

15 September 2025

At 2.00 pm

**Corporate, Finance, Properties and
Tenders Committee**

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Investments Held as at 31 August 2025**
- 4. Adoption - Public Interest Disclosure Policy**
- 5. Land Classification - 895-901 Bourke Street, Waterloo**

Disclaimer, Terms and Guidelines for Speakers at Council Committees

As part of our democratic process, the City invites members of the community to speak directly to Councillors during Committee meetings about items on the agenda.

Webcast

In accordance with the *City of Sydney Code of Meeting Practice*, Committee meetings are recorded and webcast live on the City of Sydney website at www.cityofsydney.nsw.gov.au.

Members of the public attending a council or committee meeting may have their image, voice and personal information (including name and address) recorded, publicly broadcast and archived for up to 12 months.

Consent

By attending a council or committee meeting, members of the public consent to this use of their image, voice and personal information.

Disclaimer

Statements made by individuals at a council or committee meeting, and which may be contained in a live stream or recording of the meeting are those of the individuals making them, and not of the City. To be clear, unless set out in a resolution of council, the City does not endorse or support such statements.

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Guidelines

To enable the Committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at Committee to:

1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.

Confirmation of Minutes

Minutes of the following meetings of the Corporate, Finance, Properties and Tenders Committee are submitted for confirmation:

Meeting of 18 August 2025.

Item 2.**Statement of Ethical Obligations**

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.

Investments Held as at 31 August 2025

File No: X020701

Summary

This report provides details of the City's investment portfolio and performance to 31 August 2025.

The City's total Investment and Cash position was \$752.8M at 31 August 2025, with investments earning interest of \$2.8M for the month. It should be noted that the total Investment and Cash position includes approximately \$17.7M received from developers, related to the City of Sydney Affordable Housing contributions program, which is due to be paid in September. These funds are held as externally restricted cash and investments, pending distribution to Community Housing Providers.

After allowing for these contributions, the City's 'underlying' total Investment and Cash position was \$735.1M at the end of August 2025.

Annual CPI inflation was 2.1% in the June 2025 quarter, down from 2.4% to the March 2025 quarter. Inflation has decreased more quickly than the Reserve Bank of Australia's (RBA) earlier forecasts, with core inflation currently at an annual rate that aligns with the RBA's target range of 2-3%. As inflation eases, RBA is expected to deliver rate cuts during the remainder of 2025. However, global and domestic factors also continue to play a pivotal role in this decision.

The RBA board lowered the cash rate by 25 basis points, to 3.60% on 12 August 2025. Most banks predict one more 25 basis point rate cuts in 2025 provided that the declining inflation trend continues. The financial institutions have reduced medium term deposit rates since the rate cut by the RBA in February 2025.

The City's cash and investments portfolio includes restricted funds in both internal (\$315.4M) and external (\$95M) cash reserves, to satisfy the City's legislative responsibilities, to set aside specific amounts for major initiatives within the Community Strategic Plan Delivering Sustainable Sydney 2030-2050 Continuing the Vision, and to distribute the above-mentioned contributions to Community Housing Providers. The unrestricted balance of cash and investments (\$342.4M) represents working capital, and funding required for the City's operating and capital expenditure commitments.

The City has known and projected commitments beyond amounts currently restricted, including much of its forward capital works program. The City's Long Term Financial Plan (LTFP) sets out details of the working capital, services, facilities, activities, capital works and acquisitions that will be funded by the City's accumulated cash and future revenue streams. Key commitments within the City's Long Term Financial Plan include ongoing asset renewals, public domain works in the CBD, infrastructure and community facilities in the Green Square urban renewal area and commercial property and open space acquisitions. The City achieved an annualised monthly return of 4.42% for August, which remains above the 30-Day Bank Bill Rate (BBR) of 3.59%, the latest AusBond Monthly Bank Bill Index of 3.84% and the enhanced benchmark of 4.04% (BBR + 0.45%).

The City's investment portfolio returns are comparable to those of cash-managed funds available in the market. Following the rate cut in February 2025, market rates have been falling, and banks have started lowering term deposit rates in anticipation of further cash rate cut from the Reserve Bank of Australia. This downward trend is expected to continue during the first half of the current financial year.

Since 2015, the City has utilised an additional strategic benchmark rate to measure its investment performance by exceeding the 30 day benchmark returns, by at least 45 additional basis points (0.45% p.a.). The 45 basis point increase is based on observed historical average increased credit spreads (or margins) over bank bill rates on offer in relation to 30 to 90 day investments.

The City's annual rolling return of 4.59% likewise continues to exceed the 12-month average 30 Day Bank Bill Rate of 4.06%, the latest AusBond 12 Month Average Bank Bill Index of 4.28% and the enhanced benchmark of 4.51% (BBR + 0.45%). The benchmarks were endorsed in the revised Investment Strategy approved by Council in November 2024.

The City invested \$25M in March 2025 and \$5M in April 2025 in a new product, Social Tailored Deposits, with Westpac. This investment aligns with the Socially Responsible Investment principles set out in the City's Investment Policy. The City of Sydney is one of three cornerstone investors in this product. It has been independently certified to meet the International Capital Market Association (ICMA) Social Bond Principles while not compromising its credit risk. These Social Tailored Deposits are associated with a defined pool of eligible assets which may include affordable housing, public education and/or healthcare assets along with transport services to disadvantaged areas. These investments will be independently certified annually.

It is worth noting that Council's investment opportunities are constrained by a combination of legislation, regulation and any directions and guidelines issued by the Minister for the Office of Local Government. These guidelines were developed, in large part, as response to the Global Financial Crisis and its impact on the local government sector's investments. They effectively limit the City's investment profile to something similar to a cash managed fund, which generally produce lower returns but provide a high level of security. The City's returns from the investment portfolio remain in line with cash managed funds in the market.

This report includes graphs demonstrating that the City's liquidity profile continues to satisfy the requirements of the Policy, and charts that identify the distribution of the City's portfolio across credit ratings, investment product types and financial institutions. Charts depicting the City's portfolio returns over and above both the 90-day Bloomberg AusBond and 30-day Bank Bill Rate benchmarks have also been included to provide further insight into the City's total investment portfolio performance.

The structure of the City's investment portfolio continues to reflect the conservative approach outlined in the Investment Policy and Strategy, which remains appropriate for the current global and domestic economic conditions. The Policy and Strategy also maintain the City's commitment to sustainable investments where returns and risks are equivalent, under the environmentally and socially responsible investment criteria.

Recommendation

It is resolved that the Investment Report as at 31 August 2025 be received and noted.

Attachments

Attachment A. Register of Investments and Cash as at 31 August 2025

Attachment B. Investment Performance as at 31 August 2025

Background

1. In accordance with the principles of sound financial management, cash that is surplus to the City's immediate requirements is invested within acceptable risk parameters to optimise interest income while ensuring the security of these funds.
2. Cash is only invested in authorised investments that comply with governing legislation and the City's Investment Policy and Strategy. The benchmark performance goal of the City's Investment Policy and Strategy is to surpass the 30 Days Bank Bill Rate (BBR) by 45 basis points while performance also continues to be measured against the Bloomberg AusBond Bank Bill Index.
3. The City's total Investment and Cash position as at 31 August 2025 was \$752.8M, an increase of \$20.8M from 30 June 2025. The net monthly movement reflects operating income, most of which was received from the first instalment of rates receipts, in excess of capital works expenditure and other operational payments for the period and \$58.5M that was paid for the affordable housing contribution in August. It is consistent with historical seasonal trends. A schedule detailing all of the City's investments as at the end of August 2025 is provided at Attachment A.
4. It should be noted that the total Investment and Cash position for August includes approximately \$17.7M related to the City of Sydney Affordable Housing contributions program to be paid in September. \$58.5M was paid in August for the affordable housing contribution. These funds are held as externally restricted cash and investments, pending distribution to Community Housing Providers. After allowing for these contributions, the City's 'underlying' total Investment and Cash position was significantly lower at \$735.1M at the end of August 2025.
5. A substantial portion of the City's cash and investments portfolio is held as internally restricted (\$315.4M) or externally restricted (\$95M) cash reserves, to satisfy the City's legislative responsibilities, to set aside specific funds for major initiatives within the Community Strategic Plan Delivering Sustainable Sydney 2030-2050 Continuing the Vision and to distribute the above-mentioned affordable housing contributions. The unrestricted balance of cash and investments (\$342.4M) represents working capital, and funding required for the City's operating and capital expenditure commitments.
6. The City has known and projected commitments beyond amounts currently restricted, including much of its forward capital works program. The City's Long Term Financial Plan (LTFP) sets out details of the working capital, services, facilities, activities, capital works and acquisitions that will be funded by the City's accumulated cash and future revenue streams. Key commitments within the City's Long Term Financial Plan include asset renewals, public domain works in the CBD, infrastructure and community facilities in the Green Square urban renewal area and the acquisition of commercial property and open space.
7. The City achieved an annualised monthly return of 4.42% for August, which remains above the 30-Day Bank Bill Rate (BBR) of 3.59%, the latest AusBond Monthly Bank Bill Index of 3.84% and the enhanced benchmark of 4.04% (BBR + 0.45%).

8. The City's investment portfolio returns are comparable to those of cash-managed funds available in the market. Following the rate cut in February 2025, market rates have been falling, and banks have started lowering term deposit rates in anticipation of further cash rate cut from the Reserve Bank of Australia. This downward trend is expected to continue during the first half of the current financial year.
9. Since 2015, the City has utilised an additional strategic benchmark rate to measure its investment performance by exceeding the 30 day benchmark returns, by at least 45 additional basis points (0.45% p.a.). The 45 basis point increase is based on observed historical average increased credit spreads (or margins) over bank bill rates on offer in relation to 30 to 90 day investments.
10. The City's annual rolling return of 4.59% likewise continues to exceed the 12-month average 30 Day Bank Bill Rate of 4.06%, the latest AusBond 12 Month Average Bank Bill Index of 4.28% and the enhanced benchmark of 4.51% (BBR + 0.45%). The benchmarks were endorsed in the revised Investment Strategy approved by Council in November 2024.
11. The City aims to achieve returns equal to or above these benchmark rates for the period. However, this achievement remains secondary to the critical strategies of maintaining a prudent and conservative risk profile and ensuring adequate liquidity for operational purposes.
12. It is worth noting Council's investment opportunities are constrained by a combination of legislation, regulation and any directions and guidelines issued by the Minister or the Office of Local Government. These guidelines were developed, in large part, as a response to the Global Financial Crisis and its impact on the local government sectors investments. They effectively limit the City's investment profile to something similar to a cash managed fund, which produces lower returns but provides a high level of security.
13. Annual CPI inflation was 2.1% in the June quarter, down from 2.4% in the March quarter, and down from 2.8% in the September quarter. The RBA's preferred inflation measure, the 'trimmed mean', is at 2.7% down from 2.9% in the March quarter. The trimmed mean is the measure of inflation after excluding the largest price changes and focusing on the weighted average of the middle 70% of items with the basket of goods used. While global factors explain much of the variation in inflation, domestic factors also continue to play a role. Widespread upward pressures on prices remain in the economy due to strong demand, a tight labour market and capacity constraints in some sectors of the economy.
14. The RBA board lowered the cash rate by 25 basis points, to 3.60% on 12 August 2025. Returning inflation to 2-3% target range within a reasonable time frame has always remained RBA's highest priority. The RBA board will continue to base its decisions on data and an ongoing evaluation of risks. It closely monitors global economic and financial market developments, domestic demand trends, and the outlook for inflation and the labour market.
15. Most banks have predicted at least one more 25 basis point rate cuts in 2025 from the current cash rate of 3.60%, provided that the declining inflation trend continues. The financial institutions reduced medium term deposit rates since the rate cut by the RBA.

16. The report includes graphs depicting the City's portfolio returns over and above both the 90-day Bloomberg AusBond, and 30-day Bank Bill Rate benchmarks, to provide further insight into the City's total investment portfolio performance.
17. The structure of the City's investment portfolio continues to reflect the conservative approach outlined in the Investment Policy and Strategy which was last revised and approved by Council in November 2024 remains appropriate for the current global and domestic economic conditions.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

18. The City's investments accord with all legislative and policy requirements, as detailed below, and aim to achieve returns above minimum benchmark rates.
19. This investment approach is within the City's risk appetite, which states:
 - (a) The City has a responsibility to ensure that it has sufficient resources in the short, medium and long term to provide the levels of service that are both affordable and considered appropriate by the community.
 - (b) We maintain a cautious appetite to financial risks, aiming to minimise the likelihood and impact of significant financial losses.

Risks

20. This investment approach is within the City's risk appetite, which states:
 - The City has a responsibility to ensure that it has sufficient resources in the short, medium and long term to provide the levels of service that are both affordable and considered appropriate by the community.
 - We maintain a cautious appetite to financial risks, aiming to minimise the likelihood and impact of significant financial losses.
 - We prioritise the protection of our financial resources and our long-term financial sustainability. We strive to ensure that our financial decisions are well informed, based on sound financial analysis and are aligned with our strategic objectives.

Financial Implications

21. The City's investments earned interest of \$2.8M for the month of August 2025, almost aligning to the monthly budgeted earnings of \$2.9M.

Relevant Legislation

22. Council is authorised to invest its surplus cash under section 625 of the Local Government Act 1993.
23. The Local Government (General) Regulation 2021 (section 212) requires the City to provide a written monthly report of all monies invested, under section 625 of the Act.
24. The Investment Policy and Strategy was last revised in November 2024, maintaining Council's commitment to give preference to sustainable investments where returns and risks are equivalent to other investments.
25. The City's investments accord with the Minister's Investment Order, the Office of Local Government's Investment Policy Guidelines, and the City's own Investment Policy and Strategy as adopted by Council on 25 November 2024.

Critical Dates / Time Frames

26. A monthly investment report must be submitted for Council's information and review within the following month.

Public Consultation

27. A monthly investment report must be submitted for Council's information and review within the following month.
28. Consultation is regularly undertaken with a number of financial institutions and investment advisers to consider options and ensure the City continues to maximise its investment return within appropriate legislative and risk parameters. City staff meet regularly with representatives of the 'Big 4' banks and NSW TCorp. At these meetings City staff actively advocate for Socially Responsible Investment (SRI) opportunities.
29. The banks acknowledge the appetite in the market for these products and they continue to investigate the development of suitable products, however it has been challenging to match the level of funds to available Socially Responsible Investment opportunities that meet the credit risk and maturity profile requirements of the City.
30. As noted in previous Investment Reports, Westpac were able to bring a Green Tailored Deposit product to market, which delivers a comparable return while achieving the City's preferred outcomes. The City currently holds \$70.0M in fourteen tranches with this Green Tailored deposit.
31. The City currently holds \$5.0M in a sustainability bond/FRN with Bank Australia due to mature on 24 November 2025 and an additional \$4.5M, invested in February 2023 and due to mature on 22 February 2027. This is based on an investment framework that is in line with the 2021 versions of the ICMA Green Bond Principles (GBP), Social Bond Principles (SBP) and Sustainability Bond Guidelines (SBG). This Socially Responsible investment opportunity meets both the credit risk and maturity profile requirements of the City.

32. The City invested \$25M in March 2025, and an additional \$5M in April 2025 in a new product with Westpac, a Social Tailored Deposit, which aligns with the Socially Responsible Investment principles set out in the City's Investment Policy. The City of Sydney is one of three cornerstone investors in this product. It has been independently certified to meet the International Capital Market Association (ICMA) Social Bond Principles while not compromising its credit risk. These Social Tailored Deposits are associated with a defined pool of eligible assets which may include affordable housing, public education and/or healthcare assets along with transport services to disadvantaged areas. These investments will be independently certified annually.
33. As per the investment policy and strategy endorsed by Council in November 2024, the City continues to explore opportunities for supporting environmentally and socially responsible investments within these constraints. The City will continue to encourage and give preference to these investments where they comply with the Ministerial Investment Order and satisfy the Council's policy and investment objectives. The investment climate is changing over time, and the City notes that many large-scale renewable projects are expected to evolve, which may result in additional sustainable investment offers in the medium-to-date long term.

