

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

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**Meeting commenced at 3.00pm.**

**BUSINESS:**

- 1) Apologies
- 2) Declarations of Interest.
- 3)
  - a. Confirmation of Minutes of the Meeting held 20<sup>th</sup> October, 2022.
  - b. Matters arising out of Minutes. (Not elsewhere reported)
- 4) Correspondence
  - a. Agenda A (Information Only)
  - b. Agenda B
- 5) General Manager's Report
  - 5.1 General Manager's Report
  - 5.2 Executive Manager, Corporate & Community Services' Report
  - 5.3 Executive Manager, Engineering & Technical Services' Report
  - 5.4 Executive Manager, Development & Environmental Services' Report
- 6) Reports: Delegates/Mayor/Councillors

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

**STAFF:** Tony Donoghue, General Manager;  
Courtney Armstrong, Executive Manager, Corporate & Community Services;  
Tony Kelly, Executive Manager, Engineering & Technical Services.  
Colby Farmer, Executive Manager, Development & Environmental Services.

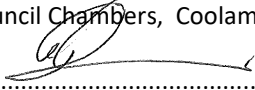

**APOLOGIES:** Clr Bruce Hutcheon.

**1) APOLOGIES**

**RESOLVED on the motion of Clr White and seconded by Clr McKinnon that the apology of Clr Bruce Hutcheon be received and accepted.** 217/11/2022

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This is Page No. 1 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 17<sup>th</sup> November 2022.

.......... MAYOR..........GENERAL MANAGER.

**2) DECLARATIONS OF INTEREST**

Nil

**3a) CONFIRMATION OF MINUTES OF THE MEETING HELD 20<sup>TH</sup> OCTOBER 2022.**

RESOLVED on the motion of Clr Perkin and seconded by Clr McKinnon that the Minutes of the Meeting held 20<sup>th</sup> October 2022 as circulated be confirmed and adopted. 218/11/2022

**3b) MATTERS ARISING OUT OF THE MINUTES**

There were no matters arising out of the Minutes.

**4) CORRESPONDENCE**

**AGENDA A (FOR INFORMATION ONLY)**

**1a) ACTIVITY REPORTS**

- 1) Operating Statistics of the Coolamon Shire Library for October 2022.  
Attachment No. 1.1
- 2) Community Development Officer's Report for October 2022.  
Attachment No. 1.2
- 3) Tourism and Business Development Officer's Report for October 2022.  
Attachment No. 1.3
- 4) Road Safety Officer's Activity Report for October 2022.  
Attachment No. 1.4
- 5) Allawah Community Care Report for October 2022.  
Attachment No. 1.5

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.

**2a) 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.

- 1) Minutes of the Advance Ganmain Committee Meeting held 5<sup>th</sup> October 2022. [Attachment No. 2.1](#)
- 2) Minutes of the Advance Matong Committee Meeting held 11<sup>th</sup> October 2022. [Attachment No. 2.2](#)
- 3) Draft Minutes of the Riverina Joint Organisation (RIVJO) Board Meeting held 28<sup>th</sup> October 2022. [Attachment No. 2.3](#)
- 4) Draft Minutes of the Riverina Regional Organisation of Councils (REROC) Board Meeting held 28<sup>th</sup> October 2022. [Attachment No. 2.4](#)
- 5) Draft Minutes of the Riverina Regional Organisation of Councils (REROC) Annual General Meeting held 28<sup>th</sup> October 2022. [Attachment No. 2.5](#)
- 6) Minutes of the Advance Ganmain Committee Meeting held 2<sup>nd</sup> November 2022. [Attachment No. 2.6](#)
- 7) Minutes of the Advance Matong Committee Meeting held 14<sup>th</sup> November 2022. [Attachment No. 2.7](#)

*Note: The Minutes of the Section 355 Committees are for notation only and this does not necessarily mean any action recommended has been endorsed by Council. The Section 355 Committee will need to follow the appropriate due process to action any recommendations.*

**AGENDA B**

**1b) RIVERINA REGIONAL LIBRARY (L.03-03, SC269)**

Enclosing a copy of their Annual Report for 2021-22.

General Manager's Note

- A copy of the report is **tabled** for the information of Councillors.

**RESOLVED on the motion of Clr White and seconded by Clr Hatty that the Correspondence listed in Agenda A and Agenda B be received.** [219/11/2022](#)

## 5) GENERAL MANAGER REPORTS

### 5.1) GENERAL MANAGER REPORTS

#### GM1) PRESENTATION OF 2022 FINANCIAL STATEMENTS INCLUDING COUNCIL'S AUDIT REPORT FOR THE YEAR ENDED 30TH JUNE, 2022 (A.12-01, S.11-04)

- The General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules in respect of the financial year ending 30th June, 2022 are attached. Attachment No. 3.1

In accordance with Section 418(3) of the Local Government Act, 1993, Council has given Public Notice regarding the presentation of the Financial Statements and Auditor's Reports and has not yet received any submissions under Section 420 of the act with respect to the Statements or Auditor's Reports. The closing date for submissions is Thursday, 24<sup>th</sup> November 2022.

The Independent Auditor's Report for the General Purpose Financial Statements includes a qualified opinion with the basis for that opinion being the non-recognition of rural fire-fighting equipment.

- Also attached, is the Engagement Closing Report from the NSW Audit Office detailing the high risk issue of rural fire-fighting equipment not recognized in the financial statements as identified by the NSW Audit Office. The Engagement Closing report includes management's response to this issue as follows:

Attachment No.3.2

*The Office of Local Government released the "Local Government Code of Accounting Practice & Financial Report 2021–22" on 24 January 2022. In the code, within the commentary for Infrastructure, property, plant and equipment, OLG provided the following:*

#### **Rural Fire Services (RFS) Assets**

*Under Section 119 of the Rural Fire Services Act 1997 (NSW), 'all firefighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the firefighting equipment has been purchased or constructed'.*

*The NSW Government has confirmed its view that these assets are not controlled by the NSW Rural Fire Services or the State.*

*Councils need to assess whether they control any rural firefighting equipment in accordance with Australian Accounting Standards and recognise in their financial statements any material assets under their control and state the relevant accounting policy in relation to the treatment.*

*Coolamon Shire Council has considered multiple reports relating to Rural Fire Service assets since the resolution to de-recognise in 2002.*

*Council's decision to derecognise Rural Fire Service assets in 2002 and to continue to not to account for these assets since that time has been based on the following:*

- Vesting alone does not result in a Council actually having control of these assets. The terminology in the Rural Fires Act 1997 was suitable to the arrangements between the NSW Rural Fire Service and Councils that were in place at that time, but those arrangements have changed substantially since then. Councils are required to prepare the financial statements in accordance with the Accounting Standards and not the Rural Fires Act.*
- Control of the assets by the Rural Fire Service is evident by the procurement, care and maintenance, access and use, and replacement of these assets. Councils are not party to these decisions and transactions. Councils do not receive any results from proceeds from the sale of assets. Councils do not receive any insurance proceeds relating to claims of the assets. Council indeed have to contribute for second-hand vehicles that have been previously purchased by the Rural Fighting Fund without the original Council receiving any benefit from the transfer.*
- Service Agreements between Councils and the RFS are dictated by the RFS and Coolamon Shire Council's previous experience regarding the negotiation of Service Agreement, indicates that Council has no power to alter the agreement that is in place. In the case of the Coolamon Shire Council, the refusal to sign a new agreement until changes proposed by Council were met, was overridden with the original agreement remaining in place despite the fact that one of the parties to the agreement (Urana Shire Council) is no longer in existence as a result of forced amalgamations.*
- Council is but one party that has responsibilities under the Rural Fires Act. All owners and occupiers of land have responsibilities and those responsibilities do not fall solely on Councils. All public authorities have responsibilities under the Rural Fires Act including the Crown. According to the Crown Land's website, NSW's Crown land covers 34 million hectares, 42% of the state (<https://reservemanager.crownland.nsw.gov.au/who-we-are>)*

- *The NSW Rural Fire Service's Service Standards demonstrate the substantive control that the NSW Rural Fire Service has relating to these assets. These Service Standards include:*
  - *SS 5.1.4 Fire Fighting Appliance Construction Standards*
  - *SS 5.1.6 Second-hand Appliance Transfer Program*
  - *SS 5.1.7 Appliance and Vehicle Category Details*
  - *SS 5.1.10 Accommodation Standards and Building Construction Projects*
  - *SS 5.3.1 Equipment Maintenance*
  - *SS 5.3.3 Annual Inspection of Unregistered Rural Fire Service Vehicles, Trailers and Plant*
  - *SS 5.3.4 Maintenance of Buildings*
  - *SS 5.3.5 Fleet Insurance*
  - *SS 5.4.1 Asset Disposal*
  - *SS 8.1.2 Vehicle Marking and Identification.*

*In particular, Service Standard 5.4.1 Asset Disposal under 2.8 Monetary Process states:*

*2.8.1 The assets covered by this Service Standard are vested in the local authority but **owned** by the Crown. The Rural Fires Act (Section 119(4)) states that an amount equal to the proceeds of sale of any such equipment shall be paid to the credit of the fund, in other words, returned to the Rural Fire Service.*

*(Please note that the emphasis on the word owned has been added by Council)*

*Council acknowledges that the assets meet the definition of an asset under AASB 116 'Property, Plant and Equipment' but Council does not have substantive or effective control of these assets for the reasons outlined above. The substantive control that the NSW Rural Fire Service has over these assets means that the assets should be accounted for by the NSW Rural Fire Service.*

Please note that Nirupama Mani from NSW Audit Office will be an apology and that Jason Gilbert from Crowe will present the report via Zoom.

#### Recommendation

That the report be noted.

**RESOLVED on the motion of Clr Crocker and seconded by Clr White:** 220/11/2022

**1) That the report be noted; and**

- 2) That Council write directly to the NSW Audit Office regarding Council's displeasure with the non-attendance of NSW Audit representatives at the Council meeting given that this is the first qualified Audit; and
- 3) That Council write to Steph Cooke regarding a review of "Fit for the Future" ratios given the time since they were first established.

**GM2) ONE REGIONAL ORGANISATION (R.06-01, SC329; R.06-10, SC1068)**

The Joint Organisation and REROC Councils have held meetings to discuss the options about moving forward, preferably under One Organisation.

- The outcome of these meetings are summarized in the letter from the Joint Chair of both RIVJO and REROC. (See Attached). Attachment No. 4

Ultimately it is proposed to put the JO into hiatus, with minimal operations to manage this. REROC will become the sole Regional Organisation and this will occur through a transition period whereby no further work in the JO will be commenced after December 2022 and formally winding back at the end of the financial year.

It should be noted that at the RIVJO Meeting, Wagga Wagga City Council voted against this course of action and requested a Division so that this position could be noted.

These resolutions from both meetings are now to be brought back to all Councils for consideration and endorsement or otherwise.

From this outcome the appropriate Regional Representation can be continued.

As can be seen the recommendation of the Working Party reflected Coolamon Shire Council's position as determined at last month's Council Meeting and therefore we need to endorse our previous resolution.

Recommendation

- 1) That REROC become the Regional Organisation for Advocacy and Operational matters; and
- 2) That the Joint Organisation be placed into hiatus.

**RESOLVED on the motion of Clr Perkin and seconded by Clr Lewis:** 221/11/2022

- 1) That REROC become the Regional Organisation for Advocacy and Operational matters; and
- 2) That the Joint Organisation be placed into hiatus.

**GM3) NSW RURAL FIRE SERVICE – SERVICE AGREEMENT COMMITTEE DELEGATES (E.01-01, SC157; F.03-11, SC459)**

At the September Council Meeting, Council appointed its delegates to the various external Organisations.

- Council has since received a letter from the NSW Rural Fire Service advising that the Service Level Agreement Committee requires that Council delegation consists of one Councillor from each of the Councils appointed by resolution of the Councils, as well as the General Manager of each Council or his/her delegate. Council can nominate an alternate Councillor delegate. (See attached).

Attachment No. 5

Therefore, the below delegates be appointed to the NSW Rural Fire Service Agreement Committee and the NSW Rural Fire Bushfire Management Committee:

- General Manager, Tony Donoghue
- Clr Colin McKinnon
- Clr Wayne Lewis (Alternate Delegate)

Recommendation

That the following delegates be appointed to the NSW Rural Fire Service Agreement Committee and the NSW Rural Fire Service Bushfire Management Committee:

- General Manager, Tony Donoghue
- Clr Colin McKinnon
- Clr Wayne Lewis (Alternate Delegate)

**RESOLVED on the motion of Clr McKinnon and seconded by Clr Hatty that the following delegates be appointed to the NSW Rural Fire Service Agreement Committee and the NSW Rural Fire Service Bushfire Management Committee:**

222/11/2022

- **General Manager, Tony Donoghue**



- **Clr Colin McKinnon**
- **Clr Wayne Lewis (Alternate Delegate)**

**GM4) RIVERINA REGIONAL LIBRARY (L.03-03, SC269)**

As previously mentioned at Council, the Riverina Regional Library Minutes from the Advisory Committee Meetings need to be endorsed through the Executive Councils.

- ➔ Accordingly, the Riverina Regional Library Minutes are attached for Council's information. **Attachment No. 6.1**
- ➔ You will note that there were questions around the Finance Report provided, and a letter has been sent to both the Auditor and the Chief Financial Officer at Wagga Wagga City Council in regard to this matter. **Attachment No. 6.2**

Recommendation

That the Minutes of the Riverina Regional Library Advisory Committee Meeting dated Wednesday, 19<sup>th</sup> October 2022 be noted and endorsed.

**RESOLVED on the motion of Clr Maslin and seconded by Clr Perkin that the Minutes of the Riverina Regional Library Advisory Committee Meeting dated Wednesday, 19<sup>th</sup> October 2022 be noted and endorsed.** **223/11/2022**

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

### CS1) FINANCE REPORT AS AT 31ST OCTOBER 2021

DATE INVESTED	INSTITUTION	RATING	INVESTMENT TYPE	AMOUNT INVESTED	TERMS (days)	RATE	MATURITY DATE
8/11/2021	Bank of Queensland	A2/BBB+	Term Deposit	\$ 1,000,000	365	0.55%	8/11/2022
18/01/2022	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	304	1.00%	18/11/2022
25/11/2021	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	1.00%	25/11/2022
25/11/2021	AMP	A2/BBB+	Term Deposit	\$ 500,000	365	1.00%	25/11/2022
10/12/2021	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	1.10%	10/12/2022
19/09/2022	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	275	0.45%	19/12/2022
14/01/2022	AMP	A2/BBB+	Term Deposit	\$ 500,000	365	1.10%	16/01/2023
17/01/2022	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	1.10%	17/01/2023
28/04/2022	Bank of Queensland	A2/BBB+	Term Deposit	\$ 1,000,000	272	2.25%	25/01/2023
1/02/2022	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	1.10%	1/02/2023
11/02/2022	AMP	A2/BBB+	Term Deposit	\$ 2,000,000	367	1.10%	13/02/2023
2/06/2022	Beyond Bank	A2/BBB	Term Deposit	\$ 1,001,512	273	1.10%	2/03/2023
11/05/2022	NAB	A1/A+	Term Deposit	\$ 1,000,000	336	2.60%	13/04/2023
19/10/2022	Beyond Bank	A2/BBB	Term Deposit	\$ 750,000	182	2.85%	19/04/2023
23/05/2022	NAB	A1/A+	Term Deposit	\$ 1,000,000	336	2.60%	24/04/2023
6/05/2022	NAB	A1/A+	Term Deposit	\$ 1,000,000	364	2.80%	5/05/2023
4/07/2022	NAB	A1/A+	Term Deposit	\$ 1,000,000	336	3.44%	5/06/2023
21/07/2022	Judo Bank	NR (Govt Guarantee)	Term Deposit	\$ 250,000	365	3.95%	21/07/2023
22/07/2022	Bank of Queensland	A2/BBB+	Term Deposit	\$ 1,000,000	367	4.00%	24/07/2023
3/08/2022	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	4.25%	3/08/2023
14/09/2022	NAB	A1/A+	Term Deposit	\$ 1,000,000	365	4.10%	14/09/2023
9/09/2022	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	3.75%	9/09/2023
23/09/2022	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	3.75%	23/09/2023
1/10/2022	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	3.95%	1/10/2023
4/10/2022	AMP	A2/BBB	Term Deposit	\$ 1,000,000	365	4.60%	4/10/2023
<b>TOTAL INVESTED</b>				<b>\$ 24,001,512</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 2021* and Council's Investment Policy.

*S. Jennings* *revd*

(Samantha Jennings, Finance Manager)

#### RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS (as at 30 June 2022)

<b>External Restrictions - included in liabilities</b>	
Specific purpose unexpended grants	1,673,201.90
Allawah Lodge Bonds & Payments	4,356,548.65
Allawah Village Loan Licences	3,874,000.84
Home Care Packages	167,474.94
	<b>10,071,226.33</b>
<b>External Restrictions - other</b>	
Developer contributions - general	90,211.90
Specific purpose grants (recognised as revenue)	809,254.87
Sewerage Services	2,256,858.36
Domestic Waste Management	849,242.40
Stormwater Management	10,524.83
Other - Community Transport	270,928.00
	<b>4,287,020.36</b>
<b>Internal Restrictions</b>	
Plant & vehicle replacement	1,000,000.00
Employees Leave Entitlements	1,700,000.00
Deferred Works	73,760.00
Ardlethan Preschool (non-grant)	58,769.64
Asset management/replacement	4,500,000.00
Financial Assistance Grant Advance	3,159,565.00
Swimming Pools	75,000.00
Rehabilitation of Gravel Pits	215,000.00
Coolamon Early Childhood Centre	442,957.02
Allawah Lodge	939,413.99
Allawah Village	326,777.40
	<b>12,491,243.05</b>
<b>TOTAL RESTRICTIONS</b>	<b>26,849,489.74</b>
<b>UNRESTRICTED</b>	<b>256,067.11</b>
<b>TOTAL CASH, CASH EQUIVALENTS &amp; INVESTMENTS</b>	<b>27,105,556.85</b>

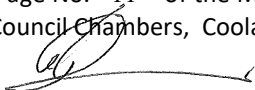
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

COOLAMON SHIRE COUNCIL  
INCOME STATEMENT

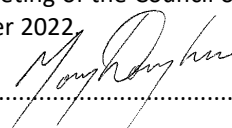
for the period 1st July 2022 to 30th June 2023

	OCTOBER 2022	SEPTEMBER 2022	AUGUST 2022	2022/2023 ORIGINAL BUDGET	2021/2022 ACTUAL
<b>Income from continuing operations</b>					
Rates & annual charges	4,145,921.86	4,081,107.40	4,077,839.44	4,098,921.47	4,066,634.90
User charges & fees	1,809,162.68	1,277,590.04	796,914.79	5,267,323.00	5,640,141.22
Other revenues	84,739.96	76,443.14	23,882.65	411,415.51	416,162.55
Grants & contributions provided for operating purposes	1,095,227.52	1,036,266.20	433,846.20	3,738,847.50	8,092,033.99
Grants & contributions provided for capital purposes	17,681.28	17,681.28	13,639.18	6,142,114.12	4,256,954.12
Interest and investment revenue	(33,723.64)	(57,178.99)	(73,207.52)	470,895.67	206,245.44
Other income	145,766.82	113,891.75	88,368.16	395,006.77	365,328.47
Net gain from the disposal of assets	57,754.12	57,754.12	29,545.45	303,665.45	-188,544.76
Internals	0.00	0.00	0.00		0.00
<b>Total income from continuing operations</b>	<b>7,322,530.60</b>	<b>6,603,554.94</b>	<b>5,390,828.35</b>	<b>20,828,189.49</b>	<b>22,854,955.93</b>
<b>Expenses from continuing operations</b>					
Employee benefits and on-costs	2,215,777.46	1,711,534.04	1,178,530.85	6,669,700.00	7,098,263.90
Materials & services	2,021,423.23	1,596,342.33	1,156,984.20	5,290,118.64	5,496,606.78
Borrowing costs	3,347.64	3,347.64	0.00	10,000.00	23,321.75
Depreciation, amortisation & impairment	1,221,111.77	1,161,644.31	120,139.72	4,393,790.00	4,189,169.06
Other expenses	167,583.00	167,583.00	86,349.84	451,187.33	379,243.79
Net loss from the disposal of assets					
<b>Total expenses from continuing operations</b>	<b>5,629,243.10</b>	<b>4,640,451.32</b>	<b>2,542,004.61</b>	<b>16,814,795.97</b>	<b>17,186,605.28</b>
<b>Operating result from continuing operations</b>	<b>1,693,287.50</b>	<b>1,963,103.62</b>	<b>2,848,823.74</b>	<b>4,013,393.52</b>	<b>5,668,350.65</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>1,675,606.22</b>	<b>1,945,422.34</b>	<b>2,835,184.56</b>	<b>-2,128,720.60</b>	<b>1,411,396.53</b>

This is Page No. 11 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 17<sup>th</sup> November 2022.



.....MAYOR.....



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

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

COOLAMON SHIRE COUNCIL  
INCOME STATEMENT BY FUND

October 2022			
	CONSOLIDATED		
	GENERAL FUND	SEWERAGE FUND	TOTAL
<b>Income from continuing operations</b>			
Rates & annual charges	3,424,205.83	721,716.03	4,145,921.86
User charges & fees	1,809,162.68	0.00	1,809,162.68
Other revenues	84,106.84	633.12	84,739.96
Grants & contributions provided for operating purposes	1,095,227.52	0.00	1,095,227.52
Grants & contributions provided for capital purposes	15,780.78	1,900.50	17,681.28
Interest and investment revenue	(34,397.35)	673.71	-33,723.64
Other income	145,766.82		145,766.82
Net gain from the disposal of assets	57,754.12	0.00	57,754.12
Internals	18,980.25	(18,980.25)	0.00
<b>Total income from continuing operations</b>	<b>6,616,587.49</b>	<b>705,943.11</b>	<b>7,322,530.60</b>
<b>Expenses from continuing operations</b>			
Employee benefits and on-costs	2,154,388.33	61,389.13	2,215,777.46
Materials & services	1,935,210.79	86,212.44	2,021,423.23
Borrowing costs	3,347.64		3,347.64
Depreciation & amortisation	1,151,375.45	69,736.32	1,221,111.77
Other expenses	167,583.00	0.00	167,583.00
<b>Total expenses from continuing operations</b>	<b>5,411,905.21</b>	<b>217,337.89</b>	<b>5,629,243.10</b>
<b>Operating result from continuing operations</b>	<b>1,204,682.28</b>	<b>488,605.22</b>	<b>1,693,287.50</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>1,188,901.50</b>	<b>486,704.72</b>	<b>1,675,606.22</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 17<sup>th</sup> November 2022.

..... MAYOR..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

COOLAMON SHIRE COUNCIL  
BALANCE SHEET

for the period 1st July 2022 to 30th June 2023

	OCTOBER 2022	SEPTEMBER 2022	AUGUST 2022	2022/2023	
				ORIGINAL BUDGET (ADJ FOR OPENING BALS)	2021/2022 ACTUAL
<b>ASSETS</b>					
<b>Current assets</b>					
Cash and cash equivalents	3,133,773.45	3,520,276.79	4,104,182.52	3,302,156.69	5,104,044.52
Investments	24,001,512.33	24,001,512.33	23,001,512.33	19,800,000.33	22,001,512.33
Receivables	2,209,797.97	2,301,139.54	3,304,861.52	919,874.73	919,874.73
Inventories	2,295,647.09	2,281,132.11	2,284,941.11	3,904,282.79	2,298,206.98
Other					
<b>Total current assets</b>	<b>31,640,730.84</b>	<b>32,104,060.77</b>	<b>32,695,497.48</b>	<b>27,926,314.54</b>	<b>30,323,638.56</b>
<b>Non-current assets</b>					
Investments					
Receivables	280,092.35	280,092.35	280,092.35	248,082.35	280,092.35
Inventories	429,149.05	429,149.05	429,149.05	429,149.05	429,149.05
Infrastructure, property, plant & equipment	262,135,023.27	261,806,131.58	261,529,692.94	270,549,416.70	260,834,465.06
Accumulated Dep'n - Infrastructure, PP&E	(58,813,395.58)	(58,753,928.12)	(57,712,423.53)	(61,986,073.81)	(57,592,283.81)
Accumulated Imp't - Infrastructure, PP&E	0.00	0.00	0.00	0.00	0.00
<b>Total non-current assets</b>	<b>204,030,869.09</b>	<b>203,761,444.86</b>	<b>204,526,510.81</b>	<b>209,240,574.29</b>	<b>203,951,422.65</b>
<b>Total assets</b>	<b>235,671,599.93</b>	<b>235,865,505.63</b>	<b>237,222,008.29</b>	<b>237,166,888.83</b>	<b>234,275,061.21</b>
<b>LIABILITIES</b>					
<b>Current liabilities</b>					
Payables	7,957,774.07	7,880,249.91	8,348,191.20	7,563,967.24	8,829,433.14
Contract Liabilities	2,258,255.98	2,258,255.98	2,258,255.98		1,673,201.90
Borrowings	0.00	0.00	0.00	0.00	0.00
Employee benefit provisions	1,977,844.78	1,979,388.65	1,982,160.03	2,121,841.25	1,987,941.25
Provisions	0.00	0.00	0.00	0.00	0.00
Other	4,835.71	4,905.58	4,975.45	4,883.03	4,883.03
<b>Total current liabilities</b>	<b>12,198,710.54</b>	<b>12,122,800.12</b>	<b>12,593,582.66</b>	<b>9,690,691.52</b>	<b>12,495,459.32</b>
<b>Non-current liabilities</b>					
Payables	4,241.62	4,241.62	4,241.62	4,241.62	4,241.62
Borrowings	0.00	0.00	0.00	0.00	0.00
Employee benefit provisions	131,302.97	131,302.97	131,302.97	131,302.97	131,302.97
Provisions	1,075,019.30	1,075,019.30	1,075,019.30	1,085,019.30	1,075,019.30
<b>Total non-current liabilities</b>	<b>1,210,563.89</b>	<b>1,210,563.89</b>	<b>1,210,563.89</b>	<b>1,220,563.89</b>	<b>1,210,563.89</b>
<b>TOTAL LIABILITIES</b>	<b>13,409,274.43</b>	<b>13,333,364.01</b>	<b>13,804,146.55</b>	<b>10,911,255.41</b>	<b>13,706,023.21</b>
<b>Net assets</b>	<b>222,262,325.50</b>	<b>222,532,141.62</b>	<b>223,417,861.74</b>	<b>226,255,633.42</b>	<b>220,569,038.00</b>
<b>EQUITY</b>					
Retained earnings	108,405,363.84	108,675,179.96	109,560,900.08	112,398,671.76	106,712,076.34
Reserves	113,856,961.66	113,856,961.66	113,856,961.66	113,856,961.66	113,856,961.66
Internal Assets/Liabilities	0.00	0.00	0.00		0.00
Trust Transfer					
<b>Total equity</b>	<b>222,262,325.50</b>	<b>222,532,141.62</b>	<b>223,417,861.74</b>	<b>226,255,633.42</b>	<b>220,569,038.00</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 17<sup>th</sup> November 2022.

