

BUSINESS PAPER

ORDINARY MEETING

THURSDAY 28TH AUGUST 2025

WARREN SHIRE COUNCIL

AGENDA - ORDINARY COUNCIL MEETING

28th August 2025 commencing at 8.30 am

1. OPENING OF MEETING

2. ACKNOWLEDGEMENT OF COUNTRY

Warren Shire Council acknowledges the traditional owners of the lands within Warren Shire and acknowledges the Aboriginal and Torres Strait Islander people who reside within this Shire.

3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

4. CONFIRMATION OF MINUTES

Ordinary Meeting held on Thursday, 24th July 2025.

5. DISCLOSURES OF INTERESTS

6. MAYORAL MINUTE(S)

Nil.

7. REPORTS OF COMMITTEES

Meeting of the Water and Sewerage Committee
held on Monday, 4th August 2025 (C14-3.24)

Meeting of the Plant Committee held on Tuesday, 5th August 2025 (C14-3.8)

Meeting of the Economic Development and Promotions Committee
held on Wednesday 6th August 2025 (C14-3.22)

Meeting of the Warren Local Emergency Management Committee
held on Tuesday, 12th August 2025 (E6-1)

Meeting of Manex held on Tuesday, 19th August 2025 (C14-3.4)

8. REPORTS OF DELEGATES

Item 1	Meeting of the Alliance Western Councils Board held on Friday, 27th July 2025	(C14-6.5)
Item 2	Meeting of the Warren Interagency Support Services held on Monday, 11th August 2025	(C3-9)

9. REPORTS TO COUNCIL

POLICY

General Manager's Reports

Item 1	Review of Legislative Compliance Policy and Procedure Policy (P13-1, C8-1)	Page 1
Item 2	Review of Code of Meeting Practice Policy (P13-1, A13-1)	Page 20
Item 3	Review of the Warren Shire Council Code of Conduct (A7-6)	Page 23
Item 4	Review of the Procedures for the Administration of the Warren Shire Council Code of Conduct (A7-6)	Page 25
Item 5	Review of the Contractor WHS Management Policy (P13-1, S16-10) ..	Page 27

Divisional Manager Finance and Administration Reports

Item 1	Investment Policy (P13-1, I3-1.35)	Page 1
Item 2	Employee Leave Policy and Procedure (P13-1, S12-1)	Page 11
Item 3	Recruitment and Selection Policy (P13-1, S12-1)	Page 29
Item 4	Privacy Management Policy (P13-1, A7-12)	Page 43
Item 5	Records Management Policy (P13-1, R5-1)	Page 102

Manager Health and Development Services Reports

Item 1	Disability Inclusion Action Plan (P13-1, P15-12)	Page 1
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REPORTS OF THE GENERAL MANAGER

Item 1	Outstanding Reports Checklist (C14-7.4)	Page 1
Item 2	Committee/Delegates Meetings (C14-2)	Page 22
Item 3	Works Progress Reports – Infrastructure Projects (C14-7.1, G4-1) .	Page 24
Item 4	Disclosure of Interest – Councillors and Designated Persons (A7-9)	Page 28

REPORTS OF THE DIVISIONAL MANAGER FINANCE AND ADMINISTRATION

Item 1	Réconciliation Certificate – July 2025 (B1-10.16)	Page 1
Item 2	Statement of Rates and Annual Charges (R1-4)	Page 4
Item 3	Works Progress Reports – Finance & Administration Projects (C14-7.1, C9-1)	Page 7
Item 4	Summary of Financial Assistance Grant (G4-1, L5-5.2/46)	Page 8
Item 5	Financial Reports for the Year Ended 30th June 2025 (A1-5.43) .	Page 10
Item 6	Internally Restricted Funds as at 30th June 2025 (A1-5.42)	Page 14

REPORTS OF THE DIVISIONAL MANAGER ENGINEERING SERVICES

Item 1	Works Progress Reports – Roads (C14-7.2)	Page 1
Item 2	Works Progress Reports – Town Services (C14-7.2)	Page 11
Item 3	Works Progress Reports – Plant (P2-3)	Page 27
Item 4	Renewal of Delegation to Council under the Road Transport Act 2013 (R4-1)	Page 29

REPORTS OF THE MANAGER HEALTH AND DEVELOPMENT SERVICES

Item 1	Development Application Approvals (B4-9)	Page 1
Item 2	Works Progress Reports – Health and Development Services (C14-7.3)	Page 2

10. NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

Nil.

11. MATTERS OF URGENCY

Nil.

12. CONFIDENTIAL MATTERS

Item 1	Queensland Cotton Gin Land Sales	(S1-7)
Item 2	REGPRO092526 Supply and Delivery of Concrete Pipes	(C14-6.2/77)

13. CONCLUSION OF MEETING
14. PRESENTATIONS

9.30 am – Presentation by Mr Bernard Salt AM on ‘Saving The Australian Heartland’.

WATER AND SEWERAGE COMMITTEE

Attached are the Minutes of the Meeting of the Water and Sewerage Committee held on Monday, 4th August 2025.

RECOMMENDATION:

That the Minutes of the Meeting of the Water and Sewerage Committee held on Monday, 4th August 2025 be received and noted, and the following recommendation be adopted:

ITEM 5.1 STRUCTURAL DAMAGE TO THE INLET WORKS – TIGER BAY SEWER TREATMENT PLANT (S5-1)

That:

2. Council approves the use of the \$63,500.00, surplus funds from the construction of the additional evaporation lagoon, for the repair of the Tiger Bay Sewer Treatment Plant Inlet Channel with any unused funds to be returned to the sewer fund at the completion of the project.

WARREN SHIRE COUNCIL

Minutes of the Water and Sewerage Committee Meeting
held in Council's Community Room, 115 Dubbo Street, Warren,
on Monday 4th August 2025 commencing at 2.00 pm

PRESENT:

Councillor Noel Kinsey (Chair)
Councillor Anthony Wass
Councillor Greg Whiteley
Gary Woodman (General Manager)
Bradely Pascoe (Manager Finance and Administration)
Darren Walton (Town Service Overseer) (Observer)
Sylvester Otieno (Divisional Manager Engineering Services)
Raymond Burns (Town Services Manager)
Angie Tegart (Minute Taker)

ITEM 1 APOLOGIES

Apologies were received from Councillor David Cleasby and Councillor Andrew Brewer who were absent due to external commitments, and it was **MOVED** Woodman/Wass that the apologies be accepted and a leave of absence be granted for this meeting.

Carried

ITEM 2 CONFIRMATION OF MINUTES OF THE MEETING HELD ON THURSDAY, 16TH JANUARY 2025

MOVED Burns/Wass that the Minutes of the Meeting held on Friday 7th June 2024 be accepted as true and correct record of that meeting.

Carried

ITEM 3 BUSINESS ARISING FROM THE MINUTES OF THE MEETING HELD ON THURSDAY, 16TH JANUARY 2025

Nil.

ITEM 4 ACTION CHECKLIST

MOVED Woodman/Wass that the information be received and noted.

Carried

WARREN SHIRE COUNCIL

Minutes of the Water and Sewerage Committee Meeting
held in Council's Community Room, 115 Dubbo Street, Warren,
on Monday 4th August 2025 commencing at 2.00 pm

ITEM 5 REPORTS

ITEM 5.1 STRUCTURAL DAMAGE TO THE INLET WORKS – TIGER BAY SEWER TREATMENT PLANT (S5-1)

RECOMMENDATION TO COUNCIL:

MOVED Wass/Burns that:

1. The report be received and noted; and
2. Council approves the use of the \$63,500.00, surplus funds from the construction of the additional evaporation lagoon, for the repair of the Tiger Bay Sewer Treatment Plant Inlet Channel with any unused funds to be returned to the sewer fund at the completion of the project.

Carried

ITEM 6 GENERAL BUSINESS

Nil

ITEM 7 DATE OF NEXT MEETING

2pm 17th November 2025

There being no further business the meeting closed at 3pm.

PLANT COMMITTEE

WARREN SHIRE COUNCIL
Minutes of the Plant Committee Meeting
held in the Community Room, 115 Dubbo Street Warren
Tuesday 5th August 2025 commencing at 2.01pm

PRESENT:

Councillor Greg Whiteley (Mayor) (Chair)
Councillor Tony Wass
Councillor Noel Kinsey
Councillor Mark Kelly
Councillor Dirk McCloskey
Gary Woodman (General Manager)
Sylvester Otieno (Divisional Manager Engineering Services)
Bradley Pascoe (Divisional Manager Finance & Administration)
Darren Walton (Town Services Overseer) (Observer)
Jason Boyd (Workshop Coordinator)
Angie Tegart (Minute Taker)

With the Chair Clr Andrew Brewer absent the Mayor Clr Greg Whiteley chaired the meeting.

ITEM 1 APOLOGIES

Apologies were received from Councillor Andrew Brewer and Treasurer Jillian Murray who were absent due to external commitments, and it was **MOVED** Kinsey/McCloskey that the apologies be accepted, and a leave of absence be granted for this meeting.

Carried

ITEM 2 CONFIRMATION OF MINUTES FROM THE MINUTES OF THE MEETING HELD 21ST MAY 2025

MOVED Kelly/Kinsey that the Minutes of the Meeting held on Tuesday, 21st May 2025 be accepted as true and correct record of the meeting.

Carried

ITEM 3 BUSINESS ARISING FROM THE MINUTES OF THE MEETING HELD 21ST MAY 2025

Nil.

ITEM 4 ACTION CHECKLIST

MOVED Wass/McCloskey that the information be received and noted and the items marked with an asterisk (*) be deleted.

Carried

ITEM 5 FINANCIAL STATEMENT

MOVED Kinsey/Kelly that the information be received and noted.

Carried

WARREN SHIRE COUNCIL

Minutes of the Plant Committee Meeting

held in the Community Room, 115 Dubbo Street Warren

Tuesday 5th August 2025 commencing at 2.01pm

ITEM 6 REPORTS

ITEM 6.1 SUPPLY AND DELIVERY OF GRADER **(C13-107)**

RECOMMENDATION TO COUNCIL:

MOVED Kinsey/Kelly that Council accept the tender from WesTrac Pty Ltd of 8 Purvis Street, Dubbo for the Supply and Delivery of a 2025 model Caterpillar 140 Motor Grader in accordance with Tender – Supply and Delivery of Motor Grader for \$539,301.82 including GST.

Carried

ITEM 6.2 SUPPLY AND DELIVERY OF SMOOTH DRUM ROLLER (C13.106)

RECOMMENDATION TO COUNCIL:

MOVED Kinsey/Kelly that Council accept the tender from BT Equipment Pty Ltd of 6-8 Ferngrove Place, South Granville NSW for the Supply and Delivery of a 2025 model Bomag BW219D5 Smooth Drum Roller in accordance with Tender – Supply and Delivery of Smooth Drum Roller for \$256,300.00 including GST.

Carried

ITEM 7 GENERAL BUSINESS

- The Workshop Coordinator detailed minor discussions on quotes for the slashers and mowers that have been obtained.

ITEM 8 DATE OF NEXT MEETING

Mid November 2025

There being no further business the meeting closed at 3.10pm.

ECONOMIC DEVELOPMENT & PROMOTIONS COMMITTEE MINUTES

Attached are the Minutes of the Meeting of the Economic Development & Promotions Committee held on Wednesday, 6th August 2025.

RECOMMENDATION:

That the Minutes of the Meeting of the Economic Development & Promotions Committee held on Wednesday, 6th August 2025 be received and noted and the following recommendation be adopted:

ITEM 5.4 DESTINATION MACQUARIE MARSHES TASKFORCE (T4-1.2)

That the Economic Development and Visitation Manager progress the development of a new dedicated brochure layout for the Discover Macquarie Marshes campaign and further develop a logo design for consideration of the Destination Macquarie Marshes Taskforce.

WARREN SHIRE COUNCIL
Minutes of the Economic Development & Promotions Committee
Meeting held in the Council Community Room
on Wednesday 6th August 2025, commencing at 3:34pm

PRESENT:

Sarah Derrett	Councillor (Chair)
Greg Whiteley	Mayor
Penny Heuston	Councillor
Pauline Serdity	Councillor
Gary Woodman	General Manager
Sylvester Otieno	Divisional Manager Engineering Services
Maryanne Stephens	Manager Health and Development Services
Susan Balogh	Economic Development and Visitation Manager
Rebecca Christian	Minute Taker

ITEM 1 APOLOGIES

Apologies were received from Councillor Ros Jackson and Bradley Pascoe Divisional Manager Finance and Administration who were absent due to external commitments and it was **MOVED** Woodman/Heuston that the apologies be accepted and a leave of absence be granted for this meeting.

Carried

ITEM 2 MINUTES

MOVED Woodman/Balogh that the Minutes of the Economic Development and Promotions Committee Meeting held on Wednesday, 7th May 2025 be adopted as a true and correct record of that meeting.

Carried

ITEM 3 BUSINESS ARISING FROM THE MINUTES OF THE MEETING, 7TH MAY 2025

Nil.

ITEM 4 ACTION CHECKLIST

MOVED Serdity/Heuston that the information be received and noted and the items marked with an asterisk (*) be deleted.

Carried

ITEM 5 REPORTS

ITEM 5.1 DROUGHT RESILIENCE IMPLEMENTATION PROJECT UPDATE

(T4-14, F2-2, G4-1.79,)

- Project completion deadline moved up to November 20th with final submission by the 28th November 2025;
- Gidgee Media selected as the marketing firm;
- 12-week sprint required with draft brochure needed 6 weeks before printing deadline;
- Friday, 8th August 2025 12 pm deadline is set for all other Councils to provide photos and attraction details; and

WARREN SHIRE COUNCIL
Minutes of the Economic Development & Promotions Committee
Meeting held in the Council Community Room
on Wednesday 6th August 2025, commencing at 3:34pm

ITEM 5.1 DROUGHT RESILIENCE IMPLEMENTATION PROJECT UPDATE CONTINUED

- A strategy session is scheduled for the week commencing 19th August 2025 with Andrew Hull from Gidgee Media for project direction.

MOVED Derrett/Serdity that the information be received and noted.

Carried

Councillor Greg Whiteley left the meeting at 3:54 pm

ITEM 5.2 CONNECTING SENIORS GRANT PROGRAM DELIVERY UPDATE (G4-1.102)

- The project is at 60% completion status with three-component program including welcome postcards, memory journals and voice recordings;
- A memory café concept has been introduced with themed morning teas and activities; and
- Plans are progressing to integrate the program at Calara House for community members unable to participate at the Library sessions.

MOVED Balogh/Serdity that the information be received and noted.

Carried

Councillor Sarah Derrett left the meeting at 3:39 pm and returned at 4:01 pm

ITEM 5.3 ECONOMIC DEVELOPMENT STRATEGY AND ACTION PLAN (D3-1)

- An update on various projects and strategies was provided.

MOVED Balogh/Heuston that the information be received and noted.

Carried

ITEM 5.4 DESTINATION MACQUARIE MARSHES TASKFORCE (T4-1.2)

- Minutes of Tuesday, 20th May 2025 meeting discussed.

RECOMMENDATION TO COUNCIL:

MOVED Balogh/Serdity that the Economic Development and Visitation Manager progress the development of a new dedicated brochure layout for the Discover Macquarie Marshes campaign and further develop a logo design for consideration of the Destination Macquarie Marshes Taskforce.

Carried

ITEM 6 GENERAL BUSINESS

Nil.

ITEM 7 DATE OF NEXT MEETING

To be arranged for 5th November 2025 at 3:30 pm.

WARREN SHIRE COUNCIL
Minutes of the Economic Development & Promotions Committee
Meeting held in the Council Community Room
on Wednesday 6th August 2025, commencing at 3:34pm

There being no further business and the meeting concluded at 4:18 pm.

WARREN LOCAL EMERGENCY MANAGEMENT COMMITTEE

Minutes

Attached are the Minutes of the Meeting of Warren Local Emergency Management Committee held on Tuesday, 12th August 2025.

RECOMMENDATION:

That the Minutes of the Meeting of Warren Local Emergency Management Committee held on Tuesday, 12th August 2025 be received and noted and the following recommendation be accepted.

ITEM 9 GENERAL BUSINESS

9.1 USE OF THE WARREN SERVICES CLUB AS A SECONDARY EVACUATION CENTRE

That it be noted that the current Evacuation Centre arrangements are suitable.

WARREN LOCAL EMERGENCY MANAGEMENT COMMITTEE

Minutes of Warren Local Emergency Management Committee Meeting held in the
Community Room 115 Dubbo Street, Warren on Tuesday 12th August 2025
commencing at 9.30am

PRESENT:

Sylvester Otieno	Warren Shire Council (LEMO and Chair)
Gary Woodman	Warren Shire Council (GM)
Raymond Burns	Warren Shire Council (TSM)
Maryanne Stephens	Warren Shire Council (MHD)
Christopher Waters	NSW Police (REMO)
Darryl Foster	NSW RFS
Fiona Westcott	NSW RFS
Angela Muir	FRNSW
Emma Hamblin	WNSW LHD – Warren MPS
John Moors	WNSW LHD – Warren MPS
Campbell Blair	NSW SES
Annabelle Watson	NSW SES
Adrian Caputo	NSW Ambulance
Rob Bevern	NSW Police
Shane Rankin	NSW Police (Warren)
Jacqueline Jones	NSW RA (Online)
Tim Jennings	FRNSW
Shane Edwards	TfNSW
Tristian Cameron	Central West Local Land Services (Online)

ITEM 1 APOLOGIES

Nil.

ITEM 2 MINUTES OF THE MEETING HELD ON TUESDAY, 12TH MAY 2025

MOVED Burns/Waters that the Minutes of the meeting held on Tuesday, 12th May 2025 as circulated, be adopted as a true and correct record of that meeting.

Carried

**ITEM 3 BUSINESS ARISING FROM THE MINUTES OF THE MEETING HELD ON TUESDAY,
12TH MAY 2025**

Nil.

WARREN LOCAL EMERGENCY MANAGEMENT COMMITTEE

Minutes of Warren Local Emergency Management Committee Meeting held in the Community Room 115 Dubbo Street, Warren on Tuesday 12th August 2025 commencing at 9.30am

ITEM 4 NSW Reconstruction Authority Presentation – Jacqueline Jones

Overview procedure of the NSW Reconstruction Authority and responsibilities particularly:

- Recovery Delivery;
- Recovery Coordination;
- Recovery Programs;
- Support to LEMC;
- Recovery Planning; and
- Pre-event Recovery Plans.

MOVED Jones/Woodman that the information be received and noted.

Carried

ITEM 5 REMO REPORT

MOVED Waters/Woodman that the information be received and noted.

Carried

ITEM 6 AGENCY REPORTS

a) NSW SES

MOVED Watson/Campbell that the information be received and noted.

Carried

b) Transport for NSW

MOVED Edwards/Burns that the information be received and noted.

Carried

c) FRNSW

MOVED Jennings/Muir that the information be received and noted.

Carried

d) NSW Reconstruction Authority

MOVED Jones/Woodman that the information be received and noted.

Carried

e) NSW Ambulance

- 6 Staff, 5 Paramedics, 1 intern.
- 3 Ambulance.

MOVED Caputo/Woodman that the information be received and noted.

Carried

WARREN LOCAL EMERGENCY MANAGEMENT COMMITTEE

Minutes of Warren Local Emergency Management Committee Meeting held in the
Community Room 115 Dubbo Street, Warren on Tuesday 12th August 2025
commencing at 9.30am

ITEM 6 AGENCY REPORTS

CONTINUED

f) Welfare

Evacuation Centre Audits will be undertaken by desktop each year, check of contracts and of any structure changes.

MOVED Minehan/Woodman that the information be received and noted.

Carried

g) RFS

- 92 responses in the quarter
- 1st October 2025 season starts.

MOVED Foster/Woodman that the information be received and noted.

Carried

h) NSW Health

Almost full recruitment of nurses and covered by doctors.

MOVED Hamblin/Woodman that the information be received and noted.

Carried

i) Local Land Services

Department changes DPI, but business as usual.

MOVED Cameron/Woodman that the information be received and noted.

Carried

ITEM 7 CONTACT LIST UPDATE

The contact list has been updated. Any further updates should be communicated to Council.

ITEM 8 MAJOR EVENTS (DISCUSSION)

Further Events

Nevertire Rodeo Sunday 5th October 2025 – 1,500ppl

Warren Open Garden Day 17th & 18th October 2025 – 1,000ppl

MOVED Burns/Stephens that the information be received and noted.

Carried

WARREN LOCAL EMERGENCY MANAGEMENT
COMMITTEE

**Minutes of Warren Local Emergency Management Committee Meeting held in the
Community Room 115 Dubbo Street, Warren on Tuesday 12th August 2025
commencing at 9.30am**

ITEM 9 GENERAL BUSINESS

9.1 USE OF THE WARREN SERVICES CLUB AS A SECONDARY EVACUATION CENTRE

- Primary hazard is flood so needs to be flood free, needs to be within the levee;
- Warren Sporting and Cultural Centre is a higher facility than the Club;
- Club would need to be prepared to stop trading with alcohol and poker machines;
- Originally the Warren TAFE was the secondary evacuation centre;
- An alternate would be found in an emergency if required;
- Companion animals space not available;
- Flood consequence by SES needs to be investigated; and
- Flood Plan rules the proposal out.

RECCOMENDATION TO COUNCIL:

MOVED Minehan/Watson that it be noted that the current Evacuation Centre arrangements are suitable.

Carried

ITEM 10 NEXT MEETING

11th November 2025.

THERE BEING NO FURTHER BUSINESS, THE MEETING CONCLUDED AT 10.15AM.

MANEX MINUTES

Attached are the Minutes of the Meeting of Manex Committee held on Tuesday, 19th August 2025.

RECOMMENDATION:

That the Minutes of the Meeting of the Manex Committee held on Tuesday, 19th August 2025 be received and noted.

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in Council's Community Room on
Tuesday, 19th August 2025 commencing at 2.32 pm

PRESENT:

Gary Woodman	General Manager
Joe Joseph	Infrastructure Projects Manager
Jody Burtenshaw	EA to the Mayor and General Manager
Bradley Pascoe	Divisional Manager Finance & Administration
Jillian Murray	Treasurer
Erica Kearnes	Librarian (Chairperson)
Sylvester Otieno	Divisional Manager Engineering Services
Raymond Burns	Town Services Manager
Ray Egan	Flood Restoration and Special Projects Manager
Maryanne Stephens	Manager Health and Development Services

1 APOLOGIES

Apologies were received from Susan Balogh and Sunil Prakash who were absent due to external commitments, and it was **MOVED** Stephens/Otieno that a leave of absence be granted for this meeting.

Carried

2 BUSINESS ARISING FROM MINUTES

Nil.

3 ACTION CHECKLIST

MOVED Woodman/Stephens that the information be received and noted and the items marked with an asterisk (*) be deleted.

Carried

4.1 EXECUTIVE OFFICE MATTERS

4.1.1 Marketing and Communications Update (GM)

MOVED Woodman/Burtenshaw that the information be received and noted.

Carried

4.1.2.1 The Western Plains App Monthly Report (GM)

MOVED Woodman/Otieno that the information be received and noted.

Carried

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in Council's Community Room on
Tuesday, 19th August 2025 commencing at 2.32 pm

4.1 EXECUTIVE OFFICE MATTERS

4.1.2.2 The Western Plains App Advertising Contract Renewal (GM)

MOVED Woodman/Murray that the information be received and noted.

Carried

4.1.3 Preparation of the September 2025 Council Newsletter (GM)

SEPTEMBER 2025 NEWSLETTER

Item	Responsible Officer
HEADER OR FOOTER ITEMS	
Registration of Local Contractors on VendorPanel	DMFA, CC
Subscription to Newsletter (Only for 2 Page PDF)	GM
VIC Volunteer Advertising	EDVM
PRIORITY MATTERS	
From the Mayors Desk	(EA/GM/Mayor)
Vacant Positions	Finance Officer – Payroll/HR Officer
Road Maintenance Construction Program for August/September 2025	FRSPM/RIM/DMES
Dog Pound Project Update	IPM
Country Heartline Regional Drought Resilience Implementation Plan Project	EDVM
A Fresh Start for Local Government Apprentices/Trainees and Cadets Program Round 2 – Position Advertising	GM/DMES
Warren Showground/Racecourse Complex Automatic Gates Operational	TSM
EV Charging Station Operational	IPM
Whispir Roll Out Program	TSM/Works Clerk/AOES
Levee Rehabilitation Works	DMES/IPM
Citizenship Ceremony	EA
Code of Meeting Practice, Code of Conduct and Administration of the Code of Conduct Public Exhibition	GM/EA
Library School Holiday Activities	LIB/DMFA
Council Staff Health and Wellbeing Day Services Closure	GM/EA

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in Council's Community Room on
Tuesday, 19th August 2025 commencing at 2.32 pm

4.1.3 Preparation of the September 2025 Council Newsletter (GM)

Continued

Item	Responsible Officer
PRIORITY MATTERS	
August Policies for Public Exhibition	DMFA
LOWER PRIORITY MATTERS	
Women of Warren Shire	GM
Responsible Pet Ownership	MHD
RR202 Marthaguy Road Towards Zero Safety Roads Update	FRSPM /RIM/DMES
RR333 Carinda Road Towards Zero Safer Roads Update	RIM/DMES/ FRSPM
Ewenmar Waste Depot Access Road Flood Restoration Works	RIM/DMES/ FRSPM /MHD
SR66 Wambianna Road and SR91 Industrial Access Road Flood Restoration Works	RIM/DMES/ FRSPM
SR65 Old Warren Road Flood Restoration Works (Unsealed Section)	RIM/DMES/ FRSPM
Use of Council Events Calendar	IPM/ PAO
Bernard Salt AM Presentation to Council	GM /EA

MOVED Woodman/Murray that the information be received and noted.

Carried

4.1.4 Suggestions in the Council Suggestion Boxes (GM)

It was suggested that Council remove any unnecessary double up of community posters on the front Administration Building glass windows (GM).

Carried

4.1.5 Policy Review Plan (GM)

MOVED Stephens/Burns that the information be received and noted.

Carried

4.1.6 2025/2026 Operational Plan Matters Responsibility (GM)

To be provided to the September 2025 Manex Meeting.

MOVED Woodman/Burns that the information be received and noted.

Carried

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in Council's Community Room on
Tuesday, 19th August 2025 commencing at 2.32 pm

4.2 FINANCE & ADMINISTRATION DEPARTMENT MATTERS

4.2.1 Warren Shire Council Contract Register (DMFA)

Completed contracts as highlighted in the Register being C13-73, C13-84, C13-92 be removed from the Register. **(ALL MANEX)**

MOVED Pascoe/Otieno that the information be received and noted.

Carried

4.2.2 Warren Shire Council Grants Register (DMFA)

MOVED Pascoe/Burns that the information be received and noted.

Carried

4.2.3 Manex Member Advice on Large Payments for Investment Strategy Information (DMFA)

Estimated major expenditure for August 2025:	Estimated income / payments for August 2025:
<ul style="list-style-type: none">▪ Supply of Flood gates \$30,000 (TSM)	<ul style="list-style-type: none">▪ Levee Milestone 3 payments \$199,523.82 (IPM)
<ul style="list-style-type: none">▪ Levee Rehabilitation \$283,355 (IPM)	<ul style="list-style-type: none">▪ Nevertire Bogan Road – FLR4 Milestone 3 Payment \$562,642 (DMES)
<ul style="list-style-type: none">▪ Tenandra & Newe Park Bridges - \$1.3 million (DMES)	
<ul style="list-style-type: none">▪ Marthaguy Road – Sealing \$120,000 (RIM)	
<ul style="list-style-type: none">▪ Marthaguy Road – Stabiliser \$120,000 (RIM)	
<ul style="list-style-type: none">▪ Carinda Road – Mt Foster Material \$150,000 (RIM)	
<ul style="list-style-type: none">▪ RFQ accessible toilet and kitchen \$40,000 (MHD)	

MOVED Woodman/Pascoe that the information be received and noted.

Carried

WARREN SHIRE COUNCIL

Minutes of the Manex Committee Meeting held in Council's Community Room on
Tuesday, 19th August 2025 commencing at 2.32 pm

4.3 ENGINEERING DEPARTMENT MATTERS

4.3.1 Flood Recovery Works (DMES/FRSPM/RIM)

Event Name	Event Description	Work Completion Deadline	Approved Scope	Payment Claim	Funds Received	Comments	Status
AGRN 1034 EPA RW	NSW Flooding from 14 September 2022 onwards	30.06.2026	\$ 8,655,818.00	\$ 4,327,909.00	\$ 4,327,909.00	The paid amount is 50% payment under the Tripartite Agreement. The \$700,351 that was transferred from the IRW has been included in the paid amount.	Works ongoing

MOVED Egan/Otieno that the information be received and noted.

Carried

4.3.2 Road Maintenance Council Contract (RMCC)- State Highway 11 (DMES/FRSPM/RIM)

Project	Estimate / Budget	Comments
Heavy Patching 2025-26	TBC	Patches (15) have been marked.
Milawa Pavement Rehabilitation	TBC	
RMAP Activities – 2025-26	\$493,431.14	RMAP has been finalised and agreed.
Reseal Works 2025-26	TBC	
*Boothaguy Creek Truck Stop	TBC	Cancelled.
*AC Works – Roundabout, SH11 Nevertire Rail Crossing, Boothaguy Bridge	\$781,364.90	Works Completed.

MOVED Egan/Otieno that the information be received and noted.

Carried

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in Council's Community Room on
Tuesday, 19th August 2025 commencing at 2.32 pm

4.3 ENGINEERING DEPARTMENT MATTERS

CONTINUED

4.3.3 2025 Calendar of Events at Showground/Racecourse (TSM/IPM)

MOVED Burns/Otieno that the information be received and noted.

Carried

4.4 HEALTH & DEVELOPMENT DEPARTMENT MATTERS

4.4.1 Warren Shire Council September to December 2022 Flood and Storm Damage Claim for Waste Facility/Garbage Matters (AGRN 1034) (MHD)

Event	Subcategory	Estimate	Status
AGRN 1034	EPA RW	\$220,500	Approval received 13th June 2025. Works scheduled for August/September with completion in October 2025.
ARGN 1034	EPA RW	\$38,983.86	Request for finalisation of payment made to Public Works Authority on the 20th June 2025 and 12th August 2025.

Table Legend

AGRN – Australian Government's Registration Number

EW – Emergency Works

IRW – Immediate Reconstruction Works

EPA RW – Essential Public Asset Reconstruction Works

MOVED Stephens/Otieno that the information be received and noted.

Carried

4.5 WORK HEALTH & SAFETY RISK MATTERS

4.5.1 Workplace Inspection Calendar (WHS_RC)

MOVED Woodman/Burns that the information be received and noted.

Carried

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in Council's Community Room on
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4.5 WORK HEALTH & SAFETY RISK MATTERS

CONTINUED

4.5.2 StateCover Targeted Assistance Program (TAP) (GM/WHC-RC)

Priorities will be as follows:

- P1 Psychosocial **(WHS-RC)**;
- P2 Hazardous and Manual Handling **(WHS-RC)**;
- P3 Cultural Improvement (StateCover, **SMT, WHS-RC**);
- P4 Hearing **(WHS-RC)**;
- P5 Gravel Pits **(DMES/WHC-RC)**;
- P6 Isuzu Twin-Cab Trucks **(GM/WHC-RC)**;
- P7 Iseki Mowers – Seats **(TSM/WC/DMES)**;
- P8 WHS Training **(WHS-RC)**;
- P9 Roadwork Signage **(DMES)**;
- P10 First Aid Training **(WHS-RC)**;
- P11 Workforce Fitness **(HRO/WHC-RC)**;
- P12 Plant Replacement **(DMES)**;
- P13 Staff Mentoring Program **(TSO/AOES/MIO)**; and
- P14 WHS Trainee **(GM)**.

MOVED Woodman/Burns that the information be received and noted.

Carried

WARREN SHIRE COUNCIL

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4.6 HUMAN RESOURCES

4.6.1 Determination of Vacant Positions in accordance with the Workforce Plan (GM)

Position	Permanent/ Contract	Responsible Officer	Status
Management Accountant	Permanent	DMFA	Completion of information package and advertising to be arranged as soon as possible.
Utilities Maintenance Team Leader	Permanent	DMES	Advertising with an open closing date.
Utilities Maintenance Team Member (2)	Permanent	DMES	Advertising with an open closing date.
Pavement Maintenance Team Leader	Permanent	DMES	Advertising with an open closing date.
Pavement Maintenance Team Operator	Permanent	DMES	Candidate to commence Monday 1st September 2025
Light Plant Operator – Relief	Permanent	DMES	Interviews be held Monday 18 th August 2025
Heavy Plant Operator (Grader)	Contract at least 2 Years	DMES	Subject to further discussions at SMT. Advertising to be arranged as soon as possible if required.
Light Truck Driver (Water)	Contract at least 2 Years	DMES	Advertising with an open closing date.
Light Plant Operator – Roller	Contract at least 2 Years	DMES	Advertising with an open closing date.
Light Plant Operator – Roller	Permanent	DMES	Resignation received 14th August 2025. To be advertised with an open closing date.
Heavy Diesel Mechanic	Permanent	DMES	Advertising with an open closing date.
Roads Infrastructure Manager	Permanent	DMES	Advertising with an open closing date.
Works Clerk/Administration Officer Engineering Services	12-month Contract	DMES	Candidate attending pre-employment medical Monday 18 th August 2025.
Trainee Plant Operator	Trainee – 3 years	DMES	Advertising with an open closing date.
Cleaner (Part-Time)	Permanent	MHD	Interview arranged for Thursday 21st August 2025.
Records Administrator / Relief Service NSW	Permanent	DMFA	Advertising with an open closing date.
*Finance Clerk – Debtors / Relief Service NSW	Permanent	DMFA	Candidate commenced duties on 15th July 2025.
Trainee Administration Officer	Trainee – 2 year	GM	Interviews arranged for Thursday 21st August 2025.
Assets Manager	Permanent	DMES	Advertising with an open closing date.

Items marked with an () asterisk and have been highlighted grey indicate that they have been finalised and are to be removed from the listing.*

MOVED Woodman/Murray that the information be received and noted and the item marked with an asterisk (*) be deleted.

Carried

WARREN SHIRE COUNCIL

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5.1 OFFICE OF LOCAL GOVERNMENT CIRCULARS

(L5-3)

Date	Circular No.	Description	Comment/Action
17.7.2025	25-15	Annual Reporting of Labour Statistics	Complete
31.7.2025	25-16	End of Year Reporting Requirements	Noted
7.8.2025	25-17	Quarterly Budget Review Statement Guidelines	Noted. The first Budget Review will in September 2025 using the new Guidelines
14.8.2025	25-18	Updated Ministerial Guidelines on Alcohol Free Zones	Noted

MINISTERIAL CIRCULARS

Date	Circular No.	Description	Comment/Action
Nil			

MOVED Woodman/Burtenshaw that the information be received and noted.

Carried

WARREN SHIRE COUNCIL

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5.2 OFFICE OF LOCAL GOVERNMENT STRATEGIC TASKS

Councils are required to submit several reports and returns/surveys annually, as required by the [Local Government Act 1993](#) and by OLG policy. The [Integrated Planning and Reporting Framework](#) details the reporting requirements that are mandated in the Local Government Act.

The Calendar of Compliance includes key deadlines for strategic management tasks for all Councils and Joint Organisations in NSW. Statutory and other reporting deadlines are not limited to those included in the Calendar of Compliance.

The OLG Calendar of Compliance & Reporting Requirements 2025-26 is available to view [here](#). A hard copy has been provided to Manex Members via an email sent on Tuesday, 12th August 2025.

The **yellow highlight** is a new item for 2025/2026 and not previously reported.

		July 2025	Status		August 2025	Status		September 2025	Status
Finance		Financial Statements to be audited within four months [LGA s416(1)].	Noted	1	Last day for rates to be levied by service of rates notices (LGA s562(4))	Noted			
	4	Proposed Borrowing Return to be submitted to TCorp. Return available here .	Noted	31	First quarter rates or single instalment due (LGA s562)	Noted			
	31	Last day for making rates [LGS s533].							
	31	GST Certificate to be submitted to OLG.							
Governance	30	Public Interest Disclosures Report due to NSW Ombudsman (PIDA s78). Reminder: written returns of interest due 30 September for Councillors and Designated Persons who held office at 30 June [MCC cl4.21(b)].	N/A				30	Written returns of interest due for councillors and designated persons who held office at 30 June [MCC cl4.21(b)] to be lodged. GM to table returns at next Council meeting [MCC cl 4.25]	Completed and will be reported to the August 2025 Council Meeting.
							30	ARIC to have met this quarter [LG Reg s216J]	Noted, scheduled for 2 September 2025.
Grants		Low-cost loan initiatives reimbursement claim period opens – initial report or progress report due.	N/A		New Council Implementation Fund (NCIF) progress report due	N/A			
		Government Recovery Grants – AGRN 1012, 1025, 1030/34 & \$2M, HIC Companion Animals Grants (\$375k) – YTD reporting due.	IPM responsible for reporting.		Stronger Communities Fund (SCF) progress report due	Final report submitted for Carter Oval			
Companion Animals				31	Animal seizures – Pound data report due	MHD responsible for reporting.			
Other	31	All fresh Start Recipient Organisations must provide OLG a detailed report by 31 July	Complete		Compulsorily Land Acquisition return due	MHD responsible for return.		Grants Commission roads, bridges & general return due. Return available here	DMFA responsible for reporting.
					Expected first instalment of 2024-25 Financial Assistance Grants	Noted	30	Fresh Start Recipient organization must submit a claim for funding within 5 working days of 30 September (for the period of 1 July to 30 September)	Treasurer responsible for reporting.
Education							25	Cyber Security Councils Forum. Registration via community@cyber.nsw.gov.au	Noted
								LG Professionals – Integrated Planners Conference	Noted

MOVED Woodman/Murray that the information be received and noted.

Carried

**Minutes of the Manex Committee Meeting
held in Council's Community Room on
Tuesday, 19th August 2025 commencing at 2.32 pm**

Nil.

The Committee previewed the August 2025 Business Paper and the July 2025 Draft Minutes and actions required were placed on the Action Checklist in Item 1 of the General Manager's Report.

The correspondence list and the outstanding request/actions list were circulated. It was requested that the Responsible Officers update the outstanding complaints/actions list and return to the Engineering Administration Officer/Works Clerk.

- The Manager Health and Development Services commented on the recent advice that the final print edition of Warren's local newspaper, the Warren Star will be the 27th August 2025. From the 4th September 2025 the Warren Star will amalgamate with the Nyngan Weekly and will be rebranded under a new title.
- The Librarian advised that author Peter Watt will be visiting the Warren Library at the end of October 2025. This will be part of his farewell tour where Mr Watt will be visiting 12 Libraries. Dates are yet to be confirmed.
- The Treasurer advised that the Finance Department still has concerns with late timesheets being received. It was requested that if staff are going on leave, that their timesheet be submitted before they go.

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Board Meeting Minutes

Friday, 25 July 2025

The Gil Library Hub

Minutes Board Meeting

Date: Friday, 27 July 2025
Time: 8.32 am
Venue: The Gil Library Hub

ATTENDEES:

Clr Glen Neill (Chair)	Mayor	Bogan Shire Council
Derek Francis	General Manager	Bogan Shire Council
Clr Lachlan Ford	Mayor	Bourke Shire Council
Leonie Brown	General Manager	Bourke Shire Council
David Kirby	General Manager	Brewarrina Shire Council
Bob Stewart	Administrator	Central Darling Shire Council
Clr Jarrod Marsden	Mayor	Cobar Shire Council
Peter Vlatko	General Manager	Cobar Shire Council
Kerry Murphy	Director Infrastructure (deputising for the Acting General Manager)	Coonamble Shire Council
Clr Margaret Garnsey	Councillor	Coonamble Shire Council
Clr Josh Black	Mayor	Dubbo Regional Council
Murray Wood	General Manager	Dubbo Regional Council (via Teams)
Clr Doug Batten	Mayor	Gilgandra Shire Council
David Neeves	General Manager	Gilgandra Shire Council
Julian Geddes	Director Operations (deputising for Brad Cam General Manager)	Mid-Western Regional Council (via Teams)
Clr Ewen Jones	Mayor	Narromine Shire Council
Jane Redden	General Manager	Narromine Shire Council
Clr Jo Coleman	Councillor	Walgett Shire Council
Donna Auslang	Executive Manager Environmental Strategy, Economy and Partnership	Walgett Shire Council
Clr Greg Whiteley	Mayor	Warren Shire Council
Gary Woodman	General Manager	Warren Shire Council
Clr Kathryn Rindfleish	Mayor	Warrumbungle Shire Council
Lindsay Mason	General Manager	Warrumbungle Shire Council (via Teams)



ALSO IN ATTENDANCE:

Gerry Collins, Director Western, Regional Coordination, Premier's Department
Clare Pearson, Chief Executive Officer, Little Wings
Clr Craig Davies, Councillor, Narromine Shire Council via Teams for the Little Wings Presentation
Nicki Callan, Nurse, Little Wings
Dugald Saunders MP, Member for Dubbo Electorate
Ben Walker, Advisor, Leader of the NSW Nationals
Glen Colley, Manager Local Water Utility Reform, DDCCEEW
Jayson McKellar, Deputy Commissioner, Rural Fire Service Operations North
Holly Davies, Acting Regional Director West, Transport for New South Wales
Sam Noakes, Senior Community and Customer Engagement Officer, Transport for New South Wales

1. WELCOME

Glen Neill assumed the Chair and welcomed attendees, including those who attended online.

Clr Doug Batten provided a welcome to Gilgandra and an overview of the Gil Library Hub Project, the background and reasoning for the project.

Liz McCutcheon, Gil Library Hub Manager, gave a brief overview of the Library Hub operations and programs.

2. ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered by the Chair.

3. APOLOGIES:

Apologies were received from the following members:

Clr Tom Stanton	Mayor	Brewarrina Shire Council
Greg Hill	General Manager	Central Darling Shire Council
Phillip Perom	Acting General Manager	Coonamble Shire Council
Clr Des Kennedy	Mayor	Mid-Western Regional Council
Brad Cam	General Manager	Mid-Western Regional Council
Clr Danny Keady	Mayor	Coonamble Shire Council
Lisa Schiff	Executive Officer	Alliance of Western Councils

4. DECLARATIONS OF INTEREST

Nil declarations of interest were made.

5. CHAIRS REPORT

Mr Chair noted that the reasonings for the last meeting being cancelled is essentially



due to there being no business for consideration.

6. CONFIRMATION OF MINUTES

6.1. ALLIANCE OF WESTERN COUNCILS BOARD MEETING – 7 MARCH 2025

RESOLVED David Neeves/Clr Doug Batten, that the minutes of the Alliance of Western Councils Board meeting held on 7 March 2025 be confirmed.

**Carried
2025/12**

6.2. MATTERS ARISING

Nil

7. CONFIRMATION OF MINUTES

7.1. GENERAL MANAGERS ADVISORY COMMITTEE (GMAC) MEETING – 4 JULY 2025

RESOLVED Jane Redden/Peter Vlatko, that the minutes of the General Managers Advisory Committee (GMAC) meeting held on 4 July 2025 be confirmed.

**Carried
2025/13**

7.2. MATTERS ARISING

Nil.

8. GENERAL BUSINESS

8.1. 2025 MEETING DATES

RESOLVED Clr Ewen Jones/Bob Stewart

1. That the Alliance of Western Council's next meeting be held on Friday 7 November in Nyngan and consideration for 2026 future meeting dates being the first Friday in the months of Feb, May, August, November in 2026. However, the date be determined at the Annual General Meeting at the November meeting.
2. That the annual general meeting for the AWC be held at the November Meeting
3. That the Alliance of Western Councils invite:
 - Mr Jamie Chaffey MP, Shadow Assistant Minister for Agriculture and Shadow Assistant Minister for Resources to the November AWC Meeting;
 - Roy Butler MP;
 - The Executive Officer of the Central West Joint Organisation to provide an overview of the issues being considered by the CWJO that may align with the AWC Strategic plans;
 - The Electoral Commissioner, Rachel McCallum and Brett Whitworth, OLG to present to the board the methodology and justification behind the Electoral Costs; and



- The representative of the grants Commission board (Linda Scott, Brett Whitworth, Leanne Barnes, & the Ex Mayor of Orange??).

8.2. AWC DRAFT STRATEGIC PLAN

The draft AWC Strategic Plan was presented for a determination

RESOLVED Clr Doug Batten/Clr Margaret Garnsey, that the Alliance of Western Councils Strategic Plan be adopted with the inclusion of an acknowledgement of Country.

**Carried
2025/14**

8.3. AWC WATER REPRESENTATIVE

The Board considered a request by Mr Craig Davies to be appointed the AWC Representative for water matters on behalf of the Alliance.

The Chair provided a verbal overview of the written request submitted by Mr Davies

Moved Clr Doug Batten/Clr Greg Whiteley, that the Board accept the offer submitted by Mr Davies.

The debate commenced with speakers for and against. At 8.55am the debate was suspended to accommodate the guest speakers.

At 1.30pm after the conclusion of the guest's presentations and the lunch break General Business resumed

An amendment to the motion was put
The amendment was put and carried
The amendment became the motion and was put and carried.

RESOLVED Clr Lachlan Ford/Clr Ewen Jones, that the AWC board requests that the Water Utilities Alliance determine if there is a need for greater advocacy on water issues within our region, and if so, the role be scoped through GMAC and referred back to the board for further consideration

**Carried
2025/15**

8.4. NSW HOUSING AUDIT REPORT

RESOLVED David Neeves/Clr Doug Batten

1. That the report of the NSW Housing Audit as presented be noted
2. That the Chair write to The Hon. Rose Jackson, MLC, Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister



for Youth requesting urgent action to make these properties available for occupation.

3. That GMAC give consideration to broadening the scope of the project to include an audit on Aboriginal Corporation and/or Aboriginal Land Council owned housing as a phase 2 to this project.

**Carried
2025/16**

PRESENTATIONS TO THE BOARD

9. LITTLE WINGS

The board received a presentation from Clare Pearson, Chief Executive Officer and Nicki Callan, Nurse.

The presentation outlined details of the program that Little Wings are proposing to introduce to LGA whom wish to participate. It was indicated that they could provide 12 clinics pa at a cost of \$1500/Clinic. The Clinics will be conditional on being bulk billed with no excess. The matter was raised that Little Wings and/or Council investigate the opportunities to partner with the Aboriginal Medical Services through the “connected beginnings “ funding.

10. At 9.30 the Board broke for Morning Tea Meeting resumed at 9.45am

11. DDCCEEW, WATER ALLIANCE ISSUES

- Glen Colley, Manager Local Water Utility Reform was in attendance in person.
- **Michael Blackmore**, Director Reform Implementation was unable to attend online (Unwell and was an apology)

Outlined the Departments responses to the Productivity and Equality Commission (PEC) and the PEC Report findings.

Discussed:

- Targeted Water Utilities Strategic Planning Support and Capability Building Pilot Program
 - Phase 1 Gap Analysis
 - Phase 2 Option or a specialist expert departmental staff being embedded with the Water Alliance

12. DUGALD SAUNDERS MP, MEMBER FOR DUBBO ELECTORATE

- **Ben Walker**, Advisor - Leader of the NSW Nationals, was also in attendance.

Discussions were held with Dugald regarding the following matters:

- Renewables, Legacy Projects and Power Security
- TfNSW Job cuts
- Regional Trust Funds

13. RURAL FIRE SERVICE

- **Kyle Stewart**, Deputy Commissioner, was in attendance. (Late Apology)
- **Substituted by Jayson McKellar**, Deputy Commissioner Operations North

The following matters were discussed:

- Red Fleet, fixed Assets and Buildings
- Mitigation Planning
- Inspection of Vehicles
- Risk Management Plan

14. TRANSPORT FOR NEW SOUTH WALES, STRATEGIC PLAN AND ROAD MAINTENANCE

- Holly Davies, Acting Regional Director West, was in attendance.
- Sam Noakes, Senior Community and Customer Engagement Officer, was in attendance.

The following matters were discussed:

- Regional Workforce Change
- Western Region Projects
- DRFA Changes and TfNSW not being involved from 1 October
- Strategic Integrated Transport Plans and upcoming consultations on the CWO and Far West Plans

15. GERRY COLLINS, NEW SOUTH WALES GOVERNMENT UPDATE

Discussions were held with Gerry regarding the following matters:

- Premiers Department Structure
- Western Regional Leadership Group Priority Areas, Renewables, Health, Housing, Youth Crime, Housing, Workforce Shortages
- Gerry to be provided with the AWC Strategic Plan

**16. Broke for lunch at 1.00pm
Returned at 1.30pm**

FURTHER GENERAL BUSINESS:

The following items of General Business were discussed:

- AWC noted Mr B Stewart is concluding his term as the Administrator with Central Darling Shire Council. The AWC congratulated Mr Stewart on his contributions to the Central Darling Shire and the AWC more broadly.
- AWC passed on congratulations to Gilgandra Shire Council for hosting the AWC Board Meeting.
- A brief discussion on the Farm Connectivity as submitted by David Kirby GM of Brewarrina. David Kirby by asked to distribute the information and will be circulated to individual councils for consideration.
- Clr Batten requested that link to the open section of the Central West Joint Organisation business paper be circulated to the AWB board members prior to the next meeting.

17. CLOSE

The meeting closed at 1.46 pm.

WARREN SHIRE COUNCIL
Delegates Report by Councillor S Derrett
to the Ordinary Meeting of Council to be held in the
Council Community Room, Warren on Thursday 28th August 2025

ITEM 1 WARREN INTERAGENCY SUPPORT SERVICES (C3-9)

RECOMMENDATION:

That the information be received and noted.

**Minutes of the Warren Support Services Interagency Meeting held in the
Council Community Room, Warren on Monday 11th August 2025**

Meeting opened: 1pm

- 1. PRESENT:** Cllr Pauline Serdity, Cllr Sarah Derrett, Maryanne Stephens (Manager Health and Development Services), Tracy Hawkes (Aboriginal Education Consultative Group - AECG), Belinda Bell (Catholic Care Wilcannia-Forbes), Shaana Daley (Catholic Care Wilcannia-Forbes - CCWF), Noreen Edmeades (Western NSW Local Health District – WNSWLHD) and Kelly Leonard (WNSWLHD).

Via Teams – Rachel Swindle (Transport for NSW), Amy Hall (TAFE NSW), Katie Blackett (Lives Lived Well), Subodh Adhikari (Lives Lived Well), Ewen Jones (Marathon Health), Jacqueline Jones (NSW Reconstruction Authority) and Janaya Carney (Revenue NSW).

- 2. APOLOGIES:** Yvonne Warman (Mission Australia), Chris Crisp and Cllr Ros Jackson.
Moved: Belinda Bell Seconded: Maryanne Stephens

Carried

- 3. CONFIRMATION OF MINUTES:** Minutes of meeting held on 16th June 2025.
Moved: Cllr Pauline Serdity Seconded: Maryanne Stephens

Carried

- 4. BUSINESS ARISING**
Nil.

- 5. CORRESPONDENCE:** Out – Nil In – Nil

- 6. ACTION CHECKLIST:** No further updates to the checklist at this time.

- 7. GUEST SPEAKER PRESENTATION:**

Presentation delivered by Rachel Swindle, Acting Community Safety and Support Officer from Transport for NSW covering the following areas;

- Transport for NSW - what we do
- Rail Safety Week 20th Anniversary 11th-17th August
- Road Rules Awareness Week 18th-24th August
- Rural Road Safety Month (September)
- Engagement at Warren GROW Services Day - 20 child restraint parent packs handed out and around 30 road safety packs distributed to L and P plate drivers and young people about to sit their Learner's test.

A full copy of the presentation has been emailed to all Interagency contacts.

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ITEM 1 WARREN INTERAGENCY SUPPORT SERVICES

CONTINUED

8. REPORTS FROM AGENCIES:

Amy Hall – TAFE NSW;

- At present we have a Cert III in Community Services course happening face to face which is due to conclude at the end of October this year.
- A pilot program is running this semester in our Western communities to bring employability skills together with practical components from 3 industry areas (Construction, Health and Hospitality). Unfortunately, Warren has had no one yet enrol in this.
- Working with the Central School to try and provide meaningful pathways for the children in high school whilst they are at school to set them up for when they finish school.
- TAFE is always happy to try and support community in their training needs.

Jacqueline Jones - NSW Reconstruction Authority;

- Works closely with emergency services and communities to plan for the reduction of impacts from future natural disasters.
- New to Warren Interagency group and keen to make contacts within the community.

Subodh Adhikari and Katie Blackett - Lives Lived Well;

- Alcohol and Other Drug Group Facilitators/Case Managers for an NGO (Lives Lived Well) with the Roadmaps program.
- Roadmaps is a 6 week drug and alcohol program.
- Focus is on self-management skills, harm minimisation and relapse prevention.
- Based in Dubbo and travel to deliver the program to smaller neighbouring communities including Warren, Coonamble, Nyngan, Gilgandra, Dubbo, Peak Hill, Parkes, Forbes and Wellington.
- Referrals can be made by clients themselves or by service providers.

Ewen Jones – Marathon Health (Community Engagement Officer);

- Marathon Health has been contracted to continue delivering the Commonwealth Psychosocial Support (CPS) Program until 30 June 2026.
- What is CPS? CPS is a short-term low intensity non-clinical, community-based program that can offer one-to-one coaching with a psychosocial recovery coach. We work in partnership with the individual's current supports and family/carers (where possible) focusing on the strengths and abilities, developing an individual plan to increase capacity ensuring choice and opportunities for the individual to live a meaningful life.
- Who is eligible?
 - Individuals with severe and persistent mental illness.
 - Have needs that can be appropriately met through short-term, low intensity support to live independently in the community, as determined through a capacity and strengths-based assessment. Not be restricted in their ability to fully and actively participate in the community because of their residential setting (for example, prison or psychiatric facility)

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ITEM 1 WARREN INTERAGENCY SUPPORT SERVICES CONTINUED

- Not be receiving similar psychosocial supports through a state or territory government program or the NDIS, where there is potential for duplication of service offerings.
 - Be aged 16 years and over
- Please note that we are not a crisis service. The numbers below are available for 24-hour support and assistance:
 - Mental Health Hotline: 1800 011 511
 - Police: 13 14 44 or 000
 - Ambulance: 000 or 112 from mobile phone
 - Lifeline: 13 11 14
- For further information on Marathon Health please access all information via our website <https://www.marathonhealth.com.au/or> contact us on 1300 402 585 or email psychosocialsupports@marathonhealth.com.au

Janaya Carney - Revenue NSW (Aboriginal Customer Advisory Officer);

- Recently attended the GROW Services day in Warren.
- Warren Library visit coming up on Thursday 21st August;
 - First Nations Outreach Officers are attending to assist with solutions regarding fines and debt.
 - Savings Specialist will be available to assist with accessing savings rebates and NSW Government services

Kelly Leonard and Noreen Edmeades - WNSWLHD (District Coordinator, Mental Health Drug and Alcohol and Team Leader, Virtual Mental Health Drug and Alcohol Team);

- Virtual team established to provide an alternative means of accessing the same services as face-to-face care.
- No self-referral at this stage, GP referral is required.

Belinda Bell and Shaana Daley - CCWF;

- Located at the Old Bowling Club hall, 5 Burton Street Warren.
- A number of programs are available within the Warren branch including;
 - Familycare Program
 - Aboriginal Family and Sexual Domestic Violence
 - Post Separation Family Counselling
 - Financial Counselling
- We have 4 workers in Warren/Nyngan - Belinda Bell, Amy Edwards, Shaana Daley and Meagan Giddy.
- Weekly playgroups held on Fridays from 10.30am – 12.30pm.
- Monthly DV support group called Stronger Together. Dates for the groups are 18th August, 15th September and 20th October.