JEAN-MICHEL CARRIERE

Executive Director Finance and Procurement

Attachment A

**Register of Investments and Cash
as at 31 August 2025**

Register of Investments and Cash for August 2025 period

Institution	Rating	Face Value \$	Amortised Value \$	Monthly Net Returns	Monthly Net Return Annualised	Net Returns Rolling 12 Months	Maturity Date	Investment Date	Term (months)
Call Account & General Fund									
Westpac Bank- General Fund (Interest bearing)	AA-	35,157,676.97	35,157,676.97	0.30%	3.60%	3.60%	1-Sep-25	31-Aug-25	0
Commonwealth Bank	AA-	75,883,196.14	75,883,196.14	0.29%	3.50%	3.50%	1-Sep-25	31-Aug-25	0
Total		111,040,873.11	111,040,873.11	0.29%	3.53%	3.53%			
Term Deposits (TD)									
ING Bank	A+	5,000,000.00	5,000,000.00	0.41%	4.95%	4.95%	2-Sep-25	6-Aug-24	13
ING Bank	A+	5,000,000.00	5,000,000.00	0.41%	4.95%	4.95%	5-Sep-25	6-Aug-24	13
ING Bank	A+	5,000,000.00	5,000,000.00	0.42%	5.00%	5.00%	23-Sep-25	13-Aug-24	13
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.90%	4.90%	26-Sep-25	6-Sep-24	13
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.97%	4.97%	7-Oct-25	9-Oct-24	12
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.40%	4.80%	4.80%	14-Oct-25	23-Aug-24	14
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.90%	4.90%	21-Oct-25	29-Aug-24	14
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.90%	4.90%	24-Oct-25	29-Aug-24	14
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.90%	4.90%	28-Oct-25	30-Aug-24	14
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.90%	4.90%	31-Oct-25	30-Aug-24	14
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.91%	4.91%	11-Nov-25	2-Sep-24	14
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.92%	4.92%	18-Nov-25	3-Sep-24	14
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.92%	4.92%	21-Nov-25	3-Sep-24	15
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.70%	4.70%	25-Nov-25	17-Sep-24	14
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.42%	5.00%	5.00%	2-Dec-25	19-Dec-24	11
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.64%	4.64%	5-Dec-25	4-Mar-25	9
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.70%	4.70%	12-Dec-25	5-Mar-25	9
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.65%	4.65%	16-Dec-25	10-Mar-25	9
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.36%	4.30%	4.30%	30-Dec-25	2-Jun-25	7
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.36%	4.35%	4.35%	2-Jan-26	6-Jun-25	7
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.40%	4.76%	4.76%	6-Jan-26	31-Jan-25	11
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.96%	4.96%	9-Jan-26	22-Jan-25	12
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.75%	4.75%	13-Jan-26	3-Feb-25	11
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.41%	4.96%	4.96%	16-Jan-26	21-Jan-25	12
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.40%	4.75%	4.75%	20-Jan-26	3-Feb-25	12
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.75%	4.75%	23-Jan-26	4-Feb-25	12
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.75%	4.75%	27-Jan-26	5-Feb-25	12
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.38%	4.56%	4.56%	30-Jan-26	14-Apr-25	10
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.38%	4.52%	4.52%	3-Feb-26	22-Apr-25	9
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.38%	4.58%	4.58%	6-Feb-26	23-Apr-25	9
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.70%	4.70%	10-Feb-26	5-Mar-25	11
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.36%	4.33%	4.33%	13-Feb-26	2-May-25	9
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.63%	4.63%	17-Feb-26	4-Mar-25	11
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.63%	4.63%	20-Feb-26	28-Feb-25	12
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.63%	4.63%	27-Feb-26	27-Feb-25	12
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.81%	4.81%	6-Mar-26	19-Feb-25	12
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.81%	4.81%	10-Mar-26	18-Feb-25	13
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.81%	4.81%	13-Mar-26	17-Feb-25	13
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.81%	4.81%	17-Mar-26	17-Feb-25	13
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.81%	4.81%	20-Mar-26	20-Feb-25	13
ING Bank	A+	5,000,000.00	5,000,000.00	0.40%	4.80%	4.80%	24-Mar-26	25-Feb-25	13
ING Bank	A+	5,000,000.00	5,000,000.00	0.41%	4.96%	4.96%	24-Mar-26	27-Mar-24	24
Bank of Queensland	A-	5,000,000.00	5,000,000.00	0.39%	4.63%	4.63%	27-Mar-26	26-Feb-25	13
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.39%	4.71%	4.71%	17-Apr-26	19-Mar-25	13
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.39%	4.71%	4.71%	21-Apr-26	19-Mar-25	13
Suncorp Bank	AA-	5,000,000.00	5,000,000.00	0.36%	4.35%	4.35%	8-May-26	8-May-25	12
Westpac Banking Corporation	AA-	5,000,000.00	5,000,000.00	0.37%	4.38%	4.38%	19-May-26	19-May-25	12
Westpac Banking Corporation	AA-	5,000,000.00	5,000,000.00	0.37%	4.38%	4.38%	22-May-26	19-May-25	12
ING Bank	A+	5,000,000.00	5,000,000.00	0.35%	4.16%	4.16%	26-May-26	21-May-25	12
ING Bank	A+	5,000,000.00	5,000,000.00	0.35%	4.18%	4.18%	2-Jun-26	26-May-25	12
Westpac Banking Corporation	AA-	5,000,000.00	5,000,000.00	0.35%	4.18%	4.18%	5-Jun-26	30-May-25	12
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.35%	4.15%	4.15%	26-Jun-26	10-Jun-25	12
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.35%	4.20%	4.20%	3-Jul-26	11-Jun-25	13
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.35%	4.20%	4.20%	7-Jul-26	11-Jun-25	13
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.35%	4.20%	4.20%	10-Jul-26	11-Jun-25	13
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.35%	4.15%	4.15%	21-Jul-26	12-Jun-25	13
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.35%	4.15%	4.12%	24-Jul-26	13-Jun-25	13
National Australia Bank	AA-	5,000,000.00	5,000,000.00	0.34%	4.05%	4.05%	7-Aug-26	29-Aug-25	11
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.53%	4.98%	9-Sep-25	7-Aug-24	13
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.53%	5.00%	12-Sep-25	7-Aug-24	13
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.52%	4.98%	16-Sep-25	8-Aug-24	13
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.50%	4.98%	19-Sep-25	12-Aug-24	13
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.41%	4.95%	26-Sep-25	13-Aug-24	13
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.41%	4.95%	30-Sep-25	16-Aug-24	13
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.39%	4.99%	3-Oct-25	20-Aug-24	13
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.40%	4.98%	7-Oct-25	21-Aug-24	14
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.55%	5.04%	10-Oct-25	22-Aug-24	14
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.52%	4.91%	4-Nov-25	30-Aug-24	14
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.52%	4.91%	7-Nov-25	30-Aug-24	14
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.43%	4.94%	14-Nov-25	2-Sep-24	14
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 80 points)	AA-	5,000,000.00	5,000,000.00	0.36%	4.35%	4.87%	25-Nov-25	1-Oct-24	14
Westpac Banking Corporation - Tailored Deposit - (3 Month BBSW + 78 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.50%	4.62%	24-Apr-26	7-Apr-25	13
Westpac Banking Corporation (0.71% Fixed 2 years & 90 days BBSW + 50 points)	AA-	5,000,000.00	5,000,000.00	0.35%	4.22%	4.67%	18-Jun-26	18-Jun-21	60
Term Deposits (TD) 'Social Tailored Deposits'									
Westpac Banking Corporation - Social Deposit - (At Maturity)	AA-	5,000,000.00	5,000,000.00	0.38%	4.53%	4.53%	19-Dec-25	17-Mar-25	9
Westpac Banking Corporation - Social Deposit - (At Maturity)	AA-	5,000,000.00	5,000,000.00	0.38%	4.53%	4.53%	23-Dec-25	17-Mar-25	9
Westpac Banking Corporation - Social Deposit - (3 Month BBSW + 68 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.40%	4.60%	7-Apr-26	17-Mar-25	13
Westpac Banking Corporation - Social Deposit - (3 Month BBSW + 68 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.40%	4.60%	10-Apr-26	17-Mar-25	13
Westpac Banking Corporation - Social Deposit - (3 Month BBSW + 68 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.40%	4.59%	14-Apr-26	18-Mar-25	13
Westpac Banking Corporation - Social Deposit - (3 Month BBSW + 78 points)	AA-	5,000,000.00	5,000,000.00	0.38%	4.57%	4.71%	28-Apr-26	9-Apr-25	13

Register of Investments and Cash for August 2025 period

Institution	Rating	Face Value \$	Amortised Value \$	Monthly Net Returns	Monthly Net Return Annualised	Net Returns Rolling 12 Months	Maturity Date	Investment Date	Term (months)
Term Deposits (TD) 'Green Tailored Deposits'									
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 78 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.46%	4.60%	1-May-26	5-May-25	12
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 78 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.46%	4.60%	5-May-26	5-May-25	12
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 78 points)	AA-	5,000,000.00	5,000,000.00	0.36%	4.36%	4.52%	12-May-26	16-May-25	12
Westpac Banking Corporation - Green Tailored Deposit - (4.98% fixed 1 year & 3 months BBSW + 78 bps 2 years)	AA-	5,000,000.00	5,000,000.00	0.36%	4.37%	4.86%	2-Apr-27	3-Apr-24	36
Westpac Banking Corporation - Green Tailored Deposit	AA-	5,000,000.00	5,000,000.00	0.34%	4.12%	4.12%	9-Jun-26	3-Jun-25	12
Westpac Banking Corporation - Green Tailored Deposit	AA-	5,000,000.00	5,000,000.00	0.34%	4.07%	4.07%	12-Jun-26	5-Jun-25	12
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 73 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.44%	4.44%	16-Jun-26	6-Jun-25	12
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 73 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.44%	4.44%	23-Jun-26	6-Jun-25	13
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 73 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.46%	4.46%	3-Jul-26	10-Jun-25	13
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 73 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.48%	4.48%	14-Jul-26	11-Jun-25	13
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 73 points)	AA-	5,000,000.00	5,000,000.00	0.37%	4.48%	4.48%	17-Jul-26	11-Jun-25	13
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 75 points)	AA-	5,000,000.00	5,000,000.00	0.36%	4.33%	4.33%	7-Aug-26	29-Aug-25	11
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 75 points)	AA-	5,000,000.00	5,000,000.00	0.36%	4.33%	4.33%	11-Aug-26	29-Aug-25	11
Westpac Banking Corporation - Green Tailored Deposit - (90 days BBSW + 75 points)	AA-	5,000,000.00	5,000,000.00	0.36%	4.33%	4.33%	14-Aug-26	29-Aug-25	11
Total		465,000,000.00	465,000,000.00	0.38%	4.56%	4.65%			
Floating Rate Notes (FRN)									
Suncorp Bank (90 days BBSW + 83 points) - Covered Bond	AA-	2,200,000.00	2,200,000.00	0.37%	4.47%	5.01%	17-Oct-25	17-Oct-22	36
Great Southern Bank (3months BBSW + 158 points)	BBB+	4,000,000.00	4,000,000.00	0.44%	5.27%	5.74%	1-Dec-25	1-Dec-22	36
Macquarie Bank (3 months BBSW + 48 points)	A+	5,000,000.00	5,000,000.00	0.35%	4.21%	4.66%	9-Dec-25	9-Dec-20	60
Suncorp Bank (90 days BBSW + 45 points)	AA-	2,100,000.00	2,100,000.00	0.33%	4.00%	4.54%	24-Feb-26	24-Feb-21	60
Newcastle Greater Mutual Group Ltd (90 days BBSW + 63 points)	BBB+	5,000,000.00	5,000,000.00	0.36%	4.25%	4.79%	4-Mar-26	4-Mar-21	60
Bendigo & Adelaide Bank (90 days BBSW + 125 points)	A-	4,500,000.00	4,500,000.00	0.41%	4.87%	5.38%	15-May-26	15-May-23	36
Suncorp Bank (90 days BBSW + 105 points)	AA-	4,000,000.00	4,000,000.00	0.39%	4.63%	5.17%	18-May-26	18-May-23	36
Bendigo & Adelaide Bank (90 days BBSW + 65 points)	A-	5,000,000.00	5,000,000.00	0.36%	4.37%	4.82%	18-Jun-26	18-Jun-21	60
Macquarie Bank (3 months BBSW + 85 points)	A+	4,000,000.00	4,000,000.00	0.38%	4.57%	5.03%	14-Sep-26	14-Sep-23	36
Suncorp Bank (90 days BBSW + 48 points)	AA-	3,750,000.00	3,750,000.00	0.35%	4.20%	4.66%	15-Sep-26	15-Sep-21	60
Bank of Queensland (90 days BBSW + 80 points)	BBB+	3,000,000.00	3,000,000.00	0.38%	4.50%	4.94%	27-Oct-26	27-Oct-21	60
Commonwealth Bank (3 month BBSW + 70 points)	AA-	3,250,000.00	3,250,000.00	0.37%	4.43%	4.89%	14-Jan-27	14-Jan-22	60
Westpac Banking Corporation (90 days BBSW + 70 points)	AA-	3,900,000.00	3,900,000.00	0.37%	4.42%	4.84%	25-Jan-27	18-Jan-22	60
Suncorp Bank (90 days BBSW + 78 points)	AA-	4,500,000.00	4,500,000.00	0.37%	4.50%	4.92%	25-Jan-27	17-Jan-22	60
Great Southern Bank (3months BBSW + 165 points)	BBB+	2,500,000.00	2,500,000.00	0.44%	5.30%	5.79%	9-Feb-27	9-Feb-22	48
Newcastle Greater Mutual Group Ltd (90 days BBSW + 100 points)	BBB+	2,250,000.00	2,250,000.00	0.39%	4.65%	5.14%	10-Feb-27	3-Feb-22	60
National Australia Bank (90 days BBSW + 72 points)	AA-	4,000,000.00	4,000,000.00	0.36%	4.27%	4.81%	25-Feb-27	25-Feb-22	60
ING Bank - (3 months BBSW + 95 points)	A+	1,500,000.00	1,500,000.00	0.38%	4.61%	5.12%	22-Mar-27	22-Mar-24	36
ANZ Bank (90 day BBSW + 97 points)	AA-	4,000,000.00	4,000,000.00	0.38%	4.58%	5.11%	12-May-27	12-May-22	60
Bendigo and Adelaide Bank (90 days BBSW + 100 points)	A-	2,000,000.00	2,000,000.00	0.39%	4.63%	5.13%	14-May-27	14-May-24	36
Westpac Banking Corporation (90 days BBSW + 105 points)	AA-	4,000,000.00	4,000,000.00	0.38%	4.61%	5.14%	20-May-27	20-May-22	60
Suncorp Bank (3 months BBSW + 110 points)	AA-	3,750,000.00	3,750,000.00	0.39%	4.65%	5.19%	24-May-27	24-Nov-23	42
National Australia Bank (3 months BBSW + 73 points)	AA-	4,000,000.00	4,000,000.00	0.37%	4.43%	4.86%	18-Oct-27	18-Oct-24	36
Great Southern Bank (3months BBSW + 103 points)	BBB+	2,400,000.00	2,400,000.00	0.39%	4.73%	5.15%	1-Nov-27	1-Nov-24	36
ANZ Bank (90 days BBSW + 120 points)	AA-	4,000,000.00	4,000,000.00	0.41%	4.88%	5.37%	4-Nov-27	4-Nov-22	60
Westpac Banking Corporation (90 days BBSW + 123 points)	AA-	5,000,000.00	5,000,000.00	0.41%	4.88%	5.37%	11-Nov-27	11-Nov-22	60
National Australia Bank (90 days BBSW + 120 points)	AA-	4,200,000.00	4,200,000.00	0.40%	4.75%	5.29%	25-Nov-27	25-Nov-22	60
Suncorp Bank (3months BBSW + 125points)	AA-	2,700,000.00	2,700,000.00	0.41%	4.97%	5.43%	14-Dec-27	14-Dec-22	60
ANZ Bank (90 days BBSW + 106 points)	AA-	4,000,000.00	4,000,000.00	0.39%	4.67%	5.21%	31-Mar-28	31-Mar-23	60
National Australia Bank (3 months BBSW + 78 points)	AA-	2,500,000.00	2,500,000.00	0.38%	4.51%	4.54%	14-Apr-28	14-May-25	35
Suncorp Bank (3 months BBSW + 105 points)	AA-	3,000,000.00	3,000,000.00	0.40%	4.78%	5.25%	12-Jul-28	12-Jul-23	60
Commonwealth Bank (3 month BBSW + 95 points)	AA-	3,000,000.00	3,000,000.00	0.38%	4.53%	5.08%	17-Aug-28	17-Aug-23	60
ANZ Bank (90 days BBSW + 93 points)	AA-	3,500,000.00	3,500,000.00	0.39%	4.68%	5.12%	11-Sep-28	11-Sep-23	60
Bendigo & Adelaide Bank (90 days BBSW + 96 points)	A-	1,500,000.00	1,500,000.00	0.39%	4.68%	5.08%	24-Oct-28	24-Oct-24	48
National Australia Bank (3 months BBSW + 103 points)	AA-	4,000,000.00	4,000,000.00	0.38%	4.61%	5.15%	16-Nov-28	16-Nov-23	60
Westpac Banking Corporation (3 months BBSW + 100 points)	AA-	4,000,000.00	4,000,000.00	0.39%	4.73%	5.19%	15-Jan-29	15-Jan-24	60
ANZ Bank (90 days BBSW + 96 points)	AA-	3,500,000.00	3,500,000.00	0.39%	4.64%	5.13%	5-Feb-29	5-Feb-24	60
National Australia Bank (3 months BBSW + 90 points)	AA-	3,500,000.00	3,500,000.00	0.38%	4.56%	5.07%	22-Mar-29	22-Mar-24	60
ANZ Bank (90 days BBSW + 86 points)	AA-	4,000,000.00	4,000,000.00	0.38%	4.58%	5.03%	18-Jun-29	18-Jun-24	60
ING Bank (90 days BBSW + 102 points)	A+	4,500,000.00	4,500,000.00	0.38%	4.58%	5.11%	20-Aug-29	20-Aug-24	60
Suncorp Bank (3 months BBSW + 92 points)	AA-	4,000,000.00	4,000,000.00	0.38%	4.54%	5.07%	27-Sep-29	27-Sep-24	60
National Australia Bank (3 months BBSW + 82 points)	AA-	2,750,000.00	2,750,000.00	0.37%	4.45%	4.91%	14-Nov-29	14-Nov-24	60
Commonwealth Bank (3 month BBSW + 84 points)	AA-	2,000,000.00	2,000,000.00	0.38%	4.61%	4.91%	9-Jan-30	9-Jan-25	60
Newcastle Permanent Building Society (90 days BBSW + 125 points)	BBB+	4,000,000.00	4,000,000.00	0.41%	4.93%	5.28%	21-Jan-30	21-Jan-25	60
National Australia Bank (3 months BBSW + 83 points)	AA-	4,000,000.00	4,000,000.00	0.38%	4.55%	4.74%	18-Mar-30	18-Mar-25	60
Suncorp Bank (3 months BBSW + 93 points)	AA-	1,800,000.00	1,800,000.00	0.38%	4.51%	4.63%	21-May-30	21-May-25	60
ING Bank - (3 months BBSW + 95 points)	A+	3,200,000.00	3,200,000.00	0.39%	4.67%	4.67%	13-Jun-30	13-Jun-25	60
Westpac Banking Corporation (90 days BBSW + 83 points)	AA-	4,000,000.00	4,000,000.00	0.38%	4.53%	4.53%	19-Jun-30	19-Jun-25	60
Floating Rate Notes (FRN) 'Green/Climate Bonds/Sustainability Bond'									
Bank Australia - Sustainability Bond (3 months BBSW + 160 points)	BBB+	5,000,000.00	5,000,000.00	0.43%	5.15%	5.69%	24-Nov-25	24-Nov-22	36
Bank Australia - Sustainability Bond (3months BBSW + 155 points)	BBB+	4,500,000.00	4,500,000.00	0.42%	5.10%	5.64%	22-Feb-27	22-Feb-23	48
Total		176,750,000.00	176,750,000.00	0.39%	4.63%	5.08%			
Total Investments		752,790,873.11	752,790,873.11	0.37%	4.42%	4.59%			
Benchmark: 30 Day Bank Bill Index				0.30%	3.59%	4.06%			
Benchmark: Bloomberg AusBond Bank Bill Index				0.32%	3.84%	4.28%			
TOTAL INVESTMENTS & CASH		752,790,873.11	752,790,873.11						
Note:									
Total Investments & cash - as per investment report		752,790,873.11							
IGS Sinking Fund Balance - as at August 2025		2,769,087.97							
Net reconciling amount - closing Bank Balance (per register above) and closing General Ledger account balance (timing difference)		-3,324,470.06							
Total Investments & cash - as per general ledger balance		752,235,491.02							

Summary of Net Investment Movements - August 2025

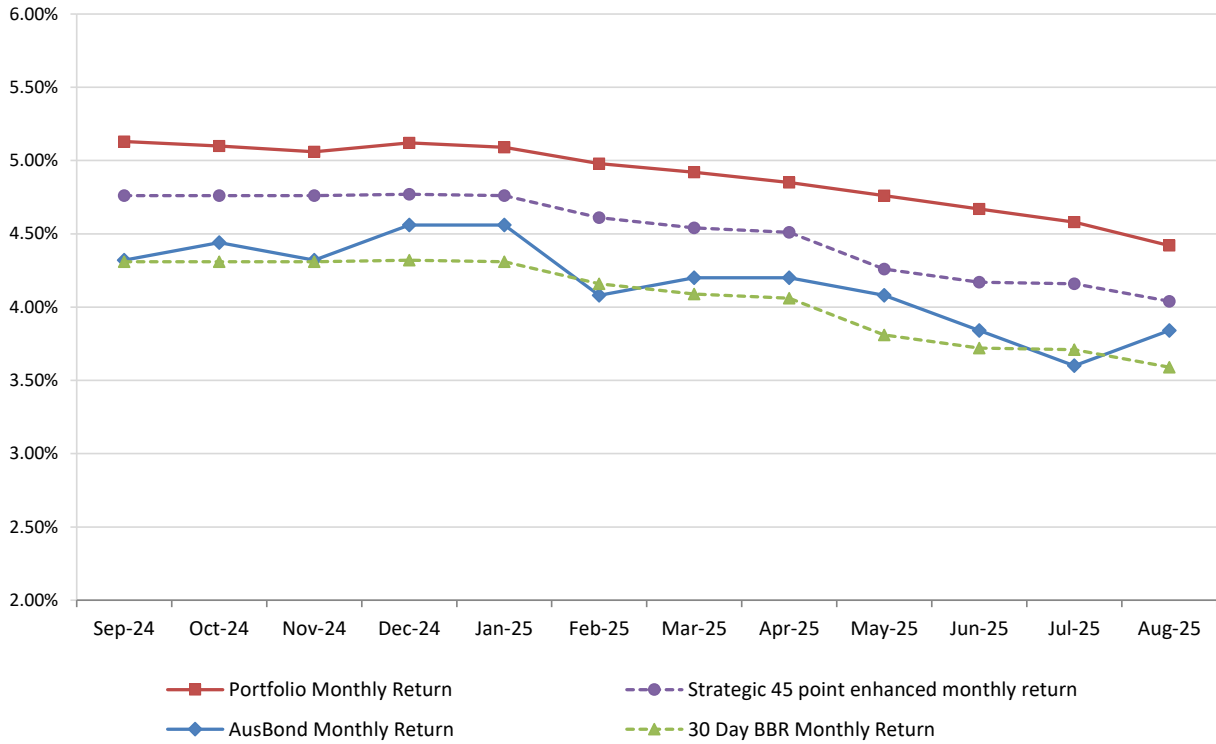
Financial Institution	Fund Rating	Net Investment/(Reduction) Amount \$	Commentary
<u>General Fund & Call Account</u>			
Commonwealth Bank- Call Account	AA-	40,000,000	Additional funds received from rates and other income held in call account for future expenditure. Further transfer also made from Westpac General Fund to Commonwealth Bank Call account to meet threshold requirements
<u>Term Deposits (TDs)</u>			
ING Bank	A+	(9,000,000)	Investments that matured in August were further re-invested in higher yielding deposits or placed in call account for anticipated contribution payments, or for operational use
National Australia Bank	AA-	(20,000,000)	
Westpac Banking Corporation	AA-	10,000,000	New deposits were made using the proceeds from matured investments, and from additional income received.

