

**Meeting commenced at 2.00pm.**

**BUSINESS:**

- 1) Apologies
- 2) a. Confirmation of Minutes of the Meeting held 16<sup>th</sup> November, 2017.  
b. Matters arising out of Minutes. (Not elsewhere reported)
- 3) Correspondence
  - a. Agenda A (Information Only)
  - b. Agenda B
- 4) General Manager's Report
  - 4.1 General Manager's Report
  - 4.2 Executive Manager, Corporate & Community Services' Report
  - 4.3 Executive Manager, Engineering & Technical Services' Report
  - 4.4 Executive Manager, Development & Environmental Services' Report
- 5) Minutes of the Audit Committee Meeting held 7<sup>th</sup> September, 2017.
- 6) Minutes of the Audit, Risk & Improvement Committee Meeting held 9<sup>th</sup> November, 2017.
- 7) Reports: Delegates/Mayor/Councillors
- 8) Recommendations of a Committee of a Whole Meeting held 14<sup>th</sup> December, 2017.

**PRESENT:** Ctrs John Seymour, Bruce Hutcheon, David McCann, Kathy Maslin, Alan White, Jeremy Crocker, Colin McKinnon, Kerrilee Logan and Steven Jones.

**STAFF:** Tony Donoghue, General Manager;  
Courtney Armstrong, Executive Manager, Corporate & Community Services;  
Tony Kelly, Executive Manager, Engineering & Technical Services;  
Samantha Jennings, Finance Manager.

**APOLOGIES:** Nil.

**1) APOLOGIES**

There were no apologies.

**2a) CONFIRMATION OF MINUTES OF THE MEETING HELD 16<sup>TH</sup> NOVEMBER, 2017.**

**RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that the Minutes of the Meeting held 16<sup>th</sup> November, 2017 as circulated be confirmed and adopted.** 243/12/2017

**2b) MATTERS ARISING OUT OF THE MINUTES**

There were no matters arising out of the Minutes.

**3) CORRESPONDENCE**

**AGENDA A (FOR INFORMATION ONLY)**

**1a) INFORMATION PAPERS**

→ 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. Attachment No. 1

- 1) Local Government NSW Weekly Circulars 44, 45, 46, 47 and 48.
- 2) Minutes of the Advance Ardlethan Committee Meeting held 6<sup>th</sup> November, 2017.
- 3) Minutes of the REROC Meeting held 31<sup>st</sup> October, 2017 and Agenda for the Meeting held 11<sup>th</sup> December, 2017.

**2a) ACTIVITY REPORTS**

- 1) Operating Statistics of the Coolamon Shire Library for November 2017.
- 2) Community Development Officer's Report for November 2017.
- 3) Tourism and Business Development Officer's Report for November 2017.

General Manager's Note

- ➔ The above reports are operating reports only for use by Senior Staff. They are submitted to Council as part of Agenda A for information only. **Attachment No. 2**

**3a) GOLDENFIELDS WATER (W.01-02, SC433)**

Advising that at their Ordinary Meeting on 16<sup>th</sup> November 2017 they held their annual elections for Goldenfields Water County Council's Chairperson and Deputy Chairperson, and the following persons were elected:

- Councillor Dennis Palmer from Cootamundra-Gundagai Regional Council was duly elected as Chairperson; and
- Councillor David McCann from Coolamon Shire Council was duly elected as Deputy Chairperson.

**4a) LOCAL GOVERNMENT NSW – BOARD ELECTIONS (L.07-01, SC277)**

Advising that the AEC has declared the election of LGNSW Directors as follows:

**Directors (Metropolitan/Urban)**

Karen McKeown, Mazhar Hadid, Julie Griffiths, Khal Asfour, George Greiss, Lesley Furneaux-Cook and Michael Regan.

**Directors (Rural/Regional)**

Darriea Turley, Phyllis Miller, Marianne Saliba, Ruth Fagan, Ben Shields, Rod Kendall and Paul Harmon.

They join Cr Linda Scott (President), Cr Marjorie Spooner O'Neill (Treasurer), Cr Angelo Tsirekas (Vice President - Metro/Urban), Cr Lindsay Brown (Vice President - Rural/Regional) and Cr Keith Rhoades (Immediate Past President) on the Board of LGNSW.

**AGENDA B**

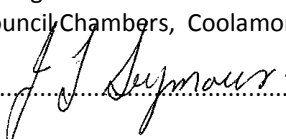
**1b) REROC - DRAFT MODEL CODE OF CONDUCT (C.14-01, SC150)**


REROC have prepared a Response to the Consultation Draft of the Model Code of Conduct for Local Councils in NSW.

General Manager's Note

➔ A copy of the Response is attached to the information papers. Attachment No. 12

**RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the Correspondence listed Agenda A and Agenda B be received.** 244/12/2017

..... MAYOR

.....GENERAL MANAGER.

## 4) GENERAL MANAGER REPORTS

### 4.1) GENERAL MANAGER REPORTS

#### GM1) AMBULANCE STATION (H.03-03, SC225)

On the week commencing the 27<sup>th</sup> November 2017, Ambulance Staff commenced their operations at the Coolamon Ambulance Station. Whilst this soft opening was undertaken without any official opening or fanfare, it was pleasing to see this project finally realized.

This result was the culmination of several years' hard work by Council and the Community Committee with the ultimate outcome being improved facilities in Ardlethan and a new Station in Coolamon.

These facilities will create a regional network of emergency medical care that will ultimately help and support our communities.

Council is yet to be informed of the official opening date. When this occurs, Council will be informed.

#### Recommendation

For Council information.

#### GM2) OPENING OF THE GANMAIN AND ARDLETHAN POOLS (S.19-02, S.19-04)

The date set for the opening of these two pools is Monday, 18<sup>th</sup> December, 2017. Please note these were originally set down for Friday, 15<sup>th</sup> December 2017, however this was changed due to the availability of the Local Federal Member for Riverina, Michael McCormack.

The schedule of events will be as follows:

2.00pm: Opening presentation at Ganmain  
3.30pm: Opening presentation at Ardlethan

#### Recommendation

For Council information.

**GM3) INTEGRITY (GOVERNANCE AND LEADERSHIP) MANAGEMENT COURSE (R.06-01, SC329)**

REROC will be conducting an Integrity (Governance and Leadership) Management Course set done for 22<sup>nd</sup> February, 2018. This course will be on the back of the Councillor Professional Development Workshop. Councillors are encouraged to attend if available.

Recommendation

For Council information.

**GM4) 2016/17 WORKERS COMPENSATION & WHS REPORT (I.05-11, SC257)**

- ➔ Coolamon Shire Council has received its 2016/17 Workers Compensation & Work, Health and Safety Report from StateCover. A copy of this document has been attached for your information. Attachment No. 3

In summary, it indicates that our claim performance rate has been good with the average cost per claim (getting people back to work) much lower than the Industry Standard. You will note that Council has received an increase in the claims frequency but a reduction in the total cost to Council of rehabilitating those injured workers. This indicates that Council has a robust reporting programme and identifies possible claims early and works with staff to manage adequate and appropriate return to work.

Council will receive a refund from StateCover as a result of the WHS Incentive payment of \$17,098.58 for 2017. This is part of the incentive programme rewarding Councils good performance.

Recommendation

For Council information.

**RESOLVED on the motion of Clr Maslin and seconded by Clr White that the General Manager's Reports (GM1 to GM4) be received.** 245/12/2017

**GM5) REROC SOUTHERN LIGHTS PROJECT (R.06-01, SC329)**

- ➔ REROC has been working with the neighbouring Regional Organisation of Councils developing a project around providing more efficient, cost effective and future technologies into our street lighting requirements. A copy of this project is attached for your information. Attachment No. 4

REROC believes that there are opportunities that should be investigated to determine if there is a more appropriate way to manage our street lighting. REROC is seeking in principle support from individual Councils for such a project so that negotiations can continue.

Recommendation

That Council provide inprinciple support to the Southern Lights Project.

**RESOLVED on the motion of Clr White and seconded by Clr Hutcheon that Council provide inprinciple support to the Southern Lights Project.** 246/12/2017

**GM6) 2017-2020 TOURISM & EVENTS STRATEGY (T.06-05, SC428)**

- ➔ In June 2017, Tilma Group prepared a draft three-year Tourism and Events Strategy for Coolamon Shire from 2017 to 2020. The Tourism and Events Strategy was developed in consultation with Council staff. The final document is now presented to Council for endorsement. Attachment No. 5.1

The development of this strategy was identified as part of Council's commitment towards the management, development and marketing of tourism in Coolamon Shire over the next three years and beyond.

The strategy is aimed at recognising opportunities that will lead to building and expanding the local economy, building the local event portfolio and boosting tourism and overnight stays within the region. The strategy provides an achievable plan for the future while responding to the challenges and opportunities presented by local and regional situations.

Coolamon Shire is highly regarded by residents and visitors for the quality of its heritage buildings, charming parks and gardens, its wide main-streets, sporting facilities and the diversity of boutique shopping and cafes. This strategy aims to highlight and expand the awareness of these facilities and services.

The focus of the three-year strategy is to take Coolamon Shire to the next stage as a destination that offers a great rural lifestyle and year-round visitor appeal.

Five strategic priorities have been identified:

1. Reposition the destination brand and image of Coolamon Shire
2. Create proud and passionate local ambassadors that can sell the shire to visitors and potential residents
3. In collaboration with Junee and Temora Shires, ensure Canola Trail is recognised as an iconic experience in Country NSW
4. Develop new experiences and connect the towns and villages of Coolamon Shire
5. Continue to grow and develop events throughout Coolamon Shire

This three-year plan highlights actions to achieve the above five strategic priorities.

An indicative budget has been provided to realise these opportunities. This budget does not include staff wages. [Attachment No. 5.2](#)

#### Recommendation

That Council endorse the Tourism and Events Strategy 2017-2020 and consider budget allocation for projects in the upcoming budget.

**RESOLVED on the motion of Clr Hutcheon and seconded by Clr McCann that Council endorse the Tourism and Events Strategy 2017-2020 and consider budget allocation for projects in the upcoming budget.** [247/12/2017](#)

#### **GM7) JOINT ORGANISATIONS (R.06-01, SC329)**

At the recent REROC Board Meeting, discussions were held around the new Local Government Amendment (Regional Joint Organisations) Bill 2017, and the implications this would have for the REROC Region.

- REROC's Executive Officer, Julie Briggs prepared a discussion paper for the Board Meeting that identified options available for the Board to consider. This has been attached for your information. [Attachment No. 13.1](#)

As can be seen there were four options for the Board to consider and the reasons for and against deciding on each option is provided. From this meeting it was decided that on Monday, 18 December, 2017 at 2.00pm, an information session would be held for all Councillors and Senior Staff who wish to hear more about the matter and the issues and options available.



- ➔ The Board resolved to prioritise the options and place in order those which it would like to move forward with. Attachment No. 13.2

As with all matters, there is a fine line between being large enough to obtain efficiencies and being nibble and flexible enough to be of benefit and serve. This happens in a lot of scenarios from all levels of Government, commercial enterprises and service provision. Council needs to ensure that the Joint Organisation that represents Coolamon balances this requirement to ensure that it is not too large and unwieldy.

For this reason it is thought appropriate that Council would support either an expanded JO Model that includes Albury and Federation Councils or as a minimum the existing REROC Region.

The increase in size by a combined JO, including RAMROC, would create logistical issues and our voice would be diluted, particularly as this new legislation seems to have had a slight change of focus to include 'Establish Strategic Regional Priorities'.

There are some tight timeframes around this decision that seem to be set by the State Government without any real reasons for the haste. The need for urgency needs to be weighed against getting the decision right, particularly as it will have long term ramifications for our Council and our communities.

Council have been advised that they must determine what JO they want to be in and formally resolve that by the end of February 2018. It is envisaged that Council will be able to do this at the February 2018 Meeting.

Recommendation

That Council supports a JO that reflects the Riverina Eastern Regional Organisation of Councils.

**RESOLVED on the motion of Clr Maslin and seconded by Clr Hutcheon that Council supports a JO that reflects the Riverina Eastern Regional Organisation of Councils.** 248/12/2017

**GM8) VARIATION OF LEASE TO OPTUS MOBILE PTY LTD (LD151/7)**

Council staff have agreed to varied terms with Optus Mobile Pty Ltd in relation to their occupation on the Coolamon Telecommunications Tower.

A variation to the Lease Agreement has been prepared and requires approval by Council.

Recommendation

✍ That the Seal of Council be affixed to the Optus Mobile Pty Ltd Lease Variation.

**RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the Seal of Council be affixed to the Optus Mobile Pty Ltd Lease Variation.** 249/12/2017

**GM9) NSW FARMER OF THE YEAR AWARD (A.14-01, SC42)**

It is noted that a local Beckom farmer received the NSW Farmer of the Year. Mike and Velia O'Hare from 'Greendale', Beckom received the award for their innovative use of hand seed pasture legumes.

Whilst not located directly within our Shire boundaries, they are definitely associated with the Ardlethan and Beckom communities.

Recommendation

For Council information.

**RESOLVED on the motion of Clr Maslin and seconded by Clr McKinnon that Council extend its congratulations to Mike & Veila O'Hare.** 250/12/2017

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

### CS1) FINANCE REPORT AS AT 30TH NOVEMBER, 2017

RESOLVED on the motion of Clr McCann and seconded by Clr White that the report be received 25/12/2017

DATE INVESTED	INSTITUTION	RATING	INVESTMENT TYPE	AMOUNT INVESTED	TERMS (days)	RATE	MATURITY DATE
21/12/2016	Beyond Bank	A2/BBB	Term Deposit	\$ 1,700,000	365	2.80%	21/12/2017
1/02/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.90%	1/02/2018
2/05/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.80%	2/05/2018
8/05/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.80%	8/05/2018
15/06/2017	AMP	A1/A	Term Deposit	\$ 2,000,000	365	2.60%	15/06/2018
19/06/2017	AMP	A1/A	Term Deposit	\$ 1,000,000	365	2.60%	19/06/2018
8/08/2017	AMP	A1/A	Term Deposit	\$ 1,000,000	273	2.60%	8/05/2018
9/09/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	9/09/2018
14/09/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	14/09/2018
26/09/2017	AMP	A1/A	Term Deposit	\$ 500,000	273	2.60%	26/06/2018
23/09/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.50%	23/09/2018
24/10/2017	NAB	A1+/AA-	Term Deposit	\$ 1,000,000	365	2.50%	24/10/2018
10/11/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 2,000,000	365	2.70%	10/11/2018
<b>TOTAL INVESTED</b>				<b>\$ 15,200,000</b>			

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 2005* and Council's Investment Policies.

(Samantha Jennings, Finance Manager)

### RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS

#### EXTERNAL RESTRICTIONS AS AT 30TH JUNE, 2017

Allawah Lodge - Accommodation Bonds/Payments	\$ 3,706,673.19
Allawah Village - Loan-Licence	\$ 2,977,399.15
Section 94 Contributions	\$ -
Specific Purpose Unexpended Grants & Contributions & Other Funding	\$ 305,461.01
Sewerage Fund	\$ 1,879,720.20
Waste Management	\$ 944,034.25
	<u>\$ 9,813,287.80</u>

#### INTERNAL RESTRICTIONS AT 30TH JUNE, 2017

Asset/Plant Replacement	\$ 1,000,000.00
Employees Leave Entitlements	\$ 970,000.00
Deferred Works	\$ 739,000.00
Ardlethan Preschool	\$ 17,791.45
Asset Management (inc. unrestricted cash)	\$ 1,110,298.78
Allawah Lodge Asset Mgt Reserve	\$ 602,759.22
Allawah Village Asset Mgt Reserve	\$ 260,407.31
CECC Asset Mgt Reserve	\$ 203,907.81
Financial Assistance Grant	\$ 1,683,001.00
Swimming Pools	\$ -
Rehabilitation of Gravel Pits	\$ 152,000.00
	<u>\$ 6,739,165.57</u>
	<u>\$ 16,552,453.37</u>

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

COOLAMON SHIRE COUNCIL  
INCOME STATEMENT

for the period 1st July 2017 to 30th June 2018

	NOVEMBER 2017	OCTOBER 2017	SEPTEMBER 2017	2017/2018 BUDGET	2016/2017 ACTUAL
<b>Income from continuing operations</b>					
<b>Revenue:</b>					
Rates & annual charges	3,419,820.55	3,419,491.55	3,418,688.77	3,410,000.00	3,342,541.82
User charges & fees	1,261,843.54	1,144,073.63	925,128.31	2,813,000.00	2,931,783.71
Interest and investment revenue	(41,196.16)	(41,205.53)	(71,151.55)	404,000.00	448,073.57
Other revenues	191,590.17	191,381.47	150,539.91	491,000.00	771,690.93
Grants & contributions provided for operating purposes	1,203,648.82	919,869.64	877,180.73	4,122,000.00	8,416,616.93
Grants & contributions provided for capital purposes	225,055.00	112,300.00	98,720.00	3,429,000.00	1,354,954.49
Internals	0.00	800.00	0.00		
<b>Other income:</b>					
Net gain from the disposal of assets	678,037.27	678,037.27	324,284.26	190,000.00	0.00
<b>Total revenues from continuing operations</b>	<b>6,938,799.19</b>	<b>6,424,748.03</b>	<b>5,723,390.43</b>	<b>14,859,000.00</b>	<b>17,265,661.45</b>
<b>Expenses from continuing operations</b>					
Employee benefits and on-costs	1,830,381.98	1,828,376.59	1,305,642.14	5,043,000.00	5,348,989.28
Borrowing costs	0.00	0.00	0.00	30,000.00	70,026.65
Materials & contracts	959,749.02	915,536.39	780,745.13	2,397,000.00	3,300,065.85
Depreciation, amortisation & impairment	770,684.60	770,684.60	770,684.60	3,022,000.00	2,790,897.03
Other expenses	669,739.62	650,745.38	587,954.49	1,578,000.00	1,390,196.61
Net loss from the disposal of assets					222,922.14
<b>Total expenses from continuing operations</b>	<b>4,230,555.22</b>	<b>4,165,342.96</b>	<b>3,445,026.36</b>	<b>12,070,000.00</b>	<b>13,123,097.56</b>
<b>Operating result from continuing operations</b>	<b>2,708,243.97</b>	<b>2,259,405.07</b>	<b>2,278,364.07</b>	<b>2,789,000.00</b>	<b>4,142,563.89</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>2,483,188.97</b>	<b>2,147,105.07</b>	<b>2,179,644.07</b>	<b>-640,000.00</b>	<b>2,787,609.40</b>

This is Page No. 12 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
*J. J. Seymour*  
..... MAYOR

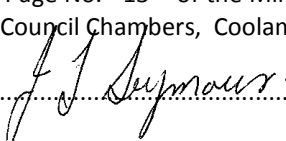
.....  
*Paul Roughton*  
..... GENERAL MANAGER.

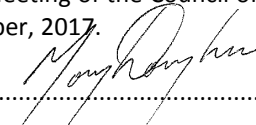
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

COOLAMON SHIRE COUNCIL  
INCOME STATEMENT BY FUND

November 2017			
CONSOLIDATED			
	GENERAL FUND	SEWERAGE FUND	TOTAL
<b>Income from continuing operations</b>			
<b>Revenue:</b>			
Rates & annual charges	2,903,328.82	516,491.73	3,419,820.55
User charges & fees	1,253,707.54	8,136.00	1,261,843.54
Interest and investment revenue	(41,971.14)	774.98	-41,196.16
Other revenues	189,599.14	1,991.03	191,590.17
Grants & contributions provided for operating purposes	1,197,220.20	6,428.62	1,203,648.82
Grants & contributions provided for capital purposes	215,175.00	9,880.00	225,055.00
Internals	0.00	0.00	0.00
<b>Other income:</b>			0.00
Net gain from the disposal of assets	678,037.27	0.00	678,037.27
<b>Total revenues from continuing operations</b>	<b>6,395,096.83</b>	<b>543,702.36</b>	<b>6,938,799.19</b>
<b>Expenses from continuing operations</b>			
Employee benefits and on-costs	1,781,707.65	48,674.33	1,830,381.98
Borrowing costs	0.00		0.00
Materials & contracts	877,977.69	81,771.33	959,749.02
Depreciation & amortisation	769,282.10	1,402.50	770,684.60
Other expenses	655,802.74	13,936.88	669,739.62
<b>Total expenses from continuing operations</b>	<b>4,084,770.18</b>	<b>145,785.04</b>	<b>4,230,555.22</b>
<b>Operating result from continuing operations</b>	<b>2,310,326.65</b>	<b>397,917.32</b>	<b>2,708,243.97</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>			
	<b>2,095,151.65</b>	<b>388,037.32</b>	<b>2,483,188.97</b>

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 14<sup>th</sup> December, 2017.

.....  

  
 ..... MAYOR

.....  

  
 ..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN  
THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

COOLAMON SHIRE COUNCIL  
BALANCE SHEET

for the period 1st July 2017 to 30th June 2018

	NOVEMBER 2017	OCTOBER 2017	SEPTEMBER 2017	2017/2018 BUDGET (ADJ FOR OPENING BALS)	2016/2017 ACTUAL
<b>ASSETS</b>					
<b>Current assets</b>					
Cash and cash equivalents	1,708,248.48	1,261,494.61	1,268,780.78	1,807,816.66	1,352,453.37
Investments	15,200,000.00	15,200,000.00	15,200,000.00	15,900,000.00	15,200,000.00
Receivables	2,128,183.56	2,190,272.97	2,680,487.53	438,603.96	938,409.07
Inventories	1,410,475.65	1,406,832.89	1,393,492.34	368,169.98	1,383,565.16
Other					
<b>Total current assets</b>	<b>20,446,907.69</b>	<b>20,058,600.47</b>	<b>20,542,760.65</b>	<b>18,514,590.60</b>	<b>18,874,427.60</b>
<b>Non-current assets</b>					
Investments					
Receivables	3,925.13	3,925.13	3,925.13	326,297.13	3,925.13
Inventories	1,941.00	1,941.00	1,941.00	2,000.00	1,941.00
Infrastructure, property, plant & equipment	214,498,771.31	214,460,770.57	213,941,386.37	228,691,172.68	212,611,209.09
Accumulated Dep'n - Infrastructure, PP&E	(44,244,069.30)	(44,244,069.30)	(44,244,069.30)	(49,374,774.74)	(43,473,384.70)
Accumulated Imp't - Infrastructure, PP&E	(1,456,499.18)	(1,456,499.18)	(1,456,499.18)	(156,499.18)	(1,456,499.18)
Other					
<b>Total non-current assets</b>	<b>168,804,068.96</b>	<b>168,766,068.22</b>	<b>168,246,684.02</b>	<b>179,488,195.89</b>	<b>167,687,191.34</b>
<b>Total assets</b>	<b>189,250,976.65</b>	<b>188,824,668.69</b>	<b>188,789,444.67</b>	<b>198,002,786.49</b>	<b>186,561,618.94</b>
<b>LIABILITIES</b>					
<b>Current liabilities</b>					
Payables	7,173,964.92	7,190,227.59	7,138,295.61	7,585,387.96	7,191,922.68
Overdraft					
Interest bearing liabilities	1,157.00	1,157.00	1,157.00	1,846.00	1,157.00
Provisions	1,572,345.53	1,578,613.80	1,576,362.76	1,557,596.01	1,573,274.03
<b>Total current liabilities</b>	<b>8,747,467.45</b>	<b>8,769,998.39</b>	<b>8,715,815.37</b>	<b>9,144,829.97</b>	<b>8,766,353.71</b>
<b>Non-current liabilities</b>					
Payables	990.91	990.91	990.91	798.98	990.91
Interest bearing liabilities	1,448.86	1,448.86	1,448.86	(2,179.14)	1,448.86
Provisions	1,095,890.93	1,095,890.93	1,095,890.93	1,099,682.86	1,095,890.93
<b>Total non-current liabilities</b>	<b>1,098,330.70</b>	<b>1,098,330.70</b>	<b>1,098,330.70</b>	<b>1,098,302.70</b>	<b>1,098,330.70</b>
<b>TOTAL LIABILITIES</b>	<b>9,845,798.15</b>	<b>9,868,329.09</b>	<b>9,814,146.07</b>	<b>10,243,132.67</b>	<b>9,864,684.41</b>
<b>Net assets</b>	<b>179,405,178.50</b>	<b>178,956,339.60</b>	<b>178,975,298.60</b>	<b>187,759,653.82</b>	<b>176,696,934.53</b>
<b>EQUITY</b>					
Retained earnings	87,410,718.76	86,961,879.86	86,980,838.86	89,685,581.01	84,702,474.79
Reserves	91,994,459.74	91,994,459.74	91,994,459.74	98,074,072.81	91,994,459.74
Internal Assets/Liabilities	0.00	0.00	0.00		0.00
<b>Total equity</b>	<b>179,405,178.50</b>	<b>178,956,339.60</b>	<b>178,975,298.60</b>	<b>187,759,653.82</b>	<b>176,696,934.53</b>

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 14<sup>th</sup> December, 2017.

