



BUSINESS PAPER

Ordinary Council Meeting Wednesday, 14 July 2021

Date: Wednesday, 14 July 2021

Time: 10.00am

**Location: Shire Chamber
Coonamble**

Pre-Meeting Session: Kindly note that a Pre-Meeting Session will be held at 9:00am in the Council Chamber to allow for questions from Councillors to be asked regarding items included with the Business paper – in order to ensure clarity and an informed decision-making process. Councillors are also encouraged to make contact with the General manager or the applicable Executive Leader before the Council Meeting to clarify any questions that you may have.

**Hein Basson
General Manager**

Notice is hereby given that an Ordinary Meeting of Council will be held in the Shire Chamber, Coonamble on Wednesday, 14 July 2021 at 10.00am.

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1 OPENING MEETING

The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website and a person's image and/or voice may be broadcast;

- Attendance at the meeting is to be taken as consent by a person to their image and /or voice being webcast (time will be allowed by the Chairperson for people to leave the meeting before it starts);
- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent;
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending the meetings – all liability will rest with the individual who made the comments;
- The recording will be available on Council's website for a minimum of 12 months and retained as a Council record;
- Individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting under the Council's Code of Meeting Practice;
- The meeting must not be recorded by others without the prior written consent of the Council in accordance with the Council's Code of Meeting Practice.

2 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the traditional custodians of this land on which we meet today, the Wailwan people and the Gamilaroi people and recognise their continuing connection to land, water and culture. We pay our respects to Elders past, present and emerging.

3 COMMUNITY CONSULTATION

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

5 DEPUTATION/DELEGATIONS

6 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 16 June 2021 be confirmed as a correct record of the proceedings of the meeting.



MINUTES

**Ordinary Council Meeting
Wednesday, 16 June 2021**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY AT THE SHIRE CHAMBER, COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 16 JUNE 2021 AT 10.00AM**

PRESENT: Cr Ahmad Karanouh (Mayor), Cr Paul Wheelhouse (Deputy Mayor), Cr Pat Cullen, Cr Barbara Deans, Cr Bill Fisher, Cr Robert Thomas

IN ATTENDANCE: Hein Basson (General Manager), Bruce Quarmby (Executive Leader - Corporate and Sustainability), Kookie Atkins (Executive Leader - Infrastructure), Noreen Vu (Executive Leader - Environment, Strategic Planning & Community), Pip Goldsmith (Manager of Economic Development & Growth), Marina Colwell (Executive Support Officer)

1 OPENING MEETING

The Mayor opened the meeting at 10.05 am, advising the attendees of the following:

- The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website and a person's image and/or voice may be broadcast;
- Attendance at the meeting is to be taken as consent by a person to their image and /or voice being webcast (time will be allowed by the Chairperson for people to leave the meeting before it starts);
- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent;
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending the meetings – all liability will rest with the individual who made the comments;
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- Individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting under the Council's Code of Meeting Practice;
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2 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the traditional custodians of this land on which we meet today, the Wailwan people and the Gamilaroi people and recognise their continuing connection to land, water and culture. We pay our respects to Elders past, present and emerging.

3 COMMUNITY CONSULTATION

NIL

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**APOLOGY****RESOLUTION 2021/107**

Moved: Cr Bill Fisher

Seconded: Cr Paul Wheelhouse

That Council notes and approves the apology received by email from Cr Karen Churchill.

CARRIED**5 DEPUTATION/DELEGATIONS**

NIL

6 CONFIRMATION OF MINUTES**RESOLUTION 2021/108**

Moved: Cr Bill Fisher

Seconded: Cr Paul Wheelhouse

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 12 May 2021 be confirmed as a correct record of the proceedings of the meeting.

CARRIED**7 DISCLOSURES OF CONFLICTS OF INTEREST**

Cr Deans informed the meeting that she has a non-pecuniary conflict of interest regarding Item 10.10 Economic Development & Growth – Progress Report and Item 10.17 Environment & Strategic Planning Progress Report regarding the Inland Rail Project, a potential farm-stay operation and the Ralston Quarry Development Application. Cr Deans stated that her farming business is involved with grain production, her property is potentially affected by the proposed route of the Inland Rail Project, will potentially be used as a farm-stay offer, and is in close proximity of the proposed quarry development. She indicated that she will remain in the room, contributing to discussions and voting on the items.

8 MAYORAL MINUTE

The Mayor made mention of the highly successful Coonamble Rodeo and Campdraft event and Pave the Way to Gular Arts Festival over the past weekend; praising and congratulating the relevant committees on presenting these events.

Discussions were also held relating to the Australian Local Government Association's National General Assembly in Canberra which will be attended by the Mayor and Cr Fisher, and the possibility of the Coonamble Shire's inadequate telecommunication situation being raised with the relevant politicians.

RESOLUTION 2021/109

Moved: Cr Ahmad Karanouh

Seconded: Cr Robert Thomas

- 1. That Council notes the contents of the Mayoral Minute.**

- 2. That Council prepares a letter to Telstra Corporation Limited requesting an urgent investigation into the unacceptable reduction in service reception being experienced by the Coonamble Shire Council's residents within the Local Government Area (LGA) – including the Coonamble township and the rural areas – since the 5G panels have been added to the communication tower, as well as addressing the “black spots” on the Castlereagh Highway and other road arteries within the LGA. Further, that a meeting with the local Member of Parliament, the Hon. Mark Coulton MP, be arranged in order for the Mayor and Cr Fisher to meet with him in this regard whilst they are attending the National General Assembly in Canberra.**

CARRIED

SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL

SECTION B - MATTERS FOR INFORMATION ONLY

2.1 OUTBACK ARTS

RESOLUTION 2021/110

Moved: Cr Barbara Deans

Seconded: Cr Paul Wheelhouse

That Council notes the contents of this report.

CARRIED

3.2 MPS HEALTH COUNCIL

RESOLUTION 2021/111

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

That Council notes the contents of this report.

CARRIED

9 COMMITTEE REPORTS

9.1 ROADS COMMITTEE MEETING

RESOLUTION 2021/112

Moved: Cr Bill Fisher

Seconded: Cr Paul Wheelhouse

That Council notes the contents of this report, and adopt the proposed actions identified at the Roads Committee Meeting as resolutions of Council, as follows:

- 1. That the effectiveness of the drainage on the Wingadee Road be further investigated.**
- 2. That Council's "Weekly Connect" and Community Connect" and other communications avenues be used to inform the public about the challenges Council experiences with its roads maintenance and renewal.**
- 3. That the period of time, within which the Tooraweenah Road could be constructed, be further investigated.**
- 4. That Council staff further investigate the safety and practical considerations regarding the side rails on the narrow Wingadee Bridge.**
- 5. That Council staff further investigates the best future course of action regarding the wetland area on the Quambone/Gulargambone Road – including the possibility to liaise with the adjoining landowners (Mr Chris Roach and Mr Stephen Rae).**
- 6. That a "Self-Help" policy be developed for Council's consideration at a future meeting, addressing the possibility of landowners making a financial contribution to "their" road and how such a scheme could potentially be implemented.**

CARRIED

10 REPORTS TO COUNCIL**10.1 STATUS REPORT REGARDING COUNCILLOR ENQUIRIES****RESOLUTION 2021/113**

Moved: Cr Paul Wheelhouse

Seconded: Cr Robert Thomas

That Council notes the information in this report.

CARRIED

10.2 ORANA JOINT ORGANISATION**RESOLUTION 2021/114**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

- 1. That Council notes the contents of this report.**
- 2. That Council joins a newly formed alliance of councils within the larger Western NSW Region and authorises the Mayor and General Manager as its delegates to attend the inaugural meeting of such an alliance when it is held in late July 2021, as well as all future meetings.**

CARRIED

10.3 WORKPLACE INJURY MANAGEMENT REPORT**RESOLUTION 2021/115**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council notes the contents of the workplace injury management report.

CARRIED

10.4 ADOPTION OF THE FRAUD AND CORRUPTION CONTROL POLICY**RESOLUTION 2021/116**

Moved: Cr Barbara Deans

Seconded: Cr Paul Wheelhouse

- 1. That Council notes the information contained in this report.**
- 2. That Council notes no submissions were received from the public in relation to this policy.**
- 3. That Council formally adopts the Fraud Corruption and Control Policy attached to this report.**

CARRIED

10.5 ADOPTION OF WORK, HEALTH AND SAFETY, ENVIRONMENTAL AND QUALITY POLICIES - ISO CERTIFICATION**RESOLUTION 2021/117**

Moved: Cr Pat Cullen

Seconded: Cr Paul Wheelhouse

- 1. That Council notes the information contained in this report.**
- 2. That Council formally adopts the revised Work, Health and Safety Policy and Environment and Quality Policy as attached to the report.**

CARRIED

10.6 ADOPTION OF RISK MANAGEMENT POLICY**RESOLUTION 2021/118**

Moved: Cr Pat Cullen

Seconded: Cr Paul Wheelhouse

- 1. That Council notes the information contained in this report.**
- 2. That Council adopts the Risk Management Policy attached to this report.**

CARRIED

10.7 ADOPTION OF THE MULTICULTURAL POLICY & MULTICULTURAL SERVICES PLAN**RESOLUTION 2021/119**

Moved: Cr Bill Fisher

Seconded: Cr Robert Thomas

1. That Council notes the information contained in this report.
2. That Council formally adopts the Multicultural Policy & Multicultural Services Plan attached to this report.

CARRIED

10.8 DRAFT COMMUNITY CONSULTATION POLICY AND DRAFT COMMUNITY ENGAGEMENT POLICY**RESOLUTION 2021/120**

Moved: Cr Bill Fisher

Seconded: Cr Robert Thomas

1. That Council places the draft Community Engagement Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
2. That, in the event of any submissions being received, the Manager Economic Development & Growth presents a further report, together with the contents of those submissions received, to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the Community Engagement Policy (with or without changes) at its August 2021 Ordinary Meeting.
3. That, in the event of no submissions being received within the prescribed 28 days, Council formally adopts the Community Engagement Policy without any changes as a policy of Council.

CARRIED

10.9 ADOPTION OF SOCIAL MEDIA POLICY**RESOLUTION 2021/121**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

1. That Council notes the information of this report.
2. That Council formally adopts the Social Media Policy attached to the report.

CARRIED

10.10 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT**RESOLUTION 2021/122**

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

That Council resolves into Committee of the Whole and Standing Orders be suspended to enable council to more informally discuss the contents of the report and ask questions from the Belgravia representatives, Karen Golden and Damien Gorman, regarding their presentation on the Artesian Bath Experience.

CARRIED

RESOLUTION 2021/123

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council notes the contents of this report.

CARRIED

RESOLUTION 2021/124

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council leaves the main street parking at the current reverse angle arrangement for the time being, and that other options be investigated to potentially replace the current wheel stoppers.

CARRIED

RESOLUTION 2021/125

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council directs staff to make a submission to the Stronger Country Communities Fund (Round 4) for the project described as Option A in the body of this report, being the development of female changerooms at the Coonamble Sports Grounds and a footpath / walking loop with seating and shade amenity around the perimeter of the Sports Ground.

When the Mayor called for a vote on the motion it resulted in a tied vote of three (3) for and three (3) against the motion. The Mayor then exercised his casting vote for the motion to be carried.

Cr Wheelhouse and Cr Cullen requested their names recorded as voting against the motion.

CARRIED

At 11.46 am, Council adjourned for morning tea and resumed the meeting at 12.17 pm.

RESOLUTION 2021/126

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

That Council goes out of Committee of the Whole and resumes Standing Orders.

CARRIED

10.11 RATES AND CHARGES COLLECTIONS - MAY 2021

RESOLUTION 2021/127

Moved: Cr Paul Wheelhouse

Seconded: Cr Robert Thomas

That Council notes the information provided in the report.

CARRIED

10.12 STATUS OF INVESTMENTS - MAY 2021

RESOLUTION 2021/128

Moved: Cr Pat Cullen

Seconded: Cr Paul Wheelhouse

That Council notes the list of investments as at 1 June 2021 and that these investments comply with section 625(2) of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.

CARRIED

RESOLUTION 2021/129

Moved: Cr Bill Fisher

Seconded: Cr Paul Wheelhouse

That Council considers the contents of the report and associated recommendations.

CARRIED

10.13 ADOPTION OF THE 2021/22 OPERATIONAL PLAN**RESOLUTION 2021/130**

Moved: Cr Paul Wheelhouse

Seconded: Cr Pat Cullen

1. That the expenditure amounts set out in the 2021/22 draft Operational Plan and Budget as exhibited and amended as per this report and attached to the Business Paper as part of Annexure 1 relating to this report, be confirmed and voted for the carrying out of the various works and services of the Council for the 2021/22 financial year.
2. That the 2021/22 draft Operational Plan and Budget, as exhibited in accordance with the provisions of Section 405 of the Local Government Act 1993 and amended as per this report and attached to the Business Paper as part of Annexure 1 relating to this report, be adopted by Council as the 2021/22 Operational Plan.
3. That, in accordance with the provisions of Section 535 of the Local Government Act 1993 (NSW), Council makes, fixes, and levies the Rates and Charges for the 2021/22 financial year for the following rating categories:

Residential – Coonamble:

A Residential – Coonamble rate of 1.5713 cents in the dollar on the current land values of all rateable land in the town of Coonamble, with a minimum rate of \$490.00 per annum;

Residential – Gulargambone:

A Residential – Gulargambone rate of 1.2800 cents in the dollar on the current land values of all rateable land in the town of Coonamble, with a minimum rate of \$490.00 per annum;

Residential – Village:

A Residential – Village rate of 1.2800 cents in the dollar on the current land values of all rateable land in the village of Quambone, with a minimum rate of \$480.00 per annum;

Farmland:

A Farmland rate of 0.296 cents in the dollar on the current land values of all rateable land in the Local Government Area being farmland, with a minimum rate of \$390.00 per annum;

Small Rural Holdings:

A Small Rural Holding rate of 0.8400 cents in the dollar on the current land values of all rateable land in the Local Government Area being small rural holdings, with a minimum rate of \$510.00 per annum;

Rural Residential:

A Rural Residential rate of 0.7300 cents in the dollar on the current land values of all rateable land in the Local Government Area being rural residential, with a minimum rate of \$480.00 per annum;

Business:

A Business rate of 2.3600 cents in the dollar on the current land values of all rateable land in the Local Government Area being Business, with a minimum rate of \$540.00 per annum.

4. That the Schedule of Fees and Charges, exhibited as part of Council's draft 2021/22 Operational Plan and attached to this Business Paper as part of Annexure 3 relating to this report be made, fixed and charged for the 2021/22 financial year.
5. That Council makes, fixes, and levies the following charges in accordance with the provisions of Section 552 and Section 501(1) and Section 502 of the *Local Government Act 1993* on such land which water is connected or able to be connected to for the year ending June 2022:

Town/Village	Access Charge (\$20mm)	Usage Charge – 1st Tier (c/kl)	2nd Tier Pricing Limit (kl)	Usage Charge 2nd Tier (c/kl)
Coonamble	360	115	450	185
Gulargambone	470	110	450	170
Quambone	470	125	430	210

The Access Charges as above are for 20mm services, the charges below allow for the size of the water meters as required by best practice pricing. The resulting charges are shown in the table following:

Item	Coonamble (\$)	Gulargambone (\$)	Quambone (\$)
Access charge (20mm meter)	360	470	470
Access charge (25mm meter)	565	738	738
Access charge (40mm meter)	1,440	1,880	1,880
Access charge (50mm meter)	2,250	2,938	2,938
Access charge (75mm meter)	5,062	6,608	6,608
Access charge (100mm meter)	9,000	11,750	11,750

6. That Council makes, fixes and levies the following charges in accordance with the provisions of Section 501(1), Section 502 and Section 552 of the *Local Government Act 1993* on such land which sewer is connected or able to be connected to for the year ending June 2022.

Residential Sewerage – Coonamble

Sewerage availability charge of \$615.00 per annum per assessment.

Residential Sewerage – Gulargambone

Sewerage availability charge of \$810.00 per annum per assessment.

Sewerage – Coonamble Flats

Sewerage availability charge of \$520.00 per annum per unit.

Sewerage – Gulargambone Flats

Sewerage availability charge of \$735.00 per annum per unit.

Non-residential Sewerage - Coonamble

Sewer charge for Non-residential Sewerage – Coonamble is not less than a minimum charge of \$615.00 per annum per assessment. Non-residential services are also subject to sewer discharge factor (usage charge) related to water consumption. The treatment charge to be applied is 173 cents per kilolitre.

Non-residential Sewerage - Gulargambone

Sewer charge for Non-residential Sewerage – Gulargambone is not less than a minimum charge of \$810.00 per annum per assessment. Non-residential services are also subject to sewer discharge factor (usage charge) related to water consumption. The treatment charge to be applied is 173 cents per kilolitre.

7. That Council makes, fixes and levies the following charges in accordance with the provisions of Section 496 and Section 502 of the *Local Government Act 1993* for the Waste Collection Services (with the understanding that one (1) Waste Collection Service entitles a property owner to a 240-litre weekly garbage service per assessment – unless otherwise indicated):

Particulars	2021/2022 Charge per annum (\$)
Domestic – Coonamble Occupied	280.00
Domestic Coonamble – additional Service (per additional service)	140.00
Commercial – Coonamble Occupied	280.00
Commercial Coonamble – additional Service (per additional service)	140.00
Domestic – Gulargambone Occupied	365.00
Domestic Gulargambone – additional Service (per additional service)	140.00

Commercial – Gulargambone Occupied	365.00
Commercial Coonamble – additional Service (per additional service)	140.00
Domestic – Quambone Occupied	315.00
Domestic Coonamble – additional Service (per additional service)	140.00
Commercial – Quambone Occupied	315.00
Commercial Quambone – additional Service (per additional service)	140.00
Coonamble/Vacant Land – within scavenging area	48.00
Gulargambone/ Vacant Land – within scavenging area	48.00
Quambone/Vacant Land – within scavenging area	48.00

8. That Council, in accordance with the provisions of Section 566(3) of the *Local Government Act 1993*, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2022. The rate of interest payable on overdue rates and charges for the 2021/22 financial year will be 6.0% per annum.
9. That Council, in accordance with the provisions of Section 405(6) of the *Local Government Act 1993*, places a copy of its adopted Operational Plan on its website within 28 days of it being formally adopted at the June 2021 Ordinary Meeting.

CARRIED

RESOLUTION 2021/131

Moved: Cr Paul Wheelhouse

Seconded: Cr Barbara Deans

10. That Council notes the submission received from the Coonamble Show Society Incorporated and authorises expenditure to the amount of \$25,000 for the purpose of renewing the tables and chairs at the Showground Pavilion with an adequate number of suitably hard-wearing furniture, funded from its projected consolidated surplus of \$59,835 for the forthcoming 2021/22 Financial Year, and further that the following actions be undertaken as part of the normal annual maintenance activities for this

facility as provided for in the 2021/22 Operational Budget:

- Necessary maintenance works on the external doors, including the roller doors to the bar and kitchen, to ensure that they are lockable and secure;**
- Necessary maintenance works to the stage where it is showing signs of wear and tear;**
- Necessary filling up of hidden holes in the grassed area between the eastern side of the pavilion and the arena fence to eliminate the liability risk;**
- Necessary levelling of the base of the stable flooring with the cement footings of the shed to eliminate the work health and safety concerns for competitors and animal welfare considerations;**
- Necessary replacement of lights at the entrance gate.**

CARRIED**RESOLUTION 2021/132**

Moved: Cr Paul Wheelhouse

Seconded: Cr Pat Cullen

11. That Council resolves for the requested upgrade to the Coonamble Showgrounds' water infrastructure to be added as an item to its 2021/22 Operational Plan actions, as a capital expenditure item to be further investigated and reported back on firstly to the Coonamble Showground Users Group and thereafter to Council; for determining the most effective and efficient design and placement of infrastructure to facilitate the needs of the different users, as well as the consideration of an appropriate budget allocation in this regard for the next financial year. Further, that the following suggestions of the Coonamble Show Society Incorporated be included as part of this investigation:

- Moving the two (2) small tanks from the river site in the middle of the grounds down to the proposed new multipurpose pavilion towards the south;**
- Installing a new larger tank in their place (this site has mains water access and access to river water via a spear), with the proposal for this to be a 280,000 liter tank, with a pump big enough to run the travelling irrigator;**
- Providing for a travelling irrigator, which is envisaged to be paid for by Council's insurance as old one was stolen;**
- Providing for a water line, pressurised by the new pump to be run from the new large tank to a standpipe at the arena fence, to facilitate attaching the irrigator or using a water truck in the safest way possible for the showground users/attendees. (It is suggested that this water line could actually already be present but needs to be verified.)**
- Investigating grant funding options for the above mentioned projects.**

CARRIED

RESOLUTION 2021/133

Moved: Cr Paul Wheelhouse

Seconded: Cr Pat Cullen

- 12. That Council notes the three (3) submissions received from community members regarding the sealing and upgrade of the Tooraweenah Road, as well as the commentary provided in the body of the report cautioning Council about the various considerations that are associated with, and which should be taken into consideration when deciding about the timeframe within which the project is to be executed. Further, that further information that comes to light regarding the funding agreements with the State and Federal Spheres of Government pertaining to the Tooraweenah Road project be continued to be reported to Council, which information would also assist and inform any future decision making regarding this project, and that it be taken on board by staff that the project be completed in the shortest possible timeframe, preferably within a 12 month period from the time of the project approval.**

CARRIED

Cr Deans requested for her vote to be recorded as against the motion.

10.14 URBAN SERVICES - WORKS IN PROGRESS

RESOLUTION 2021/134

Moved: Cr Paul Wheelhouse

Seconded: Cr Barbara Deans

That Council notes the information in this report.

CARRIED

10.15 REQUEST FOR FURTHER INFORMATION - COST RELATED TO RENEW THE LAYBACK IN CASTLEREAGH STREET.**RESOLUTION 2021/135**

Moved: Cr Paul Wheelhouse

Seconded: Cr Robert Thomas

1. That Council requests from the Towri Units management committee a 25% co-contribution towards the replacement of the layback in front of the Towri Units at the northern end of Castlereagh Street, and further, that such co-contribution be capped at the amount of \$3,000.
2. That conditional on the co-contribution mentioned in paragraph one above being received from the Towri Units management committee, Council replaces the dangerous layback at the entrance in front of the Towri Units at the northern end of Castlereagh Street, Coonamble with the required funding to carry out the works being sourced from Council's kerb and gutter maintenance budget allocation.

CARRIED

10.16 COMMUNITY SERVICE PROGRESS REPORT**RESOLUTION 2021/136**

Moved: Cr Pat Cullen

Seconded: Cr Paul Wheelhouse

That Council notes the information contained in this report.

CARRIED

10.17 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT**RESOLUTION 2021/137**

Moved: Cr Barbara Deans

Seconded: Cr Paul Wheelhouse

- 1. That Council notes the contents of this report.**
- 2. That Council submits a response to the Department of Planning, Industry and Environment prior to 14 July 2021 to opt into clause 5.22 dealing with Special Flood Considerations to be inserted into the Coonamble Local Environmental Plan 2011.**
- 3. That Council in principle agrees to preparing an interim Development Control Plan to address the flooding requirements and investigates ways to fund this project.**
- 4. That Council adopts the following fee structure pertaining to community members appointed to the Western Region Planning Panel:**
 - 4.1 An hourly rate of \$70 (GST exclusive) per hour for all labour tasks (functions outlined in the Operational Procedure) and reimbursement of other reasonable expenses as described below.**
 - 4.2 Work related travel in own vehicle – reimbursed at a kilometre rate of either 68c/kms for a <2.5L vehicle and 78c/km or above for >2.5L, as per the Local Government (State) Award 2017. This rate includes the use of fuel.**
 - 4.3 Airfares are a direct reimbursement at cost, however, requiring confirmation with Council.**
 - 4.4 Accommodation expenses, at cost, for up to \$120 per night in regional areas and \$180 per night in metro areas.**
 - 4.5 Overnight allowance (subsistence) of \$80 in regional areas and \$100 in metro areas for overnight stays.**
 - 4.6 Any other unforeseen expense not covered by the above, will be authorised at the discretion of the General Manager.**

CARRIED

10.18 SALEYARDS REPORT**RESOLUTION 2021/138**

Moved: Cr Paul Wheelhouse

Seconded: Cr Pat Cullen

That Council notes the information provided in this report.

CARRIED

10.19 ADOPTION OF MOBILE FOOD VENDING VEHICLE POLICY**RESOLUTION 2021/139**

Moved: Cr Barbara Deans

Seconded: Cr Paul Wheelhouse

1. That Council notes the information of this report.
2. That Council formally adopts the Mobile Vending Vehicles Policy attached to this report.
3. That Council notes the information provided in the Procedure for Mobile Food Vending Vehicles including the two forms for:
 - (a) Notification of Mobile Food Vending Vehicle Form (Private land); and
 - (b) Application to Operate Mobile Food Vending Vehicle on Public Road or Council Land.

CARRIED

10.20 DRAFT CONTAMINATED LAND MANAGEMENT POLICY**RESOLUTION 2021/140**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

1. That Council places the draft Contaminated Land Management Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
2. That Council requests the Executive Leader Environment, Strategic Planning and Community to present a further report, together with all submissions received, to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the Contaminated Land Management Policy (with or without changes) at its August 2021 Ordinary Meeting.
3. That Council, in the event of it not receiving any submissions during the public exhibition period, formally adopts the Contaminated Land Management Policy without any changes as a policy of Council.

