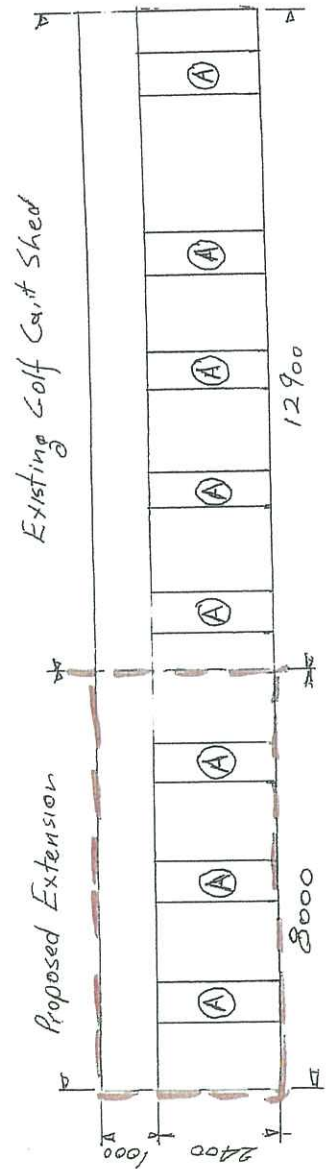
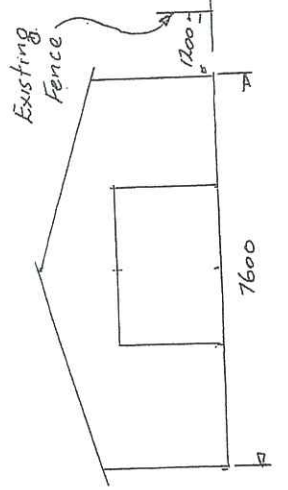


Donnybrook Country Club

Proposed Extension to Golf Cart Shed

Construction

- : Steel frame on concrete footings
- : Steel trusses to match existing @ 2000 centres
- : Monoclad (Zincalume) wall + roof cladding
- : Top Span 61 roof battens
- : Areas marked "A" polycarbonate sheeting

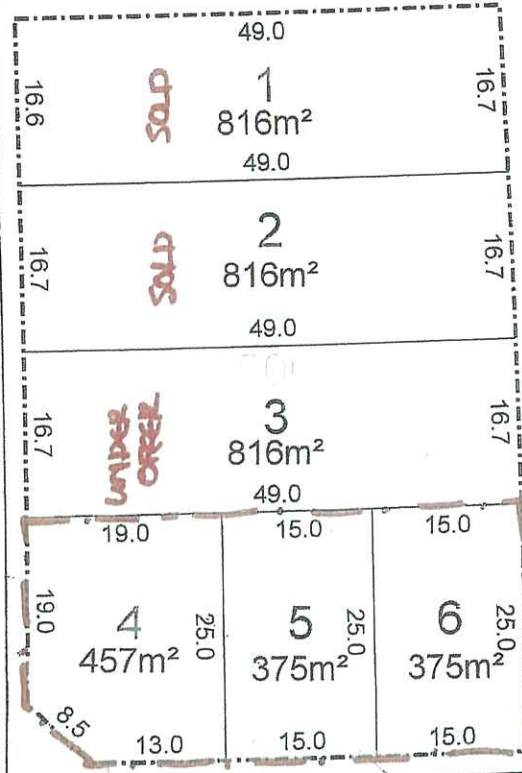


June 2018

NOTE: SERVICE LOCATION SUBJECT TO SURVEY

STREET

MEAD



MARMION STREET

LEGEND

- EXISTING CADASTRE
- EXISTING CONTOURS (5m Intervals)
- - - - - SUBJECT LAND
- PROPOSED CADASTRE
- SERVICE - WATER CORPORATION
- - - - - SERVICE - OVERHEAD ELECTRICITY
- SERVICE - SEWER