.....  
*J. J. Seymour*  
..... MAYOR

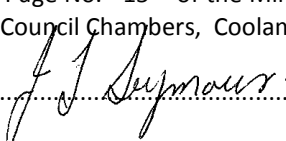
.....  
*Anthony Rongher*  
..... GENERAL MANAGER.

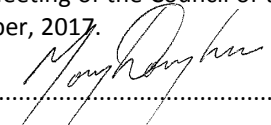
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

COOLAMON SHIRE COUNCIL  
BALANCE SHEET BY FUND

November 2017			
	CONSOLIDATED GENERAL FUND	SEWERAGE FUND	COOLAMON SHIRE TOTAL
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	(289,718.71)	1,997,967.19	1,708,248.48
Investments	15,200,000.00		15,200,000.00
Receivables	1,808,863.04	319,320.52	2,128,183.56
Inventories	1,410,475.65		1,410,475.65
Other			0.00
<b>Total current assets</b>	<b>18,129,619.98</b>	<b>2,317,287.71</b>	<b>20,446,907.69</b>
<b>Non-current assets</b>			
Investments			0.00
Receivables	3,925.13		3,925.13
Inventories	1,941.00		1,941.00
Infrastructure, property, plant & equipmen	198,330,720.65	16,168,050.66	214,498,771.31
Accumulated Depreciation	(38,342,371.78)	(5,901,697.52)	(44,244,069.30)
Accumulated Impairment	(1,456,499.18)		(1,456,499.18)
Other			0.00
<b>Total non-current assets</b>	<b>158,537,715.82</b>	<b>10,266,353.14</b>	<b>168,804,068.96</b>
<b>Total assets</b>	<b>176,667,335.80</b>	<b>12,583,640.85</b>	<b>189,250,976.65</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	7,173,964.92	0.00	7,173,964.92
Interfunding			0.00
Interest bearing liabilities	1,157.00		1,157.00
Provisions	1,572,345.53		1,572,345.53
<b>Total current liabilities</b>	<b>8,747,467.45</b>	<b>0.00</b>	<b>8,747,467.45</b>
<b>Non-current liabilities</b>			
Payables	990.91		990.91
Interest bearing liabilities	1,448.86		1,448.86
Provisions	1,095,890.93		1,095,890.93
<b>Total non-current liabilities</b>	<b>1,098,330.70</b>	<b>0.00</b>	<b>1,098,330.70</b>
<b>TOTAL LIABILITIES</b>	<b>9,845,798.15</b>	<b>0.00</b>	<b>9,845,798.15</b>
<b>Net assets</b>	<b>166,821,537.65</b>	<b>12,583,640.85</b>	<b>179,405,178.50</b>
<b>EQUITY</b>			
Retained earnings	80,824,648.20	6,586,070.56	87,410,718.76
Reserves	85,996,889.45	5,997,570.29	91,994,459.74
Internal Assets & Liabilities	0.00		0.00
<b>Total equity</b>	<b>166,821,537.65</b>	<b>12,583,640.85</b>	<b>179,405,178.50</b>

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 14<sup>th</sup> December, 2017.

.....  

  
 ..... MAYOR

.....  

  
 ..... GENERAL MANAGER.

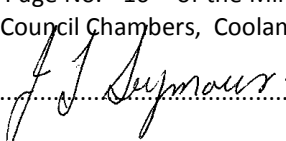
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

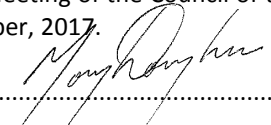
COOLAMON SHIRE COUNCIL  
INTERNAL & EXTERNAL RESTRICTIONS

for the period 1st July 2017 to 30th June 2018

	NOVEMBER 2017	OCTOBER 2017	SEPTEMBER 2017	2017/2018 BUDGET (ADJ FOR OPENING BALS)	2016/2017 ACTUAL
<b>GENERAL FUND</b>					
<i>EXTERNALLY RESTRICTED</i>					
Grants & Susidies & Other	208,085.22	220,337.27	197,440.84	305,461.01	305,461.01
Waste Management	1,082,667.12	1,078,867.63	1,096,423.64	970,303.67	944,034.25
Allawah Lodge Accommodation Payments	3,775,913.56	3,775,913.56	3,755,913.56	3,799,148.19	3,706,673.19
Allawah Village Loan-Licence	3,365,648.15	3,365,648.15	3,365,648.15	3,087,162.15	2,977,399.15
	8,432,314.05	8,440,766.61	8,415,426.19	8,162,075.02	7,933,567.60
<i>INTERNALLY RESTRICTED</i>					
Plant Replacement Reserve	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00
Employees Leave Entitlements Reserve	970,000.00	970,000.00	970,000.00	980,000.00	970,000.00
Stormwater Management Reserve				-32,725.00	
Swimming Pools Reserve				0.00	
Deferred Works Reserve	120,000.00	143,561.85	207,000.00	679,000.00	739,000.00
Ardlethan Preschool	34,375.33	45,463.22	22,206.35		17,791.45
Financial Assistance Grant		0.00	0.00		1,683,001.00
Community Housing Programme Reserve				0.00	
Allawah Lodge Asset Mgt Reserve	768,916.82	645,974.58	691,657.02	714,334.75	602,759.22
Allawah Village Asset Mgt Reserve	236,853.50	233,808.50	228,524.45	371,162.15	260,407.31
CECC Asset Mgt Reserve	230,440.63	234,575.88	240,767.28	212,964.81	203,907.81
Gravel Pits Rehabilitation Reserve	152,000.00	152,000.00	152,000.00	167,000.00	152,000.00
	3,512,586.28	3,425,384.03	3,512,155.10	4,091,736.71	5,628,866.79
Asset Management/Available for Working Funds	2,965,380.96	2,608,679.32	2,535,613.35	953,450.52	1,110,298.78
<b>Total Cash Balance - General Fund</b>	<b>14,910,281.29</b>	<b>14,474,829.96</b>	<b>14,463,194.64</b>	<b>13,207,262.25</b>	<b>14,672,733.17</b>
<b>SEWERAGE FUND</b>					
Sewerage Fund	1,997,967.19	1,986,664.65	2,005,586.14	1,937,371.83	1,879,720.20
	1,997,967.19	1,986,664.65	2,005,586.14	1,937,371.83	1,879,720.20
<b>Total Cash Balance - Sewerage Fund</b>	<b>1,997,967.19</b>	<b>1,986,664.65</b>	<b>2,005,586.14</b>	<b>1,937,371.83</b>	<b>1,879,720.20</b>
<b>TOTAL CONSOLIDATED CASH</b>	<b>16,908,248.48</b>	<b>16,461,494.61</b>	<b>16,468,780.78</b>	<b>15,144,634.08</b>	<b>16,552,453.37</b>

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 14<sup>th</sup> December, 2017.

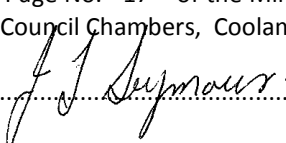
.....  
  
 ..... MAYOR

.....  
  
 ..... GENERAL MANAGER.

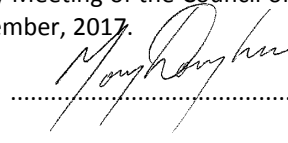


RATE COLLECTIONS

	ARREARS BFWD	LEVIES INC. INTEREST	TOTAL	COLLECTIONS TO DATE	% TO TOTAL	ADJUSTMENTS INC. PENS CONCESSIONS	ADI TOTAL	% TO TOTAL	COLLECTABLE BALANCE
30/11/2003	280,098.47	2,036,142.89	2,316,241.36	1,089,119.45	47.02%	102,843.89	2,213,397.47	49.21%	1,124,278.02
30/11/2004	181,374.69	2,090,403.41	2,271,778.10	1,074,460.47	47.30%	106,390.81	2,165,387.29	49.62%	1,090,926.82
30/11/2005	163,566.58	2,163,126.88	2,326,693.46	1,101,089.93	47.32%	106,736.13	2,219,957.33	49.60%	1,118,867.40
30/11/2006	185,519.90	2,251,798.35	2,437,318.25	1,178,048.73	48.33%	107,541.24	2,329,777.01	50.56%	1,151,728.28
30/11/2007	236,912.33	2,414,655.78	2,651,568.11	1,243,662.62	46.90%	120,517.64	2,531,050.47	49.14%	1,287,387.85
30/11/2008	277,343.62	2,498,813.41	2,776,157.03	1,224,614.17	44.11%	120,416.67	2,655,740.36	46.11%	1,431,126.19
30/11/2009	239,371.45	2,601,394.29	2,840,765.74	1,337,017.30	47.07%	121,874.49	2,718,891.25	49.18%	1,381,873.95
30/11/2010	309,194.09	2,720,155.47	3,029,349.56	1,424,755.43	47.03%	170,316.60	2,859,032.96	49.83%	1,434,277.53
30/11/2011	239,162.46	2,863,766.54	3,102,929.00	1,433,328.88	46.19%	128,312.48	2,974,616.52	48.19%	1,541,287.64
30/11/2012	207,935.41	3,023,495.38	3,231,430.79	1,540,163.80	47.66%	127,488.05	3,103,942.74	49.62%	1,563,778.94
30/11/2013	230,807.22	3,138,630.79	3,369,438.01	1,532,060.19	45.47%	123,975.60	3,245,462.41	47.21%	1,713,402.22
30/11/2014	263,562.88	3,293,414.94	3,556,977.82	1,609,336.25	45.24%	121,405.48	3,435,572.34	46.84%	1,826,236.09
30/11/2015	335,520.44	3,409,409.08	3,744,929.52	1,847,652.99	49.34%	123,819.73	3,621,109.79	51.02%	1,773,456.80
30/11/2016	300,944.76	3,497,140.57	3,798,085.33	1,879,600.26	49.49%	123,339.76	3,674,745.57	51.15%	1,795,145.31
<b>2017-2018</b>									
31/07/2017	303,728.87	3,573,820.19	3,877,549.06	172,064.39	4.44%	114,532.52	3,763,016.54	4.57%	3,590,952.15
31/08/2017	303,728.87	3,567,981.97	3,871,710.84	1,194,571.78	30.85%	116,519.77	3,755,191.07	31.81%	2,560,619.29
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
31/10/2017	303,728.87	3,562,633.59	3,866,362.46	1,444,201.69	37.35%	117,122.89	3,749,239.57	38.52%	2,305,037.88
30/11/2017	303,728.87	3,565,800.57	3,869,529.44	1,927,430.49	49.81%	117,922.90	3,751,606.54	51.38%	1,824,176.05



MAYOR



GENERAL MANAGER.

**CS2) COUNCIL'S ANNUAL REPORT FOR 2016/2017 (S.11-02, SC388)**

- A copy of Council's Annual Report for 2016/2017 will be **tabled** at the Meeting.

Recommendation

That the 2016/2017 Annual Report be endorsed.

**RESOLVED on the motion of Clr Jones and seconded by Clr McCann that the 2016/2017 Annual Report be endorsed.** 252/12/2017

**CS3) POLICY REVIEW (P.12-01, SC316)**

- ➔ As part of Council's ongoing policy review, the following policies are presented by staff for adoption/re-adoption: Attachment No. 6

- Prudential Standards Policy  
*Councillors should note that this combines the previously adopted policies – Accommodation Bond Governance Standard & Allawah Liquidity Management Strategy*
- Work, Health & Safety Consultation Policy
- Photocopying Policy
- Recognition of Service Policy
- Road Inspection & Maintenance Policy
- Injury Management & Rehabilitation (Return to Work) Policy  
*Councillors should note that the Injury Management & Rehabilitation Plan has been separated from the policy*
- Off Leash Area for Dogs
- Plant Hire for Private Works Policy
- Plant Replacement Policy
- Social Media Policy  
*Councillors should note that this will replace the previously adopted Facebook Policy*
- Procedures for the Administration of the Model Code of Conduct  
*Councillors were presented these procedures when the current Code of Conduct was adopted at the June 2017 Meeting of Council. Following an Internal Audit review of Council's Policy Maintenance it was recommended by the Audit, Risk & Improvement Committee that Council also adopt the Procedures for the Administration of the Model Code of Conduct.*
- Related Party Disclosures Policy  
*As part of the final Management Letter received by Council from the NSW Audit Office in relation to the 2016/2017 Audit, it was recommended that Council review the Related Party Disclosures Policy in relation to the*

*Executive Manager positions not being considered as Key Management Personnel (KMP). Staff are recommending that these positions now be considered as KMP.*

Staff propose that the following policies are no longer required and can be rescinded:

- Accommodation Bond Governance Standard – this policy has been incorporated into the Proposed Prudential Standards Policy
- Allawah Liquidity Management Strategy – this policy has been incorporated into the Proposed Prudential Standards Policy
- Facebook Policy – this policy has been incorporated into the Proposed Social Media Policy

#### Recommendation

1) That the following policies are presented be re-adopted:

- Prudential Standards Policy
- Work, Health & Safety Consultation Policy
- Photocopying Policy
- Recognition of Service Policy
- Road Inspection & Maintenance Policy
- Injury Management & Rehabilitation (Return to Work) Policy
- Off Leash Area for Dogs
- Plant Hire for Private Works Policy
- Plant Replacement Policy
- Social Media Policy
- Procedures for the Administration of the Model Code of Conduct
- Related Party Disclosures Policy

2) That the following policies are no longer required and can be rescinded:

- Accommodation Bond Governance Standard
- Allawah Liquidity Management Strategy
- Facebook Policy

**RESOLVED on the motion of Clr McCann and seconded by Clr Maslin:** 253/12/2017

1) **That the following policies be adopted:**

- **Prudential Standards Policy**
- **Work, Health & Safety Consultation Policy**
- **Photocopying Policy**

- **Recognition of Service Policy**
- **Road Inspection & Maintenance Policy**
- **Injury Management & Rehabilitation (Return to Work) Policy**
- **Off Leash Area for Dogs**
- **Plant Hire for Private Works Policy**
- **Plant Replacement Policy**
- **Social Media Policy**
- **Procedures for the Administration of the Model Code of Conduct**
- **Related Party Disclosures Policy**

2) **That the following policies be rescinded:**

- **Accommodation Bond Governance Standard**
- **Allawah Liquidity Management Strategy**
- **Facebook Policy**



**COOLAMON SHIRE COUNCIL  
PRUDENTIAL STANDARDS  
POLICY**

Date Adopted	14 December 2017		
Council Minute	235/12/2017		
Version	Version 1		
Policy Responsibility	Corporate & Community Services		
Review Timeframe	Every 4 years		
Last Review Date	December 2017	Next Scheduled Review Date	December 2021

**Purpose**

Coolamon Shire Council as an approved residential aged care provider is required to comply with four (4) prudential standards, which are set out in the *Fees and Payments Principles 2014 (No. 2)* (the Principles).

The standards are:-

1. The **Liquidity Standard** - An approved provider must maintain sufficient liquidity to ensure the approved provider can refund any refundable deposit balances, accommodation bond balances or entry contribution balances that can be expected to fall due in the following 12 months in accordance with the *Aged Care Act 1997* and the Principles, Part 5 Division 2.
2. The **Records Standard** - An approved provider must establish and maintain a register (the refundable deposit register) as required by the Principles Part 5 Division 3.
3. The **Governance Standard** - An approved provider that holds one or more refundable deposit balances or accommodation bond balances must implement and maintain a governance system as required by the Principles Part 5 Division 4.
4. The **Disclosure Standard** - An approved provider must disclose information about refundable deposits and accommodation bonds held to the Department of Social Services and to the resident or the resident's representative as by the Principles Part 5 Division 5.

This Policy outlines Council's process for implementing each component of the required Standards as outlined in the Prudential Standards - Part 5 in the *Fees and Payments Principles 2014 (No.2)*.

**Scope**

This policy applies to the operation of Coolamon Shire Council's Residential Aged Care facility, Allawah Lodge.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

**Policy**

**Legislative Framework**

The principle objectives of the above prudential standards are to assist the financial management practices, enhance financial sustainability and reduce the risk of default on the refund of refundable deposits and accommodation bond balances or bonds used for other than permitted uses.

The *Aged Care Act 1997* and the Principles set out the requirements for approved providers holding refundable deposits, accommodation bonds or pre-1997 entry contributions.

**Liquidity Standard**

**Purpose**

To apply a systematic approach to determine the level of funding that will be required to meet expected refundable deposits and accommodation bond balance refunds as they fall due. This should include a nominated minimum level of funding that will be maintained in liquid form.

The key purpose of the Liquidity Standard is to ensure that Coolamon Shire Council has access to sufficient liquidity to allow Coolamon Shire Council to meet expected refundable deposits and accommodation bond and entry contribution refunds (exclusive of retention amounts and any outstanding interest liabilities) as they fall due over the next 12 months.

**Requirements for Sufficient Liquidity**

Maintain sufficient liquidity to ensure that Coolamon Shire Council can refund balances as they fall due over the following 12 months.

**Coolamon Shire Council Requirements**

Maintain at all times access to all refundable deposits and bond monies required to be refunded. The minimum amount to be held at all times is \$2,000,000.

To comply with this Standard Coolamon Shire Council will maintain the minimum level of liquidity as cash and/or deposits that meet Council's Investment Policy.

**Factors considered in determining minimum level of liquidity**

1. Council has always endeavoured to "cash back" refundable deposits and bonds paid by residents of Allawah Lodge.
2. Over the past 10 years the net difference between the closing and opening balances of all refundable deposits and bonds and the bond repayments have been as follows:

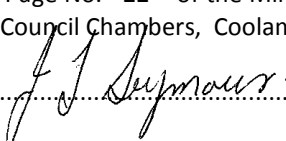
Year	Opening Balance	Closing Balance	Net Difference	Repayments
2016/2017	\$ 3,535,278.12	\$ 3,706,673.19	\$ 171,395.07	\$ 563,433.00
2015/2016	\$ 2,751,503.00	\$ 3,535,278.12	\$ 783,775.12	\$ 562,015.00
2014/2015	\$ 1,477,881.29	\$ 2,751,503.00	\$ 1,273,621.71	\$ 550,920.75
2013/2014	\$ 1,229,723.33	\$ 1,477,881.29	\$ 247,495.96	\$ 106,744.00
2012/2013	\$ 879,730.82	\$ 1,229,723.33	\$ 349,992.51	\$ 150,562.00
2011/2012	\$ 882,853.50	\$ 879,730.82	-\$ 3,122.68	\$ 105,238.50
2010/2011	\$ 1,002,384.50	\$ 882,853.50	-\$ 119,531.00	\$ 380,018.82
2009/2010	\$ 746,478.28	\$ 1,002,384.50	\$ 255,906.22	\$ 142,994.78
2008/2009	\$ 817,309.78	\$ 746,478.28	-\$ 70,831.50	\$ 120,174.50
2007/2008	\$ 731,696.78	\$ 817,309.78	\$ 85,613.00	\$ 255,134.00

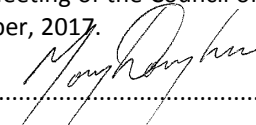
Coolamon Shire Council – Prudential Standards Policy

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This is Page No. 22 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
  
 ..... MAYOR

.....  
  
 ..... GENERAL MANAGER.

### **Records Standard**

#### **Purpose**

The purpose of the Records Standard is to ensure that accurate, comprehensive and up to date information of refundable deposits and accommodation bond holdings (including pre-1997 entry contributions) is collected and maintained. This record will be in the form of an 'Accommodation Payment Register'.

The Accommodation Payment Register provides a powerful management reporting tool and also provides the basis for compliance based monitoring and reporting as well as reporting to residents on refundable deposits and accommodation bond balances.

#### **Requirements**

All providers must establish and maintain a Refundable Deposits Register as outlined in Part 5 Division 3 of the Principles. Coolamon Shire Council's Accommodation Payment Register is maintained in excel and is available on application in electronic or hard copy form.

### **Governance Standard**

#### **Purpose**

The Governance Standard requires approved providers who hold refundable deposits and accommodation bonds to have in place a governance system for refundable deposits and accommodation bonds. It does not prescribe the particular type of system, instead it describes the key outcomes that need to be achieved. They are designed to assist approved providers develop sound governance systems to ensure refundable deposits and accommodation bonds are only used for permitted uses and are refunded in accordance with the timeframes required by the *Aged Care Act 1997* and sound business practices.

The Governance Standard also requires approved providers that invest in particular financial products to implement and maintain an Investment Management Strategy (IMS).

#### **Requirements**

Requirements of the Governance Standard are outlined in Part 5 Division 4 of the Principles.

#### ***Organisational Approval Processes and Permitted Uses***

Legislative reference: s49 and s63 and s64 the Principles; s52N-1 of the *Aged Care Act 1997* (the Act):-

- i) Who can negotiate Refundable Deposits and Accommodation Bonds
- ii) Who can sign resident agreements
- iii) Permitted Uses for Refundable Deposits and Accommodation Bonds
- iv) Review Process.

Coolamon Shire Council has delegated authority to the General Manager for the purposes of negotiating refundable deposits and accommodation bonds with new residents or their representatives.

Coolamon Shire Council has delegated authority to the General Manager for the purposes of signing resident agreements and refundable deposit or accommodation bond agreements on behalf of the Coolamon Shire Council.

Any subsequent delegation by the General Manager to other Council officers to negotiate Refundable Deposits and Accommodation Bonds and to sign resident agreements will be listed in the Coolamon Shire Council Delegations Register.

***Permitted Uses for Refundable Deposits and Accommodation Bonds***

Coolamon Shire Council holds all refundable deposits and accommodation bonds as cash and/or deposits that meet Council's Investment Policy, ensuring the use of refundable deposits and accommodation bonds is in accordance with the permitted uses as identified within the *Aged Care Act 1997* and *Fees and Payments Principles 2014 (No. 2)*.

Coolamon Shire Council has delegated authority to the General Manager for the purposes of authorising use of refundable deposits and accommodation bonds on permitted uses.

Any subsequent delegation by the General Manager to other Council officers to authorise the use of refundable deposits and accommodation bonds will be listed in the Coolamon Shire Council Delegations Register.

***Investment Management Strategy (IMS)***

Coolamon Shire Council has a separate Investment Policy that provides a framework for the investing of Council's funds at the most favourable rate of return available at the time whilst having due consideration of risk and security for that investment type and ensuring that liquidity and legislative requirements are being met.

***Responsible Personnel Training***

Staff receive refundable deposit and accommodation bond related training when the need is triggered by a change in legislation affecting refundable deposit and accommodation bond management, or a change in position or responsibility for existing staff members occurs.

***Review of Governance System***

Key compliance (and non-compliance) requirements are able to be identified through an effective review process of the provider's governance system. The following governance framework has been implemented by Coolamon Shire Council:-

- i. Policy review process
- ii. Delegated Authority - monitoring and controlling - Delegations Register reviewed at least annually in line with legislation changes affecting delegations of authority; and changes in responsibilities of Officers with delegated authority.

**Disclosure Standard**

**Compliance with Disclosure Standard**

Approved providers will be required to confirm that they comply with the Governance Standard as part of annual reporting to the Department of Health through the completion of Annual Prudential Compliance Statement.

Council complies with this standard ensuring all disclosures are given to existing and prospective care recipients and the completion of an audited annual compliance statement.



MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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**Associations & Relationships**

Legislation	<i>Aged Care Act 1997</i> <i>Fees and Payments Principles 2014 (No. 2)</i>
Policies	<i>Coolamon Shire Council Investment Policy</i>
Procedures/Protocols, Statements, Documents	<i>Coolamon Shire Council Accommodation Payment Register</i>

**Review**

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.

**Version 1 Adopted Council Meeting held 14 December 2017 (Minute No. 235/12/2017)**

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This is Page No. 25 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
*J. J. Seymour*  
..... MAYOR

.....  
*Paul Douglas*  
..... GENERAL MANAGER.



**COOLAMON SHIRE COUNCIL**

**WORK HEALTH & SAFETY CONSULTATION  
POLICY**

Date Adopted	<i>14 December 2017</i>		
Council Minute	<i>235/12/2017</i>		
Version	<i>Version 6</i>		
Policy Responsibility	<i>Corporate and Community Services</i>		
Review Timeframe	<i>Every 4 Years</i>		
Last Review Date	<i>December 2017</i>	Next Scheduled Review Date	<i>December 2021</i>

**PURPOSE**

To comply with the Work Health & Safety Act 2011, Regulations 2017 and Work Health and Safety Consultation, Cooperation and Coordination Code of Practice which place a duty to consult obligation on employers. Employers must consult with their employees to enable the employees to contribute to the making of decisions affecting their health, safety and welfare at work. Coolamon Shire Council is committed to providing a safe and healthy work environment for all its employees, contractors, volunteers and visitors. In particular Council will endeavour to consult with all stakeholders on issues of safety to comply with the legislative requirements.

**SCOPE**

This policy is applicable to Coolamon Shire Council in all its operations and functions, including those situations where employees are required to work off site.

**DEFINITIONS**

Consultation requires:

- the sharing of relevant information about Work Health & Safety and welfare with employees;
- that employees be given the opportunity to express their view and to contribute in a timely fashion to the resolution of Work Health & Safety and welfare issues at their place of work;
- that the view of employees are valued and taken into account.