CARRIED

10.21 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS**RESOLUTION 2021/141**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

1. That Council notes the information in this report.
2. That Council prioritises the Carinda Road as its main priority project for Round Three of the Fixing Local Roads grant funding opportunity, which will entail a continuation of heavy patching work on the existing sealed section of this road.

CARRIED**10.22 FLOODPLAIN RISK MANAGEMENT STUDY AND PLANS - WEST COONAMBLE, GULARGAMBONE AND QUAMBONE****RESOLUTION 2021/142**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

1. That Council endorses the floodplain risk management studies and plan for West Coonamble, Gulargambone, and Coonamble.
2. That Council resolves to fund the Euronne Gully upgrade from Round 3 of the Local Roads and Community Infrastructure grant, and that the necessary designs and costings be prepared to determine the quantum of funding needed for the satisfactory execution of this project.

CARRIED**11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS**

Nil

12 CONFIDENTIAL MATTERS**RESOLUTION 2021/143**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

12.1 Offer to Purchase Council Owned Property

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest

as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12.2 Consideration of Development Application 025/2018

This matter is considered to be confidential under Section 10A(2) - g of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CARRIED

12.1 OFFER TO PURCHASE COUNCIL OWNED PROPERTY**RESOLUTION 2021/144**

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

1. That Council notes the information contained within this report.
2. That Council rejects the initial offer to purchase Lot 4 DP 1169793 Hooper Drive Coonamble, and table a counter offer of \$42,500 (GST exclusive), based on the current market value of the property.
3. That Council, following negotiation with the interested party, disposes of Lot 4 DP 1169793 Hooper Drive Coonamble by private treaty should the counter offer mentioned in paragraph two (2) above be accepted.
4. That Council authorises the General Manager to sign all legal documents pertaining to the sale of the allotment mentioned in paragraph two (2) above, and further authorises the affixing of Council's seal commensurate to the provisions of Regulation 400 of the *Local Government (General) Regulations 2005* on these documents where necessary and appropriate.

CARRIED

12.2 CONSIDERATION OF DEVELOPMENT APPLICATION 025/2018**RESOLUTION 2021/145**

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

1. That Council notes the information contained within this report.
2. That Council approves DA025/2018 for a Colourbond metal shed (as built) on Lot 3 DP 1206628, 96 Carinda Road Coonamble for the use of the building as a storage shed that will be ancillary to the use of the land for residential purposes.
3. That Council approves that the development shall be carried out in accordance with:
 - (a) The development application DA025/2018 submitted to Coonamble Shire Council.
 - (b) The approved stamped Statement of Environmental Effects dated March 2021.
 - (c) The approved stamped Plans prepared by Best Sheds dated 30 March 2021.

except as varied by the conditions listed herein or as marked in red on the plans. A current and approved copy of the approved stamped by Coonamble Shire Council is to be maintained on site for constructional and reference purposes.

- (d) The shed is to be used only for storage purposes that are incidental to the use of the land for residential purposes. The operation of the premises for a depot, mechanical repair station, industry or the like is

not permitted.

- (e) No nuisance shall be caused to the amenity of the area by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.
- (f) The internal access road to the shed shall be maintained with adequate gravel cover to minimise dust nuisance caused from vehicles entering and leaving the shed.
- (g) Within six months of the date of this consent a new 1.8 metre high Colourbond metal fence shall be installed along the eastern boundary of Lot 3 DP 1206628, generally in accordance with the Colourbond Steel Fencing Installation Guide. The colour of the fence shall be Domain to match the existing Colourbond fence located towards the southern boundary of Lot 3 DP 1206628.

UNANIMOUSLY CARRIED

RESOLUTION 2021/146

Moved: Cr Bill Fisher
Seconded: Cr Barbara Deans

That Council moves out of Closed Council into Open Council.

CARRIED

MOTION

RESOLUTION 2021/147

Moved: Cr Bill Fisher
Seconded: Cr Barbara Deans

That Council adopts in Open Council the resolutions passed in Closed Council (Resolution 2021/144) and (Resolution 2021/145).

CARRIED

13 CONCLUSION OF THE MEETING

The Meeting closed at 3.15.

The minutes of this meeting were confirmed at the Council held on 14 July 2021.

.....
CHAIRPERSON

7 DISCLOSURES OF CONFLICTS OF INTEREST

8 MAYORAL MINUTE

MAYORAL MINUTE

File Number: M3

Author: Marina Colwell, Executive Support Officer

Authoriser: Hein Basson, General Manager

Annexures: Nil

Mayor's Activities Report

I have pleasure in reporting to Council my activities in the role of Mayor since the June 2021 Meeting.

➤ National General Assembly

Along with Cr Fisher, I attended the National General Assembly (NGA) in Canberra from 20 to 23 June. This was indeed a very informative conference.

Some of the topics covered by our Federal Member of Parliament, The Hon Mark Coulton MP, were:

○ The Partnership between the Federal and Local Spheres of Government

He explained the importance of this relationship and how both spheres of Government benefit from the exchange of information and that there always must be an adequate sharing of governing functions between these levels of Government.

○ Regional Health

- Work force issue: He acknowledged the issue of the lack of trained medical staff but does not want to discourage any new or existing skilled people from relocating or staying in rural or remote areas by understating the shortage of the qualified support network.
- There is a high number of rural and remote people wanting to be trained in medical fields regionally, they also wish to stay in their rural communities acknowledging the need for numerous areas of medically trained professionals in the bush. For example, the Dubbo training program, which is expected to take its first students in January 2022 to support an enhanced Medical Doctor (MD) system and the completion of a state-of-the-art facility.
- Changes to the Medicare Rebate System for MDs came about to encourage MDs to stay in rural towns. There is approximately 30% of vacancies in rural towns for doctors. Some country Council's are endeavouring to be innovative in ways to attract General Practitioners to their communities.
- There is a substantial demand for more focus on the needs of Mental Health in rural Australia. The current perception is that farmers are the highest suicidal statistic, but unfortunately, suicides are occurring in a range of occupations.

○ Regional Telecommunications

- Data Hubs – These data collecting hubs have been erected in many rural communities to gather weather information for the continual improvement of farming practices. Gathering this information is for the development of the

industry from the advancement of machinery to producing what is most suitable to that region.

- Telstra Corporation – There is a wide perception that Telstra is the only company offering communication services in regional Australia. The Government is facing the challenge of letting people know what other options are available to them, and that more research from individuals may lead to the discovery of those other options; which will result in increased competition between the suppliers.
- Skills and growth issues
 - Many rural Councils in NSW are usually the largest employers, employing a high number of employees in their LGA. These Councils are investing in their young and older employees through training and upskilling them in a variety of roles. Therefore, it is a real challenge to change the myth that young people have to leave their communities and families to upskill or educate themselves.
- Inland Rail – Connecting with Communities
 - This project is a significant investment in rural NSW that will benefit the rural communities along the Inland Rail route. The financial growth possibilities for large and small organisations / businesses along this route offer several exciting prospects.
- Infrastructure Packages
 - There are several funding and grant packages in the pipeline for infrastructure and roads infrastructure that Councils will benefit from in the near future. These will stimulate local growth and contribute to the recent effects of the drought, flood, fire and the Covid pandemic. The travel restrictions and limitations on overseas holidays has proven to be beneficial to the rural tourism industry; thus the necessity for the forthcoming packages.
- One (1)% Federal Assistance Grants (FAGs) –
 - Due to the Covid pandemic the reduction in the FAGs has left Councils advocating for its return to one (1)% of total Commonwealth revenues. The Federal Government had increased other funding opportunities to Councils, which included projects like the Roads to Recovery and Fixing Local Roads programs and other stimulus packages for Local Government Areas that, when calculated together, are well above the one (1)%.
 - Cr Linda Scott, current President of LGNSW and ALGA, is still promoting that the Local Government Industry needs to keep advocating for the one (1)% to be reinstated and passed back onto Local Governments in a consistent manner through the annual FAGs allocation.

➤ **Covid Lockdown**

- Since returning to visit my other business in the Blue Mountains after the NGA, I have had to adhere to the Greater Sydney Covid-19 lockdown restrictions. This situation has posed to be somewhat difficult; however, I have been in regular contact with the General Manager, Executive Support Officer, some Councillors and other community members – who have kept me abreast of the happenings in and around our community.

- I understand the complexities the community is facing with the current Health Regulation around the continual wearing of masks, adhering to the QR code signing in mechanism which has now been adopted for all shops and businesses, and travelling restrictions. I would like to commend the community for complying with these measures during this challenging time.

MOTION:

That Council notes the contents of the Mayoral Minute.

SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL

SECTION B - MATTERS FOR INFORMATION ONLY

9 COMMITTEE REPORTS

Nil

10 REPORTS TO COUNCIL

10.1 LG NSW - PRESIDENT'S MESSAGE

File Number: L 10

Author: Marina Colwell-Executive Support Officer

Authoriser: Hein Basson, General Manager

Annexures: 1. LGNSW Presidents Message

PURPOSE

The purpose of this report is to consider the information in the President's Message, Cr Linda Scott from Local Government NSW (LGNSW) that was published on Tuesday 22 June 2021 on the LGNSW website.

BACKGROUND

LGNSW circulates information to their current members and the information received will potentially impact on Council's future activities.

(a) Relevance to Integrated Planning and Reporting Framework

(b) L14.4.4 Governance is open and transparent.

12.3.1 Continue to upgrade and maintain infrastructure that supports cultural recreational and leisure activities.

(c) Financial Considerations

The information contained in the attachments relates to Coonamble's Shire's continued development of infrastructure and economic growth.

COMMENTARY

The recently released publication from LGNSW, copies of which are included with the Business Paper, are largely self-explanatory. Around \$1.5 billion will be made available to local governments after continual advocacy of this organisation. This funding availability would help councils to not only address ongoing challenges from recent natural disasters, but to also create economic stimulus for jobs growth. Included with this newsletter was the announcement that the NSW Government will be providing a one-off payment to fully fund the increase in local governments' 2021-22 Emergency Services Levy (ESL) contributions.

(a) Governance/Policy Implications

It is advisable for Councillors and management to stay current of developments within the local government sector, in order to adequately fulfil their roles and functions.

(b) Legal Implications

There are no legal implications attached to this report.

(c) Social Implications

There are no social implications attached to this report.

(d) Environmental Implications

There are no environmental implications attached to this report.

(e) Economic/Asset Management Implications

There are no economic / asset management implications attached to this report.

(f) Risk Implications

There are not risk implications attached to this report.

CONCLUSION

This report provides Council with updated information on the State Budget; indicating the State Government's support of Local Councils' economic recovery following a period of hardship due to natural disasters and Covid-19. It also confirms that this sphere of Government will be fully funding ESL for the 2021-22 financial year.

RECOMMENDATION

That Council notes the contents of this report.

6/30/2021

President's message 22 June 2021



22 June 2021

I am pleased to report around \$1.5 billion funding for local government announced in today's State Budget, the result of many months of hard work by councils and Local Government NSW advocating for financial backing to lead local communities in an economic recovery and create new jobs.

As President of LGNSW, I was pleased to see our advocacy efforts pay off with a Budget that will help councils to not only address ongoing challenges in the wake of multiple natural disasters but to also create stimulus for jobs growth.

Of course, we do not live in a perfect world and we didn't get everything we asked for, but there were a lot of positives.

Let's start with good news: The NSW Government is providing a one-off payment to fully fund the increase in local government's 2021-22 Emergency Services Levy (ESL) contributions.

This payment will ensure your council pays the same amount in 2021-22 as it did in the 2019-20 financial year pre-COVID-19.

We will continue to pursue legislative reform around this crippling levy on councils and push for the NSW Government to implement the intention of the Parliament, which would enable councils to fund the ESL outside of the rate peg as a separate line item on rates notices.

Here are some other announcements that will bring improvements and create jobs in local government:

- \$550 million granted directly to councils and organisations to fund infrastructure and foster economic growth through Restart NSW funding in 2021-22, set to create about 8,000 jobs

https://www.lgnsw.org.au/Public/News/President-Message/2021/PM_062221.aspx?WebsiteKey=bcab1257-cbc9-4447-bab4-a1399a95e4c7

2/4

6/30/2021

President's message 22 June 2021

- More than \$2 billion to almost 3,000 regional infrastructure projects, which will inject cash and create jobs in local communities and includes a Regional Job Creation Fund set to generate 5,000 new jobs
- \$240 million for 2021-22 that will improve road and connectivity conditions and help support jobs through the Fixing Local Roads and Bridges program, a significant win for councils that will improve road and connectivity conditions and help support jobs
- Almost \$332 million in 2021-22 for road safety investment such as audio tactile markings, wide centre lines and crash barriers. This is a big win for regional road safety.

Something important to many councils, and to me personally, is the environment, so I was very happy to see \$490 million over the next four years to increase the uptake of electric vehicle purchases by cutting taxes and reducing barriers for their use, such as increased charging stations.

With the transport sector contributing about 18 per cent of New South Wales' total greenhouse gases, this is a major breakthrough and reflects LGNSW advocacy and motions at our 2019 annual conference from Mosman, Shoalhaven City and Liverpool City councils.

On the critical issue of affordable housing, something local government and LGNSW has been increasingly vocal about, I am pleased to see \$852 million in capital expenditure in 2021-22 to support the delivery of social and affordable housing and capital upgrades across the State.

In terms of job-creating infrastructure, local roads, cycleways and footpaths are set to create an estimated 12,000 jobs.

The Budget also includes a welcome new \$250 million fund to support upgrades to regional roads as part of the Regional Road Transfer and Road Classification Review.

This funding shows the Government listening to our calls to act on its previous promise to take back 15,000km of roads from councils.

We are making significant headway when it comes to the growing waste and recycling crisis, with the Budget committing \$149 million in 2021-22 to implement its *Sustainable Materials Strategy 2041*.

LGNSW has been leading the call for the NSW Government to act on this issue since the launch of our Save Our Recycling action plan in early 2019, and this announcement is largely a result of our advocacy efforts.

The Government's strategy is still lacking key elements of our proposed plan, and rest assured we will continue to press them on issues such as reinvestment of the \$750 million it collects annually through the Waste Levy into the sector and greater education around proper recycling methods.

There is much more to unpack in this year's State Budget, but among other significant outcomes for councils resulting from LGNSW advocacy:

- \$268 million in response to the Bushfire Inquiry, bringing the total to \$460 million with Commonwealth funding, including implementation of a new National Fire Danger Ratings System. This will build resilience in our regions and is a key outcome of LGNSW [advocacy](#).
- \$64 million over four years for regional resilience through the "Future Ready Regions" strategy, which is consistent with LGNSW advocacy and policy positions on drought resilience and in line with 2020 Conference resolutions from Tenterfield and Warren Shire councils

6/30/2021

President's message 22 June 2021

- An extra \$380 million over four years to help expedite investment into the State's five renewable energy zones and smooth the way for an increase in solar, wind and storage projects, in line with LGNSW's [climate change statement](#)
- \$109.5 million for 25 child and adolescent mental health response teams to cover every local health district across NSW, which directly addresses our recommendation in the rural and regional health inquiry [submission](#)
- \$150 million in 2021-22 to extend the free preschool program for NSW families for the two years before school – LGNSW will continue to push for funding relief to be extended to all early learning service types
- \$80 million to establish new multi-day walks across NSW, which LGNSW advocated directly to Environment Minister Matt Kean following a resolution from Shoalhaven City Council at the LGNSW Annual Conference 2020
- A \$27.9 million commitment over four years to fund the expansion of the NSW Drug Court to Dubbo in an effort to tackle the ice epidemic that has particularly afflicted regional communities.

These outcomes will contribute to councils' goal of leading local recovery and building future resilience for their communities, and I congratulate the NSW Government on handing down this Budget.

I also congratulate all our member councils that provide the motions that guided our advocacy priorities and supported our efforts so strongly.

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10.2 WORKPLACE INJURY MANAGEMENT REPORT

File Number: S-17

Author: Graeme Joseph-Training & WHS Coordinator

Authoriser: Hein Basson, General Manager

Annexures: Nil

PURPOSE

The purpose of this report is to keep Council informed of significant Workers Compensation Insurance figures and trends.

EXECUTIVE SUMMARY

Information on Workers Compensation has been provided from the financial years 2018 / 2019, 2019 / 2020 and the year-to-date figures for the 2020 / 21 year.

BACKGROUND

Workers Compensation claims affect the Council's budget through policy fluctuations caused by premium impacting claims. By actively working to reduce Council lost time injuries and time spent on Workers Compensation, we are able to reduce the premium amount and lower the frequency of these claims.

(a) Relevance to Integrated Planning and Reporting Framework

L1.4.7. Ensure, compliance with legislation for WH&S.

(b) Financial Considerations

Improvement in safety practices and compliance reduces Worker's Compensation premiums through a reduction in injury and claim costs, as well as the risk of legal action and fines for non-compliance with current WHS legislation and regulations. The workers compensation premium has been estimated and included in the budgetary considerations for 2020/21.

COMMENTARY

The table below covers Workers Compensation claims provided from the 2018/19 to 2020/21 year to date (YTD) financial years.

The table below covers Workers Compensation claim costs over three (3) financial years, 2018/19 to 2020/21 YTD – May 2021.

Again, there has been a small increase since last month in both time lost and claim costs, due to an on-going open claim from 2019 / 20 and one (1) new claim in the 2020 / 21 reporting period. Overall, claim costs have increased since 2018/19, however the trend for the current financial year is not expected to rise significantly.

Lost Time Injury days (LTI Days) have increased since last month with no increase to the Total Cost of All Premium Impacting Claims (paid to date).

Council continues to work closely with the insurer and other providers to achieve a return to work within the shortest possible timeframe; however, the ongoing lost time could negatively influence Council's premium costs.

Item	2018/2019	2019/2020	2020/2021 YTD – May 2021
Total Premium	\$246,574.11	\$241,450.13	\$301,392.83 (Estimate)
Premium as a % of Gross Wages (ex GST)	3.2%	3.2%	3.1% (Estimate)
YTD New Claims (Premium Impacting)	5	6	4
YTD New Claims (Non-Premium Impacting)	1	2	8
YTD Total New Claims	6	8	12
YTD Time Lost Due to Injury (LTI Days)	88	398	156
Open Premium Impacting Claims (Current Year)	0	2	2
Open Non-Premium Impacting Claims (Current Year)	0	0	6
Total Open Claims	0	2	8
Closed Claims that are Impacting on Council's Premium (current year)	N/A	N/A	11
Total Cost of All Premium Impacting Claims (paid to date)	\$38,142	\$128,720	\$52,587
Scheme Performance Rebates	\$24,418.71	\$24,872.53	\$61,803.89

(a) Governance/Policy Implications

There is no governance / policy implications arising from this current report, however it is expected as a result of continuous improvement processes Council's WHS Policies and practices may be altered to reflect best practice in the coming years.

(b) Legal Implications

There are no legal implications arising from this report itself. All employers in NSW are subject to operate within the requirements of the Work, Health and Safety Act 2011, Work, Health and Safety Regulation 2017 and Workers Compensation Act 1987.

(c) Social Implications

While there are no social implications arising from this report, it is important to note that Council should strive to act in a socially responsible manner and has a duty of care towards its employees, contractors, volunteers and members of the public. By aiming to achieve best practice, the Council can provide leadership and support to the wider community.

(d) Environmental Implications

There are no direct environmental implications arising from this report.

(e) Economic/Asset Management Implications

There are no Asset Management Implications arising from this report. If Workers Compensation Claims are miss managed, there may be impacts on Council’s budget through increases to the premium.

(f) Risk Implications

Risk	Risk Ranking	Proposed Control	Proposed Risk Ranking	Within Existing Resources?
Workers Compensation Claim will impact heavily on Council's Budget.	Medium	All Workers Compensation claims are actively managed and resolved as quickly as possible.	Low	Yes
Workers Compensation Claim is not reported within the required time frame resulting in Council being responsible for the claims excess.	Medium	All claims are to be lodged within 5 days after injury date.	Low	Yes
An increase in injuries to employees.	Medium	Training and WHS Coordinator to work closely with Managers and Supervisors to highlight potential sources of injury prior to an incident taking place.	Low	Yes

CONCLUSION

This report has been developed to advise Council of Workers Compensation Insurance figures and trends and will be an ongoing monthly report.

Council continues to work closely with StateCover to manage Workers Compensation claims and is continuously monitoring and reviewing its WHS obligations and recovery at work systems to reduce workplace hazards and improve outcomes for injured workers.

RECOMMENDATION

That Council notes the contents of the Workplace Injury Management report.

10.3 PUBLIC INTEREST DISCLOSURES INTERNAL REPORTING POLICY FOR ADOPTION

File Number: G9 & P15

Author: Amanda Nixon-Manager - People, Risk and Improvement

Authoriser: Hein Basson, General Manager

Annexures: 1. Public Interest Disclosures Internal Reporting Policy

PURPOSE

The purpose of this report is to provide Council with a revised draft Public Interest Disclosures Internal Reporting Policy for consideration and adoption, as well as to establish an internal system for staff and Councillors to report wrongdoing without fear of reprisal.

BACKGROUND

The policy sets out to whom wrongdoing may be reported, what can be reported and how reports of wrongdoing will be addressed. As a public authority, Council is required to have a policy and procedures for receiving, assessing and dealing with public interest disclosures under section 6D of the *Public Interest Disclosures Act 1994* (PID Act).

In formulating the policy, Council must have regard to the NSW Ombudsman's Model internal reporting policy for Local Government and guidelines. The Coonamble Shire Council's policy has been updated to reflect the NSW Ombudsman's model internal reporting policy for Local Government and associated guidelines.

(a) Relevance to Integrated Planning and Reporting Framework

This item links to Council's Delivery Plan and 2020-21 Operational Plan through:

L1.4.4 Governance is open and transparent.

L1.4.5 Review Council policies.

L1.4.4 Conduct all business in compliance with Local Government Act & Regulations.

(b) Financial Considerations

Council does not have a history of frequent public interest disclosures; therefore, no financial implications are expected. The implementation of the revised policy can be accommodated with existing staff resources.

COMMENTARY

Council adopted the current Public Interest Disclosures Internal Reporting Policy on 8 April 2015, which was reviewed by Council on 14 June 2017 with only minor amendments. In July 2020, the NSW Ombudsman released an updated model internal reporting policy for Local Government. As Council's current policy was not in line with the model policy released, it was required to be reviewed and updated.

This report presents an updated draft Public Interest Disclosures Internal Reporting Policy for Council's consideration that is very closely based on the NSW Ombudsman's model policy. The key amendments include:

- Minor editing to improve readability and reflect Council's policy format.
- Clarification of the roles and responsibilities of key positions.
- Addition of a new section regarding the assessment of reports which outlines how reports will be initially assessed to determine whether an investigation should proceed.
- Definitions.
- Inclusion of Disclosure Officers with contact details.
- Inclusion of a flow chart outlining Council's internal reporting process.
- Inclusion of Internal Reporting Form.
- Inclusion of Initial Assessment of Internal Report.

The draft policy attached to this report is not considered local policy under the Local Government Act 1993 and therefore are not required to be on public exhibition for 28 days before being submitted to Council for adoption.

(a) Governance/Policy Implications

Once adopted by Council, the policy will become part of the overarching policy framework for Council. It is important for this draft Policy to also be read in concert with Council's Fraud and Corruption Control Policy adopted in June 2021.

(b) Legal Implications

The revised policy has been reviewed to ensure compliance with the *Public Interest Disclosures Act 1994*, NSW Ombudsman's model internal reporting policy for Local Government and guidelines.

(c) Social Implications

While there are no social implications arising from this report, it is important to note that Council should strive to act in a socially responsible manner and has a duty of care towards its staff, contractors, volunteers and members of the public. By aiming to achieve best practice, the Council can provide leadership through open and transparent governance.

(d) Environmental Implications

There are no environmental implications in this report.

(e) Economic/Asset Management Implications

There are no economic / asset management implications arising from this report.

(f) Risk Implications

Risk	Risk Ranking	Proposed Control	Proposed Risk Ranking	Within Existing Resources?
Inconsistency between legislative requirements and the current Council policy, as it is not based on the current NSW Ombudsman’s Model Policy for Local Government.	Medium	Council adopts the revised and amended Public Interest Disclosures Internal Reporting Policy.	Low	Yes

CONCLUSION

The Public Interest Disclosures Internal Reporting Policy is a requirement of the *Public Interest Disclosures Act 1994* for all public authorities. The policy confirms Council’s commitment to promoting ethical and accountable conduct and to supporting and protecting staff who report wrongdoing.

The draft Public Interest Disclosures Internal Reporting Policy has been amended and updated to reflect the NSW Ombudsman’s model internal reporting for Local Government and guidelines.

The draft Public Interest Disclosures Internal Reporting Policy is recommended for Council’s adoption.

RECOMMENDATION

- 1. That Council notes the information contained in this report.**
- 2. That Council formally adopts the revised Public Interest Disclosures Internal Reporting Policy attached to the report.**

1. BACKGROUND

Under section 6D of the *Public Disclosures Act 1994* (the PID Act), public authorities are required to have a policy and procedures for receiving, assessing, and dealing with protected disclosures. The definition of public authorities includes Councils. This policy has been developed from the model internal reporting policy for Local Government provided by the NSW Ombudsman to ensure compliance and commitment to the legislation.

Coonamble Shire Council acknowledges the need to have a relevant Internal Reporting Policy to encourage and facilitate the disclosure, in the public interest, of cases where corrupt conduct, maladministration, serious and substantial waste and government information contravention occurs with Council.

