines to arrive at the start of November. The house will be completed within that timeframe and Council acknowledges the work undertaken by Paul Tokley, the builder, for ensuring it's completion in a timely manner.

Upon arrival Coolamon Shire would like to welcome our new employees and it is thought appropriate that an official welcoming be conducted. We would like to invite representatives of the Filipino Community in Wagga and/or Leeton to ensure they feel comfortable and welcomed.

Council are very excited about the arrival of these aged care workers and we are looking forward to welcoming them into our community.

## Recommendation

For Council information

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**RESOLVED** on the motion of Clr Hatty and seconded by Clr Hutcheon that the report be received. 174/10/2023

## GM5) RECOGNITION PLAQUE – RFS VOLUNTEER (F.03-11, SC459)

Representatives of the Local Coolamon RFS Volunteers approached both the Mayor and General Manager to discuss the idea of a remembrance plaque for Mr I A Moses.

Mr Moses was a local volunteer who in 1964 paid the ultimate sacrifice for defending a local bushfire in the Methul district.

The local RFS Brigade would like to rectify the situation that there is no recognition or memorial to this incident and enquired as to whether this could occur.

Both the Mayor and General Manager gave in principle support for such a memorial plaque and suggested that this could be included in the current park known as Moses Park immediately north of the previous NSW Fire Brigade Station - now museum.

Council has now received information that was sent to the Riverina RFS Zone Manager from the Coolamon RFS seeking for such a memorial to be considered. Attachment No.5

This is Page No. 7 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

In order to formalize Councils position a recommendation is now made to the Council body for consideration.

## Late Report

→ Response from RFS – Recognition Plaque, RFS Volunteer. The RFS has advised of their approval for a memorial. <u>Attachment No.8</u>

## **Recommendation**

That a memorial plaque be placed in Moses Park Coolamon in recognition of the sacrifice made by Ivan Moses.

RESOLVED on the motion of Clr Maslin and seconded by Clr McKinnon that a memorial plaque be placed in Moses Park Coolamon in recognition of the sacrifice made by Ivan Moses. 175/10/2023

## GM6) REROC VISIT TO PARLIAMENT HOUSE R.06-01, SC329)

→ On the 12<sup>th</sup> October both the Mayor and General Manager attended the NSW Parliament House to meet with Ministers and Chief of Staff for several portfolios. We also took the opportunity to attend question time and the part second reading of the private members bill in relation to the RFS Red Fleet. A copy of the agenda and ministers we met is attached. <u>Attachment No.6</u>

This was a very worthwhile visit and allowed this Council to raise such issues as; The Coolamon Ganmain Hospital, The Emergency Services Levy, Varroa mite and Crown Lands issues.

## **Recommendation**

For Council information

**RESOLVED** on the motion of Clr Perkin and seconded by Clr Hutcheon that the report be received. <u>176/10/2023</u>

This is Page No. 8 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Champers, Coolamon on the 19<sup>th</sup> October 2023.

..... MAYOR.....

## GM7) EMERGENCY SERVICES (E.03-01, SC163)

This Council has long held the belief that the way Emergency Services are run in this State needs to be reviewed. This position is not about how or who undertakes the important emergency response work, but more how it is paid for. This review of our emergency services relates solely to the financial management of this extremely important and essential service.

The current method of paying for and managing our emergency services is unsustainable.

As it is presently, the contributions to the running costs of emergency services are paid for by:

- The insurance industry 73.7% this is collected from a levy on your insurance policy. Obviously this only applies to those that are insured. This point is made because as insurances skyrocket in flood and fire prone areas, people drop out of insurance (and rely on fundraising or handouts) and therefore less people are paying more to make up the contribution required.
- Local Government 11.7% These contributions are funded from Councils general revenue. This means that they come from Councils rates. With a limited rate base any increases to the emergency service budget cuts into Councils ability to provide service delivery. At this point we need to acknowledge that not all properties pay a general land based rate (Religious Institutions, Schools, State Forests, Land Councils etc). So again not all properties are contributing to the services that they receive in an emergency.
- State Government 14.6% This contribution is from within the State budget and determined by Treasury. It is interesting that the current model of building an unrestricted budget from scratch each year, does not really reflect a service that has ongoing operational costs and, by its nature, creates spiraling capital costs via an annual bid process (e.g. \$1.5 Million for a three bay shed).

The outcome of this financial model is increasing costs with decreasing people to pay for it. This is an unsustainable model and considered unacceptable for such an important and essential service that we as a community are relying on more and more.

Whilst the above relates principally to the RFS funding model it should also consider and include the operational and capital cots of SES, NSWFR, VRA etc.

	the Minutes of the Ordinary N		Shire of Coolamon held in
the Council Chambers,	Coolamon on the 19th October	r 2023.	
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$\sim$	MAYOR		GENERAL MANAGER.

This Council would like to suggest a move to a better financial system that is fairer for all people that rely on the Emergency Services. Fires and floods do not discriminate where they impact, but for some reason how we pay for the service does.

It is proposed that the fairest method would be a specific emergency levy related to all parcels of land. This could be levied by the State Government – similar to LLS, or Council could collect it for the State Government by way of an individual line item on the rate notice explaining its reason.

In order to progress this for consideration and debate it is proposed to put a motion to the LGNSW Conference.

The suggested wording for this motion is set out below:

Motion:

That LGNSW adopt the position and advocate for a more equitable and sustainable method to fund the emergency services.

That funding for the Emergency Services be applicable to all land (without exception) within NSW, as all land is susceptible to and requires the relevant services in an emergency.

Supporting Argument:

The current method of funding emergency services falls predominately on those who are insured and those who pay land rates.

We all know that fires and floods do not discriminate with who they effect yet for some reason the people who pay for the services are not spread across all of the potential users.

The current budget and payment model is unsustainable.

..... MAYOR.....

## Recommendation

That Council submit the above motion to the LGNSW Conference for consideration

RESOLVED on the motion of Clr Crocker and seconded by Clr McKinnon that Council submit the Emergency Services Funding Reform Motion to the LGNSW Conference. <u>177/10/2023</u>

.....GENERAL MANAGER.

This is Page No. 10 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

# GM8) ALCOHOL FREE ZONE SUSPSENSION FOR UPCOMING EVENTS (A.7-02, SC20)

## Summary

This report seeks Council approval to extend the current Alcohol Free Zone within Ganmain and Coolamon for upcoming events.

## Coolamon

Redgrave Park and Cowabbie Street Coolamon is an alcohol free zone between the hours of 8pm and 8am. This report is seeking suspension for the duration and pack up of the event.

- Sunday 10 December: Coolamon Christmas Carols Redgrave Park, Coolamon. Time: 5:30pm to 10pm
- Sunday 31 December: Coolamon NYE Street Party Cowabbie Street, Coolamon Time: 6pm – 11pm

No extension is required however Council staff wish to notify that a liquor license application has been lodged for the event Tackle the Track in Redgrave Park Coolamon on Saturday 4 November 2023. The timing of this event is 10am to 5pm which is not within the current alcohol free zone. If approved, alcohol could be purchased between 12noon to 5pm.

## Ganmain

Victory Memorial Gardens and Ford Street Ganmain is an alcohol free zone between the hours of 8pm and 8am. This report is seeking suspension for the duration of the event. The times below include the duration of including set up and pack up:

- Friday 1 December: Ganmain Markets Victory Memorial Gardens
   & Ford Street, Coolamon. Time: 5pm to 11pm
- Sunday 17 December: Ganmain Christmas Carols Victory Memorial Gardens, Ganmain. Time: 6:30 to 10pm

.....GENERAL MANAGER.

## Background

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The drinking of alcohol is prohibited in an alcohol-free zone that has been established by a Council. Public places that are public roads, footpaths or public car-parks may be included in a zone. Alcohol-free zones promote the use of these roads, footpaths and car-parks in safety and without interference from irresponsible street drinkers.

This is Page No. 11 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

..... MAYOR.....

Council has the ability to suspend the Alcohol Free Zone provided the appropriate advertising and notification has taken place. Police have been happy to patrol this change and have in the past been supportive.

## Consultation

The NSW Police (Wagga Licencing Branch) and the Coolamon Police Station will be contacted in October 2023 to be advised of the proposed suspension of the zone Council will be notified of any issues with supporting this proposal. Public Notification

Notice of suspensions will be placed within the local Temora Independent newspaper and on Facebook to notify Coolamon Shire residents and community members.

## **Recommendation**

That Council temporarily suspends the Alcohol Free Zone for the below events:

- 1. Ganmain, Victory Memorial Gardens & Ford Street for Ganmain Markets on Friday 1 December between the hours of 8pm to 11pm
- 2. Coolamon, Redgrave Park on Sunday 10 December for Coolamon Christmas Carols between the hours of 8pm to 10pm
- 3. Ganmain, Victory Memorial Gardens on Sunday 17 December for Ganmain Christmas Carols between the times of 8pm to 10pm
- 4. Coolamon, Cowabbie Street on Sunday 31 December for Coolamon NYE Street Party between the hours of 8pm to 11pm

**RESOLVED** on the motion of Clr Maslin and seconded by Clr Lewis that Council temporarily suspends the Alcohol Free Zone for the below events:

- 1. Ganmain, Victory Memorial Gardens & Ford Street for Ganmain Markets on Friday 1 December between the hours of 8pm to 11pm
- 2. Coolamon, Redgrave Park on Sunday 10 December for Coolamon Christmas Carols between the hours of 8pm to 10pm
- **3.** Ganmain, Victory Memorial Gardens on Sunday 17 December for Ganmain Christmas Carols between the times of 8pm to 10pm
- 4. Coolamon, Cowabbie Street on Sunday 31 December for Coolamon NYE Street Party between the hours of 8pm to 11pm. 178/10/2023

## GM9) AUSTRALIA DAY 2024 (A.13-118, SC1467)

On Friday January 26, 2024, the Coolamon Shire will be celebrating Australia Day in Matong. Initial discussions with Advance Matong were held on October 3rd to discuss the planning and preparation to hold this event at the new Matong Hall. Australia Day 2024 Event Funding

The Coolamon Shire Council funding application through the National Australia Day Council was submitted on Friday 6th October has been successful.

The Australia Day 2024 Community Grants Program has been made available by the NADC, with the assistance of the Australian Government. The Coolamon Shire Council will receive \$15,000.