**RESPONSIBILITIES:**

*Management*

- Will ensure that it meets its legislative requirements, by providing training to and having in place an Work Health & Safety Committee comprising an elected member from each of the following:
  - Allawah Lodge
  - Parks & Gardens and Maintenance
  - Assets, Waste and Contractors
  - Early Childhood Centre
  - Community Care and Volunteers
  - Administration Staff
  - Plant operatorsPlus two Management and one WHS representative
- Will consider matters raised the Work Health & Safety Committee and respond in a timely manner.
- Must be proactive and encourage employees to participate in consultation by showing interest in ideas put forward.

*WORK HEALTH & SAFETY Committee Members*

- Will assist in the development of arrangements for recording hazards and accidents and to promote improved Work Health & Safety policies and procedures.
- Make recommendations on the training of members of the Work Health & Safety Committee and the training of employees
- Can accompany an employee of the workgroup that their Committee represents, at the request of the employee, during any interview by the employer on any Work Health & Safety issue.
- Must not disclose any information relating to any working processes obtained by the member in connection with their functions under the Work Health & Safety Act.

*Employees*

- Should contribute to determining how work can be undertaken safely by participating in consultation and providing suggestions about how to solve health and safety problems.

**PROCEDURES**

- Consultation is required to be undertaken in the following circumstances:
  - When changes that may affect the health, safety or welfare are proposed to the premises where person work; systems or methods of work; plant used for work or substances used for work.
  - When risks to health and safety arising from work are assessed or when the assessment of those risks is reviewed.
  - When decisions are made about the measures to be taken to eliminate or control risks
  - When introducing or altering the procedures for monitoring risks
  - When decisions are made about the adequacy of facilities for the welfare of employees.
- The Work Health & Safety Committee will be the primary mechanism for consultation between management and staff with regard to the health, safety and welfare of the employees, contractors, volunteers and visitors.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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- The elected representatives will be appointed for two (2) years. If there is more than one nomination from any workgroup (other than Outdoor Works staff), an election for that position will take place under the auspices of the Employee and Public Relations Officer
- Management will appoint such members to this committee as deemed necessary, taking into account these appointees have the necessary authority to inform the committee of the likely outcomes of safety proposals recommended by the committee.
- The Chairperson will be elected from the non-management members.
- All members of the Work Health & Safety Committee, both elected and appointed, are eligible to vote in an election for the Chairperson.
- Council will provide the statutory training for all members of the Work Health & Safety Committee.
- Council will give consideration, regarding the most appropriate manner to canvass the views of volunteers, about how they can contribute to making decisions about their health and safety, whilst carrying out their duties as volunteers. The Work Health & Safety Committee will be given such information for consideration and recommendation to Council.

**ASSOCIATIONS & RELATIONSHIPS**

Legislation	<i>Work Health &amp; Safety Act 2011 Work Health &amp; Safety Regulation 2017</i>
Policies	<i>Work Health &amp; Safety Policy</i>
Procedures/Protocols, Statements, Documents	<i>Model Code of Practice; Work Health &amp; Safety Consultation Co-operation &amp; Co-ordination</i>

**REVIEW**

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.

- Version 5 Adopted: Council Meeting held 14 December 2017 (Minute No 235/12/2017)*
- Version 5 Adopted: Council Meeting held 15 May 2014 (Minute No 105/05/2014)*
- Version 4 Adopted: Council Meeting held 17 May 2012 (Minute No 124/05/2012)*
- Version 3 Adopted: Council Meeting held 19 February 2009 (Minute No.26/02/2009)*
- Version 2 Adopted: Council Meeting held 20 September, 2007 (Minute No. 300/9/2007)*
- Version 1 Adopted Council Meeting held 19 August 2004 (Minute No. 277/8/2004)*



**COOLAMON SHIRE COUNCIL**

**PHOTOCOPYING POLICY**

Date Adopted	<i>14 December 2017</i>		
Council Minute	<i>235/12/2017</i>		
Version	<i>Version 5</i>		
Policy Responsibility	<i>Corporate &amp; Community Services</i>		
Review Timeframe	<i>Every 4 Years</i>		
Last Review Date	<i>December 2017</i>	Next Scheduled Review Date	<i>December 2021</i>

**POLICY STATEMENT**

- That there be no charge for copying done for Non Profit/Community Organisations, the normal charge to apply for individuals subject to the discretion of the General Manager.
- Any applications for discount by private individuals where special circumstances may exist to be referred to Council for its consideration.

**REVIEW**

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

*Version 4 Adopted: Council Meeting held 14 December 2017 (Minute No 235/12/2017)*  
*Version 3 Adopted: Council Meeting held 16 December 2008 (Minute No. 359/12/2008)*  
*Version 2 Adopted: Council Meeting held 16 August 2007 (Minute No. 261/8/2007)*  
*Version 1 Adopted Council Meeting held 19 August 2004 (Minute No. 277/8/2004)*



**COOLAMON SHIRE COUNCIL  
RECOGNITION OF SERVICE POLICY**

Date Adopted	14 December 2017		
Council Minute	235/12/2017		
Version	Version 3		
Policy Responsibility	Corporate & Community Services		
Review Timeframe	Every 4 years		
Last Review Date	December 2017	Next Scheduled Review Date	December 2021

**POLICY STATEMENT**

In recognition of the importance to Council of long serving Councillors and staff, awards will be presented at an Ordinary Meeting of Council on an annual basis (August) and once the period of continuous service of the individual is complete.

**IMPLEMENTATION**

Council will formally recognise the continuous service of staff and combined years of service by Councillors as follows:

Years of Service	Recognition
20 years	\$200.00 gift voucher and framed certificate
30 years	\$300.00 gift voucher and framed certificate

For each 5 years of service that exceed 30 years, recipients will be presented with a framed certificate and additional recognition will be at the discretion of the General Manager.

The recipient will have the choice as to where the gift voucher can be redeemed subject to the approval of the General Manager.

**REVIEW**

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.

**Version 3 Adopted:** Council Meeting held 14 December 2017 (Minute No 235/12/2017)

**Version 2 Adopted:** Council Meeting held 20 August 2015 (Minute No 173/08/2015)

**Version 1 Adopted:** Council Meeting held 13 December 2012 (Minute No 351/12/2012)



COOLAMON SHIRE COUNCIL  
ROAD INSPECTION & MAINTENANCE  
POLICY

Date Adopted	14 December 2017		
Council Minute	235/12/2017		
Version	Version 3		
Policy Responsibility	Engineering & Technical Services		
Review Timeframe	Every 4 years		
Last Review Date	21 May 2009	Next Scheduled Review Date	December 2021

**OBJECTIVE**

To define the process for inspection of Council's roads.

**POLICY**

**1. Asset Inspection Requirement**

Coolamon Shire Council is responsible for maintaining its road network in a satisfactory condition. To verify and assure this, continual inspection of the asset is necessary.

The purpose of the Asset inspection shall be to identify:-

- a. any road defects that are considered a danger to the traveling public; or
- b. any characteristics of the road that, in a short time, could create a dangerous situation for the traveling public.

**2. Safety Inspection**

Council shall carry out daytime safety inspections on the road network at a frequency of not less than that specified in Table 1. Daytime inspections involve driving each road in one direction only.

The inspection must be undertaken at a speed that allows the condition of the Assets to be observed clearly.

Inspections are to note only those defects likely to require maintenance, rather than to establish general condition. All defects requiring repair as part of routine maintenance should be identified during the inspection. Council's main purpose in identifying defects is to create a regular defects system to be given to Councils road maintenance gangs to enable a Works Program to be completed within a reasonable time frame.

3. Road Category Inspection Timeframe (Note these are Minimum Timeframe standards only)

Table 1:

A	Regional Sealed – Traffic >500 AADT	Monthly
B	Regional Sealed – Traffic <500 AADT Sealed Local – Traffic >200 AADT	3 Monthly
C	Local Gravel – Hierarch Category 1 & 2 Sealed Local Roads Traffic < 200 AADT	6 Monthly
D	Local Gravel – Hierarch Category 3, 4 & 5	18 months

An inspection schedule that has been developed is listed in Appendix 2.

4. Inspection Requirements

- An inspector is a person nominated by Executive Manager, Engineering & Technical Services e.g. Works Engineer, Overseer, RTA Surveillance Officer, or other employee designated by Executive Manager, Engineering & Technical Services.
- **Pavement Defect**
  - **Major defect**, ie. a defect in the opinion of a competent inspector would cause serious damage or injury.
  - **Minor defect** requires treatment prior to designated intervention inspection timeframe.
- **Debris on Carriageway** – fallen limb, etc that could cause damage to a vehicle. Visibility Obstructing Vegetation – vegetation that interferes with safe sight distances.
- **Signs** – Temporary signs (yellow & black), Hazard signs (H) & Regulatory signs (R) in schedule, that are damaged or missing.
- **Drainage** – drainage structure failure that has potential to cause hazard on road way.
- **Guide Post** – critical locations such as culverts, crests and curves that are missing or in need of repair.
- **Guard Rail** – damaged guard rail to be made safe, (full repairs would occur at a later date when materials become available).



**5. Intervention Standard**

Category		A	B	C	D
Inspection Frequency		1 monthly	3 monthly	6 monthly	annually
Defect		Response Time			
Pavement Defect	Major	5 days	2 weeks	2 weeks	2 weeks
	Minor	1 month	3 months	6 months	6 months
Debris on Carriageway		1 day	2 days	1 week	3 weeks
Visibility Obst. Vegetation		3 months	3 months	4 months	6 months
Signs		2 months	2 month	3months	6 months
Guide Posts		3 months	6 months	9 months	12 months
Guard Rails		14 days	21 days	30 days	60 days
Drainage		3 months	4 months	6 months	12 months

Where the defect is causing an immediate hazard to traffic, the inspecting officer shall either reduce the danger by removing the hazard or, where that is not practical, set up warning signs, barriers and lights until the resources can be deployed.

**6. Additional Inspections for Critical Sites**

Additional inspections may also be required to ensure compliance, particularly following an event likely to lead to detrimental impact on the condition of an asset element, eg additional inspections may be required after heavy rain for unsealed roads or shoulders, or sealed pavements known to be susceptible to potholing. The inspection frequency specified in Table 1 is a minimum requirement with the overriding requirement being to ensure compliance with the Intervention and Response Time Standard.

**7. Inspection System**

Council will keep an Inspection System that records the date of inspection and the name of the person inspecting each road in each category.

**8. Inspection Personnel**

Coolamon Shire Council will utilize the services of its existing employees to carry out inspections. Inspection personnel include:-

- Works Engineer
- Executive Manager, Engineering & Technical Services
- Works Overseer
- Bitumen Maintenance Foreman
- Employees designated by Executive Manager, Engineering & Technical Services

**9. Inspection Reporting**

Inspection Reports maybe assisted by using a suitable computer software system. eg "Reflect With Insight" software. Inspectors would be required to register defects in the Defect Card, recording defect number, inspection number defect type, primary location, location from (segment or chainage), priority and any comments if necessary.

Inspection Reports will be produced that detail the defects identified and staff will be directed to attend to the repairs that are required and record completion of repaired defects.

**10. Responsible Officer**

The responsible officer to ensure that this system is kept up to date will be the Works Engineer. His duties will consist of ensuring:-

- That inspections are performed at a frequency not less than that specified in Table 1
- That work is completed within the relevant intervention period,
- That the repair is recorded as accomplished,
- Files will be saved to disc at renewal of any data base.

**REVIEW**

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.

*Version 3 Adopted: Council Meeting held 14 December 2017 (Minute No. 235/12/2017)*

*Version 2 Re-Adopted: Council Meeting held 21 May 2009 (Minute No.141/05/2009)*

*Version 2 Adopted: Council Meeting held 19 June 2008 (Minute No.162/6/2008)*

*Version 1 Adopted Council Meeting held 20 October 2005 (Minute No. 392/10/2005)*



**COOLAMON SHIRE COUNCIL  
INJURY MANAGEMENT &  
REHABILITATION  
(RECOVER AT WORK) POLICY**

Date Adopted	<b>14 December 2017</b>		
Council Minute	<b>235/12/2017</b>		
Version	<b>Version 4</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>December 2017</b>	Next Scheduled Review Date	<b>December 2021</b>

**PURPOSE**

This policy covers the requirements for post injury management and rehabilitation of all employees who have suffered work related injury, illness or disease.

**OBJECTIVE**

To ensure that personnel who have suffered injury, illness or disease as a result of their work are able to return to safe and suitable duties to assist in their recovery and allow them to resume normal duties without undue delay.

**APPLICATION**

This Policy is applicable to Coolamon Shire Council in all its operations and functions, including those situations where employees are required to work off-site.

**OBLIGATIONS – ACTIONS & RESPONSIBILITIES**

***Coolamon Shire Council - Person Conducting Business or Undertaking***

Coolamon Shire Council, is required by the Workplace Injury Management and Workers Compensation Act 1998 to provide workers with the following information and documents

- The Council name and address, as well as the insurer who holds the policy must be supplied on request to allow the serving of documents.
- A copy of the medical report relating to an injured worker, and in the case of a disputed claim provide the medical report to the worker within 10 days of receiving a request.
- Certain Medical Reports to be Provided to the Worker
- Approve the use of specialist rehabilitation services, and authorise associated costs and ensure Council's legal obligations are met.
- Keep a register of injuries - NSW WorkCover *Fact Sheet - Register of Injuries*
- Report injuries to their insurer within 48 hours, of becoming aware of such injury and forward an "Employee Claim Form" to the insurer within 7 days.
- Keep records of earnings details to allow a worker to establish his or her current weekly wage rate, weekly earnings or probable earnings
- Keep correct records of all wages paid to workers employed for 5 years
- Pass on compensation monies received from the insurer to the person entitled to the compensation as soon as practicable

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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- Talk with a worker's nominated treating doctor and insurer about an appropriate injury management plan
- Establish and display a return to work program
- Provide suitable duties wherever practicable if a worker cannot do his or her normal job
- Provide the names of rehabilitation providers nominated to provide services in that workplace

**Supervisors**

Report any injury or illness within the required timeframe and liaise with the Return to Work Coordinator regarding medical treatment and the preparation and implementation of return to work plans.

**Workers**

An injured employee must:

- Notify Coolamon Shire Council they have received an injury within the first 24 hours after the incident after the event occurred.
- Participate and cooperate in the establishment of the Injury Management Plan
- Comply with their obligations under the Injury Management Plan
- Nominate a treating doctor who will agree to participate in the development of the Injury Management Plan
- Authorise the treating doctor to provide relevant information to the insurer or Coolamon Shire Council for the purposes of the Injury Management Plan
- Make all reasonable efforts to return to work with their pre-injury work with Council, as soon as possible, having regard to the injury.

**Insurance Company**

After being advised by Council that a worker has suffered a significant injury, the insurance company must initiate action within three working days, including making contact with the worker, Coolamon Shire Council and the worker's treating doctor. The Insurance Company must also:

- Establish an Injury Management Plan for the worker in consultation with Council, the doctor and the worker
- Provide to the employer and worker information regarding the Injury Management Plan
- Keep Council informed of significant steps taken or proposed to be taken under the Injury Management Plan.

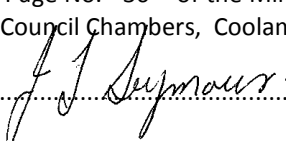
**Nominated Treating Doctor**

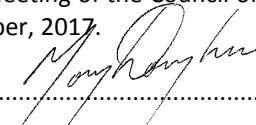
The nominated treating doctor:

- Must provide a WorkCover Medical Certificate
- Is the point of communication for treatment and the Injury Management Plan
- Will be authorised by the worker to provide to Council and the Insurance Company, information relating to the nature of the worker's injury, the extent of incapacity, any restrictions on employment prognosis, suitable duties and time frames for a return to suitable work.

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This is Page No. 36 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
..... MAYOR

.....  
..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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***The Injury Management Consultant***

Any difficulties in relation to the suitability of duties offered to injured workers can be referred to an Injury Management Consultant. The injury management consultant is a medical practitioner appointed by WorkCover to facilitate agreement between the treating doctor, the worker and Council about the suitability of duties.

***Approved Provider***

Approved Providers of Occupational Rehabilitation Services are available to assist in an employee's return to work if such services are required.

***Associations & Relationships***

Legislation	<b><i>Work Health &amp; Safety Act 2011 Work Health &amp; Safety Regulation 2017</i></b>
Policies	<b><i>Coolamon Shire Council Work Health &amp; Safety Policy</i></b>
Procedures/Protocols, Statements, Documents	<b><i>Coolamon Shire Council Injury Management &amp; Rehabilitation (Recover at Work) Plan</i></b>

***Review***

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.



**COOLAMON SHIRE COUNCIL**

**OFF LEASH EXERCISE AREA  
FOR DOGS POLICY**

Date Adopted	14 December 2017		
Council Minute	235/12/2017		
Version	Version 3		
Policy Responsibility	Corporate & Community Services		
Review Timeframe	Every 4 years		
Last Review Date	December 2017	Next Scheduled Review Date	December 2021

- 1) That Council provide an off leash exercise area for dogs in accordance with Clause 13(6) of the Companion Animals Act at Jacaranda Park, Coolamon.
- 2) An appropriate sign be erected informing the Community Members that this land is to be used as an off leash exercise area for registered dogs.

**REVIEW**

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.

*Version 3 Re-Adopted: Council Meeting held 14 December 2017 (Minute No 235/12/2017)*

*Version 3 Adopted: Council Meeting held 20 August 2015 (Minute No 185/08/2015)*

*Version 2 Re-Adopted: Council Meeting held 19 March 2009 (Minute No.64/03/2009)*

*Version 2 Adopted: Council Meeting held 20 February 2008 (Minute No. 22/02/2008)*

*Version 1 Adopted Council Meeting held 19 August 2004 (Minute No. 277/8/2004)*



**COOLAMON SHIRE COUNCIL**

**PLANT HIRE FOR PRIVATE WORKS POLICY**

Date Adopted	<i>14 December 2017</i>		
Council Minute	<i>235/12/2017</i>		
Version	<i>Version 4</i>		
Policy Responsibility	<i>Corporate &amp; Community Services</i>		
Review Timeframe	<i>Every 4 years</i>		
Last Review Date	<i>December 2017</i>	Next Scheduled Review Date	<i>December 2021</i>

**OBJECTIVE**

- 1) To make Council Plant available for private works to Residents of the Coolamon Shire Council.
- 2) To provide a subsidised plant hire allowance to public bodies, voluntary, sporting (including Licensed Clubs) and charitable organisations within the Coolamon Shire Council.

**GENERAL**

- 1) The availability of Council Plant for private hire works shall be at the discretion of the Executive Manager, Engineering & Technical Services. In all cases Council's works requirements shall receive priority over any request for private plant hire activities.
- 2) Private hire works activities are not a major function of Council. Council do not seek to establish a monopoly for the private hire of plant; hirers are encouraged to seek alternative quotations for any related works.

**CONDITIONS OF HIRE**

- 1) Council will not provide Engineering, Investigation, Design or supervisory functions in normal plant hire operations.
- 2) Council will complete the work with all care and efficiency. Council will not accept responsibility for the effectiveness or quality control over the completed work.
- 3) Plant items will be operated by Council employees (ie No dry hire).
- 4) Any prices, quantities or amounts provided by Council's staff are to be considered as estimates only and an account will be issued on the basis of actual costs incurred.
- 5) The standard and scope of work shall be agreed to between the hirer and the operator prior to commencement. It is the hirer's responsibility to terminate the plant operation at any time if work does not meet the hirer's satisfaction.
- 6) Any damages or injury caused to persons or property by the operation of Council plant (whilst on hire) shall be the responsibility of the hirer, eg: accidental injuries, vehicle damage, damage to water lines, electricity, telecommunications or other buildings or property.
- 7) Should a Council employee be injured during the hire period this injury shall be the responsibility of Council.
- 8) Council will not accept any responsibility for any loss or damage incurred by recall or withdrawal of plant or staff from any private hire works.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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- 9) Travelling costs to and from the private hire location shall be an additional cost and borne by the hirer.
- 10) All plant shall be charged at the rate as outlined in Council's annual Operational Plan which includes the two levels of hire:
  - i) Work completed during office hours.
  - ii) Work completed after working hours at overtime rate.
- 11) Persons wishing to hire plant or have private works completed are required to sign Council's standard request form prior to hire commencing. (See attachment).
- 12) All previous plant hire accounts are to be paid prior to any additional private hire works being undertaken.

**COUNCIL PLANT HIRE SUBSIDY CONDITIONS**

- 1) Plant hire to all eligible bodies will be provided on a basis of 33% discount of normal plant hire rates.
- 2) The individual project subsidy will be limited to a project ceiling of \$10,000. (Total subsidy maximum of \$3,300 per project).
- 3) Subsidy will be applicable to Council owned plant only, no contract plant hire work or materials will be eligible for subsidy.
- 4) If the account is not paid within 30 days of issue, the eligible subsidy shall be removed.

**RESPONSIBILITY**

The Executive Manager, Engineering & Technical Services is responsible for the administration of this policy. All enquiries concerning private hire works shall be directed to that department.

**ASSOCIATIONS & RELATIONSHIPS**

Legislation	
Policies	
Procedures/Protocols, Statements, Documents	<b>Coolamon Shire Council – Request for Plant Hire/Carry Out Private Contract Work</b>

**REVIEW**

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.

**Version 4 Adopted: Council Meeting held 14 December 2017 (Minute No 235/12/2017)**

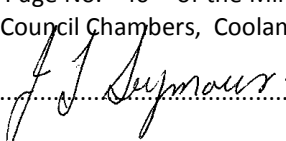
**Version 3 Adopted: Council Meeting held 14 February 2012 (Minute No. 022/02/2012)**

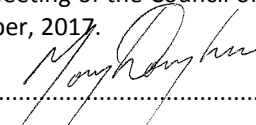
**Version 2 Adopted: Council Meeting held 16 December 2008 (Minute No.359 /12/2008)**

**Version 1 Adopted: Council Meeting held 16 August 2007 (Minute No. 261/8/2007)**

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This is Page No. 40 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
  
..... MAYOR

.....  
  
..... GENERAL MANAGER.



MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.



All communication to be addressed to:  
 The General Manager  
 Coolamon Shire Council  
 PO Box 101  
 Coolamon NSW 2701

**REQUEST FOR PLANT HIRE / CARRY OUT PRIVATE CONTRACT WORK**

Dear Sir,

I hereby request Council to hire plant / provide labour / provide materials / carry out the following works on my behalf.

.....  
 I agree to be bound by those conditions stated that apply to this request and will pay your account within one (1) month of its rendition. **Special attention should be given to condition (4) regarding any variation to prices, quantities and amounts provided by Council.**

DATE

Yours faithfully,

\_\_\_\_\_

.....

Account to be sent to:-

Name .....

Address .....

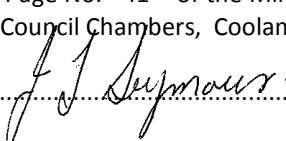
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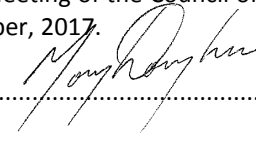
**For Council Use Only**

Sundry Debtor Number 500-1-\_\_\_\_\_

Employee Name	Work carried out	Plant No.	Plant Hrs	Labour Hrs	Employees Signature

Coolamon Shire Council – Request for Plant Hire/Carry Out Private Contract Work

.....  
 ..... MAYOR

.....  
 ..... GENERAL MANAGER.



**COOLAMON SHIRE COUNCIL**  
**PLANT REPLACEMENT POLICY**

Date Adopted	14 December 2017		
Council Minute	235/12/2017		
Version	Version 7		
Policy Responsibility	Engineering & Technical Services		
Review Timeframe	Every 4 Years		
Last Review Date	December 2017	Next Scheduled Review Date	December 2021

**OBJECTIVE**

- 1) To maintain a modern, reliable and efficient plant fleet within the limits of Council's funds available.
- 2) To purchase and replace plant and vehicles in a cost effective manner in accordance with the guidelines detailed hereunder:

CURRENT REPLACEMENT CATEGORY		CATEGORY A- REPLACE NEW			CATEGORY B- REPLACE SECOND HAND		
		MIN. (YEARS)	MAX. (YEARS)	ADOPT (YEARS)	MIN. (YEARS)	MAX. (YEARS)	ADOPT (YEARS)
<b>HEAVY PLANT</b>							
Graders	Major Constr	10	12	10			
Loader	3.0M3	10	12	10			
Loader	1.5M3	10	15	15			
Trucks	10 M3 Heavy Duty	8	10	8			
Trucks	7 M3 Medium Duty				8	10	8
Trucks	W/Cart				8	10	8
Pig Trailers		12	15	15			
<b>MEDIUM PLANT</b>							
Backhoe	No 1	12	15	12			
Backhoe	No 2				12	15	15
Tractors	Heavy Duty	5	10	7			
Tractors	Medium Duty & Light	8	12	10			
Trucks	4m3 Bitumen	10	15	10			
Trucks	2M3	8	10	8			
Rollers	Major Vibrating (new)	8	10	8			
Rollers	Major Vibrating (new)				8	10	8
Rollers	Other						
<b>LIGHT PLANT</b>							
Gang Vehicles		2	OR 120,000 KM				
Mowers	Major ride on	2	5	3			
Mowers	Medium Ride on	2	5	3			
<b>NEW &amp; MISCELLANEOUS PLANT</b>							
Small Plant	Small plant equipment	& ANNUAL REPLACEMENT ALLOWANCE					
Survey Equipment	Instrument accessories	& 8 YEAR REPLACEMENT CYCLE					
Light Vehicles		ANNUAL REPLACEMENT ALLOWANCE					

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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- 3) The cycles may be varied if monitoring indicates that earlier/later replacement is warranted.
- 4) The Operational Plan will list the current year Replacement Programme and the funds to be provided for that purpose.

