

COONAMBLE
SHIRE COUNCIL

AGENCY
INFORMATION
GUIDE
2024-2025

Adopted 19 June 2024 Version 1

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1. Introduction

This document has been produced in accordance with section 20 of the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act). It forms the Coonamble Shire Council Agency Information Guide and is reviewed annually.

The purpose of the Agency Information Guide is to provide the community and Council staff with information relating to:

- the structure and functions of Council;
- the way in which the functions (including the decision-making functions) of Council affect members of the public;
- the ways in which members of the public are able to participate in policy development and the exercise of Council's various functions; and
- the various kinds of information which Council holds and how it will be made available.

The Agency Information Guide is available on Council's website [Access to Information - Coonamble Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/access-to-information-coonamble-shire-council).

2. Structure and Functions

The Coonamble local government area (LGA) is located on the traditional lands of the Wailwan and Gamilaraay people. The LGA covers an area of 9,955 km², encompassing the township of Coonamble and the villages of Gulargambone and Quambone, the gateway to the Macquarie Marshes.

2.1 Structure

Coonamble Shire Council is constituted under the *Local Government Act 1993* (NSW) (LG Act).

The Coonamble Shire Community Strategic Plan 2022-2032 strategically directs the operations of Council in a way to achieve priorities set by the community.

The leadership of Coonamble Shire Council is provided by nine councillors working together for the benefit of the community. The nine councillors elect a mayor and deputy mayor from among their number. During the current term of Council, which commenced following the local government elections held on 4 December 2021, two councillors have resigned. In September 2023, councillors resolved to elect two deputy mayors until the local government elections scheduled for September 2024.

The Mayor presides at meetings of the council and carries out the civic and ceremonial functions of the office. The Mayor may exercise, in cases of necessity, the decision making functions of the council between Council meetings and perform any other functions that the council determines.

The councillors have responsibility for policy making/administration and good governance of the council.

Information on the councillors, including contact details, can be found on Council's website [Councillors - Coonamble Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/councillors-coonamble-shire-council).

The role of the governing body is defined at section 223 of the LG Act:

