

**WARREN SHIRE COUNCIL**  
**Policy Report of Divisional Manager Engineering Services**  
**to the Ordinary Meeting of Council to be held in the**  
**Council Community Room on Thursday, 22<sup>nd</sup> May 2025**

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**ITEM 8                      STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY                      (P8-3, P4-1, F2-1)**

**RECOMMENDATION** that:

1. Council combines three (3) existing Policies: Driving of Loose Animals on Shire Roads Policy, Temporary Grazing Permits on Council Controlled Dedicated Public Roads Where Travelling Stock Routes Do Not Exist Policy and Stock Control on Council Controlled Dedicated Public Roads Policy, into one Policy named Stock Control on Council Road Reserves Policy;
2. The Stock Control on Council Road Reserves 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 Stock Control on Council Road Reserves Policy as amended be adopted.

**PURPOSE**

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

**BACKGROUND**

The proposed Stock Control on Council Road Reserves Policy combines three (3) existing Policies into a single Policy. These policies are automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

1. Driving of Loose Animals on Shire Roads Policy (Attachment 2),
2. Temporary Grazing Permits on Council Controlled Dedicated Public Roads Where Travelling Stock Routes Do Not Exist Policy (Attachment 3), and
3. Stock Control on Council Controlled Dedicated Public Roads Policy (Attachment 4)

The three existing Policies were reviewed by the Roads Committee on 8<sup>th</sup> April 2025 and changes are presented in the attached tracked Policies. Those changes have been incorporated into the combined Policy.

**REPORT**

The Stock Control on Council Road Reserves Policy will assist in the administration, management and maintenance of the stock control on Council's road reserves within the Warren Shire Council Local Government Area. It provides effective guidelines that will assist in ensuring the objective functions of stock control are carried out in accordance with statute and common law, regulation and national standards. The Policy is required under Section 158 of the Local Government Act.

Before adopting a new Stock Control on Council Road Reserves Policy, Council must give public notice of the intention to adopt the Policy and allow for 28 days for the making of public submissions. Before adopting the Policy, Council must consider any submissions and make any appropriate changes to the Draft Policy.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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.

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**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil.

**LEGAL IMPLICATIONS**

Local Government Act 1993 and Regulations  
Roads Act 1993  
Rural Lands Protection Act 1998  
Rural Lands Protection Regulation 2010

**RISK IMPLICATIONS**

The existing Policies are 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 shall be undertaken during the 28-day public exhibition period.

**OPTIONS**

Council has the option of amending the Policy or adopting the three (3) existing Policies with minor amendments.

**CONCLUSION**

The Stock Control on Council Road Reserves Policy should be adopted as it provides effective guidelines that will assist in ensuring the objective functions of the stock control are carried out in accordance with statute and common law, regulation and national standards.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

- 3.1.1    Ensure that the road network is maintained to an acceptable community standard
- 5.2.2    Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

- Attachment 1 - Stock Control on Council Road Reserves Policy,
- Attachment 2 - Driving of Loose Animals on Shire Roads Policy,
- Attachment 3 - Temporary Grazing Permits on Council Controlled Dedicated Public Roads Where Travelling Stock Routes Do Not Exist Policy, and
- Attachment 4 - Stock Control on Council Controlled Dedicated Public Roads Policy.

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ITEM 8

STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)



## POLICY REGISTER

### STOCK CONTROL ON COUNCIL ROAD RESERVES

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Policy adopted: 24th June 1999 Minute No. 193.6.99

Reviewed: XX April 2025 Minute No. XXXXXX

File Ref: P8-3, P4-1, F2-1

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ITEM 8

STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Stock Control on Council Road Reserves

## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0	Glenn Wilcox 10th August 2020	First Edition	Council Minute No. 193.6.99 (24th June 1999)
2.0	Sylvester Otieno 3 <sup>rd</sup> March 2025	Second Edition – combining three policies; Stock Control on Council Controlled Dedicated Roads, Issue of Temporary Permits on Council Controlled Dedicated Public Roads Where Traveling Stock Routes Do Not Exist, and Driving of Loose Animals on Council Roads	



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**ITEM 8**

**STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY**

**(CONTINUED)**

Warren Shire Council – Stock Control on Council Road Reserves

**1. OBJECTIVE**

To provide guidance to the owners /controllers of stock on Council's requirement for the control of stock on Council Roads and to provide minimum requirements for the control of stock as are considered necessary to ensure the safety of the travelling public and to protect Council's road assets.

**2. DEFINITIONS**

- i. **"Road"** - includes all sealed or unsealed roads within the Warren Shire Area that are dedicated public roads in accordance with the Roads Act 1993 (as amended) and under the control of Council, including fenced and unfenced roads and fenced travelling stock routes.
- ii. **"Stock"** - includes sheep, cattle, horses, camels, goats and pigs.
- iii. **"Travelling Stock"** - stock being driven.
- iv. **"Camped Stock"** - stock being agisted on stock routes and private property including all stock not being driven.

**3. POLICY STATEMENT**

- i. This policy takes its statutory authority from the Roads Act 1993 and Roads Regulation 2000 (as amended). This Policy supersedes all other policies within Council regarding stock control on Council Roads.
- ii. This Policy does not alter any provision of the Rural Lands Protection Act, 1998 (as amended).
- iii. This Policy does not alter any provision of the Rural Lands Protection Regulation, 2010 (as amended).
- iv. This Policy does not alter any provision of the Impounding Act, 1993 (as amended).
- v. Council reserves the right to vary any requirement of this Policy, if in its opinion, special circumstances occur, or additional requirements are necessary.

**4. TRAVELING STOCK ROUTES**

Grazing permits for Council Road reserves located within traveling stock routes are issued by the NSW Local Lands Services, who provide the minimum conditions outlined in this Policy.

All camped stock or travelling stock within the Warren Shire area on roads must comply with the following:

**4.1. Fenced Roads Including Travelling Stock Routes**

- i. No stock are to be permitted on the surface or shoulders of any road other than for the purposes of movement from one side of the road to the other and then only when under control to reduce damage to roads.
- ii. Stock are to be turned off roads where-ever possible to improve safety.
- iii. Stock are to be penned at night.

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**STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY**

**(CONTINUED)**

*Warren Shire Council – Stock Control on Council Road Reserves*

- iv. Stock are to be attended at all times by a responsible person except in those circumstances set out in Clause 138 of the Rural Lands Protection Act 1998 (as amended) and the Rural Lands Protection Regulation 2010 (as amended).
- v. During periods of wet weather stock are to be kept off the surface or shoulders of roads to reduce damage.
- vi. Stock warning signs are to be displayed in accordance with Clauses 18-24 of the Rural Lands Protection Regulation 2010 (as amended).
- vii. Stock are to be maintained within signs.
- viii. In all other respects the persons in charge of stock must comply with the provisions of the Rural Lands Protection Act 1998 (as amended) and the Rural Lands Protection Regulation 2010 (as amended).

**4.2. Unfenced Roads Including Travelling Stock Routes**

- i. Property owners must erect permanent stock warning signs at the property boundaries with separate signs delineating distances of unfenced roads.
- ii. Additional stock warning signs are required for travelling stock camped near roads.
- iii. Stock are to be turned off roads wherever possible to improve safety.
- iv. During periods of wet weather stock are to be kept off the surface or shoulders of roads to reduce damage.
- v. In all other respects the persons in charge of stock must comply with the provisions of the Rural Lands Protection Act 1998 (as amended) and the Rural Lands Protection Regulation 2010 (as amended).

**4.3. Sign Requirements for Stock on Roads**

Council shall require the persons in charge of travelling stock to comply with the requirements for display of stock warning signs as set out in clauses 18-24 of the Rural Lands Protection Regulation 2010 (as amended).

**5. NON-TRAVELLING STOCK ROUTES**

- i. All applicants for temporary grazing permits on Council roads where travelling stock routes do not exist shall be directed to the relevant Local Land Services which is the responsible Authority for issuing of temporary grazing permits on Council roads where travelling stock routes do not exist.
- ii. It is then the responsibility of the relevant Local Land Services to write to Council giving full details of any request to issue a temporary grazing permit on a Council Road where a travelling stock route does not exist.
- iii. The request is then considered by a Council Officer under delegated authority taking into consideration the following matters that will determine if the dedicated public road is suitable for the temporary use of stock for grazing:
  - a) Width of road reserve
  - b) Traffic (type and level)
  - c) Type of proposed stock
  - d) Number of proposed stock

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**STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY**

**(CONTINUED)**

Warren Shire Council – Stock Control on Council Road Reserves

- e) Other relevant Council Policies
- f) Whether the applicant is the owner of the adjacent property.
- iv. Council then advises the NSW Local Lands Services of its decision and any relevant conditions that are deemed necessary if the permit is to be issued. Conditions may not necessarily be limited to the following but need to be considered by the relevant Council Officer:
  - a) Adequate signage
  - g) Adequate electric fencing or other suitable fencing and the need to ensure that the fencing is kept in proper working order
  - h) Non-use of the Council controlled dedicated public road during wet weather
  - i) Maximum number of proposed stocks
  - j) Limits to the length of road to be used
  - k) The keeping of stock off the surface of shoulder of the road except for the purposes of movement of stock from one side of the road to the other and only then when under control
  - l) Movement of stock back to the owner's property at night
  - m) Time limits
  - n) Level of supervision of the stock
  - o) Any other matter that is deemed necessary.
- v. The NSW Local Lands Services considers the application in accordance with Division 5, Rural Lands Protection Act, 1998 (as amended) and either refuses the application or issues a temporary grazing permit with or without conditions.
- vi. The NSW Local Lands Services is responsible for policing of any issued temporary grazing permits and any relevant conditions on Council roads where a travelling stock route does not exist and Council hereby delegates authority to the NSW Local Lands Services to act on Council's behalf for the purpose of controlling stock on land vested in or under the control of Council.
- vii. Council is to advise as soon as practical the NSW Local Lands Services of any concerns in regard to the use under temporary grazing permits of Council roads where a travelling stock route does not exist.

**6. GRAZING ALONG FENCED ROADS**

- i. Council would grant a permit to owners of fenced property that adjoin Council-owned roads where no permit has been issued as per Sections 4 and 5 of this Policy, subject to conditions for travelling and grazing of stock.
- ii. No livestock to be permitted on the surface or shoulders of the road other than for the purposes of movement from one side of the fenced road to the other and then only when under control.
- iii. Adequate signs having regard to the type of animal grazing be placed on the fenced road at each end of the mob or herd and at appropriate distances and the signs be those prescribed under Clauses 18-24 of the Rural Lands Protection Regulations 2010 (as amended).
- iv. Adequate electric fencing having regard as to the nature of the animals be erected to prevent animals moving onto the fenced road or shoulders or proper supervision of the animals be affected by the owner or person in charge.

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**(CONTINUED)**

Warren Shire Council – Stock Control on Council Road Reserves

- v. The animals should be moved back onto the owner's property at night.
- vi. Grazing is not permitted during periods of wet weather.
- vii. Any electric fence be regularly checked to ensure that it is in proper working order.
- viii. Council's Ranger or staff keep regular check on the situation including the signs, fencing and state of the herbage.

**7. Penalties**

- i. Council may recover costs incurred in repairing a road from the owner of stock who unreasonably allows the stock to cause damage to a Council Road.
- ii. Council may issue a penalty notice against a person who unreasonably causes damage to a Council Road by driving animals on the Council Road.
- iii. Stock may be impounded by Council in accordance with the Impounding Act 1993 (as amended) where those stock have been abandoned, left unattended or are trespassing.
- iv. Council may issue a penalty notice against a person who leaves an animal or animals unattended in a public place.
- v. Stock may be impounded by an Officer of NSW Local Land Services in accordance with the Rural Lands Protection Act 1998 (as amended) where the stock have been abandoned, left unattended or are trespassing.
- vi. NSW Local Land Services may issue a penalty notice for a range of offences in relation to, inter alia, unattended and abandoned stock, penning stock at night, the display of stock warning signs and the control of stock while on a Council Road or Travelling Stock Reserve.

**8. POLICY REVIEW**

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

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ITEM 8

STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)



## POLICY REGISTER

DRIVING DROVING OF LOOSE ANIMALS  
ON SHIRE COUNCIL ROADS

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Policy adopted: 28th January 1993 - Minute No. 19.1.93

Reviewed:

File Ref:

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STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Driving of Loose Animals on Shire Roads

## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 19.1.93 (28th January 1993)
<u>2.0</u>	<u>Sylvester Otieno</u> <u>3<sup>rd</sup> March 2025</u>	<u>Second Edition</u>	

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2025.docx

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### ITEM 8

### STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Driving of Loose Animals on Council Roads

#### 1. OBJECTIVE

To allow management of grazing land adjacent to fenced Council-owned roads to those landowners whose land adjoins fenced Council-owned roads.

#### 2. POLICY STATEMENT

To grant approval under permit, subject to conditions for travelling and grazing of stock along any fenced Council-owned Road, only by those whose lands adjoin such roads.

#### 3. CONDITIONS OF PERMIT

This Policy is not to include any travelling stock under permits as issued by any of the Local Land Services Rural Land Protection Board within the Warren Shire.

No livestock to be permitted on the surface or shoulders of the road other than for the purposes of movement from one side of the fenced road to the other and then only when under control.

Adequate signs having regard to the type of animal grazing be placed on the fenced road at each end of the mob or herd and at appropriate distances and we would suggest that the signs be those prescribed under Clauses 18-24 of the Rural Lands Protection Act 1998 Regulation 2010 (as amended and its regulations).

Adequate electric fencing having regard as to the nature of the animals be erected so as to prevent animals moving onto the fenced road or shoulders or proper supervision of the animals be affected by the owner or person in charge.

The animals should be moved back onto the owner's property at night.

Grazing is not permitted during periods of wet weather.

Any electric fence be regularly checked to ensure that it is in proper working order.

Council's Ranger or staff keep regular check on the situation including the signs, fencing and state of the herbage.

#### 4. CAUTION

Any deliberate breach of the conditions by the owner or person in charge of the animals will result in immediate cancellation of such permit. An indemnification from that person shall be forwarded to Council forthwith.

#### 5. POLICY REVIEW

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

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STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Issue of Temporary Grazing Permits on Council Controlled Dedicated Public Roads Where Travelling  
Stock Routes Do Not Exist



## POLICY REGISTER

### ISSUE OF TEMPORARY GRAZING PERMITS ON COUNCIL CONTROLLED DEDICATED PUBLIC ROADS WHERE TRAVELLING STOCK ROUTES DO NOT EXIST

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Current Policy Adopted:	24 November 1994	Minute No. 511.11.94
Previous Policy adopted:	28 January 1993	Minute No. 19.3.93 (Driving of Loose Animals on Shire Roads)
Reviewed:	28 January 1999	Minute no 10.1.99
File Ref:	R4-18, R7-1, R7-3, F2-1	



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### STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Issue of Temporary Grazing Permits on Council Controlled Dedicated Public Roads Where Travelling Stock Routes Do Not Exist

#### DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 19.3.93 (28 January 1993)
2.0		Second Edition	Council Minute No. 511.11.94 (24 November 1994)
<u>3.0</u>	<u>Sylvester Otieno,</u> <u>27<sup>th</sup> February 2025</u>	<u>Third Edition</u>	

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### ITEM 8

### STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Issue of Temporary Grazing Permits on Council Controlled Dedicated Public Roads Where Travelling Stock Routes Do Not Exist

#### 1. OBJECTIVE

To streamline all requests for permission for landowners to temporarily graze stock on Council controlled dedicated public roads where travelling stock routes do not exist.

#### 2. POLICY STATEMENT

##### a) Legality

1. This policy takes its statutory authority from the Rural Lands Protection Act, ~~1989-1998~~ (as amended). This policy supersedes all other policies within Council regarding the issue of temporary grazing permits on Council controlled dedicated public roads where travelling stock routes do not exist. It is the ~~relevant Rural Lands Protection Board~~ Local Land Services not Council who is responsible for the issue of temporary grazing permits on Council controlled dedicated public roads where a travelling stock route does not exist.

##### b) Application Process

1. All applicants for temporary grazing permits on Council ~~controlled dedicated public~~ roads where travelling stock routes do not exist shall be directed to the ~~relevant Rural Lands Protection Board~~ Local Land Services which is the responsible Authority for issuing of temporary grazing permits on Council ~~controlled dedicated public~~ roads where travelling stock routes do not exist.
2. It is then the responsibility of the ~~relevant Rural Lands Protection Board~~ Local Land Services to write to Council giving full details of any request to issue a temporary grazing permit on a Council controlled dedicated public road where a travelling stock route does not exist.
3. The request is then considered by a Council Officer under delegated authority taking into consideration the following matters that will determine if the dedicated public road is suitable for the temporary use of stock for grazing:
  - i. Width of road reserve
  - ii. Traffic (type and level)
  - iii. Type of proposed stock
  - iv. Number of proposed stock
  - v. Other relevant Council Policies
  - vi. Whether the applicant is the owner of the adjacent property.

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### STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Issue of Temporary Grazing Permits on Council Controlled Dedicated Public Roads Where Travelling Stock Routes Do Not Exist

4. Council then advises the Local Land Services relevant Rural Lands Protection Board of its decision and any relevant conditions that are deemed necessary if the permit is to be issued. Conditions may not necessarily be limited to the following but need to be considered by the relevant Council Officer:
  - i. Adequate signage
  - ii. Adequate electric fencing or other suitable fencing and the need to ensure that the fencing is kept in proper working order
  - iii. ~~Non-use~~Non-use of the Council controlled dedicated public road during wet weather
  - iv. Maximum number of proposed stock
  - v. Limits to the length of road to be used
  - vi. The keeping of stock off the surface of shoulder of the road except for the purposes of movement of stock from one side of the road to the other and only then when under control
  - vii. Movement of stock back to the owner's property at night
  - viii. Time limits
  - ix. Level of supervision of the stock
  - x. Any other matter that is deemed necessary.
5. The Local Land Services relevant Rural Lands Protection Board considers the application in accordance with Section 94 Division 5, Rural Lands Protection Act, ~~1989-1998~~ (as amended) and either refuses the application or issues a temporary grazing permit with or without conditions.
6. The Local Land Services relevant Rural Lands Protection Board is responsible for policing of any issued temporary grazing permits and any relevant conditions on Council ~~controlled dedicated public roads~~ where a travelling stock route does not exist and Council hereby delegates authority to the Local Land Services relevant Rural Lands Protection Board to act on Council's behalf for the purpose of controlling stock on land vested in or under the control of Council.
7. Council is to advise as soon as practical the Local Land Services relevant Rural Lands Protection Board of any concerns in regard to the use under temporary grazing permits of Council ~~controlled dedicated public roads~~ where a travelling stock route does not exist.

#### 3. ~~POLICY REVIEW DETAILS~~

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

~~Nil.~~

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ITEM 8

STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)



## POLICY REGISTER

### STOCK CONTROL ON COUNCIL ~~CONTROLLED DEDICATED PUBLIC~~ ROADS

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Policy adopted: 24th June 1999 Minute No. 193.6.99

Reviewed:

File Ref: P8-3, P4-1, F2-1

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## ITEM 8

## STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Stock Control on Council ~~Controlled~~ ~~Dedicated~~ ~~Public~~ Roads

### DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0	Glenn Wilcox 10th August 2020	First Edition	Council Minute No. 193.6.99 (24th June 1999)
<u>2.0</u>	<u>Sylvester Otieno</u> <u>3<sup>rd</sup> March 2025</u>	<u>Second Edition</u>	

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### ITEM 8

### STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Staff Relocation Assistance ~~Policy~~ ~~Policy~~

#### 1. OBJECTIVE

To provide guidance to the owners /controllers of stock ~~as to~~ Council's requirement for the control of stock on Council ~~controlled dedicated public~~ roads and to provide minimum requirements for the control of stock as are considered necessary to ensure the safety of the travelling public and to protect Council's road ~~network~~ ~~assets~~.

#### 2. DEFINITIONS

- o "Road" - includes all sealed or unsealed roads within the Warren Shire Area that are dedicated public roads in accordance with the Roads Act 1993 (as amended) and under the control of Council, including fenced and unfenced roads and fenced travelling stock routes.
- o "Stock" - includes sheep, cattle, horses, camels, goats and pigs.
- o "Travelling Stock" - stock ~~actually being~~ driven.
- o "Camped Stock" - stock being ~~camped~~ on stock routes and private property including all stock not being driven.

#### 3. ~~POLICY~~ ~~POLICY~~ STATEMENT

##### a) Legality

1. This ~~policy~~ ~~Policy~~ takes its statutory authority from the Roads Act 1993 and Roads Regulation ~~1994-2000~~ (as amended). This ~~policy~~ ~~Policy~~ supersedes all other policies within Council regarding stock control on Council ~~Controlled Dedicated Public~~ Roads.
2. This ~~policy~~ ~~Policy~~ does not alter any provision of the Rural Lands Protection Act, ~~1989-1998~~ (as amended).
3. This ~~policy~~ ~~Policy~~ does not alter any provision of the Rural Lands Protection Regulation, ~~1995-2010~~ (as amended).
4. This ~~policy~~ ~~Policy~~ does not alter any provision of the Impounding Act, 1993 (as amended).
5. Council reserves the right to vary any requirement of this ~~policy~~ ~~Policy~~, if in its opinion, special circumstances ~~may occur~~, or additional requirements are necessary.

##### b) Camped Stock and Travelling Stock on Roads

1. All camped stock or travelling stock within the Warren Shire area on roads must comply with the following:

##### 1.1 Fenced Roads Including Travelling Stock Routes

- 1.1.1 No stock ~~are~~ to be permitted on the surface or shoulders of any road other than for the purposes of movement from one side of the road to the other and then only when under control to reduce damage to roads.
- 1.1.2 Stock ~~are~~ to be turned off roads where-ever possible to improve safety.
- 1.1.3 Stock ~~are~~ to be penned at night.

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### ITEM 8

### STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Staff Relocation Assistance ~~Policy~~ *Policy*

1.1.4 Stock ~~are~~ to be attended at all times by a responsible person except in those circumstances set out in Clause ~~98-10~~ *138* of the Rural Lands Protection Act ~~1989-1998~~ (as amended) and the Rural Lands Protection Regulation ~~1995-2010~~ (as amended).

1.1.5 During periods of wet weather stock are to be kept off the surface or shoulders of roads to reduce damage.

1.1.6 Stock warning signs are to be displayed in accordance with Clauses ~~82-86~~ *18-24* of the Rural Lands Protection Regulation ~~1995-2010~~ (as amended).

1.1.7 Stock ~~are~~ to be maintained within signs.

1.1.8 In all other respects the persons in charge of stock must comply with the provisions of the Rural Lands Protection Act ~~1989-1998~~ (as amended) and the Rural Lands Protection Regulation ~~1995-2010~~ (as amended).

#### 1.2 Unfenced Roads Including Travelling Stock Routes

1.2.1 Property owners must erect permanent stock warning signs at the property boundaries with separate signs delineating distances of unfenced roads.

1.2.2 Additional stock warning signs are required for travelling stock camped near roads.

1.2.3 Stock ~~are~~ to be turned off roads ~~where-ever~~ *wherever* possible to improve safety.

1.2.4 During periods of wet weather stock are to be kept off the surface or shoulders of roads to reduce damage.

1.2.5 In all other respects the persons in charge of stock must comply with the provisions of the Rural Lands Protection Act ~~1989-1998~~ (as amended) and the Rural Lands Protection Regulation ~~1995-2010~~ (as amended).

#### c) Sign Requirements for Stock on Roads

Council shall require the persons in charge of travelling stock to comply with the requirements for display of stock warning signs as set out in clauses ~~82-86~~ *18-24* of the Rural Lands Protection Regulation ~~1995-2010~~ (as amended).

#### d) Penalties

1. Council may recover costs incurred in repairing a road from the owner of stock who unreasonably allows the stock to cause damage to a Council ~~Controlled~~ *Dedicated Public* Road.

2. Council may issue a penalty notice against a person who unreasonably causes damage to a Council ~~Controlled~~ *Dedicated Public* Road by driving animals on the Council ~~Controlled~~ *Dedicated Public* Road.

I:\Policies and Procedures - File P13\Policies\Currently Adopted\Staff Relocation Assistance ~~Policy~~ *Policy* - Feb 2025.docx Page 2

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 8

### STOCK CONTROL ON COUNCIL ROAD RESERVES POLICY

(CONTINUED)

Warren Shire Council – Staff Relocation Assistance ~~Policy~~

3. Stock may be impounded by Council in accordance with the Impounding Act 1993 (as amended) where those stock have been abandoned, left unattended or are trespassing.
4. Council may issue a penalty notice against a person who leaves an animal or animals unattended in a public place.
5. Stock may be impounded by an Officer of ~~a Board~~ Local Land Services Rural Lands Protection in accordance with the Rural Lands Protection Act 1998 (as amended) where the stock ~~have~~ been abandoned, left unattended or are trespassing.
6. ~~A Local Land Services Rural Lands Protection Board~~ may issue a penalty notice for a range of offences in relation to, inter alia, unattended and abandoned stock, penning stock at night, the display of stock warning signs and the control of stock while on a Council ~~Controlled Dedicated Public~~ Road or Travelling Stock Reserve.

#### 4. POLICY REVIEW DETAILS

~~Nil. This policy should be reviewed every 4 years or within 12 months of a Council election. The policy may be reviewed at any time at Council's discretion (or if legislative changes occur).~~



**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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**ITEM 9                      STOCK GRIDS AND PUBLIC GATES POLICY**

**(R2-1)**

**RECOMMENDATION** that:

1. The Stock Grids and Public Gates Policy detailed within the report, be placed on public exhibition for a minimum of 28 days; and
2. Subject to no adverse submissions being received, the Stock Grids and Public Gates Policy as amended be adopted.

**PURPOSE**

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

**BACKGROUND**

The proposed Stock Grids and Public Gates Policy replaces the Stock Grid Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The Stock Grids and Public Gates Policy will assist in the administration, management and maintenance of the stock grids and public gates on Council's road reserves within the Warren Shire Council Local Government Area. It provides effective guidelines that will assist in ensuring the objective functions of stock grids and public gates are carried out in accordance with statute and common law, regulation and national standards. The Policy is required under Section 158 of the Local Government Act.

Attached is a copy of the amended Policy. There are major changes proposed in the revised Policy. Among these are the following.

- The title has been changed from Stock Grids Policy to Stock Grids and Public Gates Policy
- Item 1 - The "aim" of the Policy has been rewritten.
- Item 2 - The "Objective" of the Policy has been rewritten.
- Item 4a –
  - The value of Public Liability Insurance has changed from \$10m to \$20m.
  - Requirement that the public liability certificate of currency to be submitted to Council rather than "sighted"
- Item 4b - Condition of grid description has been enhanced.
- Item 4d - A section on Grid Replacement has been introduced.
- Item 5 - A new section on New Grids has been introduced; citing Councils preferred position, and condition for new grid installation.
- Item 5b - A clause of gates has been inserted.
- Item 5c - Stock grid width has been changed to 8m.
- Item 5d - Standard of grid is required to be of highway standard.
- Item 6 - A section on enforcement had been introduced.

**WARREN SHIRE COUNCIL**  
**Policy Report of Divisional Manager Engineering Services**  
**to the Ordinary Meeting of Council to be held in the**  
**Council Community Room on Thursday, 22<sup>nd</sup> May 2025**

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**ITEM 9                      STOCK GRIDS AND PUBLIC GATES POLICY**

**(CONTINUED)**

Before adopting a new Stock Grids and Public Gates Policy, Council must give public notice of the intention to adopt the Policy and allow for 28 days for the making of public submissions. Before adopting the Policy, Council must consider any submissions and make any appropriate changes to the Draft Policy.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Local Government Act 1993 and Regulations  
Roads Act 1993  
Rural Lands Protection Act 1998  
Rural Lands Protection Regulation 2010

**RISK IMPLICATIONS**

Warren Shire Council's Stock Grids 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 Council is complying with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

Consultation shall be undertaken during the 28-day public exhibition period.

**OPTIONS**

Council has the option of adopting the draft Policy or adopting the existing Policy with minor amendments.

**CONCLUSION**

The Stock Grids and Public Gates Policy should be adopted as it provides effective guidelines that will assist in ensuring the objective functions of the stock grids and public gates are carried out in accordance with statute and common law, regulation and national standards.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

- 3.1.1    Ensure that the road network is maintained to an acceptable community standard
- 5.2.2    Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

Stock Grids and Public Gates Policy

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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ITEM 9

STOCK GRIDS AND PUBLIC GATES POLICY

(CONTINUED)



## POLICY REGISTER

### STOCK GRIDS & PUBLIC GATES

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Policy adopted: 26<sup>TH</sup> February 1998 Minute No. 82.2.98

Reviewed: 27<sup>th</sup> August 1998 Minute No. 283.8.98

File Ref: 2812/82, R2-1

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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ITEM 9

STOCK GRIDS AND PUBLIC GATES POLICY

(CONTINUED)

Warren Shire Council – Stock Grids & Public Gates

## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 82.2.98 (26 <sup>th</sup> February 1998)
2.0		Second Edition	Council Minute No. 8.1.99 (28 <sup>th</sup> January 1999)
<u>3.0</u>	<u>Sylvester Otieno,</u> <u>27<sup>th</sup> February 2025</u>	<u>Third Edition</u>	

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 9

### STOCK GRIDS AND PUBLIC GATES POLICY

(CONTINUED)

Warren Shire Council – Stock Grids & Public Gates

#### 1. AIM

To prohibit the installation of new gates and grids on public roads and promote the removal of existing ones.

#### 2. OBJECTIVE

~~To allow approval of the installation of stock grids or removal of stock grids on public roads under Council's care and control with least possible delay.~~

- a. To allow approval of the installation of stock grids or removal of stock grids on public roads under Council's care and control with least possible delay.
- b. To establish a systematic approach for the approval, inspections, maintenance of public gates and grids.
- c. To minimize the risk of litigation for both landowners and the Council associated with public gates and grids.

#### 3. POLICY STATEMENT

##### a. Delegated Authority

Council has provided the General Manager with the delegated authority to approve the installation of stock grids or removal of stock grids on public roads under Council's care and control in accordance with this Policy and pursuant to Division 2, Roads Act, 1993 as amended and Roads (General) Regulation, ~~1994~~2000, as amended.

#### 4. EXISTING GRIDS

##### b.a) Public Liability Insurance

~~1-i.~~ An owner of a stock grid on a public road under Council's care and control must provide at least \$~~10~~20,000,000.00 public liability insurance covering the stock grid.

~~2-ii.~~ Evidence of holding the appropriate public liability insurance coverage as evidenced by the ~~premium receipt~~certificate of currency must be ~~sighted by~~submitted to a Council Officer ~~no later than 28th February in each year~~annually, within one month of insurance ~~policy~~Policy renewal.

~~3-iii.~~ Failure to provide the appropriate public liability insurance coverage will result in the stock grid being removed and restoration of the road all at the cost of the landowner.

##### c.b) Condition of Stock Grids

~~4-i.~~ The owner of a stock grid must ensure that it is maintained in ~~good~~structurally sound condition, clear of vegetation and silt at all times all at the owner's cost to the satisfaction of Council.

ii. The owner is responsible for maintaining all warning signs and grid approaches in a safe and functional condition.

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 9

### STOCK GRIDS AND PUBLIC GATES POLICY

(CONTINUED)

Warren Shire Council – Stock Grids & Public Gates

2-iii. Upon notification by Council of required repairs on a stock grid the owner of the stock grid will have ninety (90) days to undertake the required work to ensure the stock grid is in a condition that is satisfactory to Council.

3-iv. Failure of the owner of a stock grid to undertake all necessary works to ensure the stock grid is in good condition that is satisfactory to Council will necessitate the removal of the stock grid and restoration of the road by Council all at the owner's cost.

4-v. Where Council deems a stock grid is in need of emergency repair all attempts will be made to contact the relevant landowner advising of the need for works to be undertaken. If the landowner is unable to undertake the necessary repair works as a matter of urgency his permission will be sought for Council to undertake immediate repairs at the owner's full cost.