**REVIEW**

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.

*Version 7 Adopted: Council Meeting held 14 December 2017 (Minute No 235/12/2017)*  
*Version 6 Adopted: Council Meeting held 15<sup>th</sup> August 2013 (Minute No 201/08/2013)*  
*Version 5 Adopted: Council Meeting held 18<sup>th</sup> July 2013 (Minute No. 177/07/2013)*  
*Version 4 Adopted: Council Meeting held 14 February 2012 (Minute No. 022/02/2012)*  
*Version 3 Adopted: Council Meeting held 20 November 2008 (Minute No.328/11/2008)*  
*Version 2 Adopted: Council Meeting held 19 July 2007 (Minute No. 229/7/2007)*  
*Version 1 Adopted Council Meeting held 19 August 2004 (Minute No. 277/8/2004)*

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This is Page No. 43 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
*J. J. Seymour*  
..... MAYOR

.....  
*Paul Roughton*  
..... GENERAL MANAGER.



## COOLAMON SHIRE COUNCIL

### SOCIAL MEDIA POLICY

Date Adopted	14 December 2017		
Council Minute	235/12/2017		
Version	Version 1		
Policy Responsibility	Corporate & Community Services		
Review Timeframe	Every 4 Years		
Last Review Date	December 2017	Next Scheduled Review Date	December 2021

#### 1. Purpose

To support Council's use of social media and ensure that it remains a tool which compliments traditional communication channels and fosters two-way communication between Council and the community.

The key objectives of this policy are:

- To ensure the effective utilisation of social media channels to communicate with residents and visitors.
- To clearly identify the roles and responsibilities of Councillors, Council staff and volunteers in respect to their use of social media.
- To support a proactive approach to Council's communication activities.

#### 2. Background

Coolamon Shire Council recognises the importance of providing information to the community relating to Council activities, programs, events, services and initiatives.

The use of social media is becoming an increasingly popular way of connecting with the community and providing information in a timely and cost effective way.

#### 3. Scope

This policy applies to all Councillors, Council staff, Section 355 committee members and Council volunteers when engaging in the use of social media.

#### 4. Definitions

The following definitions are provided for the purpose of this policy.

**Social Media** - A collection of internet based tools that facilitate conversations. Social media can take many forms, including;

- Social networking sites (such as Facebook and LinkedIn, Google+).
- Video and photosharing (YouTube, Flickr, Instagram).
- Blogs.
- Micro-blogging (Twitter).
- Forums, discussion boards and groups (Google groups, hangout).
- Wikis (Wikipedia, wikispaces).
- Vodcasts and Podcasts.
- Instant messaging and chat services.

**Officer of the Council** - All staff (including volunteers, contractors, casual and part time employees) and Councillors.

#### 5. Roles and Responsibilities

##### 5.1 Authorised social media officers

###### Council staff

All Council staff (including volunteers, contractors, casual and part time employees) are required to comply with this policy and related Council policies and legislation.

This policy does not apply to the personal use of social media when no reference or inference is made to Coolamon Shire Council. However, staff must ensure their personal comments cannot be seen as an official comment of Council.

Staff should not respond in an official capacity to comments or questions raised on Council's social media accounts.

###### Councillors

This policy does not apply to Councillors who wishes to present their personal views or political position using social media. However, they must clearly identify their comments do not represent the official position of Council.

Councillors should not respond in an official capacity to comments or questions raised on Council's social media accounts.

## 6. Social Media Management Procedures

Only authorised social media officers may post content or comment on behalf of Coolamon Shire Council via official social media platforms.

### 6.1 Content

Council's social media accounts can be utilised by all departments within the organisation to inform the community about the activities of Council.

Social media accounts will be used to communicate the following;

- public notices.
- construction works, including notifications when these works would impact on residents.
- council events and programs.
- outcomes of Council meetings and decisions (where appropriate).
- community meetings and opportunities to provide input into decision making processes.
- emergency alerts and information.

They will not be used;

- to promote individual businesses.
- to post general community information not related to the activities of the Council.
- to lodge customer requests or complaints.

### 6.2 Content development

- The information required to be communicated should be drafted by the responsible officer, 5 working days in advance of the required release date.
- The responsible officer is required to ensure that the relevant Executive Manager is aware of their intention to utilise social media to communicate information relevant to the department.
- Social media posts will be approved by the relevant Executive Manager and/or General Manager. This will depend on the nature of the post and the content.

### 6.3 Inappropriate content or behaviour

Coolamon Shire Council will not permit content on its social media accounts that;

- includes language or remarks that are racist, sexist, abusive, obscene or otherwise offensive.
- is defamatory towards a member of staff, Councillor, individual or group within the community.
- contains information that is inaccurate, deceptive or misleading.
- is potentially unlawful or violates the intellectual property right of another.
- includes advertising materials or any content that sells any good or services, any surveys, contents, chain letters, spam or other unsolicited commercial messages.

Council reserves the right to remove inappropriate material and block users who breach any of the above guidelines.

#### 6.4 Customer requests and complaints

Council's social media accounts are not considered a primary method of contact and as such, should not be used to lodge customer requests or complaints.

To ensure that customer requests or complaints are lodged and actioned appropriately in accordance with Council's Customer Service Charter, social media accounts will stipulate the following methods for lodging customer requests or complaints:

- Lodge a request or issue online via Council's website.
- Call Council on (02) 6930 1800
- Email council@coolamon.nsw.gov.au

Customer requests or complaints detailed on Council's social media accounts will not be actioned.

#### 7. Personal Use of Social Media

An officer of the Council should at all times be aware that their personal use of social media and comments made regarding Council and the community are connected to the organisation and can be perceived as an official comment of Council. Council's Code of Conduct applies to the use of Social Media.

Officers should be mindful that their personal use of social media can be associated with their employment at Council and as such, can impact on the image and reputation of the organisation.

Personal use of social media during work hours should be kept to a minimum and should never interfere with the performance of duties.

Generally, when using social media staff should:

- Take measures to ensure personal comments are not perceived as official comments.
- Not disclose confidential information relevant to their role.
- Act lawfully.
- Not post defamatory, disrespectful or deliberately misleading comments.

Failure to adhere to Council's Code of Conduct may result in disciplinary action. Please refer to these policies separately for further guidelines.

#### 8. Defamation

Council staff, Councillors and users (including the public) of Coolamon Shire Council social media channels should be aware of defamation laws when commenting in social media.

As a guide, under Defamation Act 2005, published material that identifies a person (not necessarily by name) and meets any of the below criteria may be considered defamatory:

1. Exposes a person to ridicule, or
2. Lowers the person's reputation in the eyes of members of the community, or
3. Causes people to shun or avoid the person, or
4. Injures the person's professional reputation.

Council will apply a 'no tolerance' approach to material that is defamatory.

**9. Privacy**

Council's Privacy Management Plan applies to the use of social media. Please refer to this document separately for further guidelines.

**10. Records Management**

Comments and interactions that take place on Council's social media accounts are deemed to be official records, as per the State Records Act 1998.

As such, it is the responsibility of all staff to ensure that content relevant to their respective area is appropriately recorded in Council's record management system.

**11. Associations & Relationships**

Legislation	<i>Defamation Act 2005 Privacy Act 1988 State Records Act 1998</i>
Policies	<i>Coolamon Shire Council - Code of Conduct Coolamon Shire Council - Records Management Policy Coolamon Shire Council - Statement of Business Ethics</i>
Procedures/Protocols, Statements, Documents	

**12. Review**

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.

*Version 1 Adopted Council Meeting held 14 December 2017 (Minute No 235/12/2017)*





Premier & Cabinet  
Division of Local Government

A dark grey, textured cover for a document. The title is printed in large, white, bold, sans-serif capital letters. Below the title, the date "March 2013" is printed in a smaller white font. The right side of the cover has a curved, lighter grey gradient.

**PROCEDURES FOR  
THE ADMINISTRATION  
OF THE MODEL CODE  
OF CONDUCT**  
for Local Councils in NSW

March 2013

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This is Page No. 49 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

*J. J. Seymour*  
..... MAYOR

*Anthony Douglas*  
..... GENERAL MANAGER.

**ACCESS TO SERVICES**

The Division of Local Government, Department of Premier and Cabinet is located at:

**Levels 1 and 2**

5 O'Keefe Avenue  
Nowra NSW 2541

Locked Bag 3015  
Nowra NSW 2541

Phone 02 4428 4100  
Fax 02 4428 4199  
TTY 02 4428 4209

Level 9, 6 – 10 O'Connell Street  
Sydney NSW 2000

PO Box R1772  
Royal Exchange NSW 1225

Phone 02 9289 4000  
Fax 02 9289 4099  
Email [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au)  
Website [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au)

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**Premier & Cabinet**  
Division of Local Government

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This is Page No. 50 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....*J. J. Seymour*..... MAYOR

.....*Anthony Rongher*..... GENERAL MANAGER.

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## PART 1 INTRODUCTION

These procedures ("the Model Code Procedures") are prescribed for the purposes of the administration of the Model Code of Conduct for Local Councils in NSW ("the Model Code"). The Model Code and Model Code Procedures are made under sections 440 and 440AA respectively of the Local Government Act 1993 ("the Act") and the Local Government (General) Regulation 2005 ("the Regulation").

Sections 440 and 440AA of the Act require every council to adopt a code of conduct and procedures for the administration of the code of conduct that incorporate the provisions of the Model Code and Model Code Procedures respectively.

In adopting procedures for the administration of their adopted codes of conduct, councils may supplement the Model Code Procedures. However provisions of a council's adopted procedures that are not consistent with those prescribed under the Model Code Procedures will have no effect.

## PART 2 DEFINITIONS

For the purposes of the procedures, the following definitions apply:

<b>the Act</b>	the Local Government Act 1993
<b>administrator</b>	an administrator of a council appointed under the Act other than an administrator appointed under section 66
<b>code of conduct</b>	a code of conduct adopted under section 440 of the Act
<b>code of conduct complaint</b>	a complaint that alleges conduct on the part of a council official acting in their official capacity that on its face, if proven, would constitute a breach of the standards of conduct prescribed under the council's code of conduct
<b>complainant</b>	a person who makes a code of conduct complaint
<b>complainant councillor</b>	a councillor who makes a code of conduct complaint
<b>complaints coordinator</b>	a person appointed by the general manager under these procedures as a complaints coordinator
<b>conduct reviewer</b>	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager
<b>council committee</b>	a committee established by resolution of council
<b>council committee member</b>	a person other than a councillor or member of staff of a council who is a member of a council committee
<b>councillor</b>	a person elected or appointed to civic office and includes a Mayor
<b>council official</b>	includes councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
<b>delegate of council</b>	a person (other than a councillor or member of staff of a council) or body and the individual members of that body to whom a function of the council is delegated
<b>the Division</b>	the Division of Local Government, Department of Premier and Cabinet
<b>investigator</b>	a conduct reviewer or conduct review committee
<b>the Regulation</b>	the Local Government (General) Regulation 2005
<b>subject person</b>	a person whose conduct is the subject of investigation by a conduct reviewer or conduct review committee under these procedures

## PART 3 ADMINISTRATIVE FRAMEWORK

### **The establishment of a panel of conduct reviewers**

- 3.1 The council must by resolution establish a panel of conduct reviewers.
- 3.2 The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a member of a panel of conduct reviewers, a person must, at a minimum, meet the following requirements:
  - a) an understanding of local government, and
  - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the Public Interest Disclosures Act 1994, and
  - c) knowledge and experience of one or more of the following:
    - i) investigations, or
    - ii) law, or
    - iii) public administration, or
    - iv) public sector ethics, or
    - v) alternative dispute resolution, and
  - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.

- 3.6 A person is not eligible to be a member of the panel of conduct reviewers if they are:
- a) a councillor, or
  - b) a nominee for election as a councillor, or
  - c) an administrator, or
  - d) an employee of a council, or
  - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.9 The council may terminate the panel of conduct reviewers at any time by resolution.
- 3.10 When the term of the conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.11 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council.

### **The appointment of complaints coordinators**

- 3.12 The general manager must appoint a member of staff of the council to act as a complaints coordinator. Where practicable, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.13 The general manager may appoint other members of staff to act as alternates to the complaints coordinator.
- 3.14 The general manager must not undertake the role of complaints coordinator.
- 3.15 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the Public Interest Disclosures Act 1994.
- 3.16 The role of the complaints coordinator is to:
  - a) coordinate the management of complaints made under the council's code of conduct,
  - b) liaise with and provide administrative support to a conduct reviewer or conduct review committee,
  - c) liaise with the Division of Local Government, and
  - d) arrange the annual reporting of code of conduct complaints statistics.



## PART 4 HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?

### What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that alleges conduct on the part of a council official acting in their official capacity that on its face, if proven, would constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.2 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a "code of conduct complaint" are to be dealt with under council's routine complaints management processes.

### When must a code of conduct complaint be made?

- 4.3 A code of conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.4 A complaint made after 3 months may only be accepted if the general manager, or, in the case of a complaint about the general manager, the Mayor, is satisfied that there are compelling grounds for the matter to be dealt with under the code of conduct.

### How may a code of conduct complaint about a council official other than the general manager be made?

- 4.5 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing.
- 4.6 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.7 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.

- 4.8 The general manager or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.9 Notwithstanding clauses 4.5 and 4.6, where the general manager becomes aware of a possible breach of the council's code of conduct, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.

### **How may a code of conduct complaint about the general manager be made?**

- 4.10 Code of conduct complaints about the general manager are to be made to the Mayor in writing.
- 4.11 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.12 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.13 The Mayor or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.14 Notwithstanding clauses 4.10 and 4.11, where the Mayor becomes aware of a possible breach of the council's code of conduct by the general manager, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.

## PART 5 HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?

### **How are code of conduct complaints about staff (other than the general manager) to be dealt with?**

- 5.1 The general manager is responsible for making enquiries or causing enquiries to be made into code of conduct complaints about members of staff of council and for determining the outcome of such complaints.
- 5.2 Where the general manager decides not to make enquiries into a code of conduct complaint about a member of staff, the general manager must give the complainant reasons in writing for their decision.
- 5.3 Without limiting clause 5.2, the general manager may decide not to enquire into the matter on grounds that the complaint is trivial, frivolous, vexatious or not made in good faith.
- 5.4 Enquiries made into staff conduct that might give rise to disciplinary action must occur in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.5 Sanctions for staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

### **How are code of conduct complaints about delegates of council and council committee members to be dealt with?**

- 5.6 The general manager is responsible for making enquiries or causing enquiries to be made into code of conduct complaints about delegates of council and council committee members and for determining the outcome of such complaints.
- 5.7 Where the general manager decides not to make enquiries into a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision.
- 5.8 Without limiting clause 5.7, the general manager may decide not to enquire into the matter on grounds that the complaint is trivial, frivolous, vexatious or not made in good faith.

- 5.9 Sanctions for delegates of council and/or members of council committees depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure,
  - b) requiring the person to apologise to any person or organisation adversely affected by the breach,
  - c) prosecution for any breach of the law,
  - d) removing or restricting the person's delegation, or
  - e) removing the person from membership of the relevant council committee.
- 5.10 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.9, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of council's code of conduct that the alleged conduct is in breach of) must be put to the person the subject of the allegation, and
  - b) the person must be given an opportunity to respond to the allegation, and
  - c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.9.

### **How are code of conduct complaints about conduct reviewers to be dealt with?**

- 5.11 The general manager must refer all code of conduct complaints about conduct reviewers to the Division for its consideration.
- 5.12 The general manager must notify the complainant of the referral of their complaint in writing.
- 5.13 The general manager must implement any recommendation made by the Division as a result of its consideration of a code of conduct complaint about a conduct reviewer.

### **How are code of conduct complaints about administrators to be dealt with?**

- 5.14 The general manager must refer all code of conduct complaints about administrators to the Division for its consideration.
- 5.15 The general manager must notify the complainant of the referral of their complaint in writing.

### **How are code of conduct complaints about councillors to be dealt with?**

- 5.16 The general manager must refer the following code of conduct complaints about councillors to the Division:
- a) complaints alleging a breach of the pecuniary interest provisions of the Act,
  - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interests arising from reportable political donations (see section 328B),
  - c) complaints alleging a breach of Part 8 of the code of conduct relating to the maintenance of the integrity of the code, and
  - d) complaints the subject of a special complaints management arrangement with the Division under clause 5.40.
- 5.17 Where the general manager refers a complaint to the Division under clause 5.16, the general manager must notify the complainant of the referral in writing.
- 5.18 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Division under clause 5.16, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the complaints coordinator under clause 5.20.
- 5.19 Where the general manager resolves a code of conduct complaint under clause 5.18 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.20 The general manager must refer all code of conduct complaints about councillors other than those referred to the Division under clause 5.16 or resolved under clause 5.18 to the complaints coordinator.

### **How are code of conduct complaints about the general manager to be dealt with?**

- 5.21 The Mayor must refer the following code of conduct complaints about the general manager to the Division:
- a) complaints alleging a breach of the pecuniary interest provisions of the Act,
  - b) complaints alleging a breach of Part 8 of the code of conduct relating to the maintenance of the integrity of the code, and
  - c) complaints the subject of a special complaints management arrangement with the Division under clause 5.40.
- 5.22 Where the Mayor refers a complaint to the Division under clause 5.21, the Mayor must notify the complainant of the referral in writing.
- 5.23 Where the Mayor considers it to be practicable and appropriate to do so, he or she may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Division under clause 5.21, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the complaints coordinator under clause 5.25.
- 5.24 Where the Mayor resolves a code of conduct complaint under clause 5.23 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.25 The Mayor must refer all code of conduct complaints about the general manager other than those referred to the Division under clause 5.21 or resolved under clause 5.23 to the complaints coordinator.

### **Referral of code of conduct complaints to external agencies**

- 5.26 The general manager, Mayor or a conduct reviewer or conduct review committee may, at any time, refer a code of conduct complaint to an external agency or body such as, but not limited to, the Division, the Independent Commission Against Corruption, the NSW Ombudsman or the Police for its consideration, where they consider such a referral is warranted.

- 5.27 Where the general manager, Mayor, conduct reviewer or conduct review committee refers a complaint to an external agency or body under clause 5.26, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 5.28 Referral of a matter to an external agency or body shall finalise consideration of the matter under the code of conduct unless the council is subsequently advised otherwise by the referral agency or body.

### **Disclosure of the identity of complainants**

- 5.29 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
- a) the complainant consents in writing to the disclosure, or
  - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
  - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
  - d) a conduct reviewer or conduct review committee is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
  - e) it is otherwise in the public interest to do so.
- 5.30 Clause 5.29 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.
- 5.31 Where a councillor makes a code of conduct complaint about another councillor or the general manager and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.32 A request made by a complainant councillor under clause 5.31 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

- 5.33 The general manager or Mayor or, where the matter is referred, a conduct reviewer or conduct review committee must consider a request made under clause 5.31 before disclosing information that identifies or tends to identify the complainant councillor but are not obliged to comply with the request.
- 5.34 Where a complainant councillor makes a request under clause 5.31, the general manager or Mayor or, where the matter is referred, a conduct reviewer or conduct review committee shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

### **Code of conduct complaints made as public interest disclosures**

- 5.35 Code of conduct complaints that are made as public interest disclosures under the Public Interest Disclosures Act 1994 are to be managed in accordance with the requirements of that Act, the council's internal reporting policy and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.36 For a code of conduct complaint to be dealt with as a public interest disclosure, the complainant must state at the outset and in writing at the time of making the complaint that it is made as a public interest disclosure.
- 5.37 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.
- 5.38 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.37, the general manager or the Mayor must refer the complaint to the Division for consideration. Such a referral must be made under section 26 of the Public Interest Disclosures Act 1994.



### **Special complaints management arrangements**

- 5.39 The general manager may request in writing that the Division enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.40 Where the Division receives a request under clause 5.39, it may agree to enter into a special complaints management arrangement where it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
  - b) impeded or disrupted the effective administration by the council of its code of conduct, or
  - c) impeded or disrupted the effective functioning of the council.
- 5.41 A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
  - b) the period that the arrangement will be in force.
- 5.42 The Division may by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.43 While a special complaints management arrangement is in force, an officer of the Division (the assessing Divisional officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of these procedures except as provided by clause 5.44 below.
- 5.44 Where, following a preliminary assessment, the assessing Divisional officer determines that a code of conduct complaint warrants investigation by a conduct reviewer or a conduct review committee, the assessing Divisional officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing Divisional officer.
- 5.45 Prior to the expiry of a special complaints management arrangement, the Division shall, in consultation with the general manager, review the arrangement to determine whether it should be renewed or amended.
- 5.46 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.45.

## PART 6 PRELIMINARY ASSESSMENT

### Referral of code of conduct complaints to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager submitted to the complaints coordinator within 21 days of receipt of a complaint by the general manager or the Mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
  - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Division.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interests in relation to the matter referred to them, or
  - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
  - c) they or their employer has entered into one or more contracts with the council in the 2 years preceding the referral and they or their employer have received or expect to receive payments under the contract or contracts of a cumulative value that exceeds \$100,000, or
  - d) at the time of the referral, they or their employer are the council's legal service providers or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interests in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 4.1 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.

- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer and advise which conduct reviewer the matter has been referred to.

### **Preliminary assessment by a conduct reviewer**

- 6.9 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.10 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action, or
  - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
  - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, or apology, or
  - d) to refer the matter to another agency or body such as, but not limited to, the ICAC, the NSW Ombudsman, the Division or the Police, or
  - e) to investigate the matter, or
  - f) to recommend that the complaints coordinator convene a conduct review committee to investigate the matter.
- 6.11 In determining how to deal with a matter under clause 6.10, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.27.
- 6.12 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what option to exercise under clause 6.10.

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- 6.13 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what option to exercise in relation to the matter under clause 6.10. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.14 The conduct reviewer must refer to the Division any complaints referred to him or her that should have been referred to the Division under clauses 5.16 and 5.21.
- 6.15 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.16 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.10, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it and this will finalise consideration of the matter under these procedures.
- 6.17 Where the conduct reviewer refers a complaint to another agency or body, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 6.18 The conduct reviewer may only determine to investigate a matter or to recommend that a conduct review committee be convened to investigate a matter where they are satisfied as to the following:
  - a) that the complaint is a "code of conduct complaint" for the purposes of these procedures, and
  - b) that the alleged conduct, on its face, is sufficiently serious to warrant investigation, and
  - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.19 The conduct reviewer may only determine to recommend that a conduct review committee be convened to investigate a matter after consulting with the complaints coordinator and where they are satisfied that it would not be practicable or appropriate for the matter to be investigated by a sole conduct reviewer.

- 6.20 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator.
- 6.21 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint except as may be specifically required under these procedures.