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ITEM 1 WARREN INTERAGENCY SUPPORT SERVICES

CONTINUED

Tracy (June) Hawkes - AECG (President)

- AECG is a statewide organisation that works locally with educational stakeholders including Warren Central School, St Mary's, Warren Preschool and Warraan Widji Arts as well as many other agencies within Warren.
- Meets at least four times a year to discuss what is happening with regard to Indigenous children, parents and stakeholders. Meetings may also be held as needed to discuss issues as they arise.
- Supporting the educational needs and overall wellbeing of Indigenous students is of vital importance.

Pauline Serdity – Warren Spinners and Yarners;

- We continue to meet each week on Thursdays and are back at the WOW centre for now from 10am to 2pm. We continue to knit/crochet items for various groups. Requests for more knee rugs, mother and baby pack fillers etc are always most welcome. At this time, our supplies remain steady with recent donations from deceased estates which were most welcome.
- We received some half-finished items and our ladies, where possible will endeavour to complete these and forward on for use by other groups.
- Recently we donated 8 blankets to Rod Crowfoot from Macquarie Home Stay and they were presented to him at the VIEW Club meeting last July. These were well received by Rod. We also donated a further 7 blankets to WMPHS for Calara House residents and these were also well received by the staff.
- There are no joining or member fees for our group and all are welcome. We just ask for a \$2 donation each meeting which goes towards the cost of our Christmas event and purchasing of supplies should we need them.
- We will be holding our Christmas in July event next week for our members and we all look forward to enjoying this event.
- It is not required for you to be a craft person as we welcome anyone popping in for a cuppy and chat.

Warren VIEW Club;

- We continue to hold our monthly luncheon meetings on the 3rd Wednesday of each month at the Warren RSL 11.30am for a 12.00 start. Our committee meetings are held on the 1st Thursday of each month.
- Our current member numbers are 45 and new members are most welcome. We will continue to have some interesting speakers in the coming year and are always looking for speakers for our meetings so if you have any information that you may wish to share with the community of Warren, please feel free to contact me. Our membership renewal remains at \$20 for the year with new members joining fee remaining at \$20 and this is a one-off fee for administration.

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ITEM 1 WARREN INTERAGENCY SUPPORT SERVICES CONTINUED

- Our luncheon meetings are held on the 3rd Wednesday of the month at the RSL and the cost of the meal is \$30 for main and sweets and \$25 for a main only.
- Our next luncheon meeting will be held on the 20th August and we will also be celebrating our 39th birthday. This meal will be \$25 with an alternate serve of Pork or Lamb with sweets being our birthday cake.
- At our July meeting our guest speaker was Rod Crowfoot from Macquarie Home Stay who provided a wonderful information session on what they are all about as well as a breakdown on all the plans going forward. The Warren Spinners and Yarners presented 8 blankets to Rod for use by patients and these were well received.
- We continue to support 3 children through our Learning for Life program through the Smith Family.
Should you wish to contact us please do not hesitate to do so. Our information is listed in the Community Directory.

Warren CWA;

- We hold our monthly meetings on the 2nd Friday of each month at the WOW Centre 9.30am for a 10.00 start.
- CWA's 100th anniversary will be taking place in late August and we will have fashion through the decades with an appropriate lunch menu as well as lots of past items including Warren CWA's history on display. This will be held at the Sporting and Cultural Centre on Friday 29th August, and we are busy trying to get this organised.
- Our annual membership renewal will be due in October, but should anyone wish to join you could come as our guest to the meeting in September and get a feel for the what the group is involved in.
- We continue to support our community where we can and thank all our members for their continued support.

9. GENERAL BUSINESS:

- Belinda Bell spoke about current fundraising initiatives for the Little Wings service that enables paediatrician Dr Mary Iskander to visit Warren on a monthly basis. Warren Rotary is hosting a fundraising dinner on Wednesday 27th August and locally collected cans and bottles recycling efforts are ongoing.
- Expressions of interest or suggestions for guest speakers at upcoming Interagency meetings was requested.

10. Date of Next Meeting:

Monday 13th October 2025.

There being no further business the meeting closed at 1:55pm.

WARREN SHIRE COUNCIL
Policy Report of the General Manager
to the Ordinary Meeting of Council to be held in the
Council Community Room on Thursday, 28th August 2025

ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE (P13-1, C8-1)

RECOMMENDATION that:

1. The Information be received and noted; and
2. The reviewed Legislative Compliance Policy and Procedure, as amended be adopted.

PURPOSE

To advise Council that a review of the Legislative Compliance Policy and Procedure has been undertaken and for Council to adopt the reviewed Policy and Procedure.

BACKGROUND

The primary objective of the Legislative Compliance Policy and Procedure is to ensure that Warren Shire Council complies with its legislative and regulatory requirements. It is a fundamental principle of good public administration that public officials comply with both the letter and the spirit of the law.

The current Policy and Procedure was reviewed and adopted at Council's Meeting on the 27th June 2019.

REPORT

The General Manager has further reviewed the Policy including the legislation listed in the Legislation Compliance – Statute and Regulation Register.

Changes have only been minor typographical matters, the use of the standard review clause and changes to relevant legislations/regulations.

Attachment 1 is the amended Policy and Procedure with changes in red.

The reviewed Policy and Procedure was presented to Manex on the 19th August, 2025 where there were no concerns and the matter needs to be reported to Council for the process of adoption of the reviewed Policy and Procedure.

FINANCIAL AND RESOURCE IMPLICATIONS

Management of the requirements of legislation and the risk of breaches needs to be undertaken as well as possible to ensure that both the financial implications and reputational implications are taken into account.

There are costs of relevant training of staff, Councillors and Committee Members that are also considered.

LEGAL IMPLICATIONS

NSW Local Government Act, 1993;
NSW Local Government (General) Regulation 2021;
Australian Standards AS ISO 19600; 2014 Compliance Management Systems – Guidelines; and
Delegations Register.

WARREN SHIRE COUNCIL
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ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

RISK IMPLICATIONS

The main purpose of the Policy and Procedure is to reduce the risk of legislation non-compliance and breaches and to ensure that there are processes that are reviewed and included in Council's internal audit functions, non-compliance matters are appropriately investigated and actions to reduce the chances of repeating are undertaken.

STAKEHOLDER CONSULTATION

Both at Senior Management Team and Manex Committee level, relevant discussions have taken place.

The current Policy and Procedure has also been reported twice to the Warren Shire Council Audit, Risk and Improvement Committee (ARIC).

There has been no change to the intent of the Policy and Procedure and accordingly it is considered that public exhibition is not needed.

OPTIONS

Council does not necessarily need to approve the reviewed Policy and Procedure.

CONCLUSION

The proposed changes to the existing Policy and Procedure are minor and it is considered appropriate that the amended Policy and Procedure be adopted.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks;
- 5.3.1 Provide effective training and development of our staff; and
- 5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities.

SUPPORTING INFORMATION /ATTACHMENTS

Attachment 1 - Reviewed Legislation Compliance Policy and Procedure.

WARREN SHIRE COUNCIL
Policy Report of the General Manager
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ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

Attachment 1 - Reviewed Legislation Compliance Policy and Procedure



POLICY REGISTER

LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE

Policy adopted: 27th June 2019 Minute No. 116.6.19

Reviewed: 28th August 2025 Minute No. xxx.8.25

File Ref: P13-1, A6-1

WARREN SHIRE COUNCIL
Policy Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Glenn Wilcox 11 December 2018	First Edition	Council Minute No. 116.6.19 (27th June 2019)
2.0	Gary Woodman General Manager July 2025	Minor amendments, typographical and standard review clause, legislative (Acts and Regulation) updates.	Council Minute No. xxx.8.25 (28th August 2025)

WARREN SHIRE COUNCIL

Policy Report of the General Manager to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 28th August 2025

ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

1. OBJECTIVE

The breadth of Warren Shire Council's operations results in a large volume of legislation that impacts on and imposes various compliance obligations. The consequences of breaching legislation can vary greatly between minimal impact on Council to severe consequences of both a civil and criminal nature.

The primary objective of this Policy is to ensure that Warren Shire Council complies with its legislative and regulatory requirements. A fundamental principle of good public administration is that public officials comply with both the letter and the spirit of the law.

Council, in its role as a Local Government Authority, has an obligation to ensure that its legislative requirements are complied with. The community and those working at Council have a high expectation that Council will comply with applicable legislation and Council should take all appropriate measures to ensure that that expectation is met.

If breaches of the law are committed by Council, or its staff; Council and/or its individual staff members and Councillors could be prosecuted or fined, there could also be a significant loss of Council's reputation.

Council will maintain the highest standards of diligence in all areas of public accountability, through its policies and processes, to meet its legal obligations. Council will maintain a Legislative Compliance Management System to ensure these standards of diligence are met.

2. POLICY AIMS

This Policy, and the principles set out in this Policy, aim to:

- (a) Prevent, and where necessary, identify and respond to breaches of laws, regulations, codes or organisational standards occurring in the organisation.
- (b) Promote a culture of compliance within the organisation; and
- (c) Assist the Council in achieving the highest standards of governance.

3. POLICY STATEMENT

Council shall have appropriate processes and structures to ensure that legislative requirements are achievable and are integrated into the everyday running of the Council.

These processes and structures will aim to:

- (a) Develop and maintain a system for identifying the legislation that applies to Council's activities.
- (b) Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented in Council.
- (c) Provide training for relevant staff, Councillors, volunteers and other relevant people in the legislative requirements that affect them.
- (d) Provide people with the resources to identify and remain up-to-date with new legislation.
- (e) Conduct of audits to ensure there is compliance.
- (f) Establish a mechanism for reporting non-compliance.
- (g) Review accidents, incidents and other situations where there may have been non-compliance.
- (h) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

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ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

Roles and Responsibilities

- (a) *Councillors and Committee Members.*
Councillors and Committee members have a responsibility to be aware of and abide by legislation applicable to their role.
- (b) *Senior Management Team (General Manager, Divisional Managers and Department Managers) and Directors.*
Senior management should ensure that directions relating to compliance are clear and unambiguous and that legal requirements which apply to each activity for which they are responsible are identified.

Senior management should have systems in place to ensure that all staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.

- (c) *Employees.*
Employees have a duty to seek information on legislative requirements applicable to their area of work and to comply with the legislation.

Employees shall report through their supervisors to senior management any areas of non-compliance that they become aware of.

4. GENERAL PRINCIPLES

Council is working within the following principles based on the Australian Standards AS ISO 19600:2015 **4** *Compliance Management Systems - Guidelines*.

- (a) Council is committed to achieving compliance in all areas of its operations.
- (b) Council will maintain a Legislative Compliance Policy that sets out its commitment to compliance with applicable laws and regulations.
- (c) Council will provide sufficient resources to ensure that this legislative compliance program can be implemented, maintained and improved.
- (d) Council will ensure that all Managers, Supervisors and staff generally understand, promote and be responsible for compliance with relevant laws, regulations, codes and standards that apply to activities within their day-to-day responsibilities.
- (e) Council will use its established risk management practices to accurately identify, rate and treat compliance risks.
- (f) Council will ensure that compliance requirements are integrated into day-to-day operating procedures as appropriate.
- (g) Council will maintain an effective complaints management system, including the coverage of compliance failures.
- (h) Council will maintain a Statute and Regulation Register and all identified legislation imposing compliance and impacting on Council will included on the Register.
- (i) Council will maintain a Breach Register Database (as part of the Legislative Register) and all legislative breaches, including reporting and rectification processes (Management response) will be stated within the Register.
- (j) Council will investigate, rectify and report all compliance failures.
- (k) Council will allocate appropriate responsibility for managing compliance at various levels.
- (l) Council will provide appropriate practical education and training of staff in order for them to meet their compliance obligations.

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ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

- (m) Council will actively promote the importance of compliance to staff, contractors and other relevant third parties.
- (n) Council will monitor its Legislative Compliance Management System via the Internal Audit Program and
- (o) Council will review its Legislative Compliance Management System annually to ensure its effectiveness.

5. PROCEDURE

As part of the Legislative Compliance Management System, Council will have in place a Legislative Compliance Procedure to ensure that staff utilise the latest version of legislation and when legislation changes, steps are taken to ensure that staff are aware of amendments to legislation. The Legislative Compliance Procedure is an attachment to this Policy.

6. REVIEW

~~A review of Council's Legislative Compliance System, Policy and Procedure will be undertaken every two years.~~

This Policy and Procedure should be reviewed every 4 years or within 12 months following an election of Council. The Policy and Procedure may be reviewed and amended at any time at Council's discretion (or if legislation changes occur).

WARREN SHIRE COUNCIL

Policy Report of the General Manager to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 28th August 2025

ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

LEGISLATIVE COMPLIANCE PROCEDURE

1. Identifying Current Legislation

(a) Electronic Versions of Legislation

Council accesses electronic up-to-date versions of legislation through the New South Wales legislation website at www.legislation.nsw.gov.au. The NSW legislation website is the official NSW Government site for the online publication of legislation and is provided and maintained by the Parliamentary Counsel's Office.

Council Staff should utilise this website as it is updated on a daily basis. Other sites, such as AUSTLII, may not have up to date versions of legislation and regulations.

Federal laws and instruments should be accessed through the Federal Register of Legislation at www.legislation.gov.au

(b) Australian Standards

Council is a subscribing member to Standards Australia and maintains a library of Australian Standards related to Council's activities. As a member, Council receives alert updates to amendments of the Standards it has purchased. The Standards purchased by Council are made available to staff.

2. Identifying New or Amended Legislation

(a) NSW Government Gazette

Council provides website access for its staff to the NSW Government Gazette which publishes all new or amended legislation applicable to New South Wales. A designated staff member within Council's Record Section must scan each Government Gazette (published each Friday) for any new or amended legislation applicable to Council. Copies of such new or amended legislation are distributed to the **Management Executive (MANEX) Directors** by email to be distributed to their staff.

(b) ~~NSW Office Department~~ of Local Government (OLG)

Council receives regular circulars from the ~~NSW Office Department~~ of Local Government (OLG) on any new or amended legislation relevant to local government. Such advices are received through Council's Records Section and must be distributed by the Records staff to the relevant Council Officers for implementation and Councillors for information where applicable. Senior staff will be notified through the MANEX (Senior Management Team - SMT) Business Paper monthly.

(c) NSW Department of Planning, **Housing and Infrastructure**

Council receives regular circulars from the NSW Department of Planning, **Housing and Infrastructure** on any new or amended legislation. Such advices are received through Council's Records Section and must be distributed by the Records staff to the relevant Council officers for implementation. Senior staff will be notified through the MANEX (SMT) Business Paper monthly.

(d) Local Government ~~NSW and Shires Association~~

Council receives a weekly circular from the Local Government ~~NSW and Shires Association~~. These circulars have sections on Legal and Finance and Planning and Environmental law that highlight changes in legislation applicable to Councils and must be distributed to relevant Council officers and Councillors for information.

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ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

3. Obtaining Advice on Legislative Provisions

Advice on matters of legislative interpretation may be sought when deemed necessary. Contact may be made with the respective legal officer/solicitor from the following sources:

- (a) Local Government ~~NSW and Shires Association~~ (Legal Officer),
- (b) ~~NSW Office Department~~ of Local Government (~~OLG~~) (Legal Services Branch), or
- (c) Council's Panel of Solicitors.

Note: Accessing of any legal advice must first be approved by the staff member's relevant Divisional Manager/Department Manager Director

4. Informing Council of Legislative Change

If deemed necessary, the General Manager or a nominated officer, will, on receipt of advice of legislative amendments, submit a report to a Council Meeting on the new or amended legislation where any changes will impact significantly on Council or its operations.

5. Review of Incidents and Complaints for Non-compliance

Council shall review all incidents and complaints in accordance with its incident reporting and complaint handling procedures. Such reviews and investigations will assess compliance with legislation, standards, policies and procedures that are applicable.

6. Reporting of Non-compliance

All instances of non-compliance shall be reported as soon as practicable to the respective Supervisor/Manager. The Manager shall determine the appropriate response and ensure the Breach Register Database is updated appropriately. If the matter is deemed a significant breach or significant fines and/or criminal sanctions apply, the matter must be reported immediately to the relevant ~~Divisional Manager/Department Manager Director~~.

~~Divisional Managers/Department Managers Directors~~ should report the matter to the General Manager via SMT meetings on a monthly basis and report the matter to the General Manager immediately if the breach in question is significant or criminal sanctions may be involved.

The General Manager may instigate an investigation into any non-compliance matter and will report significant non-compliance matters to the Council and/or external agencies as required.

7. Auditing Legislative Compliance

Council shall incorporate a review of its processes to ensure legislative compliance is included in its internal audit function.

8. Review of Legislative Compliance Procedures

This Procedure will be reviewed every ~~four~~ **two** years.

WARREN SHIRE COUNCIL

Policy Report of the General Manager to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 28th August 2025

ITEM 1

REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE

CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

LEGISLATIVE COMPLIANCE - STATUTE & REGULATION REGISTER

NOTE: The Acts and Regulations listed within this Register may not constitute an exhaustive list. All staff are required to ensure they are familiar with the relevant legislation and regulations that apply to their roles in council.

ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Administrative Decisions Review Act 1997	Administrative Decisions Review Regulation 2024 2014	An Act to provide a process for the review of administratively reviewable decisions.	Enables the review of decisions pursuant to ss 303 and 437 of the Local Government Act 1993.	
Airports Act 1996 (Cth)			Relates to the impacts on and Procedures undertaken by Local Government Authorities in relation to Airports. Refer ss 71; 79; 80; 84A; 91; 92; 93; 95A and 106 of the Airports Act 1996.	
Annual Holidays Act 1944	Annual Holidays Regulation 2021 2016	An Act to provide for annual leave for workers; to amend the <i>Industrial Relations Act 1940</i> and certain other acts; and for purposes connected therewith.	Provision which refer to mandatory Annual Holiday Provisions afforded to Employees by Employers. ss 1 - 15.	
Anti-Discrimination Act 1977	Anti-Discrimination Regulation 2019 2014	An Act to render unlawful racial, sex and other types of discrimination in certain circumstances and to promote equality of opportunity between all persons.	Provisions relating to Council's responsibility to uphold a discrimination free workplace. Refer to ss 10B; 27B; 38G; 42B; 49H; 49Z; 49ZKA.	
Biodiversity Conservation Act 2016	Biodiversity Conservation Regulation Act 2017	An Act to maintain a healthy, productive and resilient environment for the greatest well-being of the community, consistent with the principles of ecologically sustainable development.	Council may enter into specified agreements with the Minister (Part 5 of Act). Any development on land subject to a Conservation Agreement or subject to a Biodiversity Stewardship must have appropriate Ministerial approval (Part 5 of Act).	
Biosecurity Act 2015	Biosecurity Regulation 2017	An Act to provide a framework for the timely and effective management of pests, diseases, contaminants and other biosecurity matter.	Pursuant to Schedule 1 of the Act, Council has a legal obligation to manage the biosecurity risk, posed or likely to be posed by the impacts of weeds on human health, the economy, community and environment.	
Building and Development Certifiers Act 2018 Building Professionals Act 2005	Building and Development Certifiers Regulation 2020 Building Professionals Regulation 2007	An Act setting forth the requirements of public and private certifiers.	Part 6A of the Act sets out requirements of councils undertaking certification work. Part 4 states how investigations of councils as certifying authorities may be undertaken.	
Cemeteries & Crematoria Act 2013	Cemeteries & Crematoria Regulation 2022 2014	An Act prescribing duties of cemetery and crematoria managers and operators within NSW.	Part 3 stipulates reporting obligations in relation to cemetery managers/operators. Part 5 sets forth the requirements of Crown Cemetery managers.	
Charitable Fundraising Act 1991	Charitable Fundraising Regulation 2021 2015	An Act to regulate public fundraising for charitable purposes; to repeal the <i>Charitable Collections Act 1934</i> and to amend certain other Acts; and for other purposes.	Provisions relating to Council's right to regulate and participate in public fundraising for charitable purposes. NB: 5(3)(e) an appeal to any Commonwealth, State or Local Authority does not constitute a fundraising appeal.	
Child Protection (Working with Children) Act 2012	Child Protection (Working with Children) Regulation 2013	The object of this Act is to protect children by not permitting certain person to work in child-related work	Provisions relating to Councils obligation to ensure relevant staff and volunteers have appropriate checks and clearances pursuant to Part 2 and 3 of the Act.	
Civil Aviation Act 1988 (Cth)	Civil Aviation Safety Regulation 1998	To regulate aviation within Australia and its territories.	The Act and Part 139 of the Regulation require Warren Airport to have in place a statutory compliant Manual of Standards for airport operations.	
Civil and Administrative Tribunal Act 2013	Civil and Administrative Tribunal Regulation 2022 2013	An Act to establish an independent Civil and Administrative Appeals Tribunal and set forth its functions for its primary decision making capacity and to hear appeals and conduct reviews of certain decision making person and bodies.	Enable certain orders to be sought and here appeals in relation to ss 275, 329 and 440L of the LGA.	
Civil Liability Act 2002	Civil Liability Regulation 2024 2014	An Act to make provision for the recovery of damages for death or personal injury caused by the fault of a person or legal entity.	Relates to the Duty of Care owed by Council to members of the general community and liability in relation to its functions as a Public Authority (see Part 5 of Act)	
Commercial Arbitration Act 2010		An Act to prescribe arbitration processes from prescribed disputes under other legislative provisions.	Provisions allowing disputes under ss.730 of the Local Government Act 1993 to be referred to arbitration under this act if agreed between the Council and the person claiming the compensation.	

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WARREN SHIRE COUNCIL

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ITEM 1

REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE

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Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Commons Management Act 1989	Commons Management Regulation 2018 2006	An Act to provide for the establishment of trusts in relation to commons and the election of trust boards, and in certain cases the appointment of local authorities or administrators, to manage the affairs of those trusts; to provide for the care, control and management of commons; to provide for related matters; and to repeal the <i>Commons Regulation Act 1898</i> and certain other enactments.	Refers to the appointment of Council as Trustee of Common (parcel of land) handed down by the State Government (see section 7 of the Act).	
Community Land Development Act 2021 1989	Community Land Development Regulation 2021 2007	An Act to facilitate the subdivision and development of land with shared property; and for other purposes.	Provisions relating to benefits of Statutory easements and rights to service lines. Refer to s. 36.	
Community Land Management Act 2021 1989	Community Land Management Regulation 2021 2007	An Act to provide for the management of community schemes, precinct schemes and neighbourhood schemes established by the subdivision of land under the Community Land Development Act 1989; and for other purposes.	Provisions relating to the rights and obligations of Council to manage community schemes, precinct schemes and neighbourhood schemes. Refer to ss 4; 16; 107; 109C; 118.	
Companion Animals Act 1998	Companion Animals Regulation 2018 2008	An Act to provide for the identification and registration of companion animals and for the duties and responsibilities of their owners; and for other purposes.	Provisions relating to the responsibility of Council in relation to companion animals with a particular focus on awareness with respect to ownership; and identification of dangerous and restricted dogs. Refer to ss 6A and 6B for General duties of Council.	
Competition and Consumer Act 2010 (Cth)		The Act aims to enhance the welfare of Australians by promoting competition and fair trading and providing for consumer protection,	General - Provisions relating to Councils responsibility to promote competition and fair trading and consumer protection.	
Constitution Act 1902		An Act to consolidate the Acts relating to the Constitution.	Provisions establishing the Local Government System. Refer to Part 8, s 51 which establishes the system of a Local Government.	
Contaminated Land Management Act 1997	Contaminated Land Management Regulation 2022 2013	An Act to promote the better management of contaminated land; to amend the Environmentally Hazardous Chemicals Act 1985; to amend certain other Acts; and for other purposes.	Provisions relating to Council's obligation to manage contaminated land. Refer to s 59 outlines obligation to notify Local Authority of affected land and Council's requirements under section 149 of the Act.	
Contracts Review Act 1980		An Act with respect to the judicial review of certain contracts and the grant of relief in respect of harsh, oppressive, unconscionable or unjust contracts.	Provisions relating to Councils rights with respect to judicial review of certain contracts and the grant of relief. Refer to s 6 - Local Authority unable to seek relief under the act for contracts entered in the course of trade, business of profession.	
Conveyancing Act 1919	Conveyancing (General) Regulation 2018 2013	An Act to amend and consolidate the law of property and to simplify and improve the practice of conveyancing; and for such purposes to amend certain Acts relating thereto.	General - Provisions relating to procedures of conveyance and regulations on the use of land by public authorities including Council..	
Copyright Act 1968 (Cth)		An Act to secure to Proprietors of Works of Literature and Fine Art and to Proprietors of Designs for Articles and Works of Manufacture and Art the Copyright of such Works and Designs for a limited period.	Provisions relating to Councils rights, and their clients rights, to protect their intellectual property particularly in relation to the securing of copyright.	
Crimes Act 1900	Crimes Regulation 2020 2015	An Act to consolidate the Statutes relating to Criminal Law.	Refers to Council's rights and obligations under the Crimes Act. s 249H: Disqualification of a Civil Officer from office for 7 years from the conviction. s.525: Criminal sanctions for the stealing and destruction of books and other things from public library and other places.	
Crimes (Sentencing Procedure) Act 1999	Crimes (Sentencing Procedure) Regulation 2024 2017	An Act to consolidate and amend the law with respect to the sentencing of offenders; and for other purposes.	Provisions which outlines the penalty units for offences. Refer to s. 17.	

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Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Criminal Procedures Act 1986	Criminal Procedure Regulation 2017	An Act relating to the prosecution of indictable offences, the listing of criminal proceedings before the Supreme Court and the District Court, committal proceedings and proceedings for summary offences and the giving of certain indemnities and undertakings; and for other purposes.	To commence and direct prosecutions in the name of Council under any Act administered by the Council, issue and serve a Court Attendance Notice, request a registrar to issue a subpoena to person named to give evidence, for production &/or both.	
Crown Lands Management Act 2016	Crown Land Management Regulation 2018	An Act to provide for the administration and management of Crown Land.	Provisions that outline the management and administration of Crown Land by Council is prescribed within Division 3.4 of the Act.	
Disabilities Inclusion Act 2014	Disabilities Inclusion Regulation 2023 2014	An Act that prescribes that people with a disability have the same human rights as other community members.	Section 12 states that a public authority must have a disability inclusion action plan. Part 5 sets forth service standards and funding available to eligible entities such as councils.	
Disability Discrimination Act 1992 (Cth)		The Disability Discrimination Act 1992 (Cth) has as its major objective to: eliminate discrimination against people with disabilities; promote community acceptance of the principle that people with disabilities have the same fundamental rights as all members of the community; and ensure as far as practicable that people with disabilities have the same rights to equality before the law as other people in the community.	General - Provisions relating to Councils obligation to eliminate discrimination on the grounds of disability and the promotion of equality for people with disabilities.	
Dividing Fences Act 1991		An Act to provide for the apportionment of the cost of dividing fences; to repeal the <i>Dividing Fences Act 1951</i> ; and to amend certain other Acts.	Provisions relating to Council's duty to ensure the proper erection of dividing fences. Refer to s 4: Determination for sufficient dividing fence to take into account Policies or Codes formulated by Council.	
Duties Act 1997		This Act creates and provides charges for a number of duties. A duty charged by this Act is, when a liability to pay the duty is created, and thus creates a debt due to the State of New South Wales.	Provisions relating to duties payable by Council. Refer to s 277: Duties under the act are not chargeable for Councils.	
Electoral Election Funding Act 2018	Electoral Election Funding Regulation 2018	The objects of this Act are to establish a fair and transparent electoral funding, expenditure and disclosure scheme. To facilitate public awareness of political donations. To help prevent corruption and undue influence in the government of the State or in local government.	Vast - Provisions relating to Council's obligation and processes in terms of election funding and the disclosure of certain political contributions.	
Electricity Supply Act 1995	Electricity Supply (General) Regulation 2014	An Act to regulate the supply of electricity in the retail market; to set out the functions of persons engaged in the conveyance and supply of electricity; and for other purposes.	General - Provisions relating to Council's relationship with the relevant distribution network for the supply of electricity in Local Government Areas.	
Electronic Transactions Act 1999 (Cth) and Electronic Transactions Act 2000	Electronic Transactions Regulation 2000 (Cth) and Electronic Transactions Regulation 2017 (NSW)	An Act to facilitate electronic transactions, and for other purposes.	General - Provisions regulating Council's electronic transactions.	
Energy, and Utilities Administration Act 1987		An Act to establish the Department of Energy; to constitute the Energy Corporation of New South Wales and define its functions; and for other purposes.	Provisions relating to Council's relationship with DEUS. Refer to s 34A: Councils are designated water users in designated water saving areas	
Environmental Legislation Amendment (Hazardous Chemicals) Act 2024 Environmentally Hazardous Chemicals Act 1985	Industrial Chemicals Environmental Management Standard (ICEMS)-Environmentally Hazardous Chemicals Regulation 2017	An Act to provide for control of the effect on the environment of chemicals and chemical wastes.	General - Provisions relating to Council's responsibility to mitigate the effects of environmental hazardous chemicals and their effects on the environment.	
Environmental Planning and Assessment Act 1979	Environmental Planning and Assessment Regulation 2021 2000	An Act to institute a system of environmental planning and assessment for the State of New South Wales.	Vast - See EP & A Act for Details.	

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Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Essential Services Act 1988		An Act to protect the community from disruption to essential services; and for related purposes.	Provisions relating to Council's obligation to provide essential services particularly garbage, sanitary cleaning and sewerage. (See section 4 of Act)	
Evidence Act 1995	Evidence Regulation 2020 2015	An Act about the law of evidence, and for related purposes.	Provisions relating to the admission of Council's documents as evidence. Refer to ss. 152 & 156 which states that recorded plans referred to in s. 704 of the Local Government Act, are taken to be public documents.	
Fair Trading Act 1987	Fair Trading Regulation 2019 2012	An Act to regulate the supply, advertising and description of goods and services and, in certain respects, the disposal of interests in land; to repeal the <i>Consumer Protection Act 1969</i> and certain other Acts; and for other purposes.	General - Provisions relating to Council and the regulation of its trade and commerce.	
Firearms Act 1996	Firearms Regulation 2017	An Act to control firearms ownership and usage within NSW.	General - Council owned firearms must be stored and registered pursuant to the Act. Council staff utilising firearms must be licensed pursuant to the Act.	
Fire and Rescue NSW Brigades Act 1989	Fire and Rescue NSW Brigades Regulation 2023 2014	An Act to provide for the protection of persons and property from fire and from hazardous material incidents, and for that purpose to constitute New South Wales Fire Brigades as a Department of the Government and to provide for permanent and volunteer fire brigades; to amend certain Acts; and for other purposes.	Provisions relating to Council's contribution to provide for the protection of persons and property from fire and from hazardous material incidents. Refer to Part 5 of the Act which prescribes Council contributions.	
Fluoridation of Public Water Supplies Act 1957	Fluoridation of Public Water Supplies Regulation 2022 2017	Fluoridation of water supply by council	Provisions relating to Councils obligation with regards to the fluoridation of their water supply. (Refer to s 22 of the Local Government Act 1993).	
Food Act 2003	Food Regulation 2015	An Act to regulate the handling of food for sale and the sale of food and to provide for the application of the Australia New Zealand Food Standards Code in New South Wales; to repeal the Food Act 1989; and for other purposes.	Provisions enabling Councils to be appointed as an enforcement agency pursuant to s.111 of the act and enabling them contribute to the Food Regulation Forum per s 115A.	
Fringe Benefits Tax Assessment Act 1986 (Cth)		Imposes the Fringe Benefit Taxable Amount of an Employer of a year of Tax. It is payable by the Employer.	General - Provisions imposing a duty on Council to pay Fringe Benefits Tax.	
Geographical Names Act 1966		An Act to constitute a Geographical Names Board of New South Wales and to define its powers and functions; to confer on that board certain powers with respect to the naming of places in New South Wales; to amend the <i>Crown Lands Consolidation Act 1913</i> , as amended by subsequent Acts; and for purposes connected therewith.	Provisions relating to Councils relationship with the Geographical Names board in relation to the changing of Geographic names. Refer to ss 12 & 14.	
Government Information (Public Access) Act 2009	Government Information (Public Access) Regulation 2018 2009	An Act to require information concerning documents held by the Government to be made available to the public, to enable a member of the public to obtain access to documents held by the Government and to enable a member of the public to ensure that records held by the Government concerning his or her personal affairs are not incomplete, incorrect, out of date or misleading; and to make consequential amendments to certain other Acts.	General - Provisions placing a duty on Council to disclose certain Government Documents and procedures relating to the publication of Government Documents.	
Graffiti Control Act 2008	Graffiti Control Regulation 2021 2014	An Act governing graffiti as an offence within NSW and powers of removal by authorities.	Part 4 states Councils graffiti removal work/obligations and relationship with landowners for such purposes.	

WARREN SHIRE COUNCIL

Policy Report of the General Manager to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 28th August 2025

ITEM 1

REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE

CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Health Records and Information Privacy Act 2002	Health Records and Information Privacy Regulation 2017 2022	An Act to make provision for the protection of health records and information; and for other purposes.	Provisions relating to Council's privacy responsibilities when handling health records. Refer to ss 20 – 22 for public sector agencies.	
Heritage Act 1977	Heritage Regulation 2012	An Act to conserve the environmental heritage of the State.	Provisions relating to Council's obligation to conserve the environmental heritage of the state and protection of heritage items within their Local Government Area. Refer to ss 25; 28; 29; 30; 166.	
Home Building Act 1989	Home Building Regulation 2014	An Act to make provision concerning the residential building industry and certain specialist work; and for other purposes.	SS 102 and 102A of the LGA state that a Council is obliged not to forward or deliver to the applicant, or any other person, a copy of the plans and specifications submitted to it with the application unless it is satisfied that the applicable requirements of Pt 6 of the Home Building Act have been complied with.	
Housing Act 2001		An Act to consolidate certain legislation relating to housing; to repeal the <i>Housing Act 1912</i> , the <i>Housing Act 1976</i> , the <i>Housing Act 1985</i> and the <i>Home Purchase Assistance Authority Act 1993</i> ; to amend various Acts consequentially; and for other purposes.	Provisions relating to Council's responsibility in relation to providing housing assistance. Refer to ss 34; 35; 36; 51 and 70.	
Impounding Act 1993	Impounding Regulation 2013	An Act to provide for the impounding of certain animals, motor vehicles and other things; to provide for their release or disposal; to provide for related matters; and to repeal the <i>Impounding Act 1998</i> and certain other enactments.	Vast - Provisions relating to Council's rights and obligation with regards to the impounding of articles within their Local Government Area.	
Income Tax Assessment Act 1997 (Cth)		An Act outlining the principles of Income Tax.	Provisions referring to Council's obligation with regards to the payment of income tax. Refer to ss 10.5; 12.5; 25.1; 25. 65 and 900.30.	
Independent Commission Against Corruption Act 1988	Independent Commission Against Corruption Regulation 2017	An Act to constitute the Independent Commission Against Corruption and to define its functions.	Provisions relating to Council's responsibility to promote integrity and accountability of public administration by investigating, exposing and preventing corruption. Refer to mandatory reporting obligations in s11 and ICAC powers in s 74C.	
Independent Pricing and Regulatory Tribunal Act 1992	Independent Pricing and Regulatory Tribunal Regulation 2017 2022	An Act to establish the Independent Pricing and Regulatory Tribunal of New South Wales; to confer functions on the Tribunal in relation to pricing, industry and competition; and for other purposes.	Provisions relating to the Council's obligation with regards to the pricing, industry and competition. Refer to s 24G.	
Industrial Relations Act 1996	Industrial Relations (General) Regulation 2015 2020	An Act to reform the law concerning industrial relations, and to repeal the <i>Industrial Relations Act 1991</i> .	Provisions provide a framework for industrial relations. In relation to appointing Inspectors from a local authority - refer to s 384.	
Interpretation Act 1987		An Act relating to the interpretation, construction, application and operation of the legislation of New South Wales; to enact certain provisions of a common or general nature; to make provision with respect to the exercise of certain statutory functions; and for other purposes.	Provisions which outline how legislation operates, applies, is constructed and is to be interpreted. Interpretation of words and phrases - refer to ss 21.	
Land Acquisition (Just Terms Compensation) Act 1991		An Act relating to the acquisition of land on just terms by authorities of the State.	Vast - Provisions that prescribe the procedures for the compulsory acquisition of land by Council as an authority of the State.	
Land and Environment Court Act 1979	Land and Environment Court Rules 2007	An Act to constitute the Land and Environment Court and to make provision with respect to its jurisdiction.	Provisions which outline protocols, procedures and obligation with respect to the Land and Environment Court. Refer to ss 18; 19; 20; 34A and 39.	
Law Enforcement (Powers and Responsibilities) Act 2002	Law Enforcement (Powers and Responsibilities) Regulation 2016	An Act to consolidate and restate the law relating to police and other law enforcement officers' powers and responsibilities; to set out the safeguards applicable in	Part 5 of the Act prescribes the processes for law enforcement officers to make an application for a warrant in prescribed circumstances.	

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ITEM 1

REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE

CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
		respect of persons being investigated for offences; to repeal certain Acts and to consequentially amend other Acts; and for other purposes.		
Library Act 1939	Library Regulation 2018 2010	An Act to make further provision for the establishment, maintenance and management of libraries, library services and information services.	Provisions allowing Council to establish; maintain and manage libraries and related services. Refer to Part 3 ss 8; 9; 10; 10A 11; 12; 13; 14 & 15.	
Liquor Act 2007	Liquor Regulation 2018 2008	An Act to regulate the sale and supply of liquor, to regulate the use of premises on which liquor is sold and for certain other purposes.	Provisions outlining Council's responsibilities with regards to the regulation and control of the sale, supply and consumption of liquor in a way consistent with the expectations, needs and aspirations of the community. Refer to ss 60; 79; 89 & 90.	
Local Government Act 1993	Local Government (General) Regulation 2021 2005	An Act to provide the legal framework for the system of local government for New South Wales, to set out the responsibilities and powers of councils, councillors and other persons and bodies that constitute the system of local government.	Vast - See LG Act for details.	
Local Government (Financial Assistance) Act 1995 (Cth)		An Act to provide for financial assistance for local government purposes by means of grants to the States, the Australian Capital Territory and the Northern Territory, and for related purposes	Provisions which enable the Grants Commission to make recommendations to the Minister on the allocation among Council of the total amount proposed to be paid to the State for each financial year. The Minister then decides on the allocation among Councils of the Commonwealth fund for the financial year concerned.	
Local Government and Other Authorities (Superannuation) Act 1927		An Act to provide a scheme of Superannuation for certain employees of the Councils of Shires and Municipalities and of certain other authorities; and for purposes connected therewith.	General - Provisions prescribing the requirements in relation to the superannuation for certain Council employees.	
Long Service Leave Act 1955	Long Service Leave Regulation 2021 2016	An Act to make provisions entitling workers to long service leave; to amend the <i>Industrial Arbitration Act 1940</i> ; and for purposes connected therewith.	General - Provisions relating to Councils obligation to provide long service leave to particular employees.	
National Parks and Wildlife Act 1974	National Parks and Wildlife Regulation 2019 2009	An Act to consolidate and amend the law relating to the establishment, preservation and management of national parks, historic sites and certain other areas and the protection of certain fauna, native plants and Aboriginal objects; to repeal the Wild Flowers and Native Plants Protection Act 1927, the Fauna Protection Act 1948, the National Parks and Wildlife Act 1967 and certain other enactments; to amend the Local Government Act 1919 and certain other Acts in certain respects; and for purposes connected therewith.	Provisions relating to Councils relationship with the National Parks and Wildlife Authority and their responsibility to preserve and manage national parks, historical sites and certain other areas and the protection of plants an objects. Refer to ss 11; 69A; 69B; 71BL.	
Ombudsman Act 1974	Ombudsman Regulation 2016	An Act to provide for the appointment of an Ombudsman; to define the functions of the Ombudsman; and for purposes connected therewith.	Provisions enabling Council to report prescribed matters to the Ombudsman and powers of investigation by Ombudsman in relation to Councils. Refer to ss 12 & 13.	
Payroll Tax Act 2007		An Act to provide for a tax on employers in respect of certain wages, to harmonise payroll tax law with Victoria, to repeal the <i>Pay-roll Tax Act 1971</i> ; and for other purposes.	Provisions relating to Council's responsibility for the payment of payroll tax. Refer to ss 58; 59 & 60.	
Pesticides Act 1999	Pesticides Regulation 2017	An Act to regulate and control the use of pesticides; to repeal the <i>Pesticides Act 1978</i> ; to amend certain other Acts; and for other purposes.	Provisions relating to Councils responsibility in promoting and protecting human health, the environment and property in relation to the use of pesticide whilst having regard to the principles of ecological sustainability. Refer to ss 20; 28; 29; 30; 31; 35; 36; 95 & 96.	

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REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE

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Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Pipelines Act 1967	Pipelines Regulation 2023 2013	An Act relating to the construction, operation and maintenance of pipelines; and for purposes connected therewith.	Provisions relating to Council's obligation relating to the construction, operation and maintenance of pipelines. Refer to ss 40 & 61.	
Plantations and Reafforestation Act 1999	Plantation and Reafforestation (Code) Regulation 2001	An Act to facilitate the reafforestation of land and the establishment of timber and other forest plantations; to repeal the Timber Plantations (Harvest Guarantee) Act 1995; to amend certain other Acts; and for other purposes.	Provision relating to Council's obligation to facilitate the reafforestation and development for timber plantations on essentially cleared land. Refer to ss 5.1, 7; 12; 14; and 40.	
Prevention of Cruelty to Animals Act 1979	Prevention of Cruelty to Animals Regulation 2012	An Act for the prevention of cruelty to animals.	Provisions relating to powers of officers. Refer to Part 2A.	
Privacy Act 1988 (Cth)		An Act providing Information Privacy Principles for the handling of Information.	General - Provisions relating to Council responsibility in handling personal information with regards to privacy.	
Privacy and Personal Information Protection Act 1998	Privacy and Personal Information Protection Regulation 2019 2014	An Act to provide for the protection of personal information, and for the protection of the privacy of individuals generally; to provide for the appointment of a Privacy Commissioner; to repeal the <i>Privacy Committee Act 1975</i> ; and for other purposes.	Vast - Provisions relating to Councils responsibility in protecting and ensuring privacy when handling personal information.	
Protection of the Environment Administration Act 1991	Protection of the Environment Administration 2012 Protection of the Environment Operations (General) Regulation 2022 Protection of the Environment Operations (Clean Air) Regulation 2022 Protection of the Environment Operations (Noise Control) Regulation 2017 Protection of the Environment Operations (Waste) Regulation 2014	An Act to constitute the Environment Protection Authority and to make provision with respect to its general responsibilities and management; to amend various Acts; and for other purposes	Provisions relating to Council's relationship with the EPA and their obligation to perform particular tasks. Refer to ss 12.	
Protection of the Environment Operations Act 1997	Protection of the Environment Operations (General) Regulation 2022 2009	An Act to protect the environment; to replace other environment protection legislation; and for other purposes.	Provisions relating to Council's obligation to protect, restore and enhance the quality of the environment in New South Wales, having regard to the need to maintain ecologically sustainable development. Refer to 6; 135B; 216; 218; 259 & 261.	
Public Health Act 2010	Public Health Regulation 2022 2012	An Act relating to the maintenance of proper standards of health for the public; and for other purposes.	Provisions relating Council's obligations to maintain proper standards of health for the public and interaction with the NSW Ministry of Health. Refer to ss 4, 9, 12 & 105.	
Public Interest Disclosures Act 2022 1994	Public Interest Disclosures Regulation 2022 2014	An Act to provide protection for public officials disclosing corrupt conduct, maladministration and waste in the public sector; and for related purposes.	Provisions relating to Council's obligation to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration and serious and substantial waste in the public sector. Refer to ss 12B & 17	
Public Works and Procurement Act 1912	Public Works and Procurement Regulation 2019 2014	An Act to prescribe maintenance of certain public works and to consolidate the Acts relating to Public Works.	Provisions relating to Council's responsibility to maintain public works and the relationship with the RMS and Ministry. Refer to ss 154; 155; 157; and 160.	
Racial Discrimination Act 1975 (Cth)		The Act gives effect to Australia's obligation under the International Convention on the Elimination of All form of Racial Discrimination. Its major objectives are to: Promote equality before the law of all persons, regardless of their race, colour or national or ethnic origin; and make discrimination against people on the basis of their race; colour; descent or national or ethnic origin unlawful.	Refers to a legal entities' (including council's) duty to ensure equality before the law of all persons, regardless of their race, colour or national or ethnic origin; and make discrimination against people on the basis of their race; colour; descent or national or ethnic origin unlawful.	
Real Property Act 1900	Real Property Regulation 2019 2014	An Act to consolidate the Acts relating to the declaration of titles to land and the facilitation of its transfer.	Provisions relating to prescribed processes with regards to land title registrations and transfers and restrictions placed on public authorities. Refer to ss 28H; 43B; 45D; 49; 135B & 135J.	

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Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Recreation Vehicles Act 1983		An Act to regulate the off- road use of motor vehicles.	Provisions relating to Council's rights and obligations to regulate the off-road use of motor vehicles. Refer to s 9.	
Restraints of Trade Act 1976		An Act relating to restraints of trade.	Provisions relating to a legal entities' rights and obligation with respect to restraint of trade.	
Roads Act 1993	Roads Regulation 2018 2008	An Act to make provision with respect to the roads of New South Wales; to repeal the <i>State Roads Act 1986</i> , the <i>Crown and Other Roads Act 1990</i> and certain other enactments; and for other purposes.	Provisions impacting on a council and provisions relating to Council's responsibilities with respect to the State's roads. Refer to ss 7; 10; 16; 17; 21; 25; 38; 43; 45; 86; 125; 126; 159; 177; 178; 180; 204; 205; 206; 209 and 210.	
Road Transport Act 2013	Roads Transport (General) Regulation 2021 2013	An Act to provide for the administration and enforcement of road transport legislation; to make further provision with respect to the use of vehicles on roads and road related areas and related matters; and for other purposes.	Provisions relating to Council's administration and enforcement of road transport legislation. Refer to ss 99; 122; 169A; 183; and 184.	
Rural Fires Act 1997	Rural Fires Regulation 2022 2013	An Act to establish the NSW Rural Fire Service and define its functions; to make provision for the prevention, mitigation and suppression of rural fires; to repeal the <i>Bush Fires Act 1949</i> ; to amend certain other Acts; and for other purposes.	Provisions relating to Council's obligation for the prevention, mitigation and suppression of bush and other fires in local government areas (or parts of areas) and other parts of the State constituted as rural fire districts. Refer to ss 7; 36; 70; 74C; 99; 120; 124C; 128.	
Sex Discrimination Act 1984 (Cth)		The Act gives effect to Australia's obligation under the International Convention on the Elimination of All forms of Discrimination Against Women and certain aspects of the International Labour Organisation (ILO) Convention 156. Its major objectives are: Promote equality between Men and Women; Eliminate discrimination on the basis of sex, marital status or pregnancy and, with respect to dismissals, family responsibilities; and Eliminate sexual harassment at work, in educational institutions, in the provision of goods and services, in provision of accommodation and delivery of Commonwealth Programs.	General - Provisions relating to a legal entities' duty to promote equality between men & women and eliminate sexual discrimination and harassment at work.	
Security Industry Act 1997	Security Industry Regulation 2016	Security Industry Act 1997 to make further provision with respect to the licensing and regulation of persons in the security industry; and for other purposes	General - Provisions relating to security activities at airport and any other related security activities.	
Smoke Free Environment Act 2000	Smoke Free Environment Regulation 2016	An Act to regulate smoking in enclosed public places and to repeal the <i>Smoking Regulation Act 1997</i> .	Provisions relating to Council's obligation to regulate smoking in enclosed and specified outdoor public places. See ss 6 and 6A and Schedule 1.	
Spam Act 2003 (Cth)		The Act sets up a scheme for regulating commercial email and other types of commercial electronic messages.	Provisions to Council's obligation to regulate commercial emails and other types of commercial electronic messages. Refer to ss 6; 7; 8; 15; 17 and 18.	
State Emergency and Rescue Management Act 1989		An Act relating to the management of State emergencies and rescues.	Provisions impacting on and relating to Council's activities and responsibility in the management of State emergencies and rescues. Refer to ss 15; 21; 22; 25; 27; 28; 29; 30 and 48A.	
State Emergency Service Act 1989		An Act to establish the State Emergency Service and define its functions; to make provision for the handling of certain emergencies; to repeal the <i>State Emergency Services and Civil Defence Act 1972</i> ; to amend certain other Acts; and for other purposes.	Provisions relating to Council's relationship with the State Emergency Service and their responsibilities in the handling of certain emergencies. Refer to ss 17 and 17A.	
State Records Act 1998	State Records Regulation 2024 2015	An Act to make provision for the creation, management and protection of the records of public offices of the State and to provide for public access to those records,	Vast - Provisions relating to Council's responsibilities to create manage, protect and provide access to records.	

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ITEM 1 REVIEW OF LEGISLATIVE COMPLIANCE POLICY AND PROCEDURE

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Warren Shire Council – Legislative Compliance Policy and Procedure				
ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
		to establish the State Records Authority; and for other purposes.		
Strata Schemes Development Act 2015	Strata Schemes Development Regulation 2016	An Act to provide for leasehold strata schemes and for related purposes.	Provisions relating to Council's activities and obligations in relation to leasehold strata schemes. See Parts 4, 7, 8, 9 and 10 of the Act.	
Statutory and Other Offices Remuneration Act 1975		An Act relating to the remuneration and allowances payable to the holders of certain offices; to make provision for the establishment of a Statutory and Other Offices Remuneration Tribunal; and for these and other purposes to repeal the Statutory Salaries Adjustment Act 1975 and to amend the Supreme Court Act 1970, the District Court Act 1973 and certain other Acts.	Provisions governing Council's capacity to determine a position to be a senior staff position. The total remuneration packaged for the position must not be less than the minimum payable for senior executive office holders, graded Level 1 (General Management) under Pt 3A.	
Superannuation Guarantee (Administration) Act 1992 (Cth)		An act to provide for the payment of superannuation into a complying superannuation fund by employers for the benefit of their employees in respect of the employee's notion earning base.	Provisions relating to Council's duty to provide superannuation contributions. Refer to s 12.	
Surveying and Spatial Information Act 2002	Surveying and Spatial Information Regulation 2017	An Act to make provision with respect to the functions of the Surveyor-General, the registration of surveyors, the control of surveys and the constitution and functions of the Board of Surveyors and Spatial Information; to repeal the <i>Surveyors Act 1929</i> , the <i>Survey Coordination Act 1949</i> and certain other Acts and instruments; to make consequential amendments to certain other Acts and instruments; and for other purposes.	Provisions relating to Council's relationship with the Surveyor General and their obligations with respect to the control of surveys and registration of surveyors. Refer to ss 5; 6 and 9.	
Swimming Pools Act 1992	Swimming Pools Regulation 2018 2008	An Act to require access to private swimming pools to be effectively restricted; to repeal the <i>Swimming Pools Act 1990</i> ; and for other purposes.	Provisions impacting on Council activities and conferring powers in relation to private swimming pools within its LGA. Refer to ss 5; 22; 23; 26; 27; 37.	
Transport Administration Act 1988	Transport Administration (General) Regulation 2018 2013	An Act to constitute Rail Corporation New South Wales, Transport Infrastructure Development Corporation, Public Transport Ticketing Corporation, the State Rail Authority, Rail Infrastructure Corporation, the State Transit Authority, the Independent Transport Safety and Reliability Regulator, Sydney Ferries and the Roads and Traffic Authority and to make provision for their management and functions; to establish the Roads and Traffic Advisory Council; to provide for the administration of public transport in New South Wales; and for other purposes.	Provisions relating to Council's relationship with Transportation Corporations and their duty to provide for the administration of public transport in NSW. Refer to ss 53C; 104Q; 104S; 106; and 111.	
Trees (Dispute Between Neighbours) Act 2006	Trees (Disputes Between Neighbours) Regulation 2024 2014	An Act to provide for proceedings in the Land and Environment Court for the resolution of disputes between neighbours concerning trees; and for other purposes.	Provisions outlining to role of in proceeding in the Land and Environment Court for disputes concerning trees. Refer to ss 4; 13; 14 & 17.	
Unclaimed Money Act 1995		An Act to provide for the payment of unclaimed money into the Consolidated Fund; to require the publication of information relating to unclaimed money; to provide for a Chief Commissioner of Unclaimed Money and a scheme for determining applications for repayment of unclaimed money; to repeal the <i>Unclaimed Money Act 1982</i> ; to make consequential amendments to other Acts; and for other purposes.	General - Provisions relating to a prescribed entities' responsibility in the payment of unclaimed money.	
Valuation of Land Act 1916	Valuation of Land Regulation 2018	An Act to make provision for the valuation of land; to establish the office of Valuer-relationship General; to provide for the appointment of contract valuers; and for other purposes.	Provisions relating to Council's relationship with the Valuer-General and their duties in relation to the valuation of land. Refer to ss 12; 14E; 29; 47; 60A & 62.	

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CONTINUED

Warren Shire Council – Legislative Compliance Policy and Procedure

ACT	REGULATION	PURPOSE	RELEVANCE TO COUNCIL	COUNCIL POLICIES AND PROCEDURES AND CONTROLS - TO ACHIEVE COMPLIANCE (IF RELEVANT)
Waste Avoidance and Resource Recovery Act 2001	Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017	An Act to promote waste avoidance and resource recovery; to repeal the Waste Minimisation and Management Act 1995 ; to amend the Protection of the Environment Operations Act 1997 ; and for other purposes.	General provisions which empowers the Director General to request Councils to provide reasons for any specified non-compliance with objectives of the current waste strategy. Section 14 of the Act.	
Water Act 1912	Water NSW Regulation 2020 2013	An Act to consolidate the Acts relating to Water Rights, Water and Drainage, Drainage Promotion, and Artesian Wells.	Provisions relating to Council's obligation with regards to water, drainage, drainage promotion and artesian wells. Refer to ss 14; 26A and 26C.	
Water Management Act 2000	Water Management (General) Regulation 2018 2011	An Act to provide for the protection, conservation and ecologically sustainable development of the water sources of the State, and for other purposes.	Provisions relating to Council's duty for the protection, conservation and ecologically sustainable development of the water sources of the state. Refer to ss 13; 34; 36; 212; 260; 262; 264; 265; 266; 267; 268 and 318.	
Work Health and Safety Act 2011	Work Health and Safety Regulation 2017	An Act to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces	Vast - Provisions relating to Council's obligation to provide a healthy and safe work environment for its employees.	
Workers Compensation Act 1987	Workers Compensation Regulation 2016	An Act to provide for the compensation and rehabilitation of workers in respect of work related injuries; to repeal the <i>Workers' Compensation Act 1926</i> and certain other Acts; and for other purposes.	General - Provisions relating to Council's obligations an employer to provide for the compensation and rehabilitation of workers with respect to injuries sustained in the course of their work.	
Workplace Surveillance Act 2005	Workplace Surveillance Regulation 2022 2017	An Act to regulate surveillance of employees at work; and for other purposes.	General - Provisions relating to Council's rights and responsibilities with respect to workplace surveillance activities.	

WARREN SHIRE COUNCIL
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ITEM 2 REVIEW OF CODE OF MEETING PRACTICE

(C14-2)

RECOMMENDATION that:

1. The information be received and noted;
2. The Reviewed Code of Meeting Practice 2025 be placed on public exhibition for a minimum of 28 days; and
3. Subject to no adverse submissions being received within a period of at least 42 days, the Reviewed Code of Meeting Practice 2025 be adopted.

PURPOSE

To advise that a review of Council's Code of Meeting Practice 2022 has been undertaken and for Council to adopt the reviewed Code of Meeting Practice 2025.