5-vi. In the event of failure to contact the landowner or appropriate action being undertaken by the landowner emergency repairs will be undertaken by Council at full cost to the landowner.

#### **d.) Stock Grid Removal**

4-i. Following agreement in writing with a landowner Council will remove an existing stock grid and restore the road at no cost to the landowner.

2-ii. The number of stock grids removed per year at Council's cost is limited to the total cost of all required works including road restoration to the maximum amount of ~~\$10,000.00~~ \$20,000 per annum.

3-iii. Removal of stock grids at Council's cost are to be prioritised by the date of finalisation of the agreement with the ~~landowner-landowner.~~

4-iv. The removed stock grid will remain the property of the landowner however the landowner must agree in writing before removal of the stock grid by Council that it is understood that Council will take as much care as possible with the stock grid components and structure when removing the stock grid components and structure however Council ~~can-not~~ cannot be held responsible for the final condition of the stock grid components and structure after removal.

#### **d) Grid Replacement**

Any existing grid that requires replacement will be treated as a new grid, and all provisions outlined in Part ~~5~~ of this policy shall apply.

#### **5. NEW GRIDS**

##### **a) Preferred Position**

Council's preferred position is the eventual removal of all stock grids from roads under Council's care and control and the fencing of the relevant road reserve.

**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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**ITEM 9**

**STOCK GRIDS AND PUBLIC GATES POLICY**

**(CONTINUED)**

Warren Shire Council – Stock Grids & Public Gates

**a) Conditions of Stock Grid Installation**

New grids will only be approved if deemed necessary to manage biosecurity risks, as advised by relevant authorities.

Approval of the erection of stock grids on public roads under Council's care and control is subject to agreement of the landowners to the following conditions:

- i. Approval is subject to the provisions of Division 2, Roads Act, 1993 as amended and Roads (General) Regulation, ~~1994–2000~~ together with allowing the installation of stock grids on ~~fencelines~~fence lines other than boundary ~~fencelines~~fence lines. The applicant must show that fencing the road is not viable alternative to the installation of a grid.
- ii. The person erecting the stock grid shall do so strictly in accordance with the specifications and plan approved by the Council and the work shall be subject to the approval of the Divisional Manager Engineering Services.
- iii. The stock grid shall be erected in the centre of the road formation or in any case where no formation is in existence the stock grid shall be erected in a suitable position approved by the Divisional Manager Engineering Services.
- iv. The public gate in connection with which the stock grid is erected shall be placed within the width of the dedicated road at ~~a distance of 15~~15 metres from the stock grid or at ~~a distance of 5~~5 metres clear of the road table drain. The gate and approaches must be maintained in accordance with conditions of approval for erection of public gates. The gate shall be a double gate not less than ~~7.3~~28 metres in width.
- v. New gates that are not associated with stock grids are not permitted on formed public roads. Existing public gates are excepted.
- vi. The approved dimensions for stock grids on all dedicated public roads shall be in accordance with Clause F of this Policy. In no circumstances shall stock grids be erected at a height exceeding 1 metre above the natural ground level unless the road formation exceeds a height of 1 metre above natural ground level.
- vii. The road and approaches to the stock grid shall be maintained by the landowner all at the landowner's cost to the satisfaction of Council for a distance of 20 metres on each side of the stock grid, and in the case of an elevated stock grid the approaches shall be so constructed and maintained so that a gradient of not less than 1 in 50 is achieved.
- viii. Signs bearing the word "Grid" and conforming to the NSW Roads and Traffic Authority Signs and Markings Code shall be erected in an approved location, not less than 60 metres and not more than ~~260-110~~metres on each side of the stock grid depending on the speed limit of the road and such signs shall be properly maintained at all times. The signs to be erected on 50 mm outside diameter Galvanised posts to that the top of the sign is 1.5 metres above the centreline level of the road.
- ix. All fender posts and guard rails are to be painted white. Stock grid width markers are to be installed in accordance with the drawings.

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 9

### STOCK GRIDS AND PUBLIC GATES POLICY

(CONTINUED)

Warren Shire Council – Stock Grids & Public Gates

x. The owner of the stock grid or his successor in title shall at his own expense, keep the stock grid and notice boards in a state of repair and condition satisfactory to the Council and shall, at the like expense, effect such repairs to the stock grid and notice boards as the Council may from time to time direct. Failure to carry out the said repairs within ninety (90) days of the notice by Council will necessitate Council removing the stock grid in accordance with Clause C of this Policy.

xi. The owner of the stock grid shall be liable for any damage sustained by reason of the stock grid being deficient to the erection, maintenance or repair of the stock grid or notice boards, or in carrying out of any provision of this Policy.

xii. The owner of the stock grid is required to carry Public Liability Insurance coverage in accordance with Clause III (-A) of this Policy.

#### c) Stock Grid Width

i. For ~~Shire Roads~~any road the width of new stock grids to be installed is to be determined in accordance with Council's Road Access Policy and subject to being minimum ~~3.66~~ metres on Arterial and Regional Roads, and 6m on other roads, on dead-end access roads and minimum 7.32 metres on through roads.

~~For Regional Roads the width of a stock grid to be installed shall be minimum 7.32 metres.~~

ii. For State Roads the landowner is to be directed to the Roads and Traffic Authority for their consent on stock grid installation.

#### e.d) Standard of Stock Grid

The standard of stock grid for installation on public roads under Council care and control is to be heavy duty and to the current standard provided by the Roads and Traffic Authority for stock grids on Classified Roads as amended. The grid must meet highwayTransport for NSW standards and be designed to accommodate a live loading equivalent to SM1600.

#### f. Preferred Position

~~Council's preferred position is the eventual removal of all stock grids from roads under Council's care and control and the fencing of the relevant road reserve.~~

### 6. ENFORCEMENT

Non-compliance with this Policy will result in the following actions by the Council:

i. The Council will issue the owner a written notice, granting three months to comply.

ii. If the non-compliance is not resolved within the specified timeframe, the Council will remove the grid and associated fixtures at the owner's expense.

### 7. POLICY REVIEW

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



**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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**ITEM 10**

**RURAL VEHICULAR ACCESS POLICY**

**(R4-21)**

**RECOMMENDATION** that:

1. The Rural Vehicular Access Policy detailed within the report, be placed on public exhibition for a minimum of 28 days; and
2. Subject to no adverse submissions being received, the Rural Vehicular Access Policy as amended be adopted.

**PURPOSE**

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

**BACKGROUND**

The Rural Vehicular Access Policy replaces the existing Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

The existing Policy was reviewed by the Roads Committee on 8<sup>th</sup> April 2025 and changes are presented in the attached tracked Policy, changes in red.

**REPORT**

The Rural Vehicular Access Policy will assist in the administration, management and maintenance of the rural accesses on Council's roads within the Warren Shire Council Local Government Area. It provides effective guidelines that will assist in ensuring the objective functions of rural vehicular accesses are carried out in accordance with statute and common law, regulation and national standards. The Policy is required under Section 158 of the Local Government Act.

The major changes to the existing Policy are in Section 1.4.2 where the minimum standards for the drainage pipe/culvert within a rural vehicular access have been amended. The same changes have been mirrored in the drawings Plan No 858, Sheets 1 of 2 and 2 of 2.

Before adopting a new Rural Vehicular Access Policy, Council must give public notice of the intention to adopt the Policy and allow for 28 days for the making of public submissions. Before adopting the Policy, Council must consider any submissions and make any appropriate changes to the Draft Policy.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Local Government Act 1993 and Regulations  
Roads Act 1993

**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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**ITEM 10**

**RURAL VEHICULAR ACCESS POLICY**

**(CONTINUED)**

**RISK IMPLICATIONS**

The existing 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 Council is complying with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

Consultation shall be undertaken during the 28-day public exhibition period.

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with only minor amendments.

**CONCLUSION**

The Rural Vehicular Access Policy should be adopted as it provides effective guidelines that will assist in ensuring the objective functions of the rural vehicular accesses are carried out in accordance with statute and common law, regulation and national standards.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

- 3.1.1 Ensure that the road network is maintained to an acceptable community standard
- 5.2.2 Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

Rural Vehicular Access Policy

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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ITEM 10

RURAL VEHICULAR ACCESS POLICY

(CONTINUED)



## POLICY REGISTER

### RURAL VEHICULAR ACCESS

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Policy adopted: 28<sup>th</sup> January 1999 Minute No. 7.1.99

Reviewed:

File Ref: R4-21

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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ITEM 10

RURAL VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Rural Vehicular Access

## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 7.1.99 (28 <sup>th</sup> January 1999)
<u>2.0</u>	<u>Sylvester Otieno,</u> <u>27<sup>th</sup> February 2025</u>	<u>Second Edition</u>	

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 10

### RURAL VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Rural Vehicular Access

#### 1. OBJECTIVE

To clarify the relative responsibilities of the provision and maintenance of rural vehicular accesses and to ensure the safety and accessibility of residents when entering or exiting properties on rural public roads within the Warren Shire Council Area.

#### 2. DEFINITION

A rural vehicular access is the area of access road from the public road shoulder to the edge of the public road reserve or property boundary whichever is the lesser.

#### 3. POLICY STATEMENT

##### a) Legality

1. This ~~policy~~Policy takes its statutory authority from the Roads Act 1993 and Roads Regulation ~~1994~~ 2000 (as amended). This ~~policy~~Policy supersedes all other policies within Council regarding rural vehicular accesses. All works carried out shall be subject to Transport for NSW (TfNSW) Roads and Traffic Authority (RTA) minimum standards for sight distance and in accordance with any other Council standards that may be enforced from time to time.

##### b) Owner's Responsibility

1. All rural properties must have legal access for vehicles in accordance with Council's minimum standard requirements. The property owner is responsible for the maintenance of the rural vehicular access from the public road shoulder to the edge of the public road reserve or property boundary whichever is the lesser.
2. The location of rural vehicular accesses and proposal to construct same must be approved by the Divisional Manager Engineering Services and approval must be issued prior to any works being carried out. Failure to satisfy these requirements may result in Council removing the work or performing remedial action to legalise the rural vehicular access with all costs being recovered from the owner of the property.
3. All rural vehicular accesses must be maintained to a satisfactory standard which involves ensuring that the water from the rural vehicular access is directed into road table/side drains and not onto the road pavement and that the drainage is kept clear of vegetation and rubbish and is large enough to take the water from a rainfall event equivalent to 20% Annual Exceedance Probability (AEP) five (5)-year intensity storm.
4. All maintenance and construction for a rural vehicular access shall be the responsibility of the property owner and shall be at their cost.
5. All rural vehicular accesses shall be required to comply with the standard set out in the Policy.

##### c) the application process

1. A person wishing to construct a rural vehicular access shall be required to give Council a minimum two (2) ~~weeks notice~~weeks' notice in writing of the proposed work.
2. Work ~~can not~~cannot commence until approval for construction of the rural vehicular access has been given.

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**ITEM 10**

**RURAL VEHICULAR ACCESS POLICY**

**(CONTINUED)**

Warren Shire Council – Rural Vehicular Access

3. Prior to the issuing of approval for construction of the rural vehicular access an Officer of the Engineering Services Department shall carry out a site inspection of the proposed works and shall determine the suitability of the site for a rural vehicular access.
4. The relevant engineering requirements such as sight distance, the grade or slope of the land and access on to the public road, and the ~~eredability~~erodibility of the soil in the area shall be considered in the suitability of the site for the rural vehicular access. Minimum standards for these issues are indicated in Section D - Standard of Work.
5. Following a satisfactory site inspection approval for construction of a rural vehicular access together with any conditions will be issued in writing by Council to the applicant and will be valid for the property described thereon for a period of twelve (12) months with the applicant being responsible for all works being carried out. If works are not completed within a period of twelve (12) months the applicant or property owner must re-apply for approval for construction of a rural vehicular access.
6. Approval must be issued for each individual rural vehicular access.
7. At present Council will not charge a fee for approval to construct a rural vehicular access.
8. Council may charge a maintenance bond up to the value of the estimated cost of construction by Council of the Rural Vehicular Access as determined by the Divisional Manager Engineering Services as a guarantee against poor workmanship and substandard reinstatement.
9. Approval for construction of the rural vehicular access or a copy of the approval is to be held on the job site at all times during the construction period. A copy must be produced for inspection if requested by an Officer of the Council and if this ~~can not~~cannot be done a stop works order may be issued and the work will cease until the approval is produced or until the rural vehicular access is legalised through the normal Application Process.
10. If the rural vehicular access ~~can not~~cannot be constructed in accordance with this Policy at the location and the work has commenced the job shall be reinstated to its original condition at the cost of the property owner. Any works required to be done by Council in such a case will be recoverable from the owner of the property.
11. After the works have been completed the applicant shall apply in writing for a final inspection which will be carried out within two (2) weeks of notification by an Officer of Council. If the works are deemed satisfactory in accordance with this Policy, the maintenance bond if charged will be refunded to the applicant during the next cheque run after the inspection.
12. If it is found that works have been carried out in an unsatisfactory nature or below Council's minimum standard, the applicant will be notified in writing and will be given one (1) month from date of notice to rectify the works. If works are not rectified to the satisfaction of the Divisional Manager Engineering Services within this period, Council will undertake to carry out

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 10

### RURAL VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Rural Vehicular Access

remedial works for which the applicant or owner of the property will be liable. The cost of such works shall be deducted from the value of the maintenance bond or if in excess of this amount or no maintenance bond has been charged, shall be charged to the applicant or property owner.

13. If a pre-existing rural vehicular access is deemed to be unsatisfactory, the property owner will be notified in writing and will be given one (1) month from date of notice to rectify the rural vehicular access. If the rural vehicular access is not rectified to the satisfaction of the Divisional Manager Engineering Services within this period, Council will undertake to carry out remedial works for which the applicant or owner of the property will be liable.
14. Applicants may request Council to carry out works in the construction of a rural vehicular access to their property. Works will be undertaken as a private work and subject to Council's own works programme. There will be no requirement under these circumstances for the payment of a maintenance bond for the works being undertaken by Council.
15. On the completion of any rural vehicular access constructed by Council or others the applicant or owner of the property shall become the person responsible for the maintenance of the rural vehicular access from the public road shoulder to the property boundary or public road reserve whichever is the lesser.
16. Where a public road is being reconstructed or constructed to bitumen seal standard by Council, Council will provide reconstructed rural vehicular accesses to the standard in this Policy at locations of existing rural vehicular accesses at no cost to the owner of the property.

#### d) Standard Of Work

1. To ensure the safety of vehicles entering and exiting a rural property, minimum standards have been set which must be satisfied prior to the granting of approval to construct a rural vehicular access. These are as follow:

##### 1.1 Sight Distance

Sight distance for vehicles both entering and leaving a rural vehicular access shall be that distance necessary for the design speed of the public road in that location.

Sight distances based on the Austroads "Guide to Road Design Part 3 Traffic Engineering Practice"

Approach Speed	Desirable (m)	Acceptable (m)	Absolute Minimum (m)
60 km/h	<del>160</del> 56	115	<del>65</del> 56
80 km/h	<del>305</del> 103	175	<del>115</del> 88
100 km/h	<del>500</del> 165	250	<del>170</del> 141
110 km/h	<del>500</del> 193	290	<del>240</del> 165

##### 1.2 Gradient of Access

The maximum grade allowable for a rural vehicular access is 1 in 6 (16.6%), ~~however any grades in excess of 1 in 8 (12.5%)~~ The Access must be sealed if the rural vehicular access services a sealed public road. This

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**ITEM 10**

**RURAL VEHICULAR ACCESS POLICY**

**(CONTINUED)**

Warren Shire Council – Rural Vehicular Access

is designed to stop erosion of the driveway onto the public road and ensures that the rural vehicular access is maintained in all weather.

**1.3 Erosion Controls**

In the design and placement of rural vehicular accesses consideration must be given to the ~~erodability~~erodibility of the soil types. In a situation where erosion is likely to occur in the table/side drains or on the rural vehicular access itself, attention must be paid to the provision of suitable protection devices and careful design. A standard sedimentation control plan will be included if the rural vehicular access is likely to cause erosion.

**1.4 Rural Vehicular Access with Drainage Pipes/Culverts**

1.4.1 All rural vehicular access will require drainage pipes/culverts in accordance with Council's Standard Drawing No.858/1 (as amended) except where the rural vehicular access is on the crest of a hill or on a downward slope from the public road or where the public road drains into shallow grassed table/side drains.

1.4.2 The minimum standard for the drainage pipe/culvert within a rural vehicular access shall be as follows:

- Minimum diameter pipe ~~300-450 mm~~;
- Class 3 reinforced concrete or fibre reinforced concrete pipes or equivalent steel pipes or equivalent box culverts with concrete headwalls either precast or cast ~~in situ~~ on both ends;
- Minimum width ~~7-328 metres~~;
- Minimum two (2) guideposts to be installed;
- Minimum of ~~450-300 mm~~ thick cover of quality pavement approved by the Divisional Manager Engineering Services;
- On sealed roads the rural vehicular access shall have a minimum of ~~4-010~~ metre seal extension past the public road seal edge to ensure no edge break at the rural vehicular access.

1.4.3 Table/side drains on the public road where they exist shall be directed down both sides of the rural vehicular access and shall be designed to ensure that no blockage, erosion or scour occurs and scour protection must be provided by the applicant or property owner if this is a concern.

**1.5 Rural Vehicular Access without Drainage Pipes/Culverts**

1.5.1 Rural vehicular access without drainage pipes/culverts shall be permitted in the following situations:

- on the crest of a hill;
- where rural vehicular accesses slope downwards from the public road pavement towards the property boundary;
- where the public road drains into shallow grassed table/side drains.



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### RURAL VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Rural Vehicular Access

- 1.5.2 Rural vehicular access without drainage pipes/culverts must be approved by the Divisional Manager Engineering Services.
- 1.5.3 All rural vehicular access without drainage pipes/culverts are to be constructed in accordance with Council's Standard Drawing No.852/2 (as amended) and shall take off from the shoulder of the public road and shall be designed to ensure that a standard vehicle does not bottom out when entering or exiting the rural vehicular access and shall have a minimum depth of 150 mm compacted quality pavement through the public road table/side drain to the satisfaction of the Divisional Manager Engineering Services.
- 1.5.4 Table/side drains on the public road where they exist shall be directed down both sides of the rural vehicular access and shall be designed to ensure that no blockage, erosion or scour occurs and scour protection must be provided by the applicant or property owner if this is a concern.

#### 4. POLICY REVIEW-DETAILS

~~Nil.~~

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

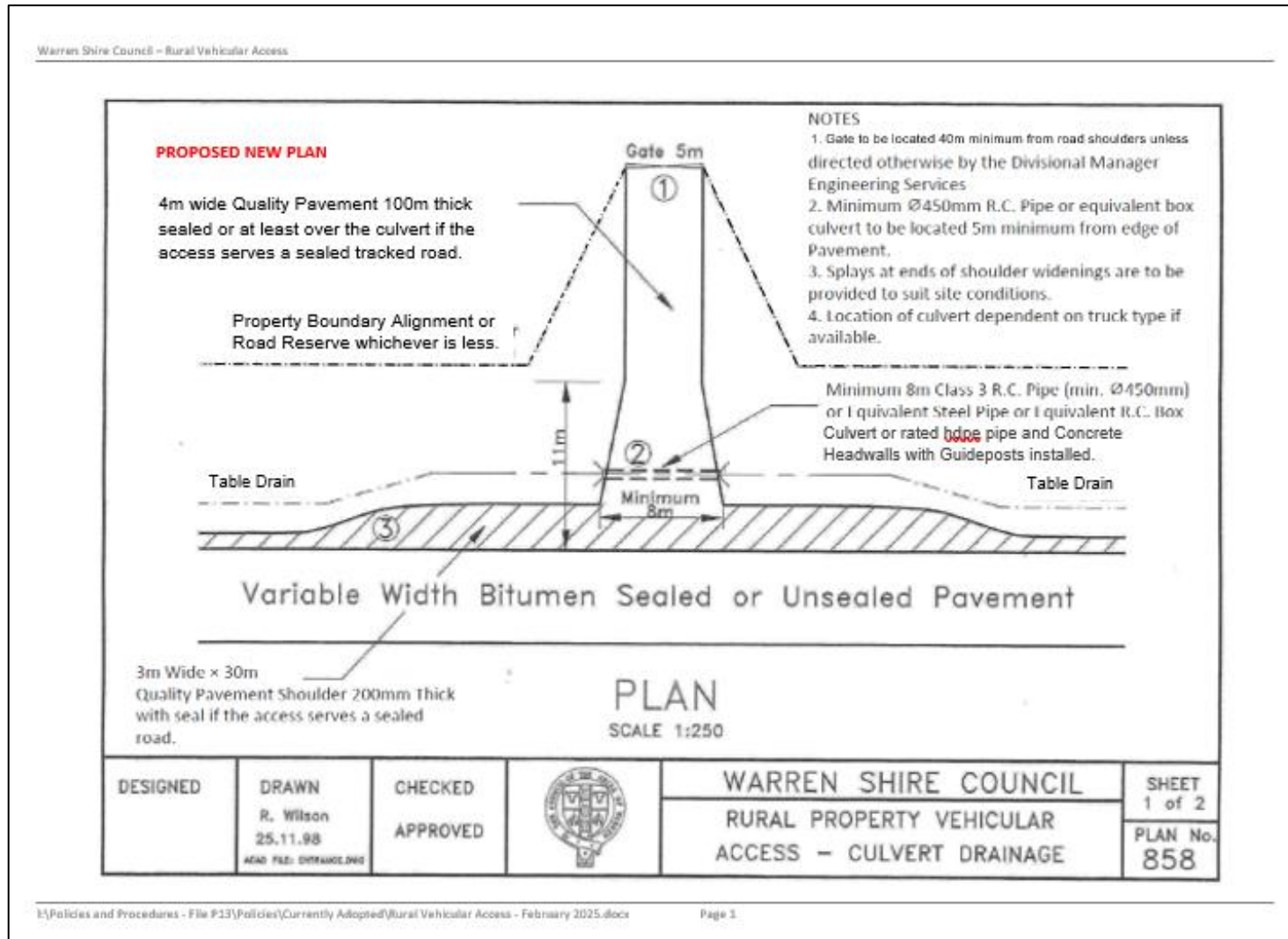
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## RURAL VEHICULAR ACCESS POLICY

(CONTINUED)



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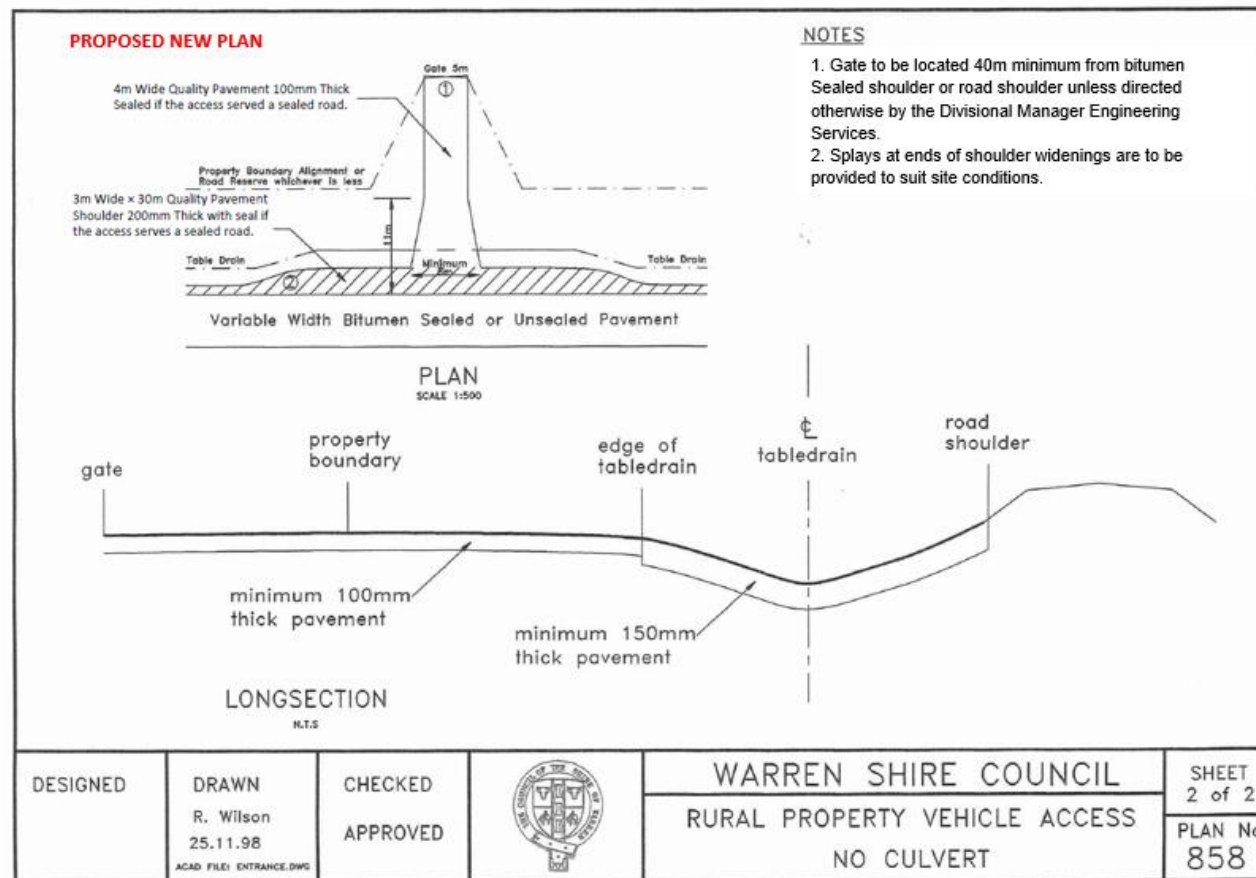
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### RURAL VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Rural Vehicular Access



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**ITEM 11**

**URBAN VEHICULAR ACCESS POLICY**

**(R4-21)**

**RECOMMENDATION** that:

The Urban Vehicular Access Policy be adopted, with minor amendments.

**PURPOSE**

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

**BACKGROUND**

The Urban Vehicular Access Policy replaces the existing policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

The existing Policy was reviewed by the Roads Committee on 8<sup>th</sup> April 2025 and changes are presented in the attached tracked Policy.

**REPORT**

The Urban Vehicular Access Policy will assist in the administration, management and maintenance of the urban accesses on Council's roads within the Warren Shire Council Local Government Area. It provides effective guidelines that will assist in ensuring the objective functions of urban vehicular accesses are carried out in accordance with statute and common law, regulation and national standards. The Policy is required under Section 158 of the Local Government Act.

Only minor changes to the existing Policy are proposed. Therefore, no further consultation is required.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Local Government Act 1993 and Regulations  
Roads Act 1993

**RISK IMPLICATIONS**

The existing 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 Council is complying with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

Nil

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**ITEM 11**

**URBAN VEHICULAR ACCESS POLICY**

**(CONTINUED)**

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with no amendments.

**CONCLUSION**

The Urban Vehicular Access Policy should be adopted as it provides effective guidelines that will assist in ensuring the objective functions of the urban vehicular accesses are carried out in accordance with statute and common law, regulation and national standards.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

- 3.1.1 Ensure that the road network is maintained to an acceptable community standard
- 5.2.2 Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

Urban Vehicular Access Policy

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ITEM 11

URBAN VEHICULAR ACCESS POLICY

(CONTINUED)



## POLICY REGISTER

### URBAN VEHICULAR ACCESS

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Policy adopted: 24<sup>TH</sup> June 1993 Minute No. 267.6.93

Reviewed: 28<sup>th</sup> January 1999 Minute No. 6.1.99

File Ref: R4-21

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URBAN VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Urban Vehicular Access

## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 267.6.93 (24 <sup>th</sup> June 1993)
2.0		Second Edition	Council Minute No. 6.1.99 (28 <sup>th</sup> January 1999)
<u>3.0</u>	<u>Sylvester Otieno,</u> <u>27<sup>th</sup> February 2025</u>	<u>Third Edition</u>	

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 11

### URBAN VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Urban Vehicular Access

#### 1. OBJECTIVE

To clarify the relative responsibilities for the provision and maintenance of urban vehicular accesses and to ensure the safety and accessibility of residents when entering or exiting properties on urban public roads within the Warren Shire Council Area.

#### 2. DEFINITION

An urban vehicular access is the area of access road from the property boundary to the public road shoulder or kerb and gutter layback where applicable, ~~ie ie~~ driveway.

#### 3. POLICY STATEMENT

##### a. Legality

1. This ~~policy~~Policy takes its statutory authority from the Roads Act, 1993 and Roads Regulation, ~~1994-2000~~(as amended). This policy supersedes all other policies within Council regarding urban vehicular accesses. All works carried out shall be subject ~~to Roads and Traffic Authority (RTA) Transport for NSW (TfNSW)~~ minimum standards for sight distance and in accordance with any other Council standards that may be enforced from time to time.

##### b. Owner's Responsibility

1. All urban properties must have legal access for vehicles in accordance with Council's minimum standard requirements. The property owner is responsible for the maintenance of the urban vehicular access from the property fence line or property boundary to the public road shoulder or kerb and gutter layback where applicable.
2. The location of urban vehicular accesses and proposal to construct same must be approved by the Divisional Manager Engineering Services and approval must be issued prior to any works being carried out. Failure to satisfy these requirements may result in Council removing the work or performing remedial action to legalise the urban vehicular access with all costs being recovered from the owner of the property.
3. All urban vehicular accesses must be maintained to a satisfactory standard which involves ensuring that the surface does not cause a trip hazard or impediment to safe use of the footpath and road verge for pedestrian or other traffic nor an impediment to drainage of the public road as determined by the Manager Engineering Services.
4. All maintenance for an urban vehicular access shall be the responsibility of the property owner and shall be at their cost.
5. All urban vehicular accesses shall be required to comply with the standard set out in the Policy.
- ~~6. The construction of the first standard layback in Gunningba Estate Stage 1 Subdivision and Ravenswood Subdivision to an approved urban vehicular access where kerb and gutter exists at the property location shall be the responsibility of Council and works will be undertaken by Council within a period of two (2) months from application by the applicant or property owner.~~



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### ITEM 11

### URBAN VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Urban Vehicular Access

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2. The location of urban vehicular accesses and proposal to construct same must be approved by the Divisional Manager Engineering Services and approval must be issued prior to any works being carried out. Failure to satisfy these requirements may result in Council removing the work or performing remedial action to legalise the urban vehicular access with all costs being recovered from the owner of the property.
3. All urban vehicular accesses must be maintained to a satisfactory standard which involves ensuring that the surface does not cause a trip hazard or impediment to safe use of the footpath and road verge for pedestrian or other traffic nor an impediment to drainage of the public road as determined by the Manager Engineering Services.
4. All maintenance for an urban vehicular access shall be the responsibility of the property owner and shall be at their cost.
5. All urban vehicular accesses shall be required to comply with the standard set out in the Policy.
- ~~6. The construction of the first standard layback in Gunningba Estate Stage 1 Subdivision and Ravenswood Subdivision to an approved urban vehicular access where kerb and gutter exists at the property location shall be the responsibility of Council and works will be undertaken by Council within a period of two (2) months from application by the applicant or property owner.~~

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**ITEM 11**

**URBAN VEHICULAR ACCESS POLICY**

**(CONTINUED)**

Warren Shire Council – Urban Vehicular Access

9. Approval for construction of the urban vehicular access or a copy of the approval is to be ~~held on the job site at all times~~ always held on the job site during the construction period. A copy must be produced for inspection if requested by an Officer of the Council and if this cannot be done a stop works order may be issued and the work will cease until the approval is produced or until the urban vehicular access is legalised through the normal Application Process.
10. If the urban vehicular access cannot be constructed in accordance with this Policy at the location and the work has commenced the job shall be reinstated to its original condition at the cost of the property owner. Any works required to be done by Council in such a case will be recoverable from the owner of the property.
11. After the works have been completed the applicant shall apply in writing for a final inspection which will be carried out within two (2) weeks of notification by an Officer of Council. If the works are deemed satisfactory in accordance with this Policy, the maintenance bond if charged will be refunded to the applicant during the next cheque run after the inspection.
12. If it is found that works have been carried out in an unsatisfactory nature or below Council's minimum standard, the applicant will be notified in writing and will be given one (1) month from date of notice to rectify the works. If works are not rectified to the satisfaction of the Divisional Manager Engineering Services within this period, Council will undertake to carry out remedial works for which the applicant or owner of the property will be liable. The cost of such works shall be deducted from the value of the maintenance bond or if in excess of this amount or no maintenance bond has been charged, shall be charged to the applicant or property owner.
13. If a pre-existing urban vehicular access is deemed to be unsatisfactory, the property owner will be notified in writing and will be given one (1) month from date of notice to rectify the urban vehicular access. If the urban vehicular access is not rectified to the satisfaction of the Divisional Manager Engineering Services within this period, Council will undertake to carry out remedial works for which the owner of the property will be liable.
14. Applicants may request Council to carry out works in the construction of an urban vehicular access to their property. Works will be undertaken as a private work and subject to Council's own works programme. There will be no requirement under these circumstances for the payment of a maintenance bond for the works being undertaken by Council.
15. On the completion of any urban vehicular access constructed by Council or others the applicant or owner of the property shall become the person responsible for the maintenance of the urban vehicular access from the property fence line or property boundary to the public road shoulder or kerb and gutter layback where applicable.