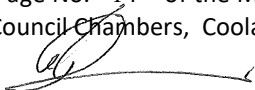
..... MAYOR..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

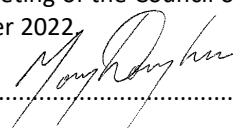
COOLAMON SHIRE COUNCIL  
BALANCE SHEET BY FUND

	October 2022		COOLAMON SHIRE TOTAL
	CONSOLIDATED GENERAL FUND	SEWERAGE FUND	
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	746,461.52	2,387,311.93	3,133,773.45
Investments	24,001,512.33		24,001,512.33
Receivables	1,807,381.40	402,416.57	2,209,797.97
Inventories	2,295,647.09		2,295,647.09
Other			0.00
<b>Total current assets</b>	<b>28,851,002.34</b>	<b>2,789,728.50</b>	<b>31,640,730.84</b>
<b>Non-current assets</b>			
Investments			0.00
Receivables	280,092.35		280,092.35
Inventories	429,149.05		429,149.05
Infrastructure, property, plant & equipment	240,549,806.11	21,585,217.16	262,135,023.27
Accumulated Depreciation	(50,909,018.61)	(7,904,376.97)	(58,813,395.58)
Accumulated Impairment	0.00		0.00
<b>Total non-current assets</b>	<b>190,350,028.90</b>	<b>13,680,840.19</b>	<b>204,030,869.09</b>
<b>Total assets</b>	<b>219,201,031.24</b>	<b>16,470,568.69</b>	<b>235,671,599.93</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	7,957,774.07	0.00	7,957,774.07
Contract Liabilities	2,258,255.98		2,258,255.98
Interfunding			0.00
Interest bearing liabilities	0.00		0.00
Employee benefit provisions	1,977,844.78		1,977,844.78
Provisions	0.00		0.00
Other	4,835.71	0.00	4,835.71
<b>Total current liabilities</b>	<b>12,198,710.54</b>	<b>0.00</b>	<b>12,198,710.54</b>
<b>Non-current liabilities</b>			
Payables	4,241.62		4,241.62
Interest bearing liabilities	0.00		0.00
Employee benefit provisions	131,302.97		131,302.97
Provisions	1,075,019.30		1,075,019.30
<b>Total non-current liabilities</b>	<b>1,210,563.89</b>	<b>0.00</b>	<b>1,210,563.89</b>
<b>TOTAL LIABILITIES</b>	<b>13,409,274.43</b>	<b>0.00</b>	<b>13,409,274.43</b>
<b>Net assets</b>	<b>205,791,756.81</b>	<b>16,470,568.69</b>	<b>222,262,325.50</b>
<b>EQUITY</b>			
Retained earnings	98,581,414.40	9,823,949.44	108,405,363.84
Reserves	107,210,342.41	6,646,619.25	113,856,961.66
Internal Assets & Liabilities			0.00
Trust Transfer			0.00
<b>Total equity</b>	<b>205,791,756.81</b>	<b>16,470,568.69</b>	<b>222,262,325.50</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 17<sup>th</sup> November 2022.



..... MAYOR.....



.....GENERAL MANAGER.

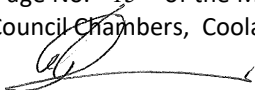
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

COOLAMON SHIRE COUNCIL  
INTERNAL & EXTERNAL RESTRICTIONS

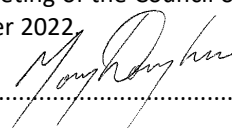
for the period 1st July 2022 to 30th June 2023

	OCTOBER 2022	SEPTEMBER 2022	AUGUST 2022	2022/2023 BUDGET (ADJ FOR OPENING BALS)	2021/2022 ACTUAL
<i>EXTERNALLY RESTRICTED</i>					
Contract Liabilities	1,354,871.84	1,361,991.84	1,333,594.54	262,804.00	1,673,201.90
Allawah Lodge Accommodation Payments	4,058,627.92	4,058,627.92	4,350,892.48	4,356,548.65	4,356,548.65
Allawah Village Loan-Licence	3,874,000.84	3,874,000.84	3,874,000.84	4,019,572.84	3,874,000.84
Home Care Packages	123,208.06	123,208.06	167,474.94	167,474.94	167,474.94
Developer Contributions	101,718.61	101,718.61	90,211.90	79,362.38	90,211.90
Grant Revenues	616,067.06	639,972.02	777,760.87	43,809.87	809,254.87
Sewerage Fund	2,387,311.93	2,382,516.88	2,415,090.35	2,329,618.58	2,256,858.36
Waste Management	1,091,801.23	1,029,948.98	1,055,666.19	635,104.55	849,242.40
Stormwater Management Reserve	53,142.33	53,142.33	10,524.83	18,939.83	10,524.83
Other - Community Transport	270,928.00	270,928.00	270,928.00	270,928.00	270,928.00
	13,931,677.82	13,896,055.48	14,346,144.94	12,184,163.64	14,358,246.69
<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	1,700,000.00	1,700,000.00	1,700,000.00	1,793,500.00	1,700,000.00
Deferred Works Reserve	60,589.07	60,589.07	73,760.00	15,970.00	73,760.00
Ardlethan Preschool	63,889.64	58,769.64	58,769.64	78,269.64	58,769.64
Asset Management	4,500,000.00	4,500,000.00	4,500,000.00	4,959,469.39	4,500,000.00
Financial Assistance Grant	0.00	0.00	0.00	0.00	3,159,565.00
Swimming Pools Reserve	75,000.00	75,000.00	75,000.00	40,000.00	75,000.00
Gravel Pits Rehabilitation Reserve	215,000.00	215,000.00	215,000.00	255,000.00	215,000.00
CECC Asset Mgt Reserve	523,354.06	510,895.58	488,800.59	442,133.02	442,957.02
Allawah Lodge Asset Mgt Reserve	1,067,575.75	986,115.56	953,711.50	1,092,091.65	939,413.99
Allawah Village Asset Mgt Reserve	243,201.52	237,263.50	247,254.21	360,513.71	326,777.40
	9,448,610.04	9,343,633.35	9,312,295.94	10,036,947.41	12,491,243.05
Unrestricted	3,754,997.92	4,282,100.29	3,447,253.97	881,045.98	256,067.11
<b>TOTAL CONSOLIDATED CASH</b>	<b>27,135,285.78</b>	<b>27,521,789.12</b>	<b>27,105,694.85</b>	<b>23,102,157.02</b>	<b>27,105,556.85</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 17<sup>th</sup> November 2022.



.....MAYOR.....



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

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

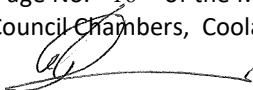
RATE COLLECTIONS

	ARREARS BFWD	LEVIES INC. INTEREST	TOTAL	COLLECTIONS TO DATE	% TO TOTAL	ADJUSTMENTS INC. PENS CONCESSIONS	ADJ TOTAL	% TO TOTAL	COLLECTABLE BALANCE
31/10/2003	280,098.47	2,027,632.31	2,307,730.78	857,746.23	37.17%	102,580.86	2,205,149.92	38.90%	1,347,403.69
31/10/2004	181,374.69	2,089,378.64	2,270,753.33	833,155.25	36.66%	106,390.81	2,164,362.52	38.49%	1,331,207.77
31/10/2005	163,566.58	2,161,087.40	2,324,653.98	854,022.98	36.74%	106,595.28	2,218,058.70	38.50%	1,364,035.72
31/10/2006	185,519.90	2,240,125.29	2,425,645.19	840,742.52	34.66%	106,570.62	2,319,074.57	36.25%	1,478,332.05
31/10/2007	236,912.33	2,413,436.48	2,650,348.81	954,343.56	36.01%	118,883.99	2,531,464.82	37.70%	1,577,121.26
31/10/2008	277,343.62	2,494,636.91	2,771,980.53	952,397.05	34.36%	120,425.91	2,651,554.62	35.92%	1,699,157.57
31/10/2009	239,371.45	2,597,036.84	2,836,408.29	987,381.20	34.81%	121,497.64	2,714,910.65	36.37%	1,727,529.45
31/10/2010	292,105.99	2,709,127.81	3,001,233.80	1,042,643.73	34.74%	125,062.93	2,876,170.87	36.25%	1,833,527.14
31/10/2011	239,162.46	2,859,628.99	3,098,791.45	1,119,459.58	36.13%	125,040.19	2,973,751.26	37.64%	1,854,291.68
31/10/2012	207,935.41	3,022,197.05	3,230,132.46	1,202,563.74	37.23%	127,580.85	3,102,551.61	38.76%	1,899,987.87
31/10/2013	230,807.22	3,134,372.75	3,365,179.97	1,208,882.77	35.92%	124,161.24	3,241,018.73	37.30%	2,032,135.96
31/10/2014	263,562.88	3,292,140.97	3,555,703.85	1,291,979.03	36.34%	121,405.48	3,434,298.37	37.62%	2,142,319.34
31/10/2015	335,520.44	3,407,861.74	3,743,382.18	1,408,399.46	37.62%	123,775.98	3,619,606.20	38.91%	2,211,206.74
31/10/2016	300,944.76	3,493,051.04	3,793,995.80	1,388,403.60	36.59%	124,149.25	3,669,846.55	37.83%	2,281,442.95
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
31/10/2018	319,410.16	3,669,568.75	3,988,978.91	1,488,272.81	37.31%	115,319.36	3,873,659.55	38.42%	2,385,386.74
31/10/2019	368,193.86	3,782,998.90	4,151,192.76	1,577,874.73	38.01%	115,986.06	4,035,206.70	39.10%	2,457,331.97
31/10/2020	342,642.82	4,023,871.76	4,366,514.58	1,685,841.25	38.61%	122,810.66	4,243,703.92	39.73%	2,557,862.67
31/10/2021	190,868.79	4,114,469.66	4,305,338.45	1,830,243.25	42.51%	122,237.48	4,183,100.97	43.75%	2,352,857.72
<b>2022/2023</b>									
31/07/2022	126,583.34	4,209,276.12	4,335,859.46	51,490.95	1.19%	118,168.29	4,217,691.17	1.22%	4,166,200.22
31/08/2022	126,583.34	4,213,801.21	4,340,384.55	1,539,846.59	35.48%	120,515.16	4,219,869.39	36.49%	2,680,022.80
30/09/2022	126,583.34	4,219,005.50	4,345,588.84	1,783,663.60	41.05%	121,408.87	4,224,179.97	42.23%	2,440,516.37
31/10/2022	126,583.34	4,219,009.64	4,345,592.98	1,925,993.96	44.32%	122,533.90	4,223,059.08	45.61%	2,297,065.12

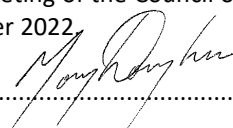
**Recommendation**

For Council information.

**RESOLVED on the motion of C/r Crocker and seconded by C/r White that the report be noted.** 224/11/2022



.....MAYOR.....



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



**CS2) POLICY REVIEW (P.12-01, SC316)**

➔ As part of Council's policy review following the election of a new Council, the following policies are presented by staff: Attachment No. 7

- Australia Day & Honoured Citizen Awards Policy (no changes proposed)
- Bullying & Harassment Policy (no changes proposed)
- Community Engagement Strategy (no changes proposed)
- Sewerage Development Servicing Plan Policy (inclusion of Ardlethan)
- Drugs, Alcohol, Medication & Fatigue in the Workplace Policy (adoption of the updated agreed industry resource)
- Equal Employment Opportunity Plan & Policy (inclusion of review sections)
- Grievance Policy (no changes proposed)
- Injury Management & Rehabilitation (Recover at Work) Policy (no changes proposed)
- Plant Replacement Policy (no changes proposed)
- Records Management Policy (no changes proposed)
- Road Damage – Wet Weather Periods Policy (no changes proposed)
- Road Drainage Policy (no changes proposed)
- Signs as Remote Supervision Policy (update review timeframe)
- Sun Protection Policy (update of position description)
- Volunteer Policy (update of position description)

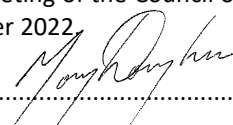
Recommendation

That the following policies, as presented be adopted:

- Australia Day & Honoured Citizen Awards Policy
- Bullying & Harassment Policy
- Community Engagement Strategy
- Sewerage Development Servicing Plan Policy
- Drugs, Alcohol, Medication & Fatigue in the Workplace Policy
- Equal Employment Opportunity Plan & Policy
- Grievance Policy
- Injury Management & Rehabilitation (Recover at Work) Policy
- Plant Replacement Policy
- Records Management Policy
- Road Damage – Wet Weather Periods Policy
- Road Drainage Policy
- Signs as Remote Supervision Policy
- Sun Protection Policy
- Volunteer Policy



..... MAYOR.....



.....GENERAL MANAGER.

**RESOLVED** on the motion of Clr White and seconded by Clr Maslin that the following policies, (See Appendix 1) as presented be adopted: 225/11/2022

- **Australia Day & Honoured Citizen Awards Policy**
- **Bullying & Harassment Policy**
- **Community Engagement Strategy**
- **Sewerage Development Servicing Plan Policy**
- **Drugs, Alcohol, Medication & Fatigue in the Workplace Policy**
- **Equal Employment Opportunity Plan & Policy**
- **Grievance Policy**
- **Injury Management & Rehabilitation (Recover at Work) Policy**
- **Plant Replacement Policy**
- **Records Management Policy**
- **Road Damage – Wet Weather Periods Policy**
- **Road Drainage Policy**
- **Signs as Remote Supervision Policy**
- **Sun Protection Policy**
- **Volunteer Policy**

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

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

The following roads have received maintenance and resheeting attention:

- 1) MAINTENANCE
  - Ariah Road (East West Road to Menzies Lane)
  
- 2) RESHEETING
  - East West Road (Mary Gilmore Way to Rannock Road)

Following kerb and gutter backfilling at the Business Park, Council's Maintenance Grader has resumed unsealed road maintenance.

Council have a long list of maintenance items as a consequence of ongoing rain events, these items have been prioritized accordingly and will be accomplished when plant and staff are available and conditions permit.

With the impending start of harvest, all defects will not be accomplished and all motorists are advised to drive to the conditions present.

#### **ES2) TOWN WORKS**

##### 1) COOLAMON SKATE PARK / SYNTHETIC GRASS REPLACEMENT

Due to a number of weather delays, the concreting of aged synthetic grass and bark areas has been completed. The concreting has provided an additional stepped seating area in addition to reducing the maintenance issue of clearing bark from unwanted areas.

##### 2) KERB AND GUTTER – COWABBIE STREET WEST (BOOTH TO ORR STREET)

Council staff have commenced foundation preparation works for this street frontage. Council staff were required to return to Chamberlains Lane for stabilization works and will return to Cowabbie Street in meeting week.

**ES3) COOLAMON BUSINESS PARK**

Progress of works at the Business Park are as follows:

- Kerb and gutter has been completed by Contractors.
- Council staff have completed back fill of kerb at front and rear.
- Contractors are progressing with installation of rear of block stormwater and sewer under challenging conditions as a result of rain.
- Electrical contractors will return to site in meeting week to proceed with works in preparation of next electrical shutdown with intention to be completed by the end of the month.
- Top soil is being delivered to nature strip for shaping and followed by landscaping.

**ES4) ROADS TO RECOVERY PROGRAMME**

METHUL ROAD RECONSTRUCTION (0.0 TO 2.55KMS FROM ARDLETHAN ROAD)

Council staff have commenced reconstruction works on the first stage (1.25 to 2.55kms) 1.3kms of Methul Road. Formation and alignment corrections are to occur over coming weeks, with stabilisation to follow and seal mid December.

**ES5) FIXING COUNTRY ROADS**

CHAMBERLAINS LANE SEALING (0.0 TO 3.0KMS FROM COOLAMON ROAD) 3.0KMS

Under trying conditions, Council staff have persisted with the construction of Chamberlains Lane. Stablisation has been completed and seal is scheduled to occur prior to meeting day, weather permitting. Stage 2 will commence early in the New Year.

**ES6) HVSP – MARY GILMORE WAY – SHOULDER WIDENING**

Due to ongoing wet weather, the ability to progress with shoulder widening has become unproductive and hazardous at times. For these reasons, Council has been forced to defer widening works and commence works elsewhere where it

can be productive. Council have sought an extension of funding from TfNSW and will recommence works early in 2023 for completion by 30<sup>th</sup> June 2023.

**ES7) NATURAL DISASTER**

To date, Council have received 800ml of rain for the calendar year with 185ml received in October alone. Going back through 34 years of Council records, 2022 will be the wettest year with 2 months remaining and this October has been the second wettest month recorded.

As a consequence of these ongoing wet events/storms, and damage to Council infrastructure, a Natural Disaster Assessment form has been submitted resulting in the NSW Government – Resilience NSW issuing a Noticed of Natural Disaster Declaration for the Coolamon LGA.

Recommendation

That the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES7) be received and noted.

**RESOLVED on the motion of Clr Maslin and seconded by Clr White that the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES7) be received and noted.** 226/11/2022

**ES8) BIOSECURITY WEEDS REPORT (N.02-01, SC284)**

Biosecurity Weeds Officer Reports

**Activities**

- Private property inspections carried out with a focus on emerging St John's Wort.
- WAP reporting complete.
- WAP planning for the current period adjusted to new template and budget.
- High risk roadways inspected across the Shire.
- Staff have completed inspections of high-risk pathways and sites.
- Early spraying of St John's Wort undertaken, expected to be a significant germination.
- Representatives attended meeting of Riverina LLS Weeds Committee.
- African Boxthorn treated on laneway to the rear of Kindra Forest, good result achieved.

- One staff member attended Varroa mite emergency response in Grafton for a week, this was done as a learning experience to gain knowledge of the emergency process should something arise more locally such as Foot and Mouth.

**WAP targets addressed:**

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

Recommendation

For Council information.

**RESOLVED on the motion of Clr Maslin and seconded by Clr Perkin that the report be received.** 227/11/2022

**ES9) CROWN ROAD NAMING (R.09-06, SC340)**

- ➔ Council is in receipt of correspondence from the granddaughter of an historic landholder in the Matong/Ganmain region requesting a Road Reserve be named in the family name. Attached is a copy of the various correspondence between the Applicant, Council, Geographical Names Board (GNB) and Crown Lands and a Plan of the proposed lane. Attachment No. 9.1

Council investigations reveal that the Road Reserve exists as what is commonly known as a paper road, is a Crown Road not identified by Council in 2018 Road Hierarchy Designation, never maintained by Council, heavily tree lined and considered more of a convenience track for local landholder. Council satisfy its Property Access Policy by the existing road hierarchy, and hence why it is still classified as a Crown Road. Across the Shire there are many similar paper Road Reserves and in many cases they are purchased by neighbouring landholders from the Crown or retain as Crown roads for their local convenience use.

Even though the road is classified as Crown, the GNB have advised that the Authority for Road Naming is the local government of that jurisdiction and is responsible for endorsing the authorization road name and ensuring it is approved by the GNB and gazetted. The GNB have also advised that *“a road is considered to be an area that is open to and/or used by the public and is navigable by vehicle or*

*foot and can be used for assigning addresses or allowing access between points or to a feature”.*

The proposed road does not satisfy any of the road criteria’s as:

- Road Reserve is not used by public as the existing Council Public Road Network provides property access.
- No formal road is present and not considered navigable by vehicle. See attached images. Attachment No. 9.2
- All addressing requirements are satisfied by existing Road Hierarchy Network.

Another concern of naming and sign posting a Crown Road Reserve of such low standard is that it gives public the impression that it is of a higher standard than exists and trafficked which is not the case. In inspecting the laneway, access to the southern end was only achievable by 4WD and access up lane was questionable and avoided.

Recommendation

That naming of the laneway be declined.

**RESOLVED on the motion of Clr Maslin and seconded by Clr Perkin that the naming of the laneway be declined.** 228/11/2022

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

### HS1) DEVELOPMENT ACTIVITY REPORT FOR THE PERIOD ENDING 31<sup>ST</sup> OCTOBER, 2022 (B.05-03, SC58)

#### Summary

This report advises of the Development Application activity for the month of October 2022.

#### Development Activity Table

Application Number	Type	Address	Determination	Value
DA 2022/53	New Patio and Deck	73 Iverach Street North, Coolamon	Approved	\$29,600.00
DA 2022/63	Construction of a 16m x 10m shed	48 Moses Road, Coolamon	Approved	\$18,500.00
ADA 2021/64.02	24 Self storage Units – Amendment to Existing Consent (various)	17 Curtis Lane, Coolamon	Approved	\$190,000.00
DA 2021/129	6m x 6m shed with 5m attached awning	17 Cowabbie Street, Coolamon	Approved	\$25,000.00
DA 2022/70	Double storey brick veneer residential dwelling with garage	114 Wallace Street North, Coolamon	Approved	\$553,094.00
DA 2022/65	New Carport & Patio to existing Dwelling	14-16 Bruce Street South, Coolamon	Approved	\$21,500.00
DA 2022/74	New Pergola	153 Wallace Street North, Coolamon	Approved	\$12,000.00
DA 2022/77	Alterations & Additions to Existing Industrial Premises and Increase to Hours of Operation	87-93 Wade Street, Coolamon	Approved	\$795,000.00
DA 2022/60	New pre-fabricated steel framed shed 10m x 9m	20 Loughnan Street, Coolamon	Approved	\$19,000.00
DA 2022/87	Construction of shed including installation and construction of a Spray Booth	35 Iverach Street South, Coolamon	Approved	\$30,000.00
DA 2022/95	Erection of 6m x 8m storage shed	20 Webb Street, Marrar	Approved	\$16,250.00
CDC 2022/19	New swimming pool	4 Hakea Drive, Coolamon	Approved	\$19,000.00
<b>TOTAL: 12</b>			<b>12</b>	<b>\$1,728,944.00</b>

#### 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.

### Recommendation

That Council receive and note this report on development activity for the period up to 31<sup>st</sup> October, 2022.

**RESOLVED on the motion of Clr Hatty and seconded by Clr White that Council receive and note this report on development activity for the period up to 31<sup>st</sup> October, 2022.** 229/11/2022

## **HS2) ADOPTION OF AMENDED COOLAMON SHIRE SECTION 7.11 CONTRIBUTIONS PLAN 2017 (P.03-05, SC300)**

### Summary

This report recommends adoption of the recently amended and exhibited, Coolamon Shire Section 7.11 Contributions Plan 2017.

### Background

At the Ordinary Council Business Meeting held on the 15th September 2021, Council resolved to:

- 1) *Note the report titled 'amendments to the Coolamon Section 7.11 Contributions Plan 2017'; and*
- 2) *Endorse the exhibition of the amended Plan for a period of 28 days.*

As a result of the abovementioned resolution, the Plan was exhibited for a period of 28 days.

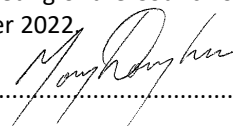
### Proposed Amendments

The amendments presented to Council included:

- Administrative amendments via the inclusion of a commencement date within the Plan
- Update to works schedules
- Updates to contribution rates

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- Update and amendment to the contributions area map (to include the areas identified for residential and rural residential rezoning).

Specifically, the amendments were:

- Administrative amendments via the inclusion of a commencement date within the plan
- Update and amendment to the contributions area map (to include the areas identified for residential and rural residential rezoning).

The amendments to the contributions map is required to ensure that expected residential growth pressures can be adequately accommodated and provide for the infrastructure servicing needs of the community. The map has been updated to capture all proposed rezoning areas within Coolamon. It should be noted that the updating of the maps does not necessarily mean that Council or the NSW Department of Planning, Industry and Environment will be endorsing any future planning proposal for these areas. Planning proposals will be assessed and determined on individual merit and in accordance with legislative and policy requirements.

It should be noted that staff are working on the other amendments identified above and that a subsequent report will be provided to Council in due course for consideration.

### **Policy/Legislative Implications**

Section 7.11 of the Environmental Planning & Assessment Act, 1979 (EP&A Act) enables consent authorities (usually local councils) to levy developer contributions, as a condition of development consent, towards the cost of providing local public infrastructure and facilities required as a consequence of development. The power to levy a contribution relies on there being a clear nexus between the development being levied and the need for the public infrastructure or facility.

In order to be able to levy developer contributions, the EP&A Act requires councils to prepare and exhibit a Section 7.11 (previously Section 94) contributions plan – which it has previously undertaken.

The Environmental Planning and Assessment Act 1979 (Division 7.1) provides the legislative framework for infrastructure contributions, whilst the Environmental Planning and Assessment Regulation 2000 provides further requirements relating to the making, amending and revocation of contributions plans, giving public notice and other procedural arrangements.

In accordance with Section 32 of the regulations, a Council may amend a Contributions Plan.

The proposed amendments to the Plan have also been undertaken in accordance with the Practice Notes issued by the NSW Department of Planning, Industry and Environment.

### **Consultation**

Internal consultation has been undertaken with relevant Council staff in regards to this request.

Section 28 of the Environmental Planning and Assessment Regulation 2000 'Draft contributions plan must be publicly exhibited' requires that:

Following the preparation of a draft contributions plan, the Council:

- (a) must give public notice in a local newspaper of the places, dates and times for inspection of the draft plan, and
- (b) must publicly exhibit at the places, on the dates and during the times set out in the notice:
  - (i) a copy of the draft plan, and
  - (ii) a copy of any supporting documents, and
- (c) must specify in the notice the period during which submissions about the draft plan may be made to the council (which must include the period during which the plan is being publicly exhibited).

The exhibition period is mandated at 28 days.

The amended Plan was advertised from Friday 23<sup>rd</sup> September until Thursday 20<sup>th</sup> October 2022.

No submissions were received during the exhibition period.

### **Financial Implications**

There are no adverse financial implications resulting from this report to Council.

### **Attachments**

- ➔ Amended 7.11 Contributions Plan. **Attachment No. 8**

Recommendation

- 1) That Council note the report titled 'Adoption of Amended Coolamon Shire Section 7.11 Contributions Plan 2017'; and
- 2) That Council adopt the amended Plan and upload amended Plan to the NSW Planning Portal.

**RESOLVED on the motion of Cllr Crocker and seconded by Cllr White:** 230/11/2022

- 1) **That Council note the report titled 'Adoption of Amended Coolamon Shire Section 7.11 Contributions Plan 2017'; and**
- 2) **That Council adopt the amended Plan and upload amended Plan to the NSW Planning Portal.**

**HS3) COOLAMON NYE STREET PARTY 2022 ALCOHOL FREE ZONE SUSPENSION (A.07-02, SC20)**

**Summary**

This report seeks Council approval for the suspension of the current Alcohol Free Zone within Coolamon for the 2022 New Year's Eve Party.

This request has occurred in previous years for New Year's Eve street parties and is considered appropriate for the function being held.

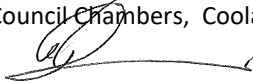
**Background**

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

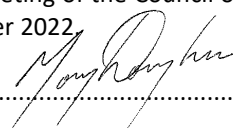
Council has the ability to suspend the Alcohol Free Zone provided the appropriate advertising and notification has taken place. Police have been happy to patrol this change and have in the past been supportive.

**Legislative Implications**

Alcohol-Free Zones prohibit the drinking of alcohol in public places such as roads or car parks under Part 4 of the NSW Local Government Act 1993, Sections 642 -

  
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649. The purpose of these zones is to create a safe environment in which individuals may move about without interference from irresponsible street drinkers. Alcohol Free Zones operate 24 hours a day, 7 days a week.

In accordance with Section 645 of the Act, Council has the power to suspend or cancel the Zone at an earlier date if deemed necessary, or to hold a specific community event. Council is required to do so via a Council resolution and must publish a notice of suspension and/or cancellation. Section 645 *Suspension or cancellation* provides that:

- (1) *The Council may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone by publishing notice of the suspension in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned.*
- (2) *During the period indicated in such a notice as the period of suspension, the zone does not operate as an alcohol-free zone.*
- (3) *In like manner the council may at any time cancel the operation of an alcohol-free zone.*

Prior to cancellation or suspension Council would be required to liaise with Police both prior to and after the Council resolution.

### **Financial Implications**

There are no financial implications to Council or the community resulting from this report.

### **Consultation**

The NSW Police (Wagga Licensing Branch) and the Coolamon Police Station were contacted in November 2022 and advised of the proposed suspension of the zone and have confirmed that NSW Police have no issues with supporting this proposal.

Further consultation is required to occur in accordance with the Local Government Act 1993 if Council resolves to support the suspension by publishing notice of the suspension in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned.

### **Recommendation**

That Council temporarily suspends the Alcohol Free Zone in Coolamon on 31st December, 2022 between the hours of 6.00pm and 12.00am.