The Program funds \$10,000 to assist organisers to ensure inclusive Australia Day 2024 events proceed successfully.

These funds will be utilized to provide the Ambassadors Welcome Dinner, community breakfast & catering, entertainment, photographer, official proceedings, certificates, flowers & gifts, Citizenship Ceremonies, branded Australia Day merchandise and purchase of other resources needed for the proceedings that can be retained at the hall.

An additional \$5,000 has been made available for events that include strong recognition of Aboriginal and/or Torres Strait Islander peoples.

Plans are underway with Advance Matong and Robert Clark to produce a painted mural to be unveiled on Australia Day that is specific to local indigenous peoples and to the town of Matong.

## **Recommendation**

For Council information

**RESOLVED** on the motion of Clr McKinnon and seconded by Clr Lewis that the report be noted. <u>179/10/2023</u>

This is Page No. 13 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

..... MAYOR....

## GM10) COUNCILLOR NUMBERS (E.01-02, SC158)

It has recently been brought to Councils attention that under Section 224 of the Local Government Act, Council should determine how many Councillors it should have.

Clause 224 indicates that:

- 1) A Council must have at least 5 and not more than 15 Councillors, (one of whom is the Mayor.
- 2) Not less than 12 months before the next ordinary election, the Council must determine the number, in accordance with subsection (1) of it's Councillors for the following term of office.
- 3) If the Council proposes to change the number of Councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum.

As you can see this would require a decision to be made at the previous August Council Meeting in order to provide time to advise the Office of Local Government and the NSW Electoral Office of this decision. Any decision to change the Councillor numbers would require a referendum to be put to the local community to endorse such a change.

The Office of Local Government have acknowledged that this has not been highlighted, however, indicated that they would accept compliance with this clause should Council consider a report at this meeting and provided Council did not wish to change the numbers of the Councillors.

For this reason this report is being put to Council for consideration, even though we are outside the timeframe required to provide intentions of a referendum.

Regardless of this timing issue there seem little reason to change the current Councillor numbers that have worked well for this Council over a long period of time.

This issue was raised with previous terms of Council for decision where a full debate occurred and the resolution was to remain at nine Councillors. The reasons given for this were:

1) It provided adequate opportunities for each of our communities to be represented.

.....GENERAL MANAGER.

This is Page No. 14 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19th October 2023.

..... MAYOR.....

- 2) It spread the load of Councillors commitments associated with attending community events or responsibilities.
- 3) It meant quorum could be maintained when apologies were required to meeting dates.
- 4) It allowed for a healthy mixture of diverse views being presented to any debate.

The reason for remaining as status quo are considered sound and there appears no real reason to change from the existing and successful operations of Council through either increasing or decreasing Councillor numbers.

## **Recommendation**

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That Council confirm the number of Councillors to remain at nine for the next term of office.

**RESOLVED** on the motion of Clr Maslin and seconded by Clr White that Council confirm the number of Councillors to remain at nine for the next term of office.

This is Page No. 15 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

..... MAYOR...

.....GENERAL MANAGER.

## 5.2 EXECUTIVE MANAGER, CORPORATE & COMMUNITY SERVICES' REPORTS

DATE	INSTITUTION	RATING	INVESTMENT TYPE	AMOUNT	TERMS (days)	RATE	MATURITY DATE
	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	3.95%	1/10/2023
4/10/2022	AMP	A2/BBB	Term Deposit	\$ 1,000,000	365	4.60%	4/10/2023
13/04/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	182	4.80%	12/10/2023
19/04/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 750,000	183	4.50%	19/10/2023
25/11/2022	AMP	A2/BBB+	Term Deposit	\$ 500,000	334	4.60%	25/10/2023
2/05/2023	NAB	A1/A+	Term Deposit	\$ 500,000	184	4.50%	2/11/2023
9/05/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	182	4.90%	7/11/2023
9/05/2023	Bank of Queensland	A2/BBB+	Term Deposit	\$ 1,000,000	184	4.75%	9/11/2023
13/02/2023	NAB	A1/A+	Term Deposit	\$ 2,000,000	273	4.55%	13/11/2023
25/11/2022	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	364	4.60%	24/11/2023
1/02/2023	NAB	A1/A+	Term Deposit	\$ 1,000,000	365	4.50%	1/02/2024
2/03/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,001,512	366	4.20%	2/03/2024
26/07/2023	NAB	A1/A+	Term Deposit	\$ 1,000,000	273	5.40%	24/04/2024
24/07/2023	Bank of Queensland	A2/BBB+	Term Deposit	\$ 1,000,000	275	5.35%	24/04/2024
19/05/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	364	5.10%	17/05/2024
29/05/2023	AMP	A2/BBB+	Term Deposit	\$ 500,000	365	5.20%	28/05/2024
7/07/2023	АМР	A2/BBB+	Term Deposit	\$ 1,000,000	336	5.75%	7/06/2024
13/06/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	5.45%	12/06/2024
24/07/2023	АМР	A2/BBB+	Term Deposit	\$ 500,000	364	5.75%	24/07/2023
3/08/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	5.45%	2/08/2024
9/09/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	5.00%	9/09/2024
15/09/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	5.20%	15/09/2024
14/09/2023	NAB	A1/A+	Term Deposit	\$ 1,000,000	365	5.15%	13/09/2024
23/09/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	5.00%	23/09/2024
			TOTAL INVESTED	\$ 22,751,512			

## CS1) FINANCE REPORT TO THE 30<sup>TH</sup> SEPTEMBER 2023 (F.02-01)

I hereby certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

(Samantha Jennings, Finance Manager)

## RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS (as at 30 June 2023) Unaudited

External Restrictions - included in liabilities	
Specific purpose unexpended grants	3,798,939.85
Allawah Lodge Bonds & Payments	3,502,694.29
Allawah Village Loan Licences	4,041,621.84
Home Care Packages	49,513.09
	11,392,769.07
External Restrictions - other	
Developer contributions - general	139,656.28
Sepcific purpose grants (recognised as revenue)	2,653,181.85
Sewerage Services	2,016,545.83
Domestic Waste Management	719,971.97
Stormwater Management	-
Other - Community Transport	312,753.25
	5,842,109.18
Internal Restrictions	
Plant & vehicle replacement	-
Employees Leave Entitlements	1,700,000.00
Deferred Works	358,615.60
Ardlethan Preschool (non-grant)	81,592.02
Asset management/replacement	-
Financial Assistance Grant Advance	4,762,788.00
Swimming Pools	75,000.00
Rehabilitation of Gravel Pits	215,000.00
Coolamon Early Childhood Centre	234,788.87
Allawah Lodge	946,927.52
Allawah Village	457,619.43
	8,832,331.44
TOTAL RESTRICTIONS	26,067,209.69
UNRESTRICTED	813,460.41
TOTAL CASH, CASH EQUIVALENTS & INVESTMENTS	26,880,670.10

This is Page No. 16 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

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#### COOLAMON SHIRE COUNCIL INCOME STATEMENT

for the period 1st July 2023 to 30th June 2024					
	SEPTEMBER 2023	AUGUST 2023	JULY 2023	2023/2024 ORIGINAL BUDGET	UNAUDITED 2022/2023 ACTUAL
Income from continuing operations					
Rates & annual charges	4,316,700.50	4,245,460.85	4,247,097.22	4,272,318.00	4,148,709.85
User charges & fees	1,460,540.49	1,058,281.08	548,395.86	6,855,626.77	5,846,808.28
Other revenues Grants & contributions provided for operating	77,194.50	68,166.83	57,019.36	417,818.84	458,659.60
purposes Grants & contributions provided for capital	181,780.94	173,090.94	92,202.75	8,950,627.74	11,873,448.50
purposes	55,873.67	42,939.68	6,900.00	3,379,682.21	2,323,859.66
Interest and investment revenue	(146,253.01)	(276,227.11)	(328,662.12)	773,622.30	761,695.85
Other income	118,635.94	92,386.17	46,472.28	394,859.64	383,364.53
Net gain from the disposal of assets	41,000.00	41,000.00	41,000.00	396,712.09	124,095.50
Internals	0.00	0.00	0.00		0.00
Total income from continuing operations	6,105,473.03	5,445,098.44	4,710,425.35	25,441,267.59	25,920,641.77
Expenses from continuing operations					
Employee benefits and on-costs	1,893,618.23	1,302,775.49	573,635.06	7,034,510.00	7,691,499.55
Materials & services	2,149,397.86	1,439,666.03	846,262.86	9,162,114.54	6,657,687.18
Borrowing costs	0.00	0.00	0.00	10,000.00	65,197.21
Depreciation, amortisation & impairment	0.00	0.00	0.00	4,807,353.10	4,528,903.07
Other expenses	184,697.94	101,597.38	400.00	462,597.25	475,405.71
Net loss from the disposal of assets					
Total expenses from continuing operations	4,227,714.03	2,844,038.90	1,420,297.92	21,476,574.89	19,418,692.72
Operating result from continuing operations	1,877,759.00	2,601,059.54	3,290,127.43	3,964,692.69	6,501,949.05
Net operating result for the year before grants and contributions provided for capital ourposes	1 834 885 33	2 559 110 00	2 202 227 72		
Par 2000	1,821,885.33	2,558,119.86	3,283,227.43	585,010.48	4,178,089.39

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#### COOLAMON SHIRE COUNCIL INCOME STATEMENT BY FUND

Si	eptember 2024 CONSOLIDATED GENERAL FUND	SEWERAGE FUND	TOTAL
la nome famo e attanta e a constituire	GENERAL FOIND	SEWERAGE FUND	IOTAL
Income from continuing operations			
Rates & annual charges	3,572,819.00	743,881.50	4,316,700.50
User charges & fees	1,460,540.49	0.00	1,460,540.49
Other revenues Grants & contributions provided for operating	76,794.50	400.00	77,194.50
purposes	181,780.94	0.00	181,780.94
Grants & contributions provided for capital	101,700107	0.00	101,700.54
purposes	24,778.22	31,095.45	55,873.67
Interest and investment revenue	(147,162.05)	909.04	-146,253.01
Other income	118,635.94		118,635.94
Net gain from the disposal of assets	41,000.00	0.00	41,000.00
Internals	20,513.00	(20,513.00)	0.00
Total income from continuing operations	5,349,700.04	755,772.99	6,105,473.03
Expenses from continuing operations			
Employee benefits and on-costs	1,854,289.39	39,328.84	1,893,618.23
Materials & services	2,098,237.35	51,160.51	2,149,397.86
Borrowing costs	0.00		0.00
Depreciation & amortisation	0.00	0.00	0.00
Other expenses	184,697.94	0.00	184,697.94
Total expenses from continuing operations	4,137,224.68	90,489.35	4,227,714.03
Operating result from continuing operations	1,212,475.36	665,283.64	1,877,759.00
Net operating result for the year before grants and contributions provided for capital			
purposes	1,187,697.14	634,188.19	1,821,885.33