BACKGROUND

All Local Councils are required to have an approved Code of Meeting Practice that must be adopted within twelve (12) months of an Election. Although it is expected that the Office of Local Government will issue a new Model Code of Meeting Practice for Local Councils in 2025/2026, Council must review its current Code to meet its obligations to adopt a Code of Meeting Practice within 12 months of an Election.

At Council's 1st December 2022 Council Meeting, a Draft Code of Meeting Practice 2022 was adopted after undertaking an appropriate advertising campaign and public exhibition of the Draft Code of Meeting Practice 2022.

Council is now required to review its current Code of Meeting Practice 2022 before 12 months of an Ordinary Council Election.

The reviewed Code of Meeting Practice 2025 was presented to Manex on the 19th August, 2025 where there were no concerns and the matter needs to be reported to Council for the process of adoption of the reviewed Code.

REPORT

The Model Code of Meeting Practice provides a uniform set of meeting rules for Councils across the State to help ensure more accessible, orderly, effective and efficient meetings. The Code applies to all meetings of Councils and Committees of Councils of which all the members are Councillors (Committees of Council). Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

The Model Code of Meeting Practice comprises of mandatory and non-mandatory provisions. Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Code of Meeting Practice no later than 12 months after each Ordinary Council Elections. Councils are required to consult with their communities prior to adopting a Code of Meeting Practice.

To ensure that Council meets its obligations to adopt a Code of Meeting Practice within 12 months of an Election, the General Manager has reviewed Council's current Code of Meeting Practice and is now provides this report to Council to enable the required public exhibition and adoption processes.

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ITEM 2 REVIEW OF CODE OF MEETING PRACTICE

CONTINUED

The intent of the Code has not changed with only typographical changes made and Council's standard Policy Review clause has been added.

The timetable for the adoption of a new Code of Meeting Practice is as follows:

- Present the reviewed Code of Meeting Practice 2025 to Council at its meeting of 28th August 2025;
- The Reviewed Code of Meeting Practice 2025 be placed on public exhibition for a minimum of 28 days; and
- Subject to no adverse submissions being received within a period of at least 42 days, the Reviewed Code of Meeting Practice 2025 be adopted.

If any adverse submissions are received, a report will be prepared for Council's 23rd October 2025 Council Meeting.

It is expected that the Office of Local Government (OLG) will produce a new Model Code of Meeting Practice following the recent directive by the Minister for Local Government. When this happens, a new process will be instigated.

This Code has been reviewed with changes shown in red.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

A Code of Meeting Practice is mandatory and must be adopted within twelve (12) months of an Ordinary Election.

RISK IMPLICATIONS

Council must adopt the Code of Meeting Practice. If adopted, then risks are considered to be low.

STAKEHOLDER CONSULTATION

Council will exhibit the Draft Code of Meeting Practice 2025 by appropriate advertising for a minimum of twenty-eight (28) days and inviting submissions for a period of at least forty-two (42) days.

Any adverse public submissions received would be considered at the 23rd October 2025 Council Meeting.

OPTIONS

Council does not necessarily need to adopt the new Draft Code of Meeting Practice 2025. Council can continue using the existing Code of Meeting Practice, subject to the compulsory changes required by the Office of Local Government new Model Code.

CONCLUSION

It is considered appropriate that the reviewed Code of Meeting Practice 2025 be placed on public exhibition as required and subsequently adopted by Council.

WARREN SHIRE COUNCIL
Policy Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 2 REVIEW OF CODE OF MEETING PRACTICE

CONTINUED

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Proactively manage known compliance risks.

SUPPORTING INFORMATION /ATTACHMENTS

Draft Warren Shire Council Code of Meeting Practice 2025 (sent by email under separate cover).

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Policy Report of the General Manager
to the Ordinary Meeting of Council to be held in the
Council Community Room, Warren on Thursday, 28th August 2025

ITEM 3 REVIEW OF THE WARREN SHIRE COUNCIL CODE OF CONDUCT (A7-6)

RECOMMENDATION that:

1. The information be received and noted;
2. The Reviewed Warren Shire Council Code of Conduct be placed on public exhibition for a minimum of 28 days; and
3. Subject to no adverse submissions being received within a period of at least 42 days, the Reviewed Warren Shire Council Code of Conduct be adopted.

PURPOSE

To advise that a review of the Warren Shire Council Code of Conduct 2020 has been undertaken and for Council to adopt the reviewed Warren Shire Council Code of Conduct 2025.

BACKGROUND

Under the *Local Government Act 1993*, Councils must review their adopted Code of Conduct within 12 months of an Ordinary Council Election and must make such adjustments that they consider appropriate.

Council at its Meeting on the 24th September 2020 initially adopted the Model Code of Conduct for Local Councils in NSW 2020 as required under *Clause 440 of the Local Government Act 1993* as amended and Regulations thereto. The document was readopted at Council's 24th February 2022 after Manex recommended that the Code be reported to Council for re-adoption without any changes.

REPORT

A copy of the reviewed Warren Shire Council Code of Conduct 2025 has been provided under separate cover. The only proposed minor change to the reviewed Warren Shire Council Code of Conduct 2025 is to update the *Local Government (General) Regulation 2005* to *Local Government (General) Regulation 2021*.

Following a review, it is considered that there is no need to amend the current Code other than the minor update when referencing the *Local Government (General) Regulation 2021*.

The reviewed Warren Shire Council Code of Conduct was presented to Manex on the 19th August, 2025 where there were no concerns and the matter needs to be reported to Council for the process of adoption of the reviewed Code.

It is expected that the Office of Local Government (OLG) will produce a new Model Code of Conduct following the recent directive by the Minister for Local Government. When this happens, a new process will be instigated.

This Code has been reviewed with changes shown in red.

FINANCIAL AND RESOURCE IMPLICATIONS

Council is required to review and adopt a Code of Conduct.

There are no financial and resource implications.

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ITEM 3 REVIEW OF THE WARREN SHIRE COUNCIL CODE OF CONDUCT CONTINUED

LEGAL IMPLICATIONS

Under *Clause 440 Local Government Act 1993* as amended, Council is required to adopt the Model Code of Conduct as a bare minimum.

RISK IMPLICATIONS

If Councillors and staff comply with the guidelines under the Code, then no staff member or Councillor will have cause for concern.

STAKEHOLDER CONSULTATION

The Code applies to all Councillors, Staff, Contractors and Public Members of a Council Committee. Any new Code would be provided to all persons.

Council will exhibit the Draft Code of Conduct 2025 by appropriate advertising for a minimum of twenty-eight (28) days and inviting submissions for a period of at least forty-two (42) days.

Any adverse public submissions received would be considered at the 23rd October 2025 Council Meeting.

OPTIONS

Council may wish to amend the presented Code.

CONCLUSION

Council is required under *Clause 440 of the Local Government Act 1993* as amended and Regulations thereto to review and adopt a Code of Conduct.

A review has found that only a minor adjustment/update is required and there is no need to further amend the reviewed Code.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Proactively manage known compliance risks.

SUPPORTING INFORMATION /ATTACHMENTS

Reviewed Warren Shire Council Code of Conduct 2025 (provided under separate cover).

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to the Ordinary Meeting of Council to be held in the
Council Community Room on Thursday, 28th August 2025

ITEM 5 REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY (P13-1, S16-10)

RECOMMENDATION that:

1. The information be received and noted;
2. The reviewed Contractor WHS Management Policy, as amended, be adopted.

PURPOSE

To advise Council that a review of the Contractor WHS Management Policy has been undertaken and to recommend adoption of the updated Policy.

BACKGROUND

Warren Shire Council engages a broad range of private, public and not-for-profit sector entities to deliver projects, services, and operational works. The community expects the highest standards of safety, compliance and ethical conduct in Council's procurement, contract management and service delivery activities.

The existing Contractor WHS Management Policy was first adopted on 27 September 2018 (Minute No. 214.9.18). The 2025 review ensures the Policy remains aligned with current legislation, governance requirements and Council's Project Management Procedure introduced in 2025.

The review also incorporates updated terminology, roles and responsibilities to reflect current Council structures and operational practices, as well as refinements to contractor categorisation, evaluation processes and monitoring requirements.

REPORT

The revised Contractor WHS Management Policy (August 2025) clearly sets out Council's expectations of all individuals and organisations undertaking work for or on behalf of Council, including suppliers, contractors, consultants and labour-hire providers. It provides a systematic framework for the classification of contractors and the minimum WHS requirements applicable to each category, ensuring that risks associated with contracts are identified, managed and monitored.

Key updates in the revised Policy include:

- Incorporation of the Project Management Procedure (2025) throughout the Policy to ensure WHS requirements are embedded in project planning, tendering, and delivery stages.
- Expanded and clarified definitions, including new entries for *Principal Contractor*, *Site Instruction* and *WHS/Risk Coordinator*.
- Refined Contractor Categories and the Contractor Health and Safety Management Matrix, ensuring clearer guidance on minimum WHS, risk assessment and insurance requirements for each category.
- Updated roles and responsibilities for the Contract Owner/Administrator, Project/Contract Manager Coordinator, Supervisor of Contract and WHS/Risk Coordinator.

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Policy Report of General Manager
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ITEM 5 REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY CONTINUED

- Strengthened evaluation and selection criteria, including guidance on weighting WHS performance in tender assessments.
- Revised monitoring, supervision, auditing and inspection requirements, including triggers for third-party audits on high-risk projects.
- Updated incident notification requirements to reflect legislative obligations for reporting to SafeWork NSW and the EPA, and integration with Contract Performance Reports.
- Inclusion of more explicit sub-contractor requirements, ensuring verification of licences, competencies, permits and insurances prior to work commencing.
- Clearer instructions for reviewing the adequacy of Principal Contractor WHS Management Plans and Safe Work Method Statements (SWMS) before work commences.
- Emphasis on the requirement for Contractor Inductions and the need to read and acknowledge *Safework NSW's Pocket Guide to Construction Safety*.

The updated Policy continues to support Council's Work Health and Safety Policy and complements related governance frameworks, including the Procurement and Disposal Policy, Statement of Business Ethics Policy and Code of Conduct.

This Policy has been reviewed with changes shown in red in the attached Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no direct financial implications associated with this Policy. Any training, compliance monitoring or implementation activities will be absorbed within existing staff roles and responsibilities.

LEGAL IMPLICATIONS

The Policy aligns with the *Local Government Act 1993 (NSW)*, *Work Health and Safety Act 2011 (NSW)*, *Privacy and Personal Information Protection Act 1998 (NSW)*, associated Regulations, Codes of Practice, Australian Standards and guidelines issued by oversight agencies such as SafeWork NSW and the NSW Ombudsman.

RISK IMPLICATIONS

A clear and robust Contractor WHS Management Policy mitigates operational, safety, compliance, reputational and procurement risks. It ensures Council meets its legislative duties while reinforcing safe work practices and accountability across all contracted works.

STAKEHOLDER CONSULTATION

The revised Policy was developed by Council officers in consultation with relevant operational managers, the WHS/Risk Coordinator and the Senior Management Team. The MANEX Committee has reviewed and endorsed the draft Policy for Council adoption.

As the changes are primarily procedural and clarify existing requirements without altering the scope or intent of the Policy, public exhibition is not considered necessary prior to adoption.

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ITEM 5 REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY CONTINUED

OPTIONS

Council may:

- Endorse the Policy as presented;
- Request further amendments including proceed to public exhibition; or
- Defer the matter for additional review.

CONCLUSION

The 2025 review of the Contractor WHS Management Policy ensures alignment with legislative requirements, operational procedures and best practice WHS management. The updated Policy will provide Council with a practical, comprehensive and enforceable framework for managing contractor safety and compliance.

It is recommended that the reviewed Contractor WHS Management Policy, as amended be adopted.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks;
- 5.2.5 Improve procurement practices to maximise cost efficiency whilst supporting local business were possible; and
- 5.3.3 Ensure a quality customer service focus by Council staff.

SUPPORTING INFORMATION /ATTACHMENTS

Reviewed Contractor WHS Management Policy – August 2025.

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ITEM 5 REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY CONTINUED

Attachment - Reviewed Contractor WHS Management Policy – August 2025



POLICY REGISTER

CONTRACTOR WHS MANAGEMENT POLICY

Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 28th August 2025 Minute No. xxx.8.25

File Ref: P13-1, S16-10

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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

CONTINUED

DOCUMENT CONTROL

Issue.	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 214.9.18 (27th September 2018)
2.0	Joe Joseph, Infrastructure Projects Manager	Amended	Council Minute No. xxx.8.25

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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

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Warren Shire Council – Contractor WHS Management Policy

1. PURPOSE

To ensure a systematic approach for the classification and minimum requirements of contractors and their associated contracts to ensure the effectiveness of the contractor's health, safety and environment management system and to ensure that all risks associated with the contract are identified and managed.

Council has a legislative requirement to ensure compliance to all relevant Health and Safety legislation and this protocol outlines the process and procedures that must be undertaken to ensure mandatory requirements are met.

2. SCOPE

The requirements of this Protocol shall apply to all Council Officers responsible for engaging contractors (including labour hire) and other services (consultants). **This Policy document has been updated to reflect Project Management Procedure implemented in 2025.**

3. DEFINITIONS

Construction Project - is a project that involves construction work where the cost of works is more than \$250,000 (GST incl.).

Contractor - a person, organisation, their employees or a nominated representative engaged to carry out work for Council in a contract for service arrangement.

Contract for Service - is to complete certain works within the requirements of the tender document.

Contract/ Contractor Categories - categories by which a contract or contractors are classified to ensure systems are in place to identify and manage all risks associated with the contract.

Contract Owner/ Administrator - Council Officer designated to manage the development and delivery of the contract and to manage all associated health, safety, environment and quality risks associated with the contract.

Contract Administration - the process of managing the contract and the relationship between Council and the contractor, reviewing and documenting how the contractor is performing or has performed to establish corrective actions and provide a basis for future relationships with the contractor and managing contract related changes.

Project/ Contract Manager Coordinator - person assigned by Council to achieve the project objectives and deliverables (required for Categories 1 and 2).

Principal Contractor - A Principal Contractor is the person or organisation appointed by the Council to manage and control a construction project involving multiple contractors (subcontractors). Under WHS legislation, they are legally responsible for:

- Planning, managing and monitoring the construction work to ensure it is carried out safely
- Developing and implementing a WHS Management Plan
- Ensuring safe work practices among all workers and subcontractors
- Managing risks to health and safety arising from the work

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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

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Warren Shire Council – Contractor WHS Management Policy

- Coordinating the activities of subcontractors

Typically, a Principal Contractor must be appointed for any construction project valued at over \$250,000 (in NSW).

Supervisor of the contract - Council Officer designated to interact with the contractor, expedite performance of the contract and ensure that required work types and all specified documentation are completed, and who manages the contract health in terms of scope and specification of the works and related changes, schedule, quality and compliance to Health and Safety systems, plans or processes.

Site Instruction - A Site Instruction is a written directive given on a project site to guide, clarify, or request changes to work, ensuring tasks are carried out as required and recorded for contractual purposes. Site Instructions typically address matters such as design details, safety requirements, sequencing of works, or rectification of defects, and they form part of the project's contractual documentation.

Tender - written offer to complete certain works.

WHS/Risk Coordinator – Council Officer designated responsible for managing workplace health and safety systems, help identifying and mitigating risks, ensuring compliance with legislation, conducting reviews and promoting a safe working environment for staff, contractors and the community.

4. ASSOCIATED COUNCIL DOCUMENTS

- Warren Shire Council ~~Contractor~~ Project Management Procedure
- Warren Shire Council Work Health and Safety Policy

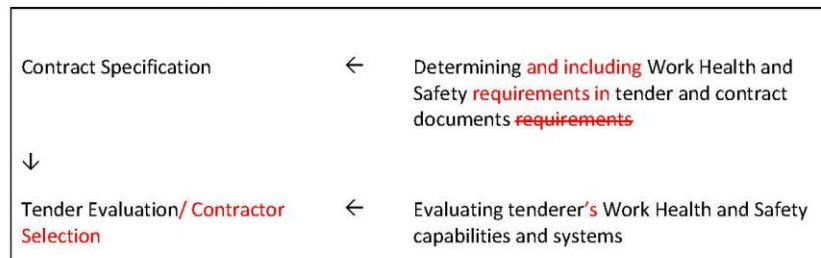
At all times these documents must be read in conjunction with the requirements of this Protocol

5. RESPONSIBILITIES

Contract Owner - responsible for compliance with this procedure.

6. ELEMENTS OF CONTRACT MANAGEMENT

There are three important stages of the contracting process in which health & safety issues must be considered when engaging contractors.



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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

CONTINUED

Warren Shire Council – Contractor WHS Management Policy



7. ~~CONTRACT~~ CONTRACTOR CATEGORIES

All contracts executed shall be classified into one of the following categories:

Category 1: ~~Principal Contractors – p~~Projects / Contracts - where the cost of works is equal to or more than \$250,000 (GST incl.) ~~and a Principal Contractor will be engaged to manage the works.~~

Category 2 Service / Project Contracts – where the contract value is less than \$250,000 (GST incl.) and involves high risk works as defined by legislation. (e.g. telecommunications, electrical works, wet hire of plant, demolition, asbestos, hazardous substances).

Category 3 Service / Project Contracts – where the contract value is less than \$250,000 (GST incl.) and does not involve high risk works as defined by legislation. (e.g. photocopier service, vending machines, on site consultants).

Category 4 ~~Service providers/~~ Contractors or individuals engaged on temporary contracts to work within existing operations. (e.g. labour hire).

The minimum ~~Contractor Health and Safety Management Matrix and specific risk management requirements applicable requirements~~ for each level are shown below:

Minimum Requirements	Category 1	Category 2	Category 3	Category 4
Evidence of Health and Safety Management System compliance - Prequalification Questionnaire and assessment of Tenderers WHS Capacities	Required to the extent specified	Not Required to the extent specified	Not Required	Not Required
Project / Site Specific Health and Safety Plan	Required	Not Required	Not Required	Not Required
Risk Assessment, Safe Work Method Statements & Safety in Design Report	Required to the extent specified	Required to the extent specified	Required	Not Required
Insurances – Professional indemnity - Workers Compensation - Public Liability (\$10mil) - Other as defined e.g. Works insurance, Products Liability, Professional indemnity etc.	Required to the extent specified	Required to the extent specified	Required	Required <i>** labour hire covered through provider</i>

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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

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Warren Shire Council – Contractor WHS Management Policy

Specific Risk Control Plans Asbestos Demolition Traffic control other	As required	As required	As required	Not Required
Licences, permits, competency certificates, authorities	Required	Required	Required	Required
WSC Site Safety Rules	Required	Required	Required	Required
WSC Contractor Corporate Induction (handbook)	Not required	Required	Required	Required
WSC Site specific induction	Required	Required	Required	Required
Contractor daily site risk management process and induction	Required	Required	As required	As required
Incident reporting	Required	Required	Required	Required
Monitoring and supervision	Required	Required	Required	Required
Audit and inspection	Required to the extent specified	Required to the extent specified	Required	Not Required
Contract Performance Report	Required	Required	Required	Required

8. PANEL OF PROVIDERS

Council shall maintain a list of pre-approved specific contractors and suppliers of service. All relevant checks, required documentation, licences, insurances and safety information relevant to their individual scope of works shall be provided and approved prior to commencement of works.

9. NON-APPROVED CONTRACTORS FOR EMERGENCY WORK

The relevant ~~Operational~~ Project/ Contract Manager or nominated representative may authorise a non-approved contractor for emergency work or work of very short duration when an approved contractor qualified to do the work is not available.

10. CONTRACTOR HEALTH AND SAFETY REQUIREMENTS

The following section outlines model clauses relating to Health and Safety requirements which must be incorporated into specification and tender documents.

All contract tender documents must detail the exact Health and Safety requirements ~~as detailed~~ to be complied by the Contractor Health and Safety Management Matrix and specific risk management requirements applicable to the operation (e.g. supply of plant and operator 'wet hire' contractors must supply mobile plant risk assessments).

A. General WHS requirements

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ITEM 5

REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

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Warren Shire Council – Contractor WHS Management Policy

Council is obligated to provide and maintain, where practicable, a working environment for its employees and members of the public, that is safe and without risk to health. As a condition of this contract, Council requires that any contractors or subcontractors that may be engaged to perform a service on its behalf shall at all times identify and exercise all necessary precautions for the health and safety of all persons including contracted employees, Council employees and members of the public who may be affected by the services. The contractor shall inform themselves of all health and safety policies, procedures or measures implemented or adopted by Council and/or the occupiers of any premises at or within which the contractor will perform works under this contract. The contractor shall comply with all such policies, procedures or measures and in the event of any inconsistency, shall comply with such procedures or measures that produce the highest level of health and safety.

B. Legislative compliance

The contractor shall comply with and ensure that its employees, subcontractors and agents comply with any acts, regulations, local laws and by-laws, codes of practice, Australian Standards and Council's policies and procedures which are in any way applicable to this contract or the performance of the services under this contract.

Note: this provision simply recites obligations that are independently imposed upon the party by force of law, particularly the operation of the relevant general duties provisions of the governing Health and Safety statute.

C. Safe Design

It is important to incorporate an appropriate clause in the tender and contract which requires risk management, and more specifically, to cover whole of life Health and Safety risks at the design stage. **It is mandatory for Design, Design & Construct contracts for the contractor to submit Safety in Design Report when requested.** An example of a model clause enabling flexible modifications, depending on the nature of the service or supply, is:

"The [tenderer] shall detail in the design documentation the identification and assessment of whole of life health and safety risks (such as those related to the construction/manufacture, installation, commissioning, operation, maintenance, decommissioning and demolition/removal) and the methods used to eliminate and/or minimise these health and safety risks via the design/redesign process."

It is a requirement of legislation that a designer of a structure or any part of a structure that is to be constructed must give the person conducting a business or undertaking that commissioned the construction work a written report that specifies the hazards associated with the design of the structure that:

- create a risk to the health or safety of persons who are to carry out construction work on the structure or part; and
- are associated only with the particular design and not with other designs of the same type of structure.

The Contractor Health and Safety Management Matrix offers a simple health and safety reference guide for Council employees responsible for engaging contractors or service providers. The Specific Requirements for Contractors for Tender/ Service Supply details the minimum requirements that all contractors must submit and have approved prior to commencing works according to their relevant **Contract/ Contractor Category (refer to Warren Shire Council Contractor Management Procedure).**

11. EVALUATION

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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

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Warren Shire Council – Contractor WHS Management Policy

The Contract Owner/ **Administrator** is responsible for the evaluation of supplied Health and Safety documentation to ensure it meets the minimum legislative and operational requirements.

Depending upon the **tender Contract** classification the Health and Safety criteria could include any of the following: Health and Safety Policy; Consultation; Risk Management; Standard Work Procedures; Process Control; Work Method Statements; Induction Training; Incident Reporting; Insurances; Emergency Procedures; Hazardous Substances; Traffic Control Plans etc.

As a general guide, prospective contractors should be aware that Council attributes a weighting to contractors health and safety performance. **The tender scoring matrix shall be included in the contract to outline the specific WHS weightage applied during assessment.**

The tender evaluation stage allows Council to assess specification requirements, including Health and Safety aspects. This process is critical. It ensures that Council establishes that tenderer's have adequate systems in place to manage Health and Safety risks.

The tender evaluation process typically involves the following tasks:

- Examination of tenderer's Health and Safety documentation (including policies, procedures, work methods, training/competency records).
- Verification of the implementation of the Health and Safety system. This may include review of tenderers records pertaining to audits, hazard inspections, plant records, safety meetings and incident investigations.
- Evaluation of reports on the tenderer's health and safety performance (records of accidents and incidents, infringements, prosecutions, workers compensation premiums).
- Undertaking interviews or discussions with tenderers to confirm their understanding of contract Health and Safety requirements and their ability to manage accordingly.

Tenderers who cannot demonstrate that they can adequately meet the Health and Safety requirements of the tender document should not be considered in the selection process.

12. SPECIFIC HIGH RISK REQUIREMENTS

High risk works (as defined by legislation) are activities that:

- involves a risk of a person falling more than 2 metres
- is carried out on a telecommunication tower
- involves demolition of an element of a structure that is load-bearing or otherwise related to the physical integrity of the structure
- involves, or is likely to involve, the disturbance of asbestos
- involves structural alterations or repairs that require temporary support to prevent collapse
- involves a confined space; or involves
- a shaft or trench with an excavated depth greater than 1.5 metres;
- a tunnel
- involves the use of explosives
- is carried out on or near pressurised gas distribution mains or piping
- is carried out on or near chemical, fuel or refrigerant lines
- is carried out on or near energised electrical installations or services

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Warren Shire Council – Contractor WHS Management Policy

- is carried out in an area that may have a contaminated or flammable atmosphere
- involves tilt-up or precast concrete
- is carried out on, in or adjacent to a road, railway, shipping lane or other traffic corridor that is in use by traffic other than pedestrians
- is carried out at a workplace in which there is any movement of powered mobile plant
- is carried out in an area in which there are artificial extremes of temperature
- is carried out in or near water or other liquid that involves a risk of drowning
- involves diving

A. High Risk Work Method Statements

A person conducting a business or undertaking (PCBU) that includes the carrying out of high risk work must, before high risk work commences, ensure that a Work Method Statement for the proposed work:

- is prepared; or
- has already been prepared by another person and approved by the PCBU.

The Work Method Statement must:

- identify work that is high risk construction work; and
- specify hazards associated with that high risk construction work and risks associated with those hazards; and
- describe the measures to be implemented to control those risks; and
- describe how the risk control measures are to be implemented, monitored and reviewed.

The Work Method Statement must take into account all relevant matters including circumstances at the workplace that may affect the way in which the high risk construction work is carried out; and if the high risk work is carried out in connection with a construction project, the Health and Safety management plan that has been prepared for the workplace; and be set out and expressed in a way that is readily accessible and comprehensible to persons who use it.

A person conducting a business or undertaking must ensure that a Work Method Statement is reviewed and as necessary revised if relevant risk control measures are revised and must ensure that the Work Method Statement is, readily available and provided to persons undertaking relevant tasks.

13. SUB-CONTRACTORS

Subcontractors working for a Principal Contractor must supply the Principal Contractor with Work Method Statements and verification of licences, competencies, permits and insurances prior to commencing works.

14. REVIEW OF ADEQUACY OF PRINCIPAL CONTRACTOR PROJECT MANAGEMENT PLAN AND SWMS

Principal Contractors shall supply a Site / Project Specific Health and Safety Management Plan and required SWMS's.

The Council Contract Owner or nominated person must undertake a review of the adequacy of submitted plan and relevant SWMS's.

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REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

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Warren Shire Council – Contractor WHS Management Policy

The review must utilise the ~~Review of Adequacy of Principal Contractor Project Management Plan~~ WHSMP Review Checklist and SWMS ~~form~~ Review Checklist (refer to Warren Shire Council ~~Contractor Project Management Procedure~~).

If the Site / Project Specific Health and Safety Management Plan and required SWMS's meets the criteria of the checklist a copy of the plan and the original checklist is to be forwarded to the Project/ ~~Contract Manager~~ ~~Coordinator~~ to complete the sign off process.

If the Site / Project Specific Health and Safety Management Plan and required SWMS's are not adequate:

- Seek advice, where necessary, from staff with specialist skill, ~~WHS/Risk~~ ~~Coordinator~~
- Require the Principal Contractor to submit a revised satisfactory Project WHS Management Plan for review prior to work commencing
- Raise concerns about inadequacies with documentation with Senior Management.

Works are not to commence until the Site / Project Specific Health and Safety Management Plan and required SWMS's have been approved and all required signatures obtained.

15. CONTRACTOR INDUCTIONS

The Council Project/ ~~Contract Manager~~ ~~Coordinator~~ or Supervisor of the contract must ensure that the engaged contractor has appropriate localised information and knowledge to work safely on contracts or service agreements awarded by Council.

All Council contractors with the exception of contractors appointed as a Principal Contractor ~~must be issued with a Council Contractor HSE Handbook which~~ must be read and acknowledged "The pocket guide to construction safety" issued by SafeworkNSW ~~by the relevant contractors~~ prior to commencement. ~~Follow the link below to access The pocket guide to construction safety.~~

https://www.safework.nsw.gov.au/_data/assets/pdf_file/0004/386446/pocketguide-to-construction-safety.pdf

If a person conducting a business or undertaking that commissions a construction project engages a principal contractor for the project, the person must give the principal contractor any information the person has in relation to hazards and risks at or in the vicinity of the workplace where the construction work is to be carried out, including a copy of the report given to the person.

Where a Principal Contractor is appointed it is their responsibility to ensure these inductions are conducted for all persons working onsite, ~~records maintained and reported to Project/ Contract Manager as required by the contract.~~

The relevant Council Project/ ~~Contract Manager~~ ~~Coordinator~~ or Supervisor of the contract shall liaise and consult with the Principal Contractor to ensure all hazards and risks are identified and eliminated or adequately controlled.

On work sites controlled by Council as either the Principal Contractor or the controller of the site / facility, inductions will be as per Council Induction processes ~~(refer to Warren Shire Council Contractor Management Procedure).~~

WARREN SHIRE COUNCIL
Policy Report of General Manager
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ITEM 5

REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

CONTINUED

Warren Shire Council – Contractor WHS Management Policy

16. INCIDENT NOTIFICATION

All contractors are required to notify Council of all incidents, injuries and events that result in a breakdown of health and safety processes.

Contractors are also required to notify ~~SafeWork NSW WorkCover~~ or EPA of notifiable events. Notifiable events, injuries, incidents and infringements are to be recorded by the relevant Council Project/ ~~Contract Manager Coordinator~~ or Supervisor of the contract on the Contract Performance Report

17. MONITORING AND SUPERVISION

The Council Project/ ~~Contract Manager Coordinator~~ or Supervisor of the contract shall maintain a schedule of monitoring and supervision throughout the life of the contract.

The level of risk and category of the Contractor~~er~~ will determine the monitoring and supervision schedule, this will be established prior to works commencing.

The higher the risks the greater level of monitoring and supervision is required.

Non-compliances and breaches of Health and Safety **identified at the monitoring and supervision process** must be documented in the Site Instruction Book and signed by the relevant contractor; identified issues must be rectified immediately.

Failure to rectify non compliances and breaches will result in work ceasing until the identified issues have been satisfactorily resolved.

18. AUDITING AND INSPECTION

Auditing and inspection must be undertaken to ensure Contractors are complying with submitted Health and Safety documentation and that the works and or services being provided are compliant with required legislation and do not pose unacceptable risks to Council and or the public.

The schedule of audits and inspections must be determined and communicated to the contractor prior to works commencing.

The schedule and type of audit and inspection shall take into account the following:

- Length of scheduled works
- Risk level of scheduled works
- Capital expenditure
- Complexity of scheduled works

With major capital works involving a Principal Contractor it may also be necessary to engage a third party at relevant milestones, to conduct independent audits and inspections. **Establish this requirement and audit frequency are included in the Contract document as required.**

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ITEM 5

REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

CONTINUED

Warren Shire Council – Contractor WHS Management Policy

A. Audit and Inspection Resources

Category 1- Projects / Contracts ~~Principal Contractors~~ (refer to Warren Shire Council ~~Contractor~~ Project-Management Procedure and Contract Safety Management Flowchart); Ensure WHS checkpoints are included in the contract and implemented.

- Site Safety ~~Environmental~~ Audit
- Project WHS Management Plan ~~Worksite Safety~~ Audit

An example of a model clause to include in a contract preliminary, depending on the nature of the contract, is:

Audit and review

Make available, on request, all records, including those of or relating to subcontractors or suppliers, relevant to compliance with requirements of the Contract, for the purposes of audit, review or surveillance. Provide all reasonable assistance during the audits or reviews including attendance by the Contractor.

Promptly implement effective corrective action on matters disclosed by audit or review.

Category 2 - Service / Project Contracts – where the cost of works is less than \$ 250,000 (GST incl.) and involves high risk works (refer to Warren Shire Council ~~Contractor~~ Project Management Procedure and Contract Safety Management Flowchart); Ensure WHS checkpoints are included in the contract and implemented.

- Project WHS Management Plan ~~Worksite Safety~~ Audit

Category 3 - Service / Project Contracts – Low risk contracts (refer to Warren Shire Council ~~Contractor~~ Project-Management Procedure and Contract Safety Management Flowchart); Ensure WHS checkpoints are included in the contract and implemented.

- Worksite Inspection Checklist

All non-conformances must be documented in the Site Instruction book and signed by the relevant contractor.

All audits and inspections undertaken must be forwarded to the Contract Owner / ~~Contract~~ Administrator for inclusion within the contract documentation folder.

19. BREACHES / NON COMPLIANCE

All breaches / non-conformances must be documented in the Site Instruction book and reported to Council's WHS/Risk Coordinator. Major breaches will result in work being stopped until required actions are rectified, minor breaches that can be rectified immediately do not need to be recorded.

At all times the relevant Council Contract Owner/ Administrator, Project / ~~Contract Manager~~ ~~Coordinator~~, Supervisor of Contract has authorisation to stop works and remove personnel from site due to deliberate or gross neglect of health and safety requirements.

20. PERFORMANCE REPORTING

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ITEM 5

REVIEW OF THE CONTRACTOR WHS MANAGEMENT POLICY

CONTINUED

Warren Shire Council – Contractor WHS Management Policy

At completion of contracted work an evaluation must be conducted with a Contract Performance Report generated by the relevant ~~Council Contract Owner~~, Project / ~~Contract Manager Coordinator or Supervisor of the Contract~~ for all Contract Categories 1 & 2.

The report must be forwarded to the relevant Contract Owner / ~~Administrator~~, for review and inclusion within the contract documentation folder.

The Contract Performance Report, ~~which includes WHS reporting feeds~~, will be used in decision making processes for future contracts.

21. REVIEW

~~This Policy shall be reviewed:~~

- ~~• Within 12 months immediately following a Council Election; or~~
- ~~• Immediately if any provision is contrary to law.~~

~~This Policy should be reviewed every four (4) years, or within 12 months following an election of Council. The Policy may be reviewed and amended at any time at Council's discretion (or if legislative changes occur).~~

WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Finance and Administration to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 28th August 2025

ITEM 1 INVESTMENT POLICY

(P13-1, I3-1.35)

RECOMMENDATION:

That Council adopted the amended Investment Policy.

PURPOSE

To advise Council that the amended Investment Policy is required to be adopted, as per Section 158 of the Local Government Act, specific to the circumstance, criteria and other matters related to approval of investing Council funds.

BACKGROUND

Warren Shire Council's Investment Policy has been amended to reflect a certain defined circumstance, criteria and other related matters as pertains to the Investment portfolio risk and return methodology in practice. The Investment Policy has been reviewed with minor changes proposed, to allow flexibility and structure of invested funds generating optimal revenue returns.

REPORT

The Warren Shire Council Investment Policy will assist in the administration, management and operations of the Council. Specifically, it provides a framework for the optimum investment of Council's available cash held, to maximise the return on investment in consideration of risk, liquidity and security of the investment portfolio. The Policy represents the accepted level of risk versus return, as set by the Council, in the pursuit of the Council's strategic goals and objectives. The Policy is required under Section 158 of the Local Government Act.

The reviewed Policy was presented to Manex on the 19th August 2025 where there were no concerns, and the matter needs to be reported to Council for the process of adoption of the reviewed Policy.

This Policy has been reviewed with changes shown in red in the attached Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act 1993

Local Government (General) Regulation 2021;

Ministerial Investment Order;

The Trustee Amendment (Discretionary Investments) Act 1997 – Section 14;

Local Government Code of Accounting Practice and Financial Reporting;

Investment Policy Guidelines (Office of Local Government);

Australian Accounting Standards; and

Office of Local Government Circulars;

NSW Treasury Corporation (TCorp) Loan Agreement conditions.

Banking Act 1959 (Cth)

WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Finance and Administration to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 28th August 2025

ITEM 1 INVESTMENT POLICY

CONTINUED

RISK IMPLICATIONS

Warren Shire Council's Investment Policy is required to be adopted by Council following review and proposed amendments listed in the document, for compliance with Section 158 of the Local Government Act 1993. Therefore, it is a legal requirement that the Policy is adopted to ensure that the Council comply with the Local Government Act 1993 and Regulations.

STAKEHOLDER CONSULTATION

Consultation has been deemed not required as the Investment Policy has been reviewed with only minor changes proposed.

OPTIONS

Council has the option of amending the Policy or adopting the Policy without amendment

CONCLUSION

The reviewed Investment Policy should be adopted, as it provides effective guidelines that will assist in ensuring the objective functions of Council are carried out in accordance with statute and common law, regulation and national standards.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks
- 5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency
- 5.3.3 Ensure a quality customer service focus by Council staff

SUPPORTING INFORMATION /ATTACHMENTS

Amended Investment Policy.

WARREN SHIRE COUNCIL
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ITEM 1 INVESTMENT POLICY

CONTINUED

Attached 1 – Reviewed Investment Policy



POLICY REGISTER

INVESTMENT POLICY

Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 23rd July 2020 Minute No. 137.7.20
 25th January 2024 Minute No. 9.1.24
 28th March 2024 Minute No. 68.3.24
 22nd May 2025 Minute No. 159.5.25
 28th August 2025 Minute No. xxx.8.25

File Ref: P13-1, I3-1.35

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ITEM 1

INVESTMENT POLICY

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DOCUMENT CONTROL

Issue.	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 214.9.18 (27th September 2018)
1.1	Darren Arthur – July 2020	Second Edition	Council Minute No. 137.7.20 (23rd July 2020)
1.2	Bradley Pascoe – January 2024	Third Edition	Council Minute No. 9.1.24 (25th January 2024)
1.3	Bradley Pascoe – March 2024	Fourth Edition	Council Minute No. 68.3.24 (28th March 2024)
1.4	Bradley Pascoe – May 2025	Reviewed with no changes.	Council Minute No. 159.5.25 (22nd May 2025)
1.5	Bradley Pascoe – August 2025	Amended with minor changes.	Council Minute No. xxx.8.25

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ITEM 1

INVESTMENT POLICY

CONTINUED

Warren Shire Council – Investment Policy

INVESTMENT OBJECTIVES

The Purpose of this Policy is to provide a framework for the optimum investment of Warren Shire Council's funds at the most favourable rate of interest available to it at the time, maximising returns whilst having due consideration of risks, liquidity and security for its investments.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return on investment. Therefore, Council has several primary objectives for its investment portfolio:

- Compliance with legislation, regulations, the prudent persons tests of the *Trustee Act* and best practice guidelines;
- The preservation of the amount invested;
- To ensure there is sufficient liquid funds to meet all reasonably anticipated cash flow requirements; and
- To generate income from the investment that exceeds the performance benchmarks mentioned later in this document.

LEGISLATIVE REQUIREMENTS

All investments must comply with the following:

- Local Government Act 1993;
- Local Government (General) Regulation 2021;
- Ministerial Investment Order;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Section 14;
- Local Government Code of Accounting Practice and Financial Reporting;
- Investment Policy Guidelines (Office of Local Government);
- Australian Accounting Standards; and
- Office of Local Government Circulars;
- NSW Treasury Corporation (TCorp) Loan Agreement conditions.
- Banking Act 1959 (Cth)

DELEGATION OF AUTHORITY

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

The General Manager may in turn delegate the day to day management of Council's investments to the Responsible Accounting Officer (RAO) and ensure adequate skill, support and oversight.

A Council Officer's delegated authority to manage Council's investments must be formally recorded. The Officer must also acknowledge receipt of this Policy and its obligations.

a. Prudent Person Standard

The Investments will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies; officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of the Investment Policy and NOT for speculative purposes.

WARREN SHIRE COUNCIL

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ITEM 1

INVESTMENT POLICY

CONTINUED

Warren Shire Council – Investment Policy

b. Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This Policy requires officers to disclose any conflicts of interest to the General Manager.

Independent advisors are also to declare, by written confirmation, that they have no actual or perceived conflicts of interest.

c. Authorised Investments

All investments must be denominated in Australian dollars. Authorised investments are limited to those allowed by the Ministerial Investment Order and include:

- Commonwealth /State/ Territory Government securities e.g. bonds;
- Interest bearing deposits /senior securities issued by an eligible ADI;
- Bills of Exchange (<200 days duration) guaranteed by an ADI;
- Debentures issued by a NSW Council (under Local Government Act 1993)
- Land mortgages which are first mortgages (< 60% of land value);
- Deposits with Local Government Financial Services Pty Limited (LGFS)
- Deposits with NSW T-Corp &/or Investments in NSW T-Corp Hour Glass Facility; and
- Investments grandfathered under the Ministerial Investment Order.

d. Prohibited Investments

This Investment Policy prohibits the following types of investments (and extends the prohibition to any investment carried out for speculative purposes) other than for securities specifically covered by grandfathering arrangements in the Ministerial Investment Order:

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issues that have underlying futures, options, forwards contracts and swaps of any kind.

This Policy also prohibits the use of leveraging (borrowing to invest) of an investment. However, nothing in this Policy shall prohibit the short-term investment of loan proceeds where the loan is raised for non-investment purposes and there is a delay prior to the spending occurring.

e. Risk Management

Investments obtained are to be considered in light of the following key criteria:

- *Preservation of Capital* – the requirement for preventing losses in an investment portfolio's total value;
- *Credit Risk* – The risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
- *Diversification* – the requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market.
- *Liquidity Risk* – the risk an investor runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby incurs additional costs (or in the worst case is unable to execute its spending plans);

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INVESTMENT POLICY

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Warren Shire Council – Investment Policy

- *Market Risk* – the risk that fair value or future cash flows will fluctuate due to changes in market prices or benchmark returns will unexpectedly overtake the investment's return;
- *Maturity Risk* – the risk relating to the length of term to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatilities; and
- *Rollover Risk* – the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in the future.

f. Investment Advisor

Council's Investment Advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be independent. They must confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the Investment Policy. This includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed. Warren Shire Council currently does not use an Investment Advisor.

g. Accounting

Council will comply with appropriate accounting standards in valuing its investments and quantifying its investment returns.

In addition to recording investment income according to accounting standards, published reports may show a breakdown of its duly calculated investment returns into realised and unrealised capital gains and losses and interest.

Other relevant issues will be considered in line with relevant Australian Accounting Standards, such as discount or premium, designation as held to maturity or on fair value basis and impairment.

h. Safe Custody Arrangements

Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:

- Council must retain beneficial ownership of all investments;
- Adequate documentation is provided, verifying the existence of the investments;
- The custodian conducts regular reconciliation of records with relevant registries and/or clearing systems; and
- The institution or custodian recording and holding the assets will be:
 - Austraclear;
 - An institution with an investment grade Standard and Poor's or Moody's rating; or
 - An institution with adequate insurance including professional indemnity insurance and other insurances considered prudent and appropriate to cover its liabilities under any agreement.

i. Counterparty Limits

Exposure to individual counterparties/financial institutions will be restricted by their ratings so that single entity exposure is limited, as detailed in the table below. It excludes any government guaranteed investments.

This table does not apply to any grandfathered managed fund or structured investment where it is not possible to identify a single counterparty exposure.

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INVESTMENT POLICY

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Warren Shire Council – Investment Policy

Individual Institution or Counterparty Limits

Long Term Rating	Short Term Credit Ratings	Limit
AAA Category	A-1+	100%
AA Category	A-1+	100%
A Category	A-2	60%
BBB Category	A-3	20%

j. Credit Quality Target and Limits

The portfolio credit guidelines to be adopted will reference the Standard and Poor's (S&P) ratings system criteria and format – however, references to the Minister's Order also recognised Moody's and Fitch Ratings and any of the three ratings may be used where available.

However, the primary control of credit quality is the prudential supervision and government support and explicit guarantees of the ADI sector, not ratings.

The maximum holding limit in each rating category and the target credit quality weighting for Council's portfolio shall be:

Long Term Rating	Short Term Credit Rating	Maximum Holding
AAA Category	A-1+	100%
AA Category	A-2	100%
A Category	A-2	60%
BBB Category	A-3	20%

k. Term to Maturity Limits

Council's investment portfolio shall be structured around the time horizon of investment to ensure that liquidity and income requirements are met.

Once the primary aim of liquidity is met, Council will ordinarily diversify its maturity profile as this will ordinarily be a low-risk source of additional return as well as reducing the volatility of Council's income. However, Council always retains the flexibility to invest as short as required by internal requirements or the economic outlook.

The factors and/or information used by Council to determine minimum allocations to the shorter durations include:

- Council's liquidity requirements to cover both regular payments as well as sufficient buffer to cover reasonably foreseeable contingencies;
- Medium term financial plans and major capex forecasts;
- Known grants, asset sales or similar one-off inflows;
- Seasonal patterns to Council's investment balances.

Investment Horizon Description	Investment Horizon Maturity Date	Minimum Allocation	Maximum Allocation
Working capital funds	0-3 months	0%	100%
Short term funds	3-12 months	0%	100%
Short-medium term	1-2 years	0%	60%
Medium term funds	2-5 years	0%	40%
Long term funds	5-10 years	0%	25%

Within these broad ranges, Council relies upon assumptions of expected investment returns and market conditions that have been examined with its investment advisor.

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INVESTMENT POLICY

CONTINUED

Warren Shire Council – Investment Policy

l. Performance Benchmarks

The performance of Council's investment portfolio will be benchmarked against the Bank Bill Swap Rate (BBSW), this may also include the Ausbond Bank Bill Index (BBI).

It is Council's expectation that the performance of each investment will be greater than or equal to the applicable benchmark by sufficient margin to justify the investment taking into account its risks, liquidity and other benefits of the investment.

It is also expected that Council will take due steps to ensure that any investment, notwithstanding a yield above the benchmark rate is executed at the best pricing reasonably possible.

The decision to exit grandfathered investments (i.e. managed funds and securities) is based on a range of criteria specific to the investments – including but not limited to factors such as:

- Returns expected over the remaining term.
- Fair values.
- Competing investment opportunities.
- Costs of holding.
- Liquidity and transaction costs.
- Outlook for future investment values.

In general, it is expected that professional advice will be sought before transacting in grandfathered investments.

m. Reporting

Documentary evidence must be held for each investment and details thereof maintained in an investment register. The documentary evidence must provide Council legal title to the investment.

For audit purposes, certificates must be obtained from the banks/fund managers/custodian confirming the amounts if investment held on Council's behalf at 30 June each year.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

A **monthly** report will be provided to Council. The report will detail the investment portfolio in terms of holdings and impact of changes in market value since the previous report. The monthly report will also detail the investment performance against the applicable benchmark, investment income earned versus budget year to date and confirm compliance of Council investments within legislative and Policy limits. Council may nominate additional content for reporting.

n. Review of Policy and Investments

This Policy should be reviewed every four (4) years or within 12 months following an election of Council. The Policy may be reviewed and amended at any time at Council's discretion (or if legislation changes occur).

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ITEM 1

INVESTMENT POLICY

CONTINUED

Warren Shire Council – Investment Policy

DEFINITIONS

Act	Local Government Act 1993
ADI	Authorised Deposit Taking Institutions (ADIs) are corporations that are authorised under the Banking Act 1959 (Commonwealth) to take deposits from customers.
BBI	The Bank Bill Index (BBI), formerly the UBS BBI, represents the performance of a notional rolling parcel of bills averaging 45 days, and is the widely used benchmark for Local Councils and other institutional cash investments.
Bill of Exchange	Is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain money to or to the order of a specified person, or to bearer.
BBSW	The Bank Bill Swap reference rate (BBSW) is the average of mid-rate bank bill quote from brokers on the BBSW Panel. The BBSW is calculated daily.
Council Funds	Surplus monies that are invested by Council in accordance with section 625 of the Act.
Debentures	A debenture is a document evidencing an acknowledgement of a debt, which a company has created for the purpose of raising capital. Debentures are issued by companies in return for medium and long-term investment of funds by lenders.
FRN	A Floating Rate Note (FRN) is a medium to long term fixed interest investment where the coupon is a fixed margin (coupon margin) over a benchmark, also described as a floating rate. The benchmark is usually the BBSW and is reset at regular intervals - most commonly quarterly.
Grandfathered	Investments held by Council that were previously allowed under the Minister's Order but were grandfathered (i.e. eligible to retain but not add to or restructure existing investments) when the NSW State Government changed the list of approved investments as a result of the Cole Inquiry reflected in the Ministerial Order dated 31/7/2008.
IPS	The Investment Policy Statement provides the general investment goals and objectives of Council and describes the strategies that must be employed to meet these objectives. Specific information on matters such as asset allocation, risk tolerance and liquidity requirements are also included in the IPS.
LGGR	Local Government (General) Regulation 2021 (NSW)
NCD	Is a short-term investment in an underlying security being a negotiable certificate deposit (NCD) where the term of the security is usually for a period of 185 days or less (sometimes up to 2 years). NCDs are generally discount securities, meaning they are issued and on sold to investors at a discount to their face value.
OLG	NSW Office of Local Government, Department of Planning, Industry and Environment.
RAO	Responsible Accounting Officer of a council means a member of the staff of the council designated by the General Manager, or if no such member has been designated, the General Manager. (LGGR – clause 196)
T-Corp	New South Wales Treasury Corporation.

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WARREN SHIRE COUNCIL
Policy Report of Divisional Manager Finance and Administration
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ITEM 2 EMPLOYEE LEAVE POLICY AND PROCEDURE

(P13-1, S12-1)

RECOMMENDATION that:

1. The information be received and noted;
2. The Recruitment and Selection Policy detailed within the report, be placed on public exhibition for a minimum of 28 days; and
3. Subject to no adverse submissions being received, the Recruitment and Selection Policy be adopted.

PURPOSE

To advise Council that the newly created Employee Leave Policy and Procedure is required to be adopted, as per Section 158 of the Local Government Act, specific to the circumstance, criteria and other matters related to employee leave.

BACKGROUND

Warren Shire Council's Employee Leave Policy and Procedure be adopted to reflect a certain defined circumstance, criteria and other related matters as pertaining to the employee leave area of business operations. The Employee Leave Policy and procedure is a newly created Policy, in compliance with (or exceeding) relevant Local Government (State) Award conditions.

REPORT

The Warren Shire Council Employee Leave Policy and Procedure will assist in the administration, management and operations of the Council, specifically it outlines the requirements and expectations relating to employee leave matters. The Employee Leave Policy provides this level of understanding to employees, where the Local Government (State) Award provides minimum requirements, this Policy is a quick resource for all staff to be informed and aware of relevant information primarily for efficient sharing and exchanging details in the pursuit of the Council's strategic goals and objectives.

The new Policy and Procedure was presented to Manex on the 19th August 2025 where there were no concerns, and the matter needs to be reported to Council for the process of adoption of the reviewed Policy and Procedure.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act 1993

Local Government (State) Award

RISK IMPLICATIONS

The relevance of risk in relation to Council Employee Leave Policy and Procedure is considered low, where the Local Government (State) Award already provides this minimum requirement and detail. By providing this Policy, Council may negate some measure of risk in staffing issues, through misunderstanding or misinterpreting the Local Government (State) Award.

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ITEM 2 EMPLOYEE LEAVE POLICY AND PROCEDURE

CONTINUED

STAKEHOLDER CONSULTATION

Consultation has been deemed required as the Employee Leave Policy and Procedure has been created as a mandatory requirement for Council, where legislative compliance is the major factor.

Consultation will involve at minimum 28 days public notice for the making of public submissions and adopting the renewed Policy following consideration of any submissions and the making of any appropriate changes to the Draft Policy.

OPTIONS

Council has the option of amending the Policy or adopting the Policy without amendment. Council should adopt the Employee Leave Policy and Procedure.

CONCLUSION

The Employee Leave Policy and Procedure should be adopted, as it provides for effective governance across the functions of Council, ensuring they are delivered in accordance with relevant legislation or other mandatory obligations.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks
- 5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency
- 5.3.3 Ensure a quality customer service focus by Council staff

SUPPORTING INFORMATION /ATTACHMENTS

Employee Leave Policy and Procedure

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ITEM 2

EMPLOYEE LEAVE POLICY AND PROCEDURE

CONTINUED



POLICY REGISTER

DRAFT

EMPLOYEE LEAVE POLICY AND PROCEDURE

Policy adopted: Minute No. xxx.08.25

Reviewed:

File Ref: P13-1, S12-1

WARREN SHIRE COUNCIL

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ITEM 2

EMPLOYEE LEAVE POLICY AND PROCEDURE

CONTINUED

DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Bradley Pascoe Divisional Manager Finance and Administration August 2025	First Edition	Council Minute No. xxx.08.25 (28 th August 2025)

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ITEM 2

EMPLOYEE LEAVE POLICY AND PROCEDURE

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Warren Shire Council – Employee Leave Policy and Procedure

PURPOSE

The purpose of this Policy is to inform all employees of their entitlements to leave and the requirements that need to be complied with in order to access the various forms of leave.

The guiding principle of the Policy is the requirement to maintain operational effectiveness at all times. Supervisors and Department Managers must be able to guarantee the effective operation of work groups and individuals when approving leave.

This Policy applies to all employees of Warren Shire Council and must be read in conjunction with the relevant Leave Provisions of the Local Government (State) Award.

Council may introduce, vary, remove or replace this Policy at any time in consultation with employees and their respective unions.

SCOPE

Warren Shire Council will endeavour to, where possible, approve leave requests by employees to best accommodate personal, family, work and community commitments, without compromising the undertaking of Council's core business functions.

RESPONSIBILITIES

Employees

To comply with all aspects of this Policy including the provision of appropriate and adequate notice to Supervisors when applying for and taking leave, provision of supporting documentation and ensuring that they have appropriate leave available prior to application.

Supervisors

Will liaise with Payroll/HR to ensure that employees have the correct amount of leave available, that supporting documentation if required is provided and that the operational requirements of Council will be met prior to authorising employee leave requests.

Leave is not to be approved where the employee does not have sufficient entitlement.

Divisional/Department Managers

Will review on a bi-monthly basis employee leave balances as provided by the Treasurer to ensure that staff leave balances are maintained at appropriate levels and that forward work planning can accommodate requests for and/or unplanned employee leave. Issues in regard to leave balances and the provision of supporting documentation will be raised with the Supervisor and employee.

Payroll/HR

Will provide to the Treasurer on a monthly basis a report outlining employee leave balances, any issues in regards to the provision of leave forms, supporting documentation and frequent and/or excessive leave taken.

Leave is not to be paid until the correct forms and/or supporting documentation has been provided. In the event that an authorised application has been received that is not supported by adequate leave the application is to go back to the Supervisor and employee so that the correct leave type and new leave application can be submitted.

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CONTINUED

Warren Shire Council – Employee Leave Policy and Procedure

Treasurer

Will provide reports to the Divisional/Department Managers on the frequency and amount of employee leave being taken, leave balances and any other leave related issues such as excessive leave balances.

ANNUAL LEAVE

Eligibility & Entitlement

Permanent full-time employees are entitled to 4 weeks paid annual leave per year (pro rata for permanent part-time employees), or 5 weeks paid annual leave if the employee is regularly required to work a seven day a week rotating roster, which accrues progressively throughout the year according to an employee's ordinary hours of work and is cumulative from year to year.

Annual leave is exclusive of public holidays.

Casual employees are not eligible for paid annual leave.

Simply making a request for annual leave does not automatically entitle an employee to take such leave. Council may refuse to authorise a period of annual leave on the grounds of the operational requirements of Council or in the event that the employee has provided insufficient notice of the desire to take leave or the employee does not have sufficient leave available.

Council will not unreasonably refuse to approve a period of annual leave or deny an employee a period of annual leave which has already been authorised.

When an employee suffers illness or injury whilst on leave.