**RESOLVED on the motion of Clr Lewis and seconded by Clr White that Council temporarily suspends the Alcohol Free Zone in Coolamon on 31st December, 2022 between the hours of 6.00pm and 12.00am.** 231/11/2022

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

- Clr McCann reported:
  - Grants Commission Visit.
  - Local Government NSW Conference attendance. Disparity between Rural and Metropolitan Local Government very apparent
  
- Clr Maslin reported:
  - Road signs and guideposts vandalized on Beckom South Road and Yarranjerry Exchange Road. Reported to Police without much response and disappointed with the Police response. Clr McCann made direct representation to Commander and will be followed up in future meeting.
  
- Clr McKinnon reported:
  - Thanked Clr Hatty for attending Matong Hall meeting. Working bee and collection of a number of items from old hall.
  
- Clr Hatty reported:
  - Public meeting held in Ganmain regarding future ANZAC Day celebrations in Ganmain. Meeting was well attended and committee formed
  - Ganmain Markets were a success

***Meeting Closed at 3.59pm.***

Confirmed and signed during the Meeting held this 15<sup>th</sup> day of December 2022.

.....  
**MAYOR**

**ATTACHMENTS FOR THE MEETING HELD 17<sup>TH</sup> NOVEMBER, 2022**

**ITEMS DISTRIBUTED WITH THE AGENDA**

- 1) Activity Reports:
  - 1) Operating Statistics of the Coolamon Shire Library for October 2022.
  - 2) Community Development Officer's Report for October 2022.
  - 3) Tourism and Business Development Officer's Report for October 2022.
  - 4) Road Safety Officer's Activity Report for October 2022.
  - 5) Allawah Community Care Report for October 2022.Refer Correspondence Item (1a).
- 2) Information Papers:
  - 1) Minutes of the Advance Ganmain Committee Meeting held 5<sup>th</sup> October 2022.
  - 2) Minutes of the Advance Matong Committee Meeting held 11<sup>th</sup> October 2022.
  - 3) Draft Minutes of the Riverina Joint Organisation (RIVJO) Board Meeting held 28<sup>th</sup> October 2022.
  - 4) Draft Minutes of the Riverina Regional Organisation of Councils (REROC) Board Meeting held 28<sup>th</sup> October 2022.
  - 5) Draft Minutes of the Riverina Regional Organisation of Councils (REROC) Annual General Meeting held 28<sup>th</sup> October 2022.
  - 6) Minutes of the Advance Ganmain Committee Meeting held 2<sup>nd</sup> November 2022.
  - 7) Minutes of the Advance Matong Committee Meeting held 14<sup>th</sup> November 2022.Refer Correspondence Item (2a).
- 3) A copy of General Purpose Financial Report, Special Purpose Financial Report and Special Schedules in respect of the financial year ending 30th June, 2022.  
Refer General Manager's Report (GM1), [File No. A.12-01].
- 4) Correspondence regarding the report on One Regional Organisation.  
Refer General Manager's Report (GM2), [File No. R.06-01, R.06-10].
- 5) Correspondence from NSW Rural Fire Services regarding the Service Agreement Committee Delegates.  
Refer General Manager's Report (GM3), [File No. E.01-01, f.03-11].
- 6) Correspondence from Riverina Regional Library.  
Refer General Manager's Report (GM4), [File No. L.03-03].
- 7) A copy of the Policies in relation to the Policy Review Report.  
Refer Executive Manager, Corporate & Community Services' Report (CS2), [File No. P.12-01].
- 8) A copy of the Amended Coolamon Shire Section 7.11 Contributions Plan 2017.  
Refer Executive Manager, Development & Environmental Services' Report (HS2), [File No. P.03-05].

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 17<sup>TH</sup> NOVEMBER 2022.

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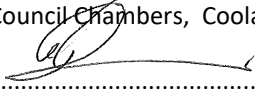
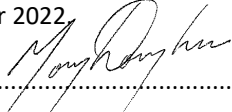
- 9) Correspondence regarding the report on Crown Road Naming.  
Refer Executive Manager, Engineering & Technical Services' Report (ES9), [File No.  
R.09-06].

**ITEMS TABLED AT THE MEETING**

- 1) Riverina Regional Library – Annual Report for 2021-2022.

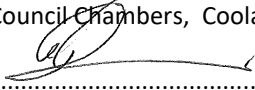
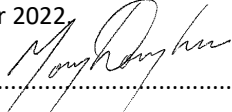
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This is Page No. 32 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held  
in the Council Chambers, Coolamon on the 17<sup>th</sup> November 2022.

.......... MAYOR..........GENERAL MANAGER.



**Appendix 1 – Adopted Policies November 2022**

.......... MAYOR..........GENERAL MANAGER.



## AUSTRALIA DAY & HONoured CITIZEN AWARDS POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>Version 6</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 Years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review Date	<b>November 2026</b>

### OBJECTIVE

To recognise people who have given service to the Community of Coolamon Shire Council in a significant way.

### ELIGIBILITY

This policy shall apply to residents of the Coolamon Shire or persons, who at the discretion of Council, are considered to have an affinity with a community of the Coolamon Shire Council through commercial, recreation, education or social activities.

### GENERAL

#### AUSTRALIA DAY

- 1) The Australia Day Ceremony be held at various venues within the Shire.
- 2) Council appoints an Australia Day Committee annually from within the Communities where the Ceremony is to be held.
- 3) Council place advertisements each November seeking nominations for the various Citizenship Categories.
- 4) That awards be presented in the following categories:
  - i) **The Citizen of the Year Award:** A person over 18 years of age, who has made a valuable contribution to the Community, either during the previous 12 months or over many years of service.
  - ii) **Young Citizen of the Year:** A person aged 18 years or less, who has made a valuable contribution to the Community, either during the previous 12 months or over a number of years.
  - iii) **Shane Till Memorial Award Sportsperson of the Year:** A person who has achieved an outstanding performance (as a participant or administrator) in the field of sport, either during the previous 12 months or over a number of years.
  - iv) **Young Sportsperson of the Year Award:** A person aged 18 years or less, who has achieved an outstanding performance (as a participant or administrator) in the field

- of sport, either during the previous 12 months or over a number of years.
- v) **Community Event / Community Group of the Year**  
An event that attracts broad/large community support and/or external visitation.  
A community group may be a Club, Committee or Organisation that either organises a particular one off event that has a significant purpose within the Coolamon Shire, or alternatively a Club, Organisation or Committee that has a record of significant achievement to the community over many years.
- 5) That the announcement of the winner of the Australia Day Awards be not be made until the actual ceremony carried out on that day.
- 6) That all nominees for Australia Day Awards be invited to the ceremony.
- 7) Council be involved in the Australia Day Council's Ambassador Program.
- 8) Council accepts financial responsibility for the Australia Day Ceremony.
- 9) Council has total discretion in the presentation of Awards on Australia Day.

## **HONOURED CITIZEN AWARD**

### **CRITERIA**

The criteria for the issuing of an Honoured Citizen's Award shall be as follows:

- 1) That the recipient has a long standing period of residency within the Coolamon Shire area.
- 2) That the recipient has a record of many years of Community service to a significantly high level.
- 3) That Council has total discretion in the awarding of Honoured Citizens Awards.
- 4) That the Honoured Citizen Award only be awarded at Council Meetings so that it doesn't undermine the awarding of other awards.

### **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 6 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***

***Version 6 Re-Adopted: Council Meeting held 21 September 2017 (Minute No.175/09/2017)***

***Version 6 Adopted: Council Meeting held 20 March 2014 (Minute No 41/03/2014)***

***Version 5 Adopted: Council Meeting held 16 May 2013 (Minute No. 117/05/2013)***

***Version 4 Adopted: Council Meeting held 14 February 2012 (Minute No. 022/02/2012)***

***Version 3 Adopted: Council Meeting held 19 March 2009 (Minute No.64/03/2009)***

***Version 2 Adopted: Council Meeting held 13 December 2007 (Minute No. 398/12/2007)***

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



## BULLYING & HARASSMENT POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>2</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 Years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

Every employee of the Coolamon Shire Council has a right to work in an environment which supports productivity, dignity and self-esteem and is free of harassment and bullying.

Equally, each of us has a responsibility to ensure that our behaviour at all times is courteous, professional and respectful and takes into account our fellow employees' sensitivities.

The Coolamon Shire Council will treat all complaints of harassment and bullying confidentially and with the utmost seriousness.

### DEFINITIONS

#### What is harassment?

Harassment is any unwelcome behaviour or conduct which has no legitimate workplace function and which makes you feel:

- offended or humiliated;
- intimidated or frightened;
- uncomfortable at work.

It can be an isolated incident or repeated behaviour and is essentially about what the recipient deems to be offensive, not what the sender intends.

Sexual, racial and disability discrimination are the most common forms of harassment, but it can also be based on any other ground of discrimination e.g. age, marital status or family responsibilities.

#### What is bullying?

Bullying is repeated, unreasonable or inappropriate workplace behaviour that intimidates humiliates insults and/or undermines a person or group. It has many similarities to harassment, but the reasons for the bullying behaviour may be much broader than the

grounds on which it is unlawful to harass someone e.g. a person may be bullied because they are seen to be quiet or weak.

### **What is vilification?**

Vilification is publicly encouraging or inciting hatred, ill feeling, or severe contempt for someone or a group of people on the basis of race and certain other personal characteristics.

### **What is harassing or bullying behaviour?**

This may include:

- unwanted physical contact such as patting, hugging, touching or unnecessary familiarity;
- sexual jokes, suggestive behaviour, sexual innuendo, spoken comments or offensive telephone calls, emails;
- demands for sexual favours or unwanted comments about a person's sex life;
- leering, wolf whistles, catcalls and obscene gestures;
- displays of offensive posters, pictures, graffiti, or pornographic material;
- racially based jokes or comments;
- mimicking someone with a disability;
- isolating someone;
- unfair or excessive criticism;
- using aggressive language;
- initiation 'rituals';

It is up to each of us, if possible, to tell others in our workplace if their conduct is causing us offence. Equally, once it is known, it is up to each of us to moderate our behaviour accordingly.

If a complaint of harassment/bullying is ignored or the behaviour condoned then it can lead to serious disciplinary action, or legal action may be pursued outside the Coolamon Shire Council by the recipient of the behaviour.

### **Who can suffer from harassment or bullying?**

Any employee can be harassed or bullied by someone of the same or the opposite sex.

Behaviour, which is acceptable to one person, may be offensive to another.

Certain groups of staff may also be more vulnerable than others, particularly younger staff, who may be more easily intimidated than others, and women working in traditionally male dominated areas.

## **RESPONSIBILITIES:**

We all have a responsibility to ensure that harassment and bullying do not occur in our workplace.

If you are a Supervisor with the Coolamon Shire Council you also have a specific responsibility to ensure that your team is aware of this policy and the Coolamon Shire Council's behavioural expectations. If any harassment or bullying occurs in your team you must deal with it. If you fail to investigate a complaint then you may be jointly liable with the offender for the harassment or bullying should the matter be taken up outside the Coolamon Shire Council. You can also contact the Anti Discrimination Board of New South Wales for advice on handling complaints.

Telephone: (02) 9268 5544  
Toll free: 1800 670 812 (for regional NSW only)  
Email enquiries: [complaintsadb@justice.nsw.gov.au](mailto:complaintsadb@justice.nsw.gov.au)  
Email complaints: [complaintsadb@justice.nsw.gov.au](mailto:complaintsadb@justice.nsw.gov.au)  
Website: [www.antidiscrimination.nsw.gov.au](http://www.antidiscrimination.nsw.gov.au)

## **APPLICATION & 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 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***

***Version 2 Adopted: Council Meeting held 15 May 2014 (Minute No. 105/05/2014)***

***Version 1 Adopted Council Meeting held 15 July, 2010 (Minute No. 204/07/2010)***

## COMMUNITY ENGAGEMENT STRATEGY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>Version 2</b>		
Policy Responsibility	<b>Corporate and Community Services Department</b>		
Review Timeframe	<b>4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

Community engagement describes the ongoing interactive relationship between Council and the community.

When Councils have a good relationship with their community, they are more likely to understand the range of needs and aspirations of the community and ultimately make informed decisions. Similarly it gives context and clarity to the community about the reason for, or behind, the decisions Council make.

Community engagement encourages communities to be informed and to participate in the decision-making processes that guide the development of the services that the Council provides.

### AIM

The aim of the Community Engagement Strategy is to strengthen and formalize Council's relationship with the community by establishing goals and principles for community engagement.

Community engagement is important for a number of reasons.

- Consultation with the community keeps Councillors informed of the ongoing issues within the community.
- Community engagement means keeping the community informed and involved so that Council can make better decisions that more closely match the needs and aspirations of the community.
- Closer relationships between the community and Council can lead to increased opportunity for co-operation and co-ordination of projects and services to improve the community.
- A community that is informed about, and engaged in, local issues creates a strong community.
- A community is more likely to trust and have confidence in the Council if the community is engaged and involved in its governance.

## STAKEHOLDERS

Coolamon Shire Council has tasked the advanced committees to be the primary Conduit of information from Council to residents of Coolamon Shire. Council has also identified the following stakeholders to be included in the consultation processes:-

- Residents
- Ratepayers
- Businesses/industry
- Councillors and Council staff
- Neighbouring Councils
- Regional organisations
- Community organisations and groups
  - Community Advancement Associations
  - Section 355 Committees
  - Volunteers
  - Sporting clubs
  - Recreation clubs/groups
  - Rotary
  - Lions
- Interest groups
  - Schools
  - Youth
  - Farmers
  - Aged persons

## GOALS

### *Inform*

Council will provide to the community balanced and objective information to assist them in understanding the problems, as that relate to local government and their communities, including problems, alternatives, opportunities and/or solutions.

#### Methodology:

- Understanding how the community prefers to receive communication
- Provide up to date information
- Coolamon Shire Council Customer service
- Publications and documents; Monthly Newsletter, Strategic Plan, Operational plan and media releases.
- Online information eg;
  - Website, E-Newsletter, Email and social media channels
- Council facilitated Community events
- Annual Council Community bus tour
- Site Specific signage

Council will remain flexible to new methods of distributing/connecting with communities.

### *Consult*

Council will obtain community feedback on analysis, alternatives and/or decisions to capture community input on strategic plans, priorities, issues and projects.



### Methodology:

- Community conversations
- Meetings, focus groups and/or workshops
- Survey and/or questionnaires
- Interviews
- Shop front advertising eg;
  - Posters
- Online advertising and comments
  - Website, E-Newsletter, Email and social media channels
- Public exhibitions and submissions
- Community displays and stalls
- Annual Council Community bus tour

### ***Involve/ Collaborate***

Council will work directly with the community throughout the process to ensure that public concerns, ideas and aspirations are consistently understood and considered. Council will partner with the community in decision making including the development of alternatives and the identification of the preferred solution.

### Methodology:

- Meetings with Community groups
  - Consultative groups
  - Working groups
  - Volunteers
- Meetings with Council's Section 355 Committees
- Publications and documents; Monthly Newsletter, Strategic Plan, Operational plan and media releases.
- Online information eg;
  - Website, E-Newsletter, Email and social media channels
- Public forums

### ***Empower***

Coolamon Shire Council will give the community greater opportunity to participate in a transparent flow of information and feedback to Councillors. Councillors have been empowered as the community representatives to make decisions in accordance with the Local Government Act 1993

## **PRINCIPLES**

Council's community engagement will be underpinned by the following principles:

- Council will communicate and consult with the community in ways that are sensitive to the needs of particular individuals or groups to maximize their ability to contribute.
- Council will encourage mutual respect for the needs, aspirations and opinions of all within the community.
- Council will keep the community informed about issues that are relevant to them and to inform them of the results and actions taken from their input into decision-making.
- Council will listen to what the community has to say, valuing and respecting all ideas
- Council will present information in a way that is easy to understand and appropriate for all sectors of the community.

## COMMITMENTS

Council will achieve the goals and principles of community engagement through the following commitments:

### *Leadership*

- Development of a strong organizational culture of support for engaging the community that is encouraged, resourced and led from the senior levels of the organization
- Provide clear leadership by explaining Council's decisions
- Understand local issues and engage with the community in a proactive rather than reactive way.

### *Advocacy*

- Develop good relationships with other Councils, State and Federal Governments and other related agencies and stakeholders to provide an effective advocacy role for the community.
- Foster processes within the community to encourage and support the community to advocate on behalf of themselves.
- Facilitate platforms whereby the community can engage both State and Federal Governments about issues that are relevant to those governments.
- Have a willingness to act on behalf of the community when they cannot act for themselves.

### *Continuous Improvements*

- Share ideas, techniques, knowledge and experience about community engagement across the organisation and with other organisations.
- Create effective feedback mechanisms so that the community is aware of how consultation is used by Council.

### *Encourage engagement*

- Develop specific strategies for effective communication and consultation, and make stronger links with those members of the community that are often not engaged.

### *Communication*

- Develop better ways of communicating with the community about complex issues.
- Make known to the community the limits of what Council can do prior to consultation with the community.
- Flexibly use technology and other forms of communication that are appropriate to the message and the audience.
- Improving the community's awareness about the role of Council within the community including the range of services offered.
- Provide timely and meaningful feedback to the community about the outcomes of consultation including the impact on the community
- Ensure transparency in the way Council consults and its impact on service delivery through effective communication
- Ensure that all communication is plain and easy to read and understand.
- Provide timelines for response to Council activities that are appropriate to the community's needs and driven by community expectation.

### *Methods*

- Use a variety of methods that are appropriate to the issues and to the audience being engaged.

### *Resources*

- Acknowledge the importance of engaging the community and provide adequate resources to do so.

### *Planning*

- Improve networks and plans with other agencies to provide better outcomes for the community.
- Create long-term plans for effective engagement with the community.

### *Partnership*

- Create collaborative relationships with community organisations, private enterprise and public agencies to identify mutual interests and undertake joint ventures.

Related Legislation	Local Government Act 1993
Related Policies	
Related Procedures/Protocols, Statements, Documents	

### ***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 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***

***Version 2 Adopted: Council Meeting held 16 November 2017 (Minute No 224/11/2017)***

***Version 1 Re-adopted: Council Meeting held 21<sup>st</sup> February 2013 (Minute No. 22/02/2013)***

***Version 1 Adopted: Council Meeting held 18 February 2010 (Minute No. 28/02/2010)***

## SEWERAGE DEVELOPMENT SERVICING PLAN POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>6</b>		
Policy Responsibility	<b>Development &amp; Environmental Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

Provide criteria for Council staff in relation to Sewerage Connections.

### GENERAL

This policy is intended to cover the conditions applicable for sewerage provision to any parcel of land located within the existing Ardlethan, Coolamon & Ganmain Sewerage Catchments. Two situations normally occur, i.e. "land parcels previously rated for sewer" and "non rated sewer areas".

Conditions applicable to these circumstances are as follows:-

#### a) LAND PARCELS PREVIOUSLY RATED FOR SEWER

- i) **Not involving Subdivision\***  
That provision of sewer main extension (including sewer spur extension to the allotment) be provided at no cost to the applicant.
- ii) **Involving Proposed Subdivision\* or sale of separate land parcel**  
That the Developer be required to pay the minimum fee as set out in Council's annual Operational Plan for each additional connection or the full cost of the main extension, **whichever is the greater** on a per allotment basis. Where the extension allows adjoining land to be serviced the full cost referred to above shall be reduced by the amount attributable per allotment in accordance with additional allotments allowed on the adjoining land under Council's LEP. Payment must be made prior to release of subdivisional plans.
- iii) Where the owner of an allotment of land with a single connection has been affected by subdivision work carried out for an adjoining owner and that owner subsequently subdivides, they be required to pay the allotment cost for each additional allotment created at the time of the original subdivision of the adjoining land plus CPI from the time of construction of the sewerage extension until the present. Payment must be made prior to release of subdivisional plans.

b) **LAND PARCELS NOT PREVIOUSLY RATED FOR SEWER**

i) ***Not involving Subdivision\* includes sale of existing land parcels***

That the landholder be required to pay the minimum fee as set out in Council's annual Operational Plan for each connection or full cost of sewer main extension (including junction provisions) whichever is the greater, for each existing parcel of land.

ii) ***Involving Proposed Subdivision\****

Requesting sewer main connection plus sub-divisional application for one or more allotments.

That the Developer be required to pay the minimum fee as set out in Council's annual Operational Plan for each additional connection or the full cost of the main extension, whichever is the greater on a per allotment basis. Where the extension allows adjoining land to be serviced the full cost referred to above shall be reduced by the amount attributable per allotment in accordance with additional allotments allowed on the adjoining land under Council's LEP. Payment must be made prior to release of subdivisional plans.

iii) Where the owner of an allotment of land with a single connection has been affected by subdivision work carried out for an adjoining owner and that owner subsequently subdivides, they be required to pay the allotment cost for each additional allotment created at the time of the original subdivision of the adjoining land plus CPI from the time of construction of the sewerage extension until the present. Payment must be made prior to release of subdivisional plans.

*Nb.\* Subdivision has the meaning attributed to it by the Environmental Planning & Assessment Act 1979*

**MULTI-UNIT DEVELOPMENTS SEWERAGE CONNECTION**

Council shall require payment of the minimum fee as set out in Council' annual Operational Plan per additional connection on multi-unit developments, whether the land is subdivided or not. A unit in this context has the meaning that it is capable of providing separate occupation by an individual or group whereby those resident(s) live or reside independently of the person(s) residing in the other units. It should be noted that the first connection is provided in accordance with Councils normal charging arrangements.

**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 6 Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***
- Version 5 Adopted: Council Meeting held 17 November 2016 (Minute No. 256/11/2016)***
- Version 4 Adopted: Council Meeting held 16 April 2014 (Minute No 79/04/2014)***
- Version 3 Re-Adopted: Council Meeting held 21 May 2009 (Minute No.141/05/2009)***
- Version 3 Adopted: Council Meeting held 15 May 2008 (Minute No. 129/05/2008)***
- Version 2 Adopted: Council Meeting held 14 February 2007 (Minute No. 24/02/2007)***
- Version 1 Adopted Council Meeting held 19 August 2004 (Minute No. 277/8/2004)***



# DRUGS, ALCOHOL, MEDICATION & FATIGUE IN THE WORKPLACE POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>Version 9</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 3 Years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>April 2025</b>

## 1. INTRODUCTION

Employers have a duty to ensure the health, safety and welfare of their workers and other people in the workplace (Section 19, *Work Health and Safety Act 2011* (NSW)). Workers have a duty to take reasonable care for their own health and safety, as well as for the health and safety of other people in the workplace and to co-operate with their employer in providing a safe working environment (Section 28, *Work Health and Safety Act 2011* (NSW)).

It is recognised that there may be reasons why employees feel uncomfortable about nominating other employees whose behaviour is risky to themselves and others. This Council supports a rehabilitative and benign approach to managing these issues, rather than a punitive approach.

Workers are obliged to present themselves for work in a fit state so that in carrying out their work activities they do not expose themselves, their co-workers or other people in the workplace to unnecessary risks to health and safety.

The welfare of the individual and the health and safety of other people in the workplace needs to be considered.

There are penalties, under legislation for employers and through the application of disciplinary procedures in the Local Government (State) Award 2020, for workers who fail to take their work health and safety responsibilities seriously.

## 2. SCOPE

This Procedure applies to all Council workers, temporary staff, contractors, workers of contractors and volunteers in the workplace.

### 3. OBJECTIVE

The objective of this Procedure is to deal with Alcohol and other Drugs and their effect on workers' fitness for work whilst performing duties at Council (the "Council") and to ensure that Council has a mechanism to appropriately manage the misuse of alcohol and other drugs in the workplace through training, education and where required, rehabilitation.

It is the goal of Council to:

- eliminate the risks associated with the misuse of alcohol and other drugs, thereby providing a safer working environment;
- to reduce the risks of alcohol and other drugs impairment in the workplace; and
- to promote a supportive culture that encourages a co-operative approach between management and workers and builds on the shared interest in workplace health and safety.

### 4. REFERENCES

- Australian Standards  
AS3547:2019 - Breath alcohol devices for personal use ('AS3547:2019')  
AS4760:2019 - Procedures for specimen collection and the detection and quantity of drugs in oral fluid ('AS4760:2019')
- *Road Transport Act 2013* (NSW)
- *Work Health and Safety Act 2011*(NSW)
- *Work Health and Safety Regulation 2017* (NSW)
  
- Procedure Flowcharts  
Flowcharts documenting each process covered in this procedure are contained in *Appendix 3* of this document.

### 5. DEFINITIONS

**BAC** means blood alcohol content.

**Certified Laboratory** means a laboratory which meets minimum Australian performance standards set by an accrediting agency being the National Australian Testing Authority (NATA).

**Confirmatory Test** means a second analytical test performed to identify the presence of alcohol and/or other drugs in accordance with Australian Standard AS3547:2019 and AS4760:2019.

The confirmatory test is a retest of a second sample from the original sample taken at the original collection time. Nothing in this Procedure shall prevent the carrying out of a second independent test, by a method chosen by the person who tested non negative.

For drugs this means any confirmatory sample returning a result at, or in excess of, the levels contained in AS4760: 2019.

For alcohol this means any confirmatory sample returning a result at, or in excess of, the levels prescribed in NSW for the operation of motor vehicles. NSW has three blood alcohol content limits: zero, >0.02 grams per 100 Millilitres and >0.05 grams per 100 Millilitres.

The limit which applies to workers at Council is dependent on the category of the worker's licence and the type of vehicle the worker is required to operate.

Zero applies to:

ALL learner drivers.  
ALL Provisional 1 drivers.  
ALL Provisional 2 drivers.

ALL visiting drivers holding an overseas or interstate learner, provisional or equivalent licence.  
0.02 applies to:

Drivers of vehicles of "gross vehicle mass" greater than 13.9 tonnes.  
Drivers of vehicles carrying dangerous goods.  
Drivers of public vehicles such as taxi or bus drivers.

0.05 applies to:

ALL other licences (including overseas and interstate licence holders) not subject to a 0.02 or zero limit.

Any employee who is not required to drive as part of their role or who is unlicensed is required to meet the .05 limit whilst at work for the purposes of this procedure.

**Council** means Coolamon Shire Council ABN 32 273 573 165.

**Employer** has the same meaning as a person conducting a business or undertaking under Section 5 of the *Work Health and Safety Act 2011*.

**Reasonable Suspicion Procedure** refers to indicators of impairment and includes the observable indicators of impairment contained in *Appendix 1* and *Appendix 2* of this Procedure which are used to determine whether a reasonable suspicion exists that a person is impaired by alcohol and/or other drugs.

**Post Reportable Incident** is defined as any accident or event that occurs in the course of work which results in personal injury, vehicle damage, property damage and/or any incident that has the potential for significant risk of harm or injury to persons or equipment.

**Responsible person** means a worker who is suitably trained and can assess, in accordance with Australian Standards, the fitness for work of persons in the workplace.

**Initial Testing** is defined as a valid method used to exclude the presence of alcohol and/or a drug or a class of drugs as provided by Australian Standard AS3547:2019 and AS4760:2019.

**Limited Random Testing** means a period of random testing of a worker in the case where the worker either:

- a. fails a drug or alcohol test; and/or
- b. unreasonably refused a drug or alcohol test as a result of a reportable incident or random testing program; and/or
- c. following a determination of impairment as a result of an impairment assessment.

Note; this period is not inclusive of any total leave taken in excess of 10 working days.



**Non-Negative Result** means an initial positive test as yet unconfirmed by confirmatory testing by an accredited tester.

**Negative Result** means a result at or below the nominated or target concentration used for initial testing.

**Random Testing** means a **structured** program of randomly testing workers across the entire workforce in accordance with the standards as provided by Australian Standard AS3547:2019 and AS4760:2019

**Tester** means a person authorised by Council and trained to conduct breath analysis and Oral Swab testing in accordance with Australian Standard AS3547:2019 and AS4760:2019.

**Worker** has the same meaning as Worker under Section 7 of the *Work Health and Safety Act 2011*(NSW), being :

- a. an employee, or
- b. a contractor or subcontractor, or
- c. an employee of a contractor or subcontractor, or
- d. an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or
- e. an outworker, or
- f. an apprentice or trainee, or
- g. a student gaining work experience, or
- h. a volunteer, or
- i. a person of a prescribed class.