**d. Standard of Work**

1. To ensure the safety of vehicles entering and exiting a urban property, minimum standards have been set which must be satisfied prior to the granting of approval to construct a urban vehicular access. These are as follow:

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### URBAN VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Urban Vehicular Access

#### 1.1 Sight Distance

Sight distance for vehicles both entering and leaving an urban vehicular access shall be that distance necessary for the design speed of the public road in that location.

Sight distances based on the Austroads "Guide to ~~Traffic Engineering Practice~~ Road Design Part 3"

Approach Speed	Desirable (m)	<del>Acceptable</del> <del>Absolute</del> Minimum (m)	<del>Absolute</del> Minimum (m)
40 km/h	<del>100</del> 34	<del>60</del> 30	30
50 km/h	<del>125</del> 48	<del>80</del> 42	40
60 km/h	<del>160</del> 64	<del>105</del> 56	55
80 km/h	<del>305</del> 103	<del>165</del> 88	95

#### 1.2 Laybacks on existing Kerb and Gutter

1.2.1 All laybacks on existing kerb and gutter shall be constructed to the standard shown on Council Drawing No.812 (as amended) with all pavement restoration to be undertaken to the satisfaction of the ~~Divisional~~ Manager Engineering Services.

#### 1.3 Vehicular Footpath Crossings

1.3.1 Vehicular footpath crossings may be installed in reinforced concrete with control joints over Council water mains in the footpath or in brick/concrete paving.

1.3.2 All applications for the construction of an urban vehicular access that includes a vehicular footpath crossing must provide details of proposed concrete and reinforcement or pavement design for underneath brick or concrete paving together with details of the proposed traffic using the urban vehicular access.

1.3.3 Where reinforced concrete is to be used on a vehicular footpath crossing of an urban vehicular access the following design criteria is to be adhered to:

Vehicular Footpath Crossing Type	Concrete Strength Minimum	<del>Concrete</del> Thickness	Minimum Reinforcement
Standard Vehicle (Cars) Use of Residential Property	<del>25</del> 32 MPa	<del>100</del> 100mm	One layer of <del>F72</del> SL72 Mesh or equivalent
<del>Non-Standard</del> Non-Standard Vehicle (Truck) Use or Commercial Use	32 MPa	150mm	One layer of SL82 Mesh or equivalent

1.3.4 Vehicular footpath crossings are to be constructed or made flush with the footpath or road verge to ensure that no trip/safety

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**ITEM 11**

**URBAN VEHICULAR ACCESS POLICY**

**(CONTINUED)**

Warren Shire Council – Urban Vehicular Access

hazards exist for pedestrian or other traffic on the footpath or road verge.

**1.4 Urban Vehicular Access with Drainage Pipes/Culverts**

**1.4.1** All urban vehicular access where kerb and gutter does not exist will require drainage pipes/culverts in accordance with Council's Standard Drawing No.869/1 (as amended) except where the urban vehicular access is on the crest of a hill or on a downward slope from the public road or where there is no discernible table/side drain on the public road.

**1.4.2** The minimum standard for the drainage pipe/culvert within an urban vehicular access shall be as follows:

- Minimum diameter pipe 300 mm;
- Class 3 reinforced concrete or fibre reinforced concrete pipes or equivalent steel pipes or -equivalent concrete box culverts with concrete headwalls either precast or cast in situ on both ends;
- Minimum width 4.88 metres;
- Minimum two (2) guideposts to be installed;
- Minimum of 150 mm thick cover of quality pavement approved by the Manager Engineering Services.

**1.4.3** Table/side drains on the public road where they exist shall be directed down both sides of the urban vehicular access and shall be designed so-as-to ensure that no blockage, erosion or scour occurs and scour protection must be provided by the applicant or property owner if this is a concern.

**1.5 Urban Vehicular Access without Drainage Pipes/Culverts**

**1.5.1** Where kerb and gutter does not exist urban vehicular access without drainage pipes/culverts shall be permitted in the following situations:

- on the crest of a hill;
- where urban vehicular accesses slope downward from the public road pavement towards the property boundary;
- where there is no discernible table/side drain on the public road.

**1.5.2** Urban vehicular access without drainage pipes/culverts must be approved by the Manager Engineering Services.

**1.5.3** All urban vehicular access without drainage pipes/culverts are to be constructed in accordance with Council's Standard Drawing No.869/2 (as amended) and shall take off from the shoulder of the public road and shall be designed to ensure that a standard vehicle does not bottom out when entering or exiting the urban

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### URBAN VEHICULAR ACCESS POLICY

(CONTINUED)

Warren Shire Council – Urban Vehicular Access

vehicular access and shall have a minimum depth of 150 mm compacted quality pavement through the public road table/side drain to the satisfaction of the Divisional Manager Engineering Services.

- 1.5.4 Table/side drains on the public road where they exist shall be directed down both sides of the urban vehicular access and shall be designed ~~se-as-to~~ ensure that no blockage, erosion or scour occurs and scour protection must be provided by the applicant or property owner if this is a concern.

#### e. Construction of Kerb and Gutter in Future Urban Subdivisions

1. All future urban subdivisions within Warren Shire are to be constructed using layback kerb and gutter to negate the need for constructing a kerb layback for each urban vehicular access.

#### 4. ~~REVIEW-DETAILS~~POLICY REVIEW

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

~~Nil.~~

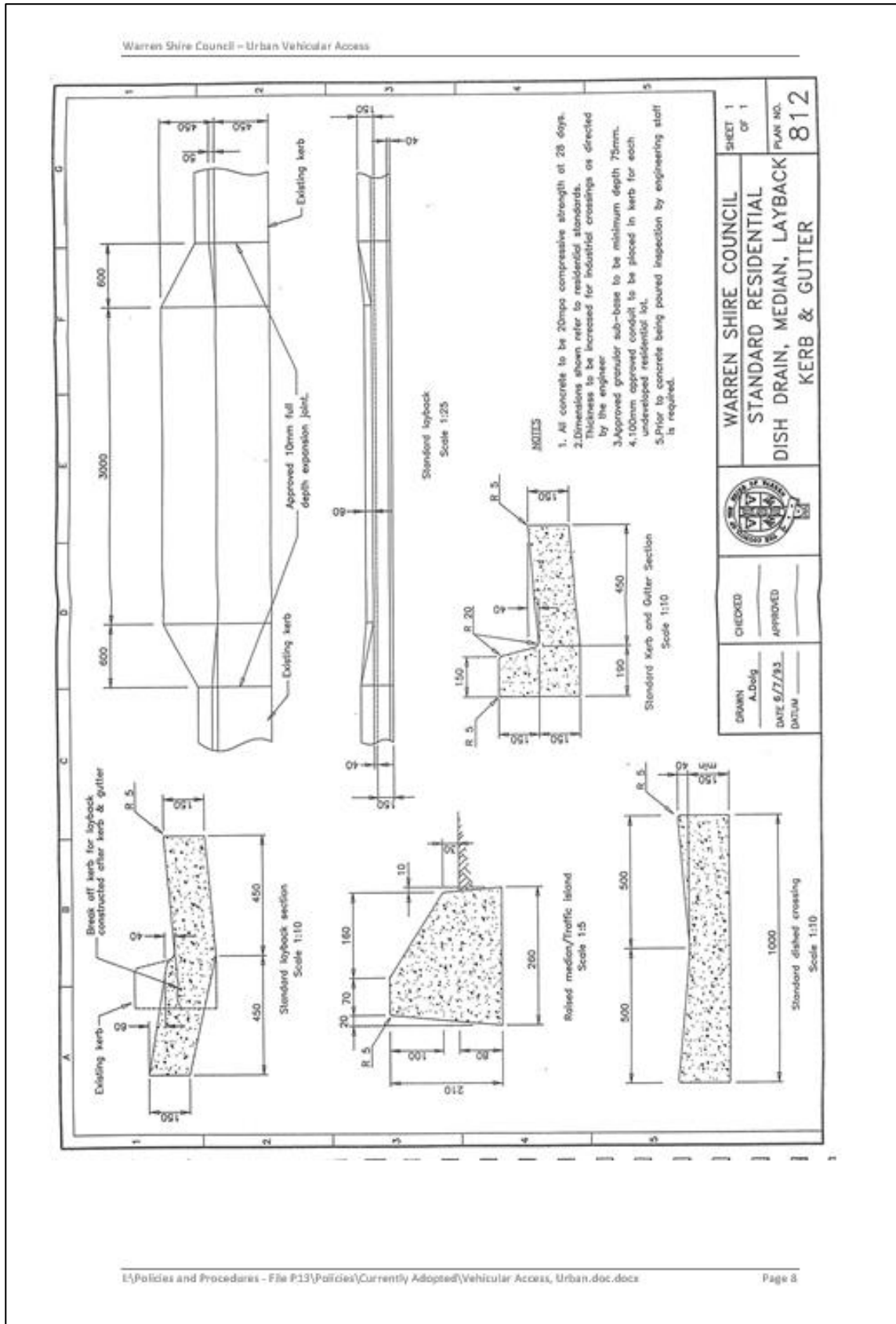
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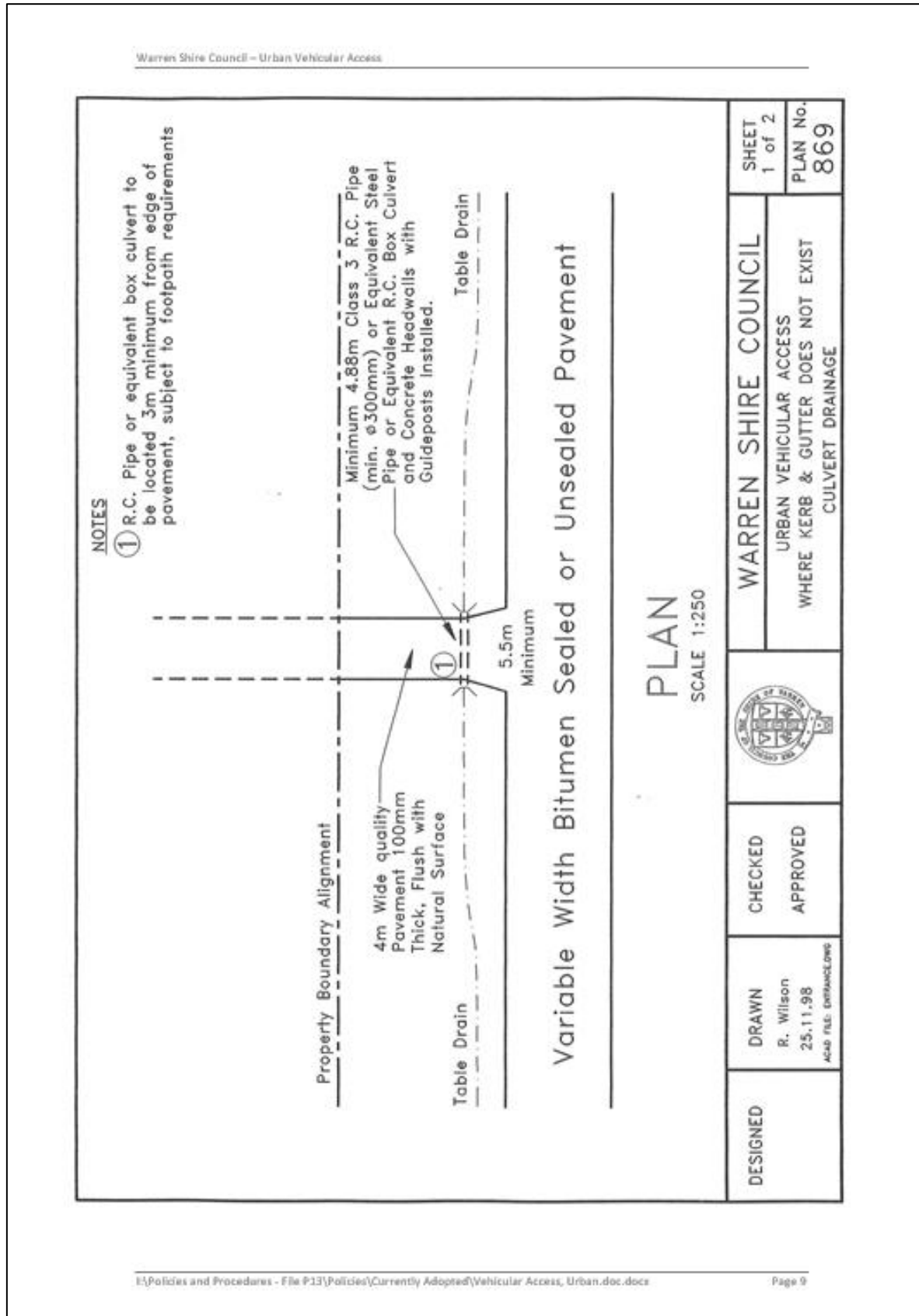
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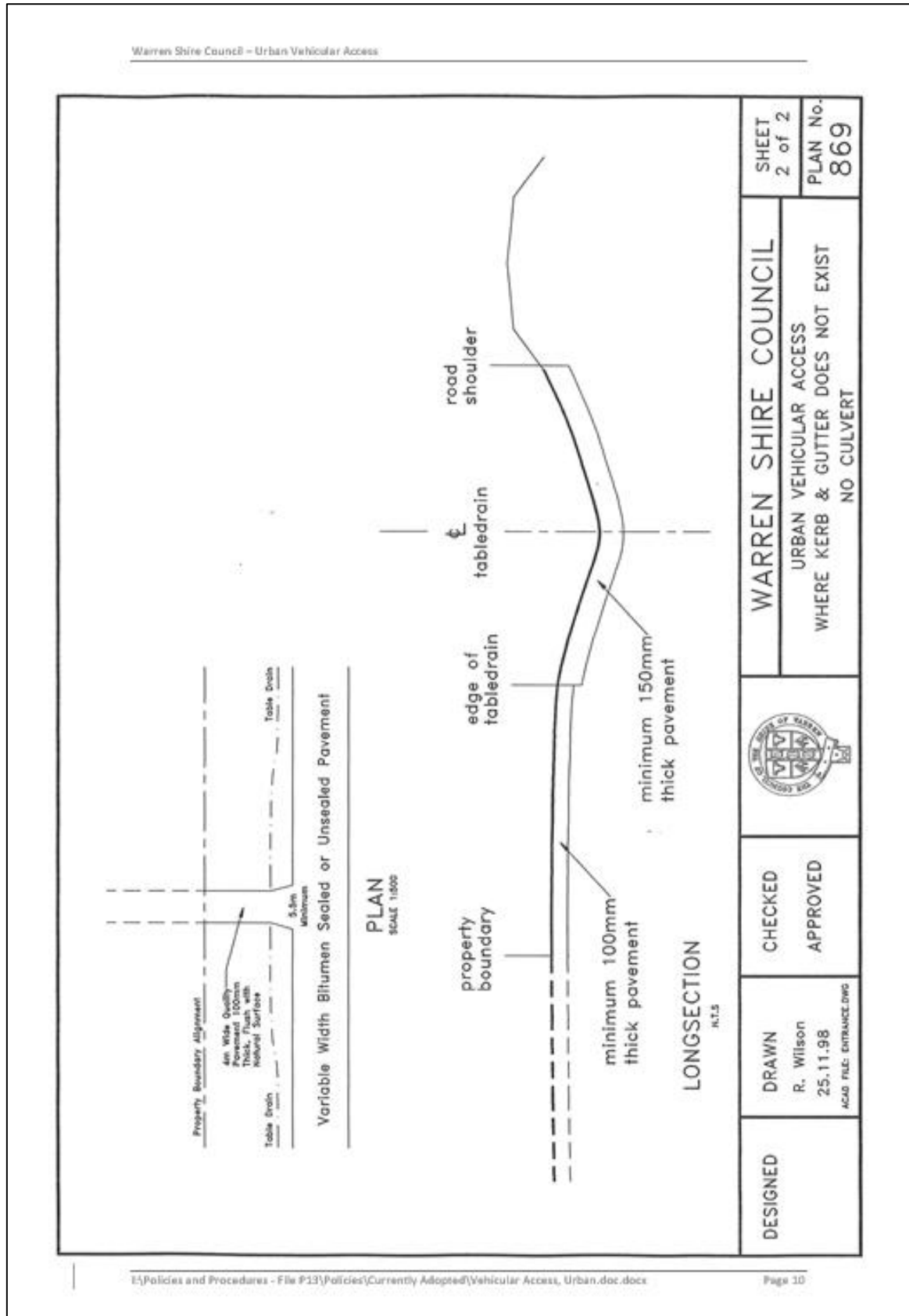
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**ITEM 12**

**STAFF RELOCATION ASSISTANCE POLICY**

**(P13-1, S12-1)**

**RECOMMENDATION** that:

The Staff Relocation Assistance Policy be adopted, with minor amendments.

**PURPOSE**

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

**BACKGROUND**

The Staff Relocation Assistance Policy replaces the existing Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The Staff Relocation Assistance Policy assists in the administration and management of the relocation of eligible staff. The current Policy was adopted in August 2024. Council has now reviewed the Policy, and only minor adjustments were made.

The objective of the Policy is to establish guidelines for granting financial support to eligible workers who are employed from outside of the Warren Shire Area.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Local Government Act 1993 and Regulations

**RISK IMPLICATIONS**

Warren Shire Council's Staff Relocation Assistance 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 complies with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Staff Relocation Assistance Policy on public exhibition.

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with no amendments.

**CONCLUSION**

The Staff Relocation Assistance Policy has been reviewed and amended accordingly and should be adopted.

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**ITEM 12**

**STAFF RELOCATION ASSISTANCE POLICY**

**(CONTINUED)**

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Proactively manage known compliance risks

5.3.1 Provide effective training and development of our staff.

**SUPPORTING INFORMATION /ATTACHMENTS**

Staff Relocation Assistance Policy

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ITEM 12

STAFF RELOCATION ASSISTANCE POLICY

(CONTINUED)



## POLICY REGISTER

### STAFF RELOCATION ASSISTANCE POLICY

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Policy adopted: 27th August 2020 Minute No. 163.8.20

Reviewed: 22nd August 2024 Minute No. 213.8.24

File Ref: P13-1, S12-1 |

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

ITEM 12

STAFF RELOCATION ASSISTANCE POLICY

(CONTINUED)

Warren Shire Council – Staff Relocation Assistance Policy

## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0	Glenn Wilcox 10th August 2020	First Edition	Council Minute No. 163.8.20 (27th August 2020)
2.0	Sylvester Otieno 15th May 2024	Second Edition	Council Minute No. 213.8.24 (22nd August 2024)
<u>3.0</u>	<u>Sylvester Otieno</u> <u>30th April 2025</u>	<u>Third Edition</u>	

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**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
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**ITEM 12**

**STAFF RELOCATION ASSISTANCE POLICY**

**(CONTINUED)**

Warren Shire Council – Staff Relocation Assistance Policy

**BACKGROUND**

Warren Shire Council acknowledges that to attract key staff, assistance in relocation is required.

To assist staff appointments and the relocation from areas outside of Warren Shire to within Warren Shire Council area only.

**OBJECTIVE**

The objective of this **policy** is to establish guidelines for granting financial support to workers who are employed from outside of the Warren Shire Area.

**DEFINITION**

“Worker” in the context of this **policy** has the same meaning as that in the Work Health and Safety Act 2011.

“Relocation” refers to the relocation of household items such as furniture and white goods etc. personal expenses such as air fare, taxi fees etc are not included.

**SCOPE**

This **policy** only applies to positions agreed to by the General Manager at the time of appointment where the employee is in a manager or Senior Manager role, or that to attract an employee due to the scarcity of a trade.

The **policy** does not apply to workers who are existing residents or own a residence in Warren Shire Council area or where no authorisation from the General Manager at the time of appointment has been received.

**POLICY**

This **policy** only applies to new appointments of workers in the category of Manager, Senior Manager, General Manager or an employee who holds a trade qualification that has been advertised by Council to seek a worker who is in a critical position in Council.

The General Manager will authorise in writing only the workers to whom this **policy** applies and will base this decision on the scarcity of applications for a position, the need to attract a high-quality applicant or worker, the distance that a worker shall relocate from and the overall organisational need for the employee.

1. The General Manager may authorise up to a maximum of 75% or \$5,000 including GST of the quoted removal cost in accordance with 2(a), to allow a worker who has agreed to be appointed, assistance to relocate.
2. Warren Shire Council will only make this payment on the following basis:
  - a. That Council issues an order for an approved removal company to move the worker.
  - b. That the worker agrees to pay to Council any costs above the agreed amount payable by Council. This repayment will be paid weekly over an agreed period but no longer period than 18 months.
  - c. That the worker enters into an agreement that if the worker leaves Council employ within 6 months of the relocation that they will repay the full amount paid by Council for the relocation.

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 12

### STAFF RELOCATION ASSISTANCE POLICY

(CONTINUED)

Warren Shire Council – Staff Relocation Assistance Policy

- d. That the worker agrees that if they leave Council after 6 months but within 18 months of the relocation that they will pay 50% of the costs paid by Council for the relocation; and
  - e. That after a period of 18 months employment Council will not require any repayment by the worker.
3. That Council will not make any payment towards relocation other than through an order to a moving company and when evidence is presented by that approved company that furniture or other items have been moved to an address within Warren Shire Council.
4. That no payments will be made for a worker to move to an address outside of Warren Shire Council area at any time prior to employment or during appointment as a worker.
5. Council will not agree to any cash payment made to an employee who moves themselves.

#### **POLICY REVIEW**

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

**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
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**ITEM 13**

**SMOKE AND VAPE FREE WORKPLACE POLICY**

**(P13-1, S12-14.4)**

**RECOMMENDATION** that:

The Smoke and Vape Free Workplace Policy be adopted, with minor amendments.

**PURPOSE**

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

**BACKGROUND**

The Smoke and Vape Free Workplace Policy replaces the existing Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The current Smoke Free Workplace Policy was reviewed and adopted in September 2018. Council has now reviewed the Policy, and only minor adjustments were made.

Vaping, being a new smoking-like activity, has been included in the Policy. Also, the minimum distances from buildings, entrances etc has been increased from 5m to 10m.

The objective of the Policy is to ensure staff are provided with a safe and healthy environment that is free from the potential effect of tobacco smoke. This includes environmental tobacco smoke (passive smoking).

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Work Health and Safety Act and Regulations  
Local Government Act 1993 and Regulations

**RISK IMPLICATIONS**

Warren Shire Council's Smoke and Vape Free Workplace 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 complies with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Smoke and Vape Free Workplace Policy on public exhibition.

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with no amendments.

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
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## ITEM 13

## SMOKE AND VAPE FREE WORKPLACE POLICY

(CONTINUED)

### CONCLUSION

The Smoke and Vape Free Workplace Policy has been reviewed and amended accordingly and should be adopted.

### LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Proactively manage known compliance risks

### SUPPORTING INFORMATION /ATTACHMENTS

Smoke and Vape Free Workplace Policy



# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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ITEM 13

SMOKE AND VAPE FREE WORKPLACE POLICY

(CONTINUED)



## POLICY REGISTER

### SMOKE & VAPE FREE WORKPLACE POLICY

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Policy adopted: 22nd March 2018 (Minute No. 59.3.18)

Reviewed: 27<sup>th</sup> September 2018 (Minute No. 214.9.18)

File Ref: P13-1, 512-14.4

# WARREN SHIRE COUNCIL

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ITEM 13

SMOKE AND VAPE FREE WORKPLACE POLICY

(CONTINUED)

## DOCUMENT CONTROL

Issue	Prepared/Revised <u>By</u> and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 59.3.18 (22nd March 2018)
1.1		Amended	Council Minute No. 214.9.18 (27th September 2018)
<u>1.2</u>	<u>Sylvester Otieno</u> <u>April 30 2025</u>	<u>Amended to include</u> <u>vaping, and to</u> <u>increase the</u> <u>minimum distances in</u> <u>Section IV from 5m to</u> <u>10m.</u>	

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 13

### SMOKE AND VAPE FREE WORKPLACE POLICY

(CONTINUED)

Warren Shire Council Policy – Smoke & Vape Free Workplace Policy

#### I SCOPE

This ~~policy~~Policy covers all elected representative of the public, council staff, council committees, contractors working for or on behalf of council and members of public using or visiting council sites.

#### II OBJECTIVE

Warren Shire Council (Council) is committed to ensuring staff are provided with a safe and healthy environment that is free from the potential effect of tobacco smoke. This includes environmental tobacco smoke (passive smoking).

Council aims to encourage the reduction of active smoking or vaping and to promote a safe and healthy working environment for Council employees.

#### III DEFINITIONS

Smoking means smoking, holding or otherwise being in control over an ignited smoking product. Smoking product includes any tobacco or other product that is intended to be smoked.

Vaping means the action or practice of inhaling and exhaling vapour containing nicotine and flavouring produced by a device designed for this purpose.

#### IV POLICY:

As ~~council~~Council ~~policy~~Policy, smoking or vaping ~~isare~~ prohibited in all council buildings, structures and vehicles; this includes:

- All enclosed areas in general use;
- All lobbies, foyers and corridors;
- All offices, depot buildings and workshops;
- Common rooms, tea rooms, site caravans and staff rooms;
- All vehicles, plant etc;
- Amenities buildings and toilets;
- Swimming pool buildings and enclosures;
- Within 5-10 metres of air intakes, external doors in regular use and windows regularly opened;
- Within 5-10 metres of Council buildings, places of work and areas adjacent to buildings where cigarette smoke will accumulate or drift back into the building;
- Areas that may be frequented by members of the general public;
- Staff working in areas where they are likely to affect others who come into the area; and
- At all grounds within and around Council depots and administration buildings. (With the exception of sites that have designated smoking areas).

Council is under no legal requirements to provide smoking or vaping breaks during work hours for its staff members.

#### A. Recruitment

Recruitment processes for all staff will include reference to the ~~policy~~Policy on smoking and vaping. However, the smoking or vaping behaviour of applicants for employment or promotion is not a factor in selection processes.

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 13

### SMOKE AND VAPE FREE WORKPLACE POLICY

(CONTINUED)

Warren Shire Council Policy – Smoke ~~or~~ Vape Free Workplace Policy

#### B. Designated Smoking ~~or~~ Vaping Areas

Where possible, Council will provide designated Smoking ~~and~~ Vaping areas for its Depots and Buildings that meet the ~~above-mentioned~~ criteria. All new staff will be shown the location of designated smoking ~~and~~ vaping areas.

~~Where-ever~~Wherever possible, workers when smoking ~~or~~ vaping should do so out of the view of the public.

Note: (Smokers ~~and~~ vapers are not entitled to smoke ~~or~~ vape in unapproved areas even if all staff in that particular area wish to smoke ~~or~~ vape.)

#### V QUIT SMOKING ~~OR~~ VAPING AWARENESS PROGRAMME

Council supports a quit smoking ~~or~~ vaping awareness programme designed to inform employees of the dangers and consequences of smoking ~~or~~ vaping in the workplace.

Council will support staff who seek assistance with counselling in relation to quit smoking ~~or~~ vaping. Council will provide staff with four (4) hours special leave to be taken as determined to arrange/attend counselling during normal working hours on a ~~one-off~~one-off basis. Staff will need to provide written proof of arrangement or attendance of counselling. Additional time off will necessitate the employee utilising accrued leave entitlements.

For information about giving up smoking:

- The QUIT Line – Telephone: 137 848
- Cancer Institute NSW (~~ICanQuit~~) – [www.icanquit.com.au](http://www.icanquit.com.au)
- Cancer Council New South Wales – [www.cancercouncil.com.au](http://www.cancercouncil.com.au)

#### VI MEMBERS OF PUBLIC

This ~~policy~~Policy is to be extended to the general public entering any Council property that meets the definition of this ~~policy~~Policy. Council staff can refuse service to any member of the public whilst they are smoking ~~or~~ vaping. Members of public who wish to smoke ~~or~~ vape in areas other than designated smoking areas outlined in this ~~policy~~Policy will be asked politely to leave or to put the cigarette ~~out~~ or switch the vape device ~~off~~out.

Council may revoke any usage arrangements or terminate lease agreements if committees and public groups refuse to follow this ~~policy~~Policy.

#### VII BREACHES OF POLICY

##### A. STAFF

It is unacceptable behaviour to smoke ~~or~~ vape in any of the areas other than designated smoking areas outlined in this ~~policy~~Policy and any complaints arising from staff smoking ~~or~~ vaping in non-smoking ~~vaping~~ areas will be directed to Supervisor, Managers and/or the appropriate Director.

Staff members who fail to comply with the ~~policy~~Policy will be counselled and warned ~~appropriately~~ and disciplinary action will be implemented in accordance with Award provisions.

Council staff cannot be disciplined whilst they are smoking away from the workplace during their own time.

##### B. VARIATION

Council reserves the right to vary or revoke this ~~policy~~Policy.

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ITEM 13

SMOKE AND VAPE FREE WORKPLACE POLICY

(CONTINUED)

Warren Shire Council Policy – Smoke & Vape Free Workplace Policy

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## **VIII RELEVANT LEGISLATION AND COUNCIL POLICIES**

The following legislation and Council policies that are relevant to this Policy include:

- Work Health and Safety Act 2011
- [Work, Health and Safety Policy](#)

## **IX REVIEW**

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

This Policy shall be reviewed:

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

**WARREN SHIRE COUNCIL**  
**Policy Report of Divisional Manager Engineering Services**  
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**Council Community Room on Thursday, 22<sup>nd</sup> May 2025**

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**ITEM 14**

**STAFF EDUCATION AND TRAINING POLICY**

**(P13-1, S12-1)**

**RECOMMENDATION** that:

The Staff Education and Training Policy be adopted, with minor amendments.

**PURPOSE**

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

**BACKGROUND**

The Staff Education and Training Policy replaces the existing Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The Staff Education and Training Policy will assist in promoting employee development through high quality training and learning opportunities both on and off the job. The current Policy was reviewed and adopted in August 2024. Council has now reviewed the Policy, and only minor adjustments were made.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Work Health and Safety Act and Regulations  
Local Government Act and Regulations

**RISK IMPLICATIONS**

Warren Shire Council's Staff Education and Training 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 complies with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Staff Education and Training Policy on public exhibition.

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with no amendments.

**CONCLUSION**

The Staff Education and Training Policy has been reviewed and amended accordingly and should be adopted.