If an employee becomes ill or injured whilst on annual leave, they are entitled to have the leave recredited and replaced with sick leave subject to Council being satisfied that:

1. The illness or injury resulted in the employee being unable to derive benefit from the leave;
2. The illness or injury did not arise from the employee engaging in other employment;
3. The period of illness is at least 5 consecutive working days;
4. The employee will be returning to work at the conclusion of the leave;
5. The employee has enough sick leave to cover the period of illness or injury;
6. The employee is required to complete the Leave Application Form; and
7. Council requires the employee to provide satisfactory medical evidence.

Procedures for requesting annual leave

1. Employees must complete a Leave Application Form 14 days in advance;
2. Employees must have adequate leave entitlements to cover the period;
3. Employees will not be able to take paid leave where they have exhausted their leave and accrued leave balance, Council will not approve employees going into a leave deficit;
4. The employee's Supervisor will consider the employee's request in conjunction with the operational needs of Council; and
5. The leave form will be approved by the Supervisor and signed off by the Divisional/Department Manager.

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EMPLOYEE LEAVE POLICY AND PROCEDURE

CONTINUED

Warren Shire Council – Employee Leave Policy and Procedure

Council requiring employees to take annual leave

Council may direct an employee to take annual leave in circumstances by giving at least 4 weeks prior notice when:

1. The employee has accumulated in excess of 8 weeks annual leave; and
2. There is a period of annual close-down of up to and including 2 weeks.

If an employee does not have leave accrued during the close-down period, they may be given meaningful duties or instructed to take leave without pay.

SICK LEAVE

Eligibility & Entitlement

Sick leave is for instances when you are unable to perform your duties due to illness. Full-time employees are entitled for each year of service to receive 3 weeks sick leave (exclusive of public holidays), which is granted at the commencement of employment and every anniversary thereafter. Sick leave accumulates from year to year and is paid at the ordinary rate.

Employees on a fixed term or temporary basis of less than 12 months shall be entitled to 1-week sick leave on commencement. The employee is then entitled to a further 1-week sick leave after each 4 months of continuous service.

Part time employees are entitled to pro-rata sick leave.
Casual employees do not receive sick leave entitlements.

The entitlement to sick leave is subject to the following conditions:

1. Council is satisfied that the sickness or illness is such that it justifies the time off;
2. Council is satisfied that the illness does not arise from engaging in other employment;
3. Employees are to provide proof of illness to justify payment:
 - After three separate periods in each service year and of not more than 2 working days;
 - Where an absence exceeds two working days, even if the leave falls within the first three periods; and
 - Proof of illness shall indicate the employee's inability to undertake their normal duties.

Employees who have a pattern of absences that fall on the day before or after a weekend, public holiday, RDO or annual/long service leave may be requested to provide proof of illness, or if Council requires it due to the employee's pattern of sick and/or amount of sick leave taken. In this instance an employee may be required by Council to attend a medical examination by a medical practitioner nominated by Council (at Council expense) where:

- there is extended or frequent absence due to illness or injury; and
- there is a need to establish the fitness for work of an employee.

Procedures for taking sick leave

1. The employee is to notify their Supervisor as soon as possible when they are absent because of illness or injury and to indicate how long they expect to be absent. Text messaging,

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Warren Shire Council – Employee Leave Policy and Procedure

Facebook or leaving a message with another employee is not considered as providing adequate notice;

2. Complete the Leave Application Form as soon as possible and provide evidence of illness or injury; and
3. Proof of evidence is a statutory declaration or a medical certificate from a qualified medical/health practitioner registered with the appropriate government authority which gives the employee's name, date of consultation, evidence of incapacity for being unfit to undertake duties and the period of incapacity.

Workers Compensation and Sick Leave

During the time between when an employee's compensation claim is made and liability is accepted or denied by Council's insurer, an employee may be able to access sick leave. This is usually in circumstances where there is a delay in liability acceptance or a claim is in dispute.

If an employee has accessed sick leave and subsequently becomes entitled to the payment of workers compensation sick leave will be credited back to the employee's entitlement balance for the period covered by worker's compensation. *Please refer to Workers Compensation Act 1987 S50 Weekly Compensation and Sick leave.*

CARER'S LEAVE

Eligibility & Entitlement

Employees (other than casuals) can access their sick leave entitlements with responsibilities in relation to class of person as defined in the Local Government (State) Award, who require care and support due to illness, or who require care due to an unexpected emergency.

The Local Government (State) Award defines a family member as:

- a spouse of the employee; or
- a de facto spouse, who, in relation to a person, is a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide domestic basis although not legally married to that person; or
- a child or an adult child (including an adopted child, a step child, foster child or ex nuptial child), parent (including a foster parent, step parent and legal guardian), parents of spouse, grandparent, grandchild or sibling (including half, foster and step sibling) of the employee or spouse or de facto spouse of the employee; or
- a same sex partner who lives with the employee as the de facto partner of that employee on a bona fide domestic basis; or
- a relative of the employee who is a member of the same household, where for the purpose of this paragraph;
 - a) 'relative' means a person related by blood, marriage or affinity;
 - b) 'affinity' means a relationship that one spouse because of marriage has to blood relatives of the other; and
 - c) 'household' means a family group living in the same domestic dwelling.

Carer's leave is not intended to be used for routine medical, dental appointments, foreseen periods of childcare or intended to be used for long term care.

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Warren Shire Council – Employee Leave Policy and Procedure

In normal circumstances, an employee must not take carer's leave where another person has taken leave to care for the same person.

An employee with the consent of Council may elect to take time in lieu instead of payment for overtime (where overtime is required of the position) for the purpose of providing care and support for a person as defined above. *Refer to the Local Government (State) Award.*

An employee with the consent of Council may elect to work "make up time" under which the employee takes time off during ordinary hours, and works those hours at a later time, within the spread of ordinary hours provided by the award, and at the ordinary rate of pay, for the purpose of providing care and support for a person as defined above.

An employee may elect with the consent of Council to take annual leave or leave without pay for the purpose of providing care or support. *Please refer to the Local Government (State) Award for Annual Leave and Special Leave.*

Procedures for taking carer's leave

1. The employee where practical will give Council notice prior to the absence of the intention to take leave, the name of the person requiring care and that person's relationship to the employee, the reasons for taking such leave and the estimated length of absence. If it is not practical to give prior notice then the employee shall notify the Supervisor by telephone at the first opportunity on the day of absence. Text messaging or leaving a message with another employee is not providing adequate notice;
2. To complete the Leave Application Form as soon as possible and with evidence of the requirement for care such as a statutory declaration or a medical certificate from a qualified medical/health practitioner registered with the appropriate government authority which gives the employee's name, date of consultation, the relationship to the person concerned, the illness of the person and that the illness is such as to require care by another person where less than two weeks sick leave in any service year is used for carers leave;
3. Where more than two weeks sick leave in any year of service is sought to be used for caring purposes Council requires the employee to produce a medical certificate from a qualified medical/health practitioner showing the nature of illness of the person concerned and such other information as may be reasonably necessary to demonstrate that the illness is such as to require care by the employee and that no other appropriate care arrangements are reasonably available; and
4. Where more than two working weeks of sick leave hours in an anniversary year is to be used for caring purposes Council and employee shall discuss appropriate arrangements which, as far as practicable, take account of Council's and the employee's requirements.

BEREAVEMENT LEAVE

Eligibility & Entitlement

The purpose of taking bereavement leave is for an employee to take leave as a result of the death of an immediate family or extended family member. *Please refer to the Local Government (State) Award Clause for Bereavement Leave, also for the definition of family and extended family member.*

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EMPLOYEE LEAVE POLICY AND PROCEDURE

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Warren Shire Council – Employee Leave Policy and Procedure

Paid bereavement leave

Employees other than casual employees are eligible to access:

1. Up to 4 days paid bereavement leave upon the death of a member of the employee's immediate family; or
2. Up to 2 days paid bereavement leave upon the death of a member of the employees extended family.

Employees who wish to attend the funeral of a person that is not immediate, or extended family can access their paid leave entitlements on the recommendation of their Supervisor and subject to the approval of the Department Manager.

Unpaid Bereavement Leave

Casual employees are entitled to not be available to attend work, or to leave work upon the death of an immediate or extended family member.

Casual employees are not entitled to any payment for the period of non-attendance.

Procedures for taking bereavement leave

1. An employee shall, where practicable, advise their Supervisor by phone call (not text message) of their inability to attend for work prior to the commencement of their start time and as far as possible state the reason for the absence and the estimated period of absence;
2. On return to work after a period of compassionate leave the employee will be required to complete the Leave Application Form and provide appropriate documentation as evidence to prove their inability to attend for duty on the days in respect of which compassionate leave is claimed;
3. The Leave Application Form will be approved by the Supervisor and signed off by the Divisional/Department Manager;
4. An employee taking their own paid leave entitlement to attend a funeral of a person who is not an immediate or extended family member must complete the Leave Application Form; and
5. The leave form will be approved by the immediate Supervisor and signed off by the Divisional/Department Manager.

OTHER PAID LEAVE

JURY SERVICE LEAVE

Eligibility & Entitlement

An employee required to attend jury service during the employee's ordinary working hours shall be reimbursed by Council an amount equal to the difference between the amount in respect of the employee's attendance for such jury duty and the amount of wage the employee would have received in respect of the ordinary time the employee would have worked had the employee not been on jury service.

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Warren Shire Council – Employee Leave Policy and Procedure

Procedures for taking jury service leave

1. Employees are required to notify their Supervisor as soon as possible of the jury service dates;
2. Employees are to complete the Leave Application Form and provide proof of attendance, the duration of attendance and the payment received in respect of such jury service; and
3. The form is to be signed by the Supervisor and Divisional/Department Manager.

UNION TRAINING LEAVE

Eligibility & Entitlement

Council shall agree to release employees to attend an accredited trade Union training course with up to 5 days paid leave and such agreement shall not unreasonably be withheld.

Procedures for taking Union training leave

1. The employee must provide 4 weeks written notice of their request to attend a training course;
2. The request must include the type, content and duration of the course to be attended; and
3. Upon completion of the training, the employee must provide proof of attendance and satisfactory completion of the course.

UNION CONFERENCE LEAVE

An employee of Council who is an accredited delegate to the union's Annual Conference, will be granted paid leave for the duration of the Conference provided that Council's operational requirements are met and the union notifies Council of the accredited delegates nominated to attend the Conference at least one month prior to the commencement of the conference.

UNION PICNIC DAY

The Union Picnic Day is a public holiday for financial members of the Union(s). Council allows non-financial members to observe Union Picnic Day and requires non-financial members of a Union, who are not required to work that day, to submit a leave application for annual leave, long service leave, and time in lieu or leave without pay.

EMERGENCY SERVICES LEAVE

Eligibility & Entitlement

An employee other than a casual with more than 12 months continuous service with Council, who engages in "voluntary emergency management activity" shall be entitled to up to 5 days paid emergency services leave per calendar year from their accrued sick leave balance.

An employee is not entitled to emergency services leave if the taking of such leave will result in the employee having an accumulated sick leave balance of less than 3 weeks.

Please refer to the Local Government (State) Award for Leave Provisions related to Emergency Services and for definitions of "voluntary emergency management activity" and "recognised emergency management body"

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Warren Shire Council – Employee Leave Policy and Procedure

Procedures for taking emergency services leave

1. On return to work after a period of emergency services leave the employee will be required to complete the Leave Application Form and provide appropriate written documentation as evidence to prove their participation in the voluntary emergency management activity on the days in respect of which emergency services leave is claimed; and
2. The leave form will be approved by the Supervisor and signed off by the Divisional/Department Manager.

SPECIAL LEAVE

Eligibility & Entitlement

Council may grant special leave, with or without pay, to an employee for a period as determined by Council to cover any specific matter approved by Council including but not limited to:

- Compassionate leave for employees facing unforeseen circumstances such as injury or terminal illness; and
- Leave to attend duties as a member of the Australian Defence Force, provided such leave is consistent with the Defence Reserve Service (Protection) Act 2001.

Such applications will be considered on a case by case basis.

Climatic Circumstances

An employee's ordinary pay shall not be reduced when the employee is prevented from attending work due to bushfire or other climatic circumstances beyond their control, provided that the following does not apply:

- Alternative duties are available that the employee can usefully perform;
- The bushfire or other climatic circumstances occurred outside of the State of New South Wales; and
- The employee has been unable to attend work for more than one week per climatic event and may make application in writing to the Department Manager for special leave.

Procedures for taking special leave

1. The employee must make application for special leave in writing to the Department Manager; and
2. Details must include the purpose of the leave and duration of leave expected.

FAMILY AND DOMESTIC VIOLENCE LEAVE

Eligibility & Entitlement

All employees of Council are eligible to access 10 days of family and domestic violence leave during each 12-month period of employment. This entitlement does not accumulate from year to year.

Dealing with the impact of family and domestic violence includes taking leave for:

- Making arrangements for the employees' safety or safety of a close relative (including relocation);
- Attending court hearings; and

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Warren Shire Council – Employee Leave Policy and Procedure

- Accessing Policing services.

Procedures for taking family and domestic violence leave

1. The employee must tell their Department Manager as soon as possible of their need to take family and domestic violence leave, and the duration of the leave; and
2. The employee must show sufficient evidence to convince a reasonable person that the leave is taken to deal with the impact of family and domestic violence and it's not practical for them to do so outside of work hours.

Council will only use this information to satisfy itself that the employee is entitled to family and domestic violence leave, unless otherwise consented to by the employee, required to deal with the information by law or its necessary to protect the life, health or safety of the employee or another person.

Acceptable evidence includes:

- Statutory declaration;
- Documents issued by the police service;
- Documents issued by a court; and
- Family violence support service documents.

Such applications will be considered on a case-by-case basis and dealt with in accordance with Council's Privacy Policy.

STUDY LEAVE

Please refer to Council's Training and Education Policy

LEAVE WITHOUT PAY

Department Managers may approve leave without pay for a period of up to 5 working days *in exceptional circumstances*. All other accrued annual and/or long service leave entitlements and time in lieu time must be used before leave without pay can be considered.

Leave without pay, other than *in exceptional circumstances* will only be considered on the Department Manager's recommendation and employee application, only the General Manager can approve Leave Without Pay applications.

Periods of leave without pay are not considered service for the purpose of computing long service leave, sick leave, or annual leave. Such periods shall not however constitute a break in the employee's continuity of service and public holidays during this period will not be paid.

Procedures for taking leave without pay

1. Employees must in the first instance seek leave without pay in writing, detailing the circumstances, to support their request and provide this request to the Divisional/Department Manager, along with a Leave Application Form.

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Warren Shire Council – Employee Leave Policy and Procedure

2. The Divisional/Department Manager is to submit the leave without pay application, supported or not supported, for final approval or other determination by the General Manager. Only the General Manager can approve leave without pay applications.

ROSTERED DAY OFF (RDO) – also referred to as Flextime

Eligibility & Entitlement

The day of a rostered day off can be altered by mutual consent at any time prior to the RDO taking place, provided that the operational needs of Council are met.

Council may alter the day of a rostered day off by giving 2 weeks notice where there are genuine operational, or safety reasons and the alteration does not unreasonable disadvantage the employee.

An employee who works on a rostered day off at the request of Council will be paid in accordance with the *Local Government (State) Award for Overtime*.

Council will only allow employees to accrue upto 42 hours. The accrued RDO's are to be used before annual leave when requesting leave.

Procedures for changing a rostered day off (RDO)

1. Employees are to complete the Change of RDO form; and
3. The form is to be approved by the Supervisor and Department Manager

TIME IN LIEU

Eligibility & Entitlement

Time in lieu is only approved where the employee has been directed to work additional hours by their Supervisor (who has sought approval from the Divisional/Department Manager) due to operational requirements and where overtime is not paid, or the employee has requested payment be made as time in lieu.

Time in lieu is not to accrue beyond 42 hours and is to be used before annual leave when requesting leave.

PARENTAL LEAVE

Employees may be able to access a period of unpaid leave when their child is born or adopted. Parental leave includes birth-related leave, concurrent leave, special maternity leave and adoption leave.

Eligibility & Entitlement

Employees with at least 12 months' service with the Council can access unpaid parental leave for a period of 12 months. Casual employees are only eligible for parental leave if they have worked for the Company on a regular and systematic basis for at least than 12 months and have a reasonable expectation of continuing employment on a regular and systematic basis.

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Warren Shire Council – Employee Leave Policy and Procedure

Procedures for taking parental leave

*Please refer to the Local Government (State) Award;
Clause for Unpaid Parental Leave and No Safe Job Leave;
Clause for Paid Parental Leave;
Clause for Concurrent Parental Leave; and
Clause for Adoption Leave.*

LONG SERVICE LEAVE

Eligibility & Entitlement

An employee other than a casual is entitled to long service leave at ordinary pay as follows:

Length of Service Entitlement

After 5 years' service	6.5 weeks
After 10 years' service	13 weeks
After 15 years' service	19.5 weeks
After 20 years' service	30.5 weeks
For every 5 years thereafter	11 weeks

A casual employee is entitled to long service leave in accordance with the Long Service Leave Act 1955 (NSW), provided that in calculating the employees long service leave entitlement there shall be a deduction of the long service leave accrued as a casual employee prior to 1 July 2023.

Long Service Leave shall be taken at a mutually convenient time to the employee and Council giving regard to operational requirements or in the event that the employee has provided insufficient notice of the desire to take leave or the employee does not have sufficient leave available.

Council will not unreasonably refuse to approve a period of annual leave or deny an employee a period of annual leave which has already been authorised.

When an employee suffers illness or injury whilst on leave.

If an employee becomes ill or injured whilst on long service leave, they are entitled to have the leave reccredited and replaced with sick leave subject to Council being satisfied that:

1. The illness or injury resulted in the employee being unable to derive benefit from the leave;
2. The illness or injury for not arise from the employee engaging in other employment;
3. The periods of illness are at least 5 consecutive working days;
4. The employee will be returning to work at the conclusion of the leave;
5. The employee has enough sick leave to cover the period of illness or injury;
6. The employee is required to complete the Leave Application Form; and
7. Council requires the employee to provide satisfactory medical evidence.

Council requiring employees to take long service leave

Council may direct an employee to take long service leave accrued on or after 23 June 1988 and not taken within 5 years of it falling due by giving at least 4 weeks notice.

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EMPLOYEE LEAVE POLICY AND PROCEDURE

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Warren Shire Council – Employee Leave Policy and Procedure

Procedures for taking long service leave.

1. Employees must complete a Leave Application Form 14 days in advance;
2. The employee's Supervisor will consider the employee's request in conjunction with the operational needs of Council; and
3. The leave form will be approved by the Supervisor and signed off by the Department Manager.

ABSENT WITHOUT LEAVE

An employee who has failed to complete the appropriate leave form and notify their Supervisor as required will be considered to be "Absent Without Leave".

Disciplinary action will commence from the first incident of failing to notify their Supervisor. After recording three (3) such absences employees may be given notice to show cause why their employment should not be terminated.

TERMINATION OF EMPLOYMENT

Employees who leave Council will receive payment for all relevant leave entitlements except for sick/carers leave upon cessation of employment. Employees will not be granted leave more than their accrued balance.

LINKS TO POLICY

Warren Shire Council Privacy Policy
Staff Education and Training Policy

LINKS TO FORMS

Leave Application Form

RELEVANT LEGISLATION

Local Government (State) Award
Fair Work Act 2009
Workers Compensation Act 1987 (NSW)
Long Service Leave Act 1955 (NSW)
Industrial Relations Act 1996 (NSW)
Defence Reserve Services (Protection) Act 2001

REVIEW

This Policy should be reviewed every four (4) years or within 12 months following an election of Council. The Policy may be reviewed and amended at any time at Councils discretion (or if legislation changes occur)

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ITEM 3 RECRUITMENT AND SELECTION POLICY

(P13-1, S12-1)

RECOMMENDATION that:

1. The information be received and noted;
2. The Recruitment and Selection Policy detailed within the report, be placed on public exhibition for a minimum of 28 days; and
3. Subject to no adverse submissions being received, the Recruitment and Selection Policy be adopted.

PURPOSE

To advise Council that the newly created Recruitment and Selection Policy is required to be adopted, as per Section 158 of the Local Government Act, specific to the circumstance, criteria and other matters related to employee leave.

BACKGROUND

Warren Shire Council's Recruitment and Selection Policy be adopted to reflect a certain defined circumstance, criteria and other related matters as pertaining to the Council recruitment and selection processes. An overarching strategic direction is being taken to assist Council in being considered as an employer of choice within the region. The Recruitment and Selection Policy is a newly created Policy, in compliance with (or exceeding) relevant Local Government (State) Award conditions.

REPORT

The Warren Shire Council Recruitment and Selection Policy will assist in the administration, management and operations of the Council, specifically it outlines the requirements and expectations relating to recruitment and selection processes for consistency across the organisation. The Recruitment and Selection Policy provides this level of understanding to employees, where the Local Government (State) Award provides minimum requirements, this Policy is a quick resource for all staff to be informed and aware of relevant information primarily for efficient sharing and exchanging details in the pursuit of the Council's strategic goals and objectives.

The new Policy was presented to Manex on the 19th August 2025 where there were no concerns, and the matter needs to be reported to Council for the process of adoption of the reviewed Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act 1993

Local Government (State) Award

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ITEM 3 RECRUITMENT AND SELECTION POLICY

CONTINUED

RISK IMPLICATIONS

The relevance of risk in relation to Council Recruitment and Selection Policy is considered low, where the Local Government (State) Award already provides this minimum requirement and detail. By providing this Policy, Council may negate some measure of risk in staffing issues, through misunderstanding or misinterpreting the Local Government (State) Award.

STAKEHOLDER CONSULTATION

Consultation has been deemed required as the Recruitment and Selection Policy has been created as a mandatory requirement for Council, where legislative compliance is the major factor.

Consultation will involve at minimum 28 days public notice for the making of public submissions and adopting the renewed Policy following consideration of any submissions and the making of any appropriate changes to the Draft Policy.

OPTIONS

Council has the option of amending the Policy or adopting the Policy without amendment. Council should adopt the Recruitment and Selection Policy.

CONCLUSION

The Recruitment and Selection Policy should be adopted, as it provides effective guidelines that will assist in ensuring the objective functions of Council are carried out in accordance with statute and common law, regulation and national standards.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks
- 5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency
- 5.3.3 Ensure a quality customer service focus by Council staff

SUPPORTING INFORMATION /ATTACHMENTS

Recruitment and Selection Policy

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RECRUITMENT AND SELECTION POLICY

CONTINUED



POLICY REGISTER

DRAFT

RECRUITMENT AND SELECTION POLICY

Policy adopted: Minute No. xxx.08.25

Reviewed:

File Ref: P13-1 , S12-1

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RECRUITMENT AND SELECTION POLICY

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DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Bradley Pascoe Divisional Manager Finance and Administration August 2025	First Edition	Council Minute No. xxx.08.25 (28th August 2025)

I:\Business Papers\2025\Policy Reports\August 2025 DMFA\Recruitment and Selection Policy.docx

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RECRUITMENT AND SELECTION POLICY

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PURPOSE AND SCOPE

Warren Shire Council recognises the importance of adopting legally defensible, open, and transparent recruitment and selection practices.

This document provides clear guidelines to uphold Council's commitment to being a merit based and Equal Employment Opportunity (EEO) employer by defining the activities associated with the recruitment and selection of employees. By following this Policy, the best applicants for positions within Warren Shire Council will be attracted, selected, and retained.

This document relates to the recruitment and selection of individuals for employment with Warren Shire Council and affects existing employees who are eligible to compete for vacant positions on merit.

This Policy applies to all recruitment processes undertaken by, or on behalf of, Warren Shire Council.

RECRUITMENT PRINCIPLES

Warren Shire Council strives to be an Employer of Choice, attracting and retaining quality employees. To this end, Council will base its recruitment and selection decision-making on the following Principles, in accordance with Section 348 to Section 351 of the Local Government Act 1993.

Council will –

- ensure that all recruitment decisions are based on merit; and
- support transparency in recruitment processes and the public advertising of positions.

Conflicts of Interest

Any person involved with the recruitment decision-making process, e.g., interview panels, must declare any knowledge or relationship with an applicant / interviewee. Where a conflict of interest might arise, that person may be excluded from participation in an interview panel.

Where the Officer with a potential conflict of interest is the recruiting manager, that Officer may be allowed to remain on the interview panel, but an additional panel member will be sought to ensure that potential for undue influence is reduced. Where the applicant is a personal family member or close friend of the recruiting officer, they may take part in the interview process but must exclude themselves from the decision-making process in identifying a preferred applicant.

It is acknowledged that many Council Officers know other individuals through interactions or past employment in Local Government and within the local community, it is not intended that Council Officers should be excluded simply because they know or have worked with an applicant.

The final decision on action required to manage a conflict of interest related to recruitment will be made by the General Manager based upon the advice of the Payroll/HR Officer. The management of the conflict of interest must be documented to ensure transparency.

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RECRUITMENT AND SELECTION POLICY

CONTINUED

RECRUITMENT PROCESS

Overview

The following provides an overview of what type of recruitment process should be used for different vacancy levels.

Position vacant for up to 2 weeks (e.g., annual Payroll/HR Officer)	Position vacant for between 2 weeks but less than 3 months (e.g., long service Payroll/HR Office)	Position vacant for between 3 months and less than 6 months (e.g., long service Payroll/HR Officer)	Position vacant for more than 6 months (e.g., maternity Payroll/HR Officer, new position, or resignation)
No recruitment. May utilise Higher Duties where backfill required.	Utilise Higher Duties or Secondment processes. Seek expressions of interest.	Utilise Secondment or defined recruitment process.	Must utilise defined recruitment process.
See Local Government (State) Award	See Higher Duties Policy & Procedure	Utilise this Policy & Procedure	Utilise this Policy & Procedure

Planning for Recruitment

Prior to the General Manager's consideration of a request to fill a vacant position, the Divisional Manager must undertake the following:

- exercise the principles of effective workforce planning, including future workforce needs,
- review the need for the position and determine if it is still relevant to the current structure, or if the requirements of the position have changed,
- assess if the position is suitable for a trainee placement,
- assess if the position is suitable for a secondment opportunity (see 3.2.1 below),
- analyse and/or develop the skill set and position description to ensure that they reflect the position requirements, are outcome focused and incorporate Equal Employment Opportunities principles.

Identify additional requirements for the position such as provision of a motor vehicle lease back for private use or private garaging/limited private use for travel to and from work only), communication devices, credit cards, after hours site access, market components/change to position within salary system.

Complete the Recruitment Form with other relevant documentation to support the request and forward to the General Manager for approval.

Secondment Opportunities

Secondment arrangements are an important internal personal development opportunity. All vacancies that are being advertised for a temporary or fixed term period ranging from more than 3 months to 6 months may be offered internally as a secondment opportunity. These positions may also be advertised externally depending on the specific circumstances.

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RECRUITMENT AND SELECTION POLICY

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Documentation

The staff member, who is responsible for the recruitment, referred to as the Recruitment officer (e.g., Supervisor/Departmental Manager/Divisional Manager) will need to ensure that all relevant documentation is completed, including a revised position description and skill set, remuneration and any additional requirements via the Recruitment Form for approval by the General Manager is then provided to the Payroll/HR Officer. Incomplete documentation will be returned.

Approvals

The General Manager is the only officer who has delegation to approve end to end recruitment for all positions and to approve changes to a position or its placement within the approved organisation structure.

Ongoing Casual or Contracted Work

The relevant Divisional Manager/Departmental Manager may make recommendation to the General Manager to offer casual or contracted work without advertising, if there is organisational need, and provided that the contract remains within the allocated budget.

Advertising

When it is proposed to make an appointment to a position within the organisation structure of Council, the position must be advertised in a manner sufficient to enable suitably qualified and experienced persons to apply.

The Payroll/HR Officer will recommend the advertising media and consult with the Divisional Manager/Departmental Manager as to placement and duration.

All positions will be advertised either internally and/or externally, in accordance with the following:

- All long-term vacant positions (i.e., where recruitment is for 6 months or longer) must be advertised both internally and externally.
- Vacant positions of less than 6 months, may be advertised internally, but consideration should be given to whether a better outcome might be achieved through external advertising. This is at the discretion of the Divisional Manager/Departmental Manager.
- Where a temporary or acting position becomes permanent, this must be advertised externally and internally.

The Payroll/HR Officer will prepare advertisements for internal and external media in line with Council's branding principles, in consultation with the Divisional Manager/Departmental Manager.

The Payroll/HR Officer will distribute the internal positions vacant notice to ensure notice is provided to all staff.

Child-Related Work

If the position involves child-related work, this must be included in the advertisement.

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RECRUITMENT AND SELECTION POLICY

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Applications

Applications for positions will be required to be completed and submitted according to Council's 'Application Cover Sheet' form.

Applications must be kept confidential, including the identity of applicants and the information contained within therein.

The contact person for the position should be available during the advertising period and give factual information and the position, informing prospective applicants that the recruitment and selection process is based on merit and Equal Employment Opportunity principles. The contact person will be the Divisional Manager/Departmental Manager unless this has been delegated by the Divisional Manager to the immediate Manager or Supervisor.

Applications will be acknowledged within five working days of receiving the application.

Applicants will be contacted within 10 working days following the closing date. This will take the form of personal contact for an interview, an email or letter to inform the applicant they were unsuccessful for interview, or an email/letter advising of a re-evaluation of the vacancy.

INTERVIEW PREPARATION

Interview Questions

Interview questions will be developed by the Supervisor and/or Departmental Manager/Divisional Manager, who will act as members of the Recruitment Panel. The Payroll/HR Officer can be contacted for advice.

Interview questions should be focused on behaviour, selection criteria for the position, and organisational fit, as well as Council's values and guiding principles. Questions should be returned to the Payroll/HR Officer with the short-listing information within 1 week of the application closing date.

Interview Panels

The interview panel is selected by the Departmental Manager/Divisional Manager. The panel should be selected from Council employees and must not change during the interview process, unless unavoidable. Inclusion of external interview panel members may be considered where expertise is required that is not available internally.

All interview panels must have gender equity balance and include both male and female members. A single gender panel will only be accepted when all interviewees are of the same gender as the panel.

Responsibilities of an interview panel will be confirmed by the Departmental Manager/Divisional Manager but should include:

- be impartial and unbiased in the selection process (consider any unconscious bias that may present).
- declare any conflict of interest prior to applications being reviewed in detail.
- declare whether they have been nominated as a referee for any of the applicants.

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RECRUITMENT AND SELECTION POLICY

CONTINUED

-
- maintain confidentiality throughout the recruitment process, including disclosing applicants or outcomes of interviews.
 - take care not to give cause to the perception by an applicant that they successful/unsuccessful before the process is complete.
 - the Divisional Manager/Departmental Manager will keep all panel members informed throughout the recruitment process.

Interview panel composition should be:

- preferably a minimum of three panel members including the Supervisor/Divisional Manager/Departmental Manager.
- female and male representation.
- if possible, one panel member should be from a different department than the one which is recruiting.

The Payroll/HR Officer will arrange all aspects of the interview, including organizing the venue, preparing interview packs, and scheduling the interviews with the shortlisted applicants.

The Payroll/HR Officer will notify Council office front counter staff of interviews that are being conducted in the Council offices.

Conflict of Interest Declarations Prior to Shortlisting

Prior to the shortlisting process, the Payroll/HR Officer will provide applicant names to the interview panel members.

After reviewing the list of applicants, all panel members must declare in writing to the Payroll/HR Officer, or nominee, of any actual, potential, or perceived conflict of interest they may have prior to the commencement of the shortlisting process, in accordance with Council's Conflict of Interest Procedure.

Any documentation relating to conflicts of interest will be stored on the position file. Clarification on declaring conflicts of interest as they relate to the recruitment process can be obtained from the Payroll/HR Officer.

When completing the conflict-of-interest declaration form, panel members should consider whether there could be an actual or perceived conflict and, if so, should they remain as part of the process.

Shortlisting

In accordance with Section 349 of the Local Government Act 1993, only a person who has applied for appointment to the position may be selected for interview and from among the applicants eligible for appointment, the applicant who has the greatest merit is selected.

The merit of the person eligible for an appointment to the position is determined according to the nature of the duties of the position and the abilities, skills, qualifications, experience and standard of work performance of those persons relevant to those duties.

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RECRUITMENT AND SELECTION POLICY

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Shortlisting must be conducted by the panel members within five working days of applications closing.

Applications must be shortlisted against the selection criteria and based solely on the application. It is an essential requirement that applicants address the key selection criteria in their application. Only those applicants who have applied for the position by the closing date will be eligible for shortlisting.

Unsuitable applicants should be excluded after comparing all applications, taking into consideration the essential qualifications criteria, relevant work history and if there is a reasonable fit to the position and organisation.

Selection of applicants to be interviewed must be logical, transparent, legally defensible and ensure that gender equality and equal employment opportunity principles are met. Applicants must have met all of the selection criteria as advertised.

It is recommended that a maximum of five applicants are shortlisted for interview. This number is wide enough to give the organisation a fair view of the applicant pool and narrow enough to ensure resources are not wasted. If a large number of applications meet the selection criteria, it may be decided to carry out shortlisting on the basis of the most competitive applications. The onus is on applicants to prove they meet the specific requirements of the job (selection criteria).

The Shortlisting Form must be completed, and this information is referred to if an applicant questions why they were not successful for an interview. If the completed form is returned with insufficient information, the documentation will be returned for completion. If all applicants are unsuitable, the recruitment strategy will be assessed by the Departmental Manager/Divisional Manager in consultation with the Payroll/HR Officer.

The Payroll/HR Officer is responsible for arranging a face-to-face meeting with internal applicants who have not been shortlisted for an interview and provide feedback, including information on their application and potential areas for development. The recruitment process will not continue until this has occurred and the Departmental Manager/Divisional Manager are notified.

The Interview

Interviews will be conducted in a structured and professional manner, with the same questions asked of each applicant, with probing or clarifying questions being asked as required. Confidentiality must be maintained regarding applicant identity and information.

Individual panel members should ensure that their scoring rationale is consistent for all applicants. It is not necessary for all panel members to score applicants the same.

Before concluding an interview, the Recruiting Officer should confirm the applicant's referees, including that they have as referee their most recent supervisor in employment or study. If an internal applicant has provided a referee who is on the interview panel, at least one other referee must be provided.

At the conclusions of all interviews for the position, the panel will determine a preferred applicant using the results of the interview scoring. The preferred applicant must be that with the greatest merit and will provide the best fit for the position and organisation. The questionnaire form will

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RECRUITMENT AND SELECTION POLICY

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provide details on the applicant's performance in the interview and justification on the decision by the panel.

Before progressing the recruitment process further, the Payroll/HR Officer must contact any internal applicant not selected as the preferred applicant and provide face-to-face feedback on why they were unsuccessful.

After all reference checks have been completed, the Recruiting Officer must contact the other panel members and advise of the results to ensure that the panel agrees on the preferred applicant. All the panel members must agree on the preferred applicant before the recruitment process proceeds to the next stage. The completed questionnaire form should be returned to the Payroll/HR Officer.

If a panel cannot decide on a preferred applicant, and a second interview is unlikely to determine an outcome, the Recruiting Officer should consult with the Departmental Manager/Divisional Manager.

A second interview may be appropriate if the panel agrees that a second interview is necessary to further investigate one or more applicants to determine a preferred applicant.

The panel for a second interview must consist of the original panel members.

Reference Checks

Reference checks on the preferred applicant should be conducted by the Recruiting Officer. Factual information should be obtained from past employers about the applicant's work experience, performance, and behaviours. This information will confirm the applicant's suitability to the role.

Two recent work-related referees must be supplied by the applicant. At least one of the referees must have supervised or managed the applicant in recent employment or study. The referee is not to be given any information or impression that the person may be a preferred applicant.

An internal preferred applicant must provide at least one current referee from Council, other than any referees who comprised part of the interview panel.

If two or more applicants perform similarly in the interview and a decision cannot be reached, referee checks should be undertaken for all of these applicants to assist in the decision-making process.

Information from the referee checks must be recorded on the Reference Check Form and provided to the Payroll/HR Officer.

Unable to Decide

If a preferred applicant cannot be agreed upon, panel members should record their choices on the recommendation form. At this stage, it is critical to consult the Payroll/HR Officer to determine the next stages in the process.

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RECRUITMENT AND SELECTION POLICY

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If the position requires re-advertising, the following:

- whether the advertising strategy needs review.
- whether the rate of pay or conditions need reassessment
- any other matters that would increase the job attraction workforce planning issues, and job content and scope.

An appointment should not be made if no suitable applicant is available.

Additional Recruitment Tools

The Payroll/HR Officer can arrange services in addition to compulsory assessments that can be used as part of the recruitment and selection process. Additional assessments / checks may be determined by the Departmental Manager/Divisional Manager in consultation with the Payroll/HR Officer.

The following assessments or services may be used as part of the overall recruitment strategy to assist in better hiring decisions:

- Qualifications checks.
- Behaviour checks (e.g., Myer Briggs, Disc Profile).
- Criminal records check.

Where considered appropriate to enhance the recruitment process, additional assessments and checks will be arranged by the Payroll/HR Officer. All associated costs from assessments and checks will be funded by the recruiting division.

Approval

All relevant recruitment documentation will be submitted to the Payroll/HR Officer, who will then collate the Appointment Recommendation Report for consideration and approval by the General Manager.

Remuneration

Employees will be appointed at entry level, unless otherwise negotiated. If the applicant or Divisional Manager/Departmental Manager/Supervisor wants to negotiate the remuneration, the Divisional Manager/General Manager must be consulted prior to any negotiations.

The following issues should be considered when determining if remuneration negotiations should be conducted with a preferred applicant:

- The job evaluation process only reflects grade relativities within Council and does not consider external or market trends.
- The grade of the position reflects the level of authority, responsibility and skills required for the role within Council.
- Any fringe benefit tax implications need to be considered and minimised where practicable.
- Each situation must be treated on its merits to ensure no precedents are created.
- The use of incentives or benefits must only be used to secure an outstanding job applicant in those areas where supply/demand and external market forces have a significant impact.
- Following approval by the General Manager.

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RECRUITMENT AND SELECTION POLICY

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After approval by the General Manager, all recruitment documentation will be returned to the Recruiting Officer. The Recruiting Officer will then contact the preferred applicant and verbally offer the position to the applicant, gain acceptance, and determine a start date and starting salary.

As soon as possible after receiving verbal agreement from the preferred applicant, the Payroll/HR Officer will contact the unsuccessful applicants from the interviews and verbally advise of the outcome. If requested, the Recruiting Officer must provide constructive feedback on their application and interview.

Once the process is complete, the Recruiting Officer must return the completed selection report, interview paperwork and other documentation to the Payroll/HR Officer.

Offer of Employment

The offer of employment (verbal and written) is a legally binding contract between an employer and employee and this stage of the recruitment and selection process is critical.

The Payroll/HR Officer will prepare all related correspondence to successful and unsuccessful applicants and obtain required copies of licences and qualifications from the successful applicant, if not already obtained, prior to commencement.

Recruitment commencement is also subject to satisfactory police checks for all positions and Working with Children checks where the role will be working with children or young people under 18 years of age.

The supervisor of the position will begin preparations for the arrival of the new employee and familiarise themselves with the responsibilities outlined in Council's Induction Program.

Difficulty in Filling a Vacancy

On some occasions, it may be identified that there has been, or is likely to be, a difficulty in recruiting for a specific position. In such circumstances, discussions will be held between the Divisional Manager/Departmental Manager, Payroll/HR Officer and General Manager regarding the options available in terms of alternative recruitment strategies and/or incentive packages.

The services of a specialised employment agency may be engaged in situations involving recruitment challenges. This decision will be made by the General Manager in consultation with the Divisional Manager/Departmental Manager.

Candidate Feedback/Appeal

Unsuccessful applicants have five working days to lodge an appeal, after being notified that they are unsuccessful. The appeal must be based on the process being unfair with demonstrated evidence, not upon the person's disappointment at being unsuccessful.

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RECRUITMENT AND SELECTION POLICY

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REFERENCE & RELATED DOCUMENTS

Conflicts of Interests Declaration Procedure
Recruitment Form
Position Description
Advertisement Council's website
Advertisement media
Application Cover Sheet
Application Questionnaire
Acknowledgement of Application
Short Listing Form
Offer of Interview
Interview Timetable
Interview Questionnaire
Reference Check Form
Appointment Recommendation Form
Unsuccessful Applicant (Interviewed)
Unsuccessful Applicant (Not Interviewed)
Letter of Appointment

RELEVANT LEGISLATION

Local Government (State) Award
Fair Work Act 2009
Workers Compensation Act 1987 (NSW)
Long Service Leave Act 1955 (NSW)
Industrial Relations Act 1996 (NSW)
Defence Reserve Services (Protection) Act 2001

REVIEW

This Policy should be reviewed every four (4) years or within 12 months following an election of Council. The Policy may be reviewed and amended at any time at Councils discretion (or if legislation changes occur).

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ITEM 4 PRIVACY MANAGEMENT POLICY

(P13-1, A7-12)

RECOMMENDATION:

That Council adopted the amended Privacy Management Policy.

PURPOSE

To advise Council that the amended Privacy Management Policy is required to be adopted, as per Section 158 of the Local Government Act, specific to the circumstance, criteria and other matters related to Privacy Management within business services of Council.

BACKGROUND

Warren Shire Council's Privacy Management Policy has been amended to reflect a certain defined circumstance, criteria and other related matters as pertains to the management and protection of private information, gathered or held across all operations of Council. The Privacy Management Policy has been reviewed with minor changes in spelling and grammatical items.

REPORT

The Warren Shire Council Privacy Management Policy will assist in the administration, management and operations of the Council. Specifically, it provides a framework for the protection and management of all private information gathered, held and stored for use across the normal business functions of Council. The Policy represents the required level of protection and management in pursuit of compliance across Council operations. The Policy is required under Section 158 of the Local Government Act.

The reviewed Policy was presented to Manex on the 19th August 2025 where there were no concerns, and the matter needs to be reported to Council for the process of adoption of the reviewed Policy.

This Policy has been reviewed with changes shown in red in the attached Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act 1993

Local Government (General) Regulation 2021

Privacy and Personal Information Protection Act 1998

Health Records and Information Privacy Act 2002

Government Information (Public Access) Act 2009

RISK IMPLICATIONS

Warren Shire Council's Privacy Management Policy is required to be adopted by Council following review and proposed amendments listed in the document, for compliance with Section 158 of the Local Government Act 1993. Therefore, it is a legal requirement that the Policy is adopted to ensure that the Council comply with the Local Government Act 1993 and Regulations.

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ITEM 4 PRIVACY MANAGEMENT POLICY

CONTINUED

STAKEHOLDER CONSULTATION

Consultation has been deemed not required as the Privacy Management Policy has been reviewed with only minor changes proposed.

OPTIONS

Council has the option of amending the Policy or adopting the Policy without amendment.

CONCLUSION

The reviewed Privacy Management Policy should be adopted, as it provides effective guidelines that will assist in ensuring the objective functions of Council are carried out in accordance with statute and common law, regulation and national standards.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks
- 5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency
- 5.3.3 Ensure a quality customer service focus by Council staff

SUPPORTING INFORMATION /ATTACHMENTS

Amended Privacy Management Policy.

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PRIVACY MANAGEMENT POLICY

CONTINUED



POLICY REGISTER

PRIVACY MANAGEMENT POLICY

Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 28th August 2025 Minute No. xxx.8.25

File Ref: P13-1, A7-12

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PRIVACY MANAGEMENT POLICY

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DOCUMENT CONTROL

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1.0		First Edition	Council Minute No. 214.9.18 (27 th September 2018)
1.1	Bradley Pascoe – August 2025	Amended with minor changes.	Council Minute No. xxx.8.25

This Policy should be reviewed every four (4) years or within 12 months following an election of Council. The Policy may be reviewed and amended at any time at Councils discretion (or if legislation changes occur).

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PRIVACY MANAGEMENT POLICY

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PREFACE

The *Privacy and Personal Information Protection Act 1998* (the "PPIPA") requires all councils to prepare a Privacy Management Policy outlining their policies and practices to ensure compliance with the requirements of that Act and the *Health Records and Information Privacy Act 2002* (the HRIPA).

In particular, the object of this Policy is to inform:

- The community about how their personal information will be used, stored and accessed after it is collected by the Council; and
- Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

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PART 1 – INTRODUCTION

The Privacy and Personal Information Protection Act 1998 (“PPIPA”) provides for the protection of personal information and for the protection of the privacy of individuals. Section 33 of the PPIPA requires all councils to prepare a Privacy Management Policy (the “Policy”) to deal with:

- the devising of policies and practices to ensure compliance by the Council with the requirements of the PPIPA and the Health Records and Information Privacy Act 2002 (“HRIPA”);
- the dissemination of those policies and practices to persons within the Council;
- the procedures that the Council proposes for internal review of privacy complaints;
- such other matters as are considered relevant by the Council in relation to privacy and the protection of personal information held by it.

This Policy has been prepared for the purpose of section 33 of the PPIPA.

PPIPA provides for the protection of personal information by means of 12 Information Protection Principles. Those principles are listed below:

- Principle 1 - Collection of personal information for lawful purposes
- Principle 2 - Collection of personal information directly from individual
- Principle 3 - Requirements when collecting personal information
- Principle 4 - Other requirements relating to collection of personal information
- Principle 5 - Retention and security of personal information
- Principle 6 - Information about personal information held by agencies
- Principle 7 - Access to personal information held by agencies
- Principle 8 - Alteration of personal information
- Principle 9 - Agency must check accuracy of personal information before use
- Principle 10 - Limits on use of personal information
- Principle 11 - Limits on disclosure of personal information
- Principle 12 - Special restrictions on disclosure of personal information

Those principles are *modified* by the Privacy Code of Practice for Local Government (“the Code”) made by the Attorney General. To date there has been no Health Records and Information Privacy Code of Practice made for Local Government.

The Privacy Code has been developed to enable Local Government to fulfil its statutory duties and functions under the *Local Government Act 1993* (the “LGA”) in a manner that seeks to comply with the PPIPA.

This Policy outlines how the Council will incorporate the 12 Information Protection Principles into its everyday functions. This Policy should be read in conjunction with the Code of Practice for Local Government.

Nothing in this Policy is to:

- affect any matter of interpretation of the Codes or the Information Protection
- Principles and the Health Privacy Principles as they apply to the Council;

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- affect any obligation at law cast upon the Council by way of representation or holding out in any manner whatsoever;
- create, extend or lessen any obligation at law which the Council may have.

This Policy is designed to introduce policies and procedures to maximise compliance with the PPIPA and the HRIPIA.

Council collects, stores and uses a broad range of information. A significant part of that information is personal information. This Policy applies to that part of the Council's information that is personal information.

It may mean in practice that any information that is not personal information will receive treatment of a higher standard; namely treatment accorded to personal information where the information cannot be meaningfully or practicably separated.

1.1 What is "personal information"?

"Personal information" is defined in section 4 of the PPIPA as follows:

Personal information is defined to mean information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. This information can be on a database and does not necessarily have to be recorded in a material form.

1.2 What is not "personal information"

"Personal information" does not include;

"information about an individual that is contained in a publicly available publication".

Personal information, once it is contained in a publicly available publication, ceases to be covered by the PPIPA.

Section 4A of the PPIPA also specifically excludes "health information", as defined by section 6 of the HRIPIA, from the definition of "personal information", but includes "health information" in the PPIPA's consideration of public registers (discussed below).

"Health information" is considered in Part 4 of this Policy.

Where the Council is requested to provide access, or make a disclosure and that information has already been published, then the Council will rely on the provisions of the relevant Act that authorises Council to hold that information and not the PPIPA (for example, section 8 of the Government Information (Public Access) Act 2009 (GIPA Act)).

Council considers the following to be publicly available publications:

- An advertisement containing personal information in a local, city or national newspaper;
- Personal information on the Internet;

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- Books or magazines that are printed and distributed broadly to the general public;
- Council Business papers or that part that is available to the general public;
- Personal information that may be a part of a public display on view to the general public.

Information published in this way ceases to be covered by the PPIPA. Council's decision to publish in this way must be in accordance with PPIPA.

1.3 Policy on Electoral Rolls

The Electoral Roll is a publicly available publication.

Council will provide open access to the Electoral Roll in Council's library.

Council will refer any requests for copies of the Electoral Roll to the State Electoral Commissioner.

1.4 Application of this Policy

The PPIPA, the HRIPA and this Policy apply, wherever practicable, to:

- Councillors;
- Council employees;
- Consultants and contractors of the Council;
- Council owned businesses; and
- Council committees (including community members of those committees which may be established under section 355 of the LGA).

Council will ensure that all such parties are made aware that they must comply with the PPIPA, the HRIPA, any other applicable Privacy Code of Practice and this Policy.

1.5 Personal Information held by Council

The Council holds personal information concerning Councillors, such as:

- personal contact information;
- complaints and disciplinary matters;
- pecuniary interest returns; and
- entitlements to fees, expenses and facilities.

The Council holds personal information concerning its customers, ratepayers and residents, such as:

- rates records; and
 - DA applications and objections; and
 - various types of health information (see page 37 for detailed examples).
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The Council holds personal information concerning its employees, such as:

- recruitment material;
- leave and payroll data;
- personal contact information;
- performance management plans;
- disciplinary matters;
- pecuniary interest returns;
- wage and salary entitlements; and
- health information (such medical certificates and workers compensation claims).

1.6 Applications for suppression in relation to general information (not public registers)

Under section 739 of the Local Government Act 1993 ("LGA") a person can make an application to suppress certain material that is available for public inspection in circumstances where the material discloses or would disclose the person's place of living if the person considers that the disclosure would place the personal safety of the person or their family at risk.

Section 739 of the LGA relates to publicly available material other than public registers. As such, it limits disclosure in those circumstances where an application for suppression is successful. An application for suppression must be verified by statutory declaration and otherwise meet the requirements of section 739. When in doubt, Council will err in favour of suppression.

For more information regarding disclosure of information (other than public registers) see the discussion of IPPs 11 and 12 in Part 3 of this Policy. For information regarding suppression of information on *public registers*, see Part 2 of this Policy.

1.7 Caution as to unsolicited information

Where an individual, a group or committee, not established by Council, gives Council unsolicited personal or health information, then that information should be still treated in accordance with this Policy, the Codes, the HRIPA and the PPIPA for the purposes of IPPs 5-12 and HPPs 5-15 which relate to storage, access, use and disclosure of information.

Note that for the purposes of section 10 of the HRIPA, the Council is not considered to have "collected" health information if the receipt of the information by the Council is unsolicited.

Section 4(5) of the PPIPA also provides that personal information is not "collected" by Council if it is unsolicited.

PART 2 – PUBLIC REGISTERS

A public register is defined in section 3 of the PPIPA:

"...public register means a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee)."

A distinction needs to be drawn between "public registers" within the meaning of Part 6 of the PPIPA and "nonpublic registers". A "nonpublic register" is a register but it is not a "public register" for the purposes of the PPIPA. For example, the register might not be publicly available, or it may not contain personal information.

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Disclosure in relation to public registers must comply with Part 6 of the PPIPA and the Privacy Code.

Personal information cannot be accessed by a person about another person unless the personal information is contained in a public register. Where personal information is contained in a public register, then Part 6 of the PPIPA applies to determine whether access to that information will be given to another person.

Disclosure in relation to all other personal information must comply with the Information Protection Principles as outlined in Part 2 of this Policy and the Privacy Code where it includes personal information that is not published.

The Council holds the following public registers under the LGA (***);

- Section 53 - Land Register
- Section 113 - Records of Approvals;
- Section 449 -450A - Register of Pecuniary Interests;
- Section 602 - Rates Record.

***Note – this is purely indicative. Council may, by virtue of its own practice, hold other Public Registers, to which the PPIPA applies.

Council holds the following public registers under the Environmental Planning and Assessment Act:

- Section 100 – Register of consents and approvals
- Section 149G – Record of building certificates

Council holds the following public register under the Protection of the Environment (Operations) Act:

- Section 308 – Public register of licences held

Council holds the following public register under the Impounding Act 1993:

- Section 30 & 31 – Record of impounding

Members of the public may enquire only in accordance with the primary purpose of any of these registers. The primary purpose for each of these public registers is set out in the sections that follow.

2.1 Public registers, the PPIPA and the HRIPA

A public register generally confers specific rights or privileges, a benefit, or status, which would not otherwise exist. It may be required by law to be made publicly available or open to public inspection, or it is simply made publicly available or open to public inspection (whether or not payment is required).

Despite the exclusion of “health information” from the definition of “personal information” under section 4A of the PPIPA, section 56A of the PPIPA *includes* as “personal information”, “health information” on public registers.

Section 57 of the PPIPA requires very stringent controls over the disclosure of personal information contained in a public register. It provides broadly that where Council is responsible for keeping a public register, it will not disclose any personal information kept in that register unless it is satisfied that the information is to be used for a purpose

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relating to the purpose of the register or the Act under which the register is kept.

Section 57 (2) provides that in order to ensure compliance with section 57(1), a Council may require any person who applies to inspect personal information contained in the public register to give particulars in the form of a statutory declaration as to the proposed use of that information. (Form at Appendix 1 may be used as a guide)

Councils also need to consider the Privacy Code of Practice for Local Government which has the effect of modifying the application of Part 6 of the PPIPA (the "public register" provisions).

If the stated purpose of the applicant does not conform with the purpose for which the public register is kept, access to the information sought will not be given.

Where personal information is contained in a publicly available publication, that information will not be regarded as personal information covered by the PPIPA or as health information for the purposes of part 6 of the PPIPA.

2.2 Effect on section 6 of the GIPA Act

Section 57 of the PPIPA prevails over clause 1(3) of Schedule 1 of the Government Information (Public Access) Regulation 2009 (GIPA Regulation) to the extent of any inconsistency. Therefore:

1. If a register is listed in Schedule 1 of the GIPA Regulation, access must not be given except in accordance with section 57(1) of the PPIPA.
2. If a register is not listed in Schedule 1 of the GIPA Regulation, access must not be given except:
 - (i) if it is allowed under section 57(1) of the PPIPA; and
 - (ii) there is no overriding public interest against disclosure of the information under section 6 of the GIPA Act.

Note: Both 1 and 2 are amended with regard to specific public registers in the Privacy Code of Practice for Local Government.

2.3 Where some information in the public register has been published

That part of a public register that is not published in a publicly available publication will be treated as a "public register" and the following procedure for disclosure will apply.

For example, the Register of Consents and Approvals held by Council under section 100 of the Environmental Planning and Assessment Act requires Council to advertise or publish applications for development consent.

When Council publishes the address of the property, it may identify the owner. The personal information that has not been published and any applications not advertised or that have been rejected or withdrawn (and hence also not published) will be treated as a public register under PPIPA.

Council may hold a register under the Contaminated Land Management Act on behalf of the Environment Protection Authority. This is not to be considered a public register of the Council as the statute does not place any obligations on the Council to make this register publicly available as a register of contaminated land. Furthermore, the legislation foreshadows that the Environment Protection Authority may indeed post this list or register on the internet. This may constitute a publication of the information and therefore the PPIPA will not apply.

Registers should not be published on the internet.

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2.4 Disclosure of personal information contained in the public registers

A person seeking a disclosure concerning someone else's personal information from a public register must satisfy Council that the intended use of the information is for a purpose relating to the purpose of the register or the Act under which the register is kept.

In the following section, by way of guidance only, what might be called the "primary" purpose (or "the purpose of the register") has been specified for each identified register. In some cases a "secondary purpose" has also been specified, by way of guidance as to what might constitute "a purpose relating to the purpose of the register".

2.5 Purposes of public registers

Purposes of public registers under the Local Government Act

Section 53 - Land Register_ The primary purpose is to identify all land vested in Council, or under its control. The secondary purpose includes a consideration of public accountability as to the land held by Council. Third party access is therefore a secondary purpose.

Section 113 - Records of Approvals_ The primary purpose is to identify all approvals granted under the LGA.

