

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, 22nd May 2025

ITEM 1 REVIEW OF COMMUNICATIONS AND ENGAGEMENT POLICY (P13-1, C8-1)

RECOMMENDATION:

That Council adopt the reviewed Communication and Engagement Policy as amended.

PURPOSE

For Council to reconsider the Communications and Engagement Policy that has only been slightly amended following review.

BACKGROUND

Council at its meeting of the 23rd September 2021 considered both a Communications and Engagement Policy and Community Engagement Strategy.

The objective of Council's Communication and Engagement Policy is as follows:

- To endeavour to comply with Council's focus to pursue excellence, to be responsive and pro-active in the promotion and improvement of our community through responsible and innovative leadership.
- To enhance Council's ability to be transparent, accessible and responsive to the community through encouraging dialogue and two-way communication;
- To outline the responsibilities, management and other issues concerning communication and engagement by Warren Shire Council;
- To outline Council's expectations of staff and Councillors in regards to personal use of social media;
- To ensure Council's communications conforms with its corporate identity standards; and
- To define roles and responsibilities for the management of communication tools on behalf of the Organisation.

This Policy clarifies openness and transparency in engaging with the community, ensuring a process which, at a minimum, meets legislative requirements and is facilitated with better access to and understanding of information, increasing participation, raising awareness and strengthening our community.

This Policy applies to all Warren Shire Council staff, Councillors and Contractors across all operations and functions of Council involved in the process of communications and community engagement, including those who:

- Propose to use communications to promote Council's policies, functions, events and services internally with staff or with the wider community or to distribute content;
- Are authorised to administer or comment on official social media channels as Authorised Social Media Facilitators and Moderators; or
- Are users of social media in a personal or professional capacity.

Council Staff can utilise a Project Engagement Plan with the Marketing and Communications Team when planning to undertake community engagement for a specific event or project. Council Department's should advise the Marketing and Communications Team of projects and together determine the need for a formal plan.

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The plan will:

- Define the project;
- Determine objectives;
- Outline appropriate communication and engagement methods;
- Detail timeframes and responsibilities; and
- Consider feedback, reporting and evaluation.

Importantly over time a majority of Manex members will be trained in how to develop and implement an appropriate Project Engagement Plan to ensure that there is uniformity across the organisation and appropriate preparation to engage on projects, programs and plans.

The Policy also puts in train appropriate requirements in relation to social media, copyright, records management, appropriate content, social media content and roles and responsibilities.

Since the enactment of both the Communications and Engagement Policy and the Community Engagement Strategy Council, its Committees and Staff have been working towards an appropriate level of community engagement.

The Community Engagement Strategy was renewed and readopted by Council at its Meeting on the 5th December, 2024.

REPORT

Attached is a copy of the amended Communications and Engagement Policy following a review, with changes shown in red.

The intent of the Policy has not changed with only new platforms used detailed and the use of Council's Standard Review Clause.

The Reviewed Policy was presented to Manex on 13th May, 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

The implementation of proper Community Engagement Plans for Council's projects, programs, strategies and plans will entail additional up front costs that are easily recouped with better informed decisions by Council, Committees and Staff.

LEGAL IMPLICATIONS

NSW Privacy and Personal Information Protection Act, 1998.

NSW Local Government Act, 1993.

RISK IMPLICATIONS

Nil.

STAKEHOLDER CONSULTATION

When first drafted in 2021 Manex and the Communications and Marketing Team were consulted and the Policy was advertised for a minimum of 28 days to obtain appropriate comments from

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the community and was only adopted if no adverse comments were received, with there being none.

As the minor changes to the Policy do not change the intent of the Policy, it is considered that further public exhibition is not warranted.

OPTIONS

The only option is to further amend the reviewed Policy.

CONCLUSION

The current Policy with only minor amendments that are detailing the use of other platforms used and the use of Council's Standard Review Clause as detailed is considered appropriate for Council to adopt, particularly as the changes do not change the intent of the Policy.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.1.1 Undertake regular community engagement activities as per the Community Engagement Strategy
- 5.1.3 Promote Warren Shire Council to wide audiences both within the Shire and externally Community Engagement Strategy.

SUPPORTING INFORMATION /ATTACHMENTS

- 1. Amended Communications and Engagement Policy; and
- 2. Community Engagement Strategy.

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Attachment 1 - Amended Communications and Engagement Policy



POLICY REGISTER

COMMUNICATIONS AND ENGAGEMENT POLICY

Policy adopted: 23rd September 2021 Minute No. 206.9.21

Reviewed:

File Ref: P13-1, C8-1

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Warren Shire Council – Communications and Engagement Policy

DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Gary Woodman	First Edition	Council Minute No. 206.9.21 (23rd September 2021)
2.0	Gary Woodman General Manager April 2025	Review, new platforms used, use of Council's Standard Review Clause.	Council Minute No.

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Warren Shire Council – Communications and Engagement Policy

Objective

- To endeavour to comply with Council's focus to pursue excellence, to be responsive and pro-active in the promotion and improvement of our community through responsible and innovative leadership.
- To enhance Council's ability to be transparent, accessible and responsive to the community through encouraging dialogue and two-way communication;
- To outline the responsibilities, management and other issues concerning communication and engagement by Warren Shire Council;
- To outline Council's expectations of staff and Councillors in regards to personal use of social media;
- To ensure Council's communications conforms with its corporate identity standards; and
- To define roles and responsibilities for the management of communication tools on behalf of the Organisation.

Scope

This Policy clarifies openness and transparency in engaging with the community, ensuring a process which, at a minimum, meets legislative requirements and is facilitated with better access to and understanding of information, increasing participation, raising awareness and strengthening our community.

This Policy applies to all Warren Shire Council staff, Councillors and Contractors across all operations and functions of Council involved in the process of communications and community engagement, including those who:

- Propose to use communications to promote Council's policies, functions, events and services internally with staff or with the wider community or to distribute content;
- Are authorised to administer or comment on official social media channels as Authorised Social Media Facilitators and Moderators; or
- Are users of social media in a personal or professional capacity.

Definitions

Engagement – is the process of Council working collaboratively with community and its stakeholders. It is actions or opportunities for input, feedback and advice on plans, projects or services that Council is developing or delivering.

Generally, there are three aspects to engagement:

- Inform;
- Consult; and
- Collaborate.

Communication – is a process by which Council provides announcements on services, projects and decisions. Communication can take many forms including face to face, digital or written and may be formal or structured depending on the audience. Communication is an essential component within engagement.

Community – refers to those who have an interest of the functions and future directions of Warren Shire Council, including but not limited to residents, ratepayers, visitors, schools, community/sporting/church groups, staff, users of services, businesses and developers.

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Policy

Council recognises the benefits effective and positive communication has to Council and the community.

1. Forms of Communication

Communication can be by means of:

- 1.1 Surveys;
- 1.2 Social Media;
- 1.3 Website;
- 1.4 Council Publications;
- 1.5 Employee Relations; and
- 1.6 Events and Presentations.

1.1 Surveys

Surveys may include online polls, questionnaires and surveys and are to be undertaken in line with the NSW Privacy and Personal Information Protection Act 1998 which requires Council to:

- Secure and store personal information collected;
- Disclose the use, storage and collection of personal information;
- Clearly identifies that it is a Warren Shire Council survey; and
- Utilises online collection tools to restrict multiplication of entries if able.

1.2 Social Media

Social media: refers to internet-based tools for sharing and discussing information by people. Social media includes but is not limited to:

- Social networking sites (such as Facebook, LinkedIn, Google+);
- Video and photosharing (Youtube, Flickr, Instagram);
- Blogs;
- Micro-blogging (Twitter);
- Forums, discussion boards and groups (Google groups, hangout);
- Wikis (Wikipedia, wikispaces);
- Vodcasts and Podcasts; and
- Instant messaging and chat services.

Social media is a two-way form of communication between Council, residents, the community, partners and stakeholders. It offers an opportunity to disseminate information immediately and swiftly as well as being a tool for consultation and engagement.

Warren Shire Council accepts social media has the potential to improve communication with stakeholders including residents, partners, and business and industry organisations. As such the appropriate use of social media to support communications objectives is encouraged.

Social media is integrated in Council's communications functions. Use of social media should also be considered when developing new strategies as a means of communicating with a range of stakeholders.

Warren Shire Council also recognises the value of social media as a listening mechanism to improve the understanding of community expectations and to respond as it sees fit. It is closely linked with Warren Shire Council's Social Media Policy.

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1.2.1 New Social Media Channels

The General Manager must authorise the use of social media channels that are branded or deemed to be associated with Warren Shire Council.

In determining an application for a new social media channel the General Manager will consider the resourcing and management of such channels.

1.2.2 User Generated Content

User Generated Content (UGC) is content on a social media site that is created by the audience. The conventions of social media encourage user generated content. In the main Council supports this practice.

Authorised Social Media Facilitators and Moderators are responsible for establishing rules of use for the relevant social media channel and monitoring and moderating that channel appropriately.

1.2.3 Dealing with Inappropriate Content and Behaviour

Warren Shire Council will not publish UGC, or will remove any previously published UGC, that:

- Defames any individual, group or organisation;
- Vilifies any individual, group or organisation because of their political affiliation, race, religion, cultural background, gender, age or sexual identity;
- Contains obscene, racist, sexist, threatening or otherwise offensive language or images;
- Breaches copyright;
- Is/or potentially unlawful; and
- Contravenes any policies or guidelines set forth by Warren Shire Council.

1.2.4 Personal Use of Social Media

Warren Shire Council accepts employees, Contractors and Councillors will engage social media for professional and personal reasons. Staff, Councillors and Contractors should be aware that comments, including personal comments, made on social media regarding the organisation are connected to the organisation and as such relate to their relationship/employment /contract with Council.

When using social media Staff, Councillors and Contractors should at all times:

- Ensure personal online activities do not interfere with the performance of duties;
- Clearly distinguish personal comments from official comments;
- Not disclose confidential information obtained through their role;
- Act lawfully;
- Not post defamatory, discriminatory, disrespectful or deliberately misleading comments; and
- Best practice is that Staff/Contractors/Councillors should not comment directly on any Council social media posts or when those posts are shared.

Inappropriate behaviour (not limited to the examples above) may lead to a breach of Council's policies and Code of Conduct. This breach may result in disciplinary action including formal warnings and/or dismissal.

1.3 Website

Council will endeavour to provide an up to date, user and mobile friendly website that portrays information on Council services, functions, decisions and future in a way that proves a valuable source of information and customer service tool for its stakeholders.

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Regular communication, initiatives and updates of the website must be maintained to encourage the community to use the website for Council and community information.

Information should be reviewed regularly by all Council Departments to ensure the most current and relevant information is presented. Request for changes or updates should be sent through to authorised persons for update via the council@warren.nsw.gov.au

Stakeholders can promote their events through Council's website by emailing a request through to council@warren.nsw.gov.au with all relevant details.

1.4 Council Publications

Council publishes and distributes newsletters and/or news items to relevant stakeholders by **Division/Department**. These publications must be created in line with Council's Brand Style Guides and approved templates. Prior to distribution, publications should be submitted through the relevant approval process.

Council's publications include, but are not limited to:

- Council Newsletters;
- Library Newsletters;
- Ratepayers Information Booklet;
- From the Mayor's Desk;
- Business Papers;
- Council Meeting Precis;
- Council Notices and Advertisements;
- Digital Media Programs; **and**
- **Whispr Platform.**

1.5 Employee Relations

The Staff and elected Councillors of Warren Shire Council are significant and effective ambassadors for Council. It is essential that the information presented to these ambassadors is received in a way that is timely, relevant, consistent and user friendly to best ensure they are equipped and adequately informed on Council's activities.

Effective internal communication encourages acknowledgement, ownership and accountability to Council's present and future, increasing staff morale and more effective communication between employees across Departments and management. Staff are to be made aware of any key issues or projects which will affect them e.g. a specific focus on safety.

Strategies to ensure such communication to employees include, but are not limited to:

- Staff induction process;
- Regular staff, Senior Management Team and MANEX meetings;
- Memorandums;
- Staff noticeboards;
- Email;
- Text **or other digital** messages;
- Attachments on pay slips;
- Employee surveys; and
- LinkedIn.

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1.6 Events and Presentations

Council Staff and Councillors should secure permission from the relevant Divisional Manager, Acting Divisional Manager, Manager, Acting Manager or General Manager prior to accepting speaking engagements at events or conferences.

Written or verbal support of community events should also have the approval of the relevant Divisional Manager, Acting Divisional Manager, Manager, Acting Manager or General Manager.

Appropriate branded documents, presentations and collateral must be used for communication in line with Council's Brandmark Guide.

All presentations, videos and external documents should have relevant approvals prior to distribution or use.

If a presentation is accepted by a Councillor or Staff Member as a private citizen, it must be made clear to the audience that there is no affiliation with Warren Shire Council.

Warren Shire Council's Marketing and Communications Team can provide and assist in facilitation, marketing and public relations support to Council and community events through collateral, digital sharing of information across website and social media channels.

2. When Council Should Engage

Council will undertake a formal community engagement process in the following circumstances:

- Where there is a legislative/statutory requirement;
- When Council resolves to undertake community consultation;
- On issues that have the potential to affect the delivery of services or facilities that contribute to community well-being, growth and prosperity;
- When identifying and understanding the needs and priorities of the community for the purposes of strategic planning; and
- To monitor and evaluate community satisfaction with Council or Council services.

3. Project Engagement Plans

Council Staff can utilise a Project Engagement Plan with the Marketing and Communications Team when planning to undertake community engagement for a specific event or project. Council Department's should advise the Marketing and Communications Team of projects and together determine the need for a formal plan.

The plan will:

- Define the project;
- Determine objectives;
- Outline appropriate communication and engagement methods;
- Detail timeframes and responsibilities; and
- Consider feedback, reporting and evaluation.

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Warren Shire Council – Communications and Engagement Policy

4. Copyright

Warren Shire Council respects the copyright of others and will protect the copyright of its own materials.

Warren Shire Council retains the copyright on all material created by Warren Shire Council and shared via the above communication channels.

Authorised Social Media Facilitators and Moderators, website content officers and the Marketing and Communications Team will ensure content shared does not breach copyright and that Council copyrighted material is approved for use.

5. Records Management

Records of all communication will comply with Council's Records Management Policy.

6. Appropriate Content

Council's communication activities should not have political purpose (unless otherwise directed and approved by General Manager and Mayor). Any communication will be presented in unbiased language, grammatically correct and in line with this Policy, and all related policies, procedures, legislation and approval processes.

6.1 Social Media Content

All Authorised Social Media Facilitators and Moderators must exercise sound judgement in regard to content and material communicated via Council's social media channels. All material published on the social media channels must reflect content that is aligned to Council's corporate approval process.

All communication via Council's social media channels must:

- Comply with all related Council policies, including the Social Media Policy, and Code of Conduct;
- Be approved by relevant staff when and where appropriate;
- Be of a high standard;
- Not plagiarise or breach copyright; and
- Comply with the Privacy and Personal Information Protection Act 1998.

The following content is not appropriate to be communicated via Council's social media channels:

- Unassociated commercial advertising and sponsorship; and
- Intentionally misleading or inaccurate information.

Council's Authorised Social Media Facilitators and Moderators reserve the right to remove material from social media if deemed inappropriate.

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Warren Shire Council – Communications and Engagement Policy

7. Roles and Responsibilities

All staff have a responsibility to act ethically and honestly when communicating with the community. Staff should take measures to ensure personal comments cannot be mistaken for an official comment of Council.

Council's Divisional Managers, Managers and Staff should also:

- Inform the Marketing and Communications Team of information being communicated to the community and follow relevant approval processes; and
- Comply with Council's relevant policies and procedures including Council's Brandmark Guide, Social Media Policy, Community Engagement Strategy and Communication & Engagement Policy.

7.1 Digital

- Comments, post, images, video and any other material that is deemed defamatory of Council, other employees or Councillors, will result in disciplinary action;
- The Marketing and Communications Team will maintain a register of approved social media platforms and channels used within Warren Shire Council; and
- Only Authorised Social Media Facilitators and Moderators may comment via official social media channels on behalf of Warren Shire Council.

Relevant Legislation

NSW Privacy and Personal Information Protection Act 1998
NSW Local Government Act, 1993

Associated Documents

Warren Shire Council's Code of Conduct
Warren Shire Council's Social Media Policy
Warren Shire Council's Brandmark Guide
Warren Shire Council's Records Management Policy
Project Engagement Plans

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 legislative changes occur).

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Attachment 2 - Community Engagement Strategy.



COMMUNITY ENGAGEMENT STRATEGY



Adopted: 23rd September 2021 Minute No. 206.9.21

Reviewed: 5th December 2024 Minutes No. 308.12.24

File Ref: P13-1, C8-1

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Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Gary Woodman	First Edition	Council Minute No. 206.9.21 (23rd September 2021)
2.0	Gary Woodman	Minor changes - replacing photographs with more up-to-date photographs.	Council Minute No. 308.12.24 (5th December 2024)

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Warren Shire Council – Community Engagement Strategy

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Warren Shire Council – Community Engagement Strategy

Introduction

The Community Engagement Strategy outlines the process for involving the Warren Shire community in Council's strategic planning and decision making processes, ranging from the development of Council's Ten Year Community Strategic Plan to day-to-day activities. Council supports the right of citizens to participate in decision making that affects their future.

The strategy:

1. Defines community engagement and identifies the methods of engagement Council uses for the key stages of engagement—inform, consult, involve, collaborate and empower;
2. Identifies the broad categories of Council projects which require engagement; and
3. Provides an Engagement Matrix to align the methods of engagement with the category of Council projects.
4. Will provide a broad based process on how Council will engage with the community in regard to its projects, programs and plans.



Councillor Brewer absent from photo.

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Warren Shire Council – Community Engagement Strategy

Scope

The purpose of a Community Engagement Strategy is to encourage a participatory culture and to create meaningful new bonds driven by shared values or goals.

A number of organisations and scholars have identified core principles of community engagement. Warren Shire Council's seven core principles that effectively reflect the common beliefs and understandings of those working in the field of community engagement – conflict, conflict resolution, and collaboration.

In practice, these principles and others, are applied in many different ways. The principles are as follows:

1. *Careful Planning and Preparation.* Through adequate and inclusive planning, ensure that the design, organisation, and convening of the process serve both a clearly defined purpose and the needs of the participants;
2. *Inclusion and Demographic Diversity.* Equitably incorporate diverse people, voices, ideas, and information to lay the groundwork for quality outcomes and democratic legitimacy;
3. *Collaboration and Shared Purpose.* Support and encourage participants, government and community institutions, and others to work together to advance the common good;
4. *Openness and Learning.* Help all involved listen to each other, explore new ideas unconstrained by predetermined outcomes, learn and apply information in ways that generate new options, and rigorously evaluate community engagement activities for effectiveness;
5. *Transparency and Trust.* Be clear and open about the process, and provide a public record of the organisers, sponsors, outcomes, and range of views and ideas expressed;
6. *Impact and Action.* Ensure each participatory effort has real potential to make a difference, and that participants are aware of that potential; and
7. *Sustained Engagement and Participatory Culture.* Promote a culture of participation with programs and institutions that support ongoing quality community engagement.

This Community Engagement Strategy relates to most activities undertaken by Council, except for notifications of development applications and other related statutory notifications. If legislative requirements or other Council policies exist which address specific information/consultation processes, they take precedence, but the implementation of that legislation and those policies should take account the Community Engagement Strategy.

There are external factors that sometimes limit the level of engagement possible. For example, state or federal legislation may prescribe specific activities or project characteristics may determine what can or should be done. Community members also have opportunities to participate beyond the Community Engagement Strategy by the use of Council's customer request process.

Council Staff can utilise a Project Engagement Plan with the Marketing and Communications Team when planning to undertake community engagement for a specific event or project. Council Department's should advise the Marketing and Communications Team of projects and together determine the need for a formal plan.

The plan will:

- Define the project;
- Determine objectives;
- Outline appropriate communication and engagement methods;

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Warren Shire Council – Community Engagement Strategy

- Detail timeframes and responsibilities; and
- Consider feedback, reporting and evaluation.

Benefits

Effective engagement makes communities feel more connected with their Councils, strengthening trust, goodwill and respect.

There are a number of benefits from the Community Engagement Strategy which:

- Commits Council to be open and accountable;
- Helps Council plan services better to meet community needs and aspirations;
- Helps Council prioritise services and make better use of resources;
- Allows a broader range of views to be expressed, more information to be assembled, and more possible solutions to be considered before making decisions;
- Enables Council and the community to work together to achieve balanced decisions;
- Offers opportunities for residents to contribute to and influence outcomes which directly affect their lives; and
- Encourages greater community ownership and acceptance of Council decisions.