### **Referral back to the general manager or Mayor for resolution**

- 6.22 Where the conduct reviewer determines to refer a matter back to the general manager or to the Mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the Mayor, recommending the means by which the complaint may be resolved.
- 6.23 The conduct reviewer must consult with the general manager or Mayor prior to referring a matter back to them under clause 6.22.
- 6.24 The general manager or Mayor may decline to accept the conduct reviewer's recommendation. Where the general manager or Mayor declines to do so, the conduct reviewer may determine to deal with the complaint by other means under clause 6.10.
- 6.25 Where the conduct reviewer refers a matter back to the general manager or Mayor under clause 6.22, the general manager or, in the case of a complaint about the general manager, the Mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.26 Where the conduct reviewer refers a matter back to the general manager or Mayor under clause 6.22, the general manager, or, in the case of a complaint about the general manager, the Mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

## Complaints assessment criteria

- 6.27 In undertaking the preliminary assessment of a complaint, the conduct reviewer may have regard to the following considerations:
- a) whether the complaint is a "code of conduct complaint",
  - b) whether the complaint is trivial, frivolous, vexatious or not made in good faith,
  - c) whether the complaint discloses prima facie evidence of a breach of the code,
  - d) whether the complaint raises issues that would be more appropriately dealt with by another agency or body,
  - e) whether there is or was an alternative and satisfactory means of redress available to the complainant in relation to the conduct complained of,
  - f) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation or apology,
  - g) whether the issue/s giving rise to the complaint have previously been addressed or resolved,
  - h) whether the conduct complained of forms part of a pattern of conduct,
  - i) whether there were mitigating circumstances giving rise to the conduct complained of,
  - j) the seriousness of the alleged conduct,
  - k) the significance of the conduct or the impact of the conduct for the council,
  - l) how much time has passed since the alleged conduct occurred, or
  - m) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

## PART 7 OPERATIONS OF CONDUCT REVIEW COMMITTEES

- 7.1 Where a conduct reviewer recommends that the complaints coordinator convene a conduct review committee to investigate a matter, the conduct reviewer must notify the complaints coordinator of their recommendation and the reasons for their recommendation in writing.
- 7.2 The complaints coordinator must convene a conduct review committee comprising three conduct reviewers selected from:
- a) a panel of conduct reviewers established by the council, or
  - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Division.
- 7.3 In selecting suitable conduct reviewers for membership of a conduct review committee convened under clause 7.2, the complaints coordinator may have regard to the following:
- a) the qualifications and experience of members of the panel of conduct reviewers, and
  - b) any recommendation made by the conduct reviewer about the membership of the committee.
- 7.4 The conduct reviewer who made the preliminary assessment of the complaint must not be a member of a conduct review committee convened under clause 7.2.
- 7.5 A member of a panel of conduct reviewers may not be appointed to a conduct review committee where they would otherwise be precluded from accepting a referral of the matter to be considered by the committee under clause 6.4.
- 7.6 Where the complaints coordinator convenes a conduct review committee, they will advise the complainant in writing that the committee has been convened and the membership of the committee.
- 7.7 Where, after a conduct review committee has been convened, a member of the committee becomes unavailable to participate in further consideration of the matter, the complaints coordinator may appoint another person from a panel of conduct reviewers to replace them.
- 7.8 Meetings of a conduct review committee may be conducted in person or by teleconference.
- 7.9 The members of the conduct review committee must elect a chairperson of the committee.
- 7.10 A quorum for a meeting of the conduct review committee is two members.

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- 7.11 Business is not to be conducted at any meeting of the conduct review committee unless a quorum is present.
- 7.12 If a quorum is not present at a meeting of the conduct review committee, it must be adjourned to a time and date that is specified.
- 7.13 Each member of the conduct review committee is entitled to one vote in relation to a matter. In the event of an equality of votes being cast, the chairperson will have a casting vote.
- 7.14 If the vote on a matter is not unanimous, then this should be noted in the report of the conduct review committee in which it makes its determination in relation to the matter.
- 7.15 The chairperson may make a ruling on questions of procedure and the chairperson's ruling is to be final.
- 7.16 The conduct review committee may only conduct business in the absence of the public.
- 7.17 The conduct review committee must maintain proper records of its proceedings.
- 7.18 The complaints coordinator shall undertake the following functions in support of a conduct review committee:
- a) provide procedural advice where required,
  - b) ensure adequate resources are provided including secretarial support,
  - c) attend meetings of the conduct review committee in an advisory capacity, and
  - d) provide advice about council's processes where requested.
- 7.19 The complaints coordinator must not be present at, or in sight of a meeting of, the conduct review committee where it makes its final determination in relation to the matter.
- 7.20 The conduct review committee may adopt procedures governing the conduct of its meetings that supplement these procedures. However any procedures adopted by the committee must not be inconsistent with these procedures.



## PART 8 INVESTIGATIONS

### **What matters may a conduct reviewer or conduct review committee investigate?**

- 8.1 A conduct reviewer or conduct review committee (hereafter referred to as an "investigator") may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 8.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the Mayor.
- 8.3 The general manager or the Mayor is to deal with a matter reported to them by an investigator under clause 8.2 as if it were a new code of conduct complaint in accordance with these procedures.

### **How are investigations to be commenced?**

- 8.4 The investigator must at the outset of their investigation provide a written notice of investigation to the subject person. The notice of investigation must:
- a) disclose the substance of the allegations against the subject person, and
  - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
  - c) advise of the process to be followed in investigating the matter, and
  - d) invite the subject person to make a written submission in relation to the matter within 28 days or such other reasonable period specified by the investigator in the notice, and
  - e) provide the subject person the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 8.5 The subject person may within 14 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the subject person to identify the substance of the allegation against them.

- 8.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the subject person in relation to the matter referred to them.
- 8.7 Where an investigator issues an amended notice of investigation, they will provide the subject person with a further opportunity to make a written submission in response to the amended notice of investigation within 28 days or such other reasonable period specified by the investigator in the amended notice.
- 8.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the Mayor. The notice must:
- a) advise them of the matter the investigator is investigating, and
  - b) in the case of the notice to the complainant, invite them to make a written submission in relation to the matter within 28 days or such other reasonable period specified by the investigator in the notice.

### Written and oral submissions

- 8.9 Where the subject person or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 8.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 8.11 Prior to preparing a draft report, the investigator must give the subject person an opportunity to address the investigator on the matter being investigated. The subject person may do so in person or by telephone.
- 8.12 Where the subject person fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the subject person.
- 8.13 Where the subject person accepts the opportunity to address the investigator in person, they may have a support person or legal advisor in attendance. The support person or legal advisor will act in an advisory or support role to the subject person only. They must not speak on behalf of the subject person or otherwise interfere with or disrupt proceedings.

- 8.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

### **How are investigations to be conducted?**

- 8.15 Investigations are to be undertaken without undue delay.
- 8.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 8.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 8.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 8.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

### **Referral or resolution of a matter after the commencement of an investigation**

- 8.20 At any time after an investigator has issued a notice of investigation and before they have issued a draft report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
  - b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
  - c) refer the matter to another agency or body such as, but not limited to, the ICAC, the NSW Ombudsman, the Division or the Police.

- 8.21 Where an investigator determines to exercise any of the options under clause 8.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 8.22 Where an investigator determines to exercise any of the options under clause 8.20 after the commencement of an investigation, they may by written notice to the subject person, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, the Mayor, discontinue their investigation of the matter.
- 8.23 Where the investigator discontinues their investigation of a matter under clause 8.22, this shall finalise the consideration of the matter under these procedures.
- 8.24 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 8.20 or to discontinue their investigation except as may be specifically required under these procedures.

### **Draft investigation reports**

- 8.25 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 8.26 The investigator must provide their draft report to the subject person and invite them to make a written submission in relation to it within 28 days or such other reasonable period specified by the investigator.
- 8.27 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within 28 days or such other reasonable period specified by the investigator.
- 8.28 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.

- 8.29 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. Where as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the subject person or an affected person, they must provide the subject person or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 8.30 Where the subject person or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 8.31 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

### **Final investigation reports**

- 8.32 Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 8.22.
- 8.33 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 8.34 The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and
  - b) make a determination that the conduct investigated either:
    - i) constitutes a breach of the code of conduct, or
    - ii) does not constitute a breach of the code of conduct, and
  - c) provide reasons for the determination.

- 8.35 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies or procedures,
  - b) that the subject person undertake any training or other education relevant to the conduct giving rise to the breach,
  - c) that the subject person be counselled for their conduct,
  - d) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the recommendation,
  - e) that findings of inappropriate conduct be made public,
  - f) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach,
  - g) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act,
  - h) in the case of a breach by a councillor, that the council resolves as follows:
    - i) that the councillor be formally censured for the breach under section 440G of the Act, and
    - ii) that the matter be referred to the Division for further action under the misconduct provisions of the Act.
- 8.36 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies or procedures,
  - b) that a person or persons undertake any training or other education.
- 8.37 In making a recommendation under clause 8.35, the investigator may have regard to the following:
- a) the seriousness of the breach,
  - b) whether the breach can be easily remedied or rectified,
  - c) whether the subject person has remedied or rectified their conduct,
  - d) whether the subject person has expressed contrition,
  - e) whether there were any mitigating circumstances,

- f) the age, physical or mental health or special infirmity of the subject person,
- g) whether the breach is technical or trivial only,
- h) any previous breaches,
- i) whether the breach forms part of a pattern of conduct,
- j) the degree of reckless intention or negligence of the subject person,
- k) the extent to which the breach has affected other parties or the council as a whole,
- l) the harm or potential harm to the reputation of the council or local government arising from the conduct,
- m) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny,
- n) whether an educative approach would be more appropriate than a punitive one,
- o) the relative costs and benefits of taking formal enforcement action as opposed to taking no action or taking informal action,
- p) what action or remedy would be in the public interest.

8.38 At a minimum, the investigator's final report must contain the following information:

- a) a description of the allegations against the subject person,
- b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated,
- c) a statement of reasons as to why the conduct reviewer considered that the matter warranted investigation,
- d) a statement of reasons as to why the conduct reviewer considered that the matter was one that could not or should not be resolved by alternative means,
- e) where the matter is investigated by a conduct review committee, a statement as to why the matter was one that warranted investigation by a conduct review committee instead of a sole conduct reviewer,
- f) a description of any attempts made to resolve the matter by use of alternative means,

- g) the steps taken to investigate the matter,
- h) the facts of the matter,
- i) the investigator's findings in relation to the facts of the matter and the reasons for those findings,
- j) the investigator's determination and the reasons for that determination,
- k) any recommendations.

- 8.39 The investigator must provide a copy of their report to the complaints coordinator, the subject person and the complainant.
- 8.40 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the Mayor and this will finalise consideration of the matter under these procedures.
- 8.41 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraph (a), the complaints coordinator must provide a copy of the investigator's report to the general manager. Where the general manager agrees with the recommendation/s, the general manager is responsible for implementing the recommendation/s.
- 8.42 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraphs (b) or (c), the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the Mayor. The general manager is responsible for arranging the implementation of the recommendation/s where the report relates to a councillor's conduct. The Mayor is responsible for arranging the implementation of the recommendation/s where the report relates to the general manager's conduct.
- 8.43 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraphs (d) to (h), the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.



### **Consideration of the final investigation report by council**

- 8.44 The role of the council in relation to a final investigation report is to impose a sanction where an investigator determines that there has been a breach of the code of conduct and makes a recommendation in their final report under clause 8.35, paragraphs (d) to (h).
- 8.45 The council is to close its meeting to the public to consider the final investigation report where it is permitted to do so under section 10A of the Act.
- 8.46 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interests in relation to the matter unless otherwise required to do so under the Act or the Model Code.
- 8.47 Prior to imposing a sanction, the council must provide the subject person with an opportunity to make an oral submission to the council. The subject person is to confine their submission to addressing the investigator's recommendation/s.
- 8.48 Once the subject person has completed their oral submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 8.49 The council must not invite oral submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 8.50 Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
  - b) seek an opinion by the Division in relation to the report.
- 8.51 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Division.
- 8.52 The investigator may make additional enquiries for the purpose of preparing a supplementary report.

- 8.53 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council, the subject person and the complainant.
- 8.54 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 8.55 The council is only required to provide the subject person a further opportunity to address it on a supplementary report where the supplementary report contains new information that is adverse to them.
- 8.56 A council may by resolution impose one or more of the following sanctions on a subject person:
- a) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the resolution,
  - b) that findings of inappropriate conduct be made public,
  - c) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach,
  - d) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act,
  - e) in the case of a breach by a councillor:
    - i) that the councillor be formally censured for the breach under section 440G of the Act, and
    - ii) that the matter be referred to the Division for further action under the misconduct provisions of the Act.
- 8.57 The council is not obliged to adopt the investigator's recommendation/s. Where the council does not adopt the investigator's recommendation/s, the council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 8.58 The council may, by resolution, impose a sanction on the subject person under clause 8.56 different to the sanction recommended by the investigator in their final report.
- 8.59 Where the council resolves not to adopt the investigator's recommendation/s, the complaints coordinator must notify the Division of the council's decision and the reasons for it.

## PART 9 RIGHTS OF REVIEW

### **Failure to comply with a requirement under these procedures**

- 9.1 Where any person believes that a person has failed to comply with a requirement prescribed under these procedures, they may, at any time prior to the council's consideration of an investigator's final report, raise their concerns in writing with the Division.

### **Practice rulings**

- 9.2 Where a subject person and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Division to make a ruling on a question of procedure (a practice ruling).
- 9.3 Where the Division receives a request in writing for a practice ruling, the Division may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 9.4 Where the Division makes a practice ruling, all parties are to comply with it.
- 9.5 The Division may decline to make a practice ruling. Where the Division declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

### **Requests for review**

- 9.6 A person the subject of a sanction imposed under Part 8 of these procedures other than one imposed under clause 8.56, paragraph (e), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Division.
- 9.7 A review under clause 9.6 may be sought on the following grounds:
- that the investigator has failed to comply with a requirement under these procedures, or
  - that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
  - that the council has failed to comply with a requirement under these procedures in imposing a sanction.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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- 9.8 A request for a review made under clause 9.6 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 9.9 The Division may decline to conduct a review, where the grounds upon which the review is sought are not sufficiently specified.
- 9.10 The Division may undertake a review of a matter without receiving a request under clause 9.6.
- 9.11 The Division will undertake a review of the matter on the papers. However, the Division may request that the complaints coordinator provide such further information that the Division considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Division.
- 9.12 Where a person requests a review under clause 9.6, the Division may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Division.
- 9.13 The Division must notify the person who requested the review and the complaints coordinator of the outcome of the Division's review in writing and the reasons for its decision. In doing so, the Division may comment on any other matters the Division considers to be relevant.
- 9.14 Where the Division considers that the investigator or the council has erred, the Division may recommend that a decision to impose a sanction under these procedures be reviewed.
- 9.15 In the case of a sanction implemented by the general manager or Mayor under clause 8.42, where the Division recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must provide a copy of the Division's determination in relation to the matter to the general manager or the Mayor, and
  - b) the general manager or Mayor must review any action taken by them to implement the sanction, and
  - c) the general manager or Mayor must consider the Division's recommendation in doing so.

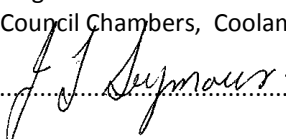
- 9.16 In the case of a sanction imposed by the council by resolution under clause 8.56, where the Division recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must, where practicable, arrange for the Division's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
  - b) the council must:
    - i) review its decision to impose the sanction, and
    - ii) consider the Division's recommendation in doing so, and
    - iii) resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 9.17 Where having reviewed its previous decision in relation to a matter under clause 9.16 the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.

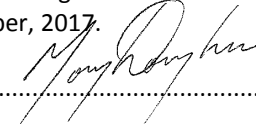
## PART 10 PROCEDURAL IRREGULARITIES

- 10.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct except as may be otherwise specifically provided under the code of conduct.
- 10.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
  - b) reasonable steps are taken to correct the non-compliance, or
  - c) reasonable steps are taken to address the consequences of the non-compliance.

## PART 11 PRACTICE DIRECTIONS

- 11.1 The Division may at any time issue a practice direction in relation to the application of these procedures.
- 11.2 The Division will issue practice directions in writing, by circular to all councils.
- 11.3 All persons performing a function prescribed under these procedures must consider the Division's practice directions when performing the function.

  
..... MAYOR

  
..... GENERAL MANAGER.

## PART 12 REPORTING ON COMPLAINTS STATISTICS

- 12.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,
  - b) the number of code of conduct complaints referred to a conduct reviewer,
  - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,
  - d) the number of code of conduct complaints investigated by a conduct reviewer,
  - e) the number of code of conduct complaints investigated by a conduct review committee,
  - f) without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
  - g) the number of matter reviewed by the Division and, without identifying particular matters, the outcome of the reviews, and
  - h) the total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.
- 12.2 The council is to provide the Division with a report containing the statistics referred to in clause 12.1 within 3 months of the end of September of each year.

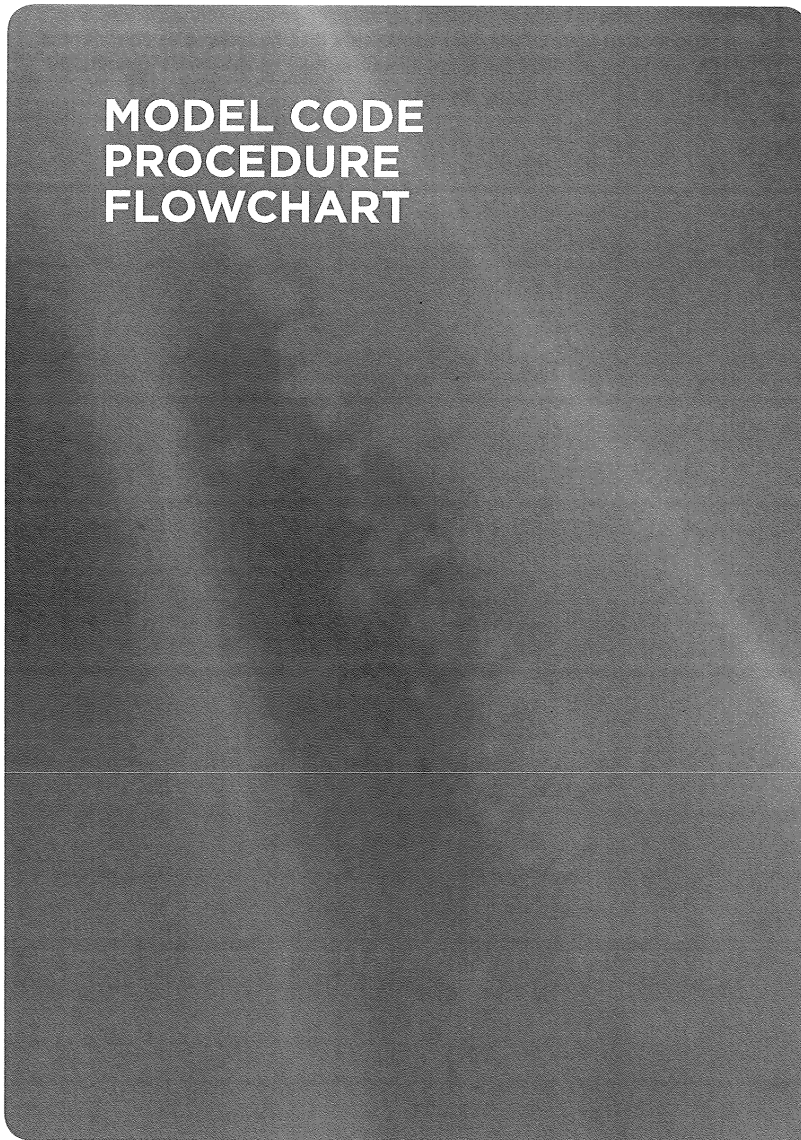


**PART 13**  
**CONFIDENTIALITY**

- 13.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.

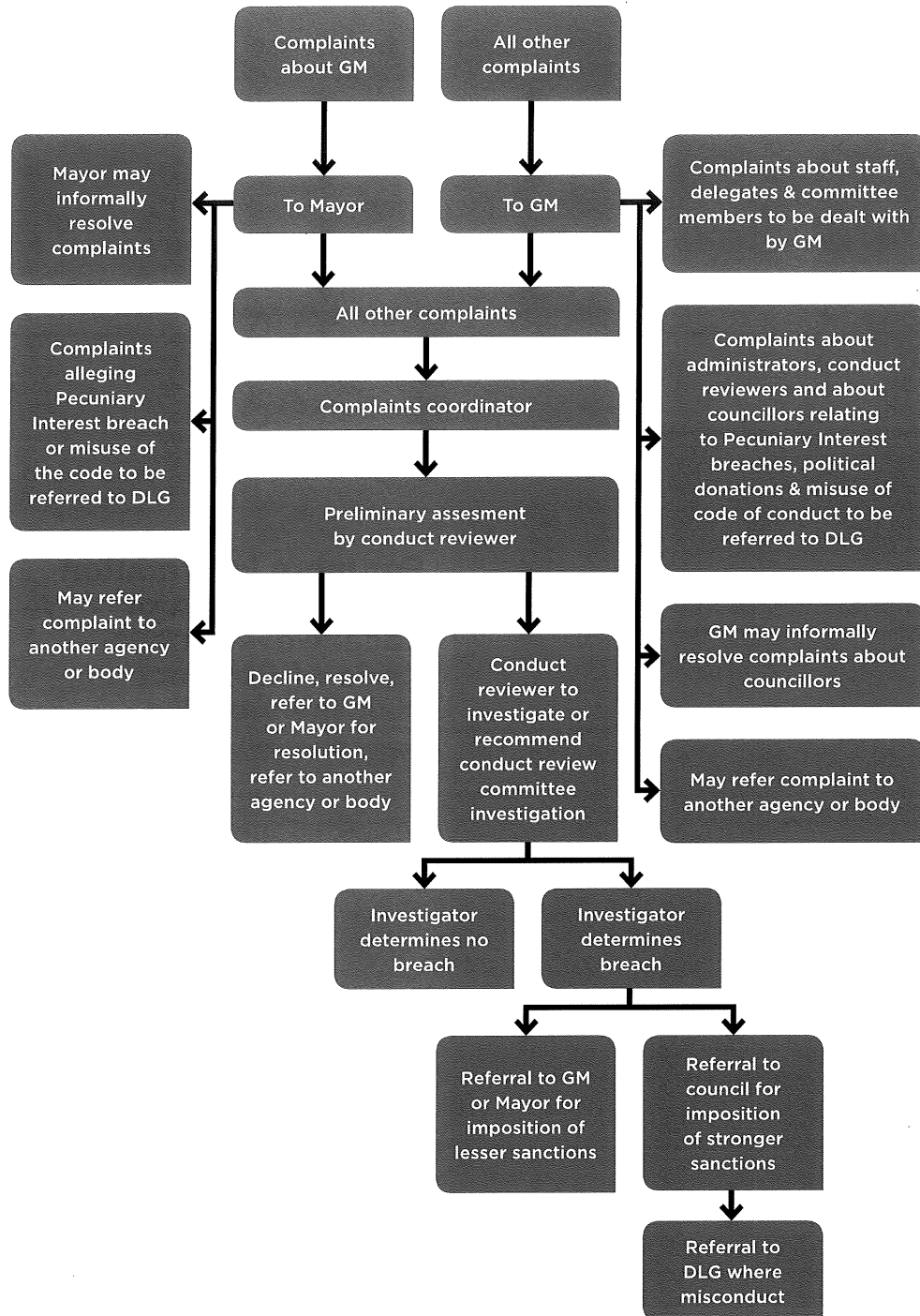
*J. J. Seymour*  
..... MAYOR

*Anthony Douglas*  
..... GENERAL MANAGER.



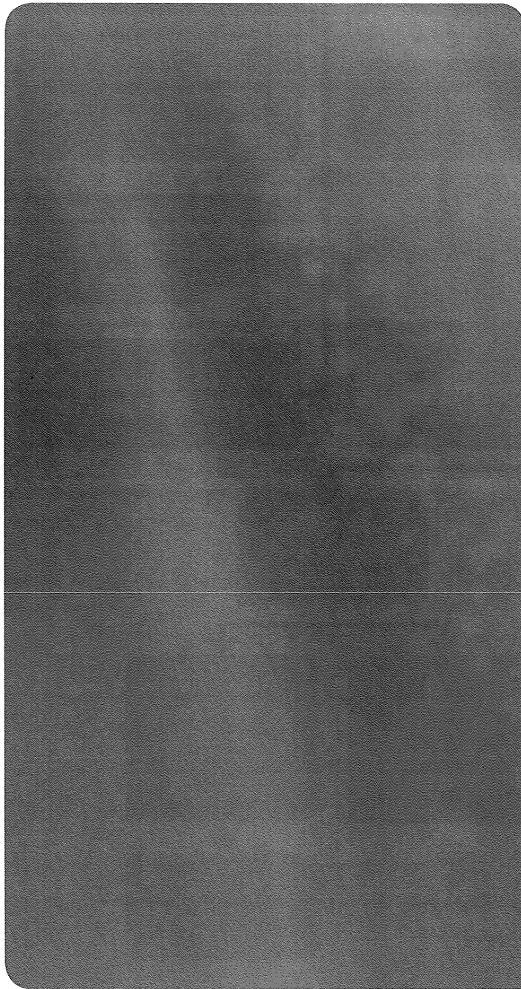
*J. J. Seymour*  
..... MAYOR

*Paul Roughton*  
..... GENERAL MANAGER.



*J. J. Seymour*  
 ..... MAYOR

*Anthony Douglas*  
 ..... GENERAL MANAGER.



**For more information  
on the Division of  
Local Government  
Code of Conduct  
visit the website**  
[www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au)



**Premier & Cabinet**  
Division of Local Government

*J. J. Seymour*  
..... MAYOR

*Anthony Douglas*  
..... GENERAL MANAGER.



**COOLAMON SHIRE COUNCIL**  
**RELATED PARTY DISCLOSURES POLICY**

Date Adopted	<b>14 December 2017</b>		
Council Minute	<b>235/12/2017</b>		
Version	<b>Version 2</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 Years</b>		
Last Review Date	<b>December 2017</b>	Next Scheduled Review Date	<b>May 2021</b>

**POLICY STATEMENT**

The Related Party Disclosure Policy will assist Council in complying with disclosure requirements concerning Key management Personnel (KMP), their close family members and entities controlled or jointly controlled by any of them stipulated under the *Australian Accounts Standard AASB124 Related Party Disclosures*.