Section 450A - Register of Pecuniary Interests_ The primary purpose of this register is to determine whether or not a Councillor or a member of a council committee has a pecuniary interest in any matter with which the council is likely to be concerned. There is a corresponding public accountability purpose and third party access is a secondary purpose.

Section 602 - Rates Record_ The primary purpose is to record the value of a parcel of land and record rate liability in respect of that land. The secondary purpose includes recording the owner or lessee of each parcel of land. For example, that a disclosure on a section 603 (of the LGA) rating certificate that a previous owner was a pensioner is considered to be allowed, because the secondary purpose is "a purpose relating to the purpose of the register".

Purposes of public registers under the Environmental Planning and Assessment Act

Section 100 – Register of consents and approvals_ The primary purpose is to identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.

Section 149G – Record of building certificates_ The primary purpose is to identify all building certificates.

Purposes of public registers under the Protection of the Environment (Operations) Act

Section 308 – Public register of licences held_ The primary purpose is to identify all licenses granted under the Act.

Purposes of the public register under the Impounding Act

Section 30 & 31 – Record of impounding_ The primary purpose is to identify any impounding action by Council.

Secondary purpose of all Public Registers

Due to the general emphasis (to be found in the LGA and elsewhere) on local government processes and information being open and accountable, it is considered that a secondary purpose for which all public registers are held by Council includes the provision of access to members of the public. Therefore, disclosure of specific records from

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public registers would normally be considered to be allowable under section 57 of the PPIPA.

However, requests for access, copying or the sale of the whole or a substantial part of a Public Register held by Council will not necessarily fit within this purpose. Council should be guided by the Privacy Code of Practice for Local Government in this respect. Where Council officers have doubt as to the intended use of the information, an applicant may be requested to provide a statutory declaration so that Council may satisfy itself as to the intended use of the information.

Council will make its assessment as to the **minimum** amount of personal information that is required to be disclosed with regard to any request.

Other Purposes

Persons or organisations who apply to Council to have access to the information contained in any public register for a purpose not related to the purpose of the register, may be given access at the discretion of Council but only in accordance with the Privacy Code of Practice for Local Government concerning Public Registers.

2.6 Applications for access to own records on a public register

A person wishing to have access to a public register to confirm their own details needs only to prove their identity to Council before having access to their own personal information.

2.7 Applications for suppression in relation to a public register

An application for suppression in relation to a public register will be dealt with under PPIPA, rather than section 739 of the LGA.

A person about whom personal information is contained (or proposed to be contained) in a public register, may request Council under section 58 of the PPIPA to have the information removed from, or not placed on the register.

If Council is satisfied that the safety or well-being of any person would be affected by not suppressing the personal information as requested, Council will suppress the information in accordance with the request unless Council is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information, in accordance with section 58(2) of the PPIPA. ("Well-being" is defined in the Macquarie Dictionary as "the good or satisfactory condition of existence; welfare".)

When in doubt, Council will err in favour of suppression.

Any information that is removed from, or not placed on, that aspect of a public register to be made public may be kept on the register for other purposes. That is, the information may still be used for council functions, but it cannot be disclosed to other parties.

An application for suppression should be made in writing addressed to the General Manager and must outline the reasons for the request. The Council may require supporting documentation where appropriate.

2.8 Other registers

Council may have other registers that are not public registers. The Information Protection Principles, this Policy, any applicable Codes and the PPIPA apply to those registers or databases.

PART 3 – THE INFORMATION PROTECTION PRINCIPLES

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3.1 Information Protection Principle 1 – Section 8

Section 8 Collection of personal information for lawful purposes

- (1) *A public sector agency must not collect personal information unless:*
 (a) *the information is collected for a lawful purpose that is directly related to a function or activity of the agency,*
 and
 (b) *the collection of the information is reasonably necessary for that purpose.*
- (2) *A public sector agency must not collect personal information by any unlawful means.*

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from the requirements of this principle.

Council Policy

Council will only collect personal information for a lawful purpose as part of its proper functions. The LG Act governs Council's major obligations and functions.

Section 22 of the LGA provides other functions under other Acts. Some of those Acts are as follows:

- Community Land Development Act 1989
 - Companion Animals Act 1998**
 - Conveyancing Act 1919
 - Environmental Planning and Assessment Act 1979
 - Fire Brigades Act 1989
 - Fluoridation of Public Water Supplies Act 1957
 - Food Act 1989
 - Impounding Act 1993
 - Library Act 1939
 - Protection of the Environment Operations Act 1997
 - Public Health Act 1991
 - Recreation Vehicles Act 1983
 - Roads Act 1993
 - Rural Fires Act 1997
 - State Emergency Service Act 1989
 - Strata Schemes (Freehold Development) Act 1973
 - Strata Schemes (Leasehold Development) Act 1986;
 - Swimming Pools Act 1992
 - Public Health Act 1991 This list is not exhaustive.
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Additionally, the exercise by Council of its functions under the LGA may also be modified by the provisions of other Acts. Some of those Acts follow:

- Coastal Protection Act 1979;
- Environmental Offences and Penalties Act 1989;
- Government Information (Public Access) Act 2009;
- Heritage Act 1977;
- State Emergency and Rescue Management Act 1989;
- Unclaimed Money Act 1995;
- Unhealthy Building Land Act 1990.

The circumstances under which Council may collect information, including personal information, are varied and numerous.

Council will not collect any more personal information than is reasonably necessary for it to fulfil its proper functions.

Anyone engaged by Council as a private contractor or consultant that involves the collection of personal information must agree to be bound not to collect personal information by any unlawful means. This will include debt recovery actions by or undertaken on behalf of Council by commercial agents.

Companion Animals Act

Collection of information under the Companion Animals Act and Council's use of the Companion Animals Register should be guided by the Director General's guidelines, which have been developed with the PPIPA in mind.

Role of the Privacy Contact Officer (Public Officer)

In order to ensure compliance with Information Protection Principle 1, internet contact forms, rates notices, application forms of whatsoever nature, or written requests by which personal information is collected by Council; will be referred to the Privacy Contact Officer prior to adoption or use.

The Privacy Contact Officer will also provide advice as to:

1. Whether the personal information is collected for a lawful purpose;
2. If that lawful purpose is directly related to a function of Council; and
3. Whether or not the collection of that personal information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature will be referred to Council's solicitor.

3.2 Information Protection Principle 2 – Direct Collection

Section 9 Collection of personal information directly from individual

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A public-sector agency must, in collecting personal information, collect the information directly from the individual to whom the information relates unless:

- (a) the individual has authorised collection of the information from someone else, or*
- (b) in the case of information relating to a person who is under the age of 16 years—the information has been provided by a parent or guardian of the person.*

The Privacy Code of Practice for Local Government

The Code makes provision for Council to depart from this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be conferred upon the person to whom the information relates.

Council Policy

The compilation or referral of registers and rolls are the major means by which the Council collects personal information. For example, the information the Council receives from the Land Titles Office would fit within section 9(a) above.

Other means include forms that customers may complete and lodge with Council for development consent, companion animal registration, applications for specific inspections or certifications or applications in respect of tree preservation orders.

In relation to petitions, the Council will treat the personal information contained in petitions in accordance with PPIPA.

Where Council or a Councillor requests or requires information from individuals or groups, that information will be treated in accordance with PPIPA.

Council regards all information concerning its customers as information protected by PPIPA. Council will therefore collect all personal information directly from its customers except as provided in section 9 or under other statutory exemptions or Codes of Practice. Council may collect personal information from other public sector agencies in respect of specific statutory obligations where it is authorised by law to do so.

Where Council anticipates that it may otherwise need to collect personal information indirectly it will first obtain the authorisation of each individual under section 9 (a) of the PPIPA.

External and related bodies

Each of the following will be required to comply with this Policy, any applicable Privacy Code of Practice, and the PPIPA:

- Council owned businesses
- Council consultants
- Private contractors
- Council committees

Council will seek to contractually bind each of these bodies or persons to comply with the PPIPA.

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Where any of the above collect personal information on behalf of Council or in relation to the performance of their activities, that body or person will be required to:

- obtain a written authorisation and consent to that collection; and
- notify those persons in accordance with Information Protection Principle 3 as to the intended recipients and other matters required by that principle.

Council owned businesses, committees and private contractors or consultants must abide by this Policy, the Code and the PPIPA under the terms of their incorporation by Council or by contract.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 2.

Existing statutory exemptions under the Act

Compliance with Information Protection Principle 2 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in very obvious and limited circumstances and legal advice should normally be obtained.

The relevant statutory exemptions follow:

Section 23(2) of the PPIPA permits non-compliance with Information Protection Principle 2 if the information concerned is collected in connection with proceedings (whether or not actually commenced) before any court or tribunal.

Section 24(4) of the PPIPA extends the operation of section 24(1) to councils and permits non-compliance with Information Protection Principle 2 if a council is:

- (i) investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and
- (ii) if compliance might detrimentally affect (or prevent the exercise of) the Council's complaint handling or investigative functions.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 2 where the agency is lawfully authorised or required not to comply with the principle.

- (iii) Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 2 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.
- (iv) Section 26(1) of the PPIPA permits non-compliance with Information Protection Principle 2 if compliance would prejudice the interests of the individual concerned.

Further Explanation regarding IPP 2

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Where Council cannot collect personal information directly from the person, it will ensure one of the following:

1. Council has obtained authority from the person under section 9(a) of the PPIPA.
2. The collection of personal information from a third party is permitted under an Act or law. (For example, the indirect collection from the Land Titles Office.)
3. The collection of personal information from a parent or guardian is permitted provided the person is less than 16 years of age.
4. The collection of personal information indirectly where one of the above exemptions applies.
5. The collection of personal information indirectly is permitted under the Privacy Code of Practice for Local Government or the Investigative Code of Practice.

The only other exception to the above is in the case where Council is given unsolicited information.

3.3 Information Protection Principle 3 - Requirements when collecting personal information

Section 10 Requirements when collecting personal information

If a public-sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances to ensure that, before the information is collected or as soon as practicable after collection, the individual to whom the information relates is made aware of the following:

- (a) *the fact that the information is being collected,*
- (b) *the purposes for which the information is being collected,*
- (c) *the intended recipients of the information,*
- (d) *whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual if the information (or any part of it) is not provided,*
- (e) *the existence of any right of access to, and correction of, the information,*
- (f) *the name and address of the agency that is collecting the information and the agency that is to hold the information.*

The Privacy Code of Practice for Local Government

The Code makes provision for Council to depart from this principle where personal information is collected about an individual for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition without prior or subsequent notification.

Council Policy

Where Council proposes to collect personal information directly from the person, it will inform that person that the personal information is being collected, what is done with that information and who the intended recipients will be.

Council will inform persons if the information is required by law or voluntarily given. Council will also inform individuals which department or section within Council holds their personal information, and of the right to access and correct that information. Council will adapt the general section 10 pre-collection Privacy Notification form as appropriate (See Appendix 2).

The following are examples of application procedures that will require a Privacy Notification Form in accordance with

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section 10:

- Lodging Development Applications;
- Lodging objections to Development Applications;
- Lodging applications for approval under the LGA;
- Any stamps or printed slips that contain the appropriate wording for notification under section 10 (see Appendix 2); and
- When collecting an impounded item.

In relation to the Privacy Notification Form that may be attached to a Development Application provided to objectors, it could be stated that objectors have a right to remain anonymous if they so choose. However, should they need to substantiate their objections, anonymous objections may be given less weight (or no weight) in the overall consideration of the Application.

Post - Collection

Where Council collects personal information indirectly from another public sector agency in respect of any one of its statutory functions, it will advise those individuals that it has collected their personal information by including a privacy notification form in the next issue of their rates notice, or otherwise by letter. A common example of the collection of information from another public sector agency is the Land Titles Office. Council receives information as to new ownership changes when property is transferred from one owner to the next. Appendix 3 contains a sample Privacy Notification Form that could be used for post-collection.

External and related bodies

Each of the following will be required to comply with Information Protection Principle 3:

- Council owned businesses
- Council consultants
- Private contractors
- Council committees

Council will seek to contractually bind each of these bodies or persons to comply with the Information Protection Principle 3.

Where any of the above collect personal information on behalf of Council or in relation to the performance of their activities, that body or person will be required to notify those persons in accordance with Information Protection Principle 3 as to the intended recipients and other matters required by that principle.

Investigative Functions

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Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 3.

Existing statutory exemptions under the Act

Compliance with Information Protection Principle 3 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

The relevant statutory exemptions follow:

Section 23(3) permits non-compliance with Information Protection Principle 3 where information is collected for law enforcement purposes. Law enforcement means a breach of the criminal law and criminal law enforcement. This section does not remove the rights of an accused person.

Section 24(4) of the PPIPA extends the operation of section 24(1) to councils and permits non-compliance with Information Protection Principle 3 if a council is:

- (i) investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and
- (ii) if compliance might detrimentally affect (or prevent the exercise of) the Council's complaint handling or investigative functions.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 3 where the agency is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 3 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 26(1) of the PPIPA permits non-compliance with Information Protection Principle 3 if compliance would prejudice the interests of the individual concerned.

Section 26(2) of the PPIPA permits non-compliance where the person expressly consents to such non-compliance.

Disclosure of information of research purposes

The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under section 41 of PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.

3.4 Information Protection Principle 4 - Other requirements relating to collection of personal information

Section 11 Other requirements relating to collection of personal information

If a public sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

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- (a) *the information collected is relevant to that purpose, is not excessive, and is accurate, up to date and complete, and*
- (b) *the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.*

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Council will seek to ensure that no personal information is collected which is not directly relevant to its proper functions.

Council collects personal information through the various forms that customers may complete and lodge with Council. Before adoption of a new form, a draft form will be reviewed for compliance with Information Protection Principle 4 by the EEO Officer, Council's solicitor, Public Officer or other suitable person. Should Council have any residual doubts, the opinion of the Office of the Privacy Commissioner NSW will be sought.

3.5 Information Protection Principle 5 - Retention and security of personal information

Section 12 Retention and security of personal information

A public sector agency that holds personal information must ensure:

- (a) *that the information is kept for no longer than is necessary for the purposes for which the information may lawfully be used, and*
- (b) *that the information is disposed of securely and in accordance with any requirements for the retention and disposal of personal information, and*
- (c) *that the information is protected, by taking such security safeguards as are reasonable in the circumstances, against loss, unauthorised access, use, modification or disclosure, and against all other misuse, and*
- (d) *that, if it is necessary for the information to be given to a person in connection with the provision of a service to the agency, everything reasonably within the power of the agency is done to prevent unauthorised use or disclosure of the information.*

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Council may comply with this principle by using any or all of the following or similar

documents:

- Records and Archives Services Manual;

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- The Council's Policy on Security of and Access to Misconduct Files;
- Council's Internet Security Policy;
- Information Technology Security Policy; and
- General Records Disposal Schedule for Local Government.

Disclosure of information of research purposes

The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under section 41 of PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.

3.6 Information Protection Principle 6 - Information held by agencies

Section 13 Information about personal information held by agencies

A public sector agency that holds personal information must take such steps as are, in the circumstances, reasonable to enable any person to ascertain:

- (a) whether the agency holds personal information, and*
- (b) whether the agency holds personal information relating to that person, and*
- (c) if the agency holds personal information relating to that person:*
 - (i) the nature of that information, and*
 - (ii) the main purposes for which the information is used, and*
 - (iii) that person's entitlement to gain access to the information.*

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Section 13 of the PPIPA requires a council to take reasonable steps to enable a person to determine whether the council holds personal information about them. If Council holds any information about a person, upon request it will advise them the nature of that information, the main purposes for which it is held, and that person's entitlement to access. As a matter of practicality, not every item of personal information, however insignificant, will be capable of ascertainment.

Under section 20(5) of the PPIPA, Information Protection Principle 6 is subject to any applicable conditions or limitations contained in the *Government Information (Public Access) Act 2009* ("GIPA Act"). Council must consider the relevant provisions of the GIPA Act.

Any person can make application to Council by completing the appropriate form and submitting it to Council. An example is at Appendix 4.

Where council receives an application or request by a person as to whether council holds information about them, council

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will undertake a search of its records to answer the enquiry. Council may ask the applicant to describe what dealings the applicant has had with council in order to assist council to conduct the search.

Council will ordinarily provide a response to applications of this kind within 28 days of the application being made. The fee structure is commensurate to that of the Council's GIPA Act rates structure.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 6.

Existing exemptions under the Act

Compliance with Information Protection Principle 6 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 6 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 6 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Reporting matters

The Council will issue a statement to be included on its Web page (if it has one) and in its Annual Report concerning the nature of personal information it regularly collects, the purpose for which the personal information is used and an individual's right to access their own personal information.

3.7 Information Protection Principle 7 - Access to personal information held by agencies

Section 14 Access to personal information held by agencies

A public sector agency that holds personal information must, at the request of the individual to whom the information relates and without excessive delay or expense, provide the individual with access to the information.

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Section 14 of the PPIPA requires a council, at the request of any person, to give access to that person to personal information held about them.

Compliance with Information Protection Principle 7 does not allow disclosure of information about other people. If access to information that relates to someone else is sought, the application must be made under the GIPA Act, unless

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Information Protection Principles 11 and 12 or the Public Register provisions apply.

Where a person makes an application for access under the PPIPA and it is involved or complex, it may be referred, with the written consent of the applicant, as an application under the GIPA Act. However use of the GIPA Act is to be a last resort. The applicant has the right to insist on being dealt with under PPIPA.

Under section 20(5) of the PPIPA, Information Protection Principle 7 is subject to any applicable conditions or limitations contained in the *Government Information (Public Access) Act 2009* ("GIPA Act"). Council must consider the relevant provisions of the GIPA Act.

Customers wishing to exercise their right of access to their own personal information should apply in writing or direct their inquiries to the General Manager, who will make a determination. A sample form is provided at Appendix 5.

Members of staff wishing to exercise their right of access to their personal information should apply in writing on the attached form or direct their inquiries to the HR staff, who will deal with the application.

In order to comply with the requirement to provide the requested information "without excessive delay or expense", Council will ordinarily provide a response to applications of this kind within 28 days of the application being made.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 7.

Existing exemptions under the Act

Compliance with Information Protection Principle 7 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 7 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA non-compliance with Information Protection Principle 7 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

3.8 Information Protection Principle 8 - Alteration of personal information

Section 15 Alteration of personal information

- (1) *A public sector agency that holds personal information must, at the request of the individual to whom the information relates, make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the personal information:*
 - (a) *is accurate, and*
 - (b) *having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.*
 - (2) *If a public sector agency is not prepared to amend personal information in accordance with a request by the individual to whom the information relates, the agency must, if so requested by the individual concerned, take such steps as are reasonable to attach to the information, in such a manner as is capable of being read with the*
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information, any statement provided by that individual of the amendment sought.

- (3) *If personal information is amended in accordance with this section, the individual to whom the information relates is entitled, if it is reasonably practicable, to have recipients of that information notified of the amendments made by the public sector agency.*
- (4) *This section, and any provision of privacy code of practice that relates to the requirements set out in this section, apply to public sector agencies despite section 25 of this Act and section 21 of the State Records Act 1998.*
- (5) *The Privacy Commissioner's guidelines under section 36 may make provision for or with respect to requests under this section, including the way in which such a request should be made and the time within which such a request should be dealt with.*
- (6) *In this section (and in any other provision of this Act in connection with the operation of this section), **public sector agency** includes a Minister and a Minister's personal staff.*

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

Section 15 of the PPIPA allows a person to make an application to council to amend (*this includes by way of corrections, deletions or additions*) personal information held about them so as to ensure the information is accurate, and, having regard to the purpose for which the information is collected, relevant to that purpose, up to date and not misleading.

Council wishes to have its information current, accurate and complete. Proposed amendments or changes to the personal information held by the Council are welcomed.

If Council declines to amend personal information as requested, it will on request of the individual concerned, place an addendum on the information in accordance with section 15(2) of the PPIPA.

Where there are complaints that are or could be the subject of a staff complaint or grievance, they will be referred to the Manager in the first instance and treated in accordance with the "Grievance and Complaint Handling Procedures".

Any alterations that are or could be the subject of a customer complaint or grievance will be referred to the General Manager, who will make a determination in relation to the matter.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 8.

Existing exemptions under the Act

Compliance with Information Protection Principle 8 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 8 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with section Information Protection Principle 8 where non-

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compliance is “necessarily implied” or “reasonably contemplated” under any Act or law.

Procedure

Where information is requested to be amended (either by way of correction, deletion or addition), the individual to whom the information relates, must make a request. That request should be accompanied by appropriate evidence as to the cogency of the making of the amendment, sufficient to satisfy the Council that the proposed amendment is factually correct and appropriate. The Council may require further documentary evidence to support certain amendments. Council will not charge to process an application to amend a record under s.15.

The Council’s application form for alteration under IPP 8 is at Appendix 6 at the end of this Policy.

Where Council is not prepared to amend

If the Council is not prepared to amend the personal information in accordance with a request by the individual the Council may attach to the information in such a manner as is capable of being read with the information, any statement provided by that individual.

Where an amendment is made

If personal information is amended in accordance with this section, the individual to whom the information relates is entitled, if it is reasonably practicable, to have the recipients of that information notified of the amendments made by the Council.

The Council will seek to notify recipients of information as soon as possible, of the making of any amendment, where it is reasonably practicable.

State Records Act

The State Records Act does not allow for the deletion of records. However, as a result of section 20(4) of the PPIPA, some deletions may be allowed in accordance with Information Protection Principle 8.

3.9 Information Protection Principle 9 - Agency must check accuracy of personal information before use

Section 16 Agency must check accuracy of personal information before use

A public sector agency that holds personal information must not use the information without taking such steps as are reasonable in the circumstances to ensure that, having regard to the purpose for which the information is proposed to be used, the information is relevant, accurate, up to date, complete and not misleading.

The Privacy Code of Practice for Local Government

The Code makes no provision to depart from this principle.

Council Policy

The steps taken to comply with section 16 will depend on the age of the information, its likelihood of change and the particular function for which the information was collected.

The more significant the information, the greater the necessity that checks to ensure its accuracy and currency be

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undertaken prior to its use.

For example, each employee's record should be updated when there is any change of circumstances or when the employee's contact details change.

3.10 Information Protection Principle 10 - Limits on use of personal information

Section 17 Limits on use of personal information

A public sector agency that holds personal information must not use the information for a purpose other than that for which it was collected unless:

- (a) the individual to whom the information relates has consented to the use of the information for that other purpose, or*
- (b) the other purpose for which the information is used is directly related to the purpose for which the information was collected, or*
- (c) the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom the information relates or of another person.*

The Privacy Code of Practice for Local Government

The Code makes provision that Council may use personal information for a purpose other than the purpose for which it was created in the following circumstances:

- (i) where the use is in pursuance of Council's lawful and proper function/s and Council is satisfied that the personal information is reasonably necessary for the exercise of such function/s; or
- (ii) where personal information is to be used for the purpose of conferring upon a particular person, an award, prize, benefit or similar form of personal recognition.

Explanatory Note

Council may use personal information obtained for one purpose for another purpose in pursuance of its lawful and proper functions. For example, the Rates Record that Council holds under section 602 of the LGA may also be used to:

- notify **neighbors** of a proposed development;
- evaluate a road opening; or
- evaluate a tree preservation order.

Council Policy

Council will seek to ensure that information collected for one purpose will be used for that same purpose. Where Council may need to use personal information collected for one purpose for another purpose, it will first gain the consent of the individual concerned, unless an exemption applies.

External and related bodies

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Each of the following will be required to comply with the Information Protection Principle 10:

- Council owned businesses
- Council consultants;
- Private contractors; and
- Council committees.

Council will seek to contractually bind each of these bodies or persons to comply.

Where any of the above seek to use personal information collected for one purpose, that body or person will be required to obtain the written consent of those persons in accordance with section 17(a) to the use of the information for another purpose.

The form of consent should include the following elements:

I, (1)	(1) insert full name
of (2)	(2) insert address
hereby consent under section 17(a) of the Privacy and Personal Information Protection Act 1998 to (3).....	(3) insert Council name
.....	
using the information collected from me by (4)	(4) insert name of collection body/person
.....	
for the purpose of (5):	(5) insert purpose/s info was collected for
.....	
Signature	
Name to be printed	
Date signed / /	

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 10.

Existing exemptions under the Act

Compliance with Information Protection Principle 10 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 23(4) of the PPIPA permits Council not to comply with Information Protection Principle 10 where the use of the information for another purpose is reasonably necessary for law enforcement purposes or for the protection of the public revenue. *Law enforcement purposes* means a breach of the criminal law and criminal law enforcement. This

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section does not remove the rights of an accused person. *Protection of the public revenue* means a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty.

Section 24(4) of the PPIPA extends the operation of section 24(2) to councils and permits non-compliance with Information Protection Principle 10 if a council is:

- (i) investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and
- (ii) the use of the information concerned for a purpose other than the purpose for which it was collected is reasonably necessary in order to enable the council to exercise its complaint handling functions or any of its investigative functions.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 10 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 10 where non-compliance is “necessarily implied” or “reasonably contemplated” under any Act or law.

Section 28(3) of the PPIPA permits non-compliance where a disclosure is to be made to a public sector agency under the administration of the Minister for Local Government (e.g., the Department of Local Government) or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister’s (or Premier’s) administration.

3.11 Information Protection Principle 11 - Limits on disclosure of personal information

Section 18 Limits on disclosure of personal information

- (1) *A public sector agency that holds personal information must not disclose the information to a person (other than the individual to whom the information relates) or other body, whether or not such other person or body is a public sector agency, unless:*
 - (a) *the disclosure is directly related to the purpose for which the information was collected, and the agency disclosing the information has no reason to believe that the individual concerned would object to the disclosure, or*
 - (b) *the individual concerned is reasonably likely to have been aware, or has been made aware in accordance with section 10, that information of that kind is usually disclosed to that other person or body, or*
 - (c) *the agency believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.*
- (2) *If personal information is disclosed in accordance with subsection (1) to a person or body that is a public sector agency, that agency must not use or disclose the information for a purpose other than the purpose for which the information was given to it.*

The Privacy Code of Practice for Local Government

The Code makes provision for council to depart from this principle in the circumstances described below:

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1. Council may disclose personal information to public sector agencies or public utilities on condition that:
 - (i) the agency has approached Council in writing;
 - (ii) Council is satisfied that the information is to be used by that agency for the proper and lawful function/s of that agency, and
 - (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's function/s.
2. Where personal information which has been collected about an individual is to be disclosed for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition.
3. Where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

Council Policy

Council will not disclose the information to another person or other body, unless the disclosure is directly related to the purpose for which the information was collected or where the Council has no reason to believe that the individual concerned would object to the disclosure.

Council may disclose personal information to another person or other body where this disclosure is directly related to the purpose for which the personal information was collected and the individual concerned is reasonably likely to have been aware, (or has been made aware in accordance with section 10), of the intended recipients of that information. "Directly related" can mean the disclosure to another person or agency to deliver a service which supplements that of Council or disclosure to a consultant for the purpose of assessing or reviewing the delivery of a program to which the original collection relates.

The council may disclose personal information to another person or other body where this disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.

Public Registers

Sections 18 and 57 of the PPIPA should be read in conjunction in regard to Public Registers. Public Registers are discussed further in Part 2 of this Policy.

Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information **Protection Principle 11**

Existing exemptions under the Act

Compliance with Information Protection Principle 11 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 23(5)(a) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is

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made to a law enforcement agency in connection with proceedings for an offence or for law enforcement purposes. *Law enforcement purposes* means a breach of the criminal law and criminal law enforcement. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(b) of the PPIPA permits non-compliance with Information Protection Principle 11 where the disclosure is made to a law enforcement agency for the purpose of ascertaining the whereabouts of a person reported to be missing. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(c) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is authorised by subpoena, search warrant or other statutory instrument. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(d)(i) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is reasonably necessary for the protection of the public revenue. *Protection of the public revenue* could mean a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty. However Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement.

Section 23(5)(d)(ii) of the PPIPA permits non-compliance with Information Protection Principle 11 where disclosure is reasonably necessary to investigate an offence where there are reasonable grounds to believe an offence has been committed.

Section 24(4) of the PPIPA permits non-compliance with Information Protection Principle 11 if:

- (i) investigating a complaint that could be referred or made to, or has been referred from or made by, an investigative agency, and
- (ii) if the disclosure is to an investigative agency. (Note: "investigative agency"

is defined at s.3 of PPIPA.)

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 11 where Council is lawfully authorised or required not to comply with the principle. Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 11 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 26(2) of the PPIPA permits non-compliance where the person expressly consents to such non-compliance.

Section 28(3) of the PPIPA permits non-compliance where a disclosure is to be made to a public sector agency under the administration of the Minister for Local Government (e.g. the Division of Local Government) or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

It is anticipated that a disclosure of personal information for research purposes will be allowed under a s.41 Direction made by the Privacy Commissioner until such time as a Research Code of Practice is made by the Attorney General.

Suppression

Information held by Council may be suppressed such as to disallow disclosure that would otherwise be allowed in the circumstances outlined above. See Part 1 of this Policy for more details about suppression of personal information.

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3.12 Information Protection Principle 12 - Special restrictions on disclosure of personal information

Section 19 Special restrictions on disclosure of personal information

- (1) *A public sector agency must not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.*
- (2) *A public sector agency that holds personal information must not disclose the information to any person or body who is in a jurisdiction outside New South Wales or to a Commonwealth agency unless:*
 - (a) *a relevant privacy law that applies to the personal information concerned is in force in that jurisdiction or applies to that Commonwealth agency, or*
 - (b) *the disclosure is permitted under a privacy code of practice.*
- (3) *For the purposes of subsection (2), a **relevant privacy law** means a law that is determined by the Privacy Commissioner, by notice published in the Gazette, to be a privacy law for the jurisdiction concerned.*
- (4) *The Privacy Commissioner is to prepare a code relating to the disclosure of personal information by public sector agencies to persons or bodies outside New South Wales and to Commonwealth agencies.*
- (5) *Subsection (2) does not apply:*
 - (a) *until after the first anniversary of the commencement of this section, or*
 - (b) *until a code referred to in subsection (4) is made, whichever is the later.*

The Privacy Code of Practice for Local Government

The Code makes provision for Council to depart from this principle in the circumstances described below:

1. For the purposes of s.19(2) only, where Council is requested by a potential employer outside New South Wales, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

Council Policy

Council will not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.

Public Registers

Sections 19 and 57 of the PPIPA should be read in conjunction in regard to Public Registers. Public Registers are discussed further in Part 2 of this Policy.

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Investigative Functions

Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under section 41 of the PPIPA that may affect the application of Information Protection Principle 12.

Existing exemptions under the Act

Compliance with Information Protection Principle 12 is also subject to certain exemptions under the Act. If one of those exemptions apply, Council need not comply. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Section 23(7) of the PPIPA permits non-compliance with Information Protection Principle 12 where the disclosure is necessary to investigate an offence or where there are reasonable grounds to believe an offence has been or may be committed.

Section 25(a) of the PPIPA permits non-compliance with Information Protection Principle 12 where Council is lawfully authorised or required not to comply with the principle.

Section 25(b) of the PPIPA permits non-compliance with Information Protection Principle 12 where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Section 26(2) of the PPIPA permits non-compliance where the person expressly consents to such non-compliance.

Section 28(2) permits non-compliance with Information Protection Principle 12 where, in the case of health information, the consent of the person cannot reasonably be obtained and the disclosure is made by an authorised person to another authorised person. "Authorised person" means a medical practitioner, health worker, or other official or employee providing health or community services who is employed or engaged by a public sector agency.

Section 28(3) of the PPIPA permits non-compliance where a disclosure is to be made to a public sector agency under the administration of the Minister for Local Government (e.g. the Division of Local Government) or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

It is anticipated that a disclosure of personal information for research purposes will be allowed under a s.41 Direction made by the Privacy Commissioner until such time as a Research Code of Practice is made by the Attorney General.

Suppression

Information held by Council may be suppressed such as to disallow disclosure that would otherwise be allowed in the circumstances outlined above. See Part 1 of this Policy for more details about suppression of personal information.

PART 4 – HEALTH PRIVACY PRINCIPLES

In 2002, most references to 'health information' were taken out of the PPIPA and separate legislation was enacted. The HRIPA was enacted to deal with this specific type of personal information. On and from September 2004, various agencies and organisations, including local councils were expected to comply with the HRIPA in their collection and management of health information.

Health information includes personal information that is information or an opinion about the physical or mental health or a disability of an individual. Health information *also* includes personal information that is information or an opinion about:

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- a health service provided, or to be provided, to an individual;
- an individual's express wishes about the future provision of health services to him or her;
- other personal information collected in connection with the donation of human tissue; or
- genetic information that is or could be predictive of the health of an individual or their relatives or descendants.

Health information is defined in section 6 of the HRIPA. Local councils will often hold health information by reason of their role in elder care, child care and various types of community health support services. It is therefore very important for councils to be familiar with the 15 Health Protection Principles ("HPP") set down in Schedule 1 to the HRIPA. Each of these HPPs are considered below.

The following is a non-exhaustive list of examples of the types of health information and circumstances in which councils may collect health information in exercising their functions:

- Tree pruning/removal application where residents approach council for a reconsideration or reassessment of a tree pruning/removal application on medical grounds;
- Issuing of clean up orders which may include recording information about a residents health, GP professional contact details or involvement with mental health services;
- Volunteer programs where volunteers are asked to disclose health conditions which may preclude them from some types of volunteer work;
- Meals on wheels programs where residents may be asked for medical or dietary requirements, e.g. allergies for catering purposes;
- Seniors bus outings where information may be collected on special medical needs;
- Councils may provide respite and social support services collecting information that is consistent with the client intake and referral record system;
- Information on families for the purposes of children's services. e.g. history of illness, allergies, asthma, diabetes, epilepsy etc;
- Physical exercise classes;
- Some councils run Podiatry services;
- Information may be collected through a healthy community program;
- Children's immunization records; and
- Family counsellor/youth support workers records.

HPPs 1-4 concern the collection of health information, HPP 5 concerns the storage of health information, HPPs 6-9 concern the access and accuracy of health information, HPP 10 concerns the use of health information, HPP 11 concerns the disclosure of health information, HPPs 12-13 concern the identifiers and anonymity of the persons to which health information relate, HPPs 14-15 concern the transferral of health information and the linkage to health records across more than one organisation.

Health Privacy Principle 1

Purposes of collection of health information

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- (1) *An organisation must not collect health information unless:*
- (a) *the information is collected for a lawful purpose that is directly related to a function or activity of the organisation, and*
 - (b) *the collection of the information is reasonably necessary for that purpose.*
- (2) *An organisation must not collect health information by any unlawful means.*

Health Privacy Principle 2

Information must be relevant, not excessive, accurate and not intrusive

An organisation that collects health information from an individual must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

- (a) *the information is collected is relevant to that purpose, is not excessive and is accurate, up to date and complete, and*
- (b) *the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.*

Health Privacy Principle 3

Collection to be from the individual concerned

- (1) *An organisation must collect health information about an individual only from that individual, unless it is unreasonable or impracticable to do so.*
- (2) *Health information is to be collected in accordance with any guidelines issued by the Privacy Commissioner for the purposes of this clause.*

Health Privacy Principle 4

Individual to be made aware of certain matters

- (1) *An organisation that collects health information about an individual from the individual must, at or before the time it collects the information (or if that is not practicable, as soon as practicable after that time), take steps that are reasonable in the circumstances to ensure that the individual is aware of the following:*
- (a) *the identity of the organisation and how to contact it,*
 - (b) *the fact that the individual is able to request access to the information,*
 - (c) *the purposes for which the information is collected,*
 - (d) *the persons to whom (or the type of persons to whom) the organisation usually discloses information of that kind,*
 - (e) *any law that requires the particular information to be collected,*
 - (f) *the main consequences (if any) for the individual if all or part of the information is not provided.*
- (2) *If the organisation collects health information about an individual from someone else, it must take any steps that are reasonable in the circumstances to ensure that the individual is generally aware of the matters listed in subclause (1) except to the extent that:*
-

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- (a) *making the individual aware of the matters would impose a serious threat to the life or health of any individual, or*
 - (b) *the collection is made in accordance with guidelines issued under subclause (3).*
- (3) *The Privacy Commissioner may issue guidelines setting out circumstances in which an organisation is not required to comply with subclause (2).*
- (4) *An organisation is not required to comply with a requirement of this clause if:*
 - (a) *the individual to whom the information relates has expressly consented to the organisation not complying with it or,*
 - (b) *the organisation is lawfully authorised or required not to comply with it, or*
 - (c) *non-compliance is otherwise permitted (or necessarily implied or reasonably contemplated) under any Act or any other law including the State Records Act 1998, or*
 - (d) *compliance by the organisation would, in the circumstances, prejudice the interests of the individual to whom the information relates, or*
 - (e) *the information concerned is collected for law enforcement purposes or,*
 - (f) *the organisation is an investigative agency and compliance might detrimentally affect (or prevent the proper exercise of) its complaint handling functions or any of its investigative functions.*
- (5) *If the organisation reasonably believes that the individual is incapable of understanding the general nature of the matters listed in subclause (1), the organisation must take steps that are reasonable in the circumstances, to ensure that any authorised representative of the individual is aware of those matters.*
- (6) *Subclause (4) (e) does not remove any protection provided by any other law in relation to the rights of accused persons or persons suspected of having committed an offence.*
- (7) *The exemption provided by subclause (4) (f) extends to any public sector agency, or public sector official, who is investigating or otherwise handling a complaint or other matter that could be referred or made to an investigative agency, or that has been referred from or made by an investigative agency.*

Council Policy

Council will only collect health information for a lawful purpose that is directly related to Council's activities and is necessary for that purpose (HPP 1)

Council will ensure that the health information is relevant, accurate, up to date and not excessive and that the collection is not unnecessarily intrusive into the personal affairs of the individual (HPP 2).

Council will only collect health information directly from the individual that the information concerns, unless it is unreasonable or impractical for Council to do so. (HPP 3).

Council will tell the person why the health information is being collected, what will be done with it, who else might see it and what the consequences are if the person decides not to provide it. Council will also tell the person how he or she can see and correct the health information.

If Council collects health information about a person from someone else, Council will take reasonable steps to ensure that the subject of the information is aware of the above points (HPP 5).

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Health Privacy Principle 5

Retention and Security

(1) An organisation that holds health information must ensure that:

- (a) the information is kept for no longer than is necessary for the purposes for which the information may lawfully be used, and
- (b) the information is disposed of securely and in accordance with any requirements for the retention and disposal of health information, and
- (c) the information is protected, by taking such security safeguards as are reasonable in the circumstances against loss, unauthorised access, use, modification or disclosure, and against all other misuse, and
- (d) if it is necessary for the information to be given to a person in connection with the provision of a service to the organisation, everything reasonably within the power of an organisation is done to prevent the unauthorised use or disclosure of the information.

Note. Division 2 (Retention of health information) of Part 4 contains provisions applicable to private sector persons in connection with the matters dealt with in this clause.

(2) An organisation is not required to comply with a requirement of this clause if:

- (a) the organisation is lawfully authorised or required not to comply with it, or
- (b) non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).

(3) An investigative agency is not required to comply with subclause (1)(a).

Council Policy

Council will store health information securely and protect health information from unauthorised access, use or disclosure. Health information will not be kept for any longer than is necessary and will be disposed of appropriately (HPP 5).

Health Privacy Principle 6

Information about health information held by organisations

(1) An organisation that holds health information must take such steps as are, in the circumstances, reasonable, to enable any individual to ascertain:

- (a) whether the organisation holds health information, and
- (b) whether the organisation holds health information relating to that individual, and
- (c) if the organisation holds health information relating to that individual:
 - (i) the nature of that information
 - (ii) the main purposes for which the information is used, and
 - (iii) that person's entitlement to request access to the information.

(2) An organisation is not required to comply with a provision of this clause if:

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- (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under any Act or any other law (including the State Records Act 1998).*

Health Privacy Principle 7

Access to health information

- (1) *An organisation that holds health information must, at the request of the individual to whom the information relates and without excessive delay or expense, provide the individual with access to the information.*

Note. Division 3 (Access to health information) of Part 4 contains provisions applicable to private sector persons in connection with the matters dealt with in this clause. Access to health information held by public sector agencies may also be available under the Government Information (Public Access) Act 2009 or the State Records Act 1998.

- (2) *An organisation is not required to comply with a provision of this clause if:*
- (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
- (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).*

Health Privacy Principle 8

Amendment of health information

- (1) *An organisation that holds health information must, at the request of the individual to whom the information relates, make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the health information:*
- (a) *Is accurate; and*
- (b) *having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to day, complete and not misleading.*
- (2) *If an organisation is not prepared to amend health information under subclause (1) in accordance with a request by the individual to whom the information relates, the organisation must, if so requested by the individual concerned, take such steps as are reasonable to attach to the information, in such a manner as is capable of being read with the information, any statement provided by that individual of the amendment sought.*
- (3) *If health information is amended in accordance with this clause, the individual to whom the information relates is entitled, if it is reasonably practicable, to have recipients of that information notified of the amendments made by the organisation.*

Note. Division 4 (Amendment of health information) of Part 4 contains provisions applicable to private sector persons in connection with the matters dealt with in this clause.

Amendment of health information held by public sector agencies may also be able to be sought under the Privacy and Personal Information Protection Act 1998.

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- (4) An organisation is not required to comply with a provision of this clause if:
- (a) the organisation is lawfully authorised or required not to comply with the provision concerned, or
 - (b) non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).

Health Privacy Principle 9

Accuracy

An organisation that holds health information must not use the information without taking such steps as are reasonable in the circumstances to ensure that, having regard to the purpose for which the information is proposed to be used, the information is relevant, accurate and up to date, complete and not misleading.

Council Policy

Council will provide details about what health information Council is holding about an individual and with information about why Council is storing that information and what rights of access the individual has (HPP 6).

Council will allow the individual to access his or her health information without reasonable delay or expense (HPP 7).

Council will allow the individual to update, correct or amend his or her health information where necessary (HPP 8).

Council will make sure that the health information is relevant and accurate before using it (HPP 9).

Health Privacy Principle 10

- (1) An organisation that holds health information must not use the information for a purpose (a **secondary purpose**) other than the purpose (the **primary purpose**) for which it was collected unless:
- (a) **Consent**
the individual to whom the information relates has consented to the use of the information for that secondary purpose, or
 - (b) **Direct relation**
the secondary purpose is directly related to the primary purpose and the individual would reasonably expect the organisation to use the information for the secondary purpose or,
Note: For example, if information is collected in order to provide a health service to the individual, the use of the information to provide a further health service to the individual is a secondary purpose directly related to the primary purpose.
 - (c) **Serious threat to health or welfare**
the use of the information for the secondary purpose is reasonably believed by the organisation to be necessary to lessen or prevent:
 - (i) *a serious and imminent threat to the life, health or safety of the individual or another person, or*
 - (ii) *a serious threat to public health and safety, or*

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(d) Management of health services

the use of the information for the secondary purpose is reasonably necessary for the funding, management, planning or evaluation of health services and:

(i) either:

(A) that purpose cannot be served by the use of information that does not identify the individual or from which the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the use, or

(B) reasonable steps are taken to de-identify the information, and

(ii) if the information is in a form that could reasonably be expected to identify individuals, the information is not published in a generally available publication, and

(iii) the use of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or

(e) Training

the use of the information for the secondary purpose is reasonably necessary for the training of employees of the organisation or persons working with the organisation and:

(i) either:

(A) that purpose cannot be served by the use of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the use, or

(B) reasonable steps are taken to de-identify the information, and

(ii) if the information could reasonably be expected to identify individuals, the information is not published in a generally available publication, and

(iii) the use of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or

(f) Research

the use of the information for the secondary purpose is reasonably necessary for research, or the compilation or analysis of statistics, in the public interest and:

(i) either:

(A) that purpose cannot be served by the use of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the use, or

(B) reasonable steps are taken to de-identify the information, and

(ii) if the information could reasonably be expected to identify individuals, the information is not published in a generally available publication, and

(iii) the use of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purpose of this paragraph, or

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(g) **Find missing person**

the use of the information for the secondary purpose is by a law enforcement agency (or such other person or organisation as may be prescribed by the regulations) for the purposes of ascertaining the whereabouts of an individual who has been reported to a police officer as a missing person, or

(h) **Suspected unlawful activity, unsatisfactory professional conduct or breach of discipline**
the organisation:

(i) has reasonable grounds to suspect that:

(A) unlawful activity has been or may be engaged in, or

(B) a person has or may have engaged in conduct that may be unsatisfactory professional conduct or professional misconduct under a the Health Practitioner Regulation National Law (NSW), or

(C) an employee of the organisation has or may have engaged in conduct that may be grounds for disciplinary action, and

(ii) uses the health information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, or

(i) **Law enforcement**

the use of the information for the secondary purpose is reasonably necessary for the exercise of law enforcement functions by law enforcement agencies in circumstances where there are reasonable grounds to believe that an offence may have been, or may be, committed, or

(j) **Investigative agencies**

the use of the information for the secondary purpose is reasonably necessary for the exercise of complaint handling functions or investigative functions by investigative agencies, or

(k) **Prescribed circumstances**

the use of the information for the secondary purpose is in the circumstances prescribed by the regulations for the purposes of this paragraph.

(2) An organisation is not required to comply with a provision of this clause if:

(a) the organisation is lawfully authorised or required not to comply with the provision concerned, or

(b) non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).

(3) The Ombudsman's Office, Health Care Complaints Commission, Anti-Discrimination Board and Community Services Commission are not required to comply with a provision of this clause in relation to their complaint handling functions and their investigative, review and reporting functions.

(4) Nothing in this clause prevents or restricts the disclosure of health information by a public sector agency:

(a) to another public sector agency under the administration of the same Minister if the disclosure is for the purposes of informing that Minister about any matter within that administration, or

(b) to any public sector agency under the administration of the Premier, if the disclosure is for the purposes of informing the Premier about any matter.

(5) The exemption provided by subclause (1) (j) extends to any public sector agency, or public sector official, who is investigating or otherwise handling a complaint or other matter that could be referred or made to an investigative agency, or that has been referred from or made by an investigative agency.

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Council Policy

Council will only use the health information for the purpose for which it was collected or for a directly related purpose that the individual to whom the information relates would expect. Otherwise, Council will obtain the individual's consent (HPP 10).

Health Privacy Principle 11

(1) An organisation that holds health information must not disclose the information for a purpose (a **secondary purpose**) other than the purpose (the **primary purpose**) for which it was collected unless:

(a) **Consent**

the individual to whom the information relates has consented to the disclosure of the information for that secondary purpose, or

(b) **Direct relation**

the secondary purpose is directly related to the primary purpose and the individual would reasonably expect the organisation to disclose the information for the secondary purpose, or

Note: For example, if information is collected in order to provide a health service to the individual, the disclosure of the information to provide a further health service to the individual is a secondary purpose directly related to the primary purpose.

(c) **Serious threat to health or welfare**

the disclosure of the information for the secondary purpose is reasonably believed by the organisation to be necessary to lessen or prevent:

- (i) a serious and imminent threat to the life, health or safety of the individual or another person, or
- (ii) a serious threat to public health or public safety, or

(d) **Management of health services**

the disclosure of the information for the secondary purpose is reasonably necessary for the funding, management, planning or evaluation of health services and:

(i) either:

- (A) that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the disclosure, or
- (B) reasonable steps are taken to de-identify the information, and

(ii) if the information could reasonably be expected to identify individuals, the information is not published in a generally available publication, and

(iii) the disclosure of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or

(e) **Training**

the disclosure of the information for the secondary purpose is reasonably necessary for the training of employees of the organisation or persons working with the organisation and:

(i) either:

- (A) that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the disclosure, or

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- (B) reasonable steps are taken to de-identify the information, and
 - (ii) if the information could reasonably be expected to identify the individual, the information is not made publicly available, and
 - (iii) the disclosure of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or
- (f) **Research**
the disclosure of the information for the secondary purpose is reasonably necessary for research, or the compilation or analysis of statistics, in the public interest and:
 - (i) either:
 - (A) that purpose cannot be served by the disclosure of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained and it is impracticable for the organisation to seek the consent of the individual for the disclosure, or
 - (B) reasonable steps are taken to de-identify the information, and
 - (ii) the disclosure will not be published in a form that identifies particular individuals or from which an individual's identity can reasonably be ascertained, and
 - (iii) the disclosure of the information is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or
- (g) **Compassionate reasons**
the disclosure of the information for the secondary purpose is to provide the information to an immediate family member of the individual for compassionate reasons and:
 - (i) the disclosure is limited to the extent reasonable for those compassionate reasons, and
 - (ii) the individual is incapable of giving consent to the disclosure of the information, and
 - (iii) the disclosure is not contrary to any wish expressed by the individual (and not withdrawn) of which the organisation was aware or could make itself aware by taking reasonable steps, and
 - (iv) if the immediate family member is under the age of 18 years, the organisation reasonably believes that the family member has sufficient maturity in the circumstances to receive the information, or
- (h) **Finding missing person**
the disclosure of the information for the secondary purpose is to a law enforcement agency (or such other person or organisation as may be prescribed by the regulations) for the purposes of ascertaining the whereabouts of an individual who has been reported to a police officer as a missing person, or
- (i) **Suspected unlawful activity, unsatisfactory professional conduct or breach of discipline**
the organisation:
 - (i) has reasonable grounds to suspect that:
 - (A) unlawful activity has been or may be engaged in, or
 - (B) a person has or may have engaged in conduct that may be unsatisfactory professional conduct or professional misconduct under a the Health Practitioner Regulation National Law (NSW), or
 - (C) an employee of the organisation has or may have engaged in conduct that may be grounds for disciplinary action, and
 - (ii) discloses the health information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, or

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(j) **Law enforcement**

the disclosure of the information for the secondary purpose is reasonably necessary for the exercise of law enforcement functions by law enforcement agencies in circumstances where there are reasonable grounds to believe that an offence may have been, or may be, committed, or

(k) **Investigative agencies**

the disclosure of the information for the secondary purpose is reasonably necessary for the exercise of complaint handling functions or investigative functions by investigative agencies, or

(l) **Prescribed circumstances**

the disclosure of the information for the secondary purpose is in the circumstances prescribed by the regulations for the purposes of this paragraph.

(2) *An organisation is not required to comply with a provision of this clause if:*

- (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
- (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998), or*
- (c) *the organisation is an investigative agency disclosing information to another investigative agency.*

(3) *The Ombudsman's Office, Health Care Complaints Commission, Anti-Discrimination Board and Community Services Commission are not required to comply with a provision of this clause in relation to their complaint handling functions and their investigative, review and reporting functions.*

(4) *Nothing in this clause prevents or restricts the disclosure of health information by a public sector agency:*

- (a) *to another public sector agency under the administration of the same Minister if the disclosure is for the purposes of informing that Minister about any matter within that administration, or*
- (b) *to any public sector agency under the administration of the Premier, if the disclosure is for the purposes of informing the Premier about any matter.*

(5) *If health information is disclosed in accordance with subclause (1), the person, body or organisation to whom it was disclosed must not use or disclose the information for a purpose other than the purpose for which the information was given to it.*

(6) *The exemptions provided by subclauses (1) (k) and (2) extend to any public sector agency, or public sector official, who is investigating or otherwise handling a complaint or other matter that could be referred or made to an investigative agency, or that has been referred from or made by an investigative agency.*

Council Policy

Council will only disclose health information under the following circumstances:

- With the consent of the individual to whom the information relates; or
- For the purpose for which the health information was collected or a directly related purpose that the individual to whom it relates would expect; or
- If an exemption applies (HPP 11).

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Health Privacy Principle 12

Identifiers

- (1) An organisation may only assign identifiers to individuals if the assignment of identifiers is reasonably necessary to enable the organisation to carry out any of its functions efficiently.*
- (2) Subject to subclause (4), a private sector person may only adopt as its own identifier of an individual an identifier of an individual that has been assigned by a public sector agency (or by an agent of, or contractor to, a public sector agency acting in its capacity as agent or contractor) if:
 - (a) the individual has consented to the adoption of the same identifier, or*
 - (b) the use or disclosure of the identifier is required or authorised by or under law.**
- (3) Subject to subclause (4), a private sector person may only use or disclose an identifier assigned to an individual by a public sector agency (or by an agent of, or contractor to, a public sector agency acting in its capacity as agent or contractor) if:
 - (a) the use or disclosure is required for the purpose for which it was assigned or for a secondary purpose referred to in one or more paragraphs of HPP 10 (1) (c)-(k) or 11 (1) (c)-(l), or*
 - (b) the individual has consented to the use or disclosure, or*
 - (c) the disclosure is to the public sector agency that assigned the identifier to enable the public sector agency to identify the individual for its own purposes.**
- (4) If the use or disclosure of an identifier assigned to an individual by a public sector agency is necessary for a private sector person to fulfil its obligations to, or the requirements of, the public sector agency, a private sector person may either:
 - (a) adopt as its own identifier of an individual an identifier of the individual that has been assigned by the public sector agency, or*
 - (b) use or disclose an identifier of the individual that has been assigned by the public sector agency.**

Council Policy

Council will only give an identification number to health information if it is reasonably necessary for Council to carry out its functions effectively (HPP 12).

Health Privacy Principle 13

Anonymity

Wherever it is lawful and practicable, individuals must be given the opportunity to not identify themselves when entering into transactions with or receiving health services from an organisation.

Council Policy

Council will provide health services anonymously where it is lawful and practical (HPP 13).

Health Privacy Principle 14

Transborder data flows and data flow to Commonwealth agencies.

An organisation must not transfer health information about an individual to any person or body who is in a jurisdiction outside New South Wales or to a Commonwealth agency unless:

- (a) the organisation reasonably believes that the recipient of the information is subject to a law, binding scheme or contract that effectively upholds principles for fair handling of the information that are substantially similar to the Health Privacy Principles, or*
-

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- (b) *the individual consents to the transfer, or*
- (c) *the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request, or*
- (d) *the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party, or*
- (e) *all of the following apply:*
 - (i) *the transfer is for the benefit of the individual,*
 - (ii) *it is impracticable to obtain the consent of the individual to that transfer,*
 - (iii) *if it were practicable to obtain such consent, the individual would be likely to give it, or*
- (f) *the transfer is reasonably believed by the organisation to be necessary to lessen or prevent:*
 - (i) *a serious and imminent threat to the life, health or safety of the individual or another person, or*
 - (ii) *a serious threat to public health or public safety, or*
- (g) *the organisation has taken reasonable steps to ensure that the information that it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the Health Privacy Principles, or*
- (h) *the transfer is permitted or required by an Act (including an Act of the Commonwealth) or any other law.*

Council Policy

Council will only transfer personal information out of New South Wales if the requirements of Health Privacy Principle 14 are met.

Health Privacy Principle 15

Linkage of health records

- (1) *An organisation must not:*
 - (a) *include health information about an individual in a health records linkage system unless the individual has expressly consented to the information being so included, or*
 - (b) *disclose an identifier of an individual to any person if the purpose of the disclosure is to include health information about the individual in a health records linkage system, unless the individual has expressly consented to the identifier being disclosed for that purpose.*
- (2) *An organisation is not required to comply with a provision of this clause if:*
 - (a) *the organisation is lawfully authorised or required not to comply with the provision concerned, or*
 - (b) *non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998), or*
 - (c) *the inclusion of the health information about the individual in the health records information system (including an inclusion for which an identifier of the individual is to be disclosed) is a use of the information that complies with HPP 10 (1) (f) or a disclosure of the information that complies with HPP 11 (1) (f).*
- (3) *In this clause:*
 - health record** *means an ongoing record of health care for an individual.*
 - health records linkage system** *means a computerised system that is designed to link health records for an individual held by different organisations for the purpose of facilitating access to health records, and includes a system or class of systems prescribed by the regulations as being a health records linkage system, but does not include a system or class of systems prescribed by the regulations as not being a health records linkage system.*

Council Policy

Council will only include health information in a system to link health records across more than one organisation if the individual to whom the health information relates expressly consents to the link (HPP 15).

