

Meeting commenced at 2.00pm.

BUSINESS:

- 1) Apologies
- 2) a. Confirmation of Minutes of the Meeting held 17th August, 2017.
b. Matters arising out of Minutes. (Not elsewhere reported)
- 3) Correspondence
 - a. Agenda A (Information Only)
 - b. Agenda B
- 4) General Manager's Report
 - 4.1 General Manager's Report
 - 4.2 Executive Manager, Corporate & Community Services' Report
 - 4.3 Executive Manager, Engineering & Technical Services' Report
 - 4.4 Executive Manager, Development & Environmental Services' Report
- 5) Recommendations of a Committee of a Whole Meeting held 21st September, 2017.
- 6) Reports: Delegates/Mayor/Councillors

PRESENT: Clrs John Seymour, Bruce Hutcheon, Alan White, Jeremy Crocker, Steven Jones, Colin McKinnon, Dave McCann, Clr Kerrilee Logan and Clr Kathy Maslin.

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;
Samantha Jennings, Finance Manager.

APOLOGIES: Nil

1) APOLOGIES

There were no Apologies.

2a) CONFIRMATION OF MINUTES OF THE MEETING HELD 17TH AUGUST, 2017.

RESOLVED on the motion of Clr McCann and seconded by Clr Crocker that the Minutes of the Meeting held 17th August, 2017 as circulated be confirmed and adopted. 155/09/2017

2b) MATTERS ARISING OUT OF THE MINUTES
There were no matters arising out of the Minutes.

3) CORRESPONDENCE

AGENDA A (FOR INFORMATION ONLY)

1a) INFORMATION PAPERS

➔ The following papers have been **distributed** with Council's supplementary material as being matters of information/interest to Councillors. If Councillors desire any further information on the matters distributed then that can be raised with the General Manager. Attachment No. 1

- 1) Local Government NSW Weekly Circulars 31, 32, 33, 34 and 35.
- 2) Minutes of the Ganmain Quasiquicentennial Meetings held 9th August, 2017 and 30th August, 2017.
- 3) Minutes of the Advance Ganmain Committee Meeting held 6th September, 2017.
- 4) Minutes of the Ganmain Quasiquicentennial Meeting held 13th September, 2017.

2a) ACTIVITY REPORTS

- 1) Operating Statistics of the Coolamon Shire Library for August 2017.
- 2) Community Development Officer's Report for August 2017.

General Manager's Note

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

3a) HON KATRINA HODGKINSON MP (P.06-01, SC310)

Sending a letter of thanks to Council for the many years of working together on issues of importance to Coolamon and district.

General Manager's Note

→ A copy of the letter is distributed with the Information papers. **Attachment No. 3**

RESOLVED on the motion of Clr Crocker and seconded by Clr White that the correspondence listed in Agenda A be received. **156/09/2017**

AGENDA B

**1b) JUNEE RSL SUB-BRANCH & THE JUNEE EX-SERVICES MEMORIAL CLUB
(P.05-01, SC308)**

Extending an invitation to attend their Community Forum which will be held at the Junee Ex-Services Memorial Club Auditorium on Wednesday, 1st November, 2017 between 7.00pm and 9.00pm. Special guest will be NSW Police Deputy Commissioner, Regional NSW Field Operations, Gary Worboys.

General Manager's Note

→ A copy of the Invitation is distributed with the Information papers. **Attachment No. 4**

RESOLVED on the motion of Clr McCann and seconded by Clr Jones that the correspondence be noted. **157/09/2017**

**2b) PARLIAMENT OF NEW SOUTH WALES – JOINT STANDING COMMITTEE ON
ELECTORAL MATTERS (E.01-02, SC158)**

The Joint Standing Committee on Electoral Matters is conducting an Inquiry into preference counting in Local Government Elections in New South Wales.

They invite Councils to make a submission to the Inquiry and the closing date is Friday, 29th September, 2017.

General Manager's Note

→ A copy of the Terms of Reference is distributed with the information papers.
Attachment No. 5

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Logan that the Correspondence be noted. **158/09/2017**

.....
J. J. Seymour

MAYOR

.....
Mary Douglas

GENERAL MANAGER.

4) GENERAL MANAGER REPORTS

4.1) GENERAL MANAGER REPORTS

GM1) COUNCIL MEETINGS – DATE & TIME OF MEETINGS, COMMITTEES AND DELEGATES (C.11-01)

1) DETERMINATION OF DATE AND TIME OF MEETING

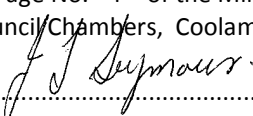
The Local Government Act requires that Council should meet at least ten times per annum, each time being in a different month. (Section 365). It is appropriate therefore that Council determine the date and time for its Ordinary Meeting. Current policy is that Council meets on the third Thursday of the month commencing at 2.00pm.

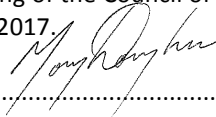
RESOLVED on the motion of Clr Logan and seconded by Clr White that the Ordinary Meeting of Council be held at 2.00pm on the third Thursday of the month. 15/09/2017

2) APPOINTMENT OF DELEGATES

The following delegates are appointed usually for the term of Council unless Council proposes changes. The Organisations are external to Council's Administration.

	ORGANISATION	DELEGATES
a	Riverina Regional Library	<ul style="list-style-type: none">• Clr K Logan• General Manager, T Donoghue• Alternate Delegate: Executive Manager, Corporate & Community Services, C Armstrong
b	Traffic Facilities Committee	<ul style="list-style-type: none">• Executive Manager, Engineering & Technical Services, T Kelly
c	Riverina Eastern Regional Organisation of Councils (REROC)	<ul style="list-style-type: none">• Mayor, Clr J Seymour• General Manager, T Donoghue
d	Goldenfields Water County Council	<ul style="list-style-type: none">• Clr D McCann
e	Local Emergency Management Committee	<ul style="list-style-type: none">• Executive Manager, Engineering & Technical Services, T Kelly• General Manager, T Donoghue


..... MAYOR

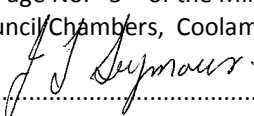

.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

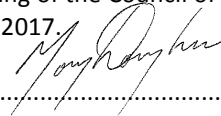
f	Eastern Riverina Arts	<ul style="list-style-type: none"> Community Development Officer, J Inch
g	Coolamon/June Police Community Consultative Committee	<ul style="list-style-type: none"> Clr J Seymour Clr B Hutcheon General Manager, T Donoghue <i>Alternate Delegate: Clr D McCann</i>
h	Noxious Weeds Authority Joint Venture Operating Committee	<ul style="list-style-type: none"> Clr J Seymour Clr C McKinnon Executive Manager, Engineering & Technical Services, T Kelly
i	NSW Rural Fire Service Agreement Committee	<ul style="list-style-type: none"> Clr C McKinnon
j	Riverina Regional Weeds Committee	<ul style="list-style-type: none"> Clr K Maslin

RESOLVED on the motion of Clr McCann and seconded by Clr Crocker that the delegates remain the same for the 2017/2018 year. 160/09/2017

	ORGANISATION	DELEGATES
a	Riverina Regional Library	<ul style="list-style-type: none"> Clr K Logan General Manager, T Donoghue Alternate Delegate: Executive Manager, Corporate & Community Services, C Armstrong
b	Traffic Facilities Committee	<ul style="list-style-type: none"> Executive Manager, Engineering & Technical Services, T Kelly
c	Riverina Eastern Regional Organisation of Councils (REROC)	<ul style="list-style-type: none"> Mayor, Clr J Seymour General Manager, T Donoghue
d	Goldenfields Water County Council	<ul style="list-style-type: none"> Clr D McCann
e	Local Emergency Management Committee	<ul style="list-style-type: none"> Executive Manager, Engineering & Technical Services, T Kelly General Manager, T Donoghue
f	Eastern Riverina Arts	<ul style="list-style-type: none"> Community Development Officer, J Inch
g	Coolamon/June Police Community Consultative Committee	<ul style="list-style-type: none"> Clr J Seymour Clr B Hutcheon General Manager, T Donoghue <i>Alternate Delegate: Clr D McCann</i>



..... MAYOR



.....GENERAL MANAGER.

h	Noxious Weeds Authority Joint Venture Operating Committee	<ul style="list-style-type: none">• Clr J Seymour• Clr C McKinnon• Executive Manager, Engineering & Technical Services, T Kelly
i	NSW Rural Fire Service Agreement Committee	<ul style="list-style-type: none">• Clr C McKinnon
j	Riverina Regional Weeds Committee	<ul style="list-style-type: none">• Clr K Maslin

3) COUNCIL COMMITTEE STRUCTURE

The following Committees are structured as Council Committees and as such cannot make binding decisions. Their role is to review issues directed to them and to make recommendations to the following Council Meeting.

- Committee of a Whole

All Councillors

- To consider matters referred to this Committee that are in accordance with the relevant sections of the Local Government Act 1993 and to then make recommendations to the open Council Meeting.

- Staff Committee

- General Manager Performance Review Committee:

Councillor J Seymour
Councillor B Hutcheon
Councillor D McCann

- To implement a General Manager Performance Appraisal System that is in accordance with the Guidelines issued by the Office of Local Government.
- To determine the General Manager's Performance Agreement and to undertake the Performance Appraisal in its entirety.
- To review and adjust the current General Manager's Employment Contract and the total Remuneration Package subject to Clause 8.3 of that Contract (refers to Performance Appraisal) and the Guidelines.

- Executive Management Committee:
General Manager, T Donoghue (Chairman)
Executive Manager, Engineering & Technical Services, T Kelly
Executive Manager, Corporate & Community Services, C Armstrong
Executive Manager, Development & Environmental Services, C Farmer
 - To consider operational issues as determined by the General Manager.
 - To review and prepare budgets and other financial documentation prior to submission to Council.
 - To review Council's Strategic 10 Year Plan prior to submission to Council.
 - To undertake policy and strategic review issues prior to Council consideration.
-

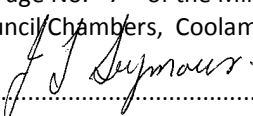
- Consultative Committee:
General Manager, T Donoghue
Mr J Mitchell
Mrs N Johnson
 - Council by law is required to constitute a Consultative Committee. The Committee considers issues of an industrial nature with recommendations coming to Council.
-

- Code of Conduct Committee

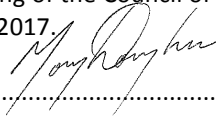
Coolamon Code of Conduct Committee
Gary Lavelle, Temora Shire Council
Kris Dunstan, Temora Shire Council
Steve Firth, Temora Shire Council

Temora Code of Conduct Committee
Tony Donoghue
Courtney Armstrong
-

- ~~Internal Audit Review Committee~~
- Audit, Risk & Improvement Committee
Mr Gary Lavelle, Temora Shire Council
Mr Steve Firth, Temora Shire Council
Clr Bruce Hutcheon
Clr Alan White


.....

MAYOR


.....

GENERAL MANAGER.

~~Temora Internal Audit Review Committee~~

June Audit, Risk & Improvement Committee

Tony Donoghue
Courtney Armstrong

• Work Health & Safety Committee

Elected Representatives:

Works Staff

- Stephen Buttigieg
- Craig Whitmore
- Jason Mitchell

Coolamon Early Childhood Centre

- Karina Bourke

Administration

- Margaret Payton

Allawah Lodge Aged Persons Hostel

- Amanda Cain

Allawah Community Care

- Karly Robinson

Management Appointed:

- Courtney Armstrong
- Scott Buchanan

Human Resources / Risk Management Officer:

- Nyrelle Johnson

- Under Work, Health & Safety Legislation, Council Staff are entitled to request the formation of a Work, Health & Safety Committee.
-

• Events Funding Committee:

Clr J Seymour
Clr K Maslin
Clr D McCann
Clr K Logan

- The purpose of the Committee is to review the various applications and make recommendations for formal approval by Council.

RESOLVED on the motion of Clr McCann and seconded by Clr Logan that Council's Committee Structure be adopted as follows: 161/09/2017

- **Committee of a Whole**
All Councillors

- To consider matters referred to this Committee that are in accordance with the relevant sections of the Local Government Act 1993 and to then make recommendations to the open Council Meeting.

- **General Manager Performance Review Committee:**
Councillor J Seymour
Councillor B Hutcheon
Councillor D McCann

- To implement a General Manager Performance Appraisal System that is in accordance with the Guidelines issued by the Office of Local Government.
- To determine the General Manager's Performance Agreement and to undertake the Performance Appraisal in its entirety.
- To review and adjust the current General Manager's Employment Contract and the total Remuneration Package subject to Clause 8.3 of that Contract (refers to Performance Appraisal) and the Guidelines.

- **Executive Management Committee:**

General Manager, T Donoghue (Chairman)
Executive Manager, Engineering & Technical Services, T Kelly
Executive Manager, Corporate & Community Services, C Armstrong
Executive Manager, Development & Environmental Services, C Farmer

- To consider operational issues as determined by the General Manager.
- To review and prepare budgets and other financial documentation prior to submission to Council.
- To review Council's Strategic 10 Year Plan prior to submission to Council.

- **To undertake policy and strategic review issues prior to Council consideration.**

-
- **Consultative Committee:**
General Manager, T Donoghue
Mr J Mitchell
Mrs N Johnson

- **Council by law is required to constitute a Consultative Committee. The Committee considers issues of an industrial nature with recommendations coming to Council.**

-
- **Code of Conduct Committee**

Coolamon Code of Conduct Committee

Gary Lavelle, Temora Shire Council
Kris Dunstan, Temora Shire Council
Steve Firth, Temora Shire Council

Temora Code of Conduct Committee

Tony Donoghue
Courtney Armstrong

-
- **Audit, Risk & Improvement Committee**
Mr Gary Lavelle, Temora Shire Council
Mr Steve Firth, Temora Shire Council
Clr Bruce Hutcheon
Clr Alan White

Junee Audit, Risk & Improvement Committee

Tony Donoghue
Courtney Armstrong

-
- **Work Health & Safety Committee**

Elected Representatives:

Works Staff

- **Stephen Buttigieg**
- **Craig Whitmore**

- Jason Mitchell

Coolamon Early Childhood Centre

- Karina Bourke

Administration

- Margaret Payton

Allawah Lodge Aged Persons Hostel

- Amanda Cain

Allawah Community Care

- Karly Robinson

Management Appointed:

- Courtney Armstrong
- Scott Buchanan

Human Resources / Risk Management Officer:

- Nyrelle Johnson

Community Care and Volunteers

- Karly Robinson

- Under Work, Health & Safety Legislation, Council Staff are entitled to request the formation of a Work, Health & Safety Committee.

• **Events Funding Committee:**

Clr J Seymour
Clr K Maslin
Clr D McCann
Clr K Logan

- The purpose of the Committee is to review the various applications and make recommendations for formal approval by Council.

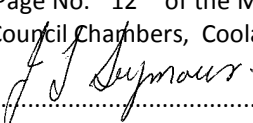
4) DELEGATION OF VARIOUS AUTHORITIES TO COMMITTEES AND COUNCIL
STAFF

Pursuant to a new Council being elected it is the responsibility of that Council to either reaffirm or revoke previous delegations to Council Staff and Committees. Delegations made to Staff or Committees allow the organisation to function without constant reference to Council. Decisions made are generally in accordance with Council's policies and as such expedite the decision making process. The following is a formal list of delegations that have existed in the past or have evolved through general practice.

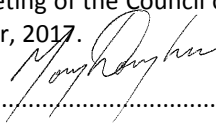
DELEGATIONS FROM COUNCIL TO THE MAYOR

That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the MAYOR, John Seymour be authorised to exercise or perform on behalf of the Coolamon Shire Council the following powers, authorities, duties and functions:

- To carry out any function conferred on and duty imposed on the Mayor under any Act or regulation.
- To carry out the general supervision, control and direction of the General Manager.
- To approve Applications of Leave by the General Manager.
- To sign cheques drawn on Council's bank accounts in conjunction with the General Manager or any other Staff Member authorised by the General Manager.
- To affix the Common Seal of Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.
- To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.
- Approve attendance by Elected Members and Senior Staff at Conferences and Seminars etc., within New South Wales and the ACT to a maximum of three days and within budget provisions.
- Authorise urgent works up to an amount of \$20,000.


.....

MAYOR


.....

GENERAL MANAGER.

DELEGATIONS FROM COUNCIL TO DEPUTY MAYOR

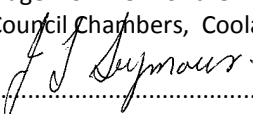
That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the DEPUTY MAYOR, Bruce Hutcheon be authorised to exercise on behalf of Coolamon Shire Council the following powers, authorities, duties and functions:-

- To carry out the statutory functions of the Mayor and exercise the delegations conferred upon the Mayor whenever the Mayor is absent from the Council area or is otherwise unable to carry out his duties.
- To affix the Common Seal of the Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.

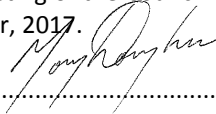
FUNCTIONS OF THE GENERAL MANAGER

In pursuance of Section 335 of the Local Government Act, 1993 the GENERAL MANAGER, Anthony Gerard Donoghue has the following functions:

- 1) The General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.
- 2) The General Manager shall have the following particular functions:
 - the day to day management of the Council;
 - to exercise such of the functions of the Council as are delegated by the Council to the General Manager;
 - to appoint staff in accordance within the organisation structure and resources approved by the Council provided. The General Manager may appoint or dismiss Senior Staff only after consultation with the Council;
 - to direct and dismiss staff; and
 - to implement the Council's equal employment opportunity management plan.
- 3) The General Manager has such other functions as may be conferred or imposed on the General Manager by or under this or any other Act.


.....

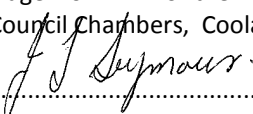
MAYOR


.....

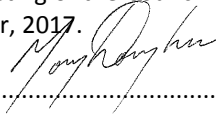
GENERAL MANAGER.

These functions include but are not limited to the following:

- To carry out the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with any policy or resolution of the Council.
- To perform or authorise any action necessary to comply with any decision, policy or code of Council, any statutory requirements of the Local Government Act or regulation or any other law, rule or regulation affecting Council.
- Reject any application within the prescribed period if it is not clear as to the approval sought or if it is not easily legible.
- Request any additional information that is reasonably necessary to determine any application.
- Authorise the purchase of stationery; seek quotes for office equipment and acceptance of quotes for amounts covered within the Budget.
- Letters of reference may be issued by the General Manager under Council's letterhead at his discretion.
- Grant the tenancy on behalf of Council to permanent residents of Kindra Lodge, Centenary Lodge, Ganmain Aged Persons Units, Ardlethan Aged Persons Units, Allawah Lodge, Allawah Village and other Council dwellings subject to such discussions on appropriateness of tenants with the Mayor.
- To sign purchase orders on Council's behalf.
- To determine the matters which are to be included in the Business Papers subject to the inclusion of the following items whenever they arise, namely:-
 - a) Reports on matters which cannot be determined under Delegated Authority.
 - b) Reports required to be submitted under any Act or regulation.
 - c) Reference to any deputations which the Council has agreed to receive.
 - d) Matters requiring a determination of policy.
 - e) Reports directed by Council to be submitted.
 - f) Matters essential for the Councils information.

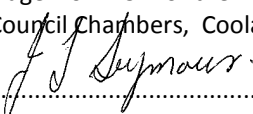

.....

MAYOR

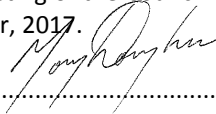

.....

GENERAL MANAGER.

- g) Matters requiring a vote of money.
 - h) Matters where the General Manager is of the opinion that any application should be refused.
- To reply to all routine correspondence not involving a monetary vote by Council, not effecting Council policy and not requiring the consideration of Council.
 - To authorise the payment of salaries and wages of the employees of the Council within the sums voted by the Council for expenditure thereon.
 - To authorise payment of accounts in respect of works or votes authorised by Council or associated with the functions of Council.
 - To approve applications for extension of time to pay accounts where acceptable case is made out.
 - To sign cheques drawn on Council's bank account and authorise and transmit electronic transfers from Council's bank account in conjunction with any other person authorised to sign cheques or electronic transfers on Council's behalf.
 - Refund of Trust Fund Deposits including Contract Deposits on the recommendation and certification of the appropriate servant.
 - Accept quotations for the purchase of and replacement of light vehicles.
 - To authorise approval of leave of absence for all Staff of the Council.
 - To apply to wages and salaries any automatic award variations basic wage variation or cost of living adjustments subject to official notification from Local Government NSW or total financial resource allocation in Council's Operational Plan.
 - To approve attendance by Council Officers and Staff at Conferences and Seminars which are conducted by or endorsed by the Office of Local Government and other relevant authorities and/or Local Government NSW.


.....

MAYOR


.....

GENERAL MANAGER.

- To approve attendance by Staff at training courses included in Council's Staff Training Programme together with associated User Group Meetings and for which funds are available in Council's Budget.
- To authorise Council Staff to attend Professional Conferences in accordance with Councils policy.

DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

That pursuant to Section 377 of the Local Government Act, 1993, Council delegates to the GENERAL MANAGER, Anthony Gerard Donoghue the functions of Council under the Local Government Act, 1993 other than those functions which, pursuant to sub-section (1) of that section, cannot be delegated by the Council.

That pursuant to Section 381 of the Local Government Act, 1993, Council delegates to the GENERAL MANAGER, Anthony Gerard Donoghue the exercise of functions conferred or imposed on Council employees under other Acts.

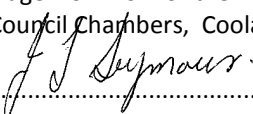
The General Manager shall exercise the functions herein delegated in accordance with and subject to:-

- (i) the provisions of the Local Government Act, 1993 and other relevant legislation; and
- (ii) each and every policy of the Council adopted by resolution and current at the time of the exercise of the function herein delegated.

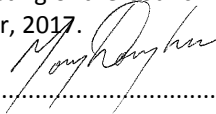
The delegations under Section 377 and 381 of the Local Government Act, 1993 include but are not limited to the following:

Local Government Act, 1993

- (a) Chapter 6 - Services Function
 - (i) PART 2 - PUBLIC LAND
 - s.54 - Issue of Land Classification Certificates.
 - (b) Chapter 7 - Regulatory Function
 - (i) PART 1 - APPROVALS
 - s.68 - Approval of activities specified in the table (Section 68 Local Government Act), except in so far as the Local Government Act, 1993, the regulations or a local policy adopted by the Council allows the


.....

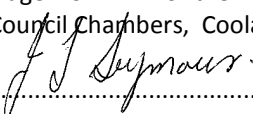
MAYOR


.....

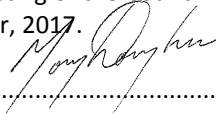
GENERAL MANAGER.

activity to be carried out without approval.

- s.82 - To modify provisions of Clauses 54 and 55 of the (Approvals) Regulations.
- s.94 - Determination of Applications by granting approval, either conditionally or subject to conditions, or by refusing approval.
- s.95 - Exercising Council's power for deferred commencement of approvals.
- s.96 - Exercising Council's power to grant Staged Approval.
- s.97 - Exercising Council's power to apply Conditions concerning security.
- s.98 - Exercising Council's power to impose Other Conditions.
- s.99 - Giving of notice to applicants of determination of Applications.
- s.100 - Review of Determination where made by a delegation of Council.
- s.106 - Exercising Council's power to amend an approval, in accordance with the procedures outlined in Section 106.
- s.107 - Exercise Council's power to extend or review an approval.
- s.108-109 - Exercise Council's power to revoke or modify an approval in any of the following circumstances:-
 - (a) if the approval was obtained by fraud, misrepresentation or concealment of facts;
 - (b) for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the Council not to have granted the approval (or not have granted it in the same terms);


.....

MAYOR


.....

GENERAL MANAGER.

- (c) for any future failure to comply with a requirement made by or under the Local Government Act, 1993 relating to the subject of the approval; and
- (d) for any failure to comply with a condition of the approval.

(ii) PART 2 - ORDERS

- s.124 - Order a person to do or refrain from doing a thing specified in Column 1 Table No.2 (Chapter 7 - Orders) if the circumstances specified opposite in Column 2 of the Table exists and the person comes within the description opposite it in Column 3 of the Table.
- s.125 - Order a person responsible for a public nuisance to abate such nuisance.
- s.132 - Give notices of an Order under Section 121.

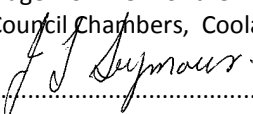
(c) Chapter 8 - Ancillary Functions

(i) PART 1 - ACQUISITION OF LAND

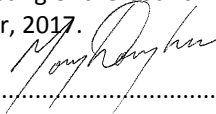
- s.186-187 - Negotiate on Council's behalf for the acquisition of land for the purpose of exercising any of the functions, up to the stage of presenting offers to Council for determination.

(ii) PART 2 - ENTRY ON TO LAND AND OTHER POWERS

- s.191-192 - Authorise Council employees (or other persons) to enter any premises for the purpose of enabling the Council to exercise its functions.
- s.194 - Authorise the use of force for the purposes of entering premises.
- s.201 - Make application to an authorised Justice for the issue of a Search Warrant.

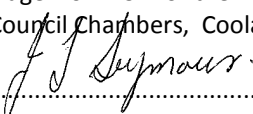

.....

MAYOR

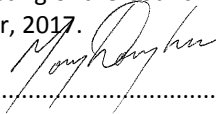

.....

GENERAL MANAGER.

- (d) Chapter 11 – How Are Councils Staffed
 - (i) PART 3 – PUBLIC OFFICER
 - s.342 - Designate a member of staff as a Public Officer.
 - s.353 - Prohibit staff from engaging in private employment or contract work outside Council.
 - (e) Chapter 12 - Operation of Councils
 - (i) PART 3 - SALE OF COUNCIL PROPERTY - PLANT AND EQUIPMENT
To dispose of Council plant and equipment by way of sale at the best offer received when:
 - (1) The sale of such item of plant and equipment is approved in the current year's annual operating plan and budget or approved by the Asset Management Committee; or
 - (2) The item of plant, equipment or material is obsolete, unserviceable and/or surplus to Council's requirements and the sale of such item of plant or equipment represents the most cost effective option.
 - (ii) PART 4 – INSURANCE
 - s.382 - Make arrangements for adequate insurance against public liability and professional liability.
 - (f) Chapter 15 - Council Finances
 - (i) PART 3 - ORDINARY RATES
 - s.514 - Determine and declare the categorisation of land for the purpose of making an ordinary rate.
 - s.515 - Determine and declare the categorisation of land as farmland.
 - s.516 - Determine and declare the categorisation of land as residential.
 - s.517 - Determine and declare the categorisation of land as mining.

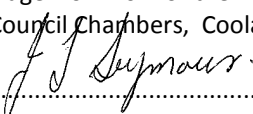

.....

MAYOR

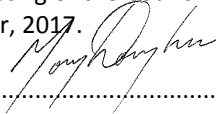

.....

GENERAL MANAGER.

- s.518 - Determine and declare the categorisation of land as business.
- s.519 - Determine and declare the categorisation of vacant land.
- s.520 - Issue notices of categorisation of land.
- s.523 - Review determinations of categorisation of land.
- s.525 - Determine applications for change of categorisation of land.
- s.548A - Determine applications for aggregation of land values by Council and to adjust and re-levy accordingly.
- (ii) PART 5 - LEVYING OF RATES AND CHARGES
- s.552 - Determination of what land may be subject to a water supply special rate or charge.
- s.553 - Determination of time at which land becomes subject to special rate or charge.
- (iii) PART 6 - RATEABLE LAND
- s.555 - Determination of what land is exempt from all rates.
- s.556 - Determination of what land is exempt from all rates, other than water supply special rates and sewerage special rates.
- (iv) PART 7 - PAYMENT OF RATES AND CHARGES
- s.564 - Approval of agreements as to periodical payment of rates and charges.
- s.567 - Write-off accrued interest on rates or charges payable by a rateable owner if, in the General Manager's opinion:-
- (a) the rateable owner is unable to pay the accrued interest for reasons beyond the rateable owner's control; or


.....

MAYOR


.....

GENERAL MANAGER.

- (b) payment of the accrued interest would cause the rateable owner hardship. Section 569 - Issue and serve notices on occupiers for liability for payment of unpaid rates and charges.

(v) LOCAL GOVERNMENT GENERAL REGULATION (2005)

cl.131 - To write off Rates and Charges in accordance with the regulation under this clause.

- To write off Rates and Charges up to \$10,000 in accordance with this clause (errors, at law or cost effectiveness).
- To write off debts to Council up to \$500.00 in accordance with this clause.

(vi) PART 13 - INVESTMENTS

s.625 - Arrange the investment of money that is not, for the time being, required by the Council for any other purpose.

Money may only be invested in the following:-

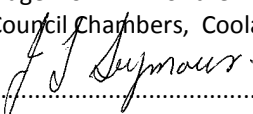
- (a) in any security authorised by the Trustee Act; or
- (b) in a form of investment notified by order of the Minister published in the Government Gazette.

(vii) LOCAL GOVERNMENT GENERAL REGULATION, 2000

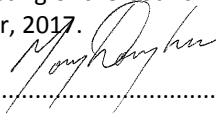
cl.144 - To apply water restrictions under the terms of this clause.

Council delegates to the General Manager the functions, powers, duties and authorities conferred upon it by the following Acts:-

- Aged Care Act, 1997
- Children and Young Persons (Care and Protection) Act, 1998
- Companion Animals Act, 1998 & Regulations
Part 5 Division 1 relating to the declaration of dangerous dogs, the


.....

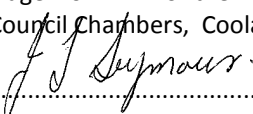
MAYOR


.....

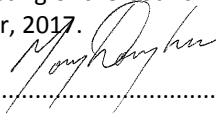
GENERAL MANAGER.

consideration of objections by owners of proposed dangerous dogs, revocation of dangerous dog declarations where it is appropriate to do so and to authorise persons for the purposes of that Act.

- Contaminated Land Management Act, 1997 & Regulations
- Environmental Planning and Assessment Act, 1979 & Regulations
 - i) The authority to determine development applications lodged for consent under Part 4 of the Environmental Planning & Assessment Act, 1979 which:
 - a) Comply with the provisions of any Environmental Planning Instrument;
 - b) Are consistent with relevant Development Control Plans, Codes or Policies adopted by the Council;
 - c) May be considered under Part 4 Division 2 (Existing Use) of the Environmental Planning & Assessment Act, 1979;
 - d) Are the subject of public submissions to which the objection relates;
 - (i) solely to the type of development proposed;
 - (ii) to possible market competition arising, if the development is approved;
 - (iii) to a design standard contained within an adopted Development Control Plan, Code or Policy;
 - (iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
 - ii) The authority to, on behalf of the Director-General, prepare Section 65 Certificates and Section 69 Reports to the Minister to approve such amendments.
(N.B. Council must still apply to the Director to complete the relevant documents under Sections 65 and 69 of the Act).
 - iii) The authority to impose conditions on a development consent granted under Part 4 of the Environmental Planning & Assessment Act, 1979, which are:
 - (a) for a purpose identified in Section 80A of the Environmental Planning and Assessment Act 1979;
 - (b) in accordance with the terms of any environmental planning instrument;
 - (c) in accordance with any development control plan, code or policy adopted by the Council;

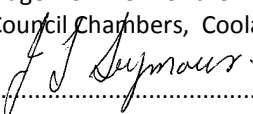

.....

MAYOR

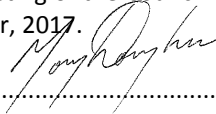

.....

GENERAL MANAGER.

- (d) requirements specified by any public authority or public undertaking.
- iv) The authority to refuse a development application which:
 - (a) is prohibited under the provisions of any environmental planning instrument;
 - (b) does not comply with the statutory provisions of the Environmental Planning & Assessment Act, 1979;
 - (c) does not contain adequate information to enable assessment under the relevant heads of consideration listed in Section 76(C) of the Environmental Planning & Assessment Act, 1979.
- v) The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96 of the Environmental Planning & Assessment Act, 1979.
- vi) The authority to approve an extension of any development consent in accordance with the provisions of Section 95 of the Environmental Planning & Assessment Act, 1979.
- vii) The function of the Council in relation to Part 5 of the Environmental Planning & Assessment Act, 1979 for an activity which is not of a prescribed kind or an activity that is not likely to significantly affect the environment.
- viii) The authority to reject a development application within 7 days after its receipt if it is not clear as to the development consent sought or it is not easily legible.
- ix) The function of the Council under Section 118B of the Environmental Planning and Assessment Act 1979 to authorise a person to carry out inspections for the purposes of that Act, the regulations under that Act and any environmental planning instrument under that Act.
- x) The function of the Council under Section 123 of the Environmental Planning and Assessment Act 1979 to bring proceedings to remedy or restrain a breach of that Act.
- xi) Authority to forward a Draft Local Environmental Plan under Section 68 of the Environmental Planning & Assessment Act, 1979 to the Department of Planning where no public submissions are received as a result of the public exhibition


.....

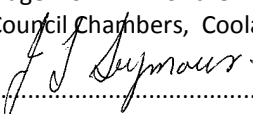
MAYOR


.....

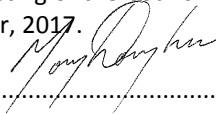
GENERAL MANAGER.

required under Section 66 of the Act.

- xii) Authority to vary any numeric standard contained within any Council code, policy or development control plan by up to 10% provided the development still meets the objectives of the particular code, policy or development control plan.
- xiii) The authority to require the lodgement of a cash bond or bank guarantee for work outstanding in any partly completed development with the amount of the bond being sufficient to complete the approved work allowing for inflation and administration costs or as provided for in Council's policy.
- xiv) The authority to act on Council's behalf in relation to legal proceedings lodged with the Land & Environment Court as follows:
 - (a) To determine the nature of action to be taken to defend the appeal and thereafter institute any action deemed necessary in the circumstances.
 - (b) To negotiate on matters in issue during conferences between parties when presided over by an assessor appointed by the Land & Environment Court and to delegate such authority to the Director - Works and/or the Director – Environmental & Community Services, where appropriate.
- xv) The function of the Council under Section 149, 149A, 149C and 149D.
- xvi) The authority to issue Certificates under Part 4A including Construction, Occupation, Compliance and Subdivision Certificates.
- xvii) Part 6 - Division 1A Power of Entry onto Land and Other Powers.
- xviii) Issue Notice of Intent under Section 21H for an Order under Section 121B.
- ixx) Issue Orders under Section 121B.

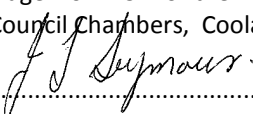

.....

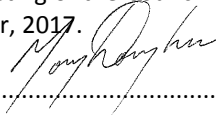
MAYOR


.....

GENERAL MANAGER.

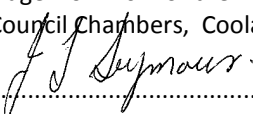
- Environmental Planning & Assessment Amendment Act, 1997
 - a. Approving application which:
 - 1. Comply with the provisions of an environmental planning instrument.
 - 2. Are consistent with relevant Development Control Plans, Codes or Policies adopted by Council.
 - 3. May be considered under Part 4, Division 10, Existing Uses.
 - 4. Are the subject of public submissions to which the objection relates:
 - i) solely to the type of development proposal.
 - ii) to possible market competition arising, if the development is approved.
 - iii) to a design standard contained within an adopted Development Control Plan, Code or Policy.
 - iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
 - (v) To make decisions on matters in issues during any mediation between parties whether presided over by a mediator appointed by the Court (Commissioner) or by a commercial mediator appointed to determine such matters.
 - b. Imposing conditions on a development consent granted under Part 4 which are:
 - 1) For a purpose identified in Section 80A.
 - 2) In accordance with the terms of an environmental planning instrument.
 - 3) In accordance with any Development Control Plan, code or policy adopted by Council.
 - 4) Requirements specified by any public authority or public undertaking including a Commissioner appointed by the Land & Environment Court.
 - c. Refusing application which:
 - 1) are prohibited under the provisions of any environmental planning instrument.
 - 2) do not comply with the statutory provisions of the Environmental Planning and Assessment Amendment Act, 1997.
 - 3) do not contain adequate information to enable assessment under the matters for consideration listed in Section 79C.
 - d. The authority to approve an extension of any development


..... MAYOR

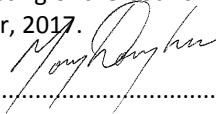

.....GENERAL MANAGER.

consent in accordance with the provisions of Section 95A.

- e. The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96.
 - f. The authority to revoke or modify a development consent under Section 96A.
 - g. The authority to determine, issue or revoke the following certificates in accordance with the provisions of:
 - a) Section 109C – Part 4
 - 1) Compliance Certificates
 - 2) Construction Certificates
 - 3) Occupation Certificates
 - 4) Subdivision Certificates
 - b) Section 149A
 - 5) Building Certificates
 - h. The function of the Council to determine in relation to Part 5A for an activity which is not a prescribed activity that is not likely to significantly affect the environment.
 - i. The function of the Council under Section 188A to authorise a person to enter any premises in accordance with Sections 118B – 118K.
 - j. The functions of the Council in the giving of orders to do or to refrain from doing such things as specified in the Table detailed in Section 121B if the circumstances specified opposite it in Column 2 of the Table exist and the person comes within the description opposite it in Column 3 of the Table.
 - k. The function of the Council to authorise an employee of Council to issue Penalty Notices in accordance with Section 127A.
- Government Information (Public Access) Act 2009
 - Food Act, 2003 & Regulations
 - Heritage Act, 1977
 - Impounding Act, 1993
 - Independent Commission Against Corruption Act, 1998

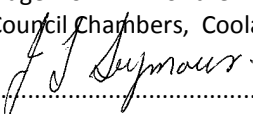

.....

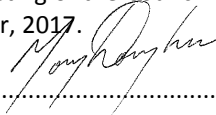
MAYOR


.....

GENERAL MANAGER.

- Biodiversity Conservation Act 2016
- Biosecurity Act 2015
- Work Health & Safety Act 2011 & Regulations 2017
- Privacy and Personal Information Protection Act, 1998
- Health Records and Information Privacy Act 2002
- Protection of the Environment Operations Act, 1997 & Regulations
 - s.91 - Issue Clean Up Notices
 - s.92 - Undertake clean up and recover costs in relation to reasonable costs and expenses.
 - s.94 - Recover costs
 - s.96 - Issue Prevention Notices
 - s.98 - Take action where a person does not comply with Prevention Notice
 - s.187 - Appoint authorised officers
 - s.224 - Serve a Penalty Notice
 - s.264 - Issue Noise Control Notices
- Public Health Act, 2010 & Regulations
 - s.10 - Exercise Functions
 - s.10F - Power to Enter and Inspect Premises or a supplier of Water
 - s.10I - Closure of Water Supply
 - s.47 - Power of Authorised Officer under Part 4 – Microbial Control
 - s.51 - Power of Authorised Officer under Part 5 – Skin Penetration
 - s.70 - Inspection of Records
 - s.72 - Power of Entry
- Roads Act, 1993
- Rural Fires Act, 1997 & Regulations
 - s.66 - Issue notices requiring owners or occupiers (not being a public authority) of land to carry out bush fire hazard reduction work.
 - s.67 - Resolve objections to Section 66 Notices.
 - s.70 - Enter on land and carry out bush fire hazard reduction work.
 - Div2A - Investigate bush fire hazard complaints.
 - s.100D, 100E, 100F & 100G - Issue bush fire hazard certificates.
 - s.100H - Remedy and restraint for breaches under Sections 100F and 100G by bringing proceedings in the Land & Environment Court.


..... MAYOR


.....GENERAL MANAGER.

s.131 - To serve penalty notices on a person.

- State Emergency & Rescue Management Act, 1989
- State Records Act, 1998
- Swimming Pools Act, 1992
 - s.27 - Power to Appoint Inspector
 - s.28 - Power of Entry and Inspection
 - s.24 - Issue Compliance Certificates
 - s.34 - Serve Notices
 - s.35 - Issue Penalty Notices
- Transport Administration Act 1988
- Waste Minimisation Act
- Water Management Act, 2010 & Regulations
- Workers Compensation Act, 1987

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the following delegations be approved: 162/09/2017

DELEGATIONS FROM COUNCIL TO THE MAYOR

That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the MAYOR, John Seymour be authorised to exercise or perform on behalf of the Coolamon Shire Council the following powers, authorities, duties and functions:

- **To carry out any function conferred on and duty imposed on the Mayor under any Act or regulation.**
- **To carry out the general supervision, control and direction of the General Manager.**
- **To approve Applications of Leave by the General Manager.**
- **To sign cheques drawn on Council's bank accounts in conjunction with the General Manager or any other Staff Member authorised by the General Manager.**

- To affix the Common Seal of Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.
- To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.
- Approve attendance by Elected Members and Senior Staff at Conferences and Seminars etc., within New South Wales and the ACT to a maximum of three days and within budget provisions.
- Authorise urgent works up to an amount of \$20,000.

DELEGATIONS FROM COUNCIL TO DEPUTY MAYOR

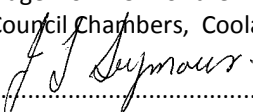
That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the DEPUTY MAYOR, Bruce Hutcheon be authorised to exercise on behalf of Coolamon Shire Council the following powers, authorities, duties and functions:-

- To carry out the statutory functions of the Mayor and exercise the delegations conferred upon the Mayor whenever the Mayor is absent from the Council area or is otherwise unable to carry out his duties.
- To affix the Common Seal of the Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.

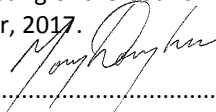
FUNCTIONS OF THE GENERAL MANAGER

In pursuance of Section 335 of the Local Government Act, 1993 the GENERAL MANAGER, Anthony Gerard Donoghue has the following functions:

- 1) The General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.
- 2) The General Manager shall have the following particular functions:


.....

MAYOR


.....

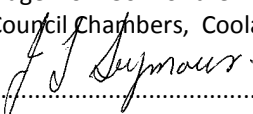
GENERAL MANAGER.

- the day to day management of the Council;
- to exercise such of the functions of the Council as are delegated by the Council to the General Manager;
- to appoint staff in accordance within the organisation structure and resources approved by the Council provided. The General Manager may appoint or dismiss Senior Staff only after consultation with the Council;
- to direct and dismiss staff; and
- to implement the Council's equal employment opportunity management plan.

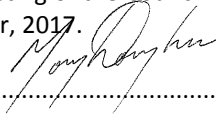
3) The General Manager has such other functions as may be conferred or imposed on the General Manager by or under this or any other Act.

These functions include but are not limited to the following:

- To carry out the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with any policy or resolution of the Council.
- To perform or authorise any action necessary to comply with any decision, policy or code of Council, any statutory requirements of the Local Government Act or regulation or any other law, rule or regulation affecting Council.
- Reject any application within the prescribed period if it is not clear as to the approval sought or if it is not easily legible.
- Request any additional information that is reasonably necessary to determine any application.
- Authorise the purchase of stationery; seek quotes for office equipment and acceptance of quotes for amounts covered within the Budget.
- Letters of reference may be issued by the General Manager under Council's letterhead at his discretion.
- Grant the tenancy on behalf of Council to permanent residents of Kindra Lodge, Centenary Lodge, Ganmain Aged Persons Units, Ardlethan Aged Persons Units, Allawah Lodge, Allawah Village and other Council dwellings subject to such discussions on appropriateness of tenants with the Mayor.

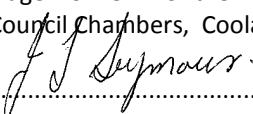

.....

MAYOR

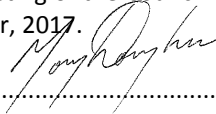

.....

GENERAL MANAGER.

- To sign purchase orders on Council's behalf.
- To determine the matters which are to be included in the Business Papers subject to the inclusion of the following items whenever they arise, namely:-
 - a) Reports on matters which cannot be determined under Delegated Authority.
 - b) Reports required to be submitted under any Act or regulation.
 - c) Reference to any deputations which the Council has agreed to receive.
 - d) Matters requiring a determination of policy.
 - e) Reports directed by Council to be submitted.
 - f) Matters essential for the Council's information.
 - g) Matters requiring a vote of money.
 - h) Matters where the General Manager is of the opinion that any application should be refused.
- To reply to all routine correspondence not involving a monetary vote by Council, not effecting Council policy and not requiring the consideration of Council.
- To authorise the payment of salaries and wages of the employees of the Council within the sums voted by the Council for expenditure thereon.
- To authorise payment of accounts in respect of works or votes authorised by Council or associated with the functions of Council.
- To approve applications for extension of time to pay accounts where acceptable case is made out.
- To sign cheques drawn on Council's bank account and authorise and transmit electronic transfers from Council's bank account in conjunction with any other person authorised to sign cheques or electronic transfers on Council's behalf.
- Refund of Trust Fund Deposits including Contract Deposits on the recommendation and certification of the appropriate servant.
- Accept quotations for the purchase of and replacement of light vehicles.


.....

MAYOR


.....

GENERAL MANAGER.

- To authorise approval of leave of absence for all Staff of the Council.
- To apply to wages and salaries any automatic award variations basic wage variation or cost of living adjustments subject to official notification from Local Government NSW or total financial resource allocation in Council's Operational Plan.
- To approve attendance by Council Officers and Staff at Conferences and Seminars which are conducted by or endorsed by the Office of Local Government and other relevant authorities and/or Local Government NSW.
- To approve attendance by Staff at training courses included in Council's Staff Training Programme together with associated User Group Meetings and for which funds are available in Council's Budget.
- To authorise Council Staff to attend Professional Conferences in accordance with Councils policy.

DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

That pursuant to Section 377 of the Local Government Act, 1993, Council delegates to the GENERAL MANAGER, Anthony Gerard Donoghue the functions of Council under the Local Government Act, 1993 other than those functions which, pursuant to sub-section (1) of that section, cannot be delegated by the Council.

That pursuant to Section 381 of the Local Government Act, 1993, Council delegates to the GENERAL MANAGER, Anthony Gerard Donoghue the exercise of functions conferred or imposed on Council employees under other Acts.

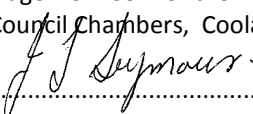
The General Manager shall exercise the functions herein delegated in accordance with and subject to:-

- (i) the provisions of the Local Government Act, 1993 and other relevant legislation; and
- (ii) each and every policy of the Council adopted by resolution and current at the time of the exercise of the function herein delegated.

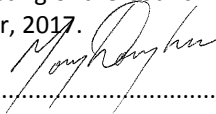
The delegations under Section 377 and 381 of the Local Government Act, 1993 include but are not limited to the following:

Local Government Act, 1993

- (a) Chapter 6 - Services Function**
- (i) PART 2 - PUBLIC LAND**
 - s.54 - Issue of Land Classification Certificates.**
- (b) Chapter 7 - Regulatory Function**
- (i) PART 1 - APPROVALS**
 - s.68 - Approval of activities specified in the table (Section 68 Local Government Act), except in so far as the Local Government Act, 1993, the regulations or a local policy adopted by the Council allows the activity to be carried out without approval.**
 - s.82 - To modify provisions of Clauses 54 and 55 of the (Approvals) Regulations.**
 - s.94 - Determination of Applications by granting approval, either conditionally or subject to conditions, or by refusing approval.**
 - s.95 - Exercising Council's power for deferred commencement of approvals.**
 - s.96 - Exercising Council's power to grant Staged Approval.**
 - s.97 - Exercising Council's power to apply Conditions concerning security.**
 - s.98 - Exercising Council's power to impose Other Conditions.**
 - s.99 - Giving of notice to applicants of determination of Applications.**
 - s.100 - Review of Determination where made by a delegation of Council.**
 - s.106 - Exercising Council's power to amend an approval, in accordance with the procedures outlined in Section**


.....

MAYOR


.....

GENERAL MANAGER.

106.

s.107 - Exercise Council's power to extend or review an approval.

s.108-109 - Exercise Council's power to revoke or modify an approval in any of the following circumstances:-

- (a) if the approval was obtained by fraud, misrepresentation or concealment of facts;**
- (b) for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the Council not to have granted the approval (or not have granted it in the same terms);**
- (c) for any future failure to comply with a requirement made by or under the Local Government Act, 1993 relating to the subject of the approval; and**
- (d) for any failure to comply with a condition of the approval.**

(ii) PART 2 - ORDERS

s.124 - Order a person to do or refrain from doing a thing specified in Column 1 Table No.2 (Chapter 7 - Orders) if the circumstances specified opposite in Column 2 of the Table exists and the person comes within the description opposite it in Column 3 of the Table.

s.125 - Order a person responsible for a public nuisance to abate such nuisance.

s.132 - Give notices of an Order under Section 121.

(c) Chapter 8 - Ancillary Functions

(i) PART 1 - ACQUISITION OF LAND

s.186-187 - Negotiate on Council's behalf for the acquisition of land for the purpose of exercising any of the functions, up to the stage of presenting offers to

Council for determination.

(ii) PART 2 - ENTRY ON TO LAND AND OTHER POWERS

s.191-192 - Authorise Council employees (or other persons) to enter any premises for the purpose of enabling the Council to exercise its functions.

s.194 - Authorise the use of force for the purposes of entering premises.

s.201 - Make application to an authorised Justice for the issue of a Search Warrant.

(d) Chapter 11 – How Are Councils Staffed

(i) PART 3 – PUBLIC OFFICER

s.342 - Designate a member of staff as a Public Officer.

s.353 - Prohibit staff from engaging in private employment or contract work outside Council.

(e) Chapter 12 - Operation of Councils

**(i) PART 3 - SALE OF COUNCIL PROPERTY - PLANT AND EQUIPMENT
To dispose of Council plant and equipment by way of sale at the best offer received when:**

(1) The sale of such item of plant and equipment is approved in the current year's annual operating plan and budget or approved by the Asset Management Committee; or

(2) The item of plant, equipment or material is obsolete, unserviceable and/or surplus to Council's requirements and the sale of such item of plant or equipment represents the most cost effective option.

(ii) PART 4 – INSURANCE

s.382 - Make arrangements for adequate insurance against public liability and professional liability.

(f) Chapter 15 - Council Finances

(i) PART 3 - ORDINARY RATES

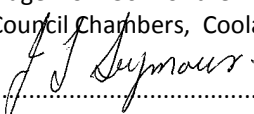
- s.514 - Determine and declare the categorisation of land for the purpose of making an ordinary rate.**
- s.515 - Determine and declare the categorisation of land as farmland.**
- s.516 - Determine and declare the categorisation of land as residential.**
- s.517 - Determine and declare the categorisation of land as mining.**
- s.518 - Determine and declare the categorisation of land as business.**
- s.519 - Determine and declare the categorisation of vacant land.**
- s.520 - Issue notices of categorisation of land.**
- s.523 - Review determinations of categorisation of land.**
- s.525 - Determine applications for change of categorisation of land.**
- s.548A - Determine applications for aggregation of land values by Council and to adjust and re-levy accordingly.**

(ii) PART 5 - LEVYING OF RATES AND CHARGES

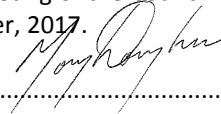
- s.552 - Determination of what land may be subject to a water supply special rate or charge.**
- s.553 - Determination of time at which land becomes subject to special rate or charge.**

(iii) PART 6 - RATEABLE LAND

- s.555 - Determination of what land is exempt from all rates.**


.....

MAYOR


.....