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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## ITEM 14

## STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

### LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Proactively manage known compliance risks

3.3.2 Maintain a well-resourced team of infrastructure staff to ensure that our infrastructure needs are met.

### SUPPORTING INFORMATION /ATTACHMENTS

Staff Education and Training Policy

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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ITEM 14

STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)



## POLICY REGISTER

### STAFF EDUCATION AND TRAINING POLICY

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Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 5th April 2019  
22nd August 2024 Minute No. 211.8.24

File Ref: P13-1, S12-1



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ITEM 14

STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

## DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 214.9.18 (27th September 2018)
1.1	Sarah Godwin, WHS/RO 5th April 2019	Amended to include staff induction	General Manager, Glenn Wilcox
1.2	Scott Hosking, WHS/RC 6th August 2024	Amended Document Control, Changes in Scope, Changes in Definitions, Changes to Policy Statement, Changes in Role and Responsibilities, and Changes in Review.	Council Minute No. 211.8.24 (22nd August 2024)
<u>1.3</u>	<u>Sylvester Otieno</u> <u>30<sup>th</sup> April 2025</u>	<u>Review</u>	

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 14

### STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

Warren Shire Council – Staff Education and Training Policy – Version 1.2

#### PURPOSE

Warren Shire Council recognises that staff development is an important part of the working life of each staff member. It is associated with the development needs of the individual and work teams and the achievement of Council's overall strategy.

Council recognises that the caliber and competence of its employees are vital factors ensuring that Council remains a successful organisation. To this end, Council strives to promote employee development through high quality training and learning opportunities both on and off the job.

This Policy sets out what may be offered in terms of support from the Council and what is expected from employees.

#### SCOPE

This Policy applies to all permanent, full-time or part-time employees of Council. Employees within their probationary period, casual or on temporary/short-term contracts might attend training at their Manager's discretion.

This Policy does not apply to senior staff employees of Council as defined in the Local Government Act 1993. This Policy does not form part of any employee's contract of employment.

#### DEFINITIONS

Term	Definition
Worker	Person carrying work in any capacity for Council. This includes, employees, apprentice or trainee, student on work experience, volunteers, contractors and their workers, labour hire company worker and others including Councillors.
Workplace	A place where work is carried out for Council and includes Council buildings, vehicles, plant and land Council owns or manages.
Council	Refers to Warren Shire Council and affiliates.
Compulsory Training	Compulsory training is training that Council designates to be necessary requirement of employment. Employees who participate in compulsory training shall not lose ordinary pay. Compulsory training may have to satisfy <u>statutory</u> or Council determined requirements.

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 14

### STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

Warren Shire Council – Staff Education and Training Policy – Version 1.2

#### POLICY STATEMENT

This Policy applies to all training and competency-based assessment activities across all operational areas of Council.

Council recognises that increasing the organisation's efficiency and productivity requires an ongoing commitment to education, training and skill maintenance, development and enhancement. Therefore, Council is committed to:

- Developing a more highly skilled and flexible workforce.
- Providing employees with opportunities through appropriate education and training to acquire additional skills.
- Removing barriers to the utilisation of skills in accordance with Council's training plans.

**NOTE:** This Policy must be read in conjunction with Council's Annual Training Plan.

#### TRAINING

Training will include:

- all policies and procedures relevant to staff positions.
- licences and competencies to perform the job.
- specific hazards and risk controls.
- consultation and communication arrangements.
- incident reporting and corrective actions.
- emergency response.
- first aid.

#### Development of the Annual Training Plan

Council shall design an Annual Training Plan in accordance with the Local Government (State) Award requirements. The training plan is to be based on:

- The current and future skill requirements of the Council.
- The size, structure and nature of the operations of the Council.
- The need to develop vocational skills relevant to Council and the local government industry in general through the utilisation of available internal and external resources.

The training plan shall, where appropriate, provide for training that is consistent with industry specific competency standards. The training plan shall be consistent in identifying the needs of the organisation, having regard to Council's Work Force Plan and Strategy.

#### Selection of Staff to Undertake Training

Selection of participants to receive Council training in accordance with Council's training plan is to be based on the needs of Council and the employee as identified in the employee's annual performance review or as an outcome of workplace assessment of competency.

Employees may make application for consideration to attend training courses on the Training Application Form, available from the Executive Services Office.

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# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 14

### STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

Warren Shire Council – Staff Education and Training Policy – Version 3.2

The selection process will also take into consideration the capacity of the workplace to schedule and arrange the release of selected employees.

#### Priority of Training

Acknowledging that not all identified training needs will be able to be met within the duration of one financial year or the life of one Annual Training Plan, wherever possible, available financial and related training resources will be allocated in the following priority:

- training necessary for Council to comply with current and future legislative requirements.
- training necessary to assist employee's completing their current job to the standards required.
- training necessary to assist employees career path development.
- Notwithstanding the above, resources may be re-allocated to meet Work Health and Safety (WHS) and other statutory training which may result from legislative or technological change.

#### Training Undertaken as a Requirement of Council (Compulsory Training)

If an employee is required by Council to participate in a structured training program and such program is consistent with Council's training plan:

- Council shall grant the employee paid leave to attend course requirements where the training is undertaken during ordinary working hours.
- Council shall pay course fees at the commencement of each stage.
- Council shall, at the discretion of the General Manager, either provide transport or pay reasonable travelling expenses to enable employees to attend course requirements.

#### Non-Compulsory Training but Consistent with Council Needs & Staff Career Development

At the discretion of the General Manager, an employee undertaking a course consistent with Council's needs and requirement may be granted financial assistance towards the course fees in question and appropriate leave to attend course requirements.

The relevant staff member must make an application for assistance in writing to the General Manager and state the benefits for Council in the qualifications being gained. Further, the General Manager's decision is final.

#### Council Safety Inductions

Council safety inductions and site inductions are required for all new staff. In addition, staff who have relocated to new positions or roles must also receive appropriate inductions.

Supervisors must ensure that employees receive a documented safety induction within 14 days of commencing employment with Council. This induction should include the following information:

- Council's WHS Policy.
- WHS responsibilities.
- How to access safety information.
- Incident/injury reporting.

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# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 14

### STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

Warren Shire Council – Staff Education and Training Policy – Version 1.2

- Hazard reporting.
- Consultation arrangements.
- Code of Conduct, particularly bullying and harassment.
- Health Management including Drug and Alcohol Policy/Procedures & Non-Smoking Policy
- Employee Assistance Program.
- Relevant WHS information including manual handling, electrical safety and chemical safety awareness.

#### Site-Specific Safety Inductions

Employees must receive a site-specific safety induction before starting work at a Council workplace. This includes new employees, employees acting in higher or relief duties, contractors, volunteers and unaccompanied visitors.

The induction should be delivered by someone familiar with the location and include information about:

- Incident response procedures.
- Evacuation procedures and assembly points.
- First aid personnel.
- Security arrangements.
- Amenities.
- Site-specific risks and risk controls (including those identified in the Workplace Risk Register).

If the worksite is a construction site, all persons entering the site to work must have completed the General Construction Induction Training (White Card) in accordance with WHS legislation.

#### ROLES AND RESPONSIBILITIES

The development of employees is a responsibility shared between individual employees, Managers, WHS and Risk Co-Ordinator and the Human Resources Officer. A shared commitment to learning and development is critical to ensure we meet our strategic objectives and foster a culture of career development for our employees.

#### General Manager

The General Manager is responsible for ensuring:

- provision of budget, resources and time allocation to enable workers to undergo training and competency assessment to meet the requirements of the job.
- provision of an effective worker training and competency assessment procedure system in place.

**The Human Resources Officer are responsible for:**

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 14

### STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

Warren Shire Council – Staff Education and Training Policy – Version 1.2

- providing employees with appropriate learning and development solutions that are relevant to their positions.
- review of the Training Procedure as required.
- promptly considering all learning and development requests.
- ensuring equitable access for all employees.
- measuring the effectiveness of programs to promote continuous improvement in our employees, providers and processes.
- providing advice on learning and development opportunities.
- reviewing competencies on a continual basis.
- providing training for languages other than English and other relevant learning barriers.

#### **Divisional Managers/Managers/Supervisors are responsible for:**

The Management Team accepts accountability for ensuring adequate training, education, skills and experience for all workers. This includes:

- conducting training needs analysis for staff.
- providing formal induction programs for new and transferred workers and contractors.
- developing individual learning and training plans for employees on an annual basis.
- demonstrating an ongoing commitment to supporting employees' learning and development.
- providing resource solutions to allow employees to attend programs.
- frequently reviewing and discussing employees' learning and development progress.
- ensuring employees meet statutory and certification requirements.

#### **The Work Health & Safety/Risk Coordinator is responsible for:**

- workers are adequately trained to a level of competency sufficient to carry out their emergency management duties.
- training will detail the expected responsibilities and roles of all workers, reporting details and emergency response procedures.
- emergency evacuation training will be conducted at least annually.
- visitors receive instruction and/or information on emergency management procedures as applicable.
- ensure training is competency-based.
- use Registered Training Organisations (where applicable) and appropriately accredited and/or approved courses/trainers.
- maintain training records.
- review the effectiveness of training.

#### **Employees are responsible for:**

- assisting Managers in identifying their learning and development needs.
- contributing to the development of their individual learning and development plan on an annual basis.

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# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

## ITEM 14

## STAFF EDUCATION AND TRAINING POLICY

(CONTINUED)

Warren Shire Council – Staff Education and Training Policy – Version 1.2

- for actively participating in and completing training and competency assessments (on-the-job, internal/external courses, formal qualifications, licenses) relevant to the performance of their position.
- providing a minimum 5 working days' notice to relevant Managers, WHS Risk Co-Ordinator and/or the HR Officer for changes to attendance for scheduled programs.
- completing evaluating and/or feedback forms as required.
- timely completion of application forms.

### POLICY REVIEW

This Policy should be reviewed every 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).

**WARREN SHIRE COUNCIL**  
**Policy Report of Divisional Manager Engineering Services**  
**to the Ordinary Meeting of Council to be held in the**  
**Council Community Room on Thursday, 22<sup>nd</sup> May 2025**

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**ITEM 15**

**CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY**

**(P13-1, L7-1.5)**

**RECOMMENDATION** that:

The Closed-Circuit Television (CCTV) System Policy be adopted, with minor amendments.

**PURPOSE**

To advise Council that the Closed-Circuit Television (CCTV) System Policy requires to be adopted, as per Section 165(4) and 161 of the Local Government Act.

**BACKGROUND**

The Closed-Circuit Television (CCTV) System Policy replaces the existing Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The Closed-Circuit Television (CCTV) System Policy will assist in ensuring safety for all people who live in, work in or visit the Warren Shire Local Government Area (LGA). The current Policy was reviewed and adopted in July 2024. Council has now reviewed the Policy, and only minor adjustments were made.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Australian Standard AS 4806.1: Closed-Circuit Television (CCTV);  
Government Information (Public Access) Act 2009;  
Local Government Act 1993;  
NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed-Circuit Television (CCTV) in Public Spaces (2000);  
Privacy and Personal Information Protection Act 1998;  
State Records Act 1998;  
Workplace Surveillance Act 2005.

**RISK IMPLICATIONS**

Warren Shire Council's Closed-Circuit Television (CCTV) System 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 complies with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Closed-Circuit Television (CCTV) System Policy on public exhibition.



**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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**ITEM 15          CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY          (CONTINUED)**

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with no amendments.

**CONCLUSION**

The Closed-Circuit Television (CCTV) System Policy has been reviewed and amended accordingly and should be adopted.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

- 1.1.5    Work with Local Police and the community to ensure our community is safer.
- 5.2.2    Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

Closed Circuit Television (CCTV) System Policy

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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ITEM 15

CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY

(CONTINUED)



## POLICY REGISTER

### CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY

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Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 25th July 2024 Minute No. 183.7.24

File Ref: P13-1, L7-1.5

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

ITEM 15

CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY

(CONTINUED)

## DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 105.4.17 (27th April 2017)
2.0		Second Edition	Council Minute No. 214.9.18 (27th September 2018)
3.0	Town Services Manager July 2024	Third Edition	Council Minute No. 183.7.24 (25th July 2024)
<u>4.0</u>	<u>Divisional Manager Engineering Services May 2025</u>	<u>Fourth Edition</u>	

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
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ITEM 15

CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY

(CONTINUED)

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# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

ITEM 15

CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY

(CONTINUED)

Warren Shire Council – Closed Circuit Television (CCTV) System Policy

### 1. INTRODUCTION

- 1.1.1 Warren Shire Council (the Council) is committed to ensuring safety for all people who live in, work in or visit the Warren Shire Local Government Area (LGA).
- 1.1.2 The Warren Shire Council CCTV Policy (the Policy) has been developed in accordance with the provisions of the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed-Circuit Television (CCTV) in Public Spaces* ("the Guidelines"). The Guidelines were developed to support councils, transport providers and others who implement CCTV in public spaces to ensure compliance with relevant legislation including the *Local Government Act 1993*, the *Privacy and Personal Information Protection Act 1998* and the *Workplace Surveillance Act 2005*.

### 2. POLICY FRAMEWORK

#### 2.1 CCTV Program Aim

The CCTV Program (the Program) aims to protect people and property, reduce the opportunity for crime and enhance perceptions of safety within the Warren Shire LGA.

#### 2.2 Legislation and Guidelines

- 2.2.1 This Policy is based upon relevant legislation and accompanying guidelines for the establishment and monitoring of CCTV systems in public places. These include the:
- *Australian Standard AS 4806.1-2006: Closed circuit television (CCTV)*;
  - *Government Information (Public Access) Act 2009*;
  - *Local Government Act 1993*;
  - *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed-Circuit Television (CCTV) in Public Spaces (2000)*;
  - *Privacy and Personal Information Protection Act 1998*;
  - *State Records Act 1998*;
  - *Workplace Surveillance Act 2005*.

- 2.2.2 This Policy, where required, is supported by confidential Operating Procedures (OPs) for the effective management, operation and monitoring of the Program.

#### 2.3 Guiding Principles

The Policy is based on the following guiding principles:

- 2.3.1 The Program will be operated fairly and transparently, within applicable legislative requirements and only for the purposes for which it is established or which are subsequently agreed to in accordance with this Policy.
- 2.3.2 The Program will only be used to identify criminal activity occurring within the area covered by the Program.
- 2.3.3 The Program will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to political expression and assembly.
- 2.3.4 Regular review and evaluation of the Program will be undertaken to identify whether its aims and objectives are being achieved.
- 2.3.5 Information recorded will not exceed what is necessary to fulfil the purposes

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**ITEM 15**

**CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY**

**(CONTINUED)**

Warren Shire Council – Closed Circuit Television (CCTV) System Policy

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of the Program. Information will be obtained fairly, lawfully and in accordance with the privacy and confidentiality provisions of this policy and relevant legislation.

2.3.6 In the interest of privacy and confidentiality, access to the CCTV monitoring equipment shall be restricted to authorised members of Council staff and NSW Police. The equipment will be protected from unauthorised access.

2.3.7 The retention of, and access to recorded material will be only for the purposes provided by this Policy. Recorded material will be retained for a period of 30 days (recording cycle) unless required in relation to the investigation of crime or for court proceedings.

2.3.8 Formal operating procedures (OPs) will be developed to ensure compliance with this Policy, legislation and relevant guidelines.

2.3.9 All CCTV installations will be registered on the NSW Police Force CCTV Register  
[https://www.police.nsw.gov.au/online\\_services/register\\_my\\_business\\_cctv\\_details](https://www.police.nsw.gov.au/online_services/register_my_business_cctv_details)

**2.4 Confidentiality**

Council will ensure the confidentiality and security of all images captured by CCTV will be protected by ensuring that under no circumstances:

- a. Will any information related to images captured by CCTV to be disclosed to a third party unless authorised by Council;
- b. Will any information relating to the technical operation of the CCTV system, including the OPs or maintenance procedures, be disclosed to any unauthorised person.

**2.5 Breaches of this Policy and Operating Procedures**

2.5.1 Primary responsibility for ensuring adherence to this Policy and its operating procedures rests with Council. This includes ensuring that any breaches of the Policy and the operating procedures are investigated and remedied to the extent that such breaches are within Council's capacity to remedy.

2.5.2 A breach of this Policy by members of Council staff will be dealt with in accordance with the Award, the Code of Conduct and the Code of Conduct Procedures.

2.5.3 If the matter tends to show or shows maladministration, corrupt conduct, serious and substantial waste, government information contravention or criminal activity, it will be referred by the General Manager to the appropriate investigative agency.

**3. ROLES AND RESPONSIBILITIES**

**3.1 The Role of Council**

3.1.1 Council is the owner of the Program. Council is responsible for the development, implementation, monitoring and auditing of the Program.

3.1.2 Council retains ownership and has copyright in all CCTV footage, CCTV images and any documentation produced by Council officers in respect of the CCTV program. Council will be responsible for the introduction and implementation of this Policy and all supporting procedures relating to the Program.

3.1.3 Council has primary responsibility for:

- The maintenance, management and security of the Program;
- The protection of the interests of the public in relation to the Program.

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ITEM 15

CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY

(CONTINUED)

Warren Shire Council – Closed Circuit Television (CCTV) System Policy

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**3.2 The Role of the NSW Police Force**

- 3.2.1 Authorised NSW Police Force officers will have access to The Program and access to view and retrieve images.

**4. OPERATIONAL INFORMATION**

**4.1 Operational Boundaries**

The area of operation shall be taken to be locations within the Warren Council (LGA) identified as having a specific need for CCTV coverage.

**4.2 System Description**

- 4.2.1 The Program involves a number of cameras installed at locations throughout the LGA. Cameras will be installed in areas that are identified as areas where crime, such as vandalism, is more likely to occur. These locations will be determined on the basis of crime statistics provided by the Police and other statistical data. Social, environmental and commercial considerations are also ~~taken into account.~~ "Dummy" cameras will not be used by Council.
- 4.2.2 Recorded footage can be retrieved by authorised members of Council staff and NSW Police Force. All recorded footage is retained for 30 days, unless required in relation to:
- The investigation of a crime;
  - Court proceedings;
  - A request for public information.

**4.3 Authorised Operation**

- 4.3.1 All members of Council staff and NSW Police Force authorised to operate, monitor and retrieve recorded footage and materials of the CCTV Program shall undertake their duties under the authority of Council and the NSW Police Force, respectively, and shall receive appropriate training, including training in privacy requirements.
- 4.3.2 Operating Procedures (OPs) will supplement this Policy, providing clear instructions for authorised members of Council staff and the NSW Police Force on all aspects of the operation of the program including duties, responsibilities and procedures to ensure adherence to the principles and purposes on which the Program is based.
- 4.3.3 The circumstances in which authorised Council staff and NSW Police Force ~~are able to~~ access recorded footage will be carefully controlled by and set out in the OPs.
- 4.3.4 Council staff authorised by the General Manager and NSW Police Force Staff will be responsible for the retrieval of recorded footage.
- 4.3.5 Authorised members of Council staff will be responsible for the management of the Program. The duties and responsibilities of authorised members of Council staff include:
- The operation and maintenance of the CCTV equipment and software;
  - Responding to requests from other law enforcement agencies relating to incidents and recorded material/ footage;
  - Adherence to policies, rules of conduct and procedures;
  - Undertaking basic maintenance and housekeeping;
  - Reporting technical problems affecting the equipment to the nominated maintenance and service contractor appointed by Council.

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**WARREN SHIRE COUNCIL**  
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**ITEM 15**

**CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY**

**(CONTINUED)**

Warren Shire Council – Closed Circuit Television (CCTV) System Policy

**4.4 Use of Equipment**

4.4.1 Authorised members of Council staff shall use all equipment in an acceptable manner at all times and shall report immediately any damage, deficiency or malfunction identified. Authorised members of Council staff will ensure the highest level of protection and care is exercised whilst using the equipment and property and shall take all prudent and reasonable actions necessary to protect the system against abuse, misuse, negligence, malicious damage and vandalism.

4.4.2 Equipment used for the Program shall be used in accordance with this Policy, the OPs and any relevant Council policies. All authorised members of Council staff will be trained in the use of all equipment in accordance with the OPs.

**4.5 Monitoring Screen**

The review and retrieval of footage and performing CCTV system checks can be carried out by authorised persons from any network linked computer or remotely with a secure internet connection. The system shall only be accessed and utilised by authorised members of Council staff or NSW Police.

**4.6 Responding to an Event or a Criminal Incident**

4.6.1 In the event that an authorised member of Council staff observes footage and/or recorded material which reveals suspected criminal behavior, the officer will:

- a. Refer the incident as soon as possible to their Divisional Manager, Manager and General Manager;
- b. Notify the NSW Police Force as to the circumstances of any criminal event (if observed by Council);
- c. Ensure footage is secured, saved and marked appropriately in the event that it is required for legal purposes;
- d. Complete an incident report form.

4.6.2 When compiling incident reports the authorised member of Council staff shall ensure that the exact location, time, date and relevant particulars pertaining to the event are included in the incident report form. The incident report should include any action taken by the officer, including notification to the NSW Police Force and/or other emergency authorities, if applicable.

**4.7 Storage and Security of CCTV Footage**

4.7.1 All recorded CCTV footage will be kept for a maximum of 30 days (recording cycle). After this period, footage will be overwritten.

4.7.2 The management software logs whom accesses the system, the time, date and changes made, or data downloaded. All copies of recorded CCTV footage are to be kept in a securely locked cupboard, with access restricted to authorised personnel.

**4.8 Release of CCTV Footage and/ or Recorded Material**

4.8.1 Access to CCTV footage and materials will only be provided to comply with:

- a. The requirements of the NSW Police Force in relation to the investigation of crime or for the purpose of legal proceedings;
- b. A subpoena;
- c. A valid formal request for public information to which Council decides to provide access under section 58 of the *Government Information (Public Access) Act 2009*.



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ITEM 15

**CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY**

**(CONTINUED)**

Warren Shire Council – Closed Circuit Television (CCTV) System Policy

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4.8.2 CCTV footage and/ or recorded materials shall only be released to authorised persons of Council or the NSW Police Force if there is a specific requirement to verify an incident or event that has occurred. Requests must be submitted on a *Request for CCTV Footage* form within 21 days of an alleged incident. All requests will be dealt with in accordance with this Policy, the OPs, the *Privacy and Personal Information Protection Act 1998* and other relevant legislation and must be approved by Council's Privacy Contact Officer.

4.8.3 If any other organisation or individual makes a request for CCTV footage, this request should be made in accordance with the *Government Information (Public Access) Act 2009*. Such requests will be assessed in accordance with the Act.

**4.9 Viewing of CCTV Footage**

4.9.1 Viewing of CCTV footage is restricted to authorised members of Council staff and the NSW Police Force. Under no circumstances are unauthorised persons allowed to view CCTV footage from the system.

**4.10 Release and Security of CCTV Hard Drive**

The CCTV hard drive of the CCTV system can only be released where a court subpoena has been issued on Council. The details of any such subpoena must be entered into Council's Subpoena/Legal Register.

**4.11 Destruction of Recorded CCTV Footage**

Copies of recorded CCTV footage may only be deleted or destroyed when authorised by Council's Divisional Manager of Finance and Administration.

**4.12 Loss or Damage of Recorded CCTV Footage**

In the event that copies and/ or records of footage become damaged or lost for whatever reason, the authorised staff member shall immediately inform the General Manager and submit an incident report form to Council's Work Health Safety Risk Officer, setting out all details as to the cause and nature of such damage or loss.

**4.13 Equipment Failure**

If any item of CCTV equipment is found to be defective, has failed, or is not working in accordance with its intended purpose, in addition to submitting an incident report form, the Risk Officer is to be contacted immediately, whether or not the failure is deemed to be of an urgent nature or not. If such failure or repair is deemed to be of an urgent nature, the authorised repairer/ contractor shall be contacted immediately.

**4.14 Maintenance of CCTV Equipment**

4.14.1 CCTV equipment will be maintained by the appointed contractor. The appointed contractor will work under the direct supervision of an authorised member of Council staff. All field visits by maintenance staff must be approved in advance and in writing by an authorised member of Council staff.

4.14.2 At any time that works are performed upon the system, including minor works, authorised members of Council staff are to perform a quality control check of all recording and camera equipment on completion of the works.

**WARREN SHIRE COUNCIL**  
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**ITEM 15**

**CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY**

**(CONTINUED)**

*Warren Shire Council – Closed Circuit Television (CCTV) System Policy*

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**4.15 Record Keeping**

Records supplied as evidence and other program documentation will be retained in accordance with the *State Records Act 1998* and Council's Records Policy.

**5. INFORMATION AND COMMUNICATION**

**5.1 Signage**

Clearly visible signs that CCTV cameras are operating will be displayed at the perimeter of the areas covered by the system and any other key points. These signs will:

- a. Inform members of the public that cameras are in operation for the purposes of crime prevention and community safety;
- b. Identify Council as the owner of the system and provide a telephone number and website address for further information, inquiries, access or complaints;
- c. Stipulate that the CCTV cameras operate in accordance with the provisions of the *Privacy and Personal Information Protection Act 1998*.

**5.2 Public Awareness**

5.2.1 Information explaining the introduction of the CCTV system will be promoted through media accessed by people who live and work in the Warren Shire LGA. Information about the system will also be promoted via council's website [www.warren.nsw.gov.au](http://www.warren.nsw.gov.au) and through other communications strategies utilised by Council.

**6. PROGRAM MONITORING AND REVIEW**

A report that considers the findings of a compliance audit, an evaluation of program outcomes and a review of the program policies and guidelines will be prepared after six months of program commencement and every twelve months thereafter.

**6.1 Compliance Audit**

6.1.1 An audit will be conducted every 2 years to ensure the Program is being implemented in accordance with this Policy and the OPs. The audit will be undertaken by Council's Internal Auditor Group.

6.1.2 The audit inspection shall include as a minimum a review of:

- a. All requests for CCTV footage within the period;
- b. All incident report forms completed during the period;
- c. CCTV footage storage provisions and procedures;
- d. CCTV footage deletion and destruction provisions and compliance;
- e. Compliance with all procedures and documentation as required.

6.1.3 The Internal Auditor Group shall provide a written report to the Council within 28 days of carrying out an audit, setting out any non-compliance, deficiencies or concerns uncovered as part of the audit.

**6.2 Evaluation of Program Outcomes**

6.2.1 Council will conduct an evaluation of the Program outcomes every 2 years. The evaluation of the Program will include as a minimum:

- a. An assessment of its impact upon crime as demonstrated through reported crime rates pre and post system implementation;
- b. As assessment of its impact on detection and prosecution of offenders

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 15

### CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM POLICY

(CONTINUED)

Warren Shire Council – Closed Circuit Television (CCTV) System Policy

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through consideration of number of retrievals of footage and the number of investigations and prosecutions supported by CCTV footage;

- c. The views of the public on the operation of the program as demonstrated through Council's customer feedback system, community consultation and other means;
- d. Whether the purpose for which the Program was established are still relevant.

6.2.2 The results of the evaluation will be provided to Council.

#### 7. REVIEW

This Policy should be reviewed every 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).

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
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**ITEM 16**

**WORKPLACE SURVEILLANCE POLICY**

**(P13-1, L7-1.5)**

**RECOMMENDATION** that:

The Workplace Surveillance Policy be adopted, with minor amendments.

**PURPOSE**

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

**BACKGROUND**

The Workplace Surveillance Policy replaces the existing Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The Workplace Surveillance Policy will assist in ensuring Council complies with the requirements of the Workplace Surveillance Act 2005. The current Policy was reviewed and adopted in July 2024. Council has now reviewed the Policy, and only minor adjustments were made.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Government Information (Public Access) Act 2009 (NSW)

Industrial Relations Act 1996 (NSW)

Local Government Act 1993 (NSW)

Privacy and Personal Information Protection Act 1998 (NSW) and associated Regulations

State Records Act 1998 (NSW)

Surveillance Devices Act 2007 (NSW)

Workplace Surveillance Act 2005 (NSW) and associated Regulations

**RISK IMPLICATIONS**

Warren Shire Council's Workplace Surveillance 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 complies with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Workplace Surveillance Policy on public exhibition.

**WARREN SHIRE COUNCIL**  
Policy Report of Divisional Manager Engineering Services  
to the Ordinary Meeting of Council to be held in the  
Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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**ITEM 16**

**WORKPLACE SURVEILLANCE POLICY**

**(CONTINUED)**

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with no amendments.

**CONCLUSION**

The Workplace Surveillance Policy has been reviewed and amended accordingly and should be adopted.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

Workplace Surveillance Policy

# WARREN SHIRE COUNCIL

Policy Report of Divisional Manager Engineering Services  
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ITEM 16

WORKPLACE SURVEILLANCE POLICY

(CONTINUED)



## POLICY REGISTER

## WORKPLACE SURVEILLANCE POLICY

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Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: 25th July 2024 Minute No. 183.7.24

File Ref: P13-1, L7-1.5

# WARREN SHIRE COUNCIL

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ITEM 16

WORKPLACE SURVEILLANCE POLICY

(CONTINUED)

## DOCUMENT CONTROL

Issue	Prepared/Revised <u>By</u> and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 214.9.18 (27th September 2018)
2.0	Town Services Manager July 2024	Second Edition	Council Minute No. 183.7.24 (25th July 2024)
<u>3.0</u>	<u>Divisional Manager</u> <u>Engineering Services</u> <u>May 2025</u>	<u>Third Edition</u>	

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 16

### WORKPLACE SURVEILLANCE POLICY

(CONTINUED)

Warren Shire Council – Workplace Surveillance Policy

#### 1 Purpose

Technology improvements have made devices which fall within the statutory definition of surveillance devices commonplace. In the course of normal operations, Warren Shire Council (Council) uses these devices and the information and data they generate due to the business benefits they provide. These benefits include, but are not limited to:

- Potential to deter vandalism and/or a possible assailant
- Reduce the safety risks associated with workers, customers and others in the workplace
- Optimise efficiency and customer service
- Gather operational data for workforce and fleet management efficiency gains (e.g. work allocation and route improvements)
- Identifying geographical location of a worker in the event of an emergency
- Using data and information to defend staff against incorrect allegations
- Increasing information available when conducting investigations (e.g. code of conduct and fraud related complaints, defending Council)
- Assist in scheduling and allocation of tasks to work teams

The *Workplace Surveillance Act 2005 (NSW)* (WS Act) sets out the legal requirements regarding the use of these devices and information generated.

The purpose of this Policy is to:

- Detail Council's commitment to ensuring that it complies with the requirements of this legislation;
- Explain to employees and contractors the types of surveillance that may be carried out in the workplace; and
- Explain the responsibilities of management in regard to the introduction of workplace surveillance.

Where there is an inconsistency between this Policy and the WS Act, the WS Act prevails.

#### 2 Who this Policy applies to

This Policy applies to all Councillors, Council employees and contractors, and at all Council premises.

This Policy does not form part of any employee's contract of employment nor does it form part of any contractor's contract with Council.

#### 3 Workplace Surveillance

The WS Act requires Council to provide notification to its employees regarding workplace surveillance and prescribes how this notification must be conducted. The following sections of this Policy details Council's notification.

##### 3.1 Notice of surveillance

This Policy is the written notification to Council employees regarding Council's activities that fall within the statutory definitions of surveillance.

##### 3.2 Kind of surveillance to be carried out by Council

The types of workplace surveillance that Council conducts include:

- Closed Circuit Television Camera surveillance (CCTV)
- Computer surveillance



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WORKPLACE SURVEILLANCE POLICY

(CONTINUED)

Warren Shire Council – Workplace Surveillance Policy

- Tracking surveillance

#### 3.2.1 Camera surveillance

The primary purpose of Council's camera surveillance is for security. Surveillance cameras are mainly at entries, exits and around the exteriors of Council facilities and buildings, however some do exist within Council's Offices. Council also uses cameras in spaces where there is public and Council interaction (e.g. Council Chambers, Meeting Rooms, customer service areas, library etc.). As these spaces are also workplaces, the WS Act applies and Council will:

- Ensure that Surveillance cameras (including their casings or other equipment generally indicating the presence of a camera) are clearly visible where surveillance is taking place.
- Clearly display visible signs at each workplace entrance notifying people that they may be *under surveillance*.