DEPARTMENT OF PLANNING
BUNBURY OFFICE

13 MAR 2014

FILE 1149660

SUBDIVISION PLAN FOR
LOT 500 MEAD STREET
DONNYBROOK



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ALL DIMENSIONS ARE IN METRES

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CONTROL

1:1200 © All Rights Reserved 2014
ALL DIMENSIONS ARE IN METRES

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ORIGINAL PLANNER:	BOB WALLIN
ORIGINAL DRAFTER:	TOM
CREATED DATE:	04/01/2014
RECAL DATE:	16/04/2014
CADASTRAL DATA:	NSA
TOPOGRAPHIC DATA:	1:1200 DATE: 16/04/2014



05291P-SU-01A

Note 4: The applicant is aware that all activities within the shed will need to comply with the requirements of the Environmental Protection Noise Regulations.

****6.03pm Nina Smith and Diane White left the meeting****

11.4.4	SUBJECT:	PROPOSED ROAD CLOSURE
	Location:	Road Reserve 8611, Mullalyup
	Applicants:	John Dell'Agostino
	Zone:	Urban
	File Ref:	A4718 and WRK 12
	Author:	Bob Wallin (Principal Planner)
	Report Date:	25 September 2013
	Attachments:	11.4.4 (1) – Request 11.4.4 (2) – Location plan

Background

A request has been received from the owner of Lots 10, 11 and 501 South Western Highway, Mullalyup to close a section of Road Reserve 8611 (see Attachments 1 and 2)

The section of road is unconstructed and only has potential to service Lot 11.

The owner of the abutting lots intends to amalgamate the section of closed road to create a battle-axe leg to provide a driveway to Lot 11.

Lot 10 contains Bovell's House which is listed on Council's Municipal Heritage Inventory. The proposed road closure will not have adverse impacts on the historical values of this building.

Comment

The unmade Road Reserve 8611 has a length of approximately 200 metres, with only Lot 11 relying on it for legal street frontage. The Road Reserve ends at a rail reserve.

A water feature was constructed a number of years ago and encroaches into the road reserve. It is intended to modify the water feature so that it is contained completely within Lot 10.

As Council is aware, while the local road reserve is managed by the Shire, it is owned by the Crown. In this regard, the Minister for Lands would be required to approve the road closure prior to considering amalgamation into the adjoining land holdings.

Should the road closure proposal be supported it is recommended that the road be closed and amalgamated into the adjoining properties at the landowner's expense.

Consultation

The road closure will be advertised in accordance with section 58 of the *Land Administration Act 1997*.

Property Map Enquiry - A4718 21046 SOUTH WESTERN HWY MULLALYUP 6252 - [bobw/LGS/ALPHA]SynergySoft

Home Display Settings

File Systems Cancel Delete Copy Paste Print View Search Codes Related information Searches Tools Spooler Window Help

1: 3724 Full Extent Zoom In Zoom Out Pan Info Selection Legend

Records/Registration - Last record modified was: EGOR39952

Property Map Enquiry - A4718 21046 SOUTH WESTERN HWY MULLALYUP 6252

Search PickList Property Financial Summary Ownership Parcel Memos

Legal flag Non-current

Assess No A4718 Old No:

Owner J DELL'AGOSTINO

Property Address 21046 SOUTH WESTERN HWY

House 21046 Lot 10

Street SOUTH WESTERN

Type HWY

Suburb MULLALYUP 6252

Ward 00 DONNYBROOK/BALING

Area

Locality 11 MULLALYUP

Zoning U1 URBAN

Land use M1 MULLALYUP TOWN

VEN 1185289

Plans No SEN561721

Valuation Details

Estimated Rental Value Unimproved Value 720.00

assess no: A2140105 21061 SOUTH WESTERN HWY ratepayer: AM HAAGENSEN

South Western Highway

Lot 11 Lot 10

Road Reserve 8611

Lot 501

Legend

- catastre
- Lot Number
- Assessment Number
- House Numbers
- Property Address
- Localities
- Zoning

Zoning

- RESIDENTIAL
- RURAL RESIDENTIAL
- SPECIAL RESIDENTIAL
- SPECIAL USE
- STATE FOREST
- TOURIST BUSINESS

Favourites

Financial Management

Rates And Property

Technical

9:38 PM 5/03/2014

General information about public interest disclosures and how Shire of Donnybrook Balingup will manage a disclosure is available for external clients and members of the community on our website www.donnybrook-balingup.wa.gov.au.