GENERAL MANAGER.

s.556 - Determination of what land is exempt from all rates, other than water supply special rates and sewerage special rates.

(iv) PART 7 - PAYMENT OF RATES AND CHARGES

s.564 - Approval of agreements as to periodical payment of rates and charges.

s.567 - Write-off accrued interest on rates or charges payable by a rateable owner if, in the General Manager's opinion:-

- (a) the rateable owner is unable to pay the accrued interest for reasons beyond the rateable owner's control; or
- (b) payment of the accrued interest would cause the rateable owner hardship. Section 569 - Issue and serve notices on occupiers for liability for payment of unpaid rates and charges.

(v) LOCAL GOVERNMENT GENERAL REGULATION (2005)

cl.131 - To write off Rates and Charges in accordance with the regulation under this clause.

- To write off Rates and Charges up to \$10,000 in accordance with this clause (errors, at law or cost effectiveness).
- To write off debts to Council up to \$500.00 in accordance with this clause.

(vi) PART 13 - INVESTMENTS

s.625 - Arrange the investment of money that is not, for the time being, required by the Council for any other purpose.

Money may only be invested in the following:-

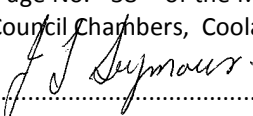
- (a) in any security authorised by the Trustee Act; or
- (b) in a form of investment notified by order of the Minister published in the Government Gazette.

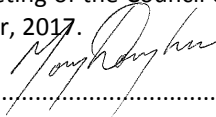
(vii) **LOCAL GOVERNMENT GENERAL REGULATION, 2000**

cl.144 - To apply water restrictions under the terms of this clause.

Council delegates to the General Manager the functions, powers, duties and authorities conferred upon it by the following Acts:-

- **Aged Care Act, 1997**
- **Children and Young Persons (Care and Protection) Act, 1998**
- **Companion Animals Act, 1998 & Regulations**
Part 5 Division 1 relating to the declaration of dangerous dogs, the consideration of objections by owners of proposed dangerous dogs, revocation of dangerous dog declarations where it is appropriate to do so and to authorise persons for the purposes of that Act.
- **Contaminated Land Management Act, 1997 & Regulations**
- **Environmental Planning and Assessment Act, 1979 & Regulations**
 - i) The authority to determine development applications lodged for consent under Part 4 of the Environmental Planning & Assessment Act, 1979 which:
 - a) Comply with the provisions of any Environmental Planning Instrument;
 - b) Are consistent with relevant Development Control Plans, Codes or Policies adopted by the Council;
 - c) May be considered under Part 4 Division 2 (Existing Use) of the Environmental Planning & Assessment Act, 1979;
 - d) Are the subject of public submissions to which the objection relates;
 - (i) solely to the type of development proposed;
 - (ii) to possible market competition arising, if the development is approved;
 - (iii) to a design standard contained within an adopted Development Control Plan, Code or Policy;
 - (iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
 - ii) The authority to, on behalf of the Director-General, prepare Section 65 Certificates and Section 69 Reports to the Minister


..... MAYOR


.....GENERAL MANAGER.

to approve such amendments.

(N.B. Council must still apply to the Director to complete the relevant documents under Sections 65 and 69 of the Act).

- iii) The authority to impose conditions on a development consent granted under Part 4 of the Environmental Planning & Assessment Act, 1979, which are:
 - (a) for a purpose identified in Section 80A of the Environmental Planning and Assessment Act 1979;
 - (b) in accordance with the terms of any environmental planning instrument;
 - (c) in accordance with any development control plan, code or policy adopted by the Council;
 - (d) requirements specified by any public authority or public undertaking.

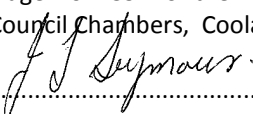
- iv) The authority to refuse a development application which:
 - (a) is prohibited under the provisions of any environmental planning instrument;
 - (b) does not comply with the statutory provisions of the Environmental Planning & Assessment Act, 1979;
 - (c) does not contain adequate information to enable assessment under the relevant heads of consideration listed in Section 76(C) of the Environmental Planning & Assessment Act, 1979.

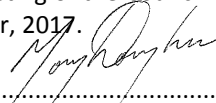
- v) The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96 of the Environmental Planning & Assessment Act, 1979.

- vi) The authority to approve an extension of any development consent in accordance with the provisions of Section 95 of the Environmental Planning & Assessment Act, 1979.

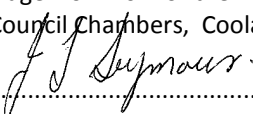
- vii) The function of the Council in relation to Part 5 of the Environmental Planning & Assessment Act, 1979 for an activity which is not of a prescribed kind or an activity that is not likely to significantly affect the environment.

- viii) The authority to reject a development application within 7 days after its receipt if it is not clear as to the development consent sought or it is not easily legible.

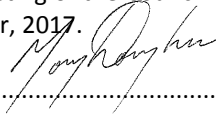

..... MAYOR


.....GENERAL MANAGER.

- ix) **The function of the Council under Section 118B of the Environmental Planning and Assessment Act 1979 to authorise a person to carry out inspections for the purposes of that Act, the regulations under that Act and any environmental planning instrument under that Act.**
- x) **The function of the Council under Section 123 of the Environmental Planning and Assessment Act 1979 to bring proceedings to remedy or restrain a breach of that Act.**
- xi) **Authority to forward a Draft Local Environmental Plan under Section 68 of the Environmental Planning & Assessment Act, 1979 to the Department of Planning where no public submissions are received as a result of the public exhibition required under Section 66 of the Act.**
- xii) **Authority to vary any numeric standard contained within any Council code, policy or development control plan by up to 10% provided the development still meets the objectives of the particular code, policy or development control plan.**
- xiii) **The authority to require the lodgement of a cash bond or bank guarantee for work outstanding in any partly completed development with the amount of the bond being sufficient to complete the approved work allowing for inflation and administration costs or as provided for in Council's policy.**
- xiv) **The authority to act on Council's behalf in relation to legal proceedings lodged with the Land & Environment Court as follows:**
 - (a) **To determine the nature of action to be taken to defend the appeal and thereafter institute any action deemed necessary in the circumstances.**
 - (b) **To negotiate on matters in issue during conferences between parties when presided over by an assessor appointed by the Land & Environment Court and to delegate such authority to the Director - Works and/or the Director – Environmental & Community Services, where appropriate.**
- xv) **The function of the Council under Section 149, 149A, 149C and 149D.**

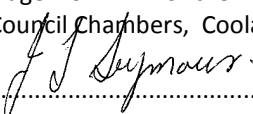

.....

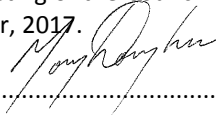
MAYOR


.....

GENERAL MANAGER.

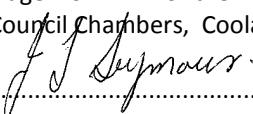
- xvi) The authority to issue Certificates under Part 4A including Construction, Occupation, Compliance and Subdivision Certificates.
 - xvii) Part 6 - Division 1A Power of Entry onto Land and Other Powers.
 - xviii) Issue Notice of Intent under Section 21H for an Order under Section 121B.
 - ixx) Issue Orders under Section 121B.
- **Environmental Planning & Assessment Amendment Act, 1997**
 - a. Approving application which:
 - 1. Comply with the provisions of an environmental planning instrument.
 - 2. Are consistent with relevant Development Control Plans, Codes or Policies adopted by Council.
 - 3. May be considered under Part 4, Division 10, Existing Uses.
 - 4. Are the subject of public submissions to which the objection relates:
 - i) solely to the type of development proposal.
 - ii) to possible market competition arising, if the development is approved.
 - iii) to a design standard contained within an adopted Development Control Plan, Code or Policy.
 - iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
 - v) To make decisions on matters in issues during any mediation between parties whether presided over by a mediator appointed by the Court (Commissioner) or by a commercial mediator appointed to determine such matters.
 - b. Imposing conditions on a development consent granted under Part 4 which are:
 - 1) For a purpose identified in Section 80A.
 - 2) In accordance with the terms of an environmental planning instrument.
 - 3) In accordance with any Development Control Plan, code or policy adopted by Council.
 - 4) Requirements specified by any public authority or public undertaking including a Commissioner appointed by the


..... MAYOR

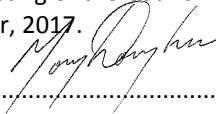

.....GENERAL MANAGER.

Land & Environment Court.

- c. **Refusing application which:**
 - 1) are prohibited under the provisions of any environmental planning instrument.
 - 2) do not comply with the statutory provisions of the Environmental Planning and Assessment Amendment Act, 1997.
 - 3) do not contain adequate information to enable assessment under the matters for consideration listed in Section 79C.
- d. **The authority to approve an extension of any development consent in accordance with the provisions of Section 95A.**
- e. **The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96.**
- f. **The authority to revoke or modify a development consent under Section 96A.**
- g. **The authority to determine, issue or revoke the following certificates in accordance with the provisions of:**
 - a) **Section 109C – Part 4**
 - 1) **Compliance Certificates**
 - 2) **Construction Certificates**
 - 3) **Occupation Certificates**
 - 4) **Subdivision Certificates**
 - b) **Section 149A**
 - 5) **Building Certificates**
- h. **The function of the Council to determine in relation to Part 5A for an activity which is not a prescribed activity that is not likely to significantly affect the environment.**
- i. **The function of the Council under Section 188A to authorise a person to enter any premises in accordance with Sections 118B – 118K.**
- j. **The functions of the Council in the giving of orders to do or to refrain from doing such things as specified in the Table detailed in Section 121B if the circumstances specified opposite it in Column 2 of the Table exist and the person comes within the description opposite it in Column 3 of the Table.**


.....

MAYOR


.....

GENERAL MANAGER.

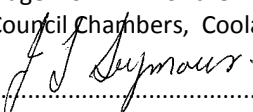
k. The function of the Council to authorise an employee of Council to issue Penalty Notices in accordance with Section 127A.

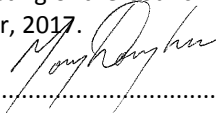
- **Government Information (Public Access) Act 2009**
- **Food Act, 2003 & Regulations**
- **Heritage Act, 1977**
- **Impounding Act, 1993**
- **Independent Commission Against Corruption Act, 1998**
- **Biodiversity Conservation Act 2016**
- **Biosecurity Act 2015**
- **Work Health & Safety Act 2011 & Regulations 2017**
- **Privacy and Personal Information Protection Act, 1998**
- **Health Records and Information Privacy Act 2002**
- **Protection of the Environment Operations Act, 1997 & Regulations**
 - s.91 - Issue Clean Up Notices
 - s.92 - Undertake clean up and recover costs in relation to reasonable costs and expenses.
 - s.94 - Recover costs
 - s.96 - Issue Prevention Notices
 - s.98 - Take action where a person does not comply with Prevention Notice
 - s.187 - Appoint authorised officers
 - s.224 - Serve a Penalty Notice
 - s.264 - Issue Noise Control Notices
- **Public Health Act, 2010 & Regulations**
 - s.10 - Exercise Functions
 - s.10F - Power to Enter and Inspect Premises or a supplier of Water
 - s.10I - Closure of Water Supply
 - s.47 - Power of Authorised Officer under Part 4 – Microbial Control
 - s.51 - Power of Authorised Officer under Part 5 – Skin Penetration
 - s.70 - Inspection of Records
 - s.72 - Power of Entry

- **Roads Act, 1993**
- **Rural Fires Act, 1997 & Regulations**
 - s.66 - Issue notices requiring owners or occupiers (not being a public authority) of land to carry out bush fire hazard reduction work.
 - s.67 - Resolve objections to Section 66 Notices.
 - s.70 - Enter on land and carry out bush fire hazard reduction work.
 - Div2A - Investigate bush fire hazard complaints.
 - s.100D, 100E, 100F & 100G - Issue bush fire hazard certificates.
 - s.100H - Remedy and restraint for breaches under Sections 100F and 100G by bringing proceedings in the Land & Environment Court.
 - s.131 - To serve penalty notices on a person.
- **State Emergency & Rescue Management Act, 1989**
- **State Records Act, 1998**
- **Swimming Pools Act, 1992**
 - s.27 - Power to Appoint Inspector
 - s.28 - Power of Entry and Inspection
 - s.24 - Issue Compliance Certificates
 - s.34 - Serve Notices
 - s.35 - Issue Penalty Notices
- **Transport Administration Act 1988**
- **Waste Minimisation Act**
- **Water Management Act, 2010 & Regulations**
- **Workers Compensation Act, 1987**

5) **SECTION 355 COMMITTEES**

Council is required to reappoint its Committees that have been structured under Section 355 of the Local Government Act 1993. That particular Section allows Council to delegate authority to individuals or Committees to carry out functions on behalf of Council, or to take the care, control and management of various facilities. A number of these Committees are made up purely of citizen representation whilst others do have Council delegates. In a number of instances there may be a Councillor Representative on the Committee but that has been purely a personal choice rather than Council actually nominating them as a delegate or


..... MAYOR


.....GENERAL MANAGER.

Council actually needing representation on that particular Committee. Council Staff do not need to be nominated as delegates to the Committees and they can attend the various meetings as and when required depending on the agenda for each particular meeting.

- **Advance Ardlethan Committee**

Committee Members:

Dell Garrett, Pauline Beard, Dianne McDermott, Aileen Bound, Jenny Kuemmel, Janice Lewis, Ann Popple, Karen Wood, Bessie Brill, Grant Beard, Lyn Litchfield, Jo Kuemmel, Kris Kuemmel, June Currie, Janet Popple, Fum Clark, Rex Brill, Denise Hollingsworth, Shirley Tyrell, Sandra Werner, Relle Miell, Neil Corey, **Ian Bonny**.

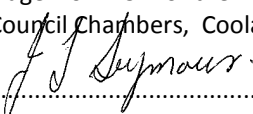
Objective:

- To control, manage and maintain the following assets on Council's behalf:-
 - Ardlethan Hall
 - ACDC Facility
 - Mullins Centre
- To represent the Community of Ardlethan to consult, engage and work with Council to achieve outcomes identified for the Ardlethan Community included in Coolamon Shire's Community Strategic Plan or otherwise.
- To carry out general promotional activities for the benefit of the Ardlethan Community.
- To conduct fundraising activities within the Community on behalf of the Advance Ardlethan Committee.

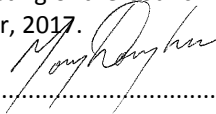
- **Advance Ganmain Committee**

Committee Members:

Bernadette Bodel, Michael Quinn, Cathryn Booth, Val Brill, Peter Warran, Ray Cox, Jan Cox, Melissa Corbett, ~~Ann Brill~~, Bronwyn Hatty, Rudi Linklater, Guy Purcell, Michael Ingrey, Renee Lucas, **Stewart Winrow, Megan Hardman, Cayley Tonacia**.


.....

MAYOR


.....

GENERAL MANAGER.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Ganmain Hall
 - Ganmain Haystack
 - ii) To represent the community of Ganmain to consult, engage and work with Council to achieve outcomes identified for the Ganmain Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Ganmain Community.
 - iv) To conduct fundraising activities within the Community on behalf of the Advance Ganmain Committee.
-

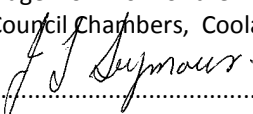
• **Advance Marrar Committee**

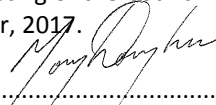
Committee Members:

~~Karen O'Donnell~~, Joanne Langtry, Ian Charlton, David Fox, Collette Wallace, John Pattison, Cathie Fox, Tom Pattison, Brendan Pattison, Kirsty McKelvie, **Mike O'Donnell**.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Marrar Hall
 - Marrar Recreation Reserve
 - ii) To represent the Community of Marrar to consult, engage and work with Council to achieve outcomes identified for the Marrar Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Marrar Community
 - iv) To conduct fundraising activities within the Community on behalf of the Advance Marrar Committee.
-


..... MAYOR


.....GENERAL MANAGER.

- **Beckom Hall & Community Committee**

Committee Members:

Paul Bray, Marie Whyte, Janesse Bundy, Colin Thew, Errol Thomson, Julie Thomson, Linda Griffin, Paul Griffin, Anne Stewart, Jim Bundy, Paul Horan, Jim Gardner, Margie Rees, Mike O'Hare, Graham Maslin, Kathy Maslin, Leo Griffin, Stan Maslin, Judy Maslin, John O'Brien, Kevin Pople, Ellie Walton, Lyn Mason.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Beckom Hall
 - Soldiers Memorial Hall
 - Beckom Community Park
 - ii) To represent the community of Beckom to consult, engage and work with Council to achieve outcomes identified for the Beckom Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Beckom Community.
 - iv) To conduct fundraising activities within the Community on behalf of the Beckom Hall & Community Committee.
-

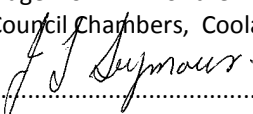
- **Ambulance Establishment Committee**

Committee Members:

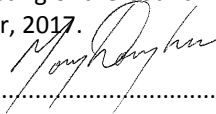
Colin Patterson, Coolamon (Chair); Allan Patterson, Coolamon; John Pattison, Marrar; Sharon Walsh, Ganmain; Henk Hulsman, Coolamon; Mike O'Donnell, Marrar.

Objective:

To support Council with its efforts to have an Ambulance Station established in Coolamon and servicing the Southern Region of the Shire by gaining public support and promoting the cause.



..... MAYOR



.....GENERAL MANAGER.

- **Ardlethan Sewerage Community Committee**

Committee Members:

Clr John Seymour, Clr Kathy Maslin, Clr Steve Jones, Grant Beard, Brett Wood, Jim Slater, President of Advance Ardlethan Committee and Secretary of Advance Ardlethan Committee.

Objective:

To act as community liaison and consultation for seeking funding and ultimate construction of the Ardlethan Sewerage Scheme.

- **Community Drug Action Team**

Committee Members:

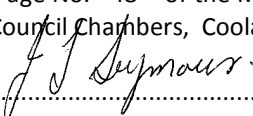
John Piltz, Bill Thompson, Eileen Knox, Cationa Kendall, John Dean, Matt Dombrovski, Stephanie Perrot, **Paul Weston**.

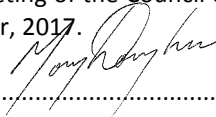
Council Delegates:

Clr Bruce Hutcheon, Clr Alan White, **Clr Jeremy Crocker**, Tony Donoghue

Objective:

- To work with all communities and all sections of those communities within the Coolamon Shire on Drug and Alcohol issues.
 - To liaise with the Drug and Alcohol Team from NSW Health on appropriate Drug and Alcohol Education Programs.
 - To manage and implement Drug and Alcohol Education Programs throughout the Community including but not limited to Schools and all Sporting Clubs.
 - To liaise with NSW Police on Drug and Alcohol issues within the Coolamon Shire Community on behalf of that Committee.
 - To conduct fundraising activities within the Coolamon Shire that support the above terms of reference.
-


..... MAYOR


.....GENERAL MANAGER.

- **Coolamon Shire Community Benefit Fund Committee**

Committee Members:

Bill Thompson; Grant Beard; Alan White; Terrey Kiss, Barrie Logan, Angela McCann.

Council Delegate:

Tony Donoghue

Objective:

The Coolamon Shire Community Benefit Fund Committee is to assess applications for funding from the Community Benefit Fund to assist residents of the Coolamon Shire with disaster situations such as:

- a. A natural disaster such as a fire, flood or storm,
- b. Serious illness or injury
- c. Financial assistance required due to a crisis situation

- **Coolamon Shire Photographic Competition**

Committee Members:

~~Shirley Frost~~, Daniel Smith, Bronwyn Hatty, Helen McLoughlin, Jodie Harris, **Jordan Bos**.

Council Delegate:

Jessica Inch.

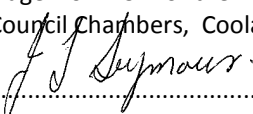
Objective:

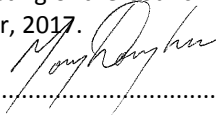
To co-ordinate and manage the "Capture Coolamon Shire Photographic Competition"

- **Coolamon Showground Management Committee**

Committee Members:

Helen Turner, ~~Vincent Leary~~, Wendy Dennis, Barry Brill.


..... MAYOR


.....GENERAL MANAGER.

Objective:

- i) The Committee is vested with general control over the Coolamon Showground Reserve and is responsible for the general maintenance of all assets contained within this Reserve area.
 - ii) To conduct fundraising activities within the Community on behalf of the Coolamon Showground Management Committee.
 - iii) To control and regulate the community use of the Showground Reserve, including the collection of fees associated with the use and operation of the facility.
-

• **Friends of the Coolamon Up-to-Date Cultural Precinct**

Committee Members:

~~Margaret Furner~~, Sandra West, ~~Fay Bocquet~~, Peter Lucas, Wayne Pearse, Bill Levy, Angela McCann, Chris Berry, Joanne Berry, Jeanette Campbell, Mel Mayer, ~~Ivan Furner~~.

Council Delegates:

~~Clr Bruce Hutcheon~~, Clr John Seymour, Clr Dave McCann.

Objective:

- i) To facilitate the operation of the Up-to-Date Store Precinct, and to develop a vibrant cultural and conference centre for the Shire.
 - ii) To work alongside the Precinct Co-ordinator to implement regular and ongoing activities and events which raises the profile of the Coolamon Shire and the Precinct.
 - iii) To research and recommend ideas and initiatives for the development and enhancements to the Up-to-Date Store Precinct.
 - iv) To work co-operatively with the Precinct Co-ordinator to achieve the goals and objectives set out in the Strategic Plan.
-

- **Local Heritage Fund Committee**

Committee Members:

Pauline Beard, Rose Higgins, Cliff Hamilton, Guy Purcell.

Council Delegates:

Clr Kathy Maslin, Clr Bruce Hutcheon, Clr John Seymour, Clr Dave McCann, Clr Alan White.

Objective:

To make recommendations for the disbursement of the Local Heritage Fund with the recommendations being submitted to Council for approval.

- **Kindra Bike and Walking Trail Management Committee**

Committee Members:

Ian Jennings, Terrey Kiss, Dick Jennings, Mick O'Neill.

Council Delegate:

Tony Kelly.

Objective:

- i) The Committee is vested with control over the licensed area of the bike/walking trail and is responsible for the general management and maintenance of all work associated with this track.
- ii) To conduct fundraising activities within the community on behalf of the Kindra Bike and Walking Trail Management Committee.
- iii) The authority to grant approval to events subject to the applicant providing Public Liability that meets the interest of Coolamon Shire Council, the State Forests and the Wiradjuri Aboriginal Land Council.

- iv) In regard to any approvals, the applicant must submit to the Committee the appropriate Risk Management Plans covering all Risk Management and Forest Management Plans.
 - v) The Committee investigate the establishment of a bike/walking off-road trail between Coolamon and Ganmain
 - vi) The Committee submit funding applications where appropriate, that may assist in the establishment of an off-road trail and/or the creation of a green corridor between Coolamon and Ganmain.
-

- **Rannock Community Centre – Reserve No. 89397**

Committee Members:

Bruce Chant, Bruce Rollins, Barry Dennis, Royston Moncrieff, Murray Higman, Felicity Grinter, Merrill Rollins.

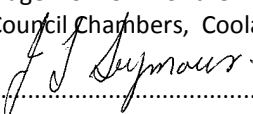
Objective:

- i) To provide management control over the Rannock Community Centre being responsible for the general maintenance of this asset.
 - ii) To conduct fundraising activities within the Community on behalf of the Rannock Community Centre.
-

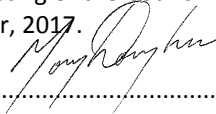
- **Volunteer Workers**

That the following persons be authorised to operate Council equipment on behalf of the following Communities:

Beckom: Natt Herden, Kevin Popple
Marrar: Steve Buttegieg, Ron Curtis, Roy Walker, Chris Nicholes
Matong: John Doherty, David Greenwell


.....

MAYOR


.....

GENERAL MANAGER.

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that
the Section 355 Committees listed below be appointed: 163/09/2017

• **Advance Ardlethan Committee**

Committee Members:

Dell Garrett, Pauline Beard, Dianne McDermott, Aileen Bound, Jenny Kuemmel, Janice Lewis, Ann Popple, Karen Wood, Bessie Brill, Grant Beard, Lyn Litchfield, Jo Kuemmel, Kris Kuemmel, June Currie, Janet Popple, Fum Clark, Rex Brill, Denise Hollingsworth, Shirley Tyrell, Sandra Werner, Relle Miell, Neil Corey, Ian Bonny.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Ardlethan Hall
 - ACDC Facility
 - Mullins Centre
- ii) To represent the Community of Ardlethan to consult, engage and work with Council to achieve outcomes identified for the Ardlethan Community included in Coolamon Shire's Community Strategic Plan or otherwise.
- iii) To carry out general promotional activities for the benefit of the Ardlethan Community.
- iv) To conduct fundraising activities within the Community on behalf of the Advance Ardlethan Committee.

• **Advance Ganmain Committee**

Committee Members:

Bernadette Bodel, Michael Quinn, Cathryn Booth, Val Brill, Peter Warran, Ray Cox, Jan Cox, Melissa Corbett, Bronwyn Hatty, Rudi Linklater, Guy Purcell, Michael Ingrey, Renee Lucas, Stewart Winrow, Megan Hardman, Cayley Tonacia.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Ganmain Hall
 - Ganmain Haystack
 - ii) To represent the community of Ganmain to consult, engage and work with Council to achieve outcomes identified for the Ganmain Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Ganmain Community.
 - iv) To conduct fundraising activities within the Community on behalf of the Advance Ganmain Committee.
-

• **Advance Marrar Committee**

Committee Members:

Joanne Langtry, Ian Charlton, David Fox, Collette Wallace, John Pattison, Cathie Fox, Tom Pattison, Brendan Pattison, Kirsty McKelvie, Mike O'Donnell.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Marrar Hall
 - Marrar Recreation Reserve
 - ii) To represent the Community of Marrar to consult, engage and work with Council to achieve outcomes identified for the Marrar Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Marrar Community
 - iv) To conduct fundraising activities within the Community on behalf of the Advance Marrar Committee.
-

- **Beckom Hall & Community Committee**

Committee Members:

Paul Bray, Marie Whyte, Janesse Bundy, Colin Thew, Errol Thomson, Julie Thomson, Linda Griffin, Paul Griffin, Anne Stewart, Jim Bundy, Paul Horan, Jim Gardner, Margie Rees, Mike O'Hare, Graham Maslin, Kathy Maslin, Leo Griffin, Stan Maslin, Judy Maslin, John O'Brien, Kevin Popple, Ellie Walton, Lyn Mason.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Beckom Hall
 - Soldiers Memorial Hall
 - Beckom Community Park
 - ii) To represent the community of Beckom to consult, engage and work with Council to achieve outcomes identified for the Beckom Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Beckom Community.
 - iv) To conduct fundraising activities within the Community on behalf of the Beckom Hall & Community Committee.
-

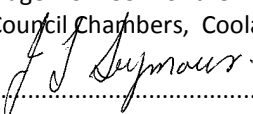
- **Ambulance Establishment Committee**

Committee Members:

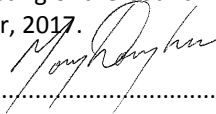
Colin Patterson, Coolamon (Chair); Allan Patterson, Coolamon; John Pattison, Marrar; Sharon Walsh, Ganmain; Henk Hulsman, Coolamon; Mike O'Donnell, Marrar.

Objective:

To support Council with its efforts to have an Ambulance Station established in Coolamon and servicing the Southern Region of the Shire by gaining public support and promoting the cause.

.....


MAYOR

.....


GENERAL MANAGER.

- **Ardlethan Sewerage Community Committee**

Committee Members:

Clr John Seymour, Clr Kathy Maslin, Clr Steve Jones, Grant Beard, Brett Wood, Jim Slater, President of Advance Ardlethan Committee and Secretary of Advance Ardlethan Committee.

Objective:

To act as community liaison and consultation for seeking funding and ultimate construction of the Ardlethan Sewerage Scheme.

- **Community Drug Action Team**

Committee Members:

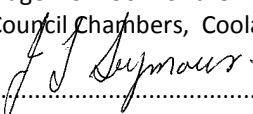
John Piltz, Bill Thompson, Eileen Knox, Cationa Kendall, John Dean, Matt Dombrovski, Stephanie Perrot, Paul Weston.

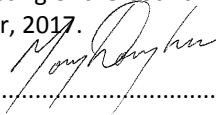
Council Delegates:

Clr Bruce Hutcheon, Clr Alan White, Clr Jeremy Crocker, Tony Donoghue

Objective:

- To work with all communities and all sections of those communities within the Coolamon Shire on Drug and Alcohol issues.
- To liaise with the Drug and Alcohol Team from NSW Health on appropriate Drug and Alcohol Education Programs.
- To manage and implement Drug and Alcohol Education Programs throughout the Community including but not limited to Schools and all Sporting Clubs.
- To liaise with NSW Police on Drug and Alcohol issues within the Coolamon Shire Community on behalf of that Committee.
- To conduct fundraising activities within the Coolamon Shire that support the above terms of reference.


..... MAYOR


.....GENERAL MANAGER.

Objective:

- i) The Committee is vested with general control over the Coolamon Showground Reserve and is responsible for the general maintenance of all assets contained within this Reserve area.
 - ii) To conduct fundraising activities within the Community on behalf of the Coolamon Showground Management Committee.
 - iii) To control and regulate the community use of the Showground Reserve, including the collection of fees associated with the use and operation of the facility.
-

• **Friends of the Coolamon Up-to-Date Cultural Precinct**

Committee Members:

Sandra West, Peter Lucas, Wayne Pearse, Bill Levy, Angela McCann, Chris Berry, Joanne Berry, Jeanette Campbell, Mel Mayer.

Council Delegates:

Clr John Seymour, Clr Dave McCann.

Objective:

- i) To facilitate the operation of the Up-to-Date Store Precinct, and to develop a vibrant cultural and conference centre for the Shire.
 - ii) To work alongside the Precinct Co-ordinator to implement regular and ongoing activities and events which raises the profile of the Coolamon Shire and the Precinct.
 - iii) To research and recommend ideas and initiatives for the development and enhancements to the Up-to-Date Store Precinct.
 - iv) To work co-operatively with the Precinct Co-ordinator to achieve the goals and objectives set out in the Strategic Plan.
-

- **Local Heritage Fund Committee**

Committee Members:

Pauline Beard, Rose Higgins, Cliff Hamilton, Guy Purcell.

Council Delegates:

Clr Kathy Maslin, Clr Bruce Hutcheon, Clr John Seymour, Clr Dave McCann, Clr Alan White.

Objective:

To make recommendations for the disbursement of the Local Heritage Fund with the recommendations being submitted to Council for approval.

- **Kindra Bike and Walking Trail Management Committee**

Committee Members:

Ian Jennings, Terrey Kiss, Dick Jennings, Mick O'Neill.

Council Delegate:

Tony Kelly.

Objective:

- i) The Committee is vested with control over the licensed area of the bike/walking trail and is responsible for the general management and maintenance of all work associated with this track.
- ii) To conduct fundraising activities within the community on behalf of the Kindra Bike and Walking Trail Management Committee.
- iii) The authority to grant approval to events subject to the applicant providing Public Liability that meets the interest of Coolamon Shire Council, the State Forests and the Wiradjuri Aboriginal Land Council.

- iv) In regard to any approvals, the applicant must submit to the Committee the appropriate Risk Management Plans covering all Risk Management and Forest Management Plans.
 - v) The Committee investigate the establishment of a bike/walking off-road trail between Coolamon and Ganmain
 - vi) The Committee submit funding applications where appropriate, that may assist in the establishment of an off-road trail and/or the creation of a green corridor between Coolamon and Ganmain.
-

- **Rannock Community Centre – Reserve No. 89397**

Committee Members:

Bruce Chant, Bruce Rollins, Barry Dennis, Royston Moncrieff, Murray Higman, Felicity Grinter, Merrill Rollins.

Objective:

- i) To provide management control over the Rannock Community Centre being responsible for the general maintenance of this asset.
 - ii) To conduct fundraising activities within the Community on behalf of the Rannock Community Centre.
-

- **Volunteer Workers**

That the following persons be authorised to operate Council equipment on behalf of the following Communities:

Beckom: Natt Herden, Kevin Popple

Marrar: Steve Buttegieg, Ron Curtis, Roy Walker, Chris Nicholes

Matong: John Doherty, David Greenwell

GM2) NRMA SERVICES FOR THE COOLAMON DISTRICT (I.03-01, SC487)

Council has been advised by Craig Corrigan from Coolamon Motors, that an agreement has been reached about continuing both the Insurance Outlet and the Road Service of NRMA in Coolamon. The agreement is that the local NRMA Service is from 6.00am to 6.00pm, five days per week. Advice received from Mr Corrigan is that 98% of the callouts occur within this time and that they are attended to within approximately 20 minutes.

The service contract for the hours outside of this will come out of Wagga with a NRMA guaranteed 1 hour access time.

Mr Corrigan advised that he appreciated the community support he received in regard to the NRMA Service and that this was a positive outcome for the community of Coolamon and surrounding districts. It was noted that the Ariaiah Park outlet that was to be closed at the same time, did in fact close.

Recommendation

For Council information.

RESOLVED on the motion of Clr White and seconded by Clr McKinnon that the report be received. 164/09/2017

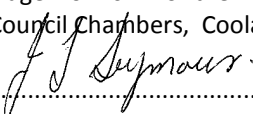
GM3) ROAD FUNDING – DICK GOSS (C.11-01, SC137)

Local Government recently lost a stalwart from past years. Dick Goss, former Shire Clerk (as it was then known) of Narrandera Shire recently passed away at 95 years of age.

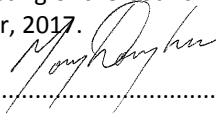
Dick was the Shire Clerk at Narrandera from 1965 to 1987 and also the father of long term resident Tom Goss.

Coolamon Shire's former General Manager, Terrey Kiss has advised that one of the first phone calls he received upon assuming the position of Shire Clerk in 1984 was from Dick advising of his availability for advice and assistance at any time.

Rural NSW owes Dick and a previous Urana Shire Clerk, Harry Hutton, a debt of gratitude. In the late 70s and 80s road funding to Local Government was nowhere near the level of today. State Government assistance was minimal and Federal funding direct to Local Government was almost nonexistent. Numerous submissions detailing the needs of rural communities and farming enterprises were prepared by Dick and Harry. They brought to the attention of State and


.....

MAYOR


.....

GENERAL MANAGER.

Federal Government the need for rural communities to have a proper road network.

Conferences were convened in Canberra, thus allowing Federal Ministers to attend. These Ministers were advised, in no uncertain terms, of the need for a decent road network to support the agricultural industry. The knowledge that both these gentlemen had of the freight needs of the farming community was outstanding. Their submissions, concerns and representations, laid the ground work for today's level of funding. It was reasonable to state that prior to their representations that road funding was not a major issue and received scant attention.

Recommendation

That Coolamon Shire Council acknowledge the passing of Mr Dick Goss, and in so doing, recognise his contribution to Local Government and in particular, his representation on behalf of Country NSW to improve the rural road network with a systematic and regular allocation of State and Federal Government funds.

RESOLVED on the motion of Clr White and seconded by Clr McCann that Coolamon Shire Council acknowledge the passing of Mr Dick Goss, and in so doing, recognise his contribution to Local Government and in particular, his representation on behalf of Country NSW to improve the Rural Road Network with a systematic and regular allocation of State and Federal Government funds. 165/09/2017

GM4) LOCAL GOVERNMENT REMUNERATION TRIBUNAL (C.12-03, SC146)

→ The Local Government Remuneration Tribunal has determined that an increase to Mayoral and Councillor fees of 2.5% is appropriate for the 2017/18 financial year. Attached is the full report that has led to this determination. Attachment No. 6

Currently Councillors receive \$8,540.00 pa whilst the Mayor receives \$13,132.00 pa. Under the new remuneration recommendation the following minimum and maximum fees have been scheduled:

Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee	
	Minimum	Maximum	Minimum	Maximum
Rural	8,750.00	11,570.00	9,310.00	25,250.00

Historically Coolamon Shire Council have accepted the minimum Councillor payment with an increase in the annual Mayoral fee as a reflection of the duties required.

Councillors are now required to determine this remuneration.

Recommendation

For Council decision.

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that Council set the minimum fee for Councillors and a 2.5% increase on the 2016/2017 fee for the Mayor. 166/09/2017

GM5) COOLAMON SHOWGROUND (S.04-02, SC526; C.09-11, SC116)

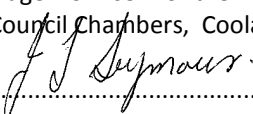
- ➔ Coolamon Shire Council has received information from the Coolamon Showground Management Committee advising that they are currently preparing information and costings towards work proposed for improvements to the Coolamon Showground. This is part of their proposed strategic direction and a result of the current funding opportunities available for the community. See attached. Attachment No. 7.1

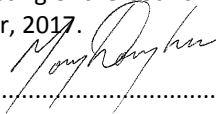
- ➔ Council will recall that a previous report was presented to Council indicating their desire to make improvements to the facilities at the Showground. A copy of this report is attached with the information papers. Attachment No. 7.2

Part of this proposal was to identify the need for a Ground Manager to undertake maintenance and co-ordinate the improvements down on site.

It is noted that they are advising of making such an appointment. It must be advised to Council that the Committee does not have any delegation to make such an appointment and that it would be Council who is responsible for doing that. As a result it is suggested that Council liaise with the Committee and the Interim Manager to determine the appropriateness of this arrangement.

It is also advised that during the time when the Coolamon Caravan Park was being renovated and out of action, that enquiries about camping were directed to the Ganmain Showground or the Ardlethan Short Stay Park. Due to the extended time required to carry out the renovation works that required moving the opening date back, caravaners have now been directed to the Coolamon Showground.


..... MAYOR


.....GENERAL MANAGER.

The Showground has in the past, and proposes in the future, to have primitive camping facilities available in order to cater for events associated with the Showground (eg: Rodeos, endurance riding, team penning etc).

Council needs to manage this properly, as there is no point having an excellent Caravan Park with upgraded facilities in Coolamon that have had significant financial investment only to provide an alternative option. This would only reduce Council's return on investment and affect the lease arrangements with the Caravan Park Manager.

It is for this reason that Council needs to propose some rules and guidelines around the primitive camping facilities proposed by the Showground Committee. For instance, the facility should not be available unless there is overflow from the Coolamon Caravan Park or it is directly associated with an event being held in association with the Showground.

As resolved from the last report to Council, the initiatives from the Showground Committee are considered a positive step forward and a necessity in order for this facility to improve and remain viable.

The Committee should be supported in this approach, however, they appear to have jumped the gun on a few issues. Council will negotiate with the Committee to ensure that a programme is rolled out that suits users, community and Council.

Recommendation

- 1) That Council determine, if any, arrangements to be made for a Site Manager at the Coolamon Showground.
- 2) That Council liaise with the Showground Management Committee to develop and support a Strategic Plan for the Coolamon Showground.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon:

167/09/2017

- 1) **That Council determine, if any, arrangements to be made for a Site Manager at the Coolamon Showground; and**
- 2) **That Council liaise with the Showground Management Committee to develop and support a Strategic Plan for the Coolamon Showground.**

GM6) STREET PIANO PROJECT – ‘ROLL OVER BEETHOVEN’ (H.04-06, SC232)

→ Members of the Up2date Art Show have submitted a proposal called ‘Roll over Beethoven’. Attachment No. 8

From the information provided the project would include a number of old upright pianos that would be brightly decorated and located throughout the township of Coolamon at appropriate places for public use and entertainment.

At the moment the areas identified by the Committee, where this could occur is at the Up-to-Date Store, in the Coolamon Plaza and the Camp kitchen at the Caravan Park.

As can be seen in the emails, Council raised some issues over who would be the legal owner of the pianos, how long the programme is envisaged to run and who would be responsible for maintenance of the pianos.

It appears from information provided that Council will predominantly become the keeper of this infrastructure and will be required to ensure an ongoing commitment is made.

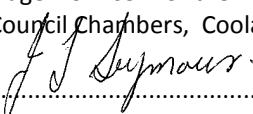
Initially there are some concerns over locating any piano at the Up-to-Date Store for long periods of time for the following reasons:

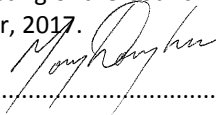
The UTD Store has been used very successfully as a versatile space that allows a variety of uses. This has been an important aspect in developing the facility into what it is today. It is the reason we can attract such uses as the art show, photographic competition, conferences, functions, plays, musicians etc.

This means that we are very careful not to fill all the spaces available with objects. We are continually receiving requests to accept various items that people feel would be great in the store, however if we took all of the items offered we would not have a versatile usable community space. The permanent placement of a piano would be counter to this long term philosophy.

When we consider what objects we have received in the past we have followed a principle of being locally significant and provenanced by local people. This project does not meet this as a permanent display.

Council also need to consider that this is a work/business environment and that whilst the piano would (I assume) sit out on the back stage it will also be in close proximity to a coffee shop and library. It may be that there is acceptance from these 2 users for intermittent and short uses of the piano but may be detrimentally affected by long and/or inappropriate use.


..... MAYOR


.....GENERAL MANAGER.

The camp kitchen at the Coolamon Caravan Park will have restricted use to caravan patrons only and therefore is limiting public access. The camp kitchen is yet to be undertaken and Council will not be proceeding until such time as some grant money becomes available.

In regard to the Plaza, Council would have concerns over who will be responsible for the day to day movement of the piano and believe that this would be an onerous imposition on Council staff. Should either of the neighbouring shop owners wish to make this commitment, then Council can consider further.

Whilst the piano/art and cultural/music side of the proposal are worthy objectives, it would be my recommendation to Council for it be for a short term basis only and that the Committee or people representing/proposing the idea would be responsible for the piano, and removing it after the allocated time and storing it. Storage at the UTD Store is always at a premium and it would be unlikely to be kept up there.

In summary, I believe that a long term commitment to this project is not appropriate and Council could facilitate a 1 or 2 month trial of this proposal, however, no commitment should be made after that.

Any commitment to a trial would need to include assurance from the Committee or neighbouring shop owners that the piano is removed or cared for by the neighbouring shop owner and that Council are not responsible for any damage that occurs.

Council is aware that the Up2date Art Committee is currently re-assessing their Committee with a long term view to its legal structure and roles and responsibilities. It may be worth waiting for this to occur.

Recommendation

That Council contact the Art Committee to determine their priorities in this regard.

RESOLVED on the motion of Clr Maslin and seconded by Clr White that Council contact the Art Committee to determine their priorities in this regard. 168/09/2017

GM7) STRONGER COUNTRY COMMUNITIES (REGIONAL GROWTH FUND) (G.03-51, SC670)

- Coolamon Shire Council has, together with all Rural Regional Councils (92 LGAs in total), been allocated money under the Stronger Country Communities (Regional Growth Fund). See attached Fact sheet. These funds should be allocated towards upgrading or providing new community benefits such as halls, parks etc. Projects should be up to \$100,000 but mainly in the range to \$250,000 to \$1 Million.

Attachment No. 9.1

Coolamon Shire Council has been allocated \$779,000 towards this Fund.

The State Government have identified Councils into three separate tranches. Coolamon has been included in Tranche 3 and the opening date for the submissions is 20th September, 2017 and will close on 18th October, 2017. There will be a second round of this funding next year at approximately this time.

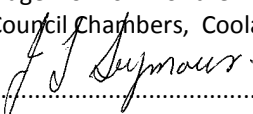
In addition to the Stronger Country Communities Fund, there are also five other similar programmes relating to the Regional Growth Fund that the State Government are running concurrently. These other funding opportunities open and close at varying times and are as follows:

- Regional Cultural Fund
- Growing Local Economies
- Regional Sports
- Connecting Country Communities
- Resourcing for the Regions

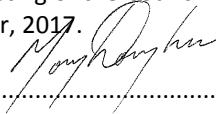
- A table detailing all of the above funding opportunities has been provided in the attachments. Some of the criteria for this funding overlap and therefore there is some confusion around what is the appropriate funding to place each of the applications in. Attachment No. 9.2

In addition to this, there are also currently other State and Federal Government funding opportunities that are available and they are:

- Stronger Communities Programme (Federal)
- Liquor & Gaming – Arts and Culture
- Liquor & Gaming – Emergency Preparedness
- Liquor & Gaming – Sport and Recreation
- Public Reserves Management Fund Programme
- Building Better Regions (Federal)
- Heritage (Office of Environment and Heritage)


.....

MAYOR


.....

GENERAL MANAGER.

- As can be seen, this only adds to the layers of confusion and becomes a resourcing problem for both the Council or the Community for where to place their energy in chasing these grant funds. Coolamon Shire Council has been very proactive in feeding information about these funding opportunities out to the community and have been attempting to support Community Organisations to take advantage of this opportunity to provide community infrastructure. See Attachment.

Attachment No. 9.3

Currently the most important decision for Council is to consider and prioritise what the most appropriate projects that should be included into the Stronger Country Communities (Regional Growth Fund). The criteria associated with these submissions for funding is to include two quotes for the work proposed and work should commence within the year and be completed within two years.

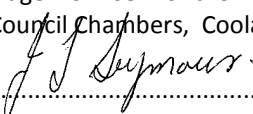
In order to do this in an open, transparent and fair manner, Council first went to the Community Strategic Plan that was originally developed in 2010 and extensively reviewed (with public consultation) in 2017. It was thought that items identified by the community in these documents would indicate a broad community support for a project over a period of time.

- As can be seen, there is a lot of information bombarding Council and in order for this to be provided in a clear and succinct manner, the following table has been provided for your information. Attachment No. 9.4 This table breaks down each project and puts forward the Council priorities that have been identified in the past through either funding applications submitted to other funding opportunities or identified in the Community Strategic Plan. In addition, the information that has been received from the community through the Advance Committees or by specific contact with Council have been included. In certain cases the community priorities match with Council's and the Community's Strategic Plan and therefore are thought to meet the intention of this funding opportunity.

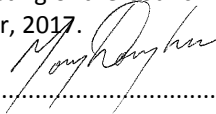
From this information, Council will need to prioritise what items are to be included into the application that will form the Stronger Country Communities (Regional Growth Fund), so that an application can be made. This table and process also allows Councils to advise projects that meet other funding opportunities to take up this opportunity and apply.

It should be no surprise that as a result of asking for the communities 'wish list' means that Round 1 is oversubscribed.

Advice received from the local Electoral Office is to over subscribe to the fund in order for the State Government to know the projects that are pending and I would assume to cross reference if they have received allocations in other funding groups, (eg: ACDC Project).


.....

MAYOR


.....

GENERAL MANAGER.

Other projects may be more appropriate but are yet to receive full support from the local community and therefore may be better suited to the next round of funding, (eg: Matong Hall).

As can be seen from the table, there are a considerable number of sport requests, some of which are new projects that Council have not been made aware of previously. Whilst all of these projects are important to the Clubs involved, Council need to be comfortable that they are not picking favourites or those of limited whole of community support or participation.

In an attempt to make sense of the application and to submit a proposal that meets the guidelines, it is believed appropriate that in the first round Council should break the projects into two categories 'Community Halls' and 'Parks & Gardens'.

The relevant projects that meet this criteria and are identified in both Council priorities and the community consultation (either in the CSP or by Submission) can be grouped.

As a result, Staff have provided a possible application that meets all of the criteria and community expectations in regard to the first round of Stronger Country Communities RGF. [Attachment No. 9.5](#)

The reason for this is twofold:

- With limited time to make submissions, Council need to act quickly to obtain quotes and provide all relevant information.
- The projects chosen are all community orientated projects across all six of Council's Communities and will repair or improve existing infrastructure well into the future.

All other projects can be pointed towards other funding sources or prepare for next year's consideration. It must be remembered that it will more than likely be oversubscribed again and Community Groups or Sporting Organisations should be encouraged to take any and all opportunities as they arise.

Recommendation

That Council endorse the application as presented for submission to the Stronger Country Communities Regional Growth Fund.

RESOLVED on the motion of Clr Maslin and seconded by Clr White that Council endorse the application as presented for submission to the Stronger Country Communities Regional Growth Fund. [169/09/2017](#)

GM8) GANMAIN QUASQUICENTENARY CELEBRATIONS (C.09-41, SC130)

- Council has received correspondence from the Advance Ganmain Committee together with some invites in regard to the Ganmain Quasquicentenary Celebrations to be held on the weekend of the 7th/8th October, 2017.

Attachment No. 10

Whilst the Advance Committee are well underway with their planning and appear to have a great weekend planned, they have requested that Council consider giving some support to the event.

Recommendation

For Council consideration.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McCann that Council allocate sponsorship to the Advance Ganmain Committee for their Quasquicentenary Celebrations up to the value of \$2,000.00 for the cost of the band. 170/09/2017

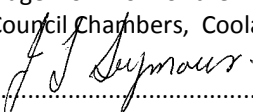
GM9) BYGOO ROAD REALIGNMENT – LOT 9, 10 & 11, SECTION 2, DP 5822 (R.09-02, SC336)

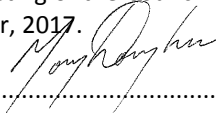
- Council had previously identified 8 landowners who were directly affected by the Bygoo Road Realignment. Council was able to reach agreement with 7 of these property owners however 1 remains outstanding. Correspondence sent from Council to the last known address has received no response. Further investigations by Commins Hendriks has also failed to locate the owner. Attachment No. 16

Council did undertake legal action for rates recovery in 2012 with a Debt Recovery Agent attending at the owners address in March 2012. The occupant stated at the time that the owner had been living at the address but had passed away 2 years ago.

As Council has not been able to locate the owner or establish the beneficiaries of an estate, it is recommended that Council proceed with compulsory acquisition of the property. In order for this to occur, Council must make application through the Office of Local Government for approval by the Minister and Governor.

Council propose to compulsory acquire the land for the purpose of the realignment of Bygoo road to improve heavy vehicle access in Ardlethan. Due to the location and shape of the assessment currently in the ownership of an untraceable owner, it would be proposed to tidy up the historical lot layout and


..... MAYOR


.....GENERAL MANAGER.

potentially sell the remaining land in conjunction with other properties owned or acquired through this road realignment process. This would ensure that there is not a legacy of small or impractical lots that become a burden on the owners or Council due to their size, shape and ongoing rates.

Council can also make application to the Minister for Local Government for a reduction in the notification period. The current notification period for a Proposed Acquisition Notice is 90 days. It is proposed that a shorter notification period of 30 days would be appropriate to ensure that the works can commence as scheduled in Council's works program.

Recommendation

- 1) Council proceed with the compulsory acquisition of the land described as Lots 9, 10 and 11, Section 2, DP 5822 for the purpose of the Bygoo Road realignment in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 2) Council make an application to the Minister and the Governor for approval to acquire Lots 9, 10 and 11, Section 2, DP 5822 by compulsory process under section 177(2)(b) and 179(2) of the *Roads Act 1993*.
- 3) Council requests the Minister for Local Government approve a reduction in the notification period from 90 days to 30 days.

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

171/09/2017

- 1) **Council proceed with the compulsory acquisition of the land described as Lots 9, 10 and 11, Section 2, DP 5822 for the purpose of the Bygoo Road realignment in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.**
- 2) **Council make an application to the Minister and the Governor for approval to acquire Lots 9, 10 and 11, Section 2, DP 5822 by compulsory process under section 177(2)(b) and 179(2) of the *Roads Act 1993*.**
- 3) **Council requests the Minister for Local Government approve a reduction in the notification period from 90 days to 30 days.**

**GM10) SUBDIVISION OFF CAMPBELL'S LANE – SUBDIVISION ROAD NAME
(R.09-06, RT1003526)**

A request has been received from the applicant for the Subdivision along Campbell's Lane which included a new road being developed.