**Workplace** means a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. Place includes:

- a. a vehicle, vessel, aircraft or other mobile structure, and
- b. any waters and any installation on land, on the bed of any waters or floating on any waters, in accordance with Section 8 of the *Work Health and Safety Act 2011* (NSW).

## 6. OBJECTIVES

The objectives of the Alcohol and Other Drugs Policy and Procedure are to:

- Create a safe and healthy work environment for all workers, contractors and visitors which is free from the hazards associated with the inappropriate use of alcohol and/or other drugs.
- Create a supportive workplace culture that acknowledges and encourages employees to accept individual responsibility for workplace health and safety and to acknowledge that participating in the nominating of employees who may be regarded as a risk to other workers is appropriate, encouraged by legislative obligations in the WHS Act and is supported by the Council and the unions.
- Provide support for workers who may have difficulty addressing alcohol and/or drug related issues.
- Ensure rehabilitation program is provided for workers who may have difficulty addressing alcohol and/or drug related issues.
- Foster an attitude and culture amongst all workers that it is not acceptable to come to work under the influence of alcohol and/or any other drug that will prevent them from performing their duties in a safe manner.
- Ensure the Council meets its legal obligations by providing a safe working environment for its workers and the general public.

- If any disciplinary action is required, ensure all disciplinary processes are consistently managed in accordance with the Local Government (State) Award 2020 and any subsequent Award or Agreement.

## **7. CONFIDENTIALITY**

The Council will endeavour to ensure that the highest levels of confidentiality are maintained in the application of this procedure. The following minimum conditions shall apply:

- All testing will be conducted in a private location that maintains the privacy and dignity of the individual.
- All testing will be conducted by trained staff and/or accredited providers in accordance with Australian Standards.
- Workers who record a non-negative result will be treated at all times in a respectful and non-judgemental manner by all involved in the management of the matter.
- Council records pertaining to test results shall be regarded as confidential information and use/access/dissemination of the results shall be restricted to those who have a genuine requirement to access the confidential results of the drug and/or alcohol test. No information related to drug and/or alcohol testing shall be disclosed to any person or persons other than those properly authorised officers of the Council and authorised worker representative/s.
- The General Manager is authorised under this procedure to access, delegate and assign authority for access and use of the information obtained under this procedure, including but not limited to authorised government agencies, insurers (for claims submissions, where applicable).
- Where the General Manager has authorised the release of confidential test results to external parties who are legally able to access this information, the worker/s that are involved are to be notified in writing detailing:
  - a. who the information will be released to;
  - b. when and for what purposes the information will be released;

A copy of all information released is to be provided to the worker/s involved with this notification. The notification must be given to the workers prior to information being released to the external parties.

## **8. DUTY OF CARE, RESPONSIBILITIES AND OBLIGATIONS**

Under this procedure the duty of care, responsibilities and obligations of workers, the Council and others at workplace are derived from obligations under the Work Health and Safety Act 2011 (NSW) and specified responsibilities detailed in this procedure.

It is recognised that there may be reasons why employees feel uncomfortable about nominating other employees whose behaviour is risky to themselves and others. This Council supports a rehabilitative and benign approach to managing these issues, rather than a punitive approach.

### **8.1 Employer**

Under Section 19 of the *Work Health and Safety Act 2011*(NSW), employers must provide a safe and healthy workplace for workers or other persons by ensuring:

- safe systems of work;
- a safe work environment;
- accommodation for workers, if provided, is appropriate;
- safe use of plant, structures and substances;
- facilities for the welfare of workers are adequate;
- notification and recording of workplace incidents;
- adequate information, training, instruction and supervision is given;
- compliance with the requirements under the work health and safety regulation;
- effective systems are in place for monitoring the health of workers and workplace conditions.

### **8.2 Workers**

Under Section 28 of the *Work Health and Safety Act 2011 (NSW)*, a worker must, while at work:

- take reasonable care for their own health and safety
- take reasonable care for the health and safety of others
- comply with any reasonable instruction by the employer
- cooperate with any reasonable policies and procedures of the PCBU.

### **8.3 Other Persons**

Under Section 29 of the *Work Health and Safety Act 2011 (NSW)*, a person at a workplace must:

- take reasonable care for his or her own health and safety; and
- take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- comply, so far as the person is reasonably able, with any reasonable instruction that is given by the employer to allow the employer to comply with *the Work Health and Safety Act 2011 (NSW)*.

### **8.4 Supervisor and Worker Obligations**

It is the responsibility of all Supervisors and workers to ensure that no worker commences or continues duty if the worker appears to be affected by alcohol, illegal or legal drugs, or other substances which may reasonably be considered to lead to a safety risk or an inability to fulfil the requirements of the position or are not fit to work.

Workers are obliged to present for work in a fit state, so that in carrying out normal work activities they do not:

- expose themselves or their co-workers, visitors and/or the public to unnecessary risks to health or safety, and/or;
- inhibit their ability to fulfil the requirements of the position, and/or;
- present a poor public image of Council, and/or;
- cause damage to property and/or equipment.

The worker is responsible for any criminal penalty which results from being under the influence of drugs or alcohol in the workplace.

## **9. CONSULTATION COMMUNICATION AND INFORMATION**

Council will ensure that the development of the Alcohol and Other Drugs Policy and Procedure occurs in consultation with the unions, all stakeholders including the Consultative Committee and Work Health and Safety Committee, which may make recommendations based on consensus.

Other communication processes in the workplace may include toolbox meetings, newsletters, Union meetings and the use of communication boards.

## **10. EDUCATION AND TRAINING**

Council recognises that it is important to develop a workplace culture through education, where workers are prepared to encourage each other to be safe and not under the influence or impaired at work. Council will provide this education and awareness information to its workers at all levels.

Existing workers will receive education in this policy and the accompanying procedure within 3 months of its official adoption by Council. Contractors and volunteers will also be informed of the requirements within this timeframe.

New workers will receive education at induction on commencement with Council.

Council will also provide practical guidelines and training to Managers and Supervisors for dealing with persons who may be affected by alcohol or other drugs, including the correct application of disciplinary sanctions and the need for maintaining strict confidentiality.

## **11. EMPLOYEE ASSISTANCE AND INFORMATION**

If a worker has issues of concern including those related to alcohol and other drugs Council encourages workers to make use of the Employee Assistance program (EAP) and seek appropriate support and assistance. The service is provided on a confidential basis.

Council utilises the services of Thrive Psychology to provide their EAP Program. Services are free to staff and their immediate family and are confidential. To contact Thrive Psychology call 1300 575 652.

Information about the effects of alcohol and other drugs and the EAP is available from the Human Resources Unit and Union Representatives or through the staff intranet.

## **12. ALCOHOL AND OTHER DRUGS TESTING PROGRAM**

Council has established a program of testing that will:

- provide people with information about the effects of alcohol and other drugs
- discourage people from coming to work where they may be unfit for work because of alcohol or other drugs; and
- assist in identifying people who may be unfit for work.

The options are:

- voluntary, and
- post reportable incident, and
- reasonable suspicion; and
- random; and
- Targeted random (for workers who have given a confirmed positive result for alcohol and other drugs).

A business card detailing Council's contact details and outlining the drugs which may be detected during drug testing is available for each employee to assist them with discussing the effects of drugs on their fitness for work with their healthcare providers. A copy of the card is contained in *Appendix 4* of this procedure.

### **12.1 Voluntary Testing**

Voluntary testing provides workers with the ability to volunteer to be tested either for drugs and/or alcohol.

Workers who engage in voluntary testing who produce a non-negative confirmatory test confirmed will be expected to actively participate in a structured rehabilitation program in accordance with the limited random testing process.

Voluntary testing returning non-negative confirmatory test results will be managed on a case-by-case basis and Council may explore opportunities available within Council for suitable duties to be actively sought for staff during their rehabilitation program.

Such opportunities must be by agreement and in consultation with the affected worker and their Union or other representative.

Immunity for disclosure from disciplinary action will be provided to the worker on the condition that they comply with the rehabilitation program and do not report for work and commence work in an unfit state in future.

These workers should request a voluntary or self-test if in doubt, prior to commencing duties.

### **12.2 Post Reportable Incident Testing**

After a reportable incident at the workplace, the Supervisor in consultation with the Work Health and Safety Representative may require a worker to undergo an initial alcohol or other drug test. For the purpose of Post Incident Testing, a reportable incident is defined as any accident or event that occurs in the course of work which results in personal injury, vehicle damage, property damage and/or any incident that has the potential for significant risk of harm or injury to persons or equipment.

Post Reportable Incident Testing will take place no later than 12 hours after the incident where a reportable incident falls within the following criteria. If an employee fails to report an incident, as defined, immediately as required and testing is unable to be undertaken within 12 hours as a result of this failure, the testing will be conducted under Reasonable Suspicion.

Incident Type	Definition	Excluding
<b>Injury</b>	Any injury caused during the course of work for which the worker requires treatment over and above first aid only treatment.	Testing will <b>not</b> be undertaken by Council where it is identified: <ul style="list-style-type: none"> <li>• the incident was not within the control of the worker involved and</li> </ul>
<b>Vehicle</b>	Any work-related incident involving a Council vehicle (vehicle includes any type of road registrable plant) where damage to the vehicle and/or third-party property is sustained	Testing will <b>not</b> be undertaken by Council where it is identified: <ul style="list-style-type: none"> <li>• that the incident was not within the control of the worker involved</li> <li>• journey accidents (before the start of the shift or after the shift has finished)</li> <li>• minor damage where the worker is not at fault (e.g. tail light, less than \$2,000, minor scratch) unless a pattern develops of minor incidents involving a specific worker</li> <li>• a member of the NSW Police Force attends an accident site, irrespective of whether or not the worker is tested for alcohol or other drugs by the police officer.</li> </ul>
<b>Property Damage</b>	Any incident resulting in equipment, property or environmental damage	Testing will <b>not</b> be undertaken whereby Council where it is identified: <ul style="list-style-type: none"> <li>• that the incident was not within the control of the worker involved and the correct procedures were followed</li> <li>• minor damage where the worker is not at fault (e.g. tail light, less than \$2,000, minor scratch) unless a pattern develops of minor incidents involving a specific worker</li> <li>• a member of the NSW Police Force attends an accident site, irrespective of whether or not the worker is tested for alcohol or other drugs by the police officer.</li> </ul>

Incident Type	Definition	Excluding
Any incident that has the potential for significant risk of harm or injury to persons or equipment	Dangerous occurrences or behaviour that could have resulted in injury or property damage	Testing will <b>not</b> be undertaken by Council where it is identified: <ul style="list-style-type: none"> <li>• that the incident was not within the control of the worker involved and</li> <li>• the correct procedures were followed</li> <li>• the potential was for minor damage where the worker is not at fault (e.g. tail light, less than \$2,000, minor scratch) unless a pattern develops of minor incidents involving a specific worker.</li> <li>• first aid treatment only is likely to have been required</li> </ul>

Where an incident occurs that falls within the definitions, all workers directly involved in the incident may be tested.

Where a subsequent investigation has identified that the true cause or causes of an incident were not properly reported and fell into the category requiring a test, then a drug and alcohol test will be organised. Late or incorrect reporting of incidents will be investigated, and similar action will be undertaken.

#### 12.2.1 Worker and Supervisor Responsibility

The worker(s) concerned will notify the reportable incident in accordance with the Incident Reporting Procedure of Council. This includes notifying their Supervisor when an incident occurs immediately, or as soon as reasonably possible with no unnecessary delay.

If the incident falls within the defined criteria for post reportable incident testing, then they are to undertake a post incident test.

If the incident is excluded by the defined criteria for post reportable incident testing, the Supervisor must ask the worker if they have consumed any drugs and/or alcohol within the past 12 hours, or if they believe that any other worker involved in the incident may be impaired by drugs or alcohol. If the worker indicates they have taken drugs and/or consumed alcohol, or believe that they or another worker involved, are impaired in any way, they will remain where they are and their Supervisor, or other nominated management representative, and/or Responsible Person will attend the scene and arrange for an alcohol and other drug test to occur, irrespective of whether or not it is required under the criteria nominated in the table in 12.2.

Post incident testing should be conducted as soon as possible and when it is safe to do so, within 12 hours.

Incidents that occur as the person travels to a designated Council location to commence their work shift or as the person is travelling to another location once their work shift has been completed will not be tested. Please note that where an incident occurs that meets the post reportable incident definitions when travelling between Council work sites, this will require testing, unless the police are involved in dealing with the incident.

This test should be undertaken as soon as possible after the incident has occurred.

The Supervisor must consult with the Human Resources Officer as to whether a test is required.

Testing of apprentices, trainees or work experience persons under the age of 18 is to be referred to Human Resources Officer and an appropriate parent or guardian informed that testing is to take place.

An injured person who requires immediate medical attention may only be tested when it is appropriate. This will be determined in consultation with suitably trained medical personnel. In such cases, testing procedures other than breath or saliva may be used in accordance with the appropriate Australian Standards.

### **12.3 Fitness for Work**

If a person is not deemed fit for work following a visual assessment in accordance with the Reasonable Suspicion Procedure outlined in this document, the worker will be requested to undergo an initial alcohol and/or drug test in accordance with the relevant Australian Standards.

If a worker refuses to undergo an initial test without an appropriate reason, then the worker may be stood down until they can provide medical evidence to justify their fitness for work, or they undertake the test.

Workers stood down can apply to take paid leave in accordance with the provisions of the relevant Award or Agreement for suspended workers.

### **12.4 Random**

Random testing for alcohol and/or other drugs for Council's workers may be conducted at any time throughout the worker's hours of work (including overtime).

Random testing will be conducted in an appropriate area which contains adequate facilities for testing. The testing will be done privately.

All workers will be eligible for selection for random testing. Workers will be selected for testing by using a simple random selection process, involving the selection of a worker, location or group of workers located in a specific area. Council's independent testing provider will provide advice on and assist with the random selection process.

Workers who are selected will be required to present themselves for testing immediately.

## **13. REASONABLE SUSPICION PROCEDURE**

The following procedure is for use by appropriately trained staff to assess fitness for work. These trained Council staff members are referred to as '*responsible persons*'.

The guidelines are to be applied fairly, objectively and equitably. It is important that responsible persons act in an ethical and professional manner and with consistency across all workers and on each occasion, they are required to conduct a fitness for work assessment.

### **13.1 When and how should this procedure be used?**

This procedure is for use when a responsible person reasonably suspects that a worker is impaired by alcohol and/or other drugs in the workplace. Reasonable suspicion of impairment **must** be based on the list of objective indicators set out at *Appendix 1*.



If another staff member is concerned that a person on Council premises, or worksites, is impaired, they should report their suspicion to their Manager or a *responsible person*. The responsibility to make a formal assessment of a person's impairment remains with the *responsible persons*.

The basis for this procedure is a test of reasonable suspicion that a worker is impaired by alcohol and/or other drugs. This means a suspicion that is reasonably held (using the observable indicators of impairment set out in *Appendix 1*) by two *responsible persons*.

There is an obligation on management to be aware that changes in the normal appearance or behaviour of a person may indicate that the person is impaired by drugs or alcohol. It is not the responsibility of Managers, Supervisors or worker representatives to diagnose personal or health problems or determine what the cause of impairment may be.

Assessment of a worker's impairment is to be made in accordance with the list of observable indicators (*Appendix 1*) and is to be made in the context of **changes** to a worker's behaviour. The assessment is **not** to be made on assumptions based on a worker's previous behaviour or work record.

At least one (1) of the *physical indicators* in *Appendix 1* must be satisfied and agreed between the *responsible persons* for reasonable suspicion to be established. Emotional effects (as contained in the second part of the table) should **not** be used as indicators of reasonable suspicion but may be recorded as additional information on the relevant records.

### **13.2 Consulting with the worker**

The responsible persons are to request a discussion with the worker in a private location away from other workers, where possible. The worker should be given an opportunity to have a Union delegate or other person attend the discussion. The privacy of the worker is a priority at all times.

The responsible person should use wording such as:

*"I am concerned that you are behaving unusually today because I have observed [list indicators forming basis of reasonable suspicion]. Is there a reason for this?"*

Workers should be clearly informed by the responsible persons of the indicator or indicators upon which reasonable suspicion was based.

Responsible persons should speak assertively. Judgemental or confrontational language is not to be used and debate is not to be entered into with the worker.

### **13.3 Mitigating Factors**

Mitigation factors are to be taken into consideration.

The worker is to be given an opportunity to explain their behaviour. A person may appear to be impaired from alcohol or other drugs but not necessarily have taken any such substances. For example, the worker may be suffering the side effects of medication prescribed by their treating doctor or suffering from sleep deprivation because of a personal trauma or concern. Such a situation is a *mitigating factor* for the purposes of this policy.

Mitigating factors include things such as, but not limited to,:

- Unexpected impairment from prescription or over the counter medication;
- Side effects from medical treatment or an illness or injury;
- Impairment from fatigue due to a personal trauma, sleep deprivation or other issue; or
- Any similar factor that may cause impairment but is not the result of inappropriate alcohol or other drug consumption.

Where the responsible persons are satisfied that a person is impaired due to a mitigating factor no disciplinary action is to be taken. Repeated presentation at work by a staff member whilst impaired from over-the-counter medication may result in a breach of policy being recorded. Any staff member identified as impaired from this cause is to be reminded that any impairment is a safety risk and that they should not present for work impaired. Where prescribed or over the counter medication is taken, staff are encouraged to notify their Supervisor or Manager in advance. Repeated failure to notify may result in a breach of policy being recorded.

Where the responsible persons assess that the worker is not fit to continue working as a result of the fit for work assessment, they will:

- Direct the worker to take personal or other leave until they are fit to resume duties, or
- Consider short- or long-term alternative duties or other control measures to ensure the workers own safety and the safety of others in the workplace.

## **14. TESTING PROCEDURE - ALCOHOL**

### **14.1 Conducting the Test**

Workers identified to participate in alcohol testing will be required to carry out a supervised alcohol analysis test, using a calibrated breath testing device as per the Australian Standard AS3547:2019-Breath alcohol devices for personal use. The test will be administered by a suitably qualified person.

The worker may have a Union delegate or other representative present during the testing procedure. Unless medically required, no food or drink is to be consumed for 15 minutes prior to the test. Smoking shall also not be permitted as it may distort the test results.

In the event that a non-negative result is registered, a subsequent test will be carried out 15 minutes after the first test. During this 15-minute period, the worker is to be supervised continually at all times by the person conducting the tests.

Workers with a non-negative second breath analysis test results will be presumed unfit for work and arrangements will be made to transport the person to their home. The worker will then be required to submit for a further test at the first available opportunity on the next working day before being able to resume their normal duties.

Where a person presents a negative result or result lower than the acceptable levels identified in this procedure the person will be permitted to commence or resume their normal duties.

A worker who refuses to undertake an initial and/or second test will be presumed to be, and treated as if, a second non-negative test result was received.

A confirmatory breath test result of equal to the limits set out in 5. Definitions, *Confirmatory Test* of this Procedure, will be determined to be a positive alcohol test result.

## **15. TESTING PROCEDURE – OTHER DRUGS**

### **15.1 Conducting the Test**

Workers identified to participate in a drug test will be required to undergo an oral swab test as per the Australian Standard AS4760:2019. The test will be administered by a suitably qualified person.

### **15.2 Workers with prescribed medication**

It is recognised that certain prescription medication may return positive results during testing, and it is the responsibility for any worker, in accordance with Councils work health and safety policies and procedures, to inform their Supervisor if they are taking any prescription medication that may cause impairment whilst at work.

Where practicable, the tester shall provide a list of medications which may provide a false positive result.

Any employee required to undertake drug testing can choose to declare any medication taken immediately prior to the test being conducted or can declare following the initial test if an initial non-negative result is obtained. Such information is to be kept confidential and only to be used in determining if such medication has contributed to or caused a false positive.

If the worker declares the medication prior to any testing being conducted, and the drug class(es) declared is consistent with the drug class(es) detected at the initial screening test, then a fitness for work assessment is to be conducted by two responsible persons.

If the worker is assessed as being unfit to continue in their normal role, temporary re-deployment into alternate suitable duties may be available and Council will actively explore any opportunities that may be available at the time that would be suitable to the individual.

If the person is assessed to be fit for work the person will be permitted to return to work and will be allocated low risk tasks pending the results of the confirmatory test. There may be circumstances as a result of the fit for work assessment, where a worker who normally operates or drives a Council vehicle or heavy/mobile plant will be unable continue to do so.

If the person is assessed to be unsafe to continue to operate vehicle or heavy/mobile plant or work in their normal position, then arrangements will be made to transport the person to their home or a safe place unless an acceptable form of public transport is available.

Council may request further information such as a medical certificate from the worker's doctor.

If the person did not declare the medication prior to the testing being conducted, or if the drug class(es) declared is inconsistent with the drug class(es) detected, or there are methamphetamines present, then the person will be assessed as unfit for work and arrangements will be made to transport the person to their home or a safe place.

### **15.3 Confirmatory Test is Non-Negative and Consistent with Medication**

A confirmatory non-negative test result for other drugs will be determined by the Australian Standard AS4760:2019.

The accredited testing laboratory will forward all test results to the Human Resources Officer in writing, identifying the confirmatory test was positive but consistent with medication declared.

If the worker has previously been allocated low risk duties, their fitness for work will be reassessed and the worker will either return to normal duties or remain on low-risk duties for the duration of the use of the medication, providing the duration of the use of the medication is a reasonable timeframe.

If the worker has been stood aside pending the confirmatory test results, the Human Resources Officer will contact them and request that they return to work once results have been received. On return to work, the Human Resources Officer in consultation with either the Supervisor and/or Manager will reassess their suitability for duties.

#### **15.4 Confirmatory Test is Non-Negative and Not Consistent with Medication**

Once the accredited testing laboratory has forwarded the results to the Human Resources Officer, the worker and the applicable Manager will be advised in writing that the confirmatory test was non-negative but inconsistent with the medication disclosed by the worker.

The letter of confirmation forwarded by Council to the worker confirming the test result will set out a nominated time and date when the worker and, if requested, their Union or other representative, will discuss further action with their relevant Manager(s). If the worker's requests access paid leave entitlements such as personal, annual or long service leave, as part of the further action discussion, agreement to access to relevant leave entitlements will depend on the circumstances and will be managed in accordance with the Local Government (State) Award, Local Government, Aged, Disability and Home Care (State) Award or Nurses' (Local Government) Residential Aged Care Consolidated (State) Award 2021.

#### **15.5 Confirmatory Test is Negative**

The accredited testing laboratory will forward the results to the Human Resources Officer who will then advise the worker and their Supervisor that the confirmatory test result was negative.

If the worker has been stood down pending the outcome of the confirmatory test, the Human Resources Officer will contact them to arrange the workers return to work.

Any loss of pay or use of paid leave as a result of being stood down will be reimbursed and reinstated in full by Council.

### **16. REFUSAL OR TAMPERING OF TESTS**

#### **16.1 Refusal**

The Human Resources Officer or other senior Manager shall use the following procedure if a person refuses to take an initial drug or alcohol test:

1. The authorised collector will inform the worker who has refused the test that the refusal will have the same consequences as a non-negative result, i.e. that the worker will be deemed to be under the influence of drugs and/or alcohol.
2. The worker will be offered the test again. This would be the second request to be tested.
3. If the worker still refuses, the authorised collector will notify the relevant Manager and the Human Resources Officer of the refusal to take the test. After discussion between the Manager and the worker, the Manager will re-offer the test to the worker. The Manager should discuss the refusal and likely consequences with the worker, try to determine the reasons for refusal and then re-offer the test.  
This will be the third and final offer to be tested.
4. If the worker still refuses, the refusal will be recorded as 'Refused Test'.
5. Arrangements will be made to transport the person to their home or a safe place.

6. The Manager will Inform the Executive Manager of the situation and ensure all documentation is forwarded to the Human Resources Officer for recording and filing.
7. The worker concerned will not be permitted to return to work until a discussion is held with the relevant Manager and the Human Resources Officer and a negative test result is obtained.
8. Whilst this result is being achieved, workers may be stood down and be entitled to access their own personal leave entitlements if available and if not, other available accrued leave entitlements in accordance with the Local Government (State) Award 2020, Local Government, Aged, Disability and Home Care (State) Award or Nurses' (Local Government) Residential Aged Care Consolidated (State) Award 2021

## **16.2 Tampering**

Any attempt to tamper with samples and introduce, or alter the concentration of alcohol or other drugs in their own, or another's saliva or breath may constitute serious misconduct and be dealt with according to Council's Disciplinary Procedure.

"Adulteration Sticks" may be used at the testing stage in the event that a sample appears suspicious at the discretion of the accredited laboratory securing the sample.

## **17. PROCEDURE FOR NON-NEGATIVE RESULTS**

The relevant Manager, in consultation with the Human Resources Officer, is accountable for monitoring the frequency of targeted random testing for a worker who provides a non-negative confirmatory result and shall determine the appropriate action in accordance with the following on a case-by-case basis. Targeted random testing will only be required:

- for drugs where the non-negative confirmatory result was not in accordance with declared prescribed medication levels and
- for alcohol where a non-negative result above the relevant blood alcohol limit applicable to the worker has occurred.

At all times during the positive test result process, the worker is entitled to have a Union representative or other representative of their choosing present at all discussions and/or disciplinary meetings should they so choose.

The relevant Manager will afford the worker procedural fairness and discuss the non-negative result with the person. The relevant Manager will provide an opportunity for the worker to provide any information or comments that may be a mitigating factor when considering the confirmatory test result.

After consideration of this information the worker will be advised if they are required to participate in a targeted random testing process. The worker will be advised of counselling services available and, if necessary, or by the workers own request, be referred to an appropriate service.

Before a worker returns to work, they will be required to provide a negative test result. Whilst this result is being achieved, workers may be stood down and be entitled to access their own personal leave entitlements if available and if not, other available accrued leave entitlements.

Council may initiate disciplinary actions in accordance with the Local Government (State) Award 2020 if the worker returns a second or third positive test within a two-year period.

Workers participating in voluntary self-testing have immunity from disciplinary action on the condition that they comply with the rehabilitation program and do not report for work and commence work in an unfit state after submitting for the initial voluntary test.

Any disciplinary action taken is to be in accordance with the provisions of the Local Government (State) Award 2020 and inability to perform normal duties during any period as a result of this procedure may result in a review of the workers' pay rate during this period which could result in a reduction in pay.

## **18. REPORTABLE OFFENCES**

It is an offence under the *Road Transport Act 2013* (NSW) to drive or attempt to drive a motor vehicle, truck or mobile equipment when under the influence of alcohol or other drugs in excess of legal limits.

## **19. DEALING WITH AGGRESSIVE OR ABUSIVE BEHAVIOUR**

If a worker displays aggressive or violent behaviour when required to undertake an alcohol and/or other drug test, the Supervisor or Manager should remain calm and not argue with or mirror the worker's behaviour.

Emphasis should be placed on getting the worker to calm down and discussion kept away from personal issues. The worker should be asked to comply with the management direction and be informed that the worker will have the opportunity to dispute the decision through the normal grievance process utilised by Council.

If the worker refuses to modify their behaviour, the worker should be advised that the discussion is terminated and that they must leave the workplace immediately. The worker should be reminded that acts of aggression or violence in the workplace are in breach of the Code of Conduct and may result in dismissal.

In the case of actual or apprehended violent behaviour, the worker is to be advised that the police will be called. This option is to be used as a last resort.

## **20. REHABILITATION**

The worker's Section or Executive Manager and/or the Human Resources Officer may assist the individual worker in developing a rehabilitation plan to manage their fitness for work issue. The details of the plan should be agreed between the parties and may include the aim of the plan, the actions to be taken, the progress reporting procedure, the review date and the timeframe for return to work.

The parties may also include, at the workers request, their Union representative or a representative of their choice to assist in the development of this plan.

With the approval of Council, personal leave benefits, long service leave, annual leave (where accrued) or unpaid leave may be available to the worker undertaking alcohol and/or other drugs rehabilitation or counselling. Such approval shall not to be unreasonably withheld.

A rehabilitation plan template is included in this procedure at *Appendix 5*.