Attachment B

**Investment Performance
as at 31 August 2025**

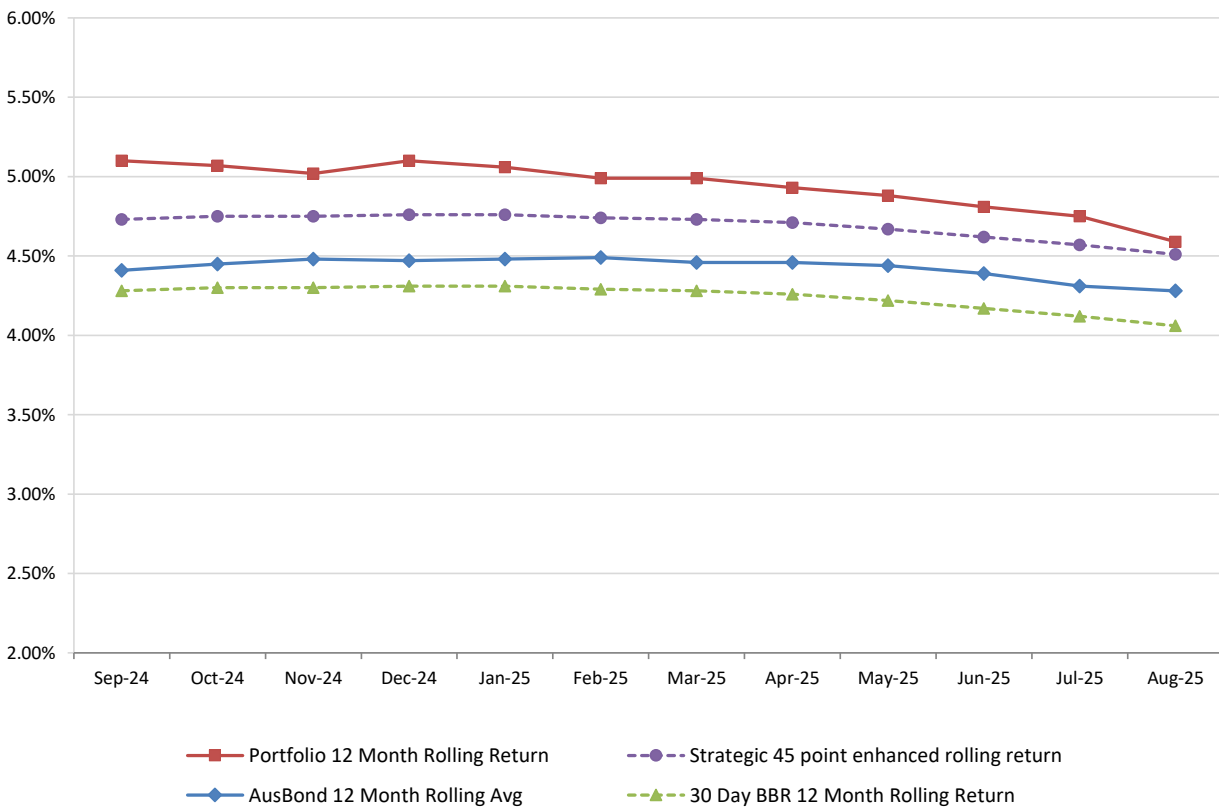
Monthly Results

Actual Portfolio vs Strategic Enhanced Benchmark vs AusBond Benchmark vs 30 Day BBR Benchmark
August 2025

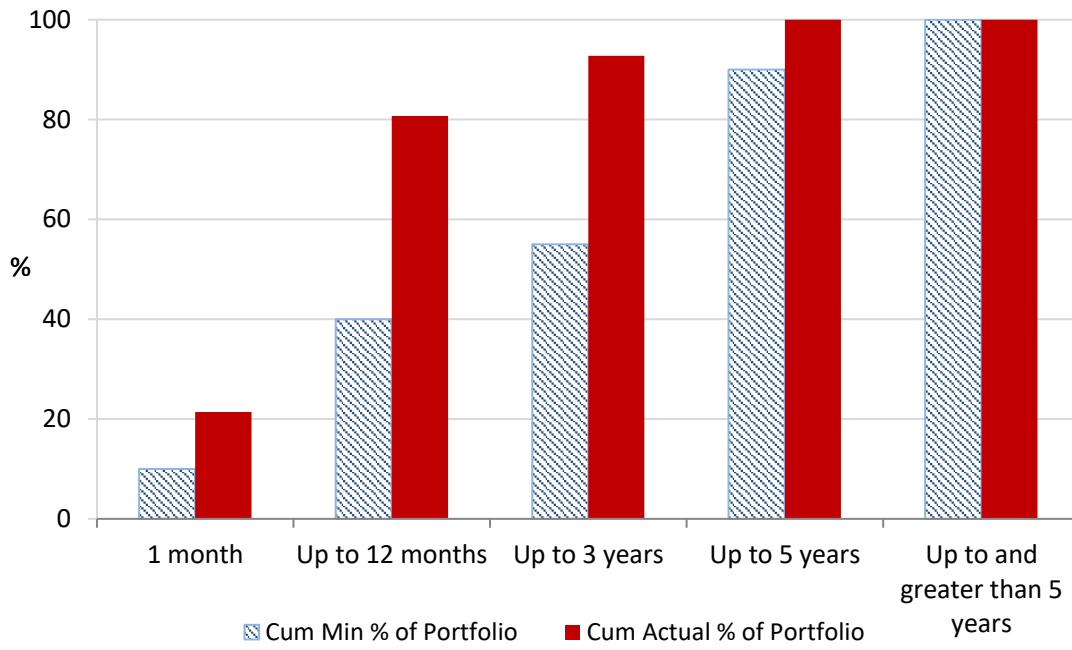


12 Month Rolling Averages

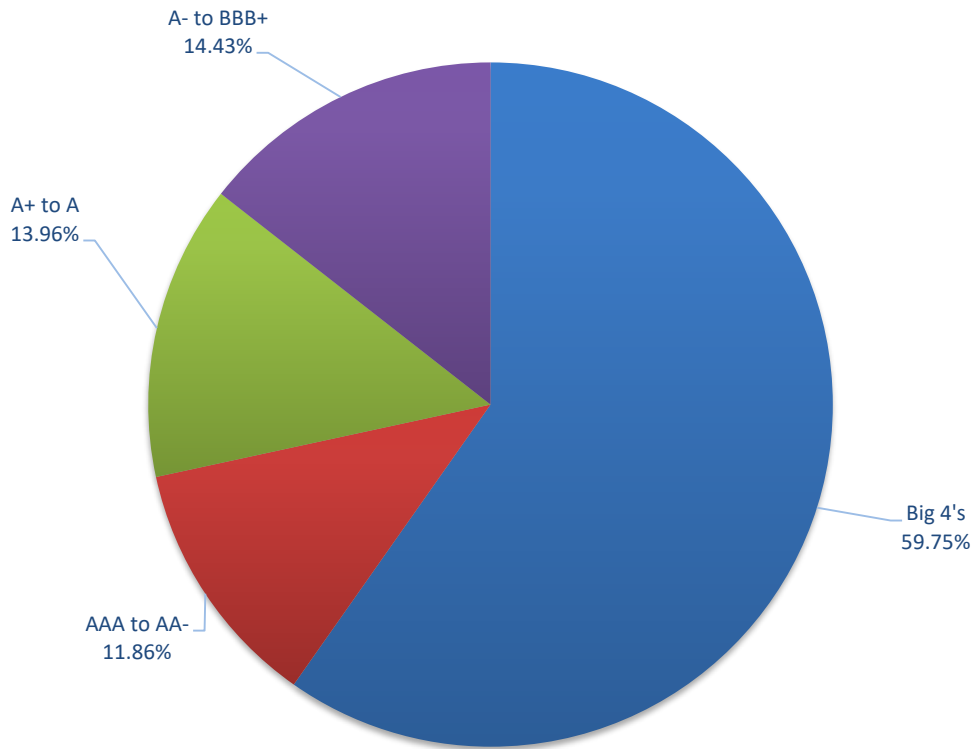
Actual Portfolio vs Strategic Enhanced Benchmark vs AusBond Benchmark vs 30 Day BBR Benchmark
August 2025



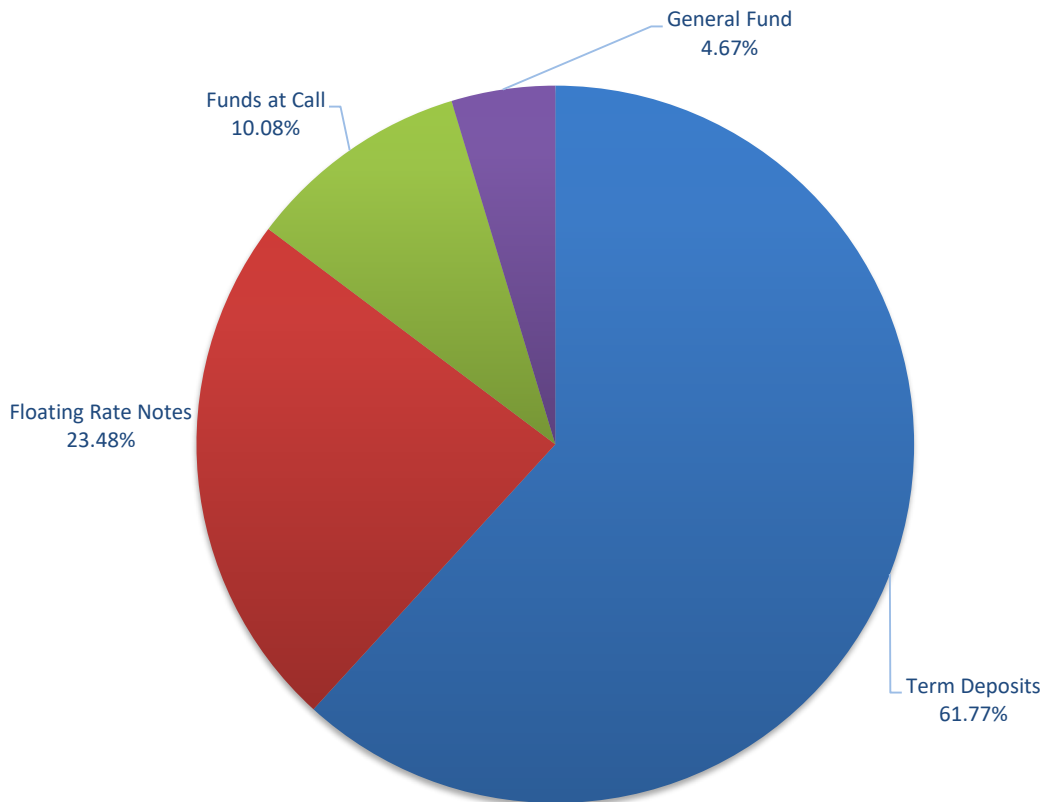
Portfolio Liquidity - Minimum Allocations as at 31 August 2025



Risk Profile as at 31 August 2025



Risk Profile as at 31 August 2025



INVESTMENT AND CASH DISTRIBUTION BY FINANCIAL INSTITUTION				
as at 31 August 2025				
Institution Category	Financial Institution	Amount \$M	Financial Inst. %	Institution Cat. %
Australian Big 4 Bank's	ANZ Bank	23.0	3.1	
	Commonwealth Bank	84.1	11.2	
	National Australia Bank	114.0	15.1	
	Westpac Banking Corporation	246.1	32.7	
Big 4 Total		467.1		62.05
Other Australian ADIs and Australian subsidiaries of foreign institutions	Bank Australia Limited	9.5	1.3	
	Bank of Queensland	63.0	8.4	
	Bendigo & Adelaide Bank	13.0	1.7	
	Great Southern Bank (formerly Credit Union Australia)	8.9	1.2	
	ING Bank	84.2	11.2	
	Suncorp Bank	86.8	11.5	
	Macquarie Bank Ltd	9.0	1.2	
	Newcastle Greater Mutual Group Ltd	11.3	1.5	
Other ADI Total		285.7		37.95
Grand Total		752.8	100.0	100.000

Item 4.

Adoption - Public Interest Disclosure Policy

File No: S121629.035

Summary

The City of Sydney is required to have a public interest disclosure policy under section 42 of the Public Interest Disclosures Act 2022 (NSW), that supports public officials who report suspected serious wrongdoing and specifies our procedures for receiving, assessing and dealing with public interest disclosures. A new Public Interest Disclosure Policy was adopted by Council in October 2023 in accordance with the requirements of the 2022 Act.

The Public Interest Disclosure Policy sets out:

- how the City of Sydney will support and protect public officials if they come forward with a report of serious wrongdoing
- how we will deal with the report and our other responsibilities under the PID Act
- who to contact to make a report
- how to make a report
- the protections which are available to reporters under the PID Act.

The policy also documents our commitment to building a speak up culture. Part of that speak up culture is having in place a framework that facilitates public interest reporting of wrongdoing by protecting those who speak up from detrimental action and taking appropriate action to investigate reports. Protections for reporters include:

- protections from detrimental action
- protections from civil and criminal liability for making a disclosure
- the protection of information that may identify the reporter.

Following a scheduled review, this report seeks Council approval of the updated Public Interest Disclosure Policy with minor updates.

Recommendation

It is resolved that:

- (A) Council adopt the Public Interest Disclosure Policy, as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Public Interest Disclosure Policy in order to update the contact information from time to time in Annexure A, correct any minor drafting errors and to finalise design and accessible formats for publication.

Attachments

Attachment A. Public Interest Disclosure Policy

Attachment B. Current Public Interest Disclosure Policy with tracked changes

Background

1. The Public Interest Disclosure Policy (PID Policy) was adopted by Council on 23 October 2023 following the commencement of the new Public Interest Disclosures Act 2022 (PID Act). This policy is based on the NSW Ombudsman's model public interest disclosure policy.
2. The PID Policy sets out:
 - how the City of Sydney will support and protect public officials if they come forward with a report of serious wrongdoing
 - how we will deal with the report and our other responsibilities under the PID Act
 - who to contact to make a report
 - how to make a report
 - the protections which are available to reporters under the PID Act.
3. The policy also documents our commitment to building a speak up culture. Part of that speak up culture is having in place a framework that facilitates public interest reporting of wrongdoing by protecting those who speak up from detrimental action and taking appropriate action to investigate reports. Protections for reporters include:
 - protections from detrimental action
 - protections from civil and criminal liability for making a disclosure
 - the protection of information that may identify the reporter.
4. Public officials have multiple pathways to report serious wrongdoing. This includes reporting to a nominated disclosure officer, managers and integrity agencies. The Executive Director Legal & Governance, as the City of Sydney's disclosure coordinator, is responsible for the assessment and oversight of internal reviews into reports of serious wrongdoing. A full list of disclosure officers is attached to the PID Policy as Annexure A and a list of integrity agencies is attached as Annexure B.
5. Public officials at the City of Sydney include:
 - Councillors, Council committee members and members of wholly advisory committees
 - City of Sydney employees, including permanent, temporary and casual employees, together with agency contractors (labour hire), work experience students, apprentices and volunteers
 - any person providing services or exercising functions on behalf of the City of Sydney, including contractors and subcontractors

- any employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of the City of Sydney or exercises City of Sydney functions, and are involved in providing those services or exercising those functions.

Key Implications

6. Guidance on the new PID Policy was communicated to all staff following adoption in 2023 and all disclosure officers and managers complete mandatory training on their responsibilities under the PID Act and PID Policy, based on content prepared by the NSW Ombudsman. Regular updates on reporting wrongdoing and our speak up culture are communicated to all staff. Refresher training for all disclosure officers and managers is also scheduled to be implemented in October 2026 to meet the 3 year refresher training requirements under the PID Act.
7. The PID Act requires every agency to submit a PID annual return to the NSW Ombudsman. The PID annual return contains information about voluntary PIDs received, how we dealt with those PIDs and the measures we have taken during the reporting period to promote a positive speak up culture. 6 voluntary PIDs have been received since the adoption of the PID Policy. 1 was found to be partially substantiated, 4 were found to be unsubstantiated and 1 was dealt with, following a risk assessment, through the presentation of tailored workshops to targeted groups.
8. No significant changes are required to the PID Policy, however, the following minor changes are recommended and marked in tracked changes in the attached draft (Attachment B):
 - additional content on acting with integrity and role modelling behaviour consistent with the City of Sydney's code of conduct and values
 - guidance on the option to discuss concerns with the NSW Ombudsman through their new whistleblower support team
 - additional guidance on maintaining confidentiality
 - references updated from director to executive director
 - disclosure officer contact details updated where applicable
 - updated employee definition
 - updated policy review period from 2 to 4 years, now that the changes to the whistleblower provisions under the new PID Act 2022 have been fully implemented.

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

9. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic direction and objective:
 - (a) Direction 1 - Responsible governance and stewardship - The City of Sydney's Public Interest Disclosure Policy addresses the requirements of the Public Interest Disclosure Act 2022 to have a policy that provides for the City's procedures for receiving, assessing and dealing with public interest disclosures.

Organisational Impact

10. The updated PID Policy will be the subject of staff communications following adoption and the updated contact details for disclosure officers will be displayed across work sites. Governance staff will continue to work across the organisation to raise awareness of the policy and to ensure it is being appropriately implemented.

Risks

11. The recommendation requested is within the City's risk appetite/tolerance in accordance with the Risk Appetite Statement. In particular:
 - We promote a culture of integrity, honesty and ethical behaviour in all aspects of our operations. We have no appetite for unethical practices or actions that may expose the organisation to significant legal or compliance risks.
 - We have no appetite for engaging in illegal activities including fraud and corruption.
 - We have minimal tolerance for non-compliance with policies and procedures, and we will take reasonable steps to prevent, detect and promptly address non-compliance.