The applicant has proposed to name the road "Davies Drive". (See attached).
Attachment No. 18.1

Coolamon Shire Council has a policy in regard to road naming, a copy of which is attached. Attachment No. 18.2

Whilst this name is not included on any of the list of fallen soldiers, it does meet the intention of Council's policy.

Recommendation

That Council approve the name "Davies Drive" for the new road off Campbell's Lane.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that:
172/09/2017

- 1) **Council approve the name "Davies Drive" for the new road off Campbell's Lane.**
- 2) **Council undertake all necessary requirements to gazette this road name, including, if necessary the affixing of the Seal of Council.**

4.2 EXECUTIVE MANAGER, CORPORATE & COMMUNITY SERVICES' REPORTS

CS1) FINANCE REPORT

RESOLVED on the motion of Clr McCann and seconded by Clr White that the report be received. 173/09/2017

DATE INVESTED	INSTITUTION	RATING	INVESTMENT TYPE	AMOUNT INVESTED	TERMS (days)	RATE	MATURITY DATE
9/09/2016	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.90%	9/09/2017
14/09/2016	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.90%	14/09/2017
23/09/2016	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.90%	23/09/2017
28/03/2017	AMP	A1/A	Term Deposit	\$ 500,000	182	2.75%	26/09/2017
24/10/2016	NAB	A1+/AA-	Term Deposit	\$ 1,000,000	365	2.70%	24/10/2017
10/11/2016	Beyond Bank	A2/BBB	Term Deposit	\$ 2,000,000	365	3.00%	10/11/2017
21/12/2016	Beyond Bank	A2/BBB	Term Deposit	\$ 1,700,000	365	2.80%	21/12/2017
1/02/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.90%	1/02/2018
2/05/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.80%	2/05/2018
8/05/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.80%	8/05/2018
15/06/2017	AMP	A1/A	Term Deposit	\$ 2,000,000	365	2.60%	15/06/2018
19/06/2017	AMP	A1/A	Term Deposit	\$ 1,000,000	365	2.60%	19/06/2018
8/08/2017	AMP	A1/A	Term Deposit	\$ 1,000,000	273	2.60%	8/05/2018
TOTAL INVESTED				\$ 15,200,000			

I hereby certify that the above investments have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policies.



(Samantha Jennings, Finance Manager)

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS

EXTERNAL RESTRICTIONS AS AT 30TH JUNE, 2016

Allawah Lodge - Accommodation Bonds/Payments	\$ 3,535,278.12
Allawah Village - Loan-Licence	\$ 3,041,106.00
Section 94 Contributions	
Specific Purpose Unexpended Grants & Contributions & Other Funding	\$ 147,827.06
Sewerage Fund	\$ 1,648,498.00
Waste Management	\$ 760,898.52
	<u>\$ 9,133,607.70</u>

INTERNAL RESTRICTIONS AT 30TH JUNE, 2016

Asset/Plant Replacement	\$ 921,464.86
Employees Leave Entitlements	\$ 1,293,000.00
Deferred Works	\$ 255,493.54
Asset Management (inc. unrestricted cash)	\$ 2,246,734.16
Swimming Pools	\$ 30,000.00
Rehabilitation of Gravel Pits	\$ 142,000.00
	<u>\$ 4,888,692.56</u>
	<u>\$ 14,022,300.26</u>

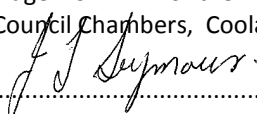
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

COOLAMON SHIRE COUNCIL
INCOME STATEMENT

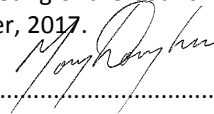
for the period 1st July 2017 to 30th June 2018

	AUGUST 2017	JULY 2017	2017/2018 BUDGET	2016/2017 ACTUAL
Income from continuing operations				
Revenue:				
Rates & annual charges	3,429,284.66	3,438,666.91	3,410,000.00	3,342,541.82
User charges & fees	515,855.44	280,477.14	2,813,000.00	2,931,783.71
Interest and investment revenue	(168,302.89)	(187,188.01)	404,000.00	448,073.57
Other revenues	104,695.60	53,761.70	491,000.00	771,690.93
Grants & contributions provided for operating purposes	874,328.73	35,035.50	4,122,000.00	8,416,616.93
Grants & contributions provided for capital purposes	25,920.00	0.00	3,429,000.00	1,354,954.49
Internals	1,000.00	0.00		
Other income:				
Net gain from the disposal of assets	324,284.26	175,309.26	190,000.00	0.00
Total revenues from continuing operations	5,107,065.80	3,796,062.50	14,859,000.00	17,265,661.45
Expenses from continuing operations				
Employee benefits and on-costs	899,267.97	504,415.24	5,043,000.00	5,348,989.28
Borrowing costs	0.00	0.00	30,000.00	70,026.65
Materials & contracts	533,842.72	152,415.52	2,397,000.00	3,300,065.85
Depreciation, amortisation & impairment	0.00	0.00	3,022,000.00	2,790,897.03
Other expenses	457,386.80	351,365.87	1,578,000.00	1,390,196.61
Net loss from the disposal of assets				222,922.14
Total expenses from continuing operations	1,890,497.49	1,008,196.63	12,070,000.00	13,123,097.56
Operating result from continuing operations	3,216,568.31	2,787,865.87	2,789,000.00	4,142,563.89
Net operating result for the year before grants and contributions provided for capital purposes				
	3,190,648.31	2,787,865.87	-640,000.00	2,787,609.40

This is Page No. 74 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.



MAYOR



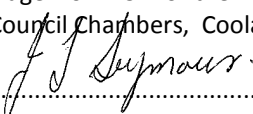
GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

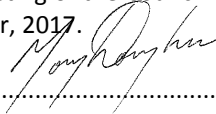
COOLAMON SHIRE COUNCIL
INCOME STATEMENT BY FUND

August 2017			
	CONSOLIDATED		TOTAL
	GENERAL FUND	SEWERAGE FUND	
Income from continuing operations			
Revenue:			
Rates & annual charges	2,913,266.81	516,017.85	3,429,284.66
User charges & fees	507,719.44	8,136.00	515,855.44
Interest and investment revenue	(168,639.26)	336.37	-168,302.89
Other revenues	103,964.65	730.95	104,695.60
Grants & contributions provided for operating purposes	873,064.11	1,264.62	874,328.73
Grants & contributions provided for capital purposes	25,920.00	0.00	25,920.00
Internals	1,000.00	0.00	1,000.00
Other income:			
Net gain from the disposal of assets	324,284.26	0.00	324,284.26
Total revenues from continuing operations	4,580,580.01	526,485.79	5,107,065.80
Expenses from continuing operations			
Employee benefits and on-costs	876,057.98	23,209.99	899,267.97
Borrowing costs	0.00		0.00
Materials & contracts	486,547.76	47,294.96	533,842.72
Depreciation & amortisation	0.00	0.00	0.00
Other expenses	448,891.79	8,495.01	457,386.80
Total expenses from continuing operations	1,811,497.53	78,999.96	1,890,497.49
Operating result from continuing operations	2,769,082.48	447,485.83	3,216,568.31
Net operating result for the year before grants and contributions provided for capital purposes	2,743,162.48	447,485.83	3,190,648.31

This is Page No. 75 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.



..... MAYOR



.....GENERAL MANAGER.

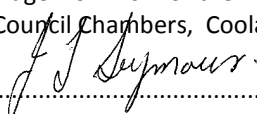
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

COOLAMON SHIRE COUNCIL
BALANCE SHEET

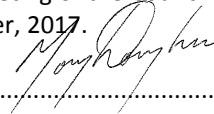
for the period 1st July 2017 to 30th June 2018

	AUGUST 2017	JULY 2017	2017/2018 BUDGET (ADJ FOR OPENING BALS)	2016/2017 ACTUAL
ASSETS				
Current assets				
Cash and cash equivalents	1,757,439.04	784,868.29	1,807,816.66	1,352,453.37
Investments	15,200,000.00	15,200,000.00	15,900,000.00	15,200,000.00
Receivables	2,830,333.48	3,934,644.77	438,603.96	938,409.07
Inventories	1,384,596.11	1,392,911.21	368,169.98	1,383,565.16
Other				
Total current assets	21,172,368.63	21,312,424.27	18,514,590.60	18,874,427.60
Non-current assets				
Investments				
Receivables	3,925.13	3,925.13	326,297.13	3,925.13
Inventories	1,941.00	1,941.00	2,000.00	1,941.00
Infrastructure, property, plant & equipment	213,210,963.92	212,768,640.20	229,991,172.68	212,611,209.09
Accumulated Dep'n - Infrastructure, PP&E	(43,473,384.70)	(43,473,384.70)	(49,374,774.74)	(43,473,384.70)
Accumulated Imp't - Infrastructure, PP&E	(1,456,499.18)	(1,456,499.18)	(1,456,499.18)	(1,456,499.18)
Other				
Total non-current assets	168,286,946.17	167,844,622.45	179,488,195.89	167,687,191.34
Total assets	189,459,314.80	189,157,046.72	198,002,786.49	186,561,618.94
LIABILITIES				
Current liabilities				
Payables	6,871,810.25	7,000,614.68	7,585,387.96	7,191,922.68
Overdraft				
Interest bearing liabilities	1,157.00	1,157.00	1,846.00	1,157.00
Provisions	1,574,514.01	1,572,143.94	1,557,596.01	1,573,274.03
Total current liabilities	8,447,481.26	8,573,915.62	9,144,829.97	8,766,353.71
Non-current liabilities				
Payables	990.91	990.91	798.98	990.91
Interest bearing liabilities	1,448.86	1,448.86	(2,179.14)	1,448.86
Provisions	1,095,890.93	1,095,890.93	1,099,682.86	1,095,890.93
Total non-current liabilities	1,098,330.70	1,098,330.70	1,098,302.70	1,098,330.70
TOTAL LIABILITIES	9,545,811.96	9,672,246.32	10,243,132.67	9,864,684.41
Net assets	179,913,502.84	179,484,800.40	187,759,653.82	176,696,934.53
EQUITY				
Retained earnings	87,919,043.10	87,490,340.66	89,685,581.01	84,702,474.79
Reserves	91,994,459.74	91,994,459.74	98,074,072.81	91,994,459.74
Internal Assets/Liabilities	0.00	0.00		0.00
Total equity	179,913,502.84	179,484,800.40	187,759,653.82	176,696,934.53

This is Page No. 76 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.



MAYOR



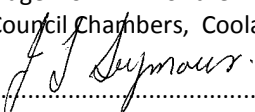
GENERAL MANAGER.

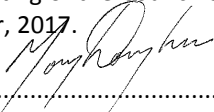
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

COOLAMON SHIRE COUNCIL
BALANCE SHEET BY FUND

August 2017			
	CONSOLIDATED GENERAL FUND	SEWERAGE FUND	COOLAMON SHIRE TOTAL
ASSETS			
Current assets			
Cash and cash equivalents	(239,368.51)	1,996,807.55	1,757,439.04
Investments	15,200,000.00		15,200,000.00
Receivables	2,461,687.31	368,646.17	2,830,333.48
Inventories	1,384,596.11		1,384,596.11
Other			0.00
Total current assets	18,806,914.91	2,365,453.72	21,172,368.63
Non-current assets			
Investments			0.00
Receivables	3,925.13		3,925.13
Inventories	1,941.00		1,941.00
Infrastructure, property, plant & equipmen	197,042,913.26	16,168,050.66	213,210,963.92
Accumulated Depreciation	(37,573,089.68)	(5,900,295.02)	(43,473,384.70)
Accumulated Impairment	(1,456,499.18)		(1,456,499.18)
Other			0.00
Total non-current assets	158,019,190.53	10,267,755.64	168,286,946.17
Total assets	176,826,105.44	12,633,209.36	189,459,314.80
LIABILITIES			
Current liabilities			
Payables	6,871,810.25	0.00	6,871,810.25
Interfunding			0.00
Interest bearing liabilities	1,157.00		1,157.00
Provisions	1,574,514.01		1,574,514.01
Total current liabilities	8,447,481.26	0.00	8,447,481.26
Non-current liabilities			
Payables	990.91		990.91
Interest bearing liabilities	1,448.86		1,448.86
Provisions	1,095,890.93		1,095,890.93
Total non-current liabilities	1,098,330.70	0.00	1,098,330.70
TOTAL LIABILITIES	9,545,811.96	0.00	9,545,811.96
Net assets	167,280,293.48	12,633,209.36	179,913,502.84
EQUITY			
Retained earnings	81,283,404.03	6,635,639.07	87,919,043.10
Reserves	85,996,889.45	5,997,570.29	91,994,459.74
Internal Assets & Liabilities	0.00		0.00
Total equity	167,280,293.48	12,633,209.36	179,913,502.84

This is Page No. 77 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.

..... MAYOR

.....GENERAL MANAGER.

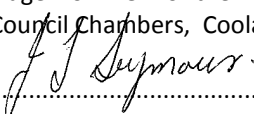
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

COOLAMON SHIRE COUNCIL
INTERNAL & EXTERNAL RESTRICTIONS

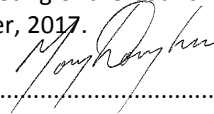
for the period 1st July 2017 to 30th June 2018

	AUGUST 2017	JULY 2017	2017/2018 BUDGET (ADJ FOR OPENING BALS)	2016/2017 ACTUAL
GENERAL FUND				
<i>EXTERNALLY RESTRICTED</i>				
Grants & Suidies & Other	279,745.13	332,871.42	305,461.01	305,461.01
Waste Management	1,086,240.90	956,662.97	970,303.67	944,034.25
Allawah Lodge Accommodation Payments	3,706,673.19	3,706,673.19	3,799,148.19	3,706,673.19
Allawah Village Loan-Licence	3,170,648.15	3,170,648.15	3,087,162.15	2,977,399.15
	<u>8,243,307.37</u>	<u>8,166,855.73</u>	<u>8,162,075.02</u>	<u>7,933,567.60</u>
<i>INTERNALLY RESTRICTED</i>				
Plant Replacement Reserve	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00
Employees Leave Entitlements Reserve	970,000.00	970,000.00	980,000.00	970,000.00
Stormwater Management Reserve			-32,725.00	
Swimming Pools Reserve			0.00	
Deferred Works Reserve	452,104.41	706,579.12	679,000.00	739,000.00
Ardlethan Preschool	32,803.62	44,339.83		17,791.45
Financial Assistance Grant	0.00	0.00		1,683,001.00
Community Housing Programme Reserve			0.00	
Allawah Lodge Asset Mgt Reserve	536,221.83	580,838.88	714,334.75	602,759.22
Allawah Village Asset Mgt Reserve	220,027.20	246,514.01	371,162.15	260,407.31
CECC Asset Mgt Reserve	227,596.56	209,950.06	212,964.81	203,907.81
Gravel Pits Rehabilitation Reserve	152,000.00	152,000.00	167,000.00	152,000.00
	<u>3,590,753.62</u>	<u>3,910,221.90</u>	<u>4,091,736.71</u>	<u>5,628,866.79</u>
Asset Management/Available for Working Funds	3,126,570.50	2,006,434.16	953,450.52	1,110,298.78
Total Cash Balance - General Fund	<u>14,960,631.49</u>	<u>14,083,511.79</u>	<u>13,207,262.25</u>	<u>14,672,733.17</u>
SEWERAGE FUND				
Sewerage Fund	1,996,807.55	1,901,356.50	1,937,371.83	1,879,720.20
	<u>1,996,807.55</u>	<u>1,901,356.50</u>	<u>1,937,371.83</u>	<u>1,879,720.20</u>
Total Cash Balance - Sewerage Fund	<u>1,996,807.55</u>	<u>1,901,356.50</u>	<u>1,937,371.83</u>	<u>1,879,720.20</u>
TOTAL CONSOLIDATED CASH	<u>16,957,439.04</u>	<u>15,984,868.29</u>	<u>15,144,634.08</u>	<u>16,552,453.37</u>

This is Page No. 78 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.



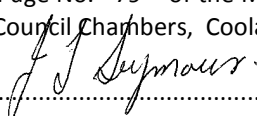
..... MAYOR



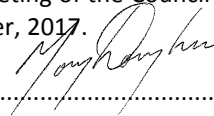
.....GENERAL MANAGER.

RATE COLLECTIONS

	ARREARS BFWD	LEVIES INC. INTEREST	TOTAL	COLLECTIONS TO DATE	% TO TOTAL	ADJUSTMENTS INC. PENS CONCESSIONS	ADJ TOTAL	% TO TOTAL	COLLECTABLE BALANCE
31/08/2003	280,098.47	2,030,567.42	2,310,665.89	552,682.60	23.92%	99,416.03	2,211,249.86	24.99%	1,658,567.26
31/08/2004	181,374.69	2,074,680.79	2,256,055.48	477,399.35	21.16%	105,671.55	2,150,383.93	22.20%	1,672,984.58
31/08/2005	163,566.58	2,150,297.78	2,313,864.36	703,888.31	30.42%	105,176.98	2,208,687.38	31.87%	1,504,799.07
31/08/2006	185,519.90	2,228,402.63	2,413,922.53	686,537.38	28.44%	106,058.44	2,307,864.09	29.75%	1,621,326.71
31/08/2007	236,912.33	2,410,090.04	2,647,002.37	670,180.72	25.32%	117,989.76	2,529,012.61	26.50%	1,858,831.89
31/08/2008	277,343.62	2,493,027.96	2,770,371.58	613,559.42	22.15%	117,339.70	2,653,031.88	23.13%	2,039,472.46
31/08/2009	239,371.45	2,566,302.58	2,805,674.03	782,339.20	27.88%	120,986.57	2,684,687.46	29.14%	1,902,348.26
31/08/2010	292,105.99	2,704,117.82	2,996,223.81	741,132.23	24.74%	123,252.92	2,872,970.89	25.80%	2,131,838.66
31/08/2011	239,162.46	2,851,336.37	3,090,498.83	782,158.97	25.31%	124,934.50	2,965,564.33	26.37%	2,183,405.36
31/08/2012	207,935.41	2,986,757.72	3,194,693.13	890,111.95	27.86%	126,528.35	3,068,164.78	29.01%	2,178,052.83
31/08/2013	230,923.44	3,129,180.21	3,360,103.65	922,713.93	27.46%	124,096.84	3,236,006.81	28.51%	2,313,292.88
31/08/2014	263,562.88	3,285,814.30	3,549,377.18	829,247.65	23.36%	119,661.73	3,429,715.45	24.18%	2,600,467.80
31/08/2015	335,520.44	3,394,298.07	3,729,818.51	1,091,402.37	29.26%	121,811.97	3,608,006.54	30.25%	2,516,604.17
31/08/2016	300,944.76	3,487,399.70	3,788,344.46	1,042,917.80	27.53%	124,652.38	3,663,692.08	28.47%	2,620,774.28
2017-2018									
31/07/2017	303,728.87	3,573,820.19	3,877,549.06	172,064.39	4.44%	114,532.52	3,763,016.54	4.57%	3,590,952.15
31/08/2017	303,728.87	3,567,981.97	3,871,710.84	1,194,571.78	30.85%	116,519.77	3,755,191.07	31.81%	2,560,619.29



MAYOR



GENERAL MANAGER.

CS2) 2017/2018 OPERATIONAL PLAN – GRANT FUNDING (G.03-01, SC201)

Council has received formal advice that the following grant applications have been unsuccessful.

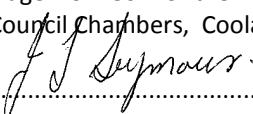
Funding Source	Project	Grant Funds	Council & External Contributions	Total Project
Building Better Regions Fund	Coolamon Caravan Park – Camp Kitchen & Amenities	\$112,750	\$137,750	\$250,500
PRMFP	Coolamon Caravan Park – Camp Kitchen & Amenities	\$258,000	\$300,000 (includes expenditure from previous years)	\$558,000
Building Better Regions Fund	Ardlethan Cultural Development Centre	\$31,433	\$31,432	\$62,865
PRMFP	Coolamon Showground Portable Pump	\$68,000	0	\$68,000
Liquor & Gaming – Arts & Culture	Hall Upgrades – fire safety, Beckom Toilets, Marrar Toilets & Access	\$135,965	\$32,000	\$167,965
Innovation Fund	Energy Efficiency	\$149,800	\$64,200	\$214,000

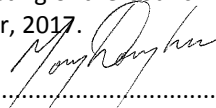
Funding has also not been allocated to Council under the Roads & Maritime Active Transport Program for 2017/2018.

Council's original budget allowed for the following funding and capital expenditure:

Project	Grant Funding	External Contribution	Council Contribution	Total Expenditure
Coolamon Caravan Park	\$270,000		0	\$270,000
ACDC Stage 2	\$31,433	\$31,432		\$62,865
Coolamon Sewerage	\$68,000			\$68,000
Hall Upgrades	\$135,965	\$34,035	\$12,000	\$182,000
Ganmain – Kerb Blister Gresham/Waterview	\$5,500		\$5,500	\$11,000
Ganmain – Gresham St Path	\$8,453		\$8,453	\$16,906

Council is yet to hear of the outcome relating to the Building Better Regions Fund Community Investments Stream for the Skate Parks and Pump Track, where Council was seeking \$45,800 grant funding to match with a contribution of \$45,800 bringing the total project cost to \$91,600.


..... MAYOR


.....GENERAL MANAGER.

Council has recently submitted two applications under the Regional Cultural Fund.

Project	Funding Sought	External Contribution	Council Contribution	Total Project
Up-to-Date Store – roof & displays	\$92,000		\$10,000	\$102,000
Ardlethan Cultural Development Centre	\$373,500	\$45,000		\$418,500

Expressions of interest closed on 4 September 2017 and if successful notification will be received by 23 October 2017 after which submission of a Final Business Case by 15 January 2018 will be required prior to the final announcement on 5 February 2018.

Recommendation

For Council information.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Logan that the report be received. 174/09/2017

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

→ As part of Council's ongoing policy review, the following policies are presented without proposed amendment by staff for re-adoption: Attachment No. 11.1

- Nature Strip & Road Verge Policy
- Up-to-Date Store Hire Policy (*Amendment to Agreement marked*)
- Council Road Names Policy
- Council Chamber Hire Policy
- Citizenship Ceremony Policy
- Australia Day & Honoured Citizen Awards Policy
- Art Acquisition Policy
- Allawah Community Centre Hire Policy (*Amendments to Agreement marked*)
- Acceptance of Donations Policy

→ The following policies are presented with proposed amendments marked in red: Attachment No. 11.2

- Burning Refuse in Town Areas Policy
- Complaints Handling Policy
- Asset Management Policy
- Annual Prize Giving Night Donation Policy

- Employee Assistance Program
- Agency Information Guide 2017
- Internal Reporting Policy – Public Interest Disclosures
- Privacy Management Plan
- Fraud Control Policy & Plan

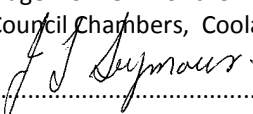
Staff propose that the following policies are no longer required and can be rescinded:

- Emergency Evacuation Policy
- Disability Access Policy – As Council has now adopted a Disability Inclusion Action Plan this policy is no longer required.
- Government Information Public Access Act Publication Guide – this policy can be deleted as it is a duplicate of the Agency Information Guide.
- Height Safety Policy & Procedures
- Electrical Safety Policy & Procedures
- Infection Control Policy & Procedures
- Manual Handling Policy & Procedures
- Hazardous Substances Policy
- Confined Spaces Policy

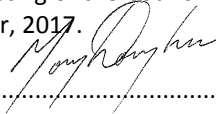
Recommendation

1) That the following policies are presented be adopted:

- Nature Strip & Road Verge Policy
- Up-to-Date Store Hire Policy
- Council Road Names Policy
- Council Chamber Hire Policy
- Citizenship Ceremony Policy
- Australia Day & Honoured Citizen Awards Policy
- Art Acquisition Policy
- Allawah Community Centre Hire Policy
- Acceptance of Donations Policy
- Burning Refuse in Town Areas Policy
- Complaints Handling Policy
- Asset Management Policy
- Annual Prize Giving Night Donation Policy
- Employee Assistance Program
- Agency Information Guide 2017
- Internal Reporting Policy – Public Interest Disclosures
- Privacy Management Plan
- Fraud Control Policy & Plan


.....

MAYOR


.....

GENERAL MANAGER.

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

- Emergency Evacuation Policy
- Disability Access Policy – As Council has now adopted a Disability Inclusion Action Plan this policy is no longer required.
- Government Information Public Access Act Publication Guide – this policy can be deleted as it is a duplicate of the Agency Information Guide.
- Height Safety Policy & Procedures
- Electrical Safety Policy & Procedures
- Infection Control Policy & Procedures
- Manual Handling Policy & Procedures
- Hazardous Substances Policy
- Confined Spaces Policy

RESOLVED on the motion of Clr Crocker and seconded by Clr Maslin: 175/09/2017

1) That the following policies be adopted:

- **Nature Strip & Road Verge Policy**
- **Up-to-Date Store Hire Policy**
- **Council Road Names Policy**
- **Council Chamber Hire Policy**
- **Citizenship Ceremony Policy**
- **Australia Day & Honoured Citizen Awards Policy**
- **Art Acquisition Policy**
- **Allawah Community Centre Hire Policy**
- **Acceptance of Donations Policy**
- **Burning Refuse in Town Areas Policy**
- **Complaints Handling Policy**
- **Asset Management Policy**
- **Annual Prize Giving Night Donation Policy**
- **Employee Assistance Program**
- **Agency Information Guide 2017**
- **Internal Reporting Policy – Public Interest Disclosures**
- **Privacy Management Plan**
- **Fraud Control Policy & Plan**

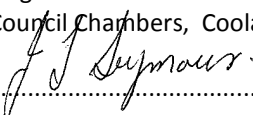
2) That the following policies be rescinded:

- Emergency Evacuation Policy
- Disability Access Policy – As Council has now adopted a Disability Inclusion Action Plan this policy is no longer required.
- Government Information Public Access Act Publication Guide – this policy can be deleted as it is a duplicate of the Agency Information Guide.
- Height Safety Policy & Procedures
- Electrical Safety Policy & Procedures
- Infection Control Policy & Procedures
- Manual Handling Policy & Procedures
- Hazardous Substances Policy
- Confined Spaces Policy

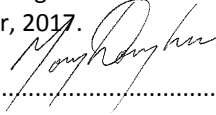
↑ **ADJOURNMENT**

Council adjourned at 3.35pm to make a presentation and recognise the service that Peter and Teresa English have made over the years to the Community of the Coolamon Shire.

Council recommenced the meeting at 4.05pm.


.....

MAYOR


.....

GENERAL MANAGER.



COOLAMON SHIRE COUNCIL

NATURE STRIP & ROAD VERGE

POLICY

J. J. Seymour
.....

MAYOR

Maughan
.....

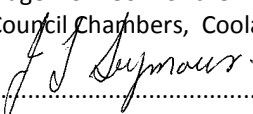
GENERAL MANAGER.

Table of Contents

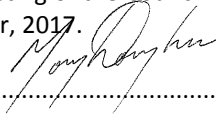
1. INTRODUCTION	3
2. URBAN NATURE STRIPS	3
3. PRIMARY PRODUCTION SMALL LOTS	8
4. RURAL ROAD VERGES	9
5. UTILITIES, SERVICES FACILITIES AND MAINTENANCE WORK	12
6. PROPERTY ACCESS	15
a. URBAN GUTTER CROSSOVERS AND DRIVEWAYS	16
b. RURAL PROPERTY ACCESS	17
7. FIREWOOD COLLECTION	18
8. REVIEW	19
Memorandum of Understanding, Utility Service Providers	20
Utility Service Providers Notification of Works	24
APPENDIX C	27
Application Form for Property Owners, Installation or Modification of Property Access	28
APPENDIX D	32
Application Form for Property Owners, Installation of Service Facilities (Including Water Pipes) in the Road Reserve	32
APPENDIX E	37
Application Form for Property Owners, for Work in the Nature Strip	38

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 2 of 41


.....

MAYOR


.....

GENERAL MANAGER.



COOLAMON SHIRE COUNCIL
NATURE STRIP AND ROAD VERGE POLICY

1. INTRODUCTION

Aim

To ensure public use and access to the nature strip and road verge are maintained.

Objectives

The purpose of this policy is to fulfil the following objectives;

- To set out Coolamon Shire Council's expectations in relation to the use and maintenance of nature strips and road verges by individuals, property owners, utility service providers and Council officers;
- To specify which activities require notification to Council prior to undertaking, under what circumstances notification is not required, and which activities are prohibited;
- To provide details about Council's role in maintaining areas of publicly owned land that are under Council's care and control;
- To provide details about the provision of legal access to properties.

2. URBAN NATURE STRIPS

Definitions

A **nature strip** is the land adjacent to a residence, including the footpath (where present), lying between the trafficked road carriageway and the property boundary.

For the purposes of this policy, a **nature strip is located in a village area** alongside residential, commercial or industrial properties, whilst a road verge is located alongside rural properties.

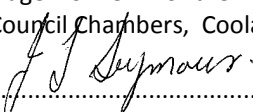
A **village area** is land that is zoned RU5 Village or RE1 Public Recreation.

Refer to Section 3 for further controls that relate to land zoned RU4 Primary Production Small Lots.

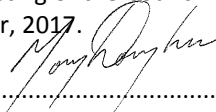
Council means Coolamon Shire Council.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 3 of 41



..... MAYOR



.....GENERAL MANAGER.

Role of Nature Strips

Nature Strips are public property, however adjoining owners are largely required to maintain this land.

The benefits of nature strips are enhanced visual amenity, public safety for pedestrians, space for street lights and amenities such as sewerage, water pipes, stormwater, telecommunications, electricity and gas. They also have an important role in managing urban runoff.

In addition to this the nature strip acts as a buffer between road vehicles and pedestrians and private property.

Resident's Role

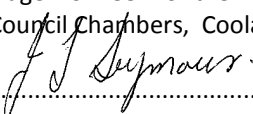
- A nature strip is publicly owned land. However, services located within the nature strip may benefit the property owner/s and/or tenant.
- Council relies on residents to maintain the nature strips adjacent to their house, which are a logical extension of their own private property. This is a common, accepted practice throughout Australia. Residential maintenance typically involves weeding, mowing and edging turf.
- Residents are to report any concerns they have with street trees to Council. Maintenance of street trees by residents is not permitted.
- Residents are not permitted to close off any part of Council's road, nature strip or footpath, for instance due to building or construction works, without the approval of Council. Residents must comply with any conditions of consent to ensure that worksites are safe.

Council's Role

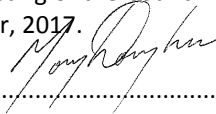
- Council does not generally carry out maintenance (including mowing and watering) of nature strips that adjoin private property.
- If grass on the nature strip is greater than 20 cm in height or there is rubbish dumped on the nature strip by the property owner, Council may issue a letter of advice to the relevant property owner, requesting that they comply with maintaining and clearing the nature strip.
- Council will take appropriate action to rectify problems in relation to tripping hazards or safety issues. Should such hazards be found Council officers may write to the relevant property owner requesting that they attend to the identified problem.
- Any feature within the nature strip that is deemed by Council to be an immediate risk to the public may be removed from the nature strip without consultation or warning, at the owner's cost.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 4 of 41



..... MAYOR



.....GENERAL MANAGER.

- Council will maintain Council landscaped areas and street trees in accordance with the *Coolamon Shire Council Tree Management Policy and Plan*.

Permitted development on the nature strip

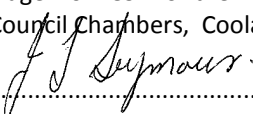
Table 1, below, details the types of development that are permitted in the nature strip, and the controls that apply.

Table 1: Development permitted in the nature strip.

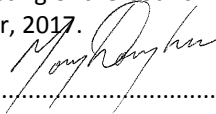
Development	Permitted Activities	Controls
Groundcover vegetation	Turf/lawn (seeding).	Must not inhibit rubbish bin collection, sight distance for vehicles, or vehicle door opening from the street. Must maintain access to the footpath.
Trees and shrubs	Planting and pruning of trees located on private property.	Landscaping on private property must not obstruct the footpath located on the nature strip. Existing low garden beds located on any private property, adjoining a footpath may be reviewed by Council, and may be required to be made safe to the satisfaction of Council. This may include total removal.
Street trees located on the nature strip	Pruning, planting or replacing street trees.	Private planting & maintenance be will only be approved following submission of the proposal and written approval by Council (please refer to Appendix E). Council is responsible for pruning, planting or replacing street trees. Contact Council with any concerns.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTEMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 5 of 41



MAYOR



GENERAL MANAGER.

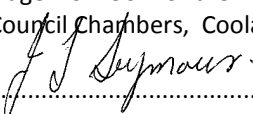
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Maintenance	Routine garden maintenance (e.g. mowing, edging, weeding).	Regular routine maintenance of the nature strip by residents is encouraged.
Driveways, gutter cross overs and ramps	All weather access (i.e. compacted road base, concrete) to a property.	Refer to Section 6 of this policy.
Building	Construction activities.	Requires Council permission. Protect street tree/s and grassed nature strip during construction. Any barriers and/or skip bins to be installed during construction require approval from Council prior to works commencing. Any disturbed areas are to be reinstated to prior condition on completion of work.
Letterboxes	Installation of letterboxes within village areas.	Letterboxes must only be located on private property, and provide suitable access for Australia Post deliveries.
Irrigation	Pop up sprinklers, Drip irrigation systems or similar.	Installation of any pop up sprinkler irrigation systems within the nature strip requires the approval of Council.
Stormwater	Stormwater drainage from property to kerb.	Installation of stormwater drainage from a property to the kerb requires Council approval.

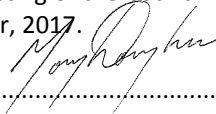
COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 6 of 41

This is Page No. 90 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.



..... MAYOR



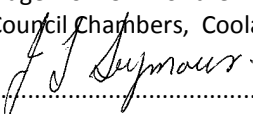
.....GENERAL MANAGER.

Prohibited development on the nature strip

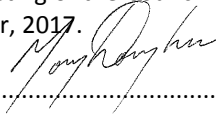
Table 2, below details the types of development that are prohibited in the nature strip.

Table 2: Prohibited development in the nature strip.

Development	Prohibited Activities	Controls
Hard surface materials	Installation of: Concrete Pavers Asphalt Stepping stones or similar.	Where a hard surface is required for vehicular access purposes, permission for a gutter crossover and/or driveway must be sought from Council, prior to commencement of work (please refer to Appendix C).
Hard landscaping works	Installation of: Rocks Raised edges Railway sleepers Retaining wall or similar.	These works present potential trip hazards to the public. Therefore Council approval needs to be obtained, prior to installation of any works of this description.
Lighting	Temporary or permanent electrical wiring.	Must not be installed in the nature strip area (e.g. lighting of street trees is prohibited).
Vehicle Parking	Parking on nature strips or footpaths.	Partially or fully parking a vehicle on a nature strip or footpath may attract a fine from Council for the owner of the vehicle. Any damage to nature strip may result in Council seeking reimbursement of expenses for repair works.



..... MAYOR



.....GENERAL MANAGER.

Vegetation	Planting of garden beds, trees and shrubs.	Any new planting of trees, shrubs or garden beds on the nature strip will only be approved following submission of the proposal and written approval by Council (please refer to Appendix E). Unapproved works may present a potential trip hazard to the public. It also presents potential access issues for maintenance to services and utilities.
------------	--	---

Under the Roads Regulation 2008 and the Local Government Act 1993, the adjoining property owner may be fined and or ordered by Council to remove any nature strip treatments which are installed contrary to these guidelines, and may be requested to replace them with an approved nature strip treatment. Such work is to be carried out by the adjoining property owner at their own cost.

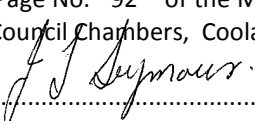
3. PRIMARY PRODUCTION SMALL LOTS

Definitions

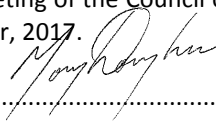
Primary Production Small Lots are zoned RU4 under the Coolamon Local Environmental Plan 2011 and are considered to be village areas. As these areas are located on the fringe of the village area, this part covers the management of these particular village areas.

Resident's Role

- As Primary Production Small Lots are considered to be village areas, it is generally the responsibility of the adjoining resident to maintain the nature strip that adjoins their property.
- As Primary Production Small Lots properties, by their nature, have larger frontages, it is likely that maintenance carried out by or on behalf of the property owner would involve the use of a ride on lawn mower or tractor.
- Residents are not permitted to close off any part of Council's road, nature strip or footpath, for instance due to building or construction works, without the approval of Council. Residents must comply with any conditions of consent to ensure that worksites are safe.



..... MAYOR



.....GENERAL MANAGER.

Council's Role

- As is the case for General residential areas, **Council does not carry out renovation or maintenance** (including mowing and watering) of nature strips that adjoin Primary Production Small Lot residential areas.
- Council may mow nature strips located in Primary Production Small Lot residential areas alongside roads that are speed limited above 60km/hour. This is due to resident and motorist safety concerns.
- Council may provide additional maintenance at intersections and school bus stop drop off and pick up areas for safety reasons, and on state roads, for aesthetic reasons.

Permitted Development in Primary Production Small Lot Residential Areas

- The controls set out in Table 1 also apply in Primary Production Small Lot areas.

Prohibited development in Primary Production Small Lot Residential Areas

- The controls set out in Table 2 also apply in Primary Production Small Lot areas.

4. RURAL ROAD VERGES

Definitions

A **road verge** is an area of grass, beside a formed roadway, often with trees and shrubs, including the footpath (where present) lying between the trafficked road carriageway, and the rural property boundary.

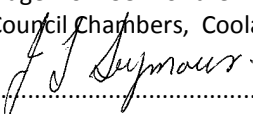
Road verges are generally located in a rural area, that is, land zoned RU1 Primary Production, RU3 Forestry, and SP2 Infrastructure.

Role of Road Verges

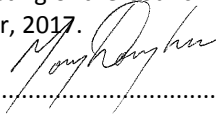
The role of road verges in rural areas are to provide a buffer between the road and private property, as a location of services such as electricity, gas and water supply.

Road verges also form an important role in management of road drainage and storm- water runoff, which is essential for protection of infrastructure assets. Storm water drainage is conveyed from the road side, to established water courses and drainage lines within the road verge.

Rural road verges often contain remnant vegetation, which is valuable resource to native fauna for both habitat and movement corridors.



..... MAYOR



.....GENERAL MANAGER.

Resident's Role

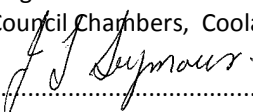
- All fire breaks must be located on the property owner's property, not located on the road verge.
- A resident wishing to graze stock on the road reserve must be personally supervised at all times and the property owner must have \$20 million public liability insurance in place, with Coolamon Shire Council as an interested party. The property owner must use temporary warning signs and must also obtain a permit to graze from Local Land Services. Property owners need to notify Council prior to grazing stock on the road reserve.
- Residents are not permitted to close off any part of Council's road, or road verge, without the approval of Council. Residents must comply with any conditions of consent to ensure that worksites are safe.
- Landholders are not to block, modify or divert Council constructed drainage infrastructure (i.e. table drains, mitre drains, culverts or bridges) without prior approval from Council.

Council's Role

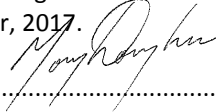
- Council has a program of roadside vegetation maintenance for rural road verges. Roadside vegetation maintenance is carried out for road user safety and fire risk management reasons.
- Council may slash and or spray selective herbicides in rural road verges as required. These activities would be limited to:
 - Slashing the immediate road shoulder adjacent to the bitumen sealed edge, where the terrain permits a tractor/slasher combination to safely operate. The typical width of slashing will be 1.0 – 2.0 metres in width.
 - The following exceptions will apply (increased interventions):
 - Intersections - mow area to ensure adequate sight distance for motorists and pedestrians for safety.
 - Rural school bus stop pick up and drop off areas – mow area to ensure adequate sight distance for motorists and passengers for safety.
 - On state roads, for aesthetic reasons.
 - Rail crossings and private land entrances.
 - Spraying selective herbicides to manage weeds and vegetation in the road verge, on the immediate shoulder adjacent to the bitumen edge.
- Council may remove sapling and sucker growth from the sealed edge to the back of the table drain or top of an embankment. Council may also lop/prune any branches or limbs of tree's overhanging the trafficable carriageway.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 10 of 41



..... MAYOR



.....GENERAL MANAGER.

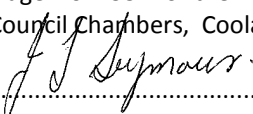
- Council has a weed management program to manage noxious and environmental weeds (please refer to *Coolamon Shire Council Noxious Weeds Policy*).
- Council will construct roads and stormwater drainage in accordance with appropriate Engineering standards, in an efficient manner, connecting back in with established water courses and drainage lines.
- Council will assess special requests from adjacent property owners for special stormwater needs, in accordance with site specific requirements.

Permitted Development in the Road Verge

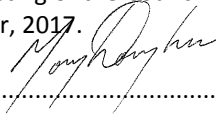
Table 3, below, details development types that are permitted in the road verge and the controls that apply.

Table 3: Development permitted in the road verge.

Development	Permitted Activities	Controls
Roadside vegetation	Mowing/slashing/weed spraying.	This type of maintenance by residents is permitted along property frontage, five meters from the formed road edge. Alert Council to any urgent concerns about roadside vegetation, such as fallen trees across roads.
Native vegetation	Planting of native vegetation.	Planting of native vegetation is permitted with the approval of Council. Any application must advise of the species, location and quantity of proposed planting. Any proposed plantings must be located outside the clear zone and the top of the back edge of the table drain, or behind the top of any cuttings.



..... MAYOR



.....GENERAL MANAGER.

Mailboxes	Installation of mailboxes for Rural Small Holdings and Rural Properties.	Mailboxes should be installed at the approved legal access to the property. Mailboxes must be installed outside the road shoulder and table drain, and provide suitable access for Australia Post deliveries.
Property access	Construction and maintenance of property access.	All property accesses to be in accordance with Section 6 of this policy. Installation or modification of a property access requires Council approval.

Prohibited Development in the Road Verge

Table 4, below, details development that is prohibited in the road verge.

Table 4: Prohibited development in the road verge.

Development	Prohibited Activities	Controls
Roadside vegetation	Clearing, felling, poisoning, ringbarking, burning or damaging native vegetation located in the road verge.	Any damage to roadside vegetation is prohibited. Advise Council of any concerns relating to pruning, or imminent risks that vegetation poses to personal injury or property.
Grazing of stock	Unsupervised grazing of the road reserve by stock.	Grazing of stock is only permitted on designated Travelling Stock Routes (TSR's). Approval for grazing of stock on a TSR must be sought from Local Land Services (LLS).

5. UTILITIES, SERVICES FACILITIES AND MAINTENANCE WORK

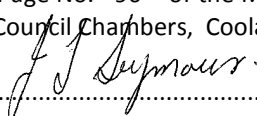
Definitions

Utility companies are infrastructure providers, including electricity, gas, telecommunications and water supply providers.

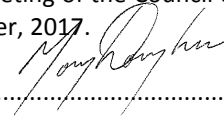
Service facilities include water pipes, electricity, gas and telecommunications.

Routine maintenance is defined as inspections and minor works that **do not** require:

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15 OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX



..... MAYOR



.....GENERAL MANAGER.

- Excavation, *or*
- Part or full road closures, *or*
- Nature strip/footpath /road verge closures.

Major work is defined as works that will involve part or full closure of a road, footpath, nature strip or road verge. This includes closing of access for pedestrians or vehicles to use part of a road, footpath, nature strip or road verge due to excavation, the installation of a temporary structure or similar works.

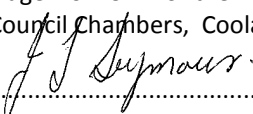
Utility Service Providers Role

- The responsibility and expenses for installation and replacement of services are solely the responsibility of the particular Utility Service Authority.
 - Utility companies may require access to the nature strip/road verge to perform maintenance work from time to time. Utility companies must notify Council in writing of their intention to carry out development on Council infrastructure and must take into consideration any comments received from Council within 21 days of notice being given.
 - State Environmental Planning Policy (SEPP) (Infrastructure) 2007 sets out the notification requirements for public authorities in relation to impacts upon Council infrastructure or services. A public authority or a person acting on behalf of a public authority, must give written notice of the intention to carry out the development to Council, and must take into consideration any response to the notification that is received from Council, within 21 days from the notice being given. This applies to the following Council owned infrastructure:
 - Stormwater management
 - Traffic generation
 - Sewerage systems
 - Water supply
 - Installation of a temporary structure
 - Enclosure of public place
 - Excavation of a road or footpath
- Refer to Regulation 13 of this SEPP for further information.
- Under the Roads Act 1993, a person must have the consent of the appropriate roads authority when carrying out any work on a public road, including:
 - Erect a structure or carry out work in, on or over a public road
 - Dig up or disturb the surface of a public road
 - Remove or interfere with infrastructure, activities or vegetation on a public road
 - Pump water into a public road from any land adjoining the road
 - Connect a road (whether public or private) to a classified road

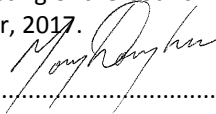
Refer to Section 138 of the Roads Act 1993 for further information

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 13 of 41



..... MAYOR



.....GENERAL MANAGER.

- Where emergency works are required, the utility service provider must notify Council of these works.
- The companies are required to make good the road and nature strip/road verge following maintenance work. This is enforced by relevant legislation.
- Utility companies must warrant the quality of their works for 12 months following completion of work projects.
- Council will not be responsible for replacing plants or landscaping as a result of such works by others.
- Statutory Authorities undertaking routine maintenance on their own assets are not required to notify Council prior to works commencing. Council will seek to secure a Memorandum of Understanding with utility service providers operating within Coolamon Shire, to ensure their agreement to standard communication, works procedures, and workplace health and safety practices (see Appendix A).

Utility Service Providers Role - Notification of Major Works

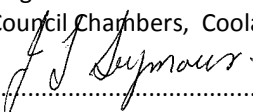
- Notification to Council of Major Works planned by utility service providers shall involve completion and submission of the notification form to Council (see Appendix B). The form shall be submitted to Council at least three weeks (or 21 days) prior to the works commencing.
- The completed form shall detail the location of the proposed works, their expected duration and the nature of the planned interruption to Council's infrastructure (part or full road, footpath, nature strip or road verge closure, works as detailed in the Infrastructure SEPP above), impact upon Council infrastructure (such as excavation), remediation or repair of Councils infrastructure, traffic management plans, inspections of work stages and completion of the project with final inspection.
- Relevant Council officers shall be informed by phone or email that works have commenced to allow Council officers the opportunity to inspect the worksite during the program of work, to ensure satisfactory traffic management and full repair of the site after works are complete.
- All works are to satisfy the general conditions as detailed on the notification form located in Appendix B.

Property Owners Role

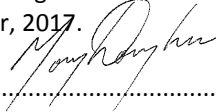
- Property owners may install service facilities, such as water pipes, within the road verge with Council permission. An application must be submitted to Council (please refer to Appendix D for the application form), and works must not be undertaken prior to approval.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 14 of 41



..... MAYOR



.....GENERAL MANAGER.

- All approvals are subject to general conditions of approval, as detailed on the application form located in Appendix D.

Council's Role

- Following notification by the utility provider of planned major works, Council officers will inspect proposed and commenced works, traffic management procedures, as well as completion of work and repair or rehabilitation of Councils infrastructure.
- Council will seek to secure an agreement with utility providers about the notification and inspection procedures.
- When Council are undertaking major road reconstruction, Council will give sufficient notice (i.e. 6 months) to Utility Service Providers of the work, to allow coordination of work schedules to ensure post construction impacts are minimised.
- If Council is unable to provide sufficient notice, Coolamon Shire Council will negotiate a contribution to the Utility Service Provider. An example of Councils contribution may be the ratio of life remaining in the asset to cost of replacing the main (i.e. 25% remaining life, \$100 per linear meter to replace the main, Council contribution is \$25 per linear meter).
- Following application by a property owner to install service facilities in the road verge, Council will assess the application. If approval is granted by Council, Council officers may inspect the proposed and commenced works, as well as completion of works or rehabilitation of Councils infrastructure to ensure the general conditions of approval are met.

6. PROPERTY ACCESS

Definitions

Property access is defined as the legal road access point to a property parcel (i.e. road formation or edge of bitumen to property boundary).

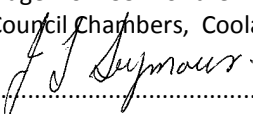
Property parcel is defined as a single or number of lots/assessments in the same ownership collectively adjacent to each other.

Role of Property Access

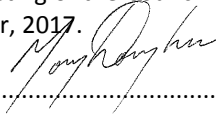
To provide the opportunity for the landholder to gain road access to a property parcel.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 15 of 41

.....


MAYOR

.....


GENERAL MANAGER.

Council

- Council will provide access to the road network at the nearest point of the property parcel. The access point will be onto the higher hierarchical designated road. Use of alternative roads will not result in an elevated hierarchical designation.
- The current network services all property owners. Therefore any sale of individual lots/parcels that result in land-locking properties (i.e. no access to the current network) will result in the property owner having to provide access to Council's Standard, at their own cost.

a. URBAN GUTTER CROSSOVERS AND DRIVEWAYS

Definitions

Urban is defined as those land use zones incorporated in the village area i.e. land that is zoned RU5 Village, RU4 Primary Production Small Lots, and RE1 Public Recreation.

A **gutter crossover** or layback is the section of the kerb in front of a properties front boundary that is used to cross a vehicle from the road to the nature strip or road verge.

A **driveway** is the section of sealed access from the gutter crossover to a residence.

Resident's Role

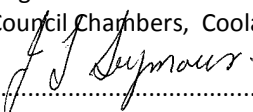
- Residents wishing to install a new gutter cross over or modify an existing gutter crossover must make an application to Council (please refer to Appendix C for a copy of the application form).
- Construction of driveways are by application to Council. Driveway construction costs are the responsibility of the property owner, and must be carried out by a Council approved contractor, and constructed to Councils specifications.
- Residential properties must be accessed by full concrete driveways, as part of the Construction Certificate.
- Ongoing maintenance costs are the responsibility of the property owner.

Council's Role

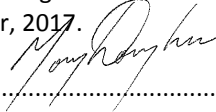
- Council will provide access to the road network at the nearest point of the property parcel. This access point will be onto the higher hierarchical designated road.
- Provide one legal access to a residential property (of a Council approved development), being a gutter crossover.
- Legal access may be provided by the main property access or by rear lane access.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 16 of 41



..... MAYOR



.....GENERAL MANAGER.