## **21. REVIEW AND AUDIT**

The policy will be reviewed periodically by Council in consultation with interested parties including the Local Government unions (USU, DEPA, LGEA), the Work Health and Safety and Consultative Committees. It is understood that as new testing technology becomes available for alcohol and other drugs testing it should be considered in any review, provided it is based upon levels of drugs and alcohol which indicate impairment at work.

No alteration of this procedure is to occur prior to the conclusion of consultation and agreement being reached.

## **22. OTHER COUNCIL POLICIES AND PROCEDURES**

Other staff related policies and procedures should be read in conjunction with this procedure where required.

## **23. GRIEVANCES/DISPUTES RELATING TO THIS POLICY**

Any dispute relating to the application of this procedure shall be settled in accordance with the Grievance and Dispute Settlement Procedure of the Local Government (State) Award 2020.

## **24. REVIEW OF THE PROCEDURE**

The industry parties had numerous discussions in the developmental phase of this Procedure in relation to 'reportable offences' and 'risk assessments' for specific high-risk duties. However, we were unable to reach agreement on these issues. The industry parties have undertaken to give further consideration to these issues, in the light of experience, when the Procedure is next reviewed.

<b><i>Version 9 Adopted:</i></b>	<b><i>Council Meeting held 17 November 2022 (Minute No.225/11/2022)</i></b>
<b><i>Version 8 Adopted:</i></b>	<b><i>Council meeting held 17 May 2018 (Minute No 99/05/2018)</i></b>
<b><i>Version 7 Adopted:</i></b>	<b><i>Council Meeting held 17 July 2014 (Minute No 174/07/2014)</i></b>
<b><i>Version 6 Adopted:</i></b>	<b><i>Council Meeting held 19 June 2014 (Minute No 138/06/2014)</i></b>
<b><i>Version 5 Adopted:</i></b>	<b><i>Council Meeting held 17 October 2013 (Minute No 258/10/2013)</i></b>
<b><i>Version 4 Adopted:</i></b>	<b><i>Council Meeting held 16 May 2013 (Minute No. 117/05/2013)</i></b>
<b><i>Version 3 Adopted:</i></b>	<b><i>Council Meeting held 23 April 2009 (Minute No.104/04/2009)</i></b>
<b><i>Version 2 Adopted:</i></b>	<b><i>Council Meeting held 21 August 2008 (Minute No.237/8/2008)</i></b>
<b><i>Version 1 Adopted</i></b>	<b><i>Council Meeting held 19 October, 2000 (Minute No. 355/10/2000)</i></b>

## APPENDIX 1

### FITNESS FOR WORK ASSESSMENT

#### Observable Indicators of Impairment

Assessment of a person is to be made in accordance with this list of observable indicators in the context of changes to a person's behaviour. At least 2 responsible persons must participate in the assessment.

At least one (1) of the physical indicators must be satisfied and agreed between the responsible persons for reasonable suspicion to be established.

Emotional effects (the second part of the table) should not be used as indicators of reasonable suspicion but may be recorded as additional information.

Name of person being assessed:		Name of person being assessed:	
Name of attending representative (if requested):		Name of attending representative (if requested):	

#### Assessment Triggers

Behaviour / actions / observations reported prior to this assessment:

Physical Indicator	Observed
Strong smell of alcohol on breath	
Slurred, incoherent or disjointed speech (losing track)	
Unsteadiness on the feet	
Poor coordination / muscle control	
Drowsiness or sleeping on the job or during work breaks	
Inability to follow simple instructions	
Nausea / vomiting	
Reddened or bloodshot eyes	
Jaw clenching	
Sweating / hot and cold flushes	

Emotional Effect (Not a basis for reasonable suspicion)	
Loss of inhibitions	
Aggressive or argumentative behaviour	
Irrational	
Intense moods (sad, happy, angry)	
Quiet and reflective	
Talkative	
Increased confidence	
Appearance or behaviour is 'out of character'	



### Observation Checklist – Physical Indicators

BREATH	Smell of intoxicating liquor on breath: Nil <input type="checkbox"/> Slight <input type="checkbox"/> Strong <input type="checkbox"/>
SKIN	Sweating/hot and cold flushes <input type="checkbox"/>
EYES	Reddened or bloodshot <input type="checkbox"/>
SPEECH	Normal <input type="checkbox"/> Disjointed <input type="checkbox"/> Slurred <input type="checkbox"/> Confused <input type="checkbox"/> Fast <input type="checkbox"/> Slow <input type="checkbox"/>
BALANCE	Unsteady <input type="checkbox"/> Swaying <input type="checkbox"/> Slumping <input type="checkbox"/> Falling <input type="checkbox"/>
MOVEMENTS	Poor coordination/muscle control <input type="checkbox"/>
AWARENESS	Drowsiness or sleeping on the job or during work breaks <input type="checkbox"/> Inability to follow simple instructions <input type="checkbox"/>
OTHER PHYSICAL SIGNS	Nausea/vomiting <input type="checkbox"/> Jaw clenching <input type="checkbox"/>

### Questions

Questions:	Response:
Can you give any reason for your appearance and behaviour as noted above:	
Could you be under the influence of drugs and / or alcohol?	
Have you consumed drugs and / or alcohol since the commencement of the shift?	

### Assessment Result

No testing required (alternate action if applicable – note in comments section)

Testing required – at least one (1) physical indicator in evidence

Both Responsible Persons agree: Yes / No

**Comments** (including mitigating factors noted or explained by the person, emotional factors identified (refer to Appendix 1 *Observable indicators of impairment*), further actions to be taken etc.):

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Signature of Person being assessed: \_\_\_\_\_ Date: / /

Signatures of Responsible Persons: \_\_\_\_\_ Date: / /

\_\_\_\_\_ Date: / /

Signature of attending representative (if attended): \_\_\_\_\_ Date: / /

## APPENDIX 2

### Indicators of Impairment by Drug (for information only)

<b>Indicator (Physical)</b>	<b>Alcohol</b>	<b>Cannabis</b>	<b>Amphetamines</b>
Smell on the breath	X		
Slurred speech/speech disjointed (lose track)	X	X	
Unsteadiness	X	X	X (DIZZINESS)
Poor coordination/muscle control	X	X	
Drowsiness / sleepy	X	X	
Can't follow instructions	X	X	
Blurred vision	X	X	
Lack of judgement	X	X	
Confused	X	X	X
Nausea/vomiting	X		NAUSEA/ VOMITING
Reddened eyes		X	
More awake and alert			X
Jaw clenching			X
Sweating/hot and cold flushes			X
<b>Effect (Emotional)</b>	<b>Alcohol</b>	<b>Cannabis</b>	<b>Amphetamines</b>
Loss of inhibitions	X	X	
Aggressive or argumentative	X		X
Irrational	X	X	X
Intense moods (sad, happy, angry)	X	X	X
Quiet and reflective		X	
Talkative			X
Increased confidence	X		X
Appearance or behaviour is 'out of character'	X	X	X

## **APPENDIX 3**

### **ALCOHOL AND OTHER DRUGS POLICY AND PROCEDURE – FLOWCHARTS**

#### **AIM**

The aim of the drug & alcohol policy and subsequent procedure is to assist the Council in addressing risks to health and safety in the workplace associated with the inappropriate use of alcohol and/or other drugs. This will also assist the Council in having a process to manage the misuse of alcohol and other drugs in the workplace through training, education and where required rehabilitation.

The integration of the drug & alcohol policy and subsequent procedure into Council's Safety Management System will assist with the continual improvement of workplace safety. It will assist with the management and promotion of fitness for work of staff (including contractors and volunteers) to be part of the Council's standard processes.

#### **TESTING IN USE**

The Council in cooperation with the relevant unions (USU, LGEA and DEPA) and LGNSW have adopted the use of oral swab testing (to be completed as per the requirements of AS4760) for drug testing as it will generally detect the presence of a substance that was consumed within a matter of hours as opposed to testing such as urine where a substance was consumed days or weeks ago. A positive result in this case may not have a bearing on whether the person is unfit for work.

Drugs to be tested via the oral swab testing will be:

- Cocaine
- Opiates
- Methamphetamine
- THC

For alcohol testing a standard breathalyser meeting the requirements of AS3547 will be used. The following cut off points for blood alcohol content (BAC) will apply:

0.02 or greater for heavy plant operators (>13.9 tonne) or truck drivers (>4.5 tonne) or mobile plant operators. This will apply only for personnel who are undertaking these specific duties at the time of any testing.

0.05 or greater for all other staff to be in accordance with relevant state legislation.

Where the person has a provisional licence (P plates) then the current BAC limits for P plates must be followed if they drive vehicles and/or trucks.

## COMMON DEFINITIONS

- *Confirmatory test*: means a second analytical test performed to identify the presence of specific alcohol and/or other drugs. The confirmatory test is a retest of a second sample from an original collection if the initial test result is disputed
- *Negative result*: a result other than a positive
- *Unconfirmed results*: is where a potential result for drugs has been obtained on the initial oral swab and the collection is sent to a certified laboratory for further confirmation
- *Over the counter medication*: this non-prescription type of medication that if consumed before a test is undertaken may influence the result shown
- *Non-Negative*: an initial positive test as yet unconfirmed by confirmatory testing by an accredited tester.
- *Positive*: where the initial test result has been confirmed by further testing that the person is under the influence of alcohol and/or drugs above a prescribed limit as per current legislation and/or Australian standards
- *Prescription medication*: medication that is prescribed by a doctor
- *Random testing list*: persons will be added to this list who have either failed (tested non-negative) a test or refused unreasonably a request for a drug and/or an alcohol test. Individuals placed onto the limited random list can be targeted tested at any time, in addition to the standard random testing undertaken by the council.
- *Responsible person*: A responsible person is a person who is appointed and trained in the identification of signs of impairment. The responsible person is able to make an assessment of reasonable suspicion impairment utilising the objective indicators

## TYPES OF TESTING

There are five types of testing that may be undertaken, these are:

- Voluntary Testing – Workers can elect to submit to voluntary testing and seek assistance from Council to rehabilitate if they believe they have a substance abuse problem.
- Random – Workers will be selected using a random number generation system.
- Post Reportable Incident – certain criteria of incidents have been selected where testing will be completed, for example certain treatments by a doctor, where a vehicle has sustained damage, skylarking etc. Further information is available in the procedure and Drug Testing Flowchart 002 (*Post Incident*). Contractors and volunteers can also be tested for Post Incidents.
- Reasonable Suspicion – this is where a report has been received that a worker is exhibiting strange or unusual behaviour and there is suspicion that they may be under the influence of alcohol and/or drugs. Two *Responsible persons* will be involved in the determination on whether a test for alcohol and/or drugs is required. Further information is available in the procedure and Drug Testing Flowchart 003 (*Reasonable Suspicion*).
- Targeted Random - (for workers who have given a confirmed positive result for alcohol and other drugs).

Testing will be undertaken by external providers who meet the current requirements contained within AS4760 and AS3547.

## **MEDICATION**

Any worker required to undertake drug testing can choose to declare any medication taken immediately prior to the test being conducted or can declare following the initial test if an initial non-negative result is obtained. Such information is to be kept confidential and only to be used in determining if such medication has contributed to or caused a false positive.

- If the drug test result is an unconfirmed result consistent with the medication disclosed then after consultation with the relevant Manager, the external provider and the person concerned, they will be returned to appropriate duties. The sample will still be sent for a confirmatory test as per the usual process. If this test shows that the result is not consistent with the medication declared, then the appropriate disciplinary action may be undertaken.
- If the drug test result is an unconfirmed result that is inconsistent with the medication disclosed then the person will be assessed as unfit for work and arrangements made to transport home or to a safe place

Further information is available in the procedure and Drug Testing Flowchart 009 (*Medication*).

## **REFUSAL TO UNDERGO A TEST**

Any person who refuses to undergo testing will be given the opportunity to explain their reasons, these will be discussed with the relevant manager, Human Resources and the external provider. There will be a process implemented where if the person refuses to undergo a reasonable request test three (3) times in succession, this will be recorded as a *Refused test* and the person will be treated as if they have provided a test result of an unconfirmed result. For further information refer to the procedure and Drug Testing Flowchart 004 (*Refusal*).

## **TAMPERING**

Any person found to be tampering or have tampered with a test in will be dealt with as per the current disciplinary procedures that the Council has in place.

## **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

EAP will be available under current guidelines for employees to seek support and assistance in regard to alcohol and/or drug use.

## **DISCIPLINARY MEASURES**

Persons who have provided a result that is an unconfirmed result (including refusing to undergo a test) will in most instances be suspended for an initial 24 hours and will have to provide a negative result before they can return to work. If the subsequent result from the confirmatory test is a positive, then the person may face further disciplinary action as determined by the relevant manager and HR. The person will also be placed onto the limited random testing list.

The person who has been suspended will be able to access leave entitlements that they are entitled to as per the current award or contract.

Continual positive results and/or refusal to undergo tests will result in further disciplinary action being considered and undertaken.

Any person who has been suspended an initial test result of a non-negative that now is deemed a negative after the confirmatory test has been completed will have all time lost reimbursed with no penalty.

Further information is available in the procedure and Drug Testing Flowchart 008 (*Disciplinary Action*).

## **REHABILITATION**

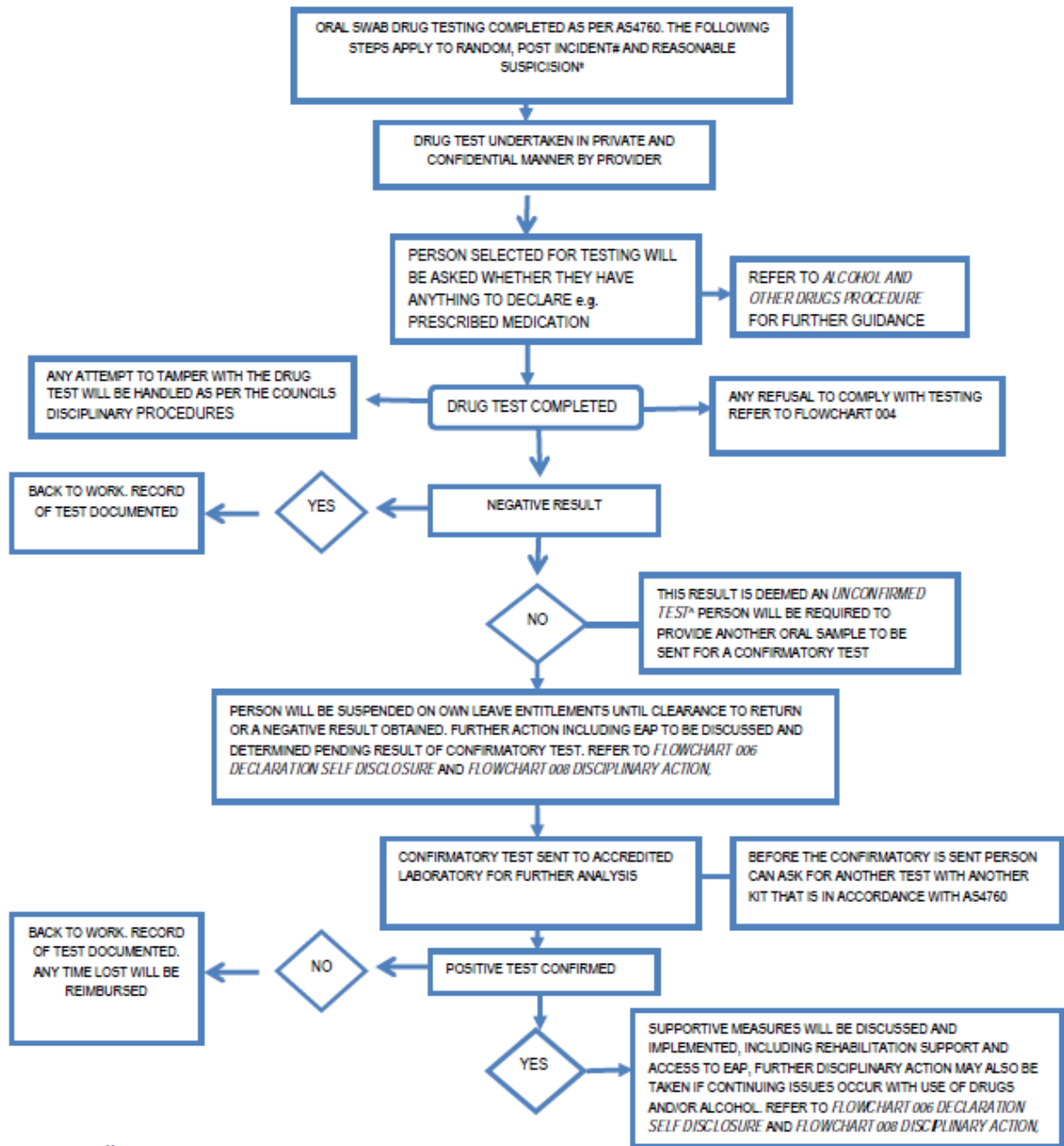
Workers who have declared that they have a problem with the use of drugs (illegal and legal) and/or alcohol will be provided assistance by the Council as per the current EAP arrangements or as determined appropriate by their manager. This will involve the development of a confidential Drug & Alcohol Rehabilitation plan that will outline general treatment steps, assistance to be sourced, personnel to be involved etc. The plan will be used to assist the person to be able to present themselves at work in a state there is no impairment to them working safely.

Persons who have been found to have a positive result from a drug and/or alcohol test and who have not declared that they may have consumed a drug and/or alcohol or who have presented themselves to work in a state that is not safe to do so, will also have a confidential Drug & Alcohol Rehabilitation plan implemented.

Further information is available in the procedure and Drug Testing Flowchart 006 (*Declaration*)

If you have any questions or concerns, please discuss with your manager, Human Resources and/or union representative.

**GENERAL DRUG TESTING FLOWCHART 001**



# REFER TO FLOW CHART 002 FOR FURTHER INFORMATION

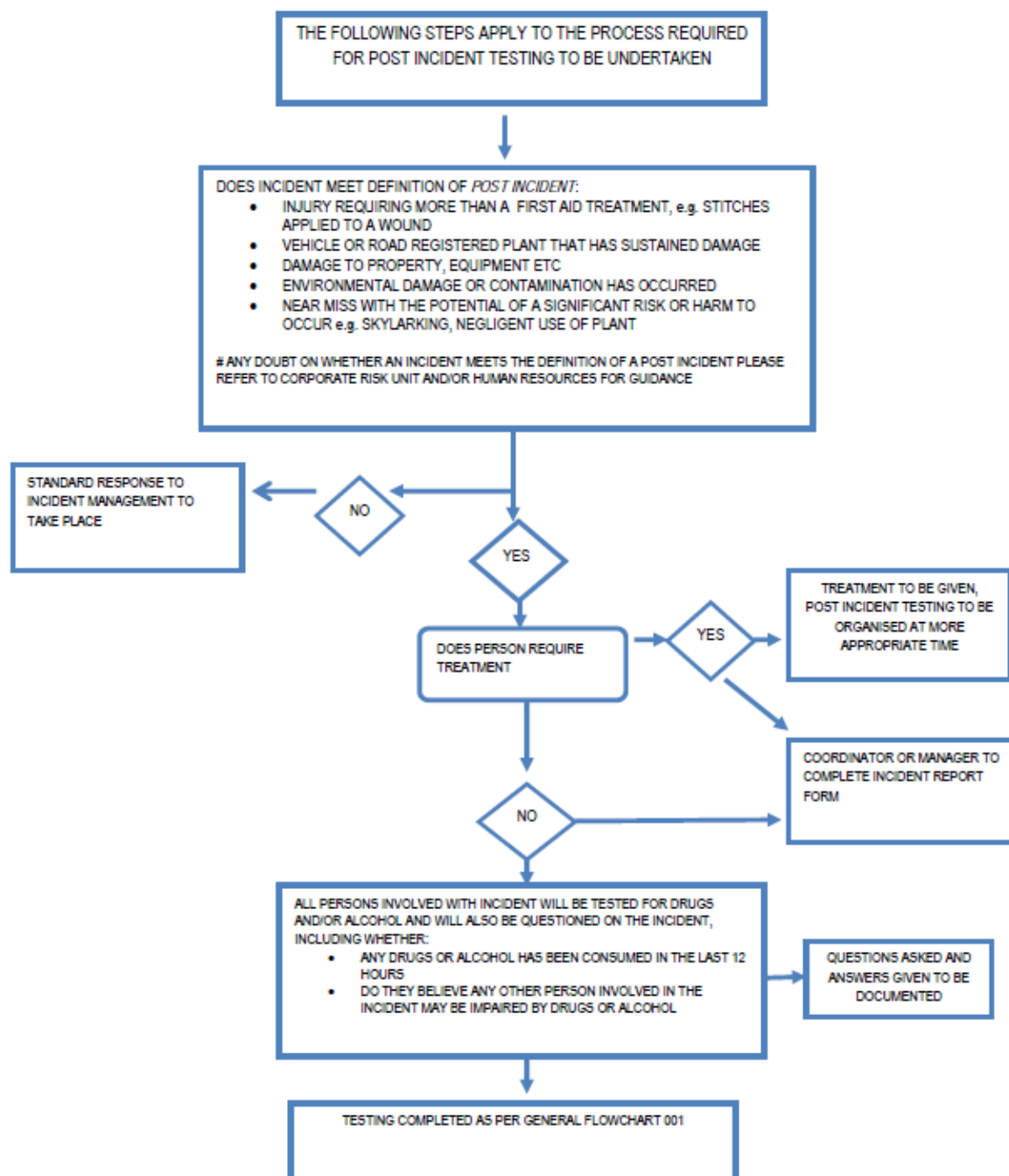
\* REFER TO FLOW CHART 003 FOR FURTHER INFORMATION

^ AN UNCONFIRMED TEST IS AN INITIAL RESULT FROM AN ORAL SWAB TEST THAT IS NOT A NEGATIVE RESULT AND NEEDS FURTHER TESTING AT A CERTIFIED LABORATORY TO BE CONFIRMED AS EITHER A POSITIVE OR A NEGATIVE RESULT BY THE COMPLETION OF A CONFIRMATORY TEST

CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED

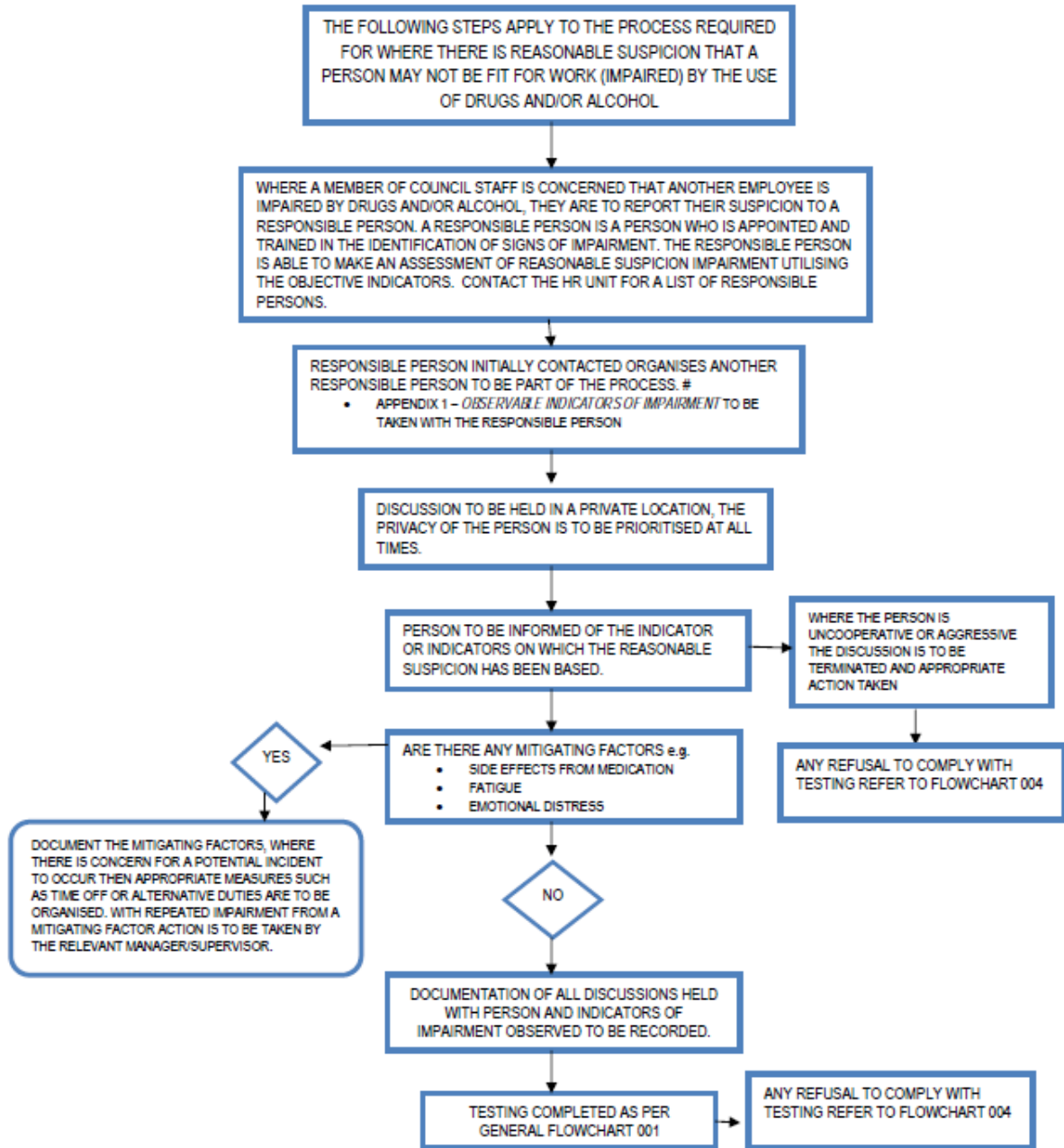


## POST INCIDENT TESTING FLOWCHART 002



*CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED*

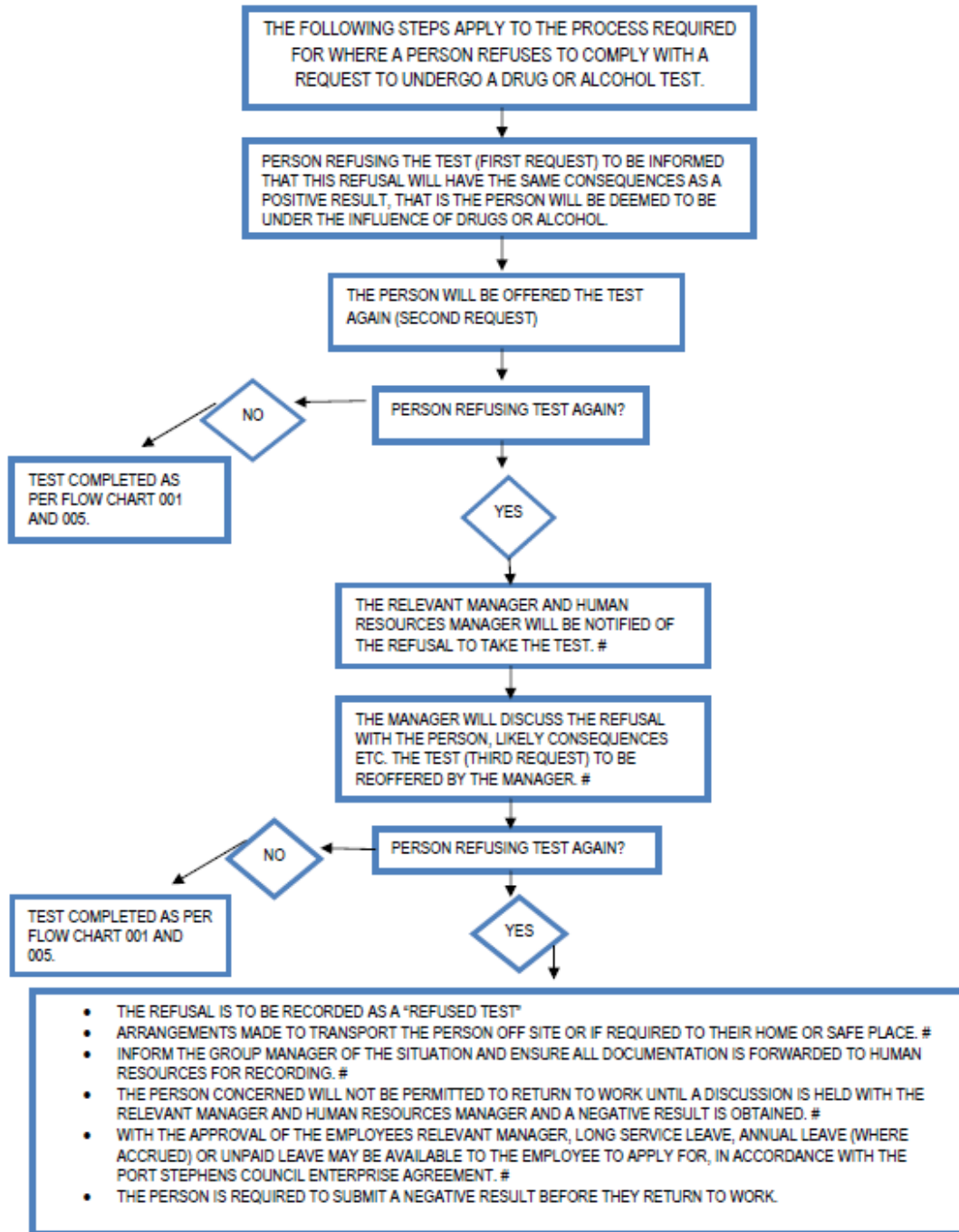
### REASONABLE SUSPICION FLOWCHART 003



# A REPRESENTATIVE FROM THE HUMAN RESOURCES SECTION IS TO BE CONTACTED, IF NOT ALREADY NOTIFIED, TO ASSIST IN THIS PROCESS AND BE THE SECOND RESPONSIBLE PERSON