2. PURPOSE

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 to report wrongdoing to in the Council, what can be reported and how reports of wrongdoing will be dealt with by 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 PID Act.

This policy is just one in the suite of Council's complaint handling policies and should be read in conjunction with the *Model Code of Conduct, Local Government (State) Award* and any other relevant policies.

The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the appropriate channels. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to appropriate department head or Human Resources to be dealt with in accordance with the *Local Government (State) Award or Code of Conduct*.

3. POLICY OBJECTIVE

The aim of the policy is to establish an internal reporting system for the reporting of disclosures of corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention and Local Government pecuniary interest contravention for staff and public officials.

Coonamble Shire Council is strongly committed to the principles underpinning the PID Act and commits itself to:

- Create a climate of trust, where people are comfortable and confident about reporting wrongdoing.
- Encourage staff to come forward if they are aware of wrongdoing within the Council.
- Keep the identity of the staff member disclosing wrongdoing confidential, where this is possible and appropriate.

- Protect staff from any adverse action resulting from them making a report.
- Deal with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to address it.
- Keep staff who make 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 support this policy including encouraging reports of wrongdoing, properly manage allegations and support staff who make reports.

Under the PID Act, the General Manager as the head of the public authority 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.

4. LEGISLATION

Code of Conduct
Government Information (Public Access) Act 2009
Independent Commission Against Corruption Act 1988
Local Government Act 1993
Local Government (State) Award 2020
Privacy and Personal Information Protection Act 1998
Public Interest Disclosure Act 1994
Work Health and Safety Act 2011

5. APPLICATION/SCOPE

This policy applies to public officials who are defined under the PID Act, including:

- Council staff and Councillors.
- Permanent employees, whether full-time or part-time.
- Temporary or casual employees.
- Consultants.
- Individual contractors working for Council.
- Employees of contractors providing services to 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 Council.

6. POLICY

6.1 What should be reported?

Staff and Councillors should report any suspected wrongdoing within the Council, or any activities or incidents they see within the Council and believe are wrong.

Reports about serious misconduct that fall into the following five categories:

- a. Corrupt conduct.
- b. Maladministration.
- c. Serious and substantial waste of public money.
- d. Breach of the *Government Information (Public Access) Act 2009* (GIPA Act).
- e. Local government pecuniary interest contravention.

Which meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the relevant policies.

Even if these reports are not dealt with as public interest disclosures, Council recognises such reports may raise important issues. Council will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

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.

d. Breach of the GIPA Act

A breach of the 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.

6.2 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.

6.3 When will a report be treated as a public interest disclosure?

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, an investigating authority or in limited circumstances to an MP or journalist.

Reports by staff are not public interest disclosures if they:

- Mostly question the merits of government policy.
- Are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

6.4 Roles and responsibilities

The role of Council

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.

Council will assess all reports of wrongdoing it receives from staff and Councillors and deal with them appropriately. Once wrongdoing has been reported, takes 'ownership' of the matter. This means it is up to Council to decide whether a report should be investigated, and if so, how it should be investigated and by whom. Council will deal with all reports of wrongdoing fairly and reasonably and respect the rights of any person the subject of a report.

Council must report on its obligations under the PID Act and statistical information about public interest disclosures in the annual report and to the NSW Ombudsman every six months.

To ensure 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.

The role of 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 Council's Code of Conduct. A breach of the code could result in disciplinary action.

General Manager

The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring 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 Council's internal reporting system. The Disclosures Coordinator can receive and assess reports and is the primary point of contact in the 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 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 Council complies with the PID Act.
- Provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

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.

Executive Leaders, Managers and Supervisors

Executive Leaders, Managers and Supervisors play an important role in managing the workplace of those involved in or affected by the internal reporting process. Executive Leaders, Managers and Supervisors should be aware of the Internal Reporting Policy and are responsible for creating an 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.

6.5 Who can receive a report within the 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 Council who are authorised to receive a public interest disclosure. Managers or Supervisors who receive 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.

If the report involves a Councillor, staff should make the report to the General Manager. If the report relates to the General Manager, staff should make the report to the Mayor.

- *General Manager*
- *Mayor*
- *Disclosures Coordinator*
- *Disclosures Officers*

Contact details of current staff and Disclosures Officers are set out in Appendix A. This list will be updated when changes occur, to keep names and contact details current.

6.6 Who can receive a report outside of Council?

Staff and Councillors are encouraged to report wrongdoing within Council, but internal reporting is not the only option. Staff can also make a public interest disclosure to:

a. Investigating authorities

The PID Act lists several 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 Council are:

- The Independent Commission Against Corruption (ICAC) — for disclosures about corrupt conduct.
- The Ombudsman — for disclosures about maladministration.
- The Auditor-General — for disclosures about serious and substantial waste.
- The Information Commissioner — for disclosures about a breach of the GIPA Act.
- The Office of Local Government – for disclosures about local Councils.

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.

Staff should be aware that the investigating authority may well discuss any such reports with the Council. Council 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. Council will also provide appropriate support and assistance to staff or Councillors who report wrongdoing to an investigating authority, if made aware that this has occurred.

b. Members of Parliament (MP) or journalists (only in limited circumstances outlined below)

To have the protections of the PID Act, staff reporting wrongdoing to a 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, Council or the investigating authority that received the 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, a report about wrongdoing to an MP or a journalist will need to be able to be proved that the reported had reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

c. Other external reporting

If reporting wrongdoing to a person or authority that is not listed above or make a report to an MP or journalist without following the steps outlined above, a reporter will not be protected under the PID Act. This may mean reporter's will be in breach of legal obligations or Council's Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside Council, contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit.

6.7 How to make a report

A report about wrongdoing can be in writing or verbally. Staff are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. Council's Internal Reporting Form is also available for staff or Councillors to use to make a report. The form can be found as Appendix D to this policy.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

6.8 Can a report be anonymous?

There will be some situations where someone may not want to identify themselves when they make a report. Although these reports will still be dealt with by Council, it is best if people identify themselves. This allows Council to provide people with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.

It is important to realise that an anonymous disclosure may not prevent someone from being identified by the subjects of the report or colleagues. If Council does not know who made the report, it is very difficult for Council to prevent any reprisal should others identify the reporter.

6.9 Feedback to staff and Councillors who report wrongdoing

Staff and Councillors who report wrongdoing will be told what is happening in response to their report.

a. Acknowledgement

The PID Act stipulates that acknowledgment in writing, with a copy of this policy is provided to the reporter within forty-five (45) days of the report being made.

Council will endeavour to contact the reporter in writing within ten (10) days to confirm that the report has been received and to advise:

- The timeframe within which further updates will be received.
- The name and contact details of the people who can person what is happening or handle any concerns they may have.
- A copy of this policy.

After a decision is made about how the report will be dealt with, Council will send a letter, providing:

- Information about the action that will be taken in response to the report.
- The likely timeframes for any investigation or other action.
- Information about the internal and external resources or services available that staff and Councillors can access for support.

Please note, if the report meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of the reporter's day to day functions, a reporter will not receive an acknowledgement letter or a copy of this policy.

b. Progress updates

While report is being dealt with, such as by investigation or making other enquiries, a reporter will be given:

- Information about the progress of the investigation or other enquiries and reasons for any delay.
- Advice of any decision by Council not to proceed with the matter.
- Advice if a reporter's 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, a reporter will be given:

- Enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to the disclosure and any problem that was identified.
- Advice about whether a reporter is likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.

6.10 Maintaining confidentiality

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 Council will take steps to keep a reporter's identity, and the fact they have reported wrongdoing, confidential. Council will discuss with a reporter whether it is possible to keep their identity confidential.

If confidentiality cannot be maintained, Council will develop a plan to support and protect reporters from reprisal in consultation with them.

If staff and Councillors report wrongdoing, it is important that they only discuss the 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 the report, before and after it is made, the more likely it will be that Council can protect a reporter 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.

6.11 Managing the risk of reprisal and workplace conflict

When a staff member or Councillor reports wrongdoing, Council will undertake a thorough risk assessment to identify the risk 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, 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.

6.12 Protection against reprisals

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 Council has reasonable grounds to take such action.

a. Responding to allegations of reprisal

If a reporter believes that detrimental action has been or is being taken against them or someone else in reprisal for reporting wrongdoing, they should tell their Manager, Supervisor, Disclosures Coordinator or the General Manager immediately. In the case of an allegation of reprisal by the General Manager, a person alternatively report this to the Mayor.

All staff 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 Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, 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 a reporter alleges reprisal, they will be kept informed of the progress and outcome of any investigation or other action taken in response to the allegation. If a reporter has reported

wrongdoing and are experiencing reprisal which they believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing reported). Contact details for these investigating authorities are included at the end of this policy.

b. Protection against legal action

If staff or Councillors make a public interest disclosure in accordance with the PID Act, they will not be subject to any liability, and no action, claim or demand can be taken against them for having made the public interest disclosure. A reporter will not have breached any confidentiality or secrecy obligations and they will have the defence of absolute privilege in defamation.

6.12 Support for those reporting wrongdoing

Council will make sure that staff and Councillors 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. Contact details of Council's Employee Assistance Program can be found in Appendix C. 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.

6.13 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. 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.

6.14 The rights of persons the subject of a report

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.

The subject of the report will be advised of the allegations made against them at an appropriate time and before any adverse findings. At this time they will be:

- Advised of the details of the allegation.
- Advised of their 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 them.
- Told the outcome of any investigation, including any decision made about whether or not further action will be taken against them.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

6.15 More information

More information around public interest disclosures is available on our intranet. Staff can also seek advice and guidance from the Disclosures Coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

7. DEFINITIONS

"journalist" means a person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media.

"public authority" means any public authority whose conduct or activities may be investigated by an investigating authority, and includes (without limitation) each of the following-

- (a) A Public Service agency,
- (b) A State owned corporation and any subsidiary of a State owned corporation,
- (c) A local government authority,
- (d) The NSW Police Force, PIC and PIC Inspector,
- (e) The Department of Parliamentary Services, the Department of the Legislative Assembly and the Department of the Legislative Council.

"public interest disclosure" means a disclosure satisfying the applicable requirements of Part 2 of the *Public Disclosures Act 1994*.

"public official" means

- (a) An individual who is an employee of or otherwise in the service of a public authority, and includes (without limitation) each of the following-
 - (i) A Public Service employee,
 - (ii) A member of Parliament, but not for the purposes of a disclosure made by the member,
 - (iii) A person employed by either or both of the President of the Legislative Council or the Speaker of the Legislative Assembly,
 - (iv) Any other individual having public official functions or acting in a public official capacity whose conduct and activities may be investigated by an investigating authority,
 - (v) An individual in the service of the Crown, or
 - (a1) A person employed under the *Members of Parliament Staff Act 2013*, or
 - (b) An individual who is engaged by a public authority under a contract to provide services to or on behalf of the public authority, or
 - (c) If a corporation is engaged by a public authority under a contract to provide services to or on behalf of the public authority, an employee or officer of the corporation who provides or is to provide the contracted services or any part of those services.
- (Refer to PID Act for further information).

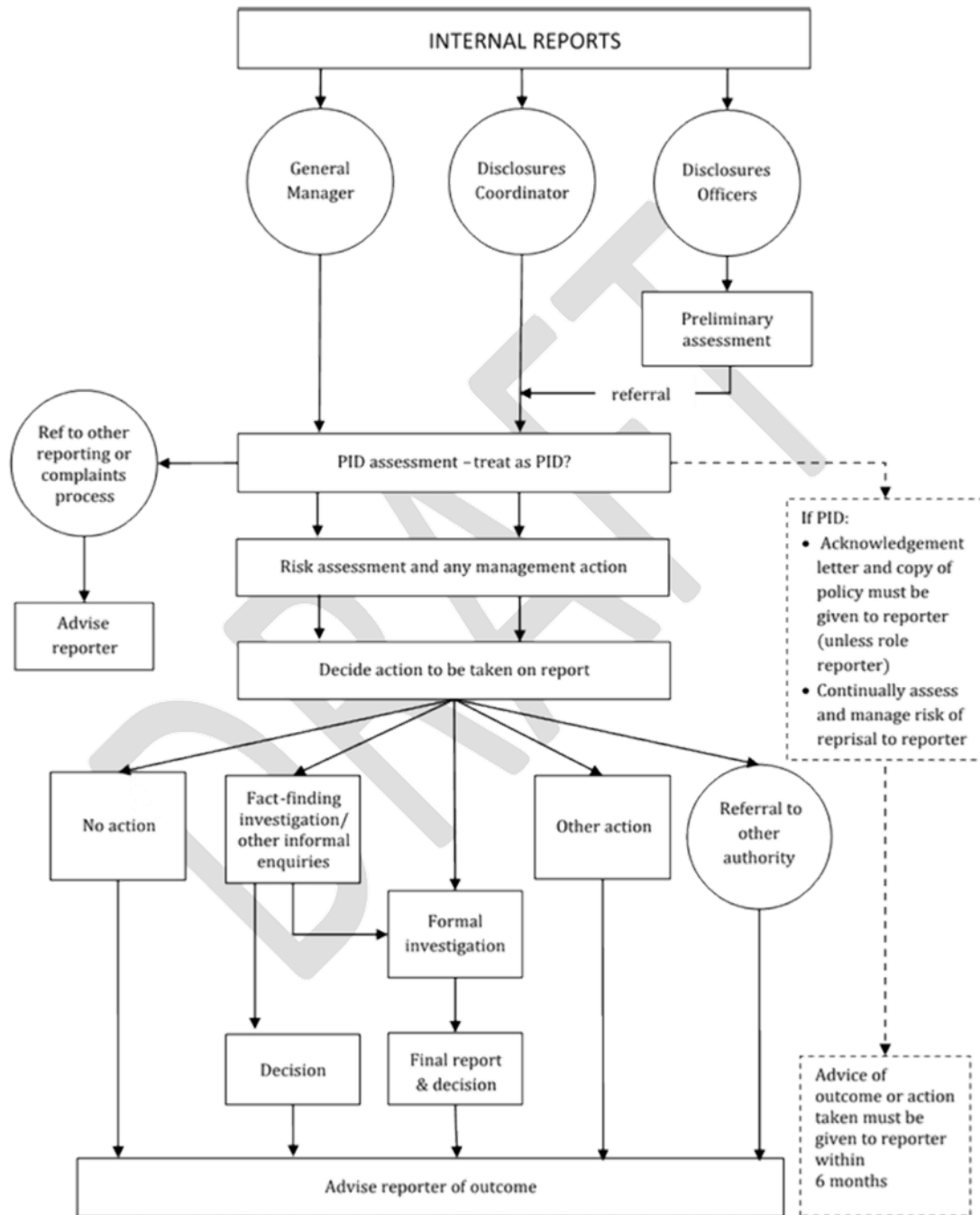
"reporter" means the person making a Public Interest Disclosure report.

Title: Public Interest Disclosures Internal Reporting Policy		
Department: General Manager		
Version	Date	Author
1	11 February 2015	General Manager
2	17 June 2017	General Manager
3	14 July 2021	General Manager
Review Date: 14 July 2024		
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Amendment History	Date	Detail
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Adopted by Council	14 June 2017	Council Resolution # 2593
Reviewed in line with model policy. Adopted by Council	14 July 2021	TBA
Annexure Attached:		
A - Current Contact Details and Disclosures Officers B - Flowchart of Internal Reporting Process C - Resources D - Internal Report Form E - Initial Assessment of Internal Report		
Hein Basson General Manager		

Appendix A: Current Contact Details and Disclosures Officers

Role	Position	Name	Contact Details
General Manager	General Manager	Hein Basson	gm@coonambleshire.nsw.gov.au PH: 02 6827 1908 M: 0408 669 931
Mayor	Mayor	Cr Ahmad Karanouh	mayor@coonamblehire.nsw.gov.au PH: 02 6822 2288 M: 0427 887 666
Disclosures Coordinator	Manager – People, Risk & Improvement	Amanda Nixon	a.nixon@coonambleshire.nsw.gov.au PH: 02 6827 1900 M: 0497 000 439
Disclosures Officer	Executive Leader – Corporate & Sustainability	Bruce Quarmby	b.quarmby@coonambleshire.nsw.gov.au PH: 02 6827 1911 M: 0427 221 449
Disclosures Officer	Executive Leader – Infrastructure	Kaylene Atkins	kookie@coonambleshire.nsw.gov.au PH: 02 6827 1903 M: 0427 271 903
Disclosures Officer	Executive Leader – Environment, Strategic Planning & Community	Noreen Vu	n.vu@coonambleshire.nsw.gov.au PH: 02 6827 19 M: 0418 513 671

Appendix B: Flowchart of Internal Reporting Process



Appendix C: 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 7, 255 Elizabeth Street, Sydney NSW 2000

For disclosures about serious and substantial waste:

Auditor-General of the NSW Audit Office
 Phone: 02 9275 7100
 Facsimile: 02 9275 7200
 Email: mail@audit.nsw.gov.au
 Web: www.audit.nsw.gov.au
 Address: Level 19, Darling Park Tower, 201 Sussex Street, Sydney NSW 2000

For disclosures about breaches of the GIPA Act:

Information & Privacy Commissioner
 Toll free: 1800 472 679
 Facsimile: 02 8114 3756
 Email: ipcinfo@ipc.nsw.gov.au
 Web: www.ipc.nsw.gov.au
 Address: Level 17, 201 Elizabeth 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 local Councils:

Office of Local Government
 Phone: 02 4428 4100
 Tel. typewriter (TTY): 02 4428 4209
 Facsimile: 02 4428 4199
 Email: olg@olg.nsw.gov.au
 Web: www.olg.nsw.gov.au
 Address: 5 O'Keefe Avenue, Nowra, NSW 2541

Employee Assistance Program

Lifeworks

PH 1300 361 008

Free confidential service for Council staff and Councillors. Both telephone and face to face appointments available.

Appendix D: Internal Report Form

To be completed by an internal reporter and submitted to nominated Disclosures Officer

Details of reporter <i>(You can make an anonymous report by leaving this section blank)</i>									
Name:									
Position:									
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Details of the wrongdoing being reported									
Description: <ul style="list-style-type: none"> • <i>What happened?</i> • <i>Where did this happen?</i> • <i>When did this happen?</i> • <i>Is it still happening?</i> [Attach an additional page if required]									
How did you become aware of this?									
Name and position of people involved in the wrongdoing:	<table border="1"> <thead> <tr> <th>Name</th> <th>Position</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Name	Position						
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I honestly believe that the above information shows or tends to show wrongdoing.									
_____ Signature of reporter <i>(Do not sign if you want to make an anonymous report)</i>	_____ Date report submitted <i>(Essential information)</i>								

Appendix E: Initial Assessment of Internal Report

To be completed by a nominated Disclosures Officer

Public Interest Disclosures – General Criteria		Comments
1	Is the reporter a public official? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Anonymous	Under the <i>Public Interest Disclosures (PID) Act 1994</i> , A <i>public official</i> includes employees, volunteers, individual contractors, certain employees of contracting companies and any other person performing a public official function for your public authority. If the reporter is not a <i>public official</i> the report is not likely to be a PID. If the reporter is anonymous, the content of the report may tend to indicate that the reporter is a public official. In such cases it is always best to assume the reporter is a public official until there is evidence to indicate the reporter is not a public official.
2	Is the report about the conduct of a public official or a public authority? <input type="checkbox"/> Yes <input type="checkbox"/> No	If the report is not about the conduct of a <i>public official</i> or <i>public authority</i> the report is not likely to be a PID.
3	Is the report about one of these categories of conduct? <input type="checkbox"/> Maladministration <input type="checkbox"/> Waste of public money <input type="checkbox"/> Breach of the GIPA Act <input type="checkbox"/> LG pecuniary interest contravention <input type="checkbox"/> Corrupt conduct	Generally speaking, a grievance, such as a complaint about bullying, is not about one of these categories of conduct. If the report is not about one of these categories of conduct it is not likely to be a PID and does not need to be forwarded to the disclosures coordinator for assessment. For line managers/supervisors: PIDs must be made to a person authorised to receive PIDs under the public authority's internal reporting policy (for example a nominated disclosure officer). If you are not authorised to receive PIDs but suspect the report could be a PID, you should direct staff member to a nominated disclosures officer or show support and go with them.
Contact details of reporter		
Name:		Preferred method of contact
Telephone:		<input type="checkbox"/> Telephone
Email:		<input type="checkbox"/> Email
Postal address:		<input type="checkbox"/> Post
Assessment and comments		
Based on this initial assessment , could this report be a Public Interest Disclosure (PID)? <input type="checkbox"/> Yes <input type="checkbox"/> No Reasons for this initial assessment: _____ Signature of nominated Disclosures Officer Date:		If yes , <input type="checkbox"/> Forward this report to the Disclosures Coordinator for formal assessment. Date forwarded: If no , the following steps will be taken: <input type="checkbox"/> Referred to: For: Date referred: <input type="checkbox"/> Complainant notified. Date notified:

10.4 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT

File Number: D5

Author: Pip Goldsmith-Manager Economic Development & Growth

Authoriser: Hein Basson, General Manager

Annexures: Nil

PURPOSE

The purpose of this report is to provide Council with an update on recent activities and the progress of projects which contribute to the economic development and growth of the Local Government Area (LGA).

BACKGROUND

The Economic Development and Growth function is tasked with providing effective and efficient delivery of a broader economic base for the LGA, enhancing business prospects, growth, and development. The function facilitates the development of programs and activities that will stimulate economic development by assisting growth and retention of businesses, as well as aiming to reduce barriers and attract diverse, sustainable, and responsible new industry development and improve the profile of the Coonamble LGA to attract investment, industry, new residents, and tourism.

(a) Relevance to Integrated Planning and Reporting Framework

Economic Development and Growth activities work towards achieving the objectives of the Community Strategic Plan, Delivery Program and Operational Plan, Economic Development Strategy, and the Coonamble Shire Council Masterplan. The Coonamble Shire 2032 Community Strategic Plan identifies 'Our Economy' as one of five (5) key themes.

(b) Financial Considerations

Project budgets for the Visitor Information Centre, Coonamble CBD public amenities, and public art and town entrance signage projects are closely monitored. All projects remain within the budgets allocated.

In applying for the Regional Tourism Activation Fund, Council must commit a co-contribution of 25% of the amount requested in Stream One. Should Council apply for the maximum available \$5 million, a \$1,250,000 co-contribution is required.

COMMENTARY

Artesian Bath Experience

Regional Tourism Activation Fund

On Wednesday 16 June, the NSW Government's Regional Tourism Activation Fund was announced. The Fund supports the development of unique and high impact tourism and events infrastructure that helps to boost local economies, create jobs

and ensure visitors to regional NSW have unforgettable experiences that encourage repeat visitation.

The Fund aims to boost regional tourism and improve the visitor experience for people with disability in regional NSW by making funding available for the development of unique and high impact visitor experiences, and visitor accessibility and inclusion enhancements.

Council is an eligible applicant, and the Artesian Bath Experience meets the project criteria. Staff are working with Belgravia Leisure to finalise that Business Case project which will provide the required information for an application for funding, including:

- An itemised and detailed project budget, including evidence of all costings.
- A list of key activities.
- A description of how the project will be maintained and operated following construction.
- Designs and drawings of the project including elevations, floor plans and artists impressions.
- A list of potential risks, and mitigation approaches for each.
- A demonstration of how the project will create or enhance a unique and high impact visitor experience for regional NSW.
- A description of how the project will provide anticipated benefits to the regional NSW and the LGA.
- The positive and negative impacts of the project on local businesses.
- Estimates for the expected additional visitation to the project in the first 12 months post-construction.
- Estimate of the average nights stayed in the local government area based on the type of visitor to the project and average visitor expenditure for overnight interstate visitors.
- Description of how the project will create jobs (and how many jobs) while also contributing positively to the job creation at other tourism businesses and visitor experiences.
- Demonstration of how the project aligns with the relevant Disability Inclusion Action Plan.
- Demonstration of how the project uses universal design principles and promotes accessibility and inclusion.

Staff are busy preparing an application for \$5,500,000 for the detailed design and construction of Stage One of the Artesian Bath Experience. To make this application, Council will have to provide evidence of a co-contribution of a minimum \$1,250,000.

The 2021/22 Operational Budget was adopted by Council at the June 2021 Ordinary Meeting and does not include an allocation for this co-contribution. If successful in securing Regional Tourism Activation Funding, the project must be completed, and funding expended by 30 June 2023. As such, Council's co-contribution can be accounted for in the 2022/23 Operational Budget.

By confirming Council's intent to make the allocation in next year's Operational Budget by a resolution of Council, the requirement to show evidence of the co-contribution is met and Council is afforded time to seek this funding from an external

grant funding source. Potential alternate sources of funding include Commonwealth funding such as the Local Roads and Community Infrastructure Program, discretionary federal allocations, or commercial investment. These options will ensure that there is no additional financial burden on ratepayers. (Comment General Manager: However, Council has more than adequate borrowing capacity and if the indicators of the current studies on the viability of the Artesian Spa Experience development are positive, the option of Council taking up a loan for this co-contribution purpose should also be considered as an option – because the community will gain a significant asset to strengthen its visitor offerings and marketability within the economic development sphere, as well as creating a more attractive resident option for “tree-changers” and a further recreational opportunity for existing residents.)