Objectives

1. Involve the local community in the development, implementation and review of Council's strategic planning and decision making processes, within its legislative abilities;
2. Provide a framework for a co-ordinated well planned approach to engagement that is genuine and inclusive and meets the needs of each stakeholder group (not one size fits all);
3. Monitor and evaluate Council's engagement activities and incorporate feedback to improve and enhance Council's community engagement activities and capabilities into the future;
4. Build a positive reputation for Warren Shire Council by demonstrating that Council is listening, informing and being informed by a broad cross section of the community; and
5. Ensure Council and Councillors receive quality information representative of the views of a broad cross section of the community, sourced from a range of methods to assist in effective decision making.

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Warren Shire Council – Community Engagement Strategy

Legislation/Principles

NSW Local Government Act

The *NSW Local Government Act 1993* requires all Councils in NSW to have a long term Community Strategic Plan to enable better outcomes focused on the needs and aspirations of the community. To ensure that the Plan reflects community needs, the Act states that Councils must prepare and implement an Engagement Strategy.

The strategy needs to specifically address the issues around determining 'Levels of Service' that the community expects from Council. This information can then be used to plan and guide the quality and effectiveness of policy development, service level planning, infrastructure works, major projects, advocacy and partnership development.

Public Participation Principles

Council believes that all citizens should have a say in decisions about actions that affect their lives. Council implements best practice guidelines developed by the International Association for Public Participation (IAP2) to ensure that engagement is genuine.

The IAP2s core values of public participation:

1. Is based on the belief that those who are affected by a decision have a right to be involved in the decision making process;
2. Includes the promise that the public's contribution will inform the decision;
3. Promote sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers;
4. Seeks out and facilitates the involvement of those potentially affected by or interested in a decision;
5. Seeks input from participants in designing how they participate;
6. Provides participants with the information they need to participate in a meaningful way; and
7. Communicates to participants how their input affected the decision made.



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Warren Shire Council – Community Engagement Strategy

Social Justice Principles

The *NSW Local Government Act* also stipulates that the Community Strategic Plan should reflect the principles of Social Justice and that these social considerations are adequately addressed in the planning and development process. The principles for social justice are:

Equity

There should be fairness in decision making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

Access

All people should have fair access to services, resources and opportunities to improve their quality of life.

Participation

Everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives.

Rights

Equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

Engaging with Hard to Reach Groups

Traditionally, some groups of people have been more challenging to engage with effectively.

These have included:

- People from Culturally and Linguistically Diverse (CALD) backgrounds;
- Indigenous people;
- Older people;
- Youth;
- People with a disability;
- People with low levels of literacy; and
- People from disadvantaged socio-economic backgrounds.

Warren Shire Council will use a variety of strategies to engage hard to reach groups.

These include:

- Ensuring community engagement activities are promoted through a number of different media e.g. newspapers, free publications, over the radio, online and through flyers;
- Using plain english both to promote community engagement and during community engagements;
- Following appropriate cultural protocols and ensuring that the person/s involved in engagement have the authority to speak on behalf of their community or group;
- Avoiding using assumptions, generalisations, or insensitive language about people from CALD backgrounds or their beliefs;
- Seeking the support of agencies (including sections of Council) that provide services to special needs groups;
- Providing incentives to encourage groups and/or individuals to become involved in community engagement;

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REVIEW OF COMMUNICATIONS AND ENGAGEMENT POLICY

CONTINUED

Warren Shire Council – Community Engagement Strategy

- Using age appropriate methods for children and young people;
- Taking the opportunity to carry out engagement at activities, events or festivals in the Community; and
- Councillors and staff going out to conduct engagement sessions in the communities.

Engagement Basics

What is Engagement?

For the purposes of this strategy, community engagement is defined as the processes and structures in which Council:

1. Communicates information to the community; and
2. Seeks information, involvement and collaboration from the community with the primary aim of informing Council's decision making.

Best practice community engagement as prescribed by the International Association for the Public Participation (IAP2) defines community engagement as:

'Any process that involves the public in problem solving or decision making and uses public input to make decisions.'

In general terms, it is an inclusive process to ensure the community has the opportunity to participate in decisions that may impact them.



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Warren Shire Council – Community Engagement Strategy

Our Community

Stakeholders

Warren Shire Council stakeholders include:

Warren Shire Residents: Those who reside in the Warren Shire Local Government Area.

Warren Shire Ratepayers: Those who own rateable land located in the Warren Shire Local Government Area.

Community Organisations and Groups: This includes not-for-profit, civic, cultural and religious organisations, groups and networks, and village progress associations etc.

Councillors and Council Staff: The elected body of Council and Council employees.

Schools, Education and Training Institutes: This includes vocational and training providers and schools.

Businesses/Industry: Owners, operators and employees of small, medium and large businesses, business groups, utility companies, economic development, Chamber of Commerce and tourism industry groups.

Government Agencies and Statutory Authorities: State and Federal government agencies and statutory authorities, including emergency services.

Other Orana Councils and Regional Bodies: Bogan, Bourke, Brewarrina, Cobar, Coonamble, Dubbo Regional, Gilgandra, Narromine, Walgett and Warrumbungle Shire Councils.

Interest Groups: Representative groups with an interest in particular issues, such as sporting or cultural organisations and peak bodies, youth organisations, disability advocacy and indigenous organisations.

Council Committees: Plant Committee, Showground/Racecourse Committee, Warren Shire Traffic Committee, Warren Water and Sewerage Committee, Warren Town Improvement Committee, Warren Sporting Facilities Committee, Economic Development & Promotions Committee, Council Chambers Development Sunset Committee, Ewenmar Waste Depot Sunset Committee, Water Conservation Committee, Airport Operations Committee, Roads Committee, Warren Public Arts Committee, Australia Day Committee, Local Emergency Management Committee and Warren Interagency Support Services Group.

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REVIEW OF COMMUNICATIONS AND ENGAGEMENT POLICY

CONTINUED

Warren Shire Council – Community Engagement Strategy

How we will Engage

Levels of Participation

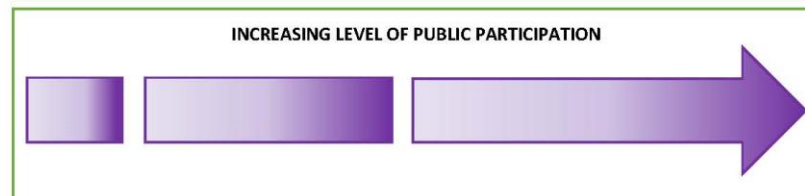
The Public Participation Spectrum developed by IPA2 identifies five different stages of consultation relative to the level of impact the community should have on decision making.

The stages are:

1. Inform;
2. Consult;
3. Involve;
4. Collaborate; and
5. Empower.

The spectrum is outlined in the table below:

Inform	Consult	Involve	Collaborate	Empower
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions	To obtain public feedback on analysis, alternatives and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution	To give the public a real voice in the final decision making*



* Council functions under the *NSW Local Government Act NSW 1993*; therefore except in very limited circumstances only the elected body of Council is 'empowered' to make decisions and implement actions. Hence, engagement activities conducted at the Empowerment level will be unusual.

For Warren Shire Council purposes the key stages can be described as:

- Inform;
- Consult; and
- Involve/Collaborate.

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Warren Shire Council – Community Engagement Strategy

Inform

Commitment to Community : We will keep you informed.

Community's Role: Listen.

Council's Role: Give stakeholders balanced, accurate and relevant information on decisions, policies, plans and strategies.

The inform stage is for day-to-day use, often when Council has already made a decision, to communicate the outcome or status of projects, or when there is only one way that Council can inform the community.

Inform Engagement Methods

Customer Service: Council's Administration Centre along with Services NSW Office in Dubbo Street in Warren provide a 'one-stop-shop' for Council services using customer service, visual displays and printed materials for Council related business.

Warren Shire Council Website: One of Council's primary communication tools, the website should be a comprehensive source of information for all Council services and programs.

Advertising and Features: Council will consider the use of advertising/features with any local media servicing the area e.g. The Warren Weekly, The Daily Liberal, Western Magazine, 2DU, 2WEB and United Christian Broadcasters etc.

Media Releases: Regular media releases ensure Council provides reliable, timely and accurate information to all media servicing the Warren Shire Local Government Area, including print and broadcast.

Publications/Information Material: Warren Shire Council publications about Council specific programs, services and initiatives are a valuable source of information.

Social Media: Provides a platform for Council to provide information, receive feedback and hold discussions.

Council Facilitated Community Events: Council hosted events which provide opportunities for Councillors and staff to provide information to the community. Council also strongly supports and participates in other community events.

Letterbox Drop: Non addressed letter/flyer that advises citizens of an outcome/works to be undertaken and informs how feedback can be provided.

Targeted Direct Mail: Addressed letters sent directly to customer. This is usually specific to a project, geographic location or members of a particular group or demographic.

Presentation/Public Speaking: Councillors and staff speak at relevant meetings or events such as community events.

Site Specific Signage: Erected temporarily or permanently to inform the public of the project and relevant project details.

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Warren Shire Council – Community Engagement Strategy

Community Displays/Stalls: Councillors and Council officers are available at a nominated venue and for a specific period of time, encouraging citizens to attend and discuss topics.

Site Meeting/Tour: Interaction at specific locations, usually facilitated by Council for invited participants.

Personal Briefing: Inform relevant community groups/ratepayer associations/businesses/ individuals that they may request a personal briefing with Councillors or Council staff to discuss a particular issue.

Meetings by Invitation: Community leaders, stakeholders and representatives meet with Councillors and Council staff for discussion, debate and exchange of views on a specific issue.

Consult

Commitment to the Community: We will listen to you, consider your ideas and concerns and keep you informed.

Community's Role: Contribute

Council's Role: Generate active two-way communication between Council and the community. At this level, Council seeks feedback to identify important community issues and perspectives that can influence and assist decision making. Informing is a prerequisite for consultation.

Consult Engagement Methods

Customer Service: Council's Administration Centre along with Services NSW Office in Dubbo Street in Warren provide a 'one-stop-shop' for Council services using customer service, visual displays and printed materials for Council related business.

Warren Shire Council Website: One of Council's primary communication tools, the website should be a comprehensive source of information for all Council services and programs.

Advertising and Features: Council will consider the use of advertising/features with any local media servicing the area e.g. The Warren Weekly, The Daily Liberal, Western Magazine, 2DU, 2WEB and United Christian Broadcasters etc.

Media Releases: Regular media releases ensure Council provides reliable, timely and accurate information to all media servicing the Warren Shire Local Government Area, including print and broadcast.

Publications/Information Material: Warren Shire Council publications about Council specific programs, services and initiatives are a valuable source of information.

Social Media: Provides a platform for Council to provide information, receive feedback and hold discussions.

Letterbox Drop: Non addressed letter/flyer that advises citizens of an outcome/works to be undertaken and informs how feedback can be provided.

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Targeted Direct Mail: Addressed letters sent directly to customer. This is usually specific to a project, geographic location or members of a particular group or demographic.

Community Forums: These provide an opportunity for members of the community to attend a structured two way information session hosted by Council, usually about specific projects and topics.

Presentation/Public Speaking: Councillors and staff speak at relevant meetings or events such as community events.

Public Exhibitions and Submissions: Required by legislation for certain types of issues, items on exhibition and development applications are open to submissions from the public. The information is made available to the public to comment on within a certain time frame, while informing citizens how they can make their submissions/comments to Council.

Community Displays/Stalls: Councillors and Council officers are available at a nominated venue and for a specific period of time, encouraging citizens to attend and discuss topics.

Targeted Direct Mail: Addressed letters sent directly to customer. This is usually specific to a project, geographic location or members of a particular group or demographic.

Surveys: Target audience surveys should be integrated with broader consultation for larger projects, using independent market research companies or survey specialists where possible.

Site Meeting/Tour: Interaction at specific locations, usually facilitated by Council for invited participants.

Personal Briefing: Inform relevant community groups/ratepayer associations/businesses/ individuals that they may request a personal briefing with Councillors or Council staff to discuss a particular issue.

Meetings by Invitation: Community leaders, stakeholders and representatives meet with Councillors and Council staff for discussion, debate and exchange of views on a specific issue.

Involve/Collaborate

Commitment to the Community: We will work with you on an ongoing basis to ensure your ideas, concerns and aspirations are considered. We will provide feedback on Council's decisions.

Community's Role: Participate

Council's Role: Create a collaborative relationship/partnership between Council and the community, facilitating involvement in shaping decisions that affect community life. Informing and consulting are components of involving/collaborating.

Involve/Collaborate Engagement Methods

Customer Service: Council's Administration Centre along with Services NSW Office in Dubbo Street in Warren provide a 'one-stop-shop' for Council services using customer service, visual displays and printed materials for Council related business.

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Warren Shire Council Website: One of Council's primary communication tools, the website should be a comprehensive source of information for all Council services and programs.

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Media Releases: Regular media releases ensure Council provides reliable, timely and accurate information to all media servicing the Warren Shire Local Government Area, including print and broadcast.

Publications/Information Material: Warren Shire Council publications about Council specific programs, services and initiatives are a valuable source of information.

Social Media: Provides a platform for Council to provide information, receive feedback and hold discussions.

Letterbox Drop: Non addressed letter/flyer that advises citizens of an outcome/works to be undertaken and informs how feedback can be provided.

Targeted Direct Mail: Addressed letters sent directly to customer. This is usually specific to a project, geographic location or members of a particular group or demographic.

Presentation/Public Speaking: Councillors and staff speak at relevant meetings or events such as community events.

Surveys: Target audience surveys should be integrated with broader consultation for larger projects, using independent market research companies or survey specialists where possible.

Meetings by Invitation: Community leaders, stakeholders and representatives meet with Councillors and Council staff for discussion, debate and exchange of views on a specific issue.

Large Group/Stakeholder Collaboration: As forums to address a strategic issue or plan, these collaborations bring together Councillors, Council staff, Committee Members, stakeholder groups and individuals with relevant expertise and knowledge to formulate a response.

Empower

Commitment to the Community: We will give the community greater opportunity to participate in a transparent flow of information and feedback to Councillors, who have been empowered as the community representatives to make decisions in accordance with the NSW Local Government Act 1993.

Community's Role: Decide

Council's Role: As noted above, engagement activities conducted at the Empower level will be unusual. However, engagement with Councillors is encouraged and facilitated.

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Warren Shire Council – Community Engagement Strategy

Council Projects for Engagement

Consultation methods vary according to the type of project/issue. The strategy sets guidelines for engagement on project/issues which are classified into four categories:

1. **Shire-wide / High Impact:** Strategic plans, major projects and resource issues. *For example, Community Strategic Plan, Local Environmental Plans, shire-wide Development Control Plans.*
2. **Shire-wide / Low Impact:** Management Plans and Policy Development, minor projects and major projects with limited impact. *For example major festivals and events.*
3. **Locality Based / High Impact:** Locality improvement and site specific matters and events. *For example, Development Applications in accordance with statutory requirements, construction of Council facilities and works in central business districts.*
4. **Locality Based / Low Impact:** Council service/program planning and delivery. *For example, local road works, operational services such as traffic management and general maintenance of public areas or upgrade of parks and recreational areas (minor works level).*

This Strategy relates to many activities undertaken by Council. However, legislative requirements and other Council policies regulate the procedures and outcomes of some Council activities, limiting the opportunities for public input and the scope for community engagement.

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REVIEW OF COMMUNICATIONS AND ENGAGEMENT POLICY

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Warren Shire Council – Community Engagement Strategy

Engagement Matrix

	What to do?	When you are dealing with...			
		Shire-Wide / High Impact	Shire-Wide / Low Impact	Locality Based / High Impact	Locality Based / Low Impact
	1 = every time 2 = in most circumstances 3 = on specific circumstances 4 = on rare occasions				
INFORM	Administration Centre	1	1	1	1
	Warren Shire Council Website & Social Media Tools	1	1	1	3
	Newspaper/Advertising/Features	1	1	2	3
	Media Release	1	1	2	3
	Publications/Information Material	1	2	2	4
	Council Facilitated Events	4	4	4	4
	Letterbox Drop	4	4	3	3
	Target Direct Mail	2	2	2	3
	Presentation/Public Meeting	2	3	3	4
	Site Specific Signage	3	3	3	3
CONSULT	Community Forum	3	3	2	3
	Public Exhibitions/Submissions	1	2	3	4
	Community Displays/Information Sessions	2	2	3	4
	Surveys	3	4	4	4
	Site Meeting/Tour	2	3	2	4
	Personal Briefing	1	1	2	2
INVOLVE	Meetings by Invitation	1	2	2	4
	Meetings by Council Committees/ Advisory Groups	1	3	3	4
	Large Group/Stakeholders Collaboration	2	2	3	4

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Warren Shire Council – Community Engagement Strategy

Evaluation and Feedback

Following the implementation of an involve/consult engagement project, Council will evaluate the effectiveness of the program in reaching the desired audience and achieving the required outcomes. Council will then provide feedback to the people who participated in the program in order to increase their understanding of how the input gathered during the program was considered/utilised in the decision making process and what direction was ultimately taken.

By providing open and timely feedback to participants and all stakeholders, Council will enhance the transparency of its decision making and further strengthen its relationship with the broader community. Feedback will also improve future engagement programs through a greater understanding of the engagement process.

Acknowledgements

The following acknowledgements are made, recognising institutions and documents that informed and influenced the development of this Community Engagement Strategy:

- NSW Division of Local Government, 'Integrated Planning and Reporting Manual for Local Government';
- International Association for Public Participation 'Foundations of public participation';
- Penn State College of Agricultural Sciences, Department of Agricultural Economics, Sociology, and Education – Core Principles of Community Engagement; and
- The Gilgandra Shire Council's 'Community Engagement Strategy'.

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**ITEM 2 REVIEW OF APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY
(RELEVANT TO RE-APPOINTMENT OR NEW GENERAL MANAGER)
(P13-1, S12-25.1)**

RECOMMENDATION:

That Council adopt the reviewed Appointment and Oversight of General Managers Policy (Relevant to Re-appointment or New General Manager) as amended.

PURPOSE

For Council to reconsider the Appointment and Oversight of General Managers Policy (Relevant to Re-appointment or New General Manager) that has only been slightly amended following review.

BACKGROUND

Council at its meeting of the 23rd February 2023 considered a review of the Appointment and Oversight of General Managers Policy (Relevant to Re-appointment or New General Manager) following the release by the Office of Local Government (OLG) of a new approved Standard Contract of Appointment for General Managers of Councils under Section 338 of the Local Government Act, 1993 and the issue of new Guidelines for Appointment and Oversight of General Managers under Section 23A of the Local Government Act, 1993.

The Guidelines were updated to reflect new Standard Contracts and to implement the ICAC's recommendation that they include guidance that General Manager's Performance Agreements include performance indicators related to the promotion of an ethical culture. The Guidelines also contain guidance on the importance of good working relationships between Councils and General Managers.

The reviewed Policy were subsequently adopted and the current General Manager was re-appointed for a five (5) year term commencing 15th March 2025 using the updated Policy, Guidelines and Contract of Employment.

The current Policy has again been reviewed.

REPORT

Attached is a copy of the amended Policy following a review, with changes highlighted in yellow.

The intent of the Policy is to assist Councillors when performing their functions under the Act relating to the appointment of General Managers and overseeing their performance. This Policy provides guidance on:

- the role of the General Manager and the importance of a good working relationship between Councillors and the General Manager
- the recruitment process and the appointment of a General Manager
- day to day oversight of and liaison with the General Manager
- the performance review process
- separation, and
- renewal of the General Manager's contract.

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**ITEM 2 REVIEW OF APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY
(RELEVANT TO RE-APPOINTMENT OR NEW GENERAL MANAGER) CONTINUED**

The intent of the Policy has not changed with only typographical and Act changes undertaken with the use of Council's Standard Policy Review Clause.

The Reviewed Policy was presented to Manex on 13th May, 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

Section 223 Local Government Act, 1993.

Section 338 Local Government Act, 1993.

Section 23A Local Government Act, 1993 – Guidelines for Appointment and Oversight of General Managers.

Local Government (General) Regulation, 2021.

Warren Shire Council Code of Conduct.

NSW Privacy and Personal Information Protection Act, 1998.