**SCOPE**

This policy is to be applied in:

1. Identifying related party relationships, related party transactions and ordinary citizen transaction concerning key management personnel, their close family members and entities controlled or jointly controlled by any of them; and
2. Identifying information about the related party transaction for disclosure; and
3. Establishing systems to capture and record the related party transactions and information about those transactions; and
4. Identifying the circumstances in which disclosures of the items in paragraphs 1 and 2 are required; and
5. Determining the disclosures to be made about those items in the General Purpose Financial Statements for the purpose of complying with AASB 124.

**OBJECTIVE**

The objective of the policy is to ensure that the existence of certain related party relationships, related party transactions and information about the transactions, necessary for users to understand the potential effects on the financial statements are properly identified, recorded in Council's systems and disclosed in Council's General Purpose Financial Statements in compliance with the *Local Government Act 1993*, AASB 124, the *Privacy and Personal Information Protection Act 1998* and the *Government Information (Public Access) Act 2009*.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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**STATEMENT OF PROCEDURES**

**1 AASB 124 DISCLOSURE REQUIREMENTS**

**1.1 Disclosures**

To comply with AASB 124, for annual periods beginning on or after 1 July 2016, Council will disclose in its General Purpose Financial Statements the information specified in 1.2 for related party transactions with, amongst others, the following persons during the periods covered by the Financial Statements

- a) Council subsidiaries;
- b) Entities who are associates of Council or of a Council subsidiary;
- c) Joint ventures in which Council or a Council subsidiary is a joint venture;
- d) Council's Key Management Personnel (KMP);
- e) Other related parties, comprising:
  - i. A close family member of a KMP of Council;
  - ii. Entities controlled or jointly controlled by a KMP of Council;
  - iii. Entities controlled or jointly controlled by a close family member of a KMP of Council
  - iv. Other entities as specified in AASB 124, paragraph 9 (b)(iii), (iv), (v) and (viii).

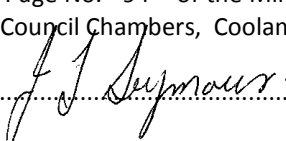
**1.2 Disclosed Information**

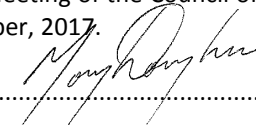
For each category of related party transactions specified in Section 1.1, Council will disclose the following information in Council's General Purpose Financial Statements:

- a) the nature of the related party relations;
- b) The amount of the transactions;
- c) The amount of outstanding balances, including commitments; and
  - i. Their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
  - ii. Details of any guarantees given or received
- d) provisions for doubtful debts related to the amount of outstanding balances; and
- e) the expense recognized during the period in respect of bad or doubtful debts due from related parties.

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This is Page No. 94 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
..... MAYOR

.....  
..... GENERAL MANAGER.

**1.3 Disclosed in Aggregate or Separate**

For each related party category specified in Section 1.1, Council will disclose information specified in Section 1.2 for related party transactions of a similar nature in aggregate except when separate disclosure is necessary for an understanding of the effects of related party transaction on the financial statements of council, having regard to the following criteria:

- a) the nature of the related party relationship;
- b) the significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council);
- c) whether the transaction is carried out on non-arm's length terms;
- d) whether the nature of the transaction is outside normal day-to-day business operations;
- e) based on the factors and thresholds under the direction of the Responsible Accounting Officer in consultation with Council's Audit Committee and External Auditor.

**2 IDENTIFYING RELATED PARTY RELATIONSHIPS AND TRANSACTIONS**

**2.1 Identification**

The Responsible Accounting Officer is responsible for identifying Council subsidiaries, associates and joint ventures (incorporated and unincorporated)

**2.2 Control or Joint Control**

To determine whether Council has control or joint control of an entity, the Responsible Accounting Officer is responsible for applying Australian Account Standards AASB 10 Consolidated Financial Statements and AASB 11 Joint Arrangements

**2.3 Associate of Joint Venture**

To determine whether an entity is an associate or, or in a joint venture with, Council or a Council subsidiary the Responsible Accounting Officer is responsible for applying AASB 128 Investments in Associates and Joint Ventures.

**2.4 Electronic Investigation**

The Responsible Accounting Officer is responsible for investigating through Council's business system whether any identified Council subsidiaries, associates or joint ventures have an existing related party transaction with Council.

**2.5 Information Extraction**

The Responsible Accounting Officer is responsible for identifying and extracting information in Section 1.2 against each existing related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

**2.6 Manual Investigation and Recording of Information**

For related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 1.2 for the subject transaction in the register of related party transactions.

**3 IDENTIFYING RELATED PARTY TRANSACTIONS WITH KMP AND THEIR CLOSE FAMILY MEMBERS**

**3.1 Related Party Disclosures**

Key Management Personnel (KMP) must provide a related party disclosure in the form set out in Attachment A, notifying any existing related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, subject to Section 3.6, to the General Management by no later than the following periods during a financial year (**specified notification period**):

- a) 30 days after the commencement of the application of this policy;
- b) 30 days after a KMP commences their term or employment with Council;
- c) 30 November each year;
- d) 30 June each year.

**3.2 Related Party Disclosure Form**

At least 30 days before a specified notification period, the General Manager will provide Key Management Personnel (KMP) with a Related Party Disclosure Form (Attachment A) and a Privacy Collection Notice (Attachment B).

**3.3 Suspected Related Party Transaction**

If a Key Management Personnel (KMP) suspects that a transaction may constitute a related party transaction, the KMP should provide a Related Party Disclosure to the General Management for consideration and determination.

**3.4 Other Notifications**

The notification requirements in Section 3 are in addition to the notifications a Key Management Personnel (KMP) must make to comply with:

- a) for Councillors, the *Code of Conduct*; and
- b) for the General Manager and other senior executive officers who are KMP, the *Code of Conduct*; and
- c) the disclosure of interest in a written return pursuant to Section 450A of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.



**3.5 Exclusions**

The notification requirements in Section 3 do not apply to:

- a) related party transactions that are ordinary citizen transactions under Section 4; and
- b) the Mayor and Councillor expenses incurred and facilities provided during a financial year under Council's *Payment of Expenses and Provision of Facilities for Mayors and Councillors Policy*, the particulars of which are contained in Council's Annual Report pursuant to the *Local Government (General) Regulation 2005, clause 217*.

**3.6 Other Sources of Information**

To ensure all related party transactions are captured and recorded, the Responsible Accounting Officer is responsible for reviewing, if required, other sources of information held by Council including, but not limited to:

- a) a Disclosure of Interests Return (under Section 449 of the *Local Government Act 1993*) of a Key Management Personnel (KMP) and of persons related to the KMP
- b) minutes of Council and committee meetings;
- c) Council's Contracts Register

**4 ORDINARY CITIZEN TRANSACTIONS**

**4.1 Non-material in Nature**

A Key Management Personnel (KMP) is not required to notify in a related party disclosure and Council will not disclose in its Financial Statements, related party transactions that are ordinary citizen transactions assessed to be not material in nature.

**4.2 Material in Nature**

A Key Management Personnel (KMP) is required to notify in a related party disclosure and Council will disclose in its Financial Statements in accordance with Section 1, related party transactions that are ordinary citizen transactions assess to be material in nature

**4.3 Materiality Assessment**

The Responsible Accounting Officer is responsible for reviewing and assessing the materiality of related party transactions that are ordinary citizen transactions to determine whether the disclosure of such transactions are necessary for an understanding of the effects of the related party transactions on the Financial Statements having regard to the criteria set in Section 1.3.

As a general rule, Council will utilise \$10,000 as the threshold for materiality.

**4.4 Information Extraction**

The Responsible Accounting Officer is responsible for identifying information specified in Section 1.2 against each notified related party transaction that is an ordinary citizen transaction assessed as being material in nature in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

**5 REGISTER OF RELATED PARTY TRANSACTIONS**

**5.1 Maintain a Register**

The Responsible Accounting Officer is responsible for maintaining a current register of related party transactions that captures and records the information specified in Section 1.2 for each existing or potential related party transaction during a financial year.

**5.2 Contents of Register**

The contents of the register of related party transactions must details for each related party transaction:

- a) the description of the related party transaction;
- b) the name of the related party;
- c) the nature of the related party's relationship with Council;
- d) whether the notified related party transaction is existing or potential;
- e) a description of the transactional documents the subject of the related party transaction
- f) the information specified in Section 1.2

The Responsible Accounting Officer is responsible for ensuring that the information specified in Section 1.2 is disclosed in Council's Financial Statement to the extent, and in the manner, stipulated by AASB 124, subject to Section 1.3.

**6 INFORMATION PRIVACY**

**6.1 Confidential**

The following information is classified as confidential and is not available for inspection by or disclosure to the public, including through a *Government Information (Public Access) Act (GIPAA)* application:

- a) information (including personal information) provide by a Key Management Personnel (KMP) in a related party disclosure; and
- b) personal information contained in a register of related party transactions

## 6.2 When Consent is Required

Except as specified in this Policy, Council and other permitted recipients will not use or disclose personal information provided in a related party disclosure by a Key Management Personnel (KMP) or contained in a register of related party transactions for any other purpose or to any other person except with the prior written consent of the subject KMP.

## 6.3 Permitted Recipients

The following persons are permitted to access, use and disclose the information (including personal information) provided in a related party disclosure or contained in a register of related party transactions for the purposes specified in Section 6.4:

- a) the General Manager,
- b) the Responsible Account Officer,
- c) the Executive Manager, Corporate & Community Services,
- d) an Auditor of Council (including an Auditor from or contracted by the NSW Auditor General's Office)
- e) Other Officers as delegated by the General Manager

## 6.4 Permitted Purposes

A persons specified in Section 6.3 may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of related party transactions for the following purposes:

- a) to access and verify a notified related party transaction;
- b) to reconcile identified related party transactions against those notified in a related party disclosure or contained in a register of related party transactions;
- c) to comply with the disclosure requirements of AASB 124;
- d) to verify compliance with the disclosure requirements of AASB 124.

## 6.5 Personal Access

An individual may access their personal information provided by a Key management Personnel in a related party disclosure or contained in a register of related party transactions in accordance with Council's *Privacy Management Plan*.

## 7. GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT (GIPA) STATUS

### 7.1 No Public Inspection

The following documents are not open to or available for inspection by the public:

- a) related party disclosures provided by a Key Management Personnel (KMP); and
- b) a register of related party transactions.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

**7.2 Not GIPA - accessible**

A GIPA application seeking access to:

- a) a document or information (including personal information) provided by a Key Management Personnel (KMP) in a related party disclosure; or
- b) personal information contained in a register of related party transactions;

will be refused on the grounds the document or information comprises information for which there is an overriding public interest against disclosure pursuant to Section 14 of the *Government Information (Public Access) Act*.

**7.3 Transactional Documentation**

A GIPA Application seeking access to and release of transactional information and documentation the subject of a related party transaction with Council will be considered, assessed and decided in accordance with Council's usual procedures regarding applications made under the *Government Information (Public Access) Act*.

**8 DEFINITIONS**

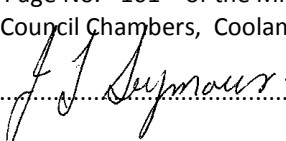
Each of the following expressions in bold bears the meaning shown opposite

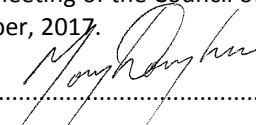
Expression	Meaning
<b>arm's length transaction</b>	Terms between parties that are reasonable in the circumstances of the transaction that would result from: <ul style="list-style-type: none"> <li>a) neither party bearing the other any special duty of obligation, and</li> <li>b) the parties being unrelated and uninfluenced by the other, and</li> </ul> each party having acted in it's own interest
<b>associate</b>	In relation to an entity (the first entity), an entity over which the first entity has significant influence
<b>Close family members or close members of the family</b>	In relation to a KMP, family members who may be expected to influence, or be influenced by that KMP in their dealings with Council will include: <ul style="list-style-type: none"> <li>a) that person's children and spouse or domestic partners</li> <li>b) children of that person's spouse or domestic partner</li> <li>c) dependants of that person or that person's spouse or domestic partner.</li> </ul> For the purposes of ASSB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) <i>if</i> they could be expected to influence, or be influenced by, the KMP in their dealings with Council

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

Expression	Meaning
<b>Control</b>	Control of an entity is present when there is: <ul style="list-style-type: none"> <li>a) power over the entity; and</li> <li>b) exposure or rights to variable returns from involvement with the entity; and</li> <li>c) the ability to use power over the entity to affect the amount of returns received</li> </ul> as determined in accordance with AASB 10 <i>Consolidated Financial Statements, Paragraph 5 to 18, Appendices A (Defined Terms) and B (Application Guide)</i>
<b>Joint Control</b>	The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
<b>Joint venture</b>	An arrangement of which two or more parties have joint control and have right to the net assets of the arrangement.
<b>Joint venture</b>	A party to a joint venture that has joint control of that joint venture.
<b>Key Management Personnel (KMP)</b>	Person(s) having authority and responsibility for planning, directing and controlling the activities of Council. Specifically, KMP of Council are the: <ul style="list-style-type: none"> <li>a) Mayor</li> <li>b) Councillors</li> <li>c) General Manager</li> <li>d) Executive Managers</li> </ul>
<b>Ordinary Transactions</b>	<b>Citizen</b> Transactions that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities. Examples of ordinary citizen transactions assessed to be not material in nature are: <ul style="list-style-type: none"> <li>a) Paying rates and charges</li> <li>b) Using Council's public facilities after paying the corresponding fees</li> </ul>
<b>Related Party</b>	A person or entity that is related to Council pursuant to the definition contained in AASB 124, paragraph 9. Examples of related parties of Council are: <ul style="list-style-type: none"> <li>a) Council subsidiaries;</li> <li>b) Key Management Personnel (KMP)</li> <li>c) Close family members of KMP;</li> <li>d) Entities that are controlled or jointly controlled by KMP or their close family members.</li> </ul>

This is Page No. 101 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

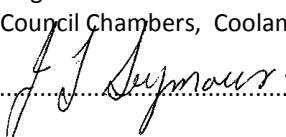
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 ..... MAYOR

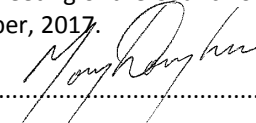
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 ..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

Expression	Meaning
<b>Related party transaction</b>	A transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged. Examples of related party transactions are: <ul style="list-style-type: none"> <li>a) Purchases or sales of goods;</li> <li>b) Purchases or sales of property and other assets,</li> <li>c) Rendering or receiving of services</li> <li>d) Rendering or receiving of goods</li> <li>e) Leases</li> <li>f) Transfers under licence agreements</li> <li>g) Transfers under finance agreements (example loans)</li> <li>h) Provision of guarantees (given or received)</li> <li>i) Commitments to do something if a particular event occurs or does not occur in the future</li> <li>j) Settlement of liabilities on behalf of Council or by Council on behalf of that related party</li> </ul>
<b>Related Party disclosure</b>	A document entitled <i>Related Party Disclosure by Key Management Personnel</i> in the form set out in Attachment A
<b>Significant influence</b>	The power to participate in the financial and operating policy decisions of another entity but is not control or joint control of those polices, as determined in accordance with Australian Accounting Standard AASB 128 <i>Investments in associates and Joint Ventures, Paragraph 3, 5 &amp; 6.</i>

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..... MAYOR

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..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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9 ASSOCIATIONS & RELATIONSHIPS

Legislation	Local Government Act 1993 and Local Government (General) Regulation 2005 Accounting Standard AASB 124 July 2015 Related Party Disclosures Privacy and Personal Information Protection Act 1998 (PPIPA) Government Information (Public Access) Act 2009 (GIPA)
Policies	Code of Conduct Privacy Management Plan Payment of Expenses and Provision of Facilities for Mayors and Councillors Policy
Procedures/Protocols, Statements, Documents	

10 APPLICATION DATE OF POLICY

This policy applies retrospectively with effect on and from 1 July 2017.

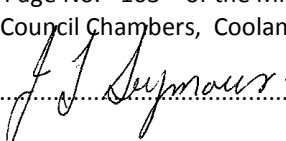
11 REVIEW

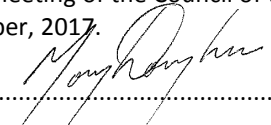
This policy may be reviewed at any time or as required in the event of legislative changes. Unless otherwise required the policy will be reviewed at least once during a term of Council.

*Version 2 Adopted Council Meeting held 14 December 2017 (Minute No. 235/12/2017)*  
*Version 1 Adopted Council Meeting held 18 May 2017 (Minute No. 72/05/2017)*

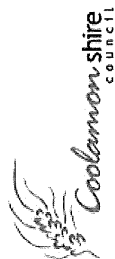
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 ..... GENERAL MANAGER.

Attachment A



**RELATED PARTY DISCLOSURE BY KEY MANAGEMENT PERSONNEL**

*[Note: This document is confidential and is not GIPA-accessible. See Council's Related Party Disclosure Policy]*

Name of Key Management Personnel: \_\_\_\_\_

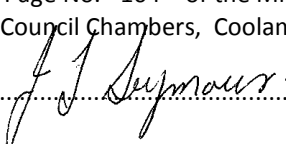
Position of Key Management Personnel: \_\_\_\_\_

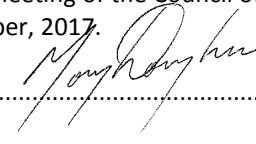
Please read the Privacy Collection Notice provided with this notification, which explains what is a related party transaction and the purposes for which Council will be collecting and will use and disclose, the related party information provided by you in this notification.

Please complete the table below for each related party transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

- a) Has previously entered into and which will continue in the ##insert relevant financial year eg. 2016/2017## financial year;
- b) Has entered into, or is reasonably likely to enter into, the ##insert relevant financial year eg. 2016/2017## financial year.

Description of Related Party Transaction	Is existing/potential?	Related Party's Name (individual's or entity's name)	Related Relationship/Reasons related	Party's why	Description of Transaction Documents or Changes to the Related Party Relationship

.....  ..... MAYOR

.....  ..... GENERAL MANAGER.



Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (individual's or entity's name)	Related Relationship/Reasons related	Party's why	Description of Transaction Documents or Changes to the Related Party Relationship

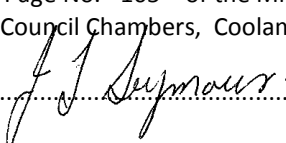
**Notification**

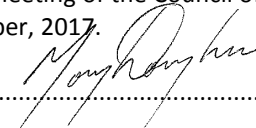
I \_\_\_\_\_ notify that, to the best of my knowledge, information and belief, as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the ##insert relevant financial year eg. 2016/2017## financial year.

I make this notification after reading the Privacy Collection Notice provided by Coolamon Shire Council, which details the meaning of the words "related party", "related party transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Responsible Accounting Officer and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interest of me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Personnel: \_\_\_\_\_ Date: \_\_\_\_\_

.....  ..... MAYOR

.....  ..... GENERAL MANAGER.

ATTACHMENT B

**PRIVACY COLLECTION NOTICE  
RELATED PARTY DISLOSURES BY KEY MANAGEMNET PERSONNEL**

**Purpose of Collection, Use and Disclosure**

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in tis General Purpose Financial Statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124)*.

Related parties include Council's Key Management Personnel (KMP), their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in aggregate and/or made separately, depending on the materiality of the transaction.

For more information about Council's disclosure requirements under AASB 124, please refer to Council's Related Party Disclosure Policy.

**Notification by Key Management Personnel**

In order to comply with AASB 124, Council has adopted a policy that requires all key Management Personnel (KMP) to periodically provide notifications to the General Manager of any existing or potential related party transactions between Council and an y of their related parties during a financial year, and any changes to previously notified related party transaction relevant to the subject financial year.

To this end, each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the General Manager by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy;
- 30 days after a KMP commences their term or employment with Council;
- 30 November each year;
- 30 June each year.

Note, these related party disclosure requirements are in addition to the notifications KMPs are required to make to comply with:

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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- For Councillors, the conflicts of interest obligations in the *Local Government Act 1993* and the Code of Conduct and
- For other KMPs, the Code of Conduct and
- The return disclosing interests required to be kept under Section 449 of the *Local Government Act 1993*

The Audit Office of NSW may audit related party information as part of the annual external audit.

For privacy and right to information status of this information, please refer to Council's Related Party Disclosure Policy.

**Who are Key Management Personnel (KMP)?**

KMPs are person having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly. For Council, KMPs include:

- The Mayor
- Councillors
- The General Manager
- Executive Managers

**Who are close family members of a Key Management Personnel (KMP) Person?**

Close family members, or close members of the family of a KMP are family members who may be expect to influence, or be influenced by, that person in their dealings with Council and include:

- a) That persons' children and spouse or domestic partner;
- b) Children to that person's spouse or domestic partner; and
- c) Dependants of that person or that person's spouse or domestic partner.

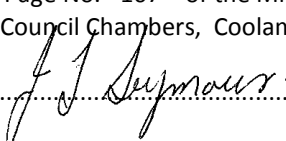
Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings etc) *if* they could be expected to influence, or be influenced by the KMP in their dealings with Council.

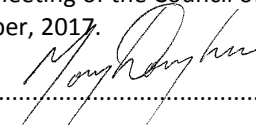
For a related party transaction the related party and the relationship must be disclose by both the KMP and their close family member even if the same related party entity is held jointly or in common by them.

The following table may assist you in identifying your close family members:

Definitely a close family member	Possibly a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council

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..... MAYOR

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..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

Definitely a close family member	Possibly a close family member
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced by, you in their dealings with Council

**What is an entity that I, or my close family member, control or jointly control?**

Entities include companies, trusts, incorporate and unincorporated associations such as clubs and charities, joint ventures and partnerships.

**Control**

You control an entity if you have:

- a) Power over the entity;
- b) Exposure, or rights, to variable returns from your involvement with the entity; and
- c) The ability to use your power over the entity to affect the amount of your returns.

*Example of control*

Fred is the Mayo of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.  
Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.  
Fred will need to include the company on his related party disclosure.

**Joint Control**

To jointly control an entity there must be contractually agreed sharing of control fo the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

*Example of joint control*

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.  
Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.  
Fred will need to include the company on his related party disclosure and the entity's related party relationship with Fred and Stan.

In some cases, it will be obvious that you or a family member control or have joint control over any entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Responsible Accounting officer for a confidential discussion.

**[End of Privacy Collection Notice]**

### **4.3 EXECUTIVE MANAGER, ENGINEERING & TECHNICAL SERVICES' REPORTS**

#### **ES1) SHIRE ROAD RESHEETING, STABILISATION AND MAINTENANCE**

The following roads have received resheeting and maintenance attention:

- 1) RESHEETING
  - Tooyal Road (Wagga Road to Williams Lane)
  - Bredins Lane (Bitumen to Bartletts Lane)
  
- 2) MAINTENANCE
  - Tooyal Road (Williams to Wagga Road)

#### **ES2) PARKS AND GARDENS**

Parks and Gardens Staff have continued with maintenance of Council's open spaces in addition to commencing the process of elevating garden bed standards across the Shire's Towns and Villages. Staff have also performed annual pre-pool season maintenance at all three facilities.

#### **ES3) TOWN WORKS**

##### Marrar Street Light - Intersection of Webb and Wise Streets

The correct batteries have now been received and installed making the light functional. The solar LED sheds good light and aluminates the intersection as desired.

#### **ES4) ROADS TO RECOVERY PROGRAMME 2017/2018**

##### 1) Matong North Road (16.75-20.33kms) 3.50kms – Shoulder Grading

Shoulder grading along this section of road and sealing of the northern curve to achieve a 6.4km seal width have now been completed.

2) Mirrool South Road (5.18-6.62kms) 1.44kms – Reconstruction

Reconstruction involving formation corrections, stabilization and seal have now been completed.

3) Rannock Road (16.75-17.58kms and 23.96-24.74kms) 1.615kms

Works involving importation of suitable material and formation corrections have commenced on these sections of Rannock Road. Stabilisation and sealing is to follow with completion date prior to the Christmas break.

4) Heavy Patch Programme – Local Sealed Roads

The following sections of Council's Local Sealed Network have received heavy patch repair involving stabilisation and seal:

- Matong North Road (2.65-2.94kms) 290m
- Matong North Road (4.45-4.59kms) 140m
- Dullah Road (9.40-9.55kms) 150m

**ES5) BLOCK GRANT**

The following sections of Council's Regional Road Network have been reconstructed:

- Ardlethan Road (23.06-24.16kms) 1.08kms
- Canola Way East (12.65-13.68kms) 1.03kms

**ES6) 2017/2018 REPAIR PROGRAMME**

CANOLA WAY WEST (7.36-9.03KMS) 1.67KMS

Reconstruction works involving formation corrections, importation of suitable material and culvert repairs have commenced on this section of Regional Road. Stabilisation and sealing is to be completed in coming weeks.

Recommendation

That the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES6) are provided for Council's information.

**RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES6) are provided for Council's information.** 254/12/2017

**ES7) SAFE AND SECURE WATER PROGRAMME (SSWP) – COOLAMON SEWERAGE AUGMENTATION (S.03-03, SC362)**

→ Council has received notification from the Department of Industry that its EOI for co-funding of Business Case for Coolamon Sewerage Augmentation has been successful and moved to the next stage of a detailed application. Attachment No. 7

There are three stages under the SSWP being:

- 1) Project Scoping Study – An option Study has already been performed and this phase is satisfied.
- 2) Business Case Development – EOI accepted and detailed application requested.
- 3) Design and Construction – Once Phase 2 has been completed, Council will then pursue Phase 3 which will also require an EOI and detailed application.

The SSWP has been established as part of Restart NSW to fund eligible water and sewerage projects that will deliver public health, environmental and social benefits for regional communities which support economic growth and productivity.

A detailed application will be developed addressing the assessment criteria's and submitted to the SSWP Technical Review Panel.

Recommendation

That Council submit a detailed application to SSWP Technical Review Panel for business case development of the Coolamon Sewerage Treatment Plant.

**RESOLVED on the motion of Clr Logan and seconded by Clr Jones that Council submit a detailed application to SSWP Technical Review Panel for business case development of the Coolamon Sewerage Treatment Plant.** 255/12/2017

**ES8) ARDLETHAN SEWERAGE SCHEME – PROJECT STATUS REPORT (S.03-02, SC361)**

The Project Status Report from Council’s Contract Project Manager, Alex Fenwick is listed below:

**PROJECT STATUS**

**Time**

Based on the schedule that formed part of the successful consultant’s (Cardno) offer, the project is tracking approximately 3 months behind the timeline submitted to the funding body. This is due to a number of factors. The design process did not commence until 1 month after indicated in the original timeline. Additionally, the timeframe for the design process is approximately 2 months longer than originally estimated. It should be noted that the design timeframe provided by Cardno was shorter than that of the other offers received. Based on a revised project timeline tenders for construction will be advertised in May 2018.

**Quality**

The brief for the request for quotations references the relevant codes, standards and agency requirements. The successful design consultant Cardno, is extremely experienced in this type of work. They have assembled a highly qualified and experienced team for the project.

**Risk**

<b>Issues Register</b>	
<b>Issue</b>	<b>S60 Approval</b>
Actions to Date	Contact made with NSW DPI Water Manager Water and Sewerage and Regional Manager Water and Sewerage. Nil feedback or input provided to date despite numerous attempts to make further contact. S60 approval process requirements incorporated into design brief Relevant NSW DPI Water contact details provided to the design consultant.
Further Actions	Ongoing liaison between design consultant, project manager and NSW DPI Water
<b>Issue</b>	<b>Rail Crossing</b>
Actions to Date	Contact made with John Holland Rail regarding requirements for rail line service crossings. Engineering standards obtained and incorporated into design brief John Holland Rail contact details provided to the design consultant.
Further Actions	Obtain 3rd Party Application Form and provide to successful design consultant for reference. Ongoing liaison between design consultant, project manager and John Holland Rail.



<b>Issue</b>	<b>Acquisition of Land for Pump Station</b>
Actions to Date	Critical dates for finalisation of pump station location incorporated into design brief. The design consultant's program indicates that the pump station site will be confirmed by 22 December 2017.
Further Actions	Confirm site and acquire land.
<b>Issue</b>	<b>Bygoo Road Realignment Project</b>
Actions to Date	Design requirements around the road realignment project, including critical dates, incorporated into design brief. Image of road realignment plan overlaid on aerial imagery incorporated into the design brief. Project deferred due to land acquisition issues.
Further Actions	More detailed drawings to be provided to the design consultant to ensure that the sewer is set at a level so that it does not clash with the road or table drains and so that it does not impact unduly on constructability of the road.
<b>Issue</b>	<b>Flood Works Approval for Treatment Plant</b>
Actions to Date	Research requirements for flood works approval. Local analysis of flood extent and depth at treatment plant location Advice obtained from GHD regarding flood behaviour at treatment plant site (flood fringe low hazard and flood free).
Further Actions	Prepare brief report for Council files advising that a flood works approval is not required. Advise successful consultant accordingly and of specific site requirements in relation to flooding.
<b>Issue</b>	<b>Availability of Suitable Contractors</b>
Actions to Date	Contact made with potential design consultants to ascertain interest in bidding for and completing the work. Design contract awarded to a suitably qualified and experienced consultant.
Further Actions	Contact to be made with potential construction contractors to gauge interest, capability and capacity on completion of the detailed design.

### Procurement

The design contract has been awarded to Cardno. They are a top tier multinational consultancy with vast experience in designing a variety of infrastructure including. They have assembled a strong team for this project consisting of highly qualified and experienced staff in the field of water and wastewater infrastructure.

### Activities since Last Report

- Manage RFQ process including conduct site meeting, respond to consultants' requests for information (RFIs) and prepare addenda.
- Evaluate RFQ responses and prepare evaluation report.
- Debrief consultants.
- Meeting with Ardlethan Sewerage Committee. (Minutes Attached)  
**Attachment No. 8**
- Liaise with successful design consultant on contract execution and commencement of work.

- Collate and provide information to design consultant.

### **Upcoming Activities**

- Prepare project related FAQs for distribution to the Ardlethan community.
- Inception meeting and site inspection with design consultant.
- Respond to any design consultant RFIs.
- Provide input into design options.
- Review designs and design documentation as it becomes available.
- Prepare brief report that confirms that a flood works approval is not required at the treatment plant site.

### **Project Management Hours**

Since last report

62.5

Total

103

### Recommendation

That Council note the report on the Ardlethan Sewerage.

**RESOLVED on the motion of Clr McCann and seconded by Clr White that Council note the report on the Ardlethan Sewerage and following receipt of the Detailed Design the General Manager and Mayor be delegated authority to negotiate to purchase any land required.** 256/12/2017

### **ES9) NOXIOUS WEEDS OFFICER'S REPORT (N.02-01, SC284)**

#### Noxious Weeds Officer Reports

- Biosecurity Act legal training complete and current for all RENWA staff.
- Biannual Weeds Conference attended.
- All RENWA staff meet or exceed the qualifications required to be appointed as an Authorised Officer under the NSW Biosecurity Act 2015.
- Robert Ferguson resigned from Regional Weeds Committee Chair position. Continuing as Riverina representative on WAP Project Coordination Team (PCT).
- LLS has approved grant funds dispersal in Riverina and Murray regions.
- Riverina agreed with the PCT funds dispersal model after some consideration.
- RENWA will receive \$151,523.59, being \$5,822.17 less than our request of \$157,345.76
- RENWA Councils have a commitment of \$197,989.98. \$65,996.66 each.

- The current Weeds Project Officer will stay in place until 30<sup>th</sup> June, 2018. She will manage all aspects of the WAP. Both Murray and Riverina LLS will provide a part time staffer to carry out additional duties to satisfy implementation of the Regional Strategic Weed Management Plan. (RSWMP).
- At this time, it is proposed that from 1<sup>st</sup> July, 2018, LLS will absorb the Weeds Project Officer position and all WAP management and reporting functions as well as RSWMP and Regional Weed Committee activities will be coordinated by LLS.
- Local Control Authorities will have a representative on the Regional Weeds Committee.
- The WAP Project Coordination Team favours a continuation of the current management system and Project Officer at least for the remainder of the 1520 WAP.
- Inspections private property - 190 to date in the current plan period, 300 required, plus high-risk pathways & sites.
- Currently we are inspecting in the Grogan area of TSC adjoining Hill tops Council Area.
- RENWA is endeavouring to cover a broad spectrum of property sizes in the inspection process.
- No high risk invasive species have been found during these private property inspections to date.
- Land Managers have been generally cooperative in the inspection process.
- Our next inspection phase will take place in the Ardlethan area, covering general and high-risk property adjoining the highway and rail lines.
- Currently carrying out St John's Wort control activities. Silverleaf Nightshade will be an issue. In the urban areas and some roadsides Khaki weed and cat heads will be a problem for Councils.

Recommendation

For Council information.

**RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that Council make representations to Member for Cootamundra, Steph Cook regarding the continual reduction in funding to undertake physical Noxious Weeds control.**

257/12/2017

**ES10) RAIL PEDESTRIAN CROSSINGS – MARRAR AND GANMAIN (R.03-03, SC320)**

Discussions have continued with John Holland Rail (JHR) regarding the implementation of pedestrian facilities at the upgraded rail crossings in Marrar and Ganmain. These discussions have resulted in a site meeting occurring on 5<sup>th</sup> December, 2017 between JHR and Council representatives to determine the issues that presently exist and most appropriate measures to be considered in these issues. JHR advised that under their assessment process the two crossings have been prioritised for attention and funding is available.

Of the two crossings Ganmain's preferred route poses the most challenging as the preferred desire line crosses two rail lines and will require fencing. JHR indicated that there are a number of approvals yet to be obtained and it is hoped to have all obtained by June 2018 for construction in the 2018/2019 financial year. To assist and support the approval process, Council may wish to forward further correspondence highlighting the issues at the crossings and need for attention. Whilst JHR would implement infrastructure within 3m of outer rail, Council would be responsible for providing pathways leading to pedestrian crossing.

Recommendation

Council forward further correspondence to JHR highlighting the pedestrian safety issues at the Marrar and Ganmain rail crossings and an allocation be provided in the 2018/2019 budget for approaching path infrastructure.

**RESOLVED on the motion of Clr Crocker and seconded by Clr McKinnon that Council forward further correspondence to JHR highlighting the pedestrian safety issues at the Marrar and Ganmain rail crossings and an allocation be provided in the 2018/2019 budget for approaching path infrastructure.** 258/12/2017

**ES11) NSW RURAL FIRE SERVICE – EMERGENCY INCIDENT SPEED LIMITS (E.03-01, SC163)**

- The NSW Rural Fire Service has been in contact with all NSW Councils to highlight safety concerns of incident sites around public traffic. To address these concerns the RFS has requested for council to support a push to make all emergency incident sites 40kph speed zones. Attachment No. 9

As a Road Authority who is continuously working on public roads, we are only too well aware of the hazards associated with public traffic and agree that a reduction in speed would provide a safer environment. As Council Staff have discovered, even with all the best intentions and various signage onsite, without enforcement

little will change. To be approved the request would have to satisfy various State Legislation/Acts and Australian Standards and Council should be reassured that any implementation is not a buck passing exercise where it is required to provide traffic control to all road incident sites at no expense.

Recommendation

Council support the request in principle if further detail can be provided on how it is proposed to be implemented to ensure it is done in a safe manner and not an increased burden on Council.

**RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that Council support the request in principle if further detail can be provided on how it is proposed to be implemented to ensure it is done in a safe manner and not an increased burden on Council.** 259/12/2017

**ES12) BYGOO ROAD REALIGNMENT – CROWN LAND ACQUISITION (R.09-02, SC336)**

Council has recently been notified by the Lands Department of the process required to create a Road Reserve through the Crown Lands section of the realignment. It has become clear that the process involves a number of steps with specific requirements and is not expected to be finalized in the near future. The process could take up to 8-9 months to be finalized if all proceeds smoothly, as a consequence the realignment project has been reluctantly differed 12 months.

As this realignment is also being funded under the Fixing Country Roads Programme, they have been contacted and notified of the postponement for 12 months.

- ➔ To commence the process the first step is to make an application to the Department of Industry – Lands for consent to compulsory acquire Crown Land. A copy of the Plan of Land is attached with the information papers. Attachment No. 10

Recommendation

- 1) Council proceed with the compulsory acquisition of the land identified as Lots 1, 2 and 3, DP 1237899 (being Part Lot 7021, DP 1027350, Part Lot 7304, DP 1155565) for the purpose of the Bygoo Road Realignment in accordance with requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

- 2) Council make an application to the Minister and the Governor for approval to acquire Lots 1, 2 and 3, DP 1237899 (being Part Lot 7021, DP 102750, Part Lot 7304, DP 1155565) by compulsory process under Section 177(2)(b) and 179(2) of the Roads Act 1993.

**RESOLVED on the motion of Clr Maslin and seconded by Clr Jones that:** 260/12/2017

- 1) **Council proceed with the compulsory acquisition of the land identified as Lots 1, 2 and 3, DP 1237899 (being Part Lot 7021, DP 1027350, Part Lot 7304, DP 1155565) for the purpose of the Bygoo Road Realignment in accordance with requirements of the Land Acquisition (Just Terms Compensation) Act 1991.**
- 2) **Council make an application to the Minister and the Governor for approval to acquire Lots 1, 2 and 3, DP 1237899 (being Part Lot 7021, DP 102750, Part Lot 7304, DP 1155565) by compulsory process under Section 177(2)(b) and 179(2) of the Roads Act 1993.**

**ES13) 2017/2018 ROADS TO RECOVERY PROGRAMME (R.07-05, SC332)**

With the deferment of the Bygoo Road Realignment Project, additional time has been made available for Council's Construction Gang and it is proposed Council make application to bring forward additional funds from the 18/19 allocation. The 18/19 allocation currently sits at \$739,286 and is proposed to schedule the following project for February 2018.

**Rannock Road – 13.86-15.60kms (1.74kms) Reconstruction - \$219,240**

Rannock Road is the main route to Temora and the second highest traffic volume behind Marrar South Road. The section identified is a high drainage area, has a number of pavement failures requiring continued maintenance attention, and was listed in the adoption of the 17/18 budget for future consideration. The reconstruction works will improve pavement quality, driver comfort/safety and remove ongoing maintenance requirements of Council Staff.

Recommendation

That Council make application to Roads to Recovery for Rannock Road 13.86-15.60kms (1.74kms) Reconstruction of \$219,240.

**RESOLVED on the motion of Clr White and seconded by Clr Hutcheon that Council make application to Roads to Recovery for Rannock Road 13.86-15.60kms (1.74kms) Reconstruction of \$219,240.** 261/12/2017

#### 4.4 EXECUTIVE MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES' REPORTS

##### HS1) DEVELOPMENT ACTIVITY REPORT FOR THE PERIOD ENDING 30<sup>TH</sup> NOVEMBER, 2017 (B.05-03, SC58)

###### Summary

This report advises of the Development Application activity for the month of November.

###### **Financial Implications**

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

###### **Consultation**

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

Application Number	Type	Address	Determination	Value
DA 2017/73	New Single Dwelling & continued use of Front Fence	1 Lime Street, Marrar	Approved	\$105,000.00
DA 2017/74	New Single Dwelling & Subdivision of 1 Lot into 2 Lots	123-125 Mirrool Street, Coolamon	Approved	\$297,000.00
DA 2017/75	Strata Subdivision	125 Cowabbie Street, Coolamon	Approved	N/A
DA 2017/76	New Single Dwelling	1 Waterview Street, Ganmain	Approved	\$325,000.00
DA 2017/78	New Transportable Dwelling	Dullah Road, Ganmain	Approved	\$120,470.00
DA 2017/79	Alterations & Additions to Dwelling	3130 Coolamon Road, Coolamon	Approved	\$24,150.00
DA 2017/80	New Shed	15 Waterview Street, Ganmain	Approved	\$9,500.00
DA 2017/82	New Single Dwelling	892 Ardlethan Road, Coolamon	Approved	\$85,000.00
DA 2017/83	Alterations & Additions to Dwelling	33 Bruce Street South, Coolamon	Approved	\$40,000.00
DA 2017/84	New Shed	50-56 Wattle Lane, Coolamon	Approved	\$30,000.00
<b>TOTAL: 10</b>			<b>10</b>	<b>\$1,036,120.00</b>

Recommendation

That Council receive and note this report on development activity for the period up to 30<sup>th</sup> November, 2017.

**RESOLVED on the motion of Clr Crocker and seconded by Clr White that Council receive and note this report on development activity for the period up to 30<sup>th</sup> November, 2017.** 262/12/2017

**HS2) MATONG HOTEL DEMOLITION ORDER UPDATE REPORT (RT1000942)**

**Summary**

This report provides an update regarding the structural adequacy and associated demolition order process associated with the building known as the Matong Hotel, located in Matong Street, Matong.

**The Site**

The site is known as the Matong Hotel and is located at Lot 4, Section 6, DP 758657, Matong Street, Matong.

**Background**

As Council may recall a report was tabled to the September 2017 Council Meeting titled MATONG HOTEL COMPLIANCE OPTIONS (RT1000942)'. The report resulted in the following Council resolution:

***RESOLVED that: (Resolution Number: 187/09/2017)***

- 1) Council note the Report on the 'Matong Hotel Compliance Options'.***
- 2) Council note the report on the late correspondence received from the owner of the premises in response to the Council Report titled MATONG HOTEL COMPLIANCE UPDATE tabled at the September 2017 Council Meeting.***
- 3) Council proceed to initiate compliance actions against the owner of the property which will result in the issuing of an Order for the Demolition of the premises known as the Matong Hotel, located at Lot 4, Section 6, DP 758657, Matong Street, Matong.***



As a result of the September 2017 Council resolution, Council Staff contacted the owner via email and letter and provided copies of the September Council Reports/Resolution advising that:

- *Council will now initiate the order process.*
- *Advising that if the owner undertook the following actions during the period(s) provided for in the Order process, the demolition of the premises could potentially be avoided:*
  - a. *Provide a detailed structural engineers report from a qualified, competent and registered engineer that addresses and evaluates all the various internal and external building components including but not limited to: walls, roof, framing, concrete. Such a report must provide detailed professional advice and opinion on determining the cause of the problems and make informed recommendations as to how to remedy/eliminate such issues.*
  - b. *Lodge a Development and Construction Certificate Application and substantially commence any identified and required structural works to the premises prior to the expiration date of the order that will be issued on you.*

No substantive response that addressed the above matters was received at Council and Council staff then proceeded to issue a Notice of Intention to Issue Order No. 2 (To demolish the building and remove all demolition waste to a Coolamon Shire Council or other licensed landfill site) under Section 121B of the Environmental Planning and Assessment Act 1979. The applicant was provided with 14 days, up until 16th October 2017, to make representations as to why the order should not be given. Again no satisfactory response was received at Council.

On the 23rd October 2017 a visual inspection report was received at Council from MJM Consulting Engineers. Council staff reviewed the report and an email was sent to the owner on 25th October 2017 that advised:

- *The report had been reviewed and that it did not satisfy or alleviate Council's concerns with regards to the structural adequacy of the premises known as the Matong Hotel, located at Lot 4, Section 6, DP 758657, Matong Street, Matong.*
- *That Council had contacted MJM Solutions and after discussions with them have formed the opinion that the owner had failed to provide an accurate brief on the structural issues / matters that needed to be addressed in the required report and as a result the MJM report is considered unsatisfactory.*
- *That the engineers report is required to address and evaluate all the various internal and external building components including but not limited*

*to: walls, roof, framing and concrete. The structural engineers report must provide detailed professional advice and opinion on determining the cause of the problems and make informed and detailed recommendations as to how to remedy/eliminate such issues.*

- That the engineers report does not demonstrate in detail that the building was thoroughly or adequately inspected both internally and externally – it merely provides for a visual inspection of the building. The report fails to satisfactorily assess the structural adequacy of the various building components, nor does it certify the structural adequacy of building components, make suitable recommendations for the remediation of such matters or nominate a timeline for the completion of works (in priority order).*
- Council has now proceeded to issue a demolition order. The terms of the order require that the building be demolished by 30th November 2017 – failure to demolish the building will result in Council enforcing the terms of the order at cost to the owner.*
- The owner was invited to prepare and submit a new Structural Engineers Report as a matter of priority and if deemed acceptable and approved by Council, undertake priority works prior to the expiration of the terms of the order attached to this email. Council also advised that should the owner fail to do so, and they later chose to raise any matter that they could have raised now in any proceedings brought, the Council will rely on this email in respect of any question as to the costs of those proceedings.*
- That Council would return the incomplete and deficient development application that was lodged with the engineers report to the nominated applicant.*
- That the owner contact Council to discuss further the requirements for the submission of a complete development application once a suitable structural engineers report has been prepared.*

An Order to Demolish the building and remove all demolition waste to a Coolamon Shire Council or other licensed landfill site was issued to the owner on 25<sup>th</sup> October 2017. The period for compliance nominated for the order was the 30th November 2017.

### ***The Engineers Reports***

Council has now received a total of four (4) engineer's reports from the owner of the building.

1) Sabbagh Engineering Consultancy Pty Ltd:

This report was provided to Council staff on 13th September 2017.

A review of the report by Council identified that the report was grossly inadequate for the purpose of satisfying concerns with regards to the structural adequacy of the premises. The report focuses on only one small aspect of the many structural concerns that affect the premises.

The owner was advised that the required engineers report needs to address and evaluate all the various internal and external building components including but not limited to: walls, roof, framing and concrete. The structural engineers report must provide detailed professional advice and opinion on determining the cause of the problems and make informed and detailed recommendations as to how to remedy/eliminate such issues.

2) MJM Consulting Engineers:

This report was received at Council on 20th October 2017.

The report did not demonstrate in detail that the building was thoroughly or adequately inspected both internally and externally, it merely provided for a visual inspection of the building. The report failed to satisfactorily assess the structural adequacy of the various building components, nor did it certify the structural adequacy of building components, make suitable recommendations for the remediation of such matters or nominate a timeline for the completion of works (in priority order).

Council staff contacted MJM Solutions and after discussions with them formed the opinion that the owner failed to provide an accurate brief on the structural issues / matters that needed to be addressed in the report and as a result the MJM report is considered unsatisfactory. Council had previously and in detail provided advice to the owner as to what information was required to be submitted in the required engineers report.

The owner was again advised that the required engineers report was required to address and evaluate all the various internal and external building components including but not limited to: walls, roof, framing and concrete. The structural engineers report must provide detailed professional advice and opinion on determining the cause of the problems and make informed and detailed recommendations as to how to remedy/eliminate such issues.

On Wednesday 1 November 2017, MJM advised Council in email that they had discontinued providing any engineering services to the owner.

3) First (1<sup>st</sup>) Rob Jones Consultancy Pty Ltd Report:

This report was received at Council on 20th November 2017.

The report was reviewed by Council staff and the owner was advised that the report partially satisfied Council's concerns with regards to the structural concerns with the premises. The report satisfies some of the immediate structural safety concerns existing at the premises via identifying works, which if implemented immediately, may prevent the building or parts of the building from collapsing onto the public road reserve.

The report was considered deficient in the following areas:

- The report proposes interim structural rectification measures only. By way of example, the report proposes the use of acrow props to secure loose sections of the archways but this is only an interim solution, what permanent solution is proposed?
- The report lacks detail and does not provide a comprehensive structural investigation and detailed analysis of the structural problems and solutions for the premises. The report does not evaluate to a satisfactory extent all the various internal and external building components of the structure and identify whether individual structural components or the structure as a whole are structurally sound and if not structurally sound, propose long term solutions to these matters. For example, it is noted that various sections of the veranda are structurally unsound with timber members existing in unsecure state and in imminent risk of collapse onto the road reserve. The report does not reference the veranda or the associated structural issues associated with it.
- The report also fails to identify and provide permanent solutions to the foundation and footing problems that appear to be a primary cause of the deterioration of the building. How will any footing / foundation failure be addressed in both the short and long term?

The report did identify the following items to make the building safe on an interim basis:

1. *Install acrow-props, timber plates, and wedges to secure loose sections of arches, both internal and external, at the main entry. Barricade to prevent access.*
2. *Fix wall plates across the internal face of the stairwell window to prevent the window from falling, or alternatively remove this window and board up the opening.*
3. *Fix timber plates across the major brickwork wall cracks in stairwell.*
4. *Remove remnant glass from damaged windows, and board up openings.*
5. *Make good the leaking box behind the north wall facade.*
6. *Barricade access to the rear timber staircase.*

The owner was advised via email on the 21st November 2017, that Council was amicable to the notion of amending the terms of the current demolition order if the owner satisfactorily undertook the following actions by the 30th November 2017:

1. Complete all the works identified in the Engineers Report prepared by Rob Jones Consultancy Pty Ltd, dated 10 November 2017.
2. Provide a detailed structural engineers report that assesses the individual structural components of the building and also the premises as a whole. The structural engineers report is not only required to identify the structural status of the premises but also provide recommendations to make the premises structurally sound both internally and externally.
3. Provide a rectification work plan that identifies timing for the completion of required works identified in an updated and more comprehensive structural engineers report.
4. Reinstate a site fence that prevents access to the premises by unauthorised persons. The fence located at the site has been installed by Council and obtained at cost to council.

4) Second (2<sup>nd</sup>) Rob Jones Consultancy Pty Ltd Report:

On 29th November 2017, the owner forwarded a second more detailed engineers report developed by Rob Jones Consultancy.

The second report has been by far the most comprehensive report received to date but still fails to provide for a rectification work plan and timeline in priority order for completion of identified works.

It is recommended that this report be reviewed by an independent and suitably qualified engineer to ascertain if it satisfactorily addresses all structural issues and concerns associated with the premises.

*The Engineers Certificate:*

Council received an engineer's certificate from the owner of the premises on 28th November 2017.

The engineer's certificate was from Rob Jones Consultancy P/L.

The certificate certified that the following 'make safe works' had been satisfactorily completed:

1. Install acrow-props, timber plates, and wedges to secure loose sections of arches, both internal and external, at the main entry. Barricade to prevent access.
2. Fix wall plates across the internal face of the stairwell window to prevent the window from falling, or alternatively remove this window and board up the opening.
3. Fix timber plates across the major brickwork wall cracks in stairwell.
4. Remove remnant glass from damaged windows, and board up openings.
5. Make good the leaking box behind the north wall facade.
6. Barricade access to the rear timber staircase.