While these procedures focus on public interest disclosures, we are committed to dealing with all reports of suspected wrongdoing. We encourage people to report, if they witness any such behaviour. Shire of Donnybrook Balingup will consider each matter under the appropriate reporting pathway and make every attempt to protect staff members making reports from any reprisals.

B. Purpose of the internal procedures

Our Chief Executive Officer must prepare and publish these internal procedures under s. 23(1)(e) of the PID Act.

These procedures outline how we will meet our obligations under the PID Act.

They cover the roles and responsibilities of the Chief Executive Officer the person designated as the proper authority in accordance with s. 23(1)(a) and s. 5(3)(h) referred to in this document as the PID Officer, the discloser and the subject of the disclosure.

The procedures are to be read in conjunction with the PID Act, *Public Interest Disclosure Regulations 2003* and *don't be afraid to speak up*.

C. Scope and application of internal procedures

These procedures apply to all people involved in the public interest disclosure process, including our Chief Executive Officer, PID Officer(s), employees of the Shire of Donnybrook Balingup and/or any person making a public interest disclosure and any subject(s) of a disclosure.

These procedures should be read in conjunction with:

- *Public Interest Disclosure Act 2003*
- *Public Interest Disclosure Regulations 2003*
- Shire of Donnybrook Balingup Public Interest Disclosure Policy 1.20

The behaviour of all employees involved in the public interest disclosure process must accord with our Code of conduct at all times. A breach of the Code of conduct may result in disciplinary action.

Person / role	Responsibilities
<p>The Proper Authority (s. 5(3), s. 7 and s. 18) or PID Officer(s 23(1)(a)):</p>	<ul style="list-style-type: none"> • As is designated by ss. 5(3)(a-g) or by the Chief Executive Officer of Shire of Donnybrook Balingup under s. 23(1)(a) the PID Officer is to receive disclosures related to the Shire of Donnybrook Balingup • Provides information to potential disclosers about their rights and responsibilities consistent with the Code of conduct and integrity established under s. 20(1). • Receives and manages public interest disclosures in accordance with the PID Act (s. 5(3)). • Notifies the discloser within three months of the disclosure being made about what action is planned in dealing with the disclosure (s. 10(1)). • Where appropriate, investigates, or causes an investigation of, the matters in the disclosures (s. 8(1)). • Where appropriate, provides information to subjects of a disclosure about their rights, responsibilities, duties and potential offences (s. 9(2), s. 14, s. 15, s. 16 and s. 24). • Where appropriate, takes such action as is necessary and reasonable, within their functions and powers in accordance with s. 9. • Maintains confidentiality of the identity of the discloser and subject(s) of disclosures, in accordance with the requirements of the PID Act (s. 11 and s. 16). • Provides progress reports where requested and a final report to the discloser in accordance with s. 10. • Creates and maintains proper and secure records in relation to the disclosures in accordance with the Code of conduct and integrity established under s. 20(1) and the <i>State Records Act 2000</i>. • Completes a PID Register for each disclosure lodged (s. 23(1)(f)). • Acts in accordance with the rules of natural justice