State Records Act, 1998.

Procedures of the Administration of the Code of Conduct.

Public Interest Disclosures Act, 2022.

Work Health and Safety Act, 2011.

General Manager's Contract of Employment.

Corporations Act, 2001 (Cth).

RISK IMPLICATIONS

Nil.

STAKEHOLDER CONSULTATION

Previously appropriate consultation was undertaken by the placing of the renewed Policy in 2023 on public exhibition for a minimum of 28 days and its adoption subject to no adverse submissions being received. No adverse submissions were received and the Policy was subsequently adopted.

As the only changes with this review are minimal, it is considered that public exhibition is not warranted.

OPTIONS

Council must have an Appointment and Oversight of General Manager Policy as it is a legal requirement of the Local Government Act, 1993.

The only option is to further amend the reviewed Policy.

CONCLUSION

The current Policy with only minor amendments (typographical, Act changes and use of Standard Review Clause) as detailed is considered appropriate for Council to adopt, particularly as the changes do not change the intent of the Policy.

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**ITEM 2 REVIEW OF APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY
(RELEVANT TO RE-APPOINTMENT OR NEW GENERAL MANAGER) CONTINUED**

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks.
- 5.3.2 Create a productive and cooperative working environment for Councillors to support their governance responsibilities

SUPPORTING INFORMATION /ATTACHMENTS

Amended Appointment and Oversight of General Managers Policy (Relevant to Re-appointment or New General Manager).

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**ITEM 2 REVIEW OF APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY
(RELEVANT TO RE-APPOINTMENT OR NEW GENERAL MANAGER) CONTINUED**

Attachment 1 – Amended Appointment and Oversight of General Managers Policy (Relevant to Re-appointment or New General Manager).



POLICY REGISTER

APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY

(RELEVANT TO RE-APPOINTMENT OR
NEW GENERAL MANAGER)

Policy adopted: 23rd February 2023 Minute No. 39.2.23

Reviewed:

File Ref: P13-1, S12-25.1

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**ITEM 2 REVIEW OF APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY
(RELEVANT TO RE-APPOINTMENT OR NEW GENERAL MANAGER) CONTINUED**

Warren Shire Council – Appointment and Oversight of General Managers Policy

DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Glenn Wilcox General Manager	First Edition (Relevant to current General Manager)	Council Minute No. 214.9.18 (27th September 2018)
2.0	Gary Woodman General Manager	Second Edition using the Office of Local Government Guidelines for the Appointment and Oversight of General Managers 2022 (Relevant to re- appointed or new General Manager)	Council Minute No. 39.2.23 (23rd February 2023)
3.0	Gary Woodman General Manager April 2025	Review, minor typographical changes, update of relevant Acts, inclusion of Standard Review Clause	Council Minute No. (xx)

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ITEM 2 REVIEW OF APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY
(RELEVANT TO RE-APPOINTMENT OR NEW GENERAL MANAGER) CONTINUED

INTRODUCTION

General

The *Local Government Act 1993* (the Act) requires Councils to appoint a person to be the Council's General Manager (section 334).

One of the prescribed functions of the governing body of a Council is to determine the process for the appointment of the General Manager and to monitor their performance (section 223).

This Policy has been developed to assist Councillors when performing their functions under the Act relating to the appointment of General Managers and overseeing their performance. This Policy provides guidance on:

- the role of the General Manager and the importance of a good working relationship between Councillors and the General Manager
- the recruitment process and the appointment of a General Manager
- day to day oversight of and liaison with the General Manager
- the performance review process
- separation, and
- renewal of the General Manager's contract.

This Policy uses the Guidelines issued under section 23A of the Act and which must be taken into consideration by Councils when exercising their functions in relation to the recruitment and oversight of General Managers. The Policy should be read in conjunction with the relevant provisions of the Act and the *Local Government (General) Regulation 2021* (the Regulation) and the standard contract of employment for General Managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act (the approved standard contract).

Policy 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 legislative changes occur) subject to the requirements of the Standard Contract of Employment for General Managers approved by the Department Chief Executive of the Office of Local Government under Section 338 of the Act (the Approved Standard Contract).

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ITEM 2 REVIEW OF APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS POLICY
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ROLE OF THE GENERAL MANAGER

Councillors comprise the governing body of a Council and make decisions by passing resolutions. It is the General Manager's role to implement the lawful decisions of the Council and to carry out the functions conferred on them by the Act and Regulation and other legislation.

General Managers also perform other functions delegated to them by the governing body.

The governing body monitors the implementation of its decisions through the General Manager's reports to Council Meetings.

Key functions of the General Manager

The Act confers certain functions on General Managers of councils (section 335). Key aspects of the General Manager's role are set out below:

Management of the Council

The General Manager is responsible for conducting the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies approved by the governing body of the Council and implementing without undue delay, lawful decisions of the governing body.

Assisting the governing body to set the strategic direction

The General Manager also plays a key role in assisting the governing body to develop the Council's strategic direction. The General Manager is responsible for guiding the preparation of the Community Strategic Plan and the Council's response to it via the Delivery Program and operational plans. The General Manager is also responsible for implementing the Delivery Program and Operational Plans and reports to the governing body on their

implementation. More information on this is available on the Office of Local Government's [website](#).

Determining the Organisation Structure

The General Manager is responsible for determining the organisation structure of the Council (other than senior staff positions) following consultation with the governing body and in accordance with the budget approved by the governing body (section 332). The positions within the Organisation Structure of the Council must be determined to give effect to the priorities set out in the Council's strategic plans, including the Community Strategic Plan and Delivery Program.

Appointment and direction of staff

The General Manager is responsible for the appointment and direction of staff and their dismissal. The General Manager must consult with the governing body before appointing or dismissing Senior Staff.

Supporting councillors

The General Manager is also responsible for ensuring Councillors are provided with the information and the advice they require to make informed decisions and to carry out their civic duties.

The General Manager should ensure that Council Meeting business papers contain sufficient information to allow Councillors to make informed decisions and to allow them to effectively monitor and review the Council's operations and performance. This will assist Councils in ensuring they are complying with statutory requirements, keeping within the budget approved by the Council, and achieving the strategic goals set by the Council in its Delivery Program and Operational Plan.

The governing body may direct the General Manager to provide Councillors with advice but

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cannot direct them as to the content of that advice.

Requests by Councillors for assistance or information outside of meetings should be made to the General Manager unless the General Manager has authorised another staff member to receive such requests. The *Model Code of Conduct for Local Councils in NSW* contemplates that Councils should adopt a Policy to provide guidance on interactions between Councillors and staff. The Policy should be agreed to by both the governing body and the General Manager. To assist Councils, the Office of Local Government has prepared a Model Councillor and Staff Interaction Policy which reflects best practice. This is available on the Office of Local Government's [website](#).

The delegation of functions to the General Manager

A governing body may delegate certain functions of the Council to the General Manager but cannot delegate the functions set out in section 377(1) of the Act. The delegation of a Council's functions must be made by resolution and be evidenced in writing. Delegations must be reviewed during the first 12 months of each term of the Council (section 380).

The General Manager may sub-delegate a function delegated to them by the governing body (section 378). However, the General Manager still retains responsibility to ensure that any sub-delegated function is carried out appropriately.

The importance of a good working relationship with the General Manager

The position of General Manager is pivotal in a Council. It is the interface between the governing body which sets the strategic

direction of the Council and monitors its performance, and the administrative body of the Council, headed by the General Manager, which implements the decisions of the governing body. A good working relationship between the General Manager and the Councillors is therefore critical for good governance and a well-functioning Council. Where this relationship breaks down, this can quickly lead to dysfunction.

The Centre for Local Government at the University of Technology in Sydney has identified the following as key components of a good working relationship between Councillors and the General Manager:

- mutual trust and respect
- Councillors publicly supporting the work of the General Manager
- Councillors dealing with any performance concerns through appropriate channels e.g., not the media or Council Meetings
- Councillors not getting involved in the day-to-day operational matters of the Council (which makes it difficult for the General Manager to do their job)
- Councillors having a clear understanding of how and when to approach the General Manager or other staff for information or support and following agreed protocols
- regular meetings between the General Manager, Mayor and Councillors to ask questions and share information and advice
- respect of confidentiality, and
- any conflict is dealt with professionally and quickly and where it can't be addressed informally, proper processes are followed.

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RECRUITMENT AND SELECTION

Requirements of the *Local Government Act 1993*

One of the prescribed functions of the governing body of a Council is to determine the process for the appointment of the General Manager (section 223).

When recruiting a new General Manager, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position (section 348).

As with the appointment of all Council staff, Councils must ensure that the appointment of the General Manager is made using merit selection principles (section 349). Recruitment using merit selection is a competitive process where the applicant who demonstrates that they have the best qualifications and experience relevant to the role is appointed. Equal employment opportunity principles also apply to the recruitment of General Managers (sections 349 and 344).

The recruitment process must be open and transparent, but the confidentiality of individual applicants must be maintained. A failure to maintain appropriate confidentiality may constitute a breach of the Act, the Council's Code of Conduct and the *Privacy and Personal Information Protection Act 1998*.

Councils should engage an external recruitment consultant to assist them with the recruitment process and that person should have a role in verifying that proper processes and procedures are followed in the appointment of the General Manager.

There are a range of possible approaches to undertaking the recruitment of the General Manager. The guidance contained in this Policy reflects what the Office of Local Government considers to be best practice.

The pre-interview phase

As noted above, the Council's governing body is responsible for determining the process for recruiting the General Manager.

The governing body should delegate the task of recruitment to a selection panel led by the Mayor and approve the recruitment process. The panel will report back to the governing body on the process and recommend the most meritorious applicant for appointment by the Council.

The selection panel should consist of at least the Mayor, the Deputy Mayor, another Councillor and a suitably qualified person independent of the Council. Where practicable, the selection panel membership should remain the same throughout the entire recruitment process.

Selection panels should, where possible, have a mix of genders.

The Council's governing body should delegate to one person (generally the Mayor) the task of ensuring:

- the selection panel is established
- the General Manager's position description is current and evaluated in terms of salary to reflect the responsibilities of the position
- the proposed salary range reflects the responsibilities and duties of the position
- the position is advertised according to the requirements of the Act
- information packages are prepared, and
- applicants selected for interview are notified.

The Mayor, or another person independent of Council staff, should be the contact person for the position and should maintain confidentiality with respect to contact by potential applicants.

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Interview phase

Interviews should be held as soon as possible after candidates are short listed.

Questions should be designed to reflect the selection criteria for the position and assist the selection panel to assess the suitability of the candidate for the position.

Interviews should be kept confidential.

All written references must be checked. The selection panel must delegate the task of contacting referees to one panel member. Other panel members should not contact referees.

If contact with someone other than a nominated referee is required, the applicant's permission must be sought.

At least 2 referees must be contacted and asked questions about the candidate relevant to the selection criteria.

Where tertiary qualifications are relied on, they should be produced for inspection and if necessary, for verification.

Appropriate background checks must be undertaken, for example, bankruptcy and criminal records checks and whether the candidate has been disqualified from managing a corporation by the Australian Securities and Investments Commission. For guidance on better practice recruitment background checks, see the Australian Standard AS 4811:2022 [Workforce Screening](#) and the Independent Commission Against Corruption's publication, *Strengthening employment screening practices in the NSW public sector* which is available on its [website](#).

Selection panel report

The selection panel is responsible for preparing a report to the Council's governing body that:

- outlines the selection process

- recommends the most meritorious applicant with reasons
- recommends an eligibility list if appropriate
- recommends that no appointment is made if the outcome of interviews is that there are no suitable applicants.

This report should be confidential and reported to a Closed Meeting of the Council.

The appointment of a General Manager is a non-delegable function of the Council under section 377 of the Act and a General Manager cannot be appointed without a formal resolution of the Council.

The Council's governing body must by resolution approve the position of the General Manager being offered to the successful candidate before the position is offered to the candidate.

Finalising the appointment

The Mayor makes the offer of employment after the governing body has resolved to appoint the successful candidate. The initial offer can be made by telephone.

Conditions such as term of the contract (1-5 years) and remuneration package (within the range approved by the governing body of the Council) can be discussed by telephone but must be confirmed in writing.

The standard contract of employment for General Managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act must be used. The approved standard contract is available on the Office's [website](#). The terms of the approved standard contract must not be varied. Only the term of the contract and the schedules to the approved standard contract can be adapted by Councils.

General Managers must be employed for 1-5 years.

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The contract governs:

- the duties and functions of General Managers
- performance agreements
- the process for renewal of employment contracts
- termination of employment and termination payments
- salary increases, and
- leave entitlements.

It should be noted that the Departmental Chief Executive of the Office of Local Government cannot approve individual variations to the standard terms of the contract.

Candidates who are placed on the eligibility list and unsuccessful applicants should be advised of the outcome of the recruitment process before the successful applicant's details are made public.

Record keeping

Councils should retain all records created as part of the recruitment process including the advertisement, position description, selection criteria, questions asked at interview, interview panel notes, selection panel reports and notes of any discussions with the selected candidate. These records are required to be stored and disposed of in accordance with the *State Records Act 1998*.

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DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER

While one of the prescribed functions of the governing body is to monitor the General Manager's performance, day-to-day oversight of and liaison with the General Manager should be undertaken by the Mayor.

The Mayor's role in the day-to-day management of the General Manager should include:

- approving leave
- approving expenses incurred, and
- receiving and managing complaints about the General Manager in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

The Council's governing body should ensure there are adequate and appropriate policies in place to guide the Mayor in the day-to-day oversight of and liaison with the General Manager and keep those policies under regular review.

Some of the key policies the governing body should ensure are in place are those relating to:

- leave
- travel
- credit cards
- purchasing and procurement
- expenses and facilities
- petty cash, and
- financial and non-financial delegations of authority.

The governing body should also ensure there are appropriate policies in place with respect to the expenditure of Council funds and reporting requirements in relation to that expenditure.

The Council's governing body should satisfy itself that any Policy governing the conferral of a benefit on the General Manager, such as use of a motor vehicle, allows the actual dollar value of that benefit to be quantified so it can be accurately reflected in the General Manager's salary package in Schedule C to the approved standard contract.

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PERFORMANCE MANAGEMENT

Managing the performance of the General Manager

The General Manager is made accountable to the Council for their performance principally through their contract of employment.

The role of the governing body is to monitor the General Manager's performance in accordance with their contract of employment.

The performance of the General Manager must be reviewed at least annually against the agreed performance criteria for the position. Councils may also choose to undertake more frequent interim reviews of the General Manager's performance.

The agreed performance criteria must be set out in an agreement that is signed within three months of the commencement of the contract. Development of the performance agreement is discussed below.

Establishing a performance review panel

The governing body must establish a performance review panel led by the Mayor, and delegate the task of undertaking the General Manager's performance reviews to the panel. The extent of the delegation should be clear.

It is recommended that full responsibility for performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance review panels should comprise of the Mayor, the Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager.

The Council's governing body may also consider including an independent observer on the panel. Panel members should be trained in the performance management of General Managers.

The role of the review panel includes:

- conducting performance reviews
- reporting the findings and recommendations of reviews to the Council, and
- development of the performance agreement.

The governing body and the General Manager may agree on the involvement of a suitably qualified external facilitator such as a human resources professional to assist with the performance review process and the development of a new performance agreement. That person may be selected by the governing body or the performance review panel.

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the Mayor on the General Manager's performance relevant to the agreed performance criteria.

All Councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

The panel should report back to the governing body of the Council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review. This should not be an opportunity to debate the results or revisit the General Manager's performance review. The General Manager should not be present when the matter is considered.

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The performance agreement, action plan and any associated records that contain specific information about the work performance or conduct of the General Manager are to remain confidential unless otherwise agreed to by the General Manager or are required to be disclosed by law. The unauthorised disclosure of this information may constitute a breach of the Act, the Council's Code of Conduct and the *Privacy and Personal Information Protection Act 1998*.

Establishing the performance agreement

The performance agreement is the most important component of successful performance management. The performance agreement should include clearly defined and measurable performance indicators against which the General Manager's performance can be measured.

As one of the General Manager's key responsibilities is to oversee the implementation of the Council's strategic direction, it is important to align the General Manager's performance criteria to the goals contained in the Community Strategic Plan, and the Council's Delivery Program and Operational Plans.

The performance agreement should also include indicators relevant to the General Manager's personal contribution to the Council's key achievements and their core capabilities, including leadership qualities.

The performance agreement should also include indicators related to promoting and maintaining an ethical culture within the Council. These could include the conduct and measurement of the outcomes from staff surveys and the promotion of whistleblowing procedures under the *Public Interest Disclosures Act 2022* and the reporting of suspected wrongdoing to appropriate oversight agencies including the Independent Commission Against Corruption and the Office of Local Government.

The performance agreement should contain but not be limited to key indicators that measure how well the General Manager has met the Council's expectations with respect to:

- service delivery targets in the Council's Delivery Program and Operational Plans
- budget compliance
- organisational capability
- timeliness and accuracy of information and advice to Councillors
- timely implementation of Council resolutions
- management of organisational risks
- promotion of an ethical culture
- ensuring a safe workplace and facilitating compliance with the *Work Health and Safety Act 2011*, and
- leadership and providing a consultative and supportive working environment for staff etc.

Performance review process

The approved standard contract requires that the performance of the General Manager must be formally reviewed at least annually. The governing body of the Council may also undertake interim performance reviews as appropriate.

The assessment should include:

- a self-assessment by the General Manager, and
- an assessment by the review panel of the General Manager's performance against the performance agreement.

The performance review meeting should be scheduled with sufficient notice to all parties in accordance with clauses 7.6 and 7.7 of the approved standard contract. These require:

- the General Manager to give the Council 21 days' written notice that an annual performance review is due, and
- the Council to give the General Manager at least 10 days' written notice that the performance review is to be conducted.

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The meeting should concentrate on constructive dialogue about the General Manager's performance against all sections of the performance agreement.

The meeting should identify any areas of concern and agreed actions to address those concerns.

In undertaking the performance review, care must be taken to ensure that the review is conducted fairly and in accordance with the principles of natural justice. The appointment by the Council, in agreement with the General Manager, of a suitably qualified external facilitator to advise on the process (see above) should assist Councils to comply with these requirements.

The Council's governing body must advise the General Manager, in writing, in clear terms, the outcome of any performance review.

The new performance agreement for the next period should be prepared as soon as possible after the completion of the previous period. The agreement should be presented to the governing body of the Council for discussion in a Closed Meeting together with the outcomes of the previous review period.

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REMUNERATION AND REWARD

Under the approved standard contract, General Managers are entitled to an annual increase in their salary package on each anniversary of the contract, equivalent to the latest percentage increase in remuneration for NSW public sector senior executive office holders as determined by the Statutory and Other Offices Remuneration Tribunal.

Councils may also approve discretionary increases to the General Manager's total remuneration package under the approved standard contract as a reward for good performance. Discretionary increases may only be approved after a formal review of the General Manager's performance has been undertaken and the General Manager's performance has been assessed as being better than satisfactory.

Any discretionary increases should be modest and in line with community expectations and only apply for one year unless the Council determines that it is to apply for the balance of the contract. All discretionary increases in remuneration, together with the reasons for the increase, must be reported to an Open Meeting of the Council.

Councils may also on one occasion during the term of the contract approve the payment of a retention bonus to the General Manager as an incentive for them to serve out their contract. If approved, the retention bonus is to be accrued on an annual, pro-rata basis for the remainder of the contract and is to be paid at the end of the contract period.

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SEPARATION

Termination of the General Manager's employment

The approved standard contract sets out how the General Manager's employment contract can be terminated before its expiry date by either the governing body or the General Manager (see clause 10 of the approved standard contract). The circumstances in which the General Manager's employment contract may be terminated are set out below:

By agreement

The contract may be terminated at any time by written agreement between the Council and the General Manager.

Resignation

The General Manager may terminate the contract by giving 4 weeks written notice to the governing body of the Council.

Incapacity

A Council may terminate the General Manager's contract by giving them 4 weeks written notice or by paying the equivalent of 4 weeks' remuneration calculated in accordance with Schedule C of the approved standard contract where:

- the General Manager has become incapacitated for 12 weeks or more
- they have exhausted their sick leave, and
- the duration of the incapacity is either indefinite or for a period that would make it unreasonable for the contract to be continued.

Poor performance

A Council may terminate the General Manager's contract by giving them 13 weeks written notice or by paying the equivalent of 13 weeks' remuneration calculated in accordance with Schedule C of the approved

standard contract on grounds of poor performance.