CONFIDENTIALLY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED

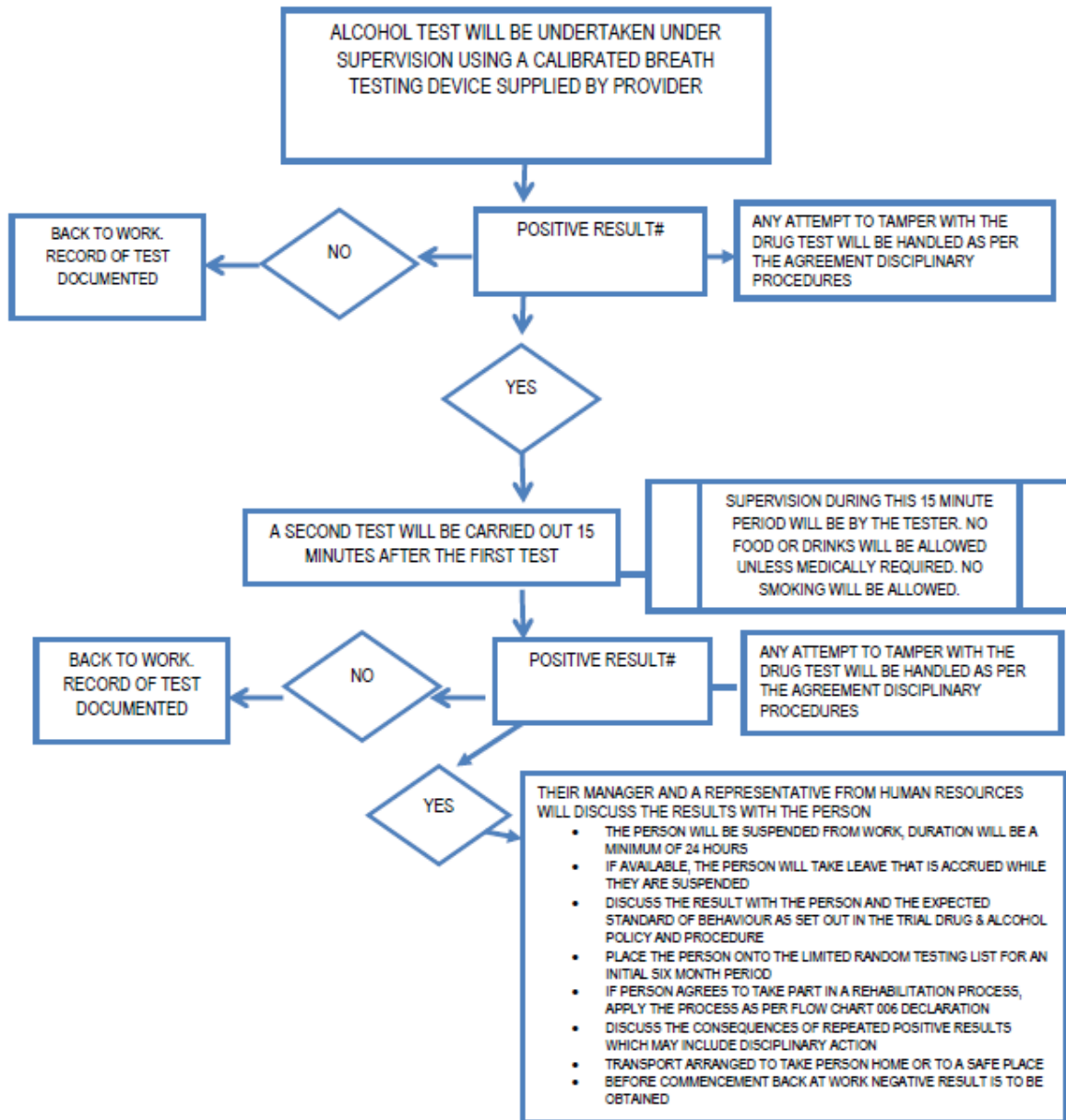
REFUSAL TO UNDERGO A DRUG OR ALCOHOL TEST FLOWCHART 004



# FOR CONTRACTORS THEIR EMPLOYER IS TO BE CONTACTED TO ASSIST IN THIS PROCESS

CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED

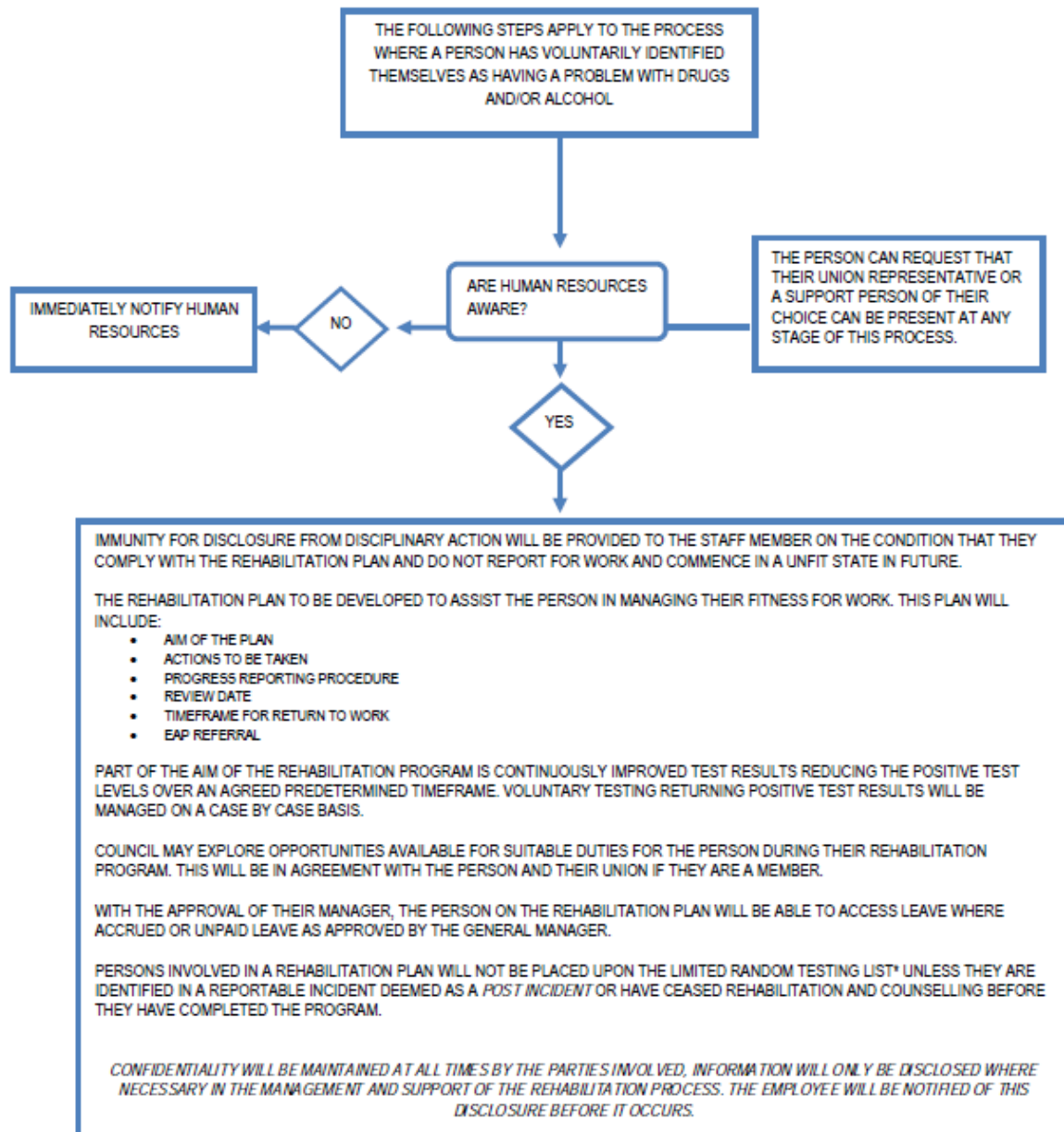
### ALCOHOL TESTING FLOWCHART 005



# 0.02 OR GREATER BLOOD ALCOHOL CONTENT (BAC) FOR HEAVY PLANT OPERATORS (>13.9 TONNE) OR TRUCK DRIVERS (>4.5 TONNE) OR MOBILE PLANT OPERATORS – THIS WILL APPLY ONLY FOR PERSONNEL WHO ARE UNDERTAKING THESE SPECIFIC DUTIES AT THE TIME OF ANY TESTING.  
 0.05 OR GREATER BLOOD ALCOHOL CONTENT (BAC) FOR ALL OTHER STAFF TO BE IN ACCORDANCE WITH RELEVANT STATE LEGISLATION.  
 WHERE THE PERSON HAS A PROVISIONAL LICENCE (P PLATES) THEN THE CURRENT BAC LIMITS FOR P PLATES MUST BE FOLLOWED IF THEY ARE DRIVE VEHICLES/TRUCKS.

CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED

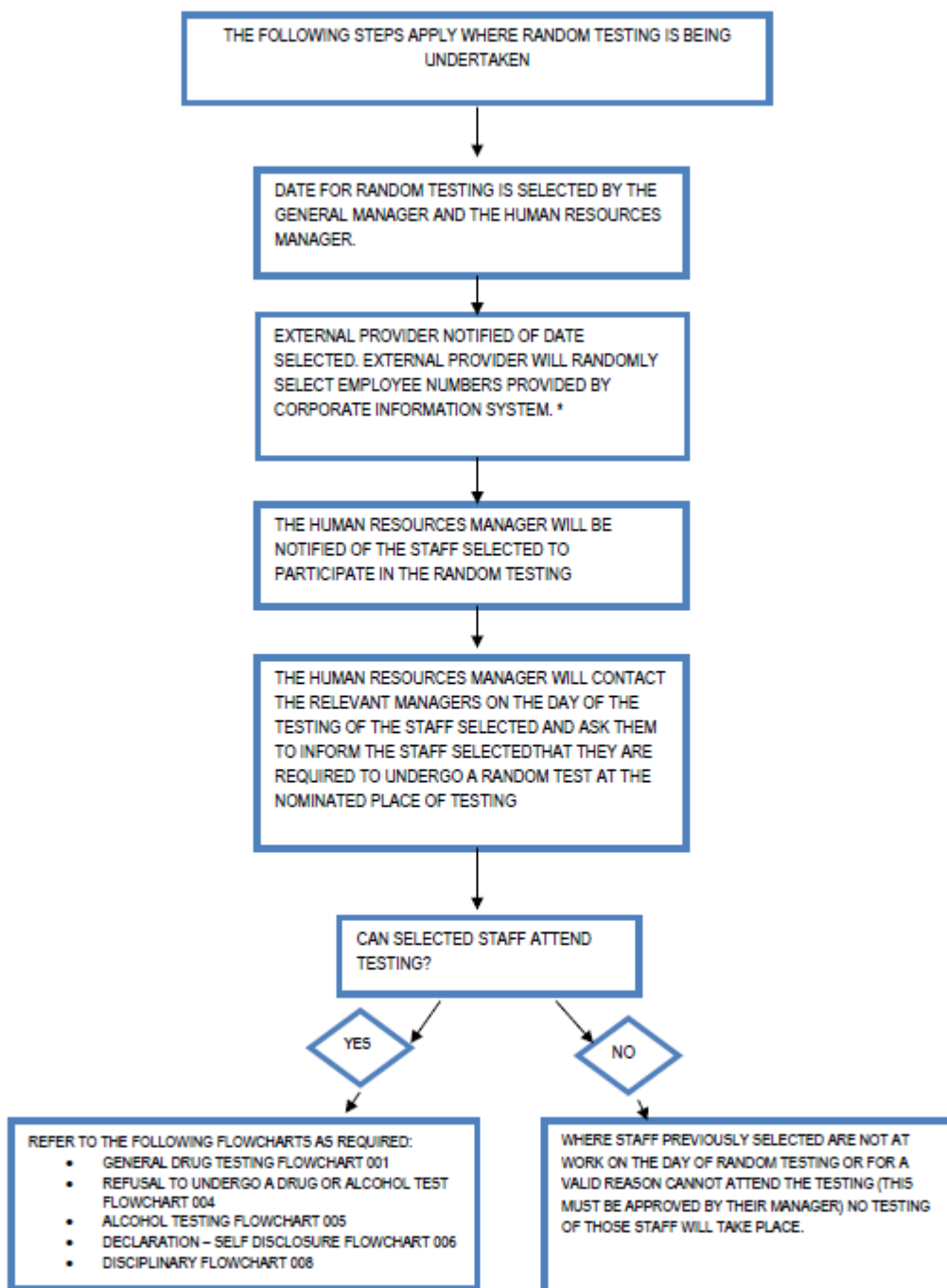
## DECLARATION – SELF DISCLOSURE FLOWCHART 006



\* THE LIMITED RANDOM LIST WILL BE LIMITED TO THOSE INDIVIDUALS WHO HAVE EITHER FAILED A DRUG AND/OR ALCOHOL TEST OR WHO REFUSED UNREASONABLY A TEST THAT HAS BEEN REQUESTED. INDIVIDUALS PLACED ONTO THE LIMITED RANDOM LIST CAN BE TARGETED TESTED AT ANY TIME, IN ADDITION TO THE STANDARD RANDOM TESTING UNDERTAKEN BY THE COUNCIL.

THE INITIAL PERIOD FOR LISTING IS SIX (6) MONTHS. AT THE COMPLETION OF THIS SIX (6) MONTHS, IF THERE ARE NO FURTHER POSITIVES OR UNREASONABLE REFUSALS, THE PERSON WILL BE REMOVED FROM THE LIMITED RANDOM LIST. WHILE ON THE LIST ANY FURTHER POSITIVE RESULTS OR UNREASONABLE REFUSAL WILL RESULT AN EXTENSION OF TWO (2) YEARS OF THE PERSON BEING ON THE LIST. THIS WILL DATE FROM THE MOST RECENT FAILED TEST OR UNREASONABLE REFUSAL TO COMPLY WITH TESTING. AT THE COMPLETION OF THIS TWO (2) YEAR PERIOD, IF THERE ARE NO FURTHER POSITIVES OR UNREASONABLE REFUSALS, THE PERSON WILL BE REMOVED FROM THE LIMITED RANDOM LIST.

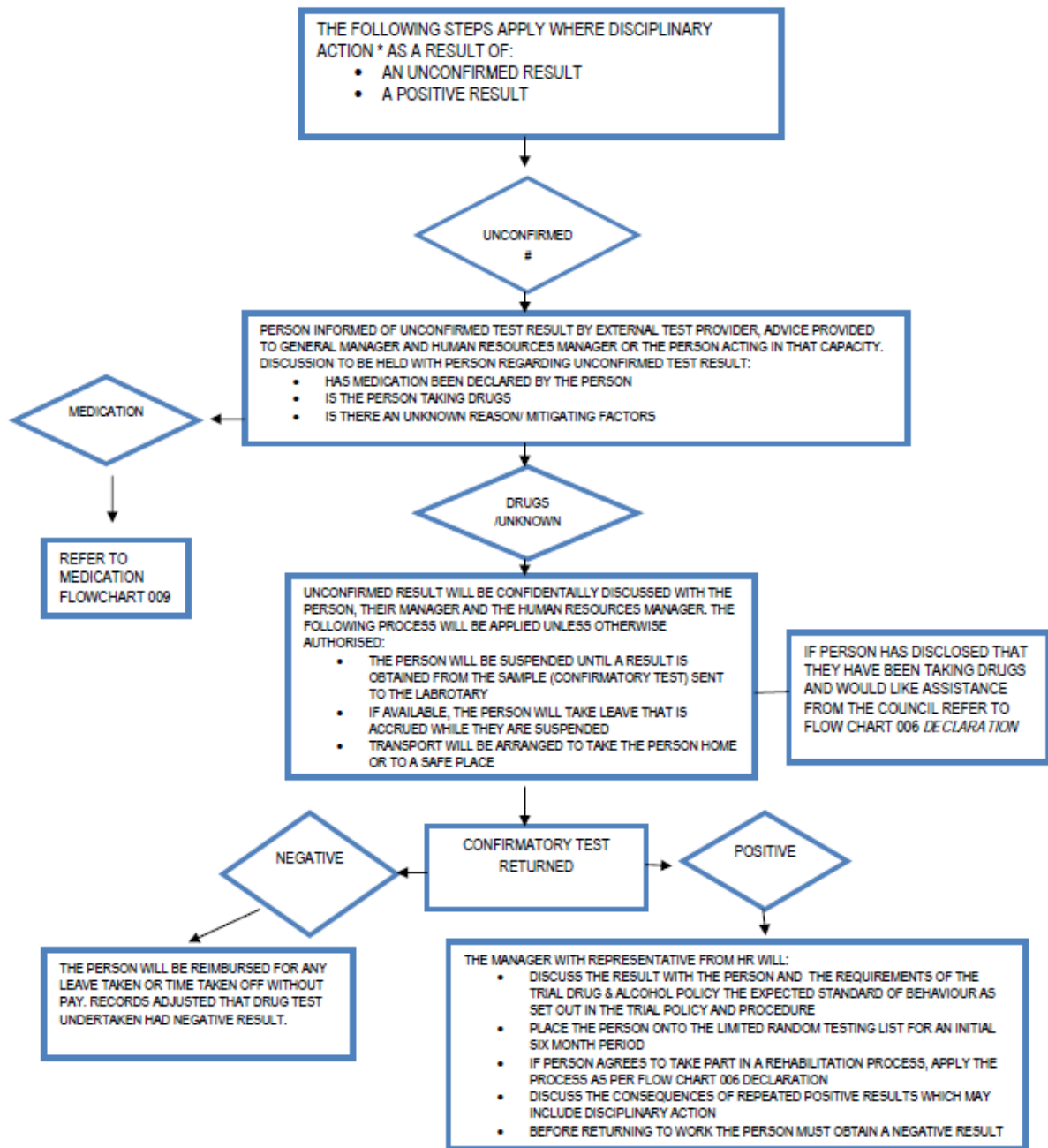
## RANDOM TESTING FLOWCHART 007



\*THE EXTERNAL PROVIDER WILL USE STAFF EMPLOYEE NUMBERS TO RANDOMLY SELECT A PREDETERMINED NUMBER OF STAFF FOR RANDOM TESTING. THIS SELECTION WILL ALSO INCLUDE AN ADDITIONAL NUMBER OF STAFF AS A BACKUP IN CASE STAFF SELECTED ARE NOT AVAILABLE. AT NO STAGE WILL STAFF NAMES BE KNOWN BY THE EXTERNAL PROVIDER WHILE THEY ARE SELECTING RANDOM ENTRIES. STAFF NAMES WILL ONLY BE KNOWN TO THE EXTERNAL PROVIDER AT THE TIME OF THE RANDOM TEST.

*CONFIDENTIALLY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED*

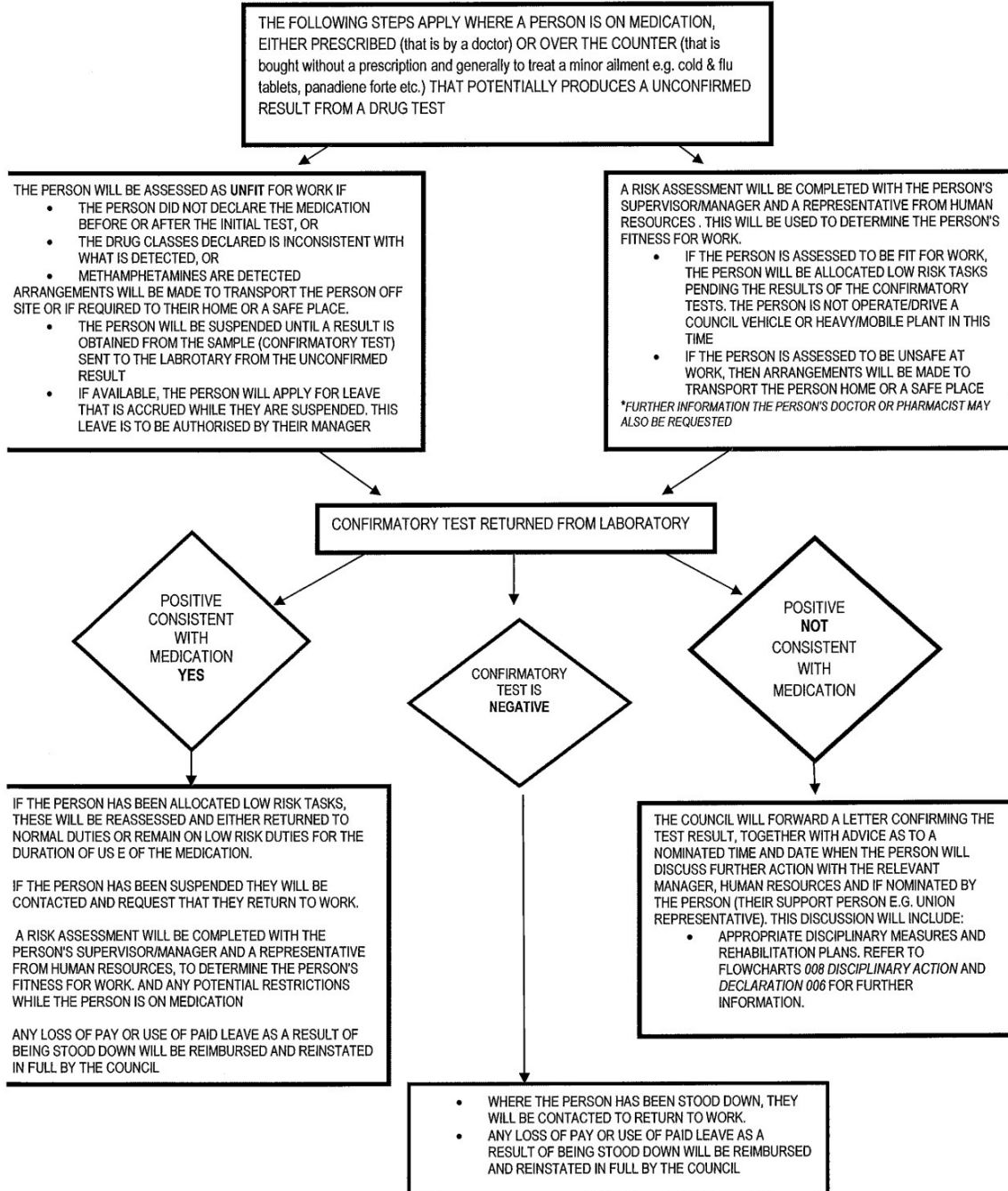
## DISCIPLINARY ACTION FLOWCHART 008



\* FOR ALCOHOL TESTING AND SUBSEQUENT DISCIPLINARY PROCESS PLEASE REFER TO ALCOHOL TESTING FLOWCHART 005  
 # AN UNCONFIRMED TEST IS AN INITIAL RESULT FROM AN ORAL SWAB TEST THAT IS NOT A NEGATIVE RESULT AND NEEDS FURTHER TESTING AT A CERTIFIED LABORATORY TO BE CONFIRMED AS EITHER A POSITIVE OR A NEGATIVE RESULT BY THE COMPLETION OF A CONFIRMATORY TEST

*CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED*

**PERSONS ON MEDICATION WITH UNCONFIRMED RESULT FLOWCHART 009**



CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED



## **APPENDIX 4**

### **Dear Doctor/Pharmacist Card**

*This should be printed on the back of Council's normal business card template and distributed to all staff for them to carry with them so they can discuss drug effects with their Doctor or Pharmacist.*

Dear Doctor/Pharmacist

The holder of this card may be subject to a drug screen as part of their employer's Fitness for Duty program. Can you please advise the holder if their medication(s) contain any of the following drug groups:

- Opiates (including codeine)
- Amphetamines (including pseudoephedrine)
- Benzodiazepines

**APPENDIX 5**

**DRUG & ALCOHOL REHABILITATION PLAN - CONFIDENTIAL**

The following Rehabilitation Plan has been developed for:

<b>Employee:</b>	<b>Phone:</b>
<b>Goal:</b> to present to work and during work to be in a fit state without impairment that would prevent them from being able to undertake their duties in a manner that is safe and to current legislation.	

<b>Current rehabilitation issues:</b> <i>can be what has been tested positive for, concerns or issues that they have with their addiction etc</i>
---

<b>Steps that have been agreed:</b> <i>for example, to take time off for an initial review of their addiction, factors affecting their addiction, make appointments with EAP provider, seek further counselling/intervention from organisations that may provide more specific addiction counselling such as alcoholic anonymous, a time frame for these steps to be commenced, review and completion</i>
---

<b>Agreed costs:</b> <i>what the council has agreed to fund, e.g fees for extra counselling above normal EAP sessions, type of leave to be accessed etc</i>
---

<b>Persons involved:</b> <i>who are the personnel involved with this rehabilitation plan that will have access to information contained, who can authorise (with the person's permission) additional persons etc</i>
--

**Comments:**

The following parties have agreed to the above Rehabilitation Plan:

Employee: \_\_\_\_\_

Date: / /

Supervisor/Manager: \_\_\_\_\_

Date: / /

HR Officer (or authorised HR representative): \_\_\_\_\_

Date: / /

Doctor (if applicable): \_\_\_\_\_

Date: / /



## EQUAL EMPLOYMENT OPPORTUNITY PLAN

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>3</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### **STRATEGY 1 - Communication and Awareness Raising**

#### **Objective**

To inform all employees, potential employees and the general community at large that the Council is an Equal Employment Opportunity Employer.

#### **Target Group**

1. All Council employees
2. All potential employees
3. The community at large

#### **Specific Action**

1. The EEO statement is to be included in all job advertisements. "The Coolamon Shire Council is an equal employment opportunity employer."
2. Review all literature to ensure it conforms with EEO principles.
3. All staff are to be provided with a copy of the EEO Management Plan.
4. Segments on EEO are to be included in appropriate employee training programs (eg, Supervisor training).
5. Make available a copy of Council's EEO Policy to all staff on request.
6. An EEO report is to be included in Council's Annual Report to ratepayers.

#### **Target Date**

Continuing process.

