



ATTACHMENT DOCUMENT A

FOR

COUNCIL MEETING

Tuesday 20th December 2022

Michael Urquhart
GENERAL MANAGER

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Water Supply and Metering

WSC – Policy – Water Meter



WATER SUPPLY AND METERING **POLICY**

Adoption Date: **24 October 2012**

Next Review Date: **24 October 2013 November 2024**

Responsible Officer: Director Engineering/Technical Services

POLICY STATEMENT

Walgett Shire Council is committed to ensuring that water meter management is undertaken in an effective manner to maintain the operational capacity of water meters at a level that meets Councils and water users' consumer needs within the Walgett Shire Local Government Area.

OBJECTIVES:

- To ensure that all water supply systems are compliant with the relevant legislative and regulatory requirements and are operated and maintained in a cost-effective manner by qualified persons.
- To provide clear guidelines for new installations
- To monitor, inspect and report all installed water meters on a six-monthly basis to ensure that a pro-active maintenance system is maintained.
- To ensure that existing water meters are inspected and maintained within manufacturers' specification and standards
- ~~• To provide a framework for investigating and repairing/replacing or report faulty water supply systems and meters promptly within 24 hours after receiving registered Customer Service Notification Form~~
- ~~• To confirm and replace faulty water meters promptly within 24 hours after investigation~~
- To inform water users of their obligation to not damage or interfere with ~~the assigned water meter to their property.~~ any water supply system or installed water meter.
- ~~• That the replacement of meters is to be of the same manufacturing standard where possible.~~
- ~~• To ensure that qualified persons carry out the necessary repairs and/or replacements having obtained any required authorization.~~
- ~~• To comply with all relevant legislative and regulatory requirements~~

Statutory Requirements

Local Government Act 1993

Local Government (General) Regulations 2021

Plumbing and Drainage Act 2011

Plumbing and Drainage Regulation 2017

Plumbing Code of Australia (PCA)

Related Policy/Procedure

Code of Conduct

Customer Service

Debt Recovery

Reference Documents

NSW Code of Practice - Plumbing and Drainage

Australian Standards: National Plumbing & Drainage – Water Supply

Australian Standards: National Plumbing & Drainage – Water Services

Aus-Spec Development Design Specification – D11 Water Reticulation

New connections for residential purposes

All new water supply requests must be made by way of formal application to Council. An Activity Application (Annexure A) must be completed and returned to Council to obtain approval from regulatory.

All approvals will be forwarded to the Engineering and Technical Services team for actioning.

Council will not permit any new water connection for residential purposes outside of an urban zone.

New connections for commercial purposes

Council may consider a new water connection for commercial purposes outside of an urban zone. It will have regard for the following principles when evaluating any application:

- It is not appropriate to permit such connections unless there are substantial and clear public benefits.
- It is not appropriate to permit such connections unless there is adequate surplus capacity within the existing system.
- All costs associated with establishing the connection should normally be borne by the landholder that will benefit from the connection. This may include costs associated with establishing easements or approvals under the Roads Act 1993.
- All installations must:
 - o Have 'water supply work' approval under section 68 of the Local Government Act 1993 and comply with the NSW Plumbing and Drainage Code of Practice.
 - o Where new mains are required, comply with Aus-Spec New South Wales Development Design Specification - D11 Water Reticulation.
 - o Be undertaken by a suitably licensed trade person.

New connections for public purposes

Council may consider a new water connection for a public purpose outside of an urban zone. It will have regard for the following principles when evaluating any application:

- It is not appropriate to permit such connections unless there are substantial and clear public benefits.
- The potential for using alternative sources of water supply, such as rainwater tanks.
- Whether there is a need for an easement to enable a water main to pass through land that is not controlled by Council.
- All installations must:
 - o Have 'water supply work' approval under section 68 of the Local Government Act 1993 and comply with the NSW Plumbing and Drainage Code of Practice.
 - o Where new mains are required, comply with Aus-Spec New South Wales Development Design Specification - D11 Water Reticulation.
 - o Be undertaken by a suitably licensed trade person.

Existing connections

Council will continue to supply water to existing non-urban connections, subject to the following conditions:

- The original connection was established with written approval from Council.
- The service is not extended to supply another property.
- A water meter is established and relevant water charges are being paid.
- Council provides no guarantee regarding minimum water pressure or volume.
- Adequate capacity remains available within the water supply system to service urban users.
- Where necessary, the landowner upgrades their internal plumbing to comply with the NSW Plumbing and Drainage Code of Practice.

In the event that one or more of the above conditions are not met, Council may cut off a non-urban connection.

WATER METERS

1. Provision of Water Meters to Residents and Commercial Establishments

An initial water meter will be provided at no charge on all Council supplied water services.

Effective 01 July 2012, a fee for water meter installations to Council's metered water supply will be included in the Water Connection Fee. Fees are determined in the annual Fees and Charges Schedule which can be found on Council's website at www.walgett.nsw.gov.au.

1.1 Multiple Dwellings

Council shall provide a single connection and water meter of sufficient size to accommodate the multiple dwelling premises on a single rated parcel of land. However where the existing multiple dwelling premises are connected to the reticulation system at a number of locations, one meter per physical water connection to the main will be provided. The owner/s of multiple dwelling premises may request a separate meter for each unit which would require internal plumbing be installed at the owners cost to accommodate the installation of separate meters.

The connection fee shall be a multiple of the single connection fee and the number of units. *(For example: The connection fee for 2 flats would be twice the normal fee for a single dwelling)*

2. Relocation Requests

A written request shall be lodged with Council should an owner require the location of a water meter to be changed. Council will consider each request on a case by case basis to ensure that operational requirements relating to access and maintenance are appropriate. Relocations will be charged to the owner at cost.

3. Installation Standard

The Australian Standard 3500.1-1992 National Plumbing and Drainage Code Part 1: Water Supply shall apply to all installation of water meters in conjunction with Walgett Shire Council's Standard Drawing – Standard Domestic Water Meter Installations

Council is responsible for the supply and installation of water meters. These water meters shall be installed in compliance with the manufacturers' specifications and instructions.

4. Installation of Water Meters

All meters connected to Council reticulated water supplies are to be immediately inside the property boundary. Only where physical constraints prevent offsetting of the meter, shall the meter be installed below ground.

4.1 House with front fence. Services located adjacent to driveways or gateways are to be offset and installed above ground. Care is to be taken to position the meter so as not to interfere with gate operation.

4.2 House with no front fence. Where the meter would be in an exposed position adjacent to (driveways, lawns etc.) it should be offset so as to be located within a garden area or adjacent to trees/shrubs letter boxes, or other structure. Where no garden or structure is immediately adjacent to the meter point, the meter is to be installed below ground.

5. Testing of Water Meters

Any person who is dissatisfied may request that the water meter is tested by lodging an appropriate form and fee with Council with the reading indicated by the meter attached to their water supply:

5.1 If the test determines that the meter is inaccurate, the testing fee be refunded and the water meter will be replaced at no cost to the owner or occupier.

5.2 If any water meter supplied by the Council is found to be inaccurate, then Council will estimate the amount of water supplied. The estimate shall be the lesser figure calculated by the following methods:-

(a) average daily consumption for the previous period; or

(b) average of the reading recorded during the corresponding period in the previous three years.

5.3 If the test determines that the meter is accurate the testing fee shall be retained by Council.

A meter will be deemed to be accurate if the reading is within 5% of the actual quantity of water passing through it.

6. **The fee for testing water meters.** Fees shall be determined by Council on an annual basis from and will be included in Council's Fees and Charges Schedule.

7. **Council May Disconnect Meter For Test.** The Council may at any time disconnect any meter in use for the purpose of determining the accuracy of the working of such meter or for maintenance of such meter.

8. **Meter Reading**

The Council will read all water meters connected to reticulated water supplies, three times per year (in January, May and September), and will issue water consumption accounts each four months accordingly.

9. **Excess Water Charges**

Council will review water consumption and water access charges each year and will place these on public exhibition as part of its annual fees and charges.

10. **Unmetered Water Supply**

The owner may request Council to install a water meter on Council's unmetered water service. All installation and maintenance costs will be at the owner's expense. The above conditions will apply.

11. **Damage to Meters**

The property owner is responsible for the cost of repairs or replacement of meters damaged by careless or deliberate acts whether by the property owner or other persons. An estimated account for water consumed from the date of the last reading until the date a replacement meter is installed will be calculated as per clause 5.2

Consumer Access to Standpipes

Council is responsible for installation and monitoring of all stand-alone standpipes around the shire.

Usage of Council standpipes will be by purchase of a system key, through Council administration, whereby water consumption is monitored and invoiced accordingly.

Key costs and water charges are determined in the annual Fees and Charges Schedule which can be found on Council's website at www.walgett.nsw.gov.au.

~~The Standpipes Policy is separate from this Policy.~~

References:

- ~~1. Australian Standard 3500.1 1992 National Plumbing and Drainage Code Part 1: Water Supply~~
- ~~2. Local Government (General) Regulation 2005 – Reg 144 titled as 'Cutting Off or Restricting Water Supply'~~
- ~~3. Policy Implementation Procedures, Guidelines and Documents~~
- ~~4. Related WSC Policies~~

DOCUMENT AND VERSION CONTROL

~~This is a controlled document. Copies are numbered and issued to pre-determined Council officials to keep for reference at specified locations. New versions, after being approved, are to replace the previous versions.~~

~~Council is currently developing a Quality Assurance System AS/ANZ ISO 14001:2004 to ensure that the objectives of this policy with regards to the Quality Policy are carried out effectively.~~

AMENDED RECORDS

Version	Date	Author	Section	Page	Changes
2	40/40/42	SOG		4	Policy Statement
2	40/40/42	SOG	4	2-3	Water Meters
2	40/40/42	SOG	42	4	Water Flow Restrictors or Off Water Supply
2	40/40/42	SOG	43	4	Water Flow Restrictors Implementation
2	40/40/42	SOG	44	6	Standpipes

DISTRIBUTION HISTORY

Version	Date	Issued to	Company	Position	Copy
2	-Draft	SOG	Walgett Shire Council	Director – Urban Infrastructure Services	
		Others to be determined later			

Procedure Review History

Date	Changes Made	Approved By
April 2010	Procedure Developed	
10 October 2012	Reviewed	
6 December 2021	Reviewed – new Council term December 2021 to 2024	Michael Urquhart – General Manager

Annexure A

**Walgett Shire Council**

ABN 88 769 076 385

P.O. Box 31, WALGETT, N.S.W. 2832.

Telephone: (02) 6828 1399 Email: admin@walgett.nsw.gov.au**ACTIVITY APPLICATION**

Section 68, Local Government Act 1993

APPLICATION TYPE (for details of application types, refer to back of form)

Part:		Number:	
Description:			

PROPERTY DETAILS

Street No:		Street:		Town:	
Lot No.:		Section:		DP:	
Nearest Cross Street					

APPLICANT DETAILS

Full name:					
Street/PO Box:		Town:		P.Code:	
Phone (B.H.):		Fax No.:		Email:	

OWNER DETAILS

Full name:					
Street/PO Box:		Town:		P.Code:	
Phone (B.H.):		Fax No.:			

APPLICANTS AUTHORITY

I/ We hereby:

1. Consent to Walgett Shire Council displaying and copying this application and supporting documentation including designs, for the purpose of obtaining when necessary, public comment.
2. Certify that the copyright of such supporting documentation, including designs, is vested to me/ us.

Signature:	X	Date:	
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OWNERS AUTHORITY

I/we, _____ of _____ being the owner/s of the land to which this application relates hereby consent to the making of this application and hereby grant Council the power of entry to carry out inspections in relation to any land or building to which this application relates.

Signature:	X	Date:	
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All owners must sign this application. Signatures on behalf of a company must be under a company seal.

OFFICE USE ONLY

Application No.:		Ass. No.:	
Receipt No.:		Date:	

ACTIVITY APPLICATION TYPES

PLEASE NOTE: A well-prepared and complete application will usually result in a speedier decision by Council.

Part A – Manufactured home or moveable dwelling
<ol style="list-style-type: none"> 1. Install a manufactured home, moveable dwelling or associated structure on land. 2. (Repealed) 3. (Repealed)
Part B – Water supply, sewerage, and stormwater drainage work.
<ol style="list-style-type: none"> 1. Carry out water supply work. 2. Draw water from a Council water supply or a standpipe or sell water so drawn. 3. Install, alter, disconnect or remove a meter connected to a service pipe. 4. Carry out sewerage work. 5. Carry out stormwater drainage work. 6. Connect a private drain or sewer with a public drain or sewer under the control of a Council, or with a drain or sewer which connects with such a public drain or sewer.
Part C – Management of waste.
<ol style="list-style-type: none"> 1. For fee or reward, transport waste over or under a public place. 2. Place waste in a public place. 3. Place a waste storage container in a public place. 4. Dispose of waste into a sewer of the Council. 5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility. 6. Operate a system of sewage management (within the meaning of section 68A)
Part D – Community land
<ol style="list-style-type: none"> 1. Engage in a trade or business. 2. Direct or procure a theatrical, musical or other entertainment for public. 3. Construct a temporary enclosure for the purpose of entertainment. 4. For fee or reward, play a musical instrument or sing. 5. Set up, operate or use a loudspeaker or sound amplifying device. 6. Deliver a public address or hold a religious service or public meeting.
Part E – Public roads
<ol style="list-style-type: none"> 1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. 2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road. 3. (Repealed)
Part F – Other activities
<ol style="list-style-type: none"> 1. Operate a public car park. 2. Operate a caravan park or camping ground. 3. Operate a manufactured home estate. 4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance. 5. Install or operate amusement devices (within the meaning of the Construction Safety Act 1912). 6. (Repealed) 7. Use a standing vehicle or any article for the purpose of selling any article in a public place. 8. (Repealed) 9. (Repealed) 10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.



WATER SUPPLY IN NON-URBAN AREAS POLICY

Adoption Date:	27 April 2010
Review Date:	When required
Responsible Officer:	Director Engineering/Technical Services

POLICY STATEMENT

Walgett Shire Council is committed to providing cost effective water supplies within urban areas.

OBJECTIVES:

- To ensure that water supply systems are operated and maintained in a cost effective manner.
- To avoid new water connections outside urban zoned areas unless there are substantial public benefits.
- To ensure that all water connections comply with the NSW Plumbing and Drainage Code of Practice.
- To ensure that all water mains comply with the Auspec New South Wales Development Design Specification - D11 Water Reticulation.

POLICY ELEMENTS:

Council will apply the following elements to ensure that its objectives for water supply in non-urban areas are met.

New connections for residential purposes

Council will not permit any new water connection for residential purposes outside of an urban zone.

New connections for commercial purposes

Council may consider a new water connection for commercial purposes outside of an urban zone. It will have regard for the following principles when evaluating any application:

- It is not appropriate to permit such connections unless there are substantial and clear public benefits.
- It is not appropriate to permit such connections unless there is adequate surplus capacity within the existing system.
- All costs associated with establishing the connection should normally be borne by the landholder that will benefit from the connection. This may include costs associated with establishing easements or approvals under the Roads Act 1993.
- All installations must:
 - Have 'water supply work' approval under section 68 of the Local Government Act 1993 and comply with the NSW Plumbing and Drainage Code of Practice.
 - Where new mains are required, comply with Auspec New South Wales Development Design Specification - D11 Water Reticulation.
 - Be undertaken by a suitably licensed trade person.

New connections for public purposes

Council may consider a new water connection for a public purpose outside of an urban zone. It will have regard for the following principles when evaluating any application:

- It is not appropriate to permit such connections unless there are substantial and clear public benefits.
- The potential for using alternative sources of water supply, such as rainwater tanks.
- Whether there is a need for an easement to enable a water main to pass through land that is not controlled by Council.
- All installations must:
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Council will continue to supply water to existing non-urban connections, subject to the following conditions:

- The original connection was established with written approval from Council.
- The service is not extended to supply another property.
- A water meter is established and relevant water charges are being paid.
- Council provides no guarantee regarding minimum water pressure or volume.
- Adequate capacity remains available within the water supply system to service urban users.
- Where necessary, the landowner upgrades their internal plumbing to comply with the NSW Plumbing and Drainage Code of Practice.

In the event that one or more of the above conditions are not met, Council may cut off a non-urban connection.

POLICY IMPLEMENTATION PROCEDURES, GUIDELINES AND DOCUMENTS

Local Government Act 1993 (especially Chapter 7, Part 1 - activity approvals).

Roads Act 1993 (especially Part 9, Division 3, - other works and structures).

NSW Plumbing and Drainage Code of Practice.

~~Auspec~~ New South Wales Development Design Specification - D11 Water Reticulation.

RELATED WSC POLICIES

Nil.

VERSION HISTORY

Version	Date	Author	Section	Page	Changes
1.0	Apr 2010	DPRS	All	All	Draft policy created after a review of similar policies maintained by other NSW Councils.
2.0	Oct 2022	MJU	All	All	

This Policy and Procedure is superseded by new merged document – Water Supply and Metering Policy and Procedure

Cemeteries

WSC - Procedure – Entering Cemetery Records



~~ENTERING CEMETERIES~~ ~~RECORDS~~ POLICY AND PROCEDURE

Approval Date:

Review Date:

Responsible Officer: Director Planning & Regulatory Services

POLICY STATEMENT

WSC Council is committed to maintaining cemeteries vested under its control so they provide dignified burial places.

OBJECTIVES:

- To maintain accurate records of interments and reservations.
- To maintain cemeteries in a neat and tidy state that is cost effective.
- To apply context sensitive standards for memorials.

Objective

To ensure that all applications for permits to bury deceased person / reservation of plots are dealt with immediately and completely.

~~Council Policy Reference~~

~~Cemeteries Policy~~

Statutory Requirements

Local Government Act 1993

Public Health Act 2010

Public Health ~~(Disposal of Bodies)~~ Regulation 2002 22

Related Policy/Procedure

Code of Conduct

Multicultural Engagement and Services

Complaints Management

Records Management

Entering Cemetery Records Procedure

1. Application for Permit to Bury Deceased

Council's Records staff will receive an application for a Permit to Bury Deceased Person and it will be registered by the Records Department. It will then be receipted by Reception making sure that the receipt number and the amount of the payment and date is recorded on the application and signed (**entering payment details in "Office Use Only" section on bottom of application form**) and entered into TRIM along with the appropriate payment receipt. It will then be assigned in TRIM to CSO (PRS).

CSO to fill in the details from the Burial Permit Application along with fee, receipt number and date, into the hard copy Burial Permit Book ("blue pages") to obtain the permit number (making sure to use carbon paper between the pages).

In TRIM under container number 09/1323 – Register – All Cemeteries – (right click – Edit) enter all the information from the Burial Permit application form into the relevant fields in the Cemetery Register (as per the headings below), starting from the left side of the screen where the numbering is consecutive.

1. **Record Number:** Type new number in and enter twice, one in each field provided.
2. **Permit Number:** The new number is taken from the Burial Permit hard copy book and is to be entered into field provided.
3. **Plot Number:** The number is to be entered into field provided.
4. **Date of Death:** Date is to be entered into field provided.
5. **Internment Date:** Date is to be entered into field provided.
6. **Deceased Surname:** Surname is to be entered into field provided.
7. **Deceased Given Name:** Given name is to be entered into field provided.
8. **Age:** Deceased's age is to be entered into field provided and also **Date of Birth** (if on Burial Permit Application).
9. **Sex:** Male/Female is to be entered into field provided.
10. **Late Address Street:** Address is to be entered into field provided.
11. **Late Address Town:** Town is to be entered into field provided.
12. **Denomination:** The religious section of the cemetery is to be entered into field provided.
13. **Size:** Plot size is to be entered in field provided (as in as in ND for Normal Depth, DD for Double Depth and 2Int for Second Internment).
14. **Rec Date:** Date of receipt to be entered into field provided.
15. **Rec No:** Number of receipt to be entered into field provided.
16. **Res Cert:** Number of reservation to be entered if applicable.
17. **Undertaker:** Name of Funeral Director to be entered in field provided.
18. **Cemetery:** Name of cemetery where buried is to be entered into field provided.
19. **Burial Type:** Choose Body Burial or Cremation Ashes from the drop down box provided, whichever is applicable.

In the hard copy **Burial Permit Book** write the **Record Number** from the Cemetery Register on the **top right corner** (written as Computer Record No ****).

Write the **Permit and Record Numbers** on the **top right corner** of the **Burial Permit Application** form (written as Computer Record No **** and with Permit No **** written directly below).

Fill in the **"Office Use Only"** details at the bottom of the Burial Permit Application and enter details in the **Notes** section in **TRIM**.

The **"blue page"** from the hard copy Burial Permit Book and the receipt is to be sent to the Funeral Director, and communications entered in **TRIM**.

Assign in **TRIM** to the GIS Coordinator who is to update the burial information on MapInfo/GIS and sign and date Burial Permit Application form and then enter these details in the **Notes** section in **TRIM**. Also update the hard copy Cemetery Maps of Collarenebri, Carinda and Burren Junction if applicable.

2. Application for Reservation Right

Council's Records staff will receive an application for a Burial Reservation of a plot and it will be registered by the Records Department. It will then be receipted by Reception making sure that the receipt number and the amount of the payment and date is recorded on the application and signed (**entering payment details in "Office Use Only" section on bottom of application form**) and entered into **TRIM** along with the appropriate payment receipt. It will then be assigned in **TRIM** to CSO (PRS).

First CSO to check the plot to be reserved is not already reserved or had someone buried in it. You can check this in **TRIM**, the MapInfo/GIS or the hard copy of the Cemetery Maps.

In **TRIM** under container number **09/1323 – Register – Cemeteries – Reservations** (**right click – Edit**), enter all the information from the Burial Reservation Application form into the relevant fields of the Cemetery Register (as per the headings below), starting from the left hand side of screen where the numbering is consecutive.

1. **Automatic Numbering:** The numbering is automatic and consecutive for each application and called the ID number.
2. **Reservation Right No:** Enter the number into the field provided from the hard copy Reservation Rights book.
3. **Right Holder's Name:** Name of applicant to be entered into field provided.
4. **Current Address:**
5. **Current Address (Town):**
6. **Plot No:** The number is to be entered into field provided.
7. **Denomination:** The religious section of the cemetery is to be entered into field provided.
8. **Cemetery:** Name of cemetery for the reservation to be entered into field provided.
9. **Receipt No:** Number of receipt to be entered into field provided.
10. **Receipt Date:** Date receipt issued to be entered into field provided.
11. **Receipt Amount:** Amount of payment paid.
12. **Status:** Enter any relevant information that the applicant has provided (eg: to be buried between Harry Lees and Charlie Lees).

Fill in the "white page" in the Reservation Right Book, making sure a piece of carbon paper is underneath it.

In the hard copy of the Reservation Right Book write the computer ID record number on the top right corner of the "white page" (written as ID No ****).

Remove the top "white page" and mail it along with the receipt to the applicant and communications entered in TRIM.

On the application form write in large letters **Reservation Only. Write the Permit and ID Record Numbers on the top right corner of the Reservation Application form (written as ID No **** and with Permit No **** written directly below).** Enter details in the **NOTES** in **TRIM**. Assign to GIS Coordinator who is to update the reservation information on MapInfo/GIS (and issue reservation number if necessary). Also to update the hard copy Cemetery Maps of Collarenebri, Carinda and Burren Junction if applicable.

3. Anticipated Issues

- If an application for a reservation of a plot that is already reserved or someone is buried in it is received, write to the applicant and notify them of this. Notify them of available plots in that area.
- If an application for a permit to bury without a plot number is received, contact the undertaker who has applied for the permit.
- If the application is for a permit to bury in the old Anglican/Aboriginal portion, staff will need to look at the maps to determine what plot numbers have been used, then allocate a number that is not being used, to the plot in question

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
<u>6 December 2022</u>	Reviewed	<u>Kimley Talbert – Director</u> <u>Environmental Services</u>

|



OPAL MINING ~~RELATED~~ POLICIES AND PROCEDURE

Adoption Date: **24 September 2013**

Next Review Date: As Required

Responsible Officer: Director ~~Engineering/Technical Services~~ Environmental Services

POLICY STATEMENT

Walgett Shire Council is committed to balancing environmental, public and private interests when dealing with opal mining as a land use within the Walgett Shire.

OBJECTIVES:

- To avoid land use conflict between opal mining and other land uses.
- To ensure that activities associated with opal mining do not interfere with land or utility assets managed by Walgett Shire Council.

Statutory Requirements

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2021

Mining Act 1992

Related Policy/Procedure

Code of Conduct

Records Management

Complaints Management

Reference Documents

Walgett Shire Local Environment Plan 2013 (LEP)

Walgett Shire Development Control Plan 2016 (DCP)

Walgett Shire Growth Management Study and Strategy

•

STRATEGIES:

Council has various strategies intended to avoid unnecessary land use conflict related to opal mining activity, as detailed within the following documents:

- Walgett Local Environmental Plan 2013 (LEP), which commenced on 5 July 2013

WSC – Policy – Opal Mining Related

- Walgett Shire Development Control Plan, as amended periodically
- Walgett Shire Growth Management Study and Strategy, adopted by Council June 2011.

The following management strategies will be applied by Council to address issues which arise that are outside of the scope of the above documents.

Preserved opal fields (Zoned 'SP1 Special Activities Mining')

Older opal fields are commonly known as 'preserved' opal fields and are zoned SP1 Special Activities Mining under the LEP. Within SP1 zones Walgett Shire Council:

1. Does not support the conversion of any Crown land to freehold title unless the land is being incorporated into the Lightning Ridge urban area or it is being used for a public purpose.
2. Supports the grant of a Western Lands Lease for residential purposes in the following circumstances:
 - a) The establishment of the new lease and associated lot is compliant with the LEP,
 - b) The granted lease is no larger than 2,500m² in area.
 - c) There is no current Western Lands Lease for grazing over the area.
3. Supports the voluntary acquisition of land by the Crown of affected parts of Western Lands Leases for grazing and the establishment of a Crown Reserve for opal mining and prospecting over these areas.
4. Does not provide urban utility services such as water mains or effluent mains to mining camps.
5. Proposals for the establishment of mains electricity infrastructure will be dealt in the following manner by Council:
 - (a) Where it is not a directly affected landholder, it will respond by indicating that it regards opal mining and prospecting as the dominant land use within the zone. It will also request that any determining authority should take action to avoid or, where this is not possible, mitigate:
 - Unnecessary ~~sterilisation~~ of land that is potentially opal bearing.
 - The establishment of safety hazards for opal mining or prospecting.
 - (b) Where it is a directly affected landholder and the proposed connection is for a mining camp, Council will not agree to an easement or infrastructure over Council owned or managed land. Council is not prepared to significantly restrict the future ongoing use of the land for private dwellings.
 - (c) Where it is a directly affected landholder and the proposed connection is for a significant public purpose, Council may agree to an easement or infrastructure over Council owned or managed land. This agreement will only happen if Council is satisfied that any benefits substantially outweigh any potential adverse impacts on Council's use of the land or on opal mining or prospecting.

Residential land use on new opal mining fields (Zoned 'RU1 Primary Production')

On new opal fields, which are all opal fields within RU1 Primary Production zones under the LEP, Walgett Shire Council:

6. Does not support the establishment of residential buildings in connection with opal mining activities.

Note: Caravans and tents may be used in certain circumstances on mining titles in new opal fields. See clause 77 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

Buffer zones

Walgett Shire Council seeks the assistance of the Resources and Energy unit of the NSW Department of Primary Industries to minimize the potential for inference with Council infrastructure and ensuring public safety by applying the following policies:

7. **Public Roads** - Not granting Mineral Claims within:

- 50 metres of the centreline of the Castlereagh Highway or the road corridor, whichever is the greater.
- 20 metres of the centreline of any other public road (Regional Road or Shire Road) or the road corridor, whichever is the greater.

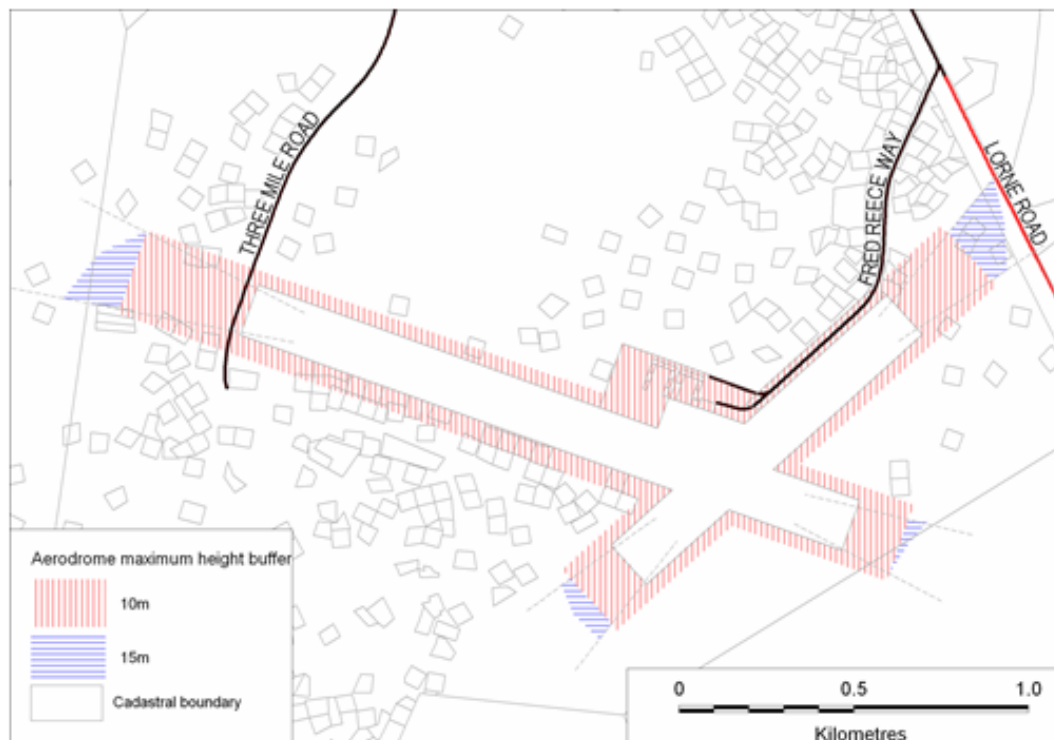
Note 1 - Clause 17 of the Interim Development Order Shire of Walgett 1968 (IDO) previously prohibited opal mines in zone "1 Non urban (a)" from being located within 20 metres of the centreline of a road and within zone "1 Non urban (b)" from being located within 150 metres of the centreline of a road.

Note 2 - The IDO was superseded by the Walgett Local Environmental Plan (LEP) on 5 July 2013, but it does not contain provisions which protect public roads from mining development. It is important to protect public roads from development likely to compromise their integrity.

Note 3 - The buffer zones noted herein were resolved at a Council meeting held on 24 September 2013.

8. **Aerodrome:** To ensure that no mining related equipment or structures exceed the maximum height buffers for the Lightning Ridge Aerodrome as outlined in the diagram below.

Note: Diagram updated June 2008 from a plan held by Walgett Shire Council engineering directorate (Plan 23, drawer 29).



WSC – Policy – Opal Mining Related

N/A

Related WSC Policies

- ~~Draft Walgett Local Environmental Plan 2012 (LEP).~~
- ~~Walgett Shire Development Control Plan 2013 (DCP).~~
- ~~Walgett Shire Growth Management Study and Strategy.~~

Version history

Version	Date	Author	Section	Page	Changes
1	15-7-2008	DPRS	All	All	New policy adopted by Council based on a compilation and revision of established Council policies.
1.1	25-8-2009	DPRS	Mains power	2	Revision regarding mains power on the preserved opal fields.
2.0	6-2-2013	DPRS	All	All	Major revision to address issues arising from Crown Reserve 1024168 superseding Permissive Occupancy 1985/19 and WSC's adoption of the Walgett LEP 2012.
2.1	24-9-2013	WSC	Buffer zones	2	Added new buffer zones for roads that were resolved at the 24-9-2013 Council meeting.
2.2		DPRS	Strategies	4	Removed reference to draft LEP.

Procedure Review History

<u>Date</u>	<u>Changes Made</u>	<u>Approved By</u>
<u>24 September 2013</u>	<u>Procedure developed and endorsed by Council</u>	
<u>6 December 2022</u>	<u>Reviewed</u>	<u>Kimley Talbert – Director Environmental Services</u>

Water Save

WSC – Policy – Water Save Policy



WATER SAVE POLICY

(formerly Water Restriction)

Adoption Date: 30-March-2011

Next Review Date: 30-March-2013 December 2024

Responsible Officer: Director Engineering/Technical Services

STATEMENT

Walgett Shire Council is dedicated to providing a uniform, fair and consistent system of water save initiatives for all residents and businesses ~~of~~ within the Walgett Shire Local Government Area.

This policy document covers timing and durations of intended water restrictions, communication protocols and consistency of enforcement approach to consumers.

The provisions of this policy are consistent with established principles of water management and conservation, ~~and fully compliment the WSC's AFM – Water Meter Policy.~~

LIMITATIONS:

Parts of this policy do not apply to emergency situations.

OBJECTIVES:

- To provide an operational framework to manage water supply demand on water supply systems.
- To ensure that the operational framework procedures are enforceable under such conditions as drought, infrastructure repairs and other unpredictable events.
- To provide four levels of water restrictions to meet the requirements of essential services for all residential and business needs.
- To manage the risk of water system failures, water quality issues or low rainfall, which restrict or limit Council the ability to supply and deliver quality water to the general public.
- To describe the expectations of Council when water restrictions are imposed.
- To ensure existing water demand and supply is monitored and encourage each household to take care from damaging of the assigned water meter to their property.
- To ensure that compliance with all relevant legislative and regulatory requirements is met all times.

Statutory Requirements

Water Management Regulation 2003

Water Management (General) Regulation 2004

Related Policy/Procedure

Code of Conduct

Customer Service

Complaints Management

Enforcement

Reference Documents

Walgett Shire Council Draught Management Plan

Sydney Water - Water Wise Guidelines

1.0 DEFINITION

- 1.1 **Water Restriction** means imposition introduced by Walgett Shire Council to enforce limited or restricted use of daily water consumption to ensure that supply and demand of water can be maintained at desired levels consistent with good management practices.
- 1.2 **Garden** means any ground that has been cultivated with trees, shrubs, flowers and vegetables or vegetation of any kind.
- 1.3 **Lawn** means any ground that has been cultivated and predominantly grassed in nature and is not a garden.
- 1.4 **Hand held hose** means a hose fitted with a trigger nozzle and continuously held by hand at the discharge end.
- 1.5 **Not permitted** means water must not have been taken from Council's water supply but water from alternative water may be used.
- 1.6 **Sprinkler** means any device attached to a pipe water receiver which is used for discharging water in a concentrated or dispersed pattern.
- 1.7 **Water** means water supplied by Walgett Shire Council via water network reticulation system.

2.0 WATER SAVE AUTHORIZATION

The General Manager will authorize the imposition and lifting of water restrictions in accordance with this Policy.

- 2.1 **Exemptions.** Applications for exemptions from water restrictions or variations to start and/or finish times must be made in writing to the General Manager. Variations if approved will not increase the total allowable watering time per week for each level of restriction. The property owner or consumer requiring an adjustment to watering times must provide a written request to General Manager advising of their circumstances. Council will decide whether or not the property owner or consumer should be granted a variation.

- 2.2 **Exemption Variations.** Should Council agree to the request, an advice will be issued providing the variation conditions, ie, application period/s, times and special conditions. A sign provided by Council is to be displayed in front of the property advising that the property has a variation permit. Granting variations to water restriction is limited to health, safety and financial hardships.

3.0 EMERGENCY WATER SAVE

Council has the authority to introduce water restrictions at any time for a period of time to any water reticulated network, property, or business customer for any of the following purposes:

- Urgent repairs, cleaning, renewals, replacement or additions to the water reticulated network or any part thereof and;
 - To provide water for any fire or similar emergency problems.
- 3.1 To protect the distributing integrity of water domestic supply where the demand for water from consumers of the water distribution system exceeds or is expected to exceed the volume of water that can be supplied to the distribution system.
- 3.2 The following specific activities are exempt from the above provision unless a Water Restriction Level 3 is, in effect:
- a) Commercial car or truck wash
 - b) Washing of vehicles for health or safety regulatory compliance
 - c) Child care facilities
 - d) Hospitals
 - e) Animal care facilities
 - f) Food and beverage establishments
- 3.3 To regulate the equitable distribution of water to consumers at different levels in separate water supply districts.

4.0 WATER RESTRICTION LEVELS

Water restrictions are introduced primarily to reduce outdoor water use. Council will not automatically impose water restrictions at the beginning of summer. Decisions will be guided by the outcome of close observance of water consumption and long range weather predictions in the months leading up to summer period.

The level of water restrictions is based on available storage volumes and categorized according to the levels set out in the following table:

4.1 Water Restriction Level 1:

Use of water systems such as hand held hoses connected to water scheme supply, micro-spray or automatic irrigation sprinklers for lawns and gardens is prohibited other than the following times:

- 4.1.1 Residential premises from 5:00 am to 9:00 am and 6:00 pm to 10:00 pm daily

- 4.1.2 Commercial premises and non-automated sprinklers in public parks, sport fields, schools and hospital grounds from 7:00 am to 12:00 noon Mondays to Fridays.

The use of water on newly laid and or plantings will not be restricted.

4.2 Water Restriction Level 2:

Use of water sprinklers for lawns and gardens except hand-held hoses are not allowed. The use of water on newly laid sod or planting outside this restriction is allowed on exceptional circumstances.

No hosing of hard surfaces, including personal/private vehicles at any time.

No hoses or taps to be left running unattended except when filling pools or containers.

Washing vehicles using a bucket is permitted.

4.3 Water Restriction Level 3:

Public parks, sport fields and school grounds only are able to be watered within the water supply allocation. Washing vehicles using a bucket is permitted. All other domestic and commercial watering activities are suspended.

Any property owner or consumer using contents of rain water storage may continue watering as long as the use is coming from this rain storage facility. Council should be notified of this condition.

4.4 Water Restriction Level 4:

All outdoor and non-essential indoor use of water is prohibited. Bulk water filling from stand pipes is prohibited.

Fire hoses must only be used for firefighting purposes – not for cleaning.

5.0 INFRINGEMENT NOTICE AND FINES

The Urban Infrastructure Services carries out random audits to make sure people comply with restrictions. Council Rangers have also been given the authority by the State Government to issue Penalty Infringement Notices for breaching water restrictions.

- 5.1 **First Offence** – a verbal warning followed by an official warning notice advising that water restrictions are in force and that on-the spot fine will be issued if they offend once again. A copy of the public water restriction notice and schedule will be provided. A photograph of the watering system in operation will be attached with date, and time displayed.

- 5.2 **Second Offence** – On-the-spot fine shall be imposed in accordance with the following fine categories:

- 5.2.1 Individual Household : \$100 for every breach
- 5.2.2 Businesses : \$400 for every breach
- 5.2.3 Water Theft : \$800

A photograph of the watering system in operation will be taken with date and time displayed.

No verbal warning will be given at Restriction Levels 3 and 4. Penalty will be imposed immediately.

6.0 REVIEW OF FINES

The General Manager will authorize the review and imposition of new fine conditions subject to Council approval.

7.0 CONTESTING FINES

The Infringement Notice can be contested by either writing to The General Manager, Walgett Shire Council, 77 Fox Street, Walgett or exercising the right of appeal to the Walgett Local Court, Walgett 2832.

Council reserve the right to change or appoint the Debt Recovery Officer/s at any time in accordance with the set of local government guidelines, rules and regulations

8.0 PUBLIC NOTICES

Water restriction notices when introduced shall be broadcasted on radio stations, advertised in the local newspapers, posted in Council service centers and any other appropriate well viewed locations. Council at this point in time will initiate enforcement measures from the advertised introduction date.

~~Water Management Regulation 2003~~

~~Water Management (General) Regulation 2004~~

~~Walgett Shire Council Draught Management Plan~~

~~(Water Supply Authorities – Water Restrictions)~~

~~Policy Implementation Procedures, Guidelines and Documents~~

~~Related WSC Policies~~

~~DOCUMENT AND VERSION CONTROL~~

~~This is a controlled document. Copies are numbered and issued to pre-determined Council officials to keep for reference at specified locations. New versions, after being approved, are to replace the previous versions.~~

~~Council is currently developing a Quality Assurance System AS/ANZ ISO 14001:2004 to ensure that the objectives of this policy with regards to the Quality Policy are carried out effectively.~~

~~AMENDED RECORDS~~

Version	Date	Author	Section	Page	Changes
New	02/07/200	SOC	All	All	A newly developed document.

WSC – Policy – Water Save Policy

	8				
1a	23/07/2008	SOC	Not numbered	3	Amendment per Resolution 335/09
1b	15/12/2008	SOC	Not numbered	3	Amendment per Resolution 387/09
2	01/11/2010	SOC	All	All	RE-numbering of Descriptions introduced.
2	01/11/2010	SOC	4.1	3	Change of Time for Commercial Premises per Council Resolution 387/09: Water Restrictions; December 2009
2	01/11/2010	SOC	4.1	3	4.1.2—Public Parks, sport fields and school grounds provision for automated sprinklers are amalgamated into one
2	01/11/2010	SOC	3.2 (d)	3	Sub-section d) Hospitals added
2	01/11/2010	SOC	5.1 and 5.2 (1), (2), (3)	4	Section 5: Infringement Notices Fines
2	01/11/2010	SOC	6 and 7	5	Introduced new Section 6: Review Fines and Section 7: Contesting

DISTRIBUTION HISTORY

Version	Date	Issued to	Company	Position	Copy
4	02/07/09	SOC	Walgett Shire Council	Director of Urban Infrastructure Services	4

Procedure Review History

Date	Changes Made	Reviewed By
2009	Policy Developed	
4 November 2022	Complete Review	Keshan Diarmasena – Project Officer Water and Waste Water



CONDITIONS OF EMPLOYMENT POLICY & PROCEDURE

Adoption Date: ~~27 August 2019~~

Review Date: ~~August 2020~~ November 2025

Responsible Officer: Human Resources Officer

POLICY STATEMENT

WSC is committed to providing a workplace that is free from discrimination with fair and equitable conditions of employment that attract and retain highly skilled staff, promotes self development and ethical behavior and transparency in the conduct of its activities.

OBJECTIVES:

- To ensure that Council complies with relevant industrial requirements, the Anti Discrimination Act 1977 and all other relevant statutory employment requirements.
- To provide consistent and transparent procedures and guidelines for all employment related issues.
- To maintain a fair and equitable salary system that recognizes relativities between positions, develops organisational competencies and considers market factors in order to ensure that salary levels have the ability to attract and retain appropriately skilled staff.
- To ensure that programs are implemented that promote Aboriginal employment opportunities.
- To promote a high level of ethics and transparency in all facets of service delivery and decision making.

Statutory Requirements

Work Health & safety Act 2011

Anti Discrimination Act 1977

Local Government (State) Award ~~2017~~ 2020

Local Government (COVID-19) Splinter (Interim) Award 2021

Related WSC Policies

Higher Duties Policy

Recruitment and Selection Policy

Equal Employment Policy

Training Policy

Employee Travel Expenses Policy

Harassment Policy

Protected Disclosure Policy

Flexible Work Practices

Staff Uniform

S:\Policies and Procedure\Conditions of Employment

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▲ Outside Employment

Council will consider applications from staff who seek to engage in part-time employment outside Council.