This policy not only ensures that the City meets its compliance obligations under the Public Interest Disclosure Act 2022; it also supports the City's corruption prevention efforts to encourage a culture of integrity and to support staff to speak up if they suspect serious wrongdoing.

Relevant Legislation

12. Public Interest Disclosures Act 2022 (NSW).

Public Consultation

13. Governance staff consulted with the NSW Ombudsman on the development, implementation and review of this policy. No public consultation is required in relation to this policy.

KIRSTEN MORRIN

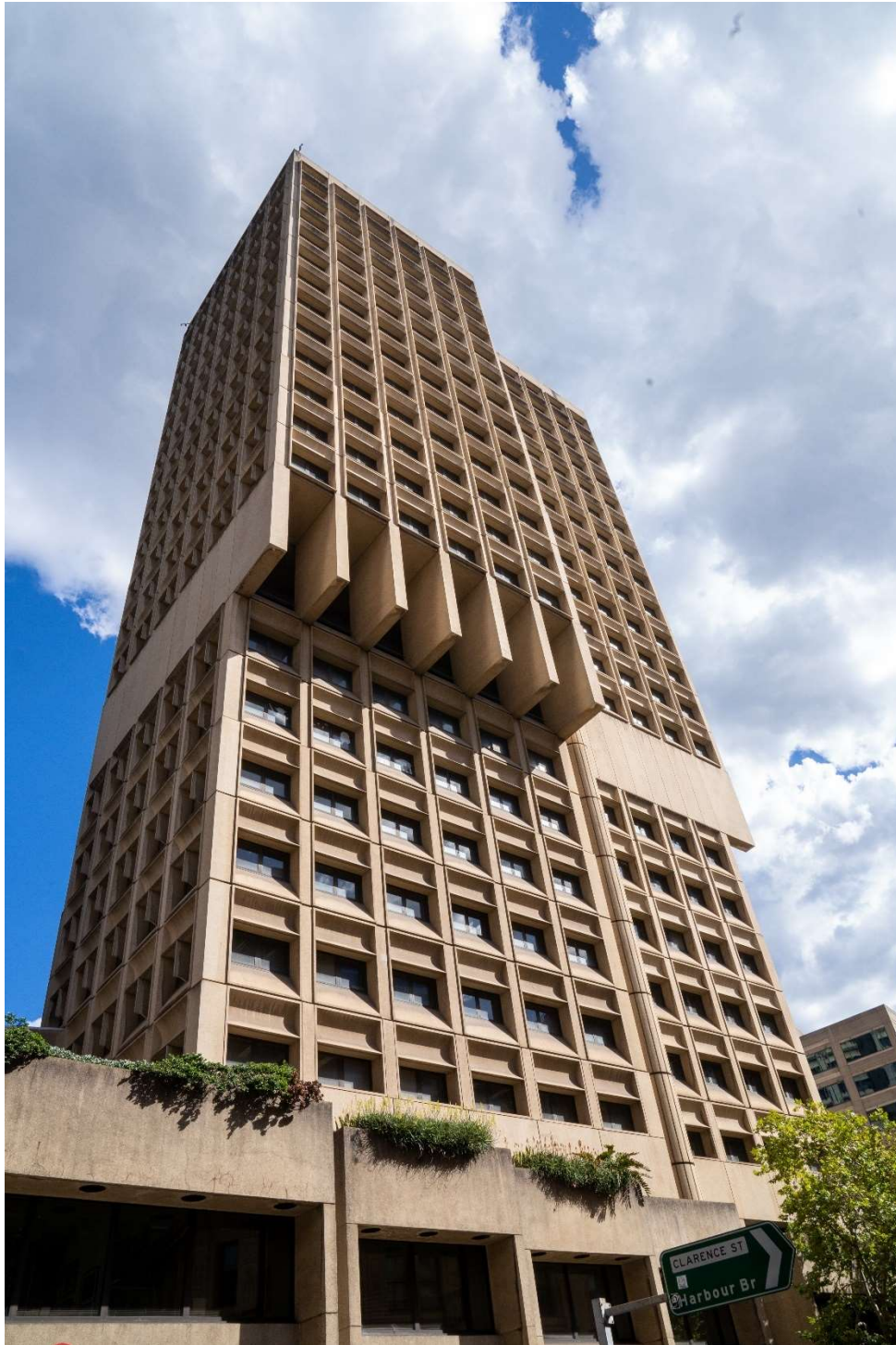
Executive Director Legal and Governance

Ailsa Crammond, Coordinator Governance

Attachment A

Public Interest Disclosure Policy

Public Interest Disclosure Policy



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Purpose

All agencies in NSW are required to have a Public Interest Disclosure (PID) Policy under section 42 of the Public Interest Disclosures Act 2022 (PID Act).

The City of Sydney occupies a position of trust in the community, caring about our community and acting with integrity in the best interests of our city and our colleagues. The City of Sydney encourages all our Employees to have a values driven mindset which means following our City of Sydney values, role modelling behaviour consistent with our Code of Conduct and values and speaking up if they become aware of wrongdoing.

At the City of Sydney we take reports of serious wrongdoing seriously. We are committed to building a 'speak up' culture where all public officials are encouraged to report any conduct that they reasonably believe involves wrongdoing. The integrity of our organisation relies upon our Employees speaking up when they become aware of wrongdoing.

This policy sets out:

- how the City of Sydney will support and protect you if you come forward with a report of serious wrongdoing
- how we will deal with the report and our other responsibilities under the PID Act
- who to contact if you want to make a report
- how to make a report
- the protections which are available to you under the PID Act.

This policy also documents our commitment to building a speak up culture. Part of that speak up culture is having in place a framework that facilitates public interest reporting of wrongdoing by:

- protecting those who speak up from detrimental action
- taking appropriate action to investigate reports.

We deal with these reports in accordance with the PID Act.

This policy should be read in conjunction with our [Code of Conduct](#) and our [Complaint Management Policy](#). Workplace disputes, harassment or bullying complaints, or health and safety concerns are covered by:

- [Equal Employment Opportunity and Anti-Discrimination Policy](#)
- [Grievance and Conflict Resolution Policy](#)
- [Harassment and Bullying Policy](#)
- [Work Health and Safety Policy](#).

This policy is available on our website as well as on CityNet. A copy of the policy is provided to all Employees at the City of Sydney on their commencement. A hard copy of the policy can also be requested from the Manager Risk & Governance.

Who does this policy apply to?

This policy applies to, and for the benefit of, all public officials in NSW.

In particular, at the City of Sydney, this policy applies to:

- Councillors, Council committee members and members of wholly advisory committees
- City of Sydney Employees
- any person providing services or exercising functions on behalf of the City of Sydney, including contractors and subcontractors
- any employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of the City of Sydney or exercises City of Sydney functions, and are involved in providing those services or exercising those functions.

It is noted that consultants, such as a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management, are not considered public officials under the PID Act.

The Chief Executive Officer, the Executive Director Legal & Governance and other nominated Disclosure Officers and Managers within the City of Sydney have specific responsibilities under the PID Act. This policy also provides information on how people in these roles will fulfil their responsibilities. Other public officials who work in and for the public sector, but do not work for the City of Sydney may use this policy if they want information on who they can report wrongdoing to within the City of Sydney.

Who does this policy not apply to?

This policy does not apply to:

- people who have received services from the City of Sydney and want to make a complaint about those services
- people, such as contractors, who provide services to the City of Sydney (for example, employees of a company that sold computer software to the City of Sydney)
- consultants.

This means that if you are not a public official, this policy does not apply to your complaint (there are some circumstances where a complaint can be deemed to be a voluntary PID, see [section 1](#) of this policy for more information).

However, you can still make a complaint to the City of Sydney. Our [website](#) provides detailed guidance on how to make a complaint or provide feedback and includes links to an online form and our [Complaint Management Policy](#).

What is contained in this policy?

This policy will provide you with information on the following:

- ways you can make a voluntary PID to the City of Sydney under the PID Act
- the nominated Disclosure Officers at the City of Sydney
- the roles and responsibilities of people who hold particular roles under the PID Act and who are Employees of the City of Sydney
- what information you will receive once you have made a voluntary PID
- protections available to people who make a report of serious wrongdoing under the PID Act and what we will do to protect you

- the City of Sydney’s procedures for dealing with disclosures
- the City of Sydney’s procedures for managing the risk of detrimental action and reporting detrimental action
- the City of Sydney’s record-keeping and reporting requirements
- how the City of Sydney will ensure it complies with the PID Act and this policy.

If you require further information about this policy, how public interest disclosures will be handled and the PID Act you can:

- confidentially contact a nominated Disclosure Officer within the City of Sydney
- contact the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au, or
- access the NSW Ombudsman’s PID guidelines which are available on its [website](#).

If you require legal advice with respect to the PID Act or your obligations under the PID Act, you may need to seek independent legal advice.

Definitions

Term	Meaning
Disclosure Coordinator	Executive Director Legal & Governance
Disclosure Officer	<p>A person responsible for receiving voluntary PIDs on behalf of the City of Sydney including:</p> <ul style="list-style-type: none"> • the Chief Executive Officer • the Lord Mayor (for PIDs about the conduct of the Chief Executive Officer) • the Disclosure Coordinator • all Executive Directors (including the Chief Operating Officer), Manager Risk & Governance and Chief People & Culture • for each worksite that is permanently maintained and at which more than one person is employed, the most senior ongoing Employee who ordinarily works at the site.
Employees	For the purposes of this policy, all City employees including permanent (full-time or part-time), temporary and casual employees, together with agency contractors (labour hire), work experience students, apprentices and volunteers.
Manager	<p>A manager of a public official and, in particular, for the City of Sydney:</p> <ul style="list-style-type: none"> • an Employee to whom the public official reports directly or indirectly, or • an Employee who directly or indirectly supervises the public official in the exercise of the public official’s functions.

Term	Meaning
Public official	<p>A public official means one or more of the following:</p> <ul style="list-style-type: none"> • a person employed in or by an agency (including a Council) or otherwise in the service of an agency • a person having public official functions or acting in a public official capacity whose conduct or activities an integrity agency is authorised by another Act or law to investigate • an individual in the service of the Crown • a statutory officer • a person providing services or exercising functions on behalf of an agency, including a contractor, subcontractor or volunteer • an employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of an agency or exercises functions of an agency, and are involved in providing those services or exercising those functions • a judicial officer • a Member of Parliament (MP), including a Minister • a person employed under the Members of Parliament Staff Act 2013.

1. How to make a report of serious wrongdoing

Reports, complaints and grievances

When a public official reports suspected or possible wrongdoing in the public sector, their report will be a PID if it has certain features which are set out in the PID Act.

Some internal complaints or internal grievances may also be PIDs, as long as they have the features of a PID. If an internal complaint or grievance is a report of serious wrongdoing, we will consider whether it is a PID. If it is a PID, we will deal with it as set out in this policy.

The internal reporting system established under this policy is not intended to be used for employee grievances, which should be raised through our [Grievance and Conflict Resolution Policy](#). If an Employee makes a report under this policy which is substantially a grievance, the matter will be referred to People & Culture to be dealt with in accordance with our Grievance and Conflict Resolution Policy.

It is important that we quickly recognise that we have received a PID. This is because once a PID is received, the person who has made the report is entitled to certain protections and we have certain decisions that we have to make on how we will deal with the PID and how we will protect and support the person who has made the report.

When will a report be a PID?

There are three types of PIDs in the PID Act. These are:

1. Voluntary PID: This is a PID where a report has been made by the public official because they decided, of their own accord, to come forward and disclose what they know.

2. **Mandatory PID:** This is a PID where the public official has made a report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
3. **Witness PID:** This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

This policy mostly relates to making a voluntary PID and how we will deal with voluntary PIDs. People who make a mandatory PID or a witness PID are still entitled to protection. More information about protections is available in [section 2](#) of this policy.

You can find more information about mandatory and witness PIDs in the Ombudsman's guidelines [Dealing with mandatory PIDs](#) and [Dealing with witness PIDs](#).

Voluntary PIDs are the kind of PIDs most people have in mind when they think about public interest reporting and 'whistleblowing'. They involve a public official making a report because they have information that they believe shows (or tends to show) serious wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.

A report is a voluntary PID if it has the following five features, which are set out in sections 24 to 27 of the PID Act:

1. the report is made by a public official
2. it is made to a person who can receive voluntary PIDs
3. the public official honestly and reasonably believes that the information they are providing shows (or tends to show) serious wrongdoing
4. the report was made orally or in writing
5. the report is voluntary (meaning it is not a mandatory or witness PID).

If the report has all five features, it is a voluntary PID.

You will not be expected to prove that what you reported actually happened or is serious wrongdoing. You *do* have to honestly believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

Even though you do not have to prove the serious wrongdoing happened or provide evidence, a mere allegation with no supporting information is unlikely to meet this test.

If we make an error and do not identify that you have made a voluntary PID, you will still be entitled to the protections under the PID Act.

If you make a report and believe we have made an error by not identifying that you have made a voluntary PID, you should raise this with the Disclosure Coordinator or your contact officer for the report. If you are still not satisfied with this outcome, you can seek an internal review through the Disclosure Coordinator or we may seek to conciliate the matter. You may also contact the NSW

Ombudsman. Further information on rights to internal review and conciliation is found in [section 7](#) of this policy.

Who can make a voluntary PID?

Any public official can make a voluntary PID — see ‘Who this policy applies to’.

You are a public official at the City of Sydney for the purposes of this policy if:

- you are a Councillor, Council committee member or member of a wholly advisory committee
- you are a City of Sydney Employee
- you are a contractor, subcontractor or volunteer who provides services, or exercises functions, on behalf of the City of Sydney, or
- you work for an entity (such as a non-government organisation) who is contracted by the City of Sydney to provide services or exercise functions on behalf of the City of Sydney - if you are involved in undertaking that contracted work.

A public official can make a PID about serious wrongdoing relating to any agency, not just the agency they are working for. This means that we may receive PIDs from public officials outside the City of Sydney. It also means that you can make a PID to any agency, including an integrity agency like the Independent Commission Against Corruption (ICAC) and the NSW Ombudsman. [Annexure B](#) of this policy has a list of integrity agencies.

What is serious wrongdoing?

Reports must be of one or more of the following categories of serious wrongdoing to be a voluntary PID (in addition to having the other features set out above). Serious wrongdoing is defined in the PID Act as:

- corrupt conduct — such as a public official accepting a bribe
- serious maladministration (that is, conduct that is unlawful, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives) — such as an agency systemically failing to comply with proper recruitment processes when hiring staff
- a government information contravention — such as destroying, concealing or altering records to prevent them from being released under a Government Information Public Access application
- a local government pecuniary interest contravention — such as a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a privacy contravention — such as unlawfully accessing a person’s personal information on an agency’s database
- a serious and substantial waste of public money — such as an agency not following a competitive tendering process when contracting with suppliers to undertake government work.

When you make your report, you do not need to state to us what category of serious wrongdoing you are reporting or that you are reporting serious wrongdoing.

Who can I make a voluntary PID to?

For a report to be a voluntary PID, it must be made to certain public officials.

Making a report to a public official who works for the City of Sydney.

You can make a report inside the City of Sydney to:

- the Chief Executive Officer
- the Disclosure Coordinator

- a Disclosure Officer - a list of the City of Sydney's Disclosure Officers can be found at Annexure A of this policy
- your Manager — this is the person who directly, or indirectly, supervises you. It can also be the person who you directly, or indirectly, report to. You may have more than one Manager. Your Manager will make sure that the report is communicated to the Disclosure Coordinator on your behalf or may accompany you while you make the report to a Disclosure Officer or the Disclosure Coordinator.

Do not discuss your report with any of your colleagues. This will impact on our ability to maintain confidentiality; protect you from any reprisal action and the integrity of any investigation into the matter. Report directly to one of the public officials listed above. Before or after you speak up, you can also discuss your concerns with the NSW Ombudsman's Whistleblower Support Team. More guidance on this additional support pathway is detailed below.

Making a report to a recipient outside of the City of Sydney

You can also make your report to a public official in another agency (meaning an agency you do not work for) or an integrity agency. These include:

- the head of another agency — this means the head of any public service agency
- an integrity agency — a list of integrity agencies is located at Annexure B of this policy
- a disclosure officer for another agency — ways to contact disclosure officers for other agencies is located in an agency's PID policy which can be found on their public website
- a Minister or a member of a Minister's staff but the report must be made in writing.

If you choose to make a disclosure outside of the City of Sydney, it is possible that your disclosure will be referred back to us so that appropriate action can be taken.

Making a report to a Member of Parliament or journalist

Disclosures to MPs or journalists are different to other reports. You can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:

- you must have first made substantially the same disclosure (described here as a 'previous disclosure') to someone who can receive disclosures
- the previous disclosure must be substantially true
- you did not make the previous disclosure anonymously
- you did not give a written waiver of your right to receive information relating to your previous disclosure
- you did not receive the following from the City of Sydney:
 - notification that the City of Sydney will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency, or
 - the following information at the end of the investigation period:
 - notice of the City of Sydney's decision to investigate the serious wrongdoing
 - a description of the results of an investigation into the serious wrongdoing
 - details of proposed or recommended corrective action as a result of the previous disclosure or investigation.

Investigation period means:

- after six months from the previous disclosure being made, or

- after 12 months if you applied for an internal review of the agency's decision within six months of making the disclosure.

If all the above requirements are met, your disclosure to an MP or journalist may be a voluntary PID.

What form should a voluntary PID take?

You can make a voluntary PID:

- in writing — this could be an email or letter to a person who can receive voluntary PIDs.
- orally — have a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone or virtually.
- anonymously — write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. It may be difficult, however, for us to investigate the matter(s) you have disclosed if we cannot contact you for further information.

You can also make a voluntary PID by using the [online form](#) on our website.

What should I include in my report?

You should provide as much information as possible so we can deal with the report effectively.

The type of information you should include is:

- date, time and location of key events
- names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
- your relationship with the person(s) involved, such as whether you work closely with them
- your explanation of the matter you are reporting
- how you became aware of the matter you are reporting
- possible witnesses
- other information you have that supports your report.

What if I am not sure if my report is a PID?

You should report all wrongdoing you become aware of regardless of whether you think it is serious wrongdoing. It is important for us to understand what is or may be occurring.

We are then responsible for making sure your report is handled appropriately under the PID Act, or if it is not a PID, in line with our other policies and procedures. Even if your report is not a PID, it may fall within another one of our policies for dealing with reports, allegations or complaints.

NSW Ombudsman support for whistleblowers

Before or after you speak up, you can also access support from the NSW Ombudsman's Whistleblower Support Team which:

- offers confidential support
- can provide general information about making a PID and help you explore your options at each stage
- operates independently from the NSW Ombudsman's other functions of handling complaints and receiving PIDs and advising agencies about how to handle PIDs.

You can remain anonymous if you contact this team and any identifying information you choose to give will not be shared outside their team. You can discuss your concerns about wrongdoing with them, without unintentionally making a PID.

The Whistleblower Support Team can be contacted by email at whistleblowersupport@ombo.nsw.gov.au or by phone on 1800 716 766.

Deeming that a report is a voluntary PID

The Disclosure Coordinator can, in certain circumstances, determine that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. This is known as the 'deeming power'.