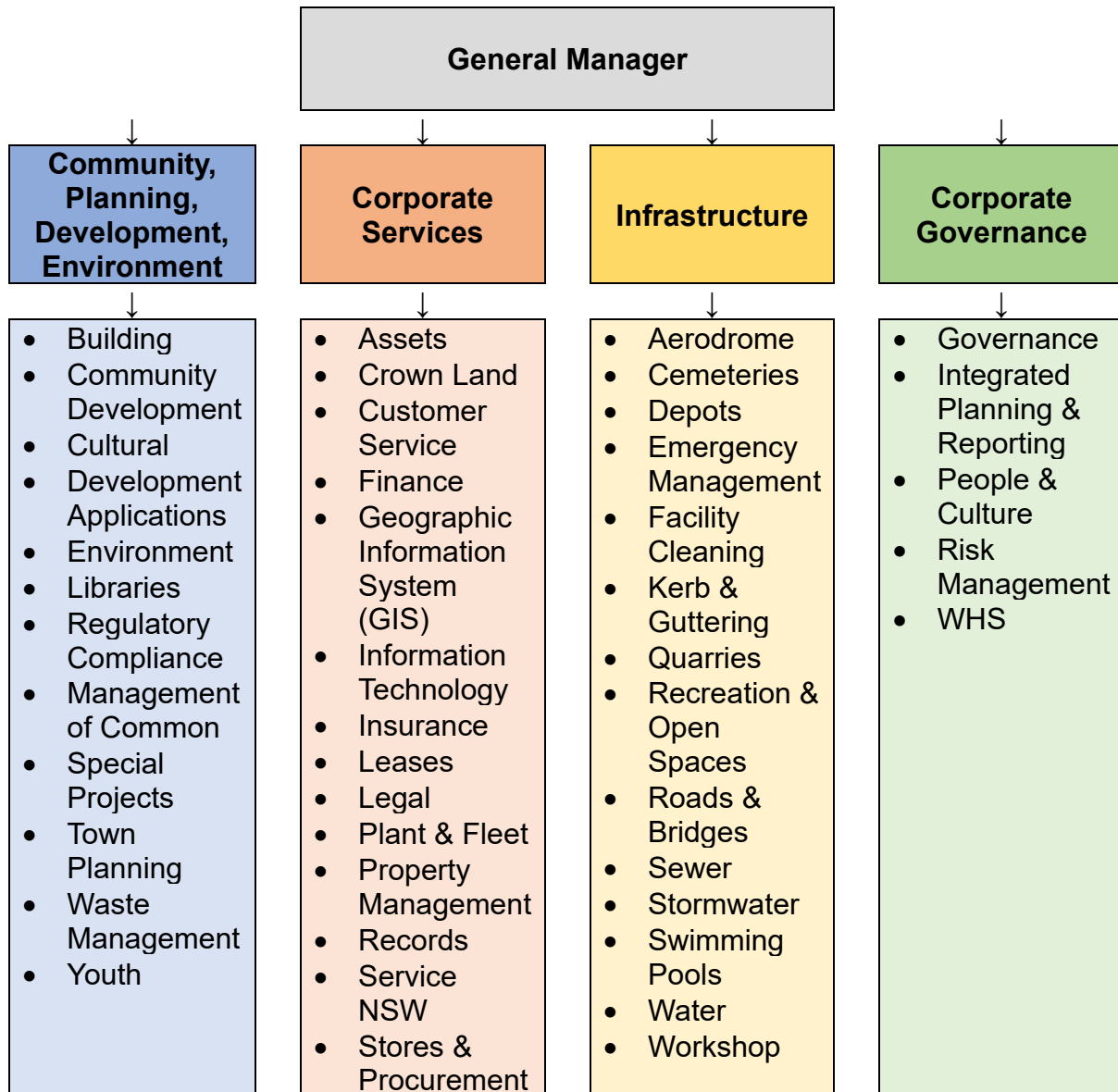
223 ROLE OF GOVERNING BODY

- (1) The role of the governing body is as follows--*
 - (a) to direct and control the affairs of the council in accordance with this Act,*
 - (b) to provide effective civic leadership to the local community,*
 - (c) to ensure as far as possible the financial sustainability of the council,*
 - (d) to ensure as far as possible that the council acts in accordance with the principles set out in Chapter 3 and the plans, programs, strategies and policies of the council,*
 - (e) to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,*
 - (f) to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area,*
 - (g) to keep under review the performance of the council, including service delivery,*
 - (h) to make decisions necessary for the proper exercise of the council's regulatory functions,*
 - (i) to determine the process for appointment of the general manager by the council and to monitor the general manager's performance,*
 - (j) to determine the senior staff positions within the organisation structure of the council,*
 - (k) to consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities,*
 - (l) to be responsible for ensuring that the council acts honestly, efficiently and appropriately.*
- (2) The governing body is to consult with the general manager in directing and controlling the affairs of the council.*

The General Manager is responsible for the day to day operations of the council as well as delegating functions of the council and implementation of the Equal Opportunity Management Plan in all areas of human resourcing. The General Manager is assisted in the exercise of these functions through the three Divisions of Council being Community, Planning, Development and Environment; Corporate Services; and Infrastructure.

Each Division is led by a Director Each Division is further structured into a number of units.

Additionally, the General Manager is assisted in the exercise of these functions through the Corporate Governance unit, led by an Executive Manager.



Elected members, as at 14 September 2023:

Mayor

Councillor Tim Horan
Telephone: 0488 425 312
Email: tim.horan@coonambleshire.nsw.gov.au

Deputy Mayor

Councillor Adam Cohen
Telephone: 0448 225 879
Email: adam.cohen@coonambleshire.nsw.gov.au

Deputy Mayor

Councillor Bill Fisher
Telephone: 0427 235 818
Email: bill.fisher@coonambleshire.nsw.gov.au

Councillors

Councillor Pat Cullen
Telephone: 0428 221 143
Email: pat.cullen@coonambleshire.nsw.gov.au

Councillor Barbara Deans
Telephone: 0428 438 266
Email: barbara.deans@coonambleshire.nsw.gov.au

Councillor Terry Lees
Telephone: 0419 495 034
Email: terence.lees@coonambleshire.nsw.gov.au