A Council may only terminate the General Manager's contract on the grounds of poor performance where:

- a performance review has been conducted, and
- the Council has concluded that the General Manager's performance falls short of the performance criteria or the terms of their performance agreement, and
- the General Manager has been afforded a reasonable opportunity to utilise dispute resolution under clause 17 of the contract (see below).

No fault termination

A Council may terminate the General Manager's contract at any time by giving them 38 weeks written notice or paying the equivalent of 38 weeks remuneration calculated in accordance with Schedule C of the approved standard contract. If there are less than 38 weeks left to run in the term of the General Manager's contract, the Council can pay out the balance of the contract in lieu of notice.

Where the Council proposes to terminate the General Manager's contract on these grounds, if either party requests it and both parties agree, they may participate in mediation in relation to the proposed decision to terminate the contract. If the Council does not agree to participate in mediation, it must give the General Manager reasons for its decision where the General Manager requests them.

Where a Council terminates the contract on these grounds, it must give the General Manager reasons for its decision to terminate their employment where the General Manager requests it.

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Summary dismissal

Councils may summarily dismiss the General Manager on the grounds set out under clause 10.4 of the approved standard contract. These include:

- serious or persistent breach of the employment contract
- serious and wilful disobedience of any reasonable and lawful instruction or direction given by the Council,
- serious and wilful misconduct, dishonesty, insubordination or neglect in the discharge of the General Manager's duties and functions under their contract,
- failure to comply with any law or Council Policy concerning sexual harassment or racial or religious vilification
- serious or persistent breach of the Council's Code of Conduct
- commission of a crime, resulting in conviction and sentencing (whether or not by way of periodic detention), which affects the General Manager's ability to perform their duties and functions satisfactorily, or that brings the Council into disrepute
- absence without approval for a period of 3 or more consecutive business days.

Automatic termination

The General Manager's contract of employment is automatically terminated where the General Manager becomes bankrupt, or they are disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001*.

Where this occurs, the General Manager's employment with the Council automatically ends without the need for a decision by the Council to terminate their contract of employment.

Suspension of the General Manager

Councils may suspend the General Manager, for example while allegations against them are

being investigated. Suspension should be on full pay for a clearly defined period. Councils should not suspend a General Manager's employment without first seeking expert legal advice. It would not be appropriate to seek advice from Council human resources staff on the proposed suspension of the General Manager.

Any decision to suspend a General Manager should be made at a Closed Council Meeting, having first carefully considered the expert legal advice received in relation to the specific matter.

The principals of procedural fairness apply to any decision to suspend a General Manager, i.e., the General Manager must be advised of the circumstances leading to their suspension, the reasons for the suspension, the period of the suspension and be given a right to respond to the decision to suspend.

Dispute resolution

The approved standard contract contains a dispute resolution clause at clause 17. These provisions are designed to encourage Councils and General Managers to attempt to resolve disputes when they arise.

Councils are required to offer the General Manager an opportunity to utilise dispute resolution before they can terminate their employment for poor performance.

Where it is proposed to terminate the contract on the "no fault" grounds (clause 10.3.1(e)), if either party requests it and both parties agree, they may participate in mediation under clause 17 in relation to the proposed decision to terminate. If the Council does not agree to participate in mediation, it must give the General Manager reasons for its decision where the General Manager requests them.

The governing body of the Council should ideally resolve to delegate this function to the Mayor or a panel of 3 Councillors including the Mayor.

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If the dispute involves the Mayor, then the Deputy Mayor should take the Mayor's place. If there is no Deputy Mayor then the governing body should resolve to appoint another Councillor to take the Mayor's place.

The governing body of the Council and the General Manager should agree on an independent mediator to mediate the dispute. The approved standard contract allows the Departmental Chief Executive of the Office of Local Government to appoint a mediator where the parties cannot agree on one.

Councils and General Managers may also agree on a mediator when the contract is made.

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RENEWING THE GENERAL MANAGER'S CONTRACT

Clause 5 of the approved standard contract sets out the process for renewing the General Manager's contract of employment. The key steps in the process are as follows:

- At least 9 months before the contract expires (or 6 months if the term of employment is for less than 3 years), the General Manager must apply to the Council in writing if seeking re-appointment to the position
- At least 6 months before the contract expires (or 3 months if the term of employment is for less than 3 years), the Council must respond to the General Manager's application by notifying the General Manager in writing of its decision to either offer the General Manager a new contract of employment (and on what terms) or to decline their application for re-appointment
- At least 3 months before the contract expires (or 1 month if the term of employment is for less than 3 years) the General Manager must notify the Council in writing of their decision to either accept or decline the offer made by the Council.

Approval may be sought from the Departmental Chief Executive of the Office of Local Government to vary these timeframes in exceptional or unforeseen circumstances.

The terms of the new contract of employment, and in particular the schedules to the new contract, should be set out in the letter of offer. Before offering a new contract, the Council should carefully review the terms of the schedules to the new contract.

The governing body should ensure that the performance criteria of the new performance agreement adequately reflect its expectations of the General Manager's performance.

The governing body should also consider previous performance reviews conducted under previous contracts.

The process of deciding whether to offer the General Manager a new contract should be as follows:

- a performance review is conducted
- findings and recommendations are reported to a Closed Council Meeting in the absence of the General Manager
- the Closed Meeting considers and decides whether to offer a new contract of employment to the General Manager and on what terms as set out in the schedules to the contract
- the Mayor informs the General Manager of the Council's decision.

Details of the decision to offer a new contract and a salary package should be reported to an Open Council Meeting.

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Appendix 1 – Performance management timelines

Timeline	Activity	Responsibility
At commencement of each new Council	Provide induction training on performance management of the General Manager	Council
Within 3 months of the commencement date of the contract	A performance agreement setting out agreed performance criteria must be signed between the General Manager and the Council	Council or Council panel General Manager
Within 2 months of the signing of the performance agreement	The General Manager must prepare and submit to the Council an action plan which sets out how the performance criteria are to be met	General Manager
21 days' notice (before annual review)	The General Manager gives the Council written notice that an annual performance review is due	General Manager
At least 10 days' notice	The Council must give the General Manager written notice that the performance review is to be conducted	Council or Council panel
After 6 months	The Council may also decide, with the agreement of the General Manager, to provide interim feedback to the General Manager midway through the annual review period	Council or Council panel General Manager
Prior to the annual review	Ensure all Councillors on the review panel have been trained in performance management of General Managers	Council
Prior to the annual performance review	The General Manager may submit to Council a self-assessment of their performance	General Manager
Annually	The General Manager's performance must be reviewed having regard to the performance criteria in the agreement	Council or Council panel General Manager
Annually	The performance agreement must be reviewed and varied by agreement	Council or Council panel General Manager
Within 6 weeks of the conclusion of the performance review	Council will prepare and send to the General Manager a written statement with Council's conclusions on the General Manager's performance during the performance review period	Council or Council panel
As soon as possible after receipt of the statement	The General Manager and the Council will agree on any variation to the performance agreement for the next period of review	Council or Council panel General Manager

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Appendix 2 – Stages of performance management

STAGE	ACTION	PROCESS
1. Developing performance agreement	<ul style="list-style-type: none"> ▪ Examine the position description and contract ▪ List all position responsibilities from the position description ▪ Identify stakeholder expectations ▪ List the key strategic objectives from the Delivery Program and Operational Plans ▪ Develop performance measures (identify indicators - set standards) 	<ul style="list-style-type: none"> ▪ Good planning ▪ Direct and effective communication ▪ Open negotiation ▪ Joint goal setting
2. Action planning	<ul style="list-style-type: none"> ▪ Develop specific strategies to meet strategic objectives ▪ Identify resources ▪ Delegate tasks (e.g., put these delegated tasks into the performance agreements for other senior staff) 	<ul style="list-style-type: none"> ▪ Detailed analysis ▪ Two-way communication ▪ Detailed documentation
3. Monitoring progress (feedback halfway through the review period)	<ul style="list-style-type: none"> ▪ Assess performance ▪ Give constructive feedback ▪ Adjust priorities and reset performance measures if appropriate 	<ul style="list-style-type: none"> ▪ Communication ▪ Avoid bias ▪ Counselling ▪ Coaching ▪ Joint problem solving
4. Annual	<ul style="list-style-type: none"> ▪ Assess performance against measures ▪ Give constructive feedback ▪ Identify poor performance and necessary corrective action ▪ Identify outstanding performance and show appreciation 	<ul style="list-style-type: none"> ▪ Evaluation of the reasons behind performance being as assessed ▪ Open, straightforward communication (as bias free as possible) ▪ negotiation ▪ Counselling, support, training ▪ Documenting ▪ Decision making
5. Developing revised agreement	See stage 1	See Stage 1

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ITEM 3 REVIEW OF BUSINESS SUPPORT POLICY

(P13-1, D3-1)

RECOMMENDATION:

That Council adopt the reviewed Business Support Policy as amended.

PURPOSE

For Council to consider the Business Support Policy that has been slightly amended following review, to strengthen enforceability, reduce risk exposure, and reflect modern expectations.

Council's Business Support Policy has been developed to assist the community and the Council to identify areas of support that can be undertaken to assist the development of small business and to attract larger scale businesses to the Warren Shire.

BACKGROUND

Council at its meeting on 26 October 2017 considered an update/renewed Business Support Policy.

The Policy was subsequently adopted and has been reviewed in May 2025.

REPORT

Attached is a copy of the amended Policy following the review with changes in red.

The intent of the Policy has not changed, however additional wording clauses have been added, as under:-

1. Inclusion of a Legal Contractual Clause for Any Financial or In-kind Support.
This clause was added under each support category (Land Sales, Leasing, Rates, Partnerships):

"Where Council resolves to provide any form of discounted rate, financial relief, lease concession, or in-kind support, these conditions must be formalised through a legally binding agreement. This agreement must clearly state the terms of support, expected outcomes (e.g. job creation, local procurement), monitoring provisions, and clawback or penalty clauses for non-compliance."

Rationale: This protects Council from businesses failing to meet their obligations after receiving support, and ensures enforceability. It also provides a clear audit trail for public accountability.

2. Insert Monitoring and Reporting Requirements

This clause was added under each support type (Land sales, leasing, rates Incentives):

"Council will require supported businesses to provide annual reporting, verified by an independent accountant or registered business advisor, demonstrating compliance with agreed outcomes (e.g. employment numbers, operational commencement, community benefits)."

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REVIEW OF BUSINESS SUPPORT POLICY

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Rationale: Regular reporting ensures businesses are held accountable and outcomes are measurable over time.

3. Addition of a Clause on Conflicts of Interest and Transparency
Insertion of a new section titled "Governance and Transparency":

"Council staff and Councillors involved in the assessment or recommendation of business support must declare any conflicts of interest in accordance with Council's Code of Conduct. All decisions regarding business support will be published in Council Meeting Minutes, and records of decisions will be retained in accordance with required legislation."

Rationale: Strengthens governance integrity and reduces reputational risk, especially for land discounts or lease arrangements.

The reviewed Policy was presented to Manex on 13th May, 2025 where there were no concerns and the matter needs to be reported to Council for the process of adoption of the reviewed Policy.

FINANCE AND RESOURCE IMPLICATIONS

This Policy establishes the method of consultation with business. The Policy establishes the general areas for which staff will use into the future and provide guidance to companies and individuals as to Council's business assistance methodology.

LEGAL IMPLICATIONS

The Policy assists staff and the public to understand the methodology of business support in a transparent way.

The Policy should be read in conjunction with the Fraud and Corruption Control Policy and Plan and Council's Procurement Policy.

RISK IMPLICATIONS

Following set procedures, staff and Council will provide a transparent approach to its future business assistance and disposal of assets. This will reduce the risk associated with favouritism or inappropriate support provision.

STAKEHOLDER CONSULTATION

Nil.

OPTIONS

Keep the existing Policy wording without the recommended insertions.

CONCLUSION

The current Policy with the recommended inclusions as detailed is considered appropriate for Council to adopt, particularly as changes do not change the intent of the Policy.

LINK TO POLICY/OR COMMUNITY STRATEGIC PLAN

2.3.1 Facilitate the growth of local businesses

SUPPORTING INFORMATION/ ATTACHMENT.

Amended Business Support Policy.

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ITEM 3 REVIEW OF BUSINESS SUPPORT POLICY

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Attachment – Amended Business Support Policy



POLICY REGISTER

BUSINESS SUPPORT POLICY

Policy adopted: 26th October 2017 Minute No. 274.10.17

Reviewed:

File Ref: P13-1, D3-1

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REVIEW OF BUSINESS SUPPORT POLICY

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DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Glenn Wilcox General Manager	First Edition	Council Minute No. 274.10.17 (26th October 2017)
1.1	General Manager May 2025	Reviewed, Addition of additional sections including Contractual Requirements, Monitoring and Reporting, and Governance and Transparency	Council Minute No.

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REVIEW OF BUSINESS SUPPORT POLICY

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Warren Shire Council – Business Support Policy

Introduction

This policy has been developed to assist the community and the Council to identify areas of support that can be undertaken to assist the development of small business and to attract larger scale businesses to the Warren Shire.

This Policy addresses the use of Council (community) resources to assist both for profit (limited or Pty Ltd) and not-for-profit (Associations, Charities, etc) businesses excluding service organisations (Rotary, Lions, CWA, etc), sporting clubs or the like.

This Policy sets out areas that Council may consider implementing that supports existing businesses and to assist the development of new business across Warren Shire Council. The Council will consider each request separately and may not apply all or some of the indications contained within this Policy. This Policy does not create any expectation or offer of support outside the advice as contained in the Policy.

Exclusions from this Policy

- This Policy does not apply to not-for-profit service clubs or sporting bodies that are based wholly within the Warren Shire Council area and support the community locally and are similar to football, netball, cricket or other local sport undertaken for personal and community enjoyment; a Lions Club, Rotary Club, CWA or similar organisation that is community based in Warren Shire.
- Support for these types of organisations will be considered based on individual application to Council and included in its long term financial plans.

Council Exclusions for Support

Council will comply with Local Government Act and Regulations as to business support and will not undertake works or provide direct financial support to a business (see public/private partnerships).

Requests for profit or not for profit business support will exclude the following:

- Machinery and plant to build or develop a business premises or activity including the use or hire of graders, rollers, trucks, tools and minor plant, portable toilets, traffic control devices, signage or the like.
- Staff or man power.
- Direct financial funding, share purchase, acting as a guarantor or loan funding; and
- Acting as an agency for grant funding and acquittal purposes (unless a Council resolves [Resolution of the full Council] to partner in a joint grant funding application process, that provides broad community advantages).

Land Sales

- Council may determine to sell or lease land to a for profit or not for profit business and set a sales rate that is below the normal valuation rate for land to attract or allow the expansion of a business.
- Council will base its decision on the market forces that apply at that time, the availability of similar land held in private ownership and the opportunity to attract a business that can generate employment locally.
- A guide to Council will be that the normal market land price maybe reduced as follows:
 - Land purchase for a future development – price based on the annual Valuer General determination for the land parcel, or
 - A business that employs between 1 and 5 people – 30% discount, or
 - A business that employs between 6 and 15 people – 50% discount, or

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REVIEW OF BUSINESS SUPPORT POLICY

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Warren Shire Council – Business Support Policy

- A business that employs between 15 or more people – 75% discount.
- The business shall be responsible to meet all legal costs of the land transfer.

(Evidence of the business staff numbers or growth to meet future staff numbers must be supplied in a business case plan that is supported by advice from a business consultancy service e.g. accountant or government or private business advisor).

- A guide to Council leasing of land and buildings under its control may be as follows:
 - A community operated (Co-op) or not for profit business,
 - \$0 rent for the first year,
 - 50% in the second year and
 - 100% in the third year (subject to financial verification Council may vary the lease fee to ensure that a community benefit and or employment is maintained).
 - A for-profit business shall pay market rent based on Warren Township and Council may apply the following discounts to support the development of a newly created business or to assist to retain an existing business:
 - 50% rent for the first year,
 - 100% in the second year and
 - Council may review market rent annually.

Council Tender and Procurement Information

Council's tender process plays an important role in the economic development of the shire.

Under the Local Government Act, the Council is required to put contracts worth more than \$150,000 out to tender. However, because of its commitment to open and effective competition, it will regularly call for tenders on projects of lesser value, to ensure the best contractor is sourced, and provide new opportunities for suppliers.

The Council has a Policy to use suppliers based in the Shire wherever possible, and is a keen supporter of economic development for local business. Council's Procurement Policy has identified a local business component to assist small business to be competitive.

Rates

1. Reinvesting Rates back to Business

One way that a Council can assist a business to grow and develop is to reinvest the rates that are collected from the business back into areas such as improved road access, upgrade road entry points, provision of parking, building façade maintenance and painting and general beautification of the area around a business on Council controlled land.

In partnership with Council the accessibility, the appearance and the growth of a business can be supported if both the business and Council work to invest the rates paid back into the public areas around the business. The business would then be required to maintain the appearance of its premises, the footpath and any vegetation used to make the area more attractive.

Council and the business will establish a written agreement as to the period over which a return of rates shall occur.

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REVIEW OF BUSINESS SUPPORT POLICY

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Warren Shire Council – Business Support Policy

2. Businesses Located on Council land

Some businesses are located on Council or crown land and for this reason they do not pay any rates and if they are a not-for-profit organisation they generally pay very low rental.

These businesses and Council can also work closely together to enhance the appearance, access and outcomes of the area. The business and Council may become joint partners in any available grant funding. Council may utilise the business if possible to assist in providing additional services to the community on the basis that the Council will undertake works up to an agreed amount to improve access or area beautification.

Council however will not be required to provide direct funding to the organisation or use community resources to support the business or its future development.

Public / Private Partnerships

Council will undertake to address requests for Public / Private partnerships in accordance with the Chapter 12 Part 6 Division 4 Section 400L Local Government Act 1993.

Council will seek advice from the Office of Local Government and comply with all requirements of the Office as applicable at that time.

Contractual Requirements

Where Council resolves to provide any form of discounted rate, financial relief, lease concession, or in-kind support, these conditions must be formalised through a legally binding agreement. This agreement must clearly state the terms of support, expected outcomes (e.g. job creation, local procurement), monitoring provisions, and clawback or penalty clauses for non-compliance.

The agreement should include the following:-

- Description and timeframe of support;
- Verification of employment or community benefit outcomes;
- Annual performance reporting by the recipient; and
- Right of Council to withdraw or reclaim support in cases of non-compliance.

Monitoring and Reporting Requirements

Council will require supported businesses to provide annual reporting, verified by an independent accountant or registered business advisor, demonstrating compliance with agreed outcomes (e.g. employment numbers, operational commencement, community benefits).

Governance and Transparency

Council staff and Councillors involved in the assessment or recommendation of business support must declare any conflicts of interest in accordance with Council's Code of Conduct. All decisions regarding business support will be published in Council Meeting Minutes, and records of decisions will be retained in accordance with required legislation.

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 legislative changes occur).

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ITEM 4 REVIEW OF VOLUNTEER MANAGEMENT POLICY

(P13-1, S12-1)

RECOMMENDATION:

That Council adopt the reviewed Volunteer Management Policy, as amended.

PURPOSE

For Council to consider the Volunteer Management Policy that has been slightly amended following review, to add wording to reduce risk exposure, and reflect modern expectations.

It should be noted that this document has now been revised from a Procedure to a Policy.

Council's Volunteer Management Policy is produced to address the need to formalise roles and responsibilities for all involved in the volunteering process and support volunteering opportunities in our community.

The Policy provides the framework for volunteers and Council workers to work cooperatively and safely at all times.

BACKGROUND

Council at its meeting on 27 September 2018 considered an update/renewed Volunteer Management Policy.

The reviewed Policy was subsequently adopted and has been reviewed in May 2025.

REPORT

Attached is a copy of the amended Policy following the review with changes in red.

The intent of the Policy has not changed, however additional wording clauses have been added, as under:-

1. Identifying Risks and Controls Associated with Volunteer Activities
Clauses inserted:

"Where volunteer activities involve children or vulnerable persons, volunteers must comply with relevant legislative requirements such as Working with Children Checks (WWCC), and mandatory reporting obligations. Council will ensure probity checks are completed where required.

If a volunteer group independently delivers a public event under a partnership with Council, insurance, risk planning, and approvals must be done through a signed Event Agreement or Memorandum of Understanding (MOU)."

Rationale: Mandatory for all NSW Councils where programs involve children, older persons, or vulnerable community members. Prevents exposure to untracked liability or reputational risk where volunteers act without clear formal oversight.