By deeming that a report is a voluntary PID, it ensures that reporters are provided with protections under the PID Act.

If you make a report that has not met all the requirements of a voluntary PID, you can refer your matter to the Disclosure Coordinator to request that they consider deeming your report to be a voluntary PID.

A decision to deem a report to be a voluntary PID is at the discretion of the Disclosure Coordinator. For more information about the deeming power, see the Ombudsman's guideline '[Deeming that a disclosure is a voluntary PID](#)'.

Who can I talk to if I have questions or concerns?

You can contact the [Disclosure Coordinator](#) who can provide further information so that your concerns can be addressed. Your inquiries will be treated as confidential.

2. Protections

How is the maker of a voluntary PID protected?

When you make a voluntary PID you receive special protections under the PID Act.

We are committed to taking all reasonable steps to protect you from detriment as a result of having made a PID. We are also committed to maintaining your confidentiality as much as possible while the PID is being dealt with.

We will not tolerate any type of detrimental action being taken against you because you have made a report, might make a report or are believed to have made a report.

The maker of a voluntary PID is protected in the following ways:

Protection from detrimental action

A person cannot take detrimental action against another person because they have made a voluntary PID or are considering making a PID. Detrimental action includes bullying, harassment, intimidation or dismissal.

Once we become aware that a voluntary PID by a person employed or otherwise associated with the City of Sydney that concerns serious wrongdoing relating to the City of Sydney has been made, we will undertake a risk assessment and take steps to mitigate the risk of detrimental action occurring against the person who made the voluntary PID.

It is a criminal offence for someone to take detrimental action against a person because they have made or may make a voluntary PID. It is punishable by a maximum penalty of 200 penalty units or imprisonment for five years or both.

A person may seek compensation where unlawful detrimental action has been taken against them.

A person can apply for a court order (injunction) where detrimental action is threatened or has occurred (for example, an order to prevent dismissal or to require reinstatement).

Note that a person who makes a PID can still be subject to reasonable management action (such as ordinary performance reviews and performance management). Provided such action is not taken because of the PID, it is not detrimental action under the PID Act.

Immunity from civil and criminal liability

Some public officials are often subject to a duty of confidentiality that prevents them disclosing certain information that they obtain or become aware of at work. Sometimes, in order to make a PID, public officials will need to breach or disregard such confidentiality duties. If that happens, a public official cannot be disciplined, sued or criminally charged for breaching confidentiality.

Confidentiality

Public officials and agencies must not disclose information tending to identify a person as the maker of a voluntary PID unless doing so is permitted by the PID Act.

Protection from liability for own past conduct

The Attorney General can give the maker an undertaking that a disclosure of their own past conduct will not be used against them if a person discloses their own wrongdoing or misconduct while making a report. This undertaking can only be given on application by an integrity agency to the Attorney General.

Protections for people who make mandatory and witness PIDs

Apart from PIDs that are made voluntarily by public officials, there are other types of reports that are recognised as PIDs under the PID Act:

- A mandatory PID: This is a PID where the public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
- A witness PID: This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

Protections for makers of mandatory and witness PIDs are detailed in the table below.

Protection	Mandatory PID	Witness PID
Detrimental action - It is an offence to take detrimental action against a person based on the suspicion, belief or awareness that a person has made, may have made or may make a PID.	✓	✓
Right to compensation - A person can initiate proceedings and seek compensation for injury, damage or loss suffered as a result of detrimental action being taken against them.	✓	✓
Ability to seek injunction - An injunction can be sought to prevent the commission or possible commission of a detrimental action offence against a person. For example, an order to prevent dismissal or to require reinstatement.	✓	✓
Immunity from civil and criminal liability - A person will not incur civil or criminal liability if the person breaches a duty of confidentiality while making a disclosure. This means that legal action cannot be taken against a person for: <ul style="list-style-type: none"> • breaching a duty of secrecy or confidentiality, or • breaching another restriction on disclosure. 	✓	✓

3. Reporting detrimental action

If you experience adverse treatment or detrimental action, such as bullying or harassment, you should report this immediately. You can report any experience of adverse treatment or detrimental action directly to us by contacting any of the Disclosure Officers listed in [Annexure A](#) of this policy, or to an integrity agency. A list of integrity agencies is located at [Annexure B](#) of this policy.

4. General support

If you make a PID report, the City of Sydney’s responsible officers will allocate to you a key contact person who will also take steps to protect your interests, for example, if you are at risk of detrimental action. We will also link you to wellbeing support through our Employee Assistance Program (EAP) under our [Employee Assistance Program Policy](#). Our EAP offers independent, confidential, short-term counselling and coaching support. This is available for all Employees for personal and work-related issues and is available 24 hours a day, 7 days a week. More information on this program can be found on [CityNet](#).

Access to support may also be available for other Employees involved in the internal reporting process where appropriate. Makers of PIDs and other Employees involved in the process can discuss their support options with the Disclosure Coordinator or the contact person for their matter.

The City of Sydney may also refer you to the NSW Ombudsman if you have questions about the PID Act and reporting generally.

5. How we will deal with voluntary PIDs

How the City of Sydney will acknowledge that we have received a report and keep the person who made it informed

When a Disclosure Officer in the City of Sydney receives a report which is a voluntary PID, or looks like it may be a voluntary PID, the person who made the report will receive the following information:

- You will receive an acknowledgment that the report has been received. This acknowledgement will:
 - state that the report will be assessed to identify whether it is a PID
 - state that the PID Act applies to how we deal with the report
 - provide clear information on how you can access this PID policy
 - provide you with details of a contact person and available supports.
- If the report is a voluntary PID, we will inform you as soon as possible how we intend to deal with the report. This may include:
 - that we are investigating the serious wrongdoing
 - that we will refer the report to a different agency (if appropriate) to deal with the voluntary PID. If we do this, we will provide you with details of this referral
 - If we decide to not investigate the report and to not refer it to another agency for it to be investigated, we will tell you the reasons for this decision. We will also notify the NSW Ombudsman of this decision.
- If we decide to investigate the serious wrongdoing, we will provide you with updates on the investigation at least every three months. During this time, if you would like more frequent updates, you should contact the contact person who was nominated when you made the report.
 - If we investigate the serious wrongdoing, we will provide you with the following information once the investigation is complete:
 - a description of the results of the investigation — that is, we will tell you whether we found that serious wrongdoing took place.
 - information about any corrective action as a result of the investigation/s — this means we will tell you what action we took in relation to the person who engaged in the serious wrongdoing or if the serious wrongdoing was by our agency, what we have put in place to address that serious wrongdoing.
 - Corrective action could include taking disciplinary action against someone or changing the practices, policies and procedures that we have in place which led to the serious wrongdoing.
- There may be some details about both the findings made as a result of the investigation and the corrective action taken that cannot be revealed to you. We will always balance the right of a person who makes a report to know the outcome of that report, with other legal obligations we have.
- If you have made an anonymous report, in many cases we may not be able to provide this information to you.

Report not a voluntary PID

Even if the report is not a voluntary PID, it will still need to be dealt with in a manner consistent with our applicable policies including the Code of Conduct, Procedures for the Administration of the Code of Conduct and/or Grievance and Conflict Resolution Policy or through an alternate process.

If the report is not a voluntary PID, we will let you know that the PID Act does not apply to the report and how we will deal with the concerns raised in the report.

If you are not happy with this assessment or otherwise disagree with it, you can raise it with the person who has communicated the outcome with you or the Disclosure Coordinator, request an internal review through the Disclosure Coordinator or request that the matter be conciliated. We can, but do not have to, request the NSW Ombudsman to conciliate the matter.

Cease dealing with report as voluntary PID

The City of Sydney may stop dealing with a voluntary PID because it is not actually a voluntary PID (meaning it does not have all the features of a PID). In this case, we will notify the maker of the report that we have ceased to deal with their matter as a voluntary PID and will provide reasons to the maker of a purported PID if we have ceased dealing with the report as a voluntary PID.

Where the report is a voluntary PID

If the report is a voluntary PID:

- In most cases we will conduct an investigation to make findings about whether the serious wrongdoing disclosed in the report occurred, who was involved, who was responsible, and whether the people involved, or the agency engaged, in serious wrongdoing. There may be circumstances where we believe an investigation is not warranted — for example, if the conduct has previously been investigated.
- There may also be circumstances where we decide that the report should be referred to another agency, such as an integrity agency. For example, reports concerning possible corrupt conduct may be required to be reported to the ICAC in accordance with section 11 of the Independent Commission Against Corruption Act 1988.
- Before referring a matter, we will discuss the referral with the other agency, and we will provide you with details of the referral and a contact person within the other agency.
- If we decide not to investigate a report and to not refer the matter to another agency, we must let you know the reasons for this and notify the NSW Ombudsman.

How the City of Sydney will protect the confidentiality of the maker of a voluntary PID

We understand that people who make voluntary PIDs may want their identity and the fact that they have made a report to be confidential.

Under the PID Act, information tending to identify a person as the maker of a voluntary PID (known as identifying information) is not to be disclosed by a public official or the City of Sydney.

There are certain circumstances under the PID Act that allow for the disclosure of identifying information. These include:

- where the person consents in writing to the disclosure

- where it is generally known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker
- when the public official or we reasonably consider it necessary to disclose the information to protect a person from detriment
- where it is necessary the information be disclosed to a person whose interests are affected by the disclosure
- where the information has previously been lawfully published
- when the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the individual disclosing the information
- when the information is disclosed for the purposes of proceedings before a court or tribunal
- when the disclosure of the information is necessary to deal with the disclosure effectively
- if it is otherwise in the public interest to disclose the identifying information.

We will not disclose identifying information unless it is necessary and authorised under the PID Act.

We will put in place steps to keep the identifying information of the maker and the fact that a report has been made confidential. It may not be possible for us to maintain complete confidentiality while we progress the investigation, but we will do all that we practically can to not unnecessarily disclose information from which the maker of the report can be identified.

We will do this by:

- limiting the number of people who are aware of the maker's identity or information that could identify them
- if we must disclose information that may identify the maker of the PID, we will still not disclose the actual identity of the maker of the PID, unless we have their consent to do so
- ensuring that any person who does know the identity of the maker of a PID is reminded that they have a legal obligation to keep their identity confidential
- ensuring that only authorised persons have access to emails, files or other documentation that contain information about the identity of the maker
- undertaking an assessment to determine if anyone is aware of the maker's identity and if those persons have a motive to cause detrimental action to be taken against the maker or impede the progress of the investigation
- providing information to the maker of the PID about the importance of maintaining confidentiality and advising them how best to protect their identity, for example, by telling them not to discuss their report with other staff.

If confidentiality cannot be maintained or is unlikely to be maintained, we will:

- advise the person whose identity may become known
- update the risk assessment and risk management plan
- implement strategies to minimise the risk of detrimental action
- provide additional supports to the person who has made the PID
- remind persons who become aware of the identifying information of the consequences for failing to maintain confidentiality and that engaging in detrimental action is a criminal offence and may also be a disciplinary matter.

How the City of Sydney will assess and minimise the risk of detrimental action

The City of Sydney will not tolerate any detrimental action being taken by any person against a person who has made a PID, investigators, witnesses or the person the report is about.

We will assess and take steps to mitigate detrimental action from being taken against the maker of a voluntary PID, the person whose conduct is the subject of a PID, investigators and witnesses.

We will take steps to assess and minimise the risk of detrimental action by:

- explaining that a risk assessment will be undertaken, and a risk management plan will be created (including reassessing the risk throughout the entirety of the matter)
- providing details of the person that will be responsible for undertaking a risk assessment
- explaining the approvals for risk assessment and the risk management plan, that is, position or role of the person who has final approval
- explaining how we will communicate with the maker to identify risks
- listing the protections that will be offered, that is, we will discuss protection options with the maker which may including remote working or approved leave for the duration of the investigation
- outlining what supports will be provided.

Detrimental action against a person is an act or omission that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person (whether express or implied). Detriment to a person includes:

- injury, damage or loss
- property damage
- reputational damage
- intimidation, bullying or harassment
- unfavourable treatment in relation to another person's career, profession, employment or trade
- discrimination, prejudice or adverse treatment
- disciplinary proceedings or disciplinary action, or
- any other type of disadvantage.

Detrimental action does not include:

- lawful action taken by a person or body to investigate serious wrongdoing or other misconduct
- the lawful reporting or publication of a finding of serious wrongdoing or other misconduct
- the lawful making of adverse comment, resulting from investigative action
- the prosecution of a person for a criminal offence
- reasonable management action taken by someone in relation to a person who made or may make a PID (for example, a reasonable appraisal of a PID maker's work performance).

It is a detrimental action offence to take detrimental action against another person if you suspect, believe or are aware, when taking detrimental action, that the other person or a third person:

- has made, or may have made, or may make a PID, or
- is, has been or may be investigating serious wrongdoing whether or not the investigation relates to a PID,

and the suspicion, belief or awareness is a contributing factor to the taking of the detrimental action.

How the City of Sydney will deal with allegations of a detrimental action offence

If we become aware of an allegation that a detrimental action offence has occurred or may occur, we will:

- take all steps possible to stop the action and protect the person(s)
- take appropriate disciplinary action against anyone that has taken detrimental action
- refer any evidence of a detrimental action offence to the Commissioner of Police and the ICAC
- notify the NSW Ombudsman about the allegation of a detrimental action offence being committed.

The Disclosure Coordinator is responsible for making referrals about alleged detrimental action offences and will provide updates to the person against whom the alleged detrimental action has been taken.

What the City of Sydney will do if an investigation finds that serious wrongdoing has occurred

If, after an investigation, it is found that serious wrongdoing or other misconduct has occurred, we will take the most appropriate action to address that wrongdoing or misconduct. This is also known as corrective action.

Corrective action can include:

- a formal apology
- improving internal policies to adequately prevent and respond to similar instances of wrongdoing
- providing additional education and training to staff where required
- taking disciplinary action against persons involved in the wrongdoing (such as termination of employment, counselling or warning)
- payment of compensation to people who have been affected by serious wrongdoing or other misconduct.

6. Review and dispute resolution

Internal review

People who make voluntary PIDs can seek internal review of the following decisions made by the City of Sydney:

- that the City of Sydney is not required to deal with the report as a voluntary PID
- to stop dealing with the report because the City of Sydney decided it was not a voluntary PID
- to not investigate the serious wrongdoing and not refer the report to another agency
- to cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.

The City of Sydney will ensure internal reviews are conducted in compliance with the PID Act.

If you would like to make an application for an internal review, you must apply in writing to the Disclosure Coordinator within 28 days of being informed of our decision. The application should state the reasons why you consider our decision should not have been made. You may also submit any other relevant material with your application.

Voluntary dispute resolution

If a dispute arises between the City of Sydney and a person who has made a report which is, or may be, a voluntary PID, we may request that the NSW Ombudsman conciliate the dispute. Conciliation is a voluntary process and will only be suitable for disputes where the City of Sydney and the maker of the report are willing to resolve the dispute.

7. Other agency obligations

Record-keeping requirements

The City of Sydney must keep full and accurate records with respect to all information received in connection with the PID Act. These records must be retained in our dedicated records management system TRIM with restricted access and security settings to prevent unauthorised access, destruction, alteration, deletion or loss. This ensures that the City of Sydney complies with its obligations under the State Records Act 1998 and our [Records Management Policy](#).

Reporting of voluntary PIDs and City of Sydney annual return to the Ombudsman

Each year we provide an annual return to the NSW Ombudsman which includes:

- information about voluntary PIDs received by the City of Sydney during each return period (yearly with the start date being 1 July)
- action taken by the City of Sydney to deal with voluntary PIDs during the return period
- how the City of Sydney promoted a culture in the workplace where PIDs are encouraged.

How the City of Sydney will ensure compliance with the PID Act and this policy

We have a number of mechanisms in place for monitoring the effectiveness of our PID policy and for ensuring compliance with the PID Act. Specific oversight responsibilities are outlined below. We will report on a regular basis to the Executive and our Audit Risk Compliance Committee (ARCC) in addition to our external reporting obligations.

Awareness and training

The City of Sydney will ensure that the CEO and all Disclosure Officers and Managers are given training in relation to their responsibilities under the PID Act and this policy in accordance with the requirements of the PID Act. We will also ensure refresher training takes place at intervals of no more than 3 years.

The City of Sydney will take regular steps to ensure all public officials are aware of this policy and how to make a PID.

8. Responsibilities

The Chief Executive Officer will:

- foster a workplace culture where reporting is encouraged
- receive disclosures from public officials
- ensure there is a system in place for assessing disclosures
- ensure that the City of Sydney has appropriate systems for:
 - overseeing internal compliance with the PID Act
 - supporting public officials who make voluntary PIDs, including by minimising the risk of detrimental action

- implementing corrective action if serious wrongdoing is found to have occurred
- complying with reporting obligations regarding allegations or findings of detrimental action
- complying with yearly reporting obligations to the NSW Ombudsman
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC) and any evidence of a reprisal offence under section 34 of the PID Act to the Commissioner of Police or the ICAC, as required.

The Lord Mayor

The Lord Mayor can receive reports from public officials about the CEO.

Where the Lord Mayor receives a report, the Lord Mayor will:

- assess to determine whether or not it should be treated as a PID and to decide how it will be dealt with
- deal with reports made under the City's Code of Conduct in accordance with the City of Sydney's adopted Code of Conduct Procedures
- refer reports to an investigating authority, where appropriate
- liaise with the Disclosure Coordinator to ensure there are strategies in place to support public officials who make a report, protect them from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC) and any evidence of a reprisal offence under section 34 of the PID Act to the Commissioner of Police or the ICAC, as required.

The Disclosure Coordinator will:

- receive reports from public officials
- 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 CEO)
- appoint an investigator for each report (Investigator)
- oversee any internal reviews in accordance with s60 of the PID Act
- ensure all public officials at the City of Sydney with roles outlined in this policy receive training on their responsibilities
- provide an annual return to the NSW Ombudsman in accordance with section 78 of the PID Act
- ensure the City of Sydney complies with this policy and the PID Act
- notify the NSW Ombudsman of any decision to not investigate or refer a report of serious wrongdoing or any decision to cease investigating the relevant serious wrongdoing without either completing the investigation or referring the disclosure, in accordance with section 55 of the PID Act
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC) and any evidence of a reprisal offence under section 34 of the PID Act to the Commissioner of Police or the ICAC, and notify the NSW Ombudsman, as required.

Disclosure Officers will:

- receive reports from public officials
- receive reports when they are passed on to them by Managers
- make arrangements to ensure makers of reports can meet privately and discreetly when requested, which may include away from the workplace

- discuss with the maker of the report any concerns they may have about reprisal or workplace conflict
- pass on reports they receive to the Disclosure Coordinator
- not discuss reports with any other staff
- ensure that any oral reports that have been received are recorded in writing
- implement local management strategies, in consultation with the Disclosure Coordinator or their delegate, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the Disclosure Coordinator or CEO immediately if they believe an Employee is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the CEO, notify the Lord Mayor
- have a comprehensive understanding of this policy and complete all ongoing training requirements
- action any recommendations arising from an investigation that are approved by the CEO and where they are responsible.