Councillor Brian Sommerville
Telephone: 0428 151 645
Email: brian.sommerville@coonambleshire.nsw.gov.au

Executive Management Team, as at 8 April 2024:

Paul Gallagher	General Manager
Bruce Quarmby	Director of Corporate Services
Kerrie Murphy	Director of Infrastructure
Barry Broe	Director – Community, Planning Development and Environment
Jenni Maundrell	Executive Manager – Corporate Governance

Council can be contacted by:

Telephone 02 6827 1900
Fax 02 6822 1626
Email council@coonambleshire.nsw.gov.au
Mail General Manager, PO Box 249, Coonamble, NSW, 2829
Office 80 Castlereagh Street, Coonamble, NSW, 2829
Website www.coonambleshire.nsw.gov.au

2.2 Functions

The main legislation that authorises the functions of Coonamble Shire Council is the *Local Government Act 1993* and can be grouped into the following categories:

Service functions

- Civil infrastructure planning, construction and maintenance
- Management of Public Land
- Water supply and sewerage
- Management of waste
- Community Land

Regulatory functions

- Approvals
- Orders

Ancillary functions

- Resumption of land
- Powers of entry and inspection

Administrative functions

- Structure
- Employment of staff
- Council meetings
- Delegations of staff
- Financial management

Revenue functions

- Rates and charges
- Fees
- Loans
- Investments

Enforcement functions

- Proceedings for breaches of the Local Government Act and other legislation
- Recovery of rates and charges

In addition to the *Local Government Act 1993*, Council is authorised to act under other statute authority including but not limited to:

- *Building and Development Certifiers Act 2018*
- *Civil Liability Act 2002*
- *Community Land Development Act 2021*
- *Companion Animals Act 1998*
- *Contaminated Land Management Act 1997*
- *Conveyancing Act 1919*
- *Crown Lands Management Act 2016*
- *Environmental Planning and Assessment Act 1979*
- *Food Act 2003*
- *Government Information (Public Access) Act 2009*
- *Impounding Act 1993*
- *Library Act 1939*
- *Modern Slavery Act 2018*
- *National Parks and Wildlife Act 1974*
- *Plumbing and Drainage Act 2011*
- *Privacy and Personal Information Protection Act 1998*
- *Protection of the Environment Operations Act 1997*
- *Public Health Act 2010*
- *Public Interest Disclosures Act 2022*
- *Recreation Vehicles Act 1983*
- *Road Transport Act 2013*
- *Roads Act 1993*
- *State Emergency and Rescue Management Act 1989*
- *State Emergency Service Act 1989*
- *State Records Act 1998*
- *Strata Schemes Development Act 2015*
- *Strata Schemes Management Act 2015*
- *Swimming Pools Act 1992*
- *Unclaimed Money Act 1995*
- *Work Health and Safety Act 2011*
- *Workplace Injury Management and Workers Compensation Act 1998*
- *Workplace Surveillance Act 2005*

3. Effect of Functions on the Public

GIPA Act section 20(1)(b) – an agency must have a guide (its ‘Agency Information Guide’) that describes the way in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public.

Most of Council’s functions have a direct impact on members of the public. This impact is summarised below:

- Council currently employs almost 120 people. Staff are members of local communities. Council supports local businesses with a Local Preference Purchasing Policy.
- Council processes applications dealing with a variety of requests. Applications dealing with land (subdivision and development) and the use of buildings are a large component of Council’s activities. Council also receives requests for the opening and/or closure of roads, permission to hold special events, and applications to use public facilities.
- Council is responsible for the monitoring and enforcement of any conditions imposed under its role as a Consent Authority together with enforcement of regulatory conditions which extend to bushfire control, animal control and any activities involving public property.
- Council is responsible for ensuring that the infrastructure and land use zonings are capable of accommodating future growth needs.
- Council is also responsible for the licensing of public halls, food outlets, caravan parks and companion animals. Monitoring of the approvals to ensure compliance with the licence conditions is an ongoing activity.
- Libraries, public halls, parks, cemeteries, reserves and swimming pools are some of a wide range of facilities provided by Council.
- Council is actively seeking to promote economic development with the employment of staff in this area, undertaking strategic projects aimed at diversifying and improving the local economy, and is actively involved with tourism through the Visitor Information Centre.
- The provision of waste management, water supply and sewerage services is a major component of Council’s budget and these activities have a direct impact on all properties serviced by the various schemes throughout the LGA.
- Council provides a range of community service functions delivering services to seniors, young people, the arts, library services, health and recreation, culture and identity, and Service NSW. Further, Council works closely with a wide range of community and support services across the LGA.
- Coonamble Shire Council has developed a good working relationship with the State Member for Barwon (Roy Butler MP) and Federal Member for Parkes (Hon Mark Coulton MP). These relationships have assisted Council in representations on behalf of the community to both State and Federal Governments with some positive outcomes for the LGA flowing from those representations.