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#### COOLAMON SHIRE COUNCIL BALANCE SHEET

				2023/2024	UNAUDITED 2022/2023
	SEPTEMBER 2023	AUGUST 2023	JULY 2023	ORIGINAL BUDGET	ACTUAL
ASSETS					
Current assets					
Cash and cash equivalents	3,268,953.80	4,530,091.42	4,601,473.61	6,717,652.68	6,379,157.77
Investments	22,751,512.33	21,751,512.33	21,751,512.33	18,501,512.33	20,501,512.33
Receivables	4,027,162.26	4,362,483.95	5,803,174.96	2,617,990.07	2,615,951.33
Inventories	5,207,075.97	5,213,668.21	5,207,606.57	4,234,861.38	5,205,458.88
Other					
Total current assets	35,254,704.36	35,857,755.91	37,363,767.47	32,072,016.46	34,702,080.31
Non-current assets					
Investments					
Receivables	280,092.35	280,092.35	280,092.35	239,087.35	280,092.35
Inventories	429,149.05	429,149.05	429,149.05	429,149.05	429,149.05
Infastructure, property, plant & equipment	273,679,491.78	273,375,433.02	272,934,905.17	281,750,825.79	272,521,728.89
Accumulated Dep'n - Infrastructure, PP&E	(59,686,402.88)	(59,686,402.88)	(59,686,402.88)	(64,493,755.98)	(59,686,402.88)
Accumulated Imp't - Infrastructure, PP&E	0.00	0.00	0.00	0.00	0.00
Total non-current assets	214,702,330.30	214,398,271.54	213,957,743.69	217,925,306.21	213,544,567.41
Total assets	249,957,034.66	250,256,027.45	251,321,511.16	249,997,322.67	248,246,647.72
LIABILITIES					
Current liabilities					
Payables	7,852,553.09	7,429,376.16	7,774,205.18	9,492,636.94	7,988,636.94
Contract Liabilities	3,891,921.55	3,894,602.70	3,924,058.56	117,783.32	3,924,801.06
Borrowings	0.00	0.00	0.00	0.00	0.00
Employee benefit provisions	2,156,379.23	2,152,567.26	2,154,698.20	2,232,354.50	2,153,354.50
Provisions	31,445.95	31,445.95	31,445.95	0.00	31,445.95
Other	(0.05)	(0.05)	(0.05)	1,433.38	1,433.38
Total current liabilities	13,932,299.77	13,507,992.02	13,884,407.84	11,844,208.14	14,099,671.83
Non-current liabilities					
Payables	4,347.14	4,347.14	4,347.14	4,347,14	4,347.14
Borrowings	0.00	0.00	0.00	0.00	0.00
Employee benefit provisions	113,447.98	113,447.98	113,447.98	113,447.98	113,447.98
Provisions	535,030.89	535,030.89	535,030.89	545,030.89	535,030.89
Total non-current liabilities	652,826.01	652,826.01	652,826.01	662,826.01	652,826.01
TOTAL LIABILITIES	14,585,125.78	14,160,818.03	14,537,233.85	12,507,034.15	14,752,497.84
Net assets	235,371,908.88	236,095,209.42	236,784,277.31	237,490,288.52	233,494,149.88
vet assets	235,371,908.88	236,095,209.42	230,784,277.31	237,490,288.52	233,494,149.80
QUITY					
letained earnings	115,091,784.39	115,815,084.93	116,504,152.82	117,210,164.03	113,214,025.39
Reserves	120,280,124.49	120,280,124.49	120,280,124.49	120,280,124.49	120,280,124.49
nternal Assets/Liabilities	0.00	0.00	0.00		0.00
Frust Transfer					

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GENERAL MANAGER.

## COOLAMON SHIRE COUNCIL BALANCE SHEET BY FUND

a a a a a a a a a a a a a a a a a a a	September 2023 CONSOLIDATED	0	COOLAMON SHIRE
	GENERAL FUND	SEWERAGE FUND	TOTAL
ASSETS			
Current assets			
Cash and cash equivalents	992,193.44	2,276,760.36	3,268,953.80
Investments	22,751,512.33		22,751,512.33
Receivables	3,562,231.13	464,931.13	4,027,162.20
Inventories	5,207,075.97		5,207,075.97
Other			0.00
Total current assets	32,513,012.87	2,741,691.49	35,254,704.36
Non-current assets			
Investments			0.00
Receivables	280,092.35		280,092.3
Inventories	429,149.05		429,149.05
Infastructure, property, plant & equipment	250,008,477.13	23,671,014.65	273,679,491.78
Accumulated Depreciation	(50,972,651.13)	(8,713,751.75)	(59,686,402.88
Accumulated Impairment	0.00		0.00
Total non-current assets	199,745,067.40	14,957,262.90	214,702,330.30
Total assets	232,258,080.27	17,698,954.39	249,957,034.66
LIABILITIES			
Current liabilities			
Payables	7,852,553.09	0.00	7,852,553.09
Contract Liabilities	3,891,921.55	0.00	3,891,921.5
Interfunding	-//-		0.00
Interest bearing liabilities	0.00		0.00
Employee benefit provisions	2,156,379.23		2,156,379.23
Provisions	31,445.95		31,445.9
Other	(0.05)	0.00	(0.05
Total current liabilities	13,932,299.77	0.00	13,932,299.77
Non-current liabilities			
Payables	4,347.14		4,347.14
Interest bearing liabilities	0.00		0.00
Employee benefit provisions	113,447.98		113,447.98
Provisions	535,030.89		535,030.89
Total non-current liabilities	652,826.01	0.00	652,826.03
TOTAL LIABILITIES	14,585,125.78	0.00	14,585,125.78
<b>.</b>			
Net assets	217,672,954.49	17,698,954.39	235,371,908.8
EQUITY			
Retained earnings	105,030,196.31	10,061,588.08	115,091,784.39
Reserves	112,642,758.18	7,637,366.31	120,280,124.49
Internal Assets & Liabilities	0.00		0.00
Trust Transfer			0.00
Total equity	217,672,954.49	17,698,954.39	235,371,908.88

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#### COOLAMON SHIRE COUNCIL INTERNAL & EXTERNAL RESTRICTIONS

	for the period 1st				
	SEPTEMBER 2023	AUGUST 2023	JULY 2023	2023/2024 BUDGET (ADJ FOR OPENING BALS)	UNAUDITED 2022/2023 ACTUAL
EXTERNALLY RESTRICTED					
Contract Liabilities	3,809,771.66	3,809,771.14	3,798,939.85	-8,077.62	3,798,939.85
Allawah Lodge Accommodation Payments	3,899,018.00	3,499,018.00	3,502,694.29	4,702,694.29	3,502,694.29
Allawah Village Loan-Licence	3,912,121.84	3,912,121.84	4,041,621.84	4,345,621.84	4,041,621.84
Home Care Packages	9,596.65	49,513.09	49,513.09	49,513.09	49,513.09
Developer Contributions	160,809.50	156,500.51	139,656.28	130,351.76	139,656.28
VPA Contributions					
Grant Revenues	2,350,903.85	2,466,581.87	2,653,181.85	2,653,181.85	2,653,181.85
Sewerage Fund	2,276,760.36	2,263,831.43	2,080,329.20	2,078,612.30	2,016,545.83
Waste Management	906,114.54	895,041.14	782,397.06	752,207.58	719,971.97
Stormwater Management Reserve	31,392.67	44,172.50	0.00	25,775.00	0.00
Other - Community Transport	341,166.06	355,098.96	315,144.82	315,144.82	315,144.82
	17,697,655.13	17,451,650.48	17,363,478.28	15,045,024.92	17,237,269.82
INTERNALLY RESTRICTED					
Plant Replacement Reserve	1,000,000.00	1,000,000.00	1,000,000.00	0.00	0.00
Employees Leave Entitlements Reserve	1,700,000.00	1,700,000.00	1,700,000.00	1,735,000.00	1,700,000.00
Deferred Works Reserve	301,887.81	330,462.81	358,615.63	300,825.63	358,615.63
Ardlethan Preschool	81,592.02	81,592.02	81,592.02	102,531.02	81,592.02
Asset Management	4,500,000.00	3,000,000.00	3,000,000.00	564,091.41	0.00
Financial Assistance Grant	0.00	0.00	0.00	4,762,788.00	4,762,788.00
Swimming Pools Reserve	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
Gravel Pits Rehabilitation Reserve	215,000.00	215,000.00	215,000.00	255,000.00	215,000.00
CECC Asset Mgt Reserve	254,003.12	265,769.40	272,441.18	217,713.09	234,788.87
Allawah Lodge Asset Mgt Reserve	810,818.34	1,197,889.41	1,010,710.89	946,515.52	946,927.52
Allawah Village Asset Mgt Reserve	379,638.01	404,808.10	436,051.94	429,681.61	457,619.43
	9,317,939.30	8,270,521.74	8,149,411.66	9,389,146.28	8,832,331.47
Unrestricted	(995,128.30)	559,431.53	840,096.00	811,068.81	811,068.81
TOTAL CONSOLIDATED CASH	26,020,466.13	26,281,603.75	26,352,985.94	25,245,240.01	26,880,670.10