Managers will:

- receive reports from persons that report to them or that they supervise
- pass on reports they receive directly to the Disclosure Coordinator
- maintain the confidentiality of any reports and investigations of serious wrongdoing, and not discuss them with any other person other than those specifically managing or investigating the reports
- accompany, if requested, a person making a report while they make the report to a Disclosure Officer
- have a comprehensive understanding of this policy and complete all ongoing training requirements
- create a local work environment where Employees are comfortable and confident about reporting wrongdoing
- encourage Employees to report known or suspected wrongdoing within the organisation and support them when they do
- implement local management strategies, in consultation with the Disclosure Coordinator or their delegate, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the Disclosure Coordinator or CEO immediately if they believe an Employee is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the CEO, notify the Lord Mayor
- action any recommendations arising from an investigation that are approved by the CEO and where they are responsible.

Investigators will:

- deal with reports made under the City's Code of Conduct in accordance with the Procedures for the Administration of the Code of Conduct
- have a comprehensive understanding of this policy
- coordinate the City of Sydney's response to a report
- acknowledge reports and provide updates and feedback to public officials who made reports
- undertake risk assessments and take steps to mitigate the risk of detrimental action occurring against public officials who make reports
- assess whether it is possible and appropriate to keep the public official's identity confidential

- request specific consent from a public official to disclose their identity to any external agency prior to referring a report of actual or suspected corrupt conduct or any evidence of a reprisal offence 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
- provide or coordinate support to public officials involved in the reporting or investigation process, where required, including protecting the interests of any public official who is the subject of a report.

All Employees and Councillors will:

- report suspected serious wrongdoing or other misconduct
- use their best endeavours to assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of the City of Sydney
- maintain the confidentiality of any reports and investigations of serious wrongdoing, and not discuss them with any other person other than those specifically managing or investigating the reports
- treat any person dealing with or investigating reports of serious wrongdoing with respect.

They must not take detrimental action against any person who has made, may in the future make, or is suspected of having made, a PID.

Consultation

Governance consulted with the NSW Ombudsman and internally with Legal Services, People & Culture, Learning & Development, Creative City, Social City in developing this policy.

References

Laws and Standards
<ul style="list-style-type: none"> • Independent Commission Against Corruption Act 1988 (NSW)
<ul style="list-style-type: none"> • Local Government Act 1993 (NSW)
<ul style="list-style-type: none"> • Ombudsman Act 1974
<ul style="list-style-type: none"> • Public Interest Disclosures Act 2022 (NSW)
<ul style="list-style-type: none"> • Public Interest Disclosures Regulation 2022
<ul style="list-style-type: none"> • NSW Ombudsman Guidelines: <ul style="list-style-type: none"> - <u>Core concepts in the PID Act</u> - <u>Dealing with voluntary PIDs</u> - <u>Deeming that a disclosure is a voluntary PID</u> - <u>Protections under the PID Act</u> - <u>What is a public interest disclosure</u> - <u>What is serious wrongdoing</u>
Policies and Procedures
<ul style="list-style-type: none"> • Code of Conduct
<ul style="list-style-type: none"> • Complaint Management Policy

Policies and Procedures
• Conflict of Interest Policy
• Equal Employment Opportunity and Anti-Discrimination Policy
• Employee Assistance Program Policy
• Fraud and Corruption Control Plan
• Grievance and Conflict Resolution Policy
• Harassment and Bullying Policy
• Privacy Management Plan
• Procedures for the Administration of the Code of Conduct
• Records Management Policy
• <u>Reporting serious wrongdoing at the City of Sydney – Your protections and our responsibilities</u>
• Work Health and Safety Policy

Review period

This policy will be reviewed every 4 years or earlier if required, if changes are made to the PID Act and/or the NSW Ombudsman’s model PID policy.

Approval Status

Council approved this policy on [] 2025.

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	23 October 2023	New policy referencing PID Act 2022 and NSW Ombudsman’s model policy. Replaced Internal Reporting Policy (PID Act 1994).	2023/613518
Reviewed	[] 2025	Updated with additional guidance on City values, NSW Ombudsman whistleblower support team, confidentiality provisions and updated position titles.	
Commence Review Date			
Approval Due Date			

Ownership and approval

Responsibility	Role
Author	Coordinator Governance
Owner	Manager Risk & Governance
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Annexure A - City of Sydney Disclosure Officers

Town Hall House	Contact details
Chief Executive Officer Monica Barone	mbarone@cityofsydney.nsw.gov.au 02 9265 9118
Lord Mayor (for reports about the CEO) Clover Moore	cmoore@cityofsydney.nsw.gov.au 02 9265 9229
Disclosure Coordinator Executive Director Legal & Governance Kirsten Morrin	kmorrin@cityofsydney.nsw.gov.au 02 9265 9361
Manager Risk & Governance Nellette Kettle	nkettle@cityofsydney.nsw.gov.au 02 9265 9084
Chief Operating Officer Kim Woodbury	kwoodbury@cityofsydney.nsw.gov.au 02 9246 7370
Executive Director City Life Emma Rigney	erigney@cityofsydney.nsw.gov.au 02 9246 7320
Executive Director City Planning Development & Transport Graham Jahn	gjahn@cityofsydney.nsw.gov.au 02 9265 9945
Executive Director City Services Veronica Lee	vlee@cityofsydney.nsw.gov.au 02 9265 9092
Executive Director Finance and Procurement Jean-Michel Carriere	jcarriere@cityofsydney.nsw.gov.au 02 9265 9103
Executive Director People, Performance & Technology Paulette Sutherland	psutherland@cityofsydney.nsw.gov.au 02 9265 9838
Executive Director Strategic Development & Engagement Kate Deacon	kdeacon@cityofsydney.nsw.gov.au 02 9246 7252
Chief People & Culture Chris Youness	cyouness@cityofsydney.nsw.gov.au 0458 124 849

Community and Recreation Centres	
Leisure Contracts Relationship & Performance Manager, City Greening & Leisure	Andrew (Boy) Charlton Pool
	Cook & Phillip Park Pool
	Gunyama Park Aquatic and Recreation Centre
	Ian Thorpe Aquatic Centre
	Prince Alfred Park Pool
	Victoria Park Pool
Area Manager Integrated Community Centres, Social City	Cliff Noble Community Centre
	Juanita Nielsen Centre
	King George V Recreation Centre
	Maybanke Community Centre
	Pyrmont Community Centre
	Redfern Community Centre
Reginald Murphy Community Centre	

Community and Recreation Centres	
	Ron Williams Community Centre
	St Helens Community Centre
	Ultimo Community Centre
Centre Manager – Perry Park Recreation Centre	Perry Park Recreation Centre
Manager Programs and Learning, Creative City	Pine Street Creative Arts Centre

Depots	
Manager, City Cleansing & Resource Recovery Manager Parking Fleet & Depot Services	Alexandra Canal Depot 67A Bourke Road
City Cleansing and Resource Recovery Manager	Bay Street Depot, Ultimo
	Bourke Street Depot, Woolloomooloo

Education and Care Services	
Early Childhood Manager	Broughton St Kindergarten, Glebe
	Eveleigh Early Learning and Preschool
	Hilda Booler Kindergarten, Glebe
	Redfern Occasional Child Care
Middle Childhood Manager	KGV Outside School Hours Care, KGV Recreation Centre
	Pymont Outside School Hours Care, Pymont Community Centre
	Redfern Outside School Hours Care, Redfern Community Centre
	Surry Hills Outside School Hours Care, Girls and Boys Brigade Building
	Ultimo Outside School Hours Care, Ultimo Community Centre
	Woolloomooloo Outside School Hours Care, Juanita Nielsen Community Centre

Libraries/Mixed Use Venues	
Manager Libraries & Learning Library Services Manager Service Manager	Customs House
Manager Libraries & Learning Library Services Manager	Darling Square (Exchange) Library
	Glebe Library
	Ultimo Library
Manager Libraries & Learning Library Services Manager	Kings Cross Neighbourhood Library
	Newtown Library & Community Hall

Libraries/Mixed Use Venues	
Manager Libraries & Learning Library Services Manager	Green Square Library & Plaza
	Surry Hills Library
	Waterloo Library
Manager Libraries & Learning Library Services Manager	Neighbourhood Service Centres, Glebe, Kings Cross & Green Square

307 Pitt Street	
Manager City Rangers	City Rangers

Note: Please go to [CityNet](#) for a current list of City of Sydney Disclosure Officers including names and contact details.

Annexure B - List of integrity agencies

Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pm Monday to Friday Writing: Level 24, 580 George Street, Sydney NSW 2000 Email: info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	Telephone: 02 9275 7100 Writing: GPO Box 12, Sydney NSW 2001 Email: governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	Telephone: 02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday Writing: GPO Box 500, Sydney NSW 2001 or faxing 02 9264 5364 Email: icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	Telephone: 02 9228 3023 Writing: PO Box 5341, Sydney NSW 2001 Email: oiicac_executive@oiicac.nsw.gov.au
Office of the Local Government	Local government pecuniary interest contraventions	Email: olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au
The Information Commissioner	Government information contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au

Attachment B

**Current Public Interest Disclosure Policy
with tracked changes**

Public Interest Disclosure Policy



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Purpose

All agencies in NSW are required to have a Public Interest Disclosure (PID) Policy under section 42 of the Public Interest Disclosures Act 2022 (PID Act).

The City of Sydney occupies a position of trust in the community, caring about our community and acting with integrity in the best interests of our city and our colleagues. The City of Sydney encourages all our Employees to have a values driven mindset which means following our City of Sydney values, role modelling behaviour consistent with our Code of Conduct and values and speaking up if they become aware of wrongdoing.

At the City of Sydney we take reports of serious wrongdoing seriously. We are committed to building a 'speak up' culture where all public officials are encouraged to report any conduct that they reasonably believe involves wrongdoing. The integrity of our organisation relies upon our Workers Employees speaking up when they become aware of wrongdoing.

This policy sets out:

- how the City of Sydney will support and protect you if you come forward with a report of serious wrongdoing
- how we will deal with the report and our other responsibilities under the PID Act
- who to contact if you want to make a report
- how to make a report
- the protections which are available to you under the PID Act.

This policy also documents our commitment to building a speak up culture. Part of that speak up culture is having in place a framework that facilitates public interest reporting of wrongdoing by:

- protecting those who speak up from detrimental action
- taking appropriate action to investigate reports.

We deal with these reports in accordance with the PID Act.

This policy should be read in conjunction with our Code of Conduct and our Complaint Management Policy. Workplace disputes, harassment or bullying complaints, or health and safety concerns are covered by:

- Equal Employment Opportunity and Anti-Discrimination Policy
- Grievance and Conflict Resolution Policy
- Harassment and Bullying Policy
- Work Health and Safety Policy.

This policy is available on our website as well as on CityNet. A copy of the policy is provided to all Workers Employees at the City of Sydney on their commencement. A hard copy of the policy can also be requested from the Manager Risk & Governance.

Who does this policy apply to?

This policy applies to, and for the benefit of, all public officials in NSW.

In particular, at the City of Sydney, this policy applies to:

- Councillors, Council committee members and members of wholly advisory committees
- City of Sydney ~~Employees~~ ~~Workers including all City of Sydney employees including permanent (whether full-time or part time), temporary and casual employees and apprentices, together with agency contractors (labour hire), work experience students and volunteers~~
- any person providing services or exercising functions on behalf of the City of Sydney, including contractors and subcontractors
- any employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of the City of Sydney or exercises City of Sydney functions, and are involved in providing those services or exercising those functions.

It is noted that consultants, such as a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management, are not considered public officials under the PID Act.

The Chief Executive Officer, the ~~Executive~~ Director Legal & Governance and other nominated Disclosure Officers and Managers within the City of Sydney have specific responsibilities under the PID Act. This policy also provides information on how people in these roles will fulfil their responsibilities. Other public officials who work in and for the public sector, but do not work for the City of Sydney may use this policy if they want information on who they can report wrongdoing to within the City of Sydney.

Who does this policy not apply to?

This policy does not apply to:

- people who have received services from the City of Sydney and want to make a complaint about those services
- people, such as contractors, who provide services to the City of Sydney (for example, employees of a company that sold computer software to the City of Sydney)
- consultants.

This means that if you are not a public official, this policy does not apply to your complaint (there are some circumstances where a complaint can be deemed to be a voluntary PID, see [section 1](#) of this policy for more information).

However, you can still make a complaint to the City of Sydney. Our [website](#) provides detailed guidance on how to make a complaint or provide feedback and includes links to an online form and our [Complaint Management Policy](#).

What is contained in this policy?

This policy will provide you with information on the following:

- ways you can make a voluntary PID to the City of Sydney under the PID Act
- the nominated Disclosure Officers at the City of Sydney
- the roles and responsibilities of people who hold particular roles under the PID Act and who are Employees of the City of Sydney
- what information you will receive once you have made a voluntary PID

- protections available to people who make a report of serious wrongdoing under the PID Act and what we will do to protect you
- the City of Sydney’s procedures for dealing with disclosures
- the City of Sydney’s procedures for managing the risk of detrimental action and reporting detrimental action
- the City of Sydney’s record-keeping and reporting requirements
- how the City of Sydney will ensure it complies with the PID Act and this policy.

If you require further information about this policy, how public interest disclosures will be handled and the PID Act you can:

- confidentially contact a nominated Disclosure Officer within the City of Sydney
- contact the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au, or
- access the NSW Ombudsman’s PID guidelines which are available on its [website](#).

If you require legal advice with respect to the PID Act or your obligations under the PID Act, you may need to seek independent legal advice.

Definitions

Term	Meaning
Disclosure Coordinator	<u>Executive</u> Director Legal & Governance
Disclosure Officer	A person responsible for receiving voluntary PIDs on behalf of the City of Sydney including: <ul style="list-style-type: none"> • the Chief Executive Officer • the Lord Mayor (for PIDs about the conduct of the Chief Executive Officer) • the Disclosure Coordinator • all divisional <u>Executive</u> Directors (including the Chief Financial Officer and the Chief Operating Officer), Manager Risk & Governance and Chief People & Culture • for each worksite that is permanently maintained and at which more than one person is employed, the most senior ongoing Employee who ordinarily works at the site.
Employees	<u>For the purposes of this policy, all</u> City employees including permanent (whether full-time or part-time), temporary <u>and</u> ; casual employees, <u>together with agency contractors (labour hire), work experience students, and apprentices and volunteers.</u>
Manager	A manager of a public official and, in particular, for the City of Sydney: <ul style="list-style-type: none"> • an Employee to whom the public official reports directly or indirectly, or

Term	Meaning
	<ul style="list-style-type: none"> • an Employee who directly or indirectly supervises the public official in the exercise of the public official’s functions.
Public official	<p>A public official means one or more of the following:</p> <ul style="list-style-type: none"> • a person employed in or by an agency (including a Council) or otherwise in the service of an agency • a person having public official functions or acting in a public official capacity whose conduct or activities an integrity agency is authorised by another Act or law to investigate • an individual in the service of the Crown • a statutory officer • a person providing services or exercising functions on behalf of an agency, including a contractor, subcontractor or volunteer • an employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of an agency or exercises functions of an agency, and are involved in providing those services or exercising those functions • a judicial officer • a Member of Parliament (MP), including a Minister • a person employed under the Members of Parliament Staff Act 2013.
Workers	All Employees, agency contractors (labour hire), work experience students and volunteers.

1. How to make a report of serious wrongdoing

Reports, complaints and grievances

When a public official reports suspected or possible wrongdoing in the public sector, their report will be a PID if it has certain features which are set out in the PID Act.

Some internal complaints or internal grievances may also be PIDs, as long as they have the features of a PID. If an internal complaint or grievance is a report of serious wrongdoing, we will consider whether it is a PID. If it is a PID, we will deal with it as set out in this policy.

The internal reporting system established under this policy is not intended to be used for employee grievances, which should be raised through our [Grievance and Conflict Resolution Policy](#). If an ~~Employee-Worker~~ makes a report under this policy which is substantially a grievance, the matter will be referred to People & Culture to be dealt with in accordance with our Grievance and Conflict Resolution Policy.

It is important that we quickly recognise that we have received a PID. This is because once a PID is received, the person who has made the report is entitled to certain protections and we have certain decisions that we have to make on how we will deal with the PID and how we will protect and support the person who has made the report.

When will a report be a PID?

There are three types of PIDs in the PID Act. These are:

1. Voluntary PID: This is a PID where a report has been made by the public official because they decided, of their own accord, to come forward and disclose what they know.
2. Mandatory PID: This is a PID where the public official has made a report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
3. Witness PID: This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

This policy mostly relates to making a voluntary PID and how we will deal with voluntary PIDs. People who make a mandatory PID or a witness PID are still entitled to protection. More information about protections is available in [section 2](#) of this policy.

You can find more information about mandatory and witness PIDs in the Ombudsman's guidelines [Dealing with mandatory PIDs](#) and [Dealing with witness PIDs](#).

Voluntary PIDs are the kind of PIDs most people have in mind when they think about public interest reporting and 'whistleblowing'. They involve a public official making a report because they have information that they believe shows (or tends to show) serious wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.

A report is a voluntary PID if it has the following five features, which are set out in sections 24 to 27 of the PID Act:

1. the report is made by a public official
2. it is made to a person who can receive voluntary PIDs
3. the public official honestly and reasonably believes that the information they are providing shows (or tends to show) serious wrongdoing
4. the report was made orally or in writing
5. the report is voluntary (meaning it is not a mandatory or witness PID).

If the report has all five features, it is a voluntary PID.

You will not be expected to prove that what you reported actually happened or is serious wrongdoing. You *do* have to honestly believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

Even though you do not have to prove the serious wrongdoing happened or provide evidence, a mere allegation with no supporting information is unlikely to meet this test.

If we make an error and do not identify that you have made a voluntary PID, you will still be entitled to the protections under the PID Act.

If you make a report and believe we have made an error by not identifying that you have made a voluntary PID, you should raise this with the Disclosure Coordinator or your contact officer for the report. If you are still not satisfied with this outcome, you can seek an internal review through the Disclosure Coordinator or we may seek to conciliate the matter. You may also contact the NSW Ombudsman. Further information on rights to internal review and conciliation is found in [section 7](#) of this policy.

Who can make a voluntary PID?

Any public official can make a voluntary PID — see ‘Who this policy applies to’.

You are a public official at the City of Sydney for the purposes of this policy if:

- you are a Councillor, Council committee member or member of a wholly advisory committee
- you are a City of Sydney ~~Worker~~Employee
- you are a contractor, subcontractor or volunteer who provides services, or exercises functions, on behalf of the City of Sydney, or
- you work for an entity (such as a non-government organisation) who is contracted by the City of Sydney to provide services or exercise functions on behalf of the City of Sydney - if you are involved in undertaking that contracted work.

A public official can make a PID about serious wrongdoing relating to any agency, not just the agency they are working for. This means that we may receive PIDs from public officials outside the City of Sydney. It also means that you can make a PID to any agency, including an integrity agency like the Independent Commission Against Corruption (ICAC) and the NSW Ombudsman. [Annexure B](#) of this policy has a list of integrity agencies.

What is serious wrongdoing?

Reports must be of one or more of the following categories of serious wrongdoing to be a voluntary PID (in addition to having the other features set out above). Serious wrongdoing is defined in the PID Act as:

- corrupt conduct — such as a public official accepting a bribe
- serious maladministration (that is, conduct that is unlawful, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives) — such as an agency systemically failing to comply with proper recruitment processes when hiring staff
- a government information contravention — such as destroying, concealing or altering records to prevent them from being released under a Government Information Public Access application
- a local government pecuniary interest contravention — such as a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a privacy contravention — such as unlawfully accessing a person’s personal information on an agency’s database
- a serious and substantial waste of public money — such as an agency not following a competitive tendering process when contracting with suppliers to undertake government work.