4. Public Participation in Council's Policy Development

GIPA Act section 20(1)(c) – an agency must have a guide (it's 'Agency Information Guide') that specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and exercise of the agency's functions.

4.1 Council meetings and community consultation sessions

Monthly meetings of Council are advertised and attendance by members of the public is encouraged. Community consultation sessions are provided before the commencement of each monthly Council meeting, and community members are invited to address Council and senior staff on items appearing on the agenda for that meeting.

To speak at community consultation sessions is advertised regularly. Members of the public wishing to address Council at a community consultation session should contact Council on (02) 6827 1900 by midday the day before the meeting. Before the meeting, each speaker is provided with a copy of Council's Community Consultation Session Policy and is required to complete an Application to Speak form before addressing the session. Councillors are encouraged to ask questions at the time of the session presentation and the Mayor accepts written information that may be provided at that time for distribution to each councillor.

The Council considers matters referred to it by and through the General Manager from division heads, other organisations (public and private) and constituents of the area. Input from community members in any area of Council's operations is invited and welcomed.

Ordinary meetings of Council are held on the second Wednesday of each month commencing at 3:00pm. Monthly Council meetings are generally held at the Coonamble Council Chambers, except for annual meetings held at Gulargambone (March) and Quambone (October). Any change of venue and time is advertised in the local papers, and on Council's website and social media channels.

Extraordinary Council Meetings are held for the consideration of specific issues as required.

Both Ordinary and Extraordinary meetings are open to the public, except for matters which are of a confidential nature, and public attendance at these meetings is invited.

4.2 Public exhibition

Copies of the Draft Operational Plan incorporating budget proposals for the ensuing year and other draft policies are displayed on the Council website and placed in the Council office building for community input. Draft plans and policies are advertised with public comment invited. Items on public exhibition can be viewed, and submissions may be made, at [Public Exhibition - Coonamble Shire Council \(nsw.gov.au\)](http://PublicExhibition-CoonambleShireCouncil.nsw.gov.au).

4.3 Committees

Council is active in the following external committees, which may have community representation and act as advisory bodies to Council:

- Bushfire Management
- Castlereagh Macquarie Weeds County Council
- Chamber of Commerce
- Coonamble Together Partnership Group
- Local Emergency Management
- North-Western Library Cooperative
- Outback Arts

5. Various Kinds of Government Information Held by Council

GIPA Act section 20(1)(d) - an agency must have a guide (its 'Agency Information Guide') that identifies the various kinds of government information held by the agency.

Council holds a wide range of information, in both hard copy and electronic form in respect of the variety of functions undertaken by it. That information is contained in:

- Files – either physical or electronic
- Policy documents
- General documents

Information included under the heading 'General Documents' of this Agency Information Guide (see below) may be made available to the public on request unless there is an overriding public interest not to do so.

Some information may require a formal access application in accordance with the GIPA Act.

5.1 Files

Hard copy files are maintained for all matters relating to the business of Council. Files are archived and dealt with under the provisions of the General Retention and Disposal Authority – Local Government (GA39).

Information contained in Council files may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with provisions of the GIPA Act.

Members of the public who require an informal release or an access application can do so by contacting Council.