Staff are not to engage in any outside employment or involvement where the hours worked or the nature of the duties are:

- such that his/her personal health or efficiency could be impaired;
- contrary to the best interests of Council; or
- in conflict with the provisions of Section 353 of the Local Government Act or with any specific term of appointment

Staff wishing to engage in outside employment must submit a written application to the General Manager through their Director. Applications should include details of the nature of the work, the name of the employer, an estimate of the hours involved and an outline of any possible conflict of interest.

Council reserves the right to review any decision made should the employee's Council work performance become affected by outside employment.

Private Works by Council

Any staff member wishing to privately carry out works which will be subject to approval by Walgett Shire Council must seek written approval prior to carrying out, or contracting to do, any such works.

Permission will be given by the General Manager only in situations where:

- a) the staff member concerned will not be involved in the processing or approval of such plans once received by Council;
- b) where resources of Council are not used; and
- c) where work is done in the staff member's own time

Cashiers Shortage

Managers are to ensure that all staff appointed to cash handling positions receive training in procedures for handling cash and that staff understand that they are responsible for the money that they handle.

Any cashier surpluses are to be banked to the general bank account and appropriately reported.

All cashier deficits are to be investigated by the Management Accountant in the first instance. In cases where the amount is less than \$50.00, the Management Accountant shall consider the circumstances and make a decision regarding the waiving or recovery of the shortage. The Management Accountant is to refer deficits exceeding \$50.00 to the Chief Financial Officer who will make a decision regarding the waiving or recovery of the shortage.

In accordance with the Financial Regulations of the Local Government Act, payment of the shortfall from Council funds is a reasonable course of action when fraud, misappropriation or gross or repeated negligence is not suspected and where:

- small amounts are involved
- busy operations occur
- the particular staff member does not experience regular or repeated cash shortages or
- the staff member has only been in the position for a short time

Shortages will normally be met from any accumulated cashiering surpluses.

Staff Uniform

Walgett Shire Council (WSC) is committed to providing all staff with access to a professional uniform standard of dress and personal protective equipment (PPE) in accordance with [Staff Uniform policy and procedures](#).

Service Awards

Council appreciates the contribution made by long serving employees and has established the following formal award system to recognise extended and valued service.

Certificates of Service for long serving employees will be presented at:

- 10 Years - Certificate of Service
- 20 Years - Certificate of Service and gift to the value of \$100.00 (at General Managers discretion)
- 30 Years - Certificate of Service and a gift to the value of \$200.00 (at General Managers discretion)
- 40 Years - Certificate of Service and suitable presentation gift at General Managers discretion.

Employee of the Year Award

Each year in December, the General Manager and Executive Team will select an employee nominated by [staff](#) to be the recipient of the Employee of the Year Award. The employee will be presented with a **\$250.00** gift voucher from a local business/businesses.

Travel Expenses

Staff will be reimbursed reasonable travel and related expenses where appropriate in accordance with [Employee Travel and Related Expenses policy and procedure](#).

Employee Reference/Letter of Service

An employee, having submitted his/her resignation, will be given, on request, a reference outlining the length of service, details of position(s) held and any other relevant comments relating to the employee's service with Council.

References will be prepared and signed by either the General Manager or the relevant Director or Human Resources and issued on Council letterhead.

References written by staff other than the above are not to be issued on Council letterhead.

In the event that an employee's service is terminated on disciplinary grounds, a statement of service will be prepared and issued on request by Human Resources. The statement of service will only include details of the period of service, the nature of the employment and the position held at the time of ceasing duty.

This may be varied under special circumstances as determined by the General Manager.

Mobile Phones

Certain employees will be allocated a mobile phone either on a full time basis or on a part time basis when on call for Council. These mobile phones remain the property of Walgett Shire Council at all times. Mobile phones are strictly for business use only except in emergency situations where employees are allowed to use the phone for personal use at a minimal cost to Council. Employees who are absent from their homes on council business are also permitted limited personal use.

Grievances and Disputes

Where a grievance or dispute arises in the area of job evaluation, performance review, EEO or any other general matter, Clause ~~35-36~~ of the Local Government (State) Award ~~2017~~ is to be followed. Disciplinary matters will be dealt with in accordance with Clause ~~36-37~~ of the Local Government (State) Award ~~2017~~.

Hours of Duty

Outdoor Staff

The standard hours of work for outdoor staff are as follows for a 76 hourly fortnight schedule:

- 8 days from 7am to 4:30pm
- 1 day from 7am to 4pm (Thursday payday)
- 1 day flexi (Friday following payday)

Indoor Staff

All staff are offered flexible work practices as provided in [Flexible Work Practices](#) policy and procedure.

Exit Interviews

Information obtained by conducting exit interviews is useful in identifying factors that affect Council's human resources and may help to identify trends and/or problems which lead to an increased turnover, dissatisfaction and poor staff morale.

1. Exit interviews will be undertaken in an effort to determine the real reasons for separation. A summary of the interview shall be prepared on the *Formal Exit Interview Sheet* immediately following the interview and a copy made available, if requested, to the departing employee. An exit interview is not compulsory.
2. The information contained within this summary shall remain strictly confidential.
3. Completed forms are to be submitted to Human Resources to be filed confidentially.
4. An annual Summary Report of Exit Interviews is to be prepared in July and submitted to the General Manager and Management team by the Human Resources Officer.

Loss/Damage of Council Property

Staff who lose or damage Council property as a result of repeated failure to take reasonable care may be required to pay Council the book value of the loss and/or be disciplined according to the extent of any negligence.

It shall be the responsibility of each Manager/Supervisor to investigate any loss of, or damage to Council property. The Manager/Supervisor is to discuss the loss or damage with the staff member or the team responsible for the relevant property and make an assessment as to whether the matter should be referred to the Director of the department.

Where the Director considers that action should be taken to recover costs for the loss or damage, a report is to be forwarded to the General Manager for a decision. The Director may take appropriate disciplinary action if negligence is deemed to have occurred separate from the General Manager's decision on the subject of recovery of costs.

Employee Interstate and Overseas Travel

Interstate Travel

There are occasions when employees will need to travel interstate or overseas to attend conferences, seminars, study tours and training courses or to represent the interests of their local area.

The General Manager is to approve all interstate travel for staff members and a detailed report presented to Council outlining:

- who is to take part in the travel
- the objectives to be achieved in undertaking it, including an explanation of what community benefits will accrue as a result of the visit
- details of costs, including any amounts expected to be reimbursed to participants

Where exceptional cases arise and travel is to be undertaken at short notice before a report can be considered at the next Council meeting, the above details should be reported to the General Manager for decision and the outcomes, costs and attendances should be included in a report to the next Council meeting for the information of Councillors.

Overseas Travel

Proposals for overseas travel for staff and/or Councillors on Council business should be documented in the annual management plan. Community input about the proposed visit can therefore be considered as part of the management plan review and budgetary process.

Proposals should indicate:

- who is planned to take part in the travel
- the objectives for undertaking it, including an explanation of what community benefits will accrue from the exercise, with an approximate budget
- detailed costs including a statement of any amounts expected to be reimbursed by the participants

A detailed report should be given in the Annual Report for the year in which the visit took place, outlining how the objectives were met and what quantifiable benefits have/will flow to the community.

Council will consider proposals and resolve whether or not the travel is to take place.

Protected Disclosures

Council recognises the need to have an appropriate internal reporting procedure to encourage and facilitate the disclosure, in the public interest, of cases where corrupt conduct, maladministration and serious and substantial waste occurs within Council. Protected Disclosures procedures in accordance with the Protected Disclosures Act 1994 are contained in [Protected Disclosures](#).

Complaints against Council Employees

Occasionally a complaint may be lodged against an employee by a member of the public or external organisation. Council will investigate written complaints at an appropriate level and employees will be given the opportunity to respond to the complaints made against them.

Only *signed written* complaints will be investigated except where Council's legal duty of care may be questioned or where there has been an allegation of corruption or fraudulent activity.

Details of verbal or anonymous complaints shall be discussed with the employee(s) involved but will not be investigated nor be acted upon in any other way.

All complaints must be registered in TRIM and referred to the relevant Director or General Manager. The General Manager or relevant Director will acknowledge the complaint in writing and advise the complainant that an investigation will be undertaken immediately.

The General Manager will initiate an investigation through the relevant Director by directing the Director to discuss the complaint with the employee(s) involved and any other persons involved or witness to the alleged incident.

The Director must prepare a report to the General Manager which will outline the findings of the investigation and any recommendations for any further action considered appropriate.

Where investigations reveal that a complaint is justified and that an employee has acted in a manner contrary to accepted Council standards, the normal disciplinary process shall be initiated.

At the conclusion of the investigation, the complainant will be informed in writing that the investigation has been completed and shall be advised, in broad terms, of the outcome.

Overtime

All overtime is to be paid in accordance with [Section-Clause 49-20](#) of the Local Government (State) Award ~~2017~~ only where employees are directed to work before the commencement of ordinary hours or later than the agreed completion of ordinary hours.

All planned overtime must be approved in writing by the relevant director prior to performing the overtime. Payment of overtime will only occur where prior authorisation has been obtained.

Outdoor Staff

Outdoor staff will on occasions be directed to work planned overtime to maintain assets and infrastructure and are also required to respond to break downs, repairs and other emergencies outside normal working hours. Regular overtime must be approved in advance by either the Director of Engineering/Technical Services or immediate supervisor who will notify human resources and payroll in writing. Regular overtime must be regularly reviewed and may be reduced or withdrawn at any time in the event that service levels or resources are altered.

Unplanned overtime is to be authorised by the Team Leader or the relevant Manager/Director who must notify Human Resources and payroll in writing.

Indoor Staff

Indoor staff work in accordance with [Flexible Work Practices](#) and the Staff Flexitime agreement and any overtime will generally be accrued as time in lieu. Any paid overtime must be approved by the relevant director in writing prior to the overtime occurring.

Leave Provisions

All leave provisions are in accordance with Local Government (State) Award ~~2017~~ except for the provision of five (5) weeks annual leave for all indoor ~~staff~~ [Leave Policy](#)

Annual Leave

Council employees are encouraged to take annual leave within two (2) years of accrual. Annual Leave should not be accumulated beyond two (2) years entitlement which is 40 days for outdoor staff and 50 days for indoor staff unless authorised in writing by the General Manager.

~~All approved leave forms must be given to the Payroll Officer as soon as practicable to enable timely processing. Annual leave is to be approved in advance and at least two (2) weeks' notice should be given by employees.~~

~~The Payroll Officer must present an Employee Leave over 40 days report to the General Manager and Chief Financial Officer annually in October. The Chief Financial Officer will then notify the relevant Directors which staff members must be directed to take annual leave.~~

Sick Leave

Employees who are unable to attend for work due to genuine personal illness/ injury are required to notify their Team Leader or Manager as early as possible and, in any case, no later than 30 minutes after normal commencement time unless special circumstances apply. Notification is to include the employee's reason for absence and the anticipated duration.

~~Proof of illness to justify payment will be required after 2 days absence or after 4 separate periods (irrespective of the duration of those absences) in each service year.~~

~~An application for sick leave must be completed upon returning to work.~~

~~Where an employee is unable to make an appointment due to unavailability of a medical practitioner, the employee may obtain a note from the medical receptionist stating that no appointments were available at the required time.~~

Leave Without Pay

Periods of leave without pay may be taken at a time convenient to Council and the employee and in accordance with Local Government (State) Award ~~2017~~ and [Flexible Work Practices](#). Leave without pay can only be approved by the General Manager with a recommendation from the relevant Director.

Higher Duties

Employees who are required to relieve in positions which have greater responsibilities and requirements within Council's staff structure will be fairly remunerated and paid for that work in accordance with [Higher Duties](#).

Additional Duties

The General Manager may offer an employee an allowance when that employee temporarily performs significant additional duties and takes on responsibilities that are not within their Position Description and not considered to be higher duties over an extended period of time. Payment will be made in accordance with [Payment for Additional Duties](#).

Aboriginal Employment

Council is committed to the development and implementation of an Aboriginal Employment Strategy. This strategy will be developed by Human [Resources](#) and the Manager Community Development. The results should be reported annually to Council and in the Annual Report.

Private Use of Motor Vehicles

Council has established procedures and guidelines for the provision of motor vehicles ~~recognising~~ that operational requirements and staffing arrangements of Council may vary from time to time. Vehicle selection, private use arrangements, and the Motor Vehicle policy and procedures are based upon the operational needs of the ~~organisation~~ and cost benefit to the Council in accordance with ~~the~~ the Motor Vehicle policy and procedure.

Relocation Expenses

Relocation expenses for the following specified positions may be considered at the discretion of the General Manager:

- Chief Financial Officer
- Director Engineering/Technical Services
- Director Environmental Services
- Senior Health and Building Surveyor
- Employees appointed to a position within a ~~recognised~~ skill shortage profession

Removal Expenses

Reasonable expenses for the removal of furniture and effects on taking up an appointment will be paid by Council. Three quotations are to be submitted and the reimbursement will be based on the lowest quote.

50% of any re-imbursement will be repayable to Council in the event that the employee terminates their employment within two years of commencement.

The General Manager has the discretion to consider removal assistance for other unspecified positions on the basis of a twelve month interest free loan of an amount equivalent to the lower of three quotes.

Loss of Drivers License

Staff who have their license cancelled either fully or partially must immediately notify their supervisor. Failure to notify will be considered a serious misdemeanor, which may result in suspension or termination of employment. The supervisor must then report the cancellation to the General Manager in writing.

Where an employee requires a license to carry out their work and they have their license cancelled the following provisions may apply:

- Reasonable consideration will be given with regard to redeployment into another position until such time as that employee's license is returned.
- Disciplinary procedures as per the Local Government (State) Award ~~2017~~ will apply for a repeated offence(s).
- Where the cancellation is for an extended period, of more than three (3) months, if the cancellation significantly impacts on an employee's capacity to undertake their duties, their employment may be terminated by the General Manager.
- In the event that an employee is imprisoned, the employee's employment will be terminated.

Any rights to the use of a Council vehicle shall be terminated.

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
July 2019	Revised	Greg Ingham – General Manager
August 2019	Formally Adopted	Council
<u>November 2022</u>	<u>Minor changes by HR Manager</u>	



WR- FLEXIBLE WORK PRACTICES **POLICY AND PROCEDURE**

Approval Date: 2019
Review Date: 20212024
Responsible Officer: General Manager/Human Resources Manager

POLICY STATEMENT

Walgett Shire Council is committed to developing a flexible work environment that enables staff to address their personal responsibilities whilst improving the efficiency and productivity of the workplace.

OBJECTIVES

- To ensure that WSC complies with, and presents staff with options that may extend, the relevant industrial requirements for more flexibility in the workplace.
- To facilitate and promote flexible work practices through clear and defined procedures for flexible work arrangements.
- To ensure that flexible work practices are subject to organisational conveniences and to ensure that approval for flexibility will not be withheld arbitrarily provided that the organisational needs are met.
- To ensure Walgett Shire Council objectives are met by recognising that performance and customer service can be enhanced if employees' personal needs are met.

Objective

To develop a flexible work environment that provides both Council and its staff with a wide range of working arrangements that meet both organisational and employee needs.

Council Policy and References

~~WR- Flexible Work Practices Policy~~

Local Government (State) Award ~~2017~~ 2020
Local Government (COVID-19) Splinter (Interim) Award 2021
Work Health and Safety Act 2011

Related Policy/Procedure

WR - Work Health and Safety

WR - Conditions of Employment
WR - Staff Induction Manual
WR - Staff Recruitment and Selection
WR – Time In Lieu
WR – Nine Day fortnight (Rostered Day off)

Flexible Work Practices

1. Part-Time Work

Employees or Council can initiate part-time work however participation is by agreement by both parties. The organisational needs of Walgett Shire Council must be met at all times. Employees should request a change to part time work in writing either by email or by letter, to the General Manager. The request must contain the nominated change in hours / days to be worked. The General Manager's support should be sought.

- (a) Part-time work will be offered in the following ways:
 - I. Designing jobs within Council that can be performed on a part-time basis.
 - II. The employment of current full time employees who want the option to work part-time on the same work.
 - III. Advertising work to be performed on a full time or part-time basis and designing the work arrangements to suit the availability of the best applicant.
- (b) The principles of good job design should be adhered to for full time and part time positions. Part-time work will be designed so that the workload is commensurate with the number of hours worked. The duration and the total hours worked should be sufficient to incorporate sound management practices which promote participation, development, training and promotional opportunities.
- (c) Part time employees will be offered developmental opportunities which are offered to full time employees. This includes study time, special projects and training.
- (d) Part time employees will be considered available to perform higher duties. The employee may decline if a change in work pattern is not suitable.
- (e) Part time employees attract the same entitlements as full time employees on a pro-rata basis.
- (f) Where a full time employee wishes to work part time and would like the opportunity to return to full time work, it will be recorded in the part time work agreement. Return to full time work will be at the same level as their former full time role and where possible at the same location and with similar duties.
- (g) Where existing part time work arrangements require an employee to work less hours, a new arrangement will be made by mutual agreement and in recognition of a specific need for fewer hours.
- (h) Before commencing part time employment, an agreement must be drawn up and signed by both the employee and employer. This agreement must contain the following information:
 - that the employee may work part time;
 - the hours to be worked by the employee, the days which they will work, and commencing and finishing times for the work;
 - the classification applying to the work to be performed;
 - the period of part time employment
 - the entitlements of the employee
- (i) The terms of the agreement may be varied, in writing, and agreed upon by the employee and employer. A copy of the agreement must be retained by the employer and a copy provided to the employee.
- (j) Employees may request to work part time for a defined period in conjunction with accrued paid or unpaid leave.
- (k) Part time employees will be consulted along with full time employees on any proposed changes in the workplace.

- (l) Where full time employees are considering changing to part time work for an indefinite period, the impact on their superannuation (ie Active Super Retirement Fund) should be considered before formalising the arrangement.
- (m) All changes from full time to part time work must be signed off by the General Manager, with Manager/Supervisor recommendations and/or Director recommendations.

2. Job Sharing

Job Sharing is an arrangement whereby two part time employees share one full time job. Job Sharing provides flexibility for employees to choose preferred work patterns to suit their lifestyle. The most widely acceptable method of job sharing is for the job to be split equally with the job sharers having equal responsibility, performing similar tasks and often working the same amount of hours. Other options may be adopted as approved by the employer and job sharers.

- (a) Job Sharers perform the role of one full time employee in a particular job and the workload and performance expectations would be the same as if performed by one employee. Clear goal setting and assessment will be set down for each employee.
- (b) Job Sharing may be arranged at the initiative of Walgett Shire Council, potential employees or existing employees.
- (c) Council can advertise a job as either, full time, part time or for job sharing. Applicants must submit a joint application, or suitable individuals who are identified through the selection process may agree to a job sharing arrangement proposed by Walgett Shire Council.
- (d) When conducting the selection interview it is necessary to interview each potential employee separately to ascertain his or her suitability for work. It may also be necessary to interview the job-sharing applicants jointly to see how they interact together.
- (e) The following matters need to be discussed with each potential job sharer and Walgett Shire Council and agreed to in writing, before the commencement of the job sharing arrangement:
 - Responsibilities - When designing the job sharing arrangement, consideration must be given to the responsibilities assigned to each job sharer.
 - Split Responsibilities - Split responsibility is only appropriate for areas where specific jobs can be split between job sharers.
 - Shared Responsibilities - In this arrangement each job sharer is expected to perform the full range of duties, with the duties split only by the time each sharer is at work.
- (f) Each individual person will have a separate employment relationship with Walgett Shire Council and job sharers are not responsible for each other's performance or conduct.
- (g) The schedule of work hours will be set out before commencement of the arrangement.
- (h) Channels of communication will be set up between each job sharer, their Department Director and other employees. This will be as advised by the respective Department Director. Arrangements for outstanding work will be assisted with a "log-book" of outstanding matters.
- (i) The usual range of options for relief will be made available to each job sharer. The sharers may provide relief for each other. The plan will be agreed upon at the start of the job sharing arrangement, including mutual consent and appropriate consent and

appropriate advance notice where the job sharers agree to provide relief for each other.

- (j) Conditions of employment for job sharers are the same as for part time employees. Benefits are similar to those for fulltime employees - they accrue benefits and are paid on a pro rata basis. The usual benefits apply. These include flexitime, sick leave and all other leave entitlements. Each job sharer has a separate contract of employment.
- (k) Job Sharers are entitled to the same developmental opportunities as full time employees. This includes training, study leave and the opportunity to act in higher graded duties.
- (l) The employment of job sharers will not be conditional on the continued employment of the other. If both sharers leave at the same time, the usual procedures for filling a vacancy will occur. The procedure to be followed will be agreed and set out in writing at the commencement of the job sharing arrangement.

3. Part Time Leave Without Pay

- (a) Part-time leave without pay applies to employees currently working full time. These employees may propose to work part time for a specified period through either a reduction in their current working hours or by performing other duties. This can be achieved through the use of leave without pay to cover the balance of the working week. At the end of the specified period the employee returns to full time work subject to approval by the General Manager.
- (b) Employees may be granted access to part time work for a specified period only.
- (c) This scheme may have consequences for employees in certain superannuation schemes. Employees are advised to obtain information from their relevant Superannuation Scheme's advisory service prior to making a final decision.

4. Working from Home

- (a) Walgett Shire Council will allow a Working from Home Agreement on both a short term and long-term basis, subject to the agreement meeting the organizational needs. This agreement must be signed prior to employees working from home.
- (b) Agreements for working from home will only be established where the General Manager, Department Director and the employee agree that certain work can be completed in an efficient manner and without adverse effects on the organisations service delivery.
- (c) Working from Home Agreements must detail the following features:
 - Work Health and Safety;
 - Designated work area in the home;
 - Employee consent to allow access to home based work site by the employer, WH&S representative for setup of the site, monitoring or review of any accident;
 - Employees consent to allow access to Work Cover inspectors;
 - Compliance with Work cover requirements;
 - The statutory obligations of the employer e.g. WH&S, worker's comp etc. for the employee whilst working from home;
 - Employee's right to have a union representative or third party present during visits by the employer, appropriately qualified person or Work cover inspector at the home based work site;
 - Agreement by the employer to furnish the employee with a first aid kit C as defined in WH&S regulations. The employee will agree to keep the kit at home and agrees to notify the employee if any item needs replacing. The kit remains the property of Council and will be returned on the cessation of the working from home

- arrangement;
- Public liability insurance to cover the possibility of injury to third parties at the home based site;
- Conditions of work for rehabilitation purposes to be with the express approval of the employee's medical practitioner as normal in rehabilitation programs;
- Insurance options against theft or damage;
- Agreement on ownership of furniture and equipment and maintenance responsibilities;
- Notification of the employer if there are problems with the operation of equipment and access to service or repair equipment;
- Security of assets;
- The conditions of employment are the same as at the employer's office. If however there is a variation, it must be agreed upon in writing by both the employee and employer;
- There will be a provision for information about staff meetings, training and other career development opportunities;
- Performance management will exist and training opportunities will be on the same basis as for other employees;
- Duration, renewal and variation of the home-based work agreement will be provided in the employment agreement;
- Any agreement must be signed off by the General Manager.

5. Flexible Work Hours

Walgett Shire Council has a Flexitime agreement with indoor employees. The Flexitime Agreement sets out the conditions for flexible work hours. (See Appendix A)

Procedure Review History

Date	Changes Made	Approved By
June 2016	Complete Review	Don Ramsland- General Manager
February 2019	Reviewed	Greg Ingham
<u>April 2022</u>	<u>Policy incorporated and procedure Reviewed minor changes by Human Resources Manager</u>	

Appendix A

Staff Flexitime Agreement

- 1) Flexi time provides the framework for an employee's pattern of attendance at work to be varied according to the needs of the employee and the requirements of the work unit. It is not a system that is designed to increase or reduce the total number of hours that must be worked.
- 2) Definitions:
 - a) *Supervisor* means a person who has direct supervisory responsibility for one or more employees in a work unit or group activity.
 - b) *Bandwidth* means the periods of time within which employees may attend work.
 - c) *Core Hours* means the hours within the bandwidth when employees must attend work unless flex leave has been granted.
 - d) *Starting and Finishing Times* mean the times within which a supervisor may direct an employee to attend without payment of overtime (Ordinary Hours).
 - e) *Settlement Period* means the period in which leave credits or debits may be accrued.
- 3) For flexi time arrangements to work effectively supervisors and employees have a responsibility to manage hours of work to ensure that individuals are not building up excessive flex credits without:
 - a) the opportunity to access paid leave accrued as a result of flex leave; and
 - b) being productively employed, i.e. a supervisor may require an employee not to accumulate flex credits where there is insufficient work.
- 4) Arrangements for flexi time will be in accordance with operational requirements, workplace health and safety principles and the personal needs and responsibilities of the employee.
- 5) An employee must maintain a time-recording system in the format approved by the General Manager.
- 6) An employee must present their time records to their supervisor on a weekly basis for endorsement.
- 7) Current award conditions for overtime, where an employee is directed to perform work beyond ordinary hours on any day, shall continue.
- 8) Hours of work for employees with access to Flexi time
 - a) The flex time bandwidth shall be from 6.00am to 6.00pm, Monday to Friday.
 - b) Notwithstanding subsection 8) a), flexi time may be worked outside the bandwidth stipulated where an employee and their relevant Director so agree and approval is granted by the General Manager.
 - c) Starting and finishing times within the bandwidth are:
 - i) Start-8:15 am

- ii) Finish - 5:00 pm
 - iii) With one (1) hour for lunch
 - d) Core hours within the start and finishing times shall be 9.00 am - 3.00pm (no flex leave accrues)
 - e) An employee will not be required to work for longer more than five hours without receiving an unpaid meal break a break for a meal of a minimum of thirty minutes.
 - f) The maximum time to be worked in any day is twelve hours (exclusive of unpaid meal breaks).
 - g) Hours of work arrangements shall be in accordance with operational requirements and Work Health and Safety principles.
 - h) In determining hours of work, the personal needs and family responsibilities of employees must be given consideration.
- 9) An employee may only accrue up to 21 hours in paid leave (flex leave) as a result of flexi time in any settlement period. To be read in conjunction with WR- Time in Lieu policy/procedure. Any accrued flex leave in excess of 2 days in a settlement period must be approved by the Director and General Manager prior to the leave being taken.
- 10) No flex leave in advance.
- 11) A settlement period shall comprise four calendar weeks. This period shall coincide with the pay cycle. Any agreement outside this period must be approved by the General Manager
- 12) Paid leave accrued as a result of flexi time shall be taken at such times and in such a period or periods as are agreed between the employee and their supervisor.
- 13) All leave, including but not limited to flex leave, approved annual, sick, or carers leave, must be taken into account when calculating flexi time accruals within any settlement period. (Settlement periods include periods of approved annual leave and other holidays, and accrual limits must not be exceeded as a result of taking annual leave.)
- 14) The employee's supervisor is responsible for reviewing employees' time records and directing employees on the acceptable management of hours of work. Supervisors may withhold endorsement of time records where they do not accurately evidence the agreed working hours.
- 15) This agreement shall be reviewed after three months and, subject to continuation thereafter, annually at employees' anniversary of employment or annual performance appraisal.

Employee:

Supervisor:

Name:

Name:

Date:

Date:

Director:

Name:

Date:

Higher Duties



HIGHER DUTIES POLICY & PROCEDURE

Approval Date:

Review Date: Oct-2021 November 2022

Responsible Officer: Human Resources Manager

POLICY STATEMENT

Walgett Shire Council is committed to remunerating employees who relieve in positions within Councils staff structure which have greater responsibilities and requirements.

OBJECTIVES:

- To ensure that Council complies with the New South Wales Local Government Act 1993, relevant industrial requirements and the Anti-Discrimination Act 1977.
- To define clear and transparent procedures and guidelines for the payment of higher duties to Council staff.
- To provide a fair and equitable process that ensures employees who relieve in positions which have greater responsibilities and requirements are fairly remunerated.
- To ensure that the remuneration of Council employees is facilitated in a timely and cost effective manner.

Objective

To ensure proper remuneration to employees who are required to relieve in positions which have greater responsibilities and requirements within Council's staff structure.

Council Policy Reference

Higher Duties Policy

Statutory Requirements

Local Government Act 1993

Local Government (State) Award **2017**

Anti Discrimination Act 1977

Related Policy/Procedure

Equal Employment Opportunity

Payment for Additional Duties

1. Remuneration

- a) Payment for Higher duties shall be paid in accordance with the Local Government (State) Award.
- b) An employee directed to relieve in a position which is at a higher level within the salary system shall be paid the rate of pay that recognises the skills and experience that the employee is required to apply to that job.
- c) The skills paid for shall be limited to those prescribed by the job description but may, where appropriate, include skills possessed by the individual which are required by Council to be used as an adjunct to the employee's normal duties.
- d) The rate of pay shall be at least the entry zone in Council's salary system for the position being relieved in.
- e) In circumstances where the entry zone rate of pay of the position being relieved in is less than the current pay rate of the employee, the employee will be paid within the zone which is more than the employees current pay rate.
- f) The remuneration shall be for the actual hours worked. Overtime and other allowances shall be paid as relevant.
- g) Employees shall not be paid Higher Duties when on Leave or an Award Holiday except when the provisions of Clause ~~19-22D (xi) and 22E(iii) (c) Part C (v)~~ of the award apply.

2. Hours of Work

- a) An employee required to relieve in one or more positions shall not be required or expected to work in excess of *Ordinary Hours* without overtime being paid or time in lieu being accrued.
- b) If after one week on a Higher Duties arrangement, the employee considers that they are disadvantaged by the agreement to perform higher duties, the agreement shall be terminated and unless a new agreement is established, the employee shall be paid overtime for any hours above *Ordinary Time* that the employee is *directed* to work.
- c) An agreement to perform higher duties is generally a verbal agreement between the employee and the direct Supervisor.

3. Payroll Notification

- a) Once it has been identified that an employee will be required to relieve in a higher duties position, the relevant manager or supervisor must notify the Finance Officer (Payroll) via email.
- b) Notification shall include the following details:
 - Employee Name
 - Employee Number
 - Grade
 - Zone and position within the zone including the applicable pay rate
 - Position which they are relieving in
 - Effective Dates for paying higher duties
 - Any changes to overtime or allowances

-
- c) Any discrepancies or disputes relating to higher duties allowances will be reported directly to the relevant Director for clarification.

Procedure Review History

Date	Changes Made	Approved By
	Complete Review	Ray Kent - General Manager
March 2020	Reviewed HR Manager	Michael Urquhart
<u>November 2022</u>	<u>Policy incorporated & Minor changes by Human Resources Manager</u>	



POLICY & PROCEDURE

NINE DAY FORTNIGHT

(ROSTERED DAY OFF)

Approval Date:

Review Date: ~~16 June 2018~~ November 2024

Responsible Officer: General Manager

Policy Statement

Staff will be provided with the opportunity to participate in a nine day fortnight rostered day off (RDO) system to achieve a balance between work and personal lives. It is anticipated that the provision of rostered days off will be mutually beneficial to both employees and Walgett Shire Council.

Objective

To provide Operational (Outdoor) Council staff with the nine day fortnight pattern of working hours.

- a) This procedure should be read in conjunction with Clause ~~198~~ of the Local Government (State) Award or referred to as (the Award.) 2014
- b) Council recognises that, in some situations, a variation to standard working hours may provide additional benefits to Council and employees. As such, Council is willing to consider proposals to vary working hours where improved efficiency or productivity levels can be achieved without detracting from our customers service commitments.
- c) Any other variation to hours of work arrangement is to be established as per Flexible Work Practices or Time in Lieu policy.

Statutory Requirements

Local Government Act 1993
Anti Discrimination Act 1977

Related Policy/Procedure

~~WR~~ Higher Duties Allowance
~~WR~~ Equal Employment Opportunity
~~WR~~ Payment for Additional Duties
~~WR~~ Flexible Work Practices
Time in Lieu

Other

Local Government (State) Award

Applicability

This policy applies to all full time outdoor employees except for contractors, casuals, part time employees and job share employee arrangements.

Rostered Days off

Staff will be entitled to one (1) rostered day off per fortnight. The rostered day off can be spread over any day of the week to ensure service levels are consistent throughout the week and there is equity across departments.

The standard hours for operational (outdoor) employees are 7am to 4:30pm Monday to Friday, with a one (1) hour lunch break. On the alternative week hours on the Thursday are 7am to 4:00pm (76 hours per fortnight) with an RDO on Friday. RDO's must be taken as a full day, not part of a day.

Hours maybe altered by agreement to take into account

- a) Seasonal conditions
- b) Projects
- c) Personal circumstances
- d) Operational and safety reasons

Accrued leave resulting from a deferred RDO is to be taken within the following 4 weeks unless the relevant manager authorises otherwise. Accrued RDO's can not exceed 3 days unless authorised by the General Manager.

Where a RDO falls on a public holiday the day preceding or following the holiday can be taken as the RDO. Provided the operational needs of the Council are met. The decision which day is to be taken must be made and agreed with by the employee and Supervisor.

The 9 day fortnight agreement may be varied with reasonable notice and consultation in writing by Council to staff if the needs of the workplace change to ensure operational efficiency and workplace health and safety requirements. Council will notify the Unions to which staff belong.

Payroll Notification

Employee's timesheets should detail which day has been taken as an accrued RDO by lodging a leave form and ticking the Time in Lieu box. The leave form is to be authorised and signed by the relevant manager or supervisor.

Any discrepancies or disputes relating to accrued RDO's will be reported directly to the relevant Director for clarification.

Procedure Review History



Date	Changes Made	Approved By
June 2016	Procedure Developed	Don Ramsland - General Manager
<u>November 2022</u>	<u>Minor changes Human Resources Manager</u>	





LEAVE POLICY & PROCEDURE

Approval Date:

Review Date:

Responsible Officer(s): General Manager/Human Resources Manager

1. SCOPE

This policy applies to all permanent full time, part time and ~~temporary-fixed term~~ employees. Leave entitlements for casual employees are also included where the Local Government (State) Award ~~makes such provision.~~
~~2017 makes such provision.~~

2. PURPOSE

The purpose of this policy is to inform all employees of their leave entitlements and provide clarification within the Local Government (State) Award ~~2017~~ requirements that need to be complied with in order to access the various forms of leave.

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

This policy does not form part of any employee's contract of employment. The policy is not intended to override the terms of any award, certified agreement or contract that applies to an employee.

3. RELATED LEGISLATION AND DOCUMENTS

1. Local Government (State) Award ~~2017~~
2. Annual Holidays Act 1944
3. Long Service Leave Act 1955
4. Paid Parental Leave Act 2010
5. Fair Work Act 2009
6. Local Government (General) Regulation 2005
7. Local Government Act 1993
8. Workers Compensation Act 1987(NSW)
9. Industrial Relations Act 1996 (NSW)

Endorsed by WSC Consultative Committee 16 June 2016

Revised April 2019; Reviewed Nov 2022

S:\Policies and Procedures\Leave

4. PROCEDURE APPLYING FOR LEAVE

All leave must be approved and is subject to availability. Approval is gained by completing a Leave Application Form, attaching any required documentation and gaining approval by the relevant Supervisor, Manager, Director and General Manager and having appropriate leave available.

Sick leave is generally applied for retrospectively, except for planned medical absences that can be applied for in advance. Health and Wellbeing Leave, Annual Leave and Long Service Leave must be applied for a minimum of fourteen (14) days in advance of the start of the leave requested.

1. SICK LEAVE

Sick leave is for instances when you are unable to perform your duties due to illness. Full-time employees are entitled for each year of service to receive 3 weeks sick leave, which is granted at the commencement of employment and every anniversary thereafter. Sick leave accumulates from year to year. Part-time employees are entitled to pro-rata sick leave. Casual employees do not receive sick leave entitlements.

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

- Council is satisfied that the sickness or illness is such that it justifies the time off;
- Council is satisfied that the illness does not arise from engaging in other employment;
- Employees are to provide proof of illness to justify payment:
 - a) After three separate periods in each service year
 - b) Where an absence exceeds two working days, even if the leave falls within the first three periods.
 - c) If Council is not satisfied that the use of leave was genuine.
- Proof of illness shall indicate the employee's inability to undertake their normal duties.
- A Leave Application form is completed for actual time off.

Employees who have a pattern of absences that fall on Mondays, Fridays, the day before or after a public holiday, RDO or annual/long service leave may be requested to provide proof of illness.

Where an employee is employed on a fixed term ~~or temporary basis~~ of less than 12 months, the employee will be entitled to 1 week's sick leave on commencement. They will then receive a further 1 weeks sick leave after each 4 months of continuous service.

If an employee falls sick during a period of approved annual leave, a claim cannot be made for sick leave. Sick leave is exclusive of public holidays. Employees performing higher duties are paid their normal rate of pay.

Council expects employees:

- To produce proof of illness or injury in the form of a statutory declaration or a certificate from a qualified medical/health practitioner registered with the appropriate government authority which gives the employees name, date of consultation, evidence of incapacity for being unfit to undertake duties and the period of incapacity.
- Notify their immediate supervisor as soon as possible when they are absent because of illness or injury and to indicate how long they expect to be absent. Text messaging, facebook or leaving a message with another employee is not considered as providing adequate notice.

Endorsed by WSC Consultative Committee 16 June 2016

Revised April 2019; Reviewed Nov 2022

S:\Policies and Procedures\Leave

- Make a formal application for sick leave as soon as possible and provide evidence of illness or injury.
- To attend a medical examination by a medical practitioner nominated by Council (at Council expense) where:
 - a) there is extended or frequent absence due to illness or injury;
 - b) there is a need to establish the fitness for work of an employee.

Transferring Sick Leave

Accumulated sick leave, up to a maximum of 13 weeks can be transferred on change of employment from another council in NSW to Walgett Shire Council and from Walgett Shire Council to another council in NSW, subject to provisions under the Local Government (State) Award 2017.

Additional Leave Grants

In extenuating circumstances Council may grant an employee sick leave at half pay; however this is at Council's discretion. Where an employee has had five years' service Council and has exhausted all sick leave entitlements, Council may grant additional sick leave if the circumstances warrant. This will be on the Director's recommendation and the General Manager's approval. The balance of all other leave entitlements must be exhausted before additional sick leave grant will be considered.

Worker's Compensation and Sick Leave

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

If an employee has accessed sick leave at 100% of their normal wage and subsequently becomes entitled to the payment of workers compensation for the same period but at a lesser amount (95% or 80% of wage), the employer shall be entitled to deduct from the employee the difference between the two amounts. Sick leave will be credited back to the employee's entitlement balance for the period covered by worker's compensation.

2. HEALTH AND WELLBEING LEAVE

Walgett Shire Council recognises that workplace health and wellbeing programs can lead to positive outcomes such as improved employee work performance and productivity, improved employee recruitment and retention, reduced absenteeism, and other benefits.

Two days paid Health and Wellbeing Leave is allowed per calendar year (Jan-Dec), for full and part time employees, providing the following conditions are met:

- a) leave is taken from accrued sick leave entitlements
- b) leave taken will not reduce the balance of accrued sick leave below 3 weeks
- c) leave must be approved 2 weeks prior to the leave start date / activity
- d) proof of participation may be required to justify the leave taken
- e) the granting of paid leave under this clause is at the discretion of the employer; and falls into an approved activity below.

Endorsed by WSC Consultative Committee 16 June 2016

Revised April 2019; Reviewed Nov 2022

S:\Policies and Procedures\Leave

Walgett Shire Council has approved the following activities:

- a. Routine medical/health appointments such as:
 - i. Hearing and optical appointments
 - ii. Preventive general and annual medical check ups
 - iii. Annual cancer screenings
 - vi. Dental appointments
 - iv. Specialist and mental health appointments
 - vi. Pregnancy related appointments
 - vii. In addition to current bereavement leave entitlements for an employee's grandparents
- b. Approved charity events on a case by case basis
- c. Approved work related sport and physical fitness activities including health educational programs
- d. Other activities at the discretion of the General Manager

Retrospective applications for Health and Wellbeing Leave will not be approved. An employee may be required to provide proof of attendance for the activity. Where this evidence can be provided prior to the leave, then it should be attached to the leave application form. Where the evidence of participation or attendance is required by Council, then payment shall not be made until such evidence has been provided.

3. CARER'S LEAVE

Paid Carer's Leave

Employees (other than casuals) can access their sick leave entitlements with responsibilities in relation to class of person as defined in the Local Government (State) Award ~~2017~~, who require care and support due to illness, or who require care due to an unexpected emergency.

Refer to The Local Government (State) Award ~~2017~~ defines a for definitions of family members as:

~~^~~
~~^ a spouse of the employee; or~~
~~^ a de facto spouse who in relation to a person is a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide domestic basis although not legally married to that person; or~~
~~^ a child or an adult child (including an adopted child a step child foster child or ex-nuptial child) parent (including a foster parent step parent and legal guardian) parents of spouse grandparent grandchild or sibling (including half foster and step sibling) of the employee or spouse or de facto spouse of the employee; or~~
~~^ a same sex partner who lives with the employee as the de facto partner of that employee on a bona fide domestic basis; or~~
~~^ a relative of the employee who is a member of the same household.~~

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~~where for the purpose of this paragraph:~~
~~a) 'relative' means a person related by blood, marriage or affinity;~~
~~b) 'affinity' means a relationship that one spouse because of marriage has to blood relatives of the other and~~
~~c) 'household' means a family group living in the same domestic dwelling.~~

Carer's leave is not intended to be used for routine medical, dental appointments, foreseen periods of childcare or intended to be used for long term care. Carer's leave cannot be used for the birth of a child in addition to parental leave for female employees.

Council expects employees:

- To provide evidence of the requirement for care that is acceptable to the employer such as a medical certificate or statutory declaration. The document must state the relationship to the person concerned, the illness of the person and that the illness is such as to require care by another person where less than two weeks sick leave in any service year is used for carers leave.
- Where more than two weeks sick leave in any year of service is sought to be used for caring purposes the council may require the employee to produce a medical certificate from a qualified medical/health practitioner showing the nature of illness of the person concerned and such other information as may be reasonably necessary to demonstrate that the illness is such as to require care by the employee and that no other appropriate care arrangements are reasonably available;
- To notify their immediate supervisor as soon as possible when they are absent due to caring for an ill family member and to indicate how long they expect to be absent. Text messaging or leaving a message with another employee is not providing adequate notice.
- To submit an application form for carer's leave as soon as possible and with above evidence of the need for them to provide care.
- Where more than two working weeks of sick leave hours in an anniversary year is to be used for caring purposes the Council and employee shall discuss appropriate arrangements which, as far as practicable, take account of the Council's and the employee's requirements.
- A part time employee's entitlement to carer's leave is calculated on a pro-rata basis.

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

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

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

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Unpaid Carer's Leave

Casual employees are entitled to up to 2 days unpaid carer's leave on each permissible occasion on which a member of the employee's family requires the employee's care or support as they are sick or injured, had an unexpected emergency or birth of a child,

If there is no prior agreement for periods longer than 2 days, casual employees and Council shall agree on the period for which the employee will be entitled to not be available for work. This agreement should be in writing. Casual employees are not entitled to any payment during their period of non-attendance.

Full time, part time and fixed term employees may be eligible to access unpaid carer's leave after they have exhausted their other leave entitlements.