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PART 5 – IMPLEMENTATION OF THE PRIVACY MANAGEMENT POLICY

5.1 Training Seminars/Induction

During induction, all employees should be made aware that the performance management system has the potential to include personal information on their individual work performance or competency. Councillors, all staff of the Council including staff of council businesses, and members of council committees should be acquainted with the general provisions of the PPIPA, the HRIPA and in particular, the 12 Information Protection Principles (IPPs), the 15 Health Privacy Principles (HPPs), the Public Register provisions, the Privacy Code of Practice for Local Government, this Policy and any other applicable Code of Practice.

5.2 Responsibilities of the Privacy Contact Officer

It is assumed that the Public Officer within Council will be assigned the role of the Privacy Contact Officer unless the General Manager has directed otherwise.

In order to ensure compliance with PPIPA and the HRIPA, the Privacy Contact Officer will review all contracts and agreements with consultants and other contractors, rates notices, application forms of whatsoever nature, and other written requests by which personal information is collected by Council, to ensure that Council is in compliance with the PPIPA.

Interim measures to ensure compliance with IPP 3 in particular may include the creation of stamps or printed slips that contain the appropriate wording (see Appendices 2 and 3). The Privacy Contact Officer will ensure Council in its public areas has special provisions for working with computer screens. Computer screens may require:

- fast screen savers;
- face the computers away from the public; or
- only allow the record system to show one record at a time.

Council's electronic databases should also be reviewed to ensure that they contain procedures and protocols to check the accuracy and currency of personal and health information.

The Privacy Contact Officer will also provide opinions within Council as to:

- (i) Whether the personal or health information is collected for a lawful purpose;
- (ii) If that lawful purpose is directly related to a function of Council; and
- (iii) Whether or not the collection of that personal or health information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature will be referred to Council's solicitor.

Should the Council require, the Privacy Contact Officer may assign designated officers as "Privacy Resource Officers", within the larger departments of Council. In this manner the Council may ensure that the information protection principles are more broadly understood and that individual departments have a greater focus on the information protection principles and are directly applied to Council's day to day functions.

5.3 Distribution of information to the public

Council may prepare its own literature such as pamphlets on the PPIPA, HRIPA or it may obtain and distribute copies of literature available from the Office of the Privacy Commissioner NSW.

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PART 6 – INTERNAL REVIEW

6.1 How does the process of Internal Review operate?

Under section 53 of the PPIPA a person (the applicant) who is aggrieved by the conduct of a council is entitled to a review of that conduct. An application for internal review is to be made within **6 months** of when the person first became aware of the conduct.

The application is to be in writing and addressed to Council's Privacy Contact Officer. The Privacy Contact Officer will appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer must not be substantially involved in any matter relating to the application. The Reviewing Officer must be an employee and suitability qualified.

The review must be completed as soon as is reasonably practicable in the circumstances. If the review is not completed within **60 days** of the lodgement, the applicant is entitled to seek external review.

The Council must notify the Privacy Commissioner of an application as soon as practicable after its receipt, keep the Commissioner informed of the progress of the application and inform the Commissioner of the findings of the review and of the action it proposes to take in relation to the application.

The Privacy Commissioner is entitled to make submissions in relation to internal reviews and the council is required to consider any relevant material submitted by the Privacy Commissioner. The Council must provide the Privacy Commissioner with a draft of the council's internal review report to enable the Privacy Commissioner to make a submission.

Council may provide a copy of any submission by Privacy Commissioner's to the applicant.

The Council must notify the applicant of the outcome of the review within **14 days** of its determination. A copy of the final review should also be provided to the Privacy Commissioner where it departs from the draft review.

An internal review checklist has been prepared by the Office of the Privacy Commissioner NSW and can be accessed from its website <http://www.ipc.nsw.gov.au>.

The Privacy Commissioner must be notified of a complaint, briefed on progress and notified of the outcome of an internal review under the PPIPA or HRIPA.

6.2 What happens after an Internal Review?

If the complainant remains unsatisfied, he/she may appeal to the Administrative Decisions Tribunal which hears the matter afresh and may impose its own decision and can make a range of orders including an award of damages for a breach of an information protection principle or a health privacy principle.

PART 7 – OTHER RELEVANT MATTERS

7.1 Contracts with consultants and other private contractors

It is necessary to have specific provisions to protect the Council in any dealings with private contractors.

7.2 Confidentiality

The obligation of confidentiality is additional to and separate from that of privacy. Nevertheless, a duty to withhold information lies at the heart of both concepts. Confidentiality attaches to information per se, personal or health information to the person to whom that information relates.

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An obligation of confidentiality exists for all employees whether express or implied as a matter of law. Information which may be confidential is also likely to have a separate and independent obligation attaching to it in the form of privacy and in that regard, a release for the purposes of confidentiality will not suffice for privacy purposes. Two separate releases will be required and, in the case of privacy, the person to whom the information relates will be required to provide the release.

7.3 Misuse of personal or health information

Section 664 of the LGA makes it an offence for anyone to disclose information except in accordance with that section. Whether or not a particular disclosure is made with lawful excuse is a matter that requires legal opinion from case to case.

7.4 Regular review of the collection, storage and use of personal or health information

The information practices relating to the collection, storage and use of personal or health information will be reviewed by the Council every three (3) years. Any new program initiatives will be incorporated into the review process with a view to ascertaining whether or not those programs comply with the PPIPA.

7.5 Regular review of Privacy Management Policy

When information practices are reviewed from time to time, the Privacy Management Policy will also be reviewed to ensure that the Policy is up to date.

7.6 Further information

For assistance in understanding the processes under the PPIPA and HRIPA, please contact the Council or the Office of the Privacy Commissioner NSW.

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PRIVACY MANAGEMENT POLICY

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PART 8 – APPENDICES

Appendix 1: Statutory Declaration for access under Section 57 of the Privacy and Personal Information Protection Act 1998 to a Public Register held by Council

Statutory Declaration

Oaths Act, 1900, Ninth Schedule I, the undersigned (1) (1) insert full name
of (2) (2) insert
address
in the State of New South Wales, do solemnly and sincerely declare that:
I am (3) (3) insert
relationship, if
any, to person
inquired about
I seek to know whether (4) (4) insert
name
is on the public register of (5) (5)
Applicant to
describe the
relevant public
register
The purpose for which I seek this information is (6)
..... (6) insert
..... purpose for
..... seeking
..... information
The purpose for which the information is required is to (7)
.....
..... (7) insert purpose
.....
And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act
1994.
.....
Signature of Applicant
Declared at: in the said State this
..... day of 20.....
before me.....
.....

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Name of Justice of the Peace/Solicitor to be printed

Who certifies that:

1. *I saw the face of the declarant/deponent OR

*I did not see the face of the declarant/deponent because he/she was wearing a face covering, but I am satisfied that he/she had a special justification for not removing it, and

2. *I have known the person for at least 12 months OR

*I confirmed the person's identity with

[describe identification document relied on]

Signature of Justice of the Peace/Solicitor to be printed

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Appendix 2: Privacy Notification Form - Section 10 (Pre – Collection)

(Addressed to the person from whom information is about to be collected or has been collected.)

The personal information that Council is collecting from you is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA).

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and

_____ (INSERT NAME OF OTHER INTENDED
RECIPIENTS)

The supply of information by you is: ☐ Voluntary ☐ Not Voluntary

If you cannot provide, or do not wish to provide, the information sought, the Council

- ☐ maybe unable to process your application.
- ☐ will be unable to process your application.

Council is collecting this personal information from you in order to:

You may make application for access or amendment to information held by Council.

You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the PPIPA.

Council is to be regarded as the agency that holds the information. However, if it **is not** Council who holds or controls the information, please state below who does:

(INSERT NAME OF AGENCY WHO HOLDS OR CONTROLS THE INFORMATION)

Enquiries concerning this matter can be addressed to: _____

Signature _____

Name to be printed _____

Date signed / / _____

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Appendix 4: Application under Section 13 of the Privacy and Personal Information Protection Act 1998: To determine whether Council holds personal information about a person.

Personal information held by the Council

I, (1) (1)
insert full name

of (2) (2)
insert address

Hereby request the General Manager of (3) (3) insert name of
Council

provide the following:

- Does the Council hold personal information about me ? ☐ Yes ☐ No
- If so, what is the nature of that information ?

.....
.....

- What is the main purpose for holding the information.....
.....
.....

- Am I entitled to access the information ? ☐ Yes ☐ No

My address for response to this application is:

.....

..... State: Postcode: Note to applicants

Council **will not** record your address or any other contact details that you provide for any other
purpose other than to respond to your application.

As an applicant, you have a right of access to personal information concerning yourself that is held by the
Council under section 14 of the Privacy and Personal Information Protection Act 1998 (PPIPA). There
is a separate application form to gain access.

The Council may refuse to process this application in part or in whole if:

- there is an exemption to section 13 of the PPIPA, or
- a Code of Practice may restrict the operation of section 14.

Enquiries concerning this matter can be addressed to :

.....

.....

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**Appendix 5: Application under Section 14 of the Privacy and Personal Information
Protection Act 1998: For access to Applicant's Personal Information**

Personal information held by the Council

I, (1) (1)
insert full name

of (2) (2)
insert address

Hereby request that the (3)
(3) insert name of Council

.....

Provide me with:

- ☐ (a) access to all personal information held concerning myself; or
☐ (b) access to the following personal information only (**LIST INFORMATION REQUIRED BELOW**):

.....
.....

My address for response to this application is:

.....

..... State: Postcode: Note to applicants

As an applicant, you have a right of access to personal information concerning yourself that is held by the Council under section 14 of the Privacy and Personal Information Protection Act 1998 (PPIPA).

You are entitled to have access without excessive delay or cost. Council may

refuse to process this application in part or in whole if:

- the correct amount of fees has not been paid;
- there is an exemption to section 14 of the PPIPA; or
- a Code of Practice may restrict disclosure

Enquiries concerning this matter can be addressed to :

.....
.....

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PRIVACY MANAGEMENT POLICY

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Appendix 6: Application under Section 15 of the Privacy and Personal Information Protection Act 1998: For alteration of Applicant's Personal Information

Personal information held by the Council

I, (1) (1)
insert full name

of (2) (2) insert address

Hereby request that the (3)
(3) insert name of Council

Alter personal information regarding myself in the following manner:

☐ I propose the following changes:

• The reasons for the changes are as follows:.....

• The documentary bases for those changes is as shown on the attached documents:

..... Note to Applicants :

You have a right to request appropriate amendments are made (whether by way of corrections, deletions or additions) to ensure that the personal information held by the Council:

- (a) is accurate, and
- (b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up-to- date, complete and not misleading.

If Council is not prepared to amend the personal information in accordance with a request by you, Council must take such steps as are reasonable to attach to the information in such a manner as is capable of being read with the information, any statement provided by you.

If your personal information is amended, you are entitled under the Privacy and Personal Information Protection Act 1998 (PPIPA), if it is reasonably practicable, to the have recipients of that information notified of the amendments made by Council.

Council may refuse to process this application in part or in whole if:

- There is an exemption to section 15 of the PPIPA; or
- a Code of Practice may restrict alteration. Enquiries

concerning this matter can be addressed to :

.....

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ITEM 5 RECORDS MANAGEMENT POLICY

(P13-1 R5-1)

RECOMMENDATION:

That Council adopt the amended Records Management Policy.

PURPOSE

To advise Council that the amended Records Management Policy is required to be adopted, as per Section 158 of the Local Government Act, specific to the circumstance, criteria and other matters related to Records Management within business services of Council.

BACKGROUND

Warren Shire Council's Records Management Policy has been amended to reflect a certain defined circumstance, criteria and other related matters as pertains to the management, storage, disposal, access and use of records gathered or held across all operations of Council. The Records Management Policy has been reviewed with minor changes in spelling and grammatical items.

REPORT

The Warren Shire Council Records Management Policy will assist in the administration, management and operations of the Council. Specifically, it provides a framework for the protection and management of all information gathered, held and stored for use across the normal business functions of Council in part with a Records Management System. The Policy represents the required level of protection and management in pursuit of compliance across Council operations. The Policy is required under Section 158 of the Local Government Act.

The reviewed Policy was presented to Manex on the 19th August 2025 where there were no concerns, and the matter needs to be reported to Council for the process of adoption of the reviewed Policy.

This Policy has been reviewed with changes shown in red in the attached Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act 1993

Local Government (General) Regulation 2021

State Records Act 1998

Privacy and Personal Information Protection Act 1998

Health Records and Information Privacy Act 2002

Government Information (Public Access) Act 2009

RISK IMPLICATIONS

Warren Shire Council's Records Management Policy is required to be adopted by Council following review and proposed amendments listed in the document, for compliance with Section 158 of the Local Government Act 1993. Therefore, it is a legal requirement that the Policy is adopted to ensure that the Council comply with the Local Government Act 1993 and Regulations.

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ITEM 5 RECORDS MANAGEMENT POLICY

CONTINUED

STAKEHOLDER CONSULTATION

Consultation has been deemed not required as the Records Management Policy has been reviewed with only minor changes proposed.

OPTIONS

Council has the option of amending the Policy or adopting the Policy without amendment.

CONCLUSION

The reviewed Records Management Policy should be adopted, as it provides effective guidelines that will assist in ensuring the objective functions of Council are carried out in accordance with statute and common law, regulation and national standards.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks
- 5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency
- 5.3.3 Ensure a quality customer service focus by Council staff

SUPPORTING INFORMATION /ATTACHMENTS

Amended Records Management Policy.

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RECORDS MANAGEMENT POLICY

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POLICY REGISTER

RECORDS MANAGEMENT POLICY

Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 28th August, 2025 Minute No. xxx.8.25

File Ref: P13-1, R5-1

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RECORDS MANAGEMENT POLICY

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DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 214.9.18 (27 th September 2018)
1.1	Bradley Pascoe – August 2025	Amended with minor changes.	Council Minute No. xxx.8.25

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RECORDS MANAGEMENT POLICY

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POLICY SCOPE:

This Policy applies to all councillors, employees of Warren Shire Council and contractors and external consultants carrying out work on behalf of Warren Shire Council.

This Policy applies to all records, both physical and digital, created or received, in the conduct of the official business of Warren Shire Council. This includes all aspects of all records created during business transactions and all business applications used to create records including email, databases and websites.

E-mails, which are relevant to the information gathering, Policy formation or decision-making processes of Council, are part of the scope of this Policy.

All records management procedures and systems are to be in accordance with this Policy.

POLICY OBJECTIVE:

Warren Shire Council is committed to meeting its responsibilities under the State Records Act 1998 and to implementing best practice for its information management practices and procedures. The purpose of this Policy is to:

- Establish a framework for the implementation of a records management program to ensure Warren Shire Council's records meet operational business needs, accountability requirements and community expectations;
- Ensure the preservation of Council's corporate memory through appropriate record keeping practices; and
- Drive efficiencies through implementing best practice.

POLICY STATEMENT:

Council's records are a unique and vital asset that cannot be easily reconstructed or replaced.

They exist for a variety of administrative, functional, historical and legal reasons. Their existence protects Council's interests and the interests of the community Council serve. The effective management and preservation of Council's records is intrinsic to both the decision-making process and productivity within the organisation.

Records must be created in all instances where there is a need for Council or an individual to be accountable for, and/or provide evidence of decisions made or actions taken.

1. Records Management Program

Under the State Records Act 1998 public offices, such as Warren Shire Council, are required to establish and maintain a records management program in conformity with standards and codes of best practice approved by the State Records Authority.

Warren Shire Councils Records management program will:

- *Ensure that the management of Councils information resources provides timely and comprehensive information to meet operational business needs, accountability requirements and community expectations.*
- *Ensure the preservation of Councils corporate memory through sound recordkeeping practices and the accurate capture of information to meet legal, evidential and accountability requirements.*

WARREN SHIRE COUNCIL

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RECORDS MANAGEMENT POLICY

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2. Responsibility

The State Records Act 1998 requires Council to make and keep full and accurate records as evidence of business activities.

Council is responsible for the protection, safe custody and return of all State Records under its control, ensuring accessibility to all equipment or technology dependant records.

Under the State Records Act (Part 2 Section10) the **General Manager** is responsible for ensuring that Warren Shire Council complies with the regulations and requirements of the Act;

10 Chief executives to ensure compliance with Act

The chief executive of each public office has a duty to ensure that the public office complies with the requirements of this Act and the regulations and that the requirements of this Act and the regulations with respect to State records that the public office is responsible for are complied with.

The Corporate Records Manager is the **Divisional Manager Finance and Administration**. The Corporate Records Manager has the responsibility and authority to set and issue corporate standards, and to monitor and audit compliance with these standards throughout Council.

The Corporate Records Manager is operationally responsible for the efficient management of Council records incorporating sound recordkeeping principles and records management best practice guidelines. They will also will assist staff in fulfilling their recordkeeping responsibilities and provide advice and training on compliance with this Policy and its associated procedures.

All Managers and Supervisors are responsible for ensuring their staff receives training in records management and the use of Council's record management systems. They are also responsible for ensuring appropriate records management facilities are in place for their business functions and that their staff comply with all recordkeeping requirements.

Public sector employees need to be aware of the recordkeeping requirements that affect the performance of their duties.

Council staff have a number of basic obligations regarding records:

- Make records to support the conduct of their business activities;
- Create records that would not otherwise be created, e.g. File Notes;
- Capture records into the corporate record management systems;
- Learn how and where records are kept within Council;
- Do not destroy Council records without authority from the Corporate Records Manager;
- Handle records with care and respect with a view to prolonging their life span;
- Do not alter, damage or lose records;
- Do not remove records from Council buildings without the permission of the Corporate Records Manager;
- Maintain confidentiality of records they have access to; and
- Be aware of records management procedures.

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Councillors/Elected Members

Elected members, too, must display sound recordkeeping practices. In the “good Conduct and Administrative Practice” document prepared by the NSW Ombudsman, the following is recommended:

Agencies are obliged to make and keep full and accurate records of their activities. Public officials should help their agency meet this obligation by creating and maintaining full and accurate records of the work in which they are involved and of the decisions they make, including the reasons for those decisions. They should ensure the routine capture of these records into recordkeeping systems in the course of their duties.

Note: Councillors should follow the same prescribed obligations as Council staff (see above).

3. Records Management Functions

Warren Shire Council operates under a centralised Records management model, where corporate records management activities are carried out by the Corporate Records Manager located within Finance and Administration Services Division.

3.1 Records Management Systems

Warren Shire’s Councils principal recordkeeping system is currently paper based and will eventually be electronic.

In addition, Council operates various specific purpose systems, where records are created and stored. These include, but are not limited to, Practical Plus and other electronic databases.

Records are the property of Warren Shire Council and electronic documents must be stored on Council’s servers only. Information on desktop computers, notebooks, memory keys, external drives or CD/DVD discs is not admissible as a record of Council and is in breach of the State Records Act 1998, Council policies and administrative practices. External and temporary devices are to be used for copies of records stored on Council’s servers only.

3.2 File Creation and Classification

File or container creation within Council’s electronic management system is monitored by the Corporate Records Manager and select staff who have received specialised training. This allows files to be controlled and consistently named within the system.

The application of classification, using Government Authority 39 (GA 39), issued and authorised by NSW State Records, allows the allocation of security and sentencing to records.

3.3 Registration

Inwards correspondence is registered into Access Database after initial appraisal by the relevant Records Officer based on legal, evidential and accountability requirements.

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A unique identifier is assigned to each record and a date and time stamp affixed as it is entered into Access Database. Metadata is captured at the point of registration, with details such as author, version and assignee.

This registration process provides evidence that a record has been created into Access Database and enables the management of the record over time.

3.4 Storage, Access and Security

The system provides a multilevel security facility which can be applied to individual documents, containers or specific classifications.

Security levels based on the organisational structure and individuals log in is applied to control access on a 'read only' or 'edit' level.

Records are available to all authorised staff that requires access to them for business purposes. Access is restricted on the written request of departmental managers based on the protection of personal privacy. Staff access to records is monitored by the Corporate Records Manager.

All access to Warren Shire Council records by members of the public will be at the discretion of the Public Officer and in accordance with the GIPA Act.

Originals of imaged records are retained for a period of 6 months. These are placed in date order in batches and stored in the records storage area of Council. Exceptions to this are originals of imaged records that have been identified as State Records, have a legal or locally significant function or are part of a development application.

Hard copy files are maintained for these records. A report library is also operated. These physical documents replicate records registered into Council's electronic document management system and are maintained by the Corporate Records Manager.

Legal documents and Council Business Papers are stored in the strong room of the Council Administration building. All other physical records, including semi active, inactive and archived files, are located in a secure records environment. All areas used for records storage have controlled access.

Active hard copy files stored within each Department/Division are the responsibility of that Department/Division and may not constitute official Warren Shire Council records.

3.5 Tracking

Warren Shire Council currently uses a manual system to track its active physical files. It is based on the premise of consideration and awareness of the value of records. Into the future Council will implement an Electronic Document Management System.

Physical files are not to be removed from their location for prolonged periods nor are they to be removed from the Council Administration Building without the permission of the Divisional Manager Finance and Administration.

3.6 Monitoring and Maintenance

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RECORDS MANAGEMENT POLICY

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The management of records within Warren Shire Council is constantly monitored. Recordkeeping systems, processes and procedures are regularly reviewed and opportunities for improving effectiveness and/or efficiencies identified.

Regular planning for records management will be undertaken through specific strategic and operational plans, which will be reviewed on a regular basis.

3.7 Disposal

Warren Shire Council records must be protected, maintained, retrievable and usable for their total retention period as outlined by the Government Authority 39 (GA39), and disposed of in accordance with the State Records Act 1998.

Council's records are appraised and sentenced through the application of classification. A retention period and disposal action, determined by GA39, is applied to all classes of activities.

Hard copy documents of short term value which have been scanned and captured into Council's electronic document management system are disposed of in accordance with the Government Authority 28 (GA 28) "General Retention and Disposal Authority – Imaged Records".

Council's method of destruction is secure shredding. This activity is carried out by an independent contractor and the service is requested by the Corporate Records Manager as required.

No records of Council are to be destroyed without the authorisation of the Corporate Records Manager.

4. Definitions:

Record - any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means.

State Records - any record made or kept, or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office...' *Government Information (Public Access) Act 2009*.

5. REVIEW

This Policy should be reviewed every four (4) years or within 12 months following an election of Council. The Policy may be reviewed and amended at any time at Councils discretion (or if legislation changes occur).

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ITEM 1 DISABILITY INCLUSION ACTION PLAN

(P13-1, P15-12)

RECOMMENDATION that:

1. The information be received and noted; and
2. Council adopt the Warren Shire Council Disability Inclusion Action Plan 2025/2026 to 2030/2031.

BACKGROUND

The Disability Inclusion Action Plan 2017/2018 to 2022/2023 was developed through a community consultation and research process. A review of Council documents and Government Policy took place together with a staff survey and community consultation.

The plan was endorsed by Council at its June 2017 meeting and was formally adopted at Council's July 2017 meeting.

PURPOSE

Council's Disability Inclusion Action Plan aims to provide better access to Council information, services and facilities, ensuring people with disabilities can fully participate in our community.

REPORT

The Plan has been reviewed, which involved the following community consultation;

Date	Action
February 2024	Meeting held with residents and carers to discuss disability issues within the Warren Local Government Area.
February 2024	Advertising in Warren Star requesting surveys be completed by the public regarding disability services in Warren Local Government Area.
March 2024	Survey results received and reviewed.

The review also included advertisements placed in the Warren Star Newspaper and social media.

As a result of the community consultation, a meeting was held with residents and carers in addition to the normal consultation process.

The Plan has now been updated inclusive of all of the comments, feedback and the revised strategies and actions, as well as the corresponding Integrated Planning and Reporting Community Strategic Objectives.

FINANCIAL AND RESOURCE IMPLICATIONS

As the Plan integrates accessible design and strategies towards providing better access to services and facilities, the design of infrastructure to include such design features is addressed at the planning stage, therefore any additional costs are incorporated into the project and is included as a legal requirement. This is clearly demonstrated in the Strategies and Actions table with the incorporation of accessible facilities in new and upgraded infrastructure.

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ITEM 1 DISABILITY INCLUSION ACTION PLAN

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LEGAL IMPLICATIONS

The Disability Inclusion Action Plan is a requirement of the NSW Disability Inclusion Act 2014, and was developed to help remove barriers and enable people with a disability to participate fully within in their community.

RISK IMPLICATIONS

The Plan is a legislative requirement.

STAKEHOLDER CONSULTATION

The Plan was placed on public exhibition and surveys were completed in February 2024, as detailed above. All comments and feedback have been incorporated into the revised Plan.

OPTIONS

Council should proceed with the adoption of the revised Disability Inclusion Action Plan.

CONCLUSION

The incorporation of accessible facilities is now included as a standard requirement in the design of new and renovated facilities. The Council should proceed with the adoption of the revised Disability Inclusion Action Plan as it has been revised to include the comments and feedback received from the public and other stakeholders.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 1.1.1 Improve ageing, youth and disability services within the community;
- 1.2.1 Maintain ongoing community engagement to instil a strong collaborative environment with the community;
- 1.2.2 Support and promote community-based lifestyle and social events; and
- 5.1.1 Undertake regular community engagement activities in accordance with the Community Engagement Strategy.

SUPPORTING INFORMATION /ATTACHMENTS

Disability Inclusion Action Plan 2025/2026 – 2030/2031.

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DISABILITY INCLUSION ACTION PLAN

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Warren Shire Council Disability Inclusion Action Plan 2025/2026 to 2030/ 2031



Adopted: 28th August 2025 – Res No: .8.25

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DISABILITY INCLUSION ACTION PLAN

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DISABILITY INCLUSION ACTION PLAN

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Message from Council

Warren Shire Council embraces the inclusion of people with disabilities in all aspects of community life. We are committed to creating a more inclusive and welcoming community for people with disabilities and it is with pleasure that I present the Disability Inclusion Action Plan. The Plan aims to improve conditions for people with a disability who live, work and visit our Shire outlining our commitment to improve the quality of our services, facilities, systems and programs over a 5-year period. The Plan was developed through consultation with the community and outlines the actions we will take to provide more accessible and inclusive services.



Councillor Greg Whiteley
Mayor



General Manager
Gary Woodman

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DISABILITY INCLUSION ACTION PLAN

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1. Background

In August 2014 the NSW Disability Inclusion Act 2014 was passed. This Act requires Council to develop a Disability Inclusion Action Plan to help remove barriers and enable people with a disability to participate fully within in their community. Council's vision is for a strong, sustainable rural centre with a caring community that is building a future together.

Council's Disability Inclusion Action Plan aims to provide better access to Council information, services and facilities, ensuring people with disabilities can fully participate in our community.

This Plan was developed through a community consultation and research process. A review of Council documents and Government policy took place together with a staff survey and community consultation.

The plan was endorsed by Council at its June 2017 meeting and placed on public exhibition.

The Plan was formally adopted at Council's July 2017 meeting.

The Plan was reviewed August 2025.

WARREN SHIRE COUNCIL

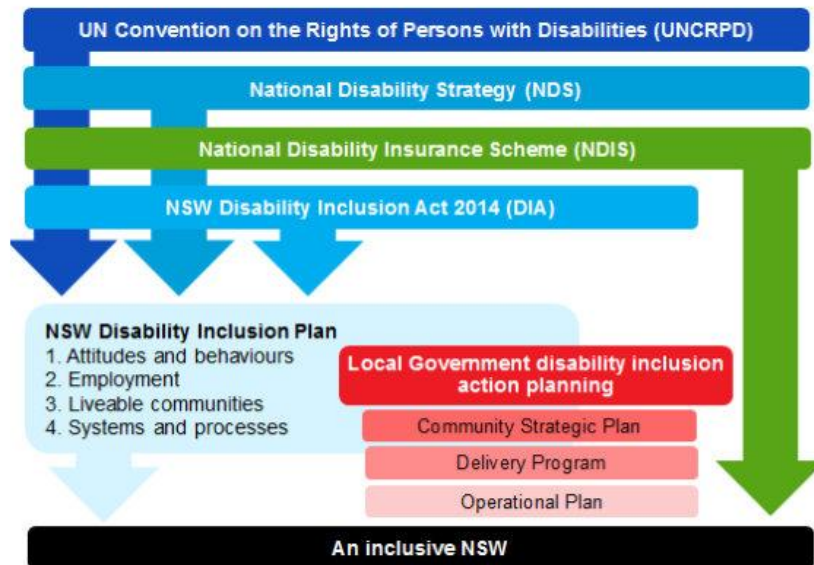
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2. Legislation



International

The United Nations Convention on the Rights of Persons with Disabilities

The United Nations Convention on the Rights of Persons with Disabilities protects the rights of all people with a disability around the world. Australia was one of the first countries to sign the Convention when it was ratified in 2008.

The convention acknowledges that people with disability have the same human rights as those without disability. This commits participating governments to ensure these rights can be exercised and that barriers are removed. The United Nations Convention of the Rights of Persons with Disabilities supports the social model of disability. This recognises that attitudes, practices and structures are disabling and can create barriers to people with disability from enjoying economic participation and social inclusion.

The Convention is guided by the following principles:

- respect for inherent dignity, individual autonomy including the freedom to make one's own choices and independence of persons;
- non-discrimination;
- full and effective participation and inclusion in society;
- respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- equality of opportunity;
- Accessibility;
- equality between men and women;
- respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

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DISABILITY INCLUSION ACTION PLAN

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State

Disability Inclusion Act 2014 (NSW)

The Disability Inclusion Act (2014) acknowledges human rights, promoting the independence and social and economic inclusion of people with disability.

The Act requires NSW government departments, local councils and some other public authorities to develop and implement a Disability Inclusion Action Plan.

The plan must be consistent with the State Disability Inclusion Plan and include strategies to increase access and participation.

Local

Warren Shire Council's Community Strategic Plan "Warren Shire 2035" was created by the community and provides a long-term vision for our Shire. The Community Strategic Plan informs Council's Delivery Program and Operational Plan, which set out Council's role in achieving the community's vision.

Other Council plans and documents relevant to the Disability Inclusion Action Plan include:

- Pedestrian Access Mobility Plan
- Warren Town improvement and promotion committee
- Equal Employment Opportunity Policy
- Community Strategic Plan
- Warren Connection Study

Other Legislation and Standards Warren Shire Council abides by:

- Commonwealth Disability Discrimination Act 1992
- Commonwealth Disability (Access to Premises-Buildings) Standard 2010
- NSW Anti-Discrimination Act 1977
- Local Government Act 1993 and Local Government Regulation 2021

Development of the Disability Inclusion Action Plan is supported by the Warren Shire Council's Community Strategic Plan strategies as follows:

Objective 1.1: Attract and retain community-focused resources

- 1.1.1 Improve ageing, youth and disability services within the community.
- 1.1.6 Recognise and support our wide range of local community groups
- 1.1.7 Improve transport services within the community

Objective 1.2: Engage with the community

- 1.2.1 Maintain ongoing community engagement to instil a strong collaborative environment with the community.
- 1.2.2 Support and promote community-based lifestyle and social events

Objective 1.3 Support young people and encourage their development

- 1.3.1 Support programs and services that support and assist young people in our community
- 1.3.2 Promote to our youth, the facilities and activities that are available to them within the Shire

Objective 3.2: Provide sustainable infrastructure for the community

- 3.2.1 Maintain community assets (swimming pools, library, council buildings, parks, gardens, reserves, cemeteries, aerodrome, stormwater and water and sewer infrastructure) to acceptable community standards

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Objective 3.3 Proactively manage our infrastructure assets

- 3.3.1 Adopt comprehensive and practical asset management plans that support, and are supported by, our long-term financial plans
- 3.3.2 Maintain a well-resourced team of infrastructure staff to ensure that our infrastructure needs are met

Objective 3.4 Revitalise the Warren, Nevertire and Collie streetscapes

- 3.4.1 Continually upgrade streetscapes in Warren, Nevertire and Collie to create attractive places to live and to visit

Objective 5.1: Ensure strong engagement and collaboration with the community

- 5.1.1 Undertake regular community engagement activities in accordance with the Community Engagement Strategy

Objective 5.2: Maintain a financially sustainable Council that provides cost effective services

- 5.2.1 Ensure that this strategic planning framework becomes an integral part of our operating culture
- 5.2.2 Proactively manage known compliance risks

Objective 5.3: Support our people to provide high-quality services to the community

- 5.3.3 Ensure a quality customer service focus by Council staff

Objective 5.4: Collaborate with external parties to capture new opportunities for the community

- 5.4.1 Obtain new development funds from developers to support the provision of improved infrastructure services
- 5.4.2 Lobby the State Government to reduce the amount of cost shifting, from Government to Council, for the provision of community services
- 5.4.3 Actively seek external support (financial and in-kind) from Government, alliance partners, the community and philanthropists to support the provision of new services and amenities for the community

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DISABILITY INCLUSION ACTION PLAN

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3. Snapshot of Warren Shire

The Warren Shire is located in Central Western NSW and covers an area of 10,753 square kilometers. The total estimated population for the Shire as at 2021 is 2,550 (ABS 2021) and the population in Warren is approximately 1,365 (ABS – Census 2021).

Warren Shire includes the town of Warren and the villages of Nevertire and Collie. The main service centre being Warren is situated on the banks of the Macquarie River and is located 120km from the regional centre of Dubbo and 540km from Sydney. The Shire is economically dependent on agriculture, particularly sheep and cattle, grain and irrigation. Aside from those directly employed by the agriculture industry, there are also significant flow-on economic benefits from this industry to other related enterprises.

The first European settlers moved into the area in the early 1830s taking up land, or “squatting” in the surrounding district, and Warren was gazetted as a town in June 1861. Prior to this settlement the sole owners and occupants had been the traditional custodians of the country, the Wawilwan / Weilwan people.



Local Government Area Map

The area covered by the Warren Shire sits at the convergence of the territories of two Aboriginal language groups, the Wiradjuri to the southeast and the Wawilwan/Weilwan to the north and northwest. Prominent features within the landscape usually defined tribal boundaries and an area from within the Barwon River to the north, the Bogan River to the west and the Castlereagh River to the east is regarded as the Wawilwan territory. Smaller local groups of the Wawilwan lived within the region, including the Wajabara who lived near the Barwon River and the Kamwabarai/Kawambarai who lived in the area south of Quambone extending towards the Castlereagh River. Approximately 18% of people in the Warren Shire were identified as being indigenous (ABS – Census 2021).

People who identify with a form of disability within the Local Government Area of Warren represent 6% of the community (ABS – Census 2021).

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DISABILITY INCLUSION ACTION PLAN

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Council Activity

Council works to provide people with disabilities a more comfortable lifestyle in all aspects of community life has been extensive. We are committed to creating a more inclusive and welcoming community for people with disabilities. This is clearly demonstrated with the amount of completed Actions in the *Strategies and Actions* table.

Warren Shire Council has endeavoured to achieve this by;

- Maintenance of Warren's, Nevertire's and Collie's footpaths;
- Identify and Improving Mobility issues through Warren Shire Council's Pedestrian Access Mobility Plan;
- Improving accessibility from the Health, Sporting and Cultural precincts to the CBD of Warren through Warren Connection Study;
- Ensuring all development is consistent with the Commonwealth Disability (Access to Premises-Buildings) Standard 2010;
- Maintain and enhance all shire owned Buildings, Parks and Sporting Fields and Facilities;
- Pursue grant funding for further improvement to Council owned facilities.

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DISABILITY INCLUSION ACTION PLAN

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4. Community Consultation

The table below outlines the consultation process;

Date	Action
February 2024	Meeting held with residents and carers to discuss disability issues within the Warren Local Government Area.
February 2024	Advertising in Warren Star requesting surveys be completed by the public regarding disability services in Warren Local Government Area.
March 2024	Survey results received and reviewed.

Issues Raised by Community Consultation

CBD Dubbo Street and Burton Street

It is important that all people can move about easily to access facilities and services in the communities of Warren, Nevertire and Collie.

Lack of access into certain businesses in the CBD for mobility aid users was also raised as an issue. This has been to be addressed by ensuring when new development of existing businesses occurs, compliance under the relevant planning and building legislation to upgrade the access infrastructure, is enforced.

The condition and suitability of Council's footpaths were a consistent concern highlighted by carers, and the lack of tactile indicators making it difficult for those with low vision and/or blindness to easily travel independently.

Services and Events

The lack of services including the provision of information where it can be easily seen and when the information is accessible, was a consistent concern from the surveys. Community events within the Local Government area were also a concern of carers, and the provision of suitable services for those with a disability including employment opportunities and public transport. It should be noted that the provision of disability services is not a core function of Council but rather that Council supports those existing service providers through the Warren Support Services Interagency group.

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DISABILITY INCLUSION ACTION PLAN

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5. Strategies and Actions

Attitudes and Behaviours

Strategy	Action	Key Perform Indicator	Responsibility	Timing	Integrated Planning Reference
Develop and Facilitate Disability awareness training for staff other than induction training	Develop and Facilitate Disability awareness training for staff	A greater understanding of disability issues faced by co-workers and community members (Data)	Warren Shire Council	Short Term (1-2 years)	Objective 1.1.1 & 5.3.3
Promote disability parking permit eligibility criteria	Educate public on disability parking eligibility through an education program	Increased enquiries and applications for disability parking permits (data)	Warren Shire Council	Short Term (1-2 years)	Objective 1.1.1 & 5.3.3

Liveable Communities

Strategy	Action	Key Perform Indicator	Responsibility	Timing	Integrated Planning Reference
*Create a more accessible and inclusive community	Install greater numbers of seating in Warren CBD.	Completed Installation of seating	Warren Shire Council	Short Term (1-2 Years)	Objective 1.1.1 & 3.2.1 Complete
*Create a more accessible and inclusive community	Install backrests on seating in Council parks and sporting fields	Completed Installation of backrests on seating	Warren Shire Council	Short Term (1-2 Years)	Objective 3.2.1 Complete
*Create a more accessible and inclusive community	Install handrails on Burton Street entrance to Macquarie Park	Completed installation of handrails	Warren Shire Council	Short Term (1-2 Years)	Objective 3.2.1 Complete
*Create a more accessible and inclusive community	Install disabled parking space at Burton Street entrance of Macquarie Park	Completed installation of disabled parking space	Warren Shire Council	Short Term (1-2 Years)	Objective 3.4.1 Complete (car park within Macquarie Park)

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DISABILITY INCLUSION ACTION PLAN

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Liveable Communities

Continued

Strategy	Action	Key Perform Indicator	Responsibility	Timing	Integrated Planning Reference
*Create a more accessible and inclusive community	Re-paint disabled parking spot outside Warren town library	Completed painting of library disabled parking space	Warren Shire Council	Short Term (1-2 Years)	Objective 3.2.1 Complete
*Create a more accessible and inclusive community	Install disabled parking spaces at Warren Sporting and cultural centre	Completed installation of disabled parking spaces	Warren Shire Council	Short Term (1-2 Years)	Objective 3.2.1 Complete
*Create a more accessible and inclusive community	Installation of disabled toilets on second level of Warren sporting and cultural centre	Completed installation of disabled toilets	Warren Shire Council	Long Term (4- 5 Years)	Objective 3.2.1 Complete
*Create a more accessible and inclusive community	Upgrade existing disabled toilets at Warren war memorial swimming pool	Completed upgrade of disabled toilets	Warren Shire Council	Medium Term (3- 4 Years)	Objective 3.2.1 Complete
*Create a more accessible and inclusive community	Installation of disabled toilets in the George Faulkner top bar at Warren racecourse	Completed installation of disabled toilets	Warren Shire Council	Long Term (4-5 Years)	Objective 3.2.1 Complete
*Create a more accessible and inclusive community	Upgrade Warren Shire Chambers	Completion of upgraded Warren Shire Council Chambers	Warren Shire Council	Long Term (4-5 Years)	Objective 3.2.1 Complete
Create a more accessible and inclusive community	Actively improve the condition of Council's footpaths as per Council's Footpath Policy	Improvements made to Council Footpaths	Warren Shire Council	Short Term (1-2 Years)	Objective 3.2.1 & 3.4.1
Create a more accessible and inclusive community	Advocate for an improved public transport service	Advocation of an improved public transport service	Warren Shire Council	Long Term (4-5 Years)	Objective 1.1.1 & 1.1.7

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DISABILITY INCLUSION ACTION PLAN

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Employment

Strategy	Action	Key Perform Indicator	Responsibility	Timing	Integrated Planning Reference
Create a more inclusive working environment for disabled employees	Establish flexible work practices	Increase requests for flexible work arrangements due to individual's circumstances (Data)	Warren Shire Council	Short Term (1-2 Years)	Objective 1.1.1 & 1.3.1
Create a more inclusive working environment for disabled employees	Review Council recruitment processes including application forms and language used to reflect commitment to diversity and inclusion.	Increase in numbers of enquires and applications of disabled job seekers (Data)	Warren Shire Council	Short Term (1-2 Years)	Objective 1.1.1 & 1.3.1
Create a more inclusive working environment for disabled employees	Issue and collect staff surveys to gauge workforces' perception on Council's disabilities inclusion strategies	Increased response and satisfaction rate with Disability inclusion reflected in survey (Data)	Warren Shire Council	Medium Term (3- 4 Years)	Objective 1.2.1 & 5.1.1

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DISABILITY INCLUSION ACTION PLAN

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Service Systems and Processes

Strategy	Action	Key Perform Indicator	Responsibility	Timing	Integrated Planning Reference
Improve Council planning and operations regarding disability issues	Ensure Council website is compliant with disability standards	Completion of upgrade of Council website to disability standards	Warren Shire Council	Medium term (3-4 years)	Objective 5.2.2 & 5.3.3
Improve Council planning and operations regarding disability issues	Develop and utilise Disability Reference group regarding Council developments	Greater community group input to planning issues regarding Council development (Data)	Warren Shire Council and Community Groups	Short Term (1-2 Years)	Objective 1.2.1 & 5.1.1
Improve Council planning and operations regarding disability issues	Enrol Development staff in appropriate access training.	Greater staff knowledge on access and disability issues. (Skillset)	Warren Shire Council	Short Term (1-2 Years)	Objective 5.2.1 & 5.2.2
Improve Council planning and operations regarding disability issues	Create a more inclusive community event for disabled attendees	Greater staff knowledge on access and disability issues. (Skillset)	Warren Shire Council	Short Term (1-2 Years)	Objective 5.2.1 & 5.2.2

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DISABILITY INCLUSION ACTION PLAN

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6. Monitoring and Evaluation

Monitoring

Responsibility for the implementation of the Disability Inclusion Action Plan strategies is inclusive of monitoring and evaluation of prescribed time frames. The DIAP is designed to complement the Warren Shire Council's Delivery Program. Strategies and targets set out in the DIAP will be incorporated within Council's Delivery program and within Council's annual operational plans.

Annual evaluation of the DIAP will include:

- Assessment of success of implementation to date;
- Modification of strategies where required to achieve DIAP goals;
- Annual report to Councillors and General Manager;
- Annual reports to be made available at Warren Shire Council administrative building, library and Council website

Review Process

An annual review process will be conducted in order to:

- Gauge the effectiveness of the DIAP by internal and external stakeholders through consultation
- Continue public awareness of the DIAP
- Review of staff training
- Updating resources and references

Five yearly reviews

The DIAP is a five-year plan. In addition to the annual review process, a five yearly review should include:

- Review and evaluation of the completed DIAP
- Adoption and publication of an updated DIAP.

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7. References

- Australian Bureau of Statistics www.abs.gov.au
- Disability Inclusion Act 2014 – Factsheet
- Disability Inclusion Act 2014 (NSW) – www.adhc.nsw.gov.au
- Human Rights Commission – www.humanrights.gov.au
- Missed Business Guide – Prepared by Marrickville Council
- National Disability Insurance Scheme – www.ndis.gov.au
- National Disability Strategy 2010-2020 – www.dss.gov.au
- Ombudsman NSW – www.ombo.nsw.gov.au
- PHIDU – Public Health Information Development Unit – Torrens University
- Public Health Information Development Unit – Torrens University Australia – www.phidu.torrens.edu.au
- Roads and Maritime Services website – www.rms.nsw.gov.au

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ITEM 1 OUTSTANDING REPORTS CHECKLIST (C14-7.4)

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
General Manager				
25.2.21	41.2.21	Mobile and Internet Coverage in Nevertire	GM	Report provided by SatPty confirming black spots within Warren Local Government Area. Report included in the submission to the Federal Government Mobile Black Spot Program Round 8 – now waiting on advice from the Commonwealth Government.
25.1.23	12.1.23	Affordable Housing Opportunity – Housing Plus	GM/ DMES	Negotiations continuing to finalise the required agreement with Housing Plus for the eventual sale of all or most of the nine (9) vacant land lots in Gunningba Estate for a maximum five (5) year period. Waiting on a 'Rural' or 'Remote' Round of funding from Housing Australia before considering going forward. Council blocks will be put on the market in the near future.
25.5.23	118.5.23	Destination Macquarie Marshes Taskforce	GM/ EDVM	That within 12 months and, after the Taskforce's short and long term goals and Destination Macquarie Marshes Action Plan, Macquarie Marshes Promotions Strategy and Stakeholder Engagement Strategy are formulated, other organisations/ community representatives be invited to be members of the Taskforce.

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General Manager				
				Work on refining the draft document is ongoing. The Economic Development and Visitation Manager is currently refining chosen logo designs and will provide updated logo designs and draft brochure format to the next meeting of the Destination Macquarie Marshes Taskforce. Development continuing.
7.12.23	293.12.23	Destination Macquarie Marshes Taskforce Meeting 7th June 2023	GM/ EDVM	1. That grant funding opportunities to improve signage in the Macquarie Marshes be investigated - ongoing. 2. That neighbouring Councils to the Macquarie Marshes be requested to consider funding grant applications for appropriate signage to the Macquarie Marshes. Ongoing pending future meeting discussion.
7.12.23	301.12.23	Internal Auditor – Human Resources Review – June 2021	GM	The priorities as listed in the recommendation be actioned and progressed.
24.4.24	87.4.24	Warren Shire Council Customer Service Ethos Policy	GM	The Draft Customer Service Ethos Policy be redeveloped to solely consider Ethos and a separate Policy be developed to cover Customer Service. To be provided to the

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General Manager				
				September 2025 Council Meeting.
23.5.24	114.5.24	Regional Industry Educational Partnership (RIEP)	GM / EDVM	<p>A new Careers Advisor has now been appointed for the Warren Central School. The Economic Development and Visitation Manager is to meet with the newly appointed staff member in the near future to discuss various matters including the REIP Program, possible apprenticeship and trainee opportunities and the possibility of school based traineeships etc in the future. A report on the meeting will be provided.</p> <p>The Department of Education Senior Project Officer responsible for the pilot program has now returned from maternity leave.</p> <p>A teams meeting was held between the Economic Development and Visitation Manager, Department of Education Senior Project Officer and the Business Development Manager of DPIRD on Wednesday, 6th August, 2025 to progress the re-commencement of the program. First step will be a meeting with representatives of the School to discuss the program followed by an</p>

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General Manager				
				in-school talk by the Economic Development and Visitation Manager and current trainees and apprentices at Council to create renewed interest in the program. The re-ignited program could be a feeder, into the recruitment of Round 3 positions for the OLG Fresh Start for Apprentices, Trainees and Cadets grant program.
27.6.24	147.6.24	Legislative Compliance Policy and Procedure and Legislative Compliance Register	GM	1. Actions to be taken on how non-compliance is managed to ensure that matters are not repeated and that appropriate high level risk assessments are undertaken and documented and that implementation of actions to reduce risk are arranged – in progress.
*27.3.25	59.3.25	ARIC Committee Major Project Risk Profiles	IPM	A summary report identifying risk on all major projects undertaken by Council presented to the September 2025 ARIC Meeting. Risk Profiles are being prepared for all major projects as part of the Project Risk Assessment Mitigation measures identified to be monitored and reporting on an ongoing basis.
27.3.25	69.3.25	Drought Resilience Plan Project	GM	1. A governance framework around a tri-

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General Manager				
				party (Bogan, Coonamble, and Warren) arrangement be established and the three Councils form a Project Steering Committee for a Regional Drought Resilience tourism project – in progress with first meeting of the Steering Committee undertaken on 11th July 2025.
*26.6.25	196.6.25	ARIC Committee Strategic Internal Audit Plan (Annual and 4 Year and Review)	GM	1. The General Manager provide to the next meeting of the Committee a populated four (4) year ARIC Strategic Work Plan if possible, using the same format as the Committee Agenda and Annual Work Plan reported to the September 2025 ARIC Meeting.
*26.6.25	196.6.25	ARIC Committee Strategic Internal Audit Plan (Annual and 4 Year and Review)	GM	1. The General Manager prepare a report on the feasibility of undertaking eight (8) Internal Audits in 2025/2026 reported to the September 2025 ARIC Meeting.
*26.6.25	196.6.2	ARIC Committee Major Projects Risk Profiles	GM	The monitoring and control procedures and their success be reported to the September 2025 ARIC Meeting.
*24.7.25	230.7.25	Manex Committee Human Resources	GM	That Probationary Periods contained within the report for example positions (Level 1,2,3 & 4)

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General Manager				
				have a six (6) month probationary period as they are of such a nature and circumstances of employment requiring longer Probationary Periods due to high levels of responsibility, technical requirements, budget supervision and\or contact with higher levels within the organisation and Councillors, with all other positions having a three (3) month probationary period as per legislation - noted.
24.7.25	235.7.25	Review of Modern Slavery Policy and Modern Slavery Risk Management Plan	GM	<ol style="list-style-type: none"> 1. The Draft Modern Slavery Policy and Modern Slavery Risk Management Plan has been placed on public exhibition for a period of not less than 28 days; and 2. Subject to no adverse submissions being received, the Modern Slavery Policy and Modern Slavery Risk Management Plan as amended be adopted.
*24.7.25	236.7.25	Review of Procurement and Disposal Policy	GM	That the reviewed Procurement and Disposal Policy, as amended has been adopted.
*24.7.25	237.7.25	Review of Public Art: Design and Commissioning Policy	GM	That the reviewed Public Art: Design and Commissioning Policy, as amended has been adopted.

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General Manager				
*24.7.25	238.7.25	Review of Risk Management Policy, Warren Shire Risk Management Plan and Warren Shire Corporate Risk Register	GM	That the reviewed Warren Shire Council Risk Management Policy, Warren Shire Council Risk Management Plan and Warren Shire Council Corporate Risk Register, as amended has been adopted.
*24.7.25	239.7.25	Review of Fraud and Corruption Policy	GM	That the reviewed Fraud and Corruption Policy and Fraud and Corruption Framework, as amended has been adopted.
*24.7.25	240.7.25	Review of Work Health and Safety Policy	GM	That the reviewed Work Health and Safety Policy, as amended has been adopted.
24.7.25	241.7.25	Review of Festivals and Events Policy	GM	1. The Draft Festivals and Events Policy has been placed on public exhibition for a period of not less than 28 days; and 2. Subject to no adverse submissions being received, the Festivals and Events Policy as amended be adopted.
*24.7.25	242.7.25	Review of Statement of Business Ethics Policy	GM	That the reviewed Statement of Business Ethics Policy, as amended has been adopted.
*24.7.25	243.7.25	Review of Work Health and Safety Committee Constitution	GM	That the reviewed Work Health and Safety Committee Constitution, as amended has been adopted.

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Divisional Manager Finance and Administration				
7.12.23	301.12.23	Internal Auditor – Media Communications Review – June 2023	DMFA	The following priority and action be progressed: - A new electronic document management system to be purchased and implemented. Licence Agreement has been signed and project is expected to be complete by December 2025 – progressing.
7.12.23	301.12.23	Internal Auditor – Fraud Control Review – June, July 2023	DMFA	The following priorities and actions be progressed: - Online Fraud training to relevant staff – Pending.
27.6.24	147.6.24	Notice of Public Exhibition – Fraud and Corruption Policy and Framework	DMFA	An Implementation Action Plan being developed.
5.12.24	287.12.24	Promoting Better Practice Review	DMFA/ GM	1. Arrangements be made to review the Business Continuity Plan as soon as practical and update it where required – in progress; and 2. Arrangements be made to review the Records Management Policy in line with the legislative changes in December 2022 and that the requirements of the new statutory regime be applied to record keeping and disposal within Warren Shire Council -In progress.
*5.12.24	288.12.24	Policy Status and Review Update (Policy Register)	DMFA/ GM	Policy Review Plan developed and being implemented for the renewal of policies by October 2025.
27.3.25	59.3.25	ARIC Committee Risk Management Framework Review	GM/ DMFA	That a report that includes the direction and purpose be

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Divisional Manager Finance and Administration				
				provided on the review of the Policy – in progress.
27.3.25	59.3.25	ARIC Committee Service NSW Service Provision	DMFA	That a further report describing the results of the Service NSW Review including Council's costs of providing the service, and the community's expectations, be provided to the next ARIC Meeting – Service Review Report expected to be provided to the 2 September 2025 ARIC Meeting – in progress.
26.6.25	196.6.25	ARIC Committee Asset Management/ Valuations	DMFA	Council's actions to develop and implement an ICT Strategic Plan be reported to a future ARIC Meeting - pending
*24.7.25	231.7.25	Australia Day Committee Australia Day Nominee Eligibility And Selection Criteria Review	DMFA	<p>That the Australia Day Award eligibility and selection criteria framework amended as follows:</p> <p>Citizen of the Year</p> <ul style="list-style-type: none"> - The Citizen of the Year is a person over the age of 25 years old who has made an outstanding contribution to the Warren Community during the year; <p>Young Citizen of the Year</p> <ul style="list-style-type: none"> - The Young Citizen of the Year is a person under the age of 25 years old who has made an outstanding contribution to the Warren Community during the year; <p>Community Service</p> <ul style="list-style-type: none"> - Community Service would be a person, group or organisation that has

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Divisional Manager Finance and Administration				
				<p>made a considerable contribution to the Warren Community over a period of years;</p> <p>Sportsperson or Sporting Organisation of the Year</p> <ul style="list-style-type: none">- Sportsperson or Sporting Organisation of the Year should be over 18 years of age and does not necessarily have to be a sportsperson or sporting organisation themselves but may be somebody who has contributed in some way to a particular sport or sports. This award is open to sportspersons, volunteers, teams or sporting organisations; <p>Young Sportsperson or Team of the Year</p> <ul style="list-style-type: none">- Young Sportsperson or Sporting Organisation of the Year should be under 18 years of age and does not necessarily have to be a sportsperson or sporting organisation themselves but may be somebody who has contributed in some way to a particular sport or sports. This award is open to sportspersons, volunteers, teams or sporting organisations; <p>Community Event of the Year</p> <ul style="list-style-type: none">- Community Event of the Year recognises a successful Community Event or Project that

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Divisional Manager Finance and Administration				
				<p>benefits or promotes the Warren Community;</p> <p>Young Achiever of the Year</p> <ul style="list-style-type: none"> - The Young Achiever Award is to acknowledge, encourage and most importantly promote the positive achievements of all young people throughout Warren Shire under the age of 25 years old; and <p>Business House of the Year</p> <ul style="list-style-type: none"> - The Business House of the Year Award recognises outstanding businesses and individuals in the Warren Shire.
24.7.25	244.7.25	Library – Internet Access Policy	DMFA	<ol style="list-style-type: none"> 1. The Draft Library – Internet Access Policy has been placed on public exhibition for a period of not less than 28 days; and 2. Subject to no adverse submissions being received, the Library – Internet Access Policy as amended be adopted.
24.7.25	245.7.25	Library – Children and Young Person Policy	DMFA	<ol style="list-style-type: none"> 1. The Draft Library – Children and Young Person Policy has been placed on public exhibition for a period of not less than 28 days; and 2. Subject to no adverse submissions being received, the Library – Children and Young Policy as amended be adopted.