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				RATE COLLECTIONS	ECTIONS				
		LEVIES INC.		COLLECTIONS TO		ADJUSTMENTS INC.			COLLECTABLE
	ARREARS BFWD	INTEREST	TOTAL	DATE	% TO TOTAL	PENS CONCESSIONS	ADI TOTAL	% TO TOTAL	BALANCE
30/09/2003	280,098.47	2,032,447.59	2,312,546.06	786,475.07	34.01%	101,616.96	2,210,929.10	35.57%	1,424,454.03
30/09/2004	181,374.69	2,088,310.77	2,269,685.46	792,620.41	34.92%	106,486.81	2,163,198.65	36.64%	1,370,578.24
30/09/2005	163,566.58	2,161,602.60	2,325,169.18	819,254.52	35.23%	106,739.28	2,218,429.90	36.93%	1,399,175.38
30/09/2006	185,519.90	2,238,327.83	2,423,847.73	813,812.57	33.58%	106,455.19	2,317,392.54	35.12%	1,503,579.97
30/09/2007	236,912.33	2,411,740.88	2,648,653.21	927,417.05	35.01%	117,989.76	2,530,663.45	36.65%	1,603,246.40
30/09/2008	277,343.62	2,494,944.30	2,772,287.92	918,838.29	33.14%	119,260.57	2,653,027.35	34.63%	1,734,189.06
30/09/2009	239,371.45	2,586,732.54	2,826,103.99	945,123.22	33.44%	121,683.64	2,704,420.35	34.95%	1,759,297.13
30/09/2010	292,105.99	2,707,202.01	2,999,308.00	1,004,718.49	33.50%	124,667.90	2,874,640.10	34.95%	1,869,921.61
30/09/2011	239,162.46	2,855,777.06	3,094,939.52	1,078,136.90	34.84%	124,382.82	2,970,556.70	36.29%	1,892,419.80
30/09/2012	207,935.41	2,990,079.08	3,198,014.49	1,141,925.07	35.71%	126,749.85	3,071,264.64	37.18%	1,929,339.57
30/09/2013	230,923.44	3,133,024.16	3,363,947.60	1,137,346.26	33.81%	124,350.25	3,239,597.35	35.11%	2,102,251.09
30/09/2014	263,562.88	3,288,463.25	3,552,026.13	1,206,137.92	33.96%	121,049.23	3,430,976.90	35.15%	2,224,838.98
30/09/2015	335,520.44	3,396,545.39	3,732,065.83	1,334,922.00	35.77%	122,736.97	3,609,328.86	36.99%	2,274,406.86
30/09/2016	300,944.76	3,489,119.81	3,790,064.57	1,340,646.97	35.37%	124,736.75	3,665,327.82	36.58%	2,324,680.85
30/09/2017	303,728.87	3,557,918.45	3,861,647.32	1,379,589.62	35.73%	116,266.64	3,745,380.68	36.83%	2,365,791.06
30/09/2018	319,410.16	3,664,590.37	3,984,000.53	1,417,736.71	35.59%	114,981.86	3,869,018.67	36.64%	2,451,281.96
30/09/2019	368,193.86	3,780,749.28	4,148,943.14	1,442,955.19	34.78%	115,061.06	4,033,882.08	35.77%	2,590,926.89
30/09/2020	342,642.82	4,023,102.76	4,365,745.58	1,606,987.32	36.81%	122,054.41	4,243,691.17	37.87%	2,636,703.85
30/09/2021	190,868.79	4,114,650.96	4,305,519.75	1,725,384.52	40.07%	122,659.36	4,182,860.39	41.25%	2,457,475.87
30/09/2022	126,583.34	4,219,005.50	4,345,588.84	1,783,663.60	41.05%	121,408.87	4,224,179.97	42.23%	2,440,516.37
2023/2024								;	
31/07/2023	142,153.16	4,382,873.66	4,525,026.82	308,451.91	6.82%	120,099.99	4,404,926.83	7.00%	4,096,474.92
31/08/2023	142,153.16	4,383,909.09	4,526,062.25	1,515,924.65	33.49%	121,534.36	4,404,527.89	34.42%	2,888,603.24
30/09/2023	142,153.16	4,385,615.64	4,527,768.80	1,758,091.76	38.83%	122,018.73	4,405,750.07	39.90%	2,647,658.31

**Recommendation** 

That the report be received.

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RESOLVED on the motion of Clr White and seconded by Clr Hatty that the Finance Report to the 30<sup>th</sup> September 2023 be received. 181/10/2023

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GENERAL MANAGER.

## CS2) INTERNAL RESTRICTIONS (F.02-01)

Now that Council's draft financial statements are ready for signature, it is appropriate for Council to confirm the internal restrictions/reserves.

Below is a listing of the internal restrictions/reserves and their purpose:

Reserve Name	Plant Replacement Reserve
Purpose	To provide funds for the purchase of plant and
	fleet assets
Source of Funds	General Purpose Revenue

Reserve Name	Employees Leave Entitlements Reserve
Purpose	To provide funds for employee leave entitlements
	which have been accrued but not yet paid.
Source of Funds	General Purpose Revenue

Reserve Name	Deferred Works Reserve
Purpose	Capital projects and grant funded operational
	projects not completed at 30 June
Source of Funds	Funds allocated in previous year budgets not
	spent

Reserve Name	Ardlethan Preschool	
Purpose	Ongoing maintenance and capital replacement of	
	assets relating to Ardlethan Preschool.	
Source of Funds	Ardlethan Preschool operations	

Reserve Name	Asset Management	
Purpose	Funds reserved to take advantage of strategic opportunities and to fund asset management projects	
Source of Funds	General purpose incomes	

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.....GENERAL MANAGER.

Reserve Name	Financial Assistance Grant		
Purpose	To set aside Financial Assistance Grants (FAG)		
	council received in advanced for the next year		
	general operations.		
Source of Funds	FAG received in advance		

Reserve Name	Swimming Pools Reserve	
Purpose	Ongoing maintenance and capital replacement of	
	assets relating to Council's swimming pools.	
Source of Funds	General purpose incomes	

Reserve Name	Gravel Pit Rehabilitation Reserve		
Purpose	To set aside fund for the future rehabilitation requirements relating to Council operated gravel pits.		
Source of Funds	General purpose incomes		

Reserve Name	CECC Reserve	
Purpose	Ongoing maintenance and capital replacement of assets relating to Coolamon Early Childhood Centre.	
Source of Funds	Incomes relating to the operation of CECC	

Reserve Name	Allawah Lodge Reserve
Purpose	Ongoing maintenance and capital replacement of
	assets relating to Allawah Lodge.
Source of Funds	Incomes relating to the operation of Allawah
	Lodge

Reserve Name	Allawah Village Reserve		
Purpose	Ongoing maintenance and capital replacement of		
	assets relating to Allawah Village.		
Source of Funds	Incomes relating to the operation of Allawah		
	Village		

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GENERAL MANAGER.

Reserve Name	FY2021	Proposed FY2022
Plant Replacement	1,000,000.00	0.00
Employees Leave Entitlement	1,700,000.00	1,700,000.00
Deferred Works	73,760.00	358,615.60
Ardlethan Preschool	58,769.64	81,592.02
Asset Management	4,500,000.00	0.00
Financial Assistance Grant	3,159,565.00	4,762,788.00
Swimming Pools	75,000.00	75,000.00
Rehabilitation of Gravel Pit	215,000.00	215,000.00
CECC	442,957.02	234,788.87
Allawah Lodge	939,413.99	946,927.52
Allawah Village	326,777.40	457,619.43
TOTAL	12,491,243.05	8,832,331.44

The change in these reserves over the past twelve months is as follows:

Most notably are the changes to the following:

- Deferred Works as a result of weather conditions and grant funded projects, Council staff deferred the completion of a number of gravel resheets and urban reseals. These works are scheduled to be completed in the current financial year.
- CECC the remaining "internal loan" used to establish the Coolamon Early Childhood Centre was repaid.
- Plant Replacement & Asset Management Council had a large number of grant projects underway at the end of the financial year. For some of those grants, accounting standards required that any funds received are not to be accounted for as income until such time as the project has been completed. This means that Council has to hold the funds as a liability even though the funds received may have been fully expended. Other grant funds had been raised as income but were not yet received at the end of the financial year and other grant funds needed to be claimed as part of final acquittal purposes. The "recoupment" of these funds will replenish these reserves. Council also has a number of land development projects that are now either on the market or not far away that will see the recoupment of these investments.

## **Recommendation**

That the proposed internal reserves be adopted for the financial year ended 30 June 2023.

RESOLVED on the motion of Clr Crocker and seconded by Clr Perkin that the Proposed Internal Reserves be adopted for the Financial year ending 30th June 2023. 182/10/2023

.....GENERAL MANAGER.

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..... MAYOR.....

## CS3) FINANCIAL STATEMENTS (A.12-01, SC34)

Council staff have completed the draft General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules for the financial year ended 30th June 2023. The draft statements have been forwarded to the NSW Audit Office and it is anticipated that the Audit Opinions and Report on the Conduct of the Audit will be finalised on or after meeting day.

A detailed snapshot of Council's financial position as at 30<sup>th</sup> June 2023 (subject to finalisation of the audit) is presented below:

Income Statement	2022/2023 \$'000	2021/2022 \$'000
Total income from continuing operations	25,921	23,050
Total expenses from continuing operations	19,424	17,375
Operating result from continuing operations	6,497	5,675
Net Operating result for the year	6,497	5,675
Net Operating result before grants & contributions provided for capital purposes	4,186	1,417

Statement of Financial Position	2022/2023 \$'000	2021/2022 \$'000
Total current assets	34,703	30,324
Total non-current assets	213,732	199,812
Total current liabilities	14,100	12,495
Total non-current liabilities	653	1,211
Total equity	233,682	216,430

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Other financial	Purpose of ratio & commentary	2022/2023	2021/2022
information Operating performance ratio (%)	This ratio measures Council's achievement of containing operating expenditure within operating revenue. The benchmark is greater than 0%	17.33%	8.53%
Own source operating revenue ratio (%)	This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. The benchmark is greater than 60%. Council continues to source government grants where available. Successfully obtaining grants leads to an unfavourable result for this ratio.	44.97%	46.41%
Unrestricted current ratio (x)	To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council. The benchmark is greater than to 1.5x.	10.66x	14.97x
Debt service cover ratio (x)	This ratio measures the availability of operating cash to service debt including interest, principal and lease payments. Benchmark is greater than 2x.	133.28x	252.83
Rates & Annual Charges Outstanding Percentage	To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts. The benchmark is less than 10%	4.90%	4.74%
Cash Expense cover Ratio (months)	This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow. The benchmark is greater than 3 months	20.05 months	25.30 months
Building and Infrastructure ratio	To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating. The benchmark is greater than 100%	96.32%	104.77%
Asset Maintenance Ratio	Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the infrastructure backlog growing. The benchmark is greater than 100%	125.84%	109.40%

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Council's total cash assets at the end of the financial year amounted to \$26,881,000, a decrease of \$225,000 from the previous year. These cash assets are made up of external restrictions and internal restrictions with the remaining balance considered unrestricted.