Council expects employees:

- To provide evidence of the requirement for care by a medical certificate or statutory declaration. The document must state the relationship to the person concerned, the illness of the person and that the illness is such as to require care by another person.
- To submit an application form for carer's leave as soon as possible.

4. ANNUAL LEAVE

For each year of service an employee (other than a casual) is entitled to four (4) weeks leave. As per Council resolution dated 27 November 1994 designated salaried/professional staff are entitled to an additional one (1) weeks Annual Leave.

Leave is calculated on a pro rata basis for part-time employees. Annual leave is exclusive of public holidays.

Council expects employees:

- To apply for annual leave 14 days in advance and indicate if they wish to be paid in advance for the period of annual leave.
- Applications are considered taking into account the operational requirements of the work area including attendance at training and annual leave must be approved *prior to* going on leave.
- Have adequate annual leave entitlements accrued to cover the period of leave. Council may direct

an employee to take annual leave by giving four weeks' notice when:

- the employee has accumulated in excess of eight weeks annual leave
- there is a period of close down of up to four weeks or other period by agreement
- If an employee does not have leave accrued during a close down period, they may be given meaningful duties or instructed to take leave without pay.

Employees who leave-resign or terminate from Council will receive payment for all relevant accrued annual leave untaken entitlements as part of their termination pay. ~~Employees cannot cash in annual leave entitlements prior to cessation of employment and annual leave is not transferable between Councils. Employees will not be granted leave in excess of their accrued balance. Annual Leave with the consent of Council and in accordance with the Local Government (State) Award can be taken at~~

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full pay, half pay or double pay.

If an employee falls sick during a period of approved annual leave, a claim cannot be made for sick or carer's leave. Annual leave is exclusive of public holidays. For employees who have a varying rate of pay for 6 months or more in a 12 month period preceding the leave, annual leave is then paid at an average rate. Employees performing higher duties are paid their normal rate of pay.

5. LONG SERVICE LEAVE

The Local Government (State) Award 2017 prescribes the following Long Service Leave Entitlements:

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

Long Service Leave shall be taken at a time mutually convenient to the employer and employee. Employees cannot cash in long service leave entitlements. Employees will not be granted leave in excess of their due entitlement.

Council expects employees:

- To apply for Long Service Leave fourteen(14) days in advance and indicate if they wish to be paid in advance for the period of leave.
- Applications are considered taking into account the operational requirements of the work area, including attendance at training and long service leave must be approved prior to going on leave.
- Have adequate leave entitlements accrued to cover the period of leave.

An employee who is entitled to any period of long service leave on ordinary pay may, *with the consent of Council*, take that entitlement:

- a) On full pay
- b) On half pay
- c) On double pay

Walgett Shire Council encourages employees who have excessive long service leave entitlements and in accordance with the Local Government (State) Award 2017 to consider payment options such as:

- Paid at double pay
- If a member of Local Government Superannuation – Salary sacrifice (seek advice from Local Government before committing to this option)

If an employee falls sick during a period of approved long service leave, a claim cannot be made for sick or carer's leave.

For employees who have a varying rate of pay for 6 months or more in a 12 month period preceding to annual leave will be paid at an aggregate rate. Employees performing higher duties are paid at their normal rate of pay.

Transferring leave

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Employees who leave Council will receive payment for untaken long service leave entitlements as part of their termination pay unless they are transferring to another NSW Council, in which case the long service leave entitlement may be transferred to the new council if requested. Long service leave entitlements can be transferred from one Council to another within NSW as long as the period between leaving one council and joining another is not more than three months and no other employment has been taken up in the intervening period between leaving one council and joining another.

Period of Service

Continuity of service shall be deemed not to have been broken by transfer or change of employment from one employer to another provided the period between cessation of service with one employer and appointment to the service of another employer does not exceed three months and such period is covered by accrued annual and long service leave standing to the credit of the employee at the time of the transfer, provided further that the employee concerned does not engage in work of any kind during the period of paid leave between the cessation of service with one employer and appointment to the service of another employer.

Additional information

Long service leave shall be taken at a time mutually convenient to the employer and employee, provided that all long service leave accruing on or after 23 June 1988 shall be taken within five years of it falling due. The employer may direct an employee to take long service leave accrued on or after 23 June 1988 and not taken within five years of it falling due provided that at least four weeks' notice is given to the employee.

Calculations of long service leave entitlements are exclusive of public holidays and in most, not all, cases exclude any periods of leave without pay. Where an employee's service is terminated at the end of a season or through shortage of work, material or finance or through illness certified by a duly qualified medical practitioner and such employee is re-employed by the same employer within 12 months of termination of service, prior service shall be counted for the purpose of this clause.

6. PARENTAL LEAVE

Employees must make a formal application for parental leave in accordance with the provisions of The Local Government (State) Award ~~2017~~ and Chapter 2, Part 2-2, Division 5 ~~of the Fair Work Act 2009 and Paid Parental Leave Act 2010 (Cth)~~ 'Parental leave and related entitlements' of the National Employment Standard (NES) under the Fair Work Act 2009 (cth) and Paid Parental Leave Act 2010 (Cth).

If an employee who is pregnant continues to work during the 6 week period before the expected end date of birth of the child, Council may request the employee to provide a medical certificate containing the following statements (as applicable):

- A statement of whether the employee is fit for work
- If the employee is fit for work; a statement of whether it is inadvisable for the employee to continue in her current position during a stated period of:
 - (i) Illness, or risks, arising out of the employee's pregnancy
 - (ii) Hazards connected with the person.

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~~If the employee provides evidence that it is inadvisable for her to continue in her present position but is fit for work then the employee will be transferred to a safe job. If there is no safe job available then the employee will be entitled to either paid or unpaid "no safe job leave" for the risk period prior to the expected date of birth. Further medical evidence may be required during this period to justify the payment of leave.~~

If the employee fails to comply with Council's request within 7 days they will be directed to take unpaid parental leave.

Entitlements Government Paid Parental Leave

The Paid Parental Leave Scheme is a government funded scheme for eligible working parents that can be taken at any time within the first year after the birth of a child. It is paid at the rate specified by the Department of Human Services, for up to 18 weeks.

*** For full details regarding eligibility and detailed information on the Paid Parental leave scheme Department of Human Services office is to be contacted.**

Paid Parental Leave (PPL) will be administered by Council in the usual pay cycle and Council will be reimbursed by the Government.

~~The Parental Leave Pay(PPL)-administered by Council~~ must be taken in one continuous 18 week period. All pay must be received within the 12 months following the birth.

The Government funded ~~Paid Parental Leave~~PPL can be received before, after or at the same time as Paid Leave provided by Council.

Whilst solely on the Government funded Paid Parental leave the employee will not accrue any leave entitlements however the period will be considered continuous service. Superannuation is also not payable on Paid Parental Leave.

Council Paid Parental Leave (Maternity Leave)

~~In accordance with the Local Government (State) Award ff~~Full-time and part-time female employees who have 12 months continuous service with Council immediately before the commencement of maternity leave or special maternity leave and female casual employees who have worked on a regular and systematic basis with the council for at least 12 months before the commencement of maternity leave or special maternity leave, are entitled to paid maternity leave or parental leave make up pay.

Paid parental leave and paid parental make-up pay means leave taken by a female employee in connection with the pregnancy or the birth of a child of the employee.

Paid special maternity leave means leave taken by an employee where the pregnancy for the employee terminates before the expected date of birth, or where she suffers illness related to her pregnancy, and she is not then on paid maternity leave; provided that a medical practitioner certifies such leave to be necessary before her return to work.

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The entitlement for paid maternity leave is a total of nine weeks paid ~~maternity-parental~~ leave or special maternity leave. The payment of leave may be based on a combination of full pay or half pay, provided the leave does not exceed the equivalent of nine weeks on full pay.

Employees can also elect to receive parental leave make-up pay for the period that they are receiving PPL instalments, up to a maximum of 18 weeks in lieu of 9 week's maternity leave. Make up pay is the difference between your ordinary working wage and the paid parental leave scheme (government funded).

Parental leave and make up pay is counted as service for the purposes of annual, long service and sick leave and attracts superannuation.

A casual employee's rate of pay will be calculated by averaging the employee's weekly wage in the twelve months immediately prior to the employee commencing paid maternity leave or special maternity leave.

In the event an employee has been receiving a varied rate of pay and/or hours while acting in a different role to their substantive position, Council will average out their earnings and hours for the 12 months prior to maternity leave to calculate the amount they will be paid on Maternity Leave. This will only occur when they are employed in a varied role to their substantive position for 6 months or more directly prior to commencing maternity leave.

An employee shall not be entitled to a further period of parental leave make up pay unless the employee has returned to work for the council for at least 3 months since their previous period of parental leave.

Time in lieu that an employee is owed can be used in addition to parental leave entitlements; however the accumulating of time in lieu (including RDOs) for this specific purpose will not be approved.

OPTIONS

Before any entitlements are claimed it is important that the employee consider the following:

- leave work date before the birth
- dates for employer-provided paid leave
- if eligible the date commencing Government funded Paid Parental Leave (PPL)
- planned return to work date
- caring arrangement for child on return to work

Concurrent Parental Leave

Employees (except casuals) who are a supporting parent are entitled to up to ~~40-days~~two (2) weeks paid concurrent parent leave from their accrued sick leave balance at the time their partner gives birth or at the time the employee adopts provided they have had 12 months continuous service prior to the commencement of their concurrent parental leave.

A leave application form is to be submitted a minimum of ten (~~40~~14) days prior to the leave date.

OPTIONS FOR HOW TO TAKE LEAVE

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1. For those eligible for Government Funded Paid Parental Leave Scheme and Employer provided paid leave the following options apply.

OPTIONS 1.1 Mother takes accrued or unpaid leave

- 18 weeks at Paid Parental Scheme weekly rate, followed by:
- 9 weeks full pay of Employer provided paid leave, followed by:
- Any other leave accrued and: or unpaid maternity leave

OPTION 1.2 Mother takes accrued or unpaid leave

- 18 weeks at Paid Parental Scheme weekly rate, followed by
- 18 weeks half pay of Employer provided paid leave, followed by
- Any other leave accrued

OPTION 1.3 18 weeks half pay employer provided

- 18 weeks Paid Parental Leave taken at same time as 9 weeks full pay or 18 weeks half pay provided by employer

OPTION 1.4

- 18 weeks paid parental leave with make-up pay to employee's ordinary pay provided by employer for the 18 week period

Receiving make up pay is in lieu of receiving the 9 weeks Council maternity leave

2. for those eligible for Government Funded Parental Leave Scheme but NOT for Employer provided paid parental leave (not eligible due to less than 12 months service)

OPTION 2.1 Mother takes accrued or unpaid leave

- 18 weeks at Paid Parental Scheme weekly rate followed' by any other accrued leave
Council expects employees
 - To provide ten weeks' notice (in writing) of intent to take leave and medical certificate confirming pregnancy and expected date of birth:
 - If Council requests, to provide six weeks before the expected date of birth medical certificate confirming capability to carry out normal duties.
 - To provide four weeks' notice in writing of the employee's intention to take paid parental leave, including the leave options the employee has chosen (including annual/long service leave and unpaid parental leave) and the proposed start date and expected return to work date:
 - To give at least four weeks written notice before the expected return to work date of any further variation to leave arrangements or request of flexible working arrangements.

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- To take all paid and unpaid parental leave entitlements consecutively

Illness pre Maternity leave

If an employee is experiencing illness prior to their agreed maternity leave period with council and cannot continue to undertake their usual role, they can request an adjustment to their duties or transfer to a safe job as long as they provide evidence from their Doctor detailing the limitations.

If the employee feels they cannot continue working up until the agreed maternity leave date due to illness then they can provide a certificate from their Doctor to council and take any accrued sick leave entitlements up until the start of their maternity leave.

~~Other~~ Adoption Leave

Different eligibility requirements exist for adoption unpaid parental leave - please refer to the Adoption Leave section of the Local Government (State) Award 2017 and Fair Work Act 2009 (Cth)

Family Reunion Leave

An employee, other than a casual, able to establish that they were adopted under a "closed adoption" practice shall be entitled to up to five (5) days family reunion leave from their accumulated sick leave balance to reunite with their biological parent(s) for the first time.

For the purpose of this sub-clause "closed adoption" means an adoption whereby the record of the biological parent(s) is kept sealed and the adopted child is thereby prevented from knowing the identity of such biological parent(s).

7. BEREAVEMENT LEAVE

The Local Government (State) Award 2017 provides employees (other than a casual) with paid Bereavement Lleave for each permissible occasion, if they are absent from duty because of death of any persons as follows:

- (a) Up to four days paid bereavement leave upon the death of a member of the employee's immediate family; or
- (b) Up to two days paid bereavement leave upon the death of a member of the employee's extended family;

The definition of immediate family and extended family is per clause 224(KJ) (ii) and (iii) under the Local Government (State) Award 2017. The employee will be required to provide satisfactory evidence of the bereavement if requested.

Staff who wish to attend the funeral of a person that is not immediate or extended family, can access their paid leave entitlements, on the recommendation of the Director of each department subject to the General Manager's approval.

Bereavement Leave - Casual Employees

Subject to providing satisfactory evidence, casual employees are entitled to not be available to attend work, or to leave work upon the death of a family member as defined above by clause 21

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(K) (ii) and (iii) under the Local Government (State) Award ~~2017~~, and will be granted the same period of unpaid leave as above.

Council must not fail to re-engage a casual employee because the employee accessed bereavement leave entitlements. The rights of the Council to engage or not engage a casual employee are otherwise not affected.

8. OTHER PAID LEAVE

Jury Service Leave

Under The Local Government (State) Award ~~2017~~ employees required to attend jury service during ordinary working hours are entitled to Jury Service Leave. Employees are required to notify Council as soon as possible of the jury service dates and provide proof of attendance, the duration of attendance and the payment received in respect of such jury service.

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

Union Leave Training

Council shall agree to release employees to attend an accredited trade union training course with pay and such agreement shall not unreasonably be withheld. Details of the training and request must be provided in writing and may not be approved if considered excessive. Refer to the Local Government (State) Award for further details of eligibility

Union Conference Leave

The Local Government (State) Award ~~2017~~ provides for an employee of Council who is an accredited delegate to the union's Annual Conference, to be granted paid leave for the duration of the Conference provided that the Council's operational requirements are met and the union notifies Council of the accredited delegates nominated to attend the Conference at least one month prior to the commencement of the conference.

Union Picnic Day

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

Emergency Services Leave

To be granted at the discretion of the General Manager. For further reference refer to the Local Government (State) Award ~~2017~~, Clause ~~224~~. Leave Provisions C. Emergency Services Leave.

Study Leave

~~Please Refer~~ to Council's Training and Professional Development

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9. LEAVE WITHOUT PAY

Directors may approve leave without pay for a period of up to five working days in exceptional circumstances. All other accrued annual and/or long service leave entitlements and time [in lieu/flex](#) time must be used before leave without pay can be considered.

Leave [without pay](#) in excess of five working days will only be considered on the Director's recommendation and approved by the General Manager under exceptional circumstances.

Employees must in the first instance seek leave without pay in writing, detailing the exceptional circumstances to support their request and provide this request to their [Director](#), along with a leave application form.

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

10. ABSENT WITHOUT LEAVE

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

After recording three (3) such absences employees may be given notice to show cause why their employment should not be terminated ~~without further notice~~. Disciplinary action may commence from the first incident of failing to notify their [Supervisor](#).

11. PAYMENT (CLIMATIC CIRCUMSTANCES)

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

- Alternative duties are available that the employee can usefully perform
- The bushfire or other climatic circumstances occurred outside of the State of New South Wales
- The employee has been unable to attend work for more than one week per climatic event.

The employee may, in exceptional circumstances, apply to the employer for paid special leave and such a request shall not be unreasonably refused.

[12. FAMILY AND DOMESTIC VIOLENCE LEAVE](#)

[An employee, other than a casual is entitled ~~up to~~ 10 days paid leave. Refer to the Local Government \(State\) Award for further details of eligibility and evidence that may be requested.](#)

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Excess Leave Plans

There are many reasons why excess leave should be managed. Some of these reasons include:

- a) Employees need to take time off for rest and recreation to ensure that they return to work refreshed and reinvigorated
- b) Periods of regularly taken annual leave often provides other employees an opportunity to act in a position of higher grade or with different responsibilities. When annual leave is not taken these employees may be denied an opportunity for career development.
- c) When leave entitlements are not taken, as they fall due or on a regular basis, it may be necessary for the employee to eventually take an extremely large block of leave to reduce the excessive entitlement. This may have a negative impact on the continuity of service provided by Council.

Council will allow staff to accrue and keep a reasonable amount of Annual and Long Service Leave. However, it is preferred that staff do not accrue excessive leave credits as defined below:

Annual leave	10 weeks (Indoor staff, team leaders, technical Officers)
	8 weeks (outdoor staff)
Long Service Leave	13 Weeks

Staff and Supervisors must work together to reduce excessive leave credits and maintain them at acceptable levels as identified above.

An annual plan of leave taking must be agreed upon by staff with excessive credits within 1 month from 1st June each year.

Policy/Procedure Review History

Date	Changes Made	Approved By
June 2016	Procedure Developed	
April 2019	Revised	
<u>Nov 2022</u>	<u>Reviewed Human Resources Manager</u>	

~~This procedure shall be reviewed:~~

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- ~~* Immediately if any provision is contrary to law or applicable industrial relations legalisation and award provisions.~~

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Revised April 2019; Reviewed Nov 2022

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STAFF UNIFORM & PPE POLICY & PROCEDURE

Reviewed Date: ~~December 2016~~ November 2022

Next Review Date: December ~~2020~~ 2025

Responsible Officer: General Manager/Human Resources Manager

POLICY STATEMENT

WSC Council is committed to providing all staff with access to a professional uniform standard of dress and personal protective equipment.

OBJECTIVES:

- To promote a professional image and to increase and maintain pride and a high morale amongst staff within Council
- To ensure that WSC complies with the Work Health and Safety Act 2011.
- To provide clear guidelines to staff on the availability of a workplace uniform.
- To provide clear guidelines on Council's contribution towards purchasing uniforms and personal protective equipment.

Policy Implementation Procedures, Guidelines and Documents
Staff Uniform and PPE

Related WSC Policies
Work Health and Safety Policy

PROCEDURE OBJECTIVE

To ensure the provision to all staff of access to a professional uniform, standard of dress and personal protective equipment (PPE).

Statutory Requirements

NSW Local Government Act 1993
Work Health & Safety Act 2011

Related Policy/Procedure

Work Health & Safety

STAFF UNIFORM

To promote a professional image, comply with current Work Health and Safety legislation and to increase and maintain pride and a high morale amongst staff, Walgett Shire Council provides access to a uniform standard of dress that is required to be worn by all staff, as appropriate, at all times whilst employed by Council.

Ownership

All logos and badges pertaining to employment with the Walgett Shire Council remain the property of Walgett Shire Council and shall be returned to the Stores Officer at Council's store for destruction or re-issuing, when an employee ceases employment with Council.

Appearance

Staff will wear the appropriate uniform in a manner that reflects the professional attitude of the Walgett Shire Council and dress appropriately for the tasks being undertaken.

Personnel should be aware that whilst they are wearing Council's uniform, they are representing Council and therefore should act in a manner that reflects the professionalism of Council. Staff are not to wear uniform at times when they are not involved in Council activities, i.e. to clubs and hotels, after hours when in public view, on weekends, if not actively involved in Council activities.

Indoor staff

Council's only authorised supplier of uniforms is Local Government Corporate Collection by NNT (The Workwear Group). All employees, following the successful completion of the probationary period, are entitled to order uniforms through this Council supplier. Exceptions to this will be made for Customer Service Officers (includes Visitor Information and Library services) who will be required to wear corporate dress from the date of appointment.

Council will contribute an amount of \$500.00 to assist in the initial purchase of uniform. This contribution is made available to enable all full-time staff to purchase a suit pack or a combination of packs. Once a staff member has been employed for greater than twelve months an annual contribution of \$300.00 will be made available to staff each year on 1st July..

Part-time, fixed term or casual staff of Council will be entitled to a contribution towards uniforms as follows:

- Permanent Part Time - \$300.00
- Fixed term 3 – 6 months \$300.00
- Fixed term 6 plus months \$500.00
- Casuals – at the discretion of the Human Resources Manager

Any amount of contribution remaining at 30 June of any financial year will be carried forward to following year for a maximum of three financial years. The balance of the contribution at the end of each financial year is not refunded in cash. All orders must be placed and be able to be paid for with the balance available at the time of ordering.

For example, Grace commenced employment on 3rd January 2017. She was entitled to a contribution of \$500.00 for the initial purchase of a suit pack. She does not receive a contribution of \$300.00 on 1 July 2017 as she has not been employed for greater than twelve (12) months. She is entitled to the \$300.00 annual contribution on 1 July 2018 and every year thereafter.

The Following items of clothing are not to be worn:

- Sleeveless shirts/dresses (corporate uniform acceptable)
- Polo shirts (approved polo shirts acceptable i.e. Council logo or LG logo)
- T Shirts
- Open heeled shoes
- Sandals
- Thongs

Staff Name Badges:-

Staff name badges are to be provided to all Indoor staff, Technical Officers, Team Leaders, Ranger, and Depot staff – Stores & Workshop employees. Two name badges will be issued to each employee identified (One ~~Magnetic~~ and One Clip & Pin). The name badge will have Council Logo, employees name and position title printed on them. Staff are to ensure that their name badges are worn once they are issued.

A copy of the current Corporate Clothing catalogue can be obtained from the Administrative Services ~~O~~fficer

Orders for uniform items are to be made to the Administrative Services Officer

All staff will wear shoes/boots that fully encompass the foot. Open heels, open toed shoes, sandals, thongs are not to be worn. High-heeled shoes are not recommended.

Indoor staff will be issued with Personal Protective Equipment (PPE) if required.

Outdoor staff

Outdoor staff will be issued on a yearly basis (from time of employment) as a minimum:

- 3 pair trousers or shorts (or a combination of)
- 3 shirts
- 1 pair overalls (upon request)
- 1 pair boots

If requested (one of each of the following)

- 1 cold weather jacket or jumper
- 1 pair gumboots
- 1 wet weather wear (raincoat / trousers)
- 1 night compliant vest
- ~~1 kit bag~~

Staff who choose to wear shorts will be required to read and sign an agreement, at Appendix C, that they will follow the guidelines as laid down in Appendix A to this policy. This will be appropriately registered in TRIM.

Items considered as Personal Protective Equipment (PPE), also issued include:

1 water bottle
1 broad brimmed hat
Sunglasses
Safety Glasses / goggles
Gloves
Wet weather coat
Sunscreen

Clothing will be re-issued on a needs basis, although more than one re issue in a financial year is considered the maximum. Exceptions would only occur in the case of an accident.

Items requiring replacing need to be returned to the Stores Officer as damaged.

Special circumstances:

- Mechanics are to be issued with Cotton Drill, Closed Front Shirts
- Technical Officers (salaried staff) are permitted to wear corporate dress and are entitled to the contribution for indoor staff
- Flocon crew are to receive two (2) pair work boots
- Water and Sewerage crew are to receive two (2) pair work boots
- Technical Officers, Team Leaders, Regulatory Officer, Stores and Workshop staff will be issued with Staff name badges

Appendix A

Outdoor staff can elect to wear shorts as supplied by Walgett Shire Council.

Shorts can be requested as a part of the initial clothing issue in lieu of trousers or on a replacement basis when trousers need to be replaced due to wear.

Staff electing to wear shorts are required to comply with the following guidelines:

- The shorts are not to be altered from the original design in any way
- The wearer is to apply sunscreen to the exposed legs at least every two hours, (maximum exposure time)
- ***Wearing shorts does not negate the necessity to wear proper PPE as the job dictates. For example, a staff member performing 'whipper snipping' as part of lawn mowing or edge trimming, will wear full leg covering trousers or overalls. Duties requiring full leg covering are listed in appendix B.***
- Any injuries received whilst wearing shorts or as a result of wearing shorts is to be reported immediately to the Supervisor and the WHS Officer Rehabilitation Coordinator.

Appendix B

List of duties requiring full leg covering.

- Lawn mowing using a push mower
- Whipper snipping, edge trimming
- Tree trimming using a chainsaw
- Tree felling using a chainsaw
- Welding – electric or gas
- Metal Cutting using gas cutting equip
- Metal cutting using electrical cutting machine
- Spray painting
- Tar patching – spray emulsion
- Chemical applications
- Treatment works
- All hazardous/dangerous situations
- Any other work requiring full leg protection.

If in doubt – wear full leg coverings.

Appendix C

Staff members wishing to wear shorts are required to sign the statement below and return it to the Stores Officer who will arrange for Human Resources to register it within the records management system.

I have read, and understand the conditions laid down in the guidelines to the Uniform Policy and Procedures in relation to the wearing of shorts.

I agree to comply with the guidelines.

Signature..... Date.....

Stores Officer.....

Procedure Review History

Date	Changes Made	Approved By
	Complete Review	Ray Kent - General Manager
10/5/2011	Reviewed, updated & <u>Endorsed</u>	Consultative Committee & GM
December 2018	Minor changes by HR Manager	Don Ramsland
<u>November 2022</u>	<u>Minor changes by HR Manager</u>	

Planning & Building Applications and Local Approvals

WSC - Procedure– Planning and Building



PLANNING & BUILDING-RELATED APPLICATIONS AND LOCAL APPROVALS POLICY AND PROCEDURE

Approval Adoption Date: 4 February 2014

Next Review Date: As required December 2024

Responsible Officer: Director Planning & Regulatory Services
Environmental Services

POLICY STATEMENT

Walgett Shire Council will ensure that a consistent and equitable approach is taken to responsibly manage environmental issues associated with building and planning matters.

OBJECTIVES:

- To ensure costs associated with new developments are borne by the developer.
- To apply appropriate context sensitive building and planning principles.
- To minimise risk the risk to occupiers of residential buildings that may arise from environmental factors.
- To apply the management strategies recommended in the Walgett Shire Growth Management Study and Strategy Document dated April 2011 08.
- To provide clear guidelines for the processing of planning and associated building activities.

Statutory Requirements

Local Government Act 1993
Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2021
Building Professionals Act 2018
Building Professionals Regulation 2020
Building Code of Australia
Plumbing and Drainage Act 2011
Plumbing and Drainage Regulation 2017

Related Policy/Procedure

Code of Conduct
Records Management
Building Near Council Water, Sewerage Mains and Stormwater Systems
Complaints Management

Reference Documents

Walgett Shire Growth Management Study and Strategy Document 2011
NSW Code of Practice – Plumbing and Drainage

STRATEGIES:

The following management strategies will be applied by Walgett Shire Council with a view to meeting the above objectives, within the guidelines of the current — ~~Note that some elements will be superseded by a~~ Local Environmental Plan (LEP) ~~upon its gazettal, or a~~ and Development Control Plan (DCP).

Buildings

Walgett Shire Council will:

1. Apply a building line of 9m in areas that have a residential character in towns and villages. Variations will only be accepted if they are similar to building lines on nearby properties.
2. Apply a minimum floor height to residential buildings that is 0.5m above the maximum flood height for any locality known to be subject to flooding (apart from land protected by the Walgett urban levee bank, where construction at ground level will be accepted).

Water, sewer & effluent connections

Walgett Shire Council will:

3. Seek to ensure that the cost of establishing new water, sewer/effluent or stormwater mains connections resulting from a development consent issued for a subdivision in an urban area are borne by the developer.
4. Not allow new connections to water or sewerage/effluent mains outside urban areas.
5. Septic tanks must be located a minimum of 1.5m away from any buildings or property boundaries.
6. In Lightning Ridge and Collarenebri urban areas all effluent main connections must be via baffled septic tanks with a minimum capacity of 3,000 litres (where pump out tanks are also required, they shall have a minimum capacity of 2,000 litres).
7. In Lightning Ridge and Collarenebri urban areas all connections between septic tanks, pump out tanks and effluent mains are to have a diameter of 50mm.

Policy Implementation Procedures, Guidelines and Documents

Walgett Shire Growth Management Study and Strategy Document dated April 2008

NSW Code of Practice — Plumbing and Drainage

Building Code of Australia

Environmental Planning and Assessment Act 1979

Local Government Act 1993

Development Application Processing Procedures

Activity Application Processing Procedures

Full name of procedure

~~Planning & Regulatory Services Procedure – Planning and Building related applications, certificates and orders.~~

Objective

~~To ensure that a consistent and equitable approach is taken to responsibly manage environmental issues associated with building and planning matters.~~

Council Policy Reference

~~Planning and Building Policy~~

Related Material

~~Walgett Shire Council Procedure Authority Application Overview
Walgett Shire Council Delegations of Authority
NSW Department of Planning & Infrastructure issued planning circulars and practice notes (including the "Guiding Development – Better Outcomes" folder).
NSW Building Professionals Board issued information sheets; practice advice; checklists, complaints and investigations summaries.~~

Statutory Requirements

~~The Environmental Planning and Assessment Act 1979
The Environmental Planning and Assessment Regulation 2000
Building Professionals Act 2005
Building Professionals Regulation 2007
Walgett Local Environmental Plan 2013
Walgett Shire Development Control Plan
State and Regional Environmental Planning Policies
National Construction Code series, including:
• Building Code of Australia.
• Relevant Australian Standards.
• Plumbing Code of Australia.
• Disability (Access to Premises – Buildings) Standards.~~

Applications

~~All applications are processed on the integrated NSW Planning Portal using the Procedure for Entering & Processing Applications in Horizon¹.~~

Procedures

~~These [following](#) procedures represent a broad overview of the steps involved in processing various planning and building related applications. [Various other requirements may arise under other state and federal legislation in some situations.](#)~~

¹ Refer to [Horizon Training Manual](#)

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1. DEVELOPMENT APPLICATIONS

All Development Applications are to be processed in accordance with the steps outlined in the processing flowchart and the Development Application checklist. Additional information is contained under the respective headings below.

Note: It is always the responsibility of the applicant to provide the information required to support an application. ~~(if a staff member must not add information to an application, or makes an assumption about it, legal issues may arise).~~

1.1 Required knowledge

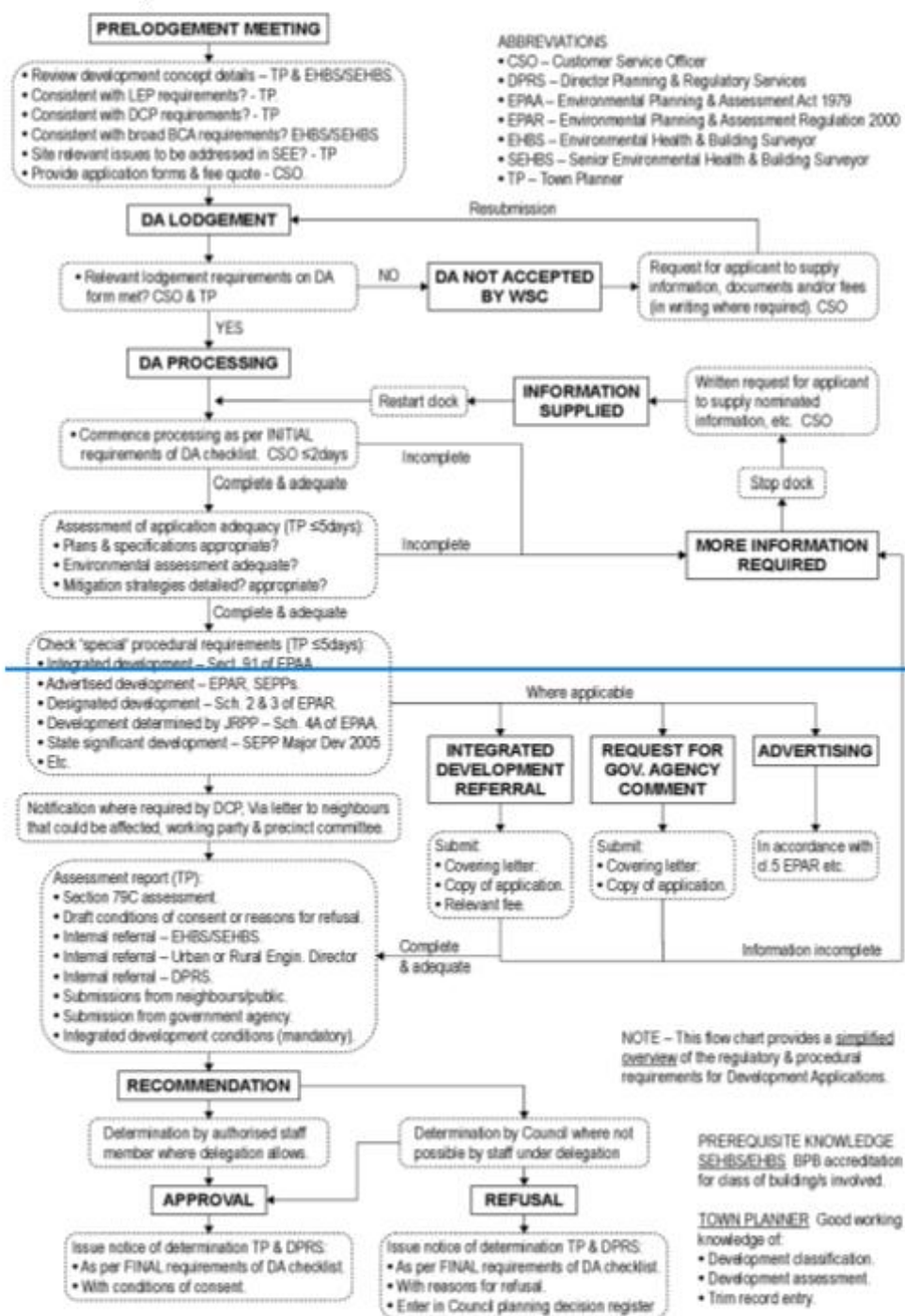
The following minimum knowledge is required to apply this procedure relating to development applications:

- Good working knowledge of regulatory provisions relating to Development Applications:
 - The Environmental Planning and Assessment Act 1979.
 - The Environmental Planning and Assessment Regulation ~~2000~~2021
 - Zoning and environmental planning instruments (SEPPs & LEPs).
 - Development control plans.
- Good working knowledge of planning practice, including Department of Planning & Infrastructure:
 - Guidelines within the "Register of Development Assessment Guidelines" ([see Dept. web site](#)).
 - "Environmental assessment policies" ([see Dept. web site](#)).
 - Practice notes and planning circulars.

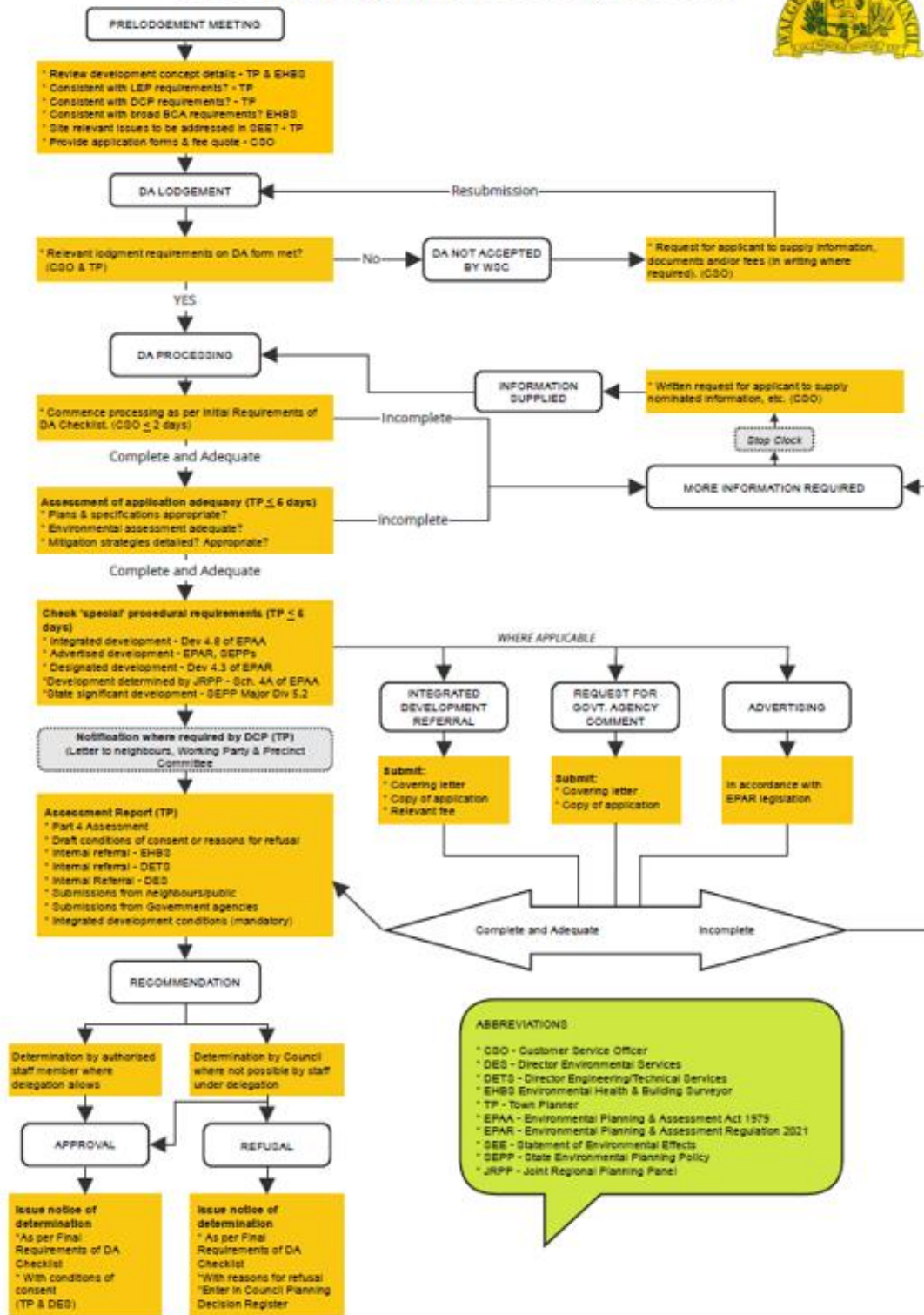
1.2 Desired knowledge

- ~~Authority~~ ~~Horizon~~ – ability to retrieve, maintain and understand Development Application related records.
- Trim – ability to retrieve, maintain and understand Development Application related records, including Word documents.
- ~~Mapinfo professional (or Exponent)~~ ~~IntraMaps~~ – ability to prepare custom maps showing site suitability attributes and context.

1.32 Processing flow chart - DAs



Development Application Processing Flow Chart



1.3 Procedure - DAs

1.3.1 Pre-lodgement meeting

In most cases applicants should discuss a proposed Development Application prior to lodgement with Council. Pre-lodgement meetings are usually coordinated by the Town Planner and the following Council staff should participate:

- Town Planner - for most developments.
- Director [Planning & Regulatory Environmental](#) Services for sensitive, substantial and/or complex development proposals.
- Environmental Health and Building Surveyor/s - for developments involving new buildings and/or change of building use.
- Senior Urban Infrastructure staff – for developments involving significant urban infrastructure issues.
- Senior Rural Infrastructure staff – for developments involving rural roads.

Where relevant, potential applicants should be advised that any proposal not compatible with the zoning, existing developments nearby or that is unsuitable for a given site, may be recommended for refusal.

In [general](#) the types of matters that should be addressed at a pre-lodgement meeting include:

- 1) Potential applicants should be made aware of any significant planning issues known to Council that are relevant to a development proposal, such as:
 - Zoning and the permissibility of the proposed use.
 - Sensitive existing land uses nearby (eg dwellings).
 - Risk of stormwater or floodwater inundation for low lying/poorly located buildings.
 - H2-D soil classification (assumed classification if site not on a ridge [land form](#)).
 - Availability of Council infrastructure such as water and sewer/effluent.
 - Threatened flora or fauna.
 - Sites with, or adjoining, heritage listed items.
 - BCA compliance.
 - Etc.
- 2) Minimum range of issues to be addressed within the Statement of Environmental Effects (SEE). All DAs must be accompanied by a SEE. A basic blank SEE is available via Council's web site. A suggestion should be made to applicants for more complex developments that they seek suitably skilled assistance in preparing a SEE
- 3) For more complex developments it is appropriate for the key issues arising from the pre-lodgement meeting to be documented via an e-mail or letter to the potential applicant.
- 4) Where the value of the development is known and a DA is likely to be lodged, the CSO or Town Planner will prepare a "Quote for fees" using Authority. To prepare a quote you will need the value of the proposed development (labour and materials), the applicant's name and the proposed development location. The quote is then supplied to the potential applicant.

1.3.2 Lodgement

The application should only be accepted if (CSO/TP):

- All the details on the application form have been completed.
- Suitable plans and specifications have been provided.
- A Statement of Environmental Effects has been provided (or EIS).
- Any supporting documentation identified at the pre-lodgement meeting has been provided, such as species impact statement, aboriginal heritage assessment, koala habitat assessment, etc.
- The appropriate fees have been paid.

NOTE: See checklist on the DA form for supporting documents required for particular types of development.

1.3.3 General application assessment issues

- 1) CSO processes the application in accordance with the initial requirements of DA Checklist.
- 2) Complete details of the Development Application are recorded in Authority under the menu "Applications Management", then "Development Applications (NSW)", then "Data Entry" (or "Update" to change details). Complete details of the Development Application are also recorded in TRIM under the DA number.
- 3) The date of expiry of the neighbouring landholder notification must be noted on the Development Application checklist in the front of the file. The Authority generated neighbouring owner notification letter uses a date that is 14 days from the day that the letter is printed.
- 4) Assign Development Application file to TP in TRIM (who will consult with Environmental Health and Building Surveyor/s regarding building aspects of development proposals). Place hard copy DA file on TP's desk. TP then commences preliminary assessment.
- 5) It is the responsibility of the nominated officer in the flow chart (above) to ensure that the respective steps are carried out. That officer must also ensure that the file is passed on to the person responsible for the subsequent step. The nominated officers are also responsible for updating tracking status, turning the clock on and off in Authority, and TRIM management before passing on.
- 6) If the TP or EHBS finds that the application is incomplete, or must be referred to other authorities, they will ensure that the appropriate administrative actions are taken.
- 7) All Development Applications must be subject to a suitably detailed assessment under Section [79C-4.6](#) of the EPAA using the DA assessment report template. Assessment reports must:
 - Address relevant regulatory requirements, SEPPs & guidelines.
 - Include recommended conditions.

- Make a recommendation for approval or refusal of the DA.
- If refusal is recommended, then reasons for refusal based on section [79C-4.6](#) assessment criteria must be specified.

1.3.4 Applications involving subdivision

- 1) The Walgett LEP 2013 has various development standards for subdivisions, including clause:
 - 4.1 – Minimum subdivision lot size.
 - 4.1AA – Minimum subdivision lot size for community title schemes.
 - 4.1A – Minimum subdivision lot size for strata plan schemes in Zone RU1.
 - 4.1B – Minimum subdivision lot sizes for certain split zones.
 - 4.1C – Minimum subdivision lot size for certain land at Lightning Ridge.
 - 4.2 – Rural subdivision.
- 2) Subdivision proposals can be considered based on a scaled concept plan, then if the development is approved, surveyor's plans can be submitted for endorsement of the subdivision certificate.
- 3) Consideration must be given to conditions of consent regarding:
 - a) Easements for electricity/water/sewerage/drainage.
 - b) New separate service connections at the [applicants](#) expense.
 - c) Condition requiring compliance with certain conditions prior to the issue of a subdivision certificate.