When you make your report, you do not need to state to us what category of serious wrongdoing you are reporting or that you are reporting serious wrongdoing.

Who can I make a voluntary PID to?

For a report to be a voluntary PID, it must be made to certain public officials.

Making a report to a public official who works for the City of Sydney.

You can make a report inside the City of Sydney to:

- the Chief Executive Officer
- the Disclosure Coordinator
- a Disclosure Officer - a list of the City of Sydney's Disclosure Officers can be found at Annexure A of this policy
- your Manager — this is the person who directly, or indirectly, supervises you. It can also be the person who you directly, or indirectly, report to. You may have more than one Manager. Your Manager will make sure that the report is communicated to the Disclosure Coordinator on your behalf or may accompany you while you make the report to a Disclosure Officer or the Disclosure Coordinator.

Do not discuss your report with any of your colleagues. This will impact on our ability to maintain confidentiality; protect you from any reprisal action and the integrity of any investigation into the matter. Report directly to one of the public officials listed above. Before or after you speak up, you can also discuss your concerns with the NSW Ombudsman's Whistleblower Support Team. More guidance on this additional support pathway is detailed below.

Making a report to a recipient outside of the City of Sydney

You can also make your report to a public official in another agency (meaning an agency you do not work for) or an integrity agency. These include:

- the head of another agency — this means the head of any public service agency
- an integrity agency — a list of integrity agencies is located at Annexure B of this policy
- a disclosure officer for another agency — ways to contact disclosure officers for other agencies is located in an agency's PID policy which can be found on their public website
- a Minister or a member of a Minister's staff but the report must be made in writing.

If you choose to make a disclosure outside of the City of Sydney, it is possible that your disclosure will be referred back to us so that appropriate action can be taken.

Making a report to a Member of Parliament or journalist

Disclosures to MPs or journalists are different to other reports. You can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:

- you must have first made substantially the same disclosure (described here as a 'previous disclosure') to someone who can receive disclosures
- the previous disclosure must be substantially true
- you did not make the previous disclosure anonymously
- you did not give a written waiver of your right to receive information relating to your previous disclosure
- you did not receive the following from the City of Sydney:
 - notification that the City of Sydney will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency, or
 - the following information at the end of the investigation period:
 - notice of the City of Sydney's decision to investigate the serious wrongdoing
 - a description of the results of an investigation into the serious wrongdoing
 - details of proposed or recommended corrective action as a result of the previous disclosure or investigation.

Investigation period means:

- after six months from the previous disclosure being made, or
- after 12 months if you applied for an internal review of the agency's decision within six months of making the disclosure.

If all the above requirements are met, your disclosure to an MP or journalist may be a voluntary PID.

What form should a voluntary PID take?

You can make a voluntary PID:

- in writing — this could be an email or letter to a person who can receive voluntary PIDs.
- orally — have a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone or virtually.
- anonymously — write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. It may be difficult, however, for us to investigate the matter(s) you have disclosed if we cannot contact you for further information.

You can also make a voluntary PID by using the [online form](#) on our website.

What should I include in my report?

You should provide as much information as possible so we can deal with the report effectively.

The type of information you should include is:

- date, time and location of key events
- names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
- your relationship with the person(s) involved, such as whether you work closely with them
- your explanation of the matter you are reporting
- how you became aware of the matter you are reporting
- possible witnesses
- other information you have that supports your report.

What if I am not sure if my report is a PID?

You should report all wrongdoing you become aware of regardless of whether you think it is serious wrongdoing. It is important for us to understand what is or may be occurring.

We are then responsible for making sure your report is handled appropriately under the PID Act, or if it is not a PID, in line with our other policies and procedures. Even if your report is not a PID, it may fall within another one of our policies for dealing with reports, allegations or complaints.

NSW Ombudsman support for whistleblowers

Before or after you speak up, you can also access support from the NSW Ombudsman's Whistleblower Support Team which:

- offers confidential support
- can provide general information about making a PID and help you explore your options at each stage

- operates independently from the NSW Ombudsman's other functions of handling complaints and receiving PIDs and advising agencies about how to handle PIDs.

You can remain anonymous if you contact this team and any identifying information you choose to give will not be shared outside their team. You can discuss your concerns about wrongdoing with them, without unintentionally making a PID.

The Whistleblower Support Team can be contacted by email at whistleblowersupport@ombo.nsw.gov.au or by phone on 1800 716 766.

Deeming that a report is a voluntary PID

The Disclosure Coordinator can, in certain circumstances, determine that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. This is known as the 'deeming power'.

By deeming that a report is a voluntary PID, it ensures that reporters are provided with protections under the PID Act.

If you make a report that has not met all the requirements of a voluntary PID, you can refer your matter to the Disclosure Coordinator to request that they consider deeming your report to be a voluntary PID.

A decision to deem a report to be a voluntary PID is at the discretion of the Disclosure Coordinator. For more information about the deeming power, see the Ombudsman's guideline 'Deeming that a disclosure is a voluntary PID'.

Who can I talk to if I have questions or concerns?

You can contact the Disclosure Coordinator who can provide further information so that your concerns can be addressed. Your inquiries will be treated as confidential.

2. Protections

How is the maker of a voluntary PID protected?

When you make a voluntary PID you receive special protections under the PID Act.

We are committed to taking all reasonable steps to protect you from detriment as a result of having made a PID. We are also committed to maintaining your confidentiality as much as possible while the PID is being dealt with.

We will not tolerate any type of detrimental action being taken against you because you have made a report, might make a report or are believed to have made a report.

The maker of a voluntary PID is protected in the following ways:

Protection from detrimental action

A person cannot take detrimental action against another person because they have made a voluntary PID or are considering making a PID. Detrimental action includes bullying, harassment, intimidation or dismissal.

Once we become aware that a voluntary PID by a person employed or otherwise associated with the City of Sydney that concerns serious wrongdoing relating to the City of Sydney has been made, we will undertake a risk assessment and take steps to mitigate the risk of detrimental action occurring against the person who made the voluntary PID.

It is a criminal offence for someone to take detrimental action against a person because they have made or may make a voluntary PID. It is punishable by a maximum penalty of 200 penalty units or imprisonment for five years or both.

A person may seek compensation where unlawful detrimental action has been taken against them.

A person can apply for a court order (injunction) where detrimental action is threatened or has occurred (for example, an order to prevent dismissal or to require reinstatement).

Note that a person who makes a PID can still be subject to reasonable management action (such as ordinary performance reviews and performance management). Provided such action is not taken because of the PID, it is not detrimental action under the PID Act.

Immunity from civil and criminal liability

Some public officials are often subject to a duty of confidentiality that prevents them disclosing certain information that they obtain or become aware of at work. Sometimes, in order to make a PID, public officials will need to breach or disregard such confidentiality duties. If that happens, a public official cannot be disciplined, sued or criminally charged for breaching confidentiality.

Confidentiality

Public officials and agencies must not disclose information tending to identify a person as the maker of a voluntary PID unless doing so is permitted by the PID Act.

Protection from liability for own past conduct

The Attorney General can give the maker an undertaking that a disclosure of their own past conduct will not be used against them if a person discloses their own wrongdoing or misconduct while making a report. This undertaking can only be given on application by an integrity agency to the Attorney General.

Protections for people who make mandatory and witness PIDs

Apart from PIDs that are made voluntarily by public officials, there are other types of reports that are recognised as PIDs under the PID Act:

- A mandatory PID: This is a PID where the public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
- A witness PID: This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

Protections for makers of mandatory and witness PIDs are detailed in the table below.

Protection	Mandatory PID	Witness PID
Detrimental action - It is an offence to take detrimental action against a person based on the suspicion, belief or awareness that a person has made, may have made or may make a PID.	✓	✓
Right to compensation - A person can initiate proceedings and seek compensation for injury, damage or loss suffered as a result of detrimental action being taken against them.	✓	✓
Ability to seek injunction - An injunction can be sought to prevent the commission or possible commission of a detrimental action offence against a person. For example, an order to prevent dismissal or to require reinstatement.	✓	✓
Immunity from civil and criminal liability - A person will not incur civil or criminal liability if the person breaches a duty of confidentiality while making a disclosure. This means that legal action cannot be taken against a person for: <ul style="list-style-type: none"> • breaching a duty of secrecy or confidentiality, or • breaching another restriction on disclosure. 	✓	✓

3. Reporting detrimental action

If you experience adverse treatment or detrimental action, such as bullying or harassment, you should report this immediately. You can report any experience of adverse treatment or detrimental action directly to us by contacting any of the Disclosure Officers listed in [Annexure A](#) of this policy, or to an integrity agency. A list of integrity agencies is located at [Annexure B](#) of this policy.

4. General support

If you make a PID report, the City of Sydney's responsible officers will allocate to you a key contact person who will also take steps to protect your interests, for example, if you are at risk of detrimental action. We will also link you to wellbeing support through our Employee Assistance Program (EAP) under our [Employee Assistance Program Policy](#). Our EAP offers independent, confidential, short-term counselling and coaching support. This is available for all [Eemployees](#) for personal and work-related issues and is available 24 hours a day, 7 days a week. More information on this program can be found on [CityNet](#).

Access to support may also be available for other [Eemployees](#) involved in the internal reporting process where appropriate. Makers of PIDs and other [Eemployees](#) involved in the process can discuss their support options with the Disclosure Coordinator or the contact person for their matter.

The City of Sydney may also refer you to the NSW Ombudsman if you have questions about the PID Act and reporting generally.

5. How we will deal with voluntary PIDs

How the City of Sydney will acknowledge that we have received a report and keep the person who made it informed

When a Disclosure Officer in the City of Sydney receives a report which is a voluntary PID, or looks like it may be a voluntary PID, the person who made the report will receive the following information:

- You will receive an acknowledgment that the report has been received. This acknowledgement will:
 - state that the report will be assessed to identify whether it is a PID
 - state that the PID Act applies to how we deal with the report
 - provide clear information on how you can access this PID policy
 - provide you with details of a contact person and available supports.

- If the report is a voluntary PID, we will inform you as soon as possible how we intend to deal with the report. This may include:
 - that we are investigating the serious wrongdoing
 - that we will refer the report to a different agency (if appropriate) to deal with the voluntary PID. If we do this, we will provide you with details of this referral
 - If we decide to not investigate the report and to not refer it to another agency for it to be investigated, we will tell you the reasons for this decision. We will also notify the NSW Ombudsman of this decision.

- If we decide to investigate the serious wrongdoing, we will provide you with updates on the investigation at least every three months. During this time, if you would like more frequent updates, you should contact the contact person who was nominated when you made the report.
 - If we investigate the serious wrongdoing, we will provide you with the following information once the investigation is complete:
 - a description of the results of the investigation — that is, we will tell you whether we found that serious wrongdoing took place.
 - information about any corrective action as a result of the investigation/s — this means we will tell you what action we took in relation to the person who engaged in the serious wrongdoing or if the serious wrongdoing was by our agency, what we have put in place to address that serious wrongdoing.
 - Corrective action could include taking disciplinary action against someone or changing the practices, policies and procedures that we have in place which led to the serious wrongdoing.
- There may be some details about both the findings made as a result of the investigation and the corrective action taken that cannot be revealed to you. We will always balance the right of a person who makes a report to know the outcome of that report, with other legal obligations we have.
- If you have made an anonymous report, in many cases we may not be able to provide this information to you.

Report not a voluntary PID

Even if the report is not a voluntary PID, it will still need to be dealt with in a manner consistent with our applicable policies including the Code of Conduct, Procedures for the Administration of the Code of Conduct and/or Grievance and Conflict Resolution Policy or through an alternate process.

If the report is not a voluntary PID, we will let you know that the PID Act does not apply to the report and how we will deal with the concerns raised in the report.

If you are not happy with this assessment or otherwise disagree with it, you can raise it with the person who has communicated the outcome with you or the Disclosure Coordinator, request an internal review through the Disclosure Coordinator or request that the matter be conciliated. We can, but do not have to, request the NSW Ombudsman to conciliate the matter.

Cease dealing with report as voluntary PID

The City of Sydney may stop dealing with a voluntary PID because it is not actually a voluntary PID (meaning it does not have all the features of a PID). In this case, we will notify the maker of the report that we have ceased to deal with their matter as a voluntary PID and will provide reasons to the maker of a purported PID if we have ceased dealing with the report as a voluntary PID.

Where the report is a voluntary PID

If the report is a voluntary PID:

- In most cases we will conduct an investigation to make findings about whether the serious wrongdoing disclosed in the report occurred, who was involved, who was responsible, and whether the people involved, or the agency engaged, in serious wrongdoing. There may be

circumstances where we believe an investigation is not warranted — for example, if the conduct has previously been investigated.

- There may also be circumstances where we decide that the report should be referred to another agency, such as an integrity agency. For example, reports concerning possible corrupt conduct may be required to be reported to the ICAC in accordance with section 11 of the Independent Commission Against Corruption Act 1988.
- Before referring a matter, we will discuss the referral with the other agency, and we will provide you with details of the referral and a contact person within the other agency.
- If we decide not to investigate a report and to not refer the matter to another agency, we must let you know the reasons for this and notify the NSW Ombudsman.

How the City of Sydney will protect the confidentiality of the maker of a voluntary PID

We understand that people who make voluntary PIDs may want their identity and the fact that they have made a report to be confidential.

Under the PID Act, information tending to identify a person as the maker of a voluntary PID (known as identifying information) is not to be disclosed by a public official or the City of Sydney.

There are certain circumstances under the PID Act that allow for the disclosure of identifying information. These include:

- where the person consents in writing to the disclosure
- where it is generally known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker
- when the public official or we reasonably consider it necessary to disclose the information to protect a person from detriment
- where it is necessary the information be disclosed to a person whose interests are affected by the disclosure
- where the information has previously been lawfully published
- when the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the individual disclosing the information
- when the information is disclosed for the purposes of proceedings before a court or tribunal
- when the disclosure of the information is necessary to deal with the disclosure effectively
- if it is otherwise in the public interest to disclose the identifying information.

We will not disclose identifying information unless it is necessary and authorised under the PID Act.

We will put in place steps to keep the identifying information of the maker and the fact that a report has been made confidential. It may not be possible for us to maintain complete confidentiality while we progress the investigation, but we will do all that we practically can to not unnecessarily disclose information from which the maker of the report can be identified.

We will do this by:

- limiting the number of people who are aware of the maker's identity or information that could identify them
- if we must disclose information that may identify the maker of the PID, we will still not disclose the actual identity of the maker of the PID, unless we have their consent to do so
- ensuring that any person who does know the identity of the maker of a PID is reminded that they have a legal obligation to keep their identity confidential
- ensuring that only authorised persons have access to emails, files or other documentation that contain information about the identity of the maker
- undertaking an assessment to determine if anyone is aware of the maker's identity and if those persons have a motive to cause detrimental action to be taken against the maker or impede the progress of the investigation
- providing information to the maker of the PID about the importance of maintaining confidentiality and advising them how best to protect their identity, for example, by telling them not to discuss their report with other staff.

If confidentiality cannot be maintained or is unlikely to be maintained, we will:

- advise the person whose identity may become known
- update the risk assessment and risk management plan
- implement strategies to minimise the risk of detrimental action
- provide additional supports to the person who has made the PID
- remind persons who become aware of the identifying information of the consequences for failing to maintain confidentiality and that engaging in detrimental action is a criminal offence and may also be a disciplinary matter.

How the City of Sydney will assess and minimise the risk of detrimental action

The City of Sydney will not tolerate any detrimental action being taken by any person against a person who has made a PID, investigators, witnesses or the person the report is about.

We will assess and take steps to mitigate detrimental action from being taken against the maker of a voluntary PID, the person whose conduct is the subject of a PID, investigators and witnesses.

We will take steps to assess and minimise the risk of detrimental action by:

- explaining that a risk assessment will be undertaken, and a risk management plan will be created (including reassessing the risk throughout the entirety of the matter)
- providing details of the person that will be responsible for undertaking a risk assessment
- explaining the approvals for risk assessment and the risk management plan, that is, position or role of the person who has final approval
- explaining how we will communicate with the maker to identify risks
- listing the protections that will be offered, that is, we will discuss protection options with the maker which may including remote working or approved leave for the duration of the investigation
- outlining what supports will be provided.

Detrimental action against a person is an act or omission that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person (whether express or implied). Detriment to a person includes:

- injury, damage or loss
- property damage
- reputational damage
- intimidation, bullying or harassment
- unfavourable treatment in relation to another person's career, profession, employment or trade
- discrimination, prejudice or adverse treatment
- disciplinary proceedings or disciplinary action, or
- any other type of disadvantage.

Detrimental action does not include:

- lawful action taken by a person or body to investigate serious wrongdoing or other misconduct
- the lawful reporting or publication of a finding of serious wrongdoing or other misconduct
- the lawful making of adverse comment, resulting from investigative action
- the prosecution of a person for a criminal offence
- reasonable management action taken by someone in relation to a person who made or may make a PID (for example, a reasonable appraisal of a PID maker's work performance).

It is a detrimental action offence to take detrimental action against another person if you suspect, believe or are aware, when taking detrimental action, that the other person or a third person:

- has made, or may have made, or may make a PID, or
- is, has been or may be investigating serious wrongdoing whether or not the investigation relates to a PID,

and the suspicion, belief or awareness is a contributing factor to the taking of the detrimental action.

How the City of Sydney will deal with allegations of a detrimental action offence

If we become aware of an allegation that a detrimental action offence has occurred or may occur, we will:

- take all steps possible to stop the action and protect the person(s)
- take appropriate disciplinary action against anyone that has taken detrimental action
- refer any evidence of a detrimental action offence to the Commissioner of Police and the ICAC
- notify the NSW Ombudsman about the allegation of a detrimental action offence being committed.

The Disclosure Coordinator is responsible for making referrals about alleged detrimental action offences and will provide updates to the person against whom the alleged detrimental action has been taken.

What the City of Sydney will do if an investigation finds that serious wrongdoing has occurred

If, after an investigation, it is found that serious wrongdoing or other misconduct has occurred, we will take the most appropriate action to address that wrongdoing or misconduct. This is also known as corrective action.

Corrective action can include:

- a formal apology

- improving internal policies to adequately prevent and respond to similar instances of wrongdoing
- providing additional education and training to staff where required
- taking disciplinary action against persons involved in the wrongdoing (such as termination of employment, counselling or warning)
- payment of compensation to people who have been affected by serious wrongdoing or other misconduct.

6. Review and dispute resolution

Internal review

People who make voluntary PIDs can seek internal review of the following decisions made by the City of Sydney:

- that the City of Sydney is not required to deal with the report as a voluntary PID
- to stop dealing with the report because the City of Sydney decided it was not a voluntary PID
- to not investigate the serious wrongdoing and not refer the report to another agency
- to cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.

The City of Sydney will ensure internal reviews are conducted in compliance with the PID Act.

If you would like to make an application for an internal review, you must apply in writing to the Disclosure Coordinator within 28 days of being informed of our decision. The application should state the reasons why you consider our decision should not have been made. You may also submit any other relevant material with your application.

Voluntary dispute resolution

If a dispute arises between the City of Sydney and a person who has made a report which is, or may be, a voluntary PID, we may request that the NSW Ombudsman conciliate the dispute. Conciliation is a voluntary process and will only be suitable for disputes where the City of Sydney and the maker of the report are willing to resolve the dispute.