The certificate was reviewed and the owner advised that the certificate was unsatisfactory for the following reasons:

1. The certificate was not on letterhead.
2. The certificate was unsigned.
3. The certificate failed to identify qualifications of the certificates author.
4. The certificate did not clarify for what purposes the premises has been made safe for.

Council received an updated and amended engineer's certificate from Rob Jones Consultancy on 28th November 2017 which addressed the above mentioned matters.

The engineer further confirmed that based on the 'make safe works' being completed, which he certified via photographs, that the building is now considered safe for Council to remove the security fencing from across the front. The engineer confirmed that the building is only certified as safe for

access to allow for workman to enter to do necessary repairs to the cracking and associated damages to allow for reinstatement of the building to make it fit for purpose.

***The Make Safe Works***

A site visit was carried out by Council staff on 28th November 2017 where it was noted that some of the works identified in Mr Rob Jones Engineers Certificate had been completed. However, Mr Jones report required that the rear timber stair be barricaded to prevent access. The attempt to barricade the rear stair case with bunting is considered unacceptable and would not serve to adequately prevent access to the premises rear external stair, with the owner being advised of this.



**Image 1: Engineers Certified Rear Stair Barricading**

Whilst the engineer has certified that the make safe works are completed and satisfactory, some may view the support works undertaken to the front archway as not addressing structural and safety concerns, given the middle section is supported but two (2) end sections remain unsupported.



**Image 2: Engineers Certified Support of Front Archway**

It is also noted that at the time of the site visit that it appeared that no works has been undertaken to address the structural concerns associated with the first floor veranda or the parapet wall.

The Engineer has also advised that the safety fencing located at the premises can be removed, however given that concerns still remain over the safety of the premises and the close proximity to the public footpath, it is recommended that the safety fencing, which is being paid for by Council be retained to prevent access by members of the public onto the road reserve fronting the premises.

***Stormwater Issues Raised by the Owner***

The owner of the premises has conveyed on numerous occasions, in correspondence to Council that the structural issues occurring at the premises are the result of stormwater drainage matters that Council has not addressed.

As a result of compliance actions instigated by Council in response to unauthorised works and structural adequacy issues at the premises in 2008, proceedings were brought against the owner in the NSW Land and Environment Court. One of the findings / judgments (6 October 2009) from those proceedings



was that the owner would undertake a number of actions, one of those being that they would provide Council with:

*A report from a suitably qualified practicing structural engineer certifying that:*

- i) the building in its entirety is structurally adequate including the existing building and new works*
- ii) any proposed additional works do not affect the structural adequacy of the building'.*

Council notes, as agreed to in the Land and Environment Court Judgement, that once the above items were satisfied that it would:

*'Repair the footpath, kerb, gutter and road verge at the northern elevation of the building at the footpath works to the satisfaction of the Executive Manager Engineering and Technical Services and such footpath works shall be undertaken as soon as practical and reasonably after all works required in the vicinity of the footpath, kerb, gutter and road verge to make the building, balcony and veranda stable had been completed'.*

Given that the owner has not fulfilled its obligation(s) under this undertaking, Council has no requirement to complete any of the works.

Council were, and still are of the belief that undertaking works to reinstate this area to a smooth and even surface is premature to the works required to rectify the structural damage and building movement rectification work yet to be completed.

It should be noted that the current demolition order process is separate and should be treated as such, to the previous Land and Environment Court proceedings and associated findings/judgement.

### **Land and Environment Class 1 Proceedings**

On Thursday, 30th November 2017, Council received notice that the owner had filed a Class 1 Application in the NSW Land & Environment Court which is listed for 22nd January 2018.

The application seeks the following:

- An order pursuant to s 121ZK(a) of the Environmental Planning and Assessment Act 1979 that the Respondent's s121B order for demolition of the premises known as Farmer's Home Hotel located at 1 Matong Street, Matong NSW (Lot 4 Section 6 in Deposited Plan 758657) issued on 25th October 2017 be revoked.

- Any further or other order as the Court thinks fit pursuant to s 121ZK(f) of the Environmental Planning and Assessment Act 1979.
- Costs pursuant to cl 3.7 of the Land and Environment Court Rules 2007.

Council has engaged Marsden's Law Group to represent Council in proceedings.

### ***Unresolved Structural Concerns***

As Council is aware, Council and the Matong Hotel share an extensive history that relates to the structural adequacy of the building, a relationship initiated prior to a fire that occurred at the premises in January 2008. The relationship culminated in unauthorised building works being carried out at the premises without the prior approval of Council and the matter being heard before the NSW Land and Environment Court in June 2010. Council has attempted to resolve, in consultation with the owner of the building illegal building works and structural adequacy matters since 2010 all to no avail.

Inspections undertaken by Council Building Surveyors since June 2017 have confirmed that the building, as would be expected in its current unmaintained state, continues to deteriorate and pose a significant safety risk to members of the public given that the building is located on the property and council road reserve boundary.

Major concerns still exist in relation to the potential for outward collapse of the rear external stairway, parapet wall, archway and second floor veranda onto Council's road reserve with the real potential for serious injury or death occurring to any pedestrian traffic that may be using the footway at such a time.

Council staff, based on their experience and qualifications, are confident that the engineers reports submitted to date, with the exception of the most recent report that addresses some of the urgent structural matters, are inadequate for the purpose of addressing structural concerns associated with premises.

As previously alluded to, a structural engineers report should essentially address and evaluate all the various internal and external building components including but not limited to: walls, roof, framing, concrete. A structural engineers report relating to structural concerns must provide detailed professional advice and opinion on determining the cause of the problems and make informed recommendations as to how to remedy/eliminate such issues. The reports provided by the owner do not demonstrate that the building has been thoroughly or adequately inspected both internally and externally, it appears that only visual non-obtrusive inspections have been carried out. The reports provided by the owner fail to satisfactorily assess the structural adequacy of the various building components, nor do they certify the structural adequacy of building components

or make suitable recommendations/specify timeline for the remediation of such matters.

It is recommended that Council now engage an independent and certified structural practicing engineer to undertake an assessment of the premises and review of the engineers reports recently submitted to Council by the owner to assist in the collation of evidence for upcoming Land and Environment Court proceedings.

### **Compliance Options**

As previously mentioned and in accordance with recent Council resolutions regarding the Matong Hotel, a Demolition Order was issued on the owner of the premises.

The period for compliance with the terms of the order, being the 30th November 2017, has now expired and the order has not been complied with. Whilst some works have been completed and certified by an engineer as making the premises safe, the certification provided to date has only been to allow further works to allow access to the premises for workman to enter to do necessary repairs to the cracking and associated damages to allow for reinstatement of the building to make it fit for purpose.

Given the terms of the Order have not been complied with, Council could consider undertaking the following actions:

- Issuing a Penalty Infringement Notice for noncompliance with the Order; or
- Implementing actions to enforce the terms of the order with Council demolishing the building; or
- Instigating proceedings in the NSW Land and Environment Court; or
- Combination of the abovementioned options.

Acknowledging that the owner has lodged a Class 1 Application in the NSW Land and Environment Court, it is recommended that Council not proceed with any compliance action(s) until such time as the matter is heard before the court.

### **Consultation**

Consultation has been undertaken with internal Council Staff with regards to the compilation of this report.

### **Financial Implications**

Financial implications associated with this report include the estimated cost of demolition at \$58,670.00 (GST Ex.), this cost has been based on a quotation provided by demolition contractor.

The cost of safety fencing at the site is approximately \$100.00 per month which is being borne by Council and will be invoiced to the owner.

The estimated cost of legal expenses associated with defending the matter along with engineer's reports is \$35,000.00.

### **Recommendation**

That Council:

- 1) Note the Report on the 'Matong Hotel Demolition Order Update Report';
- 2) Note that the owner of the premises has lodged a Class 1 Application with the NSW Land and Environment Court against Council, requesting that the Court revoke the Council issued Demolition Order and consider issuing an alternate order if required;
- 3) Note that Marsden's Law Group has been engaged to represent Council in the Class 1 Land and Environment Court proceedings;
- 4) Note that a Structural Engineer will be engaged to review the Engineers Report prepared by Rob Jones Consultancy P/L and inspect the premises; and
- 5) Await initiating any further compliance/enforcement action in regards to the noncompliance with the Council Demolition Order for the premises known as the Matong Hotel, located at Lot 4, Section 6, DP 758657, Matong Street, Matong, until Class 1 Land and Environment Court Proceedings have been finalised.

### **➔ Attachments Attachment No. 11**

- Structural Report prepared by MJM Consulting Engineers.
- Engineers Certificate prepared by Rob Jones Consultancy P/L
- Engineers Report prepared by Rob Jones Consultancy P/L
- Class 1 Land and Environment Court Application

**RESOLVED on the motion of Clr McCann and seconded by Clr McKinnon that Council:** 263/12/2017

- 1) **Note the Report on the 'Matong Hotel Demolition Order Update Report';**
- 2) **Note that the owner of the premises has lodged a Class 1 Application with the NSW Land and Environment Court against Council, requesting that the Court revoke the Council issued Demolition Order and consider issuing an alternate order if required;**
- 3) **Note that Marsden's Law Group has been engaged to represent Council in the Class 1 Land and Environment Court proceedings;**
- 4) **Note that a Structural Engineer will be engaged to review the Engineers Report prepared by Rob Jones Consultancy P/L and inspect the premises; and**
- 5) **Await initiating any further compliance/enforcement action in regards to the non-compliance with the Council Demolition Order for the premises known as the Matong Hotel, located at Lot 4, Section 6, DP 758657, Matong Street, Matong, until Class 1 Land and Environment Court Proceedings have been finalised.**

**5) MINUTES OF THE AUDIT COMMITTEE MEETING HELD 7<sup>TH</sup> SEPTEMBER, 2017.**

**RESOLVED on the motion of Clr Crocker and seconded by Clr Maslin that the Recommendations of the Audit Committee Meeting held 7<sup>th</sup> September, 2017 be adopted.** 264/12/2017

**6) MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD 9<sup>TH</sup> NOVEMBER, 2017.**

**RESOLVED on the motion of Clr Crocker and seconded by Clr McCann that the Recommendations of the Audit, Risk & Improvement Committee Meeting held 9<sup>th</sup> November, 2017 be adopted.** 265/12/2017

**7) REPORTS: DELEGATES/MAYOR/COUNCILLORS**

- Clr Bruce Hutcheon provided a verbal report on the LGNSW Conference.
- Clr Colin McKinnon provided a verbal report on the Matong Community Meeting.

**↑ ADJOURNMENT**

**RESOLVED** on the motion of Clr Maslin and seconded by Clr Hutcheon that Council resolve into Committee of a Whole for the purpose of considering confidential matters as listed in the Committee of a Whole agenda for the reason that such matters are considered to be of a confidential nature and in accordance with Council's policy thereto. 266/12/2017

Council adjourned at 3.50pm into Committee of a Whole and reconvened at 4.15pm.

**8) RECOMMENDATIONS OF A COMMITTEE OF A WHOLE MEETING HELD 14<sup>TH</sup> DECEMBER, 2016.**

**RESOLVED** on the motion of Clr White and seconded by Clr Logan that the Recommendations of a Committee of a Whole Meeting held 14<sup>th</sup> December, 2017 be adopted. 267/12/2017

*Meeting Closed at 4.20pm.*

Confirmed and signed during the Meeting held this 15th day of February, 2018.

.....

**MAYOR**

.....  
*J. J. Seymour*  
..... MAYOR

.....  
*Paul Douglas*  
..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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MINUTES OF THE AUDIT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, COOLAMON ON THURSDAY 7<sup>TH</sup> SEPTEMBER 2017 AT 9.04AM.

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**BUSINESS:**

- 1) Apologies.
- 2) Confirmation of Minutes (23 March 2016)
- 3) Matters Arising from previous Minutes
- 4) Report on Action taken since last Meeting
- 5) Audits undertaken since last meeting
- 6) Notification of Incidents of Fraud or Investigation involving Coolamon Shire Council
- 7) General Business
- 8) Next Meeting

**PRESENT:** Gary Lavelle (Temora Shire Council)  
Steve Firth (Temora Shire Council)  
Clr B Hutcheon  
Clr A White

**STAFF:** T Donoghue, General Manager  
C Armstrong, Executive Manager, Corporate & Community Services  
I Roberts (Blackadder & Associates)

**APOLOGIES:** Nil

1) **APOLOGIES**

There were no apologies

2) **CONFIRMATION OF MINUTES (11 AUGUST 2016)**

**Recommendation**

**That the Minutes of the Meeting held 11 August 2016 as circulated be confirmed and adopted.**

3) **MATTERS ARISING FROM MINUTES (11 AUGUST 2016)**

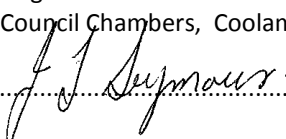
Courtney Armstrong advised that staff were still working on the recommendations regarding the Portable and Attractive Items review and that the Privacy Internal Review had been completed and presented to the Information & Privacy Commissioner and the complainant.

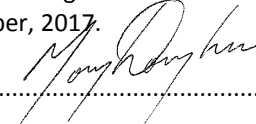
4) **REPORT ON ACTION TAKEN SINCE LAST MEETING**

A report showing all audits since November 2011 was presented to the committee. The report detailed all recommendations made in reports presented

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This is Page No. 135 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....  
..... MAYOR

.....  
..... GENERAL MANAGER.

MINUTES OF THE AUDIT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, COOLAMON ON THURSDAY 7<sup>TH</sup> SEPTEMBER 2017 AT 9.04AM.

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by the contracted Internal Auditor together with management comments, recommendations of the Audit Committee and current status and comments.

5) **AUDITS UNDERTAKEN SINCE LAST MEETING**

**Fraud Control**

The Committee noted the Recommendations from the Internal Auditor in the "Report into Fraud Control at Coolamon Shire Council" and the comments from Management in relation to the recommendations.

**Recommendation**

- That Council adopt a Draft Fraud Control Plan.
- That Council include a requirement for staff to evidence their commitment to acceptable standards of ethical behaviour during annual performance reviews by resigning that they will abide by the code of conduct.
- That Council include Fraud Control as a topic in all senior management committee meetings.
- That Council introduce an ethical behaviour page on Council's intranet and available in staff rooms.
- That Council Ensure that its fraud control plan and fraud risk assessment are reviewed at least every two years.
- That Council ensure that when recruiting staff in future, questions during the interview process should be framed to assist in identifying whether the prospective employees values align with those of the organization and that a review of high risk positions be undertaken for consideration of obtaining criminal checks as part of the recruitment process
- That Council investigate an IT security strategy to counter the impacts of potential risks such as cybercrime by undertaking a risk assessment and the possible staging of a "hacking exercise" to test Council's systems.
- That Council when there are changes to the code of conduct, take the opportunity to remind staff of their responsibilities, with all staff being provided with a copy of the revised code via an agenda item in relevant staff meetings together with the inclusion of an acknowledgement as part of the annual performance review. An annual report to be presented to Council acknowledging the current code of conduct after which Section 355 Committees can be provided with the current copy to be listed as an agenda item for their meetings.
- That Council include in it's monthly newsletter a news item regarding Council's commitment to fraud control and ethical behaviour
- That Council investigate specific, tailored training (either sourced externally or provided "in-house") for staff with responsibilities for procurement, contract management and engagement or for dealing with third parties.
- That Council review its standard contracts to ensure that there are adequate controls in place to facilitate the management of any fraud risks.



MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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MINUTES OF THE AUDIT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, COOLAMON ON THURSDAY 7<sup>TH</sup> SEPTEMBER 2017 AT 9.04AM.

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- That Council regularly carry out checks and reviews of its dealings with third parties using the Audit Office's 2014 *Better Practice Contract Management Framework* as a guide.
- That Council provide briefings for its regular contractors and suppliers to acquaint them with the mechanism for reporting corruption and fraudulent activities.
- That Council reinforce with staff, the provisions of its Internal Reporting Policy as a means of providing further encouragement to staff to report suspected wrongdoing.
- That Council provide briefings to staff on its Internal Reporting Policy and the options for external reporting.
- That Council clearly document what processes are in place to assist in the detection of fraudulent activities, such as:
  - Segregation of duties in high risk areas (e.g. procurement and payroll);
  - Personnel rotation;
  - Staff taking at least two weeks annual leave each year particularly in high risk areas;
  - Regular reviews and checks;
  - Post transaction reviews.

**Policy Maintenance**

The next audit topic was discussed by the Committee, with the Internal Auditor presenting the proposed methodology for the Policy Maintenance review.

**Recommendation**

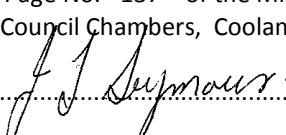
**That the internal audit on Policy Maintenance proceed as per the methodology presented.**

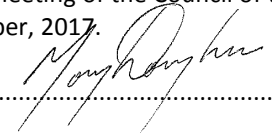
**6) NOTIFICATION OF INCIDENTS OF FRAUD OR INVESTIGATIONS INVOLVING COOLAMON SHIRE COUNCIL**

- a. Incidents of Fraud  
Nil reported.
- b. NSW Ombudsman's Reports  
Nil reported.
- c. ICAC Enquiries involving Coolamon Shire Council  
Nil reported.
- d. Office of Local Government  
Nil reported.

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This is Page No. 137 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

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..... MAYOR

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..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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MINUTES OF THE AUDIT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, COOLAMON ON THURSDAY 7<sup>TH</sup> SEPTEMBER 2017 AT 9.04AM.

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7) **GENERAL BUSINESS**

The successful grant application made by Temora Shire Council to the NSW Government's Innovation Fund for the development of an Online Internal Audit Portal was discussed. A meeting of the Internal Audit Alliance will be called to further develop the concept.

8) **NEXT MEETING**

The next meeting of the Coolamon Shire Council Audit Committee is scheduled for Thursday 2 November 2017.

***Meeting closed at 10.40am.***

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This is Page No. 138 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....*J. J. Seymour*..... MAYOR

.....*Angela Douglas*..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, COOLAMON ON THURSDAY 9<sup>TH</sup> NOVEMBER 2017 AT 9.02AM.

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**BUSINESS:**

- 1) Apologies.
- 2) Confirmation of Minutes (7 September 2017)
- 3) Matters Arising from previous Minutes
- 4) Report on Action taken since last Meeting
- 5) Audits undertaken since last meeting
- 6) Notification of Incidents of Fraud or Investigation involving Coolamon Shire Council
- 7) General Business
- 8) Next Meeting

**PRESENT:** Steve Firth (Temora Shire Council)  
Clr D McCann

**STAFF:** T Donoghue, General Manager  
C Armstrong, Executive Manager, Corporate & Community Services  
I Roberts (Blackadder & Associates)

**APOLOGIES:** G Lavelle (Temora Shire Council), Clr B Hutcheon and Clr A White

1) **APOLOGIES**

Apologies of G Lavelle, Clr B Hutcheon & Clr A White were received and noted.

2) **CONFIRMATION OF MINUTES (7 SEPTEMBER 2017)**

**Recommendation**

**That the Minutes of the Meeting held 7 September 2017 as circulated be confirmed and adopted.**

3) **MATTERS ARISING FROM MINUTES (7 SEPTEMBER 2017)**

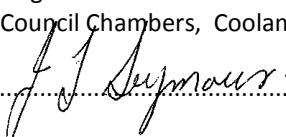
Nil

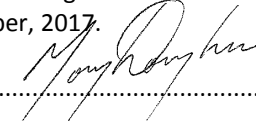
4) **REPORT ON ACTION TAKEN SINCE LAST MEETING**

A report showing the recommendations relating to the Fraud Control audit was presented to the committee.

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This is Page No. 139 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

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..... MAYOR

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..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, COOLAMON ON THURSDAY 9<sup>TH</sup> NOVEMBER 2017 AT 9.02AM.

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5) **AUDITS UNDERTAKEN SINCE LAST MEETING**

**Policy Maintenance**

**Recommendation**

**That the "Report into Policy Maintenance" and the comments from Management and that the recommendations of the report be adopted.**

**Debtors Management**

The next audit topic was discussed by the Committee, with the Internal Auditor presenting the proposed methodology for the Policy Maintenance review.

**Recommendation**

**That the internal audit on Debtor Management proceed as per the methodology presented.**

6) **NOTIFICATION OF INCIDENTS OF FRAUD OR INVESTIGATIONS INVOLVING COOLAMON SHIRE COUNCIL**

- a. Incidents of Fraud  
Nil reported.
- b. NSW Ombudsman's Reports  
Nil reported.
- c. ICAC Enquiries involving Coolamon Shire Council  
Nil reported.
- d. Office of Local Government  
Nil reported.

7) **GENERAL BUSINESS**

A discussion regarding the 2016/2017 External Audit process was undertaken including points being made on the audit being very process driven and the reporting by the Audit Office of NSW regarding the inclusion of an Uncorrected monetary misstatement and disclosure deficiency in the Client Service Report.

Following the confirmation of the members of the Committee by Council at the September 2017, the election of a chairperson for the Audit, Risk & Improvement Committee was held over to the next meeting of the Committee when it is anticipated that both independent members will be present.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, COOLAMON ON THURSDAY 9<sup>TH</sup> NOVEMBER 2017 AT 9.02AM.

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8) **NEXT MEETING**

The next meeting of the Coolamon Shire Council Audit Committee is scheduled for Thursday 8 March 2018.

*Meeting closed at 9.52am.*

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This is Page No. 141 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

.....*J. J. Seymour*..... MAYOR

.....*Angela Douglas*..... GENERAL MANAGER.

**ATTACHMENTS FOR THE MEETING HELD  
14TH DECEMBER, 2017**

**ITEMS DISTRIBUTED WITH THE AGENDA**

- 1) Information Papers:
  - 1) Local Government NSW Weekly Circulars 44, 45, 46, 47 and 48.
  - 2) Minutes of the Advance Ardlethan Committee Meeting held 6<sup>th</sup> November, 2017.
  - 3) Minutes of the REROC Meeting held 31<sup>st</sup> October, 2017 and Agenda for the Meeting held 11<sup>th</sup> December, 2017.  
Refer Correspondence Item (1a).
- 2) Activity Reports:
  - 1) Operating Statistics of the Coolamon Shire Library for November 2017.
  - 2) Community Development Officer's Report for November 2017.
  - 3) Tourism and Business Development Officer's Report for November 2017.  
Refer Correspondence Item (2a).
- 3) A copy of the 2016/17 Workers Compensation & WHS Report.  
Refer General Manager's Report (GM4), [File No. I.05-11].
- 4) Correspondence regarding the REROC Southern Light Project.  
Refer General Manager's Report (GM4), [File No. R.06-01].
- 5) Correspondence regarding the 2017-2020 Tourism & Events Strategy Report.  
Refer General Manager's Report (GM5), [File No. T.06-05].
- 6) A copy of the Policies in regard to the Policy Review Report.  
Refer Executive Manager, Corporate & Community Services' Report (CS3), [File No. P.12-01].
- 7) Correspondence from the Department of Industry that its EOI for co-funding of Business Case for Coolamon Sewerage Augmentation was successful.  
Refer Executive Manager, Engineering & Technical Services' Report (ES7), [File No. S.03-03].
- 8) A copy of the Minutes of the Ardlethan Sewerage Committee Meeting held 22<sup>nd</sup> November, 2017.  
Refer Executive Manager, Engineering & Technical Services' Report (ES8), [File No. S.03-02].
- 9) Correspondence from the NSW RFSA regarding 40 kilometre per hour speed limit at Emergency Incidents.  
Refer Executive Manager, Engineering & Technical Services' Report (ES11), [File No. E.03-01].

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 14<sup>TH</sup> DECEMBER, 2017.

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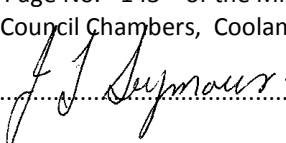
- 10) A copy of the Plan of Land in regard to the Bygoo Road Realignment – Crown Land Acquisition.  
Refer Executive Manager, Engineering & Technical Services' Report (ES12), [File No. R.09-02].
- 11) Correspondence in regard to the Matong Hotel Demolition Order Update Report.  
Refer Executive Manager, Development & Environmental Services' Report (HS2), [File No. RT1000942]
- 12) A copy of REROC's Response to the Consultation Draft of the Model Code of Conduct for Local Councils in NSW.  
Refer Correspondence Item No. (1b), [File No. C.14-01].
- 13) Correspondence in regard to the report on Joint Organisations.  
Refer General Manager's Report (GM7), [File No. R.06-01].

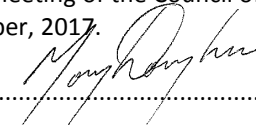
**ITEMS TABLED AT THE MEETING**

- 1) A copy of Council's Annual Report for 2016/2017

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This is Page No. 143 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 14<sup>th</sup> December, 2017.

..... MAYOR

.....GENERAL MANAGER.