Compulsory acquisition

A ‘Registered Acquisition Plan’ is one of the requirements of an application to the Office of Local Government for the compulsory acquisition of Crown Land. This Plan must be prepared and submitted to NSW Land Registry Services by a registered surveyor. In preparation for the required survey, Council is liaising with representatives from the Coonamble Jockey Club, Golf Club and Racecourse Reserve Trust to ensure the surveyed (and acquired) area has the support of those user groups.

Public Art – Sculptural Birds and Town Entrance Signs

The following table highlights the locations for installation of the sculptures and town entrance signage.

Town	Sign	Sculpture	Comment
Visitor Information Centre		✓	Emu sculptures only
Coonamble	✓	✓	Northern entrance to Coonamble (towards Walgett)
	✓	✓	Eastern entrance to Coonamble (towards Baradine/Pilliga)
	✓	✓	Southern entrance to Coonamble (towards Dubbo)
Gulargambone	✓		Northern entrance to Gulargambone (towards Coonamble)
	✓		Southern entrance to Gulargambone (towards Gilgandra)
		✓	Gulargambone Park, between bus stop and memorial
Quambone	✓	✓	Northern entrance to Quambone (towards Coonamble)
	✓	✓	Eastern entrance to Quambone (towards Warren)

Coonamble sculpture concept – Emu

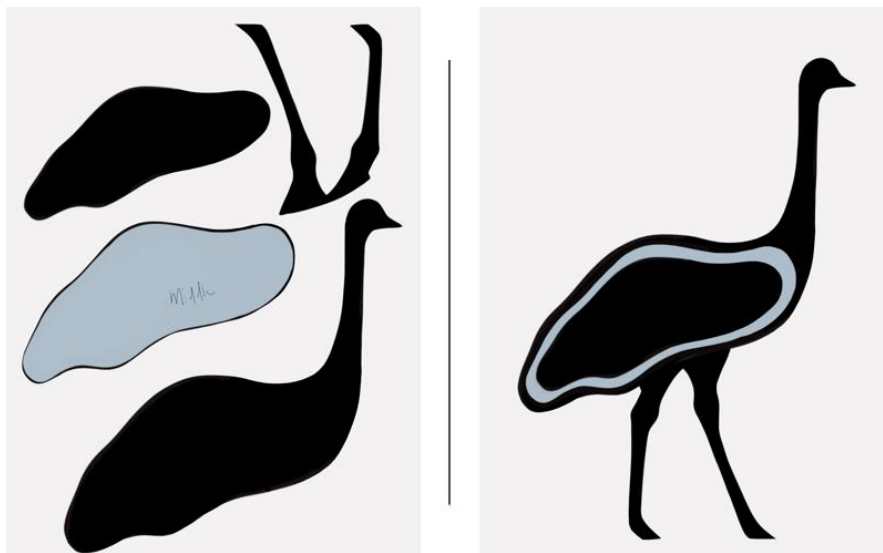
The Emu Dad with three chicks will be installed at each of the four signage locations (Note: The VIC is the only location that people will be encouraged to stop and get close to the sculptures).

The Chicks are to be plasma cut and made from a single piece of steel. The Emu Dad is to be made of three (3) sections plasma cut from steel, with the middle section to be powder coated in lighter colour. Sections of the Emu Dad are to be separated by steel spacers to give depth and create shadows.

Wailwan patterns designed by Kevin 'Sooty' Welsh will be cut out of steel sections. All emu legs are to be plasma cut, with the Emu Dad to have two layers joined / separated by spacers and footings to be incorporated.

The Emus will be cut from 4mm to 5mm steel and will be mounted on separate plates to allow variety in installation.

The Emu Dad will be 2.1m high and the three Emu Chicks will be 1.3m high at the three roadside locations.



Gulargambone sculpture concept – Galah

This concept incorporates one (1) to two (2) galahs on a tree stump standing approximately 3.5m high, with a wingspan of approximately 2.4m wide. The wings and feathers will morph into leaves, twigs and the base of the tree, reminiscent of a scribble gum with a design of the Wailwan sand carving patterns.

The wings will be plasma cut from 4-5mm steel and three (3) sections will form each wing allowing for movement / curve in the wings. A Wailwan pattern will be carved into the back of the wings.

The body of the Galah will be made from reinforcing fabric (reo), which will be a free form design welded in the workshop.



Quambone sculpture concept – Egret

The first Egret will stand approximately 1.3m high and will be situated in front of the town entrance sign. A second Egret will be mounted on a pole cantilevered off the town signage and a third Egret will be mounted on a pole approximately 1.5m away from the sign.

The Egrets will be cut from 6mm steel with 3mm details and 6mm bent rebar legs. The Egrets will be plasma cut from steel left in raw state and set on steel poles cemented into the ground. The higher Egrets silhouettes are to be mounted on 4 to 6mm diameter poles, installed high enough to see against the blue sky / sunset.



Town Signage Design

The design of town entrance signs, including brand font has been confirmed and construction has commenced. The top of the concrete panels will embrace an undulated surface to reflect the landscape of the region. A Wailwan pattern is confirmed by Wailwan Indigenous elder Kevin 'Sooty' Welsh, which will sit to the left hand side of the town name. The one unifying pattern will be embedded in concrete across each town and the town names will be laser / plasma cut per the drawings below. The font used will be "Coastal Hand" which links in with Council's brand style guidelines.



Construction issue structural drawings for the signs have been developed by a structural engineer. The maximum depth of the pattern recess is set to 15mm in order to achieve the minimum concrete cover over the steel reinforcing bars.

Artists Design / Copyright

The Project Manager is undertaking consultation with ArtsLaw regarding licensing of these artworks. Simple contracts will need be drafted outlining details of permissions that the artists will grant.

Budget and timeline

\$200,000 was provided by the NSW Government Drought Stimulus Package for the public art project for the design, construction and installation of the sculptural birds, and \$200,000 was allocated from Council funds for the design, construction and installation and the town entrance signs.

To ensure appropriate contingency, Council agreed to a combined project budget of \$330,000 to be managed by DCWC as project managers. Below is a summary of how that budget was allocated across the two projects, and current projections.

	Original Budget	Current Estimate
INCOME		
Drought Communities Fund (public art)	\$200,000	\$200,000
Council budgeted contribution (town entrance signs)	\$200,000	\$200,000
TOTAL PROJECT INCOME	\$400,000	\$400,000
EXPENSES		
<i>Expenses within the scope of the Project Manager</i>		
BIRD SCUPTURES		
Project management by DCWC	\$68,500	\$65,000
Contractors	\$23,250	
- installation		\$23,250
- structural engineering		\$7,500
Artwork by local artists	\$36,000	\$30,700
Fabrication	\$64,000	\$57,000
Contingency	\$8,250	
- Additional project management		\$16,550
<i>Bird Sculpture Subtotal</i>	\$200,000	\$200,000
TOWN ENTRANCE SIGNS		
Project management by DCWC	\$46,300	\$39,500
Contractors	\$20,000	
- Installation		\$33,005
- structural engineering		\$8,780
Artwork by local artists	\$11,700	\$6,500
Fabrication	\$52,000	\$57,170
Contingency	\$ -	\$ -
<i>Town Entrance Signs Subtotal</i>	\$130,000	\$144,955
<i>Additional estimated expenses</i>		
Lighting	\$25,000	\$25,000
Landscaping	\$15,000	\$15,000
Project Contingency	\$30,000	\$15,045
TOTAL PROJECT EXPENSES	\$400,000	\$400,000

It is anticipated that the project will be completed by the end of August 2021.

Coonamble CBD precinct – Detailed Design Project

Engaged contractor Tonkin has completed field work to survey the main street, Skillman's Lane and Skillman's Lane Carpark. At the June meeting, Council considered four (4) options for the design of the street and configuration of parking with the aim of beautifying and encouraging activity in the main street. It was decided that Council leaves the main street parking at the current reverse angle arrangement for the time being, and that other options be investigated to potentially replace the current wheel stoppers.

Following the decision by Council, staff have liaised with the engaged consultants to investigate other ways to improve the aesthetic appeal and increase activity in the main street. The following considerations were discussed and are currently being investigated:

- The current plastic wheel stops should be replaced with a more aesthetically pleasing and functional option.
- Improved urban design of the area could be achieved with additional trees and seating.
- Vehicular entry to Skillman's Lane carpark will remain available through Skillman's Lane with the possibility of turning this Lane into a shared space with pedestrians.
- There is potential to remove the current raised brick garden beds for a more attractive and practical option.
- Lighting in the main street and Skillman's Lane carpark will remain part of the scope of this project, to encourage safe use of both spaces by locals and visitors.
- The incorporation of additional trees within the main street design that will provide shade and an attractive social atmosphere and ambiance – investigating suitable tree species with ample canopies.

Coonamble CBD Public Amenities

Council staff continue to liaise with several stakeholders to finalise the installation of new public amenities in Skillman's Lane Carpark. The meter provider has provided Council's Level 2 Service Provider with advice that a power outage has been scheduled for Saturday 17 July and the metering shall be installed the following week. Concreting of the surrounding footpath is scheduled to be undertaken in conjunction with the laying of electrical conduit. It is expected that the facilities will be operational by the end of this month.

The fabrication and installation of the horse screens will complete the design. Staff continue to work with both the fabricator and artist to assist in arranging painting, delivery and installation of the signage. Unfortunately, the artist and fabricator have not yet been able to provide staff with an estimated completion date for the screens.

There has been no change to the project budget since the last report to Council.

Coonamble Visitor Information Centre (VIC)*Construction*

Construction is predominantly complete. Staff are working with Westbury Constructions to finalise minor defects and incomplete works. Council staff are preparing for landscaping and construction of the carpark following the completion of concreting works.

Planning is underway for an official opening event with relevant stakeholders on 25 August.

Exhibition and Display

The internal fitout of the VIC is scheduled for early August 2021.



Staff are currently consulting with community groups about the exhibition, display and sale of local art, produce and merchandise.

There has been no change to the project budget since the last report to Council.

Inland Rail

Staff continue to participate in the investigation of the business case for the upgrade of the Coonamble-Gilgandra line and connection at Curban, as an Interface Improvement Program project which was identified by the Commonwealth. There is no update of note regarding this project, since the last progress report to Council.

The Legislative Assembly Committee on Investment, Industry and Regional Development is currently undertaking an inquiry into the 'Inland Rail Project and Regional NSW'. The Mayor and Manager Economic Development & Growth are

preparing to represent Council via videoconference at a hearing as part of this enquiry on Tuesday, 20 July.

Coonamble Riverside Holiday Park.

In the coming months, a shed with lockable garages for guests and storage for the manager will be erected and a cabin with disabled access will be installed. These upgrades have been funded by the Drought Stimulus Package.

Belgravia Leisure continues to report increased occupancy and profitability of the Riverside Holiday Park. Council's income in return for the lease of the property remains at 25% of cabin income, as was the agreement with the previous tenant.

Council's income since the start of Belgravia's tenancy (18 January – 30 June 2021) is \$16,439.28. In the previous six months (1 July – 30 December 2020), that income was \$8,099.56.

While occupancy and profitability are increasing, the availability of space for guests remains limited by the allocated area of the caravan park. The installation of an additional cabin will take up the space of three (3) powered sites, and the installation of glamping tents by Belgravia will also take up space currently allocated to unpowered camping sites. Belgravia has identified the potential for greater future growth of the park and greater future contribution to the local economy if additional area was made available. Staff are currently investigating the possibility of extending the current boundary of the caravan park to the north, into Smith Park, to provide this potential for expansion and economic development.

Grants

Grants to be acquitted	Responsibility	Comment
Coonamble Showground Lighting and Power	C&S	Awaiting finalisation of financials
Coonamble Showground Plumbing	C&S	late additional funding by funding body
Coonamble Pool Blanket and Change Rooms	C&S	All funded under the Stronger Country Communities Round 2 and need to be acquitted together
Coonamble Skate Park	ESM&C	
Gulargambone Lions Park Exercise Area	ED	
LGA-wide Shade Sails and Shelters	ED	
LGA-wide Public Amenities Upgrade	ED	
Gulargambone Youth Centre Basketball Court	ED	
Visitor Information Centre	ED	
Visitor Information Centre	ED	Drought Stimulus Package funding
Local Roads & Community Infrastructure 20-21	INF	Variation required for Quambone Toilet
Grants in progress	Responsibility	Comment
Coonamble Sports Ground Upgrades	C&S	Levelling & turfing to be done in Spring

Public Art at Town Entrances	ED	Designs finalised; to be erected
Public Toilets in Coonamble CBD	ED	Installation being finalised
Restore Trooper Stables at Coonamble Museum	ESM&C	Awaiting Heritage Consultant's report
Gulargambone Youth Centre External Upgrades	ESM&C	RFQs finalised
Warrena Weir Solar Power Supply and Security	C&S	RFQs called
Quambone Park Toilet (LRCI 20-21)	C&S	Awaiting delivery (14 week lead-time)
Transition of Developments to the Planning Portal	ESM&C	Holding workshops
Smith Park Netball Courts	ESM&C	New fencing to be erected from mid-July
Koori Knockout Participation	ESM&C	Taking expressions of interest from teams
Volunteer Bus Driver Training	ESM&C	Taking expressions of interest
Coonamble Transport Initiative	ESM&C	Allocated as required
Coonamble Kids Transport Initiative	ESM&C	Allocated as required
Youth Council Re-establishment	ESM&C	Taking nominations

Significant Grant Opportunities Ahead			4
Grant	Funding	Closing	Target
Office of Responsible Gambling – Community Infrastructure	Up to \$200,000	26 July	A competitive grant, open to community groups as well as Council.
Office of Responsible Gambling – Sporting Infrastructure	Up to \$300,000	26 July	Upgrades to the canteen, amenities and men's changerooms at Coonamble Sports Ground.
Regional Tourism Activation Fund – Stream 1 – To Develop New and Unique Experiences	Up to \$5m	11 August	Furthering the Coonamble Artesian Bath Experience Project.
Regional Tourism Activation Fund – Stream 2 – To Improve Visitor Accessibility and Inclusion Enhancements	Up to \$500,000	11 August	

Communications

Council maintains its communication with the community through:

- One (1) monthly, two-page *Community Connect* newsletter, with about 1920 newsletters delivered to all letterboxes and post boxes throughout the Local Government Area – it focuses on sharing Council's decisions about key items from the Business Paper each month.

- One (1) weekly half-page communication column, *Weekly Connect* in *The Coonamble Times*, with unique content in most issues – advertising Requests for Quotations, Tenders and Expressions of Interest, policies and other reports currently on public exhibition and upcoming events for the community.
- One (1) monthly Mayoral Column in *The Coonamble Times*, highlighting the Mayoral activities for the past month.
- Posts in the Notices column on the homepage of Council's website, on various topics as required.
- Posts on Council's Facebook page, on various topics as required.
- Council's website – sharing all policies, plans and procedures, fees and charges in the spirit of open and transparent governance.

Social Media

Nineteen Posts were made on Facebook in the past month. The number of people following Council's Facebook continues to grow each month, indicating its value as a medium for the quick sharing of information.

At the beginning of June, Council's Facebook page had 1,816 followers, closing the month with 2,042 followers—an increase of 226.

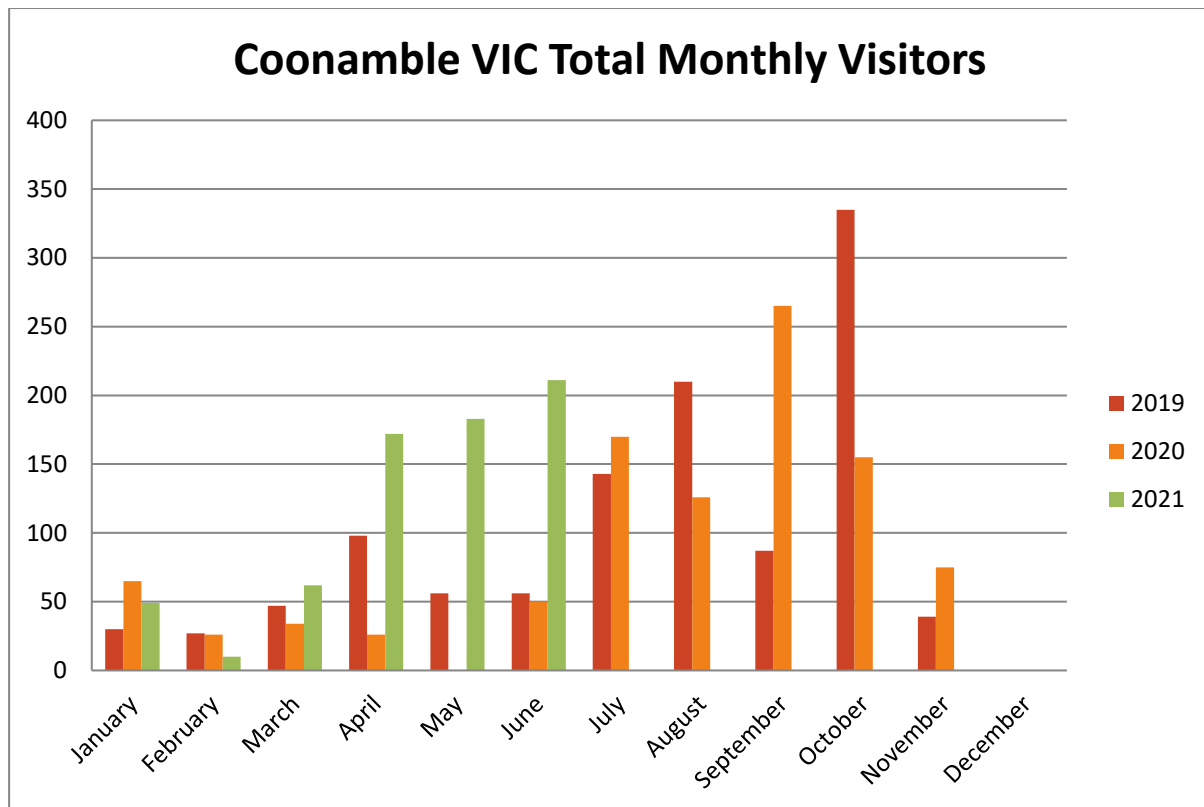
It should be noted that Council's Facebook audience is two-thirds female and one-third male.

The most popular posts during June related to:

- Notice of potential noise from a larger-than-usual cattle sale at Coonamble Saleyards (engaging about 370 people and reaching 3,100 users).
- A post advising of the closure of sports grounds and ovals due to wet weather (engaging only 37 people but reaching 1,150 users).

Tourism Statistics

During June, there were 211 visitors to the Visitor Information Centre, which is a significant increase when compared to past months and the same period last year. In 2020, there were 50 visitors recorded. This difference can most likely be attributed to the cancellation of the 2020 Coonamble Rodeo and Campdraft event.



During June, three (3) tour buses visited Coonamble and were hosted by Council Tourism staff at the Coonamble Museum Under the Bridge. Other attractions visited by these groups include the Nickname Hall of Fame, Outback Arts and the Coonamble water tower.

Nickname Hall of Fame

Signage has been reviewed and six (6) damaged signs will be replaced in coming weeks. Additionally, there are a number of signs that are currently not displayed after being removed from burnt buildings following the fire on the corner of Aberford and Castlereagh Streets. Staff are in the process of finding new display sites for these signs.

Tourism Promotion and Marketing

Reach by @visitcoonamble social media pages has continued to increase.

Posts on the Visit Coonamble Facebook page reached 4,869 people in June. Page likes increased by 17% and followers by 6%.

The audience on the Visit Coonamble Instagram page increased by 63 followers during June, to 585. Total reach for the month was 3,216 people.



The most popular post on Facebook was the “We’re Open 2021 June Long Weekend” poster/infographic that listed local businesses that were open over the weekend.

This post reached 2,859 people, had 40 engagements and 122 people clicked on the post.

The most popular Instagram post was a photo of the sunset on a farm in Gulargambone. This post reached 854 people. Two (2) reels were posted, which reached 1,196 people. The most successful reel was a shot clip that highlighted what was on offer in the Coonamble LGA over the June long weekend, which reached 886 people, gained 25 likes and was shared 15 times on Instagram. The same clip was shared on the Visit Coonamble Facebook page where it reached 312 people, got 14 likes and one (1) share.

This month, an IGTV video was posted to Instagram and Facebook. The video was a promotional video for the Pave The Way to Guar Festival. The video reached 205 people on Instagram and 323 on Facebook. The video was shared a total of nine (9) times across both platforms.

Madame Flute (28 August)

Tickets have been released for sale and promotion of the event is underway. The Castlereagh Lodge Motel has sponsored the event by way of providing accommodation for the musicians. Event logistics are being finalised.

(a) Governance/Policy Implications

Policy documents relevant to activities reported here include the Code of Conduct, Community Consultation Policy, Media Policy, Procurement Policy, Public Art Policy and Social Media Policy.

(b) Legal Implications

There are no legal implications directly associated to this report.

(c) Social Implications

Projects and initiatives described in this report are undertaken with the objective of delivering social benefits to the Coonamble LGA. Such social benefits include:

- Opportunities for recreation at an artesian bath experience;
- Participation in local public art projects and VIC exhibition and display, encouraging a sense of pride and ownership of the outcome, which will promote visitation to the LGA;
- Increased access to amenity such as public toilets and baby change facilities in the CBD precinct of Coonamble.

(d) Environmental Implications

Environmental implications associated with various developments discussed in this report are addressed as part of the Development Application process for individual projects.

(e) Economic/Asset Management Implications

As community owned assets, the ongoing maintenance of the public amenities building, public art and VIC remain Council's responsibility.

(f) Risk Implications

Regular reporting to Council provides an opportunity to communicate and manage any ongoing or unexpected related risks that may emerge.

CONCLUSION

Economic Development and Growth activities and projects continue to progress according to the Economic Development Strategy 2020.

RECOMMENDATION

- 1. That Council notes the contents of this report.**
- 2. That Council further notes that staff are busy preparing a grant application for \$5,500,000 through the Regional Tourism**

Activation Fund for purposes of the detailed design and construction of Stage One of the proposed Coonamble Artesian Bath Experience Project and that it will be a requirement for Council to make a co-contribution towards this project to the amount of \$1,250,000.

- 3. That Council resolves to make an allocation to the amount of \$1,250,000 in the 2022-23 Operational Plan and Budget, as Council's required contribution towards a \$5,500,000 grant funding application through the Regional Tourism Activation Fund – for the detailed design and construction of Stage One of the proposed Coonamble Artesian Bath Experience Project.**
- 4. That Council requests the General Manager and Manager Economic Development & Growth to, in the meantime, pursue other possible grant funding opportunities through which Council would be able to fund this above-mentioned co-contribution.**

10.5 REVIEW OF RELATED PARTY DISCLOSURE POLICY

File Number: Policies - P15

Author: Bruce Quarmby-Executive Leader - Corporate and Sustainability

Authoriser: Hein Basson, General Manager

Annexures:

1. Related Party Disclosure Policy
2. Related Party Disclosure - Attachment A
3. Related Party Disclosure KMP - Attachment B

PURPOSE

The purpose of this report is to provide Council with a reviewed Related Party Policy for consideration and adoption.

BACKGROUND

Council's current Related Party Policy was developed and adopted by Council at its February 2017 Council meeting. It was developed and adopted in response to the Australian Accounting Standards Board determining that from 1 July 2016 the accounting standard *AASB 124 Related Party Disclosures* would apply to Local Government.

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

The draft Related Party Disclosure Policy, complete with attachments, has been included for Council's consideration.

(a) Relevance to Integrated Planning and Reporting Framework

L1.4.4. Governance is open and transparent.

L1.4.5. Review of Council policies.

(b) Financial Considerations

There are no direct financial considerations for Council, however, the policy and subsequent declarations required, are necessary to ensure Council's compliance with the accounting standard AASB 124.

COMMENTARY

In formulating the draft review of this policy for Council's determination, the following areas were identified by management as requiring updating to reflect the current organisational structure, goals and objectives.

- The format of the policy was updated to reflect the current policy template.

- The inclusion of statements strengthening Council's commitment to ensuring that when dealing with matters under this policy, that all actions are indeed ethical and privacy obligations met.
- The position descriptions for staff mentioned in the policy have been updated to reflect the current organisational structure.
- The formatting of Attachment A – Related party disclosure, was updated to facilitate the collection of the required information to ensure Council remains compliant with AASB 124.

Overall, the changes made to the draft policy have been minor in nature and mainly centre around updating the policy and its attachments format to reflect the current organisational structure and policy writing guidelines.

The change to the formatting of the Attachment A – Related party disclosure, centre facilitating the collection of data as required to ensure Council complies with the requirements of AASB 124. It should be noted that the requirements of AASB124 are different from the requirements of the disclosure of interest form and therefore require Council to collect related party disclosures separately. The information collected from Councillors and other Key Management Personnel will be subject to audit during the annual audit of Council's general-purpose financial statements and as such must be sufficiently comprehensive to satisfy the requirements of the Audit Office of New South Wales.

(a) Governance/Policy Implications

Once adopted by Council, the revised Related Party Disclosures Policy will become a policy of Council

(b) Legal Implications

The revised policy has been designed to ensure legislated compliance with the various Acts and regulations that govern this function of Council.

(c) Social Implications

There are no social implications directly attached to this report.

(d) Environmental Implications

There are no environmental implications directly attached to this report.

(e) Economic/Asset Management Implications

There are no economic/asset management implications directly attached to this report.

(f) Risk Implications

The regular review of Council's suite of adopted policies seeks to ensure that the policies remain compliant with the various Acts and Regulations that govern the functions of Council.