Person / role	Responsibilities
The discloser:	<ul style="list-style-type: none"> • Makes a public interest disclosure to a proper authority or our PID Officer if the matter relates to Shire of Donnybrook Balingup (s. 5(1)). • Believes on reasonable grounds the information in their disclosure is, or may be, true (s. 5(2)). • Does not disclose information subject to legal professional privilege (s. 5(6)). • Does not knowingly and recklessly make a false or misleading disclosure (s. 24(1)). • Maintains confidentiality of the information disclosed and the identity of the person(s) to whom the information relates, in accordance with the requirements of the PID Act (s. 16 and s. 17(1)(b)). • Assists any person investigating the matter to which the disclosure relates by supplying the person with any information requested (s. 17(1)(a)).
The subject of the disclosure (person about whom disclosure is made):	<ul style="list-style-type: none"> • Is afforded the opportunity to make a submission, either orally or in writing, in relation to the matter before preventative or disciplinary action is taken (s. 9(2)). • Maintains confidentiality of the identity of the discloser, in accordance with the requirements of the PID Act (s. 16(1)). • Is to be treated in accordance with the rules of natural justice (s. 16(1)(b)). • Does not take or threaten to take detrimental action (defined in s. 3) against a person because they have made or intend to make a disclosure (s. 14(1)). • Does not incite another person to take detrimental action against another because they have made or intend to make a disclosure (s. 14(2)). • Does not commit an act of victimisation by taking or threatening to take detrimental action against the person making or intending to make a disclosure (s. 15(1)).
An investigating officer:	<ul style="list-style-type: none"> • May investigate matters of public interest information

- harm to the environment or
- a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971 by the Parliamentary Commissioner (Ombudsman Western Australia).

Confidentiality

Maintaining confidentiality is an important part of managing a disclosure. The confidentiality requirements of the PID Act (s. 16) not only protects the discloser, but also any other people affected by the disclosure.

The confidentiality requirements do not apply to all information in a disclosure, although, we are committed to maintaining confidentiality around:

- any information that may identify the discloser or any person who may be the subject of a disclosure, including the fact a disclosure has been made
- information relating to a disclosure that, if known, may cause detriment.

Throughout the disclosure process and after its completion, the PID Act provides for the disclosers identity and the identity of any persons, that is, any subject of the disclosure to be kept confidential, except in certain circumstances. Disclosing information which might identify, or tend to identify the disclosers s. 16(1)) or any person, that is, the subject(s) (s. 16(3)) of your disclosure, except in accordance with the PID Act, is an offence punishable with a penalty of a \$24 000 fine or imprisonment for two years.

Confidentiality regarding the discloser

Maintaining confidentiality is an important part of protecting the discloser, from any detrimental action in reprisal for making or intending to make a disclosure.

If the discloser consents to having their identity revealed to assist us in dealing with the disclosure, our PID Officer will record this using the *Consent to disclosure of identifying information form*.

Sometimes we may need to identify the discloser, without the discloser's consent s. 16(1)(b)-(f) but only where:

- it is necessary to do so having regard to the rules of natural justice or
- it is necessary to do so to enable the matter to be investigated effectively or
- we are ordered by a court or any other person or body having authority to hear, receive or examine evidence or
- we are required by ss.152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

Before we identify the discloser for any of the reasons above, our PID Officer will take all reasonable steps to inform the discloser that this will happen and the reasons why. Our PID Officer will use the *Notification of disclosure of identifying information form* to do this.

Confidentiality plan

Although a formalised confidentiality plan is not required under the PID Act, the development of such a plan is considered good practice. Open and effective communication with the discloser will build rapport and trust and, once established, will enable collaboration particularly when difficult decision points are encountered.

The plan should outline methods to provide support and protect the discloser from the risk of reprisal. Consider strategies that cover:

- communication methods and frequency of communication
- meeting locations
- frequency of progress reports.

The proposed text in this section could read:

'If your confidentiality cannot be maintained, we will develop a plan to support and protect you from any potential risks of detrimental action. You will be involved in developing this plan'.

Confidentiality regarding the person, that is, the subject of the disclosure

The subject of a disclosure may consent to having their identity revealed to assist with the disclosure process s. 16(3)(a). Our PID Officer will use the *Consent to disclosure of identifying information form* to record this.

Additionally, we may need to reveal identifying information about the subject(s) of a disclosure without their consent, ss. 16(3)(b)-(g) where:

it is necessary to do so to enable the matter to be investigated effectively

- it is necessary to do so in the course of taking action under s. 9
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property
- we are ordered by a court or any other person or body having authority to hear, receive or examine evidence or
- we are required by ss. 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

There is no obligation to advise the subject of a disclosure that identifying information will be released.