- Newly created residential allotments must have legal access provided by the developer, at their cost, to Council's standard.
- Gutter crossovers, footpaths and driveways can be constructed by either Council directly or by a Council approved Contractor, to ensure that construction is of a consistent and acceptable standard.
- Council is not responsible to accommodate all vehicles that may need to access a private property via a 'special' crossing, (Section 218, Roads Act 1993). This includes when a property owner buys a new vehicle and accessing their property is difficult or causes damage to the vehicle.
- Council may wish to approve of the construction of a 'fillet' on the road side of the layback, which would assist by affectively flattening the horizontal profile. This would be at the property owner's cost. The reference profile is shown in Australian Standard AS/NZS 2009.1: 2004. Property owners must make application to Council for these works.
- Council is responsible for ensuring vehicular access when it initially establishes road levels, not on a continuing basis.
- Where Council makes a decision to change levels of a road by establishing a 'new' longitudinal profile, Council is obliged to accommodate all vehicles owned by a property owner at that time.

b. RURAL PROPERTY ACCESS

Definitions

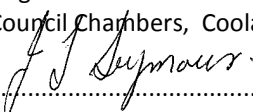
A **rural property access** is the physical legal access to a rural property, or properties zoned RU1 Primary Production, and has a minimum area of 40 hectares.

Resident's Role

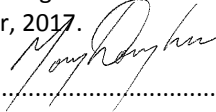
- It is the responsibility of the owner of the rural property to arrange the provision of access to a rural property, by making application to Council. The cost of installing will be at full cost to the property owner. Council approved contractors must be utilised to install the access, to ensure construction is of a consistent and acceptable standard.
- Once constructed any ongoing maintenance (nominally from bitumen edge to property boundary), will be at the landholders cost.
- Any modifications to provide or upgrade physical access to a rural property are at the property owners cost.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 17 of 41



..... MAYOR



.....GENERAL MANAGER.

Council's Role

- Council may specify the location of the rural property access, in order to limit the number of accesses to major roads, or to reduce costs due to the need to install culverts across existing table drains. This matter shall be discussed with Council officers at the pre-lodgement meeting for a new development or subdivision, to ensure suitable building design.
- Council will specify access details when a rural property is subdivided, and the access infrastructure, such as, culverts, gravel, or headwalls, is to be provided at the developers cost.
- Where Council have completed road construction/reconstruction works and an established property entrance has been denied, Council will provide one access (culvert, concrete dish crossing etc.) per property (up to a maximum of 7.3m length) at no cost to the landholder. Any additional culverts would be at full cost to the property owner.
- A list of Council approved contractors can be obtained by contacting Council's Engineering department.

7. FIREWOOD COLLECTION

Definitions

Firewood Collection means the gathering of fallen timber for the purposes of private home heating.

Property Owners Role

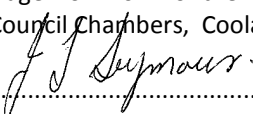
- An owner of private land may collect firewood on their own property for personal or commercial use, and may give permission to others to collect firewood for personal or commercial use.

Council's Role

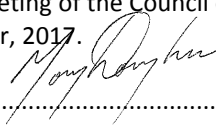
- Coolamon Shire Council does not issue permits for the collection of firewood from road verges, nor for collection of firewood from Crown Land or Public Land under the care and control of Council.
- For road safety reasons, Council encourages residents to collect wood from private property, with the property owner's permission.
- The felling of trees on Council road verges is an offence.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 18 of 41



..... MAYOR



.....GENERAL MANAGER.

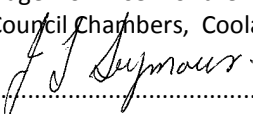
8. REVIEW

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

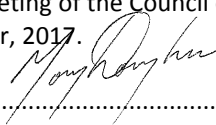
Version 3 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

Version 2 Adopted: Council Meeting held 15 October 2015 (Minute No 232/10/2015)

Version 1 Adopted: Council Meeting held 16 May 2013 (Minute No. 127/05/2013)


.....

MAYOR


.....

GENERAL MANAGER.

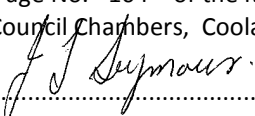
APPENDIX A

Memorandum of Understanding, Utility Service Providers

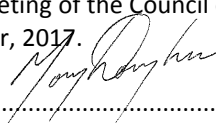
COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232.10 2015).DOCX

Page 20 of 41

This is Page No. 104 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held
in the Council Chambers, Coolamon on the 21st September, 2017.


.....

MAYOR


.....

GENERAL MANAGER.



**COOLAMON SHIRE COUNCIL
NATURE STRIP AND ROAD VERGE POLICY
MEMORANDUM OF UNDERSTANDING**

Between Coolamon Shire Council and "insert utility service provider name"

This Memorandum of Understanding (MOU) highlights the objectives and management arrangements of notification to Council under the Coolamon Shire Council Nature Strip and Road Verge Policy. It details standard communication, consultation and operating processes.

This is not a legal document, however it is an agreement to operate in a co-operative and collaborative manner.

Rationale

Under the Coolamon Shire Council Nature Strip and Road Verge Policy, the purpose of this MOU is to:

- Formalize arrangements for notification of Council by "insert utility service provider name".
- Formalize arrangements for repair and rehabilitation of Council infrastructure on completion of works as carried out by "insert utility service provider name".

Definitions

Utility service providers are infrastructure companies or providers, including electricity, gas, telecommunications and water supply providers.

Routine maintenance is defined as inspections and minor works that do not require excavation or part or full road or nature strip/road verge closures.

Major works is defined as works that will involve installation of new utilities/services, or work on existing utilities/services that involve part or full closure of a road, footpath, nature strip or road verge. This includes closing of access for pedestrians or vehicles to use part of a road, footpath, nature strip or road verge due to excavation, the installation of a temporary structure or similar works.

Council is Coolamon Shire Council.

Council infrastructure includes Council owned assets such as local roads, bridges, culverts, nature strips, road verges, footpaths, road and street signage, street lights, storm water management services and sewerage systems.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 21 of 41

.....
J. J. Seymour

MAYOR

.....
Margaret

GENERAL MANAGER.

Objectives

The objectives of the MOU are to:

- Ensure timely notification to Coolamon Shire Council, by utility service providers, of proposed major works that may impact upon Council infrastructure or services.
- Allow Coolamon Shire Council to comment on proposed major works prior to their commencement, and for those comments to be considered by utility service providers.
- Enable Coolamon Shire Council the opportunity to inspect works sites relating to this MOU during construction to ensure safe work practices and traffic management are occurring.
- Enable Coolamon Shire Council the opportunity to inspect the work site on completion of works to ensure Council infrastructure is reinstated to the same condition it was in prior to works.
- Provide quality workmanship by requiring utility service providers warrant the quality of their works for a period of 12 months following completion of their works.

Roles and Responsibilities

The role of "insert utility service provider name" in this MOU is:

- To provide timely communication of notification to Council of the proposed works.
- To provide appropriate and timely consideration and response to Council comments by the utility service provider.
- To provide timely communication of both commencement and completion of works.
- Reinstatement of Council infrastructure to the previous condition it was in prior to the utility service provider's work taking place.
- To sharing and communication the agreed arrangements this MOU to all relevant staff and contractors.

The role of Coolamon Shire Council in this MOU is:

- To provide timely comment on proposed works prior to commencement of works.
- To provide appropriate notification of inspections of work, and timely communication of any concerns that may arise.
- To share and communicate the agreed arrangements of this MOU to relevant staff.

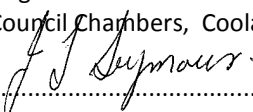
Governance Structure and Reporting

Notification of proposed works shall be made via the Nature Strips and Road Verge notification form, to be completed and submitted to Council, (with a minimum 21 days notice) by email or alternatively post.

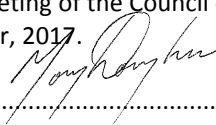
Notification of commencement and completion of works shall be to Councils Executive Manager, Engineering and Technical Services Mr Tony Kelly, phone (02) 6930 1800, email TKelly@coolamon.nsw.gov.au, address PO Box 101 Coolamon NSW 2701.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 22 of 41



..... MAYOR



.....GENERAL MANAGER.

Queries relating to the proposed works and potential impacts to Council infrastructure should be directed to Council's Works Engineer Mr Scott Buchanan, phone (02) 6930 1800 or email SBuchanan@coolamon.nsw.gov.au .

Authorization

The signing of this MOU by Coolamon Shire Council and "insert utility service provider name" demonstrates the parties commitment to meet the objectives of this MOU, and acknowledgement of the roles and responsibilities the MOU highlights.

Coolamon Shire Council

Name:

Signature:

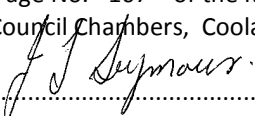
Title:

"insert utility service provider name"

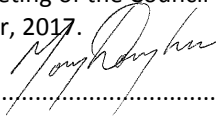
Name:

Signature:

Title:



..... MAYOR



.....GENERAL MANAGER.

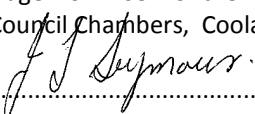
APPENDIX B

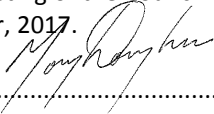
Utility Service Providers Notification of Works

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232.10 2015).DOCX

Page 24 of 41

This is Page No. 108 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held
in the Council Chambers, Coolamon on the 21st September, 2017.


..... MAYOR


.....GENERAL MANAGER.



**NOTIFICATION OF WORKS
TO COOLAMON SHIRE COUNCIL
BY "Insert Utility Providers Name"**

*This form is to be used by Utility Service Providers to notify Council of **major works to and development of utilities that may impact on Council infrastructure, or will involve part or full closure of a road, footpath, nature strip or road verge.***

Name of Utility Service Provider:

Address:

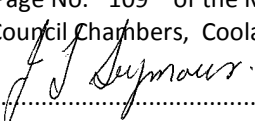
Contact Person:

Title/Position:

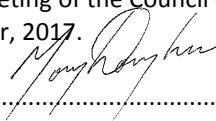
Phone Number: Email:

- Please provide a description of the proposed works, including the likely impacts to nature strip, road verge and Council infrastructure:

- Location of proposed works:
(Please attach a map, drawing or photo of location, and include any other significant items e.g. road intersections, fence lines, buildings, other services/utilities, tree's etc.)



..... MAYOR



.....GENERAL MANAGER.

- Commencement date and expected duration of works:
(Please note you must give Council a minimum of 21 days notice.)

Council may inspect proposed and commenced works, traffic management procedures, and repair or rehabilitation of Councils infrastructure.

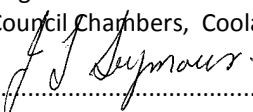
Please note: the following Conditions will apply to all Utility Service Providers undertaking work in the nature strip or road verge, that may impact on Council infrastructure.

CONDITIONS

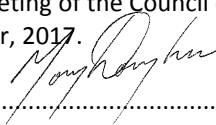
- 1) SERVICES CROSSING A ROAD
 - (a) SEALED / PAVED ROADS, STREETS & FOOTPATHS
Applicants shall underbore all road, street and constructed footpaths and provide conduits in which services are to be placed.
 - (b) UNSEALED ROADS & STREETS
Whilst underbore services are encouraged, excavation and placement of facilities may be permitted subject to approval by the Executive Manager, Engineering & Technical Services and reinstatement costs are to be borne by the applicant.
- 2) SERVICES PARALLEL TO ROAD RESERVES
Permission provided on specific site circumstances with emphasis on;
 - (a) Agreed service alignments with road reserves
 - (b) Concurrent approval from other relevant service authorities
 - (c) Reinstatement of any excavation / trenching works.
- 3) GENERAL CONDITIONS
 - (a) The applicant shall be responsible for the Public Safety and all work practices will be carried out in accordance with Australian Standards, Workcover Code of Practices and Council requirements.
 - (b) Service provisions across rural road formations shall have a minimum cover of 800mm and extend a minimum distance of 2.0 metres past the table drain or fill batter. Services and conduits shall be installed in a straight line and as near as possible at right angles across the road reserve with markers on fence line showing locations.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 26 of 41

.....


MAYOR

.....


.....GENERAL MANAGER.

Services across urban roads shall have a minimum depth of 1.0 metres measured from the top of kerb and shall extend a minimum distance of 1.0 metres from the face or kerb. Services and conduits shall be installed in a straight line and as near as possible at right angles across the road.

- (c) Service provision along a road reserve would need to be approved on an individual basis.
- (d) Drainage culverts are not to be used as service conduits.
- (e) The applicant is responsible for the location of all other services and where the installation of the service affects any other authority the written approval of that authority must first be obtained.
- (f) Restoration and/or reinstatement (including trench subsidence) will be the responsibility of the applicant and will be to the satisfaction of the Executive Manager, Engineering & Technical Services.
- (g) Should trees or shrubs need to be removed the debris shall be removed or suitably disposed of and replaced in accordance with Council direction.

OFFICE USE ONLY

Date received Referred to

File

Does the proposed work require Council inspection of proposed works ?

Yes No

Is Council response (comment) required ?

Yes No

If yes, has response been provided to Utility Provider ?

Yes, date provided

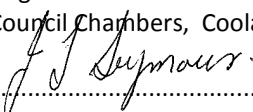
Is a Traffic Management Plan required ?

Yes No

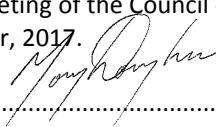
PLEASE SUBMIT NOTIFICATION FORM TO:

Executive Manager Engineering and Technical Services
Coolamon Shire Council
PO Box 101, Coolamon NSW 2701
Email: TKelly@coolamon.nsw.gov.au (preferred)

Page 27 of 41



..... MAYOR



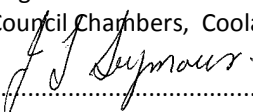
.....GENERAL MANAGER.

**Application Form for Property Owners, Installation or Modification of
Property Access**

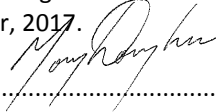
COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232.10 2015).DOCX

Page 28 of 41

This is Page No. 112 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held
in the Council Chambers, Coolamon on the 21st September, 2017.


.....

MAYOR


.....

GENERAL MANAGER.



**APPLICATION TO INSTALL
OR
MODIFY A PROPERTY ACCESS**

This form is to be used by property owners when requesting to install or modify a property access on public land. Completion of this form may require council to perform an assessment under the Roads Act, 1993.

Applicant Name: Signature:
Address:
Property Address (if different):
Lot/Sec: DP:
Phone/Fax: Mobile:
Email:

APPROVAL SOUGHT

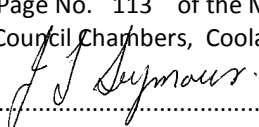
Urban location Rural location
 Install a new property access Modify an existing property access
 Tree removal

Have you undertaken a dial before you dig ?

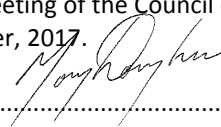
Yes
 No

A dial before you dig can be obtained by ringing 1100 or visiting www.1100.com.au

- Please provide a description of the proposed driveway access.



..... MAYOR



.....GENERAL MANAGER.

PLEASE SUBMIT THIS FORM TO:

Executive Manager Engineering and Technical Services
Coolamon Shire Council
PO Box 101, Coolamon NSW 2701
Email: TKelly@coolamon.nsw.gov.au

Date received Property File No.

Referred to

Approved (unconditional)

Approved with conditions:

Refused (include reason):

Traffic Management Plan required?

Yes No

Rural Address Required?

Yes, details _____ No

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTEMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 31 of 41

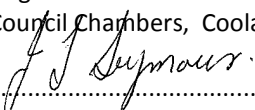
APPENDIX D

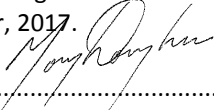
**Application Form for Property Owners, Installation of Service Facilities
(Including Water Pipes) in the Road Reserve**

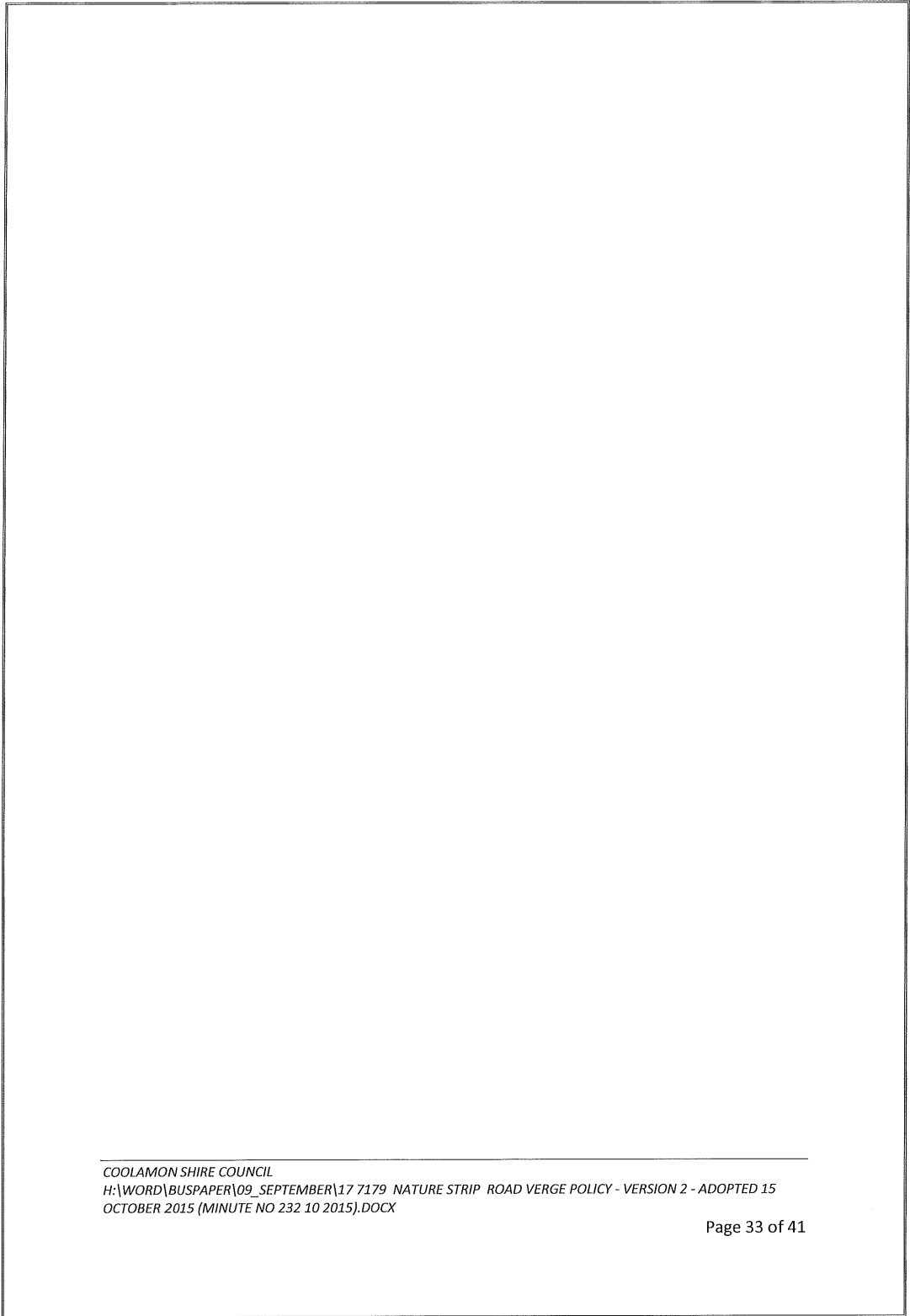
COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 32 of 41

This is Page No. 116 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held
in the Council Chambers, Coolamon on the 21st September, 2017.


..... MAYOR

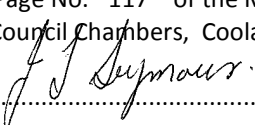

.....GENERAL MANAGER.



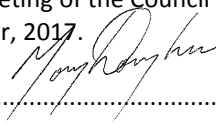
COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 33 of 41

This is Page No. 117 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held
in the Council Chambers, Coolamon on the 21st September, 2017.


.....

MAYOR


.....

GENERAL MANAGER.



**APPLICATION TO INSTALL
SERVICE FACILITIES
IN THE ROAD RESERVE**

*This form is to be used by property owners when requesting approval to install service facilities (including water pipes) on public land. **Completion of this form may require council to perform an assessment under the Roads Act, 1993.***

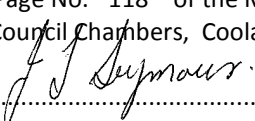
Applicant Name:
Address:
Property Address (if different):
Lot/Sec: DP:
Phone/Fax: Mobile:
Email:

APPROVAL SOUGHT

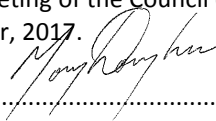
- Please describe the proposed works you are seeking approval for:

- Please provide reason for installation of these services:

Have you undertaken a dial before you dig ?
Yes
No
A dial before you dig can be obtained by ringing 1100 or visiting www.1100.com.au



..... MAYOR



.....GENERAL MANAGER.



- Please provide relevant sketch, map, photo of the proposed work or activity you are seeking approval to install. Including details of the proposed work in relation to the road and property boundary, including any other significant items (i.e. fence lines, buildings, road or street intersections, trees, power poles (including anchor cables), water pipes etc.).

Please note the following Conditions will apply to all applications for works or activities in the nature strip.

CONDITIONS

1) GENERAL CONDITIONS

(a) If a SEALED / PAVED ROADS, STREETS & FOOTPATHS

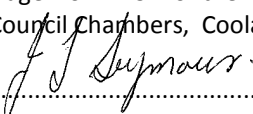
Applicants shall underbore all road, street and constructed footpaths and provide conduits in which services are to be placed.

(b) UNSEALED ROADS & STREETS

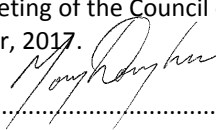
Whilst underbore services are encouraged, excavation and placement of facilities may be permitted subject to approval by the Executive Manager, Engineering & Technical Services and reinstatement costs are to be borne by the applicant.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 35 of 41


.....

MAYOR


.....

GENERAL MANAGER.

2) SERVICES PARALLEL TO ROAD RESERVES

Permission provided on specific site circumstances with emphasis on;

- (a) Agreed service alignments with road reserves
- (b) Concurrent approval from other relevant service authorities
- (c) Reinstatement of any excavation / trenching works.

3) GENERAL CONDITIONS

(a) The applicant shall be responsible for the Public Safety and all work practices will be carried out in accordance with Australian Standards, Workcover Code of Practices and Council requirements.

(b) Service provisions across rural road formations shall have a minimum cover of 800mm and extend a minimum distance of 2.0 metres past the table drain or fill batter. Services and conduits shall be installed in a straight line and as near as possible at right angles across the road reserve with markers on fence line showing locations.

Services across urban roads shall have a minimum depth of 1.0 metres measured from the top of kerb and shall extend a minimum distance of 1.0 metres from the face or kerb. Services and conduits shall be installed in a straight line and as near as possible at right angles across the road.

(c) Service provision along a road reserve would need to be approved on an individual basis.

(d) Drainage culverts are not to be used as service conduits.

(e) The applicant is responsible for the location of all other services and where the installation of the service affects any other authority the written approval of that authority must first be obtained.

(f) Restoration and/or reinstatement (including trench subsidence) will be the responsibility of the applicant and will be to the satisfaction of the Executive Manager, Engineering & Technical Services.

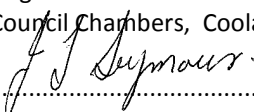
(g) Should trees or shrubs need to be removed the debris shall be removed or suitably disposed of and replaced in accordance with Council direction.

I _____ acknowledge to abide by these conditions should my application be approved by Council.

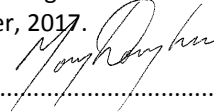
Signature: Date:

PLEASE SUBMIT THIS FORM TO:

Executive Manager Engineering and Technical Services
Coolamon Shire Council
PO Box 101, Coolamon NSW 2701
Email: TKelly@coolamon.nsw.gov.au



..... MAYOR



..... GENERAL MANAGER.

<p>OFFICE USE ONLY</p> <p>Determination</p> <p>Date received <input type="text"/> Property File No. <input type="text"/></p> <p>Referred to <input type="text"/></p> <p><input type="checkbox"/> Approved (unconditional)</p> <p><input type="checkbox"/> Approved with conditions: _____ _____ _____</p> <p><input type="checkbox"/> Refused (include reason): _____ _____ _____</p> <p>Traffic Management Plan required?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Rural Address Required?</p> <p><input type="checkbox"/> Yes, details _____ <input type="checkbox"/> No</p>

APPENDIX E

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTEMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 37 of 41

J. J. Seymour
.....

MAYOR

Maughan
.....

GENERAL MANAGER.

Application Form for Property Owners, for Work in the Nature Strip

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 38 of 41

This is Page No. 122 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held
in the Council Chambers, Coolamon on the 21st September, 2017.

J J Seymour
..... MAYOR

Maughan
.....GENERAL MANAGER.



**APPLICATION TO UNDERTAKE
WORK OR AN ACTIVITY
IN THE NATURE STRIP**

This form is to be used by property owners when requesting to install or modify a property access on public land. Completion of this form may require council to perform an assessment under the Roads Act, 1993.

Applicant Name: Signature:
Address:
Property Address (if different):
Lot/Sec: DP:
Phone/Fax: Mobile:
Email:

APPROVAL SOUGHT

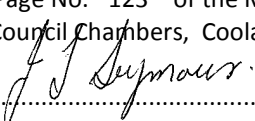
Installation of irrigation Installation of landscaping features
 Planting of vegetation

Have you undertaken a dial before you dig ?

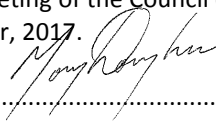
Yes
 No

A dial before you dig can be obtained by ringing 1100 or visiting www.1100.com.au

- Please provide a description of the proposed activity or work.



..... MAYOR



.....GENERAL MANAGER.

- Please provide a sketch, map or photo of the proposed activity or work in relation to the road and property boundary, including any other significant items (i.e. fence lines, buildings, road or street intersections, trees, power poles (including anchor cables), water pipes etc.).

Please note the following Conditions will apply to all applications.

CONDITIONS

- 1) GENERAL CONDITIONS
 - (a) If a property does not have a concrete footpath running along the property boundary, the landowner will need to provide an area 2.7 meters wide, from the boundary, and along the length of the property, that is suitable for pedestrians to walk on. This may be lawn, compacted road base or granite. Loose surfaces such as river stones or bark are not suitable.
 - (b) Tree species and location must be approved by Council.
 - (c) Vegetation cannot be removed from the nature strip without prior written approval from Council.

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 40 of 41

- (d) Landscaping features must not cause obstruction to vision of pedestrians or motorists and must not impede access to any services.
- (e) Should access to services be required, Council will not be liable for any damages to improvements to the nature strip.

I _____ *acknowledge to abide by these conditions should my application be approved by Council.*

Signature: Date:

PLEASE SUBMIT THIS FORM TO:

Executive Manager Engineering and Technical Services
Coolamon Shire Council
PO Box 101, Coolamon NSW 2701
Email: TKelly@coolamon.nsw.gov.au

OFFICE USE ONLY

Determination

Date received Property File No.

Referred to

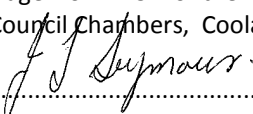
Approved (with standard conditions)

Approved with additional conditions:

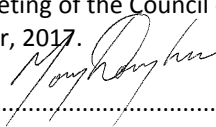
Refused (include reason):

COOLAMON SHIRE COUNCIL
H:\WORD\BUSPAPER\09_SEPTMBER\17 7179 NATURE STRIP ROAD VERGE POLICY - VERSION 2 - ADOPTED 15
OCTOBER 2015 (MINUTE NO 232 10 2015).DOCX

Page 41 of 41



..... MAYOR



.....GENERAL MANAGER.



COOLAMON SHIRE COUNCIL
UP TO DATE STORE HIRE POLICY

OBJECTIVE

To outline procedures and conditions for the booking and use of the Up To Date Store.

ELIGIBILITY/APPLICATION

This policy will apply to all undertakings at the Up to Date Store apart from the opening of the centre by volunteers to promote the historical significance of the Up to Date Store, general access allowed through the precinct to permanently housed collections, the use of the "old grain store" and kitchen (subject to separate lease arrangement) and the use of the centre for activities organized for and on behalf of the Coolamon Shire Council.

GENERAL

Council's development of the Up to Date Cultural & Learning Centre, since the original purchase of the Up to Date Store in 1996, has resulted in the establishment of conference, entertainment and open space areas that can be utilized by a number of organizations for a variety of purposes.

The following programs/events are generally permitted uses of the centre, **at the General Manager's discretion**

- Business seminars
- Education programs
- Community information nights
- Conference/Workshop programs
- Travelling exhibitions
- Music Events
- Makers space
- School based shows and exhibitions
- Private functions inc. weddings and anniversary celebrations

Specifically, Council prohibits the following events being undertaken at the centre

- 18th and 21st Birthday Parties or similar
- Youth Parties
- "Bucks" and "Hens" Nights

Users of the centre will be required to make application for hire for a specified period. This application will be assessed and upon confirmation, users will be required to sign the approved hire agreement agreeing to the terms of the hire.

STANDARD FORMS & PROCEDURE

Hire Agreement of the Up-to-Date Store, Coolamon
Hire and bond rates as set in Council's annual Operational Plan.

REVIEW

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

Version 2 Adopted: Council Meeting held 21st September 2017 (Minute No 175/09/2017)
Version 1 Adopted: Council Meeting held 15th August 2013 (Minute No 199/08/2013)

COOLAMON SHIRE COUNCIL - ADM.02.17_UP-TO-DATE_CULTURAL_CENTRE_HIRE_POLICY

.....

MAYOR

.....

GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.



PO Box 101
COOLAMON NSW 2701
PH: 02 6930 1800 FAX: 6927 3168

HIRE AGREEMENT OF THE COOLAMON UP-TO-DATE STORE

HIRER'S DETAILS

Name			
Address			
Phone		Mobile	
Email			

BOOKING DETAILS

Date			
Start Time		Finish Time	
Proposed Function and Details			

FEES & BOND

Fees	2016/2017 (inc GST)	GST Component
Hire of Up-to-Date Store 4hr maximum	\$60.50	\$5.50
Hire of Up-to-Date Store per day	\$121.00	\$11.00
Hire of Up-to-Date Store per week (7 days)	\$550.00	\$50.00
Hire of Up-to-Date Store per fortnight	\$880.00	\$80.00
Up-to-Date Store Bond (<i>Determined based on type of event</i>)	\$350.00	\$0.00
Total payment to be invoiced:		

An invoice will be sent to the above email address for payment.

DOCUMENT REQUIREMENTS (*Must be submitted 2 weeks prior to event*)

Public Liability Insurance Policy	Yes
Public Liability Insurance Policy of contractors	Yes / NA
Liquor Licence	Yes / NA
Risk Management Plan	Yes

ALARM SYSTEM

Collect alarm fob (remote) and Up-to-Date Store key from Coolamon Library or as arranged. Training and instructions will be provided on pick up.	Yes
--	-----

EVENING EVENT WITH ALCOHOL

Notify Police of your event	Yes / NA
Notify nearby neighbours of your event	Yes / NA

I, the undersigned, understand the terms and conditions for hiring and agree to abide by them. Failure to do so may result in the bond being forfeited.

HIRER:

Signed			
Name		Date	

COOLAMON SHIRE COUNCIL:

Signed			
Name		Date	

COOLAMON SHIRE COUNCIL - ADM.02.17_UP-TO-DATE_CULTURAL_CENTRE_HIRE_POLICY

This is Page No. 127 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.

J. J. Seymour

MAYOR

Maughan

GENERAL MANAGER.

Terms & conditions

1. Hire Process

- 1.1 Coolamon Shire Council is the administrator for the hire of the Up to Date Store
- 1.2 All groups or individuals hiring the Up-to-Date Store shall first make application in writing, signed by the responsible person and stating all required details.
- 1.3 Council reserves the right to refuse any booking.
- 1.4 Council reserves the right to cancel any booking by notice in writing to the Hirer. The right will only be exercised under exceptional circumstances. Should it be necessary for Council to cancel any booking then any fees paid in advance will be refunded.
- 1.5 Council reserves the right to cancel any event without receiving the relevant documentation as indicated on the form two weeks prior to the booking date.

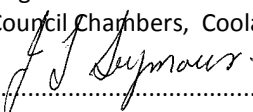
2. Fees and bonds

- 2.1 Fees for hire will be set out as per the Fee & Pricing Schedule in Council's Operational Plan and will be reviewed on an annual basis by Coolamon Shire Council.
- 2.2 Bond payments will be determined based on the type of event. Consideration will be determined based on event time, date, catering, alcohol, set-up and pack-up. Payment of a bond is security against damage or for breach of any part of the agreement.
- 2.3 Bookings for any evening event (commencing after 6pm) will require payment of a bond as part of security against damage or for breach of any part of the agreement
- 2.4 Bond and hire charges must be paid in full one day prior to the event.
- 2.5 The bond will be returned to the hirer within two weeks of the event providing there is not damage, missing equipment, the facility is left clean and the key/s are returned.
- 2.6 The Hirer will be required to vacate the facility within the specified time. If additional time is required to set up and clean up following an event, this time must be booked and rental will be charged accordingly.

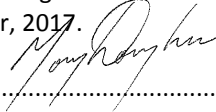
3. Insurance

- 3.1 Casual hirers of Coolamon Shire Council facilities are covered by a specific Public Liability policy. A Casual Hirer means any person or group of persons (not being a sporting body, club, association, corporation or incorporated body), who hires a Council facility for non-commercial or non profit making purposes. A casual hirer's activity may include Birthday Parties, Christenings' and Weddings.
- 3.2 Organisations/Groups must present to Council evidence of a current public liability policy with a minimum cover of \$10 million prior to approval of the application.
- 3.3 If the Hirer's activities are auspiced by another organisation, evidence will be required substantiating that the auspicing organisation has consented to the hire and that the event is noted on the auspicing organisation's public liability policy
- 3.4 All contractors working on behalf of the organiser in any capacity will provide the hirer a copy of their current public liability policy (minimum cover \$20 million) prior to engaging in any activity in the facility. **It is the responsibility of the hirer to ensure that a copy of the policy is attached to the application.**
- 3.5 Should individual stall holders use the store under the auspice of the "Friends of the Up-to-Date Cultural Precinct" then insurance must be provided to the Committee prior to such event.

COOLAMON SHIRE COUNCIL - ADM.02.17_UP-TO-DATE_CULTURAL_CENTRE_HIRE_POLICY



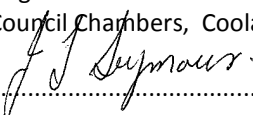
..... MAYOR



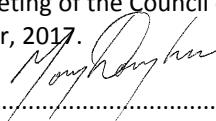
.....GENERAL MANAGER.

4. General

- 4.1 Smoking is not permitted anywhere inside Council owned facilities.
- 4.2 Animals (with the exception of assistance animals) are not permitted to enter the facility.
- 4.3 All children present must be under adult supervision at all times.
- 4.4 The hirer will ensure that adequate provisions are made to control the behaviour of patrons attending the function. This provision includes the behaviour of patrons when leaving the venue with consideration shown to neighbouring residents. It is generally accepted that the premises will be vacated by 2.00am
- 4.5 Complaints of excessive noise or unruly behaviour may render the hirer or associated organisation unacceptable to utilise Council Facilities for future functions.
- 4.6 The hirer shall comply with all relevant Local, State and Federal, Laws, Acts, Legislation and Regulations.
- 4.7 Any injuries to persons or damages to property sustained during the period of hire must be reported to Coolamon Shire Council as soon as is practicable.
- 4.8 The Hirer will leave the Premises in a clean and tidy condition and will be responsible to compensate the Council for any damage or loss suffered during the hired period. The Hirer shall not, at any stage, use nails, tacks or any other material that will damage the fabric of the building. Any bond paid in association with the hire will be used to offset the costs of rectifying damage or cleaning in the first instance and when costs exceed the bond, the hirer will be issued with an invoice.
- 4.9 Access to the Store will be achieved with the issue of a key and alarm system fob (remote) from the Coolamon Library or discussed to arrange alternative collection. The key and fob will be the responsibility of the person that it is issued to and must be returned by the first working day after the event. In the event that the key is lost, the hirer agrees that they shall be fully responsible for all costs incurred by Council for any changes or replacement.
- 4.10 The Hirer will be responsible for providing a copy of a Liquor Licence where the event involves the sale of alcohol.
- 4.11 All events will require the lodgement of a Risk Management Plan. Further information relating to the Risk Management Plan requirements can be obtained from Council's Community Development Officer or Council's Employee and Public Relations Officer.



..... MAYOR



.....GENERAL MANAGER.



COOLAMON SHIRE COUNCIL
COUNCIL ROAD NAMES POLICY

OBJECTIVE

To set the criteria for the adoption of road names within the Coolamon Shire.

ELIGIBILITY

This policy shall apply to all roads being both urban and rural within the Coolamon Shire.

GENERAL CONDITIONS

Road Names

- ♦ That Council utilise the listing of past Councillor's and ex-Servicemen as a reference point for future road naming.
- ♦ The attached list as at 20 March 2009 be the list that road names are sourced from.
- ♦ Should any members of the public come forth with road name suggestions they will be referred to Council's road naming policy.
- ♦ Any suggested variation to the road naming policy shall be referred to Council prior to any decision being taken.

REVIEW

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

Version 2 Adopted: Council Meeting held 21 September 2017 (Minute No.175/09/2017)

Version 1 Adopted: Council Meeting held 23 April 2009 (Minute No.104/04/2009)

COOLAMON SHIRE COUNCIL
TC.03.02 COUNCIL ROAD NAMING POLICY

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

SUGGESTED ROAD NAMES

During this process the research provided for numerous road names that could be applied throughout the Shire.

COOLAMON / MARRAR

COUNCILLORS

- Le Lievre – 1922-1928 and 1934-1937
- Moses – 1953-1970
- Robertson – 1931-1934
- Anthony 'Nick' Winter – an Olympian who once lived in this district and represented Australia at the 1924 and 1928 Olympics. He won one gold medal and held the world record in triple jump.

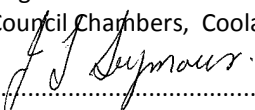
KILLED IN ACTION

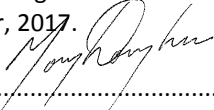
WW1

- Allen
- Bendall
- Bradney (2)
- Bloomfield
- Corner
- Curren
- Cholerton
- Chilton
- Gogoll
- Harding
- Hardy
- Hepburn
- Hicks
- Hunt
- Jackson
- Killoh
- Meadows
- Monaghan
- McAlister
- O'Brien
- Roach
- Rogers
- Ralph
- Renehan
- Toland
- Vagg

COOLAMON SHIRE COUNCIL
TC.03.02 COUNCIL ROAD NAMING POLICY

This is Page No. 131 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.


..... MAYOR


.....GENERAL MANAGER.

GANMAIN / MATONG

COUNCILLORS

- Regan – 1920-1925
- Richardson – 1928-1937

KILLED IN ACTION

WW2

- Baxter (2)
- Bouchier
- Conquest
- Crask
- Gibson
- Halden
- Hills
- Hoare
- Hughes
- Kerr
- Kerlin
- Ledgerwood
- Mc Alister
- Oliver
- O'Sullivan
- Westendorf
- Warran

- Please note that this is not a complete list of soldiers killed in action. Any surnames that already exist as road names have been excluded

KILLED IN ACTION

WW1

- Bartlett
- Bean
- Bennett
- Black
- Burrows
- Butcher
- Campbell
- Cassidy
- Cob
- Davison
- Devereux
- Erskine
- Fidge
- Gillespie
- Hehir
- Hetherington
- Hughes
- Hunter
- Jamieson
- Kawelmacher
- Manood
- Maxwell
- Mitchell
- Munro
- O'Shea
- Power
- Reid
- Stevens
- Sullivan
- Symington
- Tait
- Vagg
- Walker
- Waters
- Watkins
- Weisner

COOLAMON SHIRE COUNCIL
TC.03.02 COUNCIL ROAD NAMING POLICY

ARDLETHAN / BECKOM

COUNCILLORS

- Bryant – 1949-1953
- Griffin – 1934-1965
- McKinnon – 1917-1922
- O'Brien – 1920-1925

KILLED IN ACTION

WW1

- Ambrose
- Bond
- Bromfield
- Burns
- Drew
- Hyland
- Hicks
- Lucas (2)
- Man
- McGregor
- Richardson
- Rock
- Stockton
- Guy

WW2

- Byron
- Guy
- Guthrie
- Harrison
- McCullam
- McLeod
- Searle
- Stout
- Trevena

- Please note that this is not a complete list of soldiers killed in action. Any surnames that already exist as road names have been excluded.
- This list is up to date as of 20/3/2009

COOLAMON SHIRE COUNCIL
TC.03.02 COUNCIL ROAD NAMING POLICY



COOLAMON SHIRE COUNCIL
COUNCIL CHAMBER HIRE POLICY

AREA TO BE THE SUBJECT OF HIRE

Complete Meeting Room area including kitchen.

ELIGIBLE BODIES

- 1) Public bodies, Religious, Benevolent and Charitable Organisations - **No charge.**
- 2) Business and Professional Bodies, Companies and Organisations. (Trading Stall prohibited) Refer Annual Operational Plan

CONDITIONS

- The use of alcoholic liquor is prohibited.
- Stack-a-by-Chairs be made available to Public bodies at no charge subject to the approval of the General Manager.

REVIEW

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

Version 5 Adopted: Council Meeting held 21 September 2017 (Minute No.175/09/2017)
Version 4 Adopted: Council Meeting held 14 February 2012 (Minute No. 022/02/2012)
Version 3 Adopted: Council Meeting held 16 December 2008 (Minute No.359 /12/2008)
Version 2 Adopted: Council Meeting held 16 August 2007 (Minute No. 261/8/2007)
Version 1 Adopted Council Meeting held 19 August 2004 (Minute No. 277/8/2004)

COOLAMON SHIRE COUNCIL
ADM.02.11 COUNCIL CHAMBER HIRE POLICY

J. J. Seymour
.....

MAYOR

Matthew Douglas
.....

GENERAL MANAGER.



COOLAMON SHIRE COUNCIL
CITIZENSHIP CEREMONY POLICY

OBJECTIVE

All ceremonies will be held at scheduled Council meetings or on Australia Day in accordance with the guidelines and protocols developed by the Federal Government.

Any matters of urgency will be directed to the Department of Immigration and Border Protection who have the appropriate authority to conduct such ceremonies.

REVIEW

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

Version 2 Adopted: Council Meeting held 21 September 2017 (Minute No.175/09/2017)
Version 1 Adopted: Council Meeting held 19/06/2014 (Minute No 129/06/2014)

COOLAMON SHIRE COUNCIL
CITIZENSHIP CEREMONY POLICY

J. J. Seymour
.....

MAYOR

Maughan
.....

GENERAL MANAGER.



COOLAMON SHIRE COUNCIL

AUSTRALIA DAY & HONORED CITIZEN AWARDS POLICY

OBJECTIVE

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

ELIGIBILITY

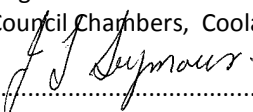
This policy shall apply to residents of the Coolamon Shire or persons, who at the discretion of Council, are considered to have an affinity with a community of the Coolamon Shire Council through commercial, recreation, education or social activities.

GENERAL

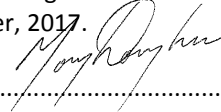
AUSTRALIA DAY

- 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.

COOLAMON SHIRE COUNCIL
GOV.03.03 AUSTRALIA DAY AND HONORED CITIZEN AWARDS POLICY



..... MAYOR



.....GENERAL MANAGER.

- 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 7 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)



COOLAMON SHIRE COUNCIL

ART ACQUISITION POLICY

OBJECTIVE

To support local Artists in the pursuit of their artistic talents by the purchase of artworks for display in Council buildings.

SCOPE OF POLICY

- 1) This policy shall apply to the purchase of artwork on an annual basis from the Annual Up-2-Date Art Exhibition.
- 2) The artwork will be selected after judging by the Mayor / General Manager or their delegates of Council.
- 3) The acquisition will be titled "Coolamon Shire Council Acquisition Prize".
- 4) The value of the artwork will be at the discretion of the Mayor and General Manager.

ELIGIBILITY

Eligible local Artists shall be persons who reside in the Coolamon Shire Local Government Area.

REVIEW

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

Version 4 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

Version 3 Adopted: Council Meeting held 16 October 2014 (Minute No 264/10/2014)

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

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

COOLAMON SHIRE COUNCIL
ADM.02.15 ART ACQUISITION POLICY



COOLAMON SHIRE COUNCIL
ALLAWAH (FURNER/STEVENS ON)
COMMUNITY CENTRE POLICY

OBJECTIVE

To outline procedures for the control of the operation of the Allawah (Furner/Stevenson) Community Centre.

ELIGIBILITY/APPLICATION

- 1) That Council permits the following Senior Citizen Activities to be undertaken in the Community Centre:
 - Senior Citizen Meetings
 - Senior Citizen Dinners
 - Senior Citizen Activities such as carpet bowls, bingo, dancing and so forth.
 - Men's Group
- 2) That Council permit the following Community Activities to be undertaken in the Community Centre:
 - Community Meetings
 - Community Seminars
 - Funeral Gatherings
 - Educational and Training Programs
 - Private Functions
- 3) That all activities undertaken at the Centre be subject to the following conditions:
 - All activities to be confined to within the Centre.
 - Hire rates for the use of the Community Centre will be as set out in Council's Operational Plan.
- 4) That the Coolamon-Ganmain Hospital Auxiliary be exempt from the applicable fees.
- 5) That Council prohibits the following activities from being undertaken within the Community Centre.
 - Weddings
 - 21st Birthday Parties or similar
 - Youth Parties and so forth
- 6) That Council reserves the right to refuse any activity from being carried out within the Centre if it considers that such an activity will have an adverse impact on the adjoining residents.

J. J. Seymour
.....

MAYOR

Mary Douglas
.....

GENERAL MANAGER.

STANDARD FORMS & PROCEDURE

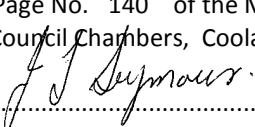
Hire Agreement of the Allawah Community Centre
Hire and bond rates as set in Council's annual Operational Plan.

REVIEW

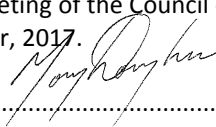
This policy may be reviewed at any time or as required in the event of legislative changes. Unless otherwise required the policy will be reviewed at least once during a term of Council.

Version 8 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)
Version 7 Adopted: Council Meeting held 17 July 2014 (Minute No 174/07/2014)
Version 6 Adopted: Council Meeting held 19 June 2014 (Minute No 138/06/2014)
Version 5 Adopted: Council Meeting held 17 October 2013 (Minute No 258/10/2013)
Version 4 Adopted: Council Meeting held 16 May 2013 (Minute No. 117/05/2013)
Version 3 Adopted: Council Meeting held 23 April 2009 (Minute No.104/04/2009)
Version 2 Adopted: Council Meeting held 21 August 2008 (Minute No.237/8/2008)
Version 1 Adopted Council Meeting held 19 October, 2000 (Minute No. 355/10/2000)

COOLAMON SHIRE COUNCIL
ALLAWAH COMMUNITY CENTRE POLICY



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.



PO Box 101
COOLAMON NSW 2701
PH: 02 6930 1800 FAX: 6927 3168

HIRE AGREEMENT OF THE ALLAWAH COMMUNITY CENTRE

Hirer's details

Name:	
Address:	
Phone:	
Mobile:	
Email:	

Proposed Hire

Date/s & Times:	
Proposed function:	

Fees & Bond

Fees	2017-2018 (inc GST)	GST Component
Hire of Allawah Community Centre (community group) per hour	\$11.00	\$1.00
Hire of Allawah Community Centre (community group) 4hr maximum	\$37.50	\$3.41
Hire of Allawah community Centre (community group) per day	\$77.00	\$7.00
Hire of Allawah Community Centre (commercial use) full day	\$123.50	\$11.23
Hire of Allawah Community Centre (commercial use) half day	\$61.50	\$5.59
Allawah Community Centre Bond	\$350.00	\$0.00

Documentary Requirements

Public Liability Insurance Policy	Yes / No
Public Liability Insurance Policy of contractors	Yes / No
Liquor Licence	Yes / No
Risk Management Plan	Yes

I, the undersigned, understand the terms and conditions for hiring and agree to abide by them. Failure to do so may result in the bond being forfeited.

Signed:	
Date:	

Signed on behalf of the Coolamon Shire Council	
Date:	

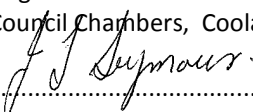
This is Page No. 141 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.

..... *J. J. Seymour* MAYOR *Maughan* GENERAL MANAGER.

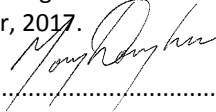
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Terms & conditions

1. **Hire Process**
 - 1.1 Coolamon Shire Council is the administrator for the hire of the Allawah Community Centre
 - 1.2 All groups or individuals hiring the Allawah Community Centre shall first make application in writing, signed by the responsible person and stating all required details.
 - 1.3 Council reserves the right to refuse any booking
 - 1.4 Council reserves the right to cancel any booking by notice in writing to the Hirer. The right will only be exercised under exceptional circumstances. Should it be necessary for Council to cancel any booking then any fees paid in advance will be refunded.
2. **Fees and bonds**
 - 2.1 Fees for hire will be set out as per the Fee & Pricing Schedule in Council's Operational Plan and will be reviewed on an annual basis by Coolamon Shire Council.
 - 2.2 Bookings in excess of 4 hours or where the event is catered will require payment of a bond as part of security against damage or for breach of any part of the agreement
 - 2.3 Bond and hire charges must be paid in full one day prior to the event.
 - 2.4 The bond will be returned to the hirer within two weeks of the event providing there is not damage, missing equipment, the facility is left clean and the key/s are returned.
 - 2.5 The Hirer will be required to vacate the facility within the specified time. If additional time is required to set up and clean up following an event, this time must be booked and rental will be charged accordingly.
3. **Insurance**
 - 3.1 Casual hirers of Coolamon Shire Council facilities are covered by a specific Public Liability policy. A Casual Hirer means any person or group of persons (not being a sporting body, club, association, corporation or incorporated body), who hires a Council facility for non-commercial or non profit making purposes. A casual hirer's activity may include Birthday Parties, Christenings' and Weddings.
 - 3.2 Organisations/Groups must present to Council evidence of a current public liability policy with a minimum cover of \$10 million prior to approval of the application.
 - 3.3 If the Hirer's activities are auspiced by another organisation, evidence will be required substantiating that the auspicing organisation has consented to the hire and that the event is noted on the auspicing organisation's public liability policy
 - 3.4 All contractors working on behalf of the organiser in any capacity will provide the hirer a copy of their current public liability policy (minimum cover \$20 million) prior to engaging in any activity in the facility. **It is the responsibility of the hirer to ensure that a copy of the policy is attached to the application.**
4. **General**
 - 4.1 Smoking is not permitted anywhere inside Council owned facilities.
 - 4.2 Animals (with the exception of assistance animals) are not permitted to enter the facility.
 - 4.3 All children present must be under adult supervision at all times.
 - 4.4 The hirer will ensure that adequate provisions are made to control the behaviour of patrons attending the function. This provision includes the behaviour of patrons when leaving the venue with consideration shown to neighbouring residents. It is generally accepted that the premises will be vacated by 12.00am
 - 4.5 Complaints of excessive noise or unruly behaviour may render the hirer or associated organisation unacceptable to utilise Council Facilities for future functions.
 - 4.6 The hirer shall comply with all relevant Local, State and Federal, Laws, Acts, Legislation and Regulations.
 - 4.7 Any injuries to persons or damages to property sustained during the period of hire must be reported to Coolamon Shire Council as soon as is practicable.
 - 4.8 The Hirer will leave the Premises in a clean and tidy condition and will be responsible to compensate the Council for any damage or loss suffered during the hired period. The Hirer shall not, at any stage, use nails, tacks or any other material that will damage the fabric of the building. Any bond paid in association with the hire will be used to offset the costs of rectifying damage or cleaning in the first instance and when costs exceed the bond, the hirer will be issued with an invoice.
 - 4.9 Access to the Centre will be achieved with the issue of a key available from the Allawah Community Care Co-ordinator or from Council's offices. The key will be the responsibility of the person that it is issued to and must be returned by the first working day after the event. In the event that the key is lost, the hirer agrees that they shall be fully responsible for all costs incurred by Council for any changes or replacement.
 - 4.10 The Hirer will be responsible for providing a copy of a Liquor Licence where the event involves the sale of alcohol. All events will require the lodgement of a Risk Management Plan. Further information relating to the Risk Management Plan requirements can be obtained from Council's Risk and Human Resources Manager.