CONCLUSION

Council's Related Party Policy has been reviewed and amended to ensure compliance with both legislative and operational requirements. The amendments to

the policy are minor in nature and centre around updating the policy to reflect the current organisational structure, goals and objectives.

RECOMMENDATION

- 1. That Council notes the information contained in this report.**
- 2. That Council adopts the draft amended Related Party Disclosure Policy, with the attachments included as annexures to this report.**

1. BACKGROUND

Related party relationships are a normal feature of commerce and business. Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions.

2. PURPOSE

This Policy has been developed to provide guidance in complying with the *Local Government Act 1993*, section 413(3), which requires Council to prepare its General Purpose Financial Statements in compliance with Australian Accounting Standards. The relevant standard for the purpose of this Policy is *AASB 124 Related Party Disclosures*, July 2015 (AASB 124).

3. POLICY OBJECTIVE

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

4. LEGISLATION

This policy is to be read in conjunction with the following:

- *Australian Accounting Standards AASB124 Related Party Disclosures.*
- *Australian Accounting Standards AASB10 Consolidated Financial Statements.*
- *Local Government Act 1993.*
- *Local Government (General) Regulation 2005*
- *Privacy and Personal Information Protection Act 1998 (PPIP Act)*
- *Government Information (Public Access) Act 2009 (GIPA Act)*

5. APPLICATION/SCOPE

This policy relates only to relationships with persons and entities identified as Related Parties under the definitions provided within this policy. As such this policy shall be applied in:

- Identifying related party relationships; related party transactions, and ordinary citizen transactions concerning Key Management Personnel [KMP], their close family members and entities controlled or jointly controlled by any of them.
- Identifying information about the related part transaction for disclosure.
- Establishing systems to capture and record related party transactions and information about those transactions.
- Identifying the circumstances in which disclosure of the of related party relationships and related party transactions is required.
- Determining the disclosures to be made about those items in Council's General Purpose Financial Statements for the purpose of complying with AASB124.

6. POLICY

6.1 ETHICS AND CONFLICTS OF INTEREST

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's Related Party Disclosure Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

6.2 PRIVACY OBLIGATIONS

The following information is classified as confidential and is not available for inspection by or disclosure to the public, including through a GIPAA application:

- (a) Information (including personal information) provided by a KMP in a related party disclosure; and
- (b) Personal information contained in a register of related party transactions.

6.2.1 When Consent is Required.

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

6.2.2 Permitted Recipients.

The following persons are permitted to access, use and disclose the information (including personal information) provided in a related party disclosure or contained in a register of related party transactions for the purposes specified in Section 6.2.3:

- The General Manager.
- The Responsible Accounting Officer, Executive Leader of Corporate and Sustainability, Manager of Finance and Procurement.
- An Auditor of Council (including an Auditor from the NSW Auditor General's Office).
- Other Officers as delegated by the General Manager.

6.2.3 Permitted Purposes.

A person specified in Section 6.2.2 may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of related party transactions for the following purposes:

- To assess and verify a notified related party transaction.
- To reconcile identified related party transactions against those notified in a related party disclosure or contained in a register of related party transactions.
- To comply with the disclosure requirements of AASB 124.
- To verify compliance with the disclosure requirements of AASB 124.

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

6.2.4 Government Information (Public Access) (GIPA) Status.

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

- Related party disclosure provided by a Key Management Personal.
- The register of related party transactions.

This is in accordance with the provisions set out within Section 14 Public interest considerations against disclosure of *the GIPA Act*.

6.3 AASB 124 DISCLOSURE REQUIREMENTS

6.3.1 Disclosures.

To comply with AASB 124, for annual periods beginning on or after 1 July 2016, Council will make the following disclosures in its General-Purpose Financial Statements:

- (a) Relationships between Council and its subsidiaries, irrespective of whether there have been transactions between them.
- (b) Key Management Personnel (KMP) compensation in total and for each of the following categories:
 - (i) Short-term employee benefits.
 - (ii) Post-employment benefits.
 - (iii) Other long-term benefits; and
 - (iv) Termination benefits.
- (c) Amounts incurred by Council for the provision of KMP services that are provided by a separate management entity.
- (d) The information specified in Section 1.2 for related party transactions with the following persons during the periods covered by the Financial Statement:
 - (i) Council subsidiaries.
 - (ii) Entities who are associates of Council or of a Council subsidiary.
 - (iii) Joint ventures in which Council or a Council subsidiary is a joint venture party.
 - (iv) Council's KMP.
 - (v) Other related parties, comprising:
 - (a) A close family member of a KMP of Council.
 - (b) Entities controlled or jointly controlled by a KMP of Council.
 - (c) Entities controlled or jointly controlled by a close family member of a KMP of Council.
 - (d) Other entities as specified in AASB 124, paragraph 9(b)(iii), (iv), (v) and (viii),

6.3.2 Disclosed Information.

For each category of related party transactions specified in section 6.3.1 (d), Council will disclose the following information in Council's General Purpose Financial Statements:

- The nature of the related party relationship.
- The amount of the transactions.
- The amount of outstanding balances, including commitments, and:
 - their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
 - details of any guarantees given or received.
- Provisions for doubtful debts related to the amount of outstanding balances; and
- The expense recognised during the period in respect of bad or doubtful debts due from related parties.

6.3.3 Disclosed in Aggregate or Separate Information.

For each related party category specified in section 6.3.1(d), Council will disclose information specified in section 6.3.2 for related part transactions of a similar nature in aggregate, except when separate disclosure is necessary for an understanding of the effects of related party transactions on the General-Purpose Financial Statements of Council, having regard to the following criteria:

- The nature of the related party relationship.
- The significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council).
- Whether the transaction is carried out on non-arm's length terms.
- Whether the nature of the transaction is outside normal day-to-day business operations, based on the factors and thresholds determined by the Responsible Accounting officer in consultation with the Executive Leader of Corporate and Sustainability, the General Manager and Council's external auditor.

6.4 IDENTIFYING COUNCIL RELATED PARTY RELATIONSHIPS AND TRANSACTIONS

6.4.1 Identification.

The Responsible Accounting Officer is responsible for identifying Council subsidiaries, associates and joint ventures (incorporated and unincorporated) from the Related Entities Register, a document which is prepared to substantiate Note 19 of the Financial Statements "Interests in Other Entities".

6.4.2 Control or Joint Control.

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

6.4.3 Associate or Joint Venture.

To determine whether an entity is an associate of, or in a joint venture with, Council or a Council subsidiary the Responsible Accounting Officer is responsible for applying AASB 128 investments in associates and joint ventures.

6.4.4 Electronic Investigation.

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

6.4.5 Information Extraction.

The Responsible Accounting Officer is responsible for identifying and extracting information specified in Section 6.3.2 against each existing related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

6.4.6 Manual Investigation and Recording of Information.

For related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 6.3.2 for the subject transaction in the register of related party transactions.

6.5 IDENTIFYING RELATED PARTY TRANSACTION WITH KMP AND THEIR CLOSE FAMILY MEMBERS

6.5.1 Related Party Disclosures.

KMP must provide a related party disclosure in the form set out in Attachment A, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, subject to Section 3.5, to the Executive Leader of Corporate and Sustainability by no later than the following periods during a financial year (specified notification period):

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

6.5.2 Related Party Disclosure Form.

At least 30 days before a specified notification period, the Executive Support Officer will provide each KMP with a Related Party Disclosure Form (Attachment A) and a Privacy Collection Notice (Attachment B).

6.5.3 Suspected Related Party Transaction.

If a KMP suspects that a transaction may constitute a related party transaction, the KMP should provide a related party disclosure to the Executive Leader of Corporate and Sustainability for consideration and determination.

6.5.4 Other Notification.

The notification requirements in Section 3 are in addition to the notifications a KMP must make to comply with:

- Council's adopted Code of Conduct; and
- The disclosure of interests in a written return pursuant to section 450A of the Local Government Act 1993 and Local Government (General) Regulation 2005.

6.5.5 Exclusions.

The notification requirements in Section 3 do not apply to:

- Related party transactions that are ordinary citizen transactions not assessed as being material as determined under Section 4; and
- The Mayor and Councilors' expenses incurred, and facilities provided during the financial year under Council's Payment of Expenses and Provision of Facilities to Mayor and Councilors' Policy, the particulars of which are contained in Council's Annual Report pursuant to the Local Government (General) Regulation 2005, clause 217.

6.5.6 Information Extraction.

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

6.5.7 Other Sources of Information.

To ensure all related party transactions are captured and recorded, the Responsible Accounting Officer is responsible for reviewing, if required, other sources of information held by Council including, without limitation:

- A prior year register of related party transactions.
- The minutes of Council and committee meetings.
- Council's Contracts Register.

6.5.8 Manual Investigation and recording of Information.

For notified related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 6.3.2 for the subject transaction in the register of related party transactions.

6.6 ORDINARY CITIZEN TRANSACTIONS

6.6.1 Non-material in Nature.

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

6.6.2 Material in Nature.

A KMP is required to notify in a related party disclosure and Council will disclose in its Financial Statements in accordance with Section 6.3, related party transactions that are ordinary citizen transactions assessed to be material in nature.

6.6.3 Materiality Assessment.

The Responsible Accounting Officer is responsible for reviewing and assessing the materiality of related party transactions that are ordinary citizen transactions to determine whether the disclosure of such transactions are necessary for an understanding of the effects of the related party transactions on the Financial Statements having regard to the criteria specified in Section 6.3.3.

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

6.6.4 Information Extraction.

The Responsible Accounting Officer is responsible for identifying information specified in Section 6.3 against each notified related party transaction that is an ordinary citizen transaction assessed as being material in nature in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

6.7 REGISTER OF RELATED PARTY TRANSACTIONS

6.7.1 Maintain a Register

The Responsible Accounting Officer is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information specified in Section 6.3.2 for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

6.7.2 Contents of Register.

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

- The description of the related party transaction.
- The name of the related party.
- The nature of the related party's relationship with Council.
- Whether the notified related party transaction is existing or potential.
- A description of the transactional documents the subject of the related party transaction.
- The information specified in Section 6.3.2.

The Responsible Accounting Officer is responsible for ensuring that the information specified in Section 6.3.2 is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124, subject to Section 6.3.3.

7 DEFINITION

Term	Definition
Act	<i>Local Government Act 1993.</i>
Council	Coonamble Shire Council.
Arm's length terms	Terms between parties that are reasonable in the circumstances of the transaction that would result from: (a) Neither party bearing the other any special duty or obligation; and (b) The parties being unrelated and uninfluenced by the other; and each party having acted in its own interest.
Associate	In relation to an entity (the first entity), an entity over which the first entity has significant influence.
Close family member or close members of the family	In relation to a KMP, family members who may be expected to influence, or be influenced by that KMP in their dealings with Council will include: (a) That person's children and spouse or domestic partner. (b) Children of that person's spouse or domestic partner; and (c) Dependants of that person or that person's spouse or domestic partner. For the purpose of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the KMP in their dealings with Council.
Control	Control of an entity is present when there is: (a) Power over the entity; and (b) Exposure or rights to variable returns from involvement with the entity; and (c) The ability to use power over the entity to affect the amount of returns received as determined in accordance with AASB 10 Consolidated Financial Statements,

	Paragraphs 5 to 18, Appendices A (Defined Terms) and B (Application Guidance).
Joint control	The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
Joint venture	An arrangement of which two or more parties have joint control and have right to the net assets of the arrangement.
Joint venture party	A party to a joint venture that has joint control of that joint venture.
Key management personnel (KMP)	Person(s) having authority and responsibility for planning, directing and controlling the activities of Council. Specifically, KMP of Council are the: (a) Mayor. (b) Councillors. (c) General Manager. (d) Executive Leaders. (e) Public Officer.
KMP Compensation	All forms of consideration paid, payable or provided in exchange for services provided and may include: <ul style="list-style-type: none"> • Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within 12 months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees. • Post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care. • Other long-term employee benefits, including long service leave or sabbatical leave, jubilee or other long service benefits, long-term disability benefits and, if they are not payable wholly within 12 months after the end of the period, profit sharing, bonuses and deferred compensation. • Termination benefits; and • Share-based payment.
Materiality	The assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it

	could influence decisions that users make on the basis an entity's financial statements.
Ordinary citizen transactions	<p>Transactions that an ordinary citizen would undertake with Council, which are undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities.</p> <p>Examples of ordinary citizen transactions assessed to be not material in nature are:</p> <ul style="list-style-type: none"> (a) Paying rates and utility charges. (b) Using Council's public facilities after paying the corresponding fees.
Ratepayer	The person liable for payment of Rates and Charges for the property in accordance with <i>section 560 of the Local Government Act, 1993</i> .
Related party	<p>A person or entity that is related to Council pursuant to the definition contained in AASB 124, Paragraph 9. Examples of related parties of Council are:</p> <ul style="list-style-type: none"> (a) Council subsidiaries. (b) KMP. (c) Close family members of KMP. (d) Entities that are controlled or jointly controlled by KMP or their close family members.
Related party transaction	<p>A transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged.</p> <p>Examples of related party transactions are:</p> <ul style="list-style-type: none"> (a) Purchases or sales of goods. (b) Purchases or sales of property and other assets. (c) Rendering or receiving of services. (d) Rendering or receiving of goods. (e) Leases. (f) Transfers under licence agreements. (g) Transfers under finance arrangements (example: loans). (h) Provision of guarantees (given or received). (i) Commitments to do something if a particular event occurs or does not occur in the future. (j) Settlement of liabilities on behalf of Council or by Council on behalf of that related party.

Related party disclosure	A document entitled Related Party Disclosure by Key Management Personnel in the form set out in Attachment A.
Significant influence	The power to participate in the financial and operating policy decisions of another entity but is not control or joint control of those policies, as determined in accordance with Australian Accounting Standard AASB 128 Investments in Associates and Joint Ventures, Paragraphs 3, 5 and 6.

DRAFT

Title: Related Party Disclosure Policy		
Department: Corporate and Sustainability		
Version	Date	Author
1	February 2017	B Quarmby
2	July 2021	
Review Date: 2024		
Amendments in the release:		
Amendment History	Date	Detail
Included: Statement of Ethics Update: Position Titles following organisational restructure	July 2021	
Annexure Attached: Attachment A – Related Party Disclosure Attachment B – Related Party Disclosure KMP		
Hein Basson General Manager		



Attachment A – Related Party Disclosure by Key Management Personnel

Private and Confidential	
Related Party Declaration by Key Management Personnel (KMP)	
Name of Key Management Person:	
Position of Key Management Person:	
<p>List details of close family member, entities that are controlled/jointly controlled by you and entities that are controlled/jointly controlled by close family members</p> <p><i>(Please refer to definitions in Related Party Disclosures Policy and consider the additional guidance provided in the Privacy Collection notice for KMP)</i></p>	
Name of person or entity	Relationship
<p>I <i>(insert full name)</i>, <i>(insert position)</i> declare that that the above list includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members. I make this declaration after reading the Council's Related Party Disclosures Policy which details the meaning of the words 'close family members' and 'entities controlled, or jointly controlled, by myself or my close family members'.</p>	
Declared at:	<i>(insert place)</i>
on the	<i>(insert date)</i>
Signature of KMP :	



Attachment A – Related Party Disclosure by Key Management Personnel

RELATED PARTY TRANSACTIONS

NOTIFICATION BY

KEY MANAGEMENT PERSONNEL

Name of Key Management Person: _____

Position of Key Management Person: _____

Please read the Related Party Disclosure Policy which explains what a related party transaction is and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.

Please Complete either Section 1 or Section 2

Section 1 (Please tick if applicable)

No related party transactions have been carried out in the past 6-month period and I am not aware of any related party transactions anticipated in the future.

Section 2

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

- a) has previously entered into and which will continue in the future, or
- b) has entered into, or is reasonably likely to enter into, in the future.

Notification

I, (Name) _____, (Position) _____ notify that, to the best of my knowledge, information, and belief, as at the date of this notification, the above list and attachments, if any, includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the reporting period.

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

I permit access to this information for the purpose of compliance with Council's legal obligations and disclosure.

Signature:

Date:

PRIVACY COLLECTION NOTICE
RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL
Attachment B

Purpose of Collection, Use and Disclosure

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general-purpose financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124)*.

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

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

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

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

Notifications by Key Management Personnel

To comply with AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Executive Leader Corporate and Sustainability of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

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

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

Note, these related party disclosure requirements are in addition to the notifications KMPs are required to make to comply with Council's adopted Code of Conduct.

This includes disclosures relating to Conflicts of Interest (Pecuniary and Non-Pecuniary) and Gifts and Benefits. Council's Auditors may audit related party information as part of the annual external audit.



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

Who are KMPs?

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly.

For Council, KMPs include the:

- Mayor.
- Councillors.
- General Manager.
- Executive Leaders.
- Public Officer.

Who are close family members of a KMP Person?

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

- (a) that person's children and spouse or domestic partner.
- (b) children of that person's spouse or domestic partner; and
- (c) dependants of that person or that person's spouse or domestic partner.

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

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

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Your children	Your aunts, uncles, and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council.

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

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

Control

You control an entity if you have:

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

Example of control

Fred is the Mayor of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party disclosure.

Joint control

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

Example of joint control

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party disclosure and the entity's related party relationship with Fred and Stan.

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

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

[End of Privacy Collection Notice]

10.6 RETURNS DISCLOSING PECUNIARY INTEREST

File Number: Councillors - C13

Author: Bruce Quarmby-Executive Leader - Corporate and Sustainability

Authoriser: Hein Basson, General Manager

Annexures:

1. Guide to completing returns of Interest
2. Information Access Guideline 1 - Disclosure of Interest Returns

PURPOSE

The purpose of this report is to convey to Councillors and designated persons, the requirement to lodge disclosure of interest returns with the General Manager.

BACKGROUND

In accordance with Council's adopted Model Code of Conduct, following the completion of the financial year, being July to June, Councillors and designated persons are required to complete and lodge disclosure of interest returns by the 30 September. As such, the return for the period the 1 July 2020 to the 30 June 2021 is now due to be lodged with the General Manager.

Once completed these returns, in accordance with the provisions of the *Government Information (Public Access) Act 2009* (GIPA Act), constitute an open access document and as such subject to mandatory proactive release. This will be achieved by the provision of copies of these documents through Council's Website and a tabling of the completed returns at the October 2021 Council meeting.

In order to ensure that the disclosure of interest returns are received by the due date, a copy of the return form has been provided to both Councillors and the appropriate designated persons prior to the July Council meeting.

(a) Relevance to Integrated Planning and Reporting Framework

L1.4.4. Governance is open and transparent.

(b) Financial Considerations

There are no financial considerations for Council, however the required returns deal with the pecuniary interests of all Councillors and designated persons.

COMMENTARY

As summarised above, Council's adopted Model Code of Conduct informs both Councillors and designated persons of their obligations regarding both the declaration of a pecuniary interest and the requirement to submit an annual return.

This information, in accordance with the provisions of the Model Code of Conduct and the GIPA Act is then made publicly available, in doing it seeks to ensure the ongoing openness and transparency of Council in all its actions.

Given the nature of information disclosed in the return, Council acknowledges that the returns may contain personal information about the person concerned, and, potentially, about third parties such as family members. This is information which

individuals may have concerns about disclosing publicly on a website and may object to publication following consultation under the GIPA Act.

Taking this into consideration, Councillors and designated persons should note that contained within the GIPA Act is the provision for Council to protect such “personal information”. Specifically, in accordance with *Section 6(4) of the GIPA Act, in which agencies are required to “facilitate public access to open access information contained in a record by deleting matter from a copy of record to be made publicly available, if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record, and it is practicable to delete the matter”*.

As such, once the completed returns are received by Council, prior to their publication, the information contained within the returns will be subjected to a “Public Interest test” and the information will be placed on display in accordance with the outcome of this test.

Whilst the report provides an overview of the subject, further information regarding both the completion of the disclosure of interest return and the publication of this information has been provided to Council in the annexures to this report.

(a) Governance/Policy Implications

The following extract from Coonamble adopted Model Coded of conduct outlines the requirement of a Councillor or designated person to complete and lodge a disclosure of interest return.

Disclosure of interests in written returns

4.9 A councillor must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor’s interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a councillor, and
- (b) 30 June of each year, and
- (c) the councillor becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

The adopted Model Code of Conduct, specifically clause 4.15, then further outlines Council’s obligations in the publication of these returns in accordance with the GIPA Act.

(b) Legal Implications

The obligation to submit returns is with Councillors and designated persons. Over the past number of years, the emphasis being placed on this issue by the NSW Auditor-General, it is known that the annual audit of Council’s financial statements will include an audit of Councillors compliance with this requirement. Further, it now becomes a Code of Conduct issue if the returns are not completed and lodged within a timely manner.

(c) Social Implications

There are no social implications directly attached to this report.

(d) Environmental Implications

There are no environmental implications directly attached to this report.

(e) Economic/Asset Management Implications

There are no economic/asset management implications directly attached to this report.

(f) Risk Implications

The requirement for Councillors and designated persons, to complete and lodge a disclosure of interests acts as an important risk mitigation strategy. It assists with the identification and management of potential conflicts of interest that may arise in the operations of Council.

CONCLUSION

The requirement of Councillors and designated staff to annually complete disclosure of interest returns is outlined within Council's adopted Model Code of Conduct. The returns, once completed in accordance with the provisions of the both the Model Code of Conduct and the GIPA Act are to be made publicly available. In doing so, this action seeks to ensure the ongoing openness and transparency of Council.

RECOMMENDATION

That all Councillors and designated persons provide duly completed disclosure of interest forms to the General Manager by the end of September 2021, for these returns to be publicly tabled at the October 2021 Council meeting.

MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

A GUIDE TO COMPLETING RETURNS OF INTEREST

Introduction

Under the *Model Code of Conduct for Local Councils in NSW*, certain council officials are required to disclose their personal interests in publicly available returns of interests.

These operate as a key transparency mechanism for promoting community confidence in council decision making, whether by councillors or by staff or others under delegation.

You must complete and lodge your return of interests in accordance with the requirements in the Model Code of Conduct.

You must not lodge a return that you know or ought to know is false or misleading in a material particular.

Complaints about breaches of these requirements are to be referred to the Office of Local Government (OLG) and may result in disciplinary action by the council, the Chief Executive of OLG or the NSW Civil and Administrative Tribunal.

Important information

Who must submit a return of interests?

You must complete and lodge a return of interests if you are a councillor or designated person.

Designated persons include:

- the general manager
- senior staff, and
- staff, delegates of councils or members of committees who the council identify as exercising functions that could give rise to a conflict of interest.

When must I submit a written return of interests?

You must submit a return of interests within three months of being elected or becoming a designated person and submit a new return annually (within three months of the start of each financial year).

You do not need to submit a return of interests if you have already submitted a return in the three months preceding 30 June, or if you ceased to be a councillor or designated person in the three months preceding 30 June.

If, at any time, you become aware of any new interests that need to be disclosed, you must submit a new return within three months of becoming aware of the interests.

Who must I lodge my return of interests with?

All returns of interests are to be lodged with the council's general manager.

A return lodged within 3 months of 30 June must be tabled at the first council meeting after the last day the return was required to be lodged.

A return lodged at any other time must be tabled at the first council meeting after the return was lodged.

Must my return of interests be made publically available?

Yes. Councils must make all returns of interests publically available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the NSW Information Commissioner.

If you are concerned that your safety or the safety of your family may be put at risk if information about your home address is disclosed in your return of interests, you may request that the information be redacted under section 739 of the *Local Government Act 1993*.

Such a request should be made to the general manager in writing.

Is there a standard form for submitting a return of interests?

Yes. Written returns of interests are to be in the form set out in Schedule 2 of the Model Code of Conduct.

A copy is attached to this Guide.

How do I complete a return of interests?

For those who are lodging their first return

If you are lodging a return for the first time, you do not need to complete Parts C, D and I of the return.

All other parts should be completed with information based on your circumstances at the date when you became a councillor or designated person.

Note:

- **If you are lodging your first return:**
- **the 'return date' is the date you became a councillor or designated person, and**

- **leave the return 'period' at the top of the form blank**

If you have acquired any new interests that need to be disclosed in the return in the period between the return date and the date on which you are completing a return for the first time, you should also disclose these in the return to avoid the need to complete a further return disclosing the new interests.

For those who are lodging their annual return

Complete all parts of the return if you are lodging a new return for the new financial year.

The return should be completed with information based on your circumstances for the 12-month period beginning on 30 June of the previous year to 30 June of this year.

Note:

- **If you are lodging your annual return:**
- **the 'return date' is 30 June of the calendar year in which the return is made, and**
 - **the return 'period' is from 30 June of the previous year to 30 June of the current year.**

For those who are disclosing new interests

Complete all parts of the return if you are disclosing a new interest that was not disclosed in the last return you lodged with the general manager.

The form should be completed with information based on your circumstances from either 30 June of the previous financial year **or** the date you became a councillor or designated person **(whichever is later)**, to the date you became aware of the new interest you are disclosing.

Note:

- **If you are disclosing new interests:**
- **the 'return date' is the date you became aware of the interest(s), and**
 - **the return 'period' is from 30 June of the previous financial year, or the date on which you became a councillor or**

designated person (whichever is later) to the date you became aware of the interest(s).

What interests do I need to disclose?

You must not lodge a return that you know or ought to know is false or misleading in a material particular.

In completing your return, you must disclose all relevant interests whether or not they are acquired or held in NSW or Australia.

In the case of interests in real property, you must disclose all interests in real property you hold in Australia.