PID Register

Although a formal PID Register is not required to be developed under the PID Act, the maintenance of a PID Register is considered good practice. The Public Sector Commission has created a PID Register template to assist an authority with the effective management of PID disclosures and to comply with the reporting requirements of ss. 19 and 23(1)(f).

All information required for reporting to the Commission will be able to be extracted from the register.

The proposed text in this section could read:

To assist with annual reporting to the Public Sector Commissioner we will maintain a public interest disclosure register. We will assign a unique register number to each disclosure and record key information about your disclosure, any investigation and the outcome in the public interest disclosure register. This register (paper and/or electronic) is kept strictly confidential and maintained in a secure location.

F. How to make a public interest disclosure

1. Before you make a disclosure

We strongly encourage anyone thinking about making a public interest disclosure to seek advice from our PID Officer ('proper authority') before they do. A disclosure must be made to a proper authority for it to be covered by the PID Act. A number of other requirements apply to the discloser, so it is important to understand the rights and responsibilities in the process. This information is outlined generally in [*Don't be afraid to speak up*](#), available from the Public Sector Commission website at www.publicsector.wa.gov.au.

At Shire of Donnybrook Balingup the occupant(s) of the following designated position(s) are specified with the authority as the person(s) responsible for receiving disclosures of public interest information in accordance with s. 23(1)(a). For the purposes of this procedure a PID Officer(s) is the proper authority designated under s. 5(3)(h) for dealing with information that falls within the sphere of responsibility for Shire of Donnybrook Balingup.

Initial discussions between the discloser and the PID Officer should be general in nature and should not discuss the specific details of the disclosure until the discloser understands their rights and responsibilities under the PID Act. Our PID Officer will also let the discloser know that they need to make the disclosure voluntarily and consciously – we will never force a person to make a disclosure. This is because they cannot withdraw the disclosure once it is made. Once we receive your disclosure, our PID Officer is obliged to take action and we may continue to look into the matters within your disclosure irrespective of your continued approval.

These initial discussions with our PID Officer may help in deciding whether to make a public interest disclosure and also enable the PID Officer to ascertain if the information would be covered by the PID Act. If the information appears not to be the type covered by the PID Act, our PID Officer will discuss other mechanisms through which issues may be made, for example, our general complaints or grievance resolution process.

Our PID Officer will be able to provide more detailed information about Shire of Donnybrook Balingup's disclosure process and what people can expect from it.

You can also contact the Public Sector Commission Advisory Line on (08) 6552 8888 (or 1800 676 607 for country callers) for general information about the disclosure process.

What is 'sphere of responsibility'?

Under s. 5(3)(h) the PID Officer for an authority can receive information relating to a matter which falls within the 'sphere of responsibility' for their public authority. 'Sphere of responsibility' is not defined in the PID Act but may include:

- matters that relate to Shire of Donnybrook Balingup or
- a public officer or public sector contractor of Shire of Donnybrook Balingup or
- a matter or person that the Shire of Donnybrook Balingup has a function or power to investigate.

Sphere of responsibility

Consider providing some examples of matters that may fall into your authority's sphere of responsibility.

The proper authority to which you need to make the disclosure depends on the type of disclosure information. Where the information is outside of our PID Officer's sphere of responsibility, it may need to be made to another proper authority for it to be considered as a public interest disclosure and for the discloser to receive the protections of the PID Act. A list of proper authorities and the information they can receive is covered in *Don't be afraid to speak up*.

Proper authority

To be covered under the PID Act and for the protections of the PID Act to apply, a public interest disclosure must be made to a proper authority. The proper authority for a disclosure will depend on the information or 'matter' in the disclosure. In some cases, a public interest disclosure may be made to an external 'named' proper authority, as outlined in s. 5(3).

In these named authorities, a broader range of officers may require training to receive public interest disclosures. For example, any police officer may be a proper authority for disclosures relating to offences.