The make-up of the cash, cash equivalents and investments reported in the financial statements is as follows:

	2022/2023 \$'000	2021/2022 \$'000
External Restrictions – included in liabilities		
Specific purpose unexpended grants – general	3,799	1,673
fund		
Allawah Lodge Accommodation Bonds & Payments	3,503	4,357
Allawah Village Loan Licence	4,042	3,874
Home Care Packages	50	167
External restrictions – other		
Developer contributions – general	140	90
Specific purpose unexpended grants (recognised	2,653	809
as revenue) – general fund		
Sewer fund	2,016	2,257
Domestic waste management	720	849
Stormwater management	0	11
Other	312	271
Total External Restrictions	17,235	14,358
Internal restrictions		
Plant and vehicle replacement	0	1,000
Employees leave entitlement	1,700	1,700
Carry over works	358	74
Ardlethan Preschool	81	59
Asset Management - General Fund	0	4,500
Financial Assistance Grant Advance	4,763	3,159
Swimming pools	75	75
Rehabilitation of gravel pits	215	215
Asset Management - Coolamon Early Childhood	235	443
Centre		
Asset Management - Allawah Lodge	947	939
Asset Management - Allawah Village	458	327
Total Internal Restrictions	8,832	12,491
Unrestricted	814	257
TOTAL CASH	26,881	27,106

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## <u>Recommendation</u>

- 1) That Council adopt the Annual Financial Statement for the year ended 30th June 2023.
- 2) That the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the Statement by Councillors and Management for the 2022/2023 General Purpose and Special Purpose Financial Statements.
- 3) That Council refer the Annual Financial Statements for the year ended 30th June 2023 to Council's external auditor for audit.
- 4) That Council delegate authority to the General Manager to authorise the accounts for issue in accordance with Section 413(2)(c) of the Local Government Act 1993 (as amended).
- 5) That Council adopt the internal restrictions as at the 30th June 2023.

**RESOLVED** on the motion of Clr Crocker and seconded by Clr Hatty that:

- 1) Council adopt the Annual Financial Statement for the year ended 30th June 2023.
- 2) The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the Statement by Councillors and Management for the 2022/2023 General Purpose and Special Purpose Financial Statements.
- 3) Council refer the Annual Financial Statements for the year ended 30th June 2023 to Council's external auditor for audit.
- 4) Council delegate authority to the General Manager to authorise the accounts for issue in accordance with Section 413(2)(c) of the Local Government Act 1993 (as amended).
- 5) That Council adopt the internal restrictions as at the 30th June 2023. 183/10/2023

This is Page No. 29 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 19<sup>th</sup> October 2023.

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## CS4) POLICY REVIEW (P.12-01, SC316)

- → As part of Council's ongoing Policy Review, the following policy is presented by staff: Attachment No.7
  - Public Interest Disclosure (PID) Policy

Council's existing Internal Reporting Policy – Public Interest Disclosures was developed in accordance with the *Public Interest Disclosures Act 1994*. This Act has been replaced with the *Public Interest Disclosures Act 2022* and the NSW Ombudsman developed a model policy on which agencies could develop their own policy

## **Recommendation**

- 1) That Council's Internal Reporting Policy Public Interest Disclosures be repealed.
- 2) That the Public Interest Disclosure Policy as presented be adopted.

## **RESOLVED** on the motion of Clr Maslin and seconded by Clr McKinnon that:

- 1) Council's Internal Reporting Policy Public Interest Disclosures be repealed.
- 2) That the Public Interest Disclosure Policy as presented be adopted. (See Appendix 1). 184/10/2023

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# 5.3 EXECUTIVE MANAGER, ENGINEERING & TECHNICAL SERVICES' REPORTS

## ES1) SHIRE ROAD RESHEETING, STABILISATION AND MAINTENANCE

The following roads have received attention:

## 1) <u>MAINTENANCE</u>

- Old Wagga Road (Springwood Road to East West Road)
- Pratts Lane (Old Wagga Road to Denyers Lane)
- McCormacks Lane (Berry Jerry Lane to Springwood Road)
- Lawrences Lane (Berry Jerry Lane to Bradshaws Lane)
- Foxs Lane (Marrar North Road to end)

## 2) <u>RESHEETING</u>

Hawthorns Lane (Rannock Road to Stinsons Lane)

Council's third grader gang is continuing on unsealed maintenance prior to harvest and is currently completing items in the Berry Jerry region before heading north to Ardlethan.

## ES2) COOLAMON BUSINESS PARK (I.03-14, SC1066)

The Contractor is proceeding with fence installation and Council are still pursuing concrete contractor to complete remaining items.

## ES3) FLR POTHOLE REPAIR & REGIONAL & LOCAL ROADS REPAIR PROGRAM (POTHOLES 1 & 2) (R.07-11, SC1256)

Heavy patch rehabilitation works have commenced on Council's regional and local sealed network. 159 potholes and 38,224m<sup>2</sup> have been identified and Council's two construction grader gangs will be focused on these works which are anticipated to extend into late November.

Council have also recently been informed by TfNSW that the expenditure of the \$2.5 million under the RLRRF has been extended by four years to 2027 rather than January 2024. Council have already developed a works program and committed contractors to address the many rod issues within the initial timeframe and will proceed as planned.

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Contractor grader gang has also commenced unsealed smoothing works on the 9<sup>th</sup> October and will continue these works up to Christmas and primarily focus on the region south of Canola Way.

Local Contractor is also progressing well with clearing of Council's sealed network with the following completed:

- Marrar North Road
- Marrar South Road
- Rannock Road
- Dullah Road
- Methul Road
- Matong North Road
- Bredins Lane
- Kockibitoo Road

The Contractor will now be addressing items in the Ardlethan Region.

## ES4) RFS AND COUNCIL ROAD SIDE HAZARD REDUCTION (R.09-01, SC502)

Contractors have completed chemical spraying of Council's sealed road network. Prior to arrival of hot and dry conditions. Council will perform slashing of the treated road shoulders which should retain roadside environments in a desirable condition throughout the summer.

## ES5) STINSON STREET (GREGOR) SUBDIVISION (S.16-05, SC1418, DA 2022/48)

NBN contractors have completed installation of pit and pipe network. Electrical contractors have installed pit, cable and one streetlight. Minor finishing works are remaining and anticipated to be completed in coming weeks.

Stormwater and sewer connections (Keane Civil) have advised they will be commencing works by the end of October and will remain onsite until completed which is expected to be prior to Christmas. Kerb and gutter works will follow service installation and occur early 2024.

## **Recommendation**

That the Executive Manager, Engineering and Technical Services reports ES1 – ES5 be received and noted.

RESOLVED on the motion of Clr Maslin and seconded by Clr White that Executive Manager, Engineering and Technical Services reports ES1 – ES5 be received and noted. 185/10/2023

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## ES6) BIOSECURITY WEEDS REPORT (N.02-01, SC284)

## **Biosecurity Weeds Officer Reports**

## Activities

- Private property inspections carried out, no significant infestations found.
- ➢ High risk roadways inspected across the Shire.
- Staff have completed inspections of high-risk pathways and sites.
- Spraying of Boxthorn undertaken.
- Coolatai Grass sites controlled.
- Road Shoulder spraying complete.
- > Attended Henty field days, site was well attended.
- Staff attended Bio-control session in Orange, will be working towards securing new agents for Horehound.

## WAP targets addressed:

- 1.1 High risk species and pathways identified and managed
- 1.22 Discussion of High Risk Weeds list at Regional level
- 2.1 Timely detection of new incursions
- 2.11 Regional inspection program implemented. High risk sight inspection
- 4.3.2.2 Work collaboratively with other agencies

## **Recommendation**

That the report be noted.

**RESOLVED** on the motion of Clr Hutcheon and seconded by Clr Hatty that the report be noted. <u>186/10/2023</u>

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# 5.4 EXECUTIVE MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES' REPORTS

HS1) DEVELOPMENT ACTIVITY REPORT FOR THE PERIOD ENDING 30<sup>TH</sup> SEPTEMBER 2023 (B.05-03, SC58)

## Summary

This report advises of the Development Application activity for the month of September 2023.

Application Number	Туре	Address	Determination	Value
CDC 2023/9.2		142 Mirrool Street North, COOLAMON	Approved – 22/09/2023	\$42,400
CDC 2023/17	Inground Swimming Pool	70 Lewis Street North, COOLAMON	Approved – 19/09/2023	\$39,320
CDC 2023/18	Inground Swimming Pool	83 Cains Lane, COOLAMON	Approved – 19/09/2023	\$68,828
DA 2023/47	Construction of New Colorbond Shed	32-42 Devlin Street, COOLAMON	Approved – 20/09/2023	\$64,000
DA 2023/54		96 Wallace Street North, COOLAMON	Approved – 14/09/2023	\$577,963
DA 2023/55	Ancillary Structure to Existing Approved Commercial Operations	•	Approved 20/09/2023	\$20,100
TOTAL:				\$812,611.00

## **Development Activity Table**

## **Financial Implications**

There are nil financial implications to Council as a result of this report.

## Consultation

Ú

Applications have been notified and exhibited in accordance with Council's Development Control Plan as required.

## **Recommendation**

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That Council receive and note this report on development activity for the period up to 30<sup>th</sup> September, 2023.

RESOLVED on the motion of Clr Perkin and seconded by Clr Lewis that Council receive and note this report on development activity for the period up to 30<sup>th</sup> September 2023. 187/10/2023

.....GENERAL MANAGER.

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## HS2) ARDLETHAN, COOLAMON AND GANMAIN SWIMMING POOLS 2023/2024 SEASON (S.19-01, SC556)

## Summary

Council has received the proposed opening dates, opening hours and fees for the upcoming 2023-24 public swimming pool season.