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ITEM 4 REVIEW OF VOLUNTEER MANAGEMENT POLICY

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2. Administration

Section added "Digital Administration"

"In addition to its general records administration processes, Council may maintain digital records of volunteer applications, inductions, training, and activity logs through secure document management systems to ensure continuity, auditability, and data privacy compliance."

Rationale: Into the future, Council will manage this data digitally, and referencing that shift adds currency and modern governance assurance.

FINANCE AND RESOURCE IMPLICATIONS

This Policy clearly outlines the responsibilities of volunteers and Council workers. It provides a clear guidance to volunteers and Council workers to maintain a safe and healthy workplace and community.

LEGAL IMPLICATIONS

Following the responsibilities and procedures outlined in the Policy, ensures that Council, its workers, and volunteers are compliant with relevant legislation and limiting legal risk.

Refer:

Work Health and Safety Act 2011 (NSW)

Work Health and Safety Regulation 2017 (NSW)

Civil Liability Act 2002 (NSW)

Fair Work Act (2009)

Anti-Discrimination Act 1977 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Child Protection (Working with Children) Act 2012 (NSW)

Privacy and Personal Information Protection Act 1998 (NSW)

National Standards for Volunteer Involvement (2015) Volunteering Australia

RISK IMPLICATIONS

Following the responsibilities and procedures outlined in the Policy, ensures that Council, its workers, and volunteers are compliant with relevant legislation and limiting risk.

STAKEHOLDER CONSULTATION

Nil.

OPTIONS

Keep the existing Policy wording without the recommended insertions.

CONCLUSION

The current Policy with the recommended inclusions as detailed is considered appropriate for Council to adopt, particularly as changes do not change the intent of the Policy.

LINK TO POLICY/OR COMMUNITY STRATEGIC PLAN

5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency.

SUPPORTING INFORMATION/ ATTACHMENT.

Amended Volunteer Management Policy.

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ITEM 4 REVIEW OF VOLUNTEER MANAGEMENT POLICY

CONTINUED

Attachment - Amended Volunteer Management Policy



POLICY REGISTER

VOLUNTEER MANAGEMENT POLICY

Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed:

File Ref: P13-1, S12-.1

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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	General Manager	Addition of wording around digital administration, Child Safety and Vulnerable Persons, and Clarity on Volunteer-Run events	Council Minute No.

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ITEM 4 REVIEW OF VOLUNTEER MANAGEMENT POLICY

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Warren Shire Council - Warren Risk Volunteer Management Policy

1. INTRODUCTION

Warren Council is committed to encouraging equitable access to services and facilities that meet the needs of the community and to recognise that volunteers contribute to the political, social, economic, environmental and cultural well-being of the community by:

- Expanding the ability of the community to respond to the needs of the public by providing a broad range of community services and activities
- Engaging the community in protecting local resources, improving the physical environment and support for environmental issues
- Strengthening community cohesion, social wellbeing and trust.

Council recognises that volunteers from the community make a valuable contribution to a range of Council activities. They may be involved in caring for others less fortunate, improving community-owned assets, caring for the environment or public contact roles.

Through their commitment and energy, volunteers enrich the fabric of the local community.

The Volunteer Management Policy is produced to address the need to formalise roles and responsibilities for all involved in the volunteering process and support volunteering opportunities in our community. This Policy provides the framework for volunteers and Council workers to work cooperatively and safely at all times. (Refer Attachment 1 - Volunteer Management Process Flow Chart)

Refer also to procedures and guidelines for specific volunteer tasks and activities.

2. OBJECTIVES

- Ensure that volunteering remains a mutually beneficial activity.
- Recognise the importance of volunteer contribution to a wide range of services to the community and working with Council to achieve its vision mission and Policy objectives.
- Clearly define the responsibilities of volunteers and Council workers.
- Provide guidance to volunteers and Council workers to maintain a safe and healthy workplace and community.

3. SCOPE

- Volunteers who participate in Council managed projects and / or events.
- Council employees involved in the management, coordination or supervision of volunteer programs and volunteers.

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Warren Shire Council - Warren Risk Volunteer Management Policy

4. DEFINITIONS

WHS – Work Health and Safety. (Previously referred to as ‘OHS’ – Occupational Health and Safety)

PCBU – Council as an employer with paid workers is a PCBU. Under work health and safety legislation, a PCBU is ‘a person conducting a business or undertaking’. A PCBU conducts a business or undertaking alone or with others.

Manager – Paid worker of Council with delegated responsibility to manage the functions of a Branch / Department / Business Unit.

Program Coordinator – Paid worker of Council who is responsible for coordinating the volunteer program(s)

Volunteer – A volunteer means a person who does community work on a voluntary basis not working for payment or reward (the person may receive out-of-pocket expenses). A volunteer is a ‘worker’ when engaged by a PCBU to carry out work.

Volunteer Association – (May be incorporated or unincorporated) Under work health and safety legislation, is a group of volunteers working for one or more community purposes e.g. sporting, benevolent or recreational and no one is paid to work for the association. If someone is paid, the association is considered to be a PCBU and therefore, has WHS obligations.

Community work – Community work is work that is not for financial gain and that is done as a charitable, benevolent, philanthropic, sporting, educational or cultural purpose.

5. RESPONSIBILITIES

A. General Manager and Directors

- Ensure that processes are in place to manage the health and safety of volunteers
- Ensure adequate resources are available for the effective management of risks relating to volunteer activities;
- Ensure that adequate pre-requisites are in place prior to volunteers commencing duties
- Ensure the periodic review of the implementation and effectiveness of risk control measures for volunteers
- Ensure Council consults, coordinates and co-operates with other duty holders to meet their Work Health and Safety (WHS) legislative requirements in relation to the effective management of risks associated with volunteers
- Ensure that processes are in place for the review of this Policy and the processes for managing volunteer risks every two years.

B. Managers

- Ensure the identification, assessment, control and monitoring of hazards and hazardous activities related to volunteers
- Periodically review the implementation and effectiveness of control measures to manage risks associated with activities volunteers conduct, and revise of controls if necessary
- Provide Senior Management and the WHS/HR Officer with reports on volunteer related risks and controls for the areas over which they have control
- Ensure an appropriate person (e.g. Volunteer Supervisor or Site Supervisor) is appointed to supervise volunteers

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Warren Shire Council - Warren Risk Volunteer Management Policy

- In conjunction with the WHS/HR Officer and in consultation with the HSR/HSC, review this Policy and the effectiveness of the processes for managing volunteer risks every two years.

C. Supervisors

- Identify hazards associated with volunteers and their activities, assess the risks and implement effective control measures;
- Conduct risk assessments in consultation with workers and other duty holders
- Monitor and review the implementation and effectiveness of controls and revise controls where necessary
- Provide information, training and supervision to all volunteers on hazards and hazardous activities related to the work that they undertake
- Liaise with the WHS/HR Officer for assistance in managing risks associated with volunteers and the activities they undertake.

D. WHS/HR Officer

- Oversee the system and processes for the identification, assessment, control and monitoring of risks that may arise from the activities volunteers undertake
- Consult with key stakeholders in managing risks associated with volunteers and provide information to Council management and workers as applicable
- Monitor the implementation and effectiveness of the risk management process for volunteers and provide reports to senior management as required.

E. Health and Safety Committee (HSC)

- Participate in the identification of hazards and control measures for volunteer activities, where required; and
- Participate in reviewing the effectiveness of risk controls implemented for volunteer's activities.

F. Volunteer

- Complete Councils induction and any relevant training prior to undertaking any volunteer activities;
- Take reasonable care for his or her own health and safety; and
- Take reasonable care that his or her acts or omissions do not adversely affect the health and safety of others; and
- Comply, so far as reasonably able, with any reasonable instruction given by council to allow council to comply with its legal obligations; and
- Cooperate with any reasonable Policy, procedure or instruction of council relating to health and safety that has been notified to workers.
- Report to the appropriate person as soon as practical any matter which could affect the safe undertaking of the activity

G. Volunteer Supervisor or Site Supervisor

- Complete a Volunteer Induction Checklist prior to the volunteer undertaking any duties
- Ensure that activities are conducted in accordance with Council WHS procedures

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ITEM 4 REVIEW OF VOLUNTEER MANAGEMENT POLICY

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Warren Shire Council - Warren Risk Volunteer Management Policy

6. PROCEDURES

Before volunteers are permitted to undertake an activity on behalf of or under the direction of Council, a risk assessment of the activity will be undertaken by the relevant Manager in consultation with the Program Coordinator to ensure the following:

- The activity is suitable for the volunteer(s)
- The activity does not place the volunteer(s) at risk to their health and safety
- The volunteer has the physical capacity to undertake the activity
- The volunteer has the knowledge and skills required to undertake the activity in a safe manner.

When satisfied that the activity is appropriate for volunteers, and before the activity commences, the relevant Program Coordinator is to ensure the following matters are addressed:

- Potential hazards have been identified
- Consultation has been undertaken with the volunteer(s) regarding safe work procedures
- Appropriate risk management procedures and controls have been developed
- Volunteers have been provided with information, instruction, training with regard to risk management procedures relevant to the activities they are involved in
- There is in place a system of work for the safe handling, use, storage and transport of plant, equipment or any substances to be used in the activity
- At the location of the activity, there are safe means of entry and exit which are identified to the volunteers
- Arrangements are in place for the appropriate level of supervision and monitoring of the activity
- Records are kept of attendance, tasks undertaken and information on incidents including near misses
- Volunteers are provided with appropriate information, instruction and training which, depending on the activity, may include the following:
 - WHS induction training
 - Hazard identification
 - First aid
 - Responding to an emergency
 - Use of communication equipment
 - On-the-job training in specific risk management procedures as required.
 - Council's Model Code of Conduct
 - Volunteer Management Manual

While undertaking activities on behalf of Council, volunteers have responsibilities for health and safety. In particular, volunteers through their actions or omissions are not to place themselves or other persons at risk while undertaking activities on behalf of Council.

7. CONSULTATION, CO-ORDINATION AND CO-OPERATION

Council (as the PCBU) will consult, so far as is reasonably practicable, with volunteers who carry out work for Council and who are, or are likely to be, directly affected by health and safety matters.

Volunteers are required to actively participate in consultation arrangements and cooperate with all reasonable instructions, policies and procedures that make up Council's health and safety management system and processes.

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ITEM 4 REVIEW OF VOLUNTEER MANAGEMENT POLICY

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Warren Shire Council - Warren Risk Volunteer Management Policy

Volunteers generally do not work the same hours and may work in different environments and locations to other workers. The most effective consultation mechanisms for each project or job involving volunteers will be determined in consultation between the Program Coordinator and volunteers.

8. RISK MANAGEMENT

In adopting risk management procedures, Council is committed to providing the highest possible level of protection based upon the hierarchy of risk control.

In accordance with statutory requirements, Council will seek to apply the following approach to managing risks, in order to achieve the lowest level of risk that is reasonably practicable. As a first priority, Council will seek to eliminate the identified hazard.

If it is not reasonably practicable to eliminate the hazard and associated risk, then Council will aim to minimise the risk by:

- Substituting the hazard
- Isolating the hazard
- Using engineering controls
- Using administrative controls.

The use of personal protective equipment (PPE) is to be considered as the last resort measure. Before adopting the use of PPE, Council will ensure all other measures have been considered which, either singly or in combination, have been unable to establish an acceptable level of protection for the volunteer.

Some hazards will require using a combination of control measures that may include the use of PPE.

A. Identifying Risks and Controls Associated with Volunteer Activities

The Manager/Supervisor for the relevant work area must ensure that any work activities or events involving volunteers have a WHS Risk Assessment completed prior to the work commencing or the event being booked. This assessment will follow the process outlined in Council's Managing WHS Risks Procedure and will identify the hazards associated with the activity and the required control measures. The WHS/HR Officer will assist the Manager/Supervisor with the completion of the risk assessment as required.

The Manager/Supervisor will ensure that all risk control measures identified in the WHS Risk Assessment are implemented.

Volunteers are not permitted to undertake high risk work tasks (e.g. working at heights, traffic control, etc.). Where required, Council will arrange for appropriately qualified personnel to complete these tasks.

Where volunteer activities involve children or vulnerable persons, volunteers must comply with relevant legislative requirements such as Working with Children Checks (WWCC), and mandatory reporting obligations. Council will ensure probity checks are completed where required.

If a volunteer group independently delivers a public event under a partnership with Council, insurance, risk planning, and approvals must be done through a signed Event Agreement or Memorandum of Understanding (MOU).

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ITEM 4 REVIEW OF VOLUNTEER MANAGEMENT POLICY

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Warren Shire Council - Warren Risk Volunteer Management Policy

B. Providing Training, Equipment and Supervision for Volunteers

Volunteers will be provided with the required instruction, information and training for their role.

All volunteers must receive Council induction prior to undertaking any activities on behalf of the Council.

The Volunteer Induction Checklist in Appendix 3 can be used to track all WHS requirements for volunteers including any pre-requisites for the role, required PPE and mandatory training/instruction.

Approved volunteers will be recorded in the Volunteer Register (see Appendix 4).

C. Supervision of Volunteers

The relevant Manager will ensure that adequate supervision is arranged for volunteers. Where practicable, the Volunteer Supervisor / Site Supervisor should be present while volunteers undertake work activities. Where this is not practicable (e.g. remote locations, community transport), the Supervisor must consider how adequate supervision can be implemented. This may include planned or random site visits and maintaining communication with volunteers to check the progress of their activities and discuss any issues / hazards they may have identified.

D. Use of Plant and Equipment

Where practicable, Council will supply any plant / equipment required for volunteer tasks. Volunteers must be trained in the use of plant or equipment and deemed to be competent prior to operating it. Volunteers are not permitted to use or operate equipment if they have not been authorised by Council.

Volunteers must receive prior approval if they wish to supply their own equipment. Any equipment supplied by volunteers must be checked and authorised by the Volunteer Supervisor / Site Supervisor prior to being used.

The Volunteer Supervisor / Site Supervisor is responsible for ensuring that pre-start checks are undertaken for all plant and equipment used by volunteers.

Electrical items must have a current test/tag record attached to the item.

The Supervisor is authorised to prevent the use of, or remove, any item considered unsafe or inappropriate for the task.

E. Personal Protective Equipment

Council will supply volunteers with appropriate personal protective equipment for the tasks they are undertaking. The Volunteer Supervisor / Site Supervisor is responsible for ensuring volunteers use and maintain PPE, and for arranging the replacement of any worn / damaged items.

F. Hazard/ Incident Reporting

Volunteers must report all hazards or incidents to their Volunteer Supervisor/ Site Supervisor who will follow Councils relevant procedures including the Managing WHS Risks and Incident Reporting and Investigation procedures.

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Warren Shire Council - Warren Risk Volunteer Management Policy

Volunteers will have the same access to post incident briefing and support as is provided to Council's workers.

Volunteers are able to raise complaints and grievances as per Council's Internal Reporting Procedure.

G. Insurance and Liability for Volunteers

Council will carry appropriate insurance policies to cover volunteers (e.g. public liability). In some cases, volunteers will be required to demonstrate that they have their own insurances (e.g. comprehensive car insurance if using their own car). Any insurances required by the volunteer will be determined prior to starting work.

9. MONITORING AND REVIEW

During the volunteer activity lifecycle, Council will ensure appropriate monitoring and review processes are conducted. These may include and not be limited to supervision of activities by the Program Coordinator and monitoring of:

- Attendance registers
- Compliance with risk management procedures and safe work procedures and instructions
- Use of Council owned plant and equipment
- Impact on the environment
- Incident reporting procedures
- Volunteer(s) health and wellbeing.

10. INDEPENDENT INDIVIDUAL OR ORGANISATION

In considering the relationship council may have with an independent individual or Organised Group it may be appropriate to enter into an agreement with the organisation, treating the arrangement similar to a contractor. The Group should be able to demonstrate to Council their ability to undertake the task or project in a safe manner. Council will site evidence of the groups commitment and ability to deliver health and safety initiatives in managing the tasks/project.

11. NON-COMPLIANCE

Issues of non-compliance with policies, procedures or not cooperating with reasonable instruction of the person in charge of the activity by volunteers may result in termination or disciplinary action being taken by the Manager or Program Coordinator. Whilst it is not desirable to take the "big stick approach", non-compliance must be dealt with and issues raised to ensure the activity is conducted in as safe a manner as possible with volunteer(s) not placing themselves or other persons at risk while undertaking activities on behalf of council.

12. ADMINISTRATION

Single Entry Point

The engagement of volunteers and ongoing administration of the work relationship should be coordinated, in a similar manner as paid workers. A single point entry will assist a council in maintaining administrative management of the volunteers.

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Warren Shire Council - Warren Risk Volunteer Management Policy

Where a designated Program Coordinator or the like is not in place, individual workers with responsibilities for overseeing or engaging with volunteers will consult, co-ordinate and co-operate to ensure volunteer activities are effectively and efficiently managed across all functional areas.

The Volunteer Management Process Flow Chart represents the process for engaging and working with volunteers.

Digital Administration

In addition to its general records administration processes, Council may maintain digital records of volunteer applications, inductions, training, and activity logs through secure document management systems to ensure continuity, auditability, and data privacy compliance.

13. RELATED DOCUMENTS

- Warren Shire Council Work Health and Safety Policy
- Warren Shire Council Managing Work Health and Safety Risks Guideline
- Warren Shire Council Incident Reporting and Investigation Guideline
- Warren Shire Council Incident/Injury Register
- Warren Shire Council Work Health and Safety Risk Assessment Form
- Warren Shire Council Risk Register
- Warren Shire Council Corrective Action Report
- Warren Shire Council – Volunteer Register
- Warren Shire Council – Volunteer Application Form

14. REFERENCES

- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2017 (NSW)
- Code of Practice: How to manage work health and safety risks 2011 (SafeWork NSW)
- The National Standards for Volunteer Involvement 2015 (Volunteering Australia)
- The Essential Guide to Work Health and Safety for Organisations that Engage Volunteers 2012 (Safe Work Australia)

15. REVIEW PROCESS

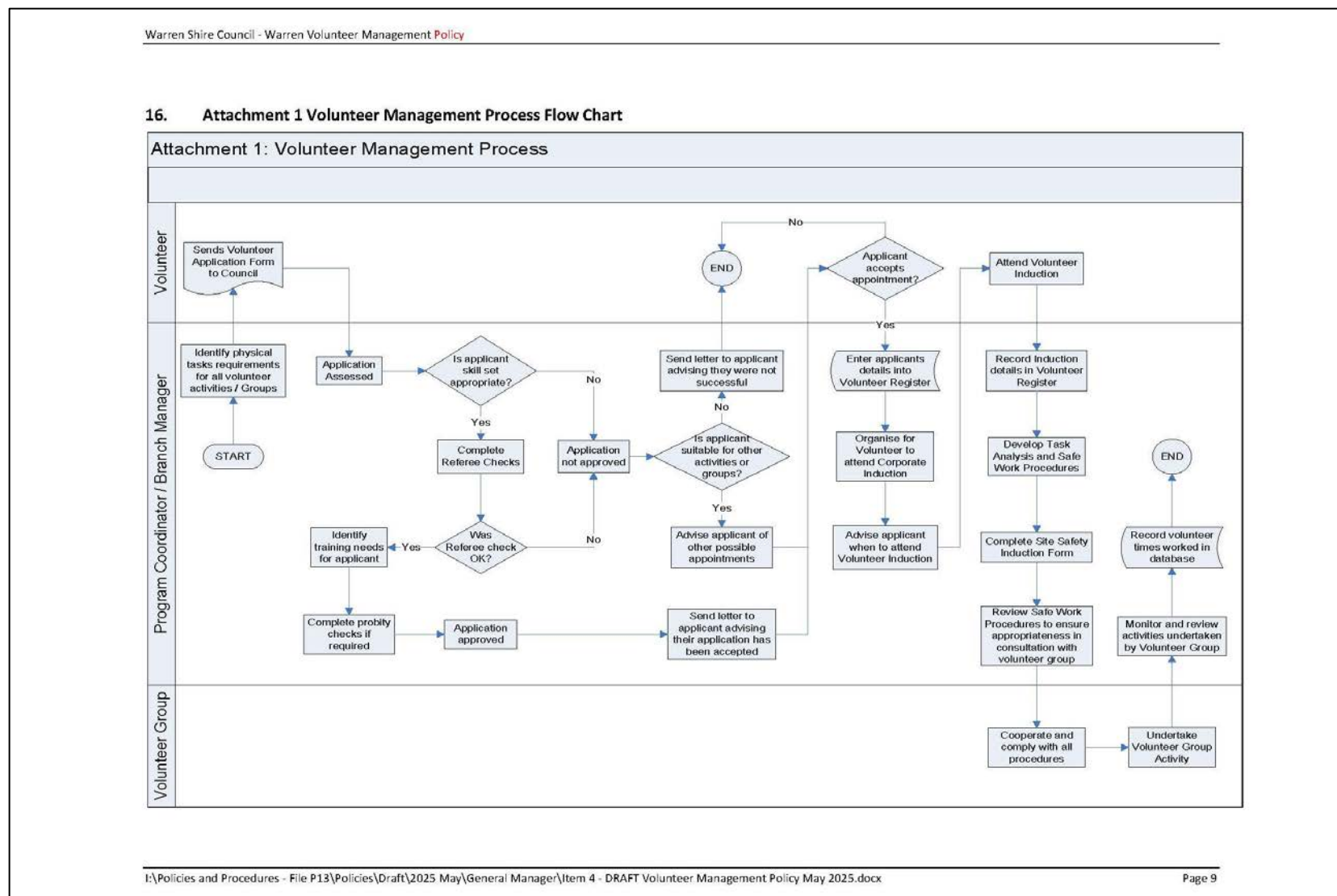
This Policy should be reviewed every four (4) years or within 12 months of a Council Election. The Policy may be reviewed and amended at any time at Council's discretion (or if legislative changes occur).