Part A – Real property

In this section, you must disclose the:

- street address of each parcel of real property you had an interest in:
 - on the return date, and
 - since 30 June of the previous financial year, and
- nature of the interest (eg freehold, lease, option to purchase etc).

You do not need to disclose an interest in a parcel of real property if you ceased to have the interest prior to becoming a councillor or designated person.

You also do not need to disclose an interest in a parcel of real property if your interest was:

- as executor of a will, or administrator of an estate, of a deceased person, **and** you were not a beneficiary under the will or intestacy, or
- as a trustee, if the interest was acquired in the course of an occupation that was not related to your duties as a councillor or designated person.

Note:

- **'Address' is defined in clause 1 of schedule 1 of the Model Code of Conduct**
- **'Real property' refers to any real property in Australia.**

Part B – Sources of income

In this section you must disclose each source of income you:

- reasonably expect to receive from the first day after the return date to 30 June, and
- received in the period since 30 June of the previous financial year.

In disclosing sources of income from your occupation, you must disclose:

- a description of your occupation, and
- if you are employed or the holder of an office, the name and address of your employer, or a description of the office, and
- if you have entered into a partnership with other persons, the name (if any) of the partnership.

In disclosing sources of income from a trust, you must disclose the name and address of the settlor and trustee.

In disclosing the sources of any other income, you must provide a description that identifies the person you received or reasonably expect to receive the income from, or the circumstances in which you received or reasonably expect to receive the income.

You do not need to disclose a source of income if:

- it did not exceed, or you do not reasonably expect it to exceed, \$500
- you ceased to receive income from that source prior to becoming a councillor or designated person, or
- it is your fee as a councillor.

Part C – Gifts

In this section, you must disclose all gifts you have received since 30 June of the previous financial year.

Gifts include any item, property or money you have been given without consideration or with inadequate consideration, unless it was received under a will.

You must provide a description of the gift and the name and address of the person/organisation that gave you the gift.

You do not need to disclose gifts if:

- they did not exceed \$500 in value, unless it was among gifts totalling more than \$500 from the same person/organisation within the last 12 months
- it was given to you by a relative (see below for a definition of "relative")
- it was a political donation that has been disclosed or is required to be disclosed under the *Electoral Funding Act 2018*, or
- it was received prior to you becoming a councillor or designated person (unless you have received a subsequent gift from the same person/organisation since becoming a councillor/designated person and within a 12 month period and the gifts total more than \$500).

Note:

→ **The amount of a gift (other than money) is equal to the monetary value of the gift**

→ **'Relative' is defined in clause 1 of schedule 1 of the Model Code of Conduct. Relatives include your:**

- spouse or de facto partner
- parents, grandparents, brothers, sisters, uncles, aunts, nephews, nieces, lineal descendants or adopted children and any of those persons' spouses or de facto partners, and
- spouse's or de facto partner's parents, grandparents, brothers, sisters, uncles, aunts, nephews, nieces, lineal descendants or adopted children and any of those persons' spouses or de facto partners.

Part D – Contributions to travel

In this section you must disclose the:

- name and address of any person who has made a financial or other contribution to the expenses of any travel you have undertaken since 30 June of the previous financial year
- dates on which you undertook the travel, and
- names of the states and territories and of the overseas countries where the travel was undertaken.

You do not need to disclose a contribution to travel if:

- it was made from public funds
- it was made by a relative (see above for a definition of "relative")
- it was made in the ordinary course of your occupation that was not related to your functions as a councillor or designated person
- it was under \$250, unless it was among gifts totalling more than \$250 from the same person/organisation within the last 12 months
- it was a political donation that has been disclosed or is required to be disclosed under the *Electoral Funding Act 2018*
- it was made by a political party you are a member of and you undertook the travel for the purpose of political activity of the party in NSW, or to represent the party within Australia, or
- you received the contribution prior to becoming a councillor or designated person (unless you have received a subsequent gift or contribution from the same person/organisation since becoming a councillor/designated person and within a 12 month period and the gifts/contributions total more than \$250).

Note:

→ **The amount of a contribution (other than money) is equal to the monetary value of the contribution.**

Part E – Interests and positions in corporations

In this section, you must disclose:

- the name and address of each corporation in which you held an interest or position (whether remunerated or not) on the return date and since 30 June of the previous financial year
- the nature of the interests or positions held in each corporation, and
- a description of the principal objects (if any) of each corporation, except if it is a listed company.

You do not need to disclose an interest or position in a corporation if the corporation:

- is formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, **and**
- it is required to apply its profits or other income for the purpose of promoting its objects, **and**
- it is prohibited from paying any dividend to its members.

You also do not need to disclose an interest in a corporation if it is a beneficial interest in shares in the corporation that does not exceed 10 per cent of the voting rights in the corporation.

You also do not need to disclose an interest or position in a corporation if you ceased to hold the interest or position prior to becoming a councillor or designated person.

Part F – Are you a property developer or close associate of a property developer?

In this section, you must disclose if you are a 'property developer' or a close associate of an individual or corporation that is a 'property developer' for the purposes of the *Electoral Funding Act 2018*.

A person or a corporation is a 'property developer' if they carry out a business mainly concerned with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit, **and** in the course of that business:

- one 'relevant planning application' has been made by or on behalf of the individual or corporation and is pending, or
- three or more 'relevant planning applications' made by or on behalf of the individual or corporation have been determined within the preceding seven years.

You will be a close associate of a person who is a property developer if:

- you are the spouse of the person, or
- where the person has made a 'relevant planning application' that is pending, you are in a joint venture or partnership with the person in connection with the 'relevant planning application' and you are likely to obtain a financial gain if it is approved or carried out.

You will be a close associate of a corporation that is a property developer if:

- you or your spouse are a director or officer of the corporation
- you or your spouse have voting power in the corporation or a related body corporate of the corporation that is greater than 20%
- where the corporation is a trustee, manager or responsible entity in relation to a trust, you hold more than 20% of the units in the trust (in the case of a unit trust) or you are a beneficiary of the trust (in the case of a discretionary trust), or
- where the corporation has made a 'relevant planning application' that is pending, you are in a joint venture or partnership with the corporation in connection with the 'relevant planning application' and you are likely to obtain a financial gain if it is approved or carried out.

Note:

→ **'Relevant planning application' is defined in section 10.4 (Disclosure of political donations and gifts) of the *Environmental Planning and Assessment Act 1979*.**

Part G – Positions in trade unions and professional or business associations

In this section, you must disclose:

- the name of each trade union and of each professional or business association in which you held any position (whether remunerated or not) on the return date and since 30 June of the previous financial year, and
- a description of the position.

You do not need to disclose a position in a trade union or a professional or business association if you ceased to hold that position prior to becoming a councillor or designated person.

Part H – Debts

In this section, you must disclose the name and address of each person you are/were liable to pay a debt to on the return date, and at any time since 30 June of the previous financial year.

You must disclose a liability to pay a debt whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year.

You do not need to disclose a liability to pay a debt if:

- the debt arose from a loan you have with a deposit taking institution (eg a bank) or other authorised deposit taking institution which lends money, and the loan was part of the institution’s ordinary course of business
- the amount to be paid did not exceed \$500, **unless** the debt was one of two or more debts owed to the same person, and the combined value of the debts exceed \$500.
- the debt was owed to a relative (see above for a definition of “relative”)
- in the case of a debt for the supply of goods or services:
 - the goods or services were supplied to you within the 12 months before the return date, or at any time since 30 June of the previous financial year, or
 - the goods or services were supplied to you in the ordinary course your occupation that is not related to your duties as a councillor or designated person, or
- the debt was discharged prior to you becoming a councillor or designated person, unless the debt was one of two or more debts you owe to the same person, and the value of the combine debts exceeds \$500.

Part I – Dispositions of real property

In this section you must disclose details of each disposition of real property by you (including the street address of the property) since 30 June of the previous financial year if you wholly or partly retained the use and benefit of the property, or the right to re-acquire it.

You must also disclose details of each disposition of real property to another person under an arrangement with you (including the street address of the property), since 30 June of the previous financial year under which you obtained wholly or partly the use of the property.

You do not need to disclose a disposition of real property if it was made prior to you becoming a councillor or designated person.

Part J – Discretionary disclosures

In this section, you may voluntarily disclose any other interests, benefits, advantages or liabilities you may have, whether or not they are pecuniary, which you have not been required to disclose elsewhere in the return.

DISCLOSURE OF INTERESTS FORM

REQUIRED TO BE LODGED UNDER CLAUSE 4.21
OF THE MODEL CODE OF CONDUCT FOR
LOCAL COUNCILS IN NSW



Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]* as at *[return date]* in respect to the period from *[date]* to *[date]*.

Signed: *[councillor's or designated person's signature]*

Date: *[date]*

A. Real Property

Street address of each parcel of real property in which I had an interest at the return date and at any time since 30 June	Nature of interest
<i>[address]</i>	<i>[details]</i>

B. Sources of income

1. Sources of income I:

- reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June, and
- received from an occupation at any time since 30 June:

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
<i>[description]</i>	<i>[name and address]</i>	<i>[name]</i>

2. Sources of income I:
- reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June, and
 - received from a trust since 30 June:

Name and address of settlor	Name and address of trustee
<i>[name and address]</i>	<i>[name and address]</i>

3. Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June:

Source	Amount
<i>[source]</i>	<i>[amount]</i>

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
<i>[details]</i>	<i>[name and address]</i>

D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Names of states and territories of the Commonwealth and overseas countries in which travel was undertaken
<i>[name and address]</i>	<i>[dates]</i>	<i>[names]</i>

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date and at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
<i>[name and address]</i>	<i>[details]</i>	<i>[details]</i>	

F. Property development

Were you a property developer or a close associate of a property developer on the return date?

[Yes/No]

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date and at any time since 30 June	Description of position
<i>[name]</i>	<i>[details]</i>

H. Debts

Name and address of each person to whom I was liable to pay any debts at the return date and at any time since 30 June
<i>[name]</i>

I. Disposition of property

1. Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time
<i>[details]</i>

2. Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property
<i>[details]</i>

J. Discretionary disclosures

[details]



Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the *Government Information (Public Access) Act 2009 (NSW)*

September 2019



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Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the *Government Information (Public Access) Act 2009 (NSW)*

The Information Commissioner is empowered under sections 12(3) and 14(3) of the *Government Information (Public Access) Act 2009 (NSW)* ("GIPA Act") to issue guidelines to assist agencies regarding the public interest considerations in favour of, or against, disclosure.

These Guidelines, made pursuant to those sections of the GIPA Act, are made to assist local councils to determine the public interest considerations for and against disclosure of information contained in the returns disclosing the interests of councillors and designated persons as required by clause 1(2)(a) of Schedule 1 of the *Government Information (Public Access) Regulation 2018 (NSW)* ('the GIPA Regulation').

These Guidelines supplement the provisions of the GIPA Act. Agencies must have regard to them in accordance with section 15(b) of the GIPA Act.

The Guidelines have been developed in consultation with the Office of Local Government, and the Privacy Commissioner.

The operation and effectiveness of the Guidelines will be reviewed after two years or as required by any intervening developments relevant to the Guideline.

Elizabeth Tydd

**IPC CEO, Information Commissioner
NSW Open Data Advocate**

September 2019

Overview

Part 4 of the *Model Code of conduct for Local Councils in NSW (2018)* (Model Code) requires a councillor or a designated person to complete and lodge with the general manager a return disclosing his or her pecuniary interests. That return may contain personal information about each councillor and designated person, including his or her name, address and signature, as well as information about property and share holdings, gifts received, debts owed, other sources of income, and positions held in a trade union or business or professional organisation. The form of the return is set out in Schedule 2 of the Model Code.

Mandatory proactive release, also known as open access information, is one of the four information access pathways under the GIPA Act. Proactive release advances the object of the GIPA Act to “maintain and advance a system of responsible and representative democratic Government that is open, accountable, fair and effective ...” The GIPA Act contributes to the building of an integrity culture through the establishment of a framework based around the principles of pro-active disclosure and a presumption in favour of public interest disclosure.

The mandatory proactive release provisions of the GIPA Act and the GIPA Regulation apply to the disclosure of information contained in returns disclosing the interests of councillors and designated persons. The combined effect of the GIPA Act and the GIPA Regulation is that the information in the returns needs to be disclosed on the website of each local council, unless to do so would impose unreasonable costs on the council, or if the council determined there was an overriding public interest against disclosing the information.

In order to decide whether there is an overriding public interest against disclosure, councils need to apply the public interest test, and weigh the public interest considerations in favour of and public interest considerations against disclosure.

This Guideline recognises that disclosing the information in the returns furthers openness, transparency and accountability in local government. It also facilitates the identification and management of potential conflicts of interest that might arise where councillors and other staff participate in decisions from which they may derive, or be perceived to derive, personal or financial benefit.

However, the returns may contain personal information about the person concerned, and, potentially, about third parties such as family members. This is information which individuals may have concerns about disclosing publicly on a website and may object to publication following consultation under the GIPA Act.

[Section 6\(4\)](#) of the GIPA Act requires agencies to “facilitate public access to open access information contained in a record by deleting matter from a copy of the record to be made publicly available, if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record, and it is practicable to delete the matter”.

Guideline 1: For local councils on the disclosure of information

September 2019

The fact that information is open access information is an important factor in favour of disclosure which must be balanced against any applicable considerations against disclosure, as was noted by the NSW Civil and Administrative Tribunal Appeal Panel in two recent cases¹. In *Webb v Port Stephens Council (No. 3)* [2018] NSWCATAP 286, the Appeal Panel stated at paragraph 77:

Where the information in issue is in fact open access information, as noted by the Appeal Panel in McEwan, this is an "important factor in favour of disclosure" (in addition to other relevant factors in favour of disclosure, including the general public interest in favour of disclosure provided for in s12(1) of the GIPA Act) when it comes to determining whether the balance lies between a public interest consideration against disclosure and the public interest in favour of disclosure.

Open access information should be available free of charge on a website maintained by the relevant agency. Open access information can also be made publicly available in other ways, however at least one of the ways in which the information is accessible must be free of charge.²

Consequently, this Guideline provides that the requirement in Clause 1(2)(a) of [Schedule 1](#) of the GIPA Regulation, that returns of councillors and designated persons be released as part of local councils' open access information, should be interpreted as follows:

- The returns should be made publicly available on the council's website free of charge unless there is an overriding public interest against disclosure or to do so would impose unreasonable additional costs on the council
- The fact that a return of interests is open access information is a factor in favour of disclosure in balancing the public interest
- In the circumstances where council decides that there is an overriding public interest against disclosure of the return, consideration should then be given to whether it is practicable to release an edited copy of the return (for example redacting the individual's signature or residential address) in accordance with [section 6\(4\)](#) of the GIPA Act
- If it is practicable to do so, then the information should be deleted from a copy of the return and the remainder of the return made available on the council's website
- Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted in accordance with section 6(5) of the GIPA Act
- Copies of publicly available information about returns may be made in accordance with [clause 5\(1\)\(b\)](#) of the GIPA Regulation.

Releasing the information contained in the returns of councillors and designated persons in this manner facilitates the legitimate public interest in having access to the information, while protecting the individual's right to privacy and safety.

¹ *McEwan v Port Stephens Council [2018] NSWCATAP 211, Webb v Port Stephens Council (No. 3) [2018] NSWCATAP 286*

² GIPA Act sections 6(2);6(3)

Part 1: Returns disclosing the interests of councillors and designated persons

What is a return?

- 1.1 Part 4 of the [Model Code](#) establishes the requirements for the disclosure of pecuniary interests by councillors and designated persons. This includes disclosures of interests in written returns (returns of interests) and disclosures of pecuniary interests at meetings. This Guideline deals only with requirements in relation to written returns of interests and does not affect the obligations of councillors or committee members to disclose pecuniary interests at meetings.
- 1.2 The Model Code is made under section 440 of the *Local Government Act 1993* (NSW) (LGA) and Part 8 the *Local Government Regulation 2005*. Part 4 of the Model Code replicates and replaces the requirements previously set out in sections 441- 449 of the LGA.
- 1.3 Clause 4.21 of the Model Code requires that councillors and designated persons prepare and submit written returns of interest within three months after:
 - becoming a councillor or designated person, and
 - 30 June of each year, and
 - becoming aware of an interest they are required to disclose.
- 1.4 A 'designated person' is defined in clause 4.8 of the Model Code as:
 - *the general manager*
 - *other senior staff of the council*
 - *a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under the LGA or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest*
 - *a person who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*
- 1.5 Clause 4.1 of the Model Code defines a 'pecuniary interest' as one involving a "reasonable likelihood or expectation of appreciable financial gain or loss to the person". Clause 4.2 provides that a person "will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6" (which are interests that do not have to be disclosed).

- 1.6 For the purposes of the Model Code, a pecuniary interest is one held by the councillor and designated person, or his or her spouse, de facto partner, relative, partner or employer, or a company or other body of which the person, or a nominee, partner or employer of the person, is a shareholder or member.³ However, a person is not taken to have a pecuniary interest in a matter:
- a) *if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body; or*
 - b) *just because the person is a member of, or is employed by, a council or a statutory body or is employed by the Crown; or*
 - c) *just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.*⁴
- 1.7 The returns are designed to promote openness and transparency in local government, and to avoid a conflict of interest on the part of councillors and senior council staff who exercise decision-making functions.

What information do the returns contain?

- 1.8 Part 2 of Schedule 1 of the Model Code sets out the matters that must be disclosed in the returns of interests in the following categories:
- interests in real property: clauses 5 - 8
 - gifts: clauses 9-11
 - contributions to travel: clauses 12-14
 - interests and positions in corporations: clauses 15-18
 - interests as a property developer or a close associate of a property developer: clauses 19-20
 - positions in trade union and professional or business associations: clauses 21-22
 - dispositions of real property: clauses 23-25
 - sources of income: clauses 26-30
 - debts: clauses 31 - 33
 - discretionary disclosures: clause 34 (A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of the Schedule).
- 1.9 The form of the return is provided in Schedule 2 of the [Model Code](#).

³ Clause 4.4 of the Model Code

⁴ Clause 4.5 of the Model Code

Disclosure under the LGA now replaced with the GIPA Act and Regulations

- 1.10 The LGA previously required that the current version of the return of interests of councillors and designated persons was to be made available for public inspection free of charge.
- 1.11 In 2009, the GIPA Act replaced section 12 of the LGA with the mandatory proactive release provisions in [sections 6](#) and [18](#) of the GIPA Act, and the GIPA Regulation (see [Part 2](#)).

Part 2: Disclosure requirements under the GIPA Act and the public interest test

Mandatory disclosure requirements

- 2.1 [Section 6](#) of the GIPA Act requires agencies to make certain information publicly available. This information is known as open access information. [Section 18](#) contains a list of the open access information that all agencies must make publicly available. Schedule 1 to the GIPA Regulation lists additional open access information relevant only to local councils. This includes the returns of the interests of councillors and designated persons (see [clause 1\(2\)\(a\)](#) of Schedule 1).
- 2.2 The GIPA Act requires under section 6 that open access material must be made publicly available unless there is an overriding public interest against disclosure. Section 6(2) provides that the information is to be made publicly available free of charge on a website maintained by the agency (unless to do so would impose unreasonable additional costs on the agency) and can be made publicly available in any other way that the agency considers appropriate.
- 2.3 Section 6(4) requires agencies to facilitate public access to open access information by deleting matter (content) if it is practicable to do so. This facilitates the release of open access information by enabling any matter subject to an overriding public interest against disclosure to be deleted so that the remainder of the information can be released. In circumstances where council determines that there is an overriding public interest against disclosure of open access information, section 6(4) may operate to require public release of the remaining open access information which is not subject to the overriding public interest against disclosure. Where information is deleted in accordance with section 6(4), the agency is required to keep a record indicating, in general terms, the nature of the information that has been redacted (see section 6(5)).
- 2.4 [Part 2](#) of the GIPA Regulation also provides that local councils must provide a copy of a record containing the information (or providing the facilities for making a copy of a record containing the information) to any person either free of charge or for a charge not exceeding the reasonable cost of photocopying.
- 2.5 The combined effect of these provisions is that information in the returns of the interests of councillors and designated persons needs to be made available on a council's website, unless there is an overriding public interest against such disclosure, or if placing it on the web would impose unreasonable costs on a council.

The public interest test

- 2.6 The GIPA Act provides that there is a presumption in favour of disclosure of government information unless there is an overriding public interest against disclosure (section 5). In order to determine if there is an overriding public interest against disclosing information in the returns of the interests of councillors and designated persons, councils need to apply the public interest test under [Part 2](#) of the GIPA Act.
- 2.7 The fact that a return of interests is open access information is an important factor in favour of disclosure which must be balanced against any applicable considerations against disclosure. In balancing the public interest decision makers should have regard to the intent of the legislature and apply the Act consistent with the objects of section 3(2) of the GIPA Act.
- 2.8 The public interest test is described in [section 13](#) of the GIPA Act as “[t]here is an overriding public interest against disclosure of government information for the purposes of this Act if (and only if) there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure”.
- 2.9 In applying the public interest test factors such as privacy may be considered. While the note to [section 12](#) provides a non-exhaustive list of examples of factors that may be considered in favour of disclosing information, only those considerations listed in the Table in [section 14](#) may be taken into account in deciding that information should not be disclosed. The considerations against disclosure must be such that they outweigh those in favour, overturning the general presumption in the GIPA Act in favour of disclosure (see [section 5](#)).
- 2.10 The Information Commissioner has published the following resources to assist agencies to apply the public interest test:
- [Guideline 4: Personal information as a public interest consideration under the GIPA Act](#)
 - [What is the public interest test?](#)

Part 3: How the information on returns should be disclosed

Public interest considerations in favour of disclosure

- 3.1 The note in [section 12](#) of the GIPA Act contains a number of factors that favour disclosure of information, including the following:
- (a) *Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.*
 - (b) *Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.*
 - (c) *Disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds.*
 - (d) *The information is personal information of the person to whom it is to be disclosed.*
 - (e) *Disclosure of the information could reasonably be expected to reveal or substantiate that an agency (or a member of an agency) has engaged in misconduct or negligent, improper or unlawful conduct.*

- 3.2 Disclosure of the returns of the interests of councillors and designated persons promotes some of these public interest considerations in favour of disclosure (see (a), (b), (c) and (e)). It furthers openness, transparency and accountability in local government. Disclosing the returns also protects the integrity of councils' decision-making processes by allowing scrutiny of potential conflicts of interests that would arise where councillors or staff participate in decision making from which they or their close associates may derive, or be perceived to derive, personal or financial benefit.
- 3.3 To assist members of the public to have confidence that potential conflicts of interest are avoided, they should have sufficient information about the areas of conflict. In this respect, disclosure of the information contained in the returns is an important element in promoting public accountability.

Public interest considerations against disclosure

- 3.4 Councillors and designated persons may be required to disclose personal information in the returns. In addition to their names and addresses, the returns include details about each of their property and share holdings, debts and family business interests, as well as their signatures.
- 3.5 Clause 3 in the Table in [section 14](#) of the GIPA Act lists as a consideration against disclosure the fact that information may reveal someone's personal information, or would contravene an information privacy principle under the *Privacy and Personal Information Protection Act 1998* (NSW) (PPIP Act). An individual has a right to protect the privacy of their personal information. Given the amount of personal information that may be contained in the returns, special care should be taken to protect this right.
- 3.6 The balancing of public interest considerations may necessitate consideration of privacy protection principles and the interaction between the GIPA Act and the PPIP Act is well established within both statutes. While a return may reveal personal information, which is a public interest consideration against disclosure, this is not a conclusive presumption against disclosure. It is just one of the relevant factors that need to be weighed against other factors for and against disclosure. In this regard the considerations must be weighed in conducting the public interest test and this balancing should be informed by section 5 and section 20(5) of the PPIP Act which provide that the GIPA Act is not limited by the PPIP Act.
- 3.7 A further consideration against disclosure listed in clause 3 of the Table in [section 14](#) is where release of the information may expose a person to a risk of harm or of serious harassment or serious intimidation. It is foreseeable that disclosing the type and combination of information contained in the returns on a council's website could expose a person to harassment and intimidation, and potentially serious harm or identity theft.
- 3.8 In *Pallier v NSW State Emergency Service* [2016] NSWCATAD 293, the NSW Civil and Administrative Tribunal indicated that the intimidation or harassment needs to be heavy, weighty or grave and not trifling or transient.⁵ The risk needs to be considered objectively. Any evidence of the risk should be as it currently stands, rather than evidence of past actions.⁶

⁵ *Pallier v NSW State Emergency Service* [2016] NSWCATAD 293, paragraph 81

⁶ *Ibid*, paragraph 85.