Council may also have "in car" dash cameras within Council vehicles which can also record audio within the vehicle. Council will clearly display a notice within each vehicle indicating that it has an "in car" dash camera which can also record audio.

Council also installs surveillance cameras in and near worksites, plant and fleet to monitor out of hours security when a site is unoccupied (e.g. identify plant, equipment and fuel theft).

Generally, onsite staff will be aware of and/or involved in the installation of these cameras and this Policy is further notification to staff that these cameras are used.

Access to and use of information collected using camera surveillance is to be in accordance with the ~~Closed-Circuit~~ Closed-Circuit Television System Policy.

#### 3.2.2 Computer surveillance

Use of Council's computers and email and internet accounts generate vital information and data which is considered to be Council's property and is managed accordingly. Council may from time to time retrieve and review such information and data in accordance with this Policy.

Examples of information and data that may be accessed and reviewed can include, but is not limited to:

- System storage and download volumes
- Internet usage and access
- Suspected malicious code or viruses
- Email usage
- Computer hard drives
- Mobile telephone/smartphone/mobile device use, access and locational records (e.g. all mobile phone bills state the general location calls/texts were made from)
- Use of WIFI access points
- Access and use of Council Software
- Information and Communications Technology logs, backups and archives
- Records from MFDs

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**WORKPLACE SURVEILLANCE POLICY**

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Selective staff as authorised by the General Manager are to monitor the above to maintain network stability, continuity of service and compliance.

Council will not carry out computer surveillance of an employee unless it is carried out in accordance with this Policy.

Council reserves the right to prevent (or cause to be prevented) the delivery of an email sent to or from staff, or access to an internet website (including a social networking site) by staff, if it contains, refers or links to:

- Obscene, offensive or inappropriate material (for example, material of a sexual, indecent or pornographic nature)
- Material that causes or may cause insult, offence, intimidation or humiliation
- Defamatory or may incur liability or adversely impacts Council's image or reputation
- Illegal, unlawful or inappropriate
- Anything that does or potentially affects the performance of, or cause damage to or overload Council's computer network, or internal or external communications in any way
- Anything that gives the impression of, or is representing, giving opinions or making statements on behalf of Council without proper delegation

Where an email is prevented from being delivered to or from staff, they will receive a notice that informs them that the delivery of the email was prevented.

Notice will not be given if:

- The email was considered to be SPAM, or contain potentially malicious software
- The content of the email (or any attachment) would or might have resulted in an unauthorised interference with, damage to or operation of any program run or data stored on any of Council's equipment
- The email (or any attachment) would be regarded by a reasonable person as being, in all the circumstances, menacing, harassing or offensive
- An email sent by a user if Council was not aware (and could not reasonably be expected to be aware) of the identity of the user who sent the email or that the email was *sent by the user*.

The Manager approved by the General Manager has responsibility for access and use of data collected via computer surveillance carried out in accordance with this section.

Employee's and contractor's obligations when using Council's computers and other IT resources are set out in Model Code of Conduct for Local Councils in NSW and Council's Social Media Policy.

**3.2.3 Tracking surveillance**

Council uses devices and technology that has tracking capability including but not limited to:

- GPS tracking within Council vehicle, truck and plant fleet
- Council supplied radios (including those used for isolated worker management)
- "On person" isolated worker devices
- Council issued mobile phones, smart phones, tablets and computers with GPS/WiFi capability

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**WORKPLACE SURVEILLANCE POLICY**

**(CONTINUED)**

*Warren Shire Council – Workplace Surveillance Policy*

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This data will be used for (but not limited to):

- Planning and scheduling works
- Monitoring performance data for maintenance and repair requirements
- Knowing the location of plant, fleet and staff to reduce response times to customer requests and emergency works
- Monitoring travel to identify opportunities to increase tool time
- Identify staff, plant and fleet locations and respond to emergencies
- Investigations due to complaints, customer requests and incidents
- Information availability and access requirements

Where a vehicle, truck, plant or other item has tracking capability, Council will clearly display a notice on the item indicating that it is subject to tracking surveillance.

The General Manager will provide written authorisation for Council Staff to have access to the data collection system under this Policy. Where the General Manager requires access to the data collection system, such written approval will be provided by the Mayor.

Authorised staff have responsibility for access and use of data collected via tracking surveillance carried out in accordance with this section.

Employee's obligations when using Council's plant and fleet are detailed in Council's Motor Vehicle Policy. Council's Isolated Worker Management is detailed in the Isolated Worker Procedure.

**3.2.3.1 Infrastructure Construction and Maintenance plant and fleet**

In addition to the above, Operational Plant and Fleet tracking data may be displayed on a screen at Council's main depots and monitored in real time by relevant staff for the purposes of scheduling and allocation of work.

Further, maintenance scheduling and workshop staff will have access to Plant and Fleet performance and usage data, collected via tracking surveillance, in order to assist in the prioritising and scheduling of maintenance and repair to improve efficiency and maintenance management.

**3.2.3.2 Isolated/Remote Workers**

Council "One person" isolated worker devices (i.e. man down) are used to identify the location of an isolated/remote site worker in an emergency. Staff required to use these will be informed that they are required to carry the device whilst working alone at work.

Council "One person" isolated worker device data and information will be accessible, retrieved and used without further authorisation in the following circumstances:

- A worker fails to return to base at the expected time
- A worker does not respond to repeated attempts to contact them.
- A pendant alarm is activated.
- A tilt switch alarm is activated.
- A portable radio panic button is activated.
- An emergency situation requires the ability to locate council vehicles.

**3.3 How the surveillance will be carried out**

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**WORKPLACE SURVEILLANCE POLICY**

**(CONTINUED)**

Warren Shire Council – Workplace Surveillance Policy

Surveillance will be carried out in accordance with this Policy.

**3.4 When will surveillance start**

Where surveillance was already in place prior to this version of this Policy, it will continue. Where surveillance is new, implementation will be 14 days after the approval date of the Policy.

**3.5 Surveillance will be continuous**

All forms of surveillance (Camera, Computer and Tracking surveillance) will be continuous and Council will carry out surveillance of any user at such times of Council's choosing and without further notice to any user in accordance with the WS Act and this Policy.

**3.6 Surveillance will be ongoing**

Surveillance, as detailed within this Policy, will be ongoing unless specified within an amendment and subsequent approval of this Policy.

**3.7 Changes in technology**

As technology improves and changes, other devices are likely to become available and will generate surveillance data and information. Where this happens, devices, information and/or data will be managed in accordance with the WS Act and this Policy.

**3.8 Prohibited Surveillance**

Council will not, in accordance with the WS Act:

- Conduct surveillance of change rooms and bathrooms
- Use work surveillance devices while employees are not at work, unless the surveillance is computer surveillance of the use by the employee of equipment or resources provided by or at the expense of Council.
- Prevent, or cause to be prevented, delivery of an email sent to or by, or access to an Internet website *by, an employee of Council unless:*
  - It is in accordance with this Policy
  - Council has (as soon as practicable) provided the employee a prevented delivery notice by email or otherwise, unless notice is not required in accordance with ~~s17(2)-(3) of~~ the WS Act
- Prevent *delivery of an email or access to a website merely because:*
  - the email was sent by or on behalf of an industrial organisation of employees or an officer of such an organisation, or
  - the website or email contains information relating to industrial matters (within the meaning of the *Industrial Relations Act 1996* (NSW)).

**4 Covert Surveillance**

Council will not carry out, or cause to be carried out, covert surveillance unless it is in accordance with the requirements of ~~Part 4 of~~ the WS Act.

**5 Surveillance Information and Data**

All Council staff shall at all times be compliant with Council's Code of Conduct and maintain strict confidentiality of all Council records, information and data. Council will ensure that surveillance information and records are not used or disclosed unless the use or disclosure is:

- For a legitimate purpose related to the employment of Council employees or Council's legitimate business activities or functions, or

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Warren Shire Council – Workplace Surveillance Policy

- To a member or officer of a law enforcement agency for use in connection with the detection, investigation or prosecution of an offence, or
- For a purpose that is directly or indirectly related to the taking of civil or criminal proceedings, or
- Reasonably believed to be necessary to avert an imminent threat of serious violence to persons or of substantial damage to property.

For the avoidance of doubt, the Council may use or rely on surveillance records for the purposes of taking disciplinary or other appropriate action against employees or investigating a reasonable suspicion that an employee has breached their employment obligations.

Access requests outside of this Policy are to be made in accordance with the relevant Surveillance data access procedure(s).

#### 6 Installation of Surveillance Devices

Any installations of surveillance devices must be in accordance with the *WS Act, Surveillance Devices Act 2007 (NSW)* and this Policy.

#### 7 Policy breach

Any employee found to be in breach of this Policy will be subject to appropriate disciplinary actions, as stipulated in the [NSW Local Government \(State\) Award](#) up to and including summary dismissal. Any contractor found to be in breach of this Policy will be subject to appropriate disciplinary action, up to and including summary dismissal.

#### 8 Definitions

**Surveillance:** of an employee means surveillance of an employee by any of the following means (~~s3~~ WS Act):

- a) **camera surveillance**, which is surveillance by means of a camera that monitors or records visual images of activities on premises or in any other place,
- b) **computer surveillance**, which is surveillance by means of software or other equipment that monitors or records the information input or output, or other use, of a computer (including, but not limited to, the sending and receipt of emails and the accessing of Internet websites),
- c) **tracking surveillance**, which is surveillance by means of an electronic device the primary purpose of which is to monitor or record geographical location or movement (such as a Global Positioning System tracking device).

**Surveillance information:** means information obtained, recorded, monitored or observed ~~as~~ a consequence of surveillance of an employee.

**Covert surveillance:** means surveillance of an employee while at work for an employer carried out or caused to be carried out by the employer and not carried out in compliance with the requirements of ~~Part 2 of~~ the WS Act.

**Workplace:** means premises, or any other place, where employees work, or any part of such premises or place.

#### 9 Key Responsibilities

Overall responsibility of this Policy is with the General Manager. Responsibility for the management and implementation of this Policy is with the Council Staff appointed by the General Manager. Other responsibilities are detailed within this Policy.

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WORKPLACE SURVEILLANCE POLICY

(CONTINUED)

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Warren Shire Council – Workplace Surveillance Policy

## 10 References

- Government Information (Public Access) Act 2009 (NSW)
- Industrial Relations Act 1996 (NSW)
- Local Government Act 1993 (NSW)
- Privacy and Personal Information Protection Act 1998 (NSW) and associated Regulations
- State Records Act 1998 (NSW)
- Surveillance Devices Act 2007 (NSW)
- Workplace Surveillance Act 2005 (NSW) and associated Regulations

## 11. Policy Review

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

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**ITEM 17**

**COMMUNITY SHARPS MANAGEMENT POLICY**

**(P13-1, G2-4.3)**

**RECOMMENDATION** that:

The Community Sharps Management Policy be adopted, with minor amendments.

**PURPOSE**

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

**BACKGROUND**

The Community Sharps Management Policy replaces the existing Policy which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The Community Sharps Management Policy will assist in ensuring Council properly manages appropriate disposal of needles, syringes, lancets and other community sharps. The current Policy was reviewed and adopted in August 2006. Council has now reviewed the Policy, and only minor adjustments were made.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Local Government Act 1993 (NSW) and Regulations  
Work Health and Safety Act and Regulations

**RISK IMPLICATIONS**

Warren Shire Council's Community Sharps Management 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 complies with the Local Government Act 1993 and Regulations.

**STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Community Sharps Management Policy on public exhibition.

**OPTIONS**

Council has the option of adopting the Policy or adopting the existing Policy with no amendments.

**CONCLUSION**

The Community Sharps Management Policy has been reviewed and amended accordingly and should be adopted.

# WARREN SHIRE COUNCIL

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**ITEM 17**

**COMMUNITY SHARPS MANAGEMENT POLICY**

**(CONTINUED)**

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

Community Sharps Management Policy



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ITEM 17

COMMUNITY SHARPS MANAGEMENT POLICY

(CONTINUED)



## POLICY REGISTER

### COMMUNITY SHARPS MANAGEMENT POLICY

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Reviewed:	27th July 2006
Policy adopted:	Minute No. 245.8.06 (24th August 2006)
File Ref:	P13-1, G2-4.3

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ITEM 17

COMMUNITY SHARPS MANAGEMENT POLICY

(CONTINUED)

Warren Shire Council – Staff Relocation Assistance Policy

## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 245.8.06 (24th August 2006)
2.0	Sylvester Otieno 30th April 2025	Second Edition	

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ITEM 17

COMMUNITY SHARPS MANAGEMENT POLICY

(CONTINUED)

*Warren Shire Council – Staff Relocation Assistance Policy*

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**Background**

Needles, syringes, lancets and other community sharps are generated in a wide range of non-clinical situations, including residential and commercial property, public areas and public facilities. Unsafe or inappropriate disposal may represent a risk to council employees, contractors, the community, and the environment.

Council is committed to maintaining high standards of public health, environmental management and workplace safety. To fulfil this objective, it is necessary to properly manage the disposal of community sharps to provide safe and healthy environments for our employees, residents and visitors.

The aim of this Policy is to clearly articulate that Council is responding to community sharps management issues through the effective management of associated public and workplace risks.

**Policy statement**

The Community Sharps Management Policy outcomes for public health, and workplace safety are to work in partnership with the community and other stakeholders to:

- Provide and maintain high standards of public health and workplace safety that comply with or exceed the requirements of all relevant legislation, through the effective management of community sharps
- Provide services and infrastructure that maximise appropriate community sharps disposal and minimise the potential for needlestick injuries to occur to workers, community members or visitors
- Regularly monitor and review the effectiveness of objectives, strategies and actions for the management of community sharps

**Policy procedures**

The Community Sharps Management Plan provides the framework for objectives, strategies and actions for community sharps management.

**Policy Review**

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

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 18

### CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)

(P13-1, L7-1.5)

#### **RECOMMENDATION** that:

The Code of Practice Closed-Circuit Television (CCTV) be adopted, with minor amendments.

#### **PURPOSE**

To advise Council that the Code of Practice Closed-Circuit Television (CCTV) requires to be adopted, as per Section 165(4) and 161 of the Local Government Act.

#### **BACKGROUND**

The Code of Practice Closed-Circuit Television (CCTV) replaces the existing version which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

#### **REPORT**

The Code of Practice Closed-Circuit Television (CCTV) will assist in ensuring safety for all people who live in, work in or visit the Warren Shire Local Government Area (LGA). The current Code of Practice was reviewed and adopted in July 2024. Council has now reviewed the Code of Practice and only minor adjustments were made.

The Code of Practice was presented to Manex on 13<sup>th</sup> May 2025 where there were no concerns and the matter needs to be reported to Council for the process of adoption of the Code of Practice.

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

Nil.

#### **LEGAL IMPLICATIONS**

Australian Standard AS 4806.1: Closed-Circuit Television (CCTV);  
Government Information (Public Access) Act 2009;  
Local Government Act 1993;  
NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed-Circuit Television (CCTV) in Public Spaces (2000);  
Privacy and Personal Information Protection Act 1998;  
State Records Act 1998;  
Workplace Surveillance Act 2005.

#### **RISK IMPLICATIONS**

Warren Shire Code of Practice Closed-Circuit Television (CCTV) 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 Code of Practice is adopted to ensure that the Council complies with the Local Government Act 1993 and Regulations.

#### **STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Code of Practice Closed-Circuit Television (CCTV) on public exhibition.

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**ITEM 18                      CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)                      (CONTINUED)**

## **OPTIONS**

Council has the option of adopting the Code of Practice or adopting the existing Code of Practice with no amendments.

## **CONCLUSION**

The Code of Practice Closed-Circuit Television (CCTV) has been reviewed and amended accordingly and should be adopted.

## **LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

- 1.1.5    Work with local Police and the community to ensure our community is safe.
- 5.2.2    Proactively manage known compliance risks

## **SUPPORTING INFORMATION /ATTACHMENTS**

Code of Practice Closed Circuit Television (CCTV)

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ITEM 18

CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)

(CONTINUED)



## POLICY REGISTER

## CODE OF PRACTICE

## CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM

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Policy adopted: 27th April 2017 Minute No. 105.4.17

Reviewed: 25th July 2024 Minute No. 183.7.24

File Ref: P13-1, L7-1.5

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CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)

(CONTINUED)

## DOCUMENT CONTROL

Issue	Prepared/Revised <u>By</u> and Date	Action/Amendment Description	Approved By and Date
1.0	27th April 2017	First Edition	Council Minute No. 105.4.17 (27th April 2017)
2.0	Town Services Manager 8th July 2024	Second Edition	Council Minute No. 183.7.24 (25th July 2024)
<u>3.0</u>	<u>Divisional Manager Engineering Services</u>	<u>Third Edition</u>	

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**ITEM 18**

**CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)**

**(CONTINUED)**

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**ITEM 18**

**CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)**

**(CONTINUED)**

Warren Shire Council – Code of Conduct CCTV System Policy

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**1. OVERVIEW**

**1.1. Key Principles**

- 1.1.1. This Code of Practice contains the basic standards in accordance with which the Warren Shire Council's CCTV System will be operated.
- 1.1.2. The Code of Practice is based on 15 key principles. In each section the key principle is stated, followed by further explanatory information.
- 1.1.3. The key principles are as follows:

*Principle 1*

The CCTV System will be operated fairly, within applicable law and only for the purposes for which it is established, or which are subsequently agreed in accordance with this Code of Practice.

*Principle 2*

The CCTV System will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.

*Principle 3*

The public interest in the operation of the CCTV System will be recognised by ensuring the security and integrity of operational procedures.

*Principle 4*

The Warren Shire Council has primary responsibility for compliance with the purposes and objectives of the CCTV System, for the maintenance, management and security of the System, and the protection of the interests of the public in relation to the System.

*Principle 5*

As a partner to Warren Shire Council's CCTV System, the NSW Police Force will act in accordance with the Code of Practice.

*Principle 6*

The Warren Shire Council will be accountable to the public for the effective operation and management of the CCTV System.

*Principle 7*

The public will be provided with clear and easily accessible information in relation to the operation of Warren Shire Council's CCTV System.

*Principle 8*

Regular monitoring and evaluation of the CCTV System will be undertaken to identify whether the purposes of the Program are being complied with and objectives are being achieved.

*Principle 9*

Staff involved with the operation of the CCTV System, whether they be operators or managers, will meet the highest standards of probity.

*Principle 10*

Access to the CCTV System will be restricted to authorised Council staff and NSW Police Force members

*Principle 11*

Information recorded will be accurate, relevant and not exceed that necessary to fulfil the purposes of the CCTV System.

*Principle 12*

Information will be obtained fairly and in accordance with the privacy provisions of the Code of Practice.

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**ITEM 18**

**CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)**

**(CONTINUED)**

*Warren Shire Council – Code of Conduct CCTV System Policy*

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**Principle 13**

The retention of and access to recorded material will be only for the purposes provided for by this Code of Practice. Recorded material will be retained for approximately 30 days unless they are required in relation to the investigation of crime or for court proceedings. They will then be erased, taped over, or destroyed.

**Principle 14**

Contact related to the CCTV System between Warren Shire Council staff and the NSW Police Force, will be conducted strictly in accordance with the Code of Practice.

**Principle 15**

The CCTV System will address the interests of all who may be affected by it and not be confined to the interests of the Warren Shire Council or the needs of the criminal justice system.

**2. PRELIMINARY INFORMATION**

**2.1. Introduction**

2.1.1. The CCTV system forms part of a package of measures to tackle crime and anti-social behaviour in Warren.

In terms of public safety, correctly designed CCTV systems can be of considerable importance to the effectiveness of police response to crime and antisocial behaviour. It is essential to maintain public trust and confidence in the use of such CCTV systems. The key to maintaining this support is ensuring that CCTV is used responsibly with effective information and privacy safeguards.

2.1.2. The area in which the CCTV system operates can be described as Warren CBD, Lions Park, Councils Administration Building and Community Room, Macquarie Park, Warren War Memorial Swimming Pool, Splash Park, Carter Oval Sporting Precinct, Warren Skate Park, Warren Council Works Depot, Showground/Racecourse, Bob Christien Reserve, Ebert Park, Oxley Park, Matthew Collins Walkway, Ravenswood Park, Victoria Park and the Ewenmar Waste Depot.

2.1.3. The CCTV System is only one of several initiatives designed to assist in preventing crimes against the person and malicious damage to property in CBD. It is recognised, however, that such crime will never totally be prevented.

**2.2. Code of Practice**

2.2.1. Involvement in any aspect of the System by relevant organisations or individuals will depend upon their willingness to comply with this Code of Practice.

2.2.2. This Code of Practice is subject to state and federal law.

**2.3. System description**

2.3.1. The System involves the installation of cameras that transmit data to a standalone server in the Council Administration Centre. There will be no regular monitoring undertaken by the NSW Police Force or Warren Shire Council staff. All images are recorded and retained for approximately 30 days unless they are required in relation to the investigation of crime or for court proceedings.

**2.4. Camera Design**

2.4.1. All cameras are of colour resolution with IR LEDs, some cameras are set up for Licence Plate Recognition. And all remaining cameras are compatible for the NSW Police Force NX Witness (Facial Recognition) Software.

2.4.2. State of the art technology has been used to ensure maximum resolution and picture quality.

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Warren Shire Council – Code of Conduct CCTV System Policy

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**2.5. Camera locations**

- 2.5.1. Cameras are installed in those areas of Warren subject to a high incidence of crimes against the person or property. These locations have been selected in consultation with members of NSW Police Force Warren. Environmental considerations are also taken into account.

**2.6. Ownership of the CCTV System**

- 2.6.1. The Warren Shire Council is the owner of the CCTV System. The Warren Shire Council retains ownership of and has copyright on all Intellectual Property, equipment, recorded material and documentation pertaining to the Program. The responsibilities of the Warren Shire Council in relation to the system are outlined in section 5.

**2.7. Partners in the CCTV System**

- 2.7.1. The NSW Police Force is a partner in the Warren Shire Council's CCTV System. The responsibilities of the NSW Police Force in relation to the System are outlined in section 6.

**3. CHANGES TO THE CCTV SYSTEM AND/OR THE CODE OF PRACTICE**

- 3.1.1. A minor change to the CCTV System or Code of Practice may be made with the agreement of either the Mayor or the General Manager of the Warren Shire Council. A minor change is a change which may be required for the purposes of adjustment of the System or clarification of the Code of Practice. For example, the replacement of one brand of video recorder with another or a change to the wording of a particular section of the Code of Practice where its meaning might otherwise be ambiguous.
- 3.1.2. A major change to the CCTV System or to the Code of Practice will take place only after consultation with relevant interest groups and upon the agreement of the Council of the Warren Shire. A major change is such as will have a significant impact upon the operation of the system or the Code of Practice, for example, a change to the purposes of the system or a proposal to install further permanent cameras and the system being directly linked with Local Area Command to ensure instant communication and enable direct monitoring in certain circumstances.

**4. PURPOSE**

- 4.1.1. The objectives of the CCTV System Program are:
- i) to reduce crime levels by deterring potential offenders;
  - ii) to reduce fear of crime;
  - iii) to assist in the detection and prosecution of offenders; and
  - iv) to help secure a safer environment for those people who live in, work in and visit Warren.

**Principle 1**

*The CCTV System will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.*

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(CONTINUED)

Warren Shire Council – Code of Conduct CCTV System Policy

#### Principle 2

*The CCTV System will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.*

#### Principle 3

*The public interest in the operation of the CCTV System will be recognised by ensuring the security and integrity of operational procedures.*

#### 5. RESPONSIBILITIES OF THE OWNER OF THE PROGRAM

- 5.1.1. The Warren Shire Council will be responsible for the introduction and implementation of the Code of Practice and for ensuring compliance with the principles contained within the Code.
- 5.1.2. The Warren Shire Council will comply with the requirements for accountability set out in this Code of Practice.
- 5.1.3. The Warren Shire Council will consult with and provide information to the public about the operation of the CCTV System.

#### Principle 4

*The Warren Shire Council has primary responsibility for compliance with the purposes and objectives of the CCTV System, for the maintenance, management and security of the Program and the protection of the interests of the public in relation to the System.*

#### 6. RESPONSIBILITIES OF PARTNER TO THE SYSTEM

- 6.1.1. It is the responsibility of the NSW Police Force to respond to incidents identified on monitoring screens to the extent that its resources and priorities allow.
- 6.1.2. The NSW Police Force will develop its own operational procedures in relation to the CCTV System to complement those developed by Warren Shire Council.
- 6.1.3. A Memorandum of Understanding in relation to the CCTV System will be entered into both by Warren Shire Council and the NSW Police Force outlining the respective roles of both parties. The Memorandum of Understanding and any variations to it, are to be approved by both the Mayor and General Manager, and are to be circulated to Councillors.

#### Principle 5

*As a partner to Warren Shire Council's CCTV System, the NSW Police Force agrees to act in accordance with the Code of Practice.*

#### 7. ACCOUNTABILITY

- 7.1.1. Warren Shire Council will be responsible for periodic review of the CCTV System including the Code of Practice and Performance of Surveillance equipment:

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- i) to identify and report on any deviations from the Code of Practice or Standard Operating Procedures ("SOPs") that come to notice during audit; and
  - ii) to recommend action that will safeguard the System from abuse.
- 7.1.2. A report every 12 months on the operation and functioning of Warren Shire Council's CCTV System will be presented to the NSW Police Force and Council.
- 7.1.3. The General Manager will provide written authorisation for Council Staff to have access to the data collection system under this Code of Conduct. Where the General Manager requires access to the data collection system, such written approval will be provided by the [Mayor](#).
- 7.1.4. Only authorised staff will have access to view files, registers and data collected. The management software logs whom accesses the system, the time, date and changes made, or data downloaded. (TBC)

**Principle 6**

***Warren Shire Council will be accountable to the public for the effective operation and management of the CCTV System.***

**8. PUBLIC INFORMATION**

- 8.1.1. Clearly visible signs that CCTV cameras are operating will be displayed at the perimeter of the area covered by the system and at other key points. These signs will:
  - i) inform the public that cameras are in [operation](#);
  - ii) allow people entering the area to make a reasonable approximation of the area covered by the system; and
  - iii) identify Warren Shire Council as the owner of the system.
- 8.1.2. Copies of the Code of Practice will be made available to the public. The availability of the Code of Practice will be publicised in connection with any publicity arranged for the CCTV System.
- 8.1.3. Inquiries in relation to the Warren Shire Council's CCTV System and its operation can be made in writing to:

The General Manager  
Warren Shire Council  
115 Dubbo Street  
[WARREN NSW 2824](#)

**Principle 7**

***The public will be provided with clear and easily accessible information in relation to the operation of Warren Shire Council's CCTV System.***

**9. ASSESSMENT OF THE SYSTEM AND CODE OF PRACTICE**

- 9.1.1. In consultation with the NSW Police Force, Warren Shire Council will regularly monitor the operation of the CCTV System and implementation of the Code of Practice.

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**(CONTINUED)**

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- 9.1.2. The Warren Shire Council is responsible for ensuring that the CCTV System is regularly subject to evaluation to identify whether its purposes are being complied with and whether objectives are being achieved. Resources committed to the system annually will include the cost of evaluation.
- 9.1.3. Evaluation will be carried out according to established criteria.
- 9.1.4. Evaluation of the CCTV System will include as a minimum:
- i) assessment of its impact upon crime;
  - ii) assessment of its impact on neighbouring areas;
  - iii) the views of the public on the operation of the System;
  - iv) operation of the Code of Practice; and
  - v) whether the purposes for which the System was established still exist.
- 9.1.5. The results of evaluation will be taken into account in the future functioning, management and operation of the System.

**Principle 8**

*Regular monitoring and evaluation of the CCTV System will be undertaken to identify whether the purposes of the Program are being complied with, and objectives are being achieved.*

**10. MANAGEMENT OF THE CCTV SYSTEM**

- 10.1.1. Warren Shire Council staff employed to work on the CCTV System, whether they be operators or managers, when doing so will be subject to the Warren Shire Council Code of Conduct.
- 10.1.2. Access to the operation of equipment will be limited to authorised Warren Shire Council staff and NSW Police Force members.

**Principle 9**

*Staff employed to work in the CCTV System communications room, whether they be operators or managers, will meet the highest standards of probity.*

**Principle 10**

*Access to the CCTV System will be restricted to authorised staff and NSW Police Force members*

**11. CONTROL AND OPERATION OF CAMERAS**

- 11.1.1. The locations of cameras will be apparent to the public.
- 11.1.2. All use of cameras will accord with the purposes of the CCTV System as outlined in the Code of Practice and Workplace Surveillance Act 2005.
- 11.1.3. Cameras will not be used to look into adjacent or nearby premises or buildings, unless it is explicitly for the purpose of following (in real time) participants in a crime.



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Warren Shire Council – Code of Conduct CCTV System Policy

- 11.1.4. No sound will be recorded in public places.
- 11.1.5. 'Dummy' cameras will not be used.
- 11.1.6. Operators of camera equipment will act in accordance with the highest standards of probity.
- 11.1.7. Only authorised staff will have access to operating controls.

#### Principle 11

*Information recorded should be accurate, relevant and not exceed that necessary to fulfil the purposes of the Program.*

#### Principle 12

*Information should be obtained fairly and in accordance with the privacy provisions of the Code of Practice and Workplace Surveillance Act 2005.*

### 12. RECORDED MATERIAL

- 12.1.1. Access to and use of recorded material and photographs will only take place:
  - i) in compliance with the needs of Council and police in connection with the investigation of crime; or
  - ii) if necessary for the purposes of legal proceedings;
  - iii) in compliance with the Government Information (Public Access) Act 2009.
- 12.1.2. Recorded material will not be sold or used for commercial purposes or the provision of entertainment.
- 12.1.3. The showing of recorded material to the public will be allowed only in accordance with the needs of the Council and police in connection with the investigation of crime or in any other circumstances provided by law. Any such action must be formally approved by the Police.
- 12.1.4. Use of recorded material by the media should only occur to gain public information with respect to the identity of a person/s wanted in connection with a criminal investigation. Subject to the concurrence of the Police, the General Manager may approve such releases after consultation with the Mayor. In such cases the recognisable characteristics of other people in the footage shall be obscured.
- 12.1.5. Images from recorded material shall not, under any circumstances, be used to publicise the existence or success of Warren Shire Council's CCTV System.
- 12.1.6. Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

#### Principle 13

*The retention of, and access to, recorded material will be only for the purposes provided for by the Code of Practice. Recorded material will be retained for 30 days unless they are required in relation to the investigation of crime or for court proceedings. They will then be erased, taped over, or destroyed.*

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CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)

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Warren Shire Council – Code of Conduct CCTV System Policy

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- 12.1.7. Recorded material will be treated according to defined procedures to ensure continuity of evidence.

**13. CONTACT WITH POLICE**

- 13.1.1. NSW Police officers will be permitted to remove any recorded material or operate video equipment or have contact with any videotape or photograph at any time by utilising the authorised login/s to Councils CCTV System.

**Principle 14**

*Contact related to the CCTV System between Warren Shire Council staff and the NSW Police Force will be conducted strictly in accordance with the Code of Practice.*

**14. BREACHES OF THE CODE**

- 14.1.1. Prime responsibility for ensuring the Code of Practice is adhered to rests with the Warren Shire Council. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent that breaches of the Code are within the ambit of Warren Shire Council's power to remedy.

- 14.1.2. Complaints in relation to any aspect of the management or operation of the system or the behaviour or conduct of Council staff may be made in writing to:

The General Manager

Warren Shire Council

Post Office Box 6

WARREN NSW 2824

or by telephone on (02) 6847 6600

**Complaint Handling**

The procedure and steps for handling complaints shall be as follows:-

1. All complaints are to be in writing and to be addressed to the General Manager, Warren Shire Council.
2. A complaint regarding the conduct of an NSW Police Force Officer/s in relation to the operation of the safety cameras shall be referred, in the first instance to the appropriate Section of the NSW Police Force or authority charged with the responsibility for investigating complaints against Police Officers, for investigation.