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Divisional Manager Engineering Services				
6.12.18	284.12.18	Amendments to the Boundaries of Lot 79 & 80 DP 724585 Wambianna Street, Collie to provide for the existing Collie Hotel accommodation units	DMES	Survey completed. This project is currently on hold until further discussions are held with the new Hotel owners.
27.6.19 3.12.20	129.6.19 256.12.20	Warren Levee Rehabilitation (total project - \$7.1M)	DMES/ IPM/TSM	Contract awarded for Levee Rehabilitation works on 15 May 2025. Rocks at Saleyards being sorted currently. Works on the Levee Rehabilitation commenced on the 17 June 2025. Works on Toe Berm with Type 2 Rocks progressing. All new levee flood gates installed, yet to be tested.
22.7.21	148.7.21	Warren CBD Upgrade Stage 2	DMES	Seek necessary grants for this extensive 10 year project – ongoing. Commonwealth Government Grant Program Application re-submitted.
26.10.23	270.10.23	Warren CBD Upgrade – Land Acquisition	DMES/ GM	Further investigations be undertaken and reported on in regard the estimated cost of any proposed private land purchases, what could be developed and the estimated costs of the proposed use - in progress.
7.12.23	304.12.23	Proposed National Polocrosse Titles Warren 2028 – Presentation by Phil Waterford and Simon Turnbull	DMES/ TSM/GM/ EDVM	1. Council form a Sub-Committee consisting of the relevant Councillors from the Showground/ Racecourse Committee, Council Staff, General Manager, Town Services Manager, Divisional Manager Engineering Services, Economic Development and

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Divisional Manager Engineering Services				
				<p>Visitation Manager, all Showground/ Racecourse User Groups, Regional Polocrosse Representatives (future), Phil Waterford, Simon Turnbull to determine whether the proposal could and should be progressed; and</p> <p>2. A Planning Group consisting of Phil Waterford, Simon Turnbull, Warren Polocrosse Club, Holly Turnbull and Katlyn Turnbull be formed for presentation to the Sub-Committee on the framework of the proposal and the required business case to undertake the proposed event.</p> <p>EDVM will contact the Polocrosse President with regards to business plan progress.</p> <p>The Economic Development and Visitation Manager has attempted to contact (via email) representatives from Warren Polocrosse for an update on their progress or need for assistance. No replies have been received.</p>
28.3.24	60.3.24	Warren Shire Council Integrated Water Cycle Management (IWCM) Strategy Document	DMES / TSM	NSW Public Works Advisory has commenced the assignment. Progressing.
23.5.24	143.5.24	Upgrade of Thornton Avenue Sewerage Pumping Station – Warren NSW	DMES / TSM	Works will be carried out in house and by local contractors. Works to be carried out in 2025/2026.

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Divisional Manager Engineering Services				
27.6.24	146.6.24	Airport Operational Manual Update	DMES/ TSM	Manual has been resubmitted to CASA in July 2025.
25.7.24	183.7.24	Closed Circuit Television (CCTV) And Workplace Surveillance	DMES/ TSM	*The letter of Valuation has been executed with a new end date of 31 December 2025. SIMTEC are working through installation issues. A revised Scope of Works and pricing is being developed. The Waste Depot now have a functional CCTV camera.
24.10.24	283.10.24	Sewer Main Condition Assessment (CCTV) and Smoke/Dye Testing	DMES/ TSM	*Works commenced mid-January 2025. Awaiting final report on identified issues. Progressing. Contractor has finished. Council to review details.
5.12.24	291.12.24	Proposed Traffic Alterations on Bundemar Street	DMES	That subject to NSW Police Force concurrence: 1. A section of the centre median in Bundemar Street be removed from the existing intersection with the Oxley Highway, Burton Street, to a point level with or just east of the access serving the business premises of Tyreright thus allowing for improved and safer ingress/egress to Tyreright, for AB-Triple Vehicles; and 2. The removed section island to be converted into a painted island; 3. The NO STOPPING restriction be extended by 30m along Bundemar Street on the northeastern side of the intersection; and

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Divisional Manager Engineering Services				
				<p>4. Council apply for the designation of the Bundemar Street route to Tyreright as a heavy vehicle route to accommodate AB-Triple Vehicles.</p> <p>Work to be programmed after completion of major works on RR333 and RR202.</p>
23.1.25	7.1.25	Water Supply in Collie Village	DMES/ TSM	That a master plan be developed for improvement of water supply in Collie Village. This would be considered in the IWCM.
23.1.23	23.1.25	Proposed Land Acquisition – Lot 128 DP 755314 & Lot 313 DP 724603	DMES	<p>1. Authorises acquisition of approximately 10,000 square metres and 7,000 square metres portions of land through Lot 313 DP 724603 and Lot 128 DP 755314 respectively, as depicted on Figure 2 of the 23rd January 2025 Divisional Manager Engineering Services report to Council, Item 4 – in progress.</p> <p>2. Authorises the General Manager and Divisional Manager Engineering Services to obtain a Planning Certificate under Section 10.7(2) of the Environmental Planning and Assessment Act 1997 – in progress.</p> <p>3. Authorises the General Manager and Divisional Manager Engineering Services to enter negotiations with the owners of the land within</p>

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Divisional Manager Engineering Services				
				<p>provisions of the NSW Roads Act 1993, and the Land Acquisition (Just Terms Compensation) Act 1991, with a view of acquiring the portions for an agreed monetary compensation – in progress.</p> <p>4. That a plan of subdivision be registered, and if required, a notice be published in the Government Gazette dedicating the acquired land as a public road – in progress.</p> <p>*Topographical survey has been completed.</p> <p>Cadastral survey is ongoing.</p>
26.6.25	201.6.25	Airport Operations Committee Warren Aerodrome – Certification and Operational Implications	DMES/TSM	<p>That a further report be provided to the Committee on this issue that provides:</p> <p>1. Advice from CASA confirming that Warren Shire Council Airport has never been certified;</p> <p><i>Warren Aerodrome has only previously been Registered in 2020, the Law changed requiring Aerodromes to be either Certified or Uncertified.</i></p> <p>2. Confirmation that Warren Shire can continue to operate as an uncertified aerodrome under MOS 139 and Council Policies and Procedures;</p> <p><i>CASA have confirmed that Council could operate Uncertified utilising parts</i></p>

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Divisional Manager Engineering Services				
				<p><i>of MOS139 and Council Procedures.</i></p> <p>3. The certification status of our neighbouring airports; <i>Nyngan, Coonamble, Cobar and Narromine are all currently certified Aerodromes.</i></p> <p>4. Advice that all current users can still continue operations at the Warren Airport if it remains uncertified; and <i>CASA have confirmed all current Users could still operate from the Aerodrome if it was uncertified.</i></p> <p>5. Advice from Operations Staff of the RFDS providing details of their operational requirements regarding nighttime flying and if they require instrument approaches. <i>The RFDS would prefer to have an instrument approach at Warren, however there is no intention to restrict aircraft from utilising Uncertified Aerodromes.</i></p> <p><i>The Draft Aerodrome Manual is currently being reviewed by CASA. Once endorsed by CASA, the Aerodrome can be Certified.</i></p> <p>All in progress.</p>
*26.6.25	204.6.25	Policy Review of Assets Management	DMES	1. The Assets Management Policy detailed within the report, has been placed on

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Divisional Manager Engineering Services				
				public exhibition for a minimum of 28 days - complete; and 2. No adverse submissions were received and the Assets Management Policy as amended has been adopted.
*26.6.25	205.6.25	Review of Assets Management Strategy	DMES	1. The Assets Management Strategy detailed within the report, has been placed on public exhibition for a minimum of 28 days – complete; and 2. No adverse submissions were received and the Assets Management Strategy as amended has been adopted.
*24.7.25	229.7.25	Roads Committee Incident Response Plan	DMES	That Council approves the proposed alternate routes as detailed in the report on the basis that damage on Councils local road network in an emergency incident is covered by the NSW Government Emergency Response – advice provided.
24.7.25	229.7.25	Roads Committee Stock Grids and Public Gates Policy		1. Council requests permission from the Murray's to enter their property to allow a full investigation of the practicality and cost of watering of the northern paddock of the Murray's property – in progress; 2. If permission of the Murray's is granted Council undertakes an investigation of the

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Divisional Manager Engineering Services				
				<p>practicality and cost of watering (required pipeline, tank(s), trough and pumping system with floats) of the northern paddock of the Murray's with the Roads Committee reconvening to make a final determination on the SR90 Inglewood Road public gate issue – in progress;</p> <p>3. *Section 5 (b) v of the Draft Stock Grids and Public Gates Policy be amended to "New gates that are not associated with stock grids are not permitted on formed public roads. Existing public gates are excepted but may be removed by the revocation of the public gate permit if required as per the Roads Act"; and</p> <p>4. *The amended Draft Stock Grids and Public Gates Policy has been adopted by Council.</p>
*24.7.25	246.7.25	Review of Council Inspection, Evaluation and Maintenance of Paved Footpaths and Cycleways Policy	DMES	That the Council's Inspection, Evaluation & Maintenance of Paved Footpaths and Cycleways Procedure Policy has been adopted, with minor amendments.
*24.7.25	247.7.25	Review of Liquid Trade Waste Discharge to the Sewerage System Policy	DMES	That the Liquid Trade Waste Discharge to the Sewerage System Policy has been adopted, with minor amendments.

WARREN SHIRE COUNCIL

Report of the General Manager
to the Ordinary Meeting of Council to be held in the
Council Community Room, Warren on Thursday, 28th August 2025

ITEM 1

OUTSTANDING REPORTS CHECKLIST

CONTINUED

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
Manager Health and Development Services				
27.2.20	36.2.20	Draft Plans of Management	MHD	<ol style="list-style-type: none"> 1. Categories assigned as detailed in report; 2. Crown Reserves classified identified as operational land; and 3. Draft Plans of Management nearing completion.
24.2.22	74.2.22	Deacon Drive Homes Status and Progress Matters	MHD	<p>Matter progressing in the District Court with required affidavits.</p> <p>Council authorises the Mayor, the General Manager, and the Manager Health and Development Services to formulate settlement terms if required.</p> <p>Adjourned, new date to be advised (September – November 2025 expected)</p> <p>Defence expert reports received by Solicitor.</p> <p>Meeting held 6 August 2025 with Barrister and Solicitor, Mediation set for 1 September 2025. District Court date 13-17 October 2025.</p>
*25.8.22	211.8.22	CCTV Options at the Ewenmar Waste Facility	MHD/ TSM	A CCTV camera has been installed, unfortunately not on the same system as town, but accessible to authorised staff via phone or computer.
7.12.23	301.12.23	Internal Auditor – Waste Control Review – November 2022 – February 2023	MHD	<p>The following priority and action be progressed:</p> <ul style="list-style-type: none"> - An overarching Operational Plan be developed to include risk assessments, procedures, control measures and future strategic actions – in progress and initial

WARREN SHIRE COUNCIL

Report of the General Manager
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ITEM 1

OUTSTANDING REPORTS CHECKLIST

CONTINUED

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
Manager Health and Development Services				
				commencement 22 August 2024.
24.4.23	83.4.24	Ewenmar Waste Depot Recycling Options	MHD	<ol style="list-style-type: none"> 1. The Manager Health and Development Services to investigate the feasibility of implementing a return and earn facility and other recycling services in conjunction with NetWaste, on a regional basis and other organisations – in progress; and 2. Council re-assesses the community's satisfaction with recycling services in 2 years' time (for 2026/2027 Estimates).
5.12.24	290.12.24	Carter Oval Youth Sports Precinct Usage Tracking and Analysis	MHD	All user groups of the Carter Oval Youth Sports Precinct be requested to implement measures to record facility usage over the next two years to ensure Council is able to report in accordance with grant conditions on usage of the new facilities – in progress.
5.12.24	331.12.24	Planning Proposal – LEP Review	MHD	<p>Finalisation before or on 4 March 2026.</p> <p>Was placed on Public exhibition from 25th June 2025 to 17th July 2025.</p> <p>One submission received. Report expected to the September 2025 Council Meeting.</p>

RECOMMENDATION:

That the information be received and noted and that the items marked with an asterisk (*) be deleted.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
Council Community Room, Warren on Thursday, 28th August 2025

ITEM 2 COMMITTEE/DELEGATES MEETINGS

(C14-2)

The following is a listing of various committee/delegates meetings of Council since the last meeting.

MEETINGS HELD

Date	Committee / Meeting	Location
25.7.2025	Alliance Western Councils Board Meeting	Gilgandra
29-30.7.2025	Ministers Meetings - Roads Grants	Canberra
30.7.2025	Member for Parkes, Jamie Chaffey's Maiden Speech	Canberra
4.8.2025	Water and Sewer Committee Meeting	Warren
5.8.2025	Plant Committee Meeting	Warren
6.8.2025	Economic Development & Promotions Committee Meeting	Warren
7.8.2025	Country Mayors Association Biodiversity Offsets and Waste Workshop	Dubbo
8.8.2025	Country Mayors Association General Meeting	Dubbo
11.8.2025	Interagency Committee Meeting	Warren
12.8.2025	Local Emergency Management Committee Meeting	Warren
13.8.2025	Disaster Adaptation Plan Guidelines - Launch and Stakeholder Briefing Event	Online
13.8.2025	Muse State Monthly Media and Communications Meeting	Online
13.8.2025	LGEA Delegates Meeting	Online
14.8.2025	IPWEA Road Safety Panel Meeting	Online
18.8.2025	Murray Darling Association Region 10 Ordinary Meeting	Online
19.8.2025	Manex Committee Meeting	Warren
19.8.2025	Transport for NSW Peer Exchange Group (PEG) Meeting	Bourke
19.8.2025	IPWEA Roads and Transport Directorate Committee of Management Meeting	Online
22.8.2025	LGEA Committee of Management Meeting	Online
22.8.2025	IPWEA Asset Management Panel Meeting	Online
25-27.8.25	IPW Conference 2025	Sydney

WARREN SHIRE COUNCIL
Report of the General Manager
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ITEM 2 COMMITTEE/DELEGATES MEETINGS

CONTINUED

FUTURE MEETINGS NOT ON MEETING SCHEDULE

DATE	COMMITTEE / MEETING	LOCATION
29.8.2025	Citizenship Ceremony	Warren
29.8.2025	Erica Tudor, NBN Local Western NSW	Warren
3.9.2025	North West Bush Fire Management Committee Meeting	Coonamble
21.10.25	Murray Darling Basin Authority Roundtable	Narromine

RECOMMENDATION:

That the information be received and noted.

WARREN SHIRE COUNCIL

Report of the General Manager to the Ordinary Meeting of Council to be held at Council Community Room, Warren on Thursday, 28th August 2025

ITEM 3 WORKS PROGRESS REPORTS – INFRASTRUCTURE PROJECTS

(C14-7.2, G4-1)

RECOMMENDATION:

That the information be received and noted.

The following are details of Infrastructure Projects and Grant Applications that are being managed by the Executive Office including the Infrastructure Projects Manager for the period 9th July 2025 to 13th August 2025:

Project	Budget	Expenditure/ Committed	Resp	Comment
General				
Restart NSW Warren (STP) Upgrade JC 220-3-0	92,000	Nil	TSM	Rehabilitation program for Old Sewerage Treatment Plant and bore installation being formulated but will be delayed until evaporation pond construction is complete. Project moved to 2025/2026.
NSW Severe Weather & Flood Grant for AGRN 1025 (\$1,000,000) (part of Warren Levee Rehabilitation Project \$7,100,000) Warren Town Levee Remediation JC: 3300-4400-0000 Federal; } 3300-4410-0000 State; and } 3300-4420-0000 OLG AGRN. }	5,291,206 851,018 879,815	4,896,222 752,119 879,815	GM/ IPM/ DMES/ TSM	Type 2 rock on toe-beam installation is progressing. Recent wet weather in July has delayed the project by a week, 7 days extension of time (EOT) granted. Panel casting is progressing at the subcontractors (MLB) yard. 30+ panels created. All levee flood gates have been installed. Some Concrete spalling repairs to be carried out before water tightness testing. *All major items have been delivered. Trash pump hoses to be modified for easier/safer handling. The test fitting of all equipment to be carried out to ensure set-up is correct. *Floodgate replacement work in progress - 8 Levee flood gates to be installed and tested.

WARREN SHIRE COUNCIL

Report of the General Manager to the Ordinary Meeting of Council to be held at
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ITEM 3 WORKS PROGRESS REPORTS – INFRASTRUCTURE PROJECTS

CONTINUED

Project	Budget	Expenditure/ Committed	Resp	Comment
*Modern Slavery Risk Management Plan	14,895	14,895	IPM	The Modern Slavery Risk Assessment of Council suppliers is progressing. The Risk Management Plan is complete and is on public exhibition on the Council website.
Local Roads and Community Infrastructure Grant Programs for Phase 4A and Phase 4B - Infrastructure Projects Management Office Projects: Windows on the Wetlands Centre Precinct Oxley Highway LRCI R4 \$37,996 Includes \$37,004 allocated from restricted funds for infrastructure improvement/replacement. JC 3350-0017-0010	6,081	6,081	IPM/ MHD	Streamline Engineering Group Pty Ltd installed new 22kw EV chargers at three key spots around Warren: <ul style="list-style-type: none"> • Windows on the Wetlands (WoW) Centre. • Dubbo Street – next to the Council Administration Centre. • Carter Oval Youth Sports Precinct Car Park. Approval for final Certificate of Compliance from Electrical Works (CCEW) by Essential Energy – awarded. Contractor will return to the sites in the coming weeks to complete signage and pavement marking installation and commissioning. Visitor Information Centre 3 phase meter change initiated by Council, progressing slowly due to electrical source provider change from Shell to Origin - date of meter change over yet to be determined.
*Dog Pound - Animal Shelter Replacement Project JC 3260-4125-0	140,000	151,627	IPM/ MHD	Eave and gable flashing completed. Additional quotes are being sought for the dog pens and security doors. Dog pens and security door works completed; and External wall cladding completed. Building to be completed by 22 August 2025.
Local Government Procurement	10,500	N/A	IPM/ PAO	In collaboration with Local Government Procurement (LGP), is proposing a tailored training package designed and delivered by LGP Strategic Procurement Solutions – Sustainable

WARREN SHIRE COUNCIL

Report of the General Manager to the Ordinary Meeting of Council to be held at
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ITEM 3 WORKS PROGRESS REPORTS – INFRASTRUCTURE PROJECTS

CONTINUED

Project	Budget	Expenditure/ Committed	Resp	Comment
LGP Procurement Capability Grant Fund 2025				<p>Choice. The initiative will involve a half-day workshop for the Council's Management Executive, Procurement, and Contract Management staff, with a focus on effectively implementing the Modern Slavery Risk Management Plan in day-to-day procurement and supplier engagement practices.</p> <p>Participants will develop a clear understanding of key definitions and legal obligations under the Modern Slavery Act 2018 (NSW), particularly in the context of procurement.</p> <p>Potential list of participants and a date for training being finalised.</p> <p>Project kick off meeting achieved on 12 August 2025.</p>
Safety Management System GL 3210-4010-5	75,825	54,976	WHS-RC /GM	Works Program ongoing.
Asset Management & IPR	112,636	Nil	GM/ DMES	Works program being formulated.

WARREN SHIRE COUNCIL

Report of the General Manager to the Ordinary Meeting of Council to be held at
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ITEM 3 WORKS PROGRESS REPORTS – INFRASTRUCTURE PROJECTS

CONTINUED

Project	Budget	Expend	Resp	Comment
Grant Applications				
*Community Building Partnership 2025 (CBP) Facilitated by Council on behalf of the Warren Junior Soccer Club Sun Smart, Game Strong-Shade Structure Project- CBP25 – 0992	30,000	Nil	TSM/ PAO	Submitted by the Warren Soccer Club, facilitated by Council, this project aims to enhance the public recreational infrastructure at Carter Oval by installing a shade structure to the new amenities building. The initiative will directly benefit the local sporting community, including Junior and Senior Cricket, Junior and Senior Soccer, and Athletics groups, by providing improved facilities that promote safety, comfort, and usability. Unsuccessful
GrainCorp Community Foundation Grant Fund 2025	20,000	Nil	TSM/ PAO	The Warren Christmas Community Event designed to foster a dynamic and connected community by providing a free event activating the public space Carter Oval Youth Sports Precinct with engaging entertainment, interactive activities, and engaging live performances and cultural experiences, the event strengthens social bonds and enhances the liveability of the region. Awaiting Notification

The items marked with an asterisk (*) be deleted.

ACRONYMS	GM - General Manager	TSM - Town Services Manager	PO – Projects Officer - Assets
	DMFA - Divisional Manager Finance & Administration	RIM - Roads Infrastructure Manager	WSCCM – Warren Sporting & Cultural Centre Manager
	DMES - Divisional Manager Engineering Services	IPM - Infrastructure Projects Manager	EDVM - Economic Development and Visitation Manager
	MHD - Manager Health and Development Services	PAO - Projects Administration Officer	WHS-RC – Work Health Safety / Risk Co-Ordinator

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held at
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ITEM 4 DISCLOSURES OF INTEREST – COUNCILLORS AND DESIGNATED PERSONS (A7-9)

RECOMMENDATION:

That the tabled Disclosures of Interest Return for Councillors and Designated Persons be received and noted.

PURPOSE

Under the Warren Shire Council's Code of Conduct (Code of Conduct) Section 4.21 all Councillors and Designated Persons, must lodge a written return of interest with the General Manager within (3) months after:

- a) Becoming a Councillor or Designated Person;
- b) 30 June of each year; and
- c) The councillor or designated person becoming aware of an interest they are required to disclose under Schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

BACKGROUND

Returns of interests are an important accountability mechanism for promoting community confidence in decision making by Councillors and others and for ensuring that they disclose and appropriately manage conflicts of interest they may have in matters dealt with by the Council.

It is important that Councillors and others complete their returns of interests correctly and disclose all relevant interests.

REPORT

This report is presented to Council in accordance with Council's Code of Conduct requirements.

The General Manager is required to keep a register of returns, and these need to be tabled at the first meeting of the Council after the last day for lodgement.

These returns have been tabled for Council's information and have been uploaded to Council's website with relevant information redacted as determined by the General Manager.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Code of Conduct Section 4.21.

RISK IMPLICATIONS

Nil – returns have been completed and lodged with the General Manager and these are tabled at the meeting in accordance with legislative requirements.

STAKEHOLDER CONSULTATION

Consultation with Councillors and Designated Persons.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held at
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ITEM 4 DISCLOSURES OF INTEREST – COUNCILLORS AND DESIGNATED PERSONS
CONTINUED

OPTIONS

This is a requirement of Councillors and Designated Persons.

STAKEHOLDER CONSULTATION

Consultation with Councillors and Designated Persons.

OPTIONS

This is a requirement of Councillors and Designated Persons.

CONCLUSION

In accordance with Council's Code of Conduct, Councillors and Designated Persons must complete and have lodged their returns with the General Manager as required within the appropriate timeframe.

The returns have been uploaded to Council's website with appropriate redaction.

Accordingly, the returns are tabled for Council's information.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities. (Provide timely, accurate and relevant reporting and information to Councillors to enable informed decision making).

SUPPORTING INFORMATION /ATTACHMENTS

Tabled Disclosures of Interest Returns for Councillors and Designated Persons.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 28th August 2025

ITEM 1 RECONCILIATION CERTIFICATE – JULY 2025

(B1-10.16)

RECOMMENDATION:

That the Statement of Bank and Investments Balance as at 31st July 2025 be received and noted.

PURPOSE

To certify that the internal and external cash and investments position of Council is reconciled each month.

BACKGROUND

Clause 212 of the Local Government (General) Regulation 2021 requires the Responsible Accounting Officer to provide a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act.

REPORT

Following is the reconciled internal funds of Council that have been reconciled with the Bank Statements as at 31st July 2025.

Council should note that investment items listed as

INTERNAL LEDGER ACCOUNT RECONCILIATION

	Balance 30-Jun-25	Transactions	Balance 31-Jul-25
General	13,145,116.26	(2,724,305.08)	10,420,811.18
Water Fund	933,226.61	15,960.05	949,186.66
Sewerage Fund	1,044,519.71	(662.12)	1,043,857.59
North Western Library	167,264.75	(88,698.03)	78,566.72
Trust Fund	92,295.78	1,013.79	93,309.57
Investment Bank Account	(9,142,013.65)	0.00	(9,142,013.65)
	6,240,409.46	(2,796,691.39)	3,443,718.07

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 28th August 2025

ITEM 1 RECONCILIATION CERTIFICATE – JULY 2025

CONTINUED

BANK STATEMENT RECONCILIATION

Balance as per Bank Statement =	3,443,718.07
Add: Outstanding Deposits for the Month	0.00
Less: Outstanding Cheques & Autopays	0.00
Balance as per Ledger Accounts less Investments =	<u>3,443,718.07</u>

INVESTMENTS RECONCILIATION

Investments as at 31st July 2025

No.	Institution	Amount	Term (days)	Rate %	3 month BBSW	Maturity Date
	CBA	2,132,013.65	NA	4.10%	NA	On Call A/c
2	NAB	1,500,000.00	90	4.30%	3.87%	18-Aug-25
12	NAB	1,000,000.00	91	4.35%	3.87%	14-Aug-25
13	NAB	1,500,000.00	91	4.35%	3.87%	14-Aug-25
14	NAB	1,500,000.00	91	4.35%	3.87%	14-Aug-25
15	AMP	1,500,000.00	90	4.35%	3.87%	20-Aug-25
	NAB	10,000.00	NA	1.45%	NA	TBA
TOTAL INVESTMENTS =		<u>9,142,013.65</u>				

BANK AND INVESTMENT ACCOUNTS BREAKDOWN

Externally Restricted Funds Invested	9,697,013.72
Internally Restricted Funds Invested	2,388,718.00
Unrestricted Funds	<u>500,000.00</u>
TOTAL BANK & INVESTMENTS ACCOUNTS BALANCE =	<u>12,585,731.72</u>

As Councils Responsible Accounting Officer, I note the External and Internal Restricted Funds are an estimate only, pending final review in part with Annual Financial Statements preparation into the future.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
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ITEM 1 RECONCILIATION CERTIFICATE – JULY 2025

CONTINUED

FINANCIAL AND RESOURCE IMPLICATIONS

N/A.

LEGAL IMPLICATIONS

N/A.

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

N/A.

OPTIONS

N/A.

CONCLUSION

This report is provided to advise Council of its financial position.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities. (Provide timely, accurate and relevant reporting and information to Councillors to enable informed decision making.)

SUPPORTING INFORMATION / ATTACHMENTS

N/A.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
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ITEM 2

STATEMENT OF RATES & ANNUAL CHARGES

(R1-4)

RECOMMENDATION:

That the Statement of Rates and Annual Charges information as at 5th August 2025 be received and noted.

PURPOSE

To advise Council of the rates and annual charges levied, collected and currently outstanding as at the report date.

BACKGROUND

A major source of revenue Council receives each year is through the levying of rates and annual charges on property owners in the Warren Shire Council local government area to provide and maintain services to the Warren Shire community.

REPORT

Attached to this report is the statement of rates and annual charges as at 5th August 2025 including comparisons over the last four years.

The values for 2023/24 are listed as NA, this is due to a system error occurring at that time with Council rating system, leaving the figures unattainable. The reports from Council financial system can only be produced on a certain day, they are not able to be produced retrospectively.

This report is considered the most accurate and relevant information available, for Council to consider relating Rates and Annual Charges information, for comparative purposes in a related period.

FINANCIAL AND RESOURCE IMPLICATIONS

N/A.

LEGAL IMPLICATIONS

N/A.

RISK IMPLICATIONS

N/A.

STAKEHOLDER CONSULTATION

N/A.

OPTIONS

N/A.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
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ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES (R1-4)

CONCLUSION

This report is provided to advise Council of the balance of rates and annual charges.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities. (Provide timely, accurate and relevant reporting and information to Councillors to enable informed decision making.)

SUPPORTING INFORMATION / ATTACHMENTS

Nil.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 28th August 2025

ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES

CONTINUED

5-Aug-25

Name of Rate	COLLECTIONS FOR YEAR					NETT ARREARS	
	NETT ARREARS 1st JULY \$	NETT LEVY \$	TOTAL RECEIVABLE \$	AMOUNT COLLECTED \$	COLLECT AS % AGE OF TOTAL REC'ABLE	ARREARS AMOUNT \$	ARREARS AS % AGE OF TOTAL REC'ABLE
General Fund Rates	257,982	5,948,687	6,206,669	247,314	3.98%	5,959,356	96.02%
Warren Water Fund	121,735	633,677	755,412	67,057	8.88%	688,355	91.12%
Warren Sewerage Fund	142,360	659,466	801,826	68,025	8.48%	733,802	91.52%
TOTAL 2025/2026	522,077	7,241,830	7,763,907	382,395	4.93%	7,381,512	95.07%
TOTAL 2024/2025	486,670	6,931,692	7,418,362	250,092	3.37%	7,168,270	96.63%
TOTAL 2023/2024	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL 2022/2023	321,306	6,297,700	6,619,006	592,318	8.95%	6,026,688	91.05%
TOTAL 2021/2022	303,871	6,098,791	6,402,662	498,104	7.78%	5,904,558	92.22%
		01-Aug-21	11-Aug-22	N/A	06-Aug-24	05-Aug-25	
COLLECTION FIGURES AS \$		498,104	592,318	N/A	250,092	382,395	
COLLECTION FIGURE AS %		7.78%	8.95%	N/A	3.37%	4.93%	

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
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ITEM 3 WORKS PROGRESS REPORT – FINANCE & ADMINISTRATION PROJECTS
(C14-7.1, C9-1)

RECOMMENDATION:

That the information be received and noted.

The following are details of the projects undertaken by the Finance and Administration Department for the 2025/26 financial year.

Project	Budget	Expend	Resp	Comment
Office Equipment Purchases – PC Purchases – Electronic Records Management System Investigation/ Implementation	\$222,000	\$52,386	DMFA	2024/25 estimated carry over value, included in the budget figure is \$112,000. Purchase new office equipment, PC's and other ICT equipment as needed. Ongoing implementation of a Document management system, this will include implementation of a new Finance System.

ACRONYMS

DMFA - Divisional Manager Finance & Administration

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
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ITEM 4 SUMMARY OF FINANCIAL ASSISTANCE GRANT 2025-2026 (G4-1, L5-5.2/46)

RECOMMENDATION:

That the information be received and noted.

PURPOSE

To inform Council of the indicative value increase for 2025-2026 Financial Assistance Grant.

BACKGROUND

Over the last 40 years the Australian Government has invested over \$70 billion in Local Government under the Financial Assistance Grant program alone. The grant is provided under the Local Government (Financial Assistance) Act 1995 (the Act).

The Financial Assistance Grant program consists of two components:

- a general purpose component which is distributed between the states and territories according to population (i.e. on a per capita basis), and
- an identified local road component which is distributed between the states and territories according to fixed historical shares.

Both components of the grant are united in the hands of local government, allowing councils to spend the grants according to local priorities.

Local government grants commissions in each state and the Northern Territory recommend the distribution of the funding under the Financial Assistance Grant program to local governing bodies in accordance with the Act and the National Principles for allocating grants.

- National principles for the allocation of grants under the Local Government (Financial Assistance) Act 1995.

The Australian Capital Territory does not have a local government grants commission as the territory government provides local government services in lieu of the territory having a system of local government.

The grant is paid in quarterly instalments to state and territory governments for immediate distribution to local governing bodies.

The quantum of the grant pool changes annually in line with changes in population and the Consumer Price Index (the Act provides discretion to the Treasurer to alter this annual indexation).

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
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ITEM 4

SUMMARY OF FINANCIAL ASSISTANCE GRANT 2025-2026

CONTINUED

REPORT

The following table compares initial budget figures anticipated when compared to the actual for the Financial Assistance Grant to be received:

Component	Budget	Actual from OLG	Overall (Increase) /Decrease
General Component	\$ 2,853,675.39	\$ 2,960,233.00	(\$106,557.61)
Road Component	\$ 1,405,541.61	\$ 1,415,557.00	(\$ 10,015.39)
Total	\$ 4,259,217.00	\$ 4,375,790.00	(\$116,573.00)

The estimate of Financial Assistance Grants above has been compiled based on the advance payment notification, which was reduced to 50% of the overall allocation for 2025-2026, final values will be paid quarterly throughout the remainder of the financial year.

The initial estimate of Financial Assistance Grants as a proportion of Commonwealth Tax Revenue in 2025-2026 has been maintained at 0.51%, as occurred in 2024-2025 year.

FINANCIAL AND RESOURCE IMPLICATIONS

When compared to Warren Shire Council original budget estimates, the relevant indicative increase of \$116,573.00 funding total will see an improvement to the overall budgeted financial position for 2025/2026.

LEGAL IMPLICATIONS

N/A.

RISK IMPLICATIONS

N/A.

STAKEHOLDER CONSULTATION

N/A.

OPTIONS

N/A.

CONCLUSION

This report is provided to advise Council of relevant matters as relates to the 2025/2026 Financial Assistance Grant.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities (Provide timely, accurate and relevant reporting and information to Councillors to enable informed decision making).

SUPPORTING INFORMATION / ATTACHMENTS

N/A.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
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ITEM 5 FINANCIAL REPORTS FOR THE YEAR ENDED 30TH JUNE 2025 (A1-5.43)

RECOMMENDATION that:

1. The necessary elected members and staff be authorised to sign the Statement by Councillors and Management on the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ending 30th June 2025;
2. Council delegate to the General Manager the authority to "authorise the Year End Accounts for issue" subject to there being no material audit changes or audit issues, in accordance with AASB 110; and
3. Council delegate to the General Manager the authority to "finalise the date" at which the auditor's report and financial statements are to be presented to the public as required under Section 418 (1) of the Local Government Act, 1993.

PURPOSE

To endorse Warren Shire Council's 2024/2025 General Purpose Financial Statements and 2024/2025 Special Purpose Financial Statements by signing the Statement by Councillors and Management.

BACKGROUND

Section 413 – "*Preparation of financial reports*" – of the Local Government Act, 1993 requires Council to prepare financial reports for each year and must refer them for audit as soon as practicable (having regard to the requirements of section 416 (1)) after the end of that year. Section 413 (2c) requires Council to include a statement in the approved form by the Council as to its opinion on the General Purpose Financial Report and the Special Purpose Financial Report.

REPORT

Attached are the approved statements that are required to be signed by the Mayor, one Councillor, General Manager and Responsible Accounting Officer before the Auditors can issue their Auditors Report of Councils accounts.

Section 418 – "*Public notice to be given of presentation of financial reports*"- of the Local Government Act, 1993 states:

- (1) *As soon as practicable after a council receives a copy of the auditor's reports:*
 - (a) *it must fix a date for the meeting at which it proposes to present its audited financial reports, together with the auditor's reports, to the public, and*
 - (b) *it must give public notice of the date so fixed.*
- (2) *The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the auditor's reports are given to the council.*

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 28th August 2025

ITEM 5 FINANCIAL REPORTS FOR THE YEAR ENDED 30TH JUNE 2025 CONTINUED

With the strict timeframe from the date of receipt of the Auditors Report to when the public meeting must be held it is recommended that Council delegate to the General Manager the authority to "authorise the Year End Accounts for issue" subject to there being no material audit changes or audit issues, in accordance with AASB 110.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

RISK IMPLICATIONS

Nil.

STAKEHOLDER CONSULTATION

Nil.

OPTIONS

Nil.

CONCLUSION

For Council to receive the Auditors Reports on the 2024/2025 Financial Statements the Statement by Councillors and Management must be signed by resolution of Council.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities. (Provide timely, accurate and relevant reporting and information to Councillors to enable informed decision making.)

SUPPORTING INFORMATION /ATTACHMENTS

- 1 General Purpose Financial Statements 2024/2025 - Statement by Councillors and Management; and
- 2 Special Purpose Financial Statements 2024/2025 - Statement by Councillors and Management.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
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ITEM 5

FINANCIAL REPORTS FOR THE YEAR ENDED 30TH JUNE 2025

CONTINUED

Warren Shire Council

General Purpose Financial Statements

for the year ended 30 June 2025

Statement by Councillors and Management

Statement by Councillors and Management made pursuant to Section 413 (2c) of the *Local Government Act 1993* (NSW)

The attached general purpose financial statements have been prepared in accordance with:

- the *Local Government Act 1993* and the regulations made thereunder,
- the Australian Accounting Standards issued by the Australian Accounting Standards Board
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 28 August 2025.

Greg Whiteley
Mayor
28 August 2025

Sarah Derrett
Councillor
28 August 2025

Gary Woodman
General Manager
28 August 2025

Bradley Pascoe
Divisional Manager of Finance &
Administration
28 August 2025

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
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ITEM 5

FINANCIAL REPORTS FOR THE YEAR ENDED 30TH JUNE 2025

CONTINUED

Warren Shire Council

Special Purpose Financial Statements

for the year ended 30 June 2025

Statement by Councillors and Management

Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached special purpose financial statements have been prepared in accordance with:

- NSW Government Policy Statement, *Application of National Competition Policy to Local Government*
- Division of Local Government Guidelines, *Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality*
- The Local Government Code of Accounting Practice and Financial Reporting
- Sections 3 and 4 of the NSW Department of Climate Change, Energy, the Environment and Water's (DCCEEW) *Regulatory and assurance framework for local water utilities, July 2022*

To the best of our knowledge and belief, these statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year,
- accord with Council's accounting and other records; and
- present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 28 August 2025.

Greg Whiteley

Mayor

28 August 2025

Sarah Derrett

Councillor

28 August 2025

Gary Woodman

General Manager

28 August 2025

Bradley Pascoe

Divisional Manager of Finance & Administration

28 August 2025

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 28th August 2025

ITEM 6 INTERNALLY RESTRICTED FUNDS AS AT 30TH JUNE 2025

(A1-5.42)

RECOMMENDATION that:

That Council note the list of Internally Restricted Funds as at 30th June 2025, which are provided as an estimate. This list may be subject to change, in part with the draft 2024/2025 Annual Financial Statements currently being compiled, for reporting purposes of cash held 30th June 2025.

PURPOSE

To inform Council of the list of internal restricted funds as at 30th June 2025.

BACKGROUND

At the end of each accounting year funds voted for specific purposes or those to be carried forward are set aside or internally restricted. Council has full discretion on the allocation of any internal restrictions, the only stipulation is they must be fully cash funded.

REPORT

At the end of the 2024/2025 Financial Year, Council are intending to have internal restrictions with a total estimated value of \$4,136,743.

Listed below is a summary on each of the internally restricted items as at 30th June 2025, which at this stage are likely to be funded for 2025/2026 budget and cash backed, however this will ultimately be an estimate until such time as final audit undertaking occurs before end of October 2025.

If any Councillor requires further explanation on any item regarding the internal restrictions prior to the council meeting, please contact the Divisional Manager of Finance & Administration.

Financial Assistance Grant - \$2,199,493 – Council received an advance payment of the 2025/2026 grant from the NSW Grants Commission June 2025.

Employees Leave Entitlements - \$400,000 - These funds have been restricted to cover a proportion of Council's discounted leave liability, which equates to 27.50% coverage.

Election Expenses - \$35,000 – These funds have been set aside each year to help cover the cost of the next Local Government Elections scheduled for September 2028.

Public Liability & Professional Indemnity Insurance Claims Excess - \$25,000 - These funds have been restricted in the event of any major claims being lodged against Council, each insurance claim carries an excess of \$12,500.

Emergency Management Planning - \$14,363 - These funds have been carried forward for the preparation/revision of the Warren Shire Emergency Plans.

Levee M&R – \$72,490 – Carryover funds for major levee maintenance works.

Rural Addressing - \$2,000 – Funds carried forward to review rural addressing system.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
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ITEM 6 INTERNALLY RESTRICTED FUNDS AS AT 30TH JUNE 2025 CONTINUED

CBD – Supply of Paint - \$3,237 – Funds carried forward for the supply of paint to CBD businesses.

Ewenmar Waste Depot – Management Plan - \$3,424 – Funds held for the remaining management plan cost.

Parks Improvement Program - \$3,490 – Funds for improvements to the playground areas in Councils' parks.

Urban Street Heavy Patching - \$192,383 – Funds carried forward for heavy patching of Cobb Lane as adopted in the 2018/19 Operational Plan.

Urban Street Resheeting - \$22,950 – Unspent funds carried forward from 2021/2022.

Overflow Bridge – Major Repairs - \$85,000 – Funds carried forward from the 2019/20 Operational Plan to undertake major repairs on the bridge.

Airport Land Sales - \$31,620 – Funds held for future development or infrastructure needs at the Airport.

Operational Land Reserve - \$171,073 – Reserves set aside for the future development of Council operational land.

Infrastructure Improvement/Replacement - \$449,694 – These funds have been restricted for future improvements or replacement of Council's infrastructure assets, to be determined by Council.

Tiger Bay Wetlands - \$18,071 – Set aside for future use at Tiger Bay wetlands area.

Rural Addressing - \$2,000 – Future rural addressing funding.

Memorial Pool Re-lining - \$405,455 – Funds to be used on future cost of re-lining project, taken from Infrastructure Improvement/Replacement Reserve as resolved by Council, funds not spent at 30/06/2023.

FINANCIAL AND RESOURCE IMPLICATIONS

Internally restricted funds are at the discretion of Council there are no financial implications, there may be resource implications if new projects are added to the annual operational plan requiring external parties to undertake projects.

LEGAL IMPLICATIONS

N/A.

RISK IMPLICATIONS

N/A.

CONCLUSION

This report is to provide a comprehensive listing of Council's internally restricted funds as at 30th June 2025.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 28th August 2025

ITEM 6 INTERNALLY RESTRICTED FUNDS AS AT 30TH JUNE 2025 CONTINUED

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities. (Provide timely, accurate and relevant reporting and information to Councillors to enable informed decision making.)

SUPPORTING INFORMATION / ATTACHMENTS

1. List of internal restrictions held as at 30th June 2025.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration
to the Ordinary Meeting of Council to be held in the
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ITEM 6

INTERNALLY RESTRICTED FUNDS AS AT 30TH JUNE 2025

CONTINUED

WARREN SHIRE COUNCIL INTERNALLY RESTRICTED FUNDS AS AT 30 June 2025

DESCRIPTION	BALANCE	TRANSFERS		BALANCE
	01-Jul-24	TO	FROM	30-Jun-25
FAG Advance Payment	3,826,431	5,747,521	7,374,459	2,199,493
Employee's Leave Entitlements	400,000			400,000
Election Expenses	19,865	15,135		35,000
IP&R - Asset Management Planning	56,212		56,212	0
P.L. & P.I. Claims Excess	25,000			25,000
Risk & WHS Management Costs	75,825		75,825	0
Mobile Phone Replacement	3,600		3,600	0
Emergency Management Planning	14,363			14,363
Levee M&R	72,490			72,490
Natural Resource Management Works	30,218		30,218	0
Rural Addressing	2,000			2,000
CBD - Supply of Paint	3,237			3,237
Street Lighting	11,662		11,662	0
Computer Software/Hardware Upgrades	56,840		56,840	0
Ewenmar Waste Depot - Management Plan	115,458		112,034	3,424
Dwellings - Specific M & R	71,741		71,741	0
Warren Lawn Cemetery - Stage 3	86,827		86,827	0
Library - Grant Design & Tender	1,523		1,523	0
Parks Improvement Program	66,480		62,990	3,490
New Lions Park Toilet	22,570		22,570	0
CBD Improvements	5,462		5,462	0
Urban Streets - Heavy Patching	192,383			192,383
Urban Street - Resheeting	22,950			22,950
Footpath Replacement - XC Rated	15,756		15,756	0
K&G Replacement - XC Rated	15,545		15,545	0
Overflow Bridge Major Repairs	85,000			85,000
Airport Terminal Building (Part Cost)	60,000		60,000	0
Airport Land Sales	56,620		25,000	31,620
Operational Land Reserve	201,073		30,000	171,073
Infrastructure Improvement/Replacement	733,244		283,550	449,694
Tiger Bay Wetlands	18,071			18,071
Rural Addressing	2,000			2,000
Economic Development Visitor Management Items	39,926		39,926	0
Animal Shelter Replacement	60,000		60,000	0
Dwellings Construction x 2	50,123		50,123	0
56 Garden Avenue Refurb	56,145		56,145	0
Memorial Pool Re-Lining	405,455		0	405,455
Memorial Pool Re-painting (carryover)	30,000		30,000	0
Plant Replacement - Light Vehicles	38,546		38,546	0
Plant Replacement - Heavy Plant	321,877		321,877	0
TOTAL RESTRICTED FUNDS =	7,372,518	5,762,656	8,998,431	4,136,743

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
to the Ordinary Meeting of Council to be held in the
Council Community Room on Thursday 28th August 2025

ITEM 1 WORKS PROGRESS REPORTS – ROADS

(C14-7.2)

RECOMMENDATION:

That the information be received and noted.

The following are details of Projects, Programs and Grant Applications that are being managed by the Divisional Manager Engineering Services, Roads Infrastructure Manager and Flood Restoration and Special Projects Manager.

ACRONYMS

DMES	Divisional Manager Engineering Services	GR	Gravel Resheet
RIM	Roads Infrastructure Manager	BRL	Bitumen Reseal Local Road
RO	Roads Overseer	BRR	Bitumen Reseal Regional Road
PO	Projects Officer - Assets	FRSPM	Flood Restoration and Special Projects Manager

Roads M & R (Maintenance and Repair) Budget and Works
From 30th June 2025 to 14th August 2025.

PROGRAM	BUDGET	EXPENDITURE
Urban Sealed Roads	\$65,832	\$23,596
Kerb and Guttering	\$22,000	\$0
Footpaths & Cycleway	\$41,000	\$68
Urban Unsealed Roads	\$31,491	\$3,833
Rural Sealed Roads	\$522,953	\$121,556
Rural Unsealed Roads	\$1,169,278	\$74,776
Rural Bridges	\$96,037	\$0
Regional Sealed Roads	\$822,000	\$149,050
Regional Unsealed Roads	\$120,000	\$1,699
Regional Bridges	\$91,000	\$0
Total	\$2,981,591	\$374,578

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
to the Ordinary Meeting of Council to be held in the
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

(C14-7.2)

PROGRAM	BUDGET	EXPEND/COMMIT.	COMMENTS
AGRN 1034 EPA RW RR333 Carinda Road	\$1,251,499	\$867,912	Ongoing
AGRN 1034 EPA RW RR347 Collie-Trangie Road	\$290,281	\$245,452	Ongoing
AGRN 1034 EPA RW RR202 Marthaguy Road	\$3,344,735	\$2,896,781	Ongoing
AGRN 1034 EPA RW RR7515 Warren Road	\$886	0	Not yet started
<i>AGRN 1034 EPA RW Regional Roads</i>	<i>Total</i> <i>\$4,887,401</i>	<i>Total</i> <i>\$4,010,145</i>	
AGRN 1034 EPA RW SR49 Arthur Butler Drive	\$21,420	0	Not yet started
AGRN 1034 EPA RW SR29 Belah View Road	\$10,116	0	Not yet started
AGRN 1034 EPA RW SR9 Booka Road	\$4,577	0	Not yet started
AGRN 1034 EPA RW SR42 Boss' Lane	\$30,309	0	Not yet started
AGRN 1034 EPA RW SR35 Bourbah Road	\$19,861	\$194	Ongoing
AGRN 1034 EPA RW SR62 Buddabadah Road	\$50,244	\$36,547	Ongoing
AGRN 1034 EPA RW SR68 Bundemar Road	\$111,272	0	Not yet started
AGRN 1034 EPA RW SR3 Canonba Road	\$13,742	0	Not yet started
AGRN 1034 EPA RW SR 33 Castlebar Road	\$64,070	\$445	Ongoing
AGRN 1034 EPA RW SR54 Cathundral-Bogan Road	\$94,421	0	Not yet started
AGRN 1034 EPA RW SR44 Charlieville Road	\$8,111	0	Not yet started
AGRN 1034 EPA RW SR25 Cullemburrawang Road	\$3,987	0	Not yet started
AGRN 1034 EPA RW SR60 Dandaloo Road	\$17,438	0	Not yet started
AGRN 1034 EPA RW SR41 Dick's Camp Lane	\$6,536	0	Not yet started
AGRN 1034 EPA RW SR26 Drungalear Road	\$15,962	0	Not yet started
AGRN 1034 EPA RW SR21 Duffity Road	\$49,752	0	Not yet started

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
to the Ordinary Meeting of Council to be held in the
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

PROGRAM	BUDGET	EXPEND/COMMIT.	COMMENTS
AGRN 1034 EPA RW SR86 Ellerslie Road	\$19,036	0	Not yet started
AGRN 1034 EPA RW SR36 Gibson Way	\$72,305	\$64,647	Ongoing
AGRN 1034 EPA RW SR23 Gradgery Lane	\$15,595	0	Not yet started
AGRN 1034 EPA RW SR79 Greentree Road	\$53,605	0	Not yet started
AGRN 1034 EPA RW SR91 Industrial Access Road	\$94,534	0	Not yet started
AGRN 1034 EPA RW SR15 Johnsons Road	\$54,589	0	Not yet started
AGRN 1034 EPA RW SR89 Leeches Creek Road	\$3,554	0	Not yet started
AGRN 1034 EPA RW SR12 Lemongrove Road	\$219,839	\$105,787	Ongoing
AGRN 1034 EPA RW SR18 Mannix Road	\$17,072	0	Not yet started
AGRN 1034 EPA RW SR69 Mullengudgery Road	\$132,974	0	Not yet started
AGRN 1034 EPA RW SR51 Oakley Road	\$19,465	0	Not yet started
AGRN 1034 EPA RW SR74 Old Showground Road	\$3,578	0	Not yet started
AGRN 1034 EPA RW SR65 Old Warren Road	\$297,616	0	Not yet started
AGRN 1034 EPA RW SR1 Oxley Road	\$73,550	0	Not yet started
AGRN 1034 EPA RW SR75 Pineclump Soldiers Road	\$36,735	\$23,442	Ongoing
AGRN 1034 EPA RW SR34 Pleasant View Lane	\$11,479	0	Not yet started
AGRN 1034 EPA RW SR88 Quigley Carroll Road	\$31,430	0	Not yet started
AGRN 1034 EPA RW SR6 Retreat Road	\$15,543	0	Not yet started
AGRN 1034 EPA RW SR83 Rifle Range Road	\$31,398	\$16,677	Ongoing
AGRN 1034 EPA RW SR48 Ringorah Road	\$69,994	0	Not yet started
AGRN 1034 EPA RW SR28 Rothsay Road	\$5,447	0	Not yet started

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
to the Ordinary Meeting of Council to be held in the
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

PROGRAM	BUDGET	EXPEND/COMMIT.	COMMENTS
AGRN 1034 EPA RW SR2 Sanctuary Road	\$11,789	0	Not yet started
AGRN 1034 EPA RW SR72 Snakes Lane	\$7,529	0	Not yet started
AGRN 1034 EPA RW SR56 Tabratong Lane	\$118,951	0	Not yet started
AGRN 1034 EPA RW SR53 Thornton Road	\$12,721	0	Not yet started
AGRN 1034 EPA RW SR59 Tottenham Road	\$66,975	\$178	Ongoing
AGRN 1034 EPA RW SR73 Udora Road	\$727,128	\$481,296	Ongoing
AGRN 1034 EPA RW SR66 Wambianna Road	\$470,947	\$383,345	Ongoing
AGRN 1034 EPA RW SR77 Wambianna Soldiers Road	\$50,773	0	Not yet started
AGRN 1034 EPA RW SR46 Widgeree Road	\$38,524	\$206	Ongoing
AGRN 1034 EPA RW SR52 Windabyne Bridge Road	\$7,018	0	Not yet started
AGRN 1034 EPA RW SR38 Yungundi Road	\$31,504	0	Not yet started
AGRN 1034 EPA RW Local Roads	Total \$3,768,387	Total \$1,149,420	
RMCC Routine Maintenance - Oxley Highway SH11	\$493,431	N/A	Ongoing
RMCC Ordered Works - Oxley Highway SH11	TBA	N/A	Not yet Started

WARREN SHIRE COUNCIL

Report of the Divisional Manager Engineering Services
to the Ordinary Meeting of Council to be held in the
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

MAINTENANCE

WORK CREW	LOCATION	ACTIVITY	WORK COMPLETED
Grader Crew 1 (Three-man crew)	RR333 Carinda Road	Road Safety Program Construction	Ongoing
	RR333 Carinda Road	Mark Center line and Guidepost	Rehabilitation
Grader Crew 2 (Three-man crew)	RR202 Marthaguy Road	Road Safety Program Construction	Ongoing
	SR24 Hatton Lane	Grading	Completed 2km
	RR202 Marthaguy Road	Guideposts	2 replaced straightened 31
	RR347 Collie - Trangie Road	Guideposts	5 replaced and straightened 15
	SR66 Wambianna Road	Guideposts	6 replaced and straightened 15
Grader Crew 3 (Three-man crew)	SR75 Pineclump Soldiers	Grading	Completed 1.5km
	SR31 Pigeonbah Road	Grading	Completed 5.8km
	RR333 Carinda Road	Guidepost	110 replaced and straightened 77
	RR7515 Warren Road	Guidepost	15 replaced and straightened 47
	SR75 Pineclump Soldiers	Guidepost	Replaced 34
Grader Crew 4 (Three-man crew)			
Grader Crew 5 (Three-man crew)	Vacant		

WARREN SHIRE COUNCIL
 Report of the Divisional Manager Engineering Services
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

WORK CREW	LOCATION	ACTIVITY	EMULSION USED	STONE USED
Paveliner (Tar Patching)	RR333 Carinda Road	Patching 34 holes	500Lts	5T
	SR59 Tottenham Road	Edges	1,700Lts	17T
	SR59 Tottenham Road	Edges	2,000Lts	20T
	SR59 Tottenham Road	Patching 41 Holes	1,100Lts	11T

WORK CREW	LOCATION	ACTIVITY
Roadside Maintenance Team	RR333 Carinda Road	Slashing 86km completed
	RR424 Marra Road	Slashing 10km completed
	SR5 Buckiinguy Road	Slashing 18km completed
	SR12 Lemongrove Road	Guidepost 40 replaced 7 signs
	SR58 Nevertire-Bogan Road	Guidepost 15 replaced and 27 straightened
	SR59 Tottenham Road	Guidepost 55 replaced 45 straightened

CREW	LOCATION	WORK COMPLETED	EMULSION USED	STONE USED
Pavement Maintenance Team (Tar Patching)	No crew			

WORK CREW	LOCATION	ACTIVITY	WORK COMPLETED
Contractor - Neill Earthmoving	RR333 Carinda Road - Segment 16 (RERRF)	Reconstruction 1,250 meters - Segment 16	Underway

WARREN SHIRE COUNCIL

Report of the Divisional Manager Engineering Services
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

UPCOMING WORKS (AUGUST- SEPTEMBER)

WORK CREW	LOCATION	ACTIVITY
Grader Crew 1 (Three-man crew)	RR333 Carinda Road	Construction
	SR59 Tottenham Road	Flood Heavy Patching
Grader Crew 2 (Three-man crew)	RR202 Marthaguy Road	Construction
Grader Crew 3 (Three-man crew)	SR31 Pigeonbah Lane	Grading/Flood Works
	SR68 Bundemar Road	Grading/Flood Works
Grader Crew 4 (Three-man crew)	SR65 Old Warren Road	Grading
	SR36 Gibson Way	Grading
Grader Crew 5 (Three-man crew)	Vacant	
Neill Earthmoving	RR202 Marthaguy Road - 750m Segment 00 (Intersection to Concrete Floodway)	Reconstructing Road Realignment to Intersection on Oxley Highway
	SR66 Wambianna Road	Flood Recovery Heavy Patch – Segment 0
	SR91 Industrial Access Road	Flood Recovery Heavy Patch – Segment 0
	Ewenmar Waste Depot	Flood Recovery Construct Roadway
Brett Brouff Earthmoving	RR202 Marthaguy Road	Install Box Culvert Farm Access Floodway Waiting on Culvert to turn up

CAPITAL WORKS IN PROGRESS

Project	Budget	Expend/ Comm	Resp	Comment
Bridges Renewal Program RR7515 Warren Road Replacement of Neue Park Bridge and Marthaguy Creek Bridge	\$5,010,000	\$4,437,294	DMES	Both bridge structures and approach roadworks are complete. Contractor is rectifying defects at both bridges. Extra erosion control works are being planned. A variation to extend approach roadwork has been submitted.