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ITEM 5 REVIEW OF VOLUNTEER RISK MANAGEMENT POLICY (P13-1, S12-1)

RECOMMENDATION:

That Council adopt the reviewed Volunteer Risk Management Policy, as amended.

PURPOSE

For Council to consider the Volunteer Risk Management Policy that has been slightly amended following review, to add wording to reduce risk exposure, and reflect modern expectations.

It should be noted that this document has now been revised from a Procedure to a Policy.

Council's Volunteer Risk Management Policy is produced to describe how Warren Shire Council will manage the work, health, and safety risks associated with using volunteers at Council.

The Policy is specific to managing health and safety risks associated with volunteers, and is to be read in conjunction with Council's Volunteer Management Policy.

BACKGROUND

Council at its meeting on 27th September 2018 considered an updated/renewed Volunteer Risk Management Policy.

The Policy was subsequently adopted and has been reviewed again in May 2025.

REPORT

Attached is a copy of the amended Policy following the review with changes in red.

The intent of the Policy has not changed, however additional wording clauses have been added, as under:-

1. Record Keeping

Insertion of wording:

"Volunteer records will be stored securely and managed in accordance with the Privacy and Personal Information Protection Act 1998 (NSW). Sensitive information disclosed by volunteers (e.g. health conditions, police checks) will be handled confidentially and only shared on a need-to-know basis."

Rationale: To reinforce legal obligations around privacy, especially for vulnerable person roles.

2. Volunteer Age Policy Boundaries

Insertion of an additional clause:

"For volunteers under the age of 18 years of age, parental/guardian consent must be obtained. Where appropriate, supervision ratios should align with child-safe practices. Volunteers over 80 must not be assigned roles with physical or environmental risk factors beyond their assessed capabilities."

Rationale: Adds protection for Council under insurance and child safety frameworks.

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ITEM 5 REVIEW OF VOLUNTEER RISK MANAGEMENT POLICY CONTINUED

3. Change of wording from Vulnerable Person Check

Revise wording to:

“Assessment of suitability for work involving vulnerable persons must include consideration of risk factors, insurance coverage, and potential additional probity checks or supervisory arrangements.”

Rationale: There is no formal “Vulnerable Person Check” in NSW. Instead, a role-based risk assessment is used to determine if a Working With Children’s Check or additional supervision/screening is required.

4. Volunteer Application and Consent Procedures

Clarify, (under section on Selecting Volunteers) that:

“By signing the Volunteer Application Form, the applicant consents to Council undertaking necessary probity checks (e.g. police check, WWCC), storing personal data in secure systems, and assessing fitness for duty. Volunteers may withdraw consent at any time by written notice, subject to impact on eligibility for roles.”

Rationale: Strengthens informed consent and reduces risk of claims related to privacy or process.

5. Duty to Report Incidents and Misconduct

Under Section Hazard/Incident Reporting, add the wording:-

“Volunteers are expected to report not only physical hazards but also inappropriate conduct, bullying, harassment or behaviour of concern in line with Council’s Code of Conduct and Internal Reporting Procedure.”

Rationale: Encourages a safer and more inclusive volunteering environment.

6. Evaluation of Volunteer Feedback in Monitoring

Under section Monitoring and Review, insert:

“As part of the review, Council may seek feedback from volunteers via surveys, exit checklists, or supervisor reports to evaluate training adequacy, task suitability, and risk perceptions.”

Rationale: Reflects modern WHS and volunteer engagement practices where feedback is a key risk indicator.

The reviewed Policy was presented to Manex on 13th May, 2025 where there were no concerns and the matter needs to be reported to Council for the process of adoption of the reviewed Policy.

FINANCE AND RESOURCE IMPLICATIONS

This Policy clearly outlines the responsibilities of volunteers and Council workers in risk management. It provides a clear guidance to volunteers and Council workers to minimise risk and maintain a safe and healthy workplace and community.

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REVIEW OF VOLUNTEER RISK MANAGEMENT POLICY

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LEGAL IMPLICATIONS

Following the responsibilities and procedures outlined in the Policy, ensures that Council, its workers, and volunteers are compliant with relevant legislation and limiting legal risk.

Refer:

Work Health and Safety Act 2011 (NSW)

Work Health and Safety Regulation 2017 (NSW)

Civil Liability Act 2002 (NSW)

Fair Work Act 2009 (Cth)

Anti-Discrimination Act 1977 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Child Protection (Working with Children) Act 2012 (NSW)

Privacy and Personal Information Protection Act 1998 (NSW)

National Standards for Volunteer Involvement (2015) Volunteering Australia

RISK IMPLICATIONS

Following the responsibilities and procedures outlined in the Policy, ensures that Council, its workers, and volunteers are compliant with relevant legislation and limiting risk.

STAKEHOLDER CONSULTATION

Nil.

OPTIONS

Keep the existing Policy wording without the recommended insertions.

CONCLUSION

The current Policy with the recommended inclusions as detailed is considered appropriate for Council to adopt, particularly as changes do not change the intent of the Policy.

LINK TO POLICY/OR COMMUNITY STRATEGIC PLAN

5.2.6 Embrace a team centred culture of continual improvement to improve operational efficiency.

SUPPORTING INFORMATION/ ATTACHMENT

Amended Volunteer Risk Management Policy.

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REVIEW OF VOLUNTEER RISK MANAGEMENT POLICY

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Attachment - Amended Volunteer Risk Management Policy



POLICY REGISTER

VOLUNTEER RISK MANAGEMENT POLICY

Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 23rd February 2023 Minute No. 40.2.23

File Ref: P13-1, S12-1

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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)
2.0	Economic Development and Visitation Manager February 2023	Section VI Selecting Volunteers for Activities. This section was amended in line with the Economic Development & Promotions Committee Recommendation of 7th February 2023 to make volunteering with Council/Visitor Information Centre more straight forward.	Council Minute No. 40.2.23 (23rd February 2023)
2.1	General Manager May 2025	Refinements and additions to ensure full coverage of emerging volunteer-related risks, tighter compliance with record-keeping and vulnerable person protection expectations, and greater adaptability in cross-department use.	Council Minute No.

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Warren Shire Council – Volunteer Risk Management Policy

I INTRODUCTION

A. PURPOSE

The purpose of this Policy is to describe how Warren Shire Council will manage the work health and safety risks associated with using volunteers at Council.

Council appreciates and acknowledges the services provided by volunteers in improving the quality of services across the Warren Shire and aims to ensure their health and safety whilst undertaking these activities.

This Policy is specific to managing health and safety risks associated with volunteers, and is to be used in conjunction with Council's general Volunteer Management Policy.

B. SCOPE

This Policy applies to all Warren Shire Council workers who are involved and/or are responsible for volunteer coordination, including members of Section 355 Committees. It includes all activities performed by volunteers including those involving:

- Recreation and Leisure Centre
- Early Years
- Community Centres
- Youth Services
- Aged Services
- Environmental Services
- Arts and Cultural Services
- Special Events

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Warren Shire Council – Volunteer Risk Management Policy

C. DEFINITIONS

Term	Definition
Hazard	A situation or thing that has the potential to harm, including injury or illness to people or damage to plant, property or the environment.
Hierarchy of controls	<p>A process of prioritising hazard controls in order of effectiveness as shown below:</p> <p>Level 1 controls:</p> <p><u>Elimination</u> of the hazard. E.g. remove a piece of hazardous equipment from operation.</p> <p><i>or if this is not possible, minimise the risk by:</i></p> <p>Level 2 controls:</p> <p><u>Substitution</u> - replace with a safer alternative. E.g. replace solvents with detergents, glass with plastic, etc.</p> <p><u>Isolation</u> - isolate the person exposed from the hazard or the hazards from the person.</p> <p><u>Engineering controls</u> - E.g. modify, enclose, guard, exhaust fumes, use mechanical aids, fall arrest systems.</p> <p><i>If the risk remains:</i></p> <p>Level 3 controls:</p> <p><u>Administration</u> - E.g. development of safe work procedures, training, limiting duration of exposure.</p> <p><i>If the risk still remains:</i></p> <p><u>Personal protective equipment (PPE)</u> is the least effective form of control and to be used as a last resort.</p>
PCBU	A Person Conducting a Business or Undertaking, where a person may be an organisation or individual. Council is a PCBU. Other organisations or individuals may hold shared responsibilities as a PCBU depending on the arrangement with Council.
Reasonably practicable	<p>Doing what is reasonably able to be done to ensure the health and safety of workers and others, taking into account:</p> <p>The likelihood of the hazard or risk occurring</p> <p>The degree of harm that might result from exposure to the hazard or risk</p> <p>What the person concerned knows, or ought to reasonably know, about the hazard or risk</p> <p>about the ways of eliminating or minimising the risk</p> <p>The availability and suitability of controls and the cost associated with controls</p> <p>After assessing the risk and available means to eliminate or minimise the risk, whether the cost is grossly disproportionate to the risk.</p>
Residual risk	The level of risk remaining after recommended controls have been implemented.
Risk	The likelihood of harm occurring from exposure to a hazard and the likely consequences of that harm.
Risk Assessment	The overall process of estimating the level of risk of a particular task, activity or process.
Risk control measures	Measures that eliminate or minimise a risk so far as is reasonably practicable, using the 'hierarchy of control'.
SWMS	Safe Work Method Statement

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Warren Shire Council – Volunteer Risk Management Policy

Term	Definition
SOP	Safe Operating Procedure
Worker	A person who carries out work in any capacity for (Council name). This includes an employee, contractor, subcontractor or volunteer.
Volunteer	A person who undertakes an activity on behalf of Council either directly or indirectly and is not party to an employment contract with Council in regard to that activity. The volunteer may be recruited directly by Council or by a third party which is involved with Council in undertaking the activity. Although there is no direct personal remuneration which could be considered as income for the volunteer undertaking the activity, there may be arrangements made for the payment of out-of-pocket expenses associated with the activity.
Volunteer Supervisor	A person employed by Council who has been assigned responsibility for supervising volunteers or volunteer activities
Volunteering	Time willingly given by an individual for the 'common good' and without financial gain.
Vulnerable Person	a) a Child or Children; or b) an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

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II RESPONSIBILITIES

Responsibilities for managing health and safety risks and applicable to this Policy are summarised below

A. GENERAL MANAGER AND DIVISIONAL/DEPARTMENTAL MANAGERS

- Ensure that processes are in place to manage the health and safety of volunteers
- Ensure adequate resources are available for the effective management of risks relating to volunteer activities;
- Ensure that adequate pre-requisites are in place prior to volunteers commencing duties
- Ensure the periodic review of the implementation and effectiveness of risk control measures for volunteers
- Ensure Council consults, coordinates and co-operates with other duty holders to meet their Work Health and Safety (WHS) legislative requirements in relation to the effective management of risks associated with volunteers
- Ensure that processes are in place for the review of this Policy and the processes for managing volunteer risks every two years.

B. MANAGERS

- Ensure the identification, assessment, control and monitoring of hazards and hazardous activities related to volunteers
- Periodically review the implementation and effectiveness of control measures to manage risks associated with activities volunteers conduct, and revise of controls if necessary
- Provide Senior Management and the WHS/Risk Co-ordinator with reports on volunteer related risks and controls for the areas over which they have control
- Ensure an appropriate person (e.g. Volunteer Supervisor or Site Supervisor) is appointed to supervise volunteers
- In conjunction with the WHS/Risk Co-ordinator and, in consultation with the Work, Health, and Safety Committee, review this Policy and the effectiveness of the processes for managing volunteer risks every two years.

C. SUPERVISORS

- Identify hazards associated with volunteers and their activities, assess the risks and implement effective control measures;
- Conduct risk assessments in consultation with workers and other duty holders
- Monitor and review the implementation and effectiveness of controls and revise controls where necessary
- Provide information, training and supervision to all volunteers on hazards and hazardous activities related to the work that they undertake
- Liaise with the WHS/Risk Co-ordinator for assistance in managing risks associated with volunteers and the activities they undertake.

D. WHS/RISK CO-ORDINATOR

- Oversee the system and processes for the identification, assessment, control and monitoring of risks that may arise from the activities volunteers undertake

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Warren Shire Council – Volunteer Risk Management Policy

- Consult with key stakeholders in managing risks associated with volunteers and provide information to Council management and workers as applicable
- Monitor the implementation and effectiveness of the risk management process for volunteers and provide reports to senior management as required.

E. WORK HEALTH AND SAFETY COMMITTEE (WHSC)

- Participate in the identification of hazards and control measures for volunteer activities, where required; and
- Participate in reviewing the effectiveness of risk controls implemented for volunteer's activities.

F. VOLUNTEER

- Complete (Council's name) induction and any relevant training prior to undertaking any volunteer activities;
- Comply with the requirements of relevant Council policies and procedures;
- Comply with induction and training provided; and
- Report hazards or concerns they have in relation to health and safety to the Volunteer Supervisor or Site Supervisor.

G. VOLUNTEER SUPERVISOR OR SITE SUPERVISOR

- Complete a Volunteer Induction Checklist prior to the volunteer undertaking any duties
- Ensure that activities are conducted in accordance with Council WHS procedures

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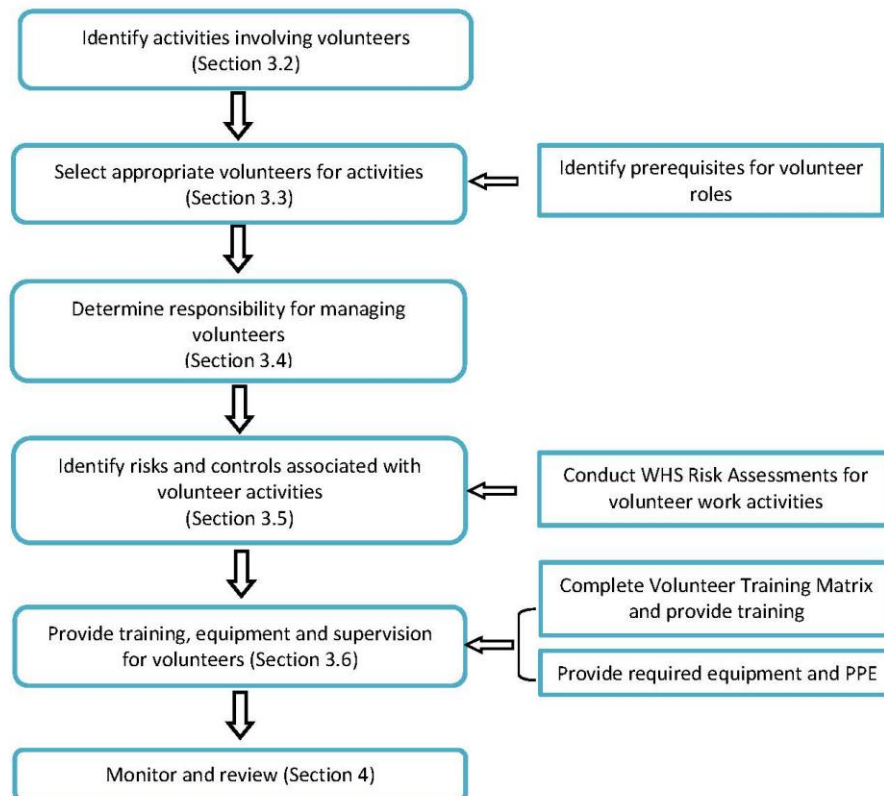
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Warren Shire Council – Volunteer Risk Management Policy

III PROCESS FOR MANAGING VOLUNTEER RISKS

Warren Shire Council will develop, implement and maintain a process to manage health and safety risks to volunteers arising from or associated with the activities they undertake. A flowchart providing an overview of the process is provided in Section 3.1.

IV OVERVIEW OF THE PROCESS FOR VOLUNTEER RISK MANAGEMENT



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Warren Shire Council – Volunteer Risk Management Policy

V IDENTIFYING ACTIVITIES INVOLVING VOLUNTEERS

Warren Shire Council will identify activities involving volunteers by following a systematic process that involves:

1. Identifying activities within Council that involve, or are likely to involve, volunteers, including:
 - Community events
 - Non-event activities (such as park maintenance)
 - Community services and fundraising
 - Council Committees (e.g. Section 355 Committees)
2. Identifying volunteer roles for these activities

Managers/supervisors are responsible for approving activities to be performed by volunteers for areas under their control.

VI SELECTING VOLUNTEERS FOR ACTIVITIES

Volunteers must be deemed suitable for the activity in question. This includes identifying any specific prerequisites for a volunteer performing the activity. (E.g. specific qualifications) to ensure the safety of the volunteer and/or others involved in the activity.

Different volunteer positions may require different prerequisites. Managers and Supervisors must identify the relevant and necessary prerequisites and checks for each individual volunteer position.

By signing the Volunteer Application Form, the applicant consents to Council undertaking necessary probity checks (e.g. police check, WWCC), storing personal data in secure systems, and assessing fitness for duty. Volunteers may withdraw consent at any time by written notice, subject to impact on eligibility for roles.

MANDATORY – ALL VOLUNTEERS – ALL DEPARTMENTS

- National Police Check
- Drivers Licence
- Notice of any health issues that may affect the ability of the volunteer to undertake duties.
- Outline of prior skills and/or experience
- Copies of any certificates or qualification that the volunteer holds that may be relevant to the role (first aid etc), if volunteer is willing to provide additional information.
-

FOR VOLUNTEER POSITIONS WORKING DIRECTLY WITH CHILDREN OR SUPERVISING CHILDREN

- All prerequisites list as Mandatory above
- Working with Childrens' Check
-

FOR VOLUNTEER POSITIONS WITH SIGNIFICANT PHYSICAL ACTIVITY

- All prerequisites list as Mandatory above
- Medical Assessment
- Specific physical requirements / attributes required for the position

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Any required prerequisites including police checks etc must be included in the Volunteer Application Form that is completed by all Volunteers and reviewed by the Supervisor/Manager before the volunteer is approved.

All required prerequisites must be discussed and disclosed to the volunteer at time of application and that signature of the volunteer on the application form constitutes permission of the Volunteer to Warren Shire Council to undertake the required checks etc.

A. VOLUNTEERS UNDER 18 OR OVER 80

When considering whether to engage a volunteer under 18 or over 80, Council must assess whether the volunteer has adequate skills and experience to fulfil the role, and whether Council can meet its increased duty of care to the volunteer. Council will also ensure that the volunteers are adequately covered under Council insurances.

For volunteers under the age of 18 years of age, parental/guardian consent must be obtained. Where appropriate, supervision ratios should align with child-safe practices. Volunteers over 80 must not be assigned roles with physical or environmental risk factors beyond their assessed capabilities.”

VII DETERMINING RESPONSIBILITY FOR MANAGING VOLUNTEERS

The relevant Manager will ensure that a Volunteer Supervisor or Site Supervisor is appointed to supervise all volunteers.

Section 355 Committees

Where Council has delegated some of its functions to a Section 355 Committee, the Committee’s constitution / terms of reference must specify the Council representative that is responsible for overall management and supervision of work health and safety for the Committee’s activities.