The Privacy and Personal Information Protection Act 1998 (PPIP) authorises The Information and Privacy Commission NSW to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with The Information and Privacy Commission NSW. The contact details for Privacy NSW are as follows:

**Principle 15**

*The CCTV System must address the interests of all who may be affected by it and not be confined to the interests of Warren Shire Council or the needs of the criminal justice system.*



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**ITEM 18**

**CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)**

**(CONTINUED)**

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Warren Shire Council – Closed Circuit Television (CCTV) System Policy

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The Information and Privacy Commission NSW

GPO Box 7011.

Sydney NSW 2001

Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

Tel: 1800 472 679

- 14.1.3. Warren Shire Council will cooperate with the investigation of any complaint by The Information and Privacy Commission NSW.

**15. REVIEW**

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

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**ITEM 19**

**PESTICIDE USE NOTIFICATION PLAN**

**(P13-1, E7-2.1)**

**RECOMMENDATION that:**

The Pesticide Use Notification Plan be adopted, with minor amendments.

**PURPOSE**

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

**BACKGROUND**

The Pesticide Use Notification Plan replaces the existing version which is automatically revoked at the expiration of 12 months after the election, as per Section 165 (4) of the Local Government Act 1993.

**REPORT**

The Pesticide Use Notification Plan sets out how Warren Shire Council will notify members of the community of pesticide applications it makes or allows to be made to public places that it owns or controls. The current Plan was reviewed and adopted in July 2015. Council has now reviewed the Plan, and only minor adjustments were made.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

Pesticides Regulation 2017  
Local Government Act 1993 and Regulations

**RISK IMPLICATIONS**

Warren Shire Pesticide Use Notification Plan 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 Plan is adopted to ensure that the Council complies with the Local Government Act 1993 and the Pesticides Regulations 2017.

**STAKEHOLDER CONSULTATION**

As only minor amendments have been made, it is not deemed necessary to place the Pesticide Use Notification Plan on public exhibition.

**OPTIONS**

Council has the option of adopting the Plan or adopting the existing Plan with no amendments.

**CONCLUSION**

The Pesticide Use Notification Plan has been reviewed and amended accordingly and should be adopted.

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**ITEM 19**

**PESTICIDE USE NOTIFICATION PLAN**

**(CONTINUED)**

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Proactively manage known compliance risks

**SUPPORTING INFORMATION /ATTACHMENTS**

Pesticide Use Notification Plan

# WARREN SHIRE COUNCIL

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ITEM 19

PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)



## POLICY REGISTER

### PESTICIDE USE NOTIFICATION PLAN

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Plan Adopted: Minute No: 175.7.15 Date: 23rd July 2015

File Reference: P13-1\_E7-2.1

# WARREN SHIRE COUNCIL

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ITEM 19

PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

## DOCUMENT CONTROL

Issue	Prepared/Revised <u>By</u> and Date	Action/Amendment Description	Approved By and Date
1.0	Michael Mae November 2006		
2.0	Katy-Rose Hunt December 2006		
3.0	Maryanne Stephens July 2015		Minute No: 175.7.15 23rd July 2015
4.0	<u>Sylvester Otieno</u> <u>30<sup>th</sup> April 2025</u>		

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PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

### 1. Introduction

This pesticide use notification plan has been prepared in accordance with the requirements of the *Pesticides Regulation-20092017* (the Regulation). The plan sets out how Warren Shire Council will notify members of the community of pesticide applications it makes or allows to be made to public places that it owns or controls.

The aim of this plan is to provide general notice on the use and presence of pesticide applications made to public places that are owned or controlled by Warren Shire Council.

Council uses pesticides in public spaces in a safe, responsible manner, minimising harm to the community or the environment and will continue to do so for the foreseeable future.

This plan outlines:

- what public places are covered by this plan;
- who regularly uses these public places and an estimate of the level of use;
- how and when Council will provide the community with information about its pesticide applications in outdoor public places (i.e. what notification arrangements will be used);
- how the community can access this plan and get more information about Council's notification arrangements;
- how and when future reviews of the plan will be conducted; and
- contact details for anyone wishing to discuss this plan with Council.

Council only uses pesticides in public places when necessary to eliminate noxious weeds, to protect public property from pest damage and to protect the users of public places from nuisance or danger.

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. Frequency of programmed applications range from 2 times per year for sports fields, 6 times per year for parks and gardens, and twice yearly for public thoroughfares. Bait insecticides are used for termite and ant control to protect structures and public safety wherever this is considered an effective solution. Other pesticides used include rodent baits, fogmistfog mist, dusting and hand spray insecticides.

Further information on Council's pesticide use can be obtained by calling Manager Health and Development on 02 6847 6600 or by visiting Council's website [www.warren.nsw.gov.au](http://www.warren.nsw.gov.au) or Council offices at 115 Dubbo Street, Warren during normal business hours.

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### PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

#### 2. Public places covered by this plan

Warren Shire Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls within the Shire area:

- parks and public gardens;
- playgrounds;
- picnic areas;
- sporting fields and ovals;
- road verges and reserves;
- laneways and pathways;
- easements accessible to the public;
- drains;
- swimming pool grounds;
- around public buildings;
- bridges (timber); and
- other public places (waste disposal depots, etc).

This plan will also provide information on how notice will be provided to the community of pesticide use in the interiors of the following Council buildings:

- Council Chambers and Administration Offices;
- Council Works Depot;
- Warren Shire Library;
- Warren Sporting and Cultural centreCentre;
- Warren youth zone;
- Council owned residences (if resided in by Council employee);
- Swimming Pool Amenities;
- Warren Visitors Information centreCentre;
- Airport Terminal;
- Public toilets;
- Warren Shire Council pound; and
- Racecourse/Showground buildings and amenities.

Council's estimate of the level of community use, and regular user groups for each of these public place categories is summarise in the following table. Although not required by the Regulation, a summary of the type of pesticide use in each category of public place is also provided.

Table #1: Public places owned or controlled by Council and level of use, including type of pesticide use.

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
Parks and public gardens	Children and young families Elderly people General recreation users	Medium to high	Spot herbicides Broad scale non selective herbicides
Playgrounds	Children Young families	Medium to high	Spot herbicides Broad scale non selective herbicides
Picnic areas	Visitors to the area People who work in the area	Low to Medium	Spot herbicides Broad scale non selective herbicides

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### PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
	General recreational users		
Sporting fields and ovals	Sporting clubs and associations School sports groups General recreational users	High	Spot herbicides Broad scale non selective herbicides
Road verges and reserves	Local residents or visitors walking or driving on the road	Low for rural roads Medium to high for urban roads	Spot herbicides Broad scale non selective herbicides
Laneways and pathways	Local residents People who work in the area Visitors to the area	Medium to high	Spot herbicides Broad scale non selective herbicides
Easements accessible to the public	Local residents and people who work in the area	Low to medium	Spot herbicides Broad scale non selective herbicides
Drains	Local residents living adjacent to a drain Local residents or visitors who walk or drive past a drain	Low to medium	Spot herbicides Broad scale non selective herbicides
Swimming pool grounds	Swimming club patrons and visitors Local residents and visitors to the area People who work in the area	High (in summer months of the year)	Spot herbicides Broad scale non selective herbicides Hand spray insecticides Rodent baits
Other public places (i.e. waste depots etc.)	Local residents People who work in the area	Medium	Spot herbicides Broad scale non selective herbicides Insecticides
Interior of Council owned or controlled buildings: library; Council chambers and administration buildings; public toilets; airport; visitors centre; Council works depot; sporting and cultural centre; youth zone; showground / racecourse; swimming pool amenities.	Local residents People who work in the area Visitors to the area	Medium to high	Insecticides – dusting, hand spray and fogmist Rodent Bait



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### PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

#### 3. Notification arrangements

This section of the plan describes how and when Warren Shire Council will provide notice of pesticide use in public places including special measures for applications for public places near sensitive places, arrangements for emergency applications and circumstances where notice will not be given.

For the purposes of this plan there are four types of notifications:

- ~~1-a)~~ Minimal usage
- ~~2-b)~~ Non-sensitive areas
- ~~3-c)~~ Sensitive areas
- ~~4-d)~~ Emergency applications

These notification arrangements are based on Warren Shire Council's assessment of:

- the level of usage of public places where pesticides may be used;
- the extent to which members of the public who are most likely to be sensitive to pesticides (~~e.g.~~ young children, sick, pregnant or elderly people) and are likely to use these areas regularly;
- the extent to which activities generally undertaken in these areas could lead to some direct contact with pesticides (such as picnic areas where food is consumed; sporting or other recreational activities that result in contact with the ground; and
- the type of pesticide used.

Methods of notification include:

- signs (either at the location or mounted on vehicle at time of application);
- roadside signs;
- information on Council's website [www.warren.nsw.gov.au](http://www.warren.nsw.gov.au) ;
- door knocking (only in the case of an emergency application);
- letters (posted or letterbox drop); and/or
- phone calls, fax or email.

Council will also allow residents and ~~organisations~~ to nominate to have their details placed on a central register which would allow them to be notified of certain types of pesticide uses in particular places, as described in this section of the plan.

#### ~~3.1.~~ ~~3-~~ Minimal Usage

Warren Shire Council will not notify pesticide applications where it is not legally required to.

Council uses small quantities of some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes (including home gardening). Council does not intend to provide notice for such pesticide applications other than by way of description in this plan (or general information on Council's website). This will apply to minor control of indoor and outdoor insect pests using baits or aerosol spray cans and spot weed control using a wand or hand held spray bottle.

#### ~~3.2.~~ ~~2-~~ Non-sensitive areas

Public places owned or controlled by Council	Type of pesticide use	Method of notification to be provided
Parks and public gardens	<ul style="list-style-type: none"><li>• Spot herbicides</li><li>• Broad scale non selective</li></ul>	<ul style="list-style-type: none"><li>• Signage affixed to vehicle undertaking application</li></ul> AND/OR

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 19

### PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

Public places owned or controlled by Council	Type of pesticide use	Method of notification to be provided
	herbicides	<ul style="list-style-type: none"> <li>Signs erected in prominent locations or at main entrance of area at commencement of application. Signage to remain a minimum 24hours after completion of application</li> </ul>
Playgrounds	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signs erected in prominent locations or at main entrance of area at commencement of application. Signage to remain a minimum 24hours after completion of application</li> </ul>
Picnic areas	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signs erected in prominent locations or at main entrance of area at commencement of application. Signage to remain a minimum 24hours after completion of application</li> </ul>
Sporting fields and ovals	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signage affixed to vehicle undertaking application</li> </ul> <p>AND/OR</p> <ul style="list-style-type: none"> <li>Signs erected in prominent locations or at main entrance of area at commencement of application. Signage to remain a minimum 24hours after completion of application</li> </ul>
Road verges and reserves	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signage affixed to vehicle undertaking application</li> </ul>
Laneways and pathways	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signage affixed to vehicle undertaking application</li> </ul>
Easements accessible to the public	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signage affixed to vehicle undertaking application</li> </ul>
Drains	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signage affixed to vehicle undertaking application</li> </ul>
Swimming pool grounds	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> <li>Insecticides</li> </ul>	<p>Outside Swimming Season</p> <ul style="list-style-type: none"> <li>Signage affixed to vehicle undertaking application</li> </ul> <p>During Swimming Season</p> <ul style="list-style-type: none"> <li>Signs erected at main public entry point at the time of application. Signage to remain a minimum 24hours after</li> </ul>

I:\Business Papers\2025\Policy Reports\May 2025 DMES Reports\Draft - Pesticide Use Notification Plan May 2025.docx

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# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 19

### PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

Public places owned or controlled by Council	Type of pesticide use	Method of notification to be provided
		completion of application Outside Swimming Season • None During Swimming Season • Signs erected at main public entry point at the time of application. Signage to remain a minimum 24hours after completion of application
Other public places (i.e. waste depots <del>etc.</del> )	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broad scale non selective herbicides</li> </ul>	<ul style="list-style-type: none"> <li>Signage affixed to vehicle undertaking application</li> </ul>
Interior of Council owned or controlled buildings: library; Council chambers and administration buildings; public toilets; airport; visitors <del>centre</del> ; Council works depot; sporting and cultural <del>centre</del> ; youth zone; showground / racecourse; swimming pool amenities.	<ul style="list-style-type: none"> <li>Insecticides – dusting, hand spray and <del>fogmist</del></li> <li>Rodent Bait Insecticides</li> </ul>	<ul style="list-style-type: none"> <li>Signs erected in prominent locations or at main entrance of area at commencement of application. Signage to remain a minimum 24hours after completion of application</li> </ul>

#### 3.3. ~~3~~ Sensitive areas

~~Clause 18 of the~~ Pesticides Regulation ~~2009-2017~~ defines a sensitive place to be any:

- School, pre-school, kindergarten or childcare ~~centre~~;
- Hospital, community health ~~centre~~ or nursing home;
- Any place declared to be a sensitive place by the Environment Protection Authority by order published in the Gazette.

Special notification measures for programmed pesticides use in public places adjacent (<50m) to sensitive places will consist of advanced or concurrent notice provided either orally, or in written form to an appropriate person or position holder at the facility.

#### 3.4. ~~4~~ Emergency applications

In cases where emergency applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, rodents ~~etc.~~ (that pose immediate health risk), notice will be provided as per the Non-sensitive area notification requirements.

Where broad scale spraying is required at short notice (~~e.g.~~ plague locust control) and public notification is not possible, special precautions will be taken to ~~prevent~~ the public encountering pesticides (~~e.g.~~ road or facility closures).

#### 3.5. Pesticide contractors and lessees of public places

Where Warren Shire Council uses contractors to apply pesticides on their behalf, they shall provide notice as per this plan.

# WARREN SHIRE COUNCIL

## Policy Report of Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 19

### PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

Where persons or ~~organisations~~ hold an existing lease on Warren Shire Council and remains a public place, the lessee will provide notice.

#### 4. What information will be provided

In accordance with ~~clause 20(h) of~~ the Regulation, notice of pesticides uses will include the following information:

- the full product name of the pesticide to be used; and
- the purpose of the use, clearly setting out what pest or pests are being treated; and
- the proposed date/s or date range of the pesticide use; and
- the places where the pesticide is to be used; and
- any warnings about limitations on the subsequent use of or entry onto the land if such warnings are specified on the approved label for the pesticide or in the permit for use of the pesticide; and
- contact telephone number or email address of the Council officer who people can contact to discuss the notice.

#### 5. How the community will be notified of this plan

Warren Shire Council will advise residents of this plan and its contents by:

- making a copy of this plan available, free of charge, at the front counter of Council's administration building at 115 Dubbo Street, Warren during normal business hours;
- placing a notice in the Warren Weekly newspaper;
- placing a copy of this plan on Council's website [www.warren.nsw.gov.au](http://www.warren.nsw.gov.au);
- making a copy of this plan available at Warren Shire Council's Library on the Corner of ~~Stafford-Readford~~ and Dubbo Streets, Warren; and
- placing a notice in the NSW Government Gazette.
- ~~SMS via Whispir-Whisper Service~~
- ~~Social media i.e. Facebook, X, and LinkedIn~~

#### 6. ~~Future reviews of this plan~~Plan Review

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

~~This notification plan will be reviewed every five (5) years or when circumstances require a review of the plan. The review will include:~~

- ~~• a report on progress of implementing the plan;~~
- ~~• placing the plan on public exhibition, with any proposed changes and calling for public submissions; and~~
- ~~• in the light of public submissions, making recommendations for alterations (if applicable) to the plan.~~

#### 7. ~~Contact details~~

~~Anyone wishing to contact Warren Shire Council to discuss this notification plan or to obtain details of pesticide applications in public places should contact:~~

~~Ashley Wielinga  
General Manager  
Warren Shire Council  
115 Dubbo Street  
PO Box 6~~

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ITEM 19

PESTICIDE USE NOTIFICATION PLAN

(CONTINUED)

Warren Shire Council – Pesticide Use Notification Plan

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~~WARREN NSW 2824~~

~~Phone: 02 6847 6600~~

~~Fax: 02 6847 6633~~

~~Email: council@warren.nsw.gov.au~~

~~Website: www.warren.nsw.gov.au~~

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# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 20

### RESIDENTIAL SLABS AND FOOTINGS POLICY

(B4-1) (P13-1)

#### **RECOMMENDATION** that:

1. The information be received and noted;
2. The Residential Slabs and Footings Policy be placed on public exhibition for a minimum of 28 days: and
3. Subject to no adverse submissions being received within a period of at least 42 days, the Local Approvals Policy be adopted.

#### **PURPOSE**

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

#### **BACKGROUND**

Warren Shire Council's Residential Slabs and Footings 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 Residential Slabs and Footings Policy has been reviewed with only minor grammatical amendments and some minor content changes.

#### **REPORT**

The Warren Shire Council's Residential Slabs and Footings Policy has been developed to ensure that building sites are appropriately classified in accordance with AS 2870 and to ensure that there is an appropriate standard of footings/slab design in all residential buildings. The Policy is required under Section 158 of the Local Government Act.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

The Warren Shire Council's Residential Slabs and Footings Policy is a requirement of the Local Government Act 1993 that applies to Council.

The Warren Shire Council's Residential Slabs and Footings Policy is automatically revoked at the expiration of 12 months after the election, the re-adoption of the Policy should review the content to ensure that it is current and fit for purpose. If Council decides to amend the Policy, it may publicly exhibit the amended Policy or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended Policy without further public exhibition.

Consultation is not required as the Warren Shire Council's Residential Slabs and Footings Policy has been reviewed with only minor grammatical amendments and some minor content changes, shown in red in the attached Policy.

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 20

### RESIDENTIAL SLABS AND FOOTINGS

### CONTINUED

#### RISK IMPLICATIONS

Warren Shire Council's Residential Slabs and Footings 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 Residential Slabs and Footings Policy is adopted to ensure that Council is complying with the Local Government Act 1993 and Regulations.

#### STAKEHOLDER CONSULTATION

Consultation is not required as the Residential Slabs and Footings Policy has been reviewed with only minor grammatical amendments and some minor content changes.

#### OPTIONS

Council has the option of amending the Policy, adopting the Policy without amendment or not adopting the Policy. Council should adopt the Residential Slabs and Footings Policy with the minor amendments, as the Residential Slabs and Footings Policy intent remains the same.

#### CONCLUSION

The Residential Slabs and Footings Policy should be adopted with only minor changes, within the Warren Shire Council Local Government Area.

#### LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 5.2.2 Proactively manage known compliance risks
- 5.3.3 Ensure a quality customer service focus by Council staff

#### SUPPORTING INFORMATION /ATTACHMENTS

Residential Slabs and Footings Policy.

# WARREN SHIRE COUNCIL

Policy Report of the Manager Health & Development Services  
to the Ordinary Meeting of Council to be held in the  
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ITEM 20

RESIDENTIAL SLABS AND FOOTINGS

CONTINUED

ATTACHMENT - RESIDENTIAL SLABS AND FOOTINGS POLICY



## POLICY REGISTER

## RESIDENTIAL SLABS AND FOOTINGS

Amended:

Policy adopted:

27.8.98 – Minute No 286.8.98

File Ref:

P13-1, B4-1



# WARREN SHIRE COUNCIL

Policy Report of the Manager Health & Development Services  
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ITEM 20

RESIDENTIAL SLABS AND FOOTINGS

CONTINUED

Warren Shire Council Policy – Residential Slabs and Footings

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. (286.8.98)
1.1	Maryanne Stephens May 2025	Amended	Council Minute No. {

**WARREN SHIRE COUNCIL**  
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**ITEM 20**

**RESIDENTIAL SLABS AND FOOTINGS**

**CONTINUED**

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Warren Shire Council Policy – Residential Slabs and Footings

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**OBJECTIVES**

1. To ensure that building sites are appropriately classified in accordance with AS 2870 – Residential Slabs and Footings – Construction.

The stability and long-term performance of a residential building's foundation depend heavily on the type of soil and ground conditions at the building site. The Australian Standard AS 2870 provides a nationally recognised method for classifying sites based on the soil's reactivity, drainage capacity, and likelihood of movement.

This objective ensures that every new dwelling or extension is based on accurate, site-specific information, reducing the risk of structural failure due to ground movement, such as cracking or subsidence. Proper site classification is the essential first step in ensuring a safe and durable footing or slab design.

2. To ensure that there is an appropriate standard of footings/slab design and construction in all residential buildings.

Slabs and footings are critical structural components that support the entire building. Poorly designed or constructed footings can lead to uneven settling, wall cracking, or even structural collapse over time.

This objective reinforces the requirement that footings and slabs must be designed to a professional engineering standard, based on the site's classification, and constructed to match that design. It aims to ensure that all residential developments within the Warren Shire Council are structurally sound, safe for occupancy, and compliant with national construction standards.

3. To define Council's role as an approving body rather than a designing body with respect to residential slabs and footings.

Council's responsibility lies in assessing and approving development and construction applications, not in providing engineering design or structural advice. This objective sets clear expectations about the division of responsibilities:

- The property owner and their engaged professionals (engineers, certifiers, builders) are responsible for designing appropriate foundations and verifying site conditions.
- The Council ensures that submitted plans and documentation meet statutory requirements and align with relevant standards (such as AS 2870) but does not take on liability for the technical adequacy of the design.

This clear delineation helps protect both Council and property owners by ensuring that qualified professionals are accountable for technical decisions, while Council focuses on regulatory oversight.

**WARREN SHIRE COUNCIL**  
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ITEM 20

RESIDENTIAL SLABS AND FOOTINGS

CONTINUED

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Warren Shire Council Policy – Residential Slabs and Footings

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## II STATEMENT

### New Dwellings

To ensure structural integrity and long-term performance of residential buildings, it is the Policy of Warren Shire Council that all slab and footing systems for new dwellings must be individually designed by a qualified Structural Engineer. Before design, the soil conditions of the site must be classified in accordance with the Australian Standard AS 2870 – Residential Slabs and Footings – Construction. This classification must be carried out by either the designing Structural Engineer or another suitably qualified professional.

AS 2870 provides a framework for assessing site reactivity (e.g., how much the soil will shrink or swell with changes in moisture), which directly influences the type and depth of footings required. Adherence to this standard reduces the risk of structural damage due to ground movement, moisture variation, or other environmental factors.

Council's role in this process is limited to reviewing approved ~~approving the~~ documentation submitted (such as site classification reports and engineering plans). Council does not provide design advice or take responsibility for engineering calculations, as this is outside its statutory responsibility and professional expertise. The responsibility for the adequacy of the design remains with the engaged professional engineer.

### Design for Extensions to Existing Dwellings

Where an addition or extension is proposed to an existing residential dwelling, the design of new footings may replicate those used in the existing house, provided that:

- The existing footings have shown no signs of structural distress, such as cracking or subsidence.
- A reasonable assessment confirms that the existing dwelling has performed satisfactorily over time.
- There are no unusual conditions present that may affect performance, such as:
  - Reactive or expansive clay soils;
  - High water tables;
  - Areas subject to flooding or poor drainage;
  - Any changes to the site that may impact moisture levels, such as new landscaping or nearby infrastructure works.

This approach recognises that, in many cases, the existing footing system may be adequate for similar future loads. However, in all cases, compliance with the performance intent of AS 2870 must still be demonstrated, either through evidence of existing performance or formal engineering assessment.

## III. REVIEW DETAILS

- ~~Reviewed: 24 April 2025~~
- ~~Resolution Number: XX. X.25~~

## REVIEW

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

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 21      COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY      (P13-1, P15-33)

#### **RECOMMENDATION:**

That the Council Related Development Application – Conflict of Interest Policy be adopted.

#### **PURPOSE**

To advise Council that the Council Related Development Application – Conflict of Interest Policy requires to be adopted, as per Section 165(4) and 161 of the Local Government Act.

#### **BACKGROUND**

Warren Shire Council's Council Related Development Application – Conflict of Interest 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 Council Related Development Application – Conflict of Interest Policy has been reviewed with only minor grammatical amendments and some minor content changes.

#### **REPORT**

The Warren Shire Council Council Related Development Application – Conflict of Interest Policy addresses development applications where Council is the applicant/owner/or has a commercial interest in the outcome.

Currently, Council-related development applications are treated no differently than any other application with regard to assessment and/or public exhibition. However, the subject legislation requires that all Council related development applications are to be publicly exhibited for a minimum period of 28 days. While more restrictive, in the majority of cases this time period can be accommodated within the development assessment period without significant impacts.

The Policy is required under Section 158 of the Local Government Act.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

There will be advertising costs associated with the required public exhibition. Although this is legislated in Council's fees and charges, it is real cost only and the unspent funds are returned to the applicant.

#### **LEGAL IMPLICATIONS**

The Council Related Development Application – Conflict of Interest Policy is a requirement of the Local Government Act 1993 that apply to Council.

Warren Shire Council's Council Related Development Application – Conflict of Interest Policy is automatically revoked at the expiration of 12 months after the election, the re-adoption of the Policy should review the content to ensure that it is current and fit for purpose. If Council decides to amend the Policy, it may publicly exhibit the amended Policy or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended Policy without further public exhibition.

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 21      **COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY**      **CONTINUED**

Consultation is not required as the Council Related Development Application – Conflict of Interest Policy has been reviewed with only minor grammatical amendments and some minor content changes, shown in red in the attached Policy.

#### **RISK IMPLICATIONS**

Warren Shire Council's Council Related Development Application – Conflict of Interest 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 Council Related Development Application – Conflict of Interest Policy is adopted to ensure that Council is complying with the Local Government Act 1993 and Regulations.

#### **STAKEHOLDER CONSULTATION**

Consultation is not required as the Council Related Development Application – Conflict of Interest Policy has been reviewed with only minor amendments.

#### **OPTIONS**

Council has the option of amending the Policy, adopting the Policy without amendment or not adopting the Policy. Council should adopt the Council Related Development Application – Conflict of Interest Policy with only minor amendments, as the Council Related Development Application – Conflict of Interest Policy intent remains the same.

#### **CONCLUSION**

The Community Awareness - Activity Development Policy should be adopted with only minor changes, as it is considered fit for purpose and relevant.

#### **LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2      Proactively manage known compliance risks

#### **SUPPORTING INFORMATION /ATTACHMENTS**

Council Related Development Application – Conflict of Interest Policy.

# WARREN SHIRE COUNCIL

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ITEM 21

COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST  
POLICY

CONTINUED

ATTACHMENT - COUNCIL RELATED DEVELOPMENT APPLICATION – CONFLICT OF INTEREST  
POLICY



## POLICY REGISTER

## COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY

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Policy adopted: 28th September 2023 Minute No. 243.9.23

Reviewed:

File Ref: P13-1, P15-33

# WARREN SHIRE COUNCIL

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## ITEM 21

### COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY

CONTINUED

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Warren Shire Council – Council Related Development Application – Conflict of Interest Policy

#### DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Maryanne Stephens	First Edition	Council Minute No. 243.9.23 (28th September 2023)
1.1	Maryanne Stephens April 2025	Minor amendments	Council Minute No. ( )

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**ITEM 21**

**COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST  
POLICY**

**CONTINUED**

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Warren Shire Council – Council Related Development Application – Conflict of Interest Policy

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**Part 1 Preliminary**

**1) Name of Policy**

This Policy is the Council Related Development Application – Conflict of Interest Policy.

**2) Aim of Policy**

This Policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for Council related development.

**3) Scope**

This Policy applies to Council-related development (development application and development process).

**4) Definitions**

(1) In this Policy: application means an application for consent under Part 4 of the Act to carry out development and includes an application to modify a development consent. It does not include an application for a complying development certificate. Council means Warren Shire Council. Council-related development means development for which the Council is the applicant developer (whether lodged by or on behalf of Council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority. development process means application, assessment, determination, and enforcement. the Act means the Environmental Planning and Assessment Act 1979.

(2) A word or expression used in this Policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined in this Policy.

(3) Notes included in this Policy do not form part of the Policy.

**Part 2 Process for identifying and managing potential conflicts of interest**

**5) Management controls and strategies**

(1) The following management controls may be applied to: a. the assessment of an application for Council-related development

**• Control – The assessment of the application is to be undertaken by Council staff delegation.**

- o Suitable when proposal is low risk or non-controversial.
- o Appropriate when effective role separation controls are imposed.

**• Control – The application is referred for external review, assessment to either: a local planning panel; Consultant; or DPE support staff.**

- o Suitable when higher level of role separation is required due to the nature of the project.
- o External party may carry out:
  - Specific matter review for part of an assessment;
  - Carry out a peer review of staff assessment;
  - Perform the role of assessment officer and prepare DA assessment report.

(Note: the involvement of an external third party might be appropriate for development where Council has commercial interest in the land, or the development is seen to be a political priority for the Council).

b. the determination of an application for Council-related development

**• Control – The determination of the application is to be undertaken by Council staff delegation.**

- o Suitable when proposal is low risk or non-controversial.
- o Appropriate when effective role separation controls are imposed.

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Conflict of Interest Policy Sept 2023.docx

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# WARREN SHIRE COUNCIL

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### ITEM 21

### COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY

CONTINUED

Warren Shire Council – Council Related Development Application – Conflict of Interest Policy

- Control – The determination of the application is to be undertaken by report to public Council meeting.

- o Suitable when proposal is medium risk or submissions of objection have been received.
- o Appropriate when effective role separation controls are imposed.

- Control – The application is referred for external determination to a Regional planning panel.

- o Suitable when proposal is high risk or controversial.

(Note: the involvement of an RPP would require negotiation as the Panel is not required to accept referrals).

c. the regulation and enforcement of an application for Council-related development

- Control – Publication of certificates issued under Part 6 of the Act on Council's Website and NSW Planning Portal.

- o Suitable when proposal is low or medium risk and Council staff are the certifier (construction certificate, subdivision works certificate and occupation certificate).
- o Appropriate when effective role separation controls are imposed.

- Control – Engagement of a private certifier.

- o Suitable when proposal is medium or high risk (construction certificate, subdivision works certificate and occupation certificate).
- o Appropriate when effective role separation controls are imposed.

- Control – Peer review by a neighbouring council and/or entering into a shared services arrangement with a neighbouring council.

- o Suitable when role separation is not able to be achieved for part or whole of process.

- Control – reporting of key milestones to the full Council.

- o Appropriate when effective role separation controls are imposed.

(2) The management strategy for the following kinds of development is that no management controls need to be applied:

- a. commercial fit outs and minor changes to the building façade
- b. internal alterations or additions to buildings that are not a heritage item
- c. advertising signage
- d. minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
- e. development where the Council might receive a small fee for the use of their land.

6) Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls (1) Development applications lodged with the Council that are Council-related development are to be referred to the General Manager (or a delegate) for a conflict-of-interest risk assessment.

Note: Council-related development is defined in section 4.

(2) The General Manager is to:

- a. assess whether the application is one in which a potential conflict of interest exists,
- b. identify the phase(s) of the development process at which the identified conflict of interest arises,
- c. assess the level of risk involved at each phase of the development process,
- d. determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary)

**WARREN SHIRE COUNCIL**  
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**ITEM 21**

**COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST  
POLICY**

**CONTINUED**

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Warren Shire Council – Council Related Development Application – Conflict of Interest Policy

having regard to any controls and strategies outlined in clause 5 of the Policy and the outcome of the General Manager's assessment of the level of risk involved as set out clause 6(2)(c) of the Policy.

(Note: The General Manager could determine that no management controls are necessary in the circumstances).

e. document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

**REVIEW**

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

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 22

### WORKING WITH CHILDREN POLICY

(P13-1, C3-2, C3-3)

#### RECOMMENDATION:

That the Working with Children Policy be re-adopted.

#### PURPOSE

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

#### BACKGROUND

Warren Shire Council's Working with Children 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 Working with Children Policy has been reviewed with only minor grammatical amendments and some minor content changes.

#### REPORT

The Working with Children Policy has been designed to ensure that Warren Shire Council complies with the requirements of the legislative framework covering the protection of children, specifically:

- Ombudsman Act 1974 (Part 3)
- Children and Young Persons (Care and Protection) Act 1998
- Child Protection (Working with Children) Act 2012
- Child Protection (Working with Children) Amendment (Statutory Review) Act 2018

The Policy is required under Section 158 of the Local Government Act 1993.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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

The Working with Children Policy is a requirement of the Local Government Act 1993 that applies to Council.