## Background

1) Ardlethan Swimming Pool

Council has received advice from Donna Horan indicating the proposed opening hours of the Ardlethan Swimming Pool, which are as follows:

- 2:00pm to 7:00pm, Monday to Friday
- 12.00pm to 7:00pm, Saturday and Sunday
- 12:00pm to 7:00pm, Monday to Sunday, throughout school holidays
- 6:00am to 8:00am, Monday, Wednesday and Friday

The proposed entry fees are as follows:

- Adult \$3.00
- Child \$2.00
- Non Swimmers \$1.00

The proposed season ticket prices are:

- Family \$150.00
- Adult \$90.00
- Child (10-17yrs) \$60.00

The proposed open date of the Ardlethan Swimming Pool is Monday 14<sup>th</sup> November 2023.

The proposed opening times of the swimming pool are considered compliant with the Deed of Agreement.

2) <u>Coolamon Swimming Pool</u>

Council has received advice from Leanne Hooper indicating the proposed opening hours of the Coolamon Swimming Pool, which are as follows:

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- 6:00am to 10:00am Monday to Friday
- 1:00pm to 7:00pm Monday to Friday
- 8:00am to 7:00pm Saturday & Sunday

Please Note 1: Hours may vary during school holidays and pending weather conditions

Please Note 2: The pool will be open for schools to use when closed to the public (bookings required).

Please Note 3: Coolamon Swimming Club will have the weekly meets on Wednesdays from 6pm (the main pool closed to the public)

The proposed the entry fees are as follows:

- Adult \$4
- Concession & Children (5-15 years) \$3
- Spectator \$1
- Family Pass (2 Adults & 3 Children) \$10
- Children 5 years and younger FREE

The proposed season ticket prices are:

- Family \$250.00
- Adult \$125.00
- Concession \$80.00

Please Note: A voucher system will also apply (10 & 20 options)

The proposed open date of the Coolamon Swimming Pool will be Saturday 18<sup>th</sup> November 2023.

The proposed opening times of the swimming pool are considered compliant with the Deed of Agreement.

## 3) <u>Ganmain Swimming Pool</u>

Council has received advice from Ken Evers indicating the proposed opening hours of the Ganmain Swimming Pool, which are as follows:

- 7:00am to 7:30pm Monday, Wednesday & Friday
- 10:00am to 7:30pm Tuesday, Thursday, Saturday & Sunday

The proposed entry fees are as follows:

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- Adult \$3.00
- Child (2-16 years) \$2.00
- Non Swimmers and Children under 2 years Free

The proposed season ticket prices are:

- Family \$220.00
- Adult \$90.00
- Child \$60.00

The proposed open date of the Ganmain Swimming Pool will be Saturday, 18<sup>th</sup> November 2023.

The proposed opening times of the swimming pool are considered compliant with the Deed of Agreement.

#### Consultation

Consultation was between internal Council staff and the swimming pool operators.

Notification to the general community of proposed opening hours and fees in the Council newsletter once Council endorses the report.

#### **Recommendation**

That Council note the report and endorse the proposed opening hours and fees for the Ardlethan, Coolamon and Ganmain Swimming Pool Facilities for the 2023/24 season.

RESOLVED on the motion of Clr McKinnon and seconded by Clr Maslin that Council note the report and endorse the proposed opening hours and fees for the Ardlethan, Coolamon and Ganmain Swimming Pool Facilities for the 2023/24 season. 188/10/2023

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#### 6) **REPORTS**

- Clr Maslin reported that Council is currently charging \$10.00 for people to utilize the dump point at the Coolamon Caravan Park. T Donoghue advised that a report will be prepared for a future meeting of Council regarding possible sites and alternatives in relation dump points in the township of Coolamon.
- Clr Crocker reported that he had received complaints regarding use of the Coolamon Caravan Park by seasonal workers and truck drivers and high fees being charged. T Donoghue advised that staff would investigate and report back to Council.
- Clr McCann reported that the Matong Memorial Gates have been completed and that a function to formally open them has been scheduled for Friday 27<sup>th</sup> of October.
- Clr McCann reported that Telstra mobile services would be unavailable from Monday-Wednesday due to an upgrade. Clr Crocker further reported that Telstra are advising of ongoing disruption for Thursday and Friday. Clr Crocker enquired whether a temporary facility could be made available for the week. T Donoghue advised that he would enquire with Telstra.
- Clr McKinnon extended his thanks in relation to the Matong Memorial Gates and the work that have been done.
- Clr Lewis reported that there was no CDAT meeting this month and that he attended a Coolamon Landcare meeting and the "Blokes in the Kitchen" night in Ganmain.
- Clr McKinnon reported that the Ganmain Bowling Green would be officially opened on Saturday morning the 28<sup>th</sup> of October.
- > Clr Maslin extended her congratulations to the organisers of the Yield Festival.
- ➤ General enquiries were made in regard to the exemptions for 2<sup>nd</sup> dwellings.

#### Meeting Closed at 4.22pm

Confirmed and signed during the Meeting held this 16<sup>th</sup> day of November 2023.

## MAYOR

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## **APPENDIX 1 - PUBLIC INTEREST DISCLOSURE (PID) POLICY**



## PUBLIC INTEREST DISCLOSURE (PID) POLICY

Date Adopted	19 October 2023		
Council Minute	184/10/2023		
Version	Version 4		
Policy Responsibility	Corporate & Community Services		
Review Timeframe	Every 4 Years		
Last Review Date	October 2023	Next Scheduled	October 2027
		Review	

This policy has been developed based on the Model Public Interest Disclosures Policy and guidelines published by the NSW Ombudsman in July 2023.

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## Purpose

All agencies in NSW are required to have a Public Interest Disclosure (**PID**) Policy under section 42 of the *Public Interest Disclosures Act 2022* (**PID Act**).

At Coolamon Shire Council we take reports of serious wrongdoing seriously. We are committed to building a 'speak up' culture where public officials are encouraged to report any conduct that they reasonably believe involves wrongdoing.

The integrity of our agency relies upon our staff, volunteers, contractors and subcontractors speaking up when they become aware of wrongdoing.

This policy sets out:

- how Coolamon Shire Council will support and protect you if you come forward with a report of serious wrongdoing
- how we will deal with the report and our other responsibilities under the PID Act
- who to contact if you want to make a report
- how to make a report
- the protections which are available to you under the PID Act.

This policy also documents our 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
- imposing duties on agencies who receive reports of wrongdoing to take appropriate action to investigate or otherwise deal with them.

In NSW, that framework is the PID Act.

This policy should be read in conjunction with Council's Code of Conduct, Statement of Business Ethics, Acceptance of Donation Policy, Complaints Handling Policy, Contract Management Policy, Councillor Expenses & Facilities Policy, Fraud Control Policy, Grievance Policy, Managing Conflicts of Interest for Council Related Development Policy and Related Party Disclosure Policy.

The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the Grievance Policy. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Council's Human Resources team to be dealt with in accordance with the Grievance Policy.

It is important all staff and Councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. The Coolamon Shire Council will not support staff or Councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the *Code of Conduct* resulting in disciplinary action. In the case of Councillors, disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

## Accessibility of this policy

This policy is available on Council's publicly available website as well as on the Council's intranet and electronic document management system.

A copy of the policy is also sent to all staff of Coolamon Shire Council on their commencement. A hard copy of the policy can be requested from Council's Human Resources Officer

## Who does this policy apply to?

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

- a person employed in or by an agency or otherwise in the service of an agency
- a person having public official functions or acting in a public official capacity whose conduct or activities an integrity agency is authorised by another Act or law to investigate
- an individual in the service of the Crown
- a statutory officer
- a person providing services or exercising functions on behalf of an agency, including a contractor, subcontractor or volunteer
- an employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of an agency or exercises functions of an agency, and are involved in providing those services or exercising those functions
- a judicial officer
- a Member of Parliament (MP), including a Minister
- a person employed under the *Members of Parliament Staff Act 2013*.

The General Manager, other nominated disclosure officers and managers within Coolamon Shire Council 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 Coolamon Shire Council may use this policy if they want information on who they can report wrongdoing to within Coolamon Shire Council.

## Who does this policy not apply to?

This policy does not apply to:

- people who have received services from an agency and want to make a complaint about those services
- people, such as contractors, who provide services to an agency. For example, employees of a company that sold computer software to an agency.

This means that if you are not a public official, this policy does not apply to your complaint (there are some circumstances where a complaint can be deemed to be a voluntary PID, see section 1(i) of this policy for more information).

However, you can still make a complaint to Coolamon Shire Council. This can be done by following Council's Complaints Handling Policy which can be found on Council's website.

You can also make a complaint directly the General Manager in writing as follows:

In writing:	General Manager	
	Coolamon Shire Council	
	PO Box 101	
	COOLAMON NSW 2701	
By email:	council@coolamon.nsw.gov.au	

## **Compliance with the PID Act**

This policy may be reviewed at any time or as required in the event of legislative changes. Unless otherwise required the policy will be reviewed at least once during a term of Council.

The policy is the responsibility of the Executive Manager, Corporate & Community Services and they can be contacted if there are any errors or issues found in the policy. It will be the Executive Manager, Corporate & Community Services responsibility to monitor the policy and consider whether it is meeting its purpose.

## What is contained in this policy?

This policy will provide you with information on the following:

- ways you can make a voluntary PID to Coolamon Shire Council under the PID Act
- the names and contact details for the nominated disclosure officers in Coolamon Shire Council
- the roles and responsibilities of people who hold particular roles under the PID Act and who are employees of Coolamon Shire Council
- what information you will receive once you have made a voluntary PID
- protections available to people who make a report of serious wrongdoing under the PID Act and what we will do to protect you
- Coolamon Shire Council procedures for dealing with disclosures
- Coolamon Shire Council procedures for managing the risk of detrimental action and reporting detrimental action
- Coolamon Shire Council record-keeping and reporting requirements
- how Coolamon Shire Council will ensure it complies 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 Coolamon Shire Council
- 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 all other relevant Council policies.

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:

- 1. *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.
- 2. *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.
- 3. *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.

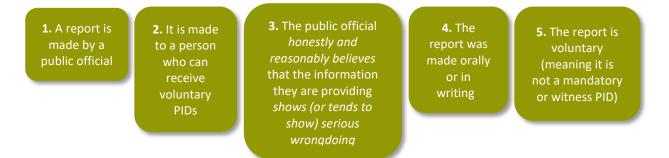
This policy mostly relates to making a voluntary PID and how we will deal with voluntary PIDs. People who make a mandatory PID or a witness PID are still entitled to protection. More information about protections is available in section 2 of this policy.