1.3.5 Applications involving strata subdivision

- 1) The Strata Schemes (Freehold Development) Act 1973 and Strata Schemes (Leasehold Development) Act 1973 are particularly relevant to strata subdivision Development Applications.
- 2) Generally the application is processed as per a "normal" subdivision, but the conditions required may be different.
- 3) If the application is approved, a notice of determination is issued with appropriate conditions, eg. car parking requirements, easement for electricity/water/sewerage/drainage, requirement to establish separate service connections at the [applicants](#) own expense and any other standard conditions.

1.3.6 Applications involving the Crown

Section 89 of the Environmental Planning and Assessment Act 1979 states:

89 Determination of Crown development applications

- (1) A consent authority (other than the Minister) must not:
- (a) refuse its consent to a Crown development application, except with the approval of the Minister, or
 - (b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.

In the above context the consent of the applicant or Minister is required to enable the imposition of any proposed development consent conditions. Accordingly after the Development Application assessment report has been drafted, a copy must be sent to the applicant accompanied by a request that the applicant agree to the proposed development consent conditions.

The response of the applicant must be recorded within the final version of the assessment report, for example:

"The applicant was provided with a draft copy of the development assessment report and recommended conditions via e-mail on DATE. The applicant responded with an e-mail on DATE which indicated _____."

1.3.7 Council owned land

If a Development Application involves Council owned land, the Town Planner must first determine the classification of the land under the Local Government Act 1993. If the land is:

- a) "Operational land", a Development Application is appropriate if signed by an authorised officer of Council.
- b) "Community land", then that land must be managed in accordance with the Plan of Management applying to the land (S.35 of the Local Government Act 1993). As a result any Development Application that is inconsistent with the Plan of Management should be referred back to the applicant.

1.3.8 Determination - General matters

For any development that cannot be approved under the Director Planning and Regulatory Services' delegated authority, the application must be referred to Council for a decision (eg letters received from neighbours which object to the DA).

Section 80 of the Environmental Planning and Assessment Act 1979 deals with the determination of Development Applications. Key elements of that section are reproduced below:

80 Determination

(1) General

A consent authority is to determine a development application by:

- (a) granting consent to the application, either unconditionally or subject to conditions, or
- (b) refusing consent to the application.

(2) Despite subsection (1), the consent authority must refuse an application for development, being the subdivision of land, that would, if carried out, result in a contravention of this Act, an environmental planning instrument or the regulations, whether arising in relation to that or any other development.

(3) "Deferred commencement" consent

A development consent may be granted subject to a condition that the consent is not to operate until the applicant satisfies the consent authority, in accordance with the regulations, as to any matter specified in the condition. Nothing in this Act prevents a person from doing such things as may be necessary to comply with the condition.

(4) Total or partial consent

A development consent may be granted:

- (a) for the development for which the consent is sought, or
- (b) for that development, except for a specified part or aspect of that development, or
- (c) for a specified part or aspect of that development.

(5) The consent authority is not required to refuse consent to any specified part or aspect of development for which development consent is not initially granted under subsection (4), but development consent may subsequently be granted for that part or aspect of the development.

Note. See also Division 2A for special procedures concerning staged development applications.

(9) Restrictions on determination of development applications for designated development

A consent authority must not determine a development application for designated development:

- (a) until after the submission period (within the meaning of section 79 (1) (a)) has expired, or
- (b) if a submission is made with respect to the application within the submission period, until after 21 days following the date on which a copy of the submission is forwarded to the Director-General have expired.

(10) Subsection (9) (b) does not apply:

- (a) to a consent authority being the Minister or the Director-General, or
- (b) if the Director-General has waived the requirement that submissions be forwarded to the Director-General for a specified development application or for a specified class of development applications.

(11) Other restrictions on determination of development applications

The regulations may specify other matters of a procedural nature that are to be complied with before a development application may be determined.

(12) Effect of issuing construction certificate

If a consent authority or an accredited certifier issues a construction certificate, the construction certificate and any approved plans and specifications issued with respect to that construction certificate, together with any variations to the construction certificate or plans and specifications that are effected in accordance with this Act or the regulations, are taken to form part of the relevant development consent (other than for the purposes of section 96).

Key aspects of Development Application determination are:

- **Approval:-** Development Applications subject to a favourable assessment by staff will be approved by authorised staff where possible. Development consent will usually be issued subject to conditions of consent that are appropriate for the nature and scale of the development.

Note that applications which are the subject of objections (outside of delegation), or involve Council (consent authority conflict policy), may need to be referred to Council for determination.

- **Partial refusal:-** In some circumstances part of a development proposal may be subject to a favourable Section [79C 4.6](#) assessment and the remainder may be assessed as inappropriate.

A recommendation for partial refusal should be submitted to a Council meeting with a DA assessment report and a covering report that provides a clear recommendation for a resolution defining what part of the development has been approved and any conditions of consent. The second part of the resolution must be clear about what part of the application has been refused and the reasons why the application is refused (in the context of Section [79C 4.6](#)).

- **Refusal:-** Applications cannot be refused by staff (see applicable delegations). A recommendation for refusal should be submitted to a Council meeting with a DA assessment report and a covering report that provides a clear recommendation for refusal the reasons why the application is refused (in the context of Section [79C 4.6](#)).

1.3.9 Notice of determination

Once a Development Application has been determined, the following parties must be provided with a full copy of the Development Application determination:

- The applicant.
- Referral authorities.
- Concurrence authorities.
- All parties making submissions about the development (whether positive or negative).

See the Development Application checklist for more information.

1.4 Determination review/appeal

A party who is not satisfied with a Development Application determination has the following options for seeking a revision of the determination. Complex legal issues can arise from selecting a revision mechanism so Council staff must not provide any advice to applicants on selecting a particular mechanism.

1.4.1 Review of determination

Section 82A of the Environmental Planning and Assessment Act 1979 provides that a party “may request the council to review a determination of the applicant’s application” in certain circumstances. The applicant can also make amendments to the development described in the original Development Application.

All review requests must be made via an "Application for a Review of a Development Determination" form. Review applications must be processed in accordance with the steps outlined in the "Checklist – Application to Review a Development Determination".

1.4.2 Appeal to the Land and Environment Court

Part 4 Division 8 of the Environmental Planning and Assessment Act 1979 deals with appeals.

1.5 Modification of development consent

Section 96 of the Environmental Planning and Assessment Act 1979 provides that a party may apply to modify a granted development consent:

- a) To correct a minor error, misdescription or miscalculation.
- b) Involving minimal environmental impact.
- c) If the proposed modified development is substantially the same development.

All review requests must be made via a letter or an "Application to Modify a Development Consent" form. Modification applications must be processed in accordance with the steps outlined in the "Checklist – Application to Modify a Development Consent".

2. CONSTRUCTION CERTIFICATES

The procedures outlined below for Construction Certificate applications must be considered in conjunction with:

- Building professionals Act [2005 2018](#)
- Building Professionals Regulation [2007 2020](#)
- Walgett Shire Council's Construction Certificate Checklist,
- The Environmental Planning and Assessment Act 1979,
- Relevant State and Regional Environmental Planning Policies.
- The Building Code of Australia and the Plumbing Code of Australia.
- Any other relevant standards, guidelines, environmental planning instruments, acts or regulations.

It is the intent of the procedure to provide a broad overview of how Construction Certificate applications are to be processed by Walgett Shire Council.

2.1 Required knowledge

The following minimum knowledge/skills are required to apply aspects of this procedure relating to construction certificates:

- Accreditation with the NSW Building Professionals Board to undertake the work involved for the given class of building under the Building Code of Australia.
- Good working knowledge of relevant regulatory provisions of:
 - The Environmental Planning and Assessment Act 1979.
 - The Environmental Planning and Assessment Regulation [2000 2021](#).
 - Building Professionals Act [2005 2018](#).
 - Building Professionals Regulation [2007 2020](#).
- Authority – ability to retrieve, maintain and understand Construction Certificate application related records.
- Trim – ability to retrieve, maintain and understand Construction Certificate related records, including Word documents.

2.2 Initial processing

- 1) Construction certificates are required for any substantial construction work associated with a Development Application, or previously issued development consent.
- 2) Where possible basic residential, and some commercial or industrial construction should be dealt with via the simpler Complying Development Certificate process under the requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- 3) Applicants should be encouraged to discuss any proposed application with the Environmental Health and Building Surveyor prior to lodgement.

- 4) All Construction Certificate applications are to be processed in accordance with the steps outlined in the processing flowchart (below) and the CC checklist.
- 5) It is always the responsibility of the applicant to provide the information required to support an application (Staff must not alter or add information to an application).
- 6) Complete a "Quote for fees" using Authority. To prepare a quote you will need the value of the proposed construction (labour and materials), the applicant's name, cost of works and the proposed development location/works.
- 7) Accept the CC application, if all the pre-lodgement CC Checklist requirements are met and lodgement steps in the flowchart (below) are also met. A completed application form needs to be supplied so the details can be entered into Authority to establish a CC number.
- 8) CC numbers can be granted so that an applicant can also obtain an owner builder permit through Dept of Fair Trading, where required.
- 9) Process as per initial requirements of CC Checklist.
- 10) Complete details of the CC application are recorded in Authority under the menu "Applications Management", then "Development Applications (NSW)", then "Data Entry" (or "Update" to change details).
- 11) Complete details of the Construction Certificate application are recorded in TRIM under the CC number issued by Authority.
- 12) Assign Construction Certificate file in TRIM to the EHBS to commence preliminary assessment. Place hard copy CC file on EHBS's desk.
- 13) It is the responsibility of the nominated officer in the flow chart (below) to ensure that the respective steps are carried out. That officer must also ensure that the file is passed on to the person responsible for the subsequent step.
- 14) If the EHBS finds that the application is incomplete, they will address the administrative actions that need to be taken.

2.3 Issues for Environmental Health and Building Surveyor

When dealing with a Construction Certificate application the Environmental Health and Building Surveyor must evaluate the plans to:

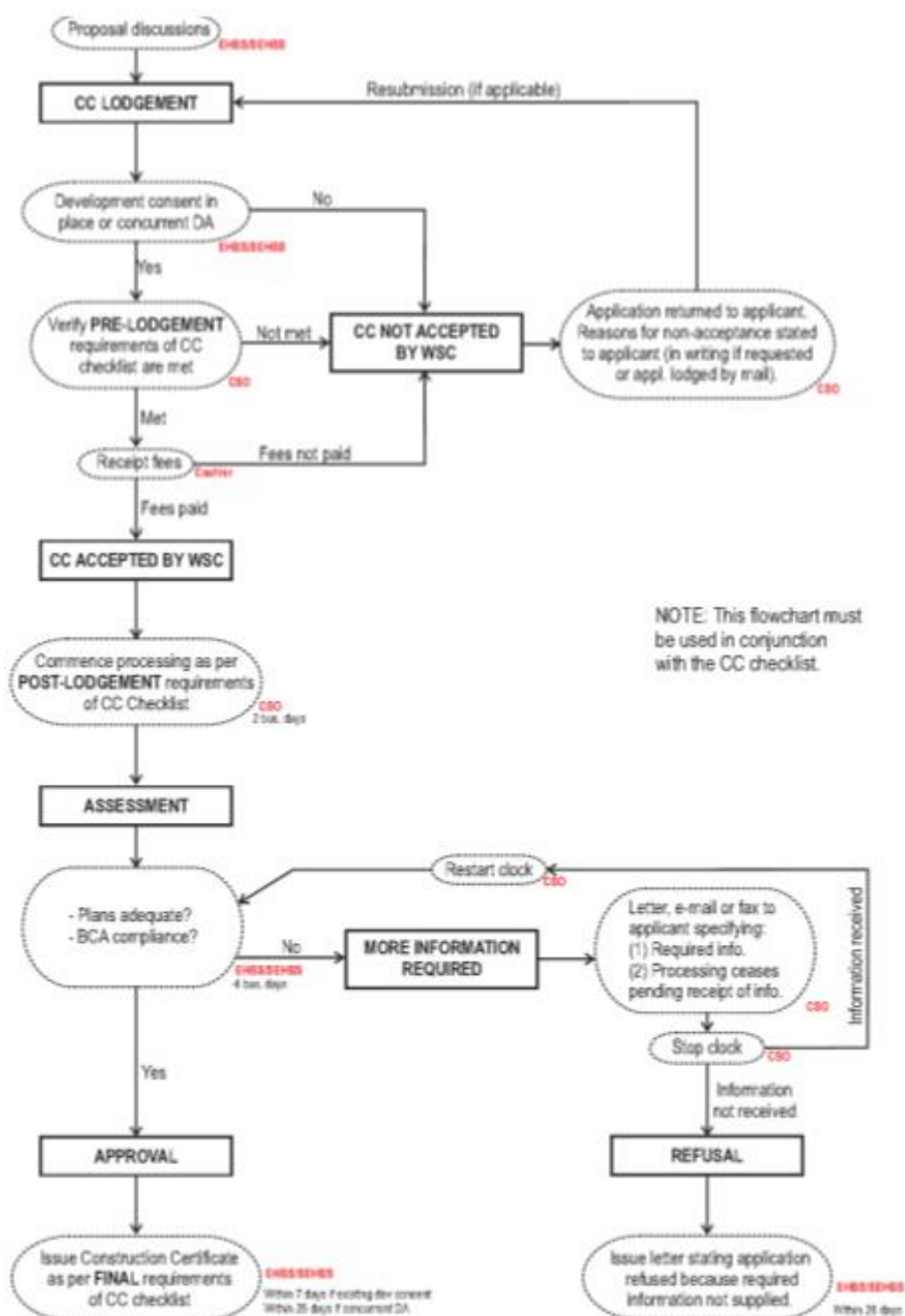
- Verify compliance with any relevant conditions of development consent (eg building size, landscaping, etc).
- Confirm an adequate level of detail (dimensions, scale, materials, etc).
- Demonstrate compliance with the Building Code of Australia and the Plumbing Code of Australia on "as is" basis.

- Determine whether any approval annotations are required to make them clearer and/or ensure compliance with the Building Code of Australia.

Plans and specifications can be annotated with Building Code of Australia requirements. However, if excessive annotations would otherwise be required, the applicant should be asked to resubmit plans which address the identified deficiencies.

- The plans represent the site conditions inspected

2.4 Processing Flow Chart - CC



3. COMPLYING DEVELOPMENT CERTIFICATES

The procedures outlined below for Complying Development Certificate applications must be considered in conjunction with:

- Walgett Shire Council's Complying Development Certificate Checklist,
- The Environmental Planning and Assessment Act 1979,
- Walgett Local Environmental Plan 2013
- Relevant State Environmental Planning Policies.
- The Building Code of Australia and the Plumbing Code of Australia.
- Any other relevant standards, guidelines, environmental planning instruments, acts or regulations.

It is the intent of the procedure to provide a broad overview of the processes, thresholds and staff involved in the processing of Construction Certificate Applications on behalf of Walgett Shire Council. It is not a one-stop reference point for Complying Development Certificate application processing.

2.1 Required knowledge

The following minimum knowledge/skills are required to apply aspects of this procedure relating to complying development certificates (CDCs):

- Accreditation with the NSW Building Professionals Board to undertake the work involved for the given class of building under the Building Code of Australia.
- Good working knowledge of relevant regulatory provisions of:
 - The Environmental Planning and Assessment Act 1979.
 - The Environmental Planning and Assessment Regulation [2000 2021](#).
 - Building Professionals Act [2005 2018](#).
 - Building Professionals Regulation [2007 2020](#).
- Authority – ability to retrieve, maintain and understand CDC related records.
- Trim – ability to retrieve, maintain and understand CDC related records, including Word documents.

3.1 Initial processing

- 1) In most cases applicants should discuss their proposed application with the Environmental Health and Building Surveyor prior to lodgement.
- 2) All Complying Development Certificate applications are to be processed in accordance with the steps outlined in the processing flowchart (below) and the CDC Checklist.
- 3) It is always the responsibility of the applicant to provide the information required to support an application (if a staff member adds information to an application, or makes an assumption about it, legal problems may arise for Council).

- 4) Complete a "Quote for Fees" using Authority. To prepare a quote you will need the value of the proposed construction (labour and materials), the applicant's name and the proposed development location.
- 5) Have a second person from P & R Services check the fee quote and initial checking.
- 6) Inform the applicant how much the fee will be.
- 7) Accept the application if all the pre-lodgement CDC Checklist requirements are met and the lodgement steps in the flowchart (below) are also met.
- 8) Process as per initial requirements of CDC Checklist.
- 9) Complete details of the Complying Development Certificate application are recorded in Authority under the menu "Applications Management", then "Development Applications NSW", then "Data Entry" (or 'Update' to change details). Complete details are also recorded in TRIM under CDC number issued from Authority.
- 10) Assign Complying Development Certificate file in TRIM to the EHBS to commence preliminary assessment. Place hard copy file on EHBS's desk.
- 11) It is the responsibility of the nominated officer in the flow chart (below) to ensure that the respective steps are carried out. That officer must also ensure that the file is passed on to the person responsible for the subsequent step.
- 12) If the EHBS finds that the application is incomplete, they will address the administrative actions that need to be taken.

3.2 Complying Development Certificate Issues

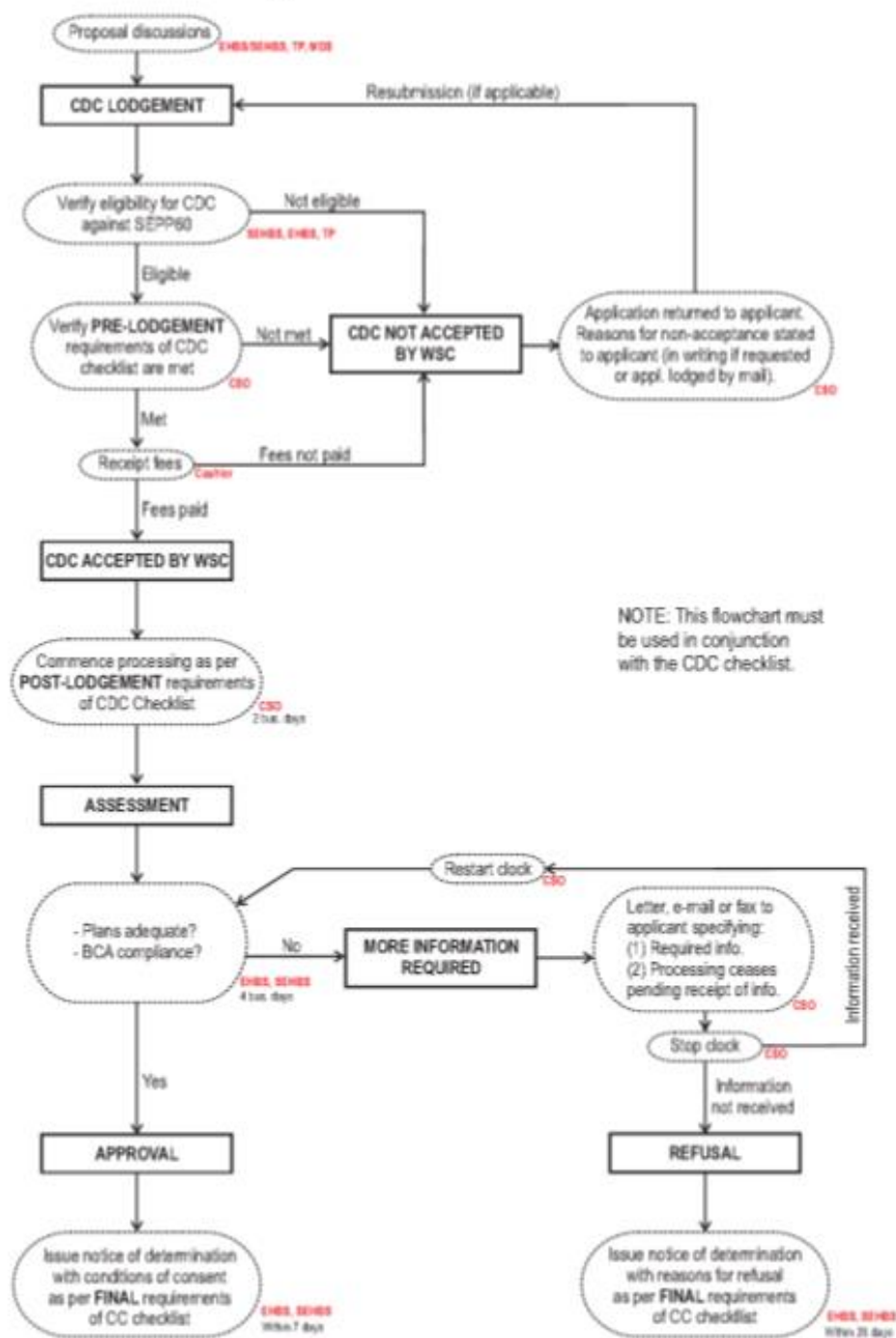
When dealing with a Complying Development Certificate application, the Environmental Health and Building Surveyor must evaluate the plans to:

- Confirm compliance with development standards under a relevant SEPP, for example:
 - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
 - State Environmental Planning Policy (Affordable Rental Housing) 2009.
 - State Environmental Planning Policy (Temporary Structures) 2007.
- Confirm an adequate level of detail (dimensions, scale, materials, etc).
- Demonstrate compliance with the Building Code of Australia on "as is" basis.
- Determine whether any approval annotations are required to make them clearer and/or ensure compliance with the Building Code of Australia.

Plans and specifications can be annotated with Building Code of Australia requirements. However, if excessive annotations would otherwise be required, the applicant should be asked to resubmit plans which address the identified deficiencies.

- • The plans represent the site conditions inspected.

3.3 Processing flow chart - CDC



4. OTHER CERTIFICATES

4.1 PLANNING CERTIFICATES

This procedure must be considered in conjunction with:

- The Environmental Planning and Assessment Act 1979, particularly Section [449-10.7](#) which requires that Council issue a 'planning certificate' for any land within its area after the payment of the required fee.
- The Environmental Planning and Assessment Regulation [2000-2021](#), including:
 - Clause 259 which sets the maximum fee for a planning certificate.
 - Clause 279 specifies that the matters listed Schedule 4 must be addressed in a planning certificate.
- Walgett Local Environmental Plan 2013 (LEP) which establishes the zoning for land within the Shire.

Generally applications should be processed within 5 working days where the appropriate information and fees have been supplied.

4.1.1 Required knowledge

The following minimum knowledge/skills are required to apply this procedure:

- Drafting planning certificates:
 - a) ~~Mapinfo~~ – ability to prepare and print map which shows planning related data for particular land.
 - b) Authority – ability to locate and check details for land based on ownership and/or legal description of land.
 - c) Trim – ability to find and edit documents from Trim, including Excel spreadsheet ([149-10.7](#) register) and Word documents (planning certificates).
 - d) Understanding of basic principles behind zoning (EPAA 1979, EPAR [2000-2021](#) & LEP).
- Checking planning certificates:
 - e) ~~Mapinfo~~ – ability to prepare and print map which shows planning related data for particular land.
 - f) Authority – ability to locate and check details for land based on ownership and/or legal description of land.
 - g) Trim – ability to find and edit documents from Trim, including Excel spreadsheet ([149](#) register) and Word documents (planning certificates).
 - h) Advanced understanding of zoning (EPAA 1979, EPAR [2000-2021](#) & LEP).

4.1.2 Application - lodgement

The following steps are undertaken by the receipting CSO:

1. Check correct fees paid, as per Council's current fees and charges schedule in the current Management Plan.

2. Check that application includes details of lot/section/DP numbers, landowner and applicant.
3. If appropriate fees not paid and/or application incomplete then the CSO must contact applicant and advise them that application will not be processed until relevant matters have been addressed.

4.1.3 Application - processing

The following steps are undertaken by the Town Planner:

1. Record receipt number, date and amount on the certificate application form or letter (use Council's 149 stamp if application not made on a Council application form).
2. Use Mapinfo to prepare a map of the land which shows relevant planning information (lot/sec/DP, assessment number, zoning, locality, public roads, heritage, bush fire prone, contamination, etc).
3. Enter the details of the Planning Certificate application in the register titled *REGISTER – Cert – 149-10.7 - Planning 1998 to current* (Trim record 09/1323/000008).
4. Checks the **property description** (Lot/Section/DP numbers) and **property owner details** on the certificate application form against the information recorded in Authority. Use ticks on respective parts of the application form to demonstrate that these items have been checked (use a pen colour that is distinctive, eg red or blue).
5. If there are significant discrepancies in the application, then apply the procedure described in the next section for 'incomplete/incorrect applications'.
6. Prepare a draft Planning Certificate, take care to complete:
 - a) Correct property and owner details (based on Authority data).
 - b) Zoning details, as determined from the GIS.
 - c) Applicant details (for the solicitor or person requesting certificate).
 - d) Certificate number (derived from the planning certificate register).
 - e) Save each 149-10.7 certificate as a separate word file in Trim container 09/1151 (Land Use Planning – Zoning – 149-10.7 Planning Certificates).
7. A printed copy of the draft certificate and map are issued to relevant engineering Director (urban or rural) for verification of details within the section titled "6. Road widening and realignment". Any changes required are to be noted on draft.
8. Draft certificate and map are then referred to Director Planning & Regulatory Services for checking of key details. Any changes required are noted on draft.
9. Final version of the certificate is assigned to the Director Planning and Regulatory Services for finalisation within Trim.
10. Hard copy of Draft Certificate with map and original application of the 149-10.7 certificate is to be scanned into TRIM by Records.
11. Planning certificate (with drainage diagram, where applicable) is to be sent to applicant:

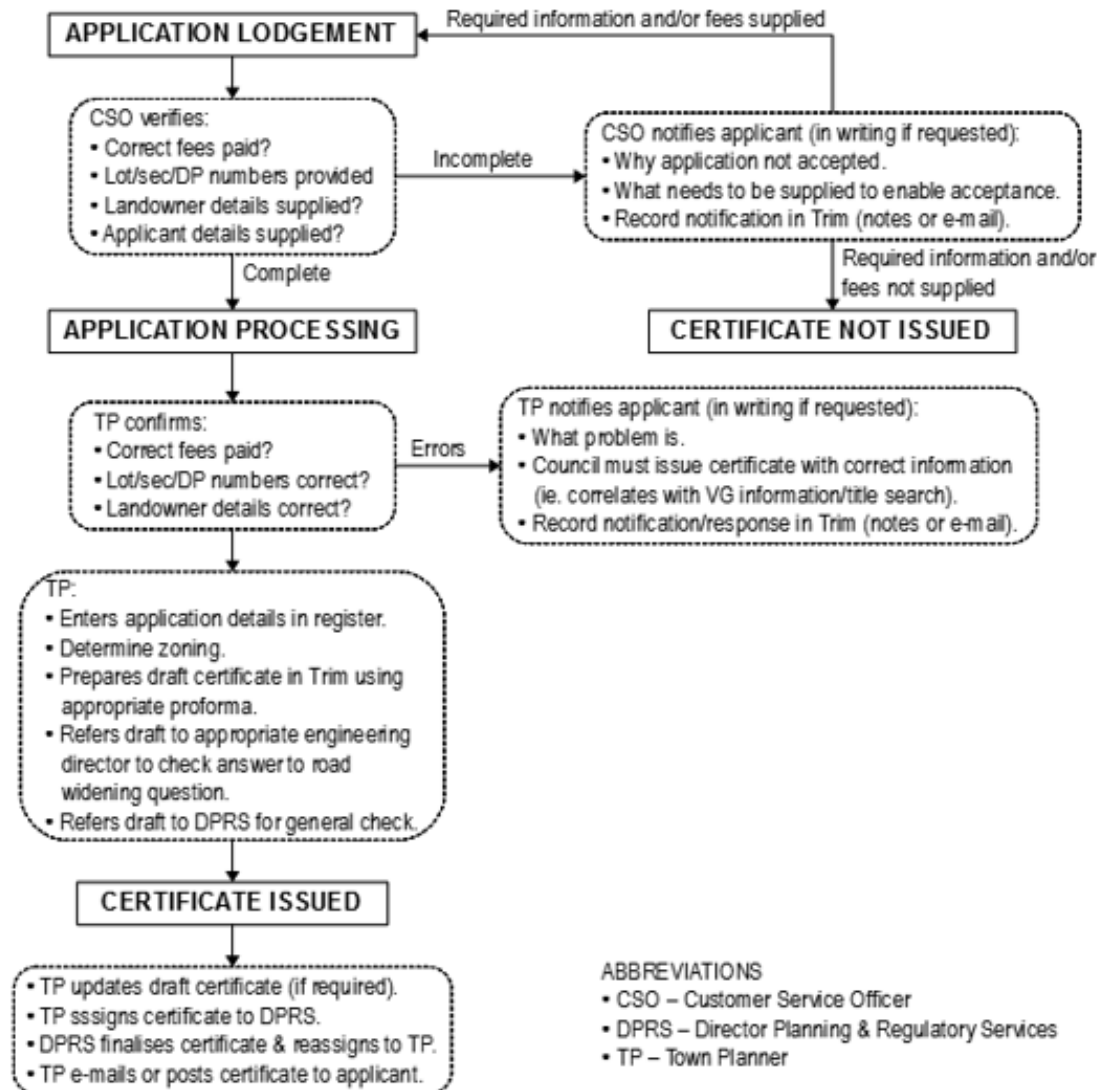
- By e-mail as a first preference, with copy of e-mail entered in Trim (container 09/1151).
- By post, with communications (sender & recipient) recorded in Trim against MSWord version of the certificate.

4.1.4 Incomplete/incorrect applications

1. If there is a **discrepancy between the property description or land owner details**, then the reason for the discrepancy must be determined (*occasional errors are known to occur in the Authority database*). Check:
 - Online via the Valnet database at <https://six.lands.nsw.gov.au/wps/Portal/> (user name and password needed) for Council staff. The Valnet database provides Council with the legal description and owner details for land.
 - If the Valnet information is the same as Authority, a title search can be conducted (*rare errors have been found where there is a difference between Valnet and the certificate of title*). There is a fee for a title search.
 - Contacting the Valuer Generals's (VG) office by phone on 1800 110 038 and ask for the Tamworth (or nearest) office.

Authority should be updated to show current VG or title search data if it becomes apparent that the Authority data is incorrect.
2. If the VG data agrees with the Authority data, then **contact the applicant** to advise them that:
 - There is a discrepancy between the information they have supplied on their application (land description and/or owner details) and the data recorded in Council's rating system (as derived from VG records).
 - Council will only issue the Planning Certificate with the land description and/or owner details derived from its records.
3. Enter a note within Trim on the certificate application of any contact with the solicitor/applicant (date, time, contact name, issue, response).
4. Once the problem has been resolved, then processing of the application can recommence as per the previous section.

4.1.3 Processing flow chart – Planning Certificate



4.2 SUBDIVISION CERTIFICATES

This procedure must be considered in conjunction with:

- The Environmental Planning and Assessment Act 1979, particularly sections 109C and 160A.
- The Environmental Planning and Assessment Regulation [2000 2021](#), part 8 division 4 (clauses 157 to 160A).

Subdivision is defined under Section 4B of the Act which states (in part):

4B Subdivision of land

- (1) For the purposes of this Act, *subdivision of land* means the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:
- (a) by conveyance, transfer or partition, or
 - (b) by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.
- (2) Without limiting subsection (1), *subdivision of land* includes the procuring of the registration in the office of the Registrar-General of:
- (a) a plan of subdivision within the meaning of section 195 of the *Conveyancing Act 1919*, or
 - (b) a strata plan or a strata plan of subdivision within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*.
- Note.** The definition of *plan of subdivision* in section 195 of the *Conveyancing Act 1919* extends to plans of subdivision for lease purposes (within the meaning of section 23H of that Act) and to various kinds of plan under the *Community Land Development Act 1989*.

Essentially subdivision plans are to be submitted to Council in two situations:-

- Where it is proposed to carry out subdivision of land, OR;
- Where it is proposed to create a drainage easement, right of carriageway, etc, where Council is a party to the proposal, but where no subdivision is involved.

Prior Development Consent is required for all subdivisions except those that meet criteria for exempt development (eg under Housing Code, SEPP 4 - *Note that exemption provisions under SEPP4 for minor subdivisions do not apply within the Walgett Shire at this time [Sept 2008]*) or any other relevant environmental planning instrument).

4.2.1 Required knowledge

The following minimum knowledge is required to apply aspects of this procedure relating to subdivision certificates:

- Good working knowledge of regulatory provisions relating to subdivision certificates, especially within the Environmental Planning and Assessment Act 1979 and associated regulation.
- Authority – ability to retrieve, maintain and understand Development Application related records.
- Trim – ability to retrieve, maintain and understand Development Application related records, including Word documents.

4.2.2 Processing overview

- 1) Ensure processes outlined on the "Subdivision Certificate Checklist" form are followed.
- 2) If appropriate, the subdivision certificate associated with the surveyor's plans for the subdivision must be signed with a black pen by an authorised person.
- 3) Plans for subdivisions of land owned by Walgett Shire Council, must have the General Manager and Mayor sign in the relevant box on the administration sheet (top left corner) as the landowner's representatives below a notation which reads "*The common seal of Walgett Shire Council was affixed on DATE pursuant to a resolution dated DATE*". The signature should be located above the printed name and position of the respective individual (eg J.G. Smith, Mayor and I.D. Hope, General Manager).
- 4) The subdivision certificate is then signed by an authorised person in the bottom left corner of the plan.

4.2.3 Section 88B Instruments

- **Easements and restrictions of use:** Where easements are to be created, an instrument under S.88B of the Conveyancing Act 1919 must be submitted with the Title Plan. The plan itself should show all easements and rights of way, together with proposed dedications of land, etc. The Instrument then sets out the details of the parties/lots benefiting from or burdened by the easements, etc. and the terms of those easements and restrictions.

Standard wording from the Conveyancing Act 1919 is used for certain frequently-used easements/restrictions (eg, "*Easement to drain water 3m wide*") and need not be reproduced in full in the S.88B Instrument.

The endorsement of the S.88B Instrument by the General Manager, or nominee, (initial each page and sign the final page) is required.

No S.88B Instrument is required where an easement is to be created by way of "transfer and grant".

- **Restrictive Covenants:** Restrictive covenants for proposed subdivisions which seek to override or contradict planning controls which have been established under the Environmental Planning and Assessment Act 1979 are inappropriate.
- **Where Council owns the land in question:** A prior council resolution must explicitly authorise the use of the Council seal. Council's common seal must be affixed to the administration sheet.

4.2.4 Subdivision certificates issued by a private certifier

Under certain circumstances a Subdivision Certificate may be issued by a private certifier. Upon receiving notification from a private certificate that they have issued a subdivision certificate, Council's planning staff must confirm that all relevant development consent conditions have been complied with hence the certificate has been issued in an appropriate context.

4.3 BUILDING CERTIFICATES

This procedure must be considered in conjunction with:

- The Guiding Development Practice Note, issued by the Department of Urban Affairs and Planning in August 2001, titled 'When Can a Building Certificate be Issued?'
- The Environmental Planning and Assessment Act 1979, particularly Sections [149A to 149G](#) [10.7](#) which deal with applications for and the issuing of a 'building certificate'.
- The Environmental Planning and Assessment Regulation [2000 2021](#), including:
 - Clause 260 which sets the maximum fee for a building certificate.
 - Clause 261 which sets the maximum fee for a copy of a building certificate.
 - Clause 280 specifies who can apply for a building certificate and that the required fee must be paid.
 - Clause 281 specifies matters that Council must include within a building certificate.
- Environmental planning instruments which define the circumstances in which Council approval is required to erect a building, including:
 - Walgett Local Environmental Plan 2013.
 - Relevant State Environmental Planning Policies, especially those parts relating to exempt development which can be undertaken without Council approval.

4.3.1 Required knowledge

The following minimum knowledge/skills are required to apply aspects of this procedure relating to building certificates:

- Accreditation with the NSW Building Professionals Board for the relevant class of building under the Building Code of Australia.
- Good working knowledge of relevant regulatory provisions of:
 - The Environmental Planning and Assessment Act 1979.
 - The Environmental Planning and Assessment Regulation [2000 2021](#).
 - Building Professionals Act [2005 2018](#).
 - Building Professionals Regulation [2007 2020](#).
- Authority – ability to retrieve, maintain and understand Building [Information](#) Certificate application related records.
- Trim – ability to retrieve, maintain and understand Building [Information](#) Certificate related records, including Word documents.

4.3.2 Processing overview

Applications for a building certificate will be dealt with in the following manner:

1. Applications will only be accepted where they are accompanied by:
 - a) A completed Building [Information](#) Certificate application form (OR all the necessary details have been supplied in writing).
 - b) The appropriate fee.

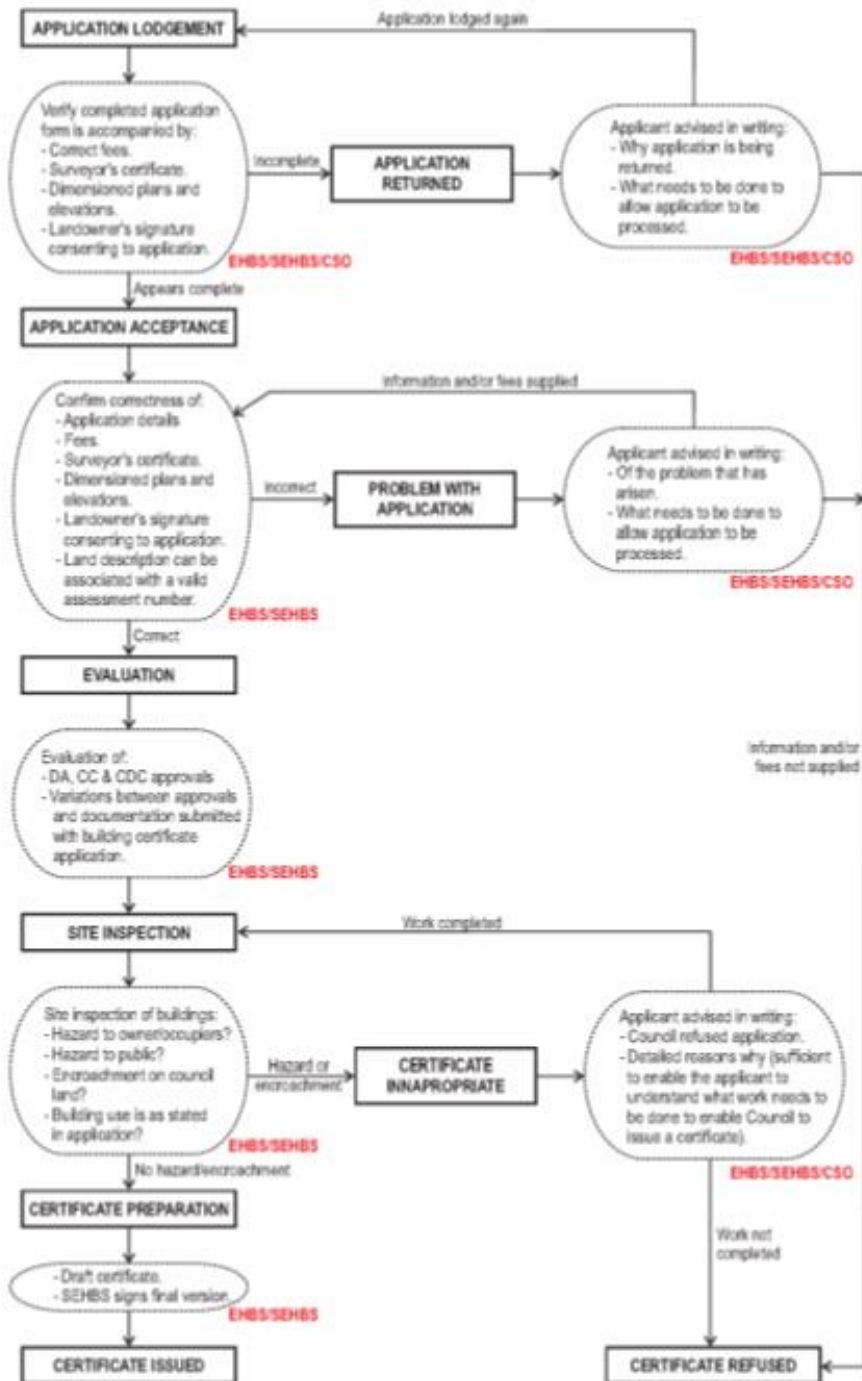
- c) A surveyor's certificate, prepared by a registered practising surveyor, which shows the boundary of the land title and the buildings for which certification is sought.

Note that the requirement for a surveyor's certificate may be waived by the Director of P&R or the Senior Environmental Health Building Surveyor if there is reliable information indicating that the building is a significant distance away from a lot boundary (eg rural dwelling is located more than 100m away from a lot boundary, as demonstrated by aerial photography and cadastral data within GIS).

- d) Where Council approval has not been issued for some or all of the buildings on the site, Council's Environmental Health and Building Surveyor may require fully dimensioned plans and elevations for each building, including details of materials and construction methods.
 - e) Where Council's Environmental Health and Building Surveyor has doubts about the structural adequacy of a building, or buildings, they may require that the applicant supply certification from a structural engineer that the building has adequate structural integrity to be safely occupied for the purposes for which it is being used.
 - f) Landowner's signature consenting to the application (unless the applicant is the purchaser under a contract of sale of property, or by the purchaser's solicitor or agent (S. [149B-10.7](#) EPAA)).
- 2. Confirm that the land description (Lot/Section/DP) on the application is associated with a valid assessment number within the Authority system.
 - 3. Scan (or relocate if Records have placed in TRIM "In Tray") the details of the building certificate application in the register titled *REGISTER – Cert – Building 1999 on under container 09/1323 (Development and Building Controls – Building and Development Applications Register) in TRIM*.
 - 4. Check Development Application, Construction Certificate and Complying Development Certificate registers for any approved buildings and land uses on the site. Compare the approved buildings and land uses against those indicated on the building certificate application documentation.
Determine whether there are any buildings or land uses which require approval but have not yet been approved by Council.
 - 5. Undertake a site inspection and evaluate documentation with a view to determining whether:
 - a) Any buildings pose a significant potential hazard to owners or occupiers.
 - b) Any buildings pose a significant potential hazard to the public.
 - c) Any buildings encroach upon Council land.
 - d) The buildings are being used for the purposes stated in the building certificate application documentation.
 - e) The use of the site has been authorised by any development consent.
 - 6. Determine whether:

- a) It is appropriate to issue a building certificate based on the current state of the buildings and their use, or,
 - b) It will become appropriate to issue a building certificate after certain matters are addressed. For example, a fire safety hazard may be reduced or eliminated by employing certain fire safety measures, or,
 - c) It is inappropriate to issue a building certificate.
 - d) If a [Building Information eCertificate](#) is not going to be issued, whether there is a need to issue an order under the Environmental Planning and Assessment Act 1979 or the Local Government Act 1993 requiring alteration, demolition or some other action.
7. If work is required to allow the building certificate to be issued, then write to the applicant and advise them what work is required.
8. If it is inappropriate to issue a building certificate, then write to the applicant and inform them Council is refusing to issue a certificate, along with detailed reasons why.
9. If it is appropriate to issue a certificate, then prepare a draft, while taking care to complete:
 - a) Correct property and owner details (based on Authority data).
 - b) Applicant details (from the application form).
 - c) Certificate number (sequential number derived from *REGISTER - Cert - Building 1999 on in container 09/1323 in TRIM*).
 - d) Identify land by Lot and DP number (and Section number if known).
 - e) Save each building certificate as a separate word file in container 09/1323 in TRIM.
10. Confirm with the Director Planning and Regulatory Services that there is a consensus that a building certificate should be issued.
11. EHBS to add their digital signature to the final version of the certificate, print out and add a communication within Trim to record sender and recipient.
12. The original building certificate is then to be posted to the applicant while any inspection reports associated with the application are scanned and entered into TRIM by EHBS or CSO.