7. Other agency obligations

Record-keeping requirements

The City of Sydney must keep full and accurate records with respect to all information received in connection with the PID Act. These records must be retained in our dedicated records management system TRIM with restricted access and security settings to prevent unauthorised access, destruction, alteration, deletion or loss. This ensures that the City of Sydney complies with its obligations under the State Records Act 1998 and our [Records Management Policy](#).

Reporting of voluntary PIDs and City of Sydney annual return to the Ombudsman

Each year we provide an annual return to the NSW Ombudsman which includes:

- information about voluntary PIDs received by the City of Sydney during each return period (yearly with the start date being 1 July)
- action taken by the City of Sydney to deal with voluntary PIDs during the return period
- how the City of Sydney promoted a culture in the workplace where PIDs are encouraged.

How the City of Sydney will ensure compliance with the PID Act and this policy

We have a number of mechanisms in place for monitoring the effectiveness of our PID policy and for ensuring compliance with the PID Act. Specific oversight responsibilities are outlined below. We will report on a regular basis to the Executive and our Audit Risk Compliance Committee (ARCC) in addition to our external reporting obligations.

Awareness and training

The City of Sydney will ensure that the CEO and all Disclosure Officers and Managers are given training in relation to their responsibilities under the PID Act and this policy in accordance with the requirements of the PID Act. We will also ensure refresher training takes place at intervals of no more than 3 years.

The City of Sydney will take regular steps to ensure all public officials are aware of this policy and how to make a PID.

8. Responsibilities

The Chief Executive Officer will:

- foster a workplace culture where reporting is encouraged
- receive disclosures from public officials
- ensure there is a system in place for assessing disclosures
- ensure that the City of Sydney has appropriate systems for:
 - overseeing internal compliance with the PID Act
 - supporting public officials who make voluntary PIDs, including by minimising the risk of detrimental action
 - implementing corrective action if serious wrongdoing is found to have occurred
 - complying with reporting obligations regarding allegations or findings of detrimental action
 - complying with yearly reporting obligations to the NSW Ombudsman
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC) and any evidence of a reprisal offence under section 34 of the PID Act to the Commissioner of Police or the ICAC, as required.

The Lord Mayor

The Lord Mayor can receive reports from public officials about the CEO.

Where the Lord Mayor receives a report, the Lord Mayor will:

- assess to determine whether or not it should be treated as a PID and to decide how it will be dealt with
- deal with reports made under the City's Code of Conduct in accordance with the City of Sydney's adopted Code of Conduct Procedures
- refer reports to an investigating authority, where appropriate
- liaise with the Disclosure Coordinator to ensure there are strategies in place to support public officials who make a report, protect them from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC) and any evidence of a reprisal offence under section 34 of the PID Act to the Commissioner of Police or the ICAC, as required.

The Disclosure Coordinator will:

- receive reports from public officials
- 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 CEO)
- appoint an investigator for each report (Investigator)
- oversee any internal reviews in accordance with s60 of the PID Act
- ensure all public officials at the City of Sydney with roles outlined in this policy receive training on their responsibilities
- provide an annual return to the NSW Ombudsman in accordance with section 78 of the PID Act
- ensure the City of Sydney complies with this policy and the PID Act
- notify the NSW Ombudsman of any decision to not investigate or refer a report of serious wrongdoing or any decision to cease investigating the relevant serious wrongdoing without either completing the investigation or referring the disclosure, in accordance with section 55 of the PID Act
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC) and any evidence of a reprisal offence under section 34 of the PID Act to the Commissioner of Police or the ICAC, and notify the NSW Ombudsman, as required.

Disclosure Officers will:

- receive reports from public officials
- receive reports when they are passed on to them by Managers
- make arrangements to ensure makers of reports can meet privately and discreetly when requested, which may include away from the workplace
- discuss with the maker of the report any concerns they may have about reprisal or workplace conflict
- pass on reports they receive to the Disclosure Coordinator
- not discuss reports with any other staff
- ensure that any oral reports that have been received are recorded in writing
- implement local management strategies, in consultation with the Disclosure Coordinator or their delegate, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the Disclosure Coordinator or CEO immediately if they believe a Workeran Employee is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the CEO, notify the Lord Mayor
- have a comprehensive understanding of this policy and complete all ongoing training requirements
- action any recommendations arising from an investigation that are approved by the CEO and where they are responsible.

Managers will:

- receive reports from persons that report to them or that they supervise
- pass on reports they receive directly to the Disclosure Coordinator
- maintain the confidentiality of any reports and investigations of serious wrongdoing, and not discuss them with any other person other than those specifically managing or investigating the reports

- accompany, if requested, a person making a report while they make the report to a Disclosure Officer
- have a comprehensive understanding of this policy and complete all ongoing training requirements
- create a local work environment where **Workers-Employees** are comfortable and confident about reporting wrongdoing
- encourage **Workers-Employees** to report known or suspected wrongdoing within the organisation and support them when they do
- implement local management strategies, in consultation with the Disclosure Coordinator or their delegate, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the Disclosure Coordinator or CEO immediately if they believe **a Workeran Employee** is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the CEO, notify the Lord Mayor
- action any recommendations arising from an investigation that are approved by the CEO and where they are responsible.

Investigators will:

- deal with reports made under the City's Code of Conduct in accordance with the **City of Sydney's** Procedures for the Administration of the Code of Conduct
- have a comprehensive understanding of this policy
- coordinate the City of Sydney's response to a report
- acknowledge reports and provide updates and feedback to public officials who made reports
- undertake risk assessments and take steps to mitigate the risk of detrimental action occurring against public officials who make reports
- assess whether it is possible and appropriate to keep the public official's identity confidential
- request specific consent from a public official to disclose their identity to any external agency prior to referring a report of actual or suspected corrupt conduct or any evidence of a reprisal offence 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
- provide or coordinate support to public officials involved in the reporting or investigation process, where required, including protecting the interests of any public official who is the subject of a report.

All **Workers-Employees and Councillors will:**

- report suspected serious wrongdoing or other misconduct
- use their best endeavours to assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of the City of Sydney
- maintain the confidentiality of any reports and investigations of serious wrongdoing, and not discuss them with any other person other than those specifically managing or investigating the reports
- treat any person dealing with or investigating reports of serious wrongdoing with respect.

They must not take detrimental action against any person who has made, may in the future make, or is suspected of having made, a PID.

Consultation

Governance consulted with the NSW Ombudsman and internally with Legal Services, People & Culture, Learning & Development, Creative City, Social City, ~~City Greening & Leisure, Parking, Fleet & Depot Services and Cleansing & Waste~~ in developing this policy.

References

Laws and Standards
• Independent Commission Against Corruption Act 1988 (NSW)
• Local Government Act 1993 (NSW)
• Ombudsman Act 1974
• Public Interest Disclosures Act 2022 (NSW)
• Public Interest Disclosures Regulation 2022
• NSW Ombudsman Guidelines: <ul style="list-style-type: none"> - <u>Core concepts in the PID Act</u> - <u>Dealing with voluntary PIDs</u> - <u>Deeming that a disclosure is a voluntary PID</u> - <u>Protections under the PID Act</u> - <u>What is a public interest disclosure</u> - <u>What is serious wrongdoing</u>
Policies and Procedures
• Code of Conduct
• Complaint Management Policy
• Conflict of Interest Policy
• Equal Employment Opportunity and Anti-Discrimination Policy
• Employee Assistance Program Policy
• Fraud and Corruption Control Plan
• Grievance and Conflict Resolution Policy
• Harassment and Bullying Policy
• Privacy Management Plan
• Procedures for the Administration of the Code of Conduct
• Records Management Policy
• <u>Reporting serious wrongdoing at the City of Sydney – Your protections and our responsibilities</u>
• Work Health and Safety Policy

Review period

This policy will be reviewed every 42 years or earlier if required, if changes are made to the PID Act and/or the NSW Ombudsman’s model PID policy.

Approval Status

Council approved this policy on ~~23 October 2023~~ [] 2025.

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	23 October 2023	New policy referencing PID Act 2022 and NSW Ombudsman’s model policy. Replaced Internal Reporting Policy (PID Act 1994).	2023/613518
<u>Reviewed</u>	<u>[] 2025</u>	<u>Updated with additional guidance on City values, NSW Ombudsman whistleblower support team, confidentiality provisions and updated position titles.</u>	
Commence Review Date	23 January 2025		
Approval Due Date	23 October 2025		

Ownership and approval

Responsibility	Role
Author	Coordinator Governance
Owner	Manager Risk & Governance
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Annexure A - City of Sydney Disclosure Officers

Town Hall House	Contact details
Chief Executive Officer Monica Barone	mbarone@cityofsydney.nsw.gov.au 02 9265 9118
Lord Mayor (for reports about the CEO) Clover Moore	cmoore@cityofsydney.nsw.gov.au 02 9265 9229
Disclosure Coordinator <u>Executive</u> Director Legal & Governance Kirsten Morrin	kmorrin@cityofsydney.nsw.gov.au 02 9265 9361
Manager Risk & Governance Nellette Kettle	nkettle@cityofsydney.nsw.gov.au 02 9265 9084
Chief Financial Officer Bill Carter	bcarter@cityofsydney.nsw.gov.au 02 9265 9386
Chief Operating Officer Kim Woodbury	kwoodbury@cityofsydney.nsw.gov.au 02 9246 7370
<u>Executive</u> Director City Life Emma Rigney	erigney@cityofsydney.nsw.gov.au 02 9246 7320
<u>Executive</u> Director City Planning Development & Transport Graham Jahn	gjahn@cityofsydney.nsw.gov.au 02 9265 9945
<u>Executive</u> Director City Services Veronica Lee	vlee@cityofsydney.nsw.gov.au 02 9265 9092
<u>Executive Director Finance and Procurement</u> Jean-Michel Carriere	jcarriere@cityofsydney.nsw.gov.au 02 9265 9103
<u>Executive</u> Director People, Performance & Technology Susan Pettifer Paulette Sutherland	psutherland@cityofsydney.nsw.gov.au spettifer@cityofsydney.nsw.gov.au 02 9265 98389224
<u>Executive</u> Director Strategic Development & Engagement Kate Deacon	kdeacon@cityofsydney.nsw.gov.au 02 9246 7252
Chief People & Culture Chris Youness	cyouness@cityofsydney.nsw.gov.au 0458 124 849

Community and Recreation Centres	
Leisure Contracts Relationship & Performance Manager, City Greening & Leisure	Andrew (Boy) Charlton Pool
	Cook & Phillip Park Pool
	Gunyama Park Aquatic and Recreation Centre
	Ian Thorpe Aquatic Centre
	Prince Alfred Park Pool
	Victoria Park Pool
Area Manager <u>Integrated Community Centres</u>, Social City	Cliff Noble Community Centre
	Juanita Nielsen Centre
	King George V Recreation Centre
	Maybanke Community Centre
	Pyrmont Community Centre

Community and Recreation Centres	
	Redfern Community Centre
	Reginald Murphy Community Centre
	Ron Williams Community Centre
	St Helens Community Centre
	Ultimo Community Centre
Centre Manager – Perry Park Recreation Centre	Perry Park Recreation Centre
Manager Programs and Learning, Creative City	Pine Street Creative Arts Centre

Depots	
Manager, City Cleansing & Resource Recovery Manager Parking Fleet & Depot Services	Alexandra Canal Depot 67A Bourke Road
City Cleansing Operations and Resource Recovery Manager	Bay Street Depot, Ultimo
	Bourke Street Depot, Woolloomooloo

Education and Care Services	
Early Childhood Services Coordinator Manager	Broughton St Kindergarten, Glebe
	Eveleigh Early Learning and Preschool
	Hilda Booler Kindergarten, Glebe
	Redfern Occasional Child Care
Middle Childhood Services Coordinator Manager	KGV Outside School Hours Care, KGV Recreation Centre
	Pymont Outside School Hours Care, Pymont Community Centre
	Redfern Outside School Hours Care, Redfern Community Centre
	Surry Hills Outside School Hours Care, Girls and Boys Brigade Building
	Ultimo Outside School Hours Care, Ultimo Community Centre
	Woolloomooloo Outside School Hours Care, Juanita Nielsen Community Centre

Libraries/Mixed Use Venues	
Manager Libraries & Learning Area Team Leader South, Libraries & Learning Library Services Manager Visitor and Destination Ambassador Service Manager	Customs House
Manager Libraries & Learning Area Team Leader – Library Business	Darling Square (Exchange) Library
	Glebe Library
	Ultimo Library

Libraries/Mixed Use Venues	
<u>Library Services Manager</u>	
Manager Libraries & Learning Area Team Leader South, Libraries & Learning <u>Library Services Manager</u>	Kings Cross Neighbourhood Library Newtown Library & Community Hall
Manager Libraries & Learning Area Team Leader North, Libraries & Learning <u>Library Services Manager</u>	Green Square Library & Plaza Surry Hills Library Waterloo Library
Neighbourhood Service Centre Manager—Glebe, Kings Cross & Green Square <u>Manager Libraries & Learning</u> <u>Library Services Manager</u>	Neighbourhood Service Centres, Glebe, Kings Cross & Green Square

307 Pitt Street	
Manager City Rangers	City Rangers

Note: Please go to [CityNet](#) for a current list of City of Sydney Disclosure Officers including names and contact details.

Annexure B - List of integrity agencies

Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pm Monday to Friday Writing: Level 24, 580 George Street, Sydney NSW 2000 Email: info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	Telephone: 02 9275 7100 Writing: GPO Box 12, Sydney NSW 2001 Email: governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	Telephone: 02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday Writing: GPO Box 500, Sydney NSW 2001 or faxing 02 9264 5364 Email: icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	Telephone: 02 9228 3023 Writing: PO Box 5341, Sydney NSW 2001 Email: oiicac_executive@oiicac.nsw.gov.au
Office of the Local Government	Local government pecuniary interest contraventions	Email: olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au
The Information Commissioner	Government information contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au

Item 5.

Land Classification - 895-901 Bourke Street, Waterloo

File No: 2025/485329

Summary

On 16 December 2024, Council endorsed the public notification of the proposed resolution to classify 895-901 Bourke Street, Waterloo (being proposed Lot 103 in the Plan of Subdivision of Lot 1 in DP 1304819) as operational land on a temporary basis. The land will shortly be transferred by City West Housing Pty Ltd (the Developer) to the City in accordance with the registered Planning Agreement AQ833762.

It is essential that this parcel of land (Proposed Lot 103) be classified as operational land on an interim basis, to facilitate the temporary use by waste vehicles and the construction of the shared zone in the future. Upon completion of the works, part of proposed Lot 103 will be dedicated as road and the remaining part will be reclassified as community land to preserve the land for the community's use.

The proposed resolution to classify the land was publicly notified for a period of 28 days commencing 28 May 2025 and closing on 25 June 2025.

No submissions were received.

This report seeks Council's endorsement to temporarily classify 895-901 Bourke Street, Waterloo (being proposed Lot 103 in the Plan of Subdivision of Lot 1 in DP 1304819) as operational land under the Local Government Act 1993 (NSW).

Recommendation

It is resolved that Council:

- (A) endorse the classification of 895-901 Bourke Street, Waterloo (being proposed Lot 103 in the Plan of Subdivision of Lot 1 in DP 1304819), which is to be transferred to Council for future public purposes, as operational land in accordance with section 31 of the Local Government Act 1993 (NSW); and
- (B) note that the operational classification is an interim measure to support operational management until the land can be re-classified as community land and included within the Generic Plan of Management.

Attachments

Attachment A. Identification Plans

Background

1. On 24 April 2018, development consent was granted for the demolition of existing structures and construction of a new residential flat building containing 72 units with a ground floor commercial tenancy, landscaping and stormwater works (D/2015/941) at 895-901 Bourke Street, Waterloo.
2. On 17 February 2021, the City entered into a registered Planning Agreement (AQ833762) with City West Housing Pty. Limited in relation to the development consent.
3. The development included the demolition of existing structures and the construction of a new residential apartment building containing 72 units with a ground floor commercial tenancy, landscaping and stormwater works.
4. In accordance with the registered Planning Agreement, the Developer will construct and dedicate a 3m footway widening to the Bourke Street frontage and transfer a 12m setback at the rear of the development to the City. The land at the rear will be known as Lot 103.
5. Part of proposed Lot 103 will be dedicated as a road reserve. The remaining part of proposed Lot 103 will be embellished by the City and used as a shared zone. The shared zone will be surrounding a park. Once the works are completed, part of proposed Lot 103 will then be dedicated as a road reserve while the remainder of Lot 103 will be re-classified as community land, incorporated into a Generic Plan of Management and categorised. The exact boundaries of these spaces are yet to be decided and will be considered when the next subdivision of the land is created. The proposed boundaries are illustrated in Attachment A.
6. The subdivision and transfer of land is in line with the Sydney Development Control Plan 2012. The land dedication requirements and final concept design plan is illustrated in Attachment A.
7. A Plan of Subdivision of Lot 1 in DP 1304819 has been lodged for pre-examination with NSW Land Registry Services (LRS) to create 3 new parcels of land. Lot 101 for the Bourke Street setback, Lot 102 for the building development and Lot 103 for future road and a shared community zone at the rear. The Developer's works are nearing completion, and the Developer will soon register the Plan of Subdivision and transfer the rear land to the City.
8. As part of the Development Consent, the rear land (proposed Lot 103) has approval to be used as a temporary turning area for waste vehicles servicing the development. An Access Licence over the land will be in place during this temporary use.
9. To facilitate the temporary use of Proposed Lot 103 as a turning bay by waste vehicles servicing the building development, and the construction and dedication of the shared zone by the City in the future, it is essential that an interim operational land classification be applied.

Risks

10. There is a minimal appetite for risk when considering the classification of land within the City's local area. Classifying land correctly ensures compliance with all applicable laws and regulations associated with land management.

Financial Implications

11. The classification of land under the Local Government Act 1993 does not have any direct budgetary implications. Once the proposed Lot 103 is transferred to the City, it will be recognised as in-kind contributions income, and held as land asset in accordance with the City's Infrastructure, Property, Plant and Equipment (IPPE) Asset Recognition and Capitalisation Policy.

Relevant Legislation

12. The following sections of the Local Government Act 1993 are relevant:
 - (a) Section 25 requires that all public land to be classified as either community or operational land.
 - (b) Section 31(2) permits Council to resolve to classify land prior to acquisition.
 - (c) In satisfaction of section 31(3), the proposed resolution is not inconsistent with the planning agreement (as registered on title) nor any other Act or the terms of any trust applying to the land.
 - (d) Section 34 requires the proposed resolution to classify be publicly notified and made available for inspection by the public for a period of not less than 28 days.

Critical Dates / Time Frames

13. The land needs to be classified within 3 months of land transfer to the City or the land automatically reverts to a community classification.

Options

14. Allowing the land to default to community land will hinder the development of the area.

Public Consultation

15. The proposed resolution to classify the land was publicly notified for a period of 28 days commencing 28 May 2025 and closing on 25 June 2025.
16. No submissions were received.

KIM WOODBURY

Chief Operating Officer

Mary Ghaly, Public Lands Coordinator

Attachment A

Identification Plans

Location Map - 895-901 Bourke Street, WATERLOO NSW 2017 Outlined in Blue



Proposed Lot 103 Outlined in Red



Proposed streets

Required open space - preferred

location