..... MAYOR



.....GENERAL MANAGER.



COOLAMON SHIRE COUNCIL
ACCEPTANCE OF DONATIONS POLICY

OBJECTIVE

To clearly indicate to all Council staff the procedures to be followed in the acceptance of donations to Council staff. (See Code of Conduct).

ELIGIBILITY

To all staff employed by the Coolamon Shire Council.

GENERAL

Although Personal Benefit is covered in Part 5 – Personal Benefit of Council's Code of Conduct in order to further enforce Council's position concerning donations to staff, the following criteria are also applicable.

- 1) That the General Manager be notified on each occasion that a gift is received by any Staff Member in relation to goods and services purchased by or delivered by Council.
- 2) That the General Manager be authorised to approve of the Staff Social Clubs accepting gifts providing that they are not in excess of \$50.00 in value and that each firm makes only one donation per annum.

REVIEW

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

Version 4 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

Version 3 Adopted: Council Meeting 19 September 2013 (Minute No 232/09/2013)

COOLAMON SHIRE COUNCIL
ADM.03.23_ACCEPTANCE OF DONATIONS POLICY



COOLAMON SHIRE COUNCIL
BURNING REFUSE IN TOWN AREAS
POLICY

Subject to the Protection of the Environment (Clean Air) Regulation 2010 – Part 3 Control of Burning.

The use of incinerators for Domestic Waste is not permitted within any area provided with a Domestic Waste Service. Where a service is not provided, Council permit the use of incinerators for domestic purposes, however, during Bush Fire Danger periods the permission of the relevant Bush Fire Brigade Captain or Board of Fire Commissioner's Officer be obtained before any such burning is carried out.

REVIEW

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

Version 1 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)



COOLAMON SHIRE COUNCIL
COMPLAINTS HANDLING POLICY

STATEMENT OF INTENT

Coolamon Shire Council's primary charter as a service organisation is to assist its customers and stakeholders consistent with the common good, and legal and statutory responsibilities.

In observation of this charter, one of Council's responsibilities is to receive and act upon complaints from external sources, which relate to any aspect of Council's operations or services.

Coolamon Shire Council regards all complaints with the utmost seriousness. Council will handle complaints in a professional, respectful and timely manner in order to resolve the issues raised by complainants.

ELIGIBILITY

This policy applies to all Council staff, Councillors and contractors working on behalf of Council.

DEFINITIONS

1. *Complaint*

A complaint is an expression of dissatisfaction with the Council's policies, procedures, charges, staff, agents or quality of service. A complaint may relate to a specific incident or issue involving Council, or to matters of a more philosophical or general nature regarding Council's processes and/or procedures.

2. *Contract Administrator*

The Contract Administrator is any member of Council's staff who is responsible for letting and overseeing the completion of contracts on behalf of Council. Contracts may be for the provision of goods and/or services to Council.

3. *Public Officer*

The Public Officer is a member of Council's senior staff, appointed under the Local Government Act 1993. The functions of the Public Officer include provision of assistance to the public in accessing Council documents, representation of Council in legal and other matters, receipt of submissions made to Council and to assist with requests from the public regarding Council's affairs.

J. J. Seymour
.....

MAYOR

Mary Douglas
.....

GENERAL MANAGER.

PROVISIONS

1. *Lodging Complaints*

Complaints may be lodged with Council in the following ways:

- By telephone;
- In person;
- In writing including by facsimile, email or other electronic means.

2. *Anonymous Complaints*

Anonymous complaints will be dealt with in accordance with the gravity of the situation being reported.

3. *Recording of Complaints*

All complaints received by Council will be recorded in Council's Electronic Document Management System or Customer Requests Management System.

When a complaint is made in person, subject to the gravity of the complaint, staff and volunteers in the field will advise the complainant to contact Council's office by formal means.

When a complaint is made in person to a Councillor, the Councillor should assess the gravity of the situation and contact the appropriate staff.

Where a complainant is requesting a service, and there are no prior indications of failure to provide that service to the complainant, the request will be recorded as an 'action request' rather than a complaint.

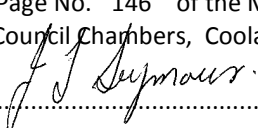
If Council records indicate that the complainant has made contact with Council on one or more occasions regarding a failure of Council to provide that service, such contact will be recorded as a complaint. Complaints of this nature will be forwarded to the General Manager.

4. *Complaint Handling*

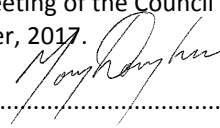
Complaints received by Council concerning Council affairs will be referred to the appropriate staff member at Manager or Supervisor level to investigate in the first instance.

Should the processes undertaken by the Manager or Supervisor fail to resolve the complaint, or the outcome be regarded as unsatisfactory to the complainant, the Manager or Supervisor will refer the complaint to the General Manager for further review.

In circumstances where these internal processes are unable to resolve a complaint or satisfy the complainant, Council will refer the complaint to an appropriate external agency for review. Such agencies may include the NSW Ombudsman's Office, the Independent Commission Against Corruption or the Office of Local Government.



..... MAYOR



.....GENERAL MANAGER.

Where a complaint is received and reported by a Council contractor, the General Manager will investigate the complaint.

Contractors conducting works on behalf of Council are required to report to the Contract Administrator, complaints received by them regarding any aspects of Council's operations or their work. On request from the complainant, the contractor shall refer the complainant directly to the General Manager to address issues surrounding the complaint.

Council may seek to use alternative dispute resolution methods to resolve the complaint in circumstances where such a course of action is deemed appropriate by the Public Officer.

5. *Communication with Complainant*

Within 10 working days of receipt of a complaint, in circumstances where a complainant has provided his/her name, address and contact details, the staff member responsible for handling the complaint will provide acknowledgement of receipt of the complaint to the complainant. Such acknowledgement may be by telephone or in writing as appropriate.

The staff member responsible for handling the complaint will ensure that the complainant is kept informed of progress regarding investigation and resolution of the complaint.

The staff member responsible for handling the complaint will provide written advice to the complainant as to the outcome of investigations. Where appropriate the complainant will also be advised of any measures taken to minimise chances of the issue(s) underlying the complaint occurring again.

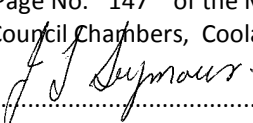
6. *Confidentiality*

Council will ensure that confidentiality is maintained in regard to complaints received. Staff receiving and recording complaints alleging corrupt conduct, pecuniary interest, maladministration or improper use of positions must ensure that all allegations contained therein, are not discussed other than with the Public Officer and/or General Manager. Council will take all care that reporting of complaints about Council activities will not result in the complainant experiencing any form of victimization or retribution as a result of the complaint.

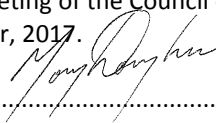
7. *Complaints Involving Allegations of Maladministration or Corrupt Conduct*

All complaints alleging corrupt conduct, pecuniary interest, maladministration or improper use of position, including complaints made verbally or anonymously, are to be referred immediately and directly to the Public Officer and/or General Manager.

Under Section 11 of the ICAC Act 1988, the General Manager must report to the Independent Commission Against Corruption in circumstances where there is reasonable suspicion that corruption in any form has occurred within Council.



..... MAYOR



.....GENERAL MANAGER.

8. *Malicious, Frivolous and Vexatious Complaints*

All complaints received by Council will be treated with the utmost seriousness. However if, following investigation, a complaint is found to be malicious, frivolous or vexatious, Council will take no further action on the complaint. A decision to take no further action will be made by a member of staff at the level of Manager or higher and the complainant will be informed of the decision in writing.

9. *Reporting of Complaints*

Staff will provide reports to Senior Management on complaints received and subsequent follow-up and departmental action as they occur. Reports will provide the following information on each complaint:

- The issue at the centre of the complaint;
- The outcome of investigations in each instance;
- Action taken to address complainants issues;
- Feedback from the complainant where possible as to satisfactory resolution of the complaint or otherwise;
- Referral of the complaint to an external agency;
- Recommendations or actions taken to improve service.

On an annual basis the Public Officer will prepare a statistical summary of complaints received for the statutory annual report.

10. *Regular Review of Complaints Handling by Council*

The Public Officer will conduct a review of Council's complaint handling processes on a annual basis to ensure that such processes are responsive to complainants and are appropriate in addressing issues underlying complaints received by Council.

RESPONSIBILITY/ACCOUNTABILITY

Under the Local Government Act 1993, Council's Public Officer is responsible for overseeing the handling of all complaints received by Council concerning Council's affairs.

All staff are required to be aware of the content of this policy.

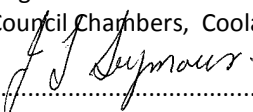
RELATED POLICIES

- Government Information (Public Access Act) Publication Guide
- Code of Conduct
- Statement of Business Ethics
- Privacy Management Plan

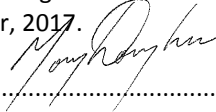
REVIEW

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

Version 1 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)



..... MAYOR



.....GENERAL MANAGER.



COOLAMON SHIRE COUNCIL

ASSET MANAGEMENT POLICY

OBJECTIVE

To provide the framework for Council to ensure that assets are provided, maintained and renewed so that they continue to meet the service delivery needs of the community in a way which assist in the achievement of Council's visions and providing the best value to the Community.

By the implementation of long term management of its assets Council will achieve significant benefits including:

- More informed decision making
- Improved efficiency
- Ability to plan for the present and future generations
- Improved long term financial forecasting and management

Council needs to ensure that asset management is an integral part of its business cycle and will:

- Be consistent with its goals and objectives
- Help Council to manage business risk
- Provide tangible benefits
- Be integrated with other components of the business
- Be sustainable

BACKGROUND AND CONTEXT

Council's assets are made up of a wide range of different asset types all of which are fundamental in meeting the needs of the community.

Council assets may be physical (i.e. tangible eg plant, buildings) or non-physical (i.e. intangible eg intellectual property, good will). This policy only considers physical assets.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Council's physical assets are categorized as follows:

Asset Class	Includes Assets such as:
Roadworks, Bridges & Footpaths	Sealed roads, unsealed roads, bulk earthworks, bridges, footpaths, kerb & guttering, bike paths.
Drainage, Stormwater	Drains (underground), pipes, culverts, pits, litter traps, retarding basins, table drains.
Buildings, Facilities & Other Structures	Libraries, Community Halls, Community Facilities, Public Toilets, Houses, Museums, Council offices, Preschools, Childcare Centres, Aged Care Facilities, Swimming Pools, Waste Facilities, Emergency Service Buildings, Parks, Gardens, Swimming Pools, Playground Equipment, Irrigation systems, Skate Park, Park Furniture.
Plant & Equipment	Motor vehicles, Trucks, Construction equipment, Gardening equipment,
Office Equipment	Office furniture, fittings & equipment, Computer systems/equipment.
Sewerage	Sewer Mains, Pump Stations & Treatment Works
Land	Community and Operational Land
Restoration Assets	Gravel Pits

An asset is a type of physical asset, which has value, enables services to be provided and has an economic life of greater than 12 months.

The standard to which these assets are provided and maintained impacts on residents, the business community and visitors, as well as the amenity, safety and livability of the community.

The long-lived nature of many assets and the need for their ongoing renewal means that planning must be based on an understanding of the full costs throughout each asset's lifecycle and address both short and long term planning needs.

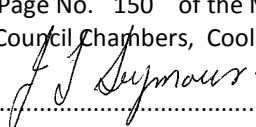
COUNCIL VISION

Council will develop Communities that provide a broad range of services to all current and potential population groups.

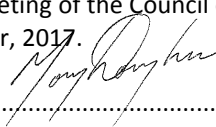
Council will develop rural services that ensure the Community's agricultural base is given every opportunity to maximise its potential.

Council will enhance and promote local cultural heritage assets and services, that encourage visitors and residents to enjoy the Shire's scenic and heritage attributes, in an endeavour to create economic benefit for the community.

Council will develop an organisation that is safe, cost effective, operationally efficient, environmentally sensitive and community responsive.



..... MAYOR



.....GENERAL MANAGER.

COUNCIL MISSION

Big enough to serve, small enough to care.

Whilst leading the Community, Council will ensure that it adopts a consultative role that allows all community needs to be identified and properly considered in Council's Forward Planning processes.

STATEMENT OF VALUES

For Our Community

Council will seek to provide the necessary services to enhance the quality of life of all residents and to ensure that no rural producer is disadvantaged by inadequate services. Council will strive to ensure that all communities are treated on an equal basis.

For Our Staff

Council will create an atmosphere which embodies the principles of honesty and frankness. It will encourage a forum based on openness, common sense and innovation.

For Our Councillors

All Councillors will be treated on an equal basis and given due respect as Elected Representatives of the Community. They will be provided with accurate and timely advice in order that they can make appropriate decisions for the betterment of the Community.

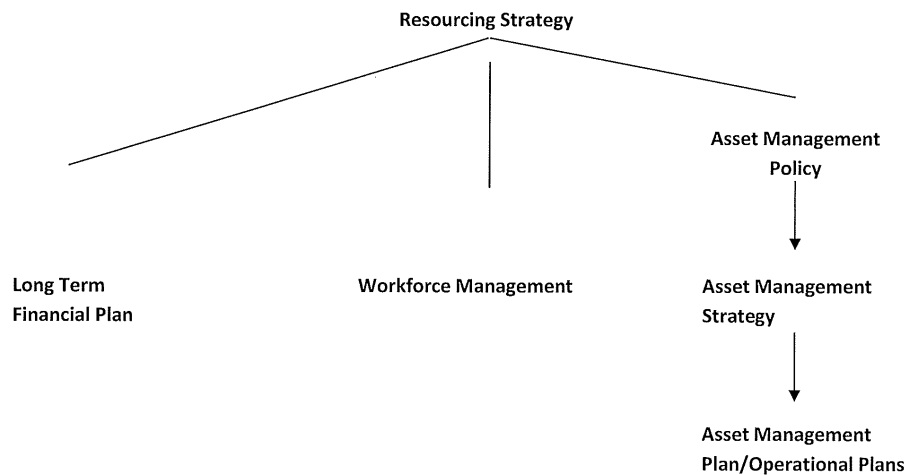
GOALS

The goals of this policy are:

1. To maintain an accurate, consistent asset register, which records all of Council's assets including depleted or redundant assets.
2. To regularly maintain and renew assets to assist in the delivery of the required level of service and to ensure assets continue to function as built, for their full life.
3. To prioritise funding for the maintenance, operation and renewal of existing assets above the funding of new assets.
4. To develop and implement guidelines for the allocation of financial resources, both Capital and Recurrent, over short and long term timelines to meet projected growth due to new development.

FRAMEWORK

Council's asset management framework as illustrated below shows the relationship between the Council plan, this policy, the asset management strategy, asset management plans and operational plans. This framework will ensure a strategic approach to asset management.



ROLES & RESPONSIBILITIES

Councillors adopt the policy to ensure sufficient resources are applied to manage the assets.

The **General Manager** has overall responsibility for developing asset management systems, policies and procedures and reporting on the status and effectiveness of asset management within Council.

Executive Managers are responsible for implementing asset management systems, policies and procedures.

Employees with management or supervisory responsibility are responsible for the management of assets within the area of responsibility as determined under asset management plans.

In the short term, **employees** will be tasked under implementation plans, and will be responsible for the timely completion of those activities contained within those plans. In the medium term, awareness sessions will be conducted to ensure that employees are familiar with asset management and how it is applied within Coolamon Shire Council.

J. J. Seymour

..... MAYOR

Matthew Douglas

.....GENERAL MANAGER.

DEFINITIONS

Asset

A physical component of a facility which has value, enables services to be provided and has an economic life of greater than 12 months.

Asset Management

The process applied to assets from their planning, acquisition by Council, operation, maintenance, renewal and disposal, to ensure that the assets meet Council's priorities for service deliver.

Appropriate Best Practice

The application of best practice processes in asset management, taking into account the costs and systems that are appropriate to meet the required service levels.

Related Documents

This Asset Management Policy is supported by Council's Asset Management Strategy.

ASSET MANAGEMENT WITHIN THE ORGANISATION

This policy reflects the key directions of the Council Plan and is adaptable to the changing direction of Council and the environment of the time. The vision and goals set by Council are adaptable to the changing expectations of the community.

This policy applies to Council, Executive Management, staff and the community involved in the operation, maintenance, renewal, upgrading and development of Council's existing and new assets.

KEY OUTPUTS

Council will set realistic and achievable timeframes for Asset Management development and implementation, which will be detailed in Council's Asset Management Strategy.

The timeframes will based on Council's desired outcomes. The key outputs include:

Asset Management Strategy

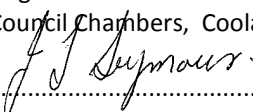
- Review Asset Management Strategy

Integration of Asset Management into Council's Business Processes

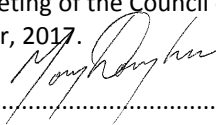
- Integration of Asset Management Policy, Asset Management Strategy and Asset Management Plans into the Corporate Governance Framework.

Asset Management Plan Development

- Completion of Asset Management Plans for each significant asset class to an appropriate degree of accuracy and reliability.



..... MAYOR



.....GENERAL MANAGER.

REVIEW

This policy may be reviewed at any time but unless otherwise requested at least every two (2) years from date of adoption.

Version 2 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

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



COOLAMON SHIRE COUNCIL
ANNUAL PRIZE GIVING NIGHT
DONATION POLICY

That the donation to Schools within the Shire for their Annual Prize giving be \$75.00 and be awarded in the name of the Coolamon Shire Council for Academic Excellence.

REVIEW

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

Version 1 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

COOLAMON SHIRE COUNCIL
GOV.02.02 ANNUAL PRIZE GIVING NIGHT DONATION POLICY



COOLAMON SHIRE COUNCIL

EMPLOYEE ASSISTANCE PROGRAM

OBJECTIVE

The objective of the Employee Assistance Program is to:

- ensure that Council recognizes that work related and external factors can affect employees' well being and work performance;
- promote and maintain a healthy and productive working environment;
- provide an independent and confidential professional psychological and counselling service at no cost to employees, to address issues which may be impacting on the employee's performance or well being;

ELIGIBILITY

This Policy shall apply to all employees of the Coolamon Shire Council.

RELATED LEGISLATION

Work Health & Safety Act 2011
Work Health & Safety Regulations

POLICY

The Coolamon Shire Council is committed in providing all employees preventative and proactive risk management services to assist in the reduction of workplace injuries and illness. The Employee Assistance Program is therefore designed to complement the Coolamon Shire Council's current strategies to assist employees and minimize workplace injuries.

GENERAL

An Employee Assistance Program is aimed at assisting persons experiencing difficulties in their lives such as:

- Relationship difficulties
- Divorce and separation
- Harassment and discrimination
- Conflict
- Alcohol or drug problems
- Work related problems
- Grief and bereavement
- Financial difficulties
- Stress and fatigue
- Emotional difficulties

The services offered through the Employee Assistance Program are:

- Off site counselling service for employees
- On site counselling service
- Crisis Care/Workplace Trauma Counselling (at the request of Management)
- Referrals for persons needing on-going support or further assistance

J. J. Seymour

..... MAYOR

Margaret Ryan

.....GENERAL MANAGER.

Coolamon Shire Council's Employee Assistance Program provider is

Thrive Psychology

Central contact number: 1300 575 652
Central contact fax: 1300 435 352

Wagga Wagga Office
92 Morgan Street,
WAGGA WAGGA NSW 2650
Phone: 02 6923 0555
Fax: 02 6921 6575
Email: wagga@thrivepsychology.com.au

Council's financial assistance provided under this policy is limited to employees only and is restricted to 3 x one hour sessions be year (1 November to 31 October).

TRAINING

All new employees will be provided with information on induction.

ATTENDANCE AT SESSIONS

Staff members can attend Employee Assistance Program appointments funded by Coolamon Shire Council during work hours. In this case, the staff member must advise either the nominated supervisor or the relevant Executive Manager if they are accessing the Employee Assistance Program during working hours, which the supervisor or Executive Manager is required to keep confidential. Staff also have the option to attend counselling appointments outside of work hours without notifying their supervisor or manager.

FURTHER ASSISTANCE

Any staff member who requires assistance in understanding the Employee Assistance Program Policy should first consult their nominated supervisor. Should further advice be required staff should contact the Employee and Public Relations officer.

REVIEW

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

Version 1 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)



**COOLAMON SHIRE COUNCIL
AGENCY INFORMATION
GUIDE 2017**

INTRODUCTION

The Publication Guide has been prepared in accordance with Section 20 of the Government Information (Public Access Act) (GIPA Act).

AUTHORITY TO ACT

The Coolamon Shire Council is constituted under the Local Government Act 1993

THE STRUCTURE & FUNCTION OF THE COOLAMON SHIRE COUNCIL

The Coolamon Shire was proclaimed in 1906. The Shire covers an area of 2,433 square kilometres and is located in the Riverina bounded by the neighbouring Shires of Narrandera, Bland, Temora, Junee and the City of Wagga Wagga.

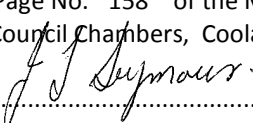
The Coolamon Shire Council is governed by a body of nine Councillors who are elected by the residents and ratepayers of the Shire every four years. In September each year these Councillors elect a Mayor and Deputy Mayor for the ensuing two years.

The role of Councillors, as members of the body politic are to:

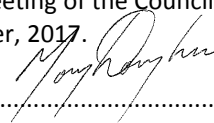
- Direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation.
- Provide a civic leadership role in guiding the development of the Community Strategic Plan for Council.
- To participate in the allocation of Council's resources for the benefit of the area.
- To play a key role in the creation and review of Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions.
- To review and monitor the performance of Council and its delivery of services, delivery and operational plans and revenue policies of the Council.
- The role of a Councillor is, as an elected person to:
 - Represent the interests of the residents and ratepayers.
 - Provide leadership and guidance to the community.
 - Facilitate communication between the community and the Council.

Under the Local Government Act 1993, the role of the Mayor is to:

- Exercise in cases of necessity, the policy making function of the governing body of the Council between meetings of the Council.
- To exercise such other functions of the Council as the Council determines.
- To preside at meetings of the Council.
- To carry out the civic and ceremonial functions of the Mayoral Office.



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

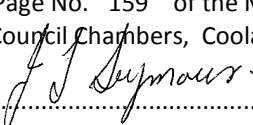
The General Manager is the principal officer of the Coolamon Shire Council.

The General Manager has the following particular functions:

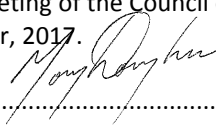
- To assist the Council in connection with the development and implementation of the Community Strategic Plan and the Council's resourcing strategy, the delivery program and operational plan and the preparation of its annual report and state of environment report.
- The day-to-day management of the Council.
- To exercise such of the functions of the Council as are delegated by the Council to the General Manager.
- To appoint staff in accordance with an organisation structure and resources approved by the Council.
- To direct and dismiss staff.
- To implement the Council's equal employment opportunity management plan.
- The General Manger has such other functions as may be conferred or imposed on the General Manager by or under the Local Government Act or any other Act.

In order for the General Manager to exercise the functions delegated by Council there are two divisions of Council to support the General Manager. Each of these Departments is headed by an Executive Manager.

Within these divisions, Council employs staff such as Engineers, Building Surveyors, Finance Officers, Rangers, Child-care and Aged-care workers who carry out the day-to-day operations of the Council and implement Council policies and other decisions as directed by the General Manager.

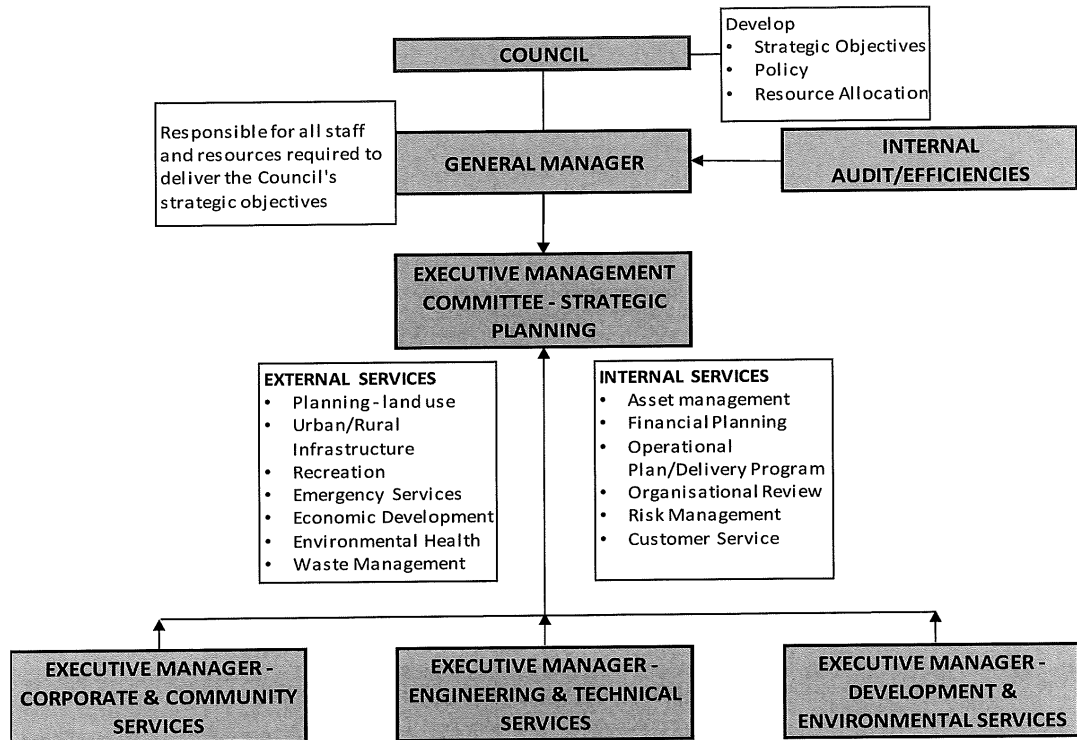

.....

MAYOR


.....

GENERAL MANAGER.

ORGANISATION CHART



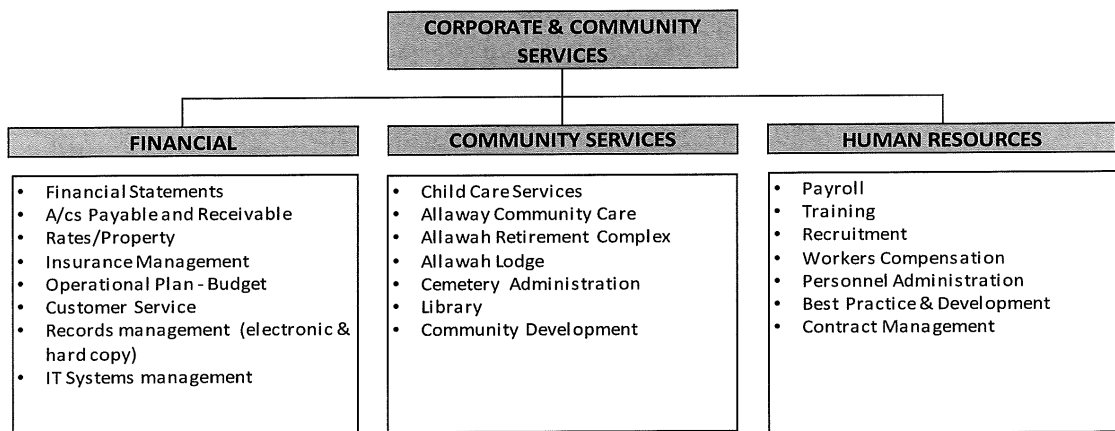
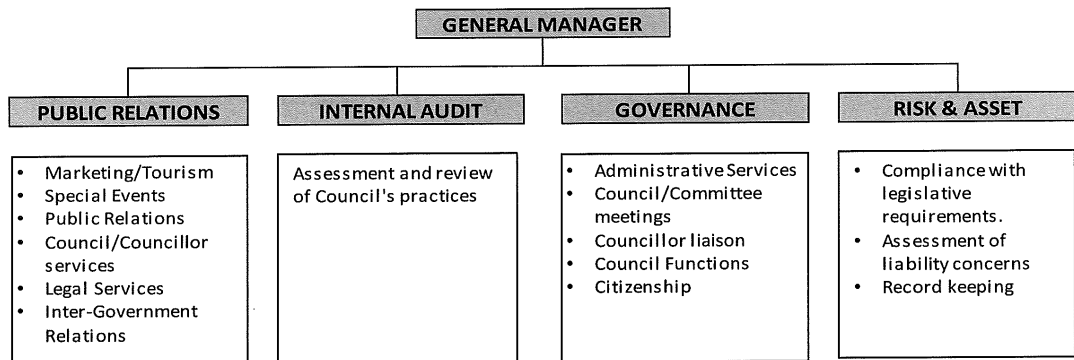
J. J. Seymour

..... MAYOR

Maughan

.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

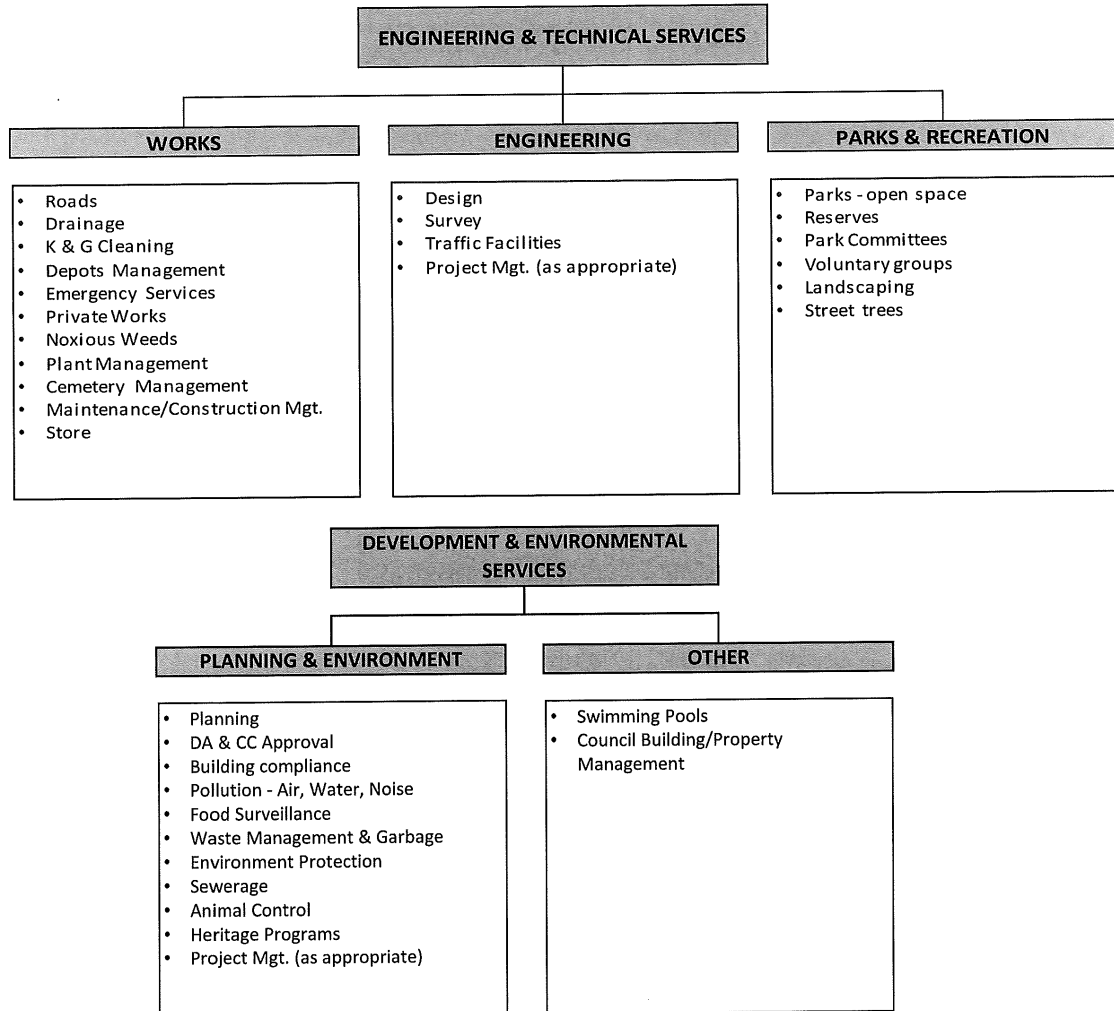


J. J. Seymour

..... MAYOR

Maughan

.....GENERAL MANAGER.



J. J. Seymour

..... MAYOR

Maughan

.....GENERAL MANAGER.

AFFECT OF COUNCIL FUNCTIONS ON MEMBERS OF THE PUBLIC

The Coolamon Shire Council is a governing body, therefore every decision it makes affects members of the public. Council is a planning body for the future that manages infrastructural and community services of past, current and future residents.

The functions imposed on Council by the Local Government Act 1993 are as follows:

- Service Functions:
- Regulatory Functions:
- Ancillary Functions:
- Revenue Functions:
- Administrative Functions
- Enforcement Functions

In addition, various other Acts and associated Regulations confer or imposed functions on Council.

HOW THE PUBLIC CAN PARTICIPATE IN COUNCIL'S POLICY DEVELOPMENT AND THE EXERCISING OF FUNCTIONS

There are two broad ways in which the public may participate in the policy development and, indeed, the general activities of the Council. These are through representation and personal participation.

Representation

Local Government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their Local Council to make decisions on their behalf. In New South Wales, Local Government elections are held every four years. The next general elections are to be held in September, 2016.

At each election, voters elect 9 Councillors for a four year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non residential roll. Voting is compulsory.

Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

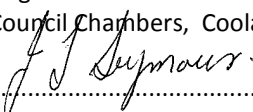
Personal Participation

There are also avenues for members of the public to personally participate in the policy development and the functions of the Council.

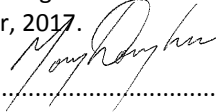
Council meetings are open to the public and are usually held in the Council Chambers on the third Thursday of each month. Business papers are available from Council before meetings and the minutes can be access on Council's website.

Council has an extensive range of Community Committees established under Section 355 of the Local Government Act 1993 that allow direct community input into the decision making process. These committees include

- Advance Ardlethan Committee
- Advance Ganmain Committee
- Advance Marrar Committee
- Beckom Hall & Community Committee
- Ambulance Establishment Committee
- Community Drug Action Team
- Coolamon Shire Community Benefit Fund Committee
- Coolamon Shire Photographic Competition
- Coolamon Showground Management Committee
- Friends of the Up-to-Date Cultural Precinct Committee
- Local Heritage Fund Committee
- Multi-Purpose Trails (MPT) Management Committee
- Rannock Community Centre – Reserve 89397 Committee
- Coolamon Shire Annual Events Funding Program Committee



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

GOVERNMENT INFORMATION HELD BY THE COOLAMON SHIRE COUNCIL

Coolamon Shire Council holds information which relate to a number or varying issues. This information can be grouped into five categories:

- Policy documents
- General documents
- Registers
- Guidelines, plans, report and other documents
- Files (electronic and hard copy)

Council's website (www.coolamon.nsw.gov.au) has links to a significant amount of information than can be viewed and downloaded by the public. The public seeking a copy of or requesting to view information that is not available on the website, should refer to "How Members of the Public can access Information held by Council" found later in this Guide.

Policy Documents

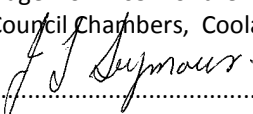
Council is required by legislation to have certain policies. In addition to these, Council has also developed and adopted a number of Council specific polices. These are available on Council's website.

General Documents

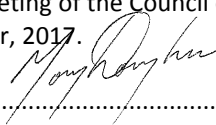
The following list of general documents held by Council has been divided into four sections as outlined by the Government Information (Public Access) Act

- Information about Council
- Plans
- Information about Development Applications
- Approvals, Orders and other documents

Schedule 5 of the Government Information (Public Access) Act requires that these document be made publically available for inspection free of charge. The public is entitled to inspect these documents either on Council's website, at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Photocopies, if requires, will be charged at the rates set in Council's Fees & Charges.


.....

MAYOR


.....

GENERAL MANAGER.

DOUCMENTS HELD BY COUNCIL

Information about Council

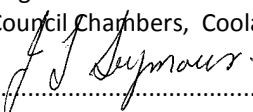
- (a) the model code prescribed under section 440 (1) of the Local Government Act and the code of conduct adopted under section 440 (3) of the Local Government Act,
- (b) code of meeting practice,
- (c) annual report,
- (d) annual financial reports,
- (e) auditor's report,
- (f) management plan,
- (g) EEO management plan,
- (h) policy concerning the payment of expenses incurred by, and the provision of facilities to, Councillors,
- (i) annual reports of bodies exercising functions delegated by the Council,
- (j) any codes referred to in the Local Government Act
- (k) returns of the interests of Councillors, designated persons and delegates,
- (l) agendas and business papers for any meeting of the local authority or any committee of the local authority (but not including business papers for matters considered when part of a meeting is closed to the public),
- (m) minutes of any meeting of the local authority or any committee of the local authority, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting,
- (n) Departmental representative reports presented at a meeting of the local authority in accordance with section 433 of the LOCAL GOVERNMENT ACT
- (o) land register,
- (p) register of investments,
- (q) register of delegations,
- (r) register of graffiti removal work kept in accordance with section 13 of the *Graffiti Control Act 2008*.
- (s) Register of current declarations of disclosures of political donations kept in accordance with section 328A of the Local Government Act,
- (t) the register of voting on planning matters kept in accordance with section 375A of the Local Government Act.

Plans and Policies

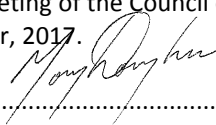
- (a) local policies adopted by Council concerning approvals and orders,
- (b) plans of management for community land,
- (c) environmental planning instruments, development control plans and contributions plans made under the *Environmental Planning and Assessment Act 1979* applying to land within Council's area.

Information About Development Applications

- (a) development applications (within the meaning of the *Environmental Planning and Assessment Act 1979* and any associated documents received in relation to a proposed development including the following:
 - (i) home warranty insurance documents,
 - (ii) construction certificates,
 - (iii) occupation certificates,



..... MAYOR

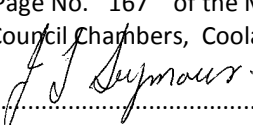


.....GENERAL MANAGER.

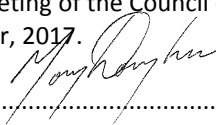
- (iv) structural certification documents,
 - (v) town planner reports,
 - (vi) submissions received on development applications,
 - (vii) heritage consultant reports,
 - (viii) tree inspection consultant reports,
 - (ix) acoustics consultant reports,
 - (x) land contamination consultant reports,
- (b) records of decisions on development applications (including decisions made on appeal),
- (c) a record that describes the general nature of the documents that Council decides are excluded from the operation of this clause by subclause (2).
- This clause does not apply to so much of the information referred to in subclause (a) as consists of:
- (a) the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
 - (b) commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

Approvals, Orders and Other Documents

- (a) applications for approvals under Part 1 of Chapter 7 of the Local Government Act and any associated documents received in relation to such an application,
- (b) applications for approvals under any other Act and any associated documents received in relation to such an application,
- (c) records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals,
- (d) orders given under Part 2 of Chapter 7 of the Local Government Act, and any reasons given under section 136 of the Local Government Act,
- (e) orders given under the authority of any other Act,
- (f) records of building certificates under the *Environmental Planning and Assessment Act, 1979*,
- (g) plans of land proposed to be compulsorily acquired by Council,
- (h) compulsory acquisition notices,
- (i) leases and licenses for use of public land classified as community land.


.....

MAYOR


.....

GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

HOW MEMBERS OF THE PUBLIC MAY ACCESS INFORMATION HELD BY COUNCIL

Access to information can be obtained by:

- Searching Council's website www.coolamon.nsw.gov.au
- Contacting Council's Office at 55 Cowabbie Street, Coolamon or by email council@coolamon.nsw.gov.au or by phone 02 6930 1800
- Lodging an "Informal Access Application". There is no charge for this request, however appropriate photocopying charges may apply, or
- If information is not accessible in any of the above 3 ways, the lodgment of a "Formal Access Application" together with an application fee. Prior to the application being processed, the method of supply, timeframe and any additional processing charges will be discussed.

The forms can be downloaded from Council's website:

<http://www.coolamon.nsw.gov.au/about/access-to-information.aspx>

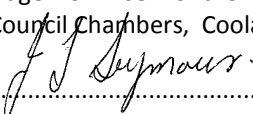
Various forms of access are available depending on the form in which the information is stored. They include:

- Inspection of documents
- Copy of documents
- Transcript of words recorded in shorthand or coded form.
- Production of documents from computerised information.
- Council's website www.coolamon.nsw.gov.au

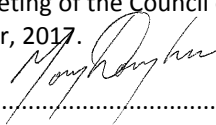
If you have any difficulty in obtaining access to Council's documents, you may wish to refer your enquiry to Council Privacy Officer. Where you would like to amend a document of Council which you feel is incorrect, it is necessary for you to make a written application to Council in the first instance.

Enquiries should be addressed as follows:

The Privacy Officer
Coolamon Shire Council
PO Box 101
COOLAMON NSW 2701
Email: council@coolamon.nsw.gov.au


.....

MAYOR


.....

GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

FURTHER INFORMATION

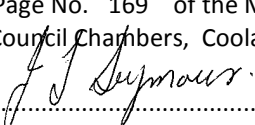
Further information about the right to information can be sourced from the Information & Privacy Commission New South Wales:

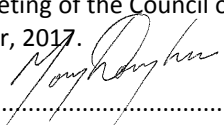
Freecall: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au

REVIEW

This guide may be reviewed at any time or as required in the event of legislative changes. Council is required to review and adopt a new agency information guide at intervals of not more than 12 months.

Version 2 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)
Version 1 Adopted: Council Meeting held 15 October, 2015 (Minute No. 231/10/2015)


..... MAYOR


.....GENERAL MANAGER.



COOLAMON SHIRE COUNCIL
INTERNAL REPORTING POLICY -
PUBLIC INTEREST DISCLOSURES

1. Purpose and context of the policy

This policy is based on the NSW Ombudsman's Model Internal Reporting Policy – Local Government (June 2014).

The purpose of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Coolamon Shire Council, what can be reported and how reports of wrongdoing will be dealt with by Coolamon Shire Council.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the *Public Interest Disclosures Act 1994* (PID Act).

This policy is just one in the suite of Coolamon Shire Council complaint handling policies including:

- *Grievance Policy*
- *Complaint Handling*
- *Code of Conduct*

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

2. Organisational commitment

Coolamon Shire Council does not tolerate fraud, corrupt conduct, maladministration, serious or substantial waste of public money, government information contravention or local government pecuniary interest contravention.

For a Council to be able to deal effectively with reports of wrongdoing, it must have the right culture. Coolamon Shire Council will:

- create a climate of trust, where people are comfortable and confident about reporting wrongdoing
- encourage individuals to come forward if they are aware of wrongdoing within the Council
- keep the identity of the person disclosing wrongdoing confidential, where this is possible and appropriate
- protect the person from any adverse action resulting from them making a report

.....

MAYOR

.....

GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

- deal with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it
- keep the individual who makes a report informed of their progress and the outcome
- encourage the reporting of wrongdoing within the Council, but respect any decision to disclose wrongdoing outside the Council that is made in accordance with the provisions of the PID Act
- ensure managers and supervisors at all levels in the Council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing
- review the policy periodically to ensure it is relevant and effective
- provide adequate resources, to:
 - encourage reports of wrongdoing
 - protect and support those who make them
 - provide training about how to make reports and the benefits of internal reports to the Council and the public interest generally
 - properly assess and investigate or otherwise deal with allegations
 - properly manage any workplace issues that the allegations identify or that result from a report
 - appropriately address any identified problems.

Under the *Public Interest Disclosures Act 1994* (PID Act), the General Manager is responsible for ensuring that:

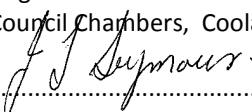
- the Council has an Internal Reporting Policy
- the staff of the Council and Councillors are aware of the contents of the policy and the protection under the *PID Act* for people who make public interest disclosures
- the Council complies with the policy and the Council's obligations under the *PID Act*
- the policy delegates at least one staff member as being responsible for receiving public interest disclosures. Clause 3.15 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW requires the complaints coordinator to be a disclosures coordinator. The Ombudsman recommends Councils nominate more than one person as being responsible for receiving public interest disclosures.

3. Who does this policy apply to?

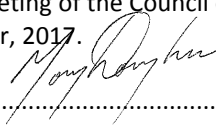
This policy applies to:

- both Council staff and Councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for Coolamon Shire Council
- employees of contractors providing *services* to Coolamon Shire Council
- other people who perform Council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers.

The policy also applies to public officials of another Council or public authority who report wrongdoing relating to Coolamon Shire Council.



..... MAYOR



.....GENERAL MANAGER.

4. Roles and responsibilities

a. The role of Council staff and Councillors

Staff and Councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council staff and Councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect
- respect the rights of any person the subject of reports.

Staff and Councillors must not:

- make false or misleading reports of wrongdoing
- victimise or harass anyone who has made a report

Additionally, the behaviour of all Council staff and Councillors involved in the internal reporting process must adhere to the Coolamon Shire Council's *Code of Conduct*. A breach of the code could result in disciplinary action.

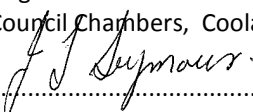
b. The role of the Coolamon Shire Council

The Coolamon Shire Council has a responsibility to establish and maintain a working environment that encourages staff and Councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

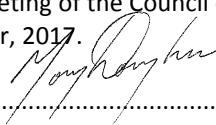
The Coolamon Shire Council will assess all reports of wrongdoing it receives from staff and Councillors and deal with them appropriately. Once wrongdoing has been reported, the Coolamon Shire Council takes 'ownership' of the matter. This means it is up to us to decide whether a report should be investigated, and if so, how it should be investigated and by whom. The Coolamon Shire Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

The Coolamon Shire Council must report on our obligations under the PID Act and statistical information about public interest disclosures in our annual report and to the NSW Ombudsman every six months.

To ensure the Coolamon Shire Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

c. Roles of key positions

General Manager

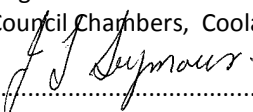
The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring the Coolamon Shire Council complies with the *PID Act*. The General Manager can receive reports from staff and Councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with
- deal with reports made under the Council's *Code of Conduct* in accordance with the Council's adopted *Code of Conduct* procedures
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- make decisions following any investigation or appoint an appropriate decision-maker
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC)
- refer any evidence of a reprisal offence under section 20 of the *PID Act* to the Commissioner of Police or the ICAC.

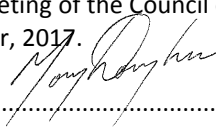
Disclosures Coordinator

The Disclosures Coordinator has a central role in the Coolamon Shire Council's internal reporting system. The Disclosures Coordinator can receive and assess reports, and is the primary point of contact in the Coolamon Shire Council for the reporter. The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager)
- deal with reports made under the Council's *Code of Conduct* in accordance with the Council's adopted *Code of Conduct* procedures
- coordinate the Coolamon Shire Council's response to a report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report
- ensure the Coolamon Shire Council complies with the *PID Act*
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the *PID Act*.



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Disclosures Officers

Disclosures Officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and Councillors to make reports.

Disclosures Officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- discuss with the reporter any concerns they may have about reprisal or workplace conflict
- carry out preliminary assessment and forward reports to the disclosures coordinator or General Manager for full assessment.

Mayor

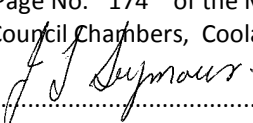
The Mayor can receive reports from staff and Councillors about the General Manager. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under the Council's *Code of Conduct* in accordance with the Council's adopted *Code of Conduct* procedures
- refer reports to an investigating authority, where appropriate
- liaise with the disclosures coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the *PID Act* to the Commissioner of Police or the ICAC.

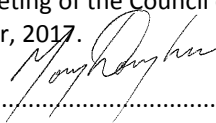
Managers and Supervisors

Supervisors and Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and Managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the disclosures coordinator or General Manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the General Manager, notify the Mayor.



..... MAYOR



.....GENERAL MANAGER.

5. What should be reported?

You should report any suspected wrongdoing within the Coolamon Shire Council, or any activities or incidents you see within the Coolamon Shire Council that you believe are wrong. Reports about five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the *Government Information (Public Access) Act (GIPA Act)*, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the *PID Act* and according to this policy. See below for details about these types of conduct. More information about what can be reported under the PID Act can be found in the NSW Ombudsman's *Guideline B2: What should be reported?*.

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the relevant policies. This might include:

- harassment or unlawful discrimination
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, the Coolamon Shire Council recognises such reports may raise important issues. We will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

Further information relating to Council's *Grievance Policy*, *Complaint Handling Policy* and the *Code of Conduct* can be found on Council's website www.coolamon.nsw.gov.au or by contacting Council (p. 02 6930 1800 or e. Council@coolamon.nsw.gov.au)

a. Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official. For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a Council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.

b. Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

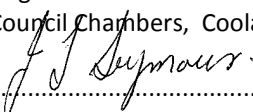
- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

c. Serious and substantial waste of public money

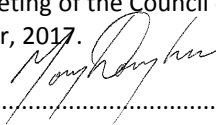
Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large scale contract
- having bad or no processes in place for a system involving large amounts of public funds.



..... MAYOR



.....GENERAL MANAGER.

d. Breach of the GIPA Act

A breach of the *Government Information (Public Access) Act 2009* (GIPA Act) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

e. Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at Council and Council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a Council contract and not declaring the relationship
- a Councillor participating in consideration of a DA for a property they or their family have an interest in.

6. Assessment of reports

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The Disclosures Coordinator is responsible for assessing reports, in consultation with the General Manager where appropriate. All reports will be assessed on the information available to the disclosures coordinator at the time. It is up to the disclosures coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report the disclosures coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

7. When will a report be treated as a public interest disclosure?

The Coolamon Shire Council will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing
- the report has to be made to either the General Manager or, for reports about the General Manager the Mayor, a position nominated in this policy (see section 8), an investigating authority or in limited circumstances to an MP or journalist (see section 9).

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Reports by staff are not public interest disclosures if they:

- mostly question the merits of government policy (see section 17)
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action (see section 18).

8. Who can receive a report within the Coolamon Shire Council?

Staff are encouraged to report general wrongdoing to their supervisor. However the PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy or any supporting procedures.