4.3.3 Flowchart – Building Certificates



4.4 OUTSTANDING NOTICES CERTIFICATES

It is intended that this procedure should provide an overview of the processing of outstanding notice certificate applications. The document is not a 'one-stop' reference and the procedures must be considered in conjunction with the relevant legislation. Note that there are two types of 'outstanding notices' certificates that can be issued:

- One under the Environmental Planning and Assessment Act 1979,
 - Section 121ZP provides that a person can apply for a certificate from Council which indicates whether there are *"any outstanding notices issued under section 121H"* or orders issued in respect of any land within the Council's area.
- A second under the Local Government Act 1993,
 - Section 735A provides that *"A person may apply to a council for a certificate as to whether there are any outstanding notices issued by the council under this Act in respect of any land within the council's area."*

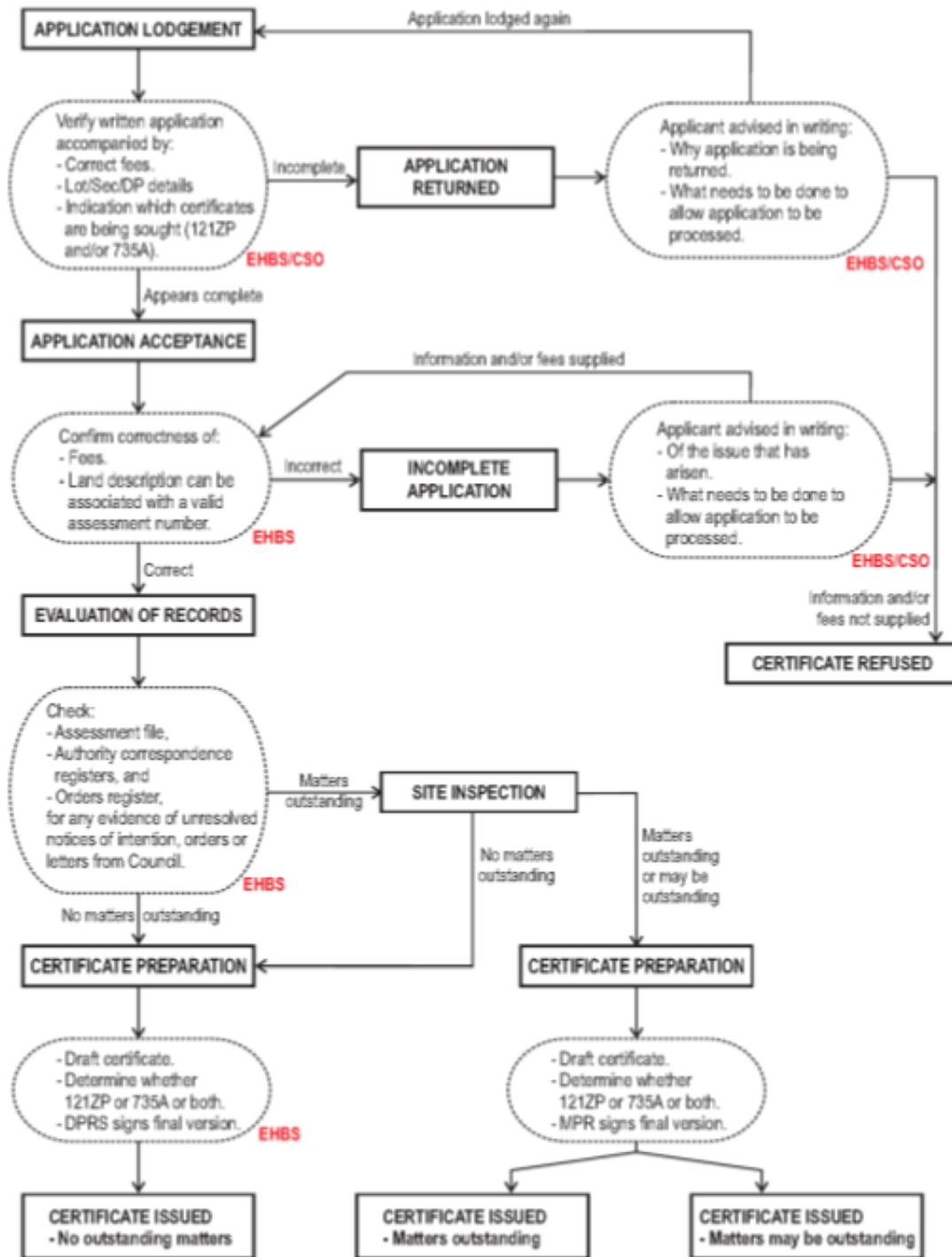
4.4.1 Processing overview

Applications for outstanding notices will be dealt with in the following manner:

1. Applications will only be accepted where they are accompanied by:
 - a) The appropriate fee/s.
 - b) A written description (Lot, Section, DP) of the land for which the certificate is sought.
 - c) A written indication of which certificate, or certificates, are being sought (EPAA [121ZP Schedule 5](#) and/or a LGA 735A certificate).
2. Confirm that the land description (Lot/Section/DP) on the application is associated with a valid assessment number within the Authority system.
3. Scan (or relocate if Records have placed in TRIM "In Tray") the details of the outstanding notices application to the TRIM container 09/1323 under *REGISTER - Orders - 2004 on and attach any other information as necessary*.
4. Check Assessment file, Trim and S drive for any evidence of notices of intention, orders or letters indicating that Council is considering, or taking, action under the Local Government Act 1993 and/or the Environmental Planning and Assessment Act 1979.
5. Also check the incoming outgoing correspondence registers within Authority to determine whether there is any evidence of any correspondence regarding such matters.
6. Check the orders register titled *REGISTER - Orders - 2004 on* for any evidence of notices of intention or orders being issued.
7. If evidence is found that there is an unresolved notice of intention, order or letter, then undertake a site inspection with a view to determining whether the issues have actually been resolved, but Council's records are incomplete.
8. Determine whether:
 - a) To issue outstanding notices certificate/s that indicates there are **no** outstanding matters.

- b) To issue outstanding notices certificate/s that indicates particular matters **are** outstanding and the dates of any relevant notice of intention, order or letters.
 - c) To issue outstanding notices certificate/s that indicates particular matters **may** be outstanding and the dates of any relevant notice of intention order or letters.
9. Prepare a draft certificate while taking care to complete:
- a) Correct property and owner details (based on Authority data).
 - b) Applicant details (from the application form/letter).
 - c) Certificate number (sequential number derived from TRIM container 09/1323 under *REGISTER - Cert - Outstanding Notices 1998 on*).
 - d) Identify land by Lot and DP number (and Section number if known).
 - e) Save each outstanding notice as a separate word file in TRIM.
10. Draft certificate is assigned in TRIM to Director Planning and Regulatory Services for checking.
11. EHBS to insert DPRS's digital signature in final version of the certificate and print out and assign as out going mail in TRIM. The hard copy is to be placed on DPRS's desk to finalise document in TRIM and return to EHBS.
12. The original final version of the certificate is posted to the applicant while any correspondence or inspection reports associated with the application are scanned and attached to file in TRIM by EHBS.

4.4.2 Processing flow chart – Outstanding notices



5. ORDERS

Council can issue a wide range of orders under the provisions of:

- Section ~~424B~~ [Schedule 5](#) of the Environmental Planning and Assessment Act 1979.
- Section 124 of the Local Government Act 1993.

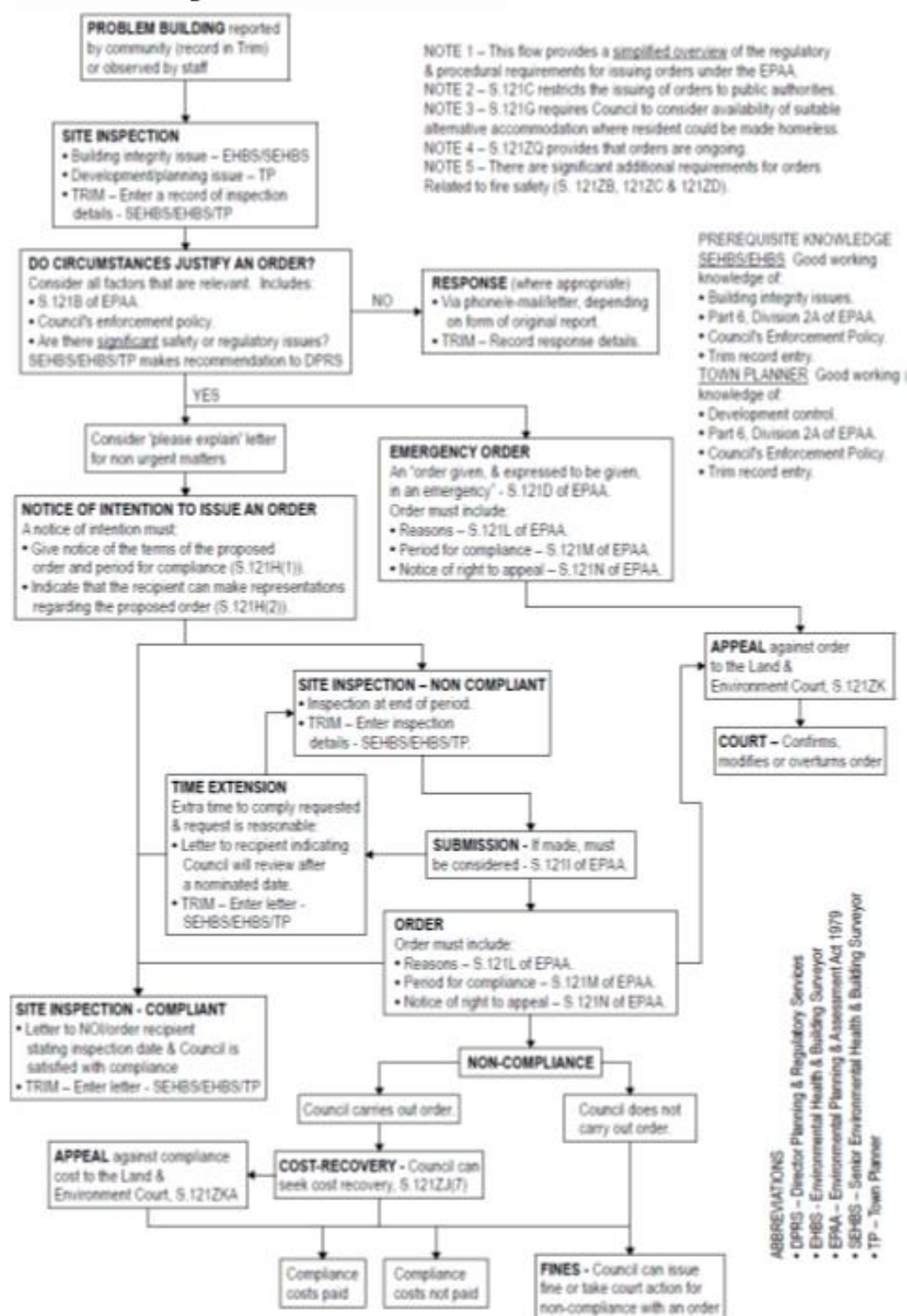
Each act imposes certain mandatory requirements on Council when issuing an order.

5.1 'Demolition' Orders - EPAA

- 1) Issue a "Notice to Enter Land" under ~~section 118C~~ [Schedule 5](#) of Environmental Planning & Assessment Act 1979. Nominate time, date and intentions.
- 2) Undertake inspection and record all evidence on a camera, report events, record names of persons spoken to on site.
- 3) Issue "Notice of Intention to give an Order" (NOI) in TRIM under container 09/1498 specifying;
 - a) Reason why the Order is to be given, what is to occur eg; demolish, clean up order etc. Look up ~~424B~~ [Schedule 5](#) of the Environmental Planning & Assessment Act for the correct terminology and part;
 - b) State the time that will be allowed for the compliance with the condition's of the Order;
 - c) Allow a suitable period for a response or objections (eg, 28 days) as to why order should not be served, or the time allowed to comply with the Order;
 - d) Attach copy of draft order (~~S-124B~~ [Schedule 5](#) of Act) to the "Notice of Intention to serve Order".
 - e) Scan and attach any documentation to TRIM container 09/1323 – REGISTER – Orders – 2004 on and assign as outgoing mail in TRIM and send via registered mail through Records.
- 4) At the expiration of the nominated time frame for a response, reinspect site:
 - a) If it remains in an unsatisfactory state and no response has been provided, then issue order.
 - b) If it has now been fixed in a satisfactory manner and no response submitted, acknowledge that the matter has been addressed (via a letter).
 - c) If it has now been fixed in a satisfactory manner and a response submitted, acknowledge the response and note that matter has now been addressed (via a letter).
 - d) If it remains in an unsatisfactory state and a response has been submitted, consider the response. Determine whether to hold order pending completion of required work (if commitment given to complete), issue order with varied terms or issue order with original terms.
- 5) Scan and attach details to original document in TRIM and record within the orders register.

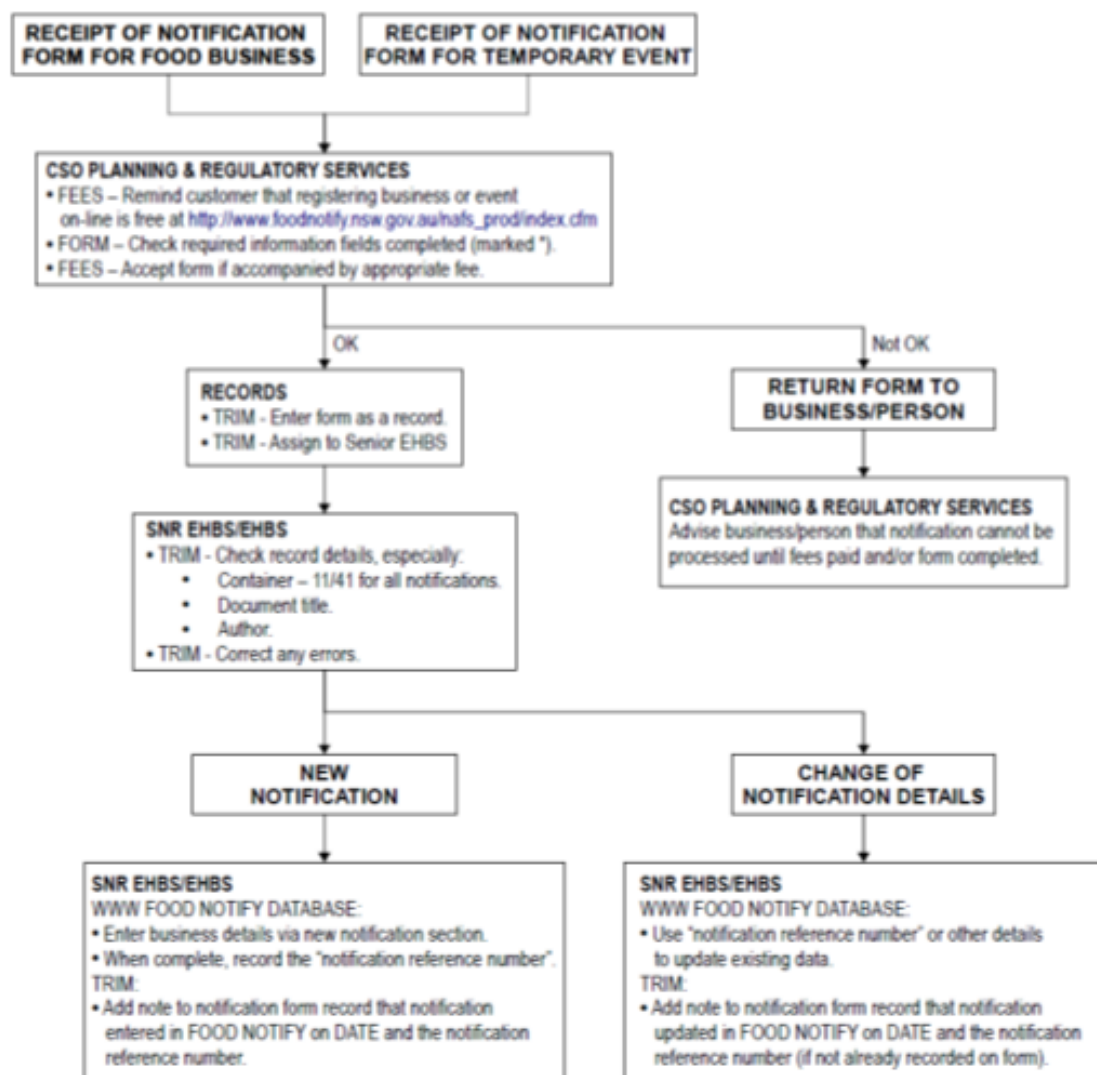
- 6) Allow a suitable period for compliance with the Order, from the date on which it was issued (eg. 28 days). Apply a shorter period for compliance with emergency orders. There needs to be a balance between ensuring safety and amenity while also providing a reasonable opportunity for the party to act on the order.
- 7) If Order is not complied with, write to person on who the Order was placed advising that compliance is required within a further X days (time to be determined after considering the circumstances). Also indicate that Council may take further action which could include fines and/or works to give effect to the Order and attach in TRIM.
- 8) If Order still has not been complied with after the additional time period, evaluate the current circumstances. Generally it would be appropriate to proceed with a fine and/or work to give effect to the order.
- 9) If it is appropriate that Council undertakes work, then:
 - a) Confirm budget available (with Director [Planning and Regulatory Environmental Services](#)).
 - b) Determine whether it is appropriate to use Council staff or contractors (consider presence of asbestos and requirements for removal, scale of the work, location of the work, etc).
 - c) Check, log and remove any valuables or items that are considered salvageable (for future sale to recoup Council's cost??).
 - d) Arrange completion of the work.
 - e) Document full costs of undertaking work (workers time, administrative time, equipment costs, contractor costs, etc).
 - f) Consider seeking to recover the costs incurred.
- 10) If it is appropriate that an infringement be issued, then:
 - a) Issue infringement.
 - b) Consider a covering letter indicating that further infringements may be issued if non-compliance with the order continues and TRIM if applicable..
 - c) Follow matter up on regular basis until such time as a satisfactory outcome has been achieved.

5.2 Processing flow chart – EPAA orders



6. FOOD BUSINESS & TEMPORARY EVENT NOTIFICATIONS

The flow chart below provides an overview of how Council will deal with notifications for food businesses and temporary events involving food.



PREREQUISITE KNOWLEDGE REQUIREMENTS

SNR EHBS/EHBS

- Good working knowledge of Trim record entry.
- Knowledge of Food Notify system and basic data entry skills.

CSO

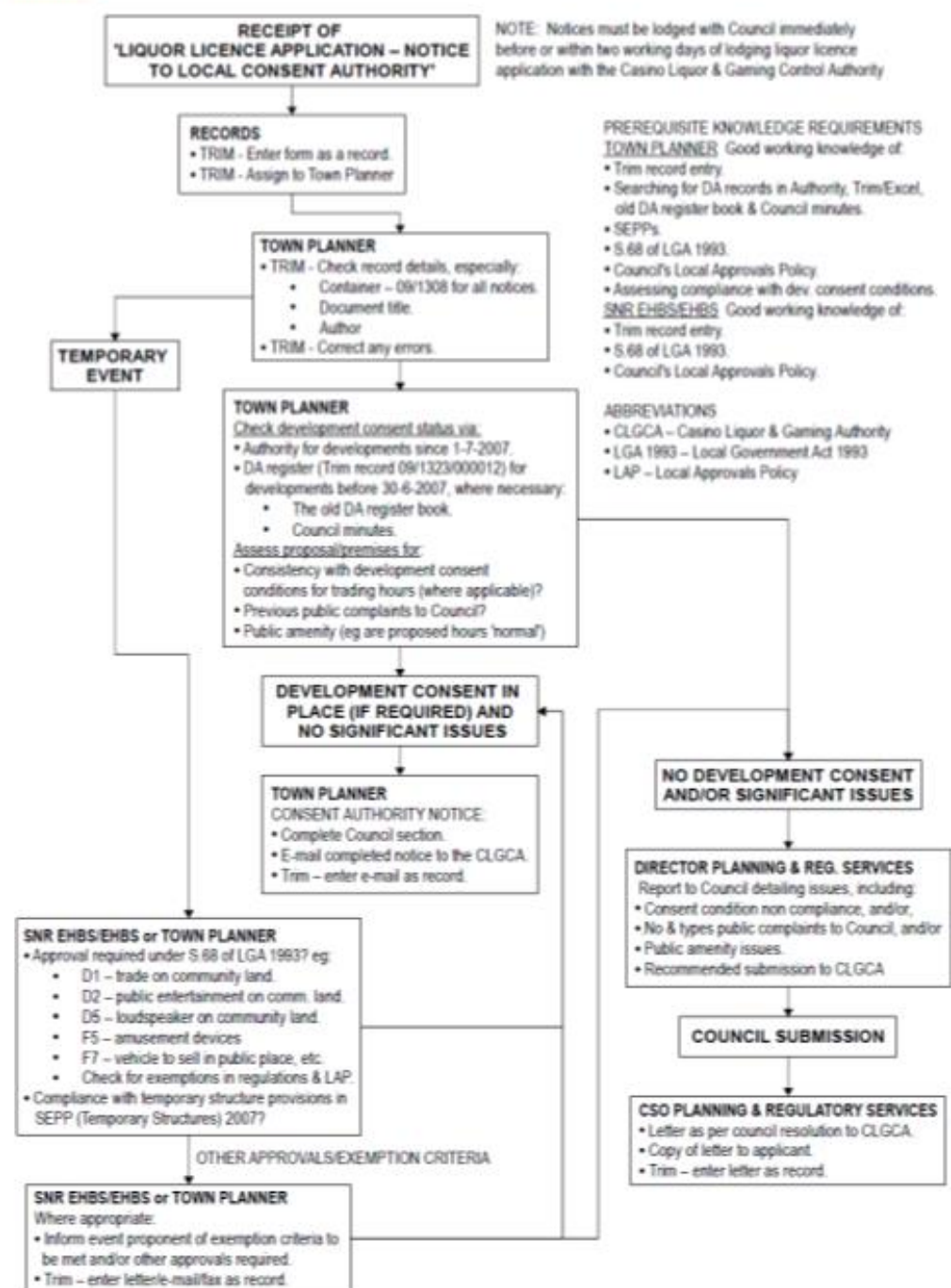
- Working knowledge of fees (from fees & charges chart)
- Working knowledge of notification forms for food business & temporary events.

ABBREVIATIONS

EHBS – Environmental Health & Building Surveyor

7. LIQUOR LICENCE APPLICATION NOTIFICATIONS

The flow chart below provides a simplified overview of how Council will deal with liquor licence application notifications.



8. DOCUMENT CONTROL

Date	Changes Made	Approved By
16 Sept 2008	Procedure Developed	Ray Kent – General Manager
2009	Minor changes to content and layout	Matthew Goodwin, DPRS
11 Mar 2011	Food business notification section added. Liquor licence application notification section added	Matthew Goodwin, DPRS
5 April 2011	Added flow chart for EPAA orders	Matthew Goodwin, DPRS
26 Sept 2011	Minor changes to terminology & procedure to reflect current practice	Matthew Goodwin, DPRS
27 Oct 2011	Revised development application, planning certificate and subdivision certificate sections.	Matthew Goodwin, DPRS
4 Feb 2014	Replaced references to IDO 1968 with LEP 2013, various minor updates to reflect current legislation titles, etc.	Matthew Goodwin, DPRS
7 Dec 2022	Review	Kimley Talbert – Director Environmental Services



STAFF TRAINING POLICY & PROCEDURE

Approval Date:	June 2022
Review Date:	July 2024
Responsible Officer:	Human Resources Manager

POLICY STATEMENT

Walgett Shire Council is committed to developing the competency levels of its staff and to developing a highly skilled and flexible workforce.

OBJECTIVES

- To ensure that WSC complies with the NSW Local Government Act 1993 and relevant industrial requirements.
- To facilitate the development of a detailed training plan that will match training and development opportunities to the current and future requirements of Council and the career development of individual employees.
- To encourage staff by providing assistance where it can be identified that the training directly relates to an improved service provision and the employees ability to fulfil their position description.
- To ensure that training is provided to all staff in a timely and cost effective manner.

Objective

To develop the competency levels of individual staff and to develop a highly skilled and flexible workforce.

Council Related Policy

Staff Training Policy

Statutory Requirements

NSW Local Government Act 1993
Local Government (State) Award
Work Health and Safety Act 2011

Related Policy/Procedure

Equal Employment Policy
Work Health and Safety
Employee Travel and Related Expenses

1. Training Plan

Management will develop a detailed training plan that will match training and development opportunities to the current and future requirements of Council and the career development of individual employees. The training plan should be updated annually in line with the Workforce Management Plan.

The individual training needs of employees will be reviewed in conjunction with the annual appraisal process held every April – June annually. All training costs will be within budgetary constraints as adopted within the budget.

The WSC Training Plan is developed following the annual appraisal process. During a staff appraisal the Manager/Supervisor/Director will discuss with the staff member immediate and long term training requirements (including renewal of existing certificates). These requirements will be recorded on the appraisal document to be aggregated into the annual Training Plan.

The following information will be included in the annual Training Plan:

- Name of the Training/Qualification
- Provider details if known
- Type of Training (Essential, Higher Competency, Desirable)
- Expected Duration of expected completion date of the Training/ Qualification
- Specific Start and End Dates for of the Training/Qualification
- Specific language, literacy, numeracy or disability support (if applicable)
- Any alternative training needs that may be required to assist employees with special needs

2. Essential Training

Essential Training would be described as training where an employee is required by Council to participate. This training would include (but not limited to):

- Achievement of an *Essential* qualification as required within the Position Description
- WH&S training which includes First Aid training
- Corporate training such as Staff Induction and Code of Conduct training
- Training considered as necessary professional development training that is required to enable an employee to maintain their competency level. i.e Maintain certification of qualifications with expiry dates or industry standard refresher training.

Council will generally meet all costs associated with essential training, providing the employee meets all course requirements and outcomes.

If an employee fails to obtain a 'pass' mark or does not complete a training course within the designated time, or the course fees lapse, all re-enrolment fees and associated costs will be at the employees expense.

Costs will include:

1. Salary and Wages – where off the job training is required and within ordinary working hours paid leave will be granted in accordance with the Local Government (State) Award..
2. Fees – all registration and course fees will be paid by Council. If staff fail to attend scheduled essential training without a reasonable explanation or fail to give four (4)

working days' notice for alternative replacement staff to be included. Council may request the staff member be responsible for the cost of their training.

2. Travelling Costs – Council will provide transport by way of supplying a Council vehicle in most cases. In cases where reimbursement is required refer to [Employee Travel and Related Expenses](#).

3. Sustenance Costs – Refer to [Employee Travel and Related Expenses](#).

3. Higher Competency Training

Higher competency training is training which an employee may wish to undertake because it is consistent with their career path and it provides them with skills and qualifications above the scope of their existing Position Description. This training would include (but not be limited to):

- Participation in training not directly related to a current position but of general benefit to both the employee and the Council
- Training that is determined to be in the employees personal interest or ambition but has an imprecise connection to the requirements of the Position Description
- That all Essential and Desirable criteria listed in the position description has been met.

Council will generally offer a reduced level of assistance in these instances. Assistance in these cases will only be offered to full time permanent staff. Costs could include:

1. Salary and Wages – If the employee is undertaking Higher level Competency training in a course consistent with their employers training plan that has been identified and approved as a result of the employees annual appraisal, although not at the employer's requirement. Procedure will be in accordance with the Local Government (State) Award Training and Development. The employer may grant paid leave, leave without pay or request the employee to take annual leave or other accrued leave to attend course requirements.
2. Fees – Council may contribute upto 50% towards the cost of course fees only upon confirmation of successful completion and will be determined on a case by case basis
3. Travelling Costs – Council may provide transport by supplying a Council vehicle .In cases where reimbursement is required refer to [Employee Travel and Related Expenses](#).
4. Sustenance – Refer to [Employee Travel and Related Expenses](#).

4. Desirable Training

Desirable Training is training which an employee may wish to undertake because it is consistent with their career path but is not a mandatory requirement by Council. This training would include (but not limited to):

- Achievement of a *Desirable* qualification as required within the Position Description
- Participation in training directly related to an employees' self-development such as time management training or customer service training.

Training at this level will be considered on a case by case basis and in conjunction with the annual appraisal using this procedure as a guideline.

5. Training Arrangements

- Attendance at training is to be authorised in writing by the respective Director prior to enrolment. Attendance by Directors is to be authorised by the General Manager. The authorisation is to be given to Human Resources in the form of an email and/or memo with the relevant information as stated in the Training Plan requirements.
- Travel arrangements are to be made in accordance with [Employee Travel and Related Expenses](#).
- Once training is approved, accommodation and travel arrangements are the responsibility of the employees department.

6. Consultative Committee

The Consultative Committee will be consulted during the formation of the WSC Training Plan.

7. Human Resources Manager

The Human Resources Manager and management will:

- Identify areas of training needed in the organisation especially in response to legislative and regulatory changes;
- Investigate the most appropriate means by which the training can be delivered and accomplished;
- Prepare annual budgets in regards to training requirements and the WSC Training Plan;
- Release staff from normal work to allow participation in training;
- Assist in determining the level of training (Essential, Higher Competency, Desirable);
- In conjunction with employees:
 - Preview training and development objectives prior to attendance;
 - Review outcomes following attendance.
 - Report to Departmental Directors on staff that do not attend scheduled training

8. Training Assistance

Council shall provide assistance to employees engaged in training at varying levels subject to the type of training being undertaken.

The degree of assistance will reflect the benefit to Council in conjunction with the benefit to staff for promotional aspect, job security and professional development.

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
April 2015	Updated – Essential Training	Don Ramsland – General Manager
June 2022	<u>Policy</u> Procedure <u>combined</u> reviewed- <u>minor</u> <u>chnages</u>	

Payment for Additional Duties

WSC - Procedure – Payment for Additional Duties



PAYMENT FOR ADDITIONAL DUTIES

POLICY & PROCEDURE

Approval Date:

Review Date: November 2014

Responsible Officer: General Manager/ Directors Corporate & Community

Services

POLICY STATEMENT

Walgett Shire Council is committed to remunerating employees who perform significant additional duties that are not part of the responsibilities in their Position Description and which are not higher duties.

OBJECTIVES:

- To ensure that Council complies with the New South Wales Local Government Act 1993, relevant industrial requirements and the Anti Discrimination Act 1977.
- To define a clear and transparent method that allows the General Manager to pay an allowance to Council officers who perform significant additional duties that are not part of their position responsibilities and are not considered to be higher duties.
- To provide a fair and equitable process that ensures employees who engage in additional responsibilities are fairly remunerated.
- To ensure that the remuneration of Council employees is facilitated in a timely and cost effective manner.

Objective

Walgett Shire Council seeks to compensate an employee when that employee temporarily performs significant additional duties over an extended period which are not considered to be higher duties.

Council Policy Reference

Payment for Additional Duties Policy

Statutory Requirements

Local Government Act 1993

Local Government (State) Award 2007

Related Policy/Procedure

Higher Duties Allowance

S:\Policies and Procedures\Payment for Additional Duties

Page 1 of 4

Conditions of Employment

Payment for Additional Duties

The General Manager may offer an employee an Additional Duties Allowance when the employee temporarily performs duties and takes on responsibilities that are not within their Position Description, including additional duties undertaken as a result of a position being vacant for an extended period of time

The Allowance

The allowance may be up to \$150 per week and can only be paid upon written authorisation of the General Manager. An allowance will not be paid when an employee is absent on leave or on an Award holiday. Payment of an allowance ~~can not be authorised~~ for a period longer than eight (8) weeks though the General Manager may, after consultation with an employee's Director, authorise an extension of the payment of an allowance for subsequent periods not exceeding eight weeks.

The Procedure

1. The employee (or their supervisor) applies to the departmental Director to determine eligibility for the Additional Duties allowance after confirming that additional duties are not within the employees Position Description.
2. The supervisor or Director will seek advice from Human Resources if necessary.
3. The Director will submit a short memo to the General Manager requesting approval and recommending up to \$150.00 per week maximum for a period of up to eight (8) weeks. Requests for extensions are treated the same.
4. The General Manager will notify payroll.

Payroll Notification

Once it has been identified that an employee will be required to be paid an allowance for additional duties the General Manager will notify Human Resources and Finance Officer (Payroll) in writing.

Human Resources will then record and register the notification in [Content Manager \(TRIM\)](#) and the Finance Officer (Payroll) will ensure that the relevant employee is paid the allowance under the provisions of these procedures. The following details must be included:

- Employee Name
- Employee Number
- Allowance to be paid
- Effective dates for the payment of the allowance

Any discrepancies or disputes relating to additional duties allowances will be reported directly to the General Manager for clarification.

Procedure Review History

Date	Changes Made	Approved By
	Complete Review	Ray Kent - General Manager
Nov 2022	Policy/Procedure combined - Minor changes – HR Manager	



PAYROLL INFORMATION - COMMENCEMENT OF EMPLOYMENT POLICY & PROCEDURE

Approval Date:

Next Review Date: ~~November 2014~~ [November 2025](#)

Responsible Officer: Director Corporate & Community Services/HR Manager

POLICY STATEMENT

To ensure that all information concerning a new staff member is supplied to the [Payroll office](#) ~~Department~~ in a timely manner, so that they can be included in the normal pay cycle.

Statutory Requirements

Local Government Act 1993

Local Government (State) Award ~~2007~~

Related Policy/Procedure

Higher Duties Allowance

Equal Employment Opportunity

Payment for Additional Duties

Staff Induction Manual

Information Required

The following information must be supplied to the Finance Officer (Payroll) by Human Resources on commencement of a new employee:

- Tax File Number Declaration – completed and signed
- Superannuation Scheme Form
- Bank Details (as attached)
- Commencement of Employment Details (as attached)
- Any allowances payable in accordance with the Local Government (State) Award [2007](#).
- Any deductions and signed deduction forms
- Details of any rental arrangements including value to deduct from payroll, stating whether pre or post tax, and tenancy dates. This information must be supplied by Human Resources who will liaise with the ~~Assets Officer~~[Property Officer](#).
- Details of any motor vehicle deductions for the use of Council vehicles, stating whether pre or post tax and type of lease arrangement.
- Details of any other information relevant to payroll
- A copy of the ~~Appointment letter~~[Letter of Offer \(signed\)](#), detailing grade and zone details

This information must be supplied prior to the date of commencement wherever possible.

WALGETT SHIRE COUNCIL COMMENCEMENT OF EMPLOYMENT DETAILS

Mr/Mrs/Miss/Ms: _____

_____ (Surname) _____ (Given Names)

Address: _____ Phone No.: _____
_____ (Postal)

_____ (Residential if different to above)

Date Commenced: _____ Date Commenced Local Govt: _____

Position: _____ Fulltime/Part time/Casual: _____

Sex: _____ Marital Status: _____

Date of Birth: _____ Place of Birth: _____

Driver's Licence No.: _____ Class: _____ State: _____

Previous Employment: _____

Qualifications: _____

In the event of accident or fatality please notify:

Name: _____

Address _____ Phone Number: _____

Employee's Signature: _____ Date: _____

OFFICE USE ONLY

Pay Number: _____

Pay Rate \$ _____ per week \$ _____ per hour Code C _____

Classification: _____

Department: _____

Ordinary Hours 36 / 38 (Please Circle)

Disability Allowance Created: _____ Climatic Allowance Created: _____

Leave register Completed: _____

WALGETT SHIRE COUNCIL

~~Bank Details are required for Direct Bank Payment of Salary / Wages
These details may be found inside your bankbook or on your
account statement.~~

~~The example below indicates the information required.~~

~~_____ Bank/Financial Institution Name: Commonwealth Bank
_____ Branch: Walgett
_____ Financial Institution ID BSB: 062-732
_____ Account Number: 28000051
_____ Account Name: A Citizen~~

~~Bank Name: _____~~

~~Branch Name: _____~~

~~Branch Number: (must be 6 digits): _____~~

~~Account Number: _____~~

~~Account Name: _____~~

~~Employee Name: _____~~

~~_____
_____ Signature of Employee~~

~~_____
_____ Date~~

**N.B. PLEASE ENSURE YOUR ACCOUNT NUMBERS ARE
CORRECT. IF YOU DO NOT GIVE THE CORRECT ACCOUNT
NUMBERS YOUR PAY WILL GET REJECTED.**

WALGETT SHIRE COUNCIL
COMMENCEMENT OF EMPLOYMENT DETAILS

Mr/Mrs/Miss/Ms:
(Surname) (Given Names)

Address: Phone No.:
(Postal)

.....
(Residential – if different to above)

Date Commenced: Date Commenced Local Govt:

Position: Fulltime/Part time/Casual:

Sex: Marital Status:

Date of Birth: Place of Birth:

Driver's Licence No.: Class: State:

Email Address: Email Payslip (Yes) or (No)

USI Number:

Previous Employment:

Qualifications:

In the event of accident or fatality, please notify:

Name:

Address Phone Number:

Employee's Signature: Date:

OFFICE USE ONLY

Pay Number:

Pay Rate \$ per week \$ per hour Code C

Classification:

Department:

Disability Allowance Created: Climatic Allowance Created:

Leave register Completed:

WALGETT SHIRE COUNCIL

Bank Details are required for Direct Bank Payment of Salary / Wages

These details may be found inside your bankbook or on your account statement.

The example below indicates the information required.

Bank/Financial Institution Name:	Colonial State Bank NSW
Branch:	Walgett
Financial Institution ID BSB:	402-680
Account Number:	10000081
Account Name:	A Citizen

Bank Name:

Branch Name:

Branch Number: (must be 6 digits):

Account Number:

Account Name:

Employee Name:

.....
Signature of Employee

.....
Date

N.B. PLEASE ENSURE YOUR ACCOUNT NUMBERS ARE CORRECT. IF YOU DO NOT GIVE THE CORRECT ACCOUNT NUMBERS YOUR PAY WILL GET REJECTED.



RECRUITMENT & SELECTION

POLICY & PROCEDURE

Approval Date: 14 March 2011

Review Date: ~~14 March 2012~~

Responsible Officer: Human Resources Manager

POLICY STATEMENT

WSC Council is committed to ensuring that the appointment of a person to a position is made to a person who has applied for an appointment and who has the greatest merit for selection.

OBJECTIVES:

To ensure that WSC complies with the NSW Local Government Act 1993, relevant industrial requirements, the ~~Anti Discrimination~~ Act 1977, Child Protection (Working with Children) Act 2012.

- To define clear and transparent recruitment and selection procedures as a guidance for applicants and Council officers.
- To ensure that the person who has the greatest merit for selection is determined according to the nature of the duties of the position and the abilities, qualifications, experience and standard of work performance of those persons applying for the position.
- To train staff responsible for recruitment and selection of other staff in the procedures developed for Council.

Objective

To recruit suitably qualified and experienced staff for Walgett Shire Council based on merit and without favoritism or discrimination.

Council Policy Reference

Recruitment & Selection Policy

Statutory Requirements

Local Government Act 1993

Local Government (State) Award ~~2010~~

Anti Discrimination Act 1977

NSW Child Protection (Prohibited Employment) Act 1998

Child Protection (Working with Children) Act 2012

The Government Information (Public Access) Act – GIPA ~~2010~~2009

Related Policy/Procedure

Code of Conduct
Equal Employment Opportunity
Advertising Vacant Positions

1. Position Vacancy

When a position becomes vacant or a new position is established on the staff structure the following is reviewed by the Human Resources Manager (HRM) and the relevant Director. The Supervisor may be involved by request of the Director:

1. The position and its significance within the organisational structure.
2. The position description will be developed or updated if necessary.
3. The competency criteria will be updated if necessary.
4. The position classification within the salary system.
5. The selection criteria will be developed or updated if necessary.

Once the above has been completed, any significant changes should be forwarded to the Consultative Committee for endorsement.

If a position description, competency document or position classification changes significantly and it is not reasonable to hold the advertisement until the changes are presented to the Consultative Committee, the Director Corporate and Community Services should authorise the advertisement.

Termination due to Redundancy

An employee who is terminated due to redundancy will be excluded from re applying for any similar position within Council for a period of twelve months effective from the date of redundancy. ~~This is in line with other current public sector requirements.~~

2. Advertising

All vacant positions are advertised in accordance with Advertising Vacant Positions.

~~3. Application Package~~

~~An application package is provided to all applications and contains the following information:~~

- ~~• Guidelines for Job Applicants (Appendix A);~~
- ~~• Application for Employment (Appendix B);~~
- ~~• Selection criteria relevant to the individual position; and~~
- ~~• The position description relevant to the individual position.~~

4.3. Selection Panel

A selection panel will be decided upon by the HRM in consultation with the relevant Director/Manager. In most instances the panel will consist of a combination of the following:

For Directors

- General Manager
- Other Directors

For Management Positions

- Departmental Director
- Other Managers / Supervisors
- Human Resources Manager

Administrative/Technical Positions

- Departmental Director or his/her nominee
- Respective Manager/Supervisor
- Human Resources Manager

Operational Positions

- Respective Manager/Supervisor
- Human Resources Manager
- Overseer

Any conflicts of interest within the selection panel must be presented to the HRM immediately. Conflicts of interest include:

- The panel member is related to the applicant
- The panel member has had a business/professional relationship with the applicant
- The panel member is a close friend of the applicant
- The panel member has animosity towards the applicant
- The panel member is a referee
- The panel member is not able to offer an objective opinion of the applicant

5.4. Short Listing

All applicants will be assessed against the criteria. Those applicants meeting all or a majority of the essential and common selection criteria will be short listed for an interview. Each member of the selection panel will rate each applicant on the [Short Listing Sheet](#) (Appendix [CA](#)) with a recommendation to interview or giving reasons for unsuccessful short listing.

An applicant meeting all the necessary essential and common criteria will not automatically be guaranteed an interview. In most cases it will not be practicable to interview more than six to eight applicants. In this instant those applicants considered to best meet the criteria should be short listed for interview.

Should there be no suitable applicants, the decision can be made to readvertise.

6.5. Interview

The applicants recommended for interview will be contacted by Human Resources and advised of the interview date and details. Where practicable applicants will be given three (3) days notice for the interview.

Draft questions will be prepared by the HRM in consultation with the Departmental Director and/or Supervisor. These questions will be given to the panel members for comment prior to the interview. Each applicant will be asked the same interview questions. Interview questions are rated as follows:

- 1 Unsatisfactory
- 2 Satisfactory
- 3 Good
- 4 Very Good
- 5 Excellent

In most instances the HRM will convene the interview. In instances where the HRM is unavailable the Departmental Director or his/her nominee will convene the interview. The content of the interview only relates to the stated selection criteria. At the end of the interview the applicant has the opportunity to ask the panel questions.