Application of section 6(4) of the GIPA Act

- 3.9 In circumstances where council determines that there is an overriding public interest against disclosure of a return of interest, council may still be required to release an edited copy of the return.
- 3.10 [Section 6\(4\)](#) of the GIPA Act requires agencies 'must facilitate public access to open access information contained in a record by deleting matter from a copy of the record if disclosure of the matter would otherwise be prevented due to an overriding public interest against disclosure, and it is practicable to delete the matter'.
- 3.11 The type of matter which might be deleted from a return in these circumstances will vary depending on the public interest considerations applied. However, examples might include the signatures or residential address of the individual making the return.
- 3.12 Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted in accordance with section 6(5) of the GIPA Act

Conclusion

- 3.13 Disclosure of information contained in the returns of the interests of councillors and designated persons is an important public accountability measure. Open access information should be treated as a special class of information when determining information access. Accordingly, the threshold to displace Parliament's intent that it is open access is set at a high level.
- 3.14 The requirement in clause 1(2)(a) of [Schedule 1](#) of the GIPA Regulation that returns of councillors and designated persons be released as part of local councils' open access information should be interpreted as follows:
- The returns should be made publicly available on the council's website unless there is an overriding public interest against release or to do so would impose unreasonable additional costs on council.
 - The fact that a return of interests is open access information is a factor in favour of disclosure in balancing the public interest.
 - In the circumstances where council decides that there is an overriding public interest against disclosure, consideration should then be given to whether it is practicable to release an edited copy of the record (for example redacting the individual's signature or residential address) in accordance with [section 6\(4\)](#) of the GIPA Act.
 - If it is practicable to do so, then the information should be deleted from a copy of the record and the remainder of the return made available on the council's website.
 - Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted.
 - Copies of publicly available information about returns may be made in accordance with [clause 5\(1\)\(b\)](#) of the GIPA Regulation.
- 3.15 Releasing the information contained in the returns of councillors and designated persons in this manner facilitates the legitimate public interest in having access to the information, while respecting other considerations against disclosure including privacy.

Document information

Title:	Guidelines for local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the Government Information (Public Access) Act 2009 (NSW)
Business centre:	IPC
Author:	Legal Counsel and Regulatory Advice
Approver:	Information Commissioner
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1. Document history

Version	Date	Reason for amendment
1.1	July 2014	Accessibility update
2	May 2019	Review of content

10.7 RATES AND CHARGES COLLECTIONS - JUNE 2021**File Number: Rates - General - R4****Author: Melissa Curtis, Revenue and Finance Officer****Authoriser: Bruce Quarmby, Executive Leader - Corporate and Sustainability****Annexures: Nil****PURPOSE**

The purpose of this report is for Council to be updated with the most recent information pertaining to its rates and charges collections – as applicable to the month of June 2021.

BACKGROUND**(a) Relevance to Integrated Planning and Reporting Framework**

The annual rate charges are set out within Council's 2020 / 21 Operational Plan.

(b) Financial Considerations

The annual rate charges are set out within Council's 2020 / 21 Operational Plan.

	30 June 2021	30 June 2020
Rates and Charges	\$905,674.57	\$917,848.88
Water Consumption	\$401,325.23	\$450,332.88
Total	\$1,306,999.80	\$1,368,181.76

COMMENTARY**Rates and Charges**

	30 June 2021	30 June 2020
Rates and charges in arrears as at 30 June 2020	\$926,256.23	\$694,494.20
Rates/charges levied & adjustments for 2020/2021	\$6,981,196.97	\$6,803,123.56
Pension Concession	(\$109,385.09)	(\$110,160.73)
Amounts collected as at 30 June 2021	(\$6,892,393.54)	(\$6,469,608.15)
Total Rates and Charges to be Collected	\$905,674.57	\$917,848.88

The amount levied for rates and charges for 2020 / 21 includes the current year's annual rates and charges and any interest added since the date the rates notices were issued. The amount received as of 30 June 2021 includes receipts for both arrears and the current year's amounts outstanding.

It should be noted that the rates and charges 2020 / 21 levied amount is reduced by the pensioner concession of \$109,385.09; reducing the amount of income derived from these rates and charges. Of this concession, Council's contribution is 45%, which represents an amount of \$49,223.30.

The rates and charges as of 30 June 2021 represent 11.45% of the total annual rates and charges levied and outstanding (compared with 12.24% on 30 June 2020).

Water Consumption Charges

	30 June 2021	31 May 2020
Water Consumption Charges and arrears as at 30 June 2020	\$399,024.06	\$435,238.91
Water Consumption charges & adjustments 2020/21 year to date	\$954,791.56	\$1,068,087.50
Amounts collected as at 31 May 2021	(\$952,490.39)	(\$1,052,993.53)
Total Water Consumption Charges to be Collected	\$401,325.23	\$450,332.88

The water consumption charges as at 30 June 2021 represents 29.64% of the total water consumption charges outstanding (compared to 29.96% on 30 June 2020).

Debt Recovery Agency

Council has not issued any new referrals to the Debt Recovery Agency that acts on behalf of Council. Council's debt recovery agency has been instructed to reinstate contact with any debtors, who has previously been referred and legal action commenced. This action is in line with the provisions within the *Local Government Act 1993* and Council adopted Debt recovery policy.

(a) Governance/Policy Implications

Council staff comply with the directions provided by Council's suite of policies that govern this function of Council.

(b) Legal Implications

The collection of rates and water charges does impact on the community. For this reason, Council is always willing to negotiate payment terms with outstanding debtors. Debtors are afforded several opportunities to contact Council regarding these matters.

(c) Social Implications

The collection of rates and water charges does impact on the community. For this reason, Council is always willing to negotiate payment terms with outstanding debtors. Debtors are afforded several opportunities to contact Council regarding these matters.

(d) Environmental Implications

There are no direct environmental implications arising from this report. However, it needs to be acknowledged that Covid-19 could have an impact on Council's ability to collect its rates and charges.

(e) Economic/Asset Management Implications

If Council's rates and charges collection fall behind, it will have an impact on Council's ongoing ability to meet its operational costs and making adequate funding available for necessary asset maintenance and renewal projects.

(f) Risk Implications

As was stated above, Covid-19, more particularly the legislative changes introduced by the NSW State Government, has impacted on Council's ability to collect its rates and charges as demonstrated by the increase in Council rates, annual charges, interest, and extra charges outstanding percentage. Strategies have been put in place to mitigate the risk of the further deterioration of this ratio.

CONCLUSION

The rates and charges as at 30 June 2021 represent 11.45% of the total annual rates and charges levied and outstanding from previous years by Council (compared with 12.24% on 30 June 2020). The water consumption charges as of 30 June 2021 represent 29.64% of the total water consumption charges outstanding from previous years (compared to 29.96% on 30 June 2020).

RECOMMENDATION

That Council notes the information provided in the report.

10.8 STATUS OF INVESTMENTS - JUNE 2021**File Number: Investments General - I5****Author: Saiful Islam, Finance Assistant****Authoriser: Bruce Quarmby, Executive Leader - Corporate and Sustainability****Annexures: Nil****PURPOSE**

The purpose of the report is for Councillors to note the status of its investment portfolio.

BACKGROUND**(a) Relevance to Integrated Planning and Reporting Framework**

L1.4.10 Maintain long term financial viability.

(b) Financial Considerations

Investment levels and interest rates are currently on par with the revised estimate calculations.

COMMENTARY

Financial Institution	Invest Rating S&Ps	Investment Type/Maturity Date	Current Rate	Term	Amount (\$)
Commonwealth Bank	A1+	Term Deposit - 15/09/2021	0.33%	90 Days	4,000,000
Commonwealth Bank	A1+	Term Deposit - 20/09/2021	0.35%	181 Days	1,000,000
Commonwealth Bank	A1+	Term Deposit - 12/07/2021	0.28%	122 Days	2,000,000
Commonwealth Bank	A1+	Term Deposit - 25/10/2021	0.32%	122 Days	1,000,000
Commonwealth Bank	A1+	Term Deposit - 15/11/2021	0.33%	181 Days	1,000,000
Commonwealth Bank	A1+	Term Deposit - 11/10/2021	0.32%	151 Days	500,000
Commonwealth Bank	A1+	Term Deposit - 24/11/2021	0.33%	180 Days	1,000,000
Commonwealth Bank	A1+	@ Call Account	0.10%		1,500,000
IMB - VRD	A2	Term Deposit - 16/07/2021	0.74%	91 Days	1,000,000
IMB - VRD	A2	Term Deposit - 04/08/2021	0.64%	92 Days	1,000,000
National Australia Bank	A1+	Term Deposit - 19/10/2021	0.30%	180 Days	2,000,000
National Australia Bank	A1+	Term Deposit - 09/08/2021	0.30%	91 Days	1,000,000
National Australia Bank	A1+	Term Deposit - 28/07/2021	0.30%	90 Days	2,000,000
National Australia Bank	A1+	Term Deposit - 12/07/2021	0.30%	90 Days	1,500,000
National Australia Bank	A1+	Term Deposit - 26/07/2021	0.30%	90 Days	2,000,000
National Australia Bank	A1+	Term Deposit - 11/08/2021	0.30%	90 Days	500,000
National Australia Bank	A1+	Term Deposit - 30/08/2021	0.30%	122 Days	1,500,000
Reliance C/U	Unrated	Term Deposit - 17/11/2021	0.40%	184 Days	250,000
TOTAL					24,750,000

Financial Institution	Invest Rating S&Ps	% of Investment	Max per Investment Policy	Amount (\$)
Commonwealth Bank	A1+	48%	50%	12,000,000
National Australia Bank	A1+	42%	50%	10,500,000
IMB	A2	8%	35%	2,000,000
Reliance C/U	Unrated	1%	10%	250,000
				\$ 24,750,000

Rating	% of Investment	Policy	Amount
A1+	91%	100%	22,500,000
A1	0%	80%	-
A2	42%	60%	2,000,000
Unrated	1%	30%	250,000
			\$ 24,750,000
General Fund Investments			16,504,751.27
Sewerage Investment Fund			2,552,875.47
Water Investment Fund			4,192,373.26
			\$ 23,250,000

Interest earned on Investments for 2020-2021 as at 30 June 2021 \$ 108,768

(a) Governance/Policy Implications

Monthly financial reporting ensures transparency of financial reporting to enable Councillors to make financially sustainable and accountable decisions.

(b) Legal Implications

All investments continue to be made in accordance with the requirements of the *Local Government Act 1993* and Council’s Investment Policy.

(c) Social Implications

Council funds are used to provide services and infrastructure to the community and, as a result, well managed funds maximise the level of financial resources available to support the community.

(d) Environmental Implications

There are no environmental implications arising from this report.

(e) Economic/Asset Management Implications

Sound economic management includes maximising Council’s return on investment, and this is achieved by closely monitoring investments in line with Council’s Investment Policy.

(f) Risk Implications

Sound economic management includes maximising Council’s return on investment, and this is achieved by closely monitoring all investments in line with Council’s Investment Policy.

CONCLUSION

Funds have been appropriately restricted to ensure all areas of Council can continue to operate in accordance with both the annual Operational Plan and the Long-Term

Financial Plan. Further, all investments are continued to be made in accordance with the requirements of the *Local Government Act 1993* and Council's Investment Policy.

RECOMMENDATION

That Council notes the list of investments as at 30 June 2021 and that these investments comply with section 625(2) of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.

10.9 URBAN SERVICES - WORKS IN PROGRESS

File Number: Reports - R6

Author: Bruce Quarmby-Executive Leader - Corporate and Sustainability

Authoriser: Bruce Quarmby, Executive Leader - Corporate and Sustainability

Annexures: Nil

PURPOSE

The purpose of this report is to provide information on works in progress within Council's Urban Services section for the month of June 2021, along with planned future works.

BACKGROUND

Council's Urban Services section's goal is to maintain and enhance the recreational and open space areas including parks, gardens, ovals, showground, cemeteries, public pools, and streetscapes – as well as providing support for technically sound construction and maintenance of public infrastructure within the community.

(a) Relevance to Integrated Planning and Reporting Framework

I2.1.2 – Support development of facilities within Council budget and priorities.

I2.1.5 – Maintain / Improve parks to acceptable standards.

(b) Financial Considerations

Provision is made within the 2020 / 21 Operational Plan and Budget to fund the associated works and programs listed within this report.

COMMENTARY

Urban Services:

- The works program continues to focus on the presentation of the open spaces in Coonamble, Gulargambone, and Quambone.
- During the month of June, Council Urban Services section's works program has been hampered by a combination of wet weather and resources availability. Moving forward Council's works program will be adjusted to address any backlog of works that may have arisen.
- Council has received notification from O'Brien Electrical that they have sourced an alternative supplier for the crane and the post puller to progress the decommissioning of the old lighting system at the Coonamble Sportsground. The programming of these works will be scheduled once the ground has dried out and a suitable window of dry weather presents itself, so as the heavy nature of the machinery does not damage the surface of the oval.

- Council staff have completed the inspections of the Coonamble CBD footpath where the reported falls occurred during the month of May and June. From these inspections two (2) locations were identified as requiring corrective works. As such, a scope of works has been prepared and Council is currently in the process of calling for quotations to carry out the works identified.

Vandalism:

- Vandalism costs incurred by Council for the 2020 / 21 financial year to date amount to \$11,910.26.

Pools:

- Council's Public Pools have been winterised for closure.
- The renewal of the pool water heating system on top of the grandstand at the Coonamble Pool has been completed in preparation for the 2021 / 22 swimming season.
- At the time of writing this report, Council is calling for expressions of interest to operate the Coonamble Pool Kiosk for the upcoming 2021 / 22 swimming season.

Buildings:

- Ongoing minor maintenance continues as planned.

(a) Governance/Policy Implications

Maintenance of Council's infrastructure assets is carried out in accordance with Council's adopted management plans.

(b) Legal Implications

There are no legal implications directly attached to this report.

(c) Social Implications

Maintenance works are programmed, where practical, to minimise social impacts.

(d) Environmental Implications

Maintenance and capital works are planned and programmed, where practical, to reduce Council's negative impact on the environment.

(e) Economic/Asset Management Implications

Works are scheduled in accordance with Council's adopted 2020 / 21 Operational Plan and Budget to ensure Council's assets are maintained to an appropriate standard.

(f) Risk Implications

Regular maintenance works are scheduled and carried out to reduce Council's overall risk exposure.

CONCLUSION

The report provides updated information on the projects and planned works within the Urban Services sections for Council's information.

RECOMMENDATION

That Council notes the information in this report.

10.10 COMMUNITY SERVICE PROGRESS REPORT**File Number: C8****Author: Noreen Vu, Executive Leader - Environment, Strategic Planning and Community****Authoriser: Hein Basson, General Manager****Annexures: 1. 2020-21 Annual Library Statistics****PURPOSE**

The purpose of this report is to provide information on the activities within Council's Community Services section for the month of June 2021.

BACKGROUND

The Community Services section focuses on our community and our people and the support that Council offers in the delivery of positive outcomes. The Community Services section is responsible for the following key areas:

- Community Services;
- Library Services;
- Children and Youth Services; and
- Integrated Planning.

(a) Relevance to Integrated Planning and Reporting Framework

The information contained in this report demonstrates the work carried out by staff in achieving the strategic objectives and delivery actions as outline in Council's Community Strategic Plan 2032, Delivery Plan 2017-2020, and Operational Plan 2020 / 21.

(b) Financial Considerations

There are no financial considerations arising from this report.

COMMENTARY

In line with Council's 2020/2021 Operational Plan, this report presents a summary of community service progress and activities for the period June 2021.

Library

- The bi-annual stocktake was completed during June. The Coonamble and Gulargambone stocktakes were completed on time with the Coonamble Library closed for one week.
- The July book exchange with Gulargambone is being planned.
- The Librarian is working to upgrade current technology and to add some new technology utilising the lump sum payment from the NSW State Library. The last technology upgrade to the Coonamble Library was five years ago so this will be a welcome change.
- The annual library statistics for the 2020-21 period is provided in Annexure 1. In total, there were over 6,400 books loaned and over 3,400 visitors (junior and adults).

- **Library Statistics** (01 June 2021-30 June 2021)

Service	Loans	New M/ships	Wi-Fi	Internet (hr)	Children's Computers (children)	Junior Visits	Adult Visits
Coonamble	425	6	43	53	38	56	166
Gulargambone	57	0					

- **Manual Statistics** - Coonamble (numbers refer to people attending)

Library Visits	Reference Enquiries	Technology Enquiries	Local History	VIC Enquiries
222	4	47	4	3

- **Activity Statistics** - Coonamble (numbers refer to people attending)

Senior Craft	Pre-School Visits	Housebound	Meetings	Seniors Movies	Other
15	18	3	8	13	6

Tech Savvy Seniors and Seniors Movies

- First Tuesday Seniors Movies and Tech Sessions was held for the second time and with 14 attendees for the movie and six (6) for the tech sessions at the Coonamble Library, we were very pleased. The demand for the Tech Savvy Seniors has increase the original time from 30 minutes to one hour.

NAIDOC Community Day Postponed

- The NAIDOC Community Day planned for Wednesday 7 July 2021 was postponed to a later date due to the recent COVID-19 restrictions.

Children and Youth Services

- **After School Activities**

- A successful After School Activities program for Term Two was delivered in Quambone and Gulargambone after a 12-month cancellation.
- Both villages offer Tuesday and Wednesday services from 3:30pm to 5:30pm. After School Activities are fully supervised by Council's Youth Workers and provide an afternoon of fun activities with afternoon tea.
- A wrap up of Term Two attendances include:

Weeks	1	2	3	4	5	6	7	8	9	10
Gulargambone	44	21	32	28	31	44	44	-	-	13
Quambone	5	6	5	6	5	10	-	12	-	-

* Week two (2) and four (4) had one (1) day only in Gulargambone. Due to school holidays, some stats could not be provided for this report.



Photo: Afternoon craft with students at Gulargambone Youth Centre.

• **June/July School Holiday Program**

- Recent COVID-19 restrictions impacted on some activities but did not deter the enthusiasm of participants. Several activities that proceeded were capped at 20 participants, with the movies at the Coonamble Bowling Club allowing for more participants.
- Total number of attendance and review of the program will be provided in next month's Council Report.
- To date, the highlight has been 25 children and several parents attending the movies at the Coonamble Bowling Club watching Raya and the Last Dragon and participants attending the Bush Tucker with Josh Toole from Blackfit Fitness cooking emu egg quiche and pippies stir fry.



Photo: Bush Tucker with Josh Toole from Blackfit Fitness cooking emu quiche and pippies stir fry on 1 July 2021.

- **Gulargambone Youth Centre grant upgrade**
 - Council was successful in receiving a \$79,000 grant from the Stronger Country Communities Fund for the renovation work at the Gulargambone Youth Centre.
 - This will include an internal fit out and improvement to external structures.
 - Kevin Hunt Carpentry is the successful supplier in the recent request for quotation for the improvement and upgrades and has started undertaking work. Works will be delivered to ensure minimal disruption to these services.
 - The Gulargambone Youth Centre is utilised by Council's after school activities and by the Mackillop Family and the Royal Flying Doctors Service.

Regional Waste2Art Net Waste

- Coonamble will be hosting the Waste to Art Regional Exhibition which will open on 19 July through to 3 September 2021 and hosted by Outback Arts.
- As part of the regional exhibitions, several workshops regarding waste management will be organised by Netwaste and targeted at the local schools and community workshops.

The Community Services Report provides an overview of events that have occurred and are upcoming.

(a) Governance/Policy Implications

The delivery of community development and integrated planning functions and activities are carried out in accordance with Council's Operational Plan and Integrated Planning and Reporting Framework. Community Service staff have implemented amended models of service delivery in response to COVID-19 restrictions and guidelines.

(b) Legal Implications

There are no legal implications arising from this report.

(c) Social Implications

Council's community services section delivers a broad range of support services, activities, and opportunities to all age groups. These services assist in building social capital within the Shire. As the restrictions ease for COVID-19, Council continues to implement strategies to support the community during these unprecedented times.

(d) Environmental Implications

There are no environmental implications arising from this report.

(e) Economic/Asset Management Implications

The economic implications of community services are positive, in that these services provide employment opportunities, delivering a service to the community and support the local business sector.

(f) Risk Implications

There are no risk implications arising from this report.

CONCLUSION

The updates provided in this report deliver information to Council on the key activities undertaken in Council's Community Services section for the month of June 2021.

RECOMMENDATION

That Council notes the information contained in this report.

Coonamble	Junior Visits	Adult Visits	Loans	New Members	WIFI	Internet (hrs)	Kids Computers (kids)	Reference Enquiries	Tech Enquires	Local History	VIC Enquiries	Senior Craft	Preschool Visits	House Bound	Meetings	Movies	Other
Jul-20	183	33	644	2		n/a	n/a	3	33	0	16	n/a	n/a	8	n/a	n/a	0
Aug-20	43	226	698	0	6	n/a	n/a	0	7	7	18	n/a	24	8	n/a	n/a	0
Sep-20	56	324	810	2	48	n/a	n/a	3	22	8	22	n/a	n/a	9	n/a	n/a	0
Oct-20	71	213	357	4	27	n/a	n/a	3	8	4	25	n/a	n/a	4	n/a	n/a	0
Nov-20	43	200	664	0	32	23	19	0	24	0	7	10	18	6	n/a	n/a	6
Dec/Jan 21	111	452	1128	9	70	80	50	3	40	5	18	28	21	12	n/a	n/a	5
Feb-21	53	268	594	8	70	48	33	6	49	3	12	12	0	12	0	0	0
Mar-21	28	223	323	7	44	42	9	11	50	3	12	15	45	8	8	0	0
Apr-21	75	292	338	2	101	33	42	2	47	2	18	16	18	6	14	0	0
May-21	68	282	430	6	78	40	45	5	39	7	0	12	45	4	2	5	5
Jun-21	56	166	425	6	43	53	38	4	47	4	3	15	18	3	8	13	6
TOTAL	787	2679	6411	46	519	319	236	40	366	43	151	108	189	80	32	18	22

NOTE: anything marked with an n/a was cancelled due to COVID-19 rules.

Gular	Loans	New Members
Jul-20	33	1
Aug-20	48	2
Sep-20	47	0
Oct-20	30	0
Nov-20	30	0
Dec/Jan 21	43	0
Feb-21	25	1
Mar-21	24	0
Apr-21	35	1
May-21	46	0
Jun-21	57	0
TOTAL	418	5

10.11 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT

File Number: E5

Author: Noreen Vu, Executive Leader - Environment, Strategic Planning and Community

Authoriser: Hein Basson, General Manager

Annexures: Nil

PURPOSE

The purpose of this report is to provide information on the activities within Council's Environmental Services section and Strategic Land Use Planning information for the month. This progress report considers town planning and strategic land use planning, compliance and regulation, environmental management, public health, and waste management matters as they arise.

BACKGROUND

The Environment Services section focuses on all town and environmental planning requirements including regulation and compliance, and public health requirements, waste management, and environmental management considerations. Strategic Land Use Planning and information that result in updates to Council's planning system are also included.

The following topics will be included into the Council Report where there is relevant information to report on:

- Compliance and Regulation;
- Development Applications Approved Under Delegated Authority;
- Public Health;
- Ranger's Monthly Report;
- Development Applications Information;
- Strategic Land Use Planning;
- Sustainability and Environmental Management;
- Waste Management.

(a) Relevance to Integrated Planning and Reporting Framework

P3.1.2. Inspection of Food Premises.

I3.3.1. Implementation Waste Management recommendations.

EN1.1.1. Enforcement of environmental regulations.

EN.1.1.2. Continue to review Local Environmental Plan.

EN.1.1.3. Ensure compliance with NSW Building Certification.

EN.1.1.4 Provide quality over counter, telephone, and email advice to customers.

EN.1.1.5 Approvals completed within timeframe required.

P2.2.4 Controlling straying animals.

(b) Financial Considerations

There are no direct financial considerations with this report.

COMMENTARY

Environmental Services Process Review

- The mandated use of the NSW Planning Portal is now live, the Environmental Services team have been working intensively to update processes and to ensure a better customer service output to the community that was reported at last month's meeting.
- To date, the quality of applications has lacked the basic details of ownership, the type of development being proposed, missing plans, poor quality plans or no statutory required documentation such as a Statement of Environmental Effects; meaning staff are often spending time chasing up applicants for information they must statutorily provide. This inadvertently leads to the customers' frustration of the applications' processing time because they may be unaware that the delays are because of their own lack of paperwork.
- In moving forward, by improving the system and all its elements and utilising the opportunity that the NSW Planning Portal's functions provide for, will allow for quicker interaction with the customer with applications returned or accepted after the first completeness check. This can be done by any Council staff member rather than relying on the Manager or Contractor. If adequate, it will then be accepted by Council and be given a development application number, with all steps notified to the customer.
- Council staff will be returning inadequate applications to the customer if it does not satisfy the completeness check with notes on what is required. By returning this application for amendment and update, will ensure that Council staff can continue to provide a guaranteed level of service to the community without being bogged down in chasing up the applicant to provide further information.
- However, all of this can be negated with early engagement with Council, pre-lodgement meetings and lastly the improvement of our overall system.
- The Executive Leader ESPC has set up a Directors/Executive weekly teleconference with neighbouring Councils of Walgett and Gilgandra Shire Councils to discuss the roll out of the Planning Portal and a forum to share ideas.

Mandatory Use of NSW Planning Portal

- Development applications and complying development certificates are now logged through the NSW Planning Portal. The NSW Government mandated this decision requiring applicants, Councils and other Government agencies across NSW to work through this planning portal from 1 July 2021.
- Council staff recently wrote to local industry to provide an overview of how the planning portal works and the points of contact if applicants run into issues and who can assist them from DPIE and Service NSW.
- The first workshop was carried out on 2 June 2021 and attended by four (4) tradespeople. There were no attendees to the second workshop.

- It is envisaged that forums and workshops like this will be conducted by the Executive Leader Environment, Strategic Planning and Community (ESPC), twice a year to engage with local industry on building and development.
- Notices in the Coonamble Times to advise on the planning portal implementation and industry and community engagement conducted by Council officers for the preparedness in this significant change are being published.
- The responsibility to lodge a Development Application that is compliant to the EP&A Act is the applicant's responsibility.
- The last of the Planning Portal workshops will be carried out on Wednesday 28 July 2021 at 10am to 11am.
- To date, Council has received two (2) applications through the portal. One (1) was returned to the customer as it was incorrectly lodged as a new development application when they had intended to modify an existing approval. The other application has been accepted by Council.