Named authority

If your authority is an authority named in the PID Act, your PEO also needs to appoint a PID Officer to deal with information relating to your authority (as per s. 5(3)). Include the relevant paragraph (below) in your procedures.

For the Corruption and Crime Commission

The PID Act also provides for the Corruption and Crime Commission (CCC) to receive public interest disclosures of information relating to an offence under State law. Subsequent references in these procedures to the PID Officer shall be taken to include an employee or officer of the CCC who receives, on behalf of the CCC, information relating to an offence under State law.

For the WA Police

The PID Act also provides for any police officer to receive public interest disclosures of information relating to an offence under State law. Subsequent references in these procedures to the PID Officer shall be taken to include a police officer who receives a public interest disclosure relating to an offence under State law.

For the Parliamentary Commissioner (Ombudsman Western Australia)

The PID Act also provides for the Ombudsman to receive public interest disclosures of information relating to matters of administration within the jurisdiction of the Ombudsman, and matters relating to most public officers. Subsequent references in these procedures to the PID Officer shall be taken to include an officer of the Ombudsman who receives, on behalf of the Ombudsman, information relating to these matters.

For the Auditor General

The PID Act also provides for the Auditor General to receive public interest disclosures of information relating to substantial unauthorised or irregular use or substantial mismanagement of public resources. Subsequent references in these procedures to the PID Officer shall be taken to include a person appointed by the Auditor General who receives, on behalf of the Auditor General, information relating to these matters.

For the Public Sector Commission 18 of 26

The PID Act also provides for the Public Sector Commissioner to receive public interest disclosures of information that relates to a Public Officer (other than a

4. Determining whether your public interest disclosure will be investigated

After assessing the disclosure as one to which the PID Act applies, our PID Officer will consider whether it will be investigated, guided by the requirements in s. 8. The reasons a PID Officer may not investigate the disclosure include:

- the matter is trivial
- the disclosure is vexatious or frivolous
- there is no reasonable prospect of obtaining sufficient evidence due to the time that has elapsed since the matter(s) occurred
- the matter is being or has been adequately or properly investigated by another proper authority, s. 5(3).

Our PID Officer will make proper and adequate records of their decision and reasons about whether to investigate or not.

Functions and powers to investigate

Consider adding to your internal procedures examples of the matters which your authority has the functions and power to investigate. This will be in accordance with any legislation under which your authority operates, including any independence your authority may have under a written law.

5. Referring public interest matters

Where our PID Officer assesses the disclosure as one to which the PID Act applies, but they do not have the functions or power to investigate one or more matters within the disclosure, they will refer the information to the appropriate authority for investigation as provided for under the PID Act. Alternatively, a discloser may also be able to make a disclosure directly to this new authority, if they wish to receive reports from them about the disclosure. For example, our PID Officer may need to refer an allegation of an offence supported by evidence to the Western Australia Police for investigation.

Typical procedures for an investigation

The PID Act does not prescribe the way your authority must investigate a disclosure, nor does it give your authority any additional investigative powers. The information in this box outlines some typical procedures for a proper investigation.

Your authority may have its own investigative powers and procedures and these may be a useful base for investigating public interest disclosures, acknowledging the additional requirements of the PID Act:

- protections, outlined in Part 3, including s. 16 (confidentiality)
- notifications to disclosers, s. 10 and s. 11
- the ability for a discloser to make a protected disclosure to a journalist as a last resort
- specific reasons why you can refuse to investigate or discontinue an investigation of a matter in a public interest disclosure.

Consider investigative procedures which allow for some flexibility, so that the disclosure can be effectively and appropriately investigated. This will ensure your authority is not limited or restricted by an overly prescriptive process.