Once the interview is complete each panel member will individually analyse and rate the applicant's responses to the interview questions.

The selection panel shall, where possible, reach consensus on the applicant with the greatest merit to fill the position. Where a consensus cannot be reached the majority will prevail or the matter can be referred to the Director Corporate and Community Services.

An Interview Panel Summary (Appendix [DB](#)) is completed and signed off by each panel member. This report summarises the applicants responses to the interview questions and other relevant information required to finalise the recommendation. This report includes a recommendation for appointment.

In the event that there are several successful applicants they will be ranked in order of merit.

In the event that no applicant is recommended for employment, the HRM will readvertise the position or hold second interviews using revised questions. Applicants who applied previously are not required to re-apply as their original application will be used. All unsuccessful applicants will be notified following the confirmed appointment of a successful applicant. Example letters are as attached.

7.6. Reference Checks

Reference checks will be completed on recommended successful applicant/s. Reference checks will only be completed with the nominated referees of the applicant. A Reference Check (Appendix [C1](#)) will be completed.

8.7. Interview and Reference Check Results

Once the HRM has completed and compiled all the relevant information, the HRM will consult with the General Manager recommending the successful applicant, the level of remuneration and any other benefits that may apply.

Additional benefits may include:

- Council Housing (subsidised or unsubsidised)
- Provision of motor vehicle (with conditions)
- Provision of mobile phone
- ~~Electricity subsidy~~
- Provision of removalist expenses

9.8. Letter of Offer

Once the appointment has been approved by the General Manager a letter of offer (~~see Appendix H~~) will be forwarded to the successful applicant. The form letter will include at least the following:

- Type of employment – full time, part time, fix term -or casual
- Classification and remuneration
- The position is subject to three (3) ~~or six (6)~~ months probation
- The position is subject to a pre-employment medical
- ~~The position Supervisor~~
- Police Check
- ~~Any additional requirements~~
- ~~Any additional benefits~~

The applicant must accept the offer in writing and return it to Council.

10.9. Pre-Employment Medical

All positions are subject to a Pre-Employment Medical. This must be completed prior to commencement or as soon as possible after commencing.

In the event that the medical report contains restrictions, the HRM will liaise with the relevant Director and the General Manager to ascertain whether Council can accommodate the restrictions. The medical is completed by a General Practitioner of the applicants' choice, at Council's expense.

11.10. Background Checks

During the recruitment process applicants will be informed of the requirement to undertake background checks. This will be stated in the [advertisement application criteria and or](#) during the interview process.

In accordance with the [NSW Child Protection \(Prohibited Employment\) Act 1998](#) [Child Protection \(Working with Children\) Act 2012](#), the following positions have been identified that they constitute child related employment and therefore require applicants to complete a [Prohibited Employment Declaration and Consent to Employment Screening Working With Childrens check \(WWCC\)](#)

- Youth Development Officer
- Manager Community Development [and Tourism](#)
- Youth Workers and Team Leaders – Youth Development
- Library Officers
- Supervisors responsible for staff under the age of 18 years, including School to Work placements
- [Aboriginal Liaison Officer](#)
- [General Manager](#)
- Any position deemed by Council to be child related employment

Applicants who fail to complete the necessary declarations, or who do not receive clearance, are ineligible for appointment. [These forms Evidence](#) – must be [completed provided](#) and clearance received prior to commencement.

12.11. Interview Expenses

Council will pay the following reasonable reimbursement of travel expenses:

Senior Staff/Management Positions

- Overnight accommodation including a reasonable evening meal.
- Reasonable fuel expenses or air fares as discussed with the individual applicant.

Administrative/Technical Positions

To be assessed in accordance with position requirements and the [applicants](#) skills and experience.

Eligibility for the reimbursement of expenses will be confirmed in writing by the Director Corporate and Community Services.

13.12. Confidentiality

All enquiries, applications and appointments will be handled in confidence. Staff involved in the recruitment process are not to discuss applications or interview details.

Appendix A



INES FOR JOB APPLICANTS

Thank you for your interest in applying for a position with Walgett Shire Council. These guidelines have been developed to assist you in preparing your application.

APPLYING FOR A POSITION

You need to apply in writing for all advertised vacancies. Your application will be used to decide whether you will be interviewed. A good application shows why you are the best person for the job and how your skills, knowledge and experience meet the selection criteria.

Your application must contain the following minimum requirements:

- A covering letter.
- A completed Walgett Shire Council Application Form, including names and contact numbers of three current, employment related referees.
- Your response to the Selection Criteria.
- Your CV or Resume.
- Copies of your qualifications and/or professional registrations. Do not send originals.

Before preparing your application, you should take the following steps:

- Read the job description.
- Obtain as much additional information about the position as you can. You might consider talking to people in similar positions; and read any relevant information such as annual reports, strategic plans or any other relevant information.

WRITING YOUR APPLICATION

You need to write your responses to the selection criteria to show the selection committee that you have the right mix of skills, knowledge and experience to do the job. Our suggestion to applicants, to ensure that the selection criteria are adequately addressed, is to make a separate heading for each selection criteria. For each one, describe your skills, knowledge and experience and show how they could be used in the advertised position. Emphasise your major achievements. Use positive language in talking about yourself, for example, "My success in my current role demonstrates my ability to undertake every aspect of this work, especially"

Key words in selection criteria and their meaning

Demonstrated knowledge: you need to give examples that prove you have this area of knowledge.

Ability to: you do not need to have done this kind of work before, but your skills, knowledge and experience must show that you are capable of doing the work. Describe things, which you have done which prove you could successfully undertake this kind of work.

Experience in: you have to show when and how you have done this work before and give examples of your experience.

Effective, Proven, Highly Developed, Superior: these are all asking you to show your level of achievement. Give as much detail as you can, using examples of your achievements to show your skills, knowledge and experience.

Good communication skills is about showing you have the communication skills needed to do the job. You could include experience in dealing with people, details of things you have written, and examples of problems you have solved using your communication skills.

Walgett Shire Council requires all employees to have an awareness of the principles and practices related to Equal Employment Opportunity (EEO), Quality Improvement, Ethical Practices, Multi-cultural diversity (EAPS), Risk Management and Work Health and Safety (WH&S) relevant to each position.

Information to help you can be obtained by contacting:

EEO	www.eeo.nsw.gov.au or phone 02 9228 4444
Ethical Practices	www.icac.nsw.gov.au or phone 02 8281 5999
WH&S	www.nohsc.gov.au or phone 02 6121 6000

The following may be of assistance in reference to some selection criteria and each applicant must display a knowledge of these requirements.

Equal Employment Opportunity

Walgett Shire Council believes that equality in employment is a fundamental right for all people. EEO principles ensure that people are not discriminated against and have equal access to conditions of employment, training and development, promotional opportunities and evaluation of performance regardless of their race, gender, ethnicity etc. The outcome of good EEO practice is a diverse and skilled workforce, improved employment access and participation of EEO groups and a workplace culture displaying fair practices and behaviours.

Ethical Practices

Each employee of Walgett Shire Council is accountable for their performance. All employees must observe the Code of Conduct and ensure that no fraudulent or unethical practices or conflicts of interest exist.

Occupational Health and Safety

Walgett Shire Council is committed to safe work practices and environments. Employees have a legislative requirement to ensure their work is carried out safely. Walgett Shire Council is also committed to assisting with the prompt return to work of injured workers.

Multi-Cultural Diversity

Walgett Shire Council staff are required to ensure equity of access to its services, facilities and public information to all people regardless of cultural, linguistic or religious background.

APPLICATION AND CURRICULUM VITAE / RESUME

You will need to submit a CV or Resume that includes any qualifications, professional or technical affiliations, details of professional registrations and employment history. If you are intending to apply for more than one position, please submit a separate application for each position.

You should also include a copy of your qualifications and professional registrations (if applicable) in your application.

If the selection criteria is not adequately addressed you may not be selected for an interview.

OVERSEAS QUALIFICATIONS

Some job advertisements say that you need to be registered, licensed, hold a trade certificates or be a member of a professional association. If you have qualifications from overseas you may need to get formal recognition of your qualifications before applying for these jobs. For help with this phone the Overseas Skills Advisory Service on (02) 9707 2500 or (02) 9269 3500. For other jobs, the selection committee will assess your qualifications. It may be useful to give them a statement that shows the Australian equivalent of your qualifications. This may be obtained from the Overseas Skills Advisory Service or the National Office of Overseas Skills Recognition (NOOSR) (phone: 1800 020 086).

THE ROLE OF THE SELECTION PANEL

The selection process will be undertaken by a panel that has been convened to ensure it has the necessary expertise to make a sound recommendation, in a fair and impartial way. Collectively, the panel will have an understanding of the role of the vacant position and will be responsible for the integrity of the final selection. The panel will usually consist of three members and there may be occasions when additional or independent members may be appropriate.

INTERVIEW

The most suitable applicants, short listed from their written application, will be called for interview, where each candidate's strengths and limitations in relation to the selection criteria are further assessed. The purpose of the interview is to provide the applicant with the opportunity to expand on information presented in their application and to enable the panel to gather further information for the assessment process.

The body of the interview will be structured so that each interviewee is asked the same series of questions based upon the selection criteria. The panel will not be asking applicants "tricky" or obscure questions, but rather allowing you the opportunity to present your case in the best manner possible.

At the interview you will be given the opportunity to ask questions about the position. The questions offer candidates the chance to demonstrate their interest in and understanding of the position and its associated duties. At this stage you may also present information to the panel which you feel assists your application.

The length of time between the closing date and notice of interviews may vary from position to position. If you wish to follow up on the status of your application after the closing date, please contact Council's Human Resources Manager.

If you are offered an interview and you have any special need, such as wheelchair access to the building or an interpreter, you should inform the Human Resources Manager.

REFERENCE CHECKING

Selection panels have the right to seek information, additional to that already supplied, in order to make objective decisions and to safeguard their service from the employment of those who may have a record of unsatisfactory performance. It is important that you nominate referees who are able to discuss your suitability in relation to the position applied for. Consider providing them with a copy of the job description so that they are prepared to provide relevant information to the selection panel.

Criminal Record / Working with Children Checks

In accordance with Walgett Shire Council's policy, a criminal record check and working with children check may be conducted for new employees, transferring employees, volunteers and students.

Priority of Employment

Internal applicants who believe they have priority of employment (displaced person) should clearly identify their claim in their application.

Post Selection Feedback

Feedback will be available to all unsuccessful applicants regarding their application or interview performance upon request.

Late Applicants

Late applications are not normally considered, so please ensure that your application reaches the General Manager by the closing date.

Notification

An acknowledgement letter or email will be forwarded following receipt of your application. Should you wish to confirm that your application has been received, please contact Council's Human Resources Manager.

APPLICANT CHECKLIST

Have you:

- ☐ Read the job description and the selection criteria.
- ☐ Researched the position thoroughly.
- ☐ Addressed the selection criteria.
- ☐ Completed the Application Form.
- ☐ Attached any supporting documentation
- ☐ Evidence of your identification to bring to interview.
- ☐ Sent your application to ensure it will arrive prior to the closing date.
- ☐ Ensured your application is presented in a clear and concise manner.
- ☐ Kept the advertisement, job description and the general application kit information for future reference in relation to your application.

For any further enquiries please contact Walgett Shire Council on (02) 6828 1399.

<i>Walgett Shire Council is an Equal Opportunity Employer and has a smoke free work environment.</i>
--

Appendix B



Application for Employment

(Confidential)

Applicants are required to attach a response to the Selection Criteria as listed in the Information Package.

Please use BLOCK CAPITALS to complete the following details:

Position Title: _____

Mr / Mrs / Miss / Ms (Please Circle)

Name: _____

Given Names

Surname

Address: _____

Postcode

Postal Address: _____

Postcode

Email Address: _____

Telephone: _____

After Hours

Business Hours

Mobile: _____

Are you an Australian Citizen or Permanent Resident? ☐ Yes ☐ No

If not, do you hold a valid Working Visa? ☐ Yes (copy will be required) ☐ No

Do you identify as an Aboriginal/Torres Strait Islander? _____ (Yes / No)

Is English your first language? Yes/No If not what is your first language? _____

Where did you see or hear about the vacancy advertised? (Please tick)

☐ Internal Vacancy Circular ☐ Newspaper ☐ Friend / Relative

☐ Internet (indicate Website) _____

☐ Other (please specify) _____

REFEREES: (regarding your work history and/or education)

Please provide names and addresses of at least three referees, one of which should be your present or most recent employer, if possible, who will be contacted prior to an offer of employment being considered. If referees cannot be contacted, because they are no longer current, it may be seen as an unfavourable response. Please ensure that referee information is current before submitting your application.

<u>REFEREE 1</u>	<u>REFEREE 2</u>
Name: _____	Name: _____
_____	_____
Title: _____	Title: _____
_____	_____
Organisation: _____	
Address: _____	
Address: _____	Address: _____
_____	_____
Phone: _____	Phone: _____
_____	_____
Phone: _____	Phone: _____
_____	_____

REFEREE 3

Name: _____

Title: _____

Organisation: _____

Address: _____

Phone: _____

Phone: _____

~~WALGETT SHIRE COUNCIL IS COMMITTED TO EQUAL EMPLOYMENT OPPORTUNITIES~~

~~This section is for compliance with EEO legislation only – completion is optional; however, we would encourage you to complete same to assist us with the implementation of improvements with respect to future equal opportunity employment.~~

Country of Birth

Was English the first language of:

Yourself? ☐ Yes ☐ No Your Mother? ☐ Yes ☐ No Your Father? ☐ Yes ☐ No

Are you from a racial, ethnic or ethno-religious group which is a minority in Australian society?
☐ Yes ☐ No

Are you an Australian Aboriginal and / or Torres Strait Islander? ☐ Yes ☐ No

Walgett Shire Council welcomes applications from people with disabilities and will attempt to meet reasonable/appropriate work related requirements of employees.

Do you have a disability? ☐ Yes ☐ No

~~OCCUPATIONAL HEALTH AND SAFETY~~

~~Please tick the most appropriate statement from the choice below:~~

~~I have read the position description and understand the requirements for the job.~~

~~☐ I am not aware of any health condition which might interfere with my ability to perform the requirements of this position.~~

~~☐ I have a health condition that may require the employer to provide me with services or facilities (adjustments) so that I can successfully carry out the requirements of the position.~~

~~_____~~

~~PLEASE RETURN YOUR APPLICATION PRIOR TO THE CLOSING DATE TO:~~

~~Post: The General Manager
WALGETT SHIRE COUNCIL
PO Box 34
WALGETT NSW 2832~~

~~Email: admin@walgett.nsw.gov.au
Fax: 02 6828 4608~~

Appendix CA



Short Listing Sheet

POSITION TITLE _____ PANEL MEMBER: _____

Applicant's Name	Selection Criteria As Advertised (Essential Selection Criteria and Desirable Selection Criteria)												Total	Yes or No	Reasons For Unsuccessful Short Listing
	Scoring 1–unsatisfactory, 2–satisfactory, 3–good, 4–very good, 5–excellent														
	1	2	3	4	5	6	7	8	9	10	11	12			

Appendix **BB**

Interview Panel Summary

This summary plus the record of EACH interview is to be returned to the Human Resource Officer with the employment application file.

Position: _____

Department/Section: _____

No of pages including this one: 2 Date: _____

The Interview Panel's summary regarding each interviewed applicant is attached.

This is to indicate that all members of the selection Panel agree to the Interview Panel summary and recommendations unless an Exception Report is attached by a dissenting panel member [see [ix](#) below].

INTERVIEW PANEL MEMBERS NAME AND TITLE	AGREEMENT WITH SUMMARY YES/NO *	SIGNATURE

* If **No**, please complete an Exception Report.

PLEASE NOTE:

- (i) Where an applicant:
 - (a) is a relative or a friend of a member of the Interview Panel; and/or
 - (b) has had a business/professional relationship with a member of the Interview Panel (i.e. the two persons have worked together in some capacity other than having worked together at Walgett Shire Council.

Then that Interview Panel member should disclose such information prior to conducting any interviews and exclude himself/herself from the Interview Panel, where possible.
- (ii) If not possible to exclude him/herself from the Interview Panel (i.e. in the case of the manager to whom the position reports), then when the strengths and weaknesses of the applicant are being discussed the Interview Panel member should withhold comment until the other members have commented and ensure that no undue influence is exerted on the other members of the Interview Panel.
- (iii) Either of the above relationships must be documented/disclosed in writing. Please make any disclosures on the back of this page.
- (iv) A Panel member who disagrees with the decision of the Panel on one or more applicants shall provide an Exception Report outlining their assessment of the applicant/s.

This summary plus the record of EACH interview is to be returned to the Human Resource Officer with the employment application file.

** If more than one person is recommended, then please indicate the order of recommendation with a "1", "2", "3"... in the "Recommended" Box.

NAME OF APPLICANT & RANKING	INTERVIEW SUMMARY NOTES (STRENGTHS & WEAKNESSES)
Recommend Yes/No	
Recommend Yes/No	
Recommend Yes/No	
Recommend Yes/No	

Appendix E: Unsuccessful Application Letter (Example Only)

CM:ED: / / /

Ms Carole Medcalf

22 April 2008

Dear

RE: Insert Job Title

Thank you for your interest in the position of (Insert Job Title), with Walgett Shire Council based at Walgett. Council carried out a short-listing process, which was assessed on the selection criteria answers and unfortunately your application was unsuccessful.

Should another position become available at Walgett Shire Council, please do not hesitate to apply.

I would like to thank you for your time spent submitting your application. If you wish to discuss this further please do not hesitate in contacting Human Resources on telephone 02 6828 6105.

Yours Sincerely

Carole Medcalf
Director Corporate and Community Services

Appendix F: Unsuccessful Interview Letter (Example Only)

CM:ED: / / /

Ms Carole Medcalf

22 April 2008

Dear

RE: Insert Job Title

Thank you for your interest in the position of (Insert Job Title), with Walgett Shire Council based at Walgett. Although you interviewed well you were unsuccessful on this occasion.

Should another position become available at Walgett Shire Council, please do not hesitate in applying.

I would like to thank you for your time spent submitting your application and subsequently your time spent attending an interview. If you wish to discuss this further please do not hesitate to contact Human Resources on telephone 02 6828 6105.

Yours Sincerely

Carole Medcalf
Director Corporate and Community Services

Appendix G: Unsuccessful Interview – Readvertise (Example Only)

CM:ED: / / /

Ms Carole Medcalf

22 April 2008

Dear

RE: Insert Job Title

Thank you for your interest in the position of (Insert Job Title), with Walgett Shire Council based at Walgett.

Following interviews the panel have decided that the above position will need to be readvertised.

However I would like to advise that your qualifications and experience have not gone unnoticed. As discussed, with your permission Council would like to reconsider your application in the next round.

I would like to thank you for your time spent submitting your application and subsequently your time spent attending an interview. If you wish to discuss this further please do not hesitate to contact Human Resources on telephone 02 6828 6105.

Yours Sincerely

Carole Medcalf
Director Corporate and Community Services

Appendix H – Letter of Offer

RK: ED:

Raymond Kent

30 September 2008

Address

Dear

Re: ~~Insert Position Title~~

You are hereby appointed to the position of ~~(insert position title)~~ which is a ~~(insert type e.g. full time, part time, casual)~~ position based at ~~(insert town)~~ for Walgett Shire Council. Your appointment will take effect from ~~(insert date)~~ and is subject to a satisfactory six (6) month ~~(or three (3) month)~~ probationary period and ~~(for non child related employment)~~ a pre-employment medical. ~~(for child related employment)~~, a pre-employment medical and a Working with Children Check. Please complete the Applicant Declaration and Consent Form as soon as practicable as clearance must be received prior to commencement.

Your appointment is subject to your acceptance of conditions outlined in this letter.

Conditions of Employment

Line of Accountability

You will be accountable to the ~~(insert position title)~~, ~~(insert name)~~. Your immediate supervisor is the ~~(insert job title)~~, ~~(insert name)~~.

Duties

Your duties will be in accordance with those outlined in the position description for the ~~(insert position description title)~~ and as directed by the ~~(insert supervisor title)~~.

Hours of Duty (for outdoor staff)

The terms of your appointment will be based on 76 hours per fortnight with a flexi-day off every fortnight. Hours of work are 7.00am to 4.30pm with a one hour lunch break, except for Thursday (pay week) hours of work are 7.00am to 4.00pm with a one hour lunch break.

Or:

Hours of Duty (for indoor staff)

~~The terms of your appointment will be full time based on 70 hours per fortnight with the option of flexible work hours. Bandwidth hours are 8.15am to 5.00pm with an hours lunch break. The core hours are 9.00am to 1.00pm. Flexible work practices are made in agreement with you and your Supervisor and in accordance with Council's Indoor Staff Flexitime Agreement.~~

Pay Rate

~~The (insert job title) is a Grade (insert number). You will be paid at (insert grade, zone and point) which is (insert dollar amount) per annum. You are also entitled to any applicable allowances including (include any allowances) and all conditions of employment are as per the Local Government (State) Award 2007. Council also pays the compulsory 9% superannuation to a superannuation fund of your choice~~

Leave Entitlements (for outdoor staff)

~~All leave entitlements are as per the Local Government (State) Award 2007.~~

Leave Entitlements (for indoor staff)

~~All leave entitlements are as per the Local Government (State) Award 2007 except annual leave entitlements. As per Council resolution dated 27 November 1995, you are entitled to five (5) weeks annual leave.~~

Acceptance of the Possibility of Workplace Change

~~Council reserves the right to revise duties associated with this position from time to time in the light of changing organisational needs and management policies.~~

Acceptance of the Need for Continuing Education

~~You will be required, from time to time, to participate in training sessions and other activities, designed to allow you to improve your skills and ability to perform duties associated with this position.~~

~~All other conditions will be in accordance with the Local Government (State) Award 2007 and Council's personnel policies.~~

~~If you accept the conditions outlined above, please sign below and return it to the Human Resources Officer. Should you have any queries please do not hesitate in contacting (insert name) on (02) 6828 6105.~~

Yours sincerely

Raymond Kent
General Manager

Walgett Shire Council

~~I have read the conditions of employment described in this letter of (insert date) and have had the opportunity to ask questions and/or clarify matters. I accept the conditions of employment with Walgett Shire Council.~~

Signed:

Dated:

Appendix IC



Reference Check

Name of Applicant	
Position applied for	
Name & phone no. of referee	
Company Name Position Title	
Length of employment	
Reason for leaving	
Job Title/duties	
Technical knowledge & skills; achievements or results; other criteria:	
Performance which may include: Effectiveness & efficiency; Judgement, reasoning & decision-making; Initiative; Work standards; Work ethic.	
Interpersonal skills with the following: Subordinates Peers Senior Mgt Customers Team Skills	

Customer Service Skills	
Management or Supervisory Skills (IF APPLICABLE)	
Summary of Strengths	
Summary of areas needing development or improvement	
Attendance including: Reliability Punctuality	
Would you re-employ? In what role/position	
Other comments	

Reference taken by:

Name _____ Position _____

Signature _____ Date _____

Procedure Review History

Date	Changes Made	Approved By
13 Feb 2009	Procedure Developed	Ray Kent - General Manager
14 March 2011	Minor changes - formatting and include standard letters and forms	
Nov 2022	Policy & Procedure combined minor changes - HR Manager	

Apprenticeships and Traineeships

WSC - Procedure – Apprenticeships and Traineeships



APPRENTICESHIPS AND TRAINEESHIPS PROCEDURE

Approval Date: [REDACTED]
Review Date: ~~November 2011~~ December 2022
Responsible Officer: Director Corporate and Community Services

POLICY STATEMENT

WSC is committed to training people from the local area by offering trade apprenticeships and traineeships in a diverse range of areas, wherever possible.

OBJECTIVES:

- To ensure that Council recognises the importance of training local people and to address the recognised skill shortage in certain areas of Council.
- To provide a comprehensive strategy that details the trade apprenticeships and traineeships available within Council and the procedures to apply for those positions.
- To provide local people with the opportunity to undertake formal programs within Council while achieving a trade certificate.
- To provide a supportive work environment that offers competitive salaries and conditions while meeting the operational needs of Council.

Objective

To train people from the local area by offering trade apprenticeships and traineeships in a diverse range of areas, wherever possible.

Council Policy Reference

Apprenticeships and Traineeships Policy

Statutory Requirements

Local Government (State) Award ~~2007~~
Apprenticeship and Traineeship Act ~~2001~~17
~~Vocational Education and Training Accreditation Act 1990~~
~~Board of Vocational Education and Training Act 1994~~
Industrial Relations Act 1996
~~Occupational Work~~ Health and Safety Act ~~2000~~2011
~~Child Protection (Working with Children) Act 2012~~
~~Child Protection (Prohibited Employment) Act 1998~~
~~The Industrial Relations (Child Employment) Act 2006~~
Anti-Discrimination Act 19797 (New South Wales)
~~Racial Discrimination Act 1975 (Commonwealth)~~

[s:\Policies and Procedures\ Apprenticeships and Traineeships](#)

[Sex Discrimination Act 1984 \(Commonwealth\)](#)

Privacy and Personal Information Protection Act 1998

[Freedom of Information Act 1989](#)

Related Policy/Procedure

Conditions of Employment

Equal Employment Opportunity

Staff Recruitment and Selection

[Occupational Work](#) Health and Safety

Government References

[State Training Services – A Guide to the Employment of Apprentices and Trainees in the NSW Public Sector – 2008](#)

1. Identify Apprenticeship or Traineeship

Human Resources will review human resource needs on an annual basis and will identify apprenticeships and traineeships that meet organisational requirements and are within budgetary constraints. These will be included on WSC Organisational Structure and are subject to approval by Council.

The operation of a School Based Apprenticeship or Traineeship is subject to approval by the General Manager.

2. Eligibility

Apprenticeships and Traineeships can be considered for any new and existing employees of any age or length of service. There is no minimum or maximum age limit for apprentices or trainees but minimum age requirements may apply to some vocations, such as those requiring a specific licence.

3. Remuneration

Apprentices and Trainees will be paid according to the Local Government (State) Award ~~2007 or the relevant Training Award, whichever is applicable~~. Competency based progression is encouraged.

4. Employment Status

Generally, Apprentices will be employed for a period of four (4) years and Trainees will be offered employment for a period of between ~~six (6) months and of~~ three (3) years. The term of the apprenticeship or traineeship will be specified in a training contract provided by an Registered Training Organisation (RTO).

5. Record Keeping

Human Resources will maintain the following information within TRIM on the employees personnel file:

- ~~1.~~ the approval letter from ~~State~~ Training Services NSW or the relevant State/Federal agency containing the Training Contract ID (TCID) number
- ~~2.~~ Council's copy of the training contract
- ~~3.~~ records of time worked and wages paid to the apprentice/trainee
- ~~4.~~ Council's copy of the training plan (as agreed with the RTO)
- ~~5.~~ the apprentice's/trainee's attendance details from the RTO
- ~~6.~~ results of formal training undertaken by the apprentice/trainee with the registered training organisation
- ~~7.~~ a copy of the trainee apprentice's staff appraisals
- ~~8.~~ Any other relevant information

9.6. School Based Apprenticeships and Traineeships

Whilst the current School to Work Program offered by Council does not offer School Based Apprenticeships, Council and Management encourage students to undertake a traineeship or commence an apprenticeship whilst at school. This program includes both on the job and off the job training which contributes to the completion of their HSC. Generally students attend work one day per week during school terms and work full time during school holidays to complete the on the job component.

10. Pre Apprenticeships

~~Pre Apprenticeships are courses which provide initial training in a specific industry and prepare people for specific industries by exposing them to the expectations of workplaces employing apprentices. Pre apprenticeships may improve literacy and numeracy whilst providing learners with a realistic introduction to the trade. Pre Apprenticeships will be offered to employees upon assessment by Human Resources and further consultation with the relevant Supervisor and employee.~~

11.7. Changes to Training Arrangements including Dismissal

An apprentice or trainee cannot be dismissed once the contract is binding (that is, after the training contract has been approved by [State Training Services NSW](#) and the probationary period has elapsed). However a binding training contract can be cancelled by the mutual agreement of the parties.

An employer and their apprentice or trainee can apply to cancel the training contract at any time if both parties agree. An application to cancel the training contract must be submitted to the [State Training Services NSW](#) within 14 days of the cancellation date. Human Resources must contact the relevant Australian Apprenticeship Centres to assist in this process.

An employer and their apprentice or trainee can apply to mutually suspend the training contract in certain circumstances, such as if there is a lack of work or if the apprentice/trainee has to take a long time off work through injury or illness. Applications to suspend training contracts must be lodged with the relevant [State Training Services NSW](#) centre within 14 days of the date of suspension. Human Resources must contact the relevant Australian Apprenticeship Centres to assist in this process.

The training contract can be transferred, suspended, cancelled or varied by mutual agreement between Council and the apprentice / trainee. In the case of a transfer, the written agreement of the proposed employer is also required.

In all cases where changes to the training contract are required the AAC should be consulted in the first instance.

12.8. Procedure

Step 1: Australian Apprenticeship Centre

An Australian Apprenticeship Centre (AAC) provides information, administrative services and support to employers and trainees or apprentices. They also provide assistance with training contracts, employer incentives, scholarships and income support payments to eligible apprentices or trainees. Walgett Shire Council utilises the services of the following AAC's:

1. ~~Australian Business Limited Apprenticeships Centre – Located in Dubbo and Moree~~
2. ~~Central West Community College TAFE – Located in Dubbo~~
3. ~~MAS National – Located in Dubbo~~

The Apprentice or Trainee must be signed up within -28 days of commencing their apprenticeship or traineeship.

The AAC should provide both the employer and the apprentice/trainee with a copy of the signed training contract. The contract sets out employer, apprentice and trainee responsibilities and obligations during the course of the training arrangement. The original contract is retained by the AAC after approval.

The AAC also checks the training contract and training plan and then submits them to [State Training Services NSW](#) for approval of the apprenticeship/traineeship.

Other Information Requirements

For some positions additional information or pre-requisites are required to employ a person in the industry or establish an apprenticeship or traineeship and may include:

1. ~~licence to work in the security industry,~~
2. ~~Working With Children Checks for trainees undertaking child-related employment,~~
3. ~~evidence of relevant previous work and/or training to obtain credit for a shortened term,~~
4. ~~citizenship, permanent residency or specific Visa categories.~~

Human Resources will contact the AAC to discuss the requirements of any additional information.

Step 2: Recruitment

The recruitment of an apprentice or trainee will be in accordance with the Recruitment and Selection policy and procedures of Council. Human Resources will contact local secondary schools within the local government area to ensure that students who may be interested are informed.

Step 3: Registered Training Organisation

A Registered Training Organisation (RTO) provides the course of training to the learner. The capacity of the provider to meet organisational and learner needs will be assessed by Human Resources. TAFE will most likely be the course provider for an apprentice but suitability and responsiveness will be assessed for each apprenticeship or traineeship.

Human Resources will also assess the structure and content of the training, where and how the training will be delivered, when training will occur and qualifications and experience of course trainers. The RTO is expected to provide a training plan within six (6) to twelve (12) weeks of commencement of the course.

Step 4: AAC to visit worksite

The apprentice or trainee must be signed up within 28 days of commencement of their apprenticeship or traineeship. The AAC is required to visit the workplace to ensure this occurs. This is a requirement of the funding contract with the Australian Government.

In this visit, the AAC is responsible for:

1. Explaining the requirements of the training contract and obligations of the parties including any prerequisites or special conditions;
2. Overseeing and assisting with the completion of the Training Contract by Council and the apprentice/trainee (and their parent or guardian where the apprentice/trainee is under 18 years of age);
3. Obtaining signatures of Council, the apprentice/trainee and the RTO on the Summary Training Plan;
4. Detailing all appropriate incentive payments available to the agency; and
5. Explaining any State or Australian Government assistance available to the apprentice/trainee.

Step 5: Training Contract and Summary Training Plan

In order for an apprenticeship or traineeship to be approved, a Summary Training Plan must be developed by the RTO and signed by Council, the apprentice/trainee and the RTO. In the case of a school based apprentice or trainee, a Full Training Plan is required.

~~Human Resources will endeavour to ensure that the Training Plan will be prepared prior to the time of the AAC's initial visit to Council.~~

Training Plan

A Summary Training Plan includes:

1. details of trainee/apprentice, employer, RTO, AAC;
2. the title and level of the qualification;
3. commencement and expected completion dates;
4. training location;
5. mode of delivery.

A Full Training Plan contains, additional to the above information:

1. The full list of competencies to be delivered;
2. Learning resources to be provided to the apprentice/trainee;
3. Any previous learning or competencies for which credit has been provided;
4. Indicative monitoring and assessment dates;
5. Arrangements for reporting back to Council and the apprentice/trainee;
6. Any indirect support arrangements to be provided by the RTO.

Step 6: Lodge Training Contract and Training Plan

The application must be lodged with the ~~Department of Education and Training (DET) Training Services NSW~~ within ~~10-28~~ days of ~~employment commencing signature~~. ~~The State Training Services regional office (STS) administers the apprenticeship and traineeship system in New South Wales and can provide assistance and information on all aspects of apprenticeship and traineeship training.~~

Step 7: DET Advises Parties

[DET Training Services NSW](#) will write to Council and the apprentice/trainee informing them of:

1. the status of the application;
2. confirming the apprenticeship/traineeship being undertaken;
3. how long the probationary period will be;
4. the date the Training Contract will be registered.

Step 8: Probationary Period

A probation period of between one and three months applies to most apprenticeships and traineeships. It can be extended at the request of the parties.

Within the probation period, either party can withdraw from the Training Contract by giving the appropriate period of notice as per the Local Government State Award [2007](#).

Step 9: RTO Provides Full Training Plan

The Full Training Plan must be developed within six weeks of commencement of formal training (for Training Contracts with a nominal term of up to 12 months) or within 12 weeks of the commencement of formal training (for Training Contracts with a nominal term of more than 12 months).

The Full Training Plan must be developed by the RTO in consultation with Council and the apprentice/trainee. Copies are provided to the parties.

The full training plan should specify:

1. the title and level of the qualification;
1. the units of competence that the apprentice/trainee must complete to attain the qualification;
2. the learning resources that will be provided to the apprentice or trainee;
3. any records that Council should keep about on-the-job training provided to the apprentice or trainee;
4. any additional support that the apprentice/trainee may require if there are identified barriers to learning;
5. the dates on which the RTO plans to monitor and/or assess the apprentice's/trainee's progress;
6. the arrangements the RTO will use to report back to Council and the apprentice/trainee on progress with the training.

The training plan can be used as a tool to monitor the apprentice's/trainee's progress during the course of the training contract.

Step 10: Contact with RTO

Council should contact the RTO regularly to ensure that the apprentice/ trainee is attending off-the-job training, completing assignments or assessment tasks, and is making satisfactory progress.

The RTO should provide regular reports to Council on the progress of the training and on competencies achieved.

Step 11: Ongoing Monitoring

The AAC and [State Training Services NSW](#) are the key organisations responsible for ongoing monitoring of progress of the apprenticeship/traineeship. However the RTO is also responsible for regularly communicating with Council about the progress and performance of the apprentice/trainee in training.

Step 12: Completion

Six weeks before the nominal end of the Training Contract, [State Training Services NSW](#) will send a completion letter to all parties, reminding them of the imminent completion and advising them of the requirements for completion.

~~The employer must sign the completion letter and return it to DET, confirming whether or not the apprentice/trainee has successfully completed on and off the job training.~~ A copy of the qualification issued by the RTO should be provided with the letter. Human Resources must ensure that the apprentice/trainee receives the certificate and advise them to apply for a Licence should one be required.

7.9. Training and Supervision

Council is responsible for ensuring that the apprentice/trainee receives the instruction, practice and support they need to develop skills in all aspects of their vocation, in accordance with the requirements of the training plan.

The RTO should provide the apprentice/trainee with a competency record book or work evidence guide outlining the competencies they are expected to develop within the term of the training contract. The RTO may require Council to complete or sign entries in the competency record book.

Council must ensure that:

- ~~1.~~ the apprentice or trainee has access to the full range of work required to develop competencies in all aspects of the vocation
- ~~1.~~ the apprentice or trainee has access to the full range of tools and equipment commonly used by skilled workers in that industry
- ~~2.~~ the apprentice or trainee will be instructed and supervised by a suitably-qualified or experienced person

Any workplace training difficulties must be immediately reported to [State Training Services NSW](#).

3.10. Disputes

If a dispute arises Council should contact a Training Advisor at the [State Training Services NSW](#) centre about the issue if required. ~~The Training Advisor will discuss the issues with each of the parties and may visit the workplace or arrange a meeting to try and resolve the dispute.~~

If the Training Advisor is not able to resolve the dispute, the matter will be referred to the NSW Vocational Training Tribunal (VTT) for resolution.

4.11. Completion of Traineeship or Apprenticeship

For successful completion of the apprenticeship or traineeship, two things are required:

- ~~1.~~ the RTO must confirm that the apprentice or trainee has successfully completed their formal training and is eligible to receive their nationally recognised qualification

2. Council must verify that the apprentice / trainee has successfully completed the term of their on-the-job training

~~To confirm successful completion, Council should sign the completion letter and attach a copy of the qualification issued to the apprentice or trainee by the RTO. These two documents should be sent to the AAC, who will forward them to State Training Services and process any completion incentive payments for which Council may be eligible. If the training has been successfully completed but a qualification has not yet been issued, a transcript of results or letter from the RTO stating that the apprentice or trainee has successfully completed the training program and is eligible to be issued with the qualification will be accepted by State Training Services.~~

3.12. Non Completion

If an apprentice or trainee leaves Council before completing his/her training, or wishes to discontinue the apprenticeship or traineeship, Council should notify [State Training Services NSW](#) in writing.

Where apprenticeships or traineeships have not been completed, both Council and the apprentice/trainee should maintain records of the partly completed apprenticeship/traineeship. Records may include personnel management records, pay slips, references, certificates from the RTO or partly completed competency record books.

Such documentation can be used if the apprenticeship or traineeship is re-established with the same or a different employer. It is also useful if a person seeks recognition for this or another qualification in the future or if an apprentice seeks to have their trade skills recognised by the Vocational Training Tribunal.

4.13. Certification and Licensing

Upon completion of the term of the training contract, the apprentice or trainee is eligible to receive a certificate issued by [State Training Services NSW](#). Licensing requirements apply in some industries. On successful completion of an apprenticeship, the apprentice should apply for any licence that is required to work in the industry as a tradesperson.

5.14. Financial Assistance

For Council

The NSW Government:

1. meets the cost of formal training delivered by RTO for apprentices and new entrant trainees who are Australian citizens or permanent residents
2. provides employers with payroll tax rebates for new entrant trainees and apprentices
3. provides workers compensation insurance premium exemptions for employers of apprentices. ~~provides a small business vehicle registration rebate for employers of apprentices~~

The Australian Government provides:

1. **financial incentives** – which may be paid at various points of the training contract (i.e. commencement, re-commencement and completion)
2. **additional incentives** – which assist apprentices and trainees working in skills shortage and 'disadvantaged' areas, group training, as well as locality incentives for people working in non-metropolitan or 'drought declared' regional and rural areas

- 3. disability incentives** – for employers of apprentices and trainees with a disability. Assistance includes ~~Disabled Australian Apprentice Wage Support (DAAWS)~~, workplace modifications, tutorial assistance and mentor/interpreter assistance.

Council must satisfy relevant eligibility criteria, including time limits for applying, to be eligible for incentives. Details of eligibility requirements and up-to-date information on financial incentives can be obtained from Australian Apprenticeships Centres.

Human Resources is responsible for ensuring that Council accesses financial assistance where applicable.

For Apprentice/Trainee

The NSW Government provides the following:

- 1.** Payments under the Vocational Training Assistance Scheme (VTAS) to apprentices and new entrant trainees who need to travel more than 120km (round trip) to attend day or block release training with a registered training organisation. Assistance is in the form of an accommodation payment per day and a travel payment per kilometre that applies to both public and private means of transport.
- ~~2. A \$200 Gear Up clothing allowance for apprentices.~~
- ~~3. A \$100 rebate on the Apprentices car registration (for first and second year Apprentices)~~
- 4.** Public Transport Concessions for travel on NSW Government buses, ferries and trains for new entrant trainees and for 1st, 2nd and 3rd year apprentices.

The Commonwealth Government provides the following:

- 1.** A Living Away From Home Allowance (LAFHA) for first and second year trainees and apprentices who need to live away from home for employment purposes
- 2.** Financial support for mid-career Australians (aged 30 years or more) to upgrade their skills through an Australian Apprenticeship in a trade experiencing a skills shortage
- 3.** A tool allowance for apprentices
- ~~4. Apprenticeship Training Vouchers valued at up to \$500 may be available to eligible first and second year apprentices undertaking an Australian Apprenticeship in a skills shortage area.~~
- ~~5. Trade learning scholarships to Australian Apprentices employed by a small or medium employer (companies having fewer than 500 employees) or a Group Training Organisation listed on the Group Training National Register who commence their first or second year of training at the Certificate III or IV level in a trade experiencing a skills shortage may be eligible for tax-free payments of \$1000 paid in two \$500 instalments.~~
- Apprentices and trainees must satisfy relevant eligibility criteria, including time limits for applying, to be eligible for Commonwealth and NSW Government concessions and allowances.

Existing worker trainees are not entitled to NSW Government financial assistance. However, employers of existing worker trainees may be eligible to receive Australian Government incentives. Council should contact AAC for eligibility.

Appendix A

Checklist

Application and Approval

- 1. Council and the proposed apprentice or trainee must complete and sign the Apprenticeship/Traineeship Training Contract with their Australian Apprenticeships Centre (AAC).
- 2. A summary training plan must be prepared by Human Resources for all apprenticeships and Traineeships. The RTO must endorse the summary training plan.
- 3. For school-based apprenticeships and traineeships, a full training plan must be prepared by the RTO in consultation with Human Resources, apprentice / trainee and school and lodged with [State Training Services NSW](#).
- 4. The AAC checks the training contract and training plan and then submits them to [State Training Services NSW](#) for approval of the apprenticeship/traineeship.
- 5. Additional information requirements are identified and discussed with AAC.
- 6. Apprentices/trainees commence enrolment procedures with the selected RTO.

After Approval

- 1. Council and apprentice/trainee receive an approval letter from [State Training Services NSW](#).
- 2. The date the training contract becomes binding is specified in the approval letter.
- 3. The RTO will develop a full training plan in consultation with Human Resources and apprentice/trainee and provide them with a copy.
- 4. Council will liaise with AAC Centre regarding eligibility for Commonwealth incentive payments.
- 5. Apprentices/trainees should also check with the Australian Apprenticeships Centre regarding their eligibility for travel and/or accommodation allowances to attend off-the-job training and other financial incentives.