Volunteer Associations

Where external organisations are engaged to provide volunteer services (e.g. through Rotary or APEX), the organisation must provide adequate information for Council to assess if the volunteers involved meet the prerequisites for the activity. Volunteers must still be individually approved by Council and complete Council’s induction prior to commencing work.

VIII IDENTIFYING RISKS AND CONTROLS ASSOCIATED WITH VOLUNTEER ACTIVITIES

The Manager/Supervisor for the relevant work area must ensure that any work activities or events involving volunteers have a WHS Risk Assessment completed prior to the work commencing or the event being booked. This assessment will follow the process outlined in Council’s Managing WHS Risks Procedure and will identify the hazards associated with the activity and the required control measures. The WHS/Risk Co-ordinator will assist the Manager/Supervisor with the completion of the risk assessment as required.

The Manager/Supervisor will ensure that all risk control measures identified in the WHS Risk Assessment are implemented.

Volunteers are not permitted to undertake high risk work tasks (e.g. working at heights, traffic control, etc.). Where required, Council will arrange for appropriately qualified personnel to complete these tasks. (Refer to Council’s Construction Safety Management Procedure for details of high-risk tasks.)

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Warren Shire Council – Volunteer Risk Management Policy

IX PROVIDING TRAINING, EQUIPMENT AND SUPERVISION FOR VOLUNTEERS

Volunteers will be provided with the required instruction, information and training for their role.

The relevant Manager will ensure that a Training Matrix is completed that identifies the required training for the volunteer role (See Appendix 2 for an example of a Volunteer Training Matrix). Council will ensure that volunteers have received the instruction/ training indicated in the Training Matrix before commencement of work. This includes instruction in the use of any relevant plant / equipment (e.g. mowers).

All volunteers must receive Council induction prior to undertaking any activities on behalf of the Council.

The Volunteer Induction Checklist in Appendix 3 can be used to track all WHS requirements for volunteers including any pre-requisites for the role, required PPE and mandatory training/instruction.

Approved volunteers will be recorded in the Volunteer Register (see Appendix 4).

A. SUPERVISION OF VOLUNTEERS

The relevant Manager will ensure that adequate supervision is arranged for volunteers. Where practicable, the Volunteer Supervisor / Site Supervisor should be present while volunteers undertake work activities. Where this is not practicable (e.g. remote locations, community transport), the Supervisor must consider how adequate supervision can be implemented. This may include planned or random site visits and maintaining communication with volunteers to check the progress of their activities and discuss any issues / hazards they may have identified.

B. USE OF PLANT AND EQUIPMENT

Where practicable, Council will supply any plant / equipment required for volunteer tasks. Volunteers must be trained in the use of plant or equipment and deemed to be competent prior to operating it. Volunteers are not permitted to use or operate equipment if they have not been authorised by Council.

Volunteers must receive prior approval if they wish to supply their own equipment. Any equipment supplied by volunteers must be checked and authorised by the Volunteer Supervisor / Site Supervisor prior to being used.

The Volunteer Supervisor / Site Supervisor is responsible for ensuring that pre-start checks are undertaken for all plant and equipment used by volunteers.

Electrical items must have a current test/tag record attached to the item.

The Supervisor is authorised to prevent the use of, or remove, any item considered unsafe or inappropriate for the task.

C. PERSONAL PROTECTIVE EQUIPMENT

Council will supply volunteers with appropriate personal protective equipment for the tasks they are undertaking. The Volunteer Supervisor / Site Supervisor is responsible for ensuring volunteers use and maintain PPE, and for arranging the replacement of any worn / damaged items.

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D. HAZARD/ INCIDENT REPORTING

Volunteers must report all hazards or incidents to their Volunteer Supervisor/ Site Supervisor who will follow Councils relevant procedures including the Managing WHS Risks and Incident Reporting and Investigation Procedure.

Volunteers are expected to report not only physical hazards but also inappropriate conduct, bullying, harassment or behaviour of concern in line with Council's Code of Conduct and Internal Reporting Policy.

Volunteers will have the same access to post incident briefing and support as is provided to Council's workers.

Volunteers are able to raise complaints and grievances as per Council's Internal Reporting Procedure.

E. INSURANCE AND LIABILITY FOR VOLUNTEERS

Council will carry appropriate insurance policies to cover volunteers (e.g. public liability). In some cases, volunteers will be required to demonstrate that they have their own insurances (e.g. comprehensive car insurance if using their own car). Any insurances required by the volunteer will be determined prior to starting work.

X MONITORING AND REVIEW

The effectiveness of this Policy will be reviewed at least every four (4) years, including a review of:

- Compliance with the requirements of the Volunteer Risk Management Policy;
- The suitability and effectiveness of volunteer risk control measures

In addition, this Policy will be reviewed if:

- It becomes apparent that the volunteer risk management process is not adequate to protect volunteers
- There are legislative changes that affect the management of volunteer health and safety

The WHS/Risk Co-ordinator will monitor the implementation and effectiveness of this Policy and include any issues in their monthly WHS reports to Senior Management.

As part of the review, Council may seek feedback from volunteers via surveys, exit checklists, or supervisor reports to evaluate training adequacy, task suitability, and risk perceptions.

XI RECORD KEEPING

The Volunteer Supervisor /Site Supervisor will keep records for this Policy in accordance with Councils procedures for document management and control.

Volunteer records will be stored securely and managed in accordance with the Privacy and Personal Information Protection Act 1998 (NSW). Sensitive information disclosed by volunteers

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Warren Shire Council – Volunteer Risk Management Policy

(e.g. health conditions, police checks) will be handled confidentially and only shared on a need-to-know basis.

The types of records to be kept include:

- Completed Volunteer Application Forms
- Completed Volunteer Induction Checklists
- Completed Volunteer Training Matrix
- Completed WHS Risk Assessment Forms
- Volunteer Register

XII RELATED DOCUMENTS

WHS Policy
Managing WHS Risks
WHS Consultation
Incident Reporting and Investigation
Record Management
Document Control
Record Keeping
Complaint and Grievances
Corrective Actions
Hazard Report Form
WHS Risk Assessment Form
WHS Risk Register
Corrective Action Report
Minor Incident Report
Serious Incident Report
WHS Consultation and Communication Register
Work Inspection Checklists
Volunteer Induction Checklist
Volunteer Training Matrix
Volunteer Register
Volunteer Application Form

XIII REFERENCES

- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2017 (NSW)
- Code of Practice: How to manage work health and safety risks 2011 (SafeWork NSW)
- The National Standards for Volunteer Involvement 2015 (Volunteering Australia)
- The Essential Guide to Work Health and Safety for Organisations that Engage Volunteers 2012 (Safe Work Australia)

XIV REVIEW PROCESS

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

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Warren Shire Council – Volunteer Risk Management Policy

APPENDIX 1 – EXAMPLES OF ROLE-SPECIFIC COMPETENCIES FOR VOLUNTEERS

The following provides suggestions for training and competencies for different volunteer roles:

- ‘Armed Holdup Procedures’ for volunteers handling cash (e.g. in cafes and kiosks, at special events or in some administration roles.)
- ‘Driver Safety Awareness’ for volunteers who transport others, drive to in-home visits or transport goods for special events
- ‘First Aid – Basic Awareness’ so volunteers are aware of the steps they should take during an incident as well as what NOT to do. This is relevant for any volunteer working without direct supervision
- ‘Apply First Aid’ for settings such as cafes or ‘Men’s Sheds’ where the degree of harm from an incident could be higher
- ‘Food Handling Safety’ for those working in cafes and kiosks, transporting prepared foods, cooking barbecues or serving food
- ‘Infection Control – Sharps Awareness’ for volunteers working in an immunisation clinic, childcare, recycling centres, parks, gardens, cemeteries, sporting grounds, cleaning or maintaining buildings, removing graffiti or setting up special events in outdoor settings.
- ‘Venomous Animal Awareness’ for those volunteers working in outdoor environments or around buildings (e.g. home gardening or cleaning services)
- ‘Working Alone Awareness’ for volunteers at sites where assistance is not readily available in case of injury or illness
- ‘Fire Prevention’ for volunteers working in grounds maintenance or environmental field work.
- ‘Dealing with Aggressive Behaviours’ for volunteers dealing with the public on sensitive issues such as Justices of the Peace.
- ‘Understanding Dementia’ or ‘Managing Challenging Behaviours’ for volunteers working in Aged Care support.

Specific Competencies for Volunteer Supervisors

In some settings, volunteers work in a supervisory capacity (over other volunteers). Some role statements include titles with terms such as ‘co-ordinator’, ‘team leader’, ‘facilitator’, ‘café supervisor’, ‘organiser’ etc. These roles may be common in kiosks, crèches, playgroups, tutoring, mentoring, tourism guides, walk groups and special events.

In such cases, consideration should be given to whether these volunteers require additional training or should be trained to a higher level. For example:

Training in ‘Apply First Aid’ (the former Senior First Aid certificate) rather than ‘Basic Awareness’

A higher level of understanding of ‘Due Diligence’ and ‘Duty of Care’

Higher level of training in ‘Bullying and Harassment Awareness’

Training in ‘Dealing with Aggressive Behaviours’

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XV APPENDIX 2 – SAMPLE VOLUNTEER TRAINING MATRIX

	Volunteer Role	Administration	Committees	Child Care	Elderly Support	Environ. Field Work	Graffiti Removal	Grounds People	Guides	Hospitality	In-House Services	Justice of the Peace	Library Shelving	Maintenance	Marketing	Retail	Social Support	Special Events	Transport	Tutoring	Youth Mentoring
Core Competencies	Council Induction	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Bullying & Harassment Awareness	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Drugs and Alcohol in the Workplace	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Emergency Management Response (General)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Hazardous Manual Tasks	✓		✓	✓	✓	✓	✓	✓		✓		✓	✓		✓	✓	✓	✓	✓	
	WHS Risk Management Awareness	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Office Ergonomics Awareness	✓	✓									✓	✓		✓			✓		✓	✓
	Heat Stress/Inclement Weather/ Sun Safety			✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓		✓	✓		✓
Role-Specific Competencies	Armed Holdup Procedures	✓							✓		✓					✓	✓	✓			
	Driver Safety Awareness				✓	✓	✓			✓	✓				✓	✓		✓	✓		
	First Aid – Basic Awareness	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓		✓		✓	✓	✓	✓
	Food Handling Safety			✓	✓				✓	✓	✓					✓		✓			

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	Volunteer Role	Administration	Committees	Child Care	Elderly Support	Environ. Field Work	Graffiti Removal	Grounds People	Guides	Hospitality	In-House Services	Justice of the Peace	Library Shelving	Maintenance	Marketing	Retail	Social Support	Special Events	Transport	Tutoring	Youth Mentoring
	Hazardous Chemicals Awareness			✓	✓	✓	✓	✓	✓	✓	✓			✓				✓			
	Infection Control / Sharps Awareness			✓	✓	✓	✓	✓	✓	✓								✓			✓
	Minor Plant Operation					✓	✓	✓	✓					✓				✓	✓		
	PPE Use			✓		✓	✓	✓	✓	✓	✓			✓							
	Venomous Animal Awareness					✓	✓	✓	✓		✓			✓				✓			
	Fire Prevention	✓		✓	✓	✓			✓	✓	✓			✓		✓	✓	✓	✓		
	Working Alone Awareness		✓		✓	✓	✓	✓		✓	✓			✓			✓		✓		✓
	Dealing with Aggressive Behaviours	✓								✓	✓	✓				✓	✓	✓			✓
	Managing Challenging Behaviours			✓	✓						✓						✓				✓

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Warren Shire Council – Volunteer Risk Management Policy

XVI APPENDIX 3 – VOLUNTEER INDUCTION CHECKLIST

This Checklist will assist in identifying and tracking risk management and training requirements for volunteers

Council Name:			
Name:			
Role title & description:			
Location of position:			
Hours of the position:			
Commencement date:			
Responsible person:			
Under 18?	Y / N	Over 90:	Y / N

	Y	N	N/A	Comments/Action(s) To Be Taken	Date Completed
1. Prerequisites for the Role					
Drivers Licence					
Medical assessment completed?					
Police Check completed and attached?					
Working with Children Check completed and attached?					
Vulnerable Person Assessment completed and attached?					
Adequate physical requirements to undertake duties? (e.g. Is the role physically demanding? Does it place particular requirements on a person (sitting, typing, walking, lifting, bending etc.)?)					

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Warren Shire Council – Volunteer Risk Management Policy

	Y	N	N/A	Comments/Action(s) To Be Taken	Date Completed
Prior skills or experience required for the role?					
Certificate or Trade required? (E.g. First Aid)					
2. Equipment Required					
Uniform or Dress code Is this supplied by the Council?					
PPE Required? (e.g. safety glasses, earmuffs, gloves, etc.)					
Other?					
3. Training and Induction					
<i>What specific training is required for the Volunteer to undertake their duties? Refer to the Volunteer Training Matrix for guidance.</i>					
Course	Comments/Action(s) To Be Taken				Date Completed
Council General Induction					
Site-Specific Induction					
<i>Insert other training requirements from the Volunteer Training Matrix:</i>					
•					
•					
•					
•					

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ITEM 5 REVIEW OF VOLUNTEER RISK MANAGEMENT POLICY CONTINUED

Warren Shire Council – Volunteer Risk Management Policy

XVII APPENDIX 4 – VOLUNTEER REGISTER TEMPLATE

Volunteer Register			
Department / Committee:		Volunteer Supervisor:	

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ITEM 6 INVESTMENT POLICY

(P13-1)

RECOMMENDATION:

That Council adopted the reviewed Investment Policy.

PURPOSE

To advise Council that the Investment Policy requires to be adopted, as per Section 165(4) and 161 of the Local Government Act.

BACKGROUND

Warren Shire Council's Investment Policy is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993, unless the Council revokes it sooner. The Investment Policy has been reviewed with no changes proposed.

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 return on investment in consideration of risks, 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.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act 1993

RISK IMPLICATIONS

Warren Shire Council's Investment Policy is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) 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 no 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.

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ITEM 6 INVESTMENT POLICY

CONTINUED

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

Reviewed Investment Policy.

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ITEM 6 INVESTMENT POLICY

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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

File Ref: P13-1, I3-1.35

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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.

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ITEM 6

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.

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.

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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 Minister's 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

CONTINUED

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.

WARREN SHIRE COUNCIL

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ITEM 6

INVESTMENT POLICY

CONTINUED

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	10%	100%
Short term funds	3-12 months	20%	100%
Short-medium term	1-2 years	0%	70%
Medium term funds	2-5 years	0%	50%
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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ITEM 6

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 of 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

The Investment Policy will be reviewed annually and as required in the event of legislative change or significant changes to the market conditions.

The Investment Policy may also be changed to advantage Council. Any amendment must be by way of Council resolution.

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ITEM 6

INVESTMENT POLICY

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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. Floating rate securities are most commonly reset quarterly to the 90 day BBSW.
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 Premier and Cabinet.
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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ITEM 7 RELATED PARTY DISCLOSURE POLICY

(P13-1, A7-14)

RECOMMENDATION that:

1. The information be received and noted;
2. The Related Party Disclosure 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 Related Party Disclosure Policy be adopted.

PURPOSE

To advise Council that the Related Party Disclosures Policy requires to be adopted, as per Section 165(4) and 161 of the Local Government Act.

BACKGROUND

Warren Shire Council's Related Party Disclosure Policy is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993, unless the Council revokes it sooner. The Related Party Disclosure Policy has been reviewed with all changes identified within the Draft Policy.

REPORT

The Warren Shire Council Related Party Disclosure Policy will assist in the administration, management and operations of the Council. Specifically, financial statements contain the necessary related party disclosures, thereby ensuring transparency in dealings and their effect on Council's financial reports. These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties. The Policy is required under Section 158 of the Local Government Act.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act 1993

RISK IMPLICATIONS

Warren Shire Council's Related Party Disclosure Policy is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) 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 required as the Related Party Disclosure Policy has been created as a mandatory requirement for Council, where legislative compliance is the major factor.

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RELATED PARTY DISCLOSURE POLICY

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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 Investment Policy with the minor amendments, as the Policy intent remains the same.

CONCLUSION

The Related Party Disclosure Policy should be adopted with all changes listed in the Draft Policy, 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

Related Party Disclosure Policy.

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ITEM 7 RELATED PARTY DISCLOSURE POLICY

CONTINUED

Attached - Related Party Disclosure Policy.



POLICY REGISTER

RELATED PARTY DISCLOSURES POLICY

Policy adopted: 23rd March 2017 Minute No. 67.3.17

Reviewed:

File Ref: P13-1, A7-14

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

Introduction

From 1 July 2016, Council is required to disclose Related Party Relationships and Transactions; as well as Key Management Personnel (KMP) compensation in its Annual Financial Statements in accordance with the Accounting Standard AASB 124.

The objective of this policy is to ensure that Warren Shire Council's financial statements contain the necessary related party disclosures, thereby ensuring transparency in dealings and their effect on Council's financial reports. These disclosures draw attention to the possibility that Council's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

Purpose

The purpose of this policy is to:

1. define the parameters for Related Party Relationships and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124
2. ensure that Council's Related Party Relationships are disclosed, irrespective of whether there have been transactions between them **in the relevant financial year.**

Scope

This Policy assists in:

- a. identifying related parties and relevant transactions; Related Party Transactions, and ordinary citizen transactions concerning Key Management Personnel, their close family members and entities controlled or jointly controlled by any of them
- b. identifying outstanding balances, including commitments, between Council and its related parties
- c. establishing systems to capture and record the Related Party Transactions and information about those transactions
- d. identifying the circumstances in which disclosure of the items **in Clauses 1. And 2. are required; and**
- e. determining the disclosures to be made about those items in the general purpose financial statements for the purpose of complying with the AASB 124

Definitions

The following definitions apply:

Act	The Local Government Act 1993
Regulation	The Local Government (General) Regulation 2021
Council Official	Includes Councillors, members of Council staff, administrators, contractors and consultants, Council committee members and delegates of Council
AASB 10	The Australian Accounting Standards Board – Consolidated Financial Statements – details the criteria for determining whether Council has significant influence over an entity

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy	
AASB 11	The Australian Accounting Standards Board – Joint Arrangements – details the criteria for determining whether Council has significant influence over an entity
AASB 124	The Australian Accounting Standards Board, Related Party Disclosures Standard under Section 334 of the Corporations Act 2001.
Close members of the family of a person	Those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council and include: <ul style="list-style-type: none"> that person's children and spouse or domestic partner; children of that person's spouse or domestic partner; and dependants of that person or that person's spouse or domestic partner.
Control or Joint Control	A person or entity is deemed to have control if they have: <ul style="list-style-type: none"> power over the entity; exposure, or rights, to variable returns from involvement with the entity; and the ability to use power over the entity to affect the amount of returns. <p>To jointly control, a person or entity must have contractual rights or agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.</p>
Entity	Can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body
Financial Benefit	Includes giving a financial benefit indirectly through an interposed entity, making an informal, oral or non-binding agreement to give the benefit, and giving a benefit that does not involve paying money. Examples (not limited) of "giving a financial benefit" to a Related Party include the following: <ul style="list-style-type: none"> Giving or providing the Related Party finance or property. Buying an asset from or selling an asset to the Related Party. Leasing an asset from or to the Related Party. Supplying services to or receiving services from the Related Party. Issuing securities or granting an option to the Related Party. Taking up or releasing an obligation of the Related Party.
Key Management Personnel (KMP)	Are those persons having the authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any Director (whether Executive or otherwise) of the entity.
Material (materiality)	The assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis an entity's financial statements. For the purpose of this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.
Ordinary Citizen Transaction	means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council
Possible (Possibly) Close members of the family of a person	Those family members who could be expected to influence, or be influenced by, that person in their dealings with the Council and include:

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

	<ul style="list-style-type: none">• that person's brothers' and sisters';• aunts', uncles', and cousins' of that person's spouse or domestic partner;• dependants of those persons' or that person's spouse or domestic partner as stated in (b); and• that person's or that person's spouse or domestic partners', parents' and grandparents'
Related Party	Any person or entity that is related to the entity that is preparing its financial statements (referred to in this standard as the 'reporting entity')
Related Party Transaction	A transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.
Significant (significance)	Likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/ taxpayer relationship.

Policy Statement

Council is committed to responsible corporate governance, including compliance with laws and regulations governing Related Party Transactions.

Related Party Relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A Related Party Relationship could influence the normal business operations of Council even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of Council's operations.