Warren Shire Council's Working with Children Policy is automatically revoked at the expiration of 12 months after the election, the re-adoption of the Policy should review the content to ensure that it is current and fit for purpose. If Council decides to amend the Policy, it may publicly exhibit the amended Policy or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended Policy without further public exhibition.

Consultation is not required as the Working with Children Policy has been reviewed with only minor grammatical amendments and some minor content changes, shown in red in the attached Policy.

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 22

### WORKING WITH CHILDREN POLICY

### CONTINUED

#### RISK IMPLICATIONS

Warren Shire Council's Working with Children 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 Working with Children Policy is adopted to ensure that Council is complying with the Local Government Act 1993 and Regulations.

#### STAKEHOLDER CONSULTATION

Warren Shire Council's Working with Children Policy is automatically revoked at the expiration of 12 months after the election. There is a need for Council to review their existing Policy to ensure that it continues to be appropriate.

Consultation is not required as the Working with Children Policy has been reviewed has been reviewed with only minor grammatical amendments and some minor content changes.

#### OPTIONS

Council has the option of amending the Policy, adopting the Policy without amendment or not adopting the Policy. Council should re-adopt the Working with Children Policy with the minor amendments, as the Working with Children Policy intent remains the same.

#### CONCLUSION

The Working with Children Policy should be adopted with only minor changes, as it is considered fit for purpose and relevant.

#### LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Proactively manage known compliance risks

#### SUPPORTING INFORMATION /ATTACHMENTS

Working with Children Policy.

# WARREN SHIRE COUNCIL

Policy Report of the Manager Health & Development Services  
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ITEM 22

WORKING WITH CHILDREN POLICY

CONTINUED

ATTACHMENT - WORKING WITH CHILDREN POLICY



## POLICY REGISTER

## WORKING WITH CHILDREN POLICY

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Policy adopted: 27th September 2018 Minute No. 214.9.18 (Child Protection Policy)

Reviewed: 25th July 2024 Minute No. 181.7.24  
Reviewed:

File Ref: P13-1, C3-2, C3-3

# WARREN SHIRE COUNCIL

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ITEM 22

WORKING WITH CHILDREN POLICY

CONTINUED

## DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Glenn Wilcox General Manager	First Edition Formerly known as the Child Protection Policy	Council Minute No. 214.9.18 (27th September 2018)
1.1	Maryanne Stephens Manager Health and Development Services July 2024	Minor Amendments including name change to Working with Children Policy	Council Minute No. 181.7.24 (25th July 2024)
1.2	Maryanne Stephens Manager Health and Development Services April 2025	Minor Amendments	Council Minute No. ()

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 22

### WORKING WITH CHILDREN POLICY

### CONTINUED

Warren Shire Council Policy – Working with Children Policy

#### 1. Purpose

This Policy has been designed to ensure that Warren Shire Council complies with the requirements of the legislative framework covering the protection of children, specifically:

- *Ombudsman Act 1974 (Part 3)*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Child Protection (Working with Children) Act 2012*
- *Child Protection (Working with Children) Amendment (Statutory Review) Act 2018*

#### 1.1 Under statute, Council has the following key responsibilities:

- a) As a public authority, it has a requirement to report any case of suspected child abuse or neglect of children presenting at Council services, facilities or activities;
- b) As an agency responsible for the care and welfare of children, it has a charter to protect the young people in its care from sexual, physical and emotional abuse and neglect, and from improper conduct of a sexual nature;
- c) As an employer of staff responsible for the supervision of children, it has a responsibility to ensure that only staff with correct clearances can work in child related areas;
- d) As an employer of staff responsible for the supervision of children, it has a responsibility to provide training for staff in the identification of suspected child abuse, notification procedures and implementation of relevant programs;
- e) As an employer of staff responsible for the supervision of children, it has a responsibility to notify any allegation of child abuse against an employee to the NSW Ombudsman; and

#### 2. Scope

- 2.1 This Policy applies to all permanent, temporary and casual employees of Council, and includes volunteers, work experience persons and contractors.

#### 3. Definitions

##### 3.1 Children and Young Persons

- The *Children and Young Persons (Care and Protection) Act 1998* (s.3) defines a child, for the purposes of the Act, to mean a person who is under 16 years of age, and a Young Person as a person aged 16 or 17 years of age.
- The *Ombudsman Act 1974* (s.25A) defines a child as a person under the age of 18 years.

##### 3.2 Reportable Conduct - the *Ombudsman Act 1974* (s.25A) defines 'reportable conduct' as:

- a) any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material); or
- b) any assault, ill-treatment or neglect of a child; or
- c) any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child.

Reportable conduct does not extend to:

- a) conduct that is reasonable for the purposes of the discipline, management or

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 22

### WORKING WITH CHILDREN POLICY

### CONTINUED

#### Warren Shire Council Policy – Working with Children Policy

care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or

- b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures, or
- c) conduct of a class or kind exempted from being reportable conduct by the Ombudsman under s.25CA.

3.3 Reportable Conviction – A conviction for an offence relating to a reportable conduct matter.

3.4 Child or Young Person at Risk of Harm - In accordance with section 23 of the *Children and Young Persons (Care and Protection) Act 1998*, a child or young person is at risk of “significant harm” if there are current concerns for the safety, welfare or well-being of the child or young person because of the presence of any one or more of the following circumstances:

- a) the child’s or young person’s basic physical or psychological needs are not being met or are at risk of not being met,
- b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- c) in the case of a child or young person who is required to attend school in accordance with the *Education Act 1990*, the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,
- d) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
- e) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- f) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,
- g) the child was the subject of a pre-natal report under section 25 and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

3.5 Child-related Employment – all employment that primarily involves direct, unsupervised contact with children and includes:

- a) Contractors;
- b) Volunteers;
- c) Trainees undertaking training as part of an educational or vocational course; and
- d) Work experience.

3.6 Designated Disclosure Officer - Council’s Public Officer.

3.7 Disclosure - refers to informing/revealing known or suspected acts of child abuse or neglect.



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**ITEM 22**

**WORKING WITH CHILDREN POLICY**

**CONTINUED**

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Warren Shire Council Policy – Working with Children Policy

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**4. Policy Statement**

**4.1 Council must have procedures in place to ensure that:**

- a) Child-related employment in Council is identified and positions are designated and managed in accordance with child protection laws;
- b) Mandatory reporting requirements are met;
- c) Council staff (where relevant) are able to identify and respond to risk of harm concerns in children and young people;
- d) Employment screening (with appropriate clearance from the Office of the Children's Guardian) is undertaken for prospective appointments to all positions designated as child-related employment;
- e) Disclosures are sought from existing and prospective employees in designated positions regarding reportable allegations and reportable convictions against an employee in accordance with the *Ombudsman Act 1974 (s.25C)*; and
- f) Allegations of child abuse are handled professionally and sensitively in order to meet legislative requirements and guarantee the safety and privacy of individuals.

**4.2 Statutory Reporting Requirements**

Pursuant to section 27 of the *NSW Children and Young Persons (Care & Protection) Act 1998*, Council must report to the Department of Family and Community Services (FACS), any suspected risk of significant harm (to a child or young person) if Council delivers services directly to children and young people in the following:

- Healthcare
- Welfare
- Education
- Children's Services
- Residential Services
- Law Enforcement

Any person who manages an employee or volunteer in such services has a statutory requirement to report suspected risk of significant harm to FACS. (NOTE: See responsibilities for reporting below)

**4.3 Reporting/Investigation Requirements of an Allegation Against an Employee of Council**

Council is obliged by law (sections 25(c) and 25(i) of the *Ombudsman Act 1974*) to notify the NSW Ombudsman's Office of any allegation of reportable conduct or reportable conviction against an employee. The Designated Disclosure Officer is responsible for making this notification within 30 days of receiving the allegation and informing the General Manager of the matter and updates in the process (NOTE: See responsibilities for reporting below).

Council will be guided by the NSW Ombudsman as to how to proceed with any form of investigation. Council must consider the safety and welfare of the child as paramount in considering any contact or potential contact between the child and the person against whom the allegations have been made.

Thus, it may be deemed prudent to remove the employee from the workplace or suspend them from their duties (having regard to the Local Government (State) Award requirements) until any investigation process is finalised and a determination made.

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# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 22

### WORKING WITH CHILDREN POLICY

### CONTINUED

Warren Shire Council Policy – Working with Children Policy

#### 5. Responsibility

- 5.1 Employee Responsibilities – As stated above, the *Children and Young People (Care and Protection) Act 1998* prescribes a duty of mandatory reporting on any person who, in the course of his or her professional work or other paid employment delivers services, wholly or partly, to children, and any person who holds a management position which includes direct responsibility for or direction of the delivery of services wholly or partly to children.

Employees are required to report any allegation or suspected case of child abuse or neglect to the Designated Disclosure Officer, or in the event of the Designated Disclosure Officer's absence, to the General Manager, and to maintain privacy and confidentiality in all instances.

The Designated Disclosure Officer is responsible for collecting the necessary information and notifying the General Manager and the specific agencies, and recording and documenting the matter appropriately. Reporting any matters to FACS should be made directly via the Child Protection Helpline on 133 111.

- 5.2 Council's Human Resources (HR) Officer is responsible for:
- Advising and educating all relevant staff of this Policy and its requirements; and
  - Distributing a copy to all employees whose positions are listed on the Council's Child Related Positions List.

#### 6. Clearance to Work in Child Related Work

- 6.1 Pursuant to section 8 of the *Child Protection Working with Children Act 2012*, a person must not engage in child related work unless they have a clearance of a class applicable to the work in question. The NSW Office of the Children's Guardian provides such clearances after extensive national police checks.
- 6.2 Council will ensure that employment will not be granted in child related positions unless a clearance (of a suitable class) has been issued by the NSW Children's Guardian. Council must ensure that clearances for relevant staff remain current whilst the employee is engaged in child related work.

#### 7. Related Documents and Legislation

- Children and Young Persons (Care and Protection) Act 1998
- Child Protection (Working with Children) Act 2012
- NSW Interagency Guidelines for Child Protection Intervention
- Ombudsman Act 1974

#### 8. Positions Requiring Working with Children Checks

The following positions have been identified as applying to Warren Shire Council. This is not an exhaustive list and future employees, volunteers or any position may be required to comply with the requirements for a Working with Children Check as determined by the General Manager:

1. Swimming Pool Manager
2. ~~Swimming Pool Life Guards~~
3. Swimming Pool Attendants
4. ~~Swimming Pool Cleaning Staff~~
5. Sport and Cultural Centre Manager

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# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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ITEM 22

WORKING WITH CHILDREN POLICY

CONTINUED

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Warren Shire Council Policy – Working with Children Policy

~~6. Sport and cultural Centre Coaching staff~~

7. ~~Sport and Cultural Centre~~ Cleaning Staff

8. Staff

9. Warren Shire Library

### 9. Review

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

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 23      **WARREN WAR MEMORIAL SWIMMING POOL – MANAGEMENT MANUAL POLICY**      **(P13-1, S19-2)**

#### **RECOMMENDATION:**

That the Warren War Memorial Swimming Pool - Management Manual Policy, be re-adopted as amended.

#### **PURPOSE**

To advise Council that the Warren War Memorial Swimming Pool - Management Manual Policy requires to be adopted, as per Section 165(4) and 161 of the Local Government Act.

#### **BACKGROUND**

Warren Shire Council's Warren War Memorial Swimming Pool - Management Manual 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 Warren War Memorial Swimming Pool - Management Manual Policy has been reviewed with only minor grammatical amendments and some minor content changes.

#### **REPORT**

The Warren Shire Council Warren War Memorial Swimming Pool - Management Manual Policy has been developed to provide the necessary instruction for Council workers and contractors to administer the routine functions of the swimming pool facilities and provides a transparent means for the general public to understand the process. This Management Manual aims to provide facilities which promote a healthy lifestyle and social interaction, for residents and visitors to Warren Shire. The Policy is required under Section 158 of the Local Government Act.

The reviewed Policy was presented to Manex on 13<sup>th</sup> 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**

The Warren War Memorial Swimming Pool - Management Manual Policy is a requirement of the Local Government Act 1993 that applies to Council.

Warren Shire Council's Warren War Memorial Swimming Pool - Management Manual Policy is automatically revoked at the expiration of 12 months after the election, the re-adoption of the Policy should review the content to ensure that it is current and fit for purpose. If Council decides to amend the Policy, it may publicly exhibit the amended Policy or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended Policy without further public exhibition.

Consultation is not required as the Warren War Memorial Swimming Pool - Management Manual Policy has been reviewed with only minor grammatical amendments and some minor content changes, shown in red in the attached Policy.

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

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### ITEM 23      WARREN WAR MEMORIAL SWIMMING POOL - MANAGEMENT MANUAL POLICY

CONTINUED

#### RISK IMPLICATIONS

Warren Shire Council's Warren War Memorial Swimming Pool - Management Manual 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 Warren War Memorial Swimming Pool - Management Manual Policy is adopted to ensure that Council is complying with the Local Government Act 1993 and Regulations.

#### STAKEHOLDER CONSULTATION

Warren Shire Council's Warren War Memorial Swimming Pool - Management Manual Policy - is automatically revoked at the expiration of 12 months after the election. There is a need for Council to review their existing Policy to ensure that it continues to be appropriate.

Consultation is not required as the Warren War Memorial Swimming Pool - Management Manual Policy has been reviewed with only minor grammatical amendments and some minor content changes.

#### OPTIONS

Council has the option of amending the Policy, adopting the Policy with the minor amendments. Council should re-adopt the Warren War Memorial Swimming Pool - Management Manual Policy, as the Warren War Memorial Swimming Pool - Management Manual Policy intent remains the same.

#### CONCLUSION

The Warren War Memorial Swimming Pool - Management Manual Policy should be adopted with only minor changes, as it is considered fit for purpose and relevant.

#### LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 1.1.1 Improve ageing, youth and disability services within the community
- 1.2.2 Support and promote community-based lifestyle and social events
- 1.3.2 Promote to our youth, the facilities and activities that are available to them within the Shire
- 5.2.2 Proactively manage known compliance risks
- 5.3.3 Ensure a quality customer service focus by Council staff

#### SUPPORTING INFORMATION /ATTACHMENTS

Warren War Memorial Swimming Pool - Management Manual Policy.

# WARREN SHIRE COUNCIL

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ITEM 23

WARREN WAR MEMORIAL SWIMMING POOL - MANAGEMENT MANUAL  
POLICY

CONTINUED

ATTACHMENT - WARREN WAR MEMORIAL SWIMMING POOL - MANAGEMENT MANUAL  
POLICY



## POLICY REGISTER

### WARREN WAR MEMORIAL SWIMMING POOL MANAGEMENT MANUAL POLICY

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Policy adopted: 24th September 2020 Minute No. 201.9.20

Reviewed:

File Ref: P13-1, S19-2

# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 23

### WARREN WAR MEMORIAL SWIMMING POOL - MANAGEMENT MANUAL POLICY

CONTINUED

Warren Shire Council – Warren War Memorial Swimming Pool Management Manual Policy

#### DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Maryanne Stephens		Council Minute No. 201.9.20 (24th September 2020)
1.1	Maryanne Stephens May 2025	Minor amendments	Council Minute No.

# WARREN SHIRE COUNCIL

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ITEM 23

### WARREN WAR MEMORIAL SWIMMING POOL - MANAGEMENT MANUAL POLICY

CONTINUED

Warren Shire Council – Warren War Memorial Swimming Pool Management Manual Policy

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### ITEM 23

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Warren Shire Council – Warren War Memorial Swimming Pool Management Manual Policy

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ITEM 23

## WARREN WAR MEMORIAL SWIMMING POOL - MANAGEMENT MANUAL POLICY

CONTINUED

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# WARREN SHIRE COUNCIL

## Policy Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in the Council Community Room on Thursday, 22<sup>nd</sup> May 2025

### ITEM 23

### WARREN WAR MEMORIAL SWIMMING POOL - MANAGEMENT MANUAL POLICY

CONTINUED

Warren Shire Council – Warren War Memorial Swimming Pool Management Manual Policy

#### 1. INTRODUCTION

This Management Manual provides the necessary instruction for Council workers and contractors to administer the routine functions of the swimming pool facilities and provides a transparent means for the general public to understand the process.

This Management Manual aims to provide facilities which promote a healthy lifestyle and social interaction, for residents and visitors to Warren Shire.

#### 1.1 COMMENCEMENT

This Management Manual will commence in September 2020. It will remain current until change is deemed necessary by Council management.

#### 1.2 REVIEW PROCESS

This document will be reviewed annually during the winter season by the Manager Health and Development with changes approved or recommended via Manex.

#### 1.3 APPLICATION

This Management Manual applies to the Toddler's Wading pool and the Main Swimming pool, including grounds, furniture, and buildings included within the bounds of the Warren Swimming pool operated and maintained by Warren Shire Council.

A copy of the Manual is available to read at:

- Warren Swimming pool during the open season; and
- Warren Shire Council Office, Customer Service.

Patrons are encouraged to read and make written contribution to the Manual.

This Management Manual does not affect the operation of any Act or Regulation relating to the appropriate Management of Public Swimming Pools.

The NSW Office of Local Government Practice Note No. 15-Water Safety, will provide guidance on standards not specifically discussed in this Manual.

The Royal Life Saving's Guidelines for Safe Pool Operation (GSPO) is recognised as an industry standard and as such will be used in conjunction with Warren Shire Council's Safety Management System in the provision of safe aquatic facilities.

#### 1.4 DEFINITIONS

Council; Warren Shire Council.

Child; Is Human being between birth and 10 years of age.

Pool Supervisor; The qualified worker responsible for overall operation of a swimming facility.

Shift Supervisor; The supervisor of the shift.

Pool Attendant; The qualified worker primarily responsible for pool supervision, customer service and maintenance duties. A Pool Attendant of suitable experience can be temporarily appointed to the role of Shift Supervisor for the purpose of overseeing the operation of a facility in the absence of the Pool Supervisor.

Pool Lifeguard; Any qualified, worker, at the pool on duty and defined by a Red & Yellow Warren Shire Council uniform.

Pool Workers; Any worker on duty at the swimming pool, including kiosk/turnstile attendants & Council approved volunteers.

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Aquatic Responsibility Code;

The code developed by Council that communicates the standard of behaviour required at the Warren Shire Council public swimming facility.

Evacuation Plan; The plan designed to ensure the safe egress of people from the Warren Shire Council public swimming pool facility.

Business; Any company, sole trader, incorporated group, sports group, school, charity, event organiser or similar.

Professional Coach/ Instructor; Any person who charges a fee or is otherwise paid, whether by an individual, individuals, club or association for the provision of swim training and or coaching.

Aquatic Group; Any swimming, water polo, triathlon club that regularly uses the Warren Shire Council public swimming facility.

Facility; The Warren Shire Council public swimming pool, surrounding buildings, grounds and fence line.

Workers; Is to include all persons performing work under the direction of, or on behalf of Council for example, employees, trainees, work experience, volunteers, contractors, subcontractors, full time, part time, casual and temporary staff.

**2. SWIMMING POOLS**

Council aims to provide the following facilities at the Warren Swimming pool. The Warren Swimming pool is classified as Category 4 under the NSW Government Practice Note No. 15 Water Safety.

**2.1 WARREN WAR MEMORIAL SWIMMING POOL**

- 50m swimming pool.
- Toddler's (Wading) pool.
- BBQ facilities.
- Kiosk facility.
- Change room facilities.
- Shade structures.

**Hours of operation:**

Season opens on the first weekend in October and closes at the end of March.

**Monday to Friday**

6am to 8am for lap swimming

1pm to 7pm general hours

**Saturday and Sunday**

12noon to 8pm general hours

**School Holidays**

12noon to 7pm

Closed Christmas Day, Boxing Day

Contact Details; Stafford Street Warren, Phone: 02 6847 6675

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#### 3. ADMINISTRATION

##### 3.1 RECORDS

Pool Workers shall ensure that all records for the operation of the swimming pool are legible and sent to the Council Office each month for storage in Council's records system.

##### 3.2 RECORDS TO BE MAINTAINED BY THE POOL

- A Daily Running Sheet recording all daily water analysis/events/incidents/maintenance & workers/contractor attendance etc.
- A Daily Tally Sheet to log sales transactions and public attendance.
- A Daily Risk Assessment to ensure pool facilities are in safe working order.
- Booking Application for business operators to complete to use pool facilities.
- Document Register to record the business operators training records that have been forwarded to Council's office.
- Site Induction to record Health and Safety topics discussed with business operators.
- Site Specific Emergency Action Plans.
- First Aid Register to record all incidents requiring first aid, no matter how small or insignificant.
- Councils Incident Report to be completed by Council employees in the event where an incident, injury, illness, damage and near miss has occurred to an employee or where further investigation is required into high risk incidents and near misses to ensure controls are implemented.
- Issue Notification Form to record and forward WHS issues to the Manager Health and Development.
- Swimming Pool Time Out Notice.
- Swimming Pool Hazard Inspection Form to check facility compliance.
- Record of all staff training carried out.
- All other documentation required by Council's Safety Management System.

##### 3.3 SIGNAGE

All aquatic facilities shall use signage that details acceptable patron behaviour, and other safety rules. Safety signs shall be compliant with current industry standards and be displayed in a prominent location containing information that is appropriate for the nature of activities conducted at the facility.

##### 3.4 COMMUNICATION SYSTEM

All aquatic facilities should have necessary communication systems to enable the appropriate warning or notification of staff and facility patrons. (e.g. PA system, 2 way radios, whistles).

#### 4. WORK HEALTH & SAFETY

##### 4.1 GENERAL COMPLIANCE

All workers, including Council's employees, contractors & volunteers shall comply with Council's WHS policies and procedures at all times.

Contractors conducting work on Council's facilities shall provide insurance and WHS policies and procedures to be inspected and clarified prior to time of engagement.

All incidents are to be reported, investigated and addressed in accordance with Council's WHS Policy and procedure.

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#### 4.2 ELECTRICAL SAFETY

To ensure the safe operation of electrical equipment, the following must be followed:

- Electrical System is to comply with requirements of AS3000 equipotential bonding all metal objects with any dimension over 100mm in areas likely to be wet and contacted.
- Electrical equipment will be tested and tagged as per AS/NZS 3760 for safety and compliance;
- If any faulty electrical items are found, the area will be isolated, and the fault immediately reported;
- Any dangerous electrical outlets or switches, the area will be isolated, and the fault immediately reported;
- Any power blackouts that are caused by other than a disruption in supply to the Pool Facility must be immediately reported;
- All power tools shall be battery operated.

#### 4.3 CHEMICALS

Always refer to the manufacturer's instructions outlined in the Safety Data Sheet (SDS).

Do not put spilt chemicals back in their containers. Dispose of the chemical in accordance with section 6 and 13 of the SDS. Use spill kits provided.

Use correct Personal Protection clothing (~~PPE~~) and equipment (~~PPE~~), e.g. face mask, respirator, gloves, boots, overalls, apron as identified in section 7 and 8 of the SDS.

Storage of all chemicals should be in accordance with section 7 & 10 of the SDS. Store all chemicals in the dedicated storages provided.

All decanted chemicals must be in containers that are clearly labelled if they are to be stored. Use a clean, dry and impervious scoop (not wood) when transferring chemicals.

For manual chemical addition always dissolve or dilute the chemical in tap (Bore) water. Water should not be added to chemical. Add chemicals to water.

Where chemicals are added to a pool manually, add the dissolved chemical into the deep end of the pool when the pool is not open to the public, allowing adequate time for the chemical to circulate.

Skin, eyes or clothing that have come in contact with chemicals should be immediately washed with copious quantities of fresh water.

Other references include AS3780-~~2008~~ 2023 the storage and handling of corrosive substances.

**A Chemical Register and current Safety Data Sheets must continually be updated to identify:**

- Location,
- Product name
- Volume
- GHS
- UN Number
- Hazchem
- Class
- Packing Group
- Poison Schedule



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Don't forget to include cleaning products stored and/ or used on site.

**Note:** Safety Data Sheets must be within 5 years of the issue date.

Copies of the Chemical Register must be kept in Chemical Storeroom and the Kiosk/Reception and held by the Manager Health and Development.

#### 4.4 FIRST AID

The First Aid room must remain clear at all times and not used as a storeroom. All equipment must be ready for any emergency and contain the following:

- Sign posted and current First Aid Kit.
- Cardiopulmonary Resuscitation (CPR) sign that can be read from a distance of 3m.
- ~~Medical examination bed with blankets and pillow.~~
- Two chairs.
- ~~Stretcher.~~
- Spinal board and straps.
- Container for the disposal of the medical waste.
- Electrical power point.
- Automated External Defibrillator.
- Sharps container.

The First Aid Kit should be regularly checked and restocked by a competent person.

#### 4.5 HEARTSTART DEFIBRILLATOR

Mobile defibrillator equipment is available at the pool site for adults and children. Use of equipment will require appropriate training and manufacturers guidelines are to be followed e.g. pink Infant/Child key is required if the patient is under 25kg or 8 years old. Defibrillators are to be checked daily to ensure the green light is blinking. Batteries to be changed every 4 years or as per used by date. Pads need replacing after use and or before use by date.

#### 4.6 RESCUE EQUIPMENT

Rescue equipment and its location is to be advised at the seasonal induction to all Workers and Business representatives. Rescue equipment is to include:

- Reaching poles
- Pool noodles
- Kickboards

#### 4.7 EQUIPMENT SERVICING

All equipment must be serviced by a competent person in accordance with manufacturers' recommendations. Records of servicing are to be stored on Councils records system.

The equipment should be checked for correct operation and adequacy prior to or at the opening of the facility each day and recorded on the Daily Maintenance Log.

#### 4.8 PERSONAL PROTECTIVE CLOTHING (PPE)

All pool workers are to wear PPE appropriate to the hazards of the task being performed at the time. PPE may include but is not limited to the following items:

- Wide brim hat
- Long sleeve shirt
- Wet weather gear

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- Overalls/apron
- Safety footwear
- Gloves
- Safety eye wear
- Respiratory protection
- Hearing protection

#### 4.9 MANUAL HANDLING

It is important that all workers learn and use the correct manual handling techniques to avoid injury. Pool workers will undergo manual handling training when courses are available.

#### 4.10 EMERGENCIES

- The contact number for emergencies is 000 (triple zero).
- Council's Customer Service during operating hours 68476600
- Council's 24-hour Emergency Service number 68476600.

All Pool facilities must have emergency procedures and plans developed specifically for hazards at the site.

Refer to the Warren Shire Council Site Specific Emergency Plan.

In the event of an emergency the Emergency Action Plan is to be followed.

All business representative, Aquatic Groups and Schools undertaking operations at Councils facility will be required to have a site induction to include;

- Emergency Action Plan,
- Emergency Assembly area,
- location of rescue equipment,
- first aid supplies and
- fire extinguishing equipment.

For large events (e.g. School carnivals) business representatives will be responsible for ensuring all persons are accounted for by providing a list of all attendees on site to the Site Supervisor. The Induction is to include group consultation with Pool workers to discuss;

- trigger points for mass evacuation,
- identify disabled attendees who may require assistance for evacuation and
- to ensure that the appropriate number of qualified supervision is available.

All business representatives are to ensure all persons under their control leave the area quickly and in an orderly manner.

**NO PERSONS WILL BE ALLOWED TO RE-ENTER THE POOL UNTIL IT IS DEEMED SAFE TO DO SO BY THE SITE SUPERVISOR.**

#### 4.11 INCIDENT RESPONSE

In the event of a WHS incident, workers in the immediate area are required to respond with the following actions:

- Protect your health and safety.
- Protect the health and safety of others.
- If necessary, provide first aid to any injured person and/or call emergency services on 000.



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- Without risk to self and if trained to do so, make a dangerous area safe and or isolate area to minimise risk of further injury or damage.
- Notify Pool worker(s) of incident, and/ or, ensure the facility Supervisor is notified.

Council employees will be responsible for ensuring Council's WHS Incident Report Form is completed before leaving the site.

The site must not be disturbed further until it is confirmed that the incident does not require notification to a regulatory authority or further investigation.

**4.12 INCIDENT REPORTING**

All first aid treatment shall be recorded in the First Aid Register. The Manager Health and Development must be notified immediately of any incidents outlined in the Work Health and Safety Act 2011, Section 35 defines a notifiable incident as:

- the death of a person, or
- a serious injury or illness of a person requiring hospitalisation, or
- a dangerous incident

In the event of a notifiable incident the Manager Health and Development must inform the General Manager and the WHS&R ~~Officer~~ Coordinator immediately if they believe a notifiable incident has occurred. The General Manager in consultation with the WHS&R ~~Officer~~ Coordinator will make a determination on notification requirements and ensure that appropriate notification occurs.

Council's WHS Incident Report Form is to be completed by Council employees for any injury, illness, damage or near miss occurring to them or where a notifiable incident has occurred at the pool facility, to commence the investigation process.

**4.13 FAULT REPORTING AND REPAIR**

It is the responsibility of all workers and users to report all hazards which includes defects, safety issues and maintenance requirements as soon as they are identified. This should be done by reporting all hazards to the Pool Worker on site who is to inspect the item/area to ensure the hazard is isolated and sign posted.

The Pool worker is to then isolate the area, place signage and record resolution on the Daily Running Sheet. If the fault cannot be resolved, the hazard is to be recorded on Council's WHS Issue Notification Form and forward this to the Manager Health and Development. Control options and the priority for the work to be done will be discussed and depending on the controls required.

e.g. a building maintenance request will be sent through Council's Customer Request Management (CRM) system.

**5. OPERATING HOURS**

**5.1 POOL SEASON AND HOURS OF OPERATION**

The swimming season will approximately align with terms 4 and 1 of the School years so long as weather conditions are favourable, and patronage is adequate.

Opening dates will be advertised in the Warren Weekly, Council's Facebook page and the Council website, in the month prior to opening.

Warren pool will have a permanent sign at the entrance displaying the start finish date of that centre. All dates will also appear on Council's website and on Council's Facebook page for the duration of the season.

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**5.2    ALTERATIONS TO USUAL HOURS OF OPENING**

Opening Hours;

**Monday to Friday**

6am to 8am for lap swimming

1pm to 7pm general hours

**Saturday and Sunday**

12noon to 8pm general hours

**School Holidays**

12noon to 8pm

Extended closing till 8pm during December and January

**The pool will be closed;**

- Christmas Day.
- Boxing Day, and
- ~~New Year's Day.~~

The pool may not open, may open late, or close early due to:

- Unfavourable weather resulting in absence or likely absence of swimmers e.g. rain.
- Safety reasons e.g. lightning, equipment failure, contamination, vandalism.
- Interruptions to power supply.
- In the event of imminent weather and or lightning the shift supervisor may close the pool until such time as the weather is considered safely passed. During such times, all patrons will be required to evacuate from the water and take appropriate cover until notified by the shift supervisor that it is safe to return to the water.
- A shift supervisor has the authority to close either or both pools, or the entire facility.
- The pool season may be extended to accommodate special events, training for State or National level swimming championships, School holidays or favourable weather. The pool hours may be adjusted during this time to suit the actual use.
- The shift supervisor will notify the organiser of any group booked in for an event of an alteration to usual hours as soon as possible.
- The shift supervisor will notify Council Customer Service of any changes to opening times prior to or as soon as possible.
- During brief power outages, the pool can remain open if adequate disinfection levels can be maintained and all other areas of the facility can continue to operate safely. During extended power outages, the pool is to be closed.

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#### 6. OPERATING STANDARDS

##### 6.1 WATER QUALITY

Water quality at the Warren War Memorial swimming pools will comply with guidelines set by the NSW of Health. Lengthy review processes have led to occasions where the Ministry's standard has lagged behind current best practise. During these times the Manager Health and Development may implement a regime outside of the Ministry's ~~Department of Health's~~ standards if they are widely considered by the aquatic and recreation industry to be of a higher standard.