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.

You will not be expected to prove that what you reported actually happened or is serious wrongdoing. You *do* have to honestly believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

Even though you do 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 we make an error and do not identify that you have made a voluntary PID, you will still be entitled to the protections under the PID Act.

If you make a report and believe we have made an error by not identifying that you have made a voluntary PID, you should raise this with a nominated disclosure officer or your contact officer for the report. If you are still not satisfied with this outcome, you can seek an internal review or we make seek to conciliate the matter. You 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:

- you are employed by Coolamon Shire Council
- you are a contractor, subcontractor or volunteer who provides services, or exercises functions, on behalf of Coolamon Shire Council, or
- you work for an entity (such as a non-government organisation) who is contracted by Coolamon Shire Council to provide services or exercise functions on behalf of Coolamon Shire Council — if you are involved in undertaking that contracted work.

A public official can make a PID about serious wrongdoing relating to *any* agency, not just the agency they are working for. This means that we may receive PIDs from public officials outside our agency. It also means that you can make a PID to any agency, including an integrity agency like the Independent Commission Against Corruption (**ICAC**) and the NSW Ombudsman. Annexure B of this policy has 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 an agency 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 council staff member recommending a family member for a council 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 you make your report, you do not need to state to Coolamon Shire Council what category of serious wrongdoing you are reporting or that you are reporting serious wrongdoing.

The NSW Ombudsman have published a guideline titled "What is serious wrongdoing?" that can be referred to if the maker of a PID can refer to.

## (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 Coolamon Shire Council

You can make a report inside Coolamon Shire Council to:

- General Manager
- The Disclosures Co-ordinator this role is undertaken by the Executive Manager, Corporate & Community Services
- The Mayor
- a disclosure officer for Coolamon Shire Council a list of disclosure officers for Coolamon Shire Council and their contact details can be found at Annexure A of this policy
- your manager this is the person who directly, or indirectly, supervises you. It can also be the person who you directly, or indirectly, report to. You may have more than one manager. Your manager will make sure that the report is communicated to a disclosure officer on your behalf or may accompany you while you make the report to a disclosure officer.

#### Making a report to a recipient outside of Coolamon Shire Council

You can also make your report to a public official in another agency (meaning an agency you do not work for) or an integrity agency. These include:

- the *head of another agency* this means the head of any public service agency
- an *integrity agency* a list of integrity agencies is located at Annexure B of this policy
- a *disclosure officer for another agency* ways to contact disclosure officers for other agencies is located in an agency's PID policy which can be found on their public website
- a Minister or a member of a Minister's staff but the report must be made in writing.

If you choose to make a disclosure outside of Coolamon Shire Council, it is possible that your disclosure will be referred back to Council so that appropriate action can be taken.

#### Making a report to a Member of Parliament or journalist

Disclosures to MPs or journalists are different to other reports. You can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:

- You must have first made substantially the same disclosure (described here as a 'previous disclosure') to someone who can receive disclosures.
- The previous disclosure must be substantially true.
- You did not make the previous disclosure anonymously.
- You did not give a written waiver of your right to receive information relating to your previous disclosure.
- You did not receive the following from Coolamon Shire Council:
  - notification that Coolamon Shire Council 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:
    - o notice of Coolamon Shire Council decision to investigate the serious wrongdoing
    - $\circ~$  a description of the results of an investigation into the serious wrongdoing
    - details of proposed or recommended corrective action as a result of the previous disclosure or investigation.

Investigation period means:

- after six months from the previous disclosure being made, or
- after 12 months if you applied for an internal review of the agency's decision within six months of making the disclosure.

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

## (f) What form should a voluntary PID take?

You can make a voluntary PID:

- *in writing* this could be an email or letter to a person who can receive voluntary PIDs.
- *orally* have a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone or virtually.
- anonymously write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as 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 you choose to remain anonymous, you will still be protected under the PID Act. It may be difficult, however, for Coolamon Shire Council to investigate the matter(s) you have disclosed if we cannot contact you for further information.

## (g) What should I include in my report?

You should provide as much information as possible so we can deal with the report effectively. The type of information you should include is:

- date, time and location of key events
- names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
- your relationship with the person(s) involved, such as whether you work closely with them
- your explanation of the matter you are reporting
- how you became aware of the matter you are reporting
- possible witnesses
- other information you have that supports your report.

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

You should report all wrongdoing you become aware of regardless of whether you think it is serious wrongdoing. It is important for Coolamon Shire Council to understand what is or may be occurring.

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

#### (i) Deeming that a report is a voluntary PID

The General Manager and/or Disclosures Co-ordinator 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 reporters are provided with protections under the PID Act.

If you make a report that has not met all the requirements of a voluntary PID, you can refer your matter to General Manager/Disclosures Co-ordinator to request that they consider deeming your report to be a voluntary PID.

A decision to deem a report to be a voluntary PID is at the discretion of the General Manager/Disclosures Co-ordinator. For more information about the deeming power, 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?

If you have any questions or concerns you can speak to the General Manager or Disclosures Coordinator who will be able provide further information to address any concerns.

## 2. Protections

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

When you make a voluntary PID you receive special protections under the PID Act.

We are committed to taking all reasonable steps to protect you from detriment as a result of having made a PID. We are also committed to maintaining your confidentiality as much as possible while the PID is being dealt with.

We will not tolerate any type of detrimental action being taken against you because you 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 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.
  - Once we become aware that a voluntary PID by a person employed or otherwise associated with Coolamon Shire Council that concerns serious wrongdoing relating to Coolamon Shire Council has been made, we will undertake a risk assessment and take steps to mitigate the risk of detrimental action occurring against the person who made the voluntary PID.
  - 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.
  - A person may seek compensation where unlawful detrimental action has been taken against them.
  - 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 that 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 often 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 agencies 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.	$\checkmark$	$\checkmark$
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.	$\checkmark$	$\checkmark$
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.	$\checkmark$	$\checkmark$
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:	$\checkmark$	$\checkmark$
<ul> <li>breaching a duty of secrecy or confidentiality, or</li> <li>breaching another restriction on disclosure.</li> </ul>		

## **3.** Reporting detrimental action

If you experience adverse treatment or detrimental action, such as bullying or harassment, you should report this immediately. You can report any experience of adverse treatment or detrimental action directly to Coolamon Shire Council or to an integrity agency. A list of integrity agencies is located at Annexure B of this policy.

To report detrimental action to the Coolamon Shire Council you should contact the General Manager or Disclosures Co-ordinator. Reporters of detrimental actions will be kept informed of the progress of any investigations and the outcome of the same.

If you have reported wrongdoing and feel that any detrimental action is not being addressed effectively you can contact the NSW Ombudsman.

## 4. General support

Coolamon Shire Council will provide support to those who have made a report through giving access to any professional support they may need as a result of the reporting process including, but not limited to, providing information about Council's Employee Assistance Program.

A key contact person will be allocated to the report maker and this person will be the key point of contact for inquiries and updates in relation to the report. They will also be responsible for taking required steps to protect the interests of the report maker, if they are at risk of detrimental action.

The General Manager or Disclosure Coordinator are to be notified if a person who has made the report is suffering any detrimental action as a result of disclosing any wrongdoing.

For enquiries about the PID Act and reporting generally, please refer to the NSW Ombudsman at www.ombo.nsw.gov.au

# 5. Roles and responsibilities of Coolamon Shire Council employees

Certain people within Coolamon Shire Council have responsibilities under the PID Act.

#### (a) General Manager

The General Manager 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 Coolamon Shire Council complies with this policy and the PID Act
- ensuring that the Coolamon Shire Council 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) Disclosures Co-ordinator

The Disclosures Co-ordinator has a central role in Coolamon Shire Council's internal reporting system. The Disclosures Co-ordinator can receive and assess reports, and is the primary point of contact in Coolamon Shire Council for the reporter. Council's Disclosure Coordinator is the Executive Manager, Corporate & Community Services.

The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager)
- deal with reports made under the Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures
- coordinate Coolamon Shire Council's response to a report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report
- ensure Coolamon Shire Council complies with the PID Act
- provide six-monthly reports to the NSW Ombudsman in accordance with the PID Act.

## (c) Mayor

The Mayor can receive reports from staff and Councillors about the General Manager. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under the Council's *Code of Conduct* in accordance with the Council's adopted *Code of Conduct* procedures
- refer reports to an investigating authority, were appropriate
- liaise with the disclosures coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under the *PID Act* to the Commissioner of Police or the ICAC.

## (d) 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.

## (e) 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.

## (f) 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 Coolamon Shire Council
- 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 Coolamon Shire Council will acknowledge that we have received a report and keep the person who made it informed

When a disclosure officer in Coolamon Shire Council 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:

- You will receive 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 Coolamon Shire Council deals with the report
  - provide clear information on how you can access this PID policy
  - provide you with details of a contact person and available supports.
- If the report is a voluntary PID, we will inform you as soon as possible how we intend to deal with the report. This may include:
  - that we are investigating the serious wrongdoing
  - that we will refer the report to a different agency (if appropriate) to deal with the voluntary PID. If we do this, we will provide you with details of this referral
  - If we decide to not investigate the report and to not refer it to another agency for it to be investigated, we will tell you the reasons for this decision. We will also notify the NSW Ombudsman of this decision.
- If we decide to investigate the serious wrongdoing, we will provide you with updates on the investigation at least every three months. During this time, if you would like more frequent updates, you should contact the contact person who was nominated when you made the report.
  - If we investigate the serious wrongdoing, we will provide you with the following information once the investigation is complete:
    - $\circ~$  a description of the results of the investigation that is, we will tell you whether we found that serious wrongdoing took place.
    - information about any corrective action as a result of the investigation/s this means we will tell you what action we took in relation to the person who engaged in the serious wrongdoing or if the serious wrongdoing was by our agency, what we have put in place to address that serious wrongdoing.

- Corrective action could include taking disciplinary action against someone or changing the practices, policies and procedures that we have in place which led to the serious wrongdoing.
- 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 to you. We will always balance the right of a person who makes a report to know the outcome of that report, with other legal obligations we have.
- If you have made an anonymous report, in many cases we may not be able to provide this information to you.

## (b) How Coolamon Shire Council will deal with voluntary PIDs

Once a report that may be a voluntary PID is received Coolamon Shire Council 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, we will ensure that we comply with the requirements in the PID Act.