The following positions are the only people within the Coolamon Shire Council who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 4).

If your report involves a Councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Mayor.

General Manager

- Phone 02 6930 1800 or email tdonoghue@coolamon.nsw.gov.au

Mayor (for reports about the General Manager only)

- Phone 02 6930 1800 or email jseymour@coolamon.nsw.gov.au

Disclosures Coordinator

- Executive Manager, Corporate & Community Services (Courtney Armstrong)
Phone 02 6930 1800 or email carmstrong@coolamon.nsw.gov.au

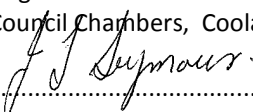
Disclosures Officers

- Executive Manager, Engineering & Technical Services (Tony Kelly)
Phone 02 6930 1800 or email tkelly@coolamon.nsw.gov.au
- Executive Manager, Development & Environmental Services (Colby Farmer)
Phone 02 6930 1800 or email cfarmer@coolamon.nsw.gov.au

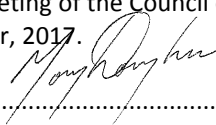
9. Who can receive a report outside of the Coolamon Shire Council?

Staff and Councillors are encouraged to report wrongdoing within the Coolamon Shire Council, but internal reporting is not your only option. You can also make a public interest disclosure to:

- An investigating authority.
- A Member of Parliament or a journalist, but only in the limited circumstances outlined below.



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances it may be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the General Manager or the Mayor.

The relevant investigating authorities for the Coolamon Shire Council are:

- the Independent Commission Against Corruption (ICAC) — for reports about corrupt conduct
- the Ombudsman — for reports about maladministration
- the Information Commissioner — for disclosures about a breach of the GIPA Act
- the Office of Local Government— for disclosures about local Councils.

You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that the investigating authority may well discuss any such reports with the Coolamon Shire Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to staff or Councillors who report wrongdoing to an investigating authority, if we are made aware that this has occurred.

b. Members of Parliament or journalists

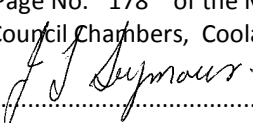
To have the protections of the PID Act, staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the General Manager
- a person nominated in this policy, including the Mayor for reports about the General Manager
- an investigating authority.

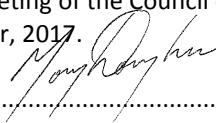
Also, the Coolamon Shire Council or the investigating authority that received your initial report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true (see section 19).



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

We will provide this information to you within ten working days from the date you make your report. We will also advise you if we decide to treat your report as a public interest disclosure and provide you with a copy of this policy at that time, as required by the PID Act.

Please note, if you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

b. Progress updates

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay
- advice of any decision by the Coolamon Shire Council not to proceed with the matter
- advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

c. Feedback

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.

13. Maintaining confidentiality

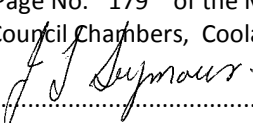
The Coolamon Shire Council realises reporters may want their identity and the fact they have made a report to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing.

Where possible and appropriate we will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. We will discuss with you whether it is possible to keep your identity confidential.

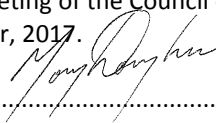
If confidentiality cannot be maintained, we will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the disclosures coordinator and the General Manager, or in the case of a report about the General Manager, the disclosures coordinator and the Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal.

Any staff or Councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.



..... MAYOR



.....GENERAL MANAGER.

14. Managing the risk of reprisal and workplace conflict

When a staff member or Councillor reports wrongdoing, the Coolamon Shire Council will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, the Coolamon Shire Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

15. Protection against reprisals

The Coolamon Shire Council will not tolerate any reprisal against staff or Councillors who report wrongdoing or are believed to have reported wrongdoing.

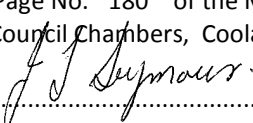
The PID Act provides protection for staff and Councillors who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

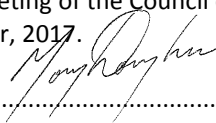
- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.
-

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of the Council's *Code of Conduct* which may result in disciplinary action. In the case of Councillors, such disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

It is important for staff and Councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where the Coolamon Shire Council has reasonable grounds to take such action.



..... MAYOR



.....GENERAL MANAGER.

a. Responding to allegations of reprisal

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the disclosures coordinator or the General Manager immediately. In the case of an allegation of reprisal by the General Manager, you can alternatively report this to the Mayor.

All supervisors must notify the disclosures coordinator or the General Manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the General Manager, the Mayor can alternatively be notified.

If the Coolamon Shire Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, the Coolamon Shire Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure
- refer any breach of Part 8 of the Council's *Code of Conduct* (reprisal action) by a Councillor or the General Manager to the Office of Local Government.
- refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

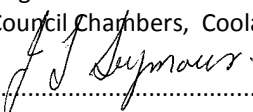
If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.

b. Protection against legal action

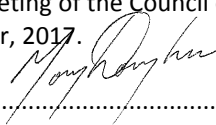
If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

16. Support for those reporting wrongdoing

The Coolamon Shire Council will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the disclosures coordinator.

Coolamon Shire Council offers a free *Employee Assistance Program* for workplace and personal issues. The service is by qualified professionals. You can find more information regarding Council's *Employee Assistance Program* on Council's website www.coolamon.nsw.gov.au or by contacting Council (p. 02 6930 1800 or e. council@coolamon.nsw.gov.au)

17. Sanctions for making false or misleading statements

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

18. The rights of persons the subject of a report

The Coolamon Shire Council is committed to ensuring staff or Councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

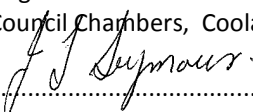
Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Coolamon Shire Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

19. Review

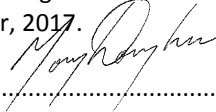
This policy may be reviewed at any time or as required in the event of legislative changes. Unless otherwise required the policy will be reviewed at least once during a term of Council. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

20. More information

Staff can also seek additional advice and guidance from the Disclosures Coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

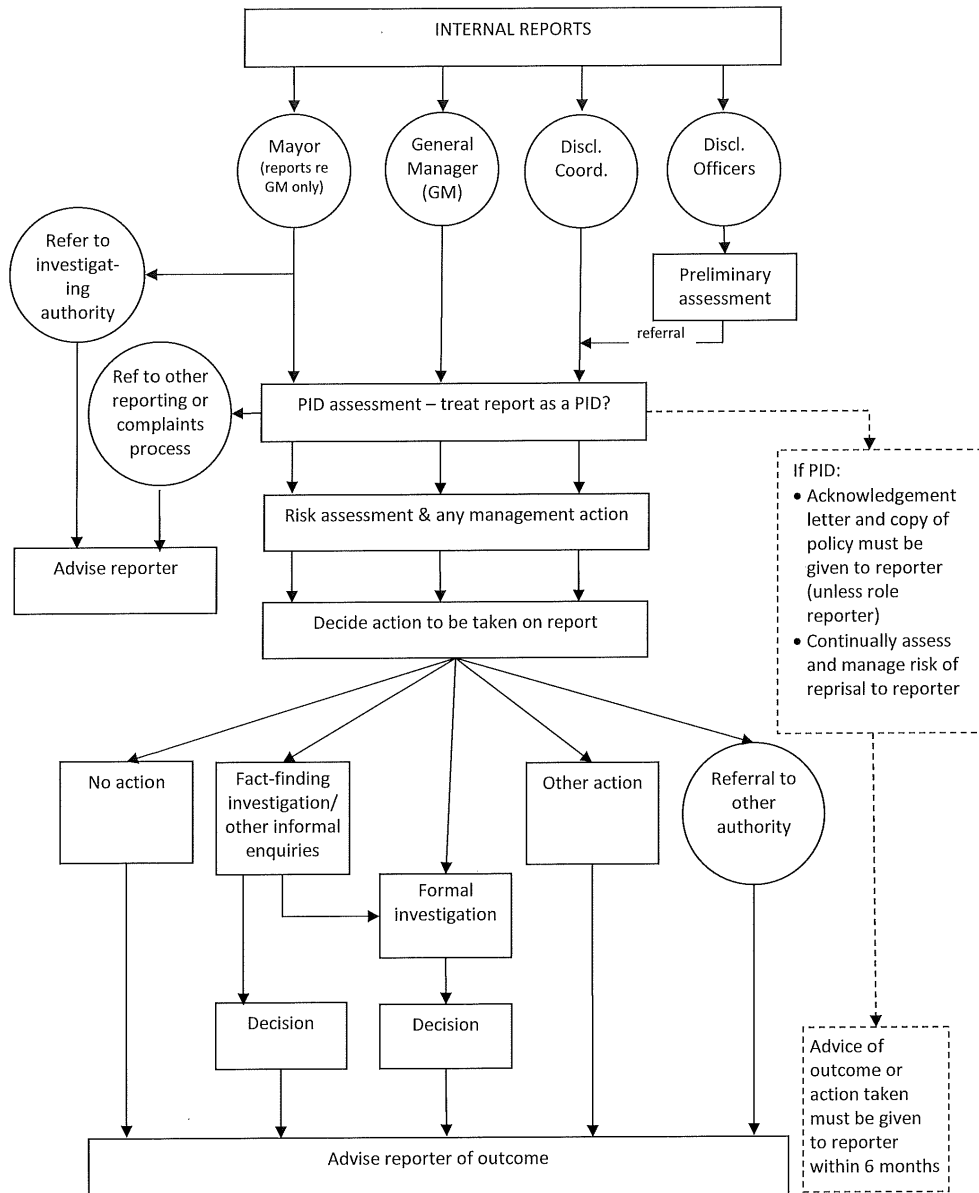


..... MAYOR



.....GENERAL MANAGER.

21. Flow chart of internal reporting process



J. J. Seymour

MAYOR

Maughan

GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Resources

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Tel. typewriter (TTY): 02 9264 8050
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street, Sydney NSW 2000

For disclosures about breaches of the GIPA Act:

Information Commissioner
Toll free: 1800 472 679
Facsimile: 02 8114 3756
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: Level 11, 1 Castlereagh Street, Sydney NSW 2000

For disclosures about local Councils:

Office of Local Government
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: dlg@dlg.nsw.gov.au
Web: www.dlg.nsw.gov.au
Address: 5 O'Keefe Avenue, Nowra, NSW 2541

Version 1 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)



COOLAMON SHIRE COUNCIL

PRIVACY MANAGEMENT PLAN

The *Privacy and Personal Information Act 1998* (the PIPPA) requires all Councils to prepare a Privacy Management Plan.

Following amendments to the Model Privacy Management Plan for Local Government (the Model Plan), prepared in consultation with the Office of the Privacy Commissioner and the Local Government and Shires Associations of NSW, to:

- Incorporate the requirements of the *Health Records and Information Privacy Act 2002* (the HRIP Act), which commenced on 1 September 2004, and
- Include references to the *Government Information (Public Access) Act 2009* (GIPA Act) which commenced on 1 July 2010.

Council has resolved to adopt the Model Privacy Management Plan (January 2013) for Local Government in its entirety.

REVIEW

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

Version 5 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

Version 4 Adopted: Council Meeting held 21 February 2013 (Minute No 18/02/2013)

Version 3 Adopted: Council Meeting held 16 December 2008 (Minute No.359 /12/2008)

Version 2 Adopted: Council Meeting held 16 August 2007 (Minute No. 261/8/2007)

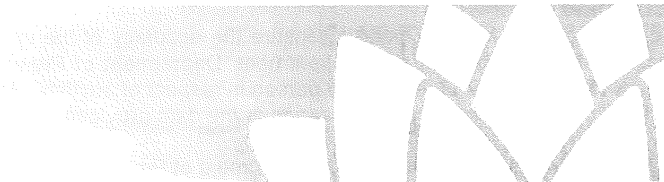
Version 1 Adopted Council Meeting held 16 December 2004 (Minute No. 425/12/2004)



Premier & Cabinet
Division of Local Government

Division of Local Government
Department of Premier and Cabinet

**MODEL PRIVACY MANAGEMENT PLAN
FOR
LOCAL GOVERNMENT**



JANUARY 2013

J. J. Seymour
..... MAYOR

Maughan
..... GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

ACCESS TO SERVICES

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

Levels 1 & 2

5 O'Keefe Avenue
NOWRA NSW 2541

Locked Bag 3015
NOWRA NSW 2541

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

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

PO Box R1772
ROYAL EXCHANGE NSW 1225

Phone 02 9289 4000
Fax 02 9289 4099

Email dlg@dlg.nsw.gov.au
Website www.dlg.nsw.gov.au

OFFICE HOURS

Monday to Friday
8.30am to 5.00pm

(Special arrangements may be made if these hours are unsuitable)
All offices are wheelchair accessible.

ALTERNATIVE MEDIA PUBLICATIONS

Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact our Executive Branch on 02 9289 4000.

DISCLAIMER

While every effort has been made to ensure the accuracy of the information in this publication, the Division of Local Government, Department of Premier and Cabinet expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of the publication or the data provided.

© NSW Division of Local Government, Department of Premier and Cabinet 2013
ISBN 978-1-922001-14-6

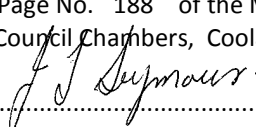
Produced by the Division of Local Government, Department of Premier and Cabinet



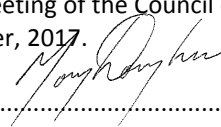
Premier & Cabinet
Division of Local Government
www.dlg.nsw.gov.au

TABLE OF CONTENTS

Preface	4
Part 1 – Introduction	5
1.1 What is “personal information”?	6
1.2 What is not “personal information”	6
1.3 Policy on Electoral Rolls	7
1.4 Application of this Plan	7
1.5 Personal Information held by Council	7
1.6 Applications for suppression in relation to general information (not public registers)	8
1.7 Caution as to unsolicited information	8
Part 2 – Public Registers	9
2.1 Public registers, the PPIPA and the HRIPA	10
2.2 Effect on section 6 of the GIPA Act	10
2.3 Where some information in the public register has been published	11
2.4 Disclosure of personal information contained in the public registers	11
2.5 Purposes of public registers	11
2.6 Applications for access to own records on a public register	13
2.7 Applications for suppression in relation to a public register	13
2.8 Other registers	13
Part 3 – The Information Protection Principles	14
Part 4 – Health Privacy Principles	36
Part 5 – Implementation of the Privacy Management Plan	50
5.1 Training Seminars/Induction	50
5.2 Responsibilities of the Privacy Contact Officer	50
5.3 Distribution of information to the public	51
Part 6 – Internal Review	52
6.1 How does the process of Internal Review operate?	52
6.2 What happens after an Internal Review?	52
Part 7 – Other Relevant Matters	53
7.1 Contracts with consultants and other private contractors	53
7.2 Confidentiality	53
7.3 Misuse of personal or health information	53
7.4 Regular review of the collection, storage and use of personal or health information	53
7.5 Regular review of Privacy Management Plan	53
7.6 Further information	53
Part 8 – Appendices	54
Appendix 1: Statutory Declaration for access under Section 57 of the Privacy and Personal Information Protection Act 1998 to a Public Register held by Council	55
Appendix 2: Privacy Notification Form - Section 10 (Pre – Collection)	56
Appendix 3: Privacy Notification Form - Section 10 (Post – Collection)	57
Appendix 4: Application under Section 13 of the Privacy and Personal Information Protection Act 1998: To determine whether Council holds personal information about a person	58
Appendix 5: Application under section 14 of the Privacy And Personal Information Protection Act 1998: For access to Applicant’s Personal Information	59
Appendix 6: Application under section 15 of the Privacy and Personal Information Protection Act 1998: For alteration of Applicant’s Personal Information	60



..... MAYOR



.....GENERAL MANAGER.

PREFACE

The *Privacy and Personal Information Protection Act 1998* (the "PPIPA") requires all councils to prepare a Privacy Management Plan outlining their policies and practices to ensure compliance with the requirements of that Act and the *Health Records and Information Privacy Act 2002* (the HRIPA).

In particular, the object of this plan is to inform:

- The community about how their personal information will be used, stored and accessed after it is collected by the Council; and
- Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

PART 1 – INTRODUCTION

The Privacy and Personal Information Protection Act 1998 (“PPIPA”) provides for the protection of personal information and for the protection of the privacy of individuals.

Section 33 of the PPIPA requires all councils to prepare a Privacy Management Plan (the “Plan”) to deal with:

- the devising of policies and practices to ensure compliance by the Council with the requirements of the PPIPA and the Health Records and Information Privacy Act 2002 (“HRIPA”);
- the dissemination of those policies and practices to persons within the Council;
- the procedures that the Council proposes for internal review of privacy complaints;
- such other matters as are considered relevant by the Council in relation to privacy and the protection of personal information held by it.

This Plan has been prepared for the purpose of section 33 of the PPIPA.

PPIPA provides for the protection of personal information by means of 12 Information Protection Principles. Those principles are listed below:

- Principle 1 - Collection of personal information for lawful purposes
- Principle 2 - Collection of personal information directly from individual
- Principle 3 - Requirements when collecting personal information
- Principle 4 - Other requirements relating to collection of personal information
- Principle 5 - Retention and security of personal information
- Principle 6 - Information about personal information held by agencies
- Principle 7 - Access to personal information held by agencies
- Principle 8 - Alteration of personal information
- Principle 9 - Agency must check accuracy of personal information before use
- Principle 10 - Limits on use of personal information
- Principle 11 - Limits on disclosure of personal information
- Principle 12 - Special restrictions on disclosure of personal information

Those principles are *modified* by the Privacy Code of Practice for Local Government (“the Code”) made by the Attorney General. To date there has been no Health Records and Information Privacy Code of Practice made for Local Government.

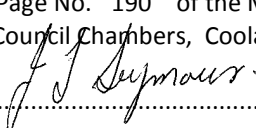
The Privacy Code has been developed to enable Local Government to fulfil its statutory duties and functions under the *Local Government Act 1993* (the “LGA”) in a manner that seeks to comply with the PPIPA.

This Plan outlines how the Council will incorporate the 12 Information Protection Principles into its everyday functions.

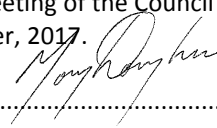
This Plan should be read in conjunction with the Code of Practice for Local Government.

Nothing in this Plan is to:

- affect any matter of interpretation of the Codes or the Information Protection



..... MAYOR



.....GENERAL MANAGER.

Principles and the Health Privacy Principles as they apply to the Council;

- affect any obligation at law cast upon the Council by way of representation or holding out in any manner whatsoever;
- create, extend or lessen any obligation at law which the Council may have.

This Plan is designed to introduce policies and procedures to maximise compliance with the PPIPA and the HRIPA.

Where the Council has the benefit of an exemption, it will nevertheless describe procedures for compliance in this Plan. By doing so, it is not to be bound in a manner other than that prescribed by the Codes.

Council collects, stores and uses a broad range of information. A significant part of that information is personal information. This Plan applies to that part of the Council's information that is personal information.

It may mean in practice that any information that is not personal information will receive treatment of a higher standard; namely treatment accorded to personal information where the information cannot be meaningfully or practicably separated.

1.1 What is "personal information"?

"Personal information" is defined in section 4 of the PPIPA as follows:

Personal information is defined to mean information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. This information can be on a database and does not necessarily have to be recorded in a material form.

1.2 What is not "personal information"

"Personal information" does not include "information about an individual that is contained in a publicly available publication". Personal information, once it is contained in a publicly available publication, ceases to be covered by the PPIPA.

Section 4A of the PPIPA also specifically excludes "health information", as defined by section 6 of the HRIPA, from the definition of "personal information", but includes "health information" in the PPIPA's consideration of public registers (discussed below). "Health information" is considered in Part 4 of this Plan.

Where the Council is requested to provide access or make a disclosure and that information has already been published, then the Council will rely on the provisions of the relevant Act that authorises Council to hold that information and not the PPIPA (for example, section 8 of the Government Information (Public Access) Act 2009 (GIPA Act)).

Council considers the following to be publicly available publications:

- An advertisement containing personal information in a local, city or national newspaper;
- Personal information on the Internet;

- Books or magazines that are printed and distributed broadly to the general public;
- Council Business papers or that part that is available to the general public;
- Personal information that may be a part of a public display on view to the general public.

Information published in this way ceases to be covered by the PPIPA.

Council's decision to publish in this way must be in accordance with PPIPA.

1.3 Policy on Electoral Rolls

The Electoral Roll is a publicly available publication. Council will provide open access to the Electoral Roll in Council's library. Council will refer any requests for copies of the Electoral Roll to the State Electoral Commissioner.

1.4 Application of this Plan

The PPIPA, the HRIPA and this Plan apply, wherever practicable, to:

- Councillors;
- Council employees;
- Consultants and contractors of the Council;
- Council owned businesses; and
- Council committees (including community members of those committees which may be established under section 355 of the LGA).

Council will ensure that all such parties are made aware that they must comply with the PPIPA, the HRIPA, any other applicable Privacy Code of Practice and this Plan.

1.5 Personal Information held by Council

The Council holds personal information concerning Councillors, such as:

- personal contact information;
- complaints and disciplinary matters;
- pecuniary interest returns; and
- entitlements to fees, expenses and facilities.

The Council holds personal information concerning its customers, ratepayers and residents, such as:

- rates records; and
- DA applications and objections; and
- various types of health information (see page 37 for detailed examples).

The Council holds personal information concerning its employees, such as:

- recruitment material;
- leave and payroll data;
- personal contact information;
- performance management plans;
- disciplinary matters;
- pecuniary interest returns;
- wage and salary entitlements; and
- health information (such medical certificates and workers compensation claims).

1.6 Applications for suppression in relation to general information (not public registers).

Under section 739 of the Local Government Act 1993 ("LGA") a person can make an application to suppress certain material that is available for public inspection in circumstances where the material discloses or would disclose the person's place of living if the person considers that the disclosure would place the personal safety of the person or their family at risk.

Section 739 of the LGA relates to publicly available material other than public registers. As such, it limits disclosure in those circumstances where an application for suppression is successful. An application for suppression must be verified by statutory declaration and otherwise meet the requirements of section 739. When in doubt, Council will err in favour of suppression.

For more information regarding disclosure of information (other than public registers) see the discussion of IPPs 11 and 12 in Part 3 of this Plan. For information regarding suppression of information on *public registers*, see Part 2 of this Plan.

1.7 Caution as to unsolicited information

Where an individual, a group or committee, not established by Council, gives Council unsolicited personal or health information, then that information should be still treated in accordance with this Plan, the Codes, the HRIPA and the PPIPA for the purposes of IPPs 5-12 and HPPs 5-15 which relate to storage, access, use and disclosure of information.

Note that for the purposes of section 10 of the HRIPA, the Council is not considered to have "collected" health information if the receipt of the information by the Council is unsolicited.

Section 4(5) of the PPIPA also provides that personal information is not "collected" by Council if it is unsolicited.

PART 2 – PUBLIC REGISTERS

A public register is defined in section 3 of the PPIPA:

“...public register means a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee).”

A distinction needs to be drawn between “public registers” within the meaning of Part 6 of the PPIPA and “non public registers”. A “non public register” is a register but it is not a “public register” for the purposes of the PPIPA. For example, the register might not be publicly available or it may not contain personal information.

Disclosure in relation to public registers must comply with Part 6 of the PPIPA and the Privacy Code. Personal information cannot be accessed by a person about another person unless the personal information is contained in a public register. Where personal information is contained in a public register, then Part 6 of the PPIPA applies to determine whether access to that information will be given to another person.

Disclosure in relation to all other personal information must comply with the Information Protection Principles as outlined in Part 2 of this Plan and the Privacy Code where it includes personal information that is not published.

The Council holds the following public registers under the LGA: ***

- Section 53 - Land Register
- Section 113 - Records of Approvals;
- Section 449 -450A - Register of Pecuniary Interests;
- Section 602 - Rates Record.

***Note – this is purely indicative. Council may, by virtue of its own practice, hold other Public Registers, to which the PPIPA applies.

Council holds the following public registers under the Environmental Planning and Assessment Act:

- Section 100 – Register of consents and approvals
- Section 149G – Record of building certificates

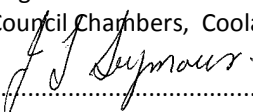
Council holds the following public register under the Protection of the Environment (Operations) Act:

- Section 308 – Public register of licences held

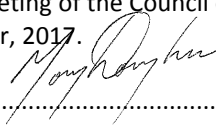
Council holds the following public register under the Impounding Act 1993:

- Section 30 & 31 – Record of impounding

Members of the public may enquire only in accordance with the primary purpose of any of these registers. The primary purpose for each of these public registers is set out in the sections that follow.



..... MAYOR



.....GENERAL MANAGER.

2.1 Public registers, the PPIPA and the HRIPA

A public register generally confers specific rights or privileges, a benefit, or status, which would not otherwise exist. It may be required by law to be made publicly available or open to public inspection, or it is simply made publicly available or open to public inspection (whether or not payment is required).

Despite the exclusion of "health information" from the definition of "personal information" under section 4A of the PPIPA, section 56A of the PPIPA *includes* as "personal information", "health information" on public registers.

Section 57 of the PPIPA requires very stringent controls over the disclosure of personal information contained in a public register. It provides broadly that where Council is responsible for keeping a public register, it will not disclose any personal information kept in that register unless it is satisfied that the information is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept.

Section 57 (2) provides that in order to ensure compliance with section 57(1), a Council may require any person who applies to inspect personal information contained in the public register to give particulars in the form of a statutory declaration as to the proposed use of that information. (Form at Appendix 1 may be used a guide)

Councils also need to consider the Privacy Code of Practice for Local Government which has the effect of modifying the application of Part 6 of the PPIPA (the "public register" provisions).

If the stated purpose of the applicant does not conform with the purpose for which the public register is kept, access to the information sought will not be given.

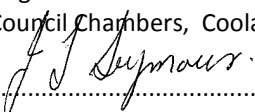
Where personal information is contained in a publicly available publication, that information will not be regarded as personal information covered by the PPIPA or as health information for the purposes of part 6 of the PPIPA.

2.2 Effect on section 6 of the GIPA Act

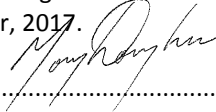
Section 57 of the PPIPA prevails over clause 1(3) of Schedule 1 of the Government Information (Public Access) Regulation 2009 (GIPA Regulation) to the extent of any inconsistency. Therefore:

1. If a register is listed in Schedule 1 of the GIPA Regulation, access must not be given except in accordance with section 57(1) of the PPIPA.
2. If a register is not listed in Schedule 1 of the GIPA Regulation, access must not be given except:
 - (i) if it is allowed under section 57(1) of the PPIPA; **and**
 - (ii) there is no overriding public interest against disclosure of the information under section 6 of the GIPA Act.

Note: Both 1 and 2 are amended with regard to specific public registers in the Privacy Code of Practice for Local Government.



..... MAYOR



.....GENERAL MANAGER.

2.3 Where some information in the public register has been published

That part of a public register that is not published in a publicly available publication will be treated as a "public register" and the following procedure for disclosure will apply.

For example, the Register of Consents and Approvals held by Council under section 100 of the Environmental Planning and Assessment Act requires Council to advertise or publish applications for development consent.

When Council publishes the address of the property, it may identify the owner. The personal information that has not been published and any applications not advertised or that have been rejected or withdrawn (and hence also not published) will be treated as a public register under PPIPA.

Council may hold a register under the Contaminated Land Management Act on behalf of the Environment Protection Authority. This is not to be considered a public register of the Council as the statute does not place any obligations on the Council to make this register publicly available as a register of contaminated land. Furthermore, the legislation foreshadows that the Environment Protection Authority may indeed post this list or register on the internet. This may constitute a publication of the information and therefore the PPIPA will not apply.

Registers should not be published on the internet.

2.4 Disclosure of personal information contained in the public registers

A person seeking a disclosure concerning someone else's personal information from a public register must satisfy Council that the intended use of the information is for a purpose relating to the purpose of the register or the Act under which the register is kept.

In the following section, by way of guidance only, what might be called the "primary" purpose (or "the purpose of the register") has been specified for each identified register. In some cases a "secondary purpose" has also been specified, by way of guidance as to what might constitute "a purpose relating to the purpose of the register".

2.5 Purposes of public registers

Purposes of public registers under the Local Government Act

Section 53 - Land Register – The primary purpose is to identify all land vested in Council, or under its control. The secondary purpose includes a consideration of public accountability as to the land held by Council. Third party access is therefore a secondary purpose.

Section 113 - Records of Approvals – The primary purpose is to identify all approvals granted under the LGA.

Section 450A - Register of Pecuniary Interests – The primary purpose of this register is to determine whether or not a Councillor or a member of a council committee has a pecuniary interest in any matter with which the council is likely to be concerned. There is a corresponding public accountability purpose and third party access is a secondary purpose.

Section 602 - Rates Record - The primary purpose is to record the value of a parcel of land and record rate liability in respect of that land. The secondary purpose includes recording the owner or lessee of each parcel of land. For example, that a disclosure on a section 603 (of the LGA) rating certificate that a previous owner was a pensioner is considered to be allowed, because the secondary purpose is "a purpose relating to the purpose of the register".

Purposes of public registers under the Environmental Planning and Assessment Act

Section 100 – Register of consents and approvals – The primary purpose is to identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.

Section 149G – Record of building certificates – The primary purpose is to identify all building certificates.

Purposes of public registers under the Protection of the Environment (Operations) Act

Section 308 – Public register of licences held – The primary purpose is to identify all licences granted under the Act.

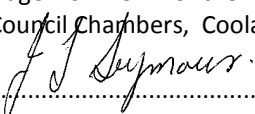
Purposes of the public register under the Impounding Act

Section 30 & 31 – Record of impounding – The primary purpose is to identify any impounding action by Council.

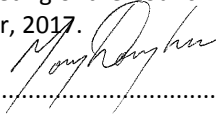
Secondary purpose of all Public Registers

Due to the general emphasis (to be found in the LGA and elsewhere) on local government processes and information being open and accountable, it is considered that a secondary purpose for which all public registers are held by Council includes the provision of access to members of the public. Therefore disclosure of specific records from public registers would normally be considered to be allowable under section 57 of the PPIPA.

However, requests for access, copying or the sale of the whole or a substantial part of a Public Register held by Council will not necessarily fit within this purpose. Council should be guided by the Privacy Code of Practice for Local Government in this respect. Where Council officers have doubt as to the intended use of the information, an applicant may be requested to provide a statutory declaration so that Council may satisfy itself as to the intended use of the information.



..... MAYOR



.....GENERAL MANAGER.

Council will make its assessment as to the **minimum** amount of personal information that is required to be disclosed with regard to any request.

Other Purposes

Persons or organisations who apply to Council to have access to the information contained in any public register for a purpose not related to the purpose of the register, may be given access at the discretion of Council but only in accordance with the Privacy Code of Practice for Local Government concerning Public Registers.

2.6 Applications for access to own records on a public register

A person wishing to have access to a public register to confirm their own details needs only to prove their identity to Council before having access to their own personal information.

2.7 Applications for suppression in relation to a public register

An application for suppression in relation to a public register will be dealt with under PPIPA, rather than section 739 of the LGA.

A person about whom personal information is contained (or proposed to be contained) in a public register, may request Council under section 58 of the PPIPA to have the information removed from, or not placed on the register.

If Council is satisfied that the safety or well-being of any person would be affected by not suppressing the personal information as requested, Council will suppress the information in accordance with the request unless Council is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information, in accordance with section 58(2) of the PPIPA. ("Well-being" is defined in the Macquarie Dictionary as "the good or satisfactory condition of existence; welfare".)

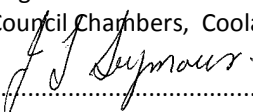
When in doubt, Council will err in favour of suppression.

Any information that is removed from, or not placed on, that aspect of a public register to be made public may be kept on the register for other purposes. That is, the information may still be used for council functions, but it cannot be disclosed to other parties.

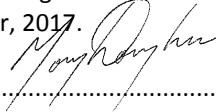
An application for suppression should be made in writing addressed to the General Manager and must outline the reasons for the request. The Council may require supporting documentation where appropriate.

2.8 Other registers

Council may have other registers that are not public registers. The Information Protection Principles, this Plan, any applicable Codes and the PPIPA apply to those registers or databases.



..... MAYOR



.....GENERAL MANAGER.

PART 3 – THE INFORMATION PROTECTION PRINCIPLES

3.1 Information Protection Principle 1 – Section 8

Section 8 Collection of personal information for lawful purposes

- (1) *A public sector agency must not collect personal information unless:*
 - (a) *the information is collected for a lawful purpose that is directly related to a function or activity of the agency, and*
 - (b) *the collection of the information is reasonably necessary for that purpose.*
- (2) *A public sector agency must not collect personal information by any unlawful means.*

The Privacy Code of Practice for Local Government

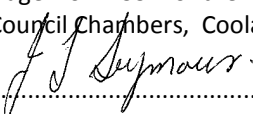
The Code makes no provision to depart from the requirements of this principle.

Council Policy

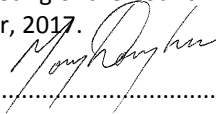
Council will only collect personal information for a lawful purpose as part of its proper functions. The LGA governs Council's major obligations and functions.

Section 22 of the LGA provides other functions under other Acts. Some of those Acts are as follows:

- Community Land Development Act 1989
- Companion Animals Act 1998**
- Conveyancing Act 1919
- Environmental Planning and Assessment Act 1979
- Fire Brigades Act 1989
- Fluoridation of Public Water Supplies Act 1957
- Food Act 1989
- Impounding Act 1993
- Library Act 1939
- Protection of the Environment Operations Act 1997
- Public Health Act 1991
- Recreation Vehicles Act 1983
- Roads Act 1993
- Rural Fires Act 1997
- State Emergency Service Act 1989
- Strata Schemes (Freehold Development) Act 1973
- Strata Schemes (Leasehold Development) Act 1986;
- Swimming Pools Act 1992
- Public Health Act 1991


.....

MAYOR


.....

GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

This list is not exhaustive.

Additionally, the exercise by Council of its functions under the LGA may also be modified by the provisions of other Acts. Some of those Acts follow:

- Coastal Protection Act 1979;
- Environmental Offences and Penalties Act 1989;
- Government Information (Public Access) Act 2009;
- Heritage Act 1977;
- State Emergency and Rescue Management Act 1989;
- Unclaimed Money Act 1995;
- Unhealthy Building Land Act 1990.

The circumstances under which Council may collect information, including personal information, are varied and numerous.

Council will not collect any more personal information than is reasonably necessary for it to fulfil its proper functions.

Anyone engaged by Council as a private contractor or consultant that involves the collection of personal information must agree to be bound not to collect personal information by any unlawful means. This will include debt recovery actions by or undertaken on behalf of Council by commercial agents.

**Companion Animals Act

Collection of information under the Companion Animals Act and Council's use of the Companion Animals Register should be guided by the Director General's guidelines, which have been developed with the PPIPA in mind.

Role of the Privacy Contact Officer

In order to ensure compliance with Information Protection Principle 1, internet contact forms, rates notices, application forms of whatsoever nature, or written requests by which personal information is collected by Council, will be referred to the Privacy Contact Officer prior to adoption or use.

The Privacy Contact Officer will also provide advice as to:

1. Whether the personal information is collected for a lawful purpose;
2. If that lawful purpose is directly related to a function of Council; and
3. Whether or not the collection of that personal information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature will be referred to Council's solicitor.

3.2 Information Protection Principle 2 – Direct Collection

Section 9 Collection of personal information directly from individual

A public sector agency must, in collecting personal information, collect the information directly from the individual to whom the information relates unless:

- (a) the individual has authorised collection of the information from someone else, or*
- (b) in the case of information relating to a person who is under the age of 16 years—
the information has been provided by a parent or guardian of the person.*

The Privacy Code of Practice for Local Government

The Code makes provision for Council to depart from this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be conferred upon the person to whom the information relates.

Council Policy

The compilation or referral of registers and rolls are the major means by which the Council collects personal information. For example, the information the Council receives from the Land Titles Office would fit within section 9(a) above.

Other means include forms that customers may complete and lodge with Council for development consent, companion animal registration, applications for specific inspections or certifications or applications in respect of tree preservation orders.

In relation to petitions, the Council will treat the personal information contained in petitions in accordance with PPIPA.

Where Council or a Councillor requests or requires information from individuals or groups, that information will be treated in accordance with PPIPA.

Council regards all information concerning its customers as information protected by PPIPA. Council will therefore collect all personal information directly from its customers except as provided in section 9 or under other statutory exemptions or Codes of Practice. Council may collect personal information from other public sector agencies in respect of specific statutory obligations where it is authorised by law to do so.

Where Council anticipates that it may otherwise need to collect personal information indirectly it will first obtain the authorisation of each individual under section 9 (a) of the PPIPA.

External and related bodies

Each of the following will be required to comply with this Plan, any applicable Privacy Code of Practice, and the PPIPA:

- Council owned businesses
- Council consultants
- Private contractors

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

- Council committees

Council will seek to contractually bind each of these bodies or persons to comply with the PPIPA.

Where any of the above collect personal information on behalf of Council or in relation to the performance of their activities, that body or person will be required to:

- obtain a written authorisation and consent to that collection; and
- notify those persons in accordance with Information Protection Principle 3 as to the intended recipients and other matters required by that principle.

Council owned businesses, committees and private contractors or consultants must abide by this Plan, the Code and the PPIPA under the terms of their incorporation by Council or by contract.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 2.

Existing statutory exemptions under the Act

Compliance with Information Protection Principle 2 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in very obvious and limited circumstances and legal advice should normally be obtained.

The relevant statutory exemptions follow:

Section 23(2) of the PPIPA permits non-compliance with Information Protection Principle 2 if the information concerned is collected in connection with proceedings (whether or not actually commenced) before any court or tribunal.

Section 24(4) of the PPIPA extends the operation of section 24(1) to councils and permits non-compliance with Information Protection Principle 2 if a council is:

- (i) investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and
- (ii) if compliance might detrimentally affect (or prevent the exercise of) the Council's complaint handling or investigative functions.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 2 where the agency is lawfully authorised or required not to comply with the principle.

- (iii) Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 2 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 26(1) of the PPIPA permits non-compliance with Information Protection Principle 2 if compliance would prejudice the interests of the individual concerned.

Further Explanation regarding IPP 2

Where Council cannot collect personal information directly from the person, it will ensure one of the following:

1. Council has obtained authority from the person under section 9(a) of the PPIPA.
 2. The collection of personal information from a third party is permitted under an Act or law. (For example, the indirect collection from the Land Titles Office.)
 3. The collection of personal information from a parent or guardian is permitted provided the person is less than 16 years of age.
 4. The collection of personal information indirectly where one of the above exemptions applies.
 5. The collection of personal information indirectly is permitted under the Privacy Code of Practice for Local Government or the Investigative Code of Practice.
- The only other exception to the above is in the case where Council is given unsolicited information.

3.3 Information Protection Principle 3 - Requirements when collecting personal information

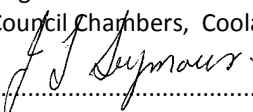
Section 10 Requirements when collecting personal information

If a public sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances to ensure that, before the information is collected or as soon as practicable after collection, the individual to whom the information relates is made aware of the following:

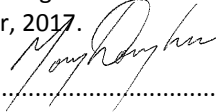
- (a) *the fact that the information is being collected,*
- (b) *the purposes for which the information is being collected,*
- (c) *the intended recipients of the information,*
- (d) *whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual if the information (or any part of it) is not provided,*
- (e) *the existence of any right of access to, and correction of, the information,*
- (f) *the name and address of the agency that is collecting the information and the agency that is to hold the information.*

The Privacy Code of Practice for Local Government

The Code makes provision for Council to depart from this principle where personal information is collected about an individual for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition without prior or subsequent notification.



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Council Policy

Where Council proposes to collect personal information directly from the person, it will inform that person that the personal information is being collected, what is done with that information and who the intended recipients will be.

Council will inform persons if the information is required by law or voluntarily given. Council will also inform individuals which department or section within Council holds their personal information, and of the right to access and correct that information. Council will adapt the general section 10 pre-collection Privacy Notification form as appropriate (See Appendix 2).

The following are examples of application procedures that will require a Privacy Notification Form in accordance with section 10:

- Lodging Development Applications;
- Lodging objections to Development Applications;
- Lodging applications for approval under the LGA;
- Any stamps or printed slips that contain the appropriate wording for notification under section 10 (see Appendix 2); and
- When collecting an impounded item.

In relation to the Privacy Notification Form that may be attached to a Development Application provided to objectors, it could be stated that objectors have a right to remain anonymous if they so choose. However, should they need to substantiate their objections, anonymous objections may be given less weight (or no weight) in the overall consideration of the Application.

Post - Collection

Where Council collects personal information indirectly from another public sector agency in respect of any one of its statutory functions, it will advise those individuals that it has collected their personal information by including a privacy notification form in the next issue of their rates notice, or otherwise by letter. A common example of the collection of information from another public sector agency is the Land Titles Office. Council receives information as to new ownership changes when property is transferred from one owner to the next. Appendix 3 contains a sample Privacy Notification Form that could be used for post-collection.

External and related bodies

Each of the following will be required to comply with Information Protection Principle 3:

- Council owned businesses
- Council consultants
- Private contractors
- Council committees

Council will seek to contractually bind each of these bodies or persons to comply with the Information Protection Principle 3.

Where any of the above collect personal information on behalf of Council or in relation to the performance of their activities, that body or person will be required to notify those persons in accordance with Information Protection Principle 3 as to the intended recipients and other matters required by that principle.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 3.

Existing statutory exemptions under the Act

Compliance with Information Protection Principle 3 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

The relevant statutory exemptions follow:

Section 23(3) permits non-compliance with Information Protection Principle 3 where information is collected for law enforcement purposes. Law enforcement means a breach of the criminal law and criminal law enforcement. This section does not remove the rights of an accused person.

Section 24(4) of the PPIPA extends the operation of section 24(1) to councils and permits non-compliance with Information Protection Principle 3 if a council is:

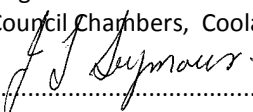
- (i) investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and
- (ii) if compliance might detrimentally affect (or prevent the exercise of) the Council's complaint handling or investigative functions.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 3 where the agency is lawfully authorised or required not to comply with the principle.

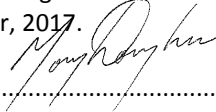
Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 3 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 26(1) of the PPIPA permits non-compliance with Information Protection Principle 3 if compliance would prejudice the interests of the individual concerned.

Section 26(2) of the PPIPA permits non-compliance where the person expressly consents to such non-compliance.



..... MAYOR



.....GENERAL MANAGER.

Disclosure of information of research purposes

The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under section 41 of PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.

3.4 Information Protection Principle 4 - Other requirements relating to collection of personal information

Section 11 Other requirements relating to collection of personal information

If a public sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

- (a) the information collected is relevant to that purpose, is not excessive, and is accurate, up to date and complete, and*
- (b) the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.*

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Council will seek to ensure that no personal information is collected which is not directly relevant to its proper functions.

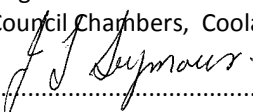
Council collects personal information through the various forms that customers may complete and lodge with Council. Before adoption of a new form, a draft form will be reviewed for compliance with Information Protection Principle 4 by the EEO Officer, Council's solicitor, Public Officer or other suitable person. Should Council have any residual doubts, the opinion of the Office of the Privacy Commissioner NSW will be sought.

3.5 Information Protection Principle 5 - Retention and security of personal information

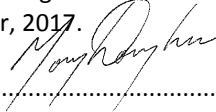
Section 12 Retention and security of personal information

A public sector agency that holds personal information must ensure:

- (a) that the information is kept for no longer than is necessary for the purposes for which the information may lawfully be used, and*
- (b) that the information is disposed of securely and in accordance with any requirements for the retention and disposal of personal information, and*
- (c) that the information is protected, by taking such security safeguards as are reasonable in the circumstances, against loss, unauthorised access, use, modification or disclosure, and against all other misuse, and*
- (d) that, if it is necessary for the information to be given to a person in connection*



..... MAYOR



.....GENERAL MANAGER.

with the provision of a service to the agency, everything reasonably within the power of the agency is done to prevent unauthorised use or disclosure of the information.

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Council may comply with this principle by using any or all of the following or similar documents:

- Records and Archives Services Manual;
- The Council's Policy on Security of and Access to Misconduct Files;
- Council's Internet Security Policy;
- Information Technology Security Policy; and
- General Records Disposal Schedule for Local Government.

Disclosure of information of research purposes

The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under section 41 of PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.

3.6 Information Protection Principle 6 - Information held by agencies

Section 13 Information about personal information held by agencies

A public sector agency that holds personal information must take such steps as are, in the circumstances, reasonable to enable any person to ascertain:

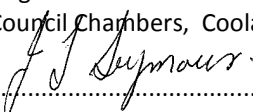
- (a) *whether the agency holds personal information, and*
- (b) *whether the agency holds personal information relating to that person, and*
- (c) *if the agency holds personal information relating to that person:*
 - (i) *the nature of that information, and*
 - (ii) *the main purposes for which the information is used, and*
 - (iii) *that person's entitlement to gain access to the information.*

The Privacy Code of Practice for Local Government

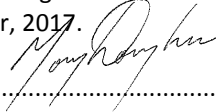
The Code makes no provision to depart from this principle.

Council Policy

Section 13 of the PPIPA requires a council to take reasonable steps to enable a person to determine whether the council holds personal information about them. If Council holds any information about a person, upon request it will advise them the nature of that information, the main purposes for which it is held, and that person's



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

entitlement to access. As a matter of practicality, not every item of personal information, however insignificant, will be capable of ascertainment.

Under section 20(5) of the PPIPA, Information Protection Principle 6 is subject to any applicable conditions or limitations contained in the *Government Information (Public Access) Act 2009* ("GIPA Act"). Council must consider the relevant provisions of the GIPA Act.

Any person can make application to Council by completing the appropriate form and submitting it to Council. An example is at Appendix 4.

Where council receives an application or request by a person as to whether council holds information about them, council will undertake a search of its records to answer the enquiry. Council may ask the applicant to describe what dealings the applicant has had with council in order to assist council to conduct the search.

Council will ordinarily provide a response to applications of this kind within 28 days of the application being made. The fee structure is commensurate to that of the Council's GIPA Act rates structure.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 6.

Existing exemptions under the Act

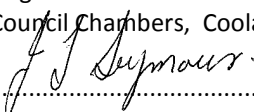
Compliance with Information Protection Principle 6 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 6 where Council is lawfully authorised or required not to comply with the principle.

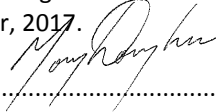
Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 6 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Reporting matters

The Council will issue a statement to be included on its Web page (if it has one) and in its Annual Report concerning the nature of personal information it regularly collects, the purpose for which the personal information is used and an individual's right to access their own personal information.



..... MAYOR



.....GENERAL MANAGER.

3.7 Information Protection Principle 7 - Access to personal information held by agencies

Section 14 Access to personal information held by agencies

A public sector agency that holds personal information must, at the request of the individual to whom the information relates and without excessive delay or expense, provide the individual with access to the information.

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Section 14 of the PPIPA requires a council, at the request of any person, to give access to that person to personal information held about them.

Compliance with Information Protection Principle 7 does not allow disclosure of information about other people. If access to information that relates to someone else is sought, the application must be made under the GIPA Act, unless Information Protection Principles 11 and 12 or the Public Register provisions apply.

Where a person makes an application for access under the PPIPA and it is involved or complex, it may be referred, with the written consent of the applicant, as an application under the GIPA Act. However use of the GIPA Act is to be a last resort. The applicant has the right to insist on being dealt with under PPIPA.

Under section 20(5) of the PPIPA, Information Protection Principle 7 is subject to any applicable conditions or limitations contained in the *Government Information (Public Access) Act 2009* ("GIPA Act"). Council must consider the relevant provisions of the GIPA Act.

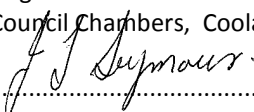
Customers wishing to exercise their right of access to their own personal information should apply in writing or direct their inquiries to the General Manager, who will make a determination. A sample form is provided at Appendix 5.

Members of staff wishing to exercise their right of access to their personal information should apply in writing on the attached form or direct their inquiries to the Manager of Personnel, who will deal with the application.

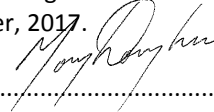
In order to comply with the requirement to provide the requested information "without excessive delay or expense", Council will ordinarily provide a response to applications of this kind within 28 days of the application being made.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 7.



..... MAYOR



.....GENERAL MANAGER.

Existing exemptions under the Act

Compliance with Information Protection Principle 7 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 7 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA non-compliance with Information Protection Principle 7 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

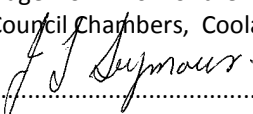
3.8 Information Protection Principle 8 - Alteration of personal information

Section 15 Alteration of personal information

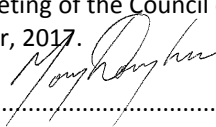
- (1) *A public sector agency that holds personal information must, at the request of the individual to whom the information relates, make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the personal information:
 - (a) is accurate, and
 - (b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.*
- (2) *If a public sector agency is not prepared to amend personal information in accordance with a request by the individual to whom the information relates, the agency must, if so requested by the individual concerned, take such steps as are reasonable to attach to the information, in such a manner as is capable of being read with the information, any statement provided by that individual of the amendment sought.*
- (3) *If personal information is amended in accordance with this section, the individual to whom the information relates is entitled, if it is reasonably practicable, to have recipients of that information notified of the amendments made by the public sector agency.*
- (4) *This section, and any provision of privacy code of practice that relates to the requirements set out in this section, apply to public sector agencies despite section 25 of this Act and section 21 of the State Records Act 1998.*
- (5) *The Privacy Commissioner's guidelines under section 36 may make provision for or with respect to requests under this section, including the way in which such a request should be made and the time within which such a request should be dealt with.*
- (6) *In this section (and in any other provision of this Act in connection with the operation of this section), **public sector agency** includes a Minister and a Minister's personal staff.*

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Council Policy

Section 15 of the PPIPA allows a person to make an application to council to amend (*this includes by way of corrections, deletions or additions*) personal information held about them so as to ensure the information is accurate, and, having regard to the purpose for which the information is collected, relevant to that purpose, up to date and not misleading.

Council wishes to have its information current, accurate and complete. Proposed amendments or changes to the personal information held by the Council are welcomed.

If Council declines to amend personal information as requested, it will on request of the individual concerned, place an addendum on the information in accordance with section 15(2) of the PPIPA.

Where there are complaints that are or could be the subject of a staff complaint or grievance, they will be referred to the Manager Personnel in the first instance and treated in accordance with the "Grievance and Complaint Handling Procedures".

Any alterations that are or could be the subject of a customer complaint or grievance will be referred to the General Manager, who will make a determination in relation to the matter.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 8.

Existing exemptions under the Act

Compliance with Information Protection Principle 8 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 8 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with section Information Protection Principle 8 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Procedure

Where information is requested to be amended (either by way of correction, deletion or addition), the individual to whom the information relates, must make a request. That request should be accompanied by appropriate evidence as to the cogency of the making of the amendment, sufficient to satisfy the Council that the proposed amendment is factually correct and appropriate. The Council may require further

documentary evidence to support certain amendments. Council will not charge to process an application to amend a record under s.15.