#### **Responsibility**

1. General Manager
2. Executive Managers

### ***Evaluation***

1. Ensure that the Policy Statement is distributed to all employees and that the community of the Coolamon Shire is aware of Council's commitment via the appropriate mediums.
2. Review the Policy and Management Plan annually.
3. Ensure all Specific Actions have been taken.

## **STRATEGY 2 - Consultation**

### ***Objective***

To ensure the active participation of all management, employees and relevant unions in the EEO Management Plan.

### ***Target Group***

All management, employees and relevant unions.

### ***Specific Action***

1. Invite comment and input from all relevant unions via the Consultative Committee.
2. Invite comment and input from all Council employees at all levels on initiatives within and/or resulting from the EEO Management Plan.
3. Identify EEO potential problem areas via Consultative Committee.

### ***Target Date***

Continuing process.

### ***Responsibility***

1. Consultative Committee
2. EEO Officer

### ***Evaluation***

1. Check that all Specific Actions are completed.
2. Evaluate feedback from process.

## **STRATEGY 3 – Recruitment & Selection**

### ***Objective***

To review recruitment and selection practices and procedures to ensure that they conform with EEO principles and demonstrate fair practices.

### ***Target Group***

Executive Managers and Selection Panels.

### ***Specific Action***

Review all current practices and establish procedures for each of the following:

1. Advertising a position.
2. The job advertisement.
3. Enquiries.
4. Job Description/Information Package.
5. Selection Panels.
6. Short Listing.
7. Interviewing.
8. Selection and appointment.
9. Medical examination.
10. Placement and induction.
11. Career information/training programme.

### ***Target Date***

Continuing process.

### ***Responsibility***

1. Council.
2. General Manager.
3. Executive Managers.

### ***Evaluation***

1. Check that all Specific Actions are completed.
2. Evaluate all practices and procedures for EEO commitment and non-discriminatory impact.
3. Ensure all recruitment practices and procedures are documented.
4. Monitor Selection Panel compliance with EEO principles.

## **STRATEGY 3.1 – Preparation and Questioning in Interviews**

### ***Objective***

To ensure that all Council employees involved in the interview process adopt an interview technique which is non-discriminatory, ie. questioning, non-verbal gestures etc.

### ***Target Group***

Executive Managers and Selection Panel

### ***Specific Action***

1. Ensure that all interview questions are carefully worded in a non-discriminatory manner and documented.
2. The staff member preparing questions for an interview should seek to have interview questions assessed by the EEO Officer of his/her nominee.
3. Any interview question/s identified as being discriminatory, or having potential to be viewed as discriminatory are to be revised and amended.
4. Interviewers during the interview are to express an understanding of EEO principles and state Council's support towards an Equal Employment Opportunity (EEO) workplace.
5. At least one standard question should be asked to gain knowledge of the applicants understanding of EEO.

### ***Target Date***

Ongoing.

### ***Responsibility***

1. Council
2. Executive Managers
3. Selection Panel

### ***Evaluation***

1. Monitor Selection Panels compliance with EEO principles.
2. Check all Specific Actions are completed.



## **STRATEGY 4 - Appointment, Promotion and Transfer**

### ***Objective***

To ensure all employees are treated in a fair and consistent manner in relation to employment matters.

### ***Target Group***

All employees.

### ***Specific Action***

1. Review current practices and procedures for appointment, promotion, transfer and career mobility.
2. Identify when appropriate opportunities arise for job multi-skilling and job re-design and ensure they meet the needs of employees, as well as the needs of the employer.
3. Review all job evaluation/performance appraisal procedures to ensure that they are non-discriminatory in content and administration.

### ***Target Date***

Ongoing.

### ***Responsibility***

1. Executive Managers.
2. EEO Officer.
3. Consultative Committee

### ***Evaluation***

1. Check that all relevant Specific Actions are completed.
2. Ensure all policies and procedures are examined for EEO commitment and non-discriminatory impact.
3. Ensure all appointment, promotion, transfer and career mobility procedures are documented and are readily available.

## **STRATEGY 4.1 - Appointment, Promotion and Transfer - Higher Grades**

### ***Objectives***

Ensure that all employees have equal opportunities to relieve/act at higher positions.

### ***Target Group***

All employees.

### ***Specific Actions***

Review the practices and guidelines on relief/acting in higher positions. Matters to be covered by practices and guidelines should include:

- The need to ensure that arrangements are based on merit or the developmental needs of employees;
- The need to advertise any long term positions and call for expressions of interest;
- The need to develop appropriate acting/relief rosters to ensure equitable access for all appropriate employees for short term acting/relief opportunities.

### ***Target Date***

Ongoing.

### ***Responsibility***

Executive Managers.

### ***Evaluation***

1. Report participation in acting/relief opportunity by EEO target groups via the appropriate mediums.
2. Check that all Specific Actions are completed.

## **STRATEGY 4.2 - Appointment, Promotion and Transfer - Disabilities**

### ***Objectives***

To identify opportunities for providing positions for people with physical disabilities in Council employment.

### ***Target Groups***

People with identified physical disabilities.

### ***Specific Action***

1. Identify opportunities for providing positions for people with physical disabilities.
2.
  - a) Examine the barriers to people with physical disabilities gaining appointment, selection and promotions.
  - b) Examine issues of access.
3. Identify assistance needed by staff with physical disabilities with regard to:
  - a) gaining recognition of skills and qualifications;
  - b) removing perceived physical barriers from workplace layouts and access, occupational safety, equipment;
  - c) work experience/training courses;
  - d) career development.

### ***Target Date***

Ongoing.

### ***Responsibility***

Executive Managers

### ***Evaluation***

1. Opportunities identified.
2. Barriers and issues of access identified.
3. Evaluate advertisements and their placement.
4. Check that all Specific Actions are completed.

## **STRATEGY 4.3 - Appointment, Promotion and Transfer - Career Paths**

### ***Objective***

To ensure that all employees have equal opportunities for promotion and career path development within the Council.

### ***Target Group***

All employees.

### ***Specific Action***

1. Identify barriers to people gaining promotion and career path development with Council including:-
  - selection procedures
  - lack of relevant training programs
  - classification of work positions
  - appropriate selection criteria
  - qualifications
2. Advertise internally and/or externally all opportunities for:-
  - promotion
  - transfers
  - secondments
  - higher duties
  - training programs
3. Provide assistance to staff with:-
  - work experience
  - career development

### ***Target Date***

Ongoing.

### ***Responsibility***

1. Executive Managers
2. Supervisors

### ***Evaluation***

1. Check that all Specific Actions are completed.
2. Monitor representation, promotion and career path development of target groups in Council employment.

## **STRATEGY 4.4 - Appointment, Promotion and Transfer - Part-time**

### ***Objective***

To remove any barriers to part-time positions within Council.

### ***Target Group***

People seeking part-time work.

### ***Specific Action***

1. Identify occupations and levels where part-time positions are currently available.
2. Identify and where possible eliminate the barriers to providing more opportunities for part-time positions including:
  - job specifications
  - workloads/work continuity
  - job training
  - employment benefits
  - occupants decision not to job share
3. Identify further opportunities for part-time work.
4. Advertise in appropriate ways all opportunities and programs for part-time positions.

### ***Target Date***

Ongoing.

### ***Responsibility***

Executive Managers

### ***Evaluation***

1. Check all relevant Specific Actions are completed.
2. Check all response to the Specific Actions.

## **STRATEGY 4.5 - Appointment, Promotion and Transfer - Under 21 years**

### ***Objective***

To encourage opportunities for full-time and part-time positions within Council for people under 21 years.

### ***Target Group***

People under 21 years of age.

### ***Specific Action***

1. Identify opportunities within Council for the employment of trainees and encourage people under 21 years of age to apply for such positions.
2. Ensure that people under 21 years of age have equal access to skills development and promotional opportunities.

### ***Target Date***

Ongoing.

### ***Responsibility***

Executive Managers

### ***Evaluation***

1. Number of opportunities identified.
2. Monitor equal access opportunities.
3. Check that all Specific Actions are completed.

## **STRATEGY 5 - Training and Development**

### ***Objective***

To ensure staff receive training and developmental opportunities based on policies and procedures which confirm EEO principles.

### ***Target Group***

All employees.

### ***Specific Action***

1. In consultation with the employee prepare a formal training plan that incorporates EEO principles and review annually.
2. Offer access to and encourage participation in training courses and education support to allow staff to reach their full potential.
3. Include in the staff induction booklet Council's commitment to EEO principles.
4. Ensure access to training courses is consistent with EEO principles.
5. Ensure that in-house and external training courses are non-discriminatory and consistent with Council's EEO policy.

### ***Target Date***

Ongoing.

### ***Responsibility***

Executive Managers.

### ***Evaluation***

1. Policies reviewed.
2. Course content monitored.
3. Check that all Specific Actions are completed.

## **STRATEGY 6 - Conditions of Service**

### ***Objective***

To review and monitor conditions of service and practices to ensure they conform with EEO principles and demonstrate fair practice.

### ***Target Group***

All employees.

### ***Specific Action***

1. Document conditions of service for all categories of employees.
2. Examine requirements and entitlements of temporary, casual, part-time and permanent employment to ensure they do not discriminate against a particular group or type of employee.
3. Ensure travel, accommodation, and overtime requirements are administered in a fair and equitable manner.
4. Ensure leave without pay, short/emergency leave provisions and study leave are administered in a fair and equitable manner.
5. Ensure staff are familiar with disciplinary and counselling procedures as documented in the Staff Induction Booklet.
6. Ensure all employees are informed of their conditions of service.
7. Ensure all relevant allowances, expenses, benefits and entitlements are available to all employees.
8. Check that all new policies and procedures adhere to EEO principles and are documented.
9. Ensure all new employees are provided with a Staff Induction Booklet, and an OH&S Booklet on commencement of employment with the Council.

### ***Target Date***

Ongoing.

### ***Responsibility***

1. Executive Managers.
2. Human Resources Officer

### ***Evaluation***

1. Check that all relevant Specific Actions are completed.
2. EEO report to staff and ratepayers annually.
3. Check that all new employees are provided with a copy of the EEO Management Plan.



## **STRATEGY 7 - Grievance Procedures**

### ***Objective***

To encourage and maintain a harmonious work environment by introducing an effective mechanism for the resolution of grievances, accessible to all staff.

### ***Target Group***

All staff

### ***Specific Action***

1. Develop procedural guidelines for dealing with grievances, in consultation with management and unions. This guideline is the first step towards establishing an effective grievance resolution system.
2. Distribution of procedures via notice boards and Council publications. All supervisors to be issued with a copy.
3. Appropriate training of nominated staff and managers.
4. Ensure grievance policy is included in induction booklet.

### ***Target Date***

Ongoing.

### ***Responsibility***

1. General Manager.
2. Executive Managers.
3. Supervisors.

### ***Evaluation***

1. Monitor number of complaints; departments; types of grievances and number resolved and unresolved.
2. Check that all Specific Actions are completed.

## **STRATEGY 8 - Evaluation and Review of EEO Management Plan**

### ***Objective***

To ensure that this EEO Management Plan addresses current and future needs of the Coolamon Shire Council and is flexible enough to adapt and respond to changing or unforeseen factors.

### ***Target Group***

All employees.

### ***Specific Action***

1. Regularly review progress on implementation and relevance of the Plan.
2. Develop a reporting format to enable the issues of an annual progress report.
3. Publish an annual report on the progress made during the year on implementing the Plan; on new issues arising from grievance procedures; and repeating essential information of EEO policy, practices and procedures.

### ***Target Date***

1. Ongoing.
2. Annual Report every 12 months.

### ***Responsibility***

1. General Manager
2. Executive Managers
3. EEO Officer

### ***Evaluation***

1. Reviews held regularly and issues identified.
2. Report format adequately reflects results.
3. Annual Report published.
4. Check that all Specific Actions are completed.

## **REVIEW**

This plan 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 17 November 2022 (Minute No.225/11/2022)***

***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 20 October 2005 (Minute No. 392/10/2005)***



## EQUAL EMPLOYMENT OPPORTUNITY POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>3</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 Years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### INTRODUCTION

Equal Employment Opportunity (EEO) means that all employees receive fair and equitable treatment in the work place. EEO is fundamental to good personnel management.

Council is required to ensure that EEO is implemented and co-ordinated within the workplace.

### EEO OFFICER

The Equal Employment Opportunity Officer has the overall responsibility for the implementation and co-ordination of the Equal Employment Opportunity Management Plan.

The EEO Officer for Coolamon Shire Council is the incumbent Executive Manager, Corporate & Community Services.

### STATUTORY PROVISIONS OF THE EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN

Section 345 of the Local Government Act 1993 requires Council to prepare and implement an Equal Employment Opportunity Management Plan.

The plan is to include provisions relating to:

- a) The devising of policies and programs by which the objects of equal employment opportunity are to be achieved; and
- b) The communication of these policies and programs to persons within the staff of the Council; and
- c) The collection and recording of appropriate information; and
- d) The review of personnel practices within the Council (including recruitment techniques, selection criteria, training and staff development programs, promotion and transfer policies and patterns and conditions of service) with a view to the identification of any discriminatory practices; and
- e) The setting of goals and targets, where these may reasonably be determined, against which the success of the plan in achieving the objects of equal employment opportunity may be assessed; and

- f) The means, other than those referred to in paragraph (e), of evaluating the policies and programs referred to in paragraph (a); and
- g) The revision and amendment of the plan; and
- h) The appointment of persons within Council to implement the provisions referred to in paragraph (a) to (g).

## **PURPOSE**

Equal Employment Opportunity (EEO) within Coolamon Shire Council has the twin aims of achieving greater equity in employment and, flowing from that, improved efficiency. Council recognizes the need to comply with anti-discrimination and affirmative action legislation, in its various forms, and that it has been introduced to protect the individuals from unfair attitudes and practices that may exist within the work environment and society generally, and accordingly is committed to achieving equal employment opportunity for all employees as means of increasing the effectiveness of the Shire of Coolamon and recognizing the true potential of its employees.

## **SCOPE**

Council is a strong supporter of the principles of equal employment opportunity and affirmative action as it relates to recruitment, selection criteria, training and staff development programs, promotion and conditions of employment. By putting the principles of EEO and Affirmative Action into practice the Council ensures that all employees, future employees, and contract workers are entitled to be treated on the basis of their true ability and merit and to work in an environment which is free of discrimination and harassment, therefore, this policy is applicable to Coolamon Shire Council in all its operations and functions-

## **DEFINITIONS**

**Equal Employment Opportunity (EEO)** is about:

- making sure that workplaces are free from all forms of unlawful discrimination and harassment, and
- providing programs to assist members of EEO groups to overcome past or present disadvantage.

This means having workplace rules, policies, practices and behaviours that are fair and do not disadvantage people because they belong to particular groups.

In such an environment, all workers are valued and respected and have opportunities to develop their full potential and pursue a career path of their choice.

EEO groups are people affected by past or continuing disadvantage or discrimination in employment. As a result they may be more likely to be unemployed or working in lower paid jobs. These groups are:

- women
- Aboriginal people and Torres Strait Islanders
- members of racial, ethnic and ethno-religious minority groups, and
- people with a disability.

EEO strategies for these groups include recruitment programs and access to training and career development.

Discrimination is treating someone unfairly or harassing them because they belong to a particular group. Under the Anti-Discrimination Act 1977, it is against the laws in NSW for any employer,

including the Government, to discriminate against an employee or job applicant because of their: age; sex; pregnancy; disability (includes past, present or possible future disability); race, colour, ethnic or ethno-religious background, descent or nationality; marital status; carer's responsibilities; homosexuality; transgender.

Both direct and indirect discrimination is against the law.

**Direct discrimination** is when it is quite clear that someone has treated you differently because of your sex, race, and so on. For example, if:

- a manager decides to give training opportunities only to employees under the age of 50 this is direct age discrimination
- a supervisor decides to employ only men, or only women, or only people from a particular racial background for certain types of jobs, this is either direct sex discrimination, or direct race discrimination

Direct discrimination often happens because people have stereotyped views about what all or most people of a particular group are like, or what they think all or most people of a particular group can or can't do. For example:

- they may think that it's a waste of time giving training opportunities to older people as they are likely to leave their job earlier than younger people. They have not checked who actually intends to stay longest in the job. They have made an ageist assumption based on their stereotyped views
- they may not let women do certain jobs because they think these types of jobs are men's jobs. They have made a sexist assumption about women's abilities based on their stereotyped views.

In this workplace we aim to treat you as an individual, not as a stereotype.

**Indirect discrimination** is when:

- you are treated the same as everyone else, but
- doing this disadvantages more people from a particular group than people from other groups. For example, it might disadvantage more people of your sex than the other sex, or more people from your ethnic background than other ethnic backgrounds.

In this sort of case, if the treatment is not 'reasonable in all the circumstances' it will be indirect discrimination and against the law/our policy. For example:

- if a manager decides to give a promotion based on who has been working here the longest, this might be indirect age discrimination, as it is likely that younger employees will be disadvantaged. It is our policy to promote on the basis of merit only.

In this workplace we aim to get rid of any form of indirect discrimination.

## **RESPONSIBILITIES**

### ***Management***

All managers and supervisors at Coolamon Shire Council must do their best to prevent harassment and discrimination from happening in their team. If a manager or supervisor encourages or ignores any harassment or discrimination that is happening in their team, they may be disciplined, or in serious cases dismissed.

If you are a manager or supervisor you must:

- ensure that all your team members are aware of and understand our EEO and harassment policies
- know the arguments supporting these policies so that they can deal effectively with any concerns or questions from employees in their team
- be a good role model — do not engage in any behaviour that might be seen as harassment
- make fair, non-discriminatory decisions
- explain the rationale behind any of your decisions that you think one or more of your team members might not like — you should be able to justify every decision as a fair decision
- be prepared to change your decision if an employee or group of employees raise reasonable objections about its fairness, and it is possible to make a decision that is both practical and fairer for everyone involved
- make it clear to all your team members that you won't tolerate any unfair, discriminatory or harassing behaviour from any of them
- ensure that your team's working environment is free of sexist, racist, or any other form of stereotyping material, posters, screen savers, internet and email communication, and so on
- wherever possible, make sure that neither the work environment nor any work processes make it easy for discrimination or harassment to happen
- follow up any staff/team behaviour changes that could mean that any discrimination or harassment is going on, or that anyone has a grievance
- ensure that your team members know that you want to hear from them immediately if they have any problem, concern or grievance about anything to do with work, so that you can try to sort it out as quickly as possible. Make sure they know who else the grievance procedure says they can talk with if they don't want to talk with you. Make sure they have read and understood the grievance procedure
- act immediately if you witness or are told about any unfair treatment, discrimination or harassment — by following the information in our Grievance Procedure
- if you are ever unsure about how to handle or resolve a grievance, or a suspected grievance, seek confidential advice from staff in Human Resources.

### ***Employees***

Employees have the responsibility to:

- Act to prevent harassment and discrimination against others in the workplace
- Respect differences among colleagues and customers such as cultural and social diversity
- Treat people fairly (don't discriminate against or harass them).

Employees have the right to:

- a workplace that is free from unlawful discrimination and harassment
- equal access to benefits and conditions

- fair process to deal with work-related complaints and grievances.

## **PROCEDURES**

*What to do if you feel someone is treating you unfairly or harassing you*

If an employee feels someone is treating them unfairly or harassing them, Council needs to be informed to take the necessary action to have the situation rectified. Council's grievance and complaints procedures provide the necessary information to inform employees how the problem shall be dealt with. Council will ensure there is no victimisation allowed to occur because of the information provided, be it by yourself or supporting someone else's complaint.

*If you treat someone else unfairly or harass them*

Employees should be aware that if they treat another employee unfairly or harass them, they may be disciplined, and if what has occurred is extremely serious, they may even be dismissed.

## **REFERENCES**

[www.eeo.nsw.gov.au](http://www.eeo.nsw.gov.au)

Anthea Lowe & Associates Workplace Consultancy  
Local Government OH&S Manual  
Aged Care & Community Services Employee Relations Manual

## **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 17 November 2022 (Minute No.225/11/2022)***

***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 20 October 2005 (Minute No. 392/10/2005)***



## GRIEVANCE POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>4</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

- 1) To ensure all employees of the Coolamon Shire Council are treated in a fair and equitable manner.
- 2) To provide employees with an effective grievance management system that enables the conflict to be resolved quickly and effectively to ensure the continued operations of the Coolamon Shire Council.

### ELIGIBILITY

This policy is applicable to all employees of the Coolamon Shire Council.

### GENERAL

Council will ensure that:

- 1) All employees of the Coolamon Shire Council are entitled to express grievance and to have that issue or concern examined and resolved.
- 2) Supervisory Staff will be expected to play a proactive role in grievance resolution.
- 3) Management will ensure that all grievances are dealt with in accordance with this policy and legislative requirements.
- 4) All grievances will be dealt with in a confidential manner.

### GRIEVANCE PROCEDURES

*What is a grievance?*

A grievance is a clear statement by an employee of any type of work related problem, concern or complaint which may relate to:



- Interpersonal conflict including conflicts between different employees.
- Unfair allocation of personal development opportunities.
- Unreasonable or unrealistic assignment of work or tasks.
- Lack of communication on work or task related information.
- A Work, Health & Safety issue.
- Workplace harassment.
- The interpretation, application or operation of an Award or an Agreement.
- An allegation of discrimination within the meaning of the Anti-discrimination Act 1977 including harassment.

A grievance of dispute shall be dealt with as follows:

- 1) The employee(s) shall notify the Supervisor, or other authorised Officer of Council of any grievance or dispute and the remedy sought in writing.
- 2) A meeting shall be held between the employee and the Supervisor to discuss the grievance or dispute and the remedy sought within two working days.
- 3) If the matter remains unresolved the employee may request the matter be referred to the departmental head or other authorised Officer for consideration. A further meeting of all parties shall be held as soon as practical.
- 4) Grievances involving allegations of serious breach of discipline such as misconduct or negligence will be referred to the General Manager.
- 5) If the matter remains unresolved the General Manager shall provide the employee with a written response. The response shall include the reasons for not implementing any proposed remedy.
- 6) Where the matter remains unresolved it may be referred to the Employee's Union or Representative and by the General Manager or other authorised Officer to the Association for further discussion between the parties.

If a grievance is unable to be resolved by a meeting between the parties then the Industrial Registrar may be advised of the existence of a dispute and the matter shall be dealt with in accordance with the Local Government (State) Award.

#### **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 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***

***Version 4 Adopted: Council Meeting held 15 May 2014 (Minute No. 105/05/2014)***

***Version 3 Re-Adopted: Council Meeting held 19 February 2009 (Minute No.26/02/2009)***

***Version 3 Adopted: Council Meeting held 15 November 2007 (Minute No. 366/11/2007)***

***Version 2 Adopted: Council Meeting held 20 October 2005 (Minute No. 392/10/2005)***

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



## INJURY MANAGEMENT & REHABILITATION (RECOVER AT WORK) POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</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>November 2022</b>	Next Scheduled Review	<b>November 2026</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
- 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.

### ***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>Workplace Injury Management and Workers Compensation Act 1998</i></b> <b><i>Work Health &amp; Safety Act 2011</i></b> <b><i>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.

***Version 4 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***

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

## PLANT REPLACEMENT POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>Version 7</b>		
Policy Responsibility	<b>Engineering &amp; Technical Services</b>		
Review Timeframe	<b>Every 4 Years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### 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	<b>10</b>			
Loader	3.0M3	10	12	<b>10</b>			
Loader	1.5M3	10	15	<b>15</b>			
Trucks	10 M3 Heavy Duty	8	10	<b>8</b>			
Trucks	7 M3 Medium Duty				8	10	<b>8</b>
Trucks	W/Cart				8	10	<b>8</b>
Pig Trailers		12	15	<b>15</b>			
<b>MEDIUM PLANT</b>							
Backhoe	No 1	12	15	<b>12</b>			
Backhoe	No 2				12	15	<b>15</b>
Tractors	Heavy Duty	5	10	<b>7</b>			
Tractors	Medium Duty & Light	8	12	<b>10</b>			
Trucks	4m3 Bitumen	10	15	<b>10</b>			
Trucks	2M3	8	10	<b>8</b>			
Rollers	Major Vibrating (new)	8	10	<b>8</b>			
Rollers	Major Vibrating (new)				8	10	<b>8</b>
Rollers	Other						
<b>LIGHT PLANT</b>							
Gang Vehicles		2	OR 120,000 KM				
Mowers	Major ride on	2	5	<b>3</b>			
Mowers	Medium Ride on	2	5	<b>3</b>			

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>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					

- 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 Re-Adopted:** Council Meeting held 17 November 2022 (Minute No.225/11/2022)  
**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)



## RECORDS MANAGEMENT POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>5</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### 1. PURPOSE OF THIS POLICY

The purpose of this policy is to establish a framework for the implementation of a records management program.

Coolamon Shire Council is committed to maintaining a records management program that meets its business needs and accountability requirements, whilst ensuring records of continuing value form part of the States cultural heritage.

This policy applies to all Council business.

It concerns records, which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business.

Electronic messages (e-mail) which are relevant to the information gathering, policy formulation or decision making processes of Council are part of the scope of this policy. (See separate **Electronic Mail (E-mail) & Internet Policy**)

Electronic messages, which document business activity, should be printed, registered and placed on Council files.

Not all electronic messages are relevant to information gathering therefore they do not require downloading or printing, these are of short-term value or personal messages.

All procedures and records management systems are to be consistent with this policy.

### 2. AUTHORITY OF THIS POLICY

This policy is issued under the authority of the General Manager and will be reviewed and amended as required in consultation with the Executive Managers and Staff of Council.

Ownership of this policy rests with the Executive Manager, Corporate & Community Services and responsibility for its implementation rests with that Officer.

### 3. AUTHORITY OF THE EXECUTIVE MANAGER, CORPORATE & COMMUNITY SERVICES

Responsibility for Council's records management program is assigned to the Executive Manager, Corporate & Community Services.

The role of the Executive Manager, Corporate & Community Services is to provide a strategic focus for recordkeeping throughout Council and is responsible for: -

- Establishing records management policies for the organisation as a whole.
- Establishing corporate standards for recordkeeping and records management.
- Providing consulting services to Council staff.
- Developing corporate electronic records management strategies.
- Working with other Managers of Engineering and Technical, Planning & Environmental Services to develop coherent information architecture across the organisation.
- Working with other accountability stakeholders, including the FOI officer and executive management, to ensure recordkeeping systems support organisational and public accountability.

#### PURPOSE OF THE RECORDS MANAGEMENT PROGRAM

Records Services Corporate Objective: -

***To ensure that the management of Councils information resources and records management program provide timely and comprehensive information to meet operational business needs, accountability requirements and community expectations.***

***To ensure the preservation of Council's 'corporate memory' through sound recordkeeping practices and the accurate capture of information to meet legal, evidential and accountability requirements.***

Records management proceeds from the assumption that information is a resource which must be managed if it is to be used effectively; good records management is of key importance to good management.

Coolamon Shire Council is committed to maintaining a records management program that meets its business needs and accountability requirements.

Records are a vital ingredient in the support of Council's ongoing business activities.

As a public agency Council is bound by the requirements and regulations of the *State Records Act 1998*, these regulations set out specific practices, which Council must comply with, and be audited against.

Council is committed to meeting all statutory and accountability requirements.

There are certain community expectations and cultural obligations associated with recordkeeping practices, Council is committed to managing its records of continuing value and their timely transfer to State Archives.



## **RESPONSIBILITIES AND ACCOUNTABILITIES**

This policy applies to all Coolamon Shire Council employees.

The *State Records Act 1998* requires Council to make and keep full and accurate records as evidence of business activities. Council is required to implement a records management program based on legislation, standards and codes of best practice.

Council is responsible for the protection, safe custody and return of All State records under its control, ensuring accessibility to all equipment or technology dependant records.

### **General Manager**

Under the *State Records Act* (Part 2 Section 10) the General Manager is responsible for ensuring that Coolamon Shire Council complies with the regulations and requirements of the Act.

### **Executive Manager, Corporate & Community Services**

The Executive Manager, Corporate & Community Services has the responsibility and authority to set and issue corporate standards, and to monitor and audit compliance with these standards throughout Council.