5.2 Policy Documents

Council policies can be viewed on the website [Policies - Coonamble Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/policies-coonamble-shire-council)

5.3 General Documents

The following list of general documents held by Council has been divided into four sections as outlined in the *Government Information (Public Access) Regulation 2018* (NSW) (GIPA Regulation):

1. Information about Council
2. Plans and policies
3. Information about Development Applications
4. Approvals, Orders and other documents

6. Kinds of information that will be made publicly available

GIPA Act section 20(1)(e) - an agency must have a guide (its 'Agency Information Guide') that identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available.

AND

7. Kinds of information available free of charge and those kinds for which a charge is imposed

GIPA Act section 20(1)(g) - an agency must have a guide (its 'Agency Information Guide') that identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

The GIPA Regulation requires that information contained in the following records held by Council are to be made publicly available for inspection, free of charge. The public is entitled to inspect these records on Council's website (unless there is an unreasonable additional cost to Council to publish these records on the website) and copies may also be inspected at the Council office during ordinary office hours or at any other place as determined by Council.

Open information is also available from other agencies, such as Data.NSW, accessible online at www.data.nsw.gov.au. Data.NSW aims to increase the safe use of data across NSW government in order to support data-driven decision-making, and provides a single search environment for NSW data assets.

Copies of open information held by Council can be supplied for reasonable copying charges as set out in Council's Fees and Charges.

Open information records are:

1. Information about Council

Information contained in the current version and the most recent previous version of the following records is prescribed as open access information and may be inspected by the public free of charge. Documents are published on Council's website [Welcome to Coonamble Shire Council \(nsw.gov.au\)](http://www.coonamble.nsw.gov.au).

- The Model Code prescribed under section 440(1) of the LG Act.
- Council's adopted Code of Conduct.
- Code of Meeting Practice.
- Annual Report.
- Annual financial reports.
- Auditor's report.
- Community Strategic Plan.

- Resourcing Strategy – Long Term Financial Plan, Workforce Management Plan, and Asset Management Plan.
- Operational Plan and Delivery Program.
- Equal Employment Opportunity Management Plan.
- Policy concerning the payment of expenses and the provision of facilities to councillors.
- Annual reports of bodies exercising functions delegated by Council.
- Any Codes referred to in the LG Act

Information contained in the following records (whenever created) is prescribed as open access information and may be inspected by the public free of charge.

- Returns of the interests of councillors, designated persons and delegates.
- Agendas and business papers for any meeting of Council or any Committee of Council (excluding business papers for matters considered when part of a meeting is closed to the public).
- Minutes of any meeting of Council or any Committee of Council but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting.
- Departmental representative reports presented at a meeting of Council in accordance with section 433 of the LGA.

Information contained in the current version of the following records is prescribed as open access information and may be inspected by the public free of charge.

- Land Register
- Register of Investments
- Register of Delegations
- Register of graffiti removal work kept in accordance with section 13 of the *Graffiti Control Act 2008*
- Register of current declarations of disclosures of political donations
- Register of voting on planning matters.

2. Plans and Policies

Information contained in the current version and the most recent previous version of the following is prescribed as open access information and may be inspected by the public free of charge.

- Local policies adopted by Council concerning approvals and orders.
- Plans of Management for Community Land.
- Environmental planning instruments, development control plans, and contribution plans made under the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) applying to land within the Coonamble LGA.

3. Information about Development Applications

Information contained in the following records (whenever created) is prescribed as open access information and may be inspected by the public free of charge.

Development applications (within the meaning of the EP&A Act) made on or after 1 July 2010 and any associated information received in relation to a proposed development including the following:

- Home warranty insurance documents.
- Construction certificates.
- Occupation certificates.
- Structural certification documents.
- Town planning reports.
- Submissions received on development applications.
- Heritage reports.
- Tree inspection reports.
- Acoustic reports.
- Land contamination reports.
- Records of decisions on development applications including decisions made on appeal.
- Records describing general nature of documents that Council decides are excluded from public view including the plans and internal specifications and configurations for any residential parts of a proposed building and commercially sensitive information if that information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

4. Approvals, Orders and Other Documents

Information contained in the following records (whenever created) is prescribed as open access information and may be inspected by the public free of charge.