AASB 124 provides that Council must disclose all material and significant Related Party Transactions and outstanding balances, including commitments, in its Annual Financial Statements. Generally, disclosure will only be made where a transaction has occurred between Council and a related party of Council. In addition, the transaction must be material in nature or size when considered individually or collectively.

When assessing whether such transactions are significant the following factors will be taken into consideration:

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RELATED PARTY DISCLOSURE POLICY

CONTINUED

Related Party Disclosures Policy

- significance in terms of size,
- was it carried out on non-market terms,
- is it outside normal day-to-day Council operations,
- was it subject to Council approval,
- did it provide a financial benefit not available to the general public,
- was the transaction likely to influence decisions of users of the Annual Financial Statements

Regard must also be given to transactions that are collectively but not individually significant.

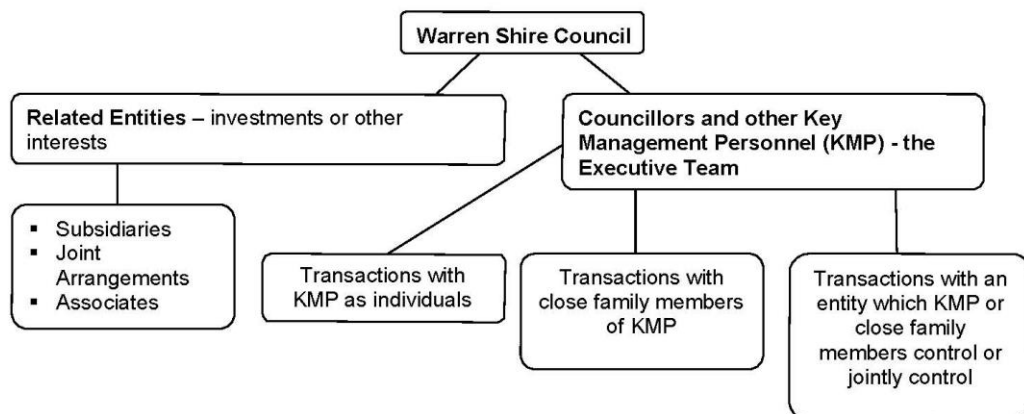
To enable Council to comply with AASB 124, Council's KMP are required to declare full details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

Related Parties

A related party is a person or entity that is related to the entity that is preparing its financial statements.

For the purposes of this Policy, related parties of Council are:

- Entities related to Council;
- Key Management Personnel (KMP) of Council;
- Close family members of Key Management Personnel (KMP);
- Possible close family members of Key Management Personnel (KMP); and
- Entities or persons that are controlled or jointly controlled by Key Management Personnel (KMP), or their close family members, or their possible close family members.



Entities Related to Council

Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council. Council will need to identify transactions with these entities and may need to make extra disclosure about them in Council's financial statements.

When assessing whether Council has control or joint control over an entity Council must consider AASB 10 and AASB 11. AASB 128 details the criteria for determining whether Council has significant influence over an entity.

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RELATED PARTY DISCLOSURE POLICY

CONTINUED

Related Party Disclosures Policy

Council's Contracts Register, Legal Register for Leases and Licenses and the Schedule of Debts Written Off will be reviewed to identify Related Party Transactions (KPT) and Related Parties. This information will be included in the Related Party Register (RPR) which will include all joint arrangements and updated on a regular basis.

Key Management Personnel (KMP)

AASB 124 defines Key Management Personnel (KMP) as "those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any Director (whether Executive or otherwise) of the entity".

Key Management Personnel (KMP) for Warren Shire Council are considered to include:

- Councillors (including the Mayor);
- General Manager;
- Directors / Senior Management personnel
- Public Officer; and
- Responsible Accounting Officer.

Also a person or entity is a related party of Council if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- they are an associate or belong to a joint venture of which Council is part of;
- they and Council are joint ventures of the same third party;
- they are part of a joint venture of a third party and council is an associate of the third party;
- they are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council;
- they are controlled or jointly controlled by close members of the family of a person;
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a Key Management Personnel (KMP) of Council; or
- they or any member of a group of which they are a part, provide Key Management Personnel (KMP) services to Council.

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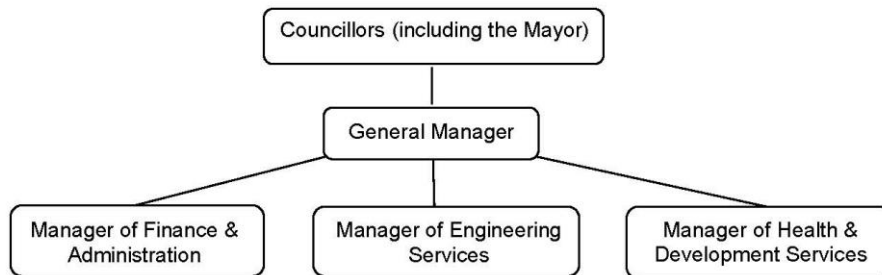
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RELATED PARTY DISCLOSURE POLICY

CONTINUED

Related Party Disclosures Policy

The following chart identifies KMP of Warren Shire Council:



Close Family Members of KMP

Close family members of Key Management Personnel (KMP) are family members who may be expected to influence, or be influenced by, that person in their dealings with Council.

The definition of close members of the family of a person for the purpose of the AASB 124 is broader than the definition of "related" in relation to a person for the purpose of a register of interests under the Local Government (General) Regulation 2005 (the Regulation).

Definitely a close family member

- Your spouse/domestic partner
- Your children
- Your dependants
- Children of your spouse/domestic partner
- Dependants of your spouse/domestic partner

Maybe a close family member

(if they could be expected to influence, or be influenced by, you in their dealings with Council)

- Your brothers and sisters,
- Your aunts, uncles and cousins,
- Your parents and grandparents,
- Your nieces and nephews,
- Any other member of your family

Entities that are Controlled or Jointly Controlled by Key Management Personnel (KMP) or their close family members may include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

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RELATED PARTY DISCLOSURE POLICY

CONTINUED

Related Party Disclosures Policy

The following table will assist in identifying close family members:

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

¹ AASB 124

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RELATED PARTY DISCLOSURE POLICY

CONTINUED

Related Party Disclosures Policy

Disclosure

Council Disclosure

AASB 124 provides that Council must disclose all material and significant Related Party Transactions (RPT) of a similar nature in aggregate except when separate disclosure is necessary for an understanding of the effects of Related Party Transactions (RPT) on the Annual Financial Statements, having regard to the following criteria: by aggregate or general description and include the following details:

- the nature of the Related Party Relationship (RPR)
- relevant information about the transactions including:
 - the amount of the transaction
 - the amount of outstanding balances, including commitments
 - their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in the settlement
 - details of any guarantee given or received
 - provision for doubtful debts related to the amount of outstanding balances
 - the expense recognised during the period in respect of bad or doubtful debts due from related parties

All transactions involving Related Parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions, and to determine the significance of each of the transactions.

Generally, transactions with amounts receivable from and payable to Key Management Personnel (KMP) or their related parties which occur within normal employee, customer or supplier relationships and at arm's length are not material or significant.

These shall be excluded from detailed disclosures; they will be disclosed in the financial statements by general description. Disclosures that Related Party Transactions (RPT) were made on terms equivalent to an arms-length transaction can only be made if such terms can be substantiated.

Related Party and KMP Disclosure

The types of disclosure that are required are as follows:

1. Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them.
2. KMP compensation (remuneration) relate to all forms of consideration paid, payable, or provided in exchange for services provided in total and for each of the following categories:
 - **Short-term employee benefits**, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees
 - **Post-employment benefits**, such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care

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RELATED PARTY DISCLOSURE POLICY

CONTINUED

Related Party Disclosures Policy

- **Other long-term employee benefits**, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation
- **Termination benefits**

3. Where Related Party Transactions have occurred:

- The nature of the Related Party Relationship
- Information about the transactions, outstanding balances and commitments, including terms and conditions

4. Separate disclosure for each category of the Related Party.

5. For the types of transactions to be disclosed refer to Related Party Transactions Section.

KMP Declarations must be made annually by 30 June by using the Related Party Transaction Disclosure by KMP form (see Appendix A).

Note: these Related Party Transaction Notification requirements are in addition to the notifications KMP are required to make to comply with, such as:

- for Councillors and KMP, the pecuniary interests and conflicts of interest obligations in the *Local Government Act 1993* and Code of Conduct

A Related Party Transaction, as opposed to the Register of Pecuniary Interests, the related party and relationship must be disclosed for both the KMP and their close family member even if the same related party entity is held jointly or in common by them.

The New South Wales Auditor General Office may audit related party information as part of the annual external audit.

Notifications by Key Management Personnel

In order to comply with the AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Responsible Accounting Officer of any existing or potential Related Party Transactions between Council and any of their related parties during a financial year, and any changes to previously notified Related Party Relationships and transactions relevant to the subject financial year.

KMPs must complete the Related Party Relationships Notification by Key Management Personnel Form (see Appendix B), notifying any existing or potential Related Party Relationships between Council and any related parties of the KMP, to the Responsible Accounting Officer by no later than the following periods during a financial year:

- 30 days after the commencement of this policy
- 30 days after a KMP commences their term or employment with Council

During the financial year, a KMP must proactively notify of any new or potential Related Party Relationships that the person knows of, or any changes to previously notified Related Party Relationships to the Responsible Accounting Officer by no later than 30 days after the person knows of the transaction or change.

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RELATED PARTY DISCLOSURE POLICY

CONTINUED

Related Party Disclosures Policy

At least 30 days before a specified notification period, the Responsible Accounting Officer will provide Key Management Personnel (KMP) with a RPT Notification form and a Privacy Collection Notice (Appendix B).

These notification requirements are in addition to the notifications a Key Management Personnel (KMP) must make to comply with Sections 451 and 459 of the Local Government Act 1993 that relate to material personal interests and conflicts of interest and Council's Code of Conduct.

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

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

- a register of interests of Key Management Personnel (KMP) and of persons related to Key Management Personnel (KMP);
- minutes of Council and committee meetings;
- Council's Contracts' Register.

Exclusions

The notification requirements do not apply to:

- related party transactions that are ordinary citizen transactions not assessed as being material; and
- for Councillors, expenses incurred and facilities provided to a Councillor during the financial year, under Council's Payment of Expenses and Provision of Facilities for Mayors and Councillors Policy, the particulars of which are contained in Council's Annual Report pursuant to the Local Government (General) Regulation 2021, Part 8.

Ordinary Citizen Transactions

Related party transactions excluded from disclosure requirements on the basis of Ordinary Citizen Transactions are;

- Any valid discounts and fee waivers that are available to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance, and
- Any service or benefit occurring within normal employee, customer or supplier relationships and at arm's length; and
- are not material or significant;

Materiality

Materiality thresholds will be reviewed annually as part of the audit process.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- Significance of transaction in terms of size;
- Whether the transaction was carried out on non-market terms;
- Whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets;

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Related Party Disclosures Policy

- Whether the transaction is disclosed to regulatory or supervisory authorities;
- Whether the transaction has been reported to senior management; and
- Whether the transaction was subject to Council approval.

Regard must also be given for transactions that are collectively, but not individually significant.

Disclosures that Related Party Transactions (RPT) were made on terms equivalent to those that prevail in arm's length transactions can only be made if such terms can be substantiated.

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

Related Party Transactions

Related Party Transactions are required to be disclosed, regardless of whether a price is charged. Such transactions may include:

- purchase or sale of goods (finished or unfinished)
- purchase or sale of property and other assets
- rendering or receiving services
- leases
- transfers of research and development
- transfers under licence agreements
- transfers under finance arrangements (including loans and equity contributions in cash or in kind)
- provision of guarantees or collateral
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised)
- quotations and/or tenders
- settlements of liabilities on behalf of Council or by Council on behalf of the related party
- Expense recognised during the period in respect of bad debts
- Provision for doubtful debts relating to outstanding balances

Procedures

The method for identifying the close members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

The preferred method of reporting is for KMPs to provide details of Related Parties and Related Party Transactions to the Responsible Accounting Officer.

Information provided will be reviewed in accordance with the Council's operational requirements and held on a centralised register (Appendix D) held within the Governance Area.

Should a KMP have any uncertainty as to whether a transaction may constitute a Related Party Transaction they should contact the Responsible Accounting Officer who will make a determination.

Privacy and Access to Government Information (Public Access) Act 2009 (GIPA Act)

Information provided by Key Management Personnel (KMP) and other related parties shall be held for the purpose of compliance with Council's legal obligations and shall be disclosed where required for compliance or legal reasons only.

Council and other permitted recipients will not use or disclose personal information provided in a related party disclosure by Key Management Personnel (KMP) or contained in a register of Related Party Transactions (RPT) for any other purpose or to any other person except with the prior written consent of the subject Key Management Personnel (KMP).

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

- the General Manager;
- the Responsible Accounting Officer;
- Divisional Manager Finance and Administration;

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- Professional Conduct Coordinator;
- an Auditor of Council (including an Auditor from the NSW Auditor General's Office);
- Other Officers as delegated by the General Manager.

Such persons may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of related party transactions for the following purposes:

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

An individual may access their personal information provided by a Key Management Personnel (KMP) in a related party disclosure or contained in a register of Related Party Transactions (RPT) in accordance with Council's Privacy Management Plan or at the discretion of the General Manager.

Disclosures, Notifications and the Register are not available for public access under the GIPA Act.

Related Information/Glossary

- AASB 124 – Related Party Disclosures (July 2015)
- Australian Accounting Standards
- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*
- *Government Information (Public Access) Act 2009*
- *Corporations Act 2001*
- Code of Conduct

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Related Party Disclosures Policy

Review

A review of KMP's and their related parties will be completed on adoption of this policy and then at intervals not exceeding six months.

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 legislative changes occur).

Contact

Responsible Accounting Officer – 02 6847 6611

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Related Party Disclosures Policy

Appendix A – Related Party Transactions Notification



Warren Shire Council

RELATED PARTY TRANSACTION DISCLOSURE BY KEY MANAGEMENT PERSONNEL

PRIVATE AND CONFIDENTIAL

Name of Key Management Person:

Position of Key Management Person:

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

Please complete the table below for each Related Party Transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

1. has previously entered into and which will continue in the financial year
2. has entered into, or is reasonably likely to enter into, in the financial year

Related Party's Name (Individual's or entity's name)	Relationship	Nature of Transaction Existing or Potential	Dollar/Equivalent Value	Description of Transaction Documents or Changes to the Related Party Relationship

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Related Party Disclosures Policy

Related Party's Name (Individual's or entity's name)	Relationship	Nature of Transaction Existing or Potential	Dollar/Equivalent Value	Description of Transaction Documents or Changes to the Related Party Relationship

KMP Compensation (remuneration) in total and for each of the following categories:

Type of Remuneration	Short-term Employee Benefits	Post-Employment Benefits	Other long-term Benefits	Termination benefits

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

Disclosure

I
(Full name) (Position)

notify that, to the best of my knowledge, information and belief,

as at the date of this disclosure, the above information includes all existing and potential Related Party Transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the financial year.

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

I permit the Responsible Accounting Officer and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests in relation to me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person:

Dated:

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

Appendix B – Related Party Relationships Notification by Key Management Personnel



Warren Shire Council

RELATED PARTY RELATIONSHIPS NOTIFICATION BY KEY MANAGEMENT PERSONNEL

PRIVATE AND CONFIDENTIAL

Name of Key Management Person:

Position of Key Management Person:

If a transaction has occurred since your last declaration, list details of known close family members, entities that are controlled/jointly controlled by KMP and entities that are controlled/joint controlled by close family members of KMP.

Details of Person or Entity	Relationship

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

Disclosure

I

(Full name)

(Position)

notify that, to the best of my knowledge, information and belief,

as at the date of this disclosure, the above information includes all existing and potential Related Party Transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the financial year.

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

I permit the Responsible Accounting Officer and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of in relation to me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person:

Dated:

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RELATED PARTY DISCLOSURE POLICY

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Related Party Disclosures Policy

Appendix C – Examples of Related Parties and Transactions



Warren Shire Council

EXAMPLES – RELATED PARTIES AND TRANSACTIONS

Some specific examples² of related party transactions may include:

- paying rates and utility charges in accordance with Council's Schedule of Fees and Charges
- using council's public facilities after paying the corresponding fees:
 - using the Council's public swimming pool after paying the normal fee
 - parking fees at rates available to the general public
 - attending Council functions that are open to the public
 - fines on normal terms and conditions
- entering into leases with Council or Council owned properties
- entering into contracts to provide/receive goods/services to/from Council
- use of Council assets free of charge (e.g. office space (for personal reasons))
- writing off debts due to/by related parties

Company that is a Related Party of Council – Example 1

Warren Shire Council (WSC) owns 90% of the shares in Warren Industrial Development Pty Ltd (the Company).

WSC has assessed that it has control over the company. The company is therefore a Related Party of WSC because WSC controls it.

WSC produces consolidated financial statements which include both a parent entity column and consolidated entity column. In the statements all individually significant transactions between WSC and the company will need to be disclosed. For other transactions that are collectively, but not individually, significant WSC will need to disclose a qualitative and quantitative indication of their extent.

WSC must also disclose the nature of its relationship with the company.

Key Management Personnel – Close Family Members – Example 2

WSC has recently employed Fred's son (Richard) in the Council's Parks & Gardens area. Fred is Council's Divisional Manager Finance & Administration but was not involved in hiring Richard. This process was managed by the Manager of Engineering Services and included an independent assessment process. Fred did not have any influence in Richard securing the job.

Fred has been identified as a KMP of Council, which makes him a Related Party.

² Provided by Hill Rogers

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Related Party Disclosures Policy

Richard will also be a Related Party of Council because he is a close family member of Fred. The recruitment process that was undertaken for Richard's position is irrelevant when assessing whether Richard is a Related Party.

Key Management Personnel – Close Family Members – Example 3

The Mayor of Warren Shire Council (Walter) has lived in the Shire his whole life. In fact his family has been in the area for over five generations.

Walter's cousin Mary, owns and operates a local newsagent through a company Today's News Pty Ltd, of which she is 100% owner. Walter and Mary have always been close and regularly socialise.

Walter has been identified as a KMP of the Council. Mary is classified as a Close Family Member of Walter because she would be able to influence, or be influenced by, that person with her dealings with Council.

Both Mary and the Company she controls, Today's New Pty Ltd would both be Related Parties of the Council. Any transactions that the Council makes with the newsagent would need to be separately identified and need to be disclosed.

Entities that are Controlled or Jointly Controlled by KMP or their Close Family Members – Example 4

Councillor Winx of Warren Shire Council is the President of Warren Jockey Club, the local racing club. The club is overseen by a committee which comprises the President and five other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 350 members that each have a vote in electing the committee members at the club's annual general meeting.

Councillor Winx does not control or jointly control the racing club so it will not be a Related Party of Council just because the Councillor Winx is the President of the club.

However, an entity where Councillor Winx has a Close Family Member who has a voting right would be considered as a Related Party.

Different Party Transactions that may occur between Related Parties - Example 5

The Council's functions include raising revenue to fund its functions and activities, and planning for and providing services and facilities (including infrastructure) for the local community. In carrying out its functions, the Council undertakes a wide range of activities including the imposition of rates and charges upon constituents, and the provision without charge of services such as parks and roads.

Councillor Paul is a ratepayer residing within the Council area. As such, Councillor Paul takes advantage of the availability of free public access to local parks and libraries. Councillor Paul also used the swimming pool at the Council's Recreation Centre twice during the financial year, paying the casual entry fee applicable to the general public each time. The recreation centre has approximately 5,000 visitors each financial year.

All of the transactions described above between the Council and Councillor Paul are related party transactions of the Council considered for disclosure in the Council's general purpose financial statements. Based on the facts and circumstances described, the Council may determine that these transactions are unlikely to influence the decisions that users of the Council's financial statements make having regard to both the extent of the transactions, and that the transactions have occurred between the Council and Councillor Paul within a public service provider/taxpayer relationship.

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Related Party Disclosures Policy

Contentious Issues

Note: where there are contentious issues in the determination of Related Party Disclosures Council should seek advice from the External Auditor.

When assessing whether a KMP or Close Family Member controls or jointly controls an entity, Council will need to refer to ASSB 10 and ASSB 11.

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RELATED PARTY DISCLOSURE POLICY

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Appendix D – Related Party Register



Warren Shire Council

RELATED PARTY REGISTER

Name	Relationship	Nature of Transactions	Terms and Conditions	Reference - Supporting Evidence