The Council's application form for alteration under IPP 8 is at Appendix 6 at the end of this Plan.

Where Council is not prepared to amend

If the Council is not prepared to amend the personal information in accordance with a request by the individual the Council may attach to the information in such a manner as is capable of being read with the information, any statement provided by that individual.

Where an amendment is made

If personal information is amended in accordance with this section, the individual to whom the information relates is entitled, if it is reasonably practicable, to have the recipients of that information notified of the amendments made by the Council. The Council will seek to notify recipients of information as soon as possible, of the making of any amendment, where it is reasonably practicable.

State Records Act

The State Records Act does not allow for the deletion of records. However, as a result of section 20(4) of the PPIPA, some deletions may be allowed in accordance with Information Protection Principle 8.

3.9 Information Protection Principle 9 - Agency must check accuracy of personal information before use

Section 16 Agency must check accuracy of personal information before use

A public sector agency that holds personal information must not use the information without taking such steps as are reasonable in the circumstances to ensure that, having regard to the purpose for which the information is proposed to be used, the information is relevant, accurate, up to date, complete and not misleading.

The Privacy Code of Practice for Local Government

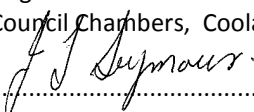
The Code makes no provision to depart from this principle.

Council Policy

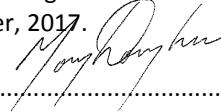
The steps taken to comply with section 16 will depend on the age of the information, its likelihood of change and the particular function for which the information was collected.

The more significant the information, the greater the necessity that checks to ensure its accuracy and currency be undertaken prior to its use.

For example, each employee's record should be updated when there is any change of circumstances or when the employee's contact details change.



..... MAYOR



.....GENERAL MANAGER.

3.10 Information Protection Principle 10 - Limits on use of personal information

Section 17 Limits on use of personal information

A public sector agency that holds personal information must not use the information for a purpose other than that for which it was collected unless:

- (a) the individual to whom the information relates has consented to the use of the information for that other purpose, or*
- (b) the other purpose for which the information is used is directly related to the purpose for which the information was collected, or*
- (c) the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom the information relates or of another person.*

The Privacy Code of Practice for Local Government

The Code makes provision that Council may use personal information for a purpose other than the purpose for which it was created in the following circumstances:

- (i) where the use is in pursuance of Council's lawful and proper function/s and Council is satisfied that the personal information is reasonably necessary for the exercise of such function/s; or
- (ii) where personal information is to be used for the purpose of conferring upon a particular person, an award, prize, benefit or similar form of personal recognition.

Explanatory Note

Council may use personal information obtained for one purpose for another purpose in pursuance of its lawful and proper functions. For example, the Rates Record that Council holds under section 602 of the LGA may also be used to:

- notify neighbours of a proposed development;
- evaluate a road opening; or
- evaluate a tree preservation order.

Council Policy

Council will seek to ensure that information collected for one purpose will be used for that same purpose. Where Council may need to use personal information collected for one purpose for another purpose, it will first gain the consent of the individual concerned, unless an exemption applies.

External and related bodies

Each of the following will be required to comply with the Information Protection Principle 10:

- Council owned businesses
- Council consultants;

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

- Private contractors; and
- Council committees.

Council will seek to contractually bind each of these bodies or persons to comply.

Where any of the above seek to use personal information collected for one purpose, that body or person will be required to obtain the written consent of those persons in accordance with section 17(a) to the use of the information for another purpose.

The form of consent should include the following elements:

I, ⁽¹⁾	(1) insert full name
of ⁽²⁾	(2) insert address
hereby consent under section 17(a) of the Privacy and Personal Information Protection Act 1998 to ⁽³⁾	(3) insert Council name
using the information collected from me by ⁽⁴⁾	(4) insert name of collecting body/person
for the purpose of ⁽⁵⁾	(5) insert purpose/s info was collected for
Signature	
Name to be printed	
Date signed / /	

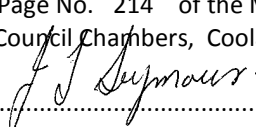
Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 10.

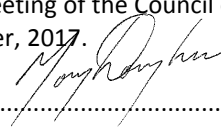
Existing exemptions under the Act

Compliance with Information Protection Principle 10 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 23(4) of the PPIPA permits Council not to comply with Information Protection Principle 10 where the use of the information for another purpose is reasonably necessary for law enforcement purposes or for the protection of the public revenue. *Law enforcement purposes* means a breach of the criminal law and criminal law enforcement. This section does not remove the rights of an accused person. *Protection of the public revenue* means a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty.



..... MAYOR



..... GENERAL MANAGER.

Section 24(4) of the PPIPA extends the operation of section 24(2) to councils and permits non-compliance with Information Protection Principle 10 if a council is:

- (i) investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and
- (ii) the use of the information concerned for a purpose other than the purpose for which it was collected is reasonably necessary in order to enable the council to exercise its complaint handling functions or any of its investigative functions.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 10 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 10 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 28(3) of the PPIPA permits non-compliance where a disclosure is to be made to a public sector agency under the administration of the Minister for Local Government (e.g., the Department of Local Government) or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

3.11 Information Protection Principle 11 - Limits on disclosure of personal information

Section 18 Limits on disclosure of personal information

- (1) *A public sector agency that holds personal information must not disclose the information to a person (other than the individual to whom the information relates) or other body, whether or not such other person or body is a public sector agency, unless:*
 - (a) *the disclosure is directly related to the purpose for which the information was collected, and the agency disclosing the information has no reason to believe that the individual concerned would object to the disclosure, or*
 - (b) *the individual concerned is reasonably likely to have been aware, or has been made aware in accordance with section 10, that information of that kind is usually disclosed to that other person or body, or*
 - (c) *the agency believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.*
- (2) *If personal information is disclosed in accordance with subsection (1) to a person or body that is a public sector agency, that agency must not use or disclose the information for a purpose other than the purpose for which the information was given to it.*

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

The Privacy Code of Practice for Local Government

The Code makes provision for council to depart from this principle in the circumstances described below:

1. Council may disclose personal information to public sector agencies or public utilities on condition that:
 - (i) the agency has approached Council in writing;
 - (ii) Council is satisfied that the information is to be used by that agency for the proper and lawful function/s of that agency, and
 - (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's function/s.
2. Where personal information which has been collected about an individual is to be disclosed for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition.
3. Where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

Council Policy

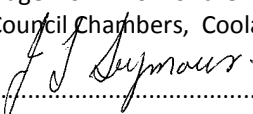
Council will not disclose the information to another person or other body, unless the disclosure is directly related to the purpose for which the information was collected or where the Council has no reason to believe that the individual concerned would object to the disclosure.

Council may disclose personal information to another person or other body where this disclosure is directly related to the purpose for which the personal information was collected and the individual concerned is reasonably likely to have been aware, (or has been made aware in accordance with section 10), of the intended recipients of that information. "Directly related" can mean the disclosure to another person or agency to deliver a service which supplements that of Council or disclosure to a consultant for the purpose of assessing or reviewing the delivery of a program to which the original collection relates.

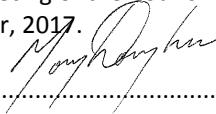
The council may disclose personal information to another person or other body where this disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.

Public Registers

Sections 18 and 57 of the PPIPA should be read in conjunction in regard to Public Registers. Public Registers are discussed further in Part 2 of this Plan.



..... MAYOR



.....GENERAL MANAGER.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 11.

Existing exemptions under the Act

Compliance with Information Protection Principle 11 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 23(5)(a) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is made to a law enforcement agency in connection with proceedings for an offence or for law enforcement purposes. *Law enforcement purposes* means a breach of the criminal law and criminal law enforcement. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(b) of the PPIPA permits non-compliance with Information Protection Principle 11 where the disclosure is made to a law enforcement agency for the purpose of ascertaining the whereabouts of a person reported to be missing. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(c) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is authorised by subpoena, search warrant or other statutory instrument. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(d)(i) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is reasonably necessary for the protection of the public revenue. *Protection of the public revenue* could mean a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(d)(ii) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is reasonably necessary to investigate an offence where there are reasonable grounds to believe an offence has been committed.

Section 24(4) of the PPIPA permits non-compliance with Information Protection Principle 11 if:

- (i) investigating a complaint that could be referred or made to, or has been referred from or made by, an investigative agency, and
- (ii) if the disclosure is to an investigative agency.

(Note: "investigative agency" is defined at s.3 of PPIPA.)

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 11 where Council is lawfully authorised or required not to comply with the principle. Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 11 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 26(2) of the PPIPA permits non-compliance where the person expressly consents to such non-compliance.

Section 28(3) of the PPIPA permits non-compliance where a disclosure is to be made to a public sector agency under the administration of the Minister for Local Government (e.g. the Division of Local Government) or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

It is anticipated that a disclosure of personal information for research purposes will be allowed under a s.41 Direction made by the Privacy Commissioner until such time as a Research Code of Practice is made by the Attorney General.

Suppression

Information held by Council may be suppressed such as to disallow disclosure that would otherwise be allowed in the circumstances outlined above. See Part 1 of this Plan for more details about suppression of personal information.

3.12 Information Protection Principle 12 - Special restrictions on disclosure of personal information

Section 19 Special restrictions on disclosure of personal information

- (1) *A public sector agency must not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.*
- (2) *A public sector agency that holds personal information must not disclose the information to any person or body who is in a jurisdiction outside New South Wales or to a Commonwealth agency unless:*
 - (a) *a relevant privacy law that applies to the personal information concerned is in force in the that jurisdiction or applies to that Commonwealth agency, or*
 - (b) *the disclosure is permitted under a privacy code of practice.*
- (3) *For the purposes of subsection (2), a **relevant privacy law** means a law that is determined by the Privacy Commissioner, by notice published in the Gazette, to be a privacy law for the jurisdiction concerned.*
- (4) *The Privacy Commissioner is to prepare a code relating to the disclosure of personal information by public sector agencies to persons or bodies outside New South Wales and to Commonwealth agencies.*
- (5) *Subsection (2) does not apply:*
 - (a) *until after the first anniversary of the commencement of this section, or*
 - (b) *until a code referred to in subsection (4) is made,**whichever is the later.*

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

The Privacy Code of Practice for Local Government

The Code makes provision for Council to depart from this principle in the circumstances described below:

1. For the purposes of s.19(2) only, where Council is requested by a potential employer outside New South Wales, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

Council Policy

Council will not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.

Public Registers

Sections 19 and 57 of the PPIPA should be read in conjunction in regard to Public Registers. Public Registers are discussed further in Part 2 of this Plan.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 12.

Existing exemptions under the Act

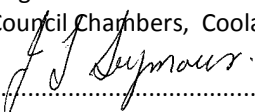
Compliance with Information Protection Principle 12 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 23(7) of the PPIPA permits non-compliance with Information Protection Principle 12 where the disclosure is necessary to investigate an offence or where there are reasonable grounds to believe an offence has been or may be committed.

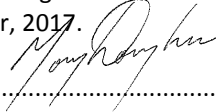
Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 12 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 12 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 26(2) of the PPIPA permits non-compliance where the person expressly



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

consents to such non-compliance.

Section 28(2) permits non-compliance with Information Protection Principle 12 where, in the case of health information, the consent of the person cannot reasonably be obtained and the disclosure is made by an authorised person to another authorised person. "Authorised person" means a medical practitioner, health worker, or other official or employee providing health or community services who is employed or engaged by a public sector agency.

Section 28(3) of the PPIPA permits non-compliance where a disclosure is to be made to a public sector agency under the administration of the Minister for Local Government (e.g. the Division of Local Government) or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

It is anticipated that a disclosure of personal information for research purposes will be allowed under a s.41 Direction made by the Privacy Commissioner until such time as a Research Code of Practice is made by the Attorney General.

Suppression

Information held by Council may be suppressed such as to disallow disclosure that would otherwise be allowed in the circumstances outlined above. See Part 1 of this Plan for more details about suppression of personal information.

PART 4 – HEALTH PRIVACY PRINCIPLES

In 2002, most references to ‘health information’ were taken out of the PPIPA and separate legislation was enacted. The HRIPA was enacted to deal with this specific type of personal information. On and from September 2004, various agencies and organisations, including local councils were expected to comply with the HRIPA in their collection and management of health information.

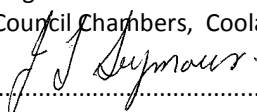
Health information includes personal information that is information or an opinion about the physical or mental health or a disability of an individual. Health information *also* includes personal information that is information or an opinion about:

- a health service provided, or to be provided, to an individual;
- an individual’s express wishes about the future provision of health services to him or her;
- other personal information collected in connection with the donation of human tissue; or
- genetic information that is or could be predictive of the health of an individual or their relatives or descendants.

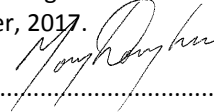
Health information is defined in section 6 of the HRIPA. Local councils will often hold health information by reason of their role in elder care, child care and various types of community health support services. It is therefore very important for councils to be familiar with the 15 Health Protection Principles (“HPP”) set down in Schedule 1 to the HRIPA. Each of these HPPs are considered below.

The following is a non-exhaustive list of examples of the types of health information and circumstances in which councils may collect health information in exercising their functions:

- Tree pruning/removal application where residents approach council for a reconsideration or reassessment of a tree pruning/removal application on medical grounds;
- Issuing of clean up orders which may include recording information about a residents health, GP professional contact details or involvement with mental health services;
- Volunteer programs where volunteers are asked to disclose health conditions which may preclude them from some types of volunteer work;
- Meals on wheels programs where residents may be asked for medical or dietary requirements, e.g. allergies for catering purposes;
- Seniors bus outings where information may be collected on special medical needs;
- Councils may provide respite and social support services collecting information that is consistent with the client intake and referral record system;
- Information on families for the purposes of children’s services. e.g. history of illness, allergies, asthma, diabetes, epilepsy etc;
- Physical exercise classes;



..... MAYOR



.....GENERAL MANAGER.

- Some councils run Podiatry services;
- Information may be collected through a healthy community program;
- Children's immunization records; and
- Family counsellor/youth support workers records.

HPPs 1-4 concern the collection of health information, HPP 5 concerns the storage of health information, HPPs 6-9 concern the access and accuracy of health information, HPP 10 concerns the use of health information, HPP 11 concerns the disclosure of health information, HPPs 12-13 concern the identifiers and anonymity of the persons to which health information relate, HPPs 14-15 concern the transferral of health information and the linkage to health records across more than one organisation.

Health Privacy Principle 1

Purposes of collection of health information

- (1) *An organisation must not collect health information unless:*
 - (a) *the information is collected for a lawful purpose that is directly related to a function or activity of the organisation, and*
 - (b) *the collection of the information is reasonably necessary for that purpose.*
- (2) *An organisation must not collect health information by any unlawful means.*

Health Privacy Principle 2

Information must be relevant, not excessive, accurate and not intrusive

An organisation that collects health information from an individual must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

- (a) *the information is collected is relevant to that purpose, is not excessive and is accurate, up to date and complete, and*
- (b) *the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.*

Health Privacy Principle 3

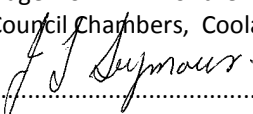
Collection to be from the individual concerned

- (1) *An organisation must collect health information about an individual only from that individual, unless it is unreasonable or impracticable to do so.*
- (2) *Health information is to be collected in accordance with any guidelines issued by the Privacy Commissioner for the purposes of this clause.*

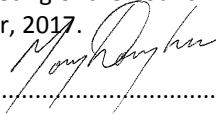
Health Privacy Principle 4

Individual to be made aware of certain matters

- (1) *An organisation that collects health information about an individual from the individual must, at or before the time it collects the information (or if that is not practicable, as soon as practicable after that time), take steps that are reasonable in the*



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

circumstances to ensure that the individual is aware of the following:

- (a) the identity of the organisation and how to contact it,
 - (b) the fact that the individual is able to request access to the information,
 - (c) the purposes for which the information is collected,
 - (d) the persons to whom (or the type of persons to whom) the organisation usually discloses information of that kind,
 - (e) any law that requires the particular information to be collected,
 - (f) the main consequences (if any) for the individual if all or part of the information is not provided.
- (2) If the organisation collects health information about an individual from someone else, it must take any steps that are reasonable in the circumstances to ensure that the individual is generally aware of the matters listed in subclause (1) except to the extent that:
- (a) making the individual aware of the matters would impose a serious threat to the life or health of any individual, or
 - (b) the collection is made in accordance with guidelines issued under subclause (3).
- (3) The Privacy Commissioner may issue guidelines setting out circumstances in which an organisation is not required to comply with subclause (2).
- (4) An organisation is not required to comply with a requirement of this clause if:
- (a) the individual to whom the information relates has expressly consented to the organisation not complying with it or,
 - (b) the organisation is lawfully authorised or required not to comply with it, or
 - (c) non-compliance is otherwise permitted (or necessarily implied or reasonably contemplated) under any Act or any other law including the State Records Act 1998, or
 - (d) compliance by the organisation would, in the circumstances, prejudice the interests of the individual to whom the information relates, or
 - (e) the information concerned is collected for law enforcement purposes or,
 - (f) the organisation is an investigative agency and compliance might detrimentally affect (or prevent the proper exercise of) its complaint handling functions or any of its investigative functions.
- (5) If the organisation reasonably believes that the individual is incapable of understanding the general nature of the matters listed in subclause (1), the organisation must take steps that are reasonable in the circumstances, to ensure that any authorised representative of the individual is aware of those matters.
- (6) Subclause (4) (e) does not remove any protection provided by any other law in relation to the rights of accused persons or persons suspected of having committed an offence.
- (7) The exemption provided by subclause (4) (f) extends to any public sector agency, or public sector official, who is investigating or otherwise handling a complaint or other matter that could be referred or made to an investigative agency, or that has been referred from or made by an investigative agency.

Council Policy

Council will only collect health information for a lawful purpose that is directly related to Council's activities and is necessary for that purpose (HPP 1)

Council will ensure that the health information is relevant, accurate, up to date and not excessive and that the collection is not unnecessarily intrusive into the personal affairs of the individual (HPP 2).

Council will only collect health information directly from the individual that the information concerns, unless it is unreasonable or impractical for Council to do so. (HPP 3).

Council will tell the person why the health information is being collected, what will be done with it, who else might see it and what the consequences are if the person decides not to provide it. Council will also tell the person how he or she can see and correct the health information.

If Council collects health information about a person from someone else, Council will take reasonable steps to ensure that the subject of the information is aware of the above points (HPP 5).

Health Privacy Principle 5

Retention and Security

(1) *An organisation that holds health information must ensure that:*

- (a) *the information is kept for no longer than is necessary for the purposes for which the information may lawfully be used, and*
- (b) *the information is disposed of securely and in accordance with any requirements for the retention and disposal of health information, and*
- (c) *the information is protected, by taking such security safeguards as are reasonable in the circumstances against loss, unauthorised access, use, modification or disclosure, and against all other misuse, and*
- (d) *if it is necessary for the information to be given to a person in connection with the provision of a service to the organisation, everything reasonably within the power of an organisation is done to prevent the unauthorised use or disclosure of the information.*

Note. Division 2 (Retention of health information) of Part 4 contains provisions applicable to private sector persons in connection with the matters dealt with in this clause.

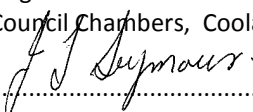
(2) *An organisation is not required to comply with a requirement of this clause if:*

- (a) *the organisation is lawfully authorised or required not to comply with it, or*
- (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).*

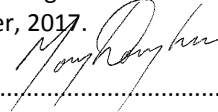
(3) *An investigative agency is not required to comply with subclause (1)(a).*

Council Policy

Council will store health information securely and protect health information from unauthorised access, use or disclosure. Health information will not be kept for any longer than is necessary and will be disposed of appropriately (HPP 5).



..... MAYOR



.....GENERAL MANAGER.

Health Privacy Principle 6

Information about health information held by organisations

- (1) *An organisation that holds health information must take such steps as are, in the circumstances, reasonable, to enable any individual to ascertain:*
 - (a) *whether the organisation holds health information, and*
 - (b) *whether the organisation holds health information relating to that individual, and*
 - (c) *if the organisation holds health information relating to that individual:*
 - (i) *the nature of that information*
 - (ii) *the main purposes for which the information is used, and*
 - (iii) *that person's entitlement to request access to the information.*
- (2) *An organisation is not required to comply with a provision of this clause if:*
 - (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
 - (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under any Act or any other law (including the State Records Act 1998).*

Health Privacy Principle 7

Access to health information

- (1) *An organisation that holds health information must, at the request of the individual to whom the information relates and without excessive delay or expense, provide the individual with access to the information.*

Note. Division 3 (Access to health information) of Part 4 contains provisions applicable to private sector persons in connection with the matters dealt with in this clause. Access to health information held by public sector agencies may also be available under the Government Information (Public Access) Act 2009 or the State Records Act 1998.
- (2) *An organisation is not required to comply with a provision of this clause if:*
 - (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
 - (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).*

Health Privacy Principle 8

Amendment of health information

- (1) *An organisation that holds health information must, at the request of the individual to whom the information relates, make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the health information:*
 - (a) *is accurate, and*
 - (b) *having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to day, complete and not misleading.*
- (2) *If an organisation is not prepared to amend health information under subclause (1) in accordance with a request by the individual to whom the information relates, the organisation must, if so requested by the individual concerned, take such steps as are reasonable to attach to the information, in such a manner as is capable of being read with the information, any statement provided by that individual of the amendment*

sought.

- (3) *If health information is amended in accordance with this clause, the individual to whom the information relates is entitled, if it is reasonably practicable, to have recipients of that information notified of the amendments made by the organisation.*

Note. Division 4 (Amendment of health information) of Part 4 contains provisions applicable to private sector persons in connection with the matters dealt with in this clause.

Amendment of health information held by public sector agencies may also be able to be sought under the *Privacy and Personal Information Protection Act 1998*.

- (4) *An organisation is not required to comply with a provision of this clause if:*
- (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
 - (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the *State Records Act 1998*).*

Health Privacy Principle 9

Accuracy

An organisation that holds health information must not use the information without taking such steps as are reasonable in the circumstances to ensure that, having regard to the purpose for which the information is proposed to be used, the information is relevant, accurate and up to date, complete and not misleading.

Council Policy

Council will provide details about what health information Council is holding about an individual and with information about why Council is storing that information and what rights of access the individual has (HPP 6).

Council will allow the individual to access his or her health information without reasonable delay or expense (HPP 7).

Council will allow the individual to update, correct or amend his or her health information where necessary (HPP 8).

Council will make sure that the health information is relevant and accurate before using it (HPP 9).

Health Privacy Principle 10

- (1) *An organisation that holds health information must not use the information for a purpose (a **secondary purpose**) other than the purpose (the **primary purpose**) for which it was collected unless:*

(a) **Consent**

the individual to whom the information relates has consented to the use of the information for that secondary purpose, or

(b) **Direct relation**

the secondary purpose is directly related to the primary purpose and the individual would reasonably expect the organisation to use the information for the

secondary purpose or,

Note: For example, if information is collected in order to provide a health service to the individual, the use of the information to provide a further health service to the individual is a secondary purpose directly related to the primary purpose.

(c) **Serious threat to health or welfare**

the use of the information for the secondary purpose is reasonably believed by the organisation to be necessary to lessen or prevent:

- (i) *a serious and imminent threat to the life, health or safety of the individual or another person, or*
- (ii) *a serious threat to public health and safety, or*

(d) **Management of health services**

the use of the information for the secondary purpose is reasonably necessary for the funding, management, planning or evaluation of health services and:

- (i) *either:*
 - (A) *that purpose cannot be served by the use of information that does not identify the individual or from which the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the use, or*
 - (B) *reasonable steps are taken to de-identify the information, and*
- (ii) *if the information is in a form that could reasonably be expected to identify individuals, the information is not published in a generally available publication, and*
- (iii) *the use of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or*

(e) **Training**

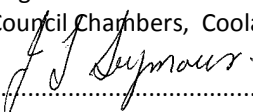
the use of the information for the secondary purpose is reasonably necessary for the training of employees of the organisation or persons working with the organisation and:

- (i) *either:*
 - (A) *that purpose cannot be served by the use of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the use, or*
 - (B) *reasonable steps are taken to de-identify the information, and*
- (ii) *if the information could reasonably be expected to identify individuals, the information is not published in a generally available publication, and*
- (iii) *the use of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or*

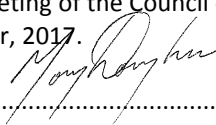
(f) **Research**

the use of the information for the secondary purpose is reasonably necessary for research, or the compilation or analysis of statistics, in the public interest and:

- (i) *either:*
 - (A) *that purpose cannot be served by the use of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the use, or*
 - (B) *reasonable steps are taken to de-identify the information, and*
- (ii) *if the information could reasonably be expected to identify individuals, the information is not published in a generally available publication, and*
- (iii) *the use of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purpose of this paragraph, or*

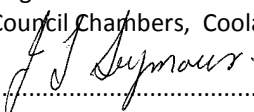


..... MAYOR

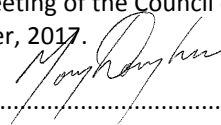


.....GENERAL MANAGER.

- (g) **Find missing person**
the use of the information for the secondary purpose is by a law enforcement agency (or such other person or organisation as may be prescribed by the regulations) for the purposes of ascertaining the whereabouts of an individual who has been reported to a police officer as a missing person, or
- (h) **Suspected unlawful activity, unsatisfactory professional conduct or breach of discipline**
the organisation:
(i) has reasonable grounds to suspect that:
(A) unlawful activity has been or may be engaged in, or
(B) a person has or may have engaged in conduct that may be unsatisfactory professional conduct or professional misconduct under a the Health Practitioner Regulation National Law (NSW), or
(C) an employee of the organisation has or may have engaged in conduct that may be grounds for disciplinary action, and
(ii) uses the health information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, or
- (i) **Law enforcement**
the use of the information for the secondary purpose is reasonably necessary for the exercise of law enforcement functions by law enforcement agencies in circumstances where there are reasonable grounds to believe that an offence may have been, or may be, committed, or
- (j) **Investigative agencies**
the use of the information for the secondary purpose is reasonably necessary for the exercise of complaint handling functions or investigative functions by investigative agencies, or
- (k) **Prescribed circumstances**
the use of the information for the secondary purpose is in the circumstances prescribed by the regulations for the purposes of this paragraph.
- (2) An organisation is not required to comply with a provision of this clause if:
- (a) the organisation is lawfully authorised or required not to comply with the provision concerned, or
- (b) non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).
- (3) The Ombudsman's Office, Health Care Complaints Commission, Anti-Discrimination Board and Community Services Commission are not required to comply with a provision of this clause in relation to their complaint handling functions and their investigative, review and reporting functions.
- (4) Nothing in this clause prevents or restricts the disclosure of health information by a public sector agency:
(a) to another public sector agency under the administration of the same Minister if the disclosure is for the purposes of informing that Minister about any matter within that administration, or
(b) to any public sector agency under the administration of the Premier, if the disclosure is for the purposes of informing the Premier about any matter.
- (5) The exemption provided by subclause (1) (j) extends to any public sector agency, or public sector official, who is investigating or otherwise handling a complaint or other



..... MAYOR



.....GENERAL MANAGER.

matter that could be referred or made to an investigative agency, or that has been referred from or made by an investigative agency.

Council policy

Council will only use the health information for the purpose for which it was collected or for a directly related purpose that the individual to whom the information relates would expect. Otherwise, Council will obtain the individual's consent (HPP 10).

Health Privacy Principle 11

(1) *An organisation that holds health information must not disclose the information for a purpose (a **secondary purpose**) other than the purpose (the **primary purpose**) for which it was collected unless:*

(a) **Consent**

the individual to whom the information relates has consented to the disclosure of the information for that secondary purpose, or

(b) **Direct relation**

the secondary purpose is directly related to the primary purpose and the individual would reasonably expect the organisation to disclose the information for the secondary purpose, or

Note: For example, if information is collected in order to provide a health service to the individual, the disclosure of the information to provide a further health service to the individual is a secondary purpose directly related to the primary purpose.

(c) **Serious threat to health or welfare**

the disclosure of the information for the secondary purpose is reasonably believed by the organisation to be necessary to lessen or prevent:

- (i) *a serious and imminent threat to the life, health or safety of the individual or another person, or*
- (ii) *a serious threat to public health or public safety, or*

(d) **Management of health services**

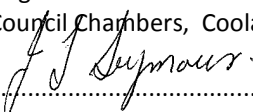
the disclosure of the information for the secondary purpose is reasonably necessary for the funding, management, planning or evaluation of health services and:

- (i) *either:*
 - (A) *that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the disclosure, or*
 - (B) *reasonable steps are taken to de-identify the information, and*
- (ii) *if the information could reasonably be expected to identify individuals, the information is not published in a generally available publication, and*
- (iii) *the disclosure of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or*

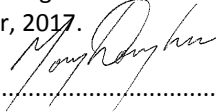
(e) **Training**

the disclosure of the information for the secondary purpose is reasonably necessary for the training of employees of the organisation or persons working with the organisation and:

- (i) *either:*

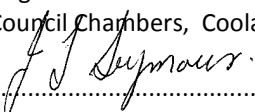


..... MAYOR

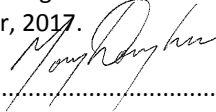


.....GENERAL MANAGER.

- (A) that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the disclosure, or
 - (B) reasonable steps are taken to de-identify the information, and
 - (ii) if the information could reasonably be expected to identify the individual, the information is not made publicly available, and
 - (iii) the disclosure of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or
- (f) **Research**
the disclosure of the information for the secondary purpose is reasonably necessary for research, or the compilation or analysis of statistics, in the public interest and:
- (i) either:
 - (A) that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the disclosure, or
 - (B) reasonable steps are taken to de-identify the information, and
 - (ii) the disclosure will not be published in a form that identifies particular individuals or from which an individual's identity can reasonably be ascertained, and
 - (iii) the disclosure of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or
- (g) **Compassionate reasons**
the disclosure of the information for the secondary purpose is to provide the information to an immediate family member of the individual for compassionate reasons and:
- (i) the disclosure is limited to the extent reasonable for those compassionate reasons, and
 - (ii) the individual is incapable of giving consent to the disclosure of the information, and
 - (iii) the disclosure is not contrary to any wish expressed by the individual (and not withdrawn) of which the organisation was aware or could make itself aware by taking reasonable steps, and
 - (iv) if the immediate family member is under the age of 18 years, the organisation reasonably believes that the family member has sufficient maturity in the circumstances to receive the information, or
- (h) **Finding missing person**
the disclosure of the information for the secondary purpose is to a law enforcement agency (or such other person or organisation as may be prescribed by the regulations) for the purposes of ascertaining the whereabouts of an individual who has been reported to a police officer as a missing person, or
- (i) **Suspected unlawful activity, unsatisfactory professional conduct or breach of discipline**
the organisation:
- (i) has reasonable grounds to suspect that:
 - (A) unlawful activity has been or may be engaged in, or
 - (B) a person has or may have engaged in conduct that may be unsatisfactory professional conduct or professional misconduct under a the Health Practitioner Regulation National Law (NSW), or
 - (C) an employee of the organisation has or may have engaged in conduct that may be grounds for disciplinary action, and
 - (ii) discloses the health information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, or



..... MAYOR



.....GENERAL MANAGER.

- (j) **Law enforcement**
the disclosure of the information for the secondary purpose is reasonably necessary for the exercise of law enforcement functions by law enforcement agencies in circumstances where there are reasonable grounds to believe that an offence may have been, or may be, committed, or
- (k) **Investigative agencies**
the disclosure of the information for the secondary purpose is reasonably necessary for the exercise of complaint handling functions or investigative functions by investigative agencies, or
- (l) **Prescribed circumstances**
the disclosure of the information for the secondary purpose is in the circumstances prescribed by the regulations for the purposes of this paragraph.
- (2) *An organisation is not required to comply with a provision of this clause if:*
- (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
- (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998), or*
- (c) *the organisation is an investigative agency disclosing information to another investigative agency.*
- (3) *The Ombudsman's Office, Health Care Complaints Commission, Anti-Discrimination Board and Community Services Commission are not required to comply with a provision of this clause in relation to their complaint handling functions and their investigative, review and reporting functions.*
- (4) *Nothing in this clause prevents or restricts the disclosure of health information by a public sector agency:*
- (a) *to another public sector agency under the administration of the same Minister if the disclosure is for the purposes of informing that Minister about any matter within that administration, or*
- (b) *to any public sector agency under the administration of the Premier, if the disclosure is for the purposes of informing the Premier about any matter.*
- (5) *If health information is disclosed in accordance with subclause (1), the person, body or organisation to whom it was disclosed must not use or disclose the information for a purpose other than the purpose for which the information was given to it.*
- (6) *The exemptions provided by subclauses (1) (k) and (2) extend to any public sector agency, or public sector official, who is investigating or otherwise handling a complaint or other matter that could be referred or made to an investigative agency, or that has been referred from or made by an investigative agency.*

Council Policy

Council will only disclose health information under the following circumstances:

- With the consent of the individual to whom the information relates; or
- For the purpose for which the health information was collected or a directly related purpose that the individual to whom it relates would expect; or
- If an exemption applies (HPP 11).

Health Privacy Principle 12

Identifiers

- (1) *An organisation may only assign identifiers to individuals if the assignment of identifiers is reasonably necessary to enable the organisation to carry out any of its functions efficiently.*
- (2) *Subject to subclause (4), a private sector person may only adopt as its own identifier of an individual an identifier of an individual that has been assigned by a public sector agency (or by an agent of, or contractor to, a public sector agency acting in its capacity as agent or contractor) if:*
 - (a) *the individual has consented to the adoption of the same identifier, or*
 - (b) *the use or disclosure of the identifier is required or authorised by or under law.*
- (3) *Subject to subclause (4), a private sector person may only use or disclose an identifier assigned to an individual by a public sector agency (or by an agent of, or contractor to, a public sector agency acting in its capacity as agent or contractor) if:*
 - (a) *the use or disclosure is required for the purpose for which it was assigned or for a secondary purpose referred to in one or more paragraphs of HPP 10 (1) (c)-(k) or 11 (1) (c)-(l), or*
 - (b) *the individual has consented to the use or disclosure, or*
 - (c) *the disclosure is to the public sector agency that assigned the identifier to enable the public sector agency to identify the individual for its own purposes.*
- (4) *If the use or disclosure of an identifier assigned to an individual by a public sector agency is necessary for a private sector person to fulfil its obligations to, or the requirements of, the public sector agency, a private sector person may either:*
 - (a) *adopt as its own identifier of an individual an identifier of the individual that has been assigned by the public sector agency, or*
 - (b) *use or disclose an identifier of the individual that has been assigned by the public sector agency.*

Council Policy

Council will only give an identification number to health information if it is reasonably necessary for Council to carry out its functions effectively (HPP 12).

Health Privacy Principle 13

Anonymity

Wherever it is lawful and practicable, individuals must be given the opportunity to not identify themselves when entering into transactions with or receiving health services from an organisation.

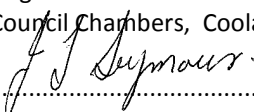
Council Policy

Council will provide health services anonymously where it is lawful and practical (HPP 13).

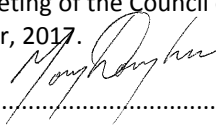
Health Privacy Principle 14

Transborder data flows and data flow to Commonwealth agencies.

An organisation must not transfer health information about an individual to any person or body who is in a jurisdiction outside New South Wales or to a Commonwealth agency unless:



..... MAYOR



.....GENERAL MANAGER.

- (a) *the organisation reasonably believes that the recipient of the information is subject to a law, binding scheme or contract that effectively upholds principles for fair handling of the information that are substantially similar to the Health Privacy Principles, or*
- (b) *the individual consents to the transfer, or*
- (c) *the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request, or*
- (d) *the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party, or*
- (e) *all of the following apply:*
 - (i) *the transfer is for the benefit of the individual,*
 - (ii) *it is impracticable to obtain the consent of the individual to that transfer,*
 - (iii) *if it were practicable to obtain such consent, the individual would be likely to give it, or*
- (f) *the transfer is reasonably believed by the organisation to be necessary to lessen or prevent:*
 - (i) *a serious and imminent threat to the life, health or safety of the individual or another person, or*
 - (ii) *a serious threat to public health or public safety, or*
- (g) *the organisation has taken reasonable steps to ensure that the information that it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the Health Privacy Principles, or*
- (h) *the transfer is permitted or required by an Act (including an Act of the Commonwealth) or any other law.*

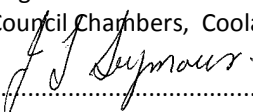
Council Policy

Council will only transfer personal information out of New South Wales if the requirements of Health Privacy Principle 14 are met.

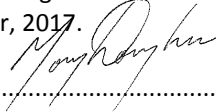
Health Privacy Principle 15

Linkage of health records

- (1) *An organisation must not:*
 - (a) *include health information about an individual in a health records linkage system unless the individual has expressly consented to the information being so included, or*
 - (b) *disclose an identifier of an individual to any person if the purpose of the disclosure is to include health information about the individual in a health records linkage system, unless the individual has expressly consented to the identifier being disclosed for that purpose.*
- (2) *An organisation is not required to comply with a provision of this clause if:*
 - (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
 - (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998), or*
 - (c) *the inclusion of the health information about the individual in the health records information system (including an inclusion for which an identifier of the individual*



..... MAYOR



.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

is to be disclosed) is a use of the information that complies with HPP 10 (1) (f) or a disclosure of the information that complies with HPP 11 (1) (f).

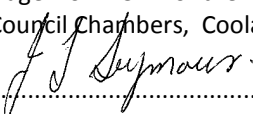
(3) *In this clause:*

health record means an ongoing record of health care for an individual.

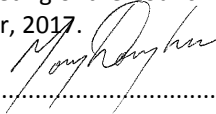
health records linkage system means a computerised system that is designed to link health records for an individual held by different organisations for the purpose of facilitating access to health records, and includes a system or class of systems prescribed by the regulations as being a health records linkage system, but does not include a system or class of systems prescribed by the regulations as not being a health records linkage system.

Council Policy

Council will only include health information in a system to link health records across more than one organisation if the individual to whom the health information relates expressly consents to the link (HPP 15).


.....

MAYOR


.....

GENERAL MANAGER.

PART 5 – IMPLEMENTATION OF THE PRIVACY MANAGEMENT PLAN

5.1 Training Seminars/Induction

During induction, all employees should be made aware that the performance management system has the potential to include personal information on their individual work performance or competency.

Councillors, all staff of the Council including staff of council businesses, and members of council committees should be acquainted with the general provisions of the PPIPA, the HRIPA and in particular, the 12 Information Protection Principles (IPPs), the 15 Health Privacy Principles (HPPs), the Public Register provisions, the Privacy Code of Practice for Local Government, this Plan and any other applicable Code of Practice.

5.2 Responsibilities of the Privacy Contact Officer

It is assumed that the Public Officer within Council will be assigned the role of the Privacy Contact Officer unless the General Manager has directed otherwise.

In order to ensure compliance with PPIPA and the HRIPA, the Privacy Contact Officer will review all contracts and agreements with consultants and other contractors, rates notices, application forms of whatsoever nature, and other written requests by which personal information is collected by Council, to ensure that Council is in compliance with the PPIPA.

Interim measures to ensure compliance with IPP 3 in particular may include the creation of stamps or printed slips that contain the appropriate wording (see Appendices 2 and 3).

The Privacy Contact Officer will ensure Council in its public areas has special provisions for working with computer screens. Computer screens may require:

- fast screen savers;
- face the computers away from the public; or
- only allow the record system to show one record at a time.

Council's electronic databases should also be reviewed to ensure that they contain procedures and protocols to check the accuracy and currency of personal and health information.

The Privacy Contact Officer will also provide opinions within Council as to:

- (i) Whether the personal or health information is collected for a lawful purpose;
- (ii) If that lawful purpose is directly related to a function of Council; and
- (iii) Whether or not the collection of that personal or health information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature will be referred to Council's solicitor.

Should the Council require, the Privacy Contact Officer may assign designated officers as "Privacy Resource Officers", within the larger departments of Council. In this manner the Council may ensure that the information protection principles are more broadly understood and that individual departments have a greater focus on the information protection principles and are directly applied to Council's day to day functions.

5.3 Distribution of information to the public

Council may prepare its own literature such as pamphlets on the PPIPA, HRIPA or it may obtain and distribute copies of literature available from the Office of the Privacy Commissioner NSW.

PART 6 – INTERNAL REVIEW

6.1 How does the process of Internal Review operate?

Under section 53 of the PPIPA a person (the applicant) who is aggrieved by the conduct of a council is entitled to a review of that conduct. An application for internal review is to be made within **6 months** of when the person first became aware of the conduct.

The application is to be in writing and addressed to Council's Privacy Contact Officer. The Privacy Contact Officer will appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer must not be substantially involved in any matter relating to the application. The Reviewing Officer must be an employee and suitability qualified.

The review must be completed as soon as is reasonably practicable in the circumstances. If the review is not completed within **60 days** of the lodgement, the applicant is entitled to seek external review.

The Council must notify the Privacy Commissioner of an application as soon as practicable after its receipt, keep the Commissioner informed of the progress of the application and inform the Commissioner of the findings of the review and of the action it proposes to take in relation to the application.

The Privacy Commissioner is entitled to make submissions in relation to internal reviews and the council is required to consider any relevant material submitted by the Privacy Commissioner. The Council must provide the Privacy Commissioner with a draft of the council's internal review report to enable the Privacy Commissioner to make a submission.

Council may provide a copy of any submission by Privacy Commissioner's to the applicant.

The Council must notify the applicant of the outcome of the review within **14 days** of its determination. A copy of the final review should also be provided to the Privacy Commissioner where it departs from the draft review.

An internal review checklist has been prepared by the Office of the Privacy Commissioner NSW and can be accessed from its website <http://www.ipc.nsw.gov.au>.

The Privacy Commissioner must be notified of a complaint, briefed on progress and notified of the outcome of an internal review under the PPIPA or HRIPA.

6.2 What happens after an Internal Review?

If the complainant remains unsatisfied, he/she may appeal to the Administrative Decisions Tribunal which hears the matter afresh and may impose its own decision and can make a range of orders including an award of damages for a breach of an information protection principle or a health privacy principle.

PART 7 – OTHER RELEVANT MATTERS

7.1 Contracts with consultants and other private contractors

It is necessary to have specific provisions to protect the Council in any dealings with private contractors.

7.2 Confidentiality

The obligation of confidentiality is additional to and separate from that of privacy. Nevertheless, a duty to withhold information lies at the heart of both concepts. Confidentiality attaches to information per se, personal or health information to the person to whom that information relates.

An obligation of confidentiality exists for all employees whether express or implied as a matter of law.

Information which may be confidential is also likely to have a separate and independent obligation attaching to it in the form of privacy and in that regard, a release for the purposes of confidentiality will not suffice for privacy purposes. Two separate releases will be required and, in the case of privacy, the person to whom the information relates will be required to provide the release.

7.3 Misuse of personal or health information

Section 664 of the LGA makes it an offence for anyone to disclose information except in accordance with that section. Whether or not a particular disclosure is made with lawful excuse is a matter that requires legal opinion from case to case.

7.4 Regular review of the collection, storage and use of personal or health information

The information practices relating to the collection, storage and use of personal or health information will be reviewed by the Council every three (3) years. Any new program initiatives will be incorporated into the review process with a view to ascertaining whether or not those programs comply with the PPIPA.

7.5 Regular review of Privacy Management Plan

When information practices are reviewed from time to time, the Privacy Management Plan will also be reviewed to ensure that the Plan is up to date.

7.6 Further information

For assistance in understanding the processes under the PPIPA and HRIPA, please contact the Council or the Office of the Privacy Commissioner NSW.

PART 8 – APPENDICES

**Appendix 1: Statutory Declaration for access under Section 57 of
the Privacy and Personal Information Protection Act 1998 to a
Public Register held by Council**

Statutory Declaration
Oaths Act, 1900, Ninth Schedule

I, the undersigned ⁽¹⁾ (1) insert full name
of ⁽²⁾ (2) insert address
in the State of New South Wales, do solemnly and sincerely declare that:
I am ⁽³⁾ (3) insert relationship, if
any, to person inquired
about
I seek to know whether ⁽⁴⁾ (4) insert name
is on the public register of ⁽⁵⁾ (5) Applicant to describe
the relevant public
public register
The purpose for which I seek this information is ⁽⁶⁾ (6) insert purpose for
seeking information
.....
The purpose for which the information is required is to ⁽⁷⁾ (7) insert purpose
.....

And I make this solemn declaration conscientiously believing the same to be true and
by virtue of the Oaths Act 1994.

.....
Signature of Applicant

Declared at:
in the said State this day of 20

before me.
Signature of Justice of the Peace/Solicitor

.....
Name of Justice of the Peace/Solicitor to be printed

**Appendix 3: Privacy Notification Form - Section 10 (Post –
Collection)**

(Addressed to the person from whom information has been collected.)

The personal information that Council has collected from you is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA).

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and
- _____ (INSERT NAME OF OTHER INTENDED RECIPIENTS)

The supply of information by you is: Voluntary Not voluntary

If you cannot provide, or do not wish to provide, the information sought, the Council may: _____

Council has collected this personal information from you in order to:

You may make application for access or amendment to information held by Council.

You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the PPIPA.

Council is to be regarded as the agency that holds the information. However, if it *is not* Council who holds or controls the information, please state below who does:

(INSERT NAME OF AGENCY WHO HOLDS OR CONTROLS THE INFORMATION)

Enquiries concerning this matter can be addressed to:

Signature _____

Name to be printed _____

Date signed / /

.....
J. J. Seymour
.....

MAYOR

.....
Mary Douglas
.....

.....GENERAL MANAGER.

**Appendix 4: Application under Section 13 of the Privacy and
Personal Information Protection Act 1998: To determine whether
Council holds personal information about a person.**

Personal information held by the Council

I, ⁽¹⁾ _____ (1) insert full name
of ⁽²⁾ _____ (2) insert address
Hereby request the General Manager of ⁽³⁾ _____ (3) insert name of Council

provide the following:

• Does the Council hold personal information about me? Yes No

• If so, what is the nature of that information? _____

• What is the main purpose for holding the information? _____

• Am I entitled to access the information? Yes No

My address for response to this application is:

_____ State: _____ Post Code: _____

Note to applicants

Council **will not** record your address or any other contact details that you provide for any other purpose other than to respond to your application.

As an applicant, you have a right of access to personal information concerning yourself that is held by the Council under section 14 of the Privacy and Personal Information Protection Act 1998 (PPIPA). There is a separate application form to gain access.

The Council may refuse to process this application in part or in whole if:

- there is an exemption to section 13 of the PPIPA; or
- a Code of Practice may restrict the operation of section 14.

Enquiries concerning this matter can be addressed to:

**Appendix 5: Application under section 14 of the Privacy And
 Personal Information Protection Act 1998: For access to Applicant's
 Personal Information**

Personal information held by the Council

I, ⁽¹⁾ _____ (1) insert full name
 of ⁽²⁾ _____ (2) insert address
 Hereby request that the ⁽³⁾ _____ (3) insert name of Council

Provide me with:

- (a) access to all personal information held concerning myself; or
- (b) access to the following personal information only (LIST INFORMATION REQUIRED BELOW):

My address for response to this application is:

_____ State: _____ Post Code: _____

Note to applicants

As an applicant, you have a right of access to personal information concerning yourself that is held by the Council under section 14 of the Privacy and Personal Information Protection Act 1998 (PPIPA).

You are entitled to have access without excessive delay or cost.

Council may refuse to process your application in part, or in whole, if:

- the correct amount of fees has not been paid;
- there is an exemption to section 14 of the PPIPA; or
- a Code of Practice may restrict disclosure.

Enquiries concerning this matter can be addressed to:

..... *J. J. Seymour* MAYOR *Mary Douglas* GENERAL MANAGER.

**Appendix 6: Application under section 15 of the Privacy and
Personal Information Protection Act 1998: For alteration of
Applicant's Personal Information**

Personal information held by the Council

I, ⁽¹⁾ _____ (1) insert full name
of ⁽²⁾ _____ (2) insert address
Hereby request that the ⁽³⁾ _____ (3) insert name of Council

alter personal information regarding myself in the following manner:

- I propose the following changes: _____
- The reasons for the changes are as follows: _____
- The documentary bases for those changes is as shown on the attached documents

Note to Applicants :

You have a right to request appropriate amendments are made (whether by way of corrections, deletions or additions) to ensure that the personal information held by the Council:

- (a) is accurate, and
- (b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up-to-date, complete and not misleading.

If Council is not prepared to amend the personal information in accordance with a request by you, Council must take such steps as are reasonable to attach to the information in such a manner as is capable of being read with the information, any statement provided by you.

If your personal information is amended, you are entitled under the Privacy and Personal Information Protection Act 1998 (PPIPA), if it is reasonably practicable, to the have recipients of that information notified of the amendments made by Council.

Council may refuse to process your application in part, or in whole, if:

- there is an exemption to section 15 of the PPIPA; or
- a Code of Practice may restrict alteration.

Enquiries concerning this matter can be addressed to: _____

Coolamon Shire Council

FRAUD CONTROL POLICY & PLAN



FRAUD POLICY STATEMENT

The NSW Audit Office in February 2015 adopted a Fraud Control Improvement Kit to assist organisations such as councils to manage their fraud control obligations.

This kit supports the efforts of Coolamon Shire Council in exercising its commitment to minimise the incidence of fraud through the development, implementation and regular review of a range of fraud prevention and detection strategies. The desired outcome of this commitment is the elimination of fraud.

Fraud prevention is about working and managing better to ensure honesty, professionalism and fairness in all our dealings. Fraud control is the responsibility of all staff; staff play an essential part in managing our potential exposure to fraudulent activity by ensuring that they behave in an ethical way consistent with the Code of Conduct, and reporting any incidents of suspected fraud.

Council has followed the Audit Office's fraud control framework from its Fraud Control Improvement Kit in developing its approach to ensure that its commitment to managing fraud risks is embedded in the organisation's culture and is integrated within the core business of the organisation.

The fraud control framework has ten key attributes, being:

- Leadership
- Ethical framework
- Responsibility structures
- Fraud control policy
- Prevention systems
- Fraud awareness
- Third party management systems
- Notification systems
- Detection systems
- Investigation systems

Any person who reports a suspected incident of fraud can be assured that any information that they provide will be treated confidentially and followed up diligently.

Council considers the act of committing a fraud within Coolamon Shire Council a very serious matter. Any such acts will be dealt with to the maximum extent possible within existing legislative arrangements. This includes reporting cases of fraud to the NSW Police and ICAC for investigation and prosecution under State legislation as appropriate.

Tony Donoghue
General Manager

September 2017

Version 1 Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

COOLAMON SHIRE COUNCIL – FRAUD CONTROL PLAN

BACKGROUND

Council is committed to a work environment that is resistant to fraud and is dedicated to implementing effective measures to minimise fraud risks. The Council does not tolerate fraudulent behaviour and will take appropriate action against employees and contractors who have participated in such behaviour and those who allowed it to occur.

This Plan conveys Council's approach to the deterrence and detection of fraudulent behaviour and documents strategies to assist managers to meet their fraud control responsibilities.

The fraud control framework used in this Plan is based on Standards Australia AS8001-2008 Fraud and Corruption Control and incorporates the ten attributes of fraud control contained in the NSW Auditor Office's Fraud Control Improvement Kit (February 2015).