- Applications for approvals under part 1 of chapter 7 of the LG Act and any associated documents received in relation to such an application.
- Applications for approvals under any other Act and any associated documents received in relation to such an application.
- Records of approvals granted or refused, any variation from Council policies with reasons for the variation, and decisions made on appeals concerning approvals.
- Orders given under part 2 of chapter 7 of the LG Act, and any reasons given under section 136 of the LG Act.
- Orders given under the authority of any other Act.
- Records of building certificates under the EP&A Act.
- Plans of land proposed to be compulsorily acquired by Council.
- Compulsory acquisition notices.
- Leases and licenses for use of Public Land classified as Community Land.
- Performance improvement orders issued to a council under part 6 of chapter 13 of the LG Act.

All other types of information held by Council are not considered to be open access and a fee may be charged to access this information. Applications to access information may be made under the *Government Information (Public Access) Act 2009* (GIPA Act). Charges are made in accordance with the Information and Privacy Commission's [GIPA Act Fees and Charges \(nsw.gov.au\)](http://nsw.gov.au).

8. Privacy Management Plan

Council's endorsed Privacy Management Plan under the terms of the *Privacy and Personal Information Protection Act 1998* (NSW) (PIIP Act) and *Health Records and Information Privacy Act 2002* (NSW) (HRIP Act) provides for the protection of personal information and for the protection of the privacy of individuals.

Councils are required to collect personal information but must ensure the privacy rights of individuals are not infringed. Council is bound by the terms of the PIIP Act and HRIP Act and has established procedures to ensure that the provision of information sought from Council meets the requirements of the Acts.

9. Applications for access to Council records

If you ask for records or documents and you are not able to obtain them, you can apply for them under the GIPA Act by:

1. Completing an access application. These forms are available on Council's website at [Access to Information - Coonamble Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/access-to-information-coonamble-shire-council) or at the Council office. Application forms can also be accessed via the Information and Privacy Commissioner's website [Information Access Forms for Citizens \(nsw.gov.au\)](https://www.nsw.gov.au/information-access-forms-for-citizens).
2. Present the form, the appropriate fee and, where necessary, identification to the Council office using any of the Council's contact information. Details of procedures, fees and reductions in certain cases can be obtained from the application form.

10. Manner in which information will be made publicly available

GIPA Act section 20(1)(f) – an agency must have a guide (its 'Agency Information Guide') that specifies the manner in which the agency makes (or will make) government information publicly available.

Council has a vast range of information that can be accessed in varying ways. Council regularly reviews publicly available information and is proactive about releasing as much information as possible on Council's website. Other information/ records can be inspected at or obtained from the Council office during normal business hours.

10.1 Access arrangements

In most instances, access will be provided to information that is available to members of the public without the need to apply in writing. Access can be obtained by contacting Council.

Enquiries relating to matters of a confidential nature, court proceedings, private affairs or subject to legal professional privilege will be referred to the General Manager as Principal Officer. It may then be necessary to lodge an application under the GIPA Act and the necessary forms will be provided to you.

It should be noted however that personal information relating to individuals may be protected under the PIIP Act and may not be able to be made available without the consent of the individual/s or organisation/s concerned.

An initial application fee of \$30.00 is required and, dependent on processing time involved, extra charges may also be payable.

The application fee covers the first hour of processing time. A further processing charge of \$30.00 per hour may be applicable. If the application is refused, reasons will be given and information provided on how to appeal the decision.

11. Public Officer – Right to Information Officer

The Director of Corporate Services has been appointed as the Public Officer. Among other duties, the Public Officer may deal with requests from the public concerning Council's affairs and has the responsibility of assisting people to gain access to public documents of the Council.

The Executive Manager Corporate Governance is Council's Right to Information Officer and, as such, is responsible for determining applications for access to documents or for the amendment of records. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer.

If you would like to amend a document that you feel is incorrect, you must make written application to the Public Officer in the first instance.

12. Office of the Information Commissioner

If you require any other advice or assistance about access to information you may contact the Office of the Information and Privacy Commissioner by telephone on 1800 472 679 (free call) or by email at ipcinfo@ipc.nsw.gov.au.

Information and Privacy Commission NSW
Level 17, 201 Elizabeth Street
SYDNEY NSW 2000