Development Application Under Delegated Authority

- The number of development applications approved under delegated authority are listed below. Council's previous backlog of development application approvals has been dealt with. Development applications are now tracking within the legislated timeframes of 40 days.
- Council should note that at last month's meeting, Resolution 2021/145 approved Development Application 025/2018 for Lot 3 DP 1206628, 96 Carinda Road, Coonamble. A typographical error referencing the wrong year was mentioned and was corrected in the minutes as an administrative error. It does not affect the spirit and intent of the approval.
- Council approved two (2) section 68 local approvals.
- Six (6) development applications were approved including a modification to a previous application and three (3) construction certificates were issued.

Application Number	Description of Works	Address of Proposed Works	Approved Date
CC 001/2021	Extension to Pavilion	Lot: 238 DP: 400043 9567 Castlereagh Hwy Coonamble NSW 2829	25/05/2021
DA017/2021	Change of Use	Lot 1 in DP 324495 3 Pages Terrance COONAMBLE NSW 2829	02/06/2021
DA015/2021 CC015/2021	Inground Pool	Lot: 27/28 DP: 4248 5 Floyd Street Coonamble NSW 2829	08/06/2021

Application Number	Description of Works	Address of Proposed Works	Approved Date
DA016/2021 CC016/2021	Inground Pool	Lot: 87 DP: 754199 20 Carinda Rd Coonamble NSW 2829	08/06/2021
LA013/2021	Locate Food Van	Lot 7 DP 658821 - 97 Castlereagh Street Coonamble	8/06/2021
DA012/2021	Extensions to Bowling Club	Lot 11 in DP 754199 64D Aberford Street COONAMBLE NSW 2829	15/06/2021
DA014/2021	Rural Dwelling	Lot 29 in DP 754247 1229 Quambone Rd COONAMBLE NSW 2829	28/06/2021
DA019/2021 LA019/2021	Modification of DA 005/2020 to install Transportable Home	Lot 8 in DP 754244 1549 Bramble Rd WARRUMBUNGLE NSW 2828	28/06/2021

Ranger's Report June 2021

The Ranger's report provides information on ranger services for the month of June 2021.

<u>Correspondence</u>	<u>June 2021</u>	<u>Year to Date 2020/2021 Total</u>
Official Correspondence	61	582*
Infringements (Animals)	0	4
Infringements (Other)	0	0
Change of Details	15	167
Microchipped dogs	41	370
Registrations	5	75
Nuisance dog declaration	0	0
Dangerous dog declaration	0	1
Menace dog declaration	0	0

- Note that the correct number of correspondences sent for the 2020/2021 period is 582, at last Council's meeting the figure was reported as 550.

- Impounded Animals

The Ranger's report had a total of 42 impounded animals.

June 2021	Dogs	Cats
Returned to owners	4	0
Rehomed	16	8
Euthanised	3	11
Impounded*	23	19

Five (5) dogs impounded from Gulargambone and zero animals from Quambone.

- Dog attacks

There were two dog attacks this month. One dog attacked another dog in Gulargambone. An infringement notice is currently being prepared for this attack. An additional attack in Coonamble, whereby a dog attacked two sheep, is currently under investigation.

Other Development Applications Information

- Not all development applications under the *Environmental, Planning and Assessment Act 1979 (EP&A Act)* that are falling within Council's area of jurisdiction have Council as the consent authority. The consent authority can be the:
 - Independent Planning Commission for State significant development;
 - Regional Planning Panel for regionally significant development;
 - Public authority (other than a Council) depending on the type of development declared within an environmental planning instrument;
 - Council, in the case of any other development.
- Council does not generally receive development applications described in dot point one (1) and three (3) above where Council is not the consent authority. When received, these type of development applications will be provided to Council for information only.

DA027/2020 – Proposed extractive industry (quarry) at 4948 Tooraweenah Road

- Council is in receipt of a development application DA027/2020; a proposed extractive industry at Lot 82 DP 820705, 4948 Tooraweenah Road, Mount Tendandra. The public exhibition closed on 15 January 2021.
- The development is referred to as the 'Ralston Quarry'.
- The Development Assessment Report was independently conducted by Michael Carter from Currajong Pty Ltd.
- The application reference is PPSWES-77.
- The Western Region Planning Panel conducted a site inspection on 2 June 2021 to discuss the application with Council's General Manager, Executive Leader ESPC and Mr Carter. The Planning Panel Secretariat provided a record of the briefing on 24 June 2021 which is

now available online and provided in the Annexure. The applicant's consultant has provided a response to Council and is currently being considered by Currajong Pty Ltd. A determination has not been issued.

Strategic Land Use Planning – NSW Government’s Flood Prone Land Package

- Last month, Council adopted the Floodplain Risk Management Study (Resolution 2021/142) and resolved to opt into the Special Flood Consideration Clause in the Coonamble Local Environmental Plan 2011 (Resolution 2021/137) following the Hon. Robert Stokes, Minister for Planning and Public Places announcement on 26 May 2021 regarding the Flood Prone Land Package. This package includes advice to councils on considerations of flooding in land-use planning.
 - Amendment to schedule 4, section 7A of the *Environmental Planning and Assessment Regulation 2000*, meaning requirements under 10.7 Planning Certificates will change to the following from 14 July 2021.

<i>Environmental Planning and Assessment Regulation 2000 (current but to be deleted)</i>	<i>Environmental Planning and Assessment Regulation 2000 (proposed)</i>
<p>7A Flood related development controls information</p> <p>(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.</p> <p>(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.</p> <p>(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.</p>	<p>7A Flood related development controls</p> <p>(1) If the land or part of the land is within the flood planning area and subject to flood related development controls.</p> <p>(2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.</p> <p>(3) In this clause—</p> <p>flood planning area has the same meaning as in the Floodplain Development Manual.</p> <p>Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.</p> <p>probable maximum flood has the same meaning as in the Floodplain Development Manual.</p>

- The adopted Floodplain Risk Management Study by Jacobs defines a Flood Planning Area for Coonamble, Gulargambone and Quambone. This means

Council will now need to nominate “yes” against flood related development controls which may have previously been nominated as a “no” in the 10.7 Planning Certificate.

- The “yes” answer specifies that the lot is within/partially within the flood planning area, however, as Council does not currently have a development control plan (DCP) that provides specific flood related development controls, each development would need to be considered on a case-by-case basis/merit base until such controls can be implemented.
- In the interim, Council staff are still looking at options to complete an interim DCP.
- These changes provide an opportunity for Councils to introduce a true risk-based approach into their flood planning controls, that has been curtailed since the introduction of the 2007 Flood Planning Guideline. However, it is recognised that to do this there may be a need for considerable review of existing policies and past practices that could take some time for many Councils.
- Flood Management Australia (FMA) believes Councils should be encouraged by these recent changes to review their flood related planning controls and mapping to embrace, or refine, a best practice flood risk management approach.
- The NSW Department of Planning Industry and Environment provides more information on their website and registration details for webinars for Council and industry.
- Council should be aware that the changes in the 10.7 Planning Certificates, normally obtained when someone wishes to sell a property, may cause initial confusion that a parcel of land is now located in a flooding area.
- There is a difference to being in a “Flood Planning Area” which describes an area of land below the flood planning levels and subject to flood related to controls and “Flood Prone Land” which describes land susceptible to flooding by the probably maximum flood (PMF) event. Flood Prone Land/Probably Maximum Flood is the largest flood that could conceivably occur at a particular location. The one (1)% AEP impacts a small proportion of the local government area and should not be perceived as the same notion as “Flood Planning Area”.

- **Waste Management**

- Waste management may include information on the existing waste resource management facilities, opportunities to minimise hard waste production and avenues to look at sustainable waste management.

Netwaste

- Information on Council’s involvement with the Waste to Art, organised by Netwaste and locally coordinated by Outback Arts is provided in the Community Services Report.

Quambone Waste Landfill Fencing

Specifically relating to an outstanding waste management issue, Pettiford Fencing has commenced work at Quambone. At the time of reporting, due to wet weather, the project is at 80% completion with more works to be conducted in the near future.

The Environment and Strategic Planning Progress Report provides a summary of the information since the last meeting for June 2021.

(a) Governance/Policy Implications

The report provides Council opportunities to understand governance and policy implications in the environment and strategic land use planning. There may be risk implications depending on the nature of the enquiry.

(b) Legal Implications

There may be risk implications depending on the nature of the enquiry.

(c) Social Implications

Providing information that is open and transparent to the community will provide positive social implications for the community to understand the work that Council does.

(d) Environmental Implications

The progress report allows for environmental management to be an area of focus for Council and subsequently providing positive environmental benefits. This specifically relates to the area of public health, environmental sustainability, and waste management. The proposed changes to flood planning is a good opportunity for Council to review and refine its planning documentation and guidelines.

(e) Economic/Asset Management Implications

There may be risk implications depending on the nature of the enquiry.

(f) Risk Implications

There may be risk implications depending on the nature of the enquiry.

CONCLUSION

The Environment and Strategic Planning Progress Report has considered town planning and strategic land use planning, waste management, compliance and regulation and environmental management and health since the last meeting.

RECOMMENDATION

That Council notes the contents of this report.

10.12 SALEYARDS REPORT**File Number: S1****Author: Noreen Vu, Executive Leader - Environment, Strategic Planning and Community****Authoriser: Noreen Vu, Executive Leader - Environment, Strategic Planning and Community****Annexures: 1. Saleyard Financials June 2021****PURPOSE**

The purpose of this report is to keep Council informed of monthly income and expenditure associated with the saleyards.

BACKGROUND

The following information details income and expenditure associated with the Coonamble saleyards for the month of June 2021.

(a) Relevance to Integrated Planning and Reporting Framework

14.1 Ensure long term management and protection of our community assets.

(b) Financial Considerations

The Saleyards / Truck wash unit was originally set up as a business unit for Council. Whilst the truck wash continues to return a profit on its operations, the saleyard operations continue to run at a deficit – as has been the case for a number of previous financial years. Please see the attached annexure one for a more comprehensive financial report.

Saleyards Activities

The fat sale for the year was held on 24 June 2021 with a throughput of 1,036 good quality cattle. A very strong market prevailed. Minor maintenance at the saleyards is addressed as issues arise. This month Council undertook maintenance at the round yard, holding yard and installed five new troughs.

Council received correspondence from Aus Meat for the National Saleyards Quality Assurance that they are intending to conduct an audit during a sale. The Saleyard Agents have been reminded to ensure to quality assurance with their practices.

The Saleyards Committee met on 9 June 2021 with a draft Memorandum of Understanding and draft Joint Operating Protocol circulated to the committee on the 21 May 2021. The documents are yet to be signed off with minor amendments to be made following that meeting.

SALES**CATTLE:**

Date	Type	Scale	Amount (\$)	VA	Amount (\$)	Total Cattle/ Sheep	Total Amount (\$)
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24/06/2021	Fat Sale	1032	2,373.60			1036	8,227.46
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SALEYARDS ACCOUNT 01/07/2020 – 30/06/2021

Saleyard Operations:

Income	99,759.78
Expenditure	121,964.50
Deficit	- 22,204.72

Truck wash:

Income	29,235.13
Expenditure	21,443.26
Surplus	7,791.87

Summary:

Income	128,994.91
Expenditure	143,407.76
Deficit	- 14,412.85

(c) Governance/Policy Implications

Maintenance of Council’s infrastructure assets is carried out in accordance with Council’s adopted management plans.

(d) Legal Implications

There are no legal implications arising from this report.

(e) Social Implications

There are no social implications arising from this report.

(f) Environmental Implications

There are no environmental implications arising from this report.

(g) Economic/Asset Management Implications

Works are generally scheduled in accordance with Council’s adopted Operational Plan and Budget to ensure Council’s assets are maintained to an appropriate standard within budget limitations. This asset needs some major maintenance works but has been running at a financial deficit for years. More favourable seasonal conditions means that this asset is currently being used on a more frequent basis, but there are risks for Council involved with knowingly using an asset that does not comply with all legislative and other industry standards. Although a difficult situation to address, Council will have to objectively consider all facts surrounding the saleyards, and the most appropriate way forward with responsibly managing this facility into the future.

(h) Risk Implications

Maintenance works are scheduled and carried out within budgetary constraints to reduce Council’s overall risk exposure.

CONCLUSION

The saleyard operations unfortunately continue to run at a deficit, which is not sustainable in the long term.

RECOMMENDATION

That Council notes the information provided in this report.

YTD for June 2020-21 General Ledger Data

Account	Annual Amended Budget	Jul MTH Actuals	Aug MTH Actuals	Sep MTH Actuals	Oct MTH Actuals	Nov MTH Actuals	Dec MTH Actuals	Jan MTH Actuals	Feb MTH Actuals	Mar MTH Actuals	Apr MTH Actuals	May MTH Actuals	Jun MTH Actuals	YTD Actuals
5700-0002 - SALEYARDS														
05 - Revenue														
5700-1150 - Saleyards Fees & Charges - Casual	(4,000)	.00	-667	-1,248	-525	-364	-837	0	0	-123	0	0	0	(3,764)
5700-1152 - Saleyards Fees & Charges - Sale	(75,000)	-8,751.23	-10,302	-9,874	-15,626	-7,555	-13,704	0	-9,184	0	-7,401	-5,373	-8,227	(95,997)
5700-1496 - Grants - Saleyards Safety Upgrade	0	.00	0	0	0	0	0	0	0	0	0	0	0	0
05 - Revenue Total	(79,000)	-8,751.23	-10,969	-11,122	-16,151	-7,919	-14,541	0	-9,184	-123	-7,401	-5,373	-8,227	(99,761)
06 - Expenditure														
5700-2245 - Saleyards Insurances	7,984	7,983.51	0	0	0	0	0	0	0	0	0	0	0	7,984
5700-2255 - Saleyards Electricity Charges	5,000	.00	0	0	1,639	49	0	1,912	57	0	1,270	38	0	4,965
5700-2260 - Saleyards Telephone Expenses	0	37.45	36	1	37	42	84	0	42	42	97	54	52	524
5700-2270 - Saleyards Rates & Charges	8,940	4,795.80	144	0	0	0	0	2,149	64	0	0	570	570	8,293
5700-2330 - Saleyards Operating Expenses	15,000	309.12	68	87	1,865	2,823	838	0	76	48	545	77	434	7,170
5700-2335 - Saleyards Operating Expenses No GST	0	.00	0	736	714	827	827	0	116	735	231	1,446	0	5,632
5700-2340 - Saleyards Maintenance Expenses	66,500	1,869.68	12,891	9,949	6,772	6,203	8,219	0	4,083	1,394	5,415	2,430	17,009	76,235
5700-2925 - Saleyards Buildings Depreciation	22,737	58.88	0	0	0	0	0	0	0	9,059	0	0	0	9,118
5700-2930 - Saleyards Facilities Depreciation	11,740	.00	0	0	0	0	0	0	0	2,043	0	0	0	2,043
06 - Expenditure Total	137,901	15,054.44	13,139	10,773	11,027	9,944	9,968	4,061	4,438	13,321	7,558	4,615	18,065	121,963
5700-0002 - SALEYARDS Total	58,901	6,303.21	2,170	-349	-5,124	2,025	-4,573	4,061	-4,746	13,198	157	-758	9,838	22,202
5750-0002 - TRUCKWASH														
05 - Revenue														
5750-1150 - Truck Wash User Fees	(27,500)	-6,014.89	-509	-5,537	-82	-7,427	-131	-2,785	-2,974	-277	0	-97	-3,401	(29,235)
05 - Revenue Total	(27,500)	-6,014.89	-509	-5,537	-82	-7,427	-131	-2,785	-2,974	-277	0	-97	-3,401	(29,235)
06 - Expenditure														
5750-2245 - Truckwash Insurance	100	52.35	0	0	0	0	0	0	0	0	0	0	0	52
5750-2255 - Truck Wash Electricity Charges	4,200	-.01	136	132	725	155	135	711	156	126	549	147	89	3,061
5750-2260 - Truck Wash Telephone Expenses	0	.00	0	0	0	0	0	0	0	0	0	0	0	0
5750-2270 - Truckwash Rates & User Charges	0	.00	0	0	0	0	0	0	0	163	31	3,072	9,811	13,077
5750-2340 - Truck Wash Mntce & Repairs	10,000	183.74	1,167	92	51	121	0	0	156	0	304	63	3,115	5,253
5750-2930 - Depn - Other Structures	4,639	.00	0	0	0	0	0	0	0	0	0	0	0	0
06 - Expenditure Total	18,939	236.08	1,303	224	776	276	135	711	312	289	884	3,282	13,015	21,443
5750-0002 - TRUCKWASH Total	(8,561)	-5,778.81	794	-5,313	694	-7,151	4	-2,074	-2,662	12	884	3,185	9,614	(7,792)
Total	50,340	524.40	2,964	-5,662	-4,430	-5,126	-4,569	1,987	-7,408	13,210	1,041	2,427	19,452	14,410

10.13 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS

File Number: R6
Author: Kookie Atkins, Director of Engineering Services
Authoriser: Hein Basson, General Manager
Annexures: Nil

PURPOSE

The purpose of this report is to provide Councillors with information on the works in progress within Council's Infrastructure Department.

BACKGROUND**(a) Relevance to Integrated Planning and Reporting Framework**

- 11.1 Maintain local road maintenance and construction.
- 13.1 Deliver safe drinking water and sewerage services.
- 4.1 Ensure long term management and protection of our community assets.

(b) Financial Considerations

Provision is made within the 2020 / 2021 Operational Plan and Budget to fund the associated works and programs listed in this report.

COMMENTARY**(a) Plant / Fleet:**

- Routine inspections and servicing were completed as planned.

(b) Airport:

- Routine inspection and maintenance works are ongoing.
- The Remote Airstrip Upgrade Program Round 7 work has been completed.
- A Civil Aviation Safety Authority (CASA) audit has been undertaken, and we are awaiting the audit report.
- A new aerodrome manual has been submitted, and we are awaiting feedback.

(c) Water & Sewer:

- General maintenance has been completed on an 'as-needs' basis.
- Council is due to carry out a water mains installation and replacement program over the next few months.
 - Water main installations on Bimble Street and the Gulargambone Hospital have now been completed.
- The Integrated Water Cycle Management Strategy project has commenced. This project will result in a 30-year business plan / strategy, to ensure that the Water and Sewer Assets are maintained to provide an adequate level of performance.

(d) Quarry:

- Quarry operations have returned to normal following the cone rebuild, and routine maintenance is performed as needed.

(e) Landfill sites:

- Council has been issued with a clean-up notice by the Environment Protection Agency (EPA) for the old landfill site at the end of Wingadee Street.
- An assessment has been carried out and is now with the EPA for review. Some preliminary works have been carried out to ensure the availability of water on site for the capping project and to aid the revegetation of the site after the works have been carried out.
- The reviewed assessment will be presented to Council once received back from the EPA, with an action plan to address the issue.

(f) Levee Upgrade:

- Stage 4 has been completed, and the funding obligations are being finalised.
- A work plan for Stage 5 has been approved.

(g) Saleyards:

- Discussions between staff and the EPA regarding the future of the saleyard licence are continuing. This is a matter that will be taken over in due course by the Executive Leader Environment, Strategic Planning and Community.

(h) State Highway:

- All heavy patching works on the Highway for the 2020/21 financial year has been completed.
- Reseal works are complete.
- Line marking of heavy patching and reseal areas complete.
- The replacement of 14 culverts north of Coonamble with extensions commenced in February. This work has been delayed due to wet weather and work cannot recommence until the work sites dry out.

Routine Activities

- Routine activities, including pothole and edge break repairs, sign maintenance, rest area maintenance, litter collection, removal of debris, vegetation control and routine inspections have been completed on the Castlereagh Highway.

(j) Urban, Local and Regional Roads:**Routine Activities**

- Routine activities, including pothole and edge break repairs on sealed roads, sign maintenance, litter collection and removal of debris and routine inspections are ongoing.

Bertram Street

- The revised engineering investigations are now underway. An on-site meeting has been held to explore potential drainage options and the design consultant has taken levels to seek a solution.

Maule Lane

- The K&G contractor has commenced works.

Tooraweenah Road

- TfNSW – the final report has been accepted and progressed. The preliminary investigations are complete. The design and review of environmental factors are currently on public exhibition, seeking feedback from the public in accordance with the funding requirements. The review of environmental factors highlighted land matter issues and Crown Land access licences have been applied for.

Warren Road (Intersection with Hwy)

- Advice has been received from the Department of Infrastructure, Transport, Regional Development and Communications that the proposed upgrade of the intersection of the Warren Road and Castlereagh Highway, (to the estimated value of \$820,000) was successful to the amount of \$410,000 under the National Heavy Vehicle Safety Productivity Program – which accounts for a 50% contribution to the project. Council has adopted a resolution to fund the other 50% from its Regional Roads Grant Funding allocation. Crown Land access licences have been applied for.

Warren Road

- The Funding Deed for the Fixing Country Roads Round 2 – Warren Road Upgrade (various sections) has been submitted. Kindly note that this project is separate to the upgrade of the Warren Road intersection. Staff have completed the relevant documents, which were submitted in early November (i.e., policy documents, various project plans etc.). Issues have arisen associated with the administration of this project between the State and Federal Governments. Staff are working with both levels of government to ensure administrative requirements can be met for all parties. Additionally, there is a discrepancy in the amount being funded by the Federal Government when compared to announcements made from the office of The Hon Mark Coulton MP. The necessary correspondence has been sent to highlight this discrepancy and staff are also working on this issue with the appropriate departments. Council has been advised that the Federal Government will now be contributing the full \$1,930,000 promised.

Natural Disaster Relief and Recovery Arrangements (Flood Damage)

- In addition to the list of “immediate reconstruction works” reported to Council at the September 2020 meeting, the Walla Walla Road, Willow Downs Road and Talegar Road have also been included.
- A consultant has been engaged to aid with the preparation and progress of claims due to staff restrictions. An application for Natural Disaster assistance has been submitted for the March 2021 storm/flooding event and a decision is pending.

Works in Progress

Item	Task	Comments
1	MR202 Merri Merri – Maintenance Grading	In progress
2	SR86 Carinda Road – Rehabilitation – FLR Phase 1	In progress
3	SR4 Emby Road – Reform/Resheeting	Delayed
4	SR16 Mungery Road – Reform/Resheeting	In Progress
5	SR7 Wingadee Road – Reforming	In Progress
6	SR12 Back Gular Road – Reform/Resheeting	In Progress
7	SR 87 Box Ridge Road – Shoulder Flood Damage Repair	In Progress
8	Maule Lane – Rehabilitation	In Progress
9	SR93 Walla Walla Road – Maintenance Grade	Scheduled
10	SR119 Nortongong Road – Maintenance Grade	Scheduled
11	MR129Q Quambone Road – Heavy Patching	Complete
12	MR129B Baradine Road – Heavy Patching	Complete
13	Regional Road – Slashing	Complete
14	SR2 Tooraweenah Road – Maintenance Grading	Scheduled
15	SR19 Gulargambone Road – Maintenance Grading	Scheduled
16	SR86 Carinda Road – Unsealed – Maintenance Grading	Scheduled
17	Various Gular – Unsealed Streets – Maintenance Grading	Scheduled

Local Roads and Community Infrastructure Funding

- Phase two (2) of the Local Roads and Community Infrastructure funding has been confirmed with Coonamble being allocated \$723,922.

Council has resolved (Resolution 2021/76) for this amount to be allocated as follows:

1. Selected flood damage sites	\$400,000.00
2. Box Ridge Rd – Reconstruction	\$263,922.00
3. Beanbah Rd – Bridge abutments	\$ 60,000.00

- Phase three (3) of the Local Roads and Community Infrastructure funding has just been announced with Coonamble being allocated \$1,859,636. The period for works to be undertaken under Round Three is between 1 January 2022 and 30 June 2023.

Fixing Local Roads

- Funding approval of Fixing Local Roads – Round Two has been received for patching and sealing works on SR86 Carinda Road:

Location 1: Ch: 40.830 – 41.930km; and

Location 2: Ch: 45.360 – 45.960km.

Council has been allocated \$569,943 to complete these works, and the funding deeds for this project now have executed funding deeds.

- Round 3 has opened and Council's application for heavy patching and culvert repairs on SR86 Carinda Rd Ch: 55.656 – 61.950km has been

lodged – in line with Council’s resolution adopted in this regard at its June 2021 Meeting.

(a) Governance/Policy Implications

Maintenance of Council’s infrastructure assets is carried out in accordance with Council’s adopted management plans.

(b) Legal Implications

There are no legal implications arising from this report.

(c) Social Implications

Maintenance works are programmed where practical, to minimise social impacts.

(d) Environmental Implications

There are no environmental implications arising from this report.

(e) Economic/Asset Management Implications

Works are scheduled in accordance with Council’s adopted 2020 / 21 Operational Plan and Budget.

(f) Risk Implications

Maintenance works are programmed to minimise the risk to Council and the public.

CONCLUSION

This report provides updated information on the projects and planned works within the Infrastructure Department for Council’s information.

RECOMMENDATION

That Council notes the information in this report.

**11 NOTICES OF MOTIONS/QUESTIONS WITH
NOTICE/RESCISSION MOTIONS**

Nil

12 CONFIDENTIAL MATTERS

Nil

13 CONCLUSION OF THE MEETING