OBJECTIVES

The main objectives of this Plan are:

1. to demonstrate the commitment of the Councillors, General Manager, Executive Managers and line managers to combat fraud.
2. to establish the responsibilities for managers and staff in relation to fraud control.
3. to ensure existing policies and procedures aimed at encouraging ethical behaviour and combating fraud are integrated in an holistic framework.

DEFINITIONS

Fraud

Council has adopted the Australian Standard AS8001-2008 definition of fraud which is

"Dishonest activity causing actual or potential loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity."

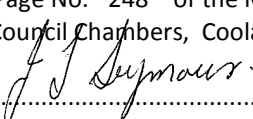
This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

Employee

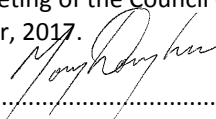
Where used in this Plan, the term employee refers to:

- Councillors;
- Council staff;
- Individuals who are engaged as contractors working for the Council; and
- Other people who perform public official functions for the council such as volunteers.

COOLAMON SHIRE COUNCIL – FRAUD CONTROL PLAN



..... MAYOR



.....GENERAL MANAGER.

FRAMEWORK FOR FRAUD CONTROL PLAN

The fraud control framework has ten key attributes which sit within the themes of prevention, detection and response.

Details of these attributes and Council's strategy for implementing this framework to counter the identified fraud risks at Coolamon Shire Council are set out below.

1. Leadership

A successful fraud control framework is led by a committed and accountable leadership team to provide the organisation with a model to follow.

The General Manager and Executive Managers at Coolamon Shire Council are both demonstratively committed to the organisation's fraud control activities and are directly accountable and responsible for fraud control.

2. Ethical framework

An organisation's fraud control framework is part of a much bigger ethical framework that guides the values of the organisation and provides standards of behaviour and decision-making.

Council's Code of Conduct guides employees in what is accepted practice and behaviour and sets our ethical standards at a level above the law.

Council's values also reinforce ethical behaviour and are set out in Council's Statement of Business Ethics.

Employees will always:

- Act with fairness;
- Act with honesty and integrity;
- Act openly.

Council recognises that fraud prevention requires the maintenance of an ethical climate which encourages all staff to be active in protecting Council's funds and assets, and in reporting any breaches of accepted standards.

Managers must be mindful of their responsibility to foster and develop in their areas the highest standards of ethical behaviour and commitment to a highly ethical workforce culture.

3. Responsibility structures

Council has introduced a structure that ensures that there is clear accountability and responsibility for the implementation and monitoring of the Fraud Control Plan, as well as all supporting policies, procedures and initiatives. It is also important that all staff know this accountability and that there is a common understanding that everyone in the Council has a key role to play in effective fraud control management.

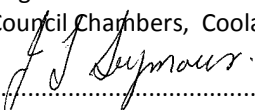
The **General Manager** is responsible for the corporate governance of Council and has overall responsibility for fraud control. The General Manager is the Fraud Control Officer.

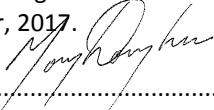
COOLAMON SHIRE COUNCIL – FRAUD CONTROL PLAN

BLACKADDER ASSOCIATES PTY LTD COMMERCIAL IN CONFIDENCE © 2017

4 | Page

This is Page No. 249 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.


..... MAYOR


.....GENERAL MANAGER.

The **Audit, Risk and Improvement Committee** is responsible for the ongoing monitoring and review of the fraud control framework, including the actions agreed to in this Fraud Control Plan.

Management must exhibit to staff and clients a genuine and strong commitment to fraud control, and to good practices. They are responsible for identifying and managing individual fraud risks across the organisation, and for implementing the treatments identified in this Fraud Control Plan.

Management must also adopt a firm approach to dealing with fraudulent activity and penalising unacceptable behaviours, to retain the commitment of honest staff and to deter those who may be tempted to commit fraud. With the risk of detection, the severity of punishment must be seen to outweigh the possible gains from fraud.

Council's **Corporate Services Section** is responsible for ensuring that the appropriate processes are in place to ensure that the risk of fraud in Council is well managed.

All Employees have the responsibility of reporting any fraudulent activity within Council that they become aware of or suspect. Reporting can be done through line management or the Fraud Control Officer. All employees are encouraged to become familiar with the Fraud Control Plan and contribute to its effective implementation, thereby assisting in minimising the incidence of fraud against Council.

Fraud risk management will form part of the business planning cycle and will contribute to business performance through minimisation of Council risks. It provides senior management and the Audit, Risk and Improvement Committee with solid evidence that fraud risk management is occurring within Council.

4. Fraud Control policy

The Council's fraud control policy is included as the introduction to this Fraud Control Plan and is supplemented by the Council's Code of Conduct, Statement of Business Ethics and Internal Reporting Policy.

Council will ensure the currency of these policies by reviewing them regularly, with the Fraud Control Plan being reviewed every two years.

5. Prevention systems

Council undertakes separate Fraud Risk Assessment which will quantify the level, nature and form of the risks to be managed and leads to the identification of actions to mitigate the risks identified. These Fraud Risk Assessments will be undertaken at least once every two years.

Fraud risks are reviewed and updated through interviews and control self assessments.

Risk ratings are in accordance with the Audit Office's risk assessment framework. The assessment of each individual risk is undertaken in accordance within this framework.

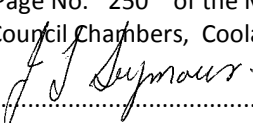
Key controls are listed against each individual risk. The list of controls is not intended to be an exhaustive list of the controls in place. The controls listed will represent those controls which together form the framework for controlling the sources of each individual risk.

COOLAMON SHIRE COUNCIL – FRAUD CONTROL PLAN

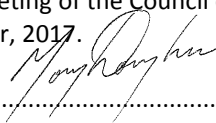
BLACKADDER ASSOCIATES PTY LTD COMMERCIAL IN CONFIDENCE © 2017

5 | Page

This is Page No. 250 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21st September, 2017.



..... MAYOR



..... GENERAL MANAGER.

Assessments regarding the effectiveness of each control in mitigating the risks are determined based on the views of key staff and our experience with similar environments. Overall risk ratings will also be determined in this way.

Council will be constantly on the lookout for ways to enhance the way that it focuses on its fraud control activities including the regular review of both this Plan and any associated Risk Assessments as well as facilitating the employment of staff who possess values similar to those of the organisation and the means to ensure the protection of its information technology.

6. Fraud awareness

Council aims to ensure that all employees understand the ethical behaviour required of them in the workplace and that adequate training programs are in place and briefings are conducted covering ethical behaviour and fraud and corruption risks. The extent of training may relate to the duties performed by individual staff. Those in senior positions of operating areas considered more susceptible to fraud and corruption may receive training that is more involved.

The types of training and briefings would include

- Code of Conduct training and briefings to be included in Council induction programs for new staff, temporary staff, contractors etc
- Public interest disclosure training
- Emails from the General Manager highlighting relevant policy changes
- Fraud prevention training

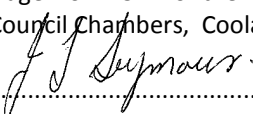
Additionally, Council will also ensure that its customers, the community and its contractors understand that Council will not tolerate fraudulent or corrupt behaviour in its dealings with them and that they are aware of the consequences of such behaviour. In this regard, the Council's Fraud Control Plan and Statement of Business Ethics are available on Council's website to reinforce this message.

7. Third party management systems

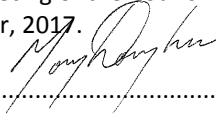
With councils relying more and more on services being provided by third parties, this adds an additional level of complexity to fraud control with the need to ensure that there are clear lines of accountability to those with responsibility for managing fraud as well as raising awareness of fraud committed by and against third parties.

Council will therefore investigate:

- Provision of specific training for those staff responsible for dealing with contractors and third parties;
- Ways of ensuring that the contractors and third parties with which the Council conducts business, have the highest levels of fraud awareness including structured checking of third party processes; and
- Ways of communicating to contractors and third parties that Council will not tolerate fraudulent activities, including use and promotion of its Statement of Business Ethics.


.....

MAYOR


.....

GENERAL MANAGER.

8. Notification systems

Employees and those outside of the Council are encouraged to report any incidents of unethical behaviour including fraud.

Council will ensure that policies and procedures are in place to encourage the reporting of suspect behaviours and those employees who do so can have their identity protected and are protected from reprisals. This protection is legislated in the Public Interest Disclosures Act 1994.

Such disclosures can also be made externally to investigating authorities, the details of which are contained in the Council's Internal Reporting Policy.

9. Detection systems

Council will ensure that there are adequate detection systems to monitor data and identify irregularities and warning signals. In addition to management's own monitoring and review, the Council has established a plan of risk based internal audits to provide assurance on the effectiveness of internal controls established by management including those to prevent and detect fraud.

As part of this process:

- Available data will be thoroughly monitored and reviewed to ensure that irregularities and warning signals are picked up at a very early stage and flagged for further detailed review;
- Audits regularly examine samples of medium and high risk financial decision making across the organisation; and
- Outcomes of audits are reported to executive management on a regular basis.

10. Investigation systems

Council will appoint internal resources for the initial investigation of reported or detected instances of fraud against it. The internal fraud investigator will provide a report recommending further actions.

Where the initial investigation discloses a complex situation beyond Council's capability to investigate the matter will be referred to the Police and/or ICAC for further investigation. In this instance Council will have little control of the investigation process (including timing and resources) once the investigation has been handed over.

The Fraud Control Officer will be the operational liaison point with the relevant authority.

8. Notification systems

Employees and those outside of the Council are encouraged to report any incidents of unethical behaviour including fraud.

Council will ensure that policies and procedures are in place to encourage the reporting of suspect behaviours and those employees who do so can have their identity protected and are protected from reprisals. This protection is legislated in the Public Interest Disclosures Act 1994.

Such disclosures can also be made externally to investigating authorities, the details of which are contained in the Council's Internal Reporting Policy.

9. Detection systems

Council will ensure that there are adequate detection systems to monitor data and identify irregularities and warning signals. In addition to management's own monitoring and review, the Council has established a plan of risk based internal audits to provide assurance on the effectiveness of internal controls established by management including those to prevent and detect fraud.

As part of this process:

- Available data will be thoroughly monitored and reviewed to ensure that irregularities and warning signals are picked up at a very early stage and flagged for further detailed review;
- Audits regularly examine samples of medium and high risk financial decision making across the organisation; and
- Outcomes of audits are reported to executive management on a regular basis.

10. Investigation systems

Council will appoint internal resources for the initial investigation of reported or detected instances of fraud against it. The internal fraud investigator will provide a report recommending further actions.

Where the initial investigation discloses a complex situation beyond Council's capability to investigate the matter will be referred to the Police and/or ICAC for further investigation. In this instance Council will have little control of the investigation process (including timing and resources) once the investigation has been handed over.

The Fraud Control Officer will be the operational liaison point with the relevant authority.

5. Option for residual fraud risk

After considering the internal controls, determine if the residual fraud risk is at an acceptable level. If the residual fraud risk is acceptable, then there is no need for further action.

However, if either:

- (a) properly designed controls are not in place to address certain fraud risks, or
- (b) controls identified are not operating effectively to sufficiently reduce the residual risk to an acceptable level then action must be taken.

6. Further treatment/action necessary to address residual fraud risk

Where further action must be taken, the response should be to change or enhance existing controls or to implement additional controls.

4.3 EXECUTIVE MANAGER, ENGINEERING & TECHNICAL SERVICES' REPORTS

ES1) SHIRE ROAD RESHEETING, STABILISATION AND MAINTENANCE

The following roads have received attention:

1) MAINTENANCE

- Maslins Lane (Wallerroobie to London Hill Road)
- McDougalls Lane (Uley Lane to Irish Jims Lane)
- Ashbridge Road (Winrows Lane to Poverty Lane)
- Poverty Lane (Devlin Road to Ardlethan Road)
- Devlin Road (Poverty Lane to bitumen)
- Ramp Road (Murrulebale Road to Coffin Rock Road)
- Redrops Lane (Devlin Road to Dullah Road)
- Coffin Rock Road (Marrar North to Ramp Road)
- Coffin Rock Road (Bitumen to Ramp Road)
- Salters Lane (McDougalls Lane to bend)
- Old Roping Pole Road (Roping Pole Road to Grave Street)
- McRaes Lane (Coffin Rock Road to end)
- Murrell Creek Road (Ardlethan Road to Pamandi Road)
- McPhails Lane (Wallerroobie Road to London Hill Road)
- Berry Jerry Lane (Marrar North Road to Rannock Road)

2) RESHEETING

- Uley Lane (Ardlethan Road to McDougalls Lane)
- Ramp Road (Murrulebale Road to Coffin Rock Road)
- Rands Tank Road (Boundary to end bitumen)
- Ramp Road (Coffin Rock Road to end)
- Murrell Creek Road (Pamandi Road to Ardlethan Road)
- Berry Jerry Lane (Marrar North Road to Seymours Lane)
- Murrell Creek Road (Ardlethan Road to Pamandi Road)
- Berry Jerry Lane (Marrar North Road to Rannock Road)

All three grader gangs have continued on gravel road maintenance with gangs operating in the regions of Ganmain, Murrulebale and Walleroobie. Grader gangs will continue with gravel road maintenance and sealed road shoulder maintenance for the coming month prior to entering into the sealed road reconstruction program in mid October.

ES2) TOWN WORKS

PARKS AND GARDENS

Parks and Gardens Staff have continued with normal winter maintenance with works including:

- Caravan Park laying of turf, fencing and road verge landscaping
- Cemetery maintenance and funeral attention
- Weed spraying
- Pruning
- Allawah attention

With warmer weather approaching, a considerable amount of time will be focused on mowing of Council's open areas.

ES3) COOLAMON CARAVAN PARK

Council Staff have been busy in applying the final touches to the Caravan Park with works including:

- Fencing
- Laying of turf
- Planting trees
- Landscaping road verge
- Installing path at frontage (Loughnan Street to Childcare)

The Caretaker has taken up residence in the cabin with a designated opening date of Monday, 18th September, 2017.

RESOLVED on the motion of Clr White and seconded by Clr McCann that the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES3) be received. 176/09/2017

ES4) GANMAIN POOL FILTRATION UPGRADE

Contractors are continuing with the refurbishment of the pool filtration system. On completion the new system will operate within the guidelines required for water turnover and quality.

As to date the following works have been completed:

- Demolition and removal of existing concrete pump house and sand filtration Tanks.
- Removal of all underground piping associated with the existing filtration system.
- Construction of new filtration pump house.
- Installation of all underground services. (filtration for big and small pool, balance tank, subsurface drainage, electrical and water)
- Under bore and installation of main pressure feed line to big pool.
- Installation of new pressure filters, valve manifolds, pumps and pump house plumbing.
- Installation of a new beach entry including water feature to existing small pool.

Outstanding works to be performed are as follows:

- Internal repairs to existing big pool balance tank.
- Big and small pool tile repairs, replacement and releveling.
- Internal concrete footpath and concourse construction.
- Site levelling, soil top dressing/turf and gardening.
- Big and small pool commissioning.

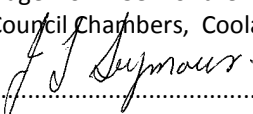
These works are scheduled for completion prior to season opening.

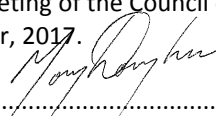
RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that the report be received. 177/09/2017

ES5) NOXIOUS WEEDS OFFICER'S REPORT (N.02-01)

Noxious Weeds Officer Reports

- **WAP Funding.** The Minister has released details of funding to the Regions. At this time, details of individual LCA allocations have not been finalised. The WAP executive are still discussing the impact of the LLS becoming part of the WAP process with their Biosecurity Managers. We are hoping to have allocation details within the Month.
- **Mapping program,** mapping of high risk pathways has been progressing allowing better capture of data for the BIS. I am having discussions to effect some changes or additions to the program that may better record and show activities.
- Further control of African Boxthorn has been carried out.
- High Risk pathways have and are constantly being inspected for new incursions.


..... MAYOR


.....GENERAL MANAGER.

- The new Biosecurity Act is now in force, we are now working through the issues involved in the new work flow and enforcement procedure.
- Robert Ferguson and Jeremy Crocker attended a 3-day Legal bridging course held in Canberra. It raised a number of questions regarding enforcement. A document is being developed to explain current and future issues. The document will be presented at the next Noxious Weeds Committee meeting
- WAP targets are on track for the reporting period.

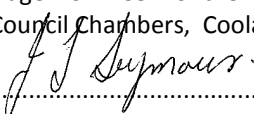
ES6) NSW GRAIN HARVEST MANAGEMENT SCHEME (GHMS) 2015/16 REPORT (R.09-05, SC339)

→ The State Government has provided a report of the 2015/2016 GHMS with a focus on the commodities of rice and wheat. The below table provides the key points of the report and compares the figures of the 2014 report previously provided.

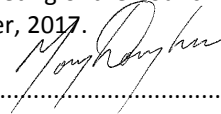
Attachment No. 12

ITEM	Oct 2014 - June 2015	July 2015 - June 2016
% deliveries using GHMS	70% 4,449,164t	80% 9,578,057t
Wheat as % of all commodities	59%	65%
Vehicle trips using GHMS	149,732	186,906
Estimated reduction in laden trips (one way)	6,800	9,525
Most common vehicle, 6 axle semi as %	54%	39%
% of over mass (105-110% of GML)	5.28%	4.10%
% above GHMS mass limits (>110% of GML)	1.65%	4.30%
In field breaches	-	1.4% 54 of 3897
Coolamon as % of all Grain deliveries	4.90%	4.97%
Wheat as % of all commodities	59%	65%

The figures indicate an increased participation rate in the Scheme, reduction in laden trips and unfortunately an escalation in the percentage of deliveries above GHMS mass limits. The report acknowledges this increase and indicates RMS will be investigating for any contributing factors and identifying geographic locations for targeted enforcement. Compliance and enforcement has always been a priority of Council, the actions from the investigation must be implemented to



..... MAYOR



.....GENERAL MANAGER.

ensure the Scheme operates within its limitations and undue damage to Council's road Network is not inflicted.

Recommendation

For Council information.

RESOLVED on the motion of Clr White and seconded by Clr McCann that the Executive Manager, Engineering & Technical Services' Reports (ES5 and ES6) be received. 178/09/2017

ES7) COOLAMON SEWAGE TREATMENT PLANT (STP) OPTION STUDY (S.03-03, SC362)

- Council have engaged the services of Public Works Advisory to prepare a report presenting options for the augmentation of Coolamon STP. Attachment No. 15

The report details the upgrade options including the design basis of the options, as well as the description of each and preliminary construction cost estimates.

The existing STP is in good condition considering its age, however, it is limited in its treatment capacity, capacity to serve population growth and requires ongoing operational effort. As was the case with the Ardlethan Sewerage Scheme Option Study, the Coolamon Study will put Council in a favourable position to pursue funding opportunities.

Recommendation

For Council information.

RESOLVED on the motion of Clr White and seconded by Clr Maslin that the report be received. 179/09/2017

ES8) STABILISATION CONTRACT 2016/03 (T.03-07, SC422)

- Council's current Stabilisation Contract (Rfq 2016/03) awarded to Stabilised Pavements Aust (SPA) for the 2016/2017 year has now reached the 12 month period. Under the terms of the Contract at Council's discretion, it has the option to extend the Contract for one additional 12 month term. Correspondence has been received from SPA advising that they are able to retain the 16/17 rates for an additional 12 months, Council are satisfied with the services SPA provide and extended the Contract for an additional 12 months. Attachment No. 13

Recommendation

That Council extend Stabilisation Contract 2016/03 for an additional 12 months and retain the rates at the existing Schedule of Rates.

RESOLVED on the motion of Cllr Hutcheon and seconded by Cllr Jones that Council extend Stabilisation Contract 2016/03 for an additional 12 months and retain the rates at the existing Schedule of Rates. 180/09/2017

ES9) TENDER NO. 2017/06 - WINNING & CRUSHING OF RIDGE GRAVEL – WILLIAMS PIT (T.03-09, SC424)

Tenders were received for the above Contract.

- The attached sheet provides a detailed breakdown of the tenders.

COST

This is a schedule of rates tender with two tenders received ranging from \$199,200 to \$211,950. Tenders have provided rates for crushing only, winning only and crushing & winning, Council has a preference to engage the one Contractor for both winning and crushing.

Rocky Point Quarries Pty Ltd is the most financially beneficial to Council with a tender price of \$199,200.

The second tender being Milbrae Quarries Pty Ltd with a submissions of \$211,950.

PERFORMANCE

Milbrae Quarries and Rocky Point Quarries have been engaged by Council to win and crush gravel at their gravel pits in past years with previous local knowledge of Williams gravel pit. Both contractors have carried out their operations in a very capable manner and to a standard which satisfies Council.

AVAILABILITY

Both contractors are able to commence works in early October and anticipate the tender to be finalized within the 17/18 financial year.

Recommendation

That Council accepts the Tender from Rocky Point Quarries for the Winning and Crushing of Ridge Gravel (as per specification) for the net figure of \$199,200.00 (excluding GST).

1	ROCKY POINT QUARRIES PTY LTD	Qty (m3)	\$/m3 (ex GST)	Total (ex GST)	Rank / Total Amount
A	Winning Ridge Gravel 15,000m3	15,000	\$5.00	\$75,000.00	1
B	Crushing (20mm)	12,000	\$6.50	\$78,000.00	
	Crushing (40mm)	8,000	\$5.90	\$47,200.00	
C	Winning Ridge Gravel 15,000m3	15,000	\$4.85	\$72,750.00	\$199,200.00
	Crushing (20mm)	12,000	\$6.40	\$76,800.00	
	Crushing (40mm)	8,000	\$5.80	\$46,400.00	
	Site Establishment	1	\$3,250.00	\$3,250.00	
2	MILBRAE QUARRIES PTY LTD	Qty (m3)	\$/m3 (ex GST)	Total (ex GST)	Rank / Total Amount
A	Winning Ridge Gravel 15,000m3	15,000	\$3.50	\$52,500.00	2
B	Crushing (20mm)	12,000	\$9.00	\$108,000.00	
	Crushing (40mm)	8,000	\$7.60	\$60,800.00	
C	Winning Ridge Gravel 15,000m3	15,000	\$3.25	\$48,750.00	\$211,950.00
	Crushing (20mm)	12,000	\$8.50	\$102,000.00	
	Crushing (40mm)	8,000	\$7.50	\$60,000.00	
	Site Establishment	1	\$1,200.00	\$1,200.00	

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Jones that Council accepts the Tender from Rocky Point Quarries for the Winning and Crushing of Ridge Gravel (as per specification) for the net figure of \$199,200.00 (excluding GST). 181/09/2017

ES10) GRAINCORP ROAD PURCHASE REQUEST (R.09-02, SC336)

Council is in receipt of correspondence from GrainCorp Limited exploring Council's interest in GrainCorp purchasing approximately 660m of Kamarah Tank Road as indicated in the attached plan. [Attachment No. 14.1](#)

The proposal raises a number of issues and are as follows:

- **Road Authorities**

The section of road is classified as both Council's Public and Crown Road. Council has no authority over Crown Road and is not in a position to sell this section. The attached plan identifies the various road authority sections. [Attachment No. 14.2](#)

- **Property Access**

As per Council's policy, it will provide access to the Road Network at the nearest point of the property parcel. The access point will be on to the higher designated road. A property parcel is defined as a single or number of lots/assessments in the same ownership collectively adjacent to each other. As indicated in the attached plan, the Woods own a number of assessments and in recent Kamarah Tank Road Reserve discoveries nominated Kamarah Tank Road from the East as their preferred property access point. The GrainCorp letter indicates that the Woods are interested in purchasing the section of Road Reserve which runs along the southern boundary of their assessments and as it currently stands they can make that application to the Crown Lands now without Council involvement.

The Rail Crossing at the south/western corner of the Woods property parcel would also satisfy Council's property access policy. The crossing has recently been fenced off as it was considered excessive to Council's needs with access being satisfied via Kamarah Tank Road (East). The Rail Crossing is still listed on Council's Rail Interface Agreement with John Holland Rail and can be reopened if decided by Council.

- **Road Expenditure**

With the move to Grain Super Centres and the upgrades to the Ardlethan Grain Model Centre, Council sought and was successful in obtaining \$198,000 under the Fixing Country Road Funding Programme. These works were completed in early 2016 and provided a superior road structure to accept vehicles at Higher Mass Limits. 1.3kms of road was constructed under this

programme which results in the 660m section identified at a value of \$100,523 (road formation value only, land value not included).

It should also be noted that whilst the western section of Kamarah Tank Road is classified as Crown Road, Council has it listed on its Road Asset Register as formed and maintained to a hierarchy 3 road. This road has been maintained by Council for a long period of time and would seek reimbursement from the Woods to the value of \$64,827 (1.715kms).

With the inclusion of the Road Reserve, land values and expense to follow the Department of Lands processes (fees, survey, legals, advertising, admin), the total purchase price is valued at:

Road formation	\$104,697
Land (500 x 20.115m)	\$7,762
Transfer Process	\$7,500
Total:	\$119,959

- **Sale Outcomes**

Whilst Council has only recently upgraded the road to service the needs of the local Industry the sale of the road would provide the following outcomes:

- Council would be reimbursed for the sale of its asset to its total value (structure and land).
- Would reduce Council maintenance expenditure on a high volume, heavy load road.
- Reduction in Council's Road Network resulting in reduced grant funding, government funding formula is heavily dependent on road lengths.
- Council would still be able to satisfy its property access Policy for the Woods via the rail crossing of Burley Griffin Way.
- Assist in GrainCorp traffic management of their site.

It must be remembered that this is only for the Road Reserve under the care and control of Council. GrainCorp will need to undertake a similar process with Crown Lands to obtain the 160m section of road under their control.

Recommendation

That Council offer the land for sale to GrainCorp at a total value of \$119,959 under the following conditions:

- 1) Consent is obtained from Wayne & Brett Wood and Crown Lands prior to entering into Land and Property Information transfer process.
- 2) Wayne and Brett Wood accept the rail crossing off Burley Griffin Way as their property access point, sale of lots at a later point will require them to provide access to these lots from the rail crossing at their own expense.
- 3) Once sold, Council will not reconsider purchasing the land/road at a later date.

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that Council offer the land for sale to GrainCorp at a total value of \$119,959 under the following conditions: 182/09/2017

- 1) **Consent is obtained from Wayne & Brett Wood and Crown Lands prior to entering into Land and Property Information transfer process.**
- 2) **Wayne and Brett Wood accept the rail crossing off Burley Griffin Way as their property access point, sale of lots at a later point will require them to provide access to these lots from the rail crossing at their own expense.**
- 3) **Once sold, Council will not reconsider purchasing the land/road at a later date.**

ES11) 2017 BITUMEN EMULSION TENDER (T.03-04, SC419)

Participating Councils:

Bland, Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart, Snowy Valleys, Temora, Wagga Wagga

Advertising:

- ➔ The tender was advertised in the Sydney Morning Herald on 15th August 2017 with tenders closing at 4.00pm on 5th September (**Attachment A**). Attachment No. 19 In addition, Companies that had previously tendered were emailed copies of the

documentation during the week that advertising occurred. Coolamon Shire Council received the tenders at their tender box.

Tenders Received:

Coolamon Shire opened the tenders on 5th September. Tenders were received from:

1. Fulton Hogan
2. Downer EDI
3. Sami
4. Boral

Assessment of Tenders:

→ A spreadsheet that summarised the offers from the tenderers was prepared (**Attachment B**). Attachment No. 19 This was distributed to the contact person in each of the participating councils on 9th September along with copies of the full tender documentation from each company.

On the 12th September 2017 a teleconference was held with the participating Councils to discuss the tender responses. The teleconference was attended by Greg Blackie (Greater Hume), Mark Ellis (Cootamundra-Gundagai), Will Barton (Junee), Mark Hewson (Wagga Wagga) and David Butterfield (Wagga Wagga).

The tender documentation states that the contract will be awarded to the supplier that is assessed as offering the best value and that they will be evaluated on the following criteria:

- Price
- Experience/Ability to Service
- Performance Record
- Q/A Documentation and Record

Price

- Competitiveness of the Schedule of Rates
- Exclusions or additions
- Cost reduction strategies
- Compensation for inadequate performance
- Value added benefits

Experience

- Demonstrated competence
- Referee evaluation of performance

- Innovation

Performance Record

- General reputation for work and compliance with contract requirements
- Standard, quality and consistency of delivery of product performance
- Standard, quality and consistency of delivery of produce

Q/A Documentation and Records

- Presentation of Q/A documentation
- Consistency in compliance with standard

Following discussion, the members agreed that the recommendation should be the tender submitted by Downer EDI because:

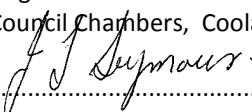
- The price was the most competitive
- They offered free tank flushing twice a year
- Proven performance – Downer has the current contract and their service has been very good
- The quality of the product is good. Wagga advised that they had experienced problems with the product but that it had turned out to be a problem with the tank's heater. Downer had been very good with helping them fix the problem.
- Their delivery of the product "on-demand" had been good.

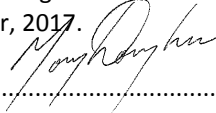
The Councils advised that their preferred contract arrangements were as follows:

- *Greater Hume*: Rise and Fall on a 3 year contract
- *Cootamundra-Gundagai*: Rise and Fall on a 3 year contract
- *Junee*: Rise and Fall on a 3 year contract
- *Wagga Wagga*: Fixed Price on a 3 year contract

Following the meeting the contact person in each of the Councils that was not available for the teleconference was advised of the recommendation and asked for their opinion on the tender: Tony Kelly (Coolamon), Paul Glennon (Bland), David Webb (Lockhart), Rob Fisher (Temora) and Matthew Christensen (Snowy Valleys). Each responded advising the Downer bid was the most competitive and that each had been happy with the service to date. In relation to their preferred contract arrangements, the following was advised:

- *Coolamon* – Rise and Fall on a 3 year contract
- *Lockhart* – Rise and Fall on a 3 year contract


..... MAYOR


.....GENERAL MANAGER.

- *Bland* – Rise and Fall on a 3 year contract.
- *Snowy Valleys* – Rise and Fall on a 3 year contract
- *Temora* – Rise and Fall on a 3 year contract

Rebate Arrangement

All suppliers are asked to consider implementing a rebate scheme, whereby a rebate is paid to REROC for the purchases made. The amount of the rebate on offer is not factored into the decision-making. Downer offered 1.25% of purchases to be paid on a quarterly basis.

Recommendation:

That Coolamon Shire Council enter into a Contract with Downer EDI for the provision of bitumen emulsion for a 3 year Contract with rise and fall provisions.

RESOLVED on the motion of Clr McCann and seconded by Clr White that Coolamon Shire Council enter into a Contract with Downer EDI for the provision of bitumen emulsion for a 3 year Contract with rise and fall provisions.

183/09/2017

4.4 EXECUTIVE MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES' REPORTS

HS1) DEVELOPMENT ACTIVITY REPORT FOR THE PERIOD ENDING 31ST AUGUST 2017 (B.05-03, SC58)

Summary

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

Development Activity Table

Application Number	Type	Address	Determination	Value
DA 2017/52	New Shed	Jerricks Lane, Coolamon	Approved	\$15,000.00
DA 2017/55	New Shed & Carport	42-44 Devlin Street, Matong	Approved	\$4,500.00
DA 2017/56	New Shed	18-20 Spring Street, Ganmain	Approved	\$18,000.00
DA 2017/57	Farm Machinery Shed	5124 Ardlethan Road, Ardlethan	Approved	\$58,000.00
TOTAL: 4			4	\$95,500.00

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 31/08/2017.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that Council receive and note this report on development activity for the period up to 31st August, 2017. 184/09/2017

HS2) FACILITIES MAINTENANCE SUPERVISOR REPORT (B.05-01, SC56)

Summary

This report provides Council with an update for notation on building asset maintenance works recently undertaken by Council.

Works Schedule

Item	Works Undertaken	Status
Caravan Park Upgrade	Irrigation installed to trees and garden beds. Security fencing installed, landscaping nearing completion	Ongoing
Council House	Retaining wall construction has begun	Ongoing
Coolamon Museum/UTDS grant project	All works apart from signage complete	Mesh screens to be installed on shelving project 95% completed
Marketing of Gregor House	5 people shown through the property in total	Ongoing
Community service clients	Tree planting at Coolamon Showground scheduled for this month, held due to machinery availability	Ongoing
Inspection of Skate park	Weekly inspections of skate park	Ongoing
Ardlethan Bins	New wheelie bin enclosures ordered for Ardlethan Lions Park	Delivered and will be installed when resources allow

Consultation

Consultation has been undertaken with internal and external stakeholders in regards to the works/projects identified in this report.

Financial Implications

There are no adverse financial implications resulting from the projects or works identified in this report. Works are funded under relevant budget items.

Recommendation

That Council note the report.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Jones that Council note the report. 185/09/2017

HS3) COOLAMON CARAVAN PARK LEASE (TENDER 2017/05) (LD240, LF532)

Summary

This report provides information and a recommendation to Council as to the appointment of a successful tenderer(s) for the management of the Coolamon Caravan Park Facility.

Background

The Coolamon Caravan Park is located on Lot 701, DP 94473, bounded by Bruce, Loughnan and Methul Streets, Coolamon. The land is crown land managed by the Coolamon Shire Council Reserve Trust.

The facility has recently undergone extensive redevelopment works with the facility scheduled to reopen in mid – late September 2017. With the advent of the recent redevelopment works, a review of previous operational and park management methods was undertaken.

Whilst the caravan park has traditionally been managed in an informal manner by Council, an opportunity was presented by the recent redevelopment works to review current management practices, it was considered that an independent contractor based management framework would be a more efficient and economically sustainable operational model for the facility.

As a result, Council called for tenders for the management of the facility between 7th July and 4th August, 2017.

The Tender Role

Tenders were invited from experienced and suitably qualified persons seeking to enter a contract for the management of the Park. The successful Manager is expected to reside on site. The key attributes sought for the role included:

- Business focus
- Experience with facilities management
- Enthusiasm for delivering a superior customer experience
- Passion for driving business performance including leading business innovation.

The Managers role is expected to encompass the following key areas:

- Customer Service
- Asset maintenance and cleaning

- Safety of patrons and staff
- Landscaping
- Security
- Waste & environmental management; and
- Contribute to relevant marketing initiatives.

Typical day to day responsibilities include:

- **Reception** – Customer service, bookings, local information, complaint handling, assisting caravan owners and campers.
- **Office** – staff the office, reporting, collection and accounting of monies, banking, administration, purchasing (advising Council of what goods and services are required) and assist with Council budgeting for the facility.
- **Cleaning & Maintenance** – Grounds, amenities, inspections and reporting and addressing hazards.
- **Safety** – Conduct regular inspections.
- **Local Marketing** – Social events, meet with local tourist information centres and business.
- **Staff Management** – Engage and manage any staff required under their contract.

Tender Submissions

Council received a number of tenders during the submission period.

The tender was a fixed rate tender and was the first step in a two stage selection process. Shortlisted candidates were invited to interview in Stage 2 of the Tender process.

The contract offered a fixed remuneration and incentive payment options in addition to be free rent and utilities at the caretaker's residence and will essentially operate on a month to month basis.

Tender Evaluation

Submitted Tenders were evaluated on the following criteria:

- The experience of applicants in fulfilling the requirements of similar contracts,
- The capacity of the applicants to fulfil the requirements of the proposed contract; and
- The items identified in the tender document under the heading of 'Qualities of the Successful Contractor'.

Due to the impending opening of the facility a Manager was selected/appointed to the role. The successful tender was offered to and accepted by Nomalook Pty Ltd who will commence the tender on the 8th September, 2017.

Consultation

Internal consultation has been undertaken with relevant Council staff.

The tender was advertised from 7th July to 4th August, 2017.

All tenderers were notified by telephone and in writing of the outcome of the tender evaluation.

Council is currently working with the NSW Crown Lands Department to establish and have endorsed a Crown Lands Lease between the Crown, Council and the appointed Caravan Park Manager.

Financial Implications

Council has a budget available for the project and there are no adverse financial implications resulting from this report.

Recommendation

It is recommended that Council:

- 1) Note and endorse the appointment of Nomalook Pty Ltd as the Coolamon Caravan Park Managers.
- 2) Endorse the application of a minimum annual lease amount for the Caravan Park residence.
- 3) Endorse the affixing of the Council Seal on any lease documentation as required and as relevant to the Coolamon Shire Council Caravan Park.

RESOLVED on the motion of Clr McCann and seconded by Clr White that:

186/09/2017

- 1) **Council note and endorse the appointment of Nomalook Pty Ltd as the Coolamon Caravan Park Managers.**
- 2) **Council endorse the application of a minimum annual lease amount for the Caravan Park residence.**

- 3) Council endorse the affixing of the Council Seal on any lease documentation as required and as relevant to the Coolamon Shire Council Caravan Park.
- 4) Council write to the proprietors of the Coolamon Newsagency expressing gratitude for their years of service in relation to bookings for the Coolamon Caravan Park.

HS4) MATONG HOTEL COMPLIANCE OPTIONS (RT1000942)

Summary

This report provides follow up information and recommendations to Council regarding the structural concerns associated with the building known as the Matong Hotel, located in Matong Street, Matong.

Background

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

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the report be noted and that Council staff provide a subsequent report to the September 2017 meeting.

The July 2017 Council report discussed the following matters:

Structural Concerns

An inspection was undertaken by Council Building Surveyors on 2 June 2017 which confirmed that the building, as would be expected in its current unmaintained state, continues to deteriorate. Significant cracking of brick work above and around windows, doorways and the parapet wall is indicative of significant footing failure that is occurring at the premises.

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



Image 1: Cracking of Brickwork Window, Matong Street Frontage



Image 2: Cracking of Brickwork Window 2nd Storey, Matong Street Frontage



Image 3: Cracking of Parapet, Matong Street Frontage

J. J. Seymour
.....

MAYOR

Matthew Douglas
.....

GENERAL MANAGER.

Ownership

During the course of Council staff investigating compliance options in regards to the existing structural and dilapidated state of the premises, it was identified that the Company nominated as the owner of the premises on both the rating system and with the NSW Land and Property Information Service, was deregistered and is the property of the Commonwealth (ASIC).

The ownership has now been transferred back to A.C.N. 143 008 557 PTY. LIMITED.

The Site

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

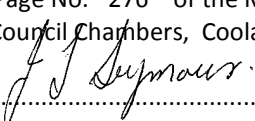
Structural Engineers Report

Council's July 2017 resolution enabled staff to work with the owner of the builder to ensure that a structural engineers report was compiled and provided to Council. The report was provided to Council staff on 13 September 2017.

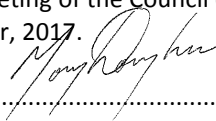
A review of the report by Council staff has identified that the report is grossly inadequate for the purpose of satisfying concerns with regards to the structural adequacy of the premises. The report focuses on only one small aspect of the many structural concerns that affect the premises.

A structural engineers report should essentially address and evaluate all the various internal and external building components including but not limited to: walls, roof, framing, concrete. A structural engineers report relating to structural concerns must provide detailed professional advice and opinion on determining the cause of the problems and make informed recommendations as to how to remedy/eliminate such issues. The report provided by the owner does not demonstrate that the building was thoroughly or adequately inspected both internally and externally. The report fails to satisfactorily assess the structural adequacy of the various building components, nor does it certify the structural adequacy of building components or make suitable recommendations for the remediation of such matters.

The sooner a structural fault can be identified and resolved, the safer and less costly they are to repair and maintain. It is the view of staff that the report clearly fails to identify the range of structural issues that affect the building and nor does it provide detailed engineering advice on how to resolve the many structural issues affecting the building.


.....

MAYOR


.....

GENERAL MANAGER.

Council staff have advised the owner of the building of the above concerns via email and via written letter.

Compliance Options

Section 8 of the Local Government Act 1993, 'Object of principles' provides that:

The object of the principles for councils set out in this Chapter is to provide guidance to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous.

Following this principle, it is clear that Council has a responsibility to promote a healthy community ensuring that the structural adequacy of buildings are maintained in such a way so as to ensure that they do not collapse and injure community members.

It would appear that given the inadequacy of the structural engineers report combined with the need to address public safety associated with the Matong Hotel that Council should consider commencing compliance actions against the owner.

It is considered that there are two (2) compliance options available to Council under the Environmental Planning and Assessment Act 1979, Section 121 B 'Orders that may be given by consent authority or by Minister etc.' to address this matter.

Order Option 1: To demolish or remove a building

Order Option 2: To repair or make structural alterations to a building.

Council and the Matong Hotel share an extensive history that relates to the structural adequacy of the building, a relationship initiated prior to a fire that occurred at the premises in January 2008. The relationship culminated in unauthorised building works being carried out at the premises without the prior approval of Council and the matter being heard before the NSW Land and Environment Court in June 2010. Council has attempted to resolve, in consultation with the owner of the building illegal building works and structural adequacy matters since 2010.

In consideration of previous, extended and failed past efforts by Council to work with the owner to resolve issues at the premise and combined with the fact that more recently Council had provided a significant time frame for the owner of the building to prepare and provide to Council a structural engineers report with the

resulting quality of the report being deemed unsatisfactory, it is recommended that Council should proceed to issuing an order to demolish the building.

Council should be aware that the compliance action associated with addressing the matters contained in this report will be lengthy. Council will need to strictly comply with the compliance and enforcement provisions outlined under the Environmental Planning and Assessment Act 1979. These requirements include the issuing by Council to the owner of a notice of intention to issue and order and the issuing of an order with associated statutory time periods.

Given that there is significant time frames involved in working towards the outcome of the order, there will also exist opportunity for the owner to submit to Council a more suitable engineers report and enact actions to submit required development and construction certificate approvals. Such actions, if considered satisfactory, would also provide opportunity to the owner to avoid the need for the building to be demolished.

Consultation

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

Financial Implications

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

In the event that the compliance actions recommended in this report are not undertaken by the owner, Council will have the ability to enforce and undertake the demolition works itself which would result in estimated demolition costs of up to \$70,000.00.

There is scope for Council to initiate cost recovery actions against the owner for the recoupment of demolition costs in the form of costs being applied to the land or council taking ownership of the land. The reality is that Council may never fully recoup the costs of works.

Recommendation

That Council:

- 1) Note the Report on the 'Matong Hotel Compliance Options'; and

- 2) Proceed to initiate compliance actions against the owner of the property which will result in the issuing of an order for the demolition of the premises known as the Matong Hotel, located at Lot 4, Section 6, DP 758657, Matong Street, Matong.

Attachments Attachment No. 17

Structural Report prepared by Mr Robert Sabbagh

HS4) MATONG HOTEL COMPLIANCE OPTIONS (RT1000942) (Continued)

Matong Hotel - Correspondence from Owner

Summary

This report provides information to Council in regards to correspondence received from the owner of the Matong Hotel, responding to the report tabled at the September 2017 titled 'MATONG HOTEL COMPLIANCE UPDATE'.

Background

An update report has been tabled to the September 2017 Council Meeting that provided Council with follow up information and recommendations regarding the structural concerns associated with the building known as the Matong Hotel, located in Matong Street, Matong.

Late Correspondence

An email was received at Council from Merrill Stever (Company Director) on 20th September, 2017 which appears to the Council Report tabled at this meeting and titled 'MATONG HOTEL COMPLIANCE UPDATE'.

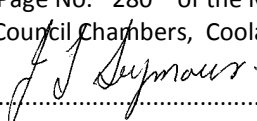
A copy of the email correspondence is attached for Council's reference.

Ownership details have been verified on the ASIC website as being A.C.N. 143 008 557 PTY. LIMITED with Merrill Stever listed as a Director of the Company.

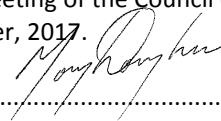
The **key** matters raised in the correspondence are identified in the following table with corresponding comment provided by Council Staff:

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

Item	Issue	Staff Response
Demolition of Premises	The author conveys that Council is being induced by the September 2017 Council Report to demolish the building.	Council has been presented with a report that provides options for its consideration on how to address the current state of the premises in light of the inadequate response received in the form of what appears to be a 'Structural Engineers Report'.
Council seeks to become Owner of the Property	It appears that the author is inferring that Council seeks to obtain ownership of the property by virtue of the actions proposed in the Council report.	The report does not recommend that Council seek ownership of the property – to do so would be a liability.
Council has contributed to the current dilapidated state of the building	The author holds the view that Council is responsible for the undermining of the buildings foundations from the Council footpath.	Council has not received, despite requesting the owner on previous occasions, any claim for liability resulting from any stormwater issues.
Not Notified of the Council Report	The author claims that they were not notified of the Council report that has been tabled at the September 2017 Council Meeting.	The author was notified via email dated 14 September 2017 of Council's concerns with regards to the adequacy of the Structural Engineers report. A follow hard copy letter dated 14 September 2017 was also distributed to the owner/author.
Submitted Structural Engineers report is an interim/final to be provided	The author provides that the Structural Engineers report is an interim report and not a final report. A final report will be identified when Council staff identify what such a report should contain.	Council has clearly articulated that a detailed Structural Engineers report is required from as early as July 2017. Council has waited over 3 months to receive a Structural Engineers Report. A report has been received but is grossly inadequate for the issues associated with the premises.
No consultation	Staff have not worked with the owner of the building to achieve a beneficial outcome.	Staff have engaged with the owner as early as June 2017 and numerous time since in efforts to work with the owner to undertake the necessary actions to make the building structurally sound.



..... MAYOR



.....GENERAL MANAGER.

The above table relates to recent contact with the owner and does not acknowledge that this has been an ongoing issue between Council and the various owners of the Hotel since it was gutted by fire in 2008. This eventually led to the Land and Environment Court decision that spelt out the process to regularize the building which included a requirement for a Structural Engineers Report.

Recommendation

That Council note the report on the late correspondence received from the owner of the premises in response to the Council Report titled MATONG HOTEL COMPLIANCE UPDATE tabled at the September 2017 Council Meeting .

➔ **Attachments** Attachment No. 20

- Email from Merrill Stever

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that:
187/09/2017

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

↑ **ADJOURNMENT**

RESOLVED on the motion of Clr Maslin and seconded by Clr Logan that Council resolve into Committee of a Whole for the purpose of considering confidential matters as listed in the Committee of a Whole agenda for the reason that such matters are considered to be of a confidential nature and in accordance with Council's policy thereto. 188/09/2017

Council adjourned at 4.35pm into Committee of a Whole and reconvened at 4.50pm.

**5) RECOMMENDATIONS OF A COMMITTEE OF A WHOLE MEETING HELD
21ST SEPTEMBER, 2017**

RESOLVED on the motion of Clr Maslin and seconded by Clr Logan that the Recommendations of a Committee of a Whole Meeting held 21st September, 2017 be adopted. 189/09/2017

6) REPORTS: DELEGATES/MAYOR/COUNCILLORS

There were no Reports.

Meeting Closed at 5.06pm

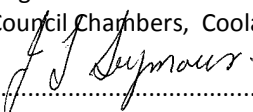
Confirmed and signed during the Meeting held this 19th day of October, 2017.

.....
MAYOR

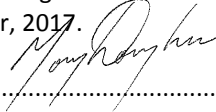
**ATTACHMENTS FOR THE MEETING HELD
21ST SEPTEMBER, 2017**

ITEMS DISTRIBUTED WITH THE AGENDA

- 1) INFORMATION PAPERS
 - 1) Local Government NSW Weekly Circulars 31, 32, 33, 34 and 35.
 - 2) Minutes of the Ganmain Quasiquicentennial Meetings held 9th August, 2017 and 30th August, 2017.
 - 3) Minutes of the Advance Ganmain Committee Meeting held 6th September, 2017.
 - 4) Minutes of the Ganmain Quasiquicentennial Meeting held 13th September, 2017.Refer Correspondence Item (1a).
- 2) ACTIVITY REPORTS
 - 1) Operating Statistics of the Coolamon Shire Library for August 2017.
 - 2) Community Development Officer's Report for August 2017.Refer Correspondence Item (2a).
- 3) A letter of thanks from Katrina Hodgkinson MP.
Refer Correspondence Item (3a), [File No. P.06-01].
- 4) An invitation from Junee RSL Sub-Branch & the Junee Ex-Services Memorial Club to attend their Community Forum on 1st November, 2017.
Refer Correspondence Item (1b), [File No. P.05-01].
- 5) Correspondence from The Joint Standing Committee on Electoral Matters regarding the Inquiry into preference counting in Local Government Elections in NSW.
Refer Correspondence Item (2b), [File No. E.01-02].
- 6) Correspondence regarding the 2017/18 Determination of the Local Government Remuneration Tribunal.
Refer General Manager's Report (GM4), [File No. C.12-03].
- 7) Correspondence from the Coolamon Showground Management Committee regarding proposed improvements to the Coolamon Showground.
Refer General Manager's Report (GM5), [File No. S.04-02].
- 8) Correspondence regarding the report on the Street Piano Project 'Roll over Beethoven'.
Refer General Manager's Report (GM6), [File No. H.04-06].
- 9) Correspondence regarding the report on Stronger Country Communities (Regional Growth Fund).
Refer General Manager's Report (GM7), [File No. G.03-51].


.....

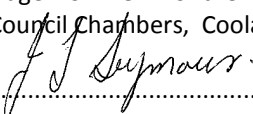
MAYOR


.....

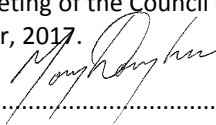
GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21ST SEPTEMBER, 2017.

- 10) Correspondence from the Advance Ganmain Committee regarding the Quasiquicentenary Celebrations.
Refer General Manager's Report (GM8), [File No. C.09-41].
- 11) A copy of the Policies in relation to the report on Policy Review.
Refer Executive Manager, Corporate & Community Services' Report (CS3), [File No. P.12-01].
- 12) A copy of the NSW Grain Harvest Management Scheme (GHMS) 2015/16 Report.
Refer Executive Manager, Engineering & Technical Services' Report (ES6), [File No. R.09-05].
- 13) Correspondence from Stabilised Pavements of Australia Pty Ltd regarding Stabilisation Contract 2016/03.
Refer Executive Manager, Engineering & Technical Services' Report (ES8), [File No. T.03-07].
- 14) Correspondence regarding the report regarding GrainCorp's road purchase request.
Refer Executive Manager, Engineering & Technical Services' Report (ES6), [File No. R.09-05].
- 15) A copy of the Coolamon Sewage Treatment Plant (STP) Options Study.
Refer Executive Manager, Engineering & Technical Services' Report (ES6), [File No. R.09-05].
- 16) A copy of the letter from Commins Hendriks regarding the proposed acquisition of Lots 9, 10 & 11, Section 2, DP 5822, Boyd Street, Ardlethan from Estate Paul Seymour.
Refer General Manager's Report (GM9), [File No. R.09-02].
- 17) A copy of the Structural Report in regard to the Matong Hotel.
Refer Executive Manager, Development & Environmental Services' Report (HS4), [File No. RT1000942].
- 18) Correspondence in regard to the report on Subdivision Road Name.
Refer General Manager's Report (GM9), [File No. R.09-02].
- 19) A copy of the advertisement and list of tenders for the Bitumen Emulsion Tender.
Refer Executive Manager, Engineering & Technical Services' Report (ES11), [File No. T.03-04].
- 20) Correspondence from Merrill Stever in regard to report on the Matong Hotel.
Refer Executive Manager, Development & Environmental Services' Report (HS4), [File No. RT1000942].


.....

MAYOR


.....

GENERAL MANAGER.