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

Project	Budget	Expend/ Comm	Resp	Comment
Urban Unsealed Roads Resheeting	\$39,488	\$0	RIM	Being scoped.
Floodplain Management Program (DCCEEW) – Warren Town Flood Study	\$226,308	Nil	DMES	Kick off meeting held on 10/6/2025
Kerb and Guttering Renewal (R2R)	\$170,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR65 Old Warren Road (R2R)	\$135,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR12 Lemongrove Road (R2R)	\$87,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR5 Buckiinguy Road (R2R)	\$168,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR66 Wambianna Road (R2R)	\$94,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR64 Ellengerah Road (R2R)	\$85,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR68 Bundemar Road (R2R)	\$90,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR35 Bourbah Road (R2R)	\$84,000	Nil	RIM	Being scoped.
Rural Sealed Roads – Reseal SR60 Dandaloo Road (R2R)	\$85,000	Nil	RIM	Being scoped.

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

Project	Budget	Expend/ Comm	Resp	Comment
Bundemar Street Safety Improvements (R2R)	\$50,000	Nil	RIM	Being scoped.
Rural Unsealed Roads Resheeting – SR23 SR23 Gradgery Lane	\$430,500	Nil	RIM	Being scoped.
Regional Sealed Roads Reseal RR347 Collie - Trangie Road	\$125,000	Nil	RIM	Being scoped.
Regional Sealed Roads Reseal RR202 Marthaguy Road	\$125,000	Nil	RIM	Being scoped.
RR7515 Warren Road Rehabilitation (RERRF)	\$511,576	Nil	RIM	Being scoped.
RR333 Carinda Road - Segment 6, 14 & 16 (RERRF)	\$1,200,000	\$1,139,727	RIM	Ongoing
RR333 Carinda Road (TZSRP \$4,142,973 and Council \$450,000)	\$4,592,973	\$2,928,190	RIM	Ongoing
RR202 Marthaguy Road (TZSRP \$4,777,592 and Council \$450,000)	\$5,227,592	\$2,910,889	RIM	Ongoing

WARREN SHIRE COUNCIL
 Report of the Divisional Manager Engineering Services
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ITEM 1

WORKS PROGRESS REPORTS – ROADS

CONTINUED

Project	Budget	Expend/ Comm	Resp	Comment
Grant Applications				
Regional Precincts and Partnership Program – Precinct Delivery – Warren CBD Upgrade Grant Application	\$13,244,452	Nil	DMES	Pending Grant Approval.
Australian Government Black Spot Program – SR66 Wambianna Road Safety Improvements	Grant \$1,013,000	Nil	DMES	Pending Grant Approval.
*Disaster Ready Fund Round 3 – Causeway Reconstruction Segment 46 and Segment 156 on RR333 Carinda Road.	\$1,933,750	Nil	RIM	Unsuccessful

WARREN SHIRE COUNCIL

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday 28th August 2025

ITEM 2 WORKS PROGRESS REPORTS – TOWN SERVICES

(C14-7.2)

RECOMMENDATION:

That the information be received and noted.

The following are details of Projects, Programs and Grant Applications that are being managed by the Town Services Manager for the budget and works period from 30th June 2025 to 14th August 2025.

ACRONYMS

DMES	Divisional Manager Engineering Services
TSM	Town Services Manager
MHD	Manager Health & Development Services
IPM	Infrastructure Projects Manager
TSO	Town Services Overseer

TOWN SERVICES OPERATIONS AND MAINTENANCE BUDGET

Project	Budget	Expend/Comm	Resp	Comment
General				
Warren Showground Drought Proof Irrigation/Fencing Project Installation of Exclusion Fencing. Additional funding from Warren Jockey Club (WJC) & Racing NSW JC: 122-5-10 GL: 3360-4030-0045	\$272,727	\$276,764	TSM	<p>*07/07/2025 Access Control is installed and commissioned on all gates. Awaiting gate installation contractor to finalise the power and safety devices on centre gates.</p> <p>18/08/2025 Gate contractor on-site week of 18th August to finalise gate operation and equestrian centre.</p>
Nevertire Storm Damage – Insurance Claim. <ul style="list-style-type: none"> Replacement of damaged toilet building at Noel Waters Oval, Repairs to damaged fences at Nevertire Community Park and RFS Site. Repairs to damaged Rodeo/Pony Club Shed at Noel Waters Oval		Nil	TSM	<p>*22/07/2025 Have quotes build a new toilet/shower amenity. Waiting for civil costs.</p> <p>12/08/2025 Site meeting held with MLB Concreting regarding demolition of old building and construction of new slab quote.</p>

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Project	Budget	Expend/Comm	Resp	Comment
Installation of Shade Structures (3) over picnic tables at the Splash Park. GL: 3360-4015-0010 JC: 3350-4320-0005	\$25,000	\$15,545	TSM	*22/07/2025 Shade structures have been ordered. 1/08/2025. Structures have been delivered. Contractor preparing quote for the installation.
Replacement of Front & Rear Fencing – Rotary Park. GL: JC: 0096-0004-0100	\$6,000	\$2,168	TSM	*1/08/2025. Fencing has been ordered. 12/08/2025 Waiting of fencing to be delivered. No ETA.
Installation of Sandstone Slabs to prevent parking on Grass – Oxley Park. GL: JC: 0096-0002-0005	\$6,000	Nil	TSM	
Top Dressing of Carter Oval Soccer Field. GL: JC: 0094-0001-0005	\$10,000	Nil	TSM	
Final Stage of Carter Oval Irrigation Installation. GL: 3360-4005-0026 JC:	\$90,000	\$75,582	TSM	*1/08/2025. Quotes received from Aquawest and Darling Irrigation. Project awarded to Aquawest. Works expected to be completed by 15 th September 2025. 12/08/2025 Aquawest to commence site works Monday 18/08/2025.
Replacement of Tables & Chairs at Showground/Racecourse. GL: 3360-4030-0100 JC:	\$15,000	\$15,213	TSM	*22/07/2025 100 Banquet chairs and 15 folding tables ordered. ETA late August/early September 12/08/2025 Supplier has received items and is arranging delivery to Warren. ETA, late August 2025.

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Project	Budget	Expend/Comm	Resp	Comment
NSW Disaster Ready Fund – Electronic Signage at Reddenville Break and Stoney Creek Crossing. Signage – Reddenville Break. JC: 0014-0066-4000	\$29,056	\$26,590	TSM	*4/08/2025. All components, excluding VMS have been delivered. 12/08/2025 Signs being pre- assembled and wired, prior to installation.
NSW Disaster Ready Fund – Electronic Signage at Reddenville Break and Stoney Creek Crossing. Signage – Stoney Creek Crossing. JC: 0014-0068-4000	\$31,301	\$26,590	TSM	*4/08/2025. All components, excluding VMS have been delivered. 12/08/2025 Signs being pre- assembled and wired, prior to installation.
Installation of Shade Structure at Carter Oval Amenities Building. Grant Funding by Warren Soccer Club.	\$30,000	Nil.		Warren Junior Soccer Club was successful with a grant to install a shade structure on the Northern side of the amenities building. 12/08/2025 Project variation has been submitted to install a skillion roof structure instead of shade sails. Waiting on Grant Office to advise response.
Community Native Fish Stocking Grant 2025/26. GL: 4000-1400-0002	\$18,000 (\$6,000 Council Contributi on)	Nil		04/08/2025 Approximately 12,000 Murray Cod and 10,000 Golden Purch to be ordered.

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Water Services				
Project	Budget	Expend/Comm	Resp	Comment
Water Extraction Meter Compliance GL: 4580-4320-0003 JC: 0190-0010-0000	\$1,346	Nil	TSM	22/07/2025 Once completed, Information from the IWCM and Water Security Projects will support the need for the additional Water Access Licence (WAL).
Regional Leakage Reduction Program – Local Water Utilities Projects GL: 4580-4320-0004 JC: 0190-0340-0000 Pressure 0005 Leak 0015 Metering 0025	\$20,619	Nil	TSM	07/07/2025 Final report to be submitted.
Water Valve Replacement Program 2025-2026. GL: 4580-4320-0055 JC: 0190-0030-0005	\$100,000	\$14,574	TSM	4/08/2025 Replacement program has commenced.
Replacement of MCC at Oxley Park River Water Pumping Station. GL: 4580-4320-0001 JC: 0191-0001-0095	\$75,000	\$42,909	TSM	4/08/2025 MCC has been ordered. Delivery expected in late August or early September 2025.
Water Main Renewals GL: 4580-4320-0010 JC:	\$100,000	\$17,020	TSM	4/08/2025 400 metres of main to be replaced in Arthur Butler Drive.

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Sewerage Services				
Project	Budget	Expend/Comm	Resp	Comment
CCTV and Smoke Testing of Sewer at Warren and Nevertire GL: 5580-4320-0002 JC: 230-0000-0005	\$400,000	\$316,443	TSM	*09/07/2025 Progressing 12/08/2025. Plumbtrax have completed works. Council to review data.
Decommission Old Warren Sewerage Treatment Plant GL: 5580-4320-0001 JC:	\$92,000	Nil	TSM	12/08/2025 Meeting with EPA Thursday 21 August to discuss final requirements of decommissioning of SPS, STP and new STP licence.
Decommission Gillendoon SPS. GL:5580-4320-1011 JC:	\$125,000	Nil	TSM	12/08/2025 Meeting with EPA Thursday 21 August to discuss final requirements of decommissioning of SPS, STP and new STP licence.
Thornton Avenue Sewer Pump Station Refurbishment GL: 5580-4320-4030 JC: 201-90-10	\$107,000	Nil	TSM	4/08/2025 Works will be undertaken by Council staff and local contractors.
Repairs to Tiger Bay STP Inlet Channel. GL: JC: 0202-0005-0011	\$63,500	Nil	TSM	22/07/2025 Works will be undertaken by Council staff and local contractors.

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Project	Budget	Expend/Comm	Resp	Comment
Safety Upgrades – SPS's -Wilson St - Gunningbah - Garden Ave - Depot - Carter Oval GL: 5580-4320-0105 JC: 0201-0090-0000	\$99,750	Nil	TSM	12/08/2028 Waiting of quotes from McBerns for new wet well hatch covers, similar to those at Tiger Bay SPS.
Sewerage Mains Replacement. GL: 5580-4320-0002 JC:	\$100,000	Nil	TSM	12/08/2025 Scope of works will be determined after review of CCTV investigation.

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Project	Budget	Expend/Comm	Resp
Levee Restoration			
Warren Levee Rehabilitation			
JC:			
3300-4400-0000 Federal;	\$5,291,206	\$4,896,222	DMES/TSM/IPM
3300-4410-0000 State	\$851,018	\$752,119	
3300-4420-0000 OLG AGRN:	\$879,815	\$897,815	
<u>Comments</u>			
*22/07/2025			
All major items have been delivered. Trash pump hoses to be modified for easier/safer handling. The test fitting of all equipment to be carried out to ensure set-up is correct.			
8 Levee flood gates to be installed and tested.			
4/08/2025			
All levee flood gates have been installed. Some Concrete spalling repairs to be carried out before water tightness testing.			

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WORKS PROGRESS REPORTS – TOWN SERVICES

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Local Roads and Community Infrastructure Grant Programs for Phase 4				
Project	Budget	Expend/Comm	Resp	Comment
Warren CCTV System GL: 3360-4040-0005 JC: 3350-9-10	\$108,598 Approved amended budget.	Nil	TSM	<p>*7/07/2025 New contractor commenced work on Tuesday 8/07/2025.</p> <p>12/08/2025 Bridging equipment at Admin office and Oxley Park Reservoir have been configured. Cameras at Oxley Park toilet relocated. Temporary server installed to allow software upgrades to existing server.</p>
IWCM & Water Security Projects				
Project	Budget	Expend/Comm	Resp	Comment
Integrated Water Cycle Management (IWCM) Strategy Project JC: 191-6-0	\$339,470 Council contribution is \$33,947	\$363,636	TSM	Project on-going.
Warren Shire Water Security Project JC:191-4-0	\$1,127,700 Council contribution is \$112,770	\$1,025,182	TSM	Project on-going.

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Activity	Required Interval	Details	
Water System Planned Maintenance			
River mains flushing	As required	Flushing occurs three monthly when hydrants are flushed. Additionally, river water mains are flushed when problems such as poor pressure/flow are identified.	
Water main flushing (Bore)	As required	Sections are done where and when found necessary.	
Fire hydrants. Covers checked, painted, flushed, and replaced where necessary, Blue reflective indicators and signs installed	Quarterly	Flushing every 3 months as agreed with NSW RFS and Fire and Rescue NSW.	
Bore Inspections	5 Year Rolling Program	Next inspections due 2028	
Warren, Nevertire and Collie water Chlorine, Turbidity, Temperature, and pH testing	Weekly at specific locations	Testing carried out daily at Warren and Nevertire.	
Warren river pumps		Ellengerah Rd Oxley Park Macquarie Park Racecourse	Breakdown maintenance only.
Reservoir cleaning	3 to 5 years	Ellengerah and Nevertire Bore Reservoirs	Next Diver inspection December 2025. 30/09/2024 Ellengerah inspected & hosed out September 2024 during valve replacement.
		River Water Reservoirs	Investigate using Remotely Operated Vehicle (ROV) to inspect in 2025.

Sewerage System Planned Maintenance			
Warren Sewerage Treatment Works	Currently effluent analysis is carried out monthly.	22/07/2025 Negotiations with EPA regarding the new license and possible effluent reuse. Severe cracking was discovered in the inlet channel. Barnson Engineering have been engaged to develop a repair methodology.	

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WORKS PROGRESS REPORTS – TOWN SERVICES

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Water and Sewerage Works Subject to Funding					
Location		Work Under Development			
Collie Water Supply (Reliability, Quality and Chlorination)		Relocation of the two, large Pioneer tanks to a new site located West of the Village. Construct a 10m high tank stand to support one or two, 25,000 litre water tanks at the Pioneer tank location. Installation of small package Water Treatment Plant and new gaseous chlorination equipment to return water supply to potable status. Install pressure pumps into a new building at the base of the new elevated tanks. Decommission and remove the old, elevated tanks.			
Water and Sewer – Routine Works Budget vs Expenditure as of 14th August 2025					
Account		Budget	Expenditure, Inc. Commitments		
Water Fund Maintenance and Repair		\$641,496	\$47,130 (7.35%)		
GL’s: 4200-0003, 4220-0003, 4230-0003, 4240-0003, 4250-0003 & 4300-0003					
Sewer Fund Maintenance and Repair		\$293,834	\$30,707 (10.45%)		
GL’s: 5200-0003, 5250-0003, 5280-0003 & 5300-0003.					
Parks and Gardens – Routine Works Budget Vs Expenditure as of 14th August 2025					
Account		Budget	Expenditure, Inc. Commitments		
Parks, Gardens, Cemeteries, Racecourse & Levee		\$1,705,193	\$88,910 (5.21%)		
GL’s: 0701-0003, 0900-0002, 0950-0003, 1151-0003, 1601-0003, 1651-0003, 1701-0003, 2455-0003, 2505-0003, 2655-0003, 2660-0003 & 2670-0003					
Aerodrome – Routine Works Budget vs Expenditure as of 14th August 2025					
Account		Budget	Expenditure, Inc. Commitments		
Aerodrome Operations		\$183,040	\$16,922 (9.24%)		
GL: 2555-0003 JC: 2549-0-0					
Town Services Routine Budget Position Year to Date		Budget	Expenditure	Percentage of Year Elapsed	Percentage of Budget Expended/ Committed
		\$2,823,563	\$183,669	11%	6.5%

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WORKS PROGRESS REPORTS – TOWN SERVICES

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Water and Sewer Works

- Hydrant flushing Warren/Nevertire
- Trangie St, Nevertire meter repair
- 17 Johns Ave meter repairs
- Saunders Park irrigation leak
- 23 Lawson St meter repairs
- 14 Frawley St meter repairs
- 24 Boston St sewer choke
- Corner Railway Pde/Dubbo St river main repair
- 11 Lawson St bore meter relocation
- 3545 Wambianna Road bore main leak
- Hydro excavation work at the pool
- 54 Arthur Butler Dr meter repairs
- 10 Burton St meter repairs
- 31 Chester St meter repairs
- 16 Frawley St meter repairs
- Vac holes for town signage
- 2 Zora St meter repairs
- Racecourse water leaks
- Nevertire Cemetery supply leak

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CONTINUED

As of 14th August 2025

Warren Sewerage Treatment Works inflow Sewerage Year – 1st June 2025 to 31st May 2026				
Month	Peak Daily Flow (KL)	Average Daily Flow (KL)	Monthly Flow (ML)	Cumulative Annual Flow (ML)
June 2025	1044*	399	11.97	11.97
July 2025	522	385	11.93	23.90
August 2025	380	340	1.02	24.92
September 2025				
October 2025				
November 2025				
December 2025				
January 2026				
February 2026				
March 2026				
April 2026				
May 2026				

*Due to wet weather

WARREN SHIRE COUNCIL

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Bulk Water Reading per Quarter

Water Source	FIRST QUARTER READING 1/07/25- 31/09/25	BULK USAGE TO DATE (ML)	SECOND QUARTER READING 1/10/25 - 31/12/25	BULK USAGE TO DATE (ML)	THIRD QUARTER READING 1/01/26- 31/03/26	BULK USAGE TO DATE (ML)	FOURTH QUARTER READING 1/04/26 - 30/06/26	BULK USAGE TO DATE (ML)	% OF ANNUAL ALLOCATION	Max. Allocation (ML)
Warren Bores										
Bore 1 (Bore Flat) Lic. 80AL703155	24.34	24.34	0.00	24.34	0.00	24.34	0.00	24.34		
Bore 2 (Ellengerah) Unlicensed	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
	24.34	24.34	0.00	24.34	0.00	24.34	0.00	24.34	3.48%	700
Warren River										
Oxley Park Lic. 80AL700017	0.04	0.04	0.00	0.04	0.00	0.04	0.00	0.04		
Ellengerah Rd Lic. 80AL700017	5.39	5.39	0.00	5.39	0.00	5.39	0.00	5.39		
	5.43	5.43	0.00	5.43	0.00	5.43	0.00	5.43	0.72%	750
Showground (Racetrack)										
Lic. 80AL700645	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	188
Nevertire Bore Lic. 80AL703158	1.27	1.27	0.00	1.27	0.00	1.27	0.00	1.27	3.18%	40
Collie Bore Lic. 80CA724011	0.25	0.25	0.00	0.25	0.00	0.25	0.00	0.25	0.99%	25
Macquarie Park 80AL700996	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	14.2

*Rainfall for August: 4.7 mm

*Rainfall to date: 228.4 mm

*Burrendong Dam Level: 54%

*As of 12/8/2025

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WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

The maintenance mowing and weeding of the Parks and Gardens are carried out on a 2-week rotating cycle with the following areas generally grouped together.

Parks and Gardens Works

- Skate/Splash Park mow/snip
- Town approaches mowing
- Stubbs levee mow/snip
- Woolnough levee mow/snip
- Ravenswood Park mow/snip
- Event preparation Nevertire
- Lawn Cemetery mow/snip
- Shire Chambers mow/snip
- Woolnough levee mow/snip
- Bob Christensen Reserve mow/snip
- Saunders Park mow/snip
- Far West Academy mow/snip
- Warren Medical Centre mow/snip
- Warren median strip's mow/snip
- Inspect irrigation systems (on going)
- Line marking Victoria Oval (football)
- Clean up from GROW EXPO
- Boston St levee mow/snip
- Library mow/snip
- Bore Flat mow/snip
- CBD area tidy up weeding
- Victoria Oval Cricket pitch preparation (on going)
- Orchard St Park mow/snip
- Ebert Park mow/snip
- Oxley Park mow/snip
- Rotary Park mow/snip
- Lions Park mow/snip
- Macquarie Park mow/snip
- Macquarie Drive mow/snip
- Tiger bay pump station mow/snip
- Warren Shire Chambers mow/snip
- Clean up from Cattleman's Cup
- Line marking Carter Oval (Soccer)

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ITEM 2 WORKS PROGRESS REPORTS – TOWN SERVICES

CONTINUED

Softfall areas at Macquarie and Ravenswood Parks are inspected and blown down daily.

BBQs at Macquarie Park, Oxley Park, Skate Park, and Splash Park are cleaned twice a week.

The following locations were mown, whipper-snipped, and weeded in the period from 30th June 2025 and 14th August 2025.

- | | |
|---------------------------------|---|
| • Bore Flat | • Sewer Pumping Stations |
| • Bore Flat Levee | • Shire Housing |
| • Carter Oval | • Town Medians and Approaches |
| • Other Reserves | • Water Pumping Stations and Reservoirs |
| • Woolnough/Stubbs Street Levee | • Tiger Bay Walking Track |
| • WOW Centre | |

Town Crew

- | | |
|---|----------------------------------|
| • Weed spraying around Warren | • Clean grates around Warren |
| • Clean up laneways in Warren (on going | • Grave duties |
| • Clean up from Grow Expo | • Straighten signs around Warren |
| • Blow down leaves in Dubbo St | • Removed rubbish from depot |
| | • Assist P&G in duties |

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ITEM 2 WORKS PROGRESS REPORTS – TOWN SERVICES

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Non-Roads November/ December 2021 Flood and Storm Damage Works

Description	Expenditure/ Committed
<p>Non-Roads November/ December 2021 Flood and Storm Damage Levee and Flood Gate Emergency Operation Works.</p> <p>(Application for reimbursement submitted 8/03/2022)</p>	<p>\$173,456.91</p> <p>Note: \$37,163 per event will be funded by Council as per the agreement. This includes the Roads Flood and Storm Damage Claim contribution.</p> <p>9/05/24</p> <p>Currently only \$73,012.03 has been approved for payment by SES/RA.</p> <p>GM met with the Minister for Emergency Services on 9th May 2024 to obtain a commitment and support for full reimbursement of both AGRN987 and AGR1034 emergency levee operational costs.</p> <p>Mayor & GM met with NSW Treasurer on 9 August 2024. Working with Member for Barwon to obtain funding. Mayor met with the Minister for Recovery on 28th March, 2025. No further positive advice.</p>
0700-0050-0500, 0700-0050-0510, 0700-0050-0520, 0700-0050-0530, 0700-0050-0540	

Non-Roads July, August, September, October, November, and December 2022 Flood Damage Works

Description	Expenditure/ Committed
<p>Non-Roads July, August, September, October, November and December 2022 Flood and Storm Damage Levee and Flood Gate Emergency Operation Works.</p> <p>(Application for reimbursement submitted 28/2/2023).</p>	<p>\$757,745.33</p> <p>Note: \$37,163 per event will be funded by Council as per the agreement. This includes the Roads Flood and Storm Damage Claim contribution.</p> <p>9/05/24</p> <p>Currently only \$169,827.86 has been approved for payment by SES/RA.</p> <p>GM met with the Minister for Emergency Services on 9th May 2024 to obtain a commitment and support for full reimbursement of both AGRN987 and AGR1034 emergency levee operational costs. Mayor & GM met with NSW Treasurer on 9 August 2024. Working with Member for Barwon to obtain funding. Mayor met with the Minister for Recovery on 28th March 2025. No further positive advice.</p>
0700-0055-0500, 0700-0055-0510, 0700-0055-0520, 0700-0055-0530, 0700-0055-0540	

WARREN SHIRE COUNCIL
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ITEM 3 WORKS PROGRESS REPORTS – PLANT

(P2-3)

RECOMMENDATION

That the information be received and noted.

The following are details of Projects and Programs that are being managed by the Workshop Coordinator for the budget and works period from 30th June 2025 to 14th August 2025.

Plant Number	Description	Repairs	Plant Down Time	Repair Time (Man Hours)
P50	Isuzu Tipper Tar Truck	Air leak in cab, seat function not working properly, valve in seat is the air leak repair valve. Fixed leak and seat.		4hrs
P2120	John Deere 6140 Tractor	Park brake won't disengage. Travelled to site. Removed mud and debris so park brake linkage could move freely. Test; all ok now.	5hrs	4hrs
P2121	John Deere 6140 Tractor	A/C not working as reported, travel to machine turn on A/C button. Operator wasn't aware of test A/C function. All ok now.		.5hr
P2082	Cat CW34 Roller	Rear LHS tyre off the rim, remove replace tyre, check system for leaks. None found at time of inspection.	2hrs	2hrs
P3613	Toyota Hilux Twin Cab	Changeover of components to new Ute. Long range fuel tank, tray, work lights, side steps, two-way, phone booster all changed into new Ute.		10hrs
P3613	Toyota Hilux Twin Cab	Cleanup ready for sale at Pickles Auctions.		6hrs
P2120	John Deere 6140M Tractor	Flat front LHS tyre on tractor travel to site remove and replace tyre assembly.	3hrs	3hrs
P2341	Isuzu Tender Truck	Intercooler pipe fallen off intercooler end, remove and clean pipe and fittings, resecure pipe and rubber new hose clamp used.	2hrs	2hrs
P2000	Caterpillar 140 Grader	3,500hr service organised and done by WesTrac Dubbo.		5hrs
P3627	Toyota Twin Cab Hilux	Setup new Ute fit toolboxes, tray, side steps, long range tank, two-way, phone booster, work lights.		10hrs
P2800	Toro Ride on Mower	Won't start. Check battery functions all ok. Deck cutoff switch replaced all ok now. Waiting on new blades and spindles.	2hrs	2hrs
P2382	Freightliner Cascadia	Organised and sent to Halls Transport Dubbo for 90,000km service, repairs to broken lights.	2 days	2 days

WARREN SHIRE COUNCIL

Report of the Divisional Manager Engineering Services
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ITEM 3

WORKS PROGRESS REPORTS – PLANT

CONTINUED

Plant Number	Description	Repairs	Plant Down Time	Repair Time (Man Hours)
P1049	Isuzu Tender Truck	Remove replace batteries, check AMP draw and charging system, all seems ok. Fit toolbox for addition of second battery to run auxiliary charger for power tools.	5hrs	6hrs
P3510	Toyota Prado	Setup new vehicle, driving lights and phone booster fitted.		10hrs

ACRONYMS

WC	Workshop Coordinator
TBD	To be determined.
DTC	Diagnostic trouble code
DPD	Diesel particulate diffuse.

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ITEM 4 RENEWAL OF DELEGATION TO COUNCIL UNDER THE ROAD TRANSPORT ACT 2013
(R4-1)

RECOMMENDATION that the information be received and noted.

BACKGROUND

Councils have delegated authority from the Road Transport Act to manage and regulate traffic on local and regional roads, enabling them to maintain road safety and efficiency within their communities. This delegation allows Councils to handle local traffic matters, like installing traffic control devices or managing roadworks, without needing to consult with the Transport for NSW (TfNSW) for every instance.

PURPOSE

To review and accept the renewal of delegations to Council under the Road Transport Act.

REPORT

The new Instrument Title, Transport's 2025 Authorisation and Delegation Instrument for Councils has come in effect from 1 August 2025. A copy of the new delegations are in the attachments section of this report.

Key changes in delegations are as follows;

- Local Traffic Committee (LTC) renamed to Local Transport Forum (LTF);
- Councils may sub-delegate functions to staff;
- Fewer matters now require referral to the LTF; and
- Councils have greater scope to use roadwork speed limit signs.

This instrument will supersede the previous delegations to the Council delegated to act on TfNSW behalf as per provision provided under the Road Act 2013 (NSW).

These new delegations supersedes the following delegations.

- 31 October 2011: "Roads and Maritime Services Delegation to Councils"
- 12 December 2023: "Instrument of Delegation and Authorisation – Traffic Management and Pedestrian Works – Temporary Delegation to Councils No.2"

Council can decide which traffic management proposals go to the LTF except when:

- Regulating traffic for more than 6 months; and
- Public transport is negatively affected for more than 24 hours

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

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LEGAL IMPLICATIONS

Road Transport Act 2013.

RISK IMPLICATIONS

Nil.

STAKEHOLDER CONSULTATION

Council notify LTC members and interested parties about the changes in name Local Traffic Committee to Local Traffic Forum.

OPTIONS

Nil.

CONCLUSION

As a result of the changes, Council needs to undertake the following tasks.

1. Notify LTC members and interested parties about the changes in name Local Traffic Committee to Local Traffic Forum;
2. Schedule LTF meeting once officers have reviewed the 2025 Instrument, guide, and supporting materials; and
3. Update Committee meeting documents.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 1.2.1 Maintain ongoing community engagement to instil a strong collaborative environment with the community.
- 1.1.7 Improve transport services within the community; Ensure that the Shire is well positioned to rapidly adopt new, modern energy technologies as they emerge;

SUPPORTING INFORMATION /ATTACHMENTS

Attachment A – Authorisation and Delegation Instrument

Attachment B – Instrument of Delegation and Authorisation

Attachment C – Local Transport Forum (LTF) Function and Responsibilities

Attachment D - Local Transport Forum (LTF) Referrals and review

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Attachment A

The Authorisation & Delegation Instrument

Practitioner checklists

transport.nsw.gov.au | July 2025

Depending on the type of works/activity, council may have options for implementation. The checklists below provide a quick reference of relevant conditions when using the Instrument, based on two questions:

- Does the proposal involve use of a prescribed traffic control device?
- Does the proposal trigger any of the five effects listed in Condition #3(a) of Schedule 4?

'Prescribed traffic control device' is defined in the Road Transport Act 2013 as a sign, signal, marking, structure, or other device to direct or warn traffic on a road (or part of a road) that is prescribed by the statutory rules.

The Road Transport (General) Regulation 2021 prescribes "traffic control devices of a kind mentioned in the Road Rules 2014", meaning that prescribed traffic control devices are those traffic control devices of which contravention is an offence under the Road Rules 2014.

Condition #3(a) in Schedule 4 of the Instrument requires prior referral to the Local Transport Forum of any proposal that would:

for a period exceeding 6 months:

- (i) restrict or prohibit passage along a road of any persons, vehicles, or animals; or
- (ii) compel or prevent a turn from one public road to another public road;

or, for a period exceeding 24 hours:


- (iii) prevent, impede, or hinder the safe or efficient operation of a public passenger service; or
- (iv) prevent access to a public transport station, stop, wharf, or service; or
- (v) remove or render less effective any bus priority measure.

Which checklist should be used?

Does the proposal do either of the following for <u>more than 6 months</u> ? (i) restrict/prohibit passage (ii) compel/prevent a turn	If YES , refer to Checklist A If NO , proceed to next question
Does the proposal do any of the following for <u>more than 24 hours</u> ? (iii) prevent/impede/hinder the safe/efficient operation of public transport (iv) prevent access to public transport stations, stops, etc. (v) remove/render less effective any bus priority measure	If YES , refer to Checklist A If NO , proceed to next question
Does the proposal involve use of a prescribed traffic control device?	If YES , refer to Checklist B If NO , refer to Checklist C

Additional related references

[NSW Design of Roads and Streets Manual \(DORAS\)](#) [Guides](#) [More resources](#) [Cycleway Design Toolbox](#)
[Bus Route Map](#) [Road classifications](#) [Transport Standards Portal](#) [Traffic Signs Register](#)



The information here is intended to aid practitioners using the Authorisation and Delegation Instrument but is not exhaustive. To ensure legal and technical compliance, please refer to the Instrument itself, the associated Guide, and Transport's [website](#).

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CHECKLIST A	
For proposals that require prior referral to the Local Transport Forum (regardless of whether they use a prescribed traffic control device)	
Condition #1 of Schedule 4: Scope of Authorisation and Delegation The proposal must be (a) located within your council's local government area; (b) not on a road classified as a Freeway, Controlled Access Road, Tollway, or Transitway; and (c) not on a 'State' road per the 'Schedule of Classified Roads and Unclassified Regional Roads' (except with the written consent of Transport).	<input type="checkbox"/>
Condition #6 of Schedule 4: References Council must use the NSW Design of Roads and Streets Manual (TS 00066) as a primary reference when exercising functions or carrying out works. Any use of a portable traffic control light or R4-212n roadwork speed limit sign must be in accordance with the Transport for NSW Traffic Control at Work Sites Manual (TS 05492).	<input type="checkbox"/>
Condition #3 of Schedule 4: Mandatory prior referral of some proposals The following must be invited to a meeting of the Local Transport Forum: <ul style="list-style-type: none"> (i) the delegate (council) (ii) Transport for NSW (iii) NSW Police Force (iv) The local Member(s) of Parliament (v) The operator of any public passenger service likely to be affected by traffic control work proposed by the delegate Council is responsible for administering the Local Transport Forum, but must: <ul style="list-style-type: none"> • provide attendees with the agenda at least seven days in advance • include sufficient information to enable review of items submitted for advice • circulate draft and finalised meeting minutes Council must consider any advice provided by the Local Transport Forum, but any decisions are the sole responsibility of council regardless of advice received. If Transport signals their intent to submit a Statement of Concern, council may not proceed with implementation of the subject proposal until the sooner of seven days or receipt of the Statement. Following receipt of a Statement of Concern, council must circulate to members of the Local Transport Forum a written response addressing the issues raised and council's next steps. Seven days after issuing this response, council may proceed with implementation.	<input type="checkbox"/>
Condition #4 of Schedule 4: Keeping of records The proceedings of the Local Transport Forum must be recorded and made public as soon as practicable. The proceedings must include the agenda, minutes, records of use of the prescribed traffic control device authorisation, the entirety of any Statements of Concern submitted by Transport, and the entirety of any council responses to a Statement of Concern. They must be made publicly available online in an easily accessible manner.	<input type="checkbox"/>

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CHECKLIST B	
For proposals that: <ul style="list-style-type: none"> involve use of a prescribed traffic control device do <u>not</u> require prior referral to the Local Transport Forum 	
Condition #1 of Schedule 4: Scope of Authorisation and Delegation The proposal must be (a) located within your council's local government area; (b) not on a road classified as a Freeway, Controlled Access Road, Tollway, or Transitway; and (c) not on a 'State' road per the 'Schedule of Classified Roads and Unclassified Regional Roads' (except with the written consent of Transport).	<input type="checkbox"/>
Condition #6 of Schedule 4: References Council must use the NSW Design of Roads and Streets Manual (TS 00066) as a primary reference when exercising functions or carrying out works. Any use of a portable traffic control light or R4-212n roadwork speed limit sign must be in accordance with the Transport for NSW Traffic Control at Work Sites Manual (TS 05492).	<input type="checkbox"/>
Condition #5 of Schedule 4: Coordination If the proposal is likely to affect the operation of a public passenger service, then council must consult with the operator of that service before implementing the proposal. This consultation may occur through direct engagement with the operator or via referral to the Local Transport Forum. If consultation takes place outside of the Local Transport Forum, details of the consultation must be tabled at the Local Transport Forum as soon as practicable. Council may not proceed with implementation before providing the relevant operator(s) with at least seven (7) days to respond but may proceed with implementation if the operator does not reply. Council may proceed before tabling the consultation record at the Local Transport Forum. If consultation takes place through referral of the proposal to the Local Transport Forum, the relevant operator(s) must be invited to that meeting.	<input type="checkbox"/>
Condition #5 of Schedule 4: Coordination If the proposal involves regulation of traffic for the purposes of a public event, then council must notify both Transport and NSW Police at least seven (7) days prior to implementation. This notification may occur through direct outreach or via referral to the Local Transport Forum.	<input type="checkbox"/>
Condition #4 of Schedule 4: Keeping of records Use of the prescribed traffic control device authorisation must be recorded with the Local Transport Forum. If a proposal involving a prescribed traffic control device was not referred to the Local Transport Forum for advice in advance of its implementation, then a post facto record must be tabled at the Local Transport Forum as soon as practicable (and no later than three months after the fact). A post facto record must include the type of device, specific location, and date of completion.	<input type="checkbox"/>

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CHECKLIST C	
For proposals that: <ul style="list-style-type: none"> do <u>not</u> involve use of a prescribed traffic control device do <u>not</u> require prior referral to the Local Transport Forum 	
Condition #1 of Schedule 4: Scope of Authorisation and Delegation The proposal must be (a) located within your council's local government area; (b) not on a road classified as a Freeway, Controlled Access Road, Tollway, or Transitway; and (c) not on a 'State' road per the 'Schedule of Classified Roads and Unclassified Regional Roads' (except with the written consent of Transport).	<input type="checkbox"/>
Condition #6 of Schedule 4: References Council must use the NSW Design of Roads and Streets Manual (TS00066) as a primary reference when exercising functions or carrying out works.	<input type="checkbox"/>
Condition #5 of Schedule 4: Coordination If the proposal is likely to affect the operation of a public passenger service, then council must consult with the operator of that service before implementing the proposal. This consultation may occur through direct engagement with the operator or via referral to the Local Transport Forum. If consultation takes place outside of the Local Transport Forum, details of the consultation must be tabled at the Local Transport Forum as soon as practicable. Council may not proceed with implementation before providing the relevant operator(s) with at least seven (7) days to respond but may proceed with implementation if the operator does not reply. Council may proceed before tabling the consultation record at the Local Transport Forum. If consultation takes place through referral of the proposal to the Local Transport Forum, the relevant operator(s) must be invited to that meeting.	<input type="checkbox"/>
Condition #5 of Schedule 4: Coordination If the proposal involves regulation of traffic for the purposes of a public event, then council must notify both Transport and NSW Police at least seven (7) days prior to implementation. This notification may occur through direct outreach or via referral to the Local Transport Forum.	<input type="checkbox"/>

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(R4-1)

Attachment B



INSTRUMENT OF DELEGATION AND AUTHORISATION

**TRAFFIC MANAGEMENT AND PEDESTRIAN WORKS
TEMPORARY DELEGATION TO COUNCILS No.2**

*Roads Act 1993
Road Transport Act 2013*

On behalf of Transport for NSW, I, Josh Murray, Secretary of the Department of Transport:

- a) **REVOKE** the instrument of 24 February 2023 titled "*Instrument of Delegation and Authorisation – Traffic Management and Pedestrian Works – Temporary Delegation to Councils*"; and
- b) **REVOKE**, in the "*Roads and Maritime Services - Delegation to Councils*" dated 31 October 2011 ("the 2011 Delegation"), clause 6 of that Instrument (which relates to the prohibition on a sub-delegate from carrying out a function under Division 2 of Part 8 of the *Roads Act 1993*), **SUBJECT TO** the condition in paragraph 11 of **Schedule 4** of this Instrument; and
- c) **DELEGATE** under section 31(1) of the *Transport Administration Act 1988* (the 'Act') and all other enabling powers, the functions set out in **Schedule 1** to the councils set out in **Schedule 2**, **SUBJECT TO** the conditions set out in **Schedule 4**; and
- d) **AUTHORISE** those delegates, under section 31(2) of the Act, to sub-delegate the functions set out in **Schedule 1** to the persons set out in **Schedule 3**,

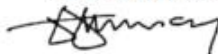
A failure to comply with the conditions set out in **Schedule 4** renders the delegation inoperative with respect to the functions being carried out.

In addition, I **AUTHORISE** under section 122(b) of the *Road Transport Act 2013*, the councils set out in **Schedule 2**, to install or display (or interfere with, alter or remove) any prescribed traffic control device as set out in the TfNSW "*Traffic Signs Database*" and indicated as "*Delegated to Council for Authorisation – Yes*", as required to give effect to functions exercised under this delegation, including any portable traffic control lights, but NOT any internally illuminated traffic control device.

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(R4-1)

This Instrument commences on the date it is made, and paragraphs (c) and (d) above will continue in force until 30 June 2026 unless revoked earlier.



Josh Murray
Secretary
Department of Transport

Date: 12/12/2023

SCHEDULE 1 - FUNCTIONS

1. The functions and powers of Transport for NSW under section 115(2) of the *Roads Act 1993* to regulate traffic on a public road for purposes other than those set out in therein, being the following types of works:
 - (a) Works to regulate parking;
 - (b) Pedestrian crossings;
 - (c) Pedestrian refuges;
 - (d) Conversion of existing pedestrian ('zebra') crossings to raised pedestrian ('wombat') crossings;
 - (e) Footpaths and continuous footpaths;
 - (f) Temporary or permanent works to enable alfresco dining;
 - (g) Temporary or permanent works to improve or expand footpaths or pedestrian space;
 - (h) Kerb buildouts to reduce crossing distance or manage vehicle speed;
 - (i) Kerb modifications or median islands for tree planting, landscaping or water sensitive urban design;
 - (j) Treatments to manage vehicle speed including road humps, road cushions, raised intersections, chicanes and slow points;
 - (k) Works to create (but not remove) bicycle parking, bicycle lanes, bicycle paths, shared paths, separated footpaths and contra flow access for bicycle riders.

SCHEDULE 2 - DELEGATES

A council constituted under the *Local Government Act 1993*.

SCHEDULE 3 – SUB-DELEGATES

The general manager of a council, or an employee of the council.

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SCHEDULE 4 - CONDITIONS

A delegate or its sub-delegates may only exercise the functions in Paragraph 1 of Schedule 1 of this Instrument:

1. On unclassified public roads for which the delegate is the roads authority, and within the delegate's local government area under the *Local Government Act 1993*;
2. On a road or part of a road with a speed limit of 50km/h or less, except in relation to
 - (a) Works to regulate parking; or
 - (b) Conversion of existing pedestrian ('zebra') crossings to raised pedestrian ('wombat') crossings; or
 - (c) Works relating to footpaths, shared paths or separated footpaths;
3. Where there is no change to the operation of any clearway, bus lane, bus only lane, bus layover or transit lane in the carrying out of the works;
4. Without altering the number of continuous travel lanes, including lanes that may operate only at peak times, except where carrying out works to manage vehicle speed by way of chicanes or slow points.

Traffic Signals

A delegate or its sub delegate may not exercise any function in Paragraph 1 of Schedule 1 under this Instrument :

5. Within 20m of a traffic signal, unless the works are within areas or lanes currently used or available at any time for parking; or
6. Within 60m of a traffic signal, where the works being carried out
 - (a) reduce in length or modify the operating hours of any existing auxiliary, through or merge lane (including kerbside approach lanes managed by No Stopping or No Parking controls), or
 - (b) install any new crossing on the road which the signal controls.

Bus Routes

7. A delegate or its sub-delegates may only exercise the functions in Paragraph 1 of Schedule 1 on a road that is a regular bus route (as prescribed and indicated on a map published on the TfNSW website for the purposes of this Instrument called "Bus Route Map") where :

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- (a) The design vehicle is no smaller than the length of the buses indicated for the road on the Bus Route Map; and
- (b) There is no reduction in the extent or operating hours of a bus zone, and no reduction in existing space available for entry and exit of buses from the bus zone; and
- (c) Local bus operators have been consulted on the design of the works (other than works to regulate parking) and have been supplied with swept path drawings on request; and
- (d) Local bus operators have been notified in writing of impending works under this delegation (other than works to regulate parking) with a minimum of 14 days notice.

Standards

- 8. A delegate or its sub delegates must use any relevant Transport for NSW established standards, specifications and Technical Directions, and relevant Austroads guidelines and Australian Standards when designing and carrying out works under this Instrument
- 9. A delegate or its sub delegates may not use this Instrument to carry out any novel designs or works where there are no established standards, technical directions, or guidelines, and any such works must be referred to Local Traffic Committee through existing processes.

Notification of Local Traffic Committee

- 10. A delegate or its sub-delegate must table a "for information only" record of the works carried out under this Instrument, including any consultation with bus operators (where applicable) at the relevant Local Traffic Committee as soon as practicable after completion of the works. The record of the works must also be made public on the Council website.

Sub-delegates carrying out Regulation of Traffic functions under the 2011 Delegation

- 11. A sub delegate may only carry out a function under Division 2 of Part 8 of the *Roads Act 1993* using the 2011 Delegation if the proposed works to be carried out or functions to be exercised have been referred to Local Traffic Committee under that Delegation, and the proposal has received unanimous support from the members of the Local Traffic Committee.

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ITEM 4 RENEWAL OF DELEGATION TO COUNCIL UNDER THE ROAD TRANSPORT ACT 2013
(R4-1)

Attachment C

Local Transport Forum (LTF)

(i) Function and responsibilities

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- Local Transport Forum (LTF) **replaces** Local Traffic Committee
- It is an **advisory body** to support council's function as roads authority for unclassified roads
- Offers technical advice, coordination, and expertise
- **Not** an approval body and does **not** make decisions

Membership

- Council, plus three mandatory invitees: Transport, Police, local Member(s) of NSW Parliament
- Council must invite the operator of any public passenger service likely to be affected by a proposal
- Council is welcome to invite others to participate or observe
- There are no voting members

Focus

- Collaboration between agencies involved in transport management
- Advice on street design, infrastructure, and traffic control facilities
- Coordination of planned events and activities
- Advice and information sharing on transport plans, policy, and management
- Ensuring a public record of decisions relating to roads and streets

Roles and responsibilities

- **Council:** decision-maker; proponent; representative of local community interests (residents, businesses, etc.); responsible for safety of all unclassified road users
- **Transport:** advice regarding state-level interests such as public transport planning and operation, road safety, general standards, classified network planning and operation
- **Police:** event safety and management advice, law enforcement, highway patrol, public safety, etc.
- **Local Member(s) of NSW Parliament:** representations on community interests and concerns

How it works

- Members provide advice, but do not vote
- LTF advice does not need to be unanimous
- Council must consider advice given by members
- If significant concerns cannot be resolved, Transport (only) may file a Statement of Concern within 7 days; council must then respond in writing to all members and wait 7 days before proceeding

Administration

- Convened and managed by council, with frequency and format at the discretion of council
- Must operate formally with an agenda and minutes to be made public
- Refer to the Guide for details regarding public record-keeping and accessibility obligations

Additional related references for practitioners

[NSW Design of Roads and Streets Manual \(DORAS\)](#) [Guides](#) [More resources](#) [Cycleway Design Toolbox](#)
[Bus Route Map](#) [Road classifications](#) [Transport Standards Portal](#) [Traffic Signs Register](#)



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(R4-1)

Attachment D

Local Transport Forum (LTF)

(ii) Referrals and review

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- The Local Transport Forum (LTF) provides **advice** and **coordination**
- Some proposals must be referred to the LTF before they are implemented
- Most proposals may be referred at council's discretion
- Notification and consultation requirements apply to some proposals

What must be referred to the LTF?

- Proposals which, for **longer than 6 months**:
 - restrict or prohibit passage on a road of any persons, vehicles, or animals; or
 - compel or prevent a turn from one public road to another public road
- Proposals which, for **longer than 24 hours**:
 - prevent or hinder the safe or efficient operation of a public passenger service; or
 - prevent access to a public transport station, stop, wharf, or service; or
 - remove or render less effective any bus priority measure
- Proposals of **less than 24 hours** are not required to be referred

How?

- Council issues agenda, with enough detail on proposals to allow members to understand and provide informed advice (e.g. concept design and traffic arrangements)
- Traffic Management Plans not mandatory, but proposals should identify potential effects
- Members advise on design, safety, network issues, & coordination with other projects or events
- Council must consider any advice provided by the LTF
- Council must table at the LTF a record of any use of prescribed traffic control devices not previously referred for advice

Statement of Concern (SoC)

- Where Transport for NSW has concerns about a proposal for which prior referral is mandatory, and these are not resolved in discussion, it may inform the LTF that it intends to issue, within 7 days, a SoC. A proposal **must not** be implemented during this time.
- A SoC outlines Transport's concerns and suggests mitigations or alternatives. It can relate to an entire proposal or to a specific detail.
- Provided it is received within 7 days, council must consider the SoC and issue a **written response** to all LTF members. After a *further* 7 days, council may proceed with the proposal at its discretion.
- A SoC does not oblige a proposal to be altered or withdrawn. It supports transparency by ensuring significant risks or issues are placed on the public record and openly discussed and considered. It also allows time for discussion and collaborative risk mitigation.

Additional related references for practitioners

[NSW Design of Roads and Streets Manual \(DORAS\)](#) [Guides](#) [More resources](#) [Cycleway Design Toolbox](#)
[Bus Route Map](#) [Road classifications](#) [Transport Standards Portal](#) [Traffic Signs Register](#)



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WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
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ITEM 1 DEVELOPMENT APPLICATION APPROVALS

(B4-9)

RECOMMENDATION:

That the information be received and noted.

PURPOSE

To inform the Councillors of the approved Development Applications by Council for the previous month.

BACKGROUND

Council received Development Applications from residents in the Warren Shire area to seek approval.

REPORT

Development Applications that have been received for approval for July 2025.

FILE	LOCATION	WORKS	RECEIVED	APPROVED
P16-25.06	Lot 16 DP752595 322A Udora Road Warren	Above ground swimming pool	26/5/2025	22/7/2025
P16-25.07	Lot A DP384096 109 Dubbo Street Warren	Subdivision	19/6/2025	18/7/2025

LEGAL IMPLICATIONS

Council is required under the EPA Act to assess and determine applications within established timeframes.

RISK IMPLICATIONS

The EPA Act provides appeal mechanisms for applicants who believe that their application requires review.

STAKEHOLDER CONSULTATION OPTIONS

Council issues a S101 EPA Act list of approvals monthly for the community to review.

CONCLUSION

This report is provided to allow Council and the community to see the applications determined each month.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 1.1.4 Ensure current and future housing needs for the community are met.
- 5.2.1 Ensure that this strategic planning framework becomes an integral part of our operating culture.
- 5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency.

SUPPORTING INFORMATION/ ATTACHMENT

Nil

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
Council Community Room on Thursday 28th August 2025

ITEM 2 WORKS PROGRESS REPORTS – HEALTH AND DEVELOPMENT SERVICES (C14-7.3)

RECOMMENDATION:

That the information be received and noted.

The following are details of the projects and grant applications that are being managed by the Manager Health and Development Services.

Budget and Works from 9th July 2025 to 13th August 2025

2020 Projects	Budget	Expend. /Comm	Resp	Comment
Construction of two (2) x Council dwellings. 21 Deacon Drive and 8 Deacon Drive. 0300-0065-0010	56,145	264,925.97	MHD	<p>Completed July 2020.</p> <p>New complaint lodged with Department of Fair-Trading 18th May 2021. Additional information provided 2nd and 7th June 2021.</p> <p>Formal complaint lodged with Department of Fair-Trading 4th March 2021. Additional information provided 11th March 2021. A further report provided to Council in August 2021.</p> <p>Rectification order issued. Expired 26/10/2021 Builder expected at the end of November to complete requested maintenance and repair works which has not progressed.</p> <p>Report provided to February 2022 Committee of the Whole Closed Council Meeting concerning directions on this project.</p> <p>Council resolved that: Council proceeds to a hearing before The NSW Civil and Administrative Tribunal (NCAT) Consumer Division and if required the District Court. Mediation undertaken on 30th April 2024. Further reporting undertaken to the May 2024 Council Meeting.</p>

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2020 Projects	Budget	Expend. /Comm	Resp	Comment
				Matter set down for the District Court for 4 th - 8 th November 2024. Adjourned new date yet to be determined. Update given at the October 2024 Council Meeting. Expert reports provided, meeting with Solicitor and Barrister held 7 th August 2025, mediation set for 1 st September 2025, District Court date set at present for 13 th – 17 th October 2025.
2023 Projects	Budget	Expend. /Comm	Resp	Comment
Ewenmar Waste Depot Road repairs. AGRN 1034 Flood event.	220,500	Nil	MHD/DMES	To add to the quarterly review. \$220,500 claim certified as requested May 2025. Approval received June 2025. Works expected to be completed by October 2025.
Warren Support Services (Targeted Early Intervention)				
	Budget	Expend. /Comm	Resp	Comment
*Warren Youth Group - Counselling Service.	5,000	5,000	MHD	April - July 2025
Warren Youth Group - Counselling Service.	5,000	Nil	MHD	July - Sept 2025
2.58 Junior Soccer	5,000	Nil	GM	2025 Soccer season
2.62 Warren Chamber of Music Festival 2025	5,000	Nil	MHD	29-30 th April 2025
2.63 Warren MPS – Dolly Parton Imagination Library	5,000	Nil	MHD	6 th March 2025 – 6 th March 2026

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Warren Support Services (Targeted Early Intervention)				
	Budget	Expend. /Comm	Resp	Comment
2.65 Warren Youth Group Music Workshop	4,250	Nil	MHD	April – July 2025
2.66 St Mary's Naidoc Beemunnel Day	5,000	Nil	MHD	21 st July to 25 th July 2025
2.67 Warren Youth Group Grow Services Day	5,000	Nil	MDH	15 th July 2025
Town Planning				
LEP Review.	45,000	40,518.50	MHD	Consultant engaged. Planning Proposal submitted 5 th February 2025 for gateway determination. Gateway determination and conditions received 23 rd May 2025. LEP to be finalised before or on 4 th March 2026. Public exhibition 25 th June 2025 – 17 th July 2025. One submission received. Report to the September Council meeting.
2024 Projects	Budget	Expend/ Comm	Resp	Comment
Council building renovations fit out (New Kitchen, accessible toilet. 3210-4100-005	90,000	90,000	MHD	Quotations obtained. Report to June 2025 Council meeting. Contractor arranged.

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2025 Projects	Budget	Expend/ Comm	Resp	Comment
Warren Sporting & Complex – Gym Equipment Renewals. 3360-4010-0015	7,500	Nil	MHD	
Warren Family Health Centre Internal Painting 3326-4320-0005	20,000	Nil	MHD	
Administration Centre Air-conditioning and External Blinds 3326-4320-0010	15,000	5,981.81	MHD	Purchase order for external blinds issued to contractor.
Warren Works Depot Air-Conditioning and Workshop Bird proofing 326-4320-0015	18,000	Nil	MHD	
Warren War Memorial Swimming Pool Improvement Works 0100-0055-0000	48,000	Nil	MHD	
Warren Showground/Racecourse Tables & 100 Chairs 3360-4005-0022	15,000	15,212.73	MHD	Purchase order issued to supplier.
*Warren Sporting and Cultural Centre 250 Chairs 3360-4005-0021	25,000	25,347.60	MHD	Purchase order issued to supplier. Chairs delivered.
Carter Oval Youth Sports Complex Building Fit Out 3360-4050-0016	12,000	4,579.56	MHD	Urn, bain marie, pie warmer, microwave, chest freezer, BBQ, shelving ordered

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GRANT APPLICATIONS				
Project	Budget	Expend/ Comm	Resp	Comment
Community Energy Upgrades Fund Round 2	82,594 (50/50 co-contribution 41,297)	Nil	MHD	Solar and batteries at the Ewenmar Waste Facility, and Stage 2 of Solar at the Warren War Memorial Swimming Pool. Submitted 23rd May 2025.
Office of Responsible Gambling. Infrastructure Grants – Round 1 2025/26	150,000.00 (\$0.00 Co-Contribution from Council)	Nil – Pending Outcome of Grant	CM	Submitted by Warren & District Rugby League Football Club (Breakdown of budget - \$60,000.00 for new composite style log fencing surrounding main oval, \$60,000.00 for Continuous LPG gas hot water systems to Sporting Complex, \$30,000.00 to construct Sandstone Block Yarning Circle) Application submitted 21st July 2025 – awaiting outcome