Ongoing

- 1. Council should check regularly with their RTO to make sure that the apprentice/trainee is attending formal off-the-job training (where appropriate) and is making satisfactory progress towards achieving their qualification.
- 2. A progress card is sent to the employer of a trainee apprentice with the approval letter. The details on this form should be updated when the employment of the trainee apprentice is discontinued for any reason.
[Council must notify the local State Training Services regional centre \(ph. 13 28 11\).](#)
- 3. Employers and their apprentice/ trainee must notify [State Training Services NSW](#), through their AAC, if they wish to make changes to the training arrangements (e.g. mutual cancellation, transfer or suspension) or vary the training contract or training plan (e.g. change of completion date, change of registered training organisation, change of qualification or change in mode of training delivery).

Completion

When the apprenticeship/traineeship is nearing completion:

- 1. [State](#) Training Services [NSW](#) will send a completion letter to Council.
- 2. Council must sign the letter and return it to [State](#) Training Services [NSW](#), confirming whether or not the apprentice/trainee has successfully completed the on-the-job and formal training. The letter must be accompanied by a copy of the Certificate, Statement of Attainment or transcript of results issued to the apprentice/trainee by the RTO. If the apprentice/trainee did not successfully complete formal training, the letter must be returned to [State](#) Training Services [NSW](#) without attachments.
- 3. Council and the apprentice/trainee may jointly apply for completion of the apprenticeship or traineeship before the scheduled completion date providing that the apprentice or trainee has been issued with their qualification by the RTO and the employer considers that they are competent to industry standard.

After Completion

Human Resources must:

- 1. Ensure that the apprentice/trainee receives his/her certificate.
- 2. Advise their apprentice to apply for a licence if required by the industry in which they work.
- 3. Check with the AAC to see if Council is entitled to any incentive payments that may be available at the completion of the apprenticeship/traineeship.

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
December 2022	Revised legislation and wording – HR Manager	



Walgett Shire Council **Staff Induction Manual**

Name:

Employee Number:



'engaging our communities'

Date Revised: September 2022 (Trim 09/1479-03/0035)

1

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1. WELCOME

Dear new employee,

Welcome to Walgett Shire Council. We hope that your employment with Walgett Shire Council is one that is satisfying and productive.

To assist you in a smooth transition into your new workplace, the following induction guide has been developed. This guide contains information on Walgett Shire Council and aims to highlight important policies and procedures that govern your employment.

I encourage you to become familiar with this Induction Manual which is designed to assist you in the workplace as well as provide you with some general operational matters at Council. This manual also complies with the legislation relating to workplace employment and in particular, the Local Government (State) Award.

You are not expected to know everything about Walgett Shire Council immediately. Your probationary review period as set out in your letter of employment with Council is generally regarded as adequate time for you to become proficient in your role and familiar with the contents of the manual.

If you have any questions or would like further information, please contact your supervisor or Human Resources Manager.

Again, welcome to Walgett Shire Council and congratulations on your appointment.

Warm regards,

Michael Urquhart
General Manager

2. ABOUT THE COUNCIL

The first Council was elected in 1906 and held its first meeting on Saturday 8th December in 1906.

The Shire covers an area of 22,000 square kilometres and encompasses the towns of Walgett, Lightning Ridge, Collarenebri and the villages of Rowena, Burren Junction, Carinda, Come-By-Chance and Cumborah. Council employs approximately 140 people (including casual employees) throughout its operations.

2.1 Council's Vision Statement

To maximise opportunities for the community to improve their quality of life whilst embracing their own culture and social diversity for the benefit of all.

2.2 Council's Mission Statement

Walgett Shire Council will:

- Provide focused and ethical leadership to the community;
- Deliver quality services and efficient management of Council infrastructure;
- Meet the economic, social and environmental needs of the Walgett Shire community;
- Provide a planning and regulatory context in which the community can remain sustainable, prosperous and vibrant;
- Promote the Shire as a great place to live, work and visit;
- Lobby Governments to ensure that appropriate levels of support are provided for health, education, employment, housing and infrastructure development and maintenance;
- Cooperate with other bodies in the sharing of specialist resources;
- Work within Council's Code of Conduct and Code of Meeting Practice to ensure practices are ethical, fair, accountable and equitable; and
- Work to become known as an employer of choice.

3. STAFF COMMITTEES

3.1 Consultative Committee

The Consultative Committee is a body established to:

- Provide a forum for consultation between Council management and its employees;
- Enhance the efficiency and productivity of Council; and
- Provide employees with access to career opportunities and more fulfilling, varied and better paid work.

3.2 Workplace Health & Safety Committee

Maintaining a healthy and safe working environment is the responsibility of all staff. Council is committed to maintaining the highest standards of health and safety for all its employees.

The committee aims to eliminate or reduce incidences of workplace injuries and disease.

4. EMPLOYEE SERVICES, BENEFITS AND CONDITIONS

4.1 Payment of Salaries and Wages

Salaries/Wages are paid by direct deposit into your nominated bank account on a fortnightly basis. Bank accounts are credited on Thursday of the pay fortnight. Newly appointed employees are requested to fill out their bank account details on notification of their appointment. Ensure that details are accurate and notify the Finance Officer (Payroll) immediately if those details change.

4.2 Hours of Work

It is important that you begin and maintain a punctual record of attendance. If, for some reason you are to arrive late, you must contact your workplace and advise your supervisor. If you have to leave the workplace during normal working hours, you must notify your supervisor.

4.3 Staff Flexi Time Agreement

All indoor staff are employed under the Staff Flexi time Agreement. The bandwidth within the agreement is 8:15am – 5:00pm with the Flexi time bandwidth being 6:00am – 6:00pm and core hours being 9:00am – 3:00pm. To ensure the operational requirements of Council are met, start and finish times within the spread of hours should be negotiated by Departmental Directors at the workplace level. Any additional time accrued above 21 hours should result in demonstrated increased productivity.

4.4 Indoor Staff

Indoor staffs work a 70 hour fortnight.

4.5 Outdoor Staff

Outdoor staff work the following 76 hourly fortnight schedule:-

- 8 days from 7am to 4:30pm
- 1 day from 7am to 4pm (Thursday payday)
- 1 day flexi (Friday following payday)

There may be exceptions to the above and changes can only be ~~authorised~~ by your immediate supervisor.

4.6 Morning and Afternoon Tea Breaks

Council allows for a paid 15 minute morning tea and afternoon break. To fit with the needs of the ~~organisation~~ and the different departments within Council, break times should be discussed with your Supervisor

4.7 Deductions

You must complete an Income Tax Declaration Form on appointment. The appropriate income tax deductions will be made from your salary according to the information you provide on the declaration form.

NB. Don't forget to provide your Tax File Number otherwise the full tax rate will apply.

In addition, you may be able to arrange to have following deductions made from your pay: superannuation payments, union fees and child support payments. If you decide to have loans deducted direct from your pay or bank account please ensure that all deductions are scheduled for the Friday after payday.

4.8 Union Membership

All employees have the option to join the union. The United Services Union (USU) is the union that covers the majority of Walgett Shire Council employees. The Local Government Engineers Association of NSW (LGEA) and the Development and Environmental Professionals Association (DEPA) are all present in the Council. Please contact Human Resources for details of local union delegate/s.

4.9 Superannuation

Council pays the compulsory employer contributions into an approved nominated super fund of your choice. The current rate of contribution is 10.5% of salary or wages and is regulated by Federal legislation and automatically adjusted in accordance with these requirements.

Staff have the option of making personal contributions, which may be made by way of regular deductions from your pay. Single payments may also be made at any time.

4.10 Working with Children Checks & Police Checks

Council may request a working with children check and a police check.

4.11 Staff Inoculations

Council encourages those employees at risk in carrying out particular tasks (e.g. Garbage collection, water and sewerage) to inoculate against Hepatitis B and Tetanus. Contact your Supervisor to discuss inoculation.

4.12 Jury Duty

If, during your employment with Council, you are called for jury service you will be granted leave of absence and be paid the difference between your ordinary rate of pay and the juror's fee received for jury service.

An employee shall notify Council as soon as possible of the date required for jury service. The employee must also provide Council with proof of attendance, the duration of such attendance and the amount received in respect of such jury service.

4.13 SECONDARY EMPLOYMENT

If you have secondary employment you must seek approval from the General Manager. Application forms can be obtained from Human Resources.

4.14 EMPLOYEE ASSISTANCE PROGRAM (EAP)

Council offers a complimentary counselling service available to all staff and family members of staff, experiencing difficulties personally or at work. The service is at no cost to staff and family members and is completely confidential. Information on EAP services can be located at all Council workplaces or obtained from Human Resources.

The Employee Assistance phone number is 1300 687 327.

4.15 LOCAL GOVERNMENT (STATE) AWARD

Council staff are paid under the Local Government (State) Award and renegotiated every (3) years. A copy of The Award can be viewed in each work location that staff are engaged. Your Supervisor will be able to advise of the location. Alternatively a copy can be accessed in Council's electronic records system, HP Manager (no. 15/77/0070) or request a copy from Human Resources, Payroll Officer or Union Delegate.

5. LEAVE PROVISIONS

5.1 Annual Leave

All annual leave entitlements are in accordance with Local Government (State) Award except that indoor staff receive five (5) weeks annual leave, as per Council resolution dated 27 November 1995. All annual leave will be credited on an employee's anniversary date each year.

Annual leave must be applied for, on the appropriate form, at least 14 days in advance. It is the responsibility of the supervisor to ensure that annual leave does not prevent the delivery of service or achievement of objectives. Please refer to annexure A – Application for Leave on page 25

5.2 Sick Leave

In accordance with the Local Government (State) Award you are entitled during each year of service to 3 weeks (15 days) at the ordinary rate of pay. Notification MUST be given to your Supervisor / Director as soon as possible after you become unable to work due to ill health, to allow for a replacement to be organised if possible/required.

Proof of illness in the form of a doctor's medical certificate or

Statutory declaration as follows:-

- Exceeding 2 consecutive working days
- 3 separate periods in each service year

A leave form is to be completed immediately on return to work.

Refer to annexure A – Application for Leave on page 25

5.3 Christmas Break

Generally, Council closes its operations through the Christmas and New Year period. Most staff will take annual leave or flextime leave for non-public holidays over this period. A small crew is assigned to continue outdoor operations.

5.4 Other Leave

All other leave entitlements listed below are as per the Local Government (State) Award. If you require information relating to a particular leave enquiry, please contact Human Resources:

- Long Service Leave
- Carer's Leave
- Parental Leave
- Bereavement Leave
- Leave without pay
- Health and Wellbeing

Employees are also requested to ensure that Long Service Leave accruals are taken during the 5 year period after granting to minimise Council's exposure to a high level of liability.

6. HEALTH & SAFETY

Maintaining a healthy and safe working environment is the responsibility of both Council and staff. Council is committed to maintaining the highest standards of health and safety for all its employees.

Employees are to behave in a responsible manner, observe all safety requirements, to report all dangerous/hazardous situations to their supervisors and to wear issued personal protective equipment (PPE) in designated work sites at all times.

Section 28 Duties of Workers of the Work Health and Safety Act 2011

- Take reasonable care for your own safety;
- Take reasonable care to ensure your acts or omissions do not adversely affect the health and safety of others;
- Comply with reasonable instructions from the PCBU (Persons conducting a Business or Undertaking) to assist them in complying with the WHS Act; and
- Cooperate with policies and procedures relating to health and safety that the workers have been notified of

Please refer to the Workplace Health and Safety Policy and Procedures.

6.1 Incidents

In the event of an incident, no matter how minor, you must report it prior to the end of your work shift to your supervisor. The Walgett Shire Council Incident Report Form must be accurately completed and the WHS Officer and Rehabilitation Coordinator contacted. Please refer to annexure B – Incident Report Form on page 26 and 27.

6.2 Smoke Free Workplace

No member of staff or public shall be permitted to smoke in the following areas and within 10m of Council buildings:

- Civic administration area (toilets, kitchen and Council Chambers)
- The undercover parking area at the rear of Council Chambers
- Depots and workshops including the confines
- Vehicles including all vehicles/plant owned or leased by Council
- Agencies, libraries, tourism ~~centres~~ and youth ~~centres~~

Please note Disciplinary action may occur if Council's Policy & Procedures and Standard Operating Procedures are not followed.

6.3 UV Protection

Employees who work outdoors will be provided with personal protective equipment and clothing designed to reduce their exposure to ultraviolet radiation. These items provided by Council must be worn correctly and at all times while working outdoors. Items may include protective clothing, hats, eye protection and sunscreen.

6.4 Drugs and Alcohol

The use, possession or distribution of drugs or alcohol in the workplace, including vehicles, plant, parks, reserves, or any Council building or physical asset is prohibited. Employees breaching this order will face disciplinary action. This also applies to employees under the influence of drugs or alcohol in the workplace who may have used the substance elsewhere.

The General Manager has approved random alcohol and drug testing in accordance with WR – Drug and Alcohol procedures.

6.5 Prescribed Drugs or Medication

It is the employee's responsibility to advise his/her supervisor if he/she is taking prescribed drugs or medication that may affect his/her fitness for duty or work performance or place others at risk. The employee should also be aware of what these effects are and whether the effects are increased should alcohol be consumed.

7. COUNCIL PROPERTY

You are responsible for Council property that may be entrusted to your care and custody. Any losses, damage or malfunctions must be immediately reported to your supervisor and an incident report completed.

7.1 Motor Vehicles

If your work requires the use of a Council vehicle, you should ensure that you are familiar with AFM – Motor Vehicle policy and procedures. You must hold a current Australian driving licence and appropriate class of drivers licence. Legal protection and/or reimbursement from Council will not be available to staff where there has been police action resulting from infringement of traffic laws including parking.

When you have the use of a Council vehicle you must be sure to:-

- Ensure the plant log book is up to date
- Present the vehicle for regular services
- Notify any defects noticed on the vehicle
- Notify loss of licence to your supervisor
- Carry out routine checks e.g. water and oil
- Ensure that the vehicle is regularly cleaned

Passenger travel in Council vehicles for non-work related purposes is not permitted without prior approval of the relevant Director and/or General Manager, except in an emergency or if the driver has private use of council vehicles in accordance with WR – Motor Vehicles policy and procedure. Non-employees may travel as passengers if such travel is for work related purposes.

In the event of an accident, the normal provisions apply, liability must not be admitted and a full report is to be made out, and the necessary Council insurance forms completed. It is important that as soon as practical you advise your supervisor of any such occurrence.

7.2 Traffic Infringements

Staff who have their license cancelled either fully or partially must immediately notify their supervisor. Failure to notify will be considered a serious misdemeanor, which may result in suspension or termination of employment. The supervisor must then report the cancellation to the General Manager and Human Resources Manager in writing.

Where an employee is required to maintain an appropriate driver's licence the following provisions may apply:

- Reasonable consideration will be given with regard to redeployment into another position until such time as that employee's licence is returned
- Disciplinary procedures as per the Local Government (State) Award will apply for a repeated offence(s)
- In the event that an employee is imprisoned, the employee's employment will be terminated.

8. STAFF TRAINING AND DEVELOPMENT

Walgett Shire Council is committed to developing the competency levels of its staff and to developing a highly skilled and flexible workforce

Accordingly, Council is obligated to:

- Develop a Training Plan that will match training and development opportunities to the current and future requirements of Council and the career development of individual employees.
- Ensure that all training costs are adequately provided for within the Management Plan.

9. COUNCIL STAFF UNIFORM AND PPE

Walgett Shire Council provides access to a uniform standard of dress that is required to be worn by all staff, as appropriate, at all times whilst employed by Council. Staff are to abide by the WSC Procedure WR – Staff Uniform & PPE.

9.1 Outdoor Staff are provided with Uniform Consisting of:

Outdoor staff will be issued on a yearly basis (from time of employment) as a minimum:

- 3 pair trousers or shorts (or a combination of)
- 3 shirts
- 1 pair [overalls](#) (upon request)
- 1 pair [boots](#)

If requested (one of each of the following)

- 1 cold weather jacket or jumper
- 1 pair [gumboots](#)
- 1 wet weather wear (raincoat / trousers)
- 1 [night](#) compliant vest
- 1 kit bag

Items considered as Personal Protective Equipment (PPE), also issued include:

- 1 water bottle
- 1 broad brimmed hat
- Sunglasses
- Safety Glasses / goggles
- Gloves
- Wet weather coat
- Sunscreen

Staff that chooses to wear shorts will be required to read and sign an agreement that they will follow the guidelines as laid down in WSC Procedure WR – Staff Uniform & PPE.

9.2 Indoor Staff:

Councils only ~~authorised~~ supplier of uniforms is Local Government Corporate Collection by NNT. Once an employee has satisfied the requirements of the 3 month probationary period, salaried employees are entitled to order uniforms through this Council supplier. Uniforms may be provided prior to the completion of the probation period at the discretion of the General Manager.

Council will contribute an amount of \$500.00 to assist in the initial purchase of uniform. Once a staff member has been employed for greater than twelve month an annual contribution of \$300.00 will be made available to staff each year on 1st July.

The Following items of clothing **are not to be worn:**

- Sleeveless shirts – Corporate uniform is acceptable
- Open heeled shoes
- Sandals
- Thongs

Staff Name Badges:-

Staff name badges are to be provided to all Indoor staff, Technical Officers, Team Leaders, Ranger, and Depot staff – Stores & Workshop employees. Two name badges will be issued to each employee identified. The name badge will have Council Logo, employees name and position title printed on them. Staffs are to ensure that their name badges are worn once they are issued.

10. POLICIES AND PROCEDURES

Council has a comprehensive list of policies and procedures that must be adhered to. The Policy Manual and the Procedure Manual are available in hard copy in each section of Council or are available on the HPE Manager (Electronic records) network.

11. COUNCIL

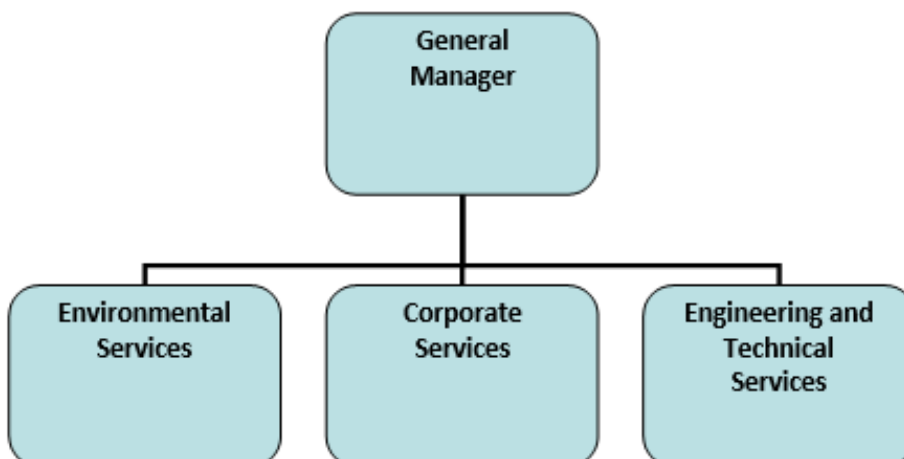
Details of the members of Council can be accessed on the Walgett Shire Council website www.walgett.nsw.gov.au.

Meetings of the Council are generally held on the fourth Tuesday of each month, are open to the public and are held at various locations around the shire.

The duties of Council are performed under the provisions contained in the Local Government Act 1993. Council is the decision and policy making body. The General Manager is responsible for the implementation of those decisions and policies. As an employee you are responsible for implementing your part of those policies and decisions.

12. SENIOR MANAGEMENT STRUCTURE

Council consist of three Departments



▲ 13. WORKPLACE HEALTH AND SAFETY COMMITTEE

Health and Safety Committee will work to reach consensus on all aspects of the organisation's WHS Policies and Programs. To this end each committee meeting will be attended by the PCBU representative who will either authorise the Committee's recommendations or forward them to management for consideration.

Health and Safety members are available to discuss WHS concerns an employer may have, in the first instance however, Supervisor should always be notified of concerns and documented.

14. WALGETT SHIRE COUNCIL CODE OF CONDUCT

14.1 Code of Conduct

The Code sets out standards of behaviour for Councillors, Council Employees and Delegates of Council. An initial Code of Conduct was adopted by Council on 15 July 2008. The Code continues to be amended and updated.

The Code applies to elected Councillors, the General Manager and Council staff.

14.2 Key Principles

The Code of Conduct for Local Councils is based on the following eight key principles.

- Integrity
- Leadership
- Selflessness
- Objectivity
- Accountability
- Openness
- Honesty
- Respect

14.3 General Conduct Obligations

Under the Code, as a Council employee, you are to observe the following general conduct obligations in carrying out your duties:

- Avoid conduct that is improper or unethical
- Avoid conduct that is an abuse of power or otherwise amounts to misconduct
- Avoid acts of disorder
- Avoid acts of misbehaviour
- Do not act contrary to the Local Government Act 1993 or Regulations.
- Observe Council Policies and Procedures
- Avoid actions detrimental to the Council Charter
- Exercise your powers in a proper and responsible manner
- Avoid acting in a biased or prejudicial manner
- Treat people with respect
- Do not harass colleagues or members of the public.

ACKNOWLEDGMENT STATEMENT

This is to acknowledge that I have read and understood this manual and am familiar with my rights and responsibilities, Council's responsibilities to me as an employer and the expectations of my internal customers (directors, supervisors, work colleagues etc) and those of the external customers (e.g. general public).

I have had ample opportunity to discuss the Manual with my Director and/or Supervisor as well as with Human Resources.

Employees Name: _____

Employees Position Title: _____

Employees Signature: _____

Date: _____

Human Resources Manager: _____
(Name)

Human Resources Manager: _____
(Signature)

Date: _____

STAFF INDUCTION PROCEDURES

The Staff Inductions will be held in three stages as follows:

Initial Staff Induction

The Supervisor or Human Resources will conduct the initial induction to the Council on confirmation of placement of an employee, prior to the actual start date if possible.

The Staff Induction Checklist is to be completed and signed off. This checklist will be placed on the employee's file.

If the employee has any literacy issues, Human Resources will make every effort to address the issue thereby ensuring fairness and equity in the induction process.

Supervisor/Director Induction Checklist

Once the initial induction has been completed, Human Resources will contact the new employee's Supervisor/Director to carry out the second stage of the induction (induction to the Department). Once this has been completed the employee should return the form back to Human Resources.

Completion of Probation Period

All employees will complete 4 week, 8 week and a Three (3) month (to be completed at 11 weeks) Employment Probationary reviews with their supervisor.

The probationary period will be 3 months.

The employee will be provided a letter from Human Resources advising the outcome of the 3 month review and confirmation or otherwise of their Probationary and the salary grade assessed at the three month (completed at 11 weeks) review.

Basic knowledge of the Staff Induction Manual will form part of the probationary period.

STAFF INDUCTION CHECKLIST

Checklist	Completed
Sign On	
Commencement of Employment Details	
Tax File Number Declaration and Bank Details	
Superannuation Scheme Form	
Signed Deduction Forms	
Rental and/or Motor Vehicle Deductions	
Appointment Letter	
Staff Induction Manual	
Pre-Employment Medical	
Hearing Test (if applicable)	
Working with Children Check	
Drivers Licence and Tickets (copies of licences)	
Keys / Alarms	
Working Conditions	
Pay Days	
Leave Entitlements	
Any Allowances Payable	
Job Performance	
Probationary Periods	
Position Description	
Staff Appraisals	
Employee Awards	
Training & Development	
Council Obligations	
Employee Obligations	
Code of Conduct	
Policies and Procedures	
What are they	
Where to obtain them	
Safety Awareness	
WH&S Induction – First aid, fire extinguishers, emergency evacuation, defibrillators, duress alarms	
Reporting - Incidents / Accidents	
Risk Management	
Fire Wardens (indoor)	

Employee's Name: _____

Employee's Signature: _____ Date: _____

Human Resources Officer signature: _____ Date: _____

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SUPERVISOR / DIRECTOR'S INDUCTION CHECKLIST

This part of the induction is to be completed by the Director/Supervisor. Following this induction the employee must return the completed form to Human Resources for confirmation that the process has been carried out satisfactorily.

Checklist	Completed
Working Conditions	
Start and Finish Times	
Meal Breaks/including morning and afternoon tea breaks	
Flexi Days	
Indoor Staff Flextime Agreement	
Keys / Alarms	
Outside Employment	
Use of Council Mobile Phones	
Overtime	
Higher Duties and Additional Duties	
Job Performance	
Expectations and Standards	
Communication	
Access to Server and HPE MANAGER (RECORDS) Training	
Telephone	
Internet and Email	
Internal Phone Numbers	
Mail and <u>Stationary</u>	
Environment	
Emergency Instructions and Exits	
Fire Extinguishers	
First Aid/ Defibrillators	
Smoking	
Safety Awareness	
Drug and Alcohol	
UV Protection	
Uniform Requirements	
Uniforms and PPE	
Safety Equipment	

Employees Name & Signature: _____

Supervisor's Name & Signature: _____

Date: _____

Date Revised: September 2022 (Trim 09/1479-03/0035)

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ANNEXURE A – APPLICATION FOR LEAVE

WALGETT SHIRE COUNCIL
APPLICATION FOR LEAVE

Annual Leave, Long Service Leave and Leave Without Pay applications must be submitted a minimum of fourteen (14) days in advance.
The General Manager
Walgett Shire Council
WALGETT 2832

Date: _____

Dear Sir

Re: Application for leave

☐ Annual Leave ☐ Long Service Leave ☐ Leave Without Pay

Reason for Notice not given:

☐ Sick Leave ☐ Carers Leave
(place what piece of illness, or carers leave, etc.)

☐ Bereavement Leave
(date of _____)

☐ Time In Lieu/Flex ☐ Absent Without Leave
(Failure to Notify Super - 1 day)

☐ Parental Leave
(See Human Resources Manager for more information)

From _____ am/pm _____ (date)

To _____ am/pm _____ (date)

Total working hours = _____ **OR** days = _____

Public Holidays = _____ Total days = _____

☐ Please tick if you require payment in advance for all Annual Leave and Long Service Leave applied for. **OR** ☐ Paid fortnightly

Name in block letters _____ Employee No _____ Signature _____

OFFICE USE ONLY

Paycheck - Leave Available YES ☐ / NO ☐ (Signed _____)

Pay Day _____

Approved / Not Approved _____ (if leave available)
Responsible Officer _____


Leave Register _____ Entered by _____

Leave Balance _____

Approved / Not Approved _____ (if required)
General Manager _____

Revised 20 May 2019

ANNEXURE B – INCIDENT REPORT FORM PAGE 1 of 2

 Walgett Shire Council Hazard/Incident Report Form	
Part A. This form must be lodged before end of shift	
Person Reporting The Incident	
Person Type: <input type="checkbox"/> Apprentice <input type="checkbox"/> Casual <input type="checkbox"/> Contractor <input type="checkbox"/> Employee <input type="checkbox"/> Part-Time <input type="checkbox"/> Supervisor	
First Name:	Surname:
Phone:	Signature:
Incident Details	
Incident Type: <input type="checkbox"/> Incident with injury <input type="checkbox"/> Incident without injury <input type="checkbox"/> Hazard <input type="checkbox"/> Near Miss	
Description of Incident/Hazard:	Plant no.
Date of Incident: _____ Time of Incident: _____	
Location of Incident/Hazard:	
Date submitted to Director:	Investigation required: Yes <input type="checkbox"/> No <input type="checkbox"/>
Director Name:	Signature: _____ Date: _____
Part B. Injury Details: Only complete for 'incident - with injury' otherwise move to Part C.	
Injured Person	
Person Type: <input type="checkbox"/> Apprentice <input type="checkbox"/> Casual <input type="checkbox"/> Contractor <input type="checkbox"/> Employee <input type="checkbox"/> Part-Time <input type="checkbox"/> Supervisor	
First Name:	Surname:
Phone:	
Level of Treatment	
<input type="checkbox"/> Report Only <input type="checkbox"/> First Aid <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Lost time	
Nature of Injury: <input type="checkbox"/> Cut <input type="checkbox"/> Bruising <input type="checkbox"/> Bite/sting <input type="checkbox"/> Burn <input type="checkbox"/> Fracture <input type="checkbox"/> Other	
Body Location:	
Mechanism of injury:	
Description of Injury:	
Specific Task being performed at time of incident:	
Description of Treatment provided:	
Name of First Aider:	Phone:

Part C.																																				
Contributing Factors																																				
<input type="checkbox"/> Lack of or inadequate plant/equipment			Details:																																	
<input type="checkbox"/> Lack of or inadequate procedures/training			Details:																																	
<input type="checkbox"/> Lack of or inadequate management/supervision			Details:																																	
<input type="checkbox"/> Inappropriate actions and /or behaviour			Details:																																	
<input type="checkbox"/> Lack of or inadequate management system			Details:																																	
<input type="checkbox"/> Other			Details:																																	
Cause of Incident / Hazard:																																				
Risk Assessment																																				
<table border="1" style="margin: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="2" rowspan="2"></th> <th colspan="4" style="background-color: #d9e1f2;">Consequence</th> </tr> <tr> <th style="background-color: #d9e1f2;">Major</th> <th style="background-color: #d9e1f2;">Moderate</th> <th style="background-color: #d9e1f2;">Minor</th> <th style="background-color: #d9e1f2;">Insignificant</th> </tr> </thead> <tbody> <tr> <td rowspan="4" style="background-color: #f2f2f2; text-align: center; vertical-align: middle;">Likelihood</td> <td style="text-align: center;">A</td> <td style="background-color: #ff0000; color: white; text-align: center;">H</td> <td style="background-color: #ff0000; color: white; text-align: center;">H</td> <td style="background-color: #ff0000; color: white; text-align: center;">M</td> <td style="background-color: #ffff00; text-align: center;">M</td> </tr> <tr> <td style="text-align: center;">B</td> <td style="background-color: #ff0000; color: white; text-align: center;">H</td> <td style="background-color: #ff0000; color: white; text-align: center;">M</td> <td style="background-color: #ffff00; text-align: center;">M</td> <td style="background-color: #ffff00; text-align: center;">M</td> </tr> <tr> <td style="text-align: center;">C</td> <td style="background-color: #ff0000; color: white; text-align: center;">M</td> <td style="background-color: #ffff00; text-align: center;">M</td> <td style="background-color: #ffff00; text-align: center;">M</td> <td style="background-color: #92d050; text-align: center;">L</td> </tr> <tr> <td style="text-align: center;">D</td> <td style="background-color: #ffff00; text-align: center;">M</td> <td style="background-color: #ffff00; text-align: center;">M</td> <td style="background-color: #92d050; text-align: center;">L</td> <td style="background-color: #92d050; text-align: center;">L</td> </tr> </tbody> </table>								Consequence				Major	Moderate	Minor	Insignificant	Likelihood	A	H	H	M	M	B	H	M	M	M	C	M	M	M	L	D	M	M	L	L
		Consequence																																		
		Major	Moderate	Minor	Insignificant																															
Likelihood	A	H	H	M	M																															
	B	H	M	M	M																															
	C	M	M	M	L																															
	D	M	M	L	L																															
Consequence: <input type="checkbox"/> Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Major <input type="checkbox"/> Severe Likelihood: <input type="checkbox"/> Unlikely <input type="checkbox"/> Possible <input type="checkbox"/> Likely <input type="checkbox"/> Almost Certain <input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low																																				
For Medium and High Risks, corrective actions must be taken as soon as possible																																				
Corrective Actions																																				
Corrective Action/s Descriptions																																				
Supervisor Name:			Signature:																																	
Person Responsible:			Signature:																																	
Action/s Completed: <input type="checkbox"/> Yes <input type="checkbox"/> No			Target date for completion / /																																	
Tabled at WHS Committee Meeting			Date:																																	
Trim No.																																				

ANNEXURE C – DEDUCTION FORM



AUTHORITY TO MAKE A DEDUCTION FROM STAFF SALARY/WAGES

NAME: _____ EMPLOYEE No: _____

☐ RATES ASSESSMENT NUMBER _____

☐ WATER BILLING ASSESSMENT NUMBER _____

☐ DEBTOR FOR _____ (EG: RENT/BOND/CAR/UNIFORM)

DEBTOR NUMBER _____

☐ BANK ACCOUNT

ACCOUNT NAME _____

BANK NAME _____ BRANCH NAME _____

BSB : _____ ACCOUNT NUMBER: _____

REFERENCE: _____ (if Required)

AMOUNT \$ _____ PER PAY

FOR _____ PAYS OR ☐ UNTIL FURTHER NOTICE

COMMENCEMENT DATE OF DEDUCTION _____

**IN THE EVENT THAT MY DEBT TO WALGETT SHIRE COUNCIL IS NOT PAID, I HEREBY GIVE
AUTHORITY TO HAVE THE OUTSTANDING AMOUNT DEDUCTED FROM ANY FINAL
PAYMENT DUE TO ME ON TERMINATION.**

SIGNATURE: _____ WITNESS: _____

DATE: _____ DATE: _____

FOR OFFICE USE ONLY

*PLEASE NOTIFY ACCOUNTS RECEIVABLE

DATE POSTED: _____

DETAILS ENTERED BY _____



AUTHORISATION TO OPERATE CONSTRUCTION PLANT / VEHICLES / EQUIPMENT PROCEDURE

Approval Date:

Next Review Date: December 2025

Responsible Officer: Director of Engineering/ Technical Services

Policy Statement

Walgett Shire Council is committed to the health and safety of its staff and wider community by ensuring that all council plant, vehicles and equipment are operated by trained and accredited staff members and contractors.

Objective

To ensure that all persons operating Council's Construction plant, vehicles, and equipment are appropriately trained, licensed, and supervised.

Council Policy Reference

Work Health and Safety

Statutory Requirements

NSW Local Government Act 1993
Local Government (State) Award 2020
Work Health and Safety Act 2011
Road Transport (Driver Licensing) Act 1999

Related Policy/Procedure

Work Health and Safety
Risk Management and Insurance

Authorisation to Operate Construction Plant / Vehicles / Equipment

1. Limitations

This procedure provides the means by which any person is authorised to operate the following plant and vehicles owned or under the control of Council:

- a) Motor vehicles of any kind, whether or not registered for on-road use.
- b) Motorised construction or landscaping plant registered for on-road use OR with a gross mass exceeding 500kg.

The procedure applies to all persons engaged after 15 November 2009 and to all existing staff from 1 March 2010.

2. Controls

A person must undertake an assessment with the Support Services Coordinator, OH&S and Risk Assessment Officer or their delegate and receive approval from the Director Rural Infrastructure and Support Services.

The assessment will be in the form of a desk-top review of current licenses and a driving/operating assessment undertaken by a suitably qualified and experienced person.

The assessment must identify each class of vehicle and plant, including specific purpose plant that the person may use, including whether they are restricted to operation under supervision (or learner) conditions.

The results of these assessments will be documented on the form in Attachment A – Vehicle / Plant Authorisation.

Only persons who have a "Competent" Authorisation on the same item of plant, vehicle or equipment shall supervise (learner) persons requiring supervision.

3. Responsibilities

HR Manager

- Will ensure that all new employees who are licensed drivers undertake an assessment.
- Will ensure that systems are put in place to monitor the expiry of Licenses held by employees and confirm their renewal or otherwise prior to expiry.

Supervisors & Site Gangers

- Will ensure that all persons in their crew(s) only operate plant, vehicles, and equipment for which they have Authorisation.
- Will ensure that all persons in their crew(s) operate plant, vehicles, and equipment in accordance with the manufacturers' operating manuals and Council Procedures.
- Will ensure that all persons operating plant, vehicles, and equipment under Supervision receive adequate supervision and cease to operate the item if such supervision is unavailable.

All Staff

- Will ensure that they obtain authorisation of an item of plant, vehicle, or equipment before commencing operation, including operation under supervision/learning.

- Will ensure that plant, vehicles, and equipment which they operate are inspected prior to use and any defects or service requirements are reported to the Council Workshop.
- Will ensure that any plant, vehicle, or equipment that is or becomes unsafe to operate is taken out of service immediately and tagged "Do Not Operate" until it is inspected by the Council Workshop or other authorized person.
- Will advise the OH&S and Risk Management Officer immediately upon the expiry, renewal, or loss of any License that is required to operate particular class of plant or vehicle.

Attachment A – Vehicle / Plant Authorisation

This Authorisation Expires 24 Months from Date of Approval OR upon Request for a new Assessment

OPERATOR:					
Plant Class	<u>License</u> ⁽¹⁾	Under Supervision ⁽²⁾	Partially Competent	Competent ⁽³⁾	Assessor ⁽⁴⁾
Vehicle Class <u>R</u> ⁽⁴⁾		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vehicle Class <u>C</u> ⁽⁴⁾ Excluding Trailers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vehicle Class <u>LR</u> ⁽⁴⁾ Excluding Trailers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vehicle Class <u>MR</u> ⁽⁴⁾ Excluding Trailers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vehicle Class <u>HR</u> ⁽⁴⁾ Excluding Trailers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vehicle Class <u>HC</u> ⁽⁴⁾		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vehicle Class <u>MC</u> ⁽⁴⁾		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Public Passenger Vehicle		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Light Trailers (<9T ATM)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:

WSC Procedure WR – Authorisation to Operate Construction Plant / Vehicles / Equipment – Attachment A – Authorisation / Assessment

OPERATOR:					
Plant Class	<u>License</u>⁽¹⁾	<u>Under Supervision</u>⁽²⁾	<u>Partially Competent</u>	<u>Competent</u>⁽³⁾	<u>Assessor</u>⁽⁴⁾
Grader (ERG Class MG9) ⁽⁴⁾		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Static Rollers (ERG Class RR9) ⁽⁴⁾		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vibrating <u>Rollers</u> ⁽⁴⁾ (ERG Class RR9)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Wheel <u>Loader</u> ⁽⁴⁾ (ERG Class WL5)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Wheel <u>Loader</u> ⁽⁴⁾ (ERG Class WL9)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Skidsteer <u>Skidsteer Loader (Wheeled)</u> ⁽⁴⁾ (ERG Class SSL5)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Skidsteer <u>Skidsteer Backhoe/Loader</u> ⁽⁴⁾ (Tracked) (ERG Class SSL6)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Wheel Backhoe/ <u>Loader</u> ⁽⁴⁾ (ERG Class BL4)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Towed Road Broom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Skidsteer Road Broom Attachment		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:

WSC Procedure WR – Authorisation to Operate Construction Plant / Vehicles / Equipment – Attachment A – Authorisation / Assessment

OPERATOR:					
Plant Class	<u>License</u>⁽¹⁾	<u>Under Supervision</u>⁽²⁾	<u>Partially Competent</u>	<u>Competent</u>⁽³⁾	<u>Assessor</u>⁽⁴⁾
Skidsteer Planer Attachment		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Hydraulic Hammer Attachment		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Tractor (50kW) ⁽⁴⁾		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Mower (<u>self propelled</u> >500kg)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Slasher		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Road Sweeper / Suction Vehicle		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Side Loading Garbage Collection Truck		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Automated Bitumen Patching/Sealing Truck		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Water Cart		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Tipping Body Truck (Class HR & above)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:

WSC Procedure WR – Authorisation to Operate Construction Plant / Vehicles / Equipment – Attachment A – Authorisation / Assessment

OPERATOR:					
Plant Class	<u>License</u>⁽¹⁾	<u>Under Supervision</u>⁽²⁾	<u>Partially Competent</u>	<u>Competent</u>⁽³⁾	<u>Assessor</u>⁽⁴⁾
Truck Mounted Crane (<900kg)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
<u>Fork Lift</u> (Class VII)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Plant Float		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Vibratory Tandem Roller (ERG Class RR1)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Plate Compactor		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Air Compressor & Tools (>500kg)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Chainsaw		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Laser/GPS Equipped Plant		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:
Laser Leveling tools		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name:

WSC Procedure WR – Authorisation to Operate Construction Plant / Vehicles / Equipment – Attachment A – Authorisation / Assessment

- (1) Record License Number and Expiry Date
- (2) Person Must qualify to operate as a Learner (refer RTA, WorkCover Manuals), includes all persons with Learner or Provisional Licenses. Person must be under direct Supervision of Competent Operator at all times.
- (3) Person Must qualify to Supervise Learners (refer RTA, WorkCover Manuals), in addition to being skilled in all aspects of operating the plant / vehicle / equipment class. Authorisation at this level is at the discretion of the Director.
- (4) Excludes purpose-specific plant or vehicles such as Garbage Trucks, Street Sweepers, Laser/GPS Equipped Plant, Plant assessed separately.

Operator:					
Assessment Recommended for Approval			Approval		
OH&S Officer	Date		Director Rural Infrastructure & Support Services	Date	

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
	Reviewed	

Building Near Council Water, Sewerage or Stormwater Systems

WSC – Policy – Building Near Council Water, Sewerage or Stormwater Systems



BUILDING NEAR COUNCIL WATER, SEWERAGE OR STORMWATER SYSTEMS POLICY

Adoption Date:

Next Review Date: December 2025

Responsible Officer: Director Engineering/Technical Services

POLICY STATEMENT

Walgett Shire Council is committed to ensuring inappropriate development does not have a significant detrimental impact on its' ability to operate cost effective water supply, sewerage drainage and stormwater drainage infrastructure.

OBJECTIVES:

- To minimise Council's costs when constructing and maintaining its' water supply, sewerage drainage and stormwater drainage infrastructure.
- To protect buildings and Council's infrastructure from risks that arise when they are in proximity.

BACKGROUND:

Walgett Shire Council owns, operates, and maintains a significant network of water supply, sewerage/effluent, and stormwater drainage infrastructure within urban areas in the Shire. This includes pipes, manholes, culverts, pumping stations, open channels, etc.

Pipe systems can be composed of one, or both, of the following types:

- Gravity fed: Most water supply, sewerage/effluent and stormwater pipes are gravity fed.
- Pressurised: Parts of some water and sewerage/effluent systems are pressurised by mechanical pumping (where gravity feeding is not possible).

Infrastructure may be located on public or privately owned land. In general terms most of Council's water supply and stormwater drainage systems are on public land, while most of the sewerage/effluent systems are on private land.

In a minority of cases on private land, Council's infrastructure is legally protected via easements. In other cases, Council is legally empowered to maintain its infrastructure under Section 59A of the Local Government Act 1993.

Buildings and structures located over or near pipe systems inevitably impede Council's ability to monitor, repair, replace or upgrade those systems.

STRATEGIES:

Council will apply various strategies to ensure that its objectives for water and drainage infrastructure are met, as outlined below.

Easements and development consent conditions

When approving certain Development Applications Council will usually impose a condition of development consent requiring an easement to be established over any Council water main, sewerage main or stormwater drains that pass-through privately-owned land. This includes developments where:

- An alteration to a Deposited Plan is proposed by the applicant. For example, a subdivision, strata subdivision, boundary adjustment or consolidation of lots.
- A significant new commercial building, or land use, is proposed.

In the abovementioned circumstances, development consent conditions will be used:

- Where the Council drainage system is 1.5 metres or less below ground, to require the establishment of an easement with a width of 3.0 metres that is centred over Council's drainage system.
- Where the Council drainage system is more than 1.5 metres below ground level, to require the establishment of an easement of a width that is appropriate for the circumstances involved. The width will be determined by Council's Director of Urban Infrastructure after considering the expected zone of influence (see Figure 1 below) .