In conducting an investigation, typical steps may include:

- developing the terms of reference for the investigation, clarifying the key issues in the disclosure
- ensuring the objectives of the investigation include
 - collecting and collating information related to the disclosure
 - considering the information collected
 - drawing conclusions objectively and impartially
- specifying a date by which the investigation should be completed and a report provided to the discloser about the final outcome, bearing in mind that the discloser may be able to disclose to a journalist if
 - the PID Officer does not notify the discloser within three months of them making their disclosure about how they plan to deal with the disclosure
 - the PID Officer discontinues an investigation
 - the PID Officer does not complete the investigation within six months
 - the PID Officer does not provide a final report to the discloser about the outcome and any action taken, including the reasons for that action
- informing the subject of the disclosure about their rights and obligations under the PID Act, the PID Officer's code of conduct and integrity, any agency code of conduct and the law
- maintaining procedural fairness for the person who is the subject of the disclosure
- the investigator making contemporaneous notes of discussions and interviews and, where practicable and appropriate, recording discussions and interviews

What are your responsibilities if you are the subject of a disclosure?

A subject of a disclosure is a person of interest about whom an allegation of a public interest disclosure has been made.

We will treat the person fairly and impartially throughout the process, and inform them of their rights and obligations. We will generally keep the parties involved informed during any investigation, although we cannot release any information to the person that may prejudice our investigation. As an employee it is expected that they will act in accordance with our Code of conduct at all times.

The PID Act provides the person with some rights and obligations as a person subject to a disclosure. Firstly, the subject has a right to have their identity kept confidential under s. 16(3), unless one of the following conditions apply:

- you consent to your identity being disclosed
- it is necessary to enable the matter to be investigated effectively
- it is necessary to do so in taking action within s. 9
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property
- is made in accordance with a court order or other body having authority to hear evidence
- it is made in accordance with ss. 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

We will also provide appropriate natural justice. This means that, before we take any disciplinary or other action against the person under s. 9, we will give you the opportunity to:

- be informed of the substance of the allegations and
- make a submission either verbally or in writing in relation to the matter.

If you are the subject of a disclosure, you must not identify or tend to identify the identity of the discloser or a person who they think might be the discloser, as they also have rights to confidentiality under the PID Act. It is an offence under s. 16 to identify or tend to identify any person who has made a disclosure under the PID Act.

Also, you must not engage in reprisal action, threaten anyone with reprisal action or have someone else conduct this action on your behalf because someone has made, or intends to make, a disclosure. It is still an offence to conduct this action against any person you believe has made the disclosure even if they were not the individual who actually made the disclosure. This is an offence under s. 14(1) of the PID Act.

9. Making a disclosure to a journalist

The PID Act provides for certain circumstances where a discloser may be able to make a protected disclosure to a journalist s. 7A(d). These circumstances apply where the discloser has first made a disclosure to the PID Officer or another proper authority named in the PID Act (outlined in s. 5 or Don't be afraid to speak up).

Importantly, the PID Act states that to attract the privileges and protections of the PID Act when disclosing to a journalist, the discloser must disclose information that is substantially the same as what was disclosed in the original disclosure and the PID Officer that received the original disclosure:

did not notify the discloser within three months of making the disclosure about actions they propose to take or have already taken or

- refused to investigate, or discontinued the investigation of, a matter raised in the disclosure or
- did not complete an investigation within six months of the discloser making the disclosure or
- completed an investigation but did not recommend that action be taken or
- did not provide the discloser with a report stating the outcome of any investigation or any action proposed or taken and the reasons for those actions.

We are committed to ensuring that we provide the notifications required under the PID Act and that the discloser understands the reasons for our decisions and actions. If a discloser is considering making a disclosure to a journalist because they believe their circumstances meet one or more of the requirements outlined above, we would encourage the discloser to discuss this with the PID Officer prior to disclosure to a journalist.

It is also recommended that the discloser seek their own legal advice before taking any action in relation to matters that have been disclosed under the PID Act.

If a discloser makes an anonymous disclosure they may not be able to demonstrate they meet the above requirements and we are not obliged to provide the discloser with any notifications about what happens to the disclosure.

Adopted:

Last Amended:

Last Reviewed:

Next Review Date: August 2021

Responsible Department: Executive