### **Council Staff**

As public sector employees, all Council staff need to be aware of recordkeeping requirements that affect the performance of their duties.

The *State Records Act 1998* requires public officials to 'make and keep full and accurate records' of their business activities.

The NSW Public Sector Code of Conduct requires public officials 'maintain adequate documentation to support any decision made' in the performance of their duties.

The Ombudsman's Good Conduct and Administrative Practice Guidelines for Public Authorities states that public officials must make and create records to support accountability and corporate memory.

### **Council staff have a number of basic obligations regarding records: -**

- Make records to support the conduct of their business activities
- Create records that would not otherwise be created
- Register records into paper or electronic recordkeeping systems
- Learn how and where records are kept within Council
- Do not destroy Council records without authority from the Executive Manager, Corporate & Community Services
- Do not lose records
- Be aware of records management procedures

## **Corporate Services Section**

The Executive Manager, Corporate & Community Services is operationally responsible for the efficient management of Council records (physical and electronic) incorporating sound recordkeeping principles and records management best practice guidelines.

The Corporate Services section of Coolamon Shire Council is responsible for the effective management and system administration of Councils primary Recordkeeping system.

The Corporate Services section will assist staff in fulfilling their recordkeeping responsibilities and provide advice and training throughout the implementation of this policy and strategies.

Administration staff will monitor and review the implementation process of all records management policies and programs.

## **MONITOR/PLAN THE RECORDS MANAGEMENT PROGRAM**

Regular monitoring of the records management program is undertaken by the Finance Manager, with results being reported to the Executive Manager, Corporate & Community Services.

Council will complete and forward any '**Records Management Survey**' conducted by the State Records Authority of NSW as part of the monitoring and reporting arrangements of the State Records Act 1998.

Regular planning for the records management program will be undertaken through specific strategic and operational plans, which will be reviewed on a regular basis.

## **VALUE OF RECORDS AS A CORPORATE ASSET**

The records of Council are an exceptionally important information resource, they are a unique and vital asset, and often they cannot be easily reconstructed or replaced.

They show valuable precedents and courses of action, without the knowledge of which Council cannot function.

They exist for a variety of administrative, functional, historical and legal reasons.

Their existence protects Council's interests, and the interests of the community Council serve.

Records are the major component of the Council's corporate memory, they provide evidence of actions and decisions and document Councils transactions.

Records support policy formulation and managerial decision making and help deliver Council services in a consistent and equitable manner.

Council creates records as evidence of business activity; they support efficiency and productivity and enable staff to meet their legislative and administrative responsibilities.

As part of the NSW public sector, records created by Council also form part of the State's records, that is records 'made and kept, or received and kept, by any person in the course of the exercise of official

functions in a public office, or for any purpose of a public office, or for the use of a public office' (State Records Act 1998, s.3)

## **LEGISLATIVE FRAMEWORK FOR RECORDKEEPING**

Council's records management and recordkeeping practices comply with relevant Acts and Regulations and standards relating to records management.

Legislation Includes: -

State Records Act 1998 (NSW)

Standard on Full and Accurate Records

Standard on Records Management Programs

Standard on the Physical Storage of State Records

Standard on Recordkeeping in the Electronic Business Environment

Policy on Electronic Messages as Records & Recordkeeping

Local Government Records Disposal Authority-GA28 & GA 39

Australian Standard AS4390 Records Management

Banking Act

Companion Animal Legislation

Coolamon Shire Council Privacy Management Plan

Corporations Law 1989

Environment Protection Act

Environmental Planning & Assessment Act

Evidence Act 1995 (NSW)

Financial Institutions Duty Act 1982

Government Information (Public Access) Act 2009

Health Records and Information Privacy Act 2002

Fringe Benefits & Income Tax Assessment Act

Insurance Act

Local Government Act 1993

Occupational Health & Safety Act 1983 and regulations

Payroll Tax Act

Privacy Act 1988

Privacy & Personal Information Act 1998

Public Interest Disclosures Act 2010

Public Finance & Audit Act 1983 and Treasury Directions

Public Health Act & Regulations

Public Sector Management Act 1988

Roads Act & General Regulation

Roads & Traffic Act

State Emergency & Rescue Management Act

Statute of Limitations Act 1969 (NSW)

Swimming Pools Act

Trade Practices Act 1974

Workers Compensation Act (Register Injuries & Employees Records)

## **OBLIGATIONS OF RECORDS USERS**

Staff members shall not alienate, relinquish control over, or destroy records of Council without authorisation to do so.

Staff members shall ensure that records in any format, including electronic documents and electronic messages are captured into the Councils recordkeeping systems.

Staff members are required to follow authorised procedures in carrying out records management functions.

Staff members are required to handle records with care and respect in a sensible manner, to avoid damaging records with a view to prolonging their life span.

## **POLICY RELATING TO RECORDS MANAGEMENT FUNCTIONS**

### **File Creation – (Allocation)**

Files are allocated by Administration staff by utilising subject matter.

The subject matter is based on consistent naming conventions, which are automatically allocated to the file title at the time of creation depending on the subject of the document to be filed.

Files are created under Property, Subject, and Personnel categories.

Legal documents numbering plan is also utilised.

### **Document Registration**

Inwards correspondence (letters, faxes, E-mails) are copied and distributed to relevant officers for action, original copy is registered into the Correspondence Register recordkeeping system after initial appraisal by administration staff based on legal, evidential and accountability requirements.

Emails are given a file number then a copy passed to relevant officer for action. Original is registered with Correspondence Register Recordkeeping System after initial appraisal by Administration Staff. Hard copy is located in Council's central filing system under appropriate category, (eg: property, subject, personnel or legal documents).

This registration process enables the tracking of the document throughout Council's records.

Legal document files are controlled by the Executive Assistant.

### **Tracking**

Administration Staff (Executive Assistant) controls Council's central records, these files are made available to staff and issued by the Executive Assistant.

Rating records/property files are controlled by Administrative Officer who makes files available to Staff.

Personnel files are controlled by Human Resources and Risk Manager who will make files available to Staff who have authority to view them.

## **Appraisal and Disposal of Records**

Staff appraise records on receipt in accordance with business activities, evidential and legal requirements.

Council records must be protected, maintained, findable and useable for their total retention period as outlined by GA39 and GA28 and must be disposed of in accordance with the State Records Act 1998 and Council's disposal procedures.

Files are generally retained in the 'active' file storage area for a period of five years, at the end of this period files are transferred to the 'semi-active' file storage area for a further time period dependent on the individual file classification.

The record is then sentenced and destroyed/archived in accordance with the Local Government Records General Disposal Authority (GA39 and GA28) and concurrence of the relevant manager.

If files have been classified as State Archives they are transferred to the State Records Authority in accordance with relevant guidelines eg. open or closed access provisions.

## **Records Security**

The security of all Council records is crucial as records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met.

Records in all formats should be stored securely to prevent unauthorised access, destruction, alteration or removal.

Council staff are responsible for the safe custody of all files and documents that are marked to them, sensitive or confidential information should be placed in a secure storage area when not in use.

When the action has been completed the file/documents should be returned to the records section for storage.

File storage units should be locked overnight wherever possible to prevent unauthorised access; this reduces the possibility of damage by water or fire in the event of a disaster.

In association with security levels based on an individual's log in and organisational status within Council, individual 'caveats' are placed on files which control access to certain types of files such as personal files, 'in confidence', financial, legal, insurance.

Council's legal document files are maintained and stored in Council's strongroom and staff personnel files are maintained under security in the Human Resources and Risk Manager's Office.

Council records are not to be stored at home or left in cars unattended as they could be lost or damaged.

Vital records should be stored in protective or fire resistant conditions with suitable access conditions; confidential records should be stored in locked storage cabinets.

## **File Check**

Administration staff will periodically conduct a file check verifying that files are physically located at the correct location.

Council staff are to return files/documents to the records section as soon as action on the files/documents is completed.

## **GLOSSARY**

### ***Accountability***

The principle that individuals, organisations and the community are required to account to others for their actions.

Organisations and their employees must be able to account to appropriate regulatory authorities, to shareholders or members, and to the public to meet statutory obligations, audit requirements, relevant standards and codes of practice, and community expectations.

### ***Active Records***

Records in frequent use required for current business.

These records are usually stored in office space and equipment close to hand.

### ***General Records***

These records include all aspects of the Organisation's internal administration, including budget and finance matters, general correspondence, staff matters, Ministerial and Parliamentary papers, accommodation and management information systems, and the Organisation's own agendas, minutes and business papers.

### ***Appraisal***

The process of evaluating business activities to determine which records need to be captured and how long the records need to be kept, to meet business needs, the requirements of organisational accountability and community expectations.

### ***Archive***

The whole body of records of continuing value of an organisation or individual. Sometimes called 'corporate memory'.

### ***Archives***

Those records that are appraised as having continuing value.

### ***Business Activity***

Umbrella term covering all the functions, processes, activities and transactions of an organisation and its employees. (AS4390 Part 1 – Clause 4.6).

Records that document business activity are vital for supporting informed decision making, corporate memory and ensuring accountability.

E-mail containing evidence of business transactions such as: -

- A directive or approval for a particular course of action
- Formal communications between internal officers or external agencies
- Final versions of reports
- Policy documents and Statements
- Formal minutes of Council Committees

Which are not captured in any other form.

This material is distinct from: -

- Information only messages
- Duplicates or working copies/memos
- Private messages or personal comments between officers

which would not provide evidence or be required for accountability purposes.

### **Classification**

The process of devising and applying schemes based on the business activities which generate records, whereby they are categorised in systematic and consistent ways to facilitate the capture, retrieval, maintenance and disposal.

Classification includes determining document or file naming conventions, user permission and security restrictions on records.

### **Disposal**

A range of processes associated with implementing appraisal decisions.

These include the retention, deletion or destruction of records in or from recordkeeping systems. They may also include the migration or transmission of records between recordkeeping systems, and the transfer of custody or ownership of records.

### **Documents**

Structured units of recorded information, published or unpublished, in hard copy or electronic form, and managed as discrete units in information systems.

### **Electronic Mail – (E-mail)**

E-mail is a computer-based message sent over a communications network to one or more recipients. It may be transmitted with attachments such as electronic files containing text, graphics, images, digitised voice and video or computer programs.

### **Electronic Messaging**

Electronic Messaging is a generic term encompassing all forms of electronically mediated communication.

This includes electronic mail for text messages, voice mail, electronic document exchange (Electronic FAX), electronic data interchange (EDI), and multi media communications such as tele/video conferencing and videotext.

It involves the electronic transmission of information as discrete electronic messages over computer-based data communication network or voice messages over a telephone network.

***Evidence***

Information that tends to prove a fact. Not limited to the legal sense of the term.

***File***

Files are a collection of documents on a specific subject, located within a file cover, which show organisational activities through an identifiable sequence of transactions.

Documents are arranged in chronological order, ie the most recent document is placed on top.

***Functional Records***

Records relating to the functional activities of the Organisation.

***Inactive Records***

Records that are no longer required for use by the organisation in the conduct of its activities and functions.

***Recordkeeping***

Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

***Recordkeeping Systems***

Information systems, which capture, maintain and provide access to records over time.

***Record***

Means any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means.

***Records***

Recorded information, in any form, including data in computer systems, created or received and maintained by an organisation or person in the transaction of business or the conduct of affairs and kept as evidence of such activity.

***Records Disposal Authority***

A systematic functional listing of records created by an organisation which plans the life of those records from their creation to their disposal.

***Records Management***

The discipline and organisational function of managing records to meet operational business needs, accountability requirements and community expectations.

***Registration***

The act of giving a record a unique identity in a recordkeeping system.

***Semi-active Records***

Records that are no longer frequently used by the organisation in the conduct of its activities and functions (ie once or twice a year)



**State Record**

Means any record made and kept, or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office, whether before or after the commencement of this act.

**Storage**

The function of storing records for future retrieval and use.

**Tracking**

Capturing and maintaining information about the movement and uses of records.

**Transaction**

The smallest unit of business activity, uses of records are themselves transactions.

**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 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***

***Version 5 Adopted: Council Meeting 19 September 2013 (Minute No 232/09/2013)***



## ROAD DAMAGE – WET WEATHER PERIODS POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>4</b>		
Policy Responsibility	<b>Engineering &amp; Technical Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

To protect the assets of the Coolamon Shire Council.

### GENERAL

That subject to the discretion of the Executive Manager, Engineering & Technical Services heavy transport shall be limited and/or precluded from using Council roads where excessive damage may be sustained.

### 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 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)**

**Version 4 Adopted: Council Meeting held 20 October 2016 (Minute No. 233/10/2016)**

**Version 3 Adopted: Council Meeting held 21 May 2009 (Minute No.141/05/2009)**

**Version 2 Adopted: Council Meeting held 15 May 2008 (Minute No. 129/05/2008)**

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



## ROAD DRAINAGE POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>3</b>		
Policy Responsibility	<b>Engineering &amp; Technical Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

To protect infrastructure assets of Coolamon Shire Council.

### GENERAL

The principle function of road drainage construction activities is to ensure that:

- 1) Roads are constructed according to appropriate Engineering standards and to convey stormwater drainage from the roadside in an efficient manner along established water courses.
- 2) Any request for the special stormwater needs of the adjacent landholder will be assessed according site specific circumstances.

### 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 17 November 2022 (Minute No.225/11/2022)**

**Version 3 Adopted: Council Meeting held 20 October 2016 (Minute No. 233/10/2016)**

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

**Version 2 Adopted: Council Meeting held 15 May 2008 (Minute No. 129/05/2008)**

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

## SIGNS AS REMOTE SUPERVISION POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>Version 3</b>		
Policy Responsibility	<b>Engineering and Technical Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

This Policy recognises the importance of using signs as remote supervision (SARS) to warn users of Council owned, operated or controlled land within the Coolamon Shire Council Local Government Area (LGA) of the risk and nature of any hazards in the area.

Users of Council owned, operated or controlled land are exposed to varying degrees of risk associated with the hazards which exist on the land - both natural hazards and hazards related to developed facilities. As it is not always possible to eliminate the risk from these hazards, it is desirable to provide a warning to land users about the risk and nature of any hazards. Signs can be an effective way to provide this risk warning.

Using signs as remote supervision also helps Council achieve the community objective in meeting the needs of the Coolamon Shire community and its visitors.

### POLICY STATEMENT

This policy aims to

- promote an integrated risk management framework including use of signs as remote supervision;
- ensure consistency and fairness in the manner in which Council deals with signage;
- promote awareness and ensure compliance with legislative requirements under the *Local Government Act 1993* and the *Civil Liability Act 2002*;
- take such steps as are appropriate to ensure that signs are effective and meet current risk management best practice and Australian Standards; and
- make Council's policy and requirements for signs as remote supervision readily accessible and understandable to the public.

### Application

This Policy applies to signs used for remote supervision on Council owned or controlled land and facilities in the Coolamon Shire Local Government Area (LGA).

### **Use of Signs for Remote Supervision (SARS)**

Areas of recreational risk exposure at Council owned or controlled facilities such as, swimming pools, reserves, parks, recreational areas and Quarries, will be assessed with a view to mitigating the risk by using signs as remote supervision.

Remote supervision signage will be used to advise or warn people of inherent dangers in the environment in which they are operating.

Council's *Signs as Remote Supervision Code of Practice* includes procedures in relation to its signs used as remote supervision, based on current best practice manual issued by StateWide Mutual.

### **Risk Management**

Council will conduct a regular site risk audit for all Council owned areas annually.

The site risk audits will include inspection and assessment of defects and appropriateness of existing remote supervision signage, and make recommendations regarding any maintenance, installation or changes to signs.

### **Installation and Replacement**

Signs as Remote Supervision (SARS) shall be provided as resources permit, based on a priority rating.

SARS signs in existence currently not meeting the current best practice and/or Australian Standards shall be replaced as resources permit, in priority order.

## **IMPLEMENTATION**

### **Procedure**

This Policy will be implemented by following Council's *Signs as Remote Supervision Procedure*, which specifies in detail the procedures and rating formula for facilities.

A rating formula will be used to assess all Council's facilities and allocate a Facility Visitation Rating (FVR) based on public usage.

$$\text{Facility Visitation Rate} = (\text{Development} \times \text{Population}) + \text{Frequency}.$$

The value of the FVR is an indication of the risk that Council is exposed to related to the activities that occur in each facility. This value will allow Council to decide on the most appropriate sign which in turn will act as the most suitable form of remote supervision. Once the FVR has been determined and the hazards for each facility identified, appropriate SARS signs will be installed as warranted.

### **Staff**

Under supervision, and once appropriate training has been received, relevant Council staff will be responsible for ensuring that this Policy is implemented within their work area.

### **Concerns**

Public concerns communicated to Council in relation to this Policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.

## Consultation

Any consultation deemed necessary will occur as required with key stakeholders, as per Coolamon Shire Council's Consultation policy.

## ASSOCIATIONS & RELATIONSHIPS

Related Legislation	<b><i>Local Government Act 1993, The Civil Liability Act 2002 (CLA) and relevant Australian Standards. WHS Act 2011 WHS Regulations 2017</i></b>
Related Policies	<b><i>Risk Management</i></b>
Related Procedures/Protocols, Statements, Documents	<b><i>Signs as Remote Supervision Procedure Statewide Mutual – Best Practice Manual; Signs as remote supervision AS 2342 Development, testing and Implementation of information and safety symbols and symbolic signs AS/NZS 2416 Standard for Water Safety</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 every two years.

***Version 3 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)***

***Version 3 Adopted: Council Meeting held 15 February 2018 (Minute No. 17/02/2018)***

***Version 2 Adopted: Council Meeting held 14 February 2012 (Minute No. 022/02/2012)***

***Version 1 Adopted: Council Meeting held 19 February 2009 (Minute No.26/02/2009)***



## SUN PROTECTION POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</b>		
Version	<b>Version 7</b>		
Policy Responsibility	<b>Corporate &amp; Community Services</b>		
Review Timeframe	<b>Every 4 years</b>		
Last Review Date	<b>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

To provide all of Councils staff with protection from the harmful effects of ultra violet radiation.

Minimize the potential for skin disorders including a range of skin cancers, drying and aging of skin, sunburn and various other conditions common to outdoor workers, including heat stress, dehydration and heat stroke, through exposure to harmful ultra violet radiation.

### ELIGIBILITY

This policy shall apply to all staff of Coolamon Shire Council.

### STRATEGIES

#### CONDITIONS RELATING TO STAFF WORKING OUTDOORS

##### **CATEGORY 1**

All staff required to work outside an office, building or workshop during working hours, are required to wear, for the whole working day, protective clothing including wide brimmed hat and sunscreen cream to reduce the harmful effects of ultra violet radiation from the sun. Baseball caps are not acceptable.

This group would include, but not limited to, all operations staff in Civil Works, Parks and Building, Waste Services, Garbage Staff, Engineering Staff, Surveyors, Survey Assistants, Supervisors, and any other Outdoor Staff. (This will include those employees in Categories 2 or 3 who work outside for any period in aggregate greater than 30 minutes).

##### **CATEGORY 2**

Groups of employees required to work outdoors regularly for short periods only, in exposed situations, including Planning & Environmental Services Staff, Engineering & Technical Services Staff, Administrative Staff, Childcare Educators and similar, should wear a hat and are encouraged to wear protective clothing and sun screen cream to reduce the harmful effects of ultra violet radiation from the sun when they are outdoors. Baseball caps are not acceptable.

### **CATEGORY 3**

All other employees who do not work in direct sunlight are considered to be low risk and will not be required to wear special sun protection clothing or equipment.

*Background information - Exposure to ultra violet radiation is cumulative and in effect means that six exposures of ten minutes is equivalent to one hour of continuous exposure.*

### **PROTECTIVE CLOTHING AND OTHER MEASURES**

All shirts must have long sleeves and be made of material which gives good protection from ultra violet radiation.

It is a requirement that knee length shorts or skirts or long trousers, long skirts or slacks be worn by those staff in Category 1.

Wide brimmed or legionnaire style hats shall be worn at all times of exposure to direct sunlight, by categories 1, 2, & 3. Baseball caps are not acceptable.

To protect other areas of the body including hands and face, 30+ block-out cream and safety sunglasses should be used.

Where appropriate shade structures are available and the functions of the job permit, then exposure should be minimized by utilization of these structures.

Every employee who is exposed to sunlight for short periods of their normal working day is encouraged to wear appropriate clothing and or sun screen.

### **EXEMPTIONS**

Council does not foresee any need for staff to be exempted from the wearing of sun protective clothing and equipment. Staff who believe they have a legitimate reason for not complying with this Policy will need to approach their individual Supervisors, from where the matter will be referred to Council's Human Resources Officer before any consideration will be made for an exemption to this Policy other than as specified.

### **RESPONSIBILITIES**

- a. An employee has the responsibility to wear clothing and equipment in accordance with this Policy.
- b. It is the responsibility of Supervisory Staff to ensure each employee complies with the requirements of this Policy.
- c. Where safety clothing is provided by Council, employees found not wearing the appropriate clothing and/or equipment and who have been not granted an exemption shall be directed to change into the correct attire or be sent home immediately to get appropriate attire.  
*Note: Time away from work will not be paid.*
- d. Failure to comply will result in the incident being reported by the supervisor to the Department Head who shall initiate appropriate disciplinary action.
- e. Where safety clothing is provided by Council, employees noting defects in clothing or equipment shall report as soon as practicable to the Supply Officer/Storeman who shall arrange replacement and withdrawal of the defective item for examination and action.



- f. Employees whose exemption requirements cannot be satisfactorily resolved will be removed to areas not requiring the use of protective clothing or equipment, provided suitable work can be found.
- g. Where Council provides clothing for other safety reasons then such clothing should be of a type that will meet the requirements of this policy as well.

## **EDUCATION AND TRAINING**

As part of its commitment to its staff's wellbeing, Council will undertake to introduce and implement an on-going training program to educate staff about the dangers and long term effects of exposure to strong light sunlight. This information will be brought to the attention of new staff in the induction program.

## **PENALTIES**

All staff should note that, under the provisions of the *Work, Health and Safety Act 2011* and requirements, breaches of safety requirements can attract on-the-spot fines by the Workcover Authority Inspectors.

Council reserves the right to vary or revoke this policy at any time.

## **DISCIPLINARY PROCEDURE FOR NOT WEARING SAFETY GEAR**

A specific disciplinary procedure for not wearing or using safety equipment will apply. This disciplinary procedure will be as follows: -

- a) If an employee fails to wear or use safety equipment as required by Council they will be given a verbal warning by their supervisor or department head. A written record will be kept of this warning in the supervisors own notes.
- (b) If the employee again fails to wear or use appropriate safety equipment then they will be warned in writing by the appropriate Department Manager.
- (c) If the employee again fails to wear or use safety equipment within six months of the second suspension, then termination of the employee may occur in accordance with the Local Government (State) Award.

## **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 Re-Adopted:** *Council Meeting held 17 November 2022 (Minute No.225/11/2022)*  
**Version 7 Adopted:** *Council Meeting held 21 June 2018 (Minute 121/06/2018)*  
**Version 6 Adopted:** *Council Meeting held 15 May 2014 (Minute No. 105/05/2014)*  
**Version 5 Adopted:** *Council Meeting held 24 September 2009 (Minute No.292/09/2009)*  
**Version 4 Adopted:** *Council Meeting held 19 February 2009 (Minute No.26/02/2009)*  
**Version 3 Adopted:** *Council Meeting held 15 May 2008 (Minute No.129/05/2008)*  
**Version 2 Adopted:** *Council Meeting held 18 October, 2007 (Minute No. 331/10/2007)*  
**Version 1 Adopted** *Council Meeting held 19 August 2004 (Minute No. 277/8/2004)*

## VOLUNTEER POLICY

Date Adopted	<b>17 November 2022</b>		
Council Minute	<b>225/11/2022</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>November 2022</b>	Next Scheduled Review	<b>November 2026</b>

### OBJECTIVE

To provide a framework for the involvement of volunteers in Council activities, clarifying the relationship between Council staff and volunteers. It ensures that the duties and rights of Council, volunteers and volunteer organisations working for Council are clearly understood and accepted.

### POLICY STATEMENT

Coolamon Shire Council is committed to providing the community with the best possible service delivery and provision of facilities. To achieve this requires a high level of commitment and competence from all those who provide that service including:

- Section 355 Committees appointed by Council
- Individuals applying to volunteer with Council

Council respects and values the many volunteers who provide a wide range of services to the community.

Council seeks to attract the support of volunteers and recognises it's duty of care to provide them a safe working environment, minimising risks to all parties.

### DEFINITIONS

*Manager* – paid employee of Council with delegated responsibility to manage the functions of a Department within Council.

*Designated Supervisor* – Paid employee of Council who is responsible to manage an area of volunteer participation or activity.

*Volunteer Leader* – volunteer in charge of a group of volunteers

*Volunteer* – any person from the community who offers to do work for Council without monetary compensation apart from reimbursements, including work experience applicants.

## RESPONSIBILITIES

Under the *Work Health and Safety Act 2011*, volunteers are defined as being workers, and as such, while at work are owed a duty of care by council to ensure their health and safety and conversely owe a duty to Council to be responsible for their own health and safety while performing their volunteer role.

### Council will:

- Provide, as far as reasonably practical, a safe working environment, minimising risks to volunteers' health and safety.
- Recognise the different roles, rights and responsibilities of volunteers
- Ensure that volunteers are appropriately registered
- Provide appropriate induction, training and support.
- Assess volunteer skills to match tasks with expectations, interest, time commitments and skills,
- Have the right not to register a volunteer if there is a perceived health risk to the volunteer or to the effective management of the organisation
- Create a climate of mutual respect
- Ensure that volunteers have access to appropriate insurance cover
- Ensure volunteers are not used to replace paid staff
- Require volunteers to work under the supervision of paid staff.

Council holds the right to dismiss a volunteer for instances of misconduct or breaches of the volunteer's responsibilities and Council's Code of Conduct.

### Managers are responsible and will be held accountable for ensuring that:

- The Volunteer Policy and Procedures are effectively implemented in there are of control.
- Agreed Position Descriptions for volunteers are negotiated and documented.
- Designated Supervisors of volunteers have the support necessary, and are held accountable for their specific responsibilities
- Employees and Volunteers under their control are consulted about issues affecting their health and safety
- Prompt action is taken to eliminate unsafe or unhealthy conditions or behaviour.

### Designated Supervisors and Volunteer Leaders are responsible and accountable for:

- Taking all practical measures to ensure that the area they control is safe and without risks to health and that the Volunteer Policy and Procedures are adhered to
- Ensuring that persons at the workplace are behaving in a safe manner
- Ensuring Volunteers are supervised and trained sufficiently to perform the required tasks
- Detecting and promptly remedying risks to health and safety where they have the necessary authority, or promptly reporting these risks with a proposed solution to their supervisors who has the necessary authority to fix the problem
- Referring volunteers' health and safety concerns to their manager if they cannot be resolved
- Ensuring that volunteers are capable, with respect to their health and safety, to perform the required tasks.
- Providing appropriate induction into the workplace

**Volunteers** are responsible, and will be held accountable for:

- Taking reasonable care for the health and safety of themselves and others
- Co-operating and complying with Council's WHS and Volunteer Policies and Programs
- Promptly reporting all incidents , accidents, illnesses and any risks to health and safety
- Complying with Council's Code of Conduct

**Human Resources Officer** is responsible for:

- Providing Volunteer Induction into the organisation
- Maintaining Council's Volunteer Register

#### **ASSOCIATIONS & RELATIONSHIPS**

Legislation	<i>Work Health and Safety Act 2011</i>
Policies	
Procedures/Protocols, Statements, Documents	<i>Volunteer Application and Approval Process Volunteer Application Form Volunteer Agreement Volunteer Position Description Section 355 Handbook</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 2 Re-Adopted: Council Meeting held 17 November 2022 (Minute No.225/11/2022)**

**Version 2 Adopted: Council Meeting Held 21 June 2018 (Minute No. 121/06/2018)**

**Version 1 Adopted: Council Meeting held 21 August 2014 (Minute No. 212/08/2014)**