Council officials who report wrongdoing will be told what is happening in response to their report.

When you make a report, you will be given:

- An acknowledgement that your disclosure has been received
- The timeframe for when you will receive further updates
- The name and contact details of those who can providing you with information as to what is taking place.

This information will be given to you within two working days from the date you make your report.

After a decision is made about how your report will be dealt with, you will be given:

- Information about the action that will be taken in response to your report
- Likely timeframes for any investigation information about the resources available to you to handle any concerns you may have information about external agencies and services you can access for support.

This information will be provided within 10 working days from the date you make your report.

During any investigation, you will be given:

- Information on the ongoing nature of the investigation
- Information about the progress of the investigation and reasons for any delay
- Advice if your identity needs to be disclosed for the purpose of investigating the matter, and an opportunity to discuss this

At the end of any investigation you will be provided with:

• Enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem which was identified

• Advice about whether you will be involved as a witness in any further matters such as disciplinary or criminal proceedings.

#### Report not a voluntary PID

Even if the report is not a voluntary PID, it will still need to be dealt with in a manner consistent with Council's other relevant policies or through an alternate process.

If the report is not a voluntary PID, we will let you know that the PID Act does not apply to the report and how we will deal with the concerns raised in the report.

If you are not happy with this assessment or otherwise disagree with it, you can raise it with the person who has communicated the outcome with you or a disclosure officer, request an internal review or request that the matter be conciliated. Coolamon Shire Council can, but do not have to, request the NSW Ombudsman to conciliate the matter.

#### Cease dealing with report as voluntary PID

Coolamon Shire Council may stop dealing with a voluntary PID because it is not actually a voluntary PID (meaning it does not have all the features of a PID).

Council will advise the maker of a voluntary PID of the reasons it has ceased dealing with the report as a voluntary PID.

The PID Act requires agencies to provide reasons to the maker of a purported PID if the agency has ceased dealing with the report as a voluntary PID. A purported PID is one that is made to one of the recipients of voluntary PIDs as set out in the Act and it is not a witness of mandatory PID and the maker has stated that it is a voluntary PID.

#### Where the report is a voluntary PID

If the report is a voluntary PID:

- In most cases we 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 the agency engaged, in serious wrongdoing. There may be
  circumstances where we believe an investigation is not warranted for example, if the
  conduct has previously been investigated.
- There may also be circumstances where we 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*.
- Before referring a matter, we will discuss the referral with the other agency, and we will provide you with details of the referral and a contact person within the other agency.
- If we decide not to investigate a report and to not refer the matter to another agency, we must let you know the reasons for this and notify the NSW Ombudsman.

There may be an occasion to appoint an external investigator to investigate a report. In this instance, Council's appointed Disclosures Co-ordinator will continue to make contact with the maker of the report.

## (c) How Coolamon Shire Council will protect the confidentiality of the maker of a voluntary PID

We understand 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:

- where the person consents in writing to the disclosure
- where it is generally known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker
- when the public official or Coolamon Shire Council reasonably considers it necessary to disclose the information to protect a person from detriment
- where it is necessary the information be disclosed to a person whose interests are affected by the disclosure
- where the information has previously been lawfully published
- 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
- when the information is disclosed for the purposes of proceedings before a court or tribunal
- when the disclosure of the information is necessary to deal with the disclosure effectively
- if it is otherwise in the public interest to disclose the identifying information.

We will not disclose identifying information unless it is necessary and authorised under the PID Act.

We will put in place steps to keep the identifying information of the maker and the fact that a report has been made confidential. It may not be possible for us to maintain complete confidentiality while we progress the investigation, but we will do all that we practically can to not unnecessarily disclose information from which the maker of the report can be identified. We will do this by:

- Limiting the number of people who are aware of the maker's identity or information that could identify them.
- If we must disclose information that may identify the maker of the PID, we will still not disclose the actual identity of the maker of the PID, unless we have their consent to do so.
- We will 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.
- We will ensure that only authorised persons have access to emails, files or other documentation that contain information about the identity of the maker.
- We will 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.
- We will 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, Coolamon Shire Council will:

- Advise the person whose identity may become known
- Implement strategies to minimise the risk of detrimental action
- Provide additional supports to the person who has made the PID

## (d) How Coolamon Shire Council will assess and minimise the risk of detrimental action

Coolamon Shire Council 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.

Coolamon Shire Council 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.

Coolamon Shire Council will take steps to assess and minimise the risk of detrimental action by:

- Explaining that a risk assessment will be undertaken, and a risk management plan will be created (including reassessing the risk throughout the entirety of the matter)
- Providing details of the unit/role that will be responsible for undertaking a risk assessment
- Explaining how the agency will communicate with the maker to identify risks
- Listing the protections that will be offered, that is, the agency will discuss protection options with the maker which may including remote working or approved leave for the duration of the investigation
- Outlining what supports will be provided.

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:

- injury, damage or loss
- property damage
- reputational damage
- intimidation, bullying or harassment
- unfavourable treatment in relation to another person's job
- discrimination, prejudice or adverse treatment
- disciplinary proceedings or disciplinary action, or
- any other type of disadvantage.

Detrimental action does not include:

- lawful action taken by a person or body to investigate serious wrongdoing or other misconduct
- the lawful reporting or publication of a finding of serious wrongdoing or other misconduct
- the lawful making of adverse comment, resulting from investigative action
- the prosecution of a person for a criminal offence
- 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 Coolamon Shire Council will deal with allegations of a detrimental action offence

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

- take all steps possible to stop the action and protect the person(s)
- take appropriate disciplinary action against anyone that has taken detrimental action
- refer any evidence of a detrimental action offence to the Commissioner of Police and the ICAC or the Law Enforcement Conduct Commission (whichever is applicable)
- notify the NSW Ombudsman about the allegation of a detrimental action offence being committed.

Coolamon Shire Council's Disclosures Co-ordinator will be responsible for making referrals on alleged detrimental action offences as well as providing advice and support to the person against whom alleged detrimental action has been taken. This will include provision of updates in relation to action being undertaken to address the detrimental action allegations.

## (f) What Coolamon Shire Council will do if an investigation finds that serious wrongdoing has occurred

If, after an investigation, it is found that serious wrongdoing or other misconduct has occurred, Coolamon Shire Council will take the most appropriate action to address that wrongdoing or misconduct. This is also known as corrective action.

Corrective action can include:

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

## 7. Review and dispute resolution

## (a) Internal review

People who make voluntary PIDs can seek internal review of the following decisions made by Coolamon Shire Council:

- that Coolamon Shire Council is not required to deal with the report as a voluntary PID
- to stop dealing with the report because [we/agency name] decided it was not a voluntary PID
- to not investigate the serious wrongdoing and not refer the report to another agency
- to cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.

Coolamon Shire Council will ensure internal reviews are conducted in compliance with the PID Act.

If you would like to make an application for an internal review, you must apply in writing within 28 days of being informed of Coolamon Shire Council's decision. The application should state the reasons why you consider Coolamon Shire Council decision should not have been made. You may also submit any other relevant material with your application.

Applications for internal review should be sent to the General Manager.

## (b) Voluntary dispute resolution

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

## 8. Other agency obligations

#### (a) Record-keeping requirements

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

## (b) Reporting of voluntary PIDs and Coolamon Shire Council annual return to the Ombudsman

Each year Coolamon Shire Council provide an annual return to the NSW Ombudsman which includes:

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

This report is prepared by the Disclosures Co-ordinary and it then incorporated into Council's statutory Annual Report.

All information gathered in relation to PIDs are securely stored in Council's electronic document management system.

## (c) How Coolamon Shire Council will ensure compliance with the PID Act and this policy

Council's General Manager will be responsible for monitoring the effectiveness of Council's PID policy and compliance with the PID Act. Any audits of the PID processes at Coolamon Shire Council will be undertaken as part of Council's Internal Audit Schedule and reported through the Audit, Risk and Improvement Committee to Council.

# Annexure A — Names and contact details of disclosure officers for Coolamon Shire Council

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General Manager	Mr Tony Donoghue
	02 6930 1800
	0427 273 694
	tdonoghue@coolamon.nsw.gov.au
Disclosures Co-coordinator (Executive	Mrs Courtney Armstrong
Manager, Corporate & Community Services)	02 6930 1800
	0428 314 787
	carmstrong@coolamon.nsw.gov.au
Mayor	Clr David McCann
	dmccann@coolamon.nsw.gov.au
Disclosure Officers	Aged Care Services Manager
	02 6927 3477
	Community Care Manager
	02 6927 3521
	Manager Riverina Regional Library
	02 5925 5808
	Coolamon Early Childhood Centre Manager
	02 6927 3991
	Director – Ardlethan Preschool 02 6978 2323

## Annexure B — List of integrity agencies

Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of <b>serious</b> <b>maladministration</b> by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pmMonday to FridayWriting: Level 24, 580 George Street,Sydney NSW 2000Email: 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:0282815999 or toll free on1800 463 909 (callers outside Sydney) between 9amand 3pm, Monday to FridayWriting:GPOBox500,SydneyNSW2001or faxing 0292645364Email: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: <u>oiicac_executive@oiicac.nsw.gov.au</u>
The Law Enforcement Conduct Commission	<b>Serious maladministration</b> 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: <u>contactus@lecc.nsw.gov.au</u>
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC and LECC officers	Telephone: 02 9228 3023Writing:GPOBox5341,Sydney NSW 2001Email: <a href="mailto:oilecc_executive@oilecc.nsw.gov.au">oilecc_executive@oilecc.nsw.gov.au</a>
Office of the Local Government	Local government pecuniary interest contraventions	Email: <u>olg@olg.nsw.gov.au</u>
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: <u>ipcinfo@ipc.nsw.gov.au</u>

Version 4 Adopted:Council Meeting held 19 October 2023 (Minute No 184/10/2023)Version 3 Readopted:Council Meeting held 21 April 2022 (Minute No 69/04/2022)Version 3 Adopted:Council Meeting held 21 September 2017 (Minute No 175/09/2017)Version 2 Re-Adopted:Council Meeting held 19 February 2009 (Minute No.26/02/2009)Version 2 Adopted:Council Meeting held 18 October, 2007 (Minute No. 331/10/2007)Version 1 AdoptedCouncil Meeting held 20 July, 2006 (Minute No. 207/7/2006)