Chemical concentrations will be automatically monitored and controlled by a modern, calibrated analyser.

Pool workers will manually test chemical concentrations at least twice daily to confirm automated equipment is within calibration and working correctly.

Water turnover times will comply with guidelines set by ~~the~~ NSW ~~Ministry of~~ Health or to the best capability of the pool's reticulation system.

Microbiological sampling of pool water will be undertaken monthly ~~once water reaches 28 degrees~~ and tested by a NATA (National Association of Testing Authorities) accredited laboratory for independent testing. Records of this testing including the results received from the laboratory shall be kept onsite and in the Council Record Management system.

~~The~~ NSW ~~Ministry~~ of Health and EPA field officers are allowed free access to any facility to measure Council's compliance with the current health and environmental standards.

If adequate sanitisation cannot be maintained for any reason the facility shall be closed until the matter can be rectified.

##### 6.2 GROUNDS MAINTENANCE

Lawns will be maintained by Pool staff to the standard of prime parkland. Lawn weeds such as clover and burs (e.g. cats heads) will be eradicated quickly when detected. With regard to watering, facilities will comply with all aspects of the Warren Shire Council's Drought Management Plan as Council water restrictions alter. Any gardens will be kept tidy and free of weeds. Trees will be periodically thinned to promote growth and longevity and to assist in the prevention of limb drop.

##### 6.3 BUILDING MAINTENANCE

Buildings will be kept in a clean and serviceable state. Improvements to buildings will occur as budgetary limitations allow.

All major plant, equipment and building faults should be reported to the Manager Health and Development immediately after being discovered. The most appropriate form of repair will then be discussed with Council. If equipment is broken or unserviceable by direct use by workers or vandalism, an Incident Report must be filled out and returned to Council.

If regular maintenance provided by Council contractors lapses for any reason, Council should be notified to correct the problem. Regular inspections of plant should be carried out each day to ensure that no visible problem areas are arising. Monthly inspections of plant and building must be carried out using the facility checklist form and included in the monthly report to Council. Maintenance also includes the identification of any hazards in the facility. If a hazard is identified and it is major, it should be isolated and reported to the Manager Health and Development immediately, otherwise, the Pool Supervisor is to rectify it immediately if it is a minor hazard. All hazards found shall be reported on the Council Incident Report.



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#### 6.4 SWIMMING POOL MAINTENANCE

Programmed preventative maintenance of swimming pools is primarily carried out in the winter season. Maintenance issues that arise during the operational season shall be dealt with in a timely manner.

#### 6.5 POOL SUPERVISION

Supervision by qualified staff with qualifications in Bronze Medallion, resuscitation and oxygen equipment is required at a ratio of 1:100 swimmers.

~~Overall ratio of teacher to children is 1:15.~~

People (adult or child) with medical conditions such as seizure convulsions, must be provided with a yellow wrist band and have 1:1 supervision.

**Children under 5 years must be accompanied into the centre by a responsible person over 18 years of age and supervised within arm's reach at all times.**

**Children under 5 years must wear a yellow wristband whilst in the facility.** Wristbands are a visual aid to assist Pool Workers in identifying who should be within arm's reach of an adult and a reminder to parents and guardians about the importance of close supervision of small children.

Children under 10 years must be accompanied into the centre by a responsible adult over 18 years and actively supervised at all times.

In order for parents or guardians to actively supervise, they should be dressed ready to take immediate action, including unexpected entry into a pool.

#### 6.6 WORKERS QUALIFICATIONS

Warren Shire Council requires all staff/contractors with the following qualifications as minimum aquatic industry requirement:

##### Pool Supervisor

- Certificate IV- Aquatic cluster of competencies from Community Recreation training package.
- WHS Workplace safety induction certificate.
- WorkCover NSW approved first aid certificate – updated every 3 years
- RLSSA Pool Lifeguard Licence (updated annually)
- Or the equivalent in competencies from the SIS 10 Sport, Fitness and Recreation Training Package, provided by a registered training organisation.

##### Pool Attendants/ Lifeguards

- WHS Workplace safety induction certificate.
- ~~WorkCover NSW~~ Registered Training Organisation (RTO) approved first aid certificate – updated every 3 years
- RLSSA Pool Lifeguard Licence (updated annually)
- Or the equivalent in competencies from the SIS 10 Sport, Fitness and Recreation Training Package, provided by a registered training organisation.

##### Kiosk/ Turnstile workers

- WHS Workplace safety induction certificate.
- ~~WorkCover NSW~~ Registered Training Organisation (RTO) approved first aid certificate
- Basic food handling qualification

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Workers must maintain skills currency through in-service training to be competently able to carry out their role safely and efficiently.

Many workers have qualifications over the minimum level. External and in-house professional development is provided for all workers (except contractors) to ensure currency of qualifications and competency of skills.

All workers required to handle pool chemicals shall be trained in correct techniques prior to handling chemicals. The training must include:

- knowledge of chemical Safety Data Sheets
- precautions to be taken
- correct use of personal protective equipment
- emergency procedures
- reporting procedures

#### 6.7 WORKING WITH CHILDREN ACT & POLICE CHECKS

All aquatic instruction workers in direct supervision of children shall be required to undertake such a Screening prior to employment and maintain the clearance.

The ~~Commission for Children and Young People Act 1998~~ Children's Guardian Act 2019 and the Child Protection ~~(Prohibited Employment) Act 1998~~ Working with Children Act 2012 established the Working with Children Check. The check is an employment Screening process designed to reduce the likelihood that unsuitable people will get employment that requires working with children.

#### 6.8 KIOSK OPERATION

Operation of the kiosk shall comply with the provisions of the NSW Food (General) Regulation 2015.

~~The summary of the regulations is attached to this manual.~~

- No products should be sold in glass, including food products.
- No alcoholic beverages to be sold.
- No Tobacco products to be sold.

All income derived from kiosk sales are retained by the Lessee (for leased sites), otherwise Council collects all funds from all sales. The Lessee is responsible for the following:

Supply and repair of all equipment held within the kiosk that is used to derive income e.g.

- Kiosk expenses such as electricity usage,
- Fridges.
- Freezers.
- Espresso machines.
- Display stands.
- Swim aids and accessories for sale must be deemed suitable for the proposed use.
- The Lessee is responsible for any and all licenses required.

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#### 7. FEES

##### 7.1 SINGLE ENTRY FEES

Fees will be charged for pool entry and pool services in accordance with Council's current Fees & Charges.

A 'spectator' for the purpose of charging a single-entry fee is a person who enters the facility to supervise another patron, watch an event or use the facility, otherwise without entering the water and is over the age of 18. An entry fee will not apply to spectators.

A 'casual' for the purpose of charging a single-entry fee is any person aged 12 months or older.

'Carers for Learner to Swim Classes' are permitted to enter the facility to supervise the child in the lesson. Children aged up to 12 months are permitted free with a full fee-paying adult entering with them.

~~A 'Pensioner entry' is offered to those persons using the facility who are holders of, and can produce, either a Centre Link issued Pension Card, a Department of Veteran's Affairs Pension Card or a Senior Citizen's Card. A person's concession card does not entitle anyone else a concession.~~

Pool Workers required to hold a Pool Lifeguard Licence as an essential qualification and who are entering the facility for the reason of training for the physical component of their Licence will be admitted free.

Teachers will be admitted free for the purpose of supervising a School group at the pool.

Resident swimming club coaches will be admitted free for the purpose of training club members. Carers of people living with a disability will be admitted free for the purpose of directly supervising the person under their care.

Individuals who are required to leave a swimming facility because of unacceptable behaviour or other contravention of this Manual are not entitled to a refund.

Council may enter into an agreement with Schools and groups for a method of paying entry fees other than at the pool i.e. invoice.

##### 7.2 SEASON TICKETS

All season tickets allow access to the Warren pool facility.

A "family" for the purpose of charging a fee for a family season ticket is a family unit of two adults in a relationship and their children up to the age of 18.

Pool Supervisors have the delegation to consider personal circumstances which may require a variation from this definition. This will be done on a case by case basis for persons who bring the request for a variation.

Season tickets are issued to a designated person nominated on the season ticket application form and are not transferable. Unauthorised use of a season ticket by a person who is not the holder may result in the cancellation of the ticket and no refund issued. Season tickets are only valid for the swimming season in which they are purchased. Season ticket holders must have their ticket in their possession whilst at the facility and are required to sign an attendance register prior to use of the facility. Patrons who cannot produce their season ticket when requested to do so by pool workers will be required to pay the relevant entry fee.



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#### 7.3 EVIDENCE OF AGE

Children under the age of 10 years must be actively supervised at all times by a responsible person over the age of 18. Evidence of age can be requested as a condition of entry to a facility to;

- Determining which fee to charge.
- Confirm they are 18 years old for the purpose of supervising children under the age of 10.
- To determine if the person is able to stay unsupervised by a responsible person.
- Discretionary authority is given to the shift supervisor to charge the appropriate fee if he/she is reasonably convinced that a person is not the age that they pertain to be and is;
- Attempting to avoid paying the full fee, or
- Attempting to enter the pool unsupervised, (i.e. claiming to be over the age of 10) or
- Attempting to supervise another patron (claiming to be over the age of 18).
- Acceptable evidence of age will be a current "Proof of Age Card", Drivers Licence, or Australian Passport. A person who cannot provide evidence will be;
  - Charged the full entry fee.
  - Advised they are not eligible to supervise a person under the age of 10.
  - Advised they are ineligible to enter the pool whilst not supervised by a person over the age of 18 years.

#### 8. BOOKINGS

##### 8.1 GENERAL

All request for bookings must be lodged in writing, ~~on an "Application for Swimming Pool Lane Space". All fields on the application must be completed.~~

It is preferable that applications are submitted at least one calendar month prior to a proposed event date.

~~When the swimming pool is closed (winter) All applications are received by at the Warren Shire Council Customer Service Office via in person, mail or email and are passed onto the Manager Health and Development for action. Confirmation is sent in writing prior to the start of the next swimming season. When the swimming pool is open, applications are received directly by the respective Pool Supervisor and confirmation can be given in writing.~~

A Swimming Pool User Agreement between the group wishing to use the pool and Council must be entered into before an event can commence. The Agreement will detail any supporting documentation required e.g. certificate of currency for public liability. A risk assessment for the event and a site induction for the organisers must be completed before an event can commence. Afterhours events will be given consideration and the appropriate fee payable if the event is approved.

##### 8.2 PRIORITIES FOR BOOKINGS

Each request to use the facility during approved operating hours will in most cases be approved according to the following priority:

1. An event approved by resolution of Council
2. National / International events (including public holidays and days of national significance e.g. Australia Day festivities).
3. State events
4. Regional events
5. Local events
6. Annual School swimming carnivals
7. Relevant local incorporated swimming club events

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8. Activities organised by Federal or State Government Departments
9. Non-swimming carnival School requests (e.g. School sport or physical education classes)
10. Community groups
11. Charity fund raising events
12. Private swimming instructors
13. Commercial businesses activities
14. Private functions

Pool staff will also take into consideration the order in which booking requests are received, event income and size of the event when allocating time & space to events.

#### 8.3 CANCELLATION OF BOOKINGS

An event can be cancelled or changed in line with the conditions laid out in Council's Swimming Pool User Agreement.

#### 8.4 STANDING BOOKINGS

Warren War Memorial Swimming Pool Management is to facilitate the standard bookings each year subject to the receipt of an application and any mandatory supporting documentation i.e. Swimming Pool User Agreement.

#### 8.5 BUSINESS COMPLIANCE

A person or business wishing to conduct trade at a swimming pool must complete Council's Swimming Pool User Agreement.

Council staff may prohibit any business that is not in keeping with the principal purpose of a swimming pool.

#### 8.6 LIMITATIONS ON BUSINESSES PERMITTED

A business may not compete against a similar service already offered at the pool without the consent of Council, and the Licensee of that service if one exists. Council workers may prohibit any business which is not in keeping with this Management Manual or the principal purpose of a swimming pool.

### 9. CONDITIONS OF ENTRY

#### 9.1 WARREN SHIRE COUNCIL CONDITIONS OF ENTRY

It is your responsibility to know and understand the conditions of entry. Pool safety is a shared responsibility that requires a cooperative and community approach. Observe the rules below and share with others the responsibility for a great experience at the Pool.

- Observe and obey all signs and warnings at the pool as well as all lawful directives given by Lifeguards and Pool Workers.
- Always check the pool depth before entering the water. Enter the water in a safe manner and check for other swimmers before ~~jumping in~~ entering the water. You must avoid people already in the water.
- Always be respectful of other people and the nature of their particular activity.
- Never run on wet areas at the pool. Always move around the pool in a safe manner.
- If you are involved in, or witness an incident at the pool, remain at the Scene and identify yourself to the Lifeguard or pool worker.
- Do not swim, bathe or undertake any other aquatic activity if your ability is impaired by drugs or alcohol.
- Always swim in water that is a safe depth for your capability. Take lessons from a qualified instructor to progress and learn to swim, first aid and resuscitation skills.



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- Children under the age of 10 must be actively supervised at all times by a responsible person over the age of 18.
- Parents and carers must communicate and establish responsibility for direct supervision of children at all times around water. Designate at least one adult "Water Watcher" to supervise children around pools especially during social gatherings. Don't rely on older siblings or other children to supervise swimmers and don't rely on swimming lessons, flotation devices or other equipment to make a child "water safe".
- Always swim with a friend and keep a look out for your mates.

Council Pool Lifeguards are at the pool all day to assist, educate and help you to understand the Pool rules. This will ensure that all pool patrons enjoy themselves at the Warren Shire Council Pool. Irresponsible, reckless and anti-social behaviour may result in immediate suspension from pool use and/or cancellation of season passes.

#### 9.2 ADDITIONAL CONDITIONS OF ENTRY

The following conditions of entry also apply to all persons entering swimming pool grounds without written exemption from Council.

A person must:

- Pay the entry fee on entering the facility or display a current season ticket.
- Comply with Section 10 Activities Requiring Approval- All Pools.
- Not partake in behaviour considered to be anti-social, provocative, abusive or violent.
- Not obstruct the entry/exit points to a pool.
- Not bring glass or glass containers into the facility.
- Not interfere with any pool safety equipment.
- Follow all directions for the safe use of any area of the facility.
- Not enter a pump room, chemical storage area, plant room, kiosk or work area.
- Not enter a first aid room except to receive first aid or at the invitation of pool workers.
- Provide evidence of age, if requested.
- Wear an appropriate unsoiled bathing costume at all times.
- Be unsoiled before entering a pool.
- Not urinate or defecate anywhere in the grounds other than in a public toilet.
- Not attempt to enter the swimming pool grounds whilst intoxicated or under the influence of drugs, nor bring or consume alcoholic or non-prescription drugs on pool grounds.
- Not cause or permit an animal that is under the person's control to enter or remain in swimming pools grounds. Guide dogs excepted (see Section 18, Access for People Living with a Disability [Clause 59, 60, Companion Animals act 1998](#))
- Not smoke or vape in any area of a public swimming facility nor within 4m of an entrance.
- Not take photographs, video or electronic recordings in change rooms or pool grounds. This ruling is as a consequence of the Privacy and Personal Information Act. This ruling is in force unless there is written, and express permission granted by parents in the context of swimming carnivals.
- Not sit on, dive over, or otherwise interfere with lane ropes.
- Not damage, deface, interfere with or alter swimming pool infrastructure or signage.
- Not obstruct any authorised person or worker of, or contractor to perform their required duties.
- Not 'bomb' (jump on) other patrons.
- Not obstruct the entry/exit points to a pool.

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#### 9.3 KEEP WATCH AT PUBLIC POOLS

Supervision of young children at public pools has been a concern for the aquatics industry for many years. There is often the misconception by parents and carers that the responsibility for supervision of young children lies solely with lifeguards. Lifeguards are employed on a 1:100 ratio based on the expectation that parents/carers will provide direct supervision of children.

Keep Watch @ Public Swimming Pools is a Royal Life Saving Society program that contributes significantly to ensuring the safety and reducing risk at our public swimming pool. It provides a consistent message in line with best practice to the public about effective supervision of young children at public pools and demonstrates that the aquatics industry is organised and takes their responsibility for patron safety seriously.

The Keep Watch program forms an important part of Warren Shire Council's conditions of entry:

- Children under 5 years must be accompanied into the centre by a responsible person over 18 years of age and supervised within arm's reach at all times.
- Children under 5 years must wear a Watch Around Water yellow wristband whilst in the facility. Wristbands are a visual aid to assist Pool Workers in identifying who should be within arm's reach of an adult and a reminder to parents & guardians about the importance of close supervise for small children.
- Children under 10 years must be accompanied into the centre by a responsible person over 18 years of age and supervised at all times. The responsible person must remain close to the child, be prepared and maintain constant visual contact with the child/ children under their supervision.
- Children aged 11 to 14 years also require **lifeguard** supervision, their supervisor is to maintain visual contact at all times.
- In order for parents or guardians to actively supervise they should be dressed ready to take immediate action, including unexpected entry into a pool.
- Distractions are dangerous. Avoid mobile telephones and other distractions that may interrupt direct supervision.

#### 9.4 DIVING

Diving must not be permitted in water depths less than **1.2m 1.8m and 2.0m if from starting blocks.**

The Royal Life Saving Society of Australia advises that there is a significant body of evidence to suggest that shallow water diving can lead to a range of injuries that include head injuries (broken teeth, Scalp injuries and facial fractures), to the more significant spinal cord injury.

As such "No Diving" signs have been applied to the concourses around Council's pools in locations where it is deemed dangerous.

No diving starts are permitted in the shallow end of any pool.

#### 10. ACTIVITIES REQUIRING APPROVAL

A person must not do any of the following within swimming pool grounds without the written exemption from Council,

- Neither engage in trade or commerce nor distribute any circulars, advertisements, paper drawing or photographic material.
- Camp or reside on the land.
- Bring or leave any rubbish, refuse, Scrap metal, rock, soil, sand or any other such substances onto swimming pool grounds.
- Remove any dead timber, logs, trees, flora, whether standing or fallen.

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- Kill, capture or in any way interfere with any animal, bird, fish or other fauna, whether native or introduced, plant any tree, shrub, herbage or other plant without prior consent.

Offenders will be prosecuted under relevant State or Federal Law.

A person must not do any of the following within swimming pool grounds without approval from the shift supervisor:

- Bring or use inflatable devices such as air mattresses, domestic pool toys, or balls onto the grounds. This excludes PFD's (Personal Floatation Devices- Life jacket) and flotation devices specifically designed as a "learn to swim" aid.
- Use Scuba diving fins.
- Play or conduct any unapproved sport or contest.
- Enter or leave the facility by any other means other than through the main entrance provided. Offenders may be told to leave the facility.

#### **10.1 SWIMMING LESSONS**

At the Warren Shire Council pool, to ensure an appropriate level of safety and quality for the community, Warren Shire Council requires people wanting to conduct private learn to swim lessons at our facility, to apply in writing and complete a Swimming Pool User Agreement.

Copies of the following are also required:

- Current AUSTSWIM Certificate or equivalent.
- Current CPR qualification.
- Certificate of Currency- Public Liability & Professional Indemnity; \$20,000,000 each.
- Working with Children Check- Certificate for Self Employed People; for more information visit [kids.nsw.gov.au](http://kids.nsw.gov.au)

Applications should state business name and previous experience. Once an application has been received it can usually be assessed quickly and written approval given if everything is in order. To assist with this all required documents must be submitted with the application and be current. Failure to do so will increase the application assessment time. All applicants will receive a written determination. A fee will be charged for this permission.

Applications can be emailed to [Council@warren.nsw.gov.au](mailto:Council@warren.nsw.gov.au) or sent to;  
Warren Shire Council PO Box 6 Warren NSW 2824.

Once an approval has been received, you will be required to undertake a site induction of the facility and sign a site induction form. Please allow enough time (30 minutes) to complete this prior to your first lesson.

All learn to swim operators can leave their business details at the pool facility to be passed onto patrons enquiring about learn to swim opportunities. Learn to swim instructors need to comply with all areas of this management manual.

Approval will only be granted where adequate lane space exists. ~~Exclusive use of available lane space will attract the appropriate additional lane space charge.~~

#### **11. YOUNG CHILDREN**

##### **11.1 SUPERVISION**

Children under the age of 10 must be actively supervised by a responsible person over the age of 18 at all times; "actively supervised" in this instance means that the supervising person shall be dressed



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in attire consistent with entering the water, be in the vicinity of and maintain visual contact with the child.

Teachers and/or instructors given charge of students at the Warren Shire Council swimming pool will provide supervision in accordance with supervision requirements set down by the NSW Department of Education and Training.

With regard to supervision of students Lifeguards and Teachers on duty can be included as part of supervision ratios. However, Lifeguards often have other duties to perform around the facility that take them away from the pool. Alternative supervision will need to be arranged by the group during these times. Supervision of students must be constant and free from distractions so far as practically possible.

**11.2 CLOTHING**

All children must:

- Wear a clean (unsoiled) bathing costume,
- Non toilet trained children must wear a waterproof nappy at all times when in the pool grounds.

**11.3 CHANGE ROOMS**

Children up to the age of 7 years are allowed to enter the change room of the opposite sex so long as they are accompanied by a supervising adult. The shift supervisor has discretionary authority to make exceptions to this if requested, on a case by case basis.

**11.4 ABANDONED CHILDREN**

Where a child under the age of 10 is identified as abandoned at the pool (i.e. without the required supervision), Pool Workers will firstly ensure the physical safety of the child and then attempt to contact the parent(s) or legal guardian via phone.

If a parent is unable to be contacted, refuses to collect the child or does not arrive within 30 minutes, the shift supervisor will contact either the NSW Police or Department of Communities and Justice to arrange the transfer of the child into their custody. The Manager Health and Development will be notified immediately.

The 24 hour contact number for ~~DOCS~~ Child Protection Helpline is 132 111.

Any child abandonment incident is to be recorded on a near miss form (Incident Report) and noted on the Daily Running Sheet.

**12. AUTHORITY**

All Pool Workers are authorised to:

- Request a person to leave the swimming pool facility if they do not comply with any part of this management manual and,
- Implement a temporary or permanent prohibition on entry to the facility.

If a person who is supervising others is requested to leave the facility, the person/s they are supervising must also leave.

Poorly behaved spectators, coaches, teachers, parents, visitors and other people may also be banned from a facility.

**12.1 TIME OUT NOTICE**

People who are banned from the pool may be issued a "Time Out Notice". The notice will outline the reason for the ban and the length of time which it is effective. People who return to the pool within the timeframe outlined may be charged with trespass and fined under the Inclosed Lands Protection Act NSW Section 4(1) 1901.

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A ban will not interfere with a student's School education. As such any School activity which requires a student to attend the pool will not be included in the ban.

Before entering the facility after a ban, the patron must arrange to meet with the Pool Supervisor to confirm that the specified "time out" period has lapsed.

**12.2 REFUSAL TO COMPLY**

A patron refusing to comply with the directions of Pool Workers may be banned from entering the Warren Shire Council swimming pool grounds and issued a Time Out Notice.

Pool Workers are to contact the NSW Police ~~or the Manager Health and Development~~ to arrange the forced removal of an offender who will not voluntarily leave. Offenders may be charged with trespass and fined under the Inclosed Lands Protection Act NSW Section 4(1) 1901.

**12.3 APPEALS**

A person who wishes to appeal the imposition of a ban is entitled to write to Council for a review and state their reasons why the ban should not be enforced.

A review will be conducted within 15 days of receipt of correspondence, and the appellant notified of the outcome in writing. The ban will remain in place during the appeals process.

**12.4 SCHOOLS SUSPENSION**

During School hours, children who have been suspended from School, and released into the supervision of a carer will not be permitted into the pool facility without their designated carer. Suspended children who are perceived by the shift supervisor to have arrived at the pool with the intention of interrupting a School group or teacher will be requested to leave the facility.

**13. POOL LANE ALLOCATION**

The following lane allocations are the default setting for the pool when there are no bookings:

- At least one (1) lane will remain available to the general public at all times when the pool is open to the public for general use. Provision of an edge is preferable for both elderly and young swimmers as it offers a quick point of respite in the event of fatigue.
- Lane ropes will be installed for lap swimmers were practical.
- The shift supervisor can assign different swimming speeds to lanes e.g. slow, medium, fast.
- Lap swimmers are required to swim in a lane with swimmers of a similar speed and ability.
- The number of lap swimming lanes can be increased or reduced at the discretion of the shift supervisor.
- Lane configuration is at the discretion of the shift supervisor.
- The lane configuration should provide maximum public benefit.
- Lap swimmers are required to keep to the left of a lane (swim clockwise).
- The shift supervisor may temporarily ban the use of flippers, hand paddles or other swimming devices if they are perceived to create a risk to other swimmers.
- Pools with moveable stair ways will have such structures in place whenever the programming of the pool allows.

**13.1 LANE SPACE**

The shift supervisor has discretionary authority to alter standing bookings. Consideration needs to be given to safety, bather load and programming. Extra allocations can be rescinded at any time.

The group shall not presume extra lane space will be available when programming sessions. Extra lane space may be charged at the rate set out in the Warren Shire Council's Fees and Charges.

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Groups attending the pool during a booked time slot are not to use lanes set aside for members of the general public without the permission of the Shift Supervisor.

**14. USE BY AQUATIC GROUPS**

**14.1 GENERAL**

It is Council responsibility to provide a facility that is safe for occupation and play and one that is regularly and appropriately maintained. If at any time a group perceives that the facility is or has become unsafe then all practical measures must be taken to ensure the safety of its members. A representative of the group will notify the shift supervisor immediately.

Aquatic groups must abide by this Management Manual and actively promote all conditions of entry to their members and visitors.

All members will endeavour to maintain cordial relations with pool patrons, other coaching personnel, pool workers and Council officers.

**14.2 EMPLOYEES & VOLUNTEERS**

Aquatic groups shall ensure that employees & volunteers of the group comply with NSW Child Protection Legislation.

Aquatic groups will be required to take out and maintain appropriate Public Liability, Professional Indemnity Insurance as well as any other insurance required by the Workers Compensation Act ~~2011~~ **1987**, in regard to the conduct of activities of the group within the facility.

Coaches, instructors and other predominant members of their organisation are required to complete a site induction with the shift supervisor at the beginning of each season. The site induction shall include the location of rescue equipment, fire extinguishers, telephone, emergency phone numbers, facility access and any other items relevant to the workplace and Warren Shire Council's Safety Management System. Site inducted persons are required to sign a site induction form.

The group must ensure that any professional coach/instructors at the pool in their role as a professional coach/instructor holds;

- A current ~~WorkCover~~ **R.T.O** approved first aid qualification.
- CPR qualification.
- Level 1 Coaching qualification or equivalent are held as a minimum

From time to time Council may request copies of current qualifications to ensure compliance with this management manual and with any standing user agreement.

Clubs must ensure that volunteer (unpaid) persons substituting, either long term or short term, for a professional coach/instructor satisfy all other areas of this management manual except as above. Council may request copies of the same from substitute coach/instructors performing duties at the facility. Supervision of participants under the direction of a coach, instructor or other predominant member of the club shall remain the responsibility of the aquatic group for the duration of the session. Before and after the session the group will ensure that any participant under the age of 10 years of age shall be under the active supervision of a person over the age of 18 at all times.

Pool Workers shall not be included in this type of supervision.

In the event of an aquatic emergency, a coach, instructor or other predominant members of the group will be required to evacuate from the water all participants under their supervision. Those participants will be their primary consideration during the emergency. Secondary, shall be any assistance they can

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provide to pool workers up to the level of their training. Other members of the group may also be called upon by pool workers if further assistance is required.

**14.3 EQUIPMENT**

Except where disputed by the resident club, lane ropes, false start ropes, backstroke flags and starting platforms kept at a facility, are a Council asset. These will be maintained and insured by Council. Equipment such as that listed above will be made available to aquatic group users for use at training, swim camps, club nights, club championships and carnival type events. Being the primary user of the equipment aquatic user groups will be approached to discuss a co contribution when equipment requires replacement and or upgrading.

**14.4 CLUB ROOMS**

All buildings (including club rooms) on Council land are a Council asset and will be maintained and insured by Council. Aquatic groups are to notify the shift supervisor if damage is identified or a repair is required.

Alterations or modifications to club rooms and buildings cannot be carried out without written permission from Council. General cleanliness and tidiness of club room and building interiors is the responsibility of the associated club. Club rooms and buildings cannot be sublet or hired in part or whole without written permission from Council. It will be the responsibility of aquatic groups to have adequate contents insurance for administrative equipment and gear stored in club rooms, storage rooms and buildings i.e. photocopiers, computers, stock, stationary, fridges, tables, training equipment & swimming aids etc. Associated clubs will have access to club rooms and buildings at all times during pool opening hours. Associated clubs can obtain access to club rooms and buildings outside of pool opening hours and during the winter season by contacting Council and arranging a mutually agreeable time. Activities that take place inside of club rooms and buildings must not contravene any part of the Swimming Pool Management Manual or the principal purpose of the facility. From time to time Council may require the use of a club room for meeting or training purposes. This will be arranged with the associated group prior to any such event and shall be at a time that does not conflict with an event already planned by the group. Upon request, aquatic groups must permit Council access to any locked areas for inspections, maintenance and repairs. Aquatic group are responsible for any loss or damage to keys issued for club rooms or facilities and their replacement must be paid for by the group. Aquatic groups are accountable for maintaining control over keys issued.

**15. RECREATIONAL DEVICES & AREAS**

**15.1 INFLATABLE PLAY STRUCTURES**

Floating amusement devices should be supervised at all times, anchored and subject to regular inspections and maintenance. The operator's manual should be consulted prior to operation. Users of inflatable play equipment must obey all directives and instructions given by Pool Lifeguards and provided on signage. Non-compliance may result in the offender being requested to leave the facility.

**15.2 CHILDREN'S PLAY EQUIPMENT**

The use of any child play equipment is restricted to children under the age of 10 years. Noncompliance may result in the offender being requested to leave the facility.

**15.3 TODDLER'S POOL**

The Toddler's pool is for children under the age of 6 years with developing swimming ability. The shift supervisor may make exceptions to this upon request and with suitable reason. "Rough play" is not allowed at any time. People who use the toddler's and learn to swim pools without regard for the safety of children may be requested to leave the facility. A refund of the pool entry fee will not be given to a person instructed to leave the facility due to incorrect use of a recreational device or area.

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**16.    PROGRAMS**

**16.1   PROGRAMS**

All information about approved programs at the Warren Shire Council pool are to be found at the pool or on Councils web site.

**17.    ACCESS FOR PEOPLE LIVING WITH A DISABILITY**

**17.1   ASSISTANCE**

Workers are to provide all reasonable assistance to facilitate the enjoyment of the swimming pool facilities by all patrons.

**17.2   GUIDE DOGS**

Trained guide dogs are permitted inside the facility.

**17.3   POOL ACCESS**

Council will aim to develop disabled access to the Warren facility. If mechanical devices are used to lift disabled people into and out of the pool, records should be kept on any maintenance and inspections undertaken. Devices must be included in an asset management Schedule.

**17.4   LIMITS ON MANUAL HANDLING & CARE OF IMPAIRED PERSONS**

Due to the risks associated with manual handling of people, pool workers are not able to provide assistance to persons who require any kind of lifting as part of their everyday use of the facility.

**17.5   REFUND ENTITLEMENT**

If workers are unable to provide the assistance required to facilitate access to the pool for a person with a disability a refund of pool entry is to be made.

**18.    ACCESS TO COUNCIL RESOURCES**

The phone in the facility is for the use of pool workers to manage the pool. The phone in the facility is able to be used for children to contact parents. An appropriate fee applies. The phone in the facility is able to be used for emergency calls by members of the general public if a pool worker cannot be found or if the person has been directed to by pool workers. The cost of the phone will be charged back to the leasee of the pool if applicable.

**19.    FEES & CHARGES**

Swimming pool fees and charges will be in accordance with those set out in the Schedule of fees and charges that are an annexure to the Warren Shire Council Delivery and Operational Plan for that year.

**REVIEW**

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