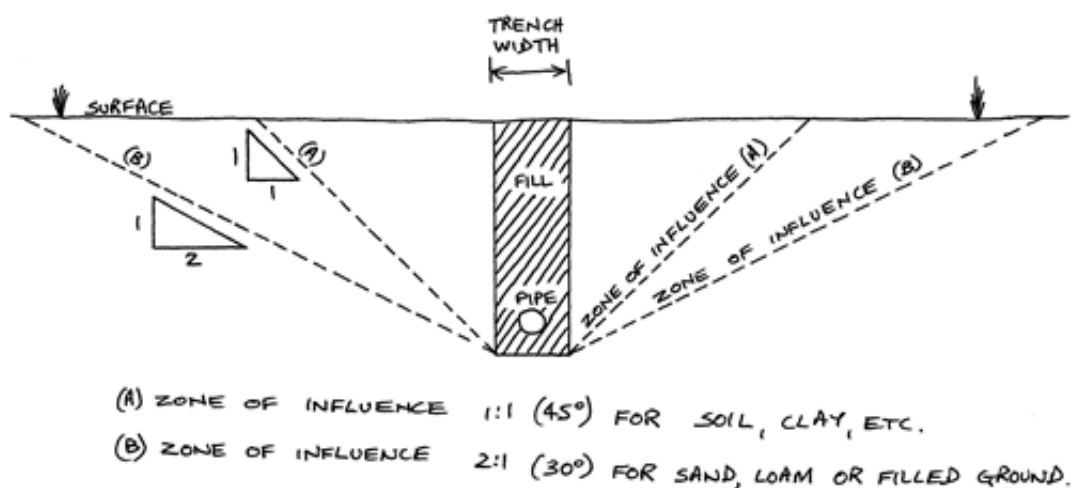


Figure 1 – Walgett Shire Council's adopted zone of influence

The party undertaking the development is responsible for complying with any conditions of development consent. As a result, they also bear the costs associated with establishing an easement under any development consent.

Building restrictions

Council will have regard for the following general principles when considering any Development Application involving structures proposed to be erected near Council's water or drainage infrastructure:

1. It is not appropriate to permit a structure or building to encroach on an easement (including eaves).
2. It is not appropriate to compromise maintenance access by allowing a substantial structure or building to be constructed within the applicable zone of influence (see Figure 1).
3. It is not appropriate to compromise maintenance access where there is no significant public benefit.

4. It may be acceptable to permit certain minor, light or demountable structures within the applicable zone of influence, if the applicant can demonstrate that:
 - a) Maintenance access to the relevant system will not be significantly hindered, and.
 - b) It is not practical to build the structure elsewhere on the land.
5. Usually, a developer will have alternative sites within their land where they can locate structures clear of any easement or zone of influence.
6. It is not appropriate to approve the construction of a structure over a system which will result in Council subsequently incurring additional costs due to need a need to use specialised equipment or techniques for future maintenance and replacement work.

Relocation of drainage systems

In certain circumstances Council may be prepared to consider the relocation of a public water supply or drainage system to enable a development to proceed where:

- The developer is prepared to fund the full cost of the relocation.
- There is no viable alternative.
- A significant commercial development is involved.

Unauthorised structures

Periodically a structure may be constructed within a zone of influence, or within an easement, without appropriate approval under the Environmental Planning and Assessment Act 1979. In such circumstances Council will take any action that is appropriate to ensure that the relevant structure is demolished, moved, or substantially modified to comply with the principles of this policy.

If Council undertakes work on a water supply or public drainage system which adversely affects an unauthorised structure, Council will not accept liability for restoring the structure. Council may also seek to charge the landowner for any extra work required to be undertaken due to the presence of the structure.

POLICY IMPLEMENTATION PROCEDURES, GUIDELINES AND DOCUMENTS

Local Government Act 1993.
Environmental Planning and Assessment Act 1979.
NSW Plumbing and Drainage Code of Practice.

RELATED WSC POLICIES

Local Approvals Policy.

VERSION HISTORY

Version	Date	Author	Section	Page	Changes
1.0	Feb 2010	DPRS	All	All	Policy created after a review of similar policies maintained by other NSW Councils.

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
	Reviewed	



CONDITIONS FOR HIRE OF COUNCIL PLANT AND VEHICLES WITHOUT OPERATORS PROCEDURE

Approval Date:

Next Review Date: December 2025

Responsible Officer: Director Engineering/Technical Services

Policy Statement

Walgett Shire Council is committed to the care of its plant, vehicles and equipment to ensure proper safe use and longevity, in order to ~~minimise~~ any unnecessary repair and replacement costs to its ratepayers.

Objective

Walgett Shire Council will ensure that any plant hired without an operator is undertaken in such a manner that:

1. Council meets its occupational health and safety obligations.
2. The plant always remains insured for theft or damage.
3. The custody of the plant is always identified; and
4. Council's liability for third party damage is insured.

Council Policy Reference

Risk Management and Insurance
Work Health and Safety Policy

Statutory Requirements

[Local Government Act 1993](#)

[Local Government \(General\) Regulation 2021](#)

[Local Government Code of Accounting Practice and Financial Reporting](#)

Related Policy/Procedure

Quoting Council Plant and Vehicle Hire

Conditions for Hire of Council Plant and Vehicles Without Operators

Limitations

- 1) Only Plant and Vehicles specified in Procedure Quoting Council Plant and Vehicle Hire may be hired without an operator(s).
- 2) Plant and Vehicles may only be picked up and returned during Council's normal business hours.

Conditions

- 1) A written application for hire without an operator must be received at least one (1) working day prior to the hire with complete documentation satisfying these conditions.
- 2) The application must contain documentary evidence of the following:
 - a. A description of the plant or vehicle being hired and the proposed dates and times at which it is to be picked up and returned.
 - b. Name and license details of the operator who will take responsibility for the plant or vehicle, including any relevant WorkCover licenses demonstrating that the operator is licensed to use and/or transport the plant or vehicle.
 - c. Details of any vehicle that will be used to transport the plant or vehicle demonstrating that it is suitably registered, specified to carry or tow the plant or vehicle, and a declaration that the operator has inspected the vehicle and declares it to be roadworthy.
 - d. Details of the vehicle and other insurance policies confirming their currency, and that the plant or vehicle being hired will be insured for any damage caused to it or to third parties throughout its transport.
 - e. Evidence of the currency of Public Liability Insurance of a limit minimum of \$10,000,000 any one event held by the hirers of the plant or vehicle and covering the activities that will be undertaken with the plant or vehicle.
 - f. A declaration stating that the operator accepts liability for any insurance excess payable as a result of any event that occurs during the transport of the plant or vehicle and for any uninsured loss suffered by Council as a result of the operator's act or omission during the transport of the plant or vehicle.
- 3) The operator must complete any required pre-hire plant inspection and induction/plant issue procedures with Council's designated officer prior to pick up AND upon return of the plant or vehicle.

Procedure Review History

Date	Changes Made	Approved By
24 November 2009	Procedure developed and endorsed by Council	CM 373/09
13 December 2022	Review	DETS

Cost Margins and Overheads on Council Works and Services

WSC - Procedure – Cost Margins & Overheads on Council Works and Services



COST MARGINS & OVERHEADS ON COUNCIL WORKS AND SERVICES PROCEDURE

Approval Date:

Next Review Date: December 2025

Responsible Officer: Director Engineering/Technical Services

Policy Statement

Walgett Shire Council is committed to ensuring proper financial management of all expenditure for Council works and services by structuring overhead and margin rates which cover all employee entitlements and meet the National Competition Policy requirements for competitive neutrality.

Objective

Walgett Shire Council will define the minimum rates of overheads and margins that are to be applied to the costs of Council works and services.

Council Policy Reference

Purchasing Policy

Statutory Requirements

[Local Government Act 1993](#)

[Local Government \(General\) Regulation 2021](#)

[Local Government Code of Accounting Practice and Financial Reporting](#)

Related Policy/Procedure

Financial Management and Control

Fraud Control

Quoting Council Plant and Vehicle Hire

Quoting Contract Civil Works and Services

Cost Margins & Overheads on Council Works and Services**Overhead and Margin Rates**

Margin	Rate	Applied to	Purpose
Labour on-cost	46.0%	Wages & Salary Rates including overtime	Cover all leave, payroll, and related entitlements
Full-service Sub-contract Administration	2.5%	Contract Price of Service	Cover financial administration and management
Project Management Only	5.0%	Contract Prices where a consultant is providing design, documentation, & construction surveillance	Cover financial administration and management
General Administration	22.0%	All Labour (including on-cost), plant, materials, other than full-service sub-contracts, and Project Management Only activities	Cover financial administration, management, and staff training
Profit Margin – Civil Works & Building	1%	Additional margin applied to all costs (including margins) for private works projects	Meet National Competition Policy requirements for competitive neutrality
Profit Margin – Supply of Goods/Materials	30%	Additional margin applied to all costs (including margins) for private works projects	Meet National Competition Policy requirements for competitive neutrality

Procedure Review History

Date	Changes Made	Approved By
August 2009	Procedure Developed	Ray Kent - General Manager
November 2010	Profit Margin for Civil Works Added	

Discharge of Liquid Trade Waste

WSC – Policy – Discharge of Liquid Trade Waste



DISCHARGE OF LIQUID TRADE WASTE POLICY

Adoption Date:

Next Review Date: December 2024

Responsible Officer: Director Engineering/Technical Services

PURPOSE:

Sewerage systems are generally designed to cater for waste from domestic sources that are essentially of predictable strength and quality. Council *may* accept trade waste into its sewerage system as a *service* to businesses and industry.

Liquid trade wastes may exert much greater demands on sewerage systems than domestic sewage and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment.

Impacts of poor liquid trade waste management include:

- Grease, oil, solid material, if not removed on-site, can cause blockages in the sewerage system and result in overflows of untreated sewage to the environment.
- Strong waste may cause odour problems and corrosion of sewer mains, pumping stations and sewage treatment facilities.

This policy is concerned with the approval process for liquid trade wastes discharged into Council's sewerage system and the levying of appropriate sewerage and liquid trade waste fees and charges. It has been developed to ensure the proper control of liquid trade waste discharged to the sewerage system and hence protection of public health, worker safety, the environment, and Council's sewerage system. The policy also promotes waste minimisation and water conservation.

A person wishing to discharge liquid trade waste to the sewerage system must, under section 68 of the *Local Government Act 1993*, obtain prior approval from Council. Discharging liquid trade waste without an approval is an offence under section 626 of the *Act*.

The procedure for approval is governed by Chapter 7 of the *Local Government Act (Act)* and is subject to the *Local Government (General) Regulation 2005 (Regulation)*.

Under section 28 of the *Regulation*, a council must not grant an approval under section 68 of the *Act* to discharge trade waste (whether treated or not) into a sewer of the council unless the Director-General of the Department of Water and Energy (DWE) has concurred with the approval.

Under section 90 (2) of the *Act*, the Director-General, DWE, may give the council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

OBJECTIVES:

The objectives of this policy are:

- to protect public health.
- to protect the health and safety of Council employees.
- to protect the environment from the discharge of waste that may have a detrimental effect.
- to protect Council assets from damage.
- to assist Council to meet its statutory obligations.
- to provide an environmentally responsible liquid trade waste management service to the non-residential sector.
- to encourage waste minimisation and cleaner production in the commercial and industrial sectors.
- to promote water conservation.
- to ensure that reuse of the sewage treatment works effluent or biosolids is feasible.
- to ensure compliance of liquid trade waste discharge with the approved conditions.
- to provide operational data on the volume and composition of industrial and commercial effluent to assist in the operation of the sewerage system and the design of augmentations or new sewerage systems; and
- to ensure commercial provision of services and cost recovery through appropriate sewerage and liquid trade waste fees and charges.

SCOPE

This policy comprises three parts:

- Part 1 specifies the circumstances in which a person is exempt from the necessity to apply for an approval to discharge liquid trade waste to the sewerage system.
- Part 2 specifies the criteria which Council will take into consideration in determining whether to give or refuse a liquid trade waste approval; and
- Part 3 specifies other matters relating to liquid trade waste approvals, including application procedures, liquid trade waste discharge categories, liquid trade waste services agreements, monitoring of liquid trade waste discharges, liquid trade waste fees and charges, modification or revocation of approvals, prevention of waste of water and contaminated stormwater discharges from open areas.

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Glossary of terms

Assumed Concurrence: Council may apply to the Department of Water and Energy, (DWE) for delegation to assume concurrence for Classification B or Classification S activities. If granted, Council will no longer need to forward such applications to DWE for concurrence.

Automatic Assumed Concurrence: Councils have been authorised to assume DWE concurrence for Classification A activities. Such applications may be approved by Council without forwarding the application to DWE for concurrence.

Bilge Water: minor amounts of water collecting in the bilge of a vessel from spray, rain, seepage, spillage, and boat movements. Bilge water may be contaminated with oil, grease, petroleum products and saltwater.

Biochemical Oxygen Demand (BOD₅): The amount of oxygen utilised by micro-organisms in the process of decomposition of organic material in wastewater over a period of five days at 20°C. In practical terms, BOD is a measure of biodegradable organic content of the waste.

Biosolids: Primarily organic solid product produced by sewage processing. Until such solids are suitable for beneficial use, they are defined as wastewater solids or sewage sludge.

Bunding: Secondary containment provided for storage areas, particularly for materials with the propensity to cause environmental damage.

Chemical Oxygen Demand (COD): A measure of oxygen required to oxidise organic and inorganic matter in wastewater by a strong chemical oxidant. Wastewaters containing high levels of readily oxidised compounds have a high COD.

Chemical Toilet: Toilet in which wastes are deposited into a holding tank containing a deodorizing or other chemicals; wastes are stored and must be pumped out (and chemical recharged) periodically.

Commercial Kitchen/Caterer: For the purpose of these Guidelines, a commercial kitchen is a premises that is typically a stand-alone operation and prepares food for consumption off-site. These types of businesses typically cater to wedding functions, conferences, parties, etc. This definition would not apply to a food processing factory supplying pre-prepared meals to an airline company or similar.

Contingency Plan: A set of procedures for responding to an incident that will affect the quality of liquid trade waste discharged to the sewerage system. The plan also encompasses procedures to protect the environment from accidental and unauthorised discharges of liquid trade waste to the stormwater drainage system, and leaks and spillages from stored products and chemicals.

Director-General: Director-General means the Director-General, DWE.

Due Diligence Program: A plan that identifies potential health and safety, environmental or other hazards (eg. spills, accidents, or leaks) and appropriate corrective actions aimed at minimising or preventing the hazards.

DWE Concurrence is required before a council may approve an application for the discharge of liquid trade waste or septic tank and pan waste to the sewerage system. It

is a requirement under section 90(1) of the *Local Government Act* and clause 28 of the *Local Government (General) Regulation 2005* that council obtain the written concurrence of the Director-General of the Department of Water and Energy (DWE) prior to approving such waste to be discharged to the council's sewerage system.

Effluent: The liquid discharged following a wastewater treatment process.

Effluent Improvement Plan (EIP): The document required to be submitted by a discharger who is not meeting the acceptance limits for discharge waste quality set down in Council's approval conditions and/or liquid trade waste agreement. The document sets out how a discharger will meet the acceptance limits for the discharge of liquid trade waste to the sewerage system within a given timeframe.

Galley Waste: In this Policy, a liquid waste from a kitchen or a food preparation area of a vessel; solid wastes are excluded.

Heavy Metals: Metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain. Examples include mercury, chromium, cadmium, arsenic, nickel, lead and zinc.

Housekeeping: is a general term, which covers all waste minimisation activities connected with the way in which operations within the premises are carried out.

Industrial Discharges: Industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes.

Local Government Regulation: *Local Government (General) Regulation 2005* under the *Local Government Act 1993*.

Liquid Trade Waste: Liquid trade waste means all liquid waste other than sewage of a domestic nature.

Mandatory Concurrence: For the liquid waste in Classification C, councils will need to obtain concurrence from DWE on each occasion.

Methylene Blue Active Substances (MBAS): These are anionic surfactants (see Surfactants definition) and are called MBAS as their presence and concentration is detected by measuring the colour change in a standard solution of methylene blue dye.

Minimal Pre-treatment: For the purpose of this Policy includes sink strainers, basket arrestors, plaster arrestors and fixed or removable screens.

Open Area: Any unroofed process, storage, washing or transport area potentially contaminated with rainwater and substances which may adversely affect the sewerage system or the environment.

Pan: For the purpose of this Policy "pan" means any moveable receptacle kept in a closet and used for the reception of human waste.

pH: A measure of acidity or alkalinity of an aqueous solution, expressed as the logarithm of the reciprocal of the hydrogen ion (H⁺) activity in moles per litre at a given temperature; pH 7 is neutral, below 7 is acidic and above 7 is alkaline.

Premises: Has the same meaning as defined in the *Local Government Act Dictionary* and includes any of the following:

- (a) a building of any description or any part of it and the appurtenances to it.
- (b) land, whether built on or not.
- (c) a shed or other structure.
- (d) a tent.
- (e) a swimming pool.
- (f) a ship or vessel of any description (including a houseboat); or
- (g) a van.

Prescribed Pre-treatment Equipment is defined as standard non-complex equipment used for pre-treatment of liquid trade waste, eg. a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit (refer to Table 7 of *Liquid Trade Waste Management Guidelines*, 2005).

Primary Measurement Device: A device such as a gauging pit, weir tank or flume installed in the liquid trade waste discharge line suitable for installation of instrumentation for flow measurement. In cases of commercial flows this can mean a removable section of pipe (in the fresh water supply to the trade waste area) and the installation of a check meter.

Septage: Material pumped out from a septic tank during desludging; contains partly decomposed scum, sludge, and liquid.

Septic Tank: Wastewater treatment device that provides a preliminary form of treatment for wastewater, comprising sedimentation of settleable solids, flotation of oils and fats, and anaerobic digestion of sludge.

Septic Tank Effluent: The liquid discharged from a septic tank after treatment.

Sewage Management Facility: A human waste storage facility or a waste treatment device intended to process sewage and includes a drain connected to such a facility or device.

Sewage of Domestic Nature: Includes human faecal matter and urine and wastewater associated with ordinary kitchen, laundry, and ablution activities of a household, but does not include waste in or from a sewage management facility.

Sewerage System: The network of sewage collection, transportation, treatment, and by-products (effluent and biosolids) management facilities.

Ship-to-Shore Pump-out: Liquid waste from a vessel that may be considered for disposal to the sewerage system. This includes on-board toilet wastes; galley wastes and dry dock cleaning waste from maintenance activities.

Sullage: Domestic wastewater excluding toilet waste.

Surfactants: The key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants. Anionic surfactants react with a chemical called methylene blue to form a blue-chloroform-soluble complex; the intensity of colour is proportional to concentration.

Suspended Solids (SS): The insoluble solid matter suspended in wastewater that can be separated by laboratory filtration and is retained on a filter. Previously also referred to as non-filtrable residue (NFR).

Total Dissolved Solids (TDS): The total amount of dissolved material in the water.

Waste Minimisation: Procedures and processes implemented by industry and business to modify, change, alter or substitute work practices and products that will result in a reduction in the volume and/or strength of waste discharged to sewer.

What is Liquid Trade Waste?

Liquid trade waste is defined in the Local Government (General) Regulation 2005 as below:

Liquid trade waste means all liquid trade waste other than sewage of a domestic nature.

Liquid trade waste discharges to the sewerage system *include* liquid wastes discharged from:

- business/commercial premises (eg. beautician, florist, hairdresser, hotel, motel, restaurant, butcher, service station, supermarket, dentist).
- community/public premises (including craft club, school, college, university, hospital, and nursing home).
- industrial premises.
- trade activities (eg. mobile carpet cleaner).
- any commercial activities carried out at a residential premises.
- saleyards, racecourses and from stables and kennels not associated with domestic households; and
- septic tank waste, chemical toilet waste, waste from marine pump-out facilities and established sites for the discharge of pan content from mobile homes/caravans to the sewerage system.

While septic tank, pan and ship-to-shore pump out waste are defined as trade waste, specific procedures need to be applied to their management as the waste is often transported or pump-out from its source. Accordingly, specific references to these wastes are provided in this policy where necessary.

Liquid trade waste excludes:

- toilet, hand wash basin*, shower and bath wastes derived from all the premises and activities mentioned above.
- wastewater from residential toilets, kitchens, bathrooms, or laundries (ie. domestic sewage).
- common use (non-residential) kitchen and laundry facilities in a caravan park.
- residential swimming pool backwash.
- * *Used for personal hygiene only*

PART 1 – Exemptions* - Walgett Shire Council

For Obtaining Approval of Liquid Trade Waste Discharge

TABLE 1 – EXEMPTIONS

This table lists commercial business activities that the Director-General, DWE has consented to an exemption from the requirement to apply for approval for liquid trade waste discharge to the sewerage system. Each such business must meet the standard requirements specified below. An annual trade waste fee applies to each such discharger.	
Activity	Requirements
Beautician	Nil.
Bed and Breakfast (not more than 10 persons including proprietor)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Community hall (minimal hot food)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Day care centre (no hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Delicatessen – no hot food prepared	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Dental technician (no X-ray)	Plaster arrestor required.
Doctor's surgery (plaster casts, no X-ray)	Plaster arrestor required.
Dog/cat groomer/salon	Floor waste basket & sink strainer required (see Note 3). No organophosphorus pesticides may be discharged to sewer.
Florist	Floor waste basket & sink strainer required. No herbicides/pesticides may be discharged to sewer.
Fruit and vegetable – retail	Floor waste basket & sink strainer required (see Note 3).
Funeral parlour	Floor waste basket required. Formaldehyde is not to be discharged to the sewer.
Hairdresser	Floor waste basket & sink strainer (where available).

Jewellery shop miniplate	Miniplate vessel to contain no more than 1.5 L of precious metal solution
ultrasonic washing	Nil
precious stone cutting	If: < 1000 L/d plaster arrestor required > 1000 L/d general purpose pit required

Activity	Requirements
Mixed business (minimal hot food)	Floor waste basket & sink strainer required (See Note 3). Housekeeping practices (see Note 4).
Mobile cleaning units carpet cleaning garbage bin washing	20-micron filtration system fitted to a mobile unit. Floor waste basket required. Discharge is via grease arrestor (if available).
Motel (no hot food prepared and no laundry facility)	Floor waste basket & sink strainer required (See Note 3). Housekeeping practices (see Note 4).
Nutshop	Floor waste basket & sink strainer required (see Note 3).
Optical service - retail	Solids settlement tank/pit required.
Petshop – retail	Floor waste basket & sink strainer required (see Note 2).
Pizza reheating for home delivery	Housekeeping practices (see Note 4).
Sandwich shop, salad bar, coffee shop (no hot food prepared)	Floor waste basket & sink strainer required (See Note 3). Housekeeping practices (see Note 4).
Venetian blind cleaning	Nil (see Note 2).

Notes:

1. Where "required" is used it means as required by Council.
2. If activity is conducted outdoors, the work area is to be roofed and bunded to prevent stormwater ingress into the sewerage system.
3. All drainage from floors in food preparation areas is required to pass through a basket arrestor.
4. Food preparation activities need to comply with sound housekeeping practices including:
 - (a) Floor must be dry swept before washing.
 - (b) Pre-wiping of all utensils, plates, bowls etc. to the scrap bin before washing up.
 - (c) Use of a food waste disposal unit is not permitted.

Jewellery shop miniplate	Miniplate vessel to contain no more than 1.5 L of precious metal solution
ultrasonic washing	Nil
precious stone cutting	If: < 1000 L/d plaster arrestor required > 1000 L/d general purpose pit required

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Notes:

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 - (a) Floor must be dry swept before washing.
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 - (c) Use of a food waste disposal unit is not permitted.

PART 2 – Criteria for Approval to Discharge Liquid Trade Waste into Council's Sewerage System

2.1 Factors for Consideration

Council's decision to accept liquid trade waste into the sewerage system will be based on the discharge meeting Council's requirements. When determining an application to discharge liquid trade waste into the sewerage system, Council will consider the following factors:

- The potential for the liquid trade waste discharge to impact on public health.
- The possible impacts the discharge may pose to the environment (land, water, air, noise, or nuisance factors).
- The potential impacts of the discharge on the health and safety of the Council's employees.
- The possible impact of the discharge on Council's sewerage infrastructure or sewage treatment process.
- The capability of the sewerage system (both transportation and treatment components) to accept the quality and quantity of the proposed liquid trade waste discharge.
- The impact the liquid trade waste will have on the ability of the sewerage scheme to meet Department of Environment and Climate Change (DECC) licence requirements.
- Compliance of the proposed liquid trade waste discharge with guideline limits in this policy*.
- The potential impacts of the discharge on the quality of, and management practices for, effluent and biosolids produced from the sewage treatment process.
- The adequacy of the pre-treatment process(es) to treat the liquid trade waste to a level acceptable for discharge to the sewerage system, including proposed safeguards if the pre-treatment system fails.
- Whether appropriate safeguards are proposed to avoid the discharge of other, non-approved wastes to the sewerage system.
- The adequacy of any chemical storage and handling facilities, and the proposed safeguards for preventing the discharge of chemicals to the sewerage system.
- Whether prohibited substances are proposed to be discharged.
- The potential for stormwater entering the sewerage system and adequacy of proposed stormwater controls.
- Waste minimisation and water conservation programs.
- The adequacy of the proposed due diligence program and contingency plan, where required.

* **Note:** The quality of trade waste from some low-risk commercial activities in Classification A will exceed guideline limits in Council's trade waste policy. As a higher level of pre-treatment is not cost-effective, such waste is acceptable if the discharger installs and properly operates and

maintains the required pre-treatment equipment (refer to Table 4 on page 22 and Tables 7 to 9 of *Liquid Trade Waste Management Guidelines*, 2005). Similarly, septic and pan waste may exceed some guideline limits.

2.2 Discharge Quality

Council has guideline limits for the acceptance of discharges, as set out in Table 2 on pages 15 to 17. Council may vary the guideline limits for a particular sewage treatment works. Where the guideline limits cannot be met, applicants are required to provide justification for exceeding the limits. Based on the type and the proposed contaminant levels, Council may refuse the application, or may approve it subject to an effluent improvement program, or other conditions being implemented.

2.3 Prohibited Substances

Some substances are not suitable for discharge to the sewerage system. Table 3 on page 18 sets out those substances which must not be discharged to the sewerage system. Council may not grant approval for the discharge of these substances into the sewerage system unless it is specifically approved under section 68 of the *Local Government Act*.

2.4 Stormwater Discharges from Open Areas

Stormwater is a prohibited discharge under this policy. The ingress of stormwater into the sewerage system can cause operational problems to the system and result in sewer overflows, as the sewerage system does not have the capacity for such flows. Therefore, Council does not generally accept the discharge of stormwater to the sewerage system.

However, it is recognised that it may not always be possible or practical to prevent all stormwater entering the sewerage system at some liquid trade waste premises. The discharge of limited quantities of first flush water from sealed areas will be considered where roofing cannot be provided because of safety or other important considerations. The discharge from unsealed areas is not permitted.

Before the stormwater will be considered for discharge to the sewerage system, the applicant must provide the following information:

- reasons why the area cannot be fully or partially roofed and bunded to exclude stormwater.
- the dimensions and a plan of the open area under consideration.
- whether the open area is sealed.
- the estimated volume of the stormwater discharge.
- information on rain gauging.
- where a first-flush system is proposed, details on how the stormwater will be diverted to the drainage system after the first flush is accepted (the first- flush to be limited to first 10 mm of storm run-off).
- measures proposed for diverting stormwater away from the liquid trade waste generating area; and

- report on other stormwater management options considered and why they are not feasible.

2.5 Food Waste Disposal Units

The use of food waste disposal units (also known as in-sinkers, in-sink food waste disposers, or garbage grinders) is not permitted. Existing installations in hospitals and nursing homes may be permitted, provided that wastewater is discharged through an adequately sized grease arrestor. For existing premises, a food waste disposal charge will be levied based on the number of beds in the hospital or nursing home (refer to section 3.5.6 on page 30).

If the hospital or nursing home kitchen is refurbished, the food waste disposal unit must be removed.

2.6 Devices that Macerate or Pulverise Waste

Macerators and any other similar devices that are used for pulverising of solid waste are not authorised to connect to Council's sewerage system (Refer NSW Code of Practice: Plumbing and Drainage, 2006). Solid waste includes, but is not limited to, sanitary napkin, placenta, surgical waste, disposable nappy, mache bedpan and urine containers.

Therefore, Council will not accept any discharges from such devices into its sewerage system.

2.7 Use of Additives in Pre-treatment Systems

Council does not allow solvents, enzymes, bio additives, and odour control agents to be used in pre-treatment systems (except neutralising chemicals designated for the pre-treatment) except by specific written application and subsequent approval.

Table 2– Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System

Parameter	Limits
GENERAL ACCEPTANCE GUIDELINE LIMITS	
Flow Rate	The maximum daily and instantaneous rate of discharge (kL/h or L/s) is set on the available capacity of the sewer. Large dischargers are required to provide a balancing tank to even out the load on the sewage treatment works.
BOD ₅ and Suspended Solids	Normally, approved at 300 mg/L each. Concentration up to 600mg/L and in some cases higher concentration for low mass loadings may be acceptable if the treatment works has sufficient capacity and odour will not be a problem.
COD	Normally, not to exceed BOD ₅ by more than three times. This ratio is given as a guide only to prevent the discharge of non-biodegradable waste.
Total Dissolved Solids	Up to 4000 mg/L may be accepted. However, the acceptance limit may be reduced depending on available effluent disposal options and will be subject to a mass load limit.
Temperature	Less than 38°C.

pH	Within the range 7.0 to 9.0.
Oil and Grease	100 mg/L if the volume of the discharge does not exceed 10% of the design capacity of the treatment works, and 50 mg/L if the volume is greater than 10%.
Detergents	All industrial detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes.
Colour	No visible colour when the waste is diluted to the equivalent dilution afforded by domestic sewage flow.
Radioactive Substances	The discharge must comply with the Radiation Control Act 1990.

Table 2 – Cont.

Parameter	Maximum concentration (mg/L)
ACCEPTANCE GUIDELINE LIMITS FOR INORGANIC COMPOUNDS	
Ammonia (as N)	50
Boron	25
Bromine	5
Chlorine	10
Cyanide	5
Fluoride	20
Nitrogen (total Kjeldahl)	100
Phosphorus (total)	20
Sulphate (as SO ₄)	100
Sulphide (as S)	1
Sulphite (as SO ₃)	15
ACCEPTANCE GUIDELINE LIMITS FOR ORGANIC COMPOUNDS	
Benzene	0.1
Benzene, Toluene, Ethyl benzene, Xylene (BTEX)	1
Formaldehyde	50
Phenolic compounds (except pentachlorophenol)	10
Petroleum hydrocarbons (non-flammable)* (Refer to Table 3)	30
Pesticides general (except organochlorine and organophosphorus)*	0.1
Polynuclear Aromatic Hydrocarbons (PAHs)	5

Parameter	Maximum concentration(m/L)	Allowed daily mass <u>limit</u> (g/d)
ACCEPTANCE GUIDELINE LIMITS FOR METALS		
Aluminium	100	-
Arsenic	1	2
Cadmium	2	6
Chromium*	5	15
Cobalt	5	15
Copper	5	15
Iron	100	-
Lead	2	6
Manganese	10	30
Mercury	0.02	0.05
Molybdenum	10	30
Nickel	5	15
Selenium	5	15
Silver [#]	2	6
Tin	5	15
Zinc	5	15
Total metals excluding aluminium, iron, manganese, and molybdenum	less than 30 mg/L and subject to total mass loading requirements	

* Where hexavalent chromium (Cr^{6+}) is present in the process water, pre-treatment will be required to reduce it to the trivalent state (Cr^{3+}), prior to discharge into the sewer. Discharge of hexavalent chromium (Cr^{6+}) from chromate compounds used as corrosion inhibitors in cooling towers is not permitted.

[#] This limit is applicable to large dischargers. The concentration of silver in photo processing waste where a balancing tank is provided is not to exceed 5 mg/L.

Table 3 – Substances Prohibited from Being Discharged into The Sewerage System

<ul style="list-style-type: none"> • organochlorine weedicides, fungicides, pesticides, herbicides, and substances of a similar nature and/or wastes arising from the preparation of these substances;
<ul style="list-style-type: none"> • organophosphorus pesticides and/or waste arising from the preparation of these substances;
<ul style="list-style-type: none"> • any substances liable to produce noxious or poisonous vapours in the sewerage system;
<ul style="list-style-type: none"> • organic solvents and mineral oil;
<ul style="list-style-type: none"> • any flammable or explosive substance;
<ul style="list-style-type: none"> • discharges from 'Bulk Fuel Depots';
<ul style="list-style-type: none"> • chromate from cooling towers;
<ul style="list-style-type: none"> • natural or synthetic resins, plastic monomers, synthetic adhesives, rubber, and plastic emulsions;
<ul style="list-style-type: none"> • rain, surface, seepage, or subsoil water, unless specifically permitted;
<ul style="list-style-type: none"> • solid matter;
<ul style="list-style-type: none"> • any substance assessed as not suitable to be discharged into the sewerage system;
<ul style="list-style-type: none"> • waste liquids that contain pollutants at concentrations which inhibit the sewage treatment process – refer <i>Guidelines for Sewerage Systems: Acceptance of Trade Waste (Industrial Waste)</i> (ARMCANZ/ANZECC, 1994); and
<ul style="list-style-type: none"> • any other substances listed in a relevant regulation.

PART 3 – Matters Relating to Liquid Trade Waste Approvals

3.1 Application Procedures

To obtain Council's approval to discharge liquid trade waste to Council's sewerage system, a discharger must lodge an application in writing. Application forms are available from Council. If a person wishes to discharge liquid trade waste to the sewerage system but is not the owner of the premises, the person must obtain the owner's consent to the application.

The applicant must provide the following information:

- site owner's full name, address, contact telephone number.
- address of the business/industry where discharge to the sewerage system will occur.
- name of contact person for the premises and telephone contact for the business/industry.
- type of process/activity generating the liquid trade waste.
- normal hours of business operation.
- rate of discharge, including
 - the average per day, maximum per day and per hour, and
 - hours of the day during which discharge will take place.
- characteristics of wastes, including
 - nature of source, and
 - expected maximum and average concentrations of pollutants.

(Where sampling and testing are required to establish the quality of the liquid trade waste, the testing should be carried out in accordance with the procedures set out in the *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association, American Water Works Association and Water Pollution Control Federation.)
- chemicals to be used – supply Material Safety Data Sheets.
- details of any proposed pre-treatment facilities, location, and site plan. Details should include:
 - pre-treatment process details,
 - internal wastewater drainage,
 - pump size,
 - rising main size, length, and profile
 - system operational characteristics,
 - operational procedures,
 - provisions for sampling and flow measurement, where required; and
 - proposed connection point to the sewerage system.
- flow diagram and hydraulic profile of proposed liquid trade waste pre-treatment facilities.
- maintenance schedule for pre-treatment equipment, including contractor's details.
- stormwater drainage plan.
- measures for prevention of stormwater ingress into the sewerage system.
- manifest showing the location, nature and chemical composition of all substances stored/used on site.
- justification for disposing of the waste into the sewerage system over other possible options (if any).

- methods of disposal for other wastes that are not discharged to the sewerage system.
- any relevant environmental impact assessments; and
- any additional information as requested by Council.

The following information needs to be provided regarding the discharge of septic tank and pan waste to the sewerage system:

- identification of the pump out service provider.
- proposed method of discharge including plans and drawings if appropriate.
- details of any proposed facilities for a disposal point, location, and site plan (if applicable). Details should include the proposed connection point to the sewerage system.
- security arrangements at the proposed disposal site (if applicable).
- the provision of freshwater for hosing down where needed.
- bunding and measures to prevent the ingress of stormwater at the proposed dump point, if applicable
- the use of odour inhibiting or other chemicals, if any, and their dosage rates.
- statement that septic effluent will not be mixed with septage, or grease trap pump out, i.e. dedicated tankers will be used for each type of waste;
- *for boat marina facility* – the type and number of vessels either moored at the marina and/or would utilise the pump-out facility on a regular basis:
 - private
 - commercial.

3.2 Approval of Applications

Council may, under section 86 of the *Local Government Act*, request an applicant to provide more information to enable it to determine the application.

Where an application is approved, Council will notify the applicant as soon as practical of the approval and any conditions of the approval. The duration of the approval will be as stated in the approval. In cases where Council requires a discharger to enter into a liquid trade waste services agreement (refer to section 3.7 on page 34), Council will issue a deferred commencement approval under section 95 of the *Local Government Act* requesting the discharger to do so within the time specified in Council's letter. In such cases, the approval will not be operative until the agreement has been executed by the discharger.

An applicant may make a minor amendment or withdraw an application before it is approved by Council. An applicant may also apply to Council to renew or extend an approval, in accordance with section 107 of the *Local Government Act*.

If an application is refused, Council will notify the applicant of the grounds for refusal.

An approval to discharge liquid trade waste to Council's sewer is not transferable. A new application must be lodged, and a new approval obtained if there is a change of the approval holder or the activity. Council must be notified of change of ownership and/or occupier in all cases, whether a new approval is required or not, to allow updating of records.

3.3 Concurrence of the Department of Water and Energy

If Council supports an application and has a notice stating that concurrence of the Director-General, Department of Water and Energy (DWE), can be assumed for the waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence from DWE in accordance with the requirements of section 90(1) of the *Local Government Act*.

Liquid trade waste discharges are divided into four classifications for the purpose of the concurrence process.

- Concurrence Classification A – liquid trade waste dischargers for which Council may automatically assume concurrence to the approval subject to certain requirements.
- Concurrence Classification B – liquid trade waste dischargers whereby Council may apply to the Director-General, DWE for assumed concurrence to the approval subject to certain requirements; and
- Concurrence Classification C – all other liquid trade waste dischargers that do not fall within Concurrence Classification A, B or S, and therefore require Council to apply to DWE for concurrence.
- Concurrence Classification S – the acceptance of septic tank, pan waste and ship-to-shore pump-out. Council may apply to the Director-General, DWE for assured concurrence to the approval subject to certain conditions.

Councils have already been given notice of assumed concurrence for Concurrence Classification A liquid trade waste discharges. These are listed in Table 4 overleaf and Council will not need to seek DWE concurrence for approval of trade waste applications for these activities.

Table 4 – Liquid Trade Waste Discharges with Automatic Assumed Concurrence

Commercial retail food preparation activities	Other commercial activities
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash and veterinary with no X-ray)
Bed & Breakfast (<10 persons)	Beautician
Bistro	Boiler blowdown
Boarding house/hostel kitchen	Car detailing
Butcher shop (retail)	Cooling tower
Café/coffee shop/coffee lounge	Craft activities (making of clay pottery, ceramics, cutting and polishing of gemstones or making of jewellery at clubs, cottage industries)
Canteen	Dental surgery/dental specialist
Cafeteria	Dental technician
Chicken/poultry shop (only fresh chickens/game sold)	Doctor's surgery-plaster casts (no X-rays, no laboratory)
Chicken/poultry shop (retail BBQ/charcoal chicken)	Florist
Club (kitchen wastes)	Funeral parlour, morgue
Commercial kitchen/caterer	Hairdressing (includes barbers)
Community hall/civic centre	Jewellery shop
Day care centre	Laboratory (pathology/analytical)
Delicatessen	Laundry or laundromat (coin operated)
Doughnut shop	Lawnmower repairs
Fast food outlet (McDonalds, KFC, Burger King, Pizza Hut, Red Rooster, etc.)	Mechanical repairs/workshop
Fish shop (retail – fresh and/or cooked)	Mobile cleaning units
Food caravan	Optical service
Fruit and vegetable shop (retail)	Pet shop (retail)
Function centre	School (Primary and Secondary)
Hotel	Service station workshop
Ice cream parlour	Stone working
Juice bar	Swimming pool/spa/hydrotherapy

Mixed business	Vehicle washing (by hand/wand, automatic car wash, external truck wash or underbody/engine degrease only)
Motel	Venetian blind cleaning
Nightclub	Veterinary /animal kennels with X-ray
Nursing home kitchen	Waterless minilab
Nut shop	
Patisserie	
Pie shop	
Pizza shop	
Restaurant	
Salad bar	
Sandwich shop	
School canteen	
Snack bar	
Supermarket (with butcher/delicatessen/ seafood/or charcoal chickens)	
Take-away food outlet	

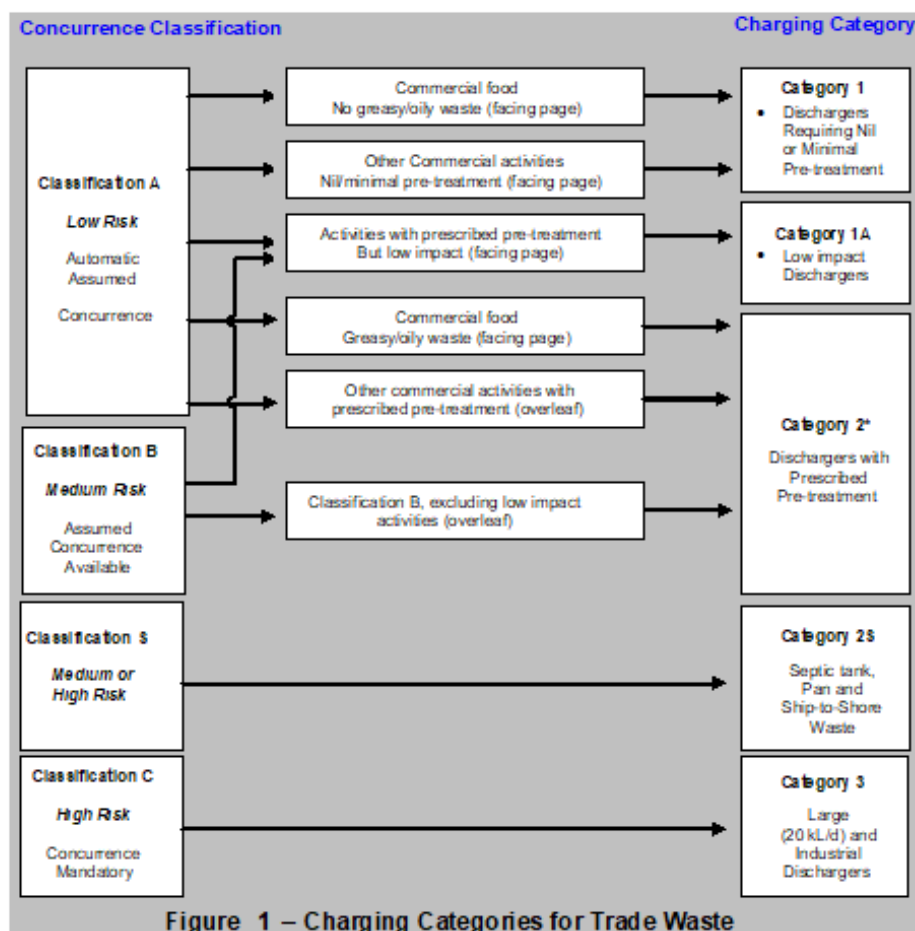
Notes:

- 1 The volume of liquid trade waste must be less than 5 kL/d or 1000 kL/a except in the case of commercial retail food preparation activities, where up to 16 kL/d is included in this category. If the waste discharged into the sewer exceeds these volumes, the application must be treated as Concurrence Classification B (Chapter 5 of *Liquid Trade Waste Management Guidelines*). Discharges over 20 kL/d must be treated as Classification C.

3.4 Liquid Trade Waste Charging Categories

Four classifications of liquid trade waste have been established for concurrence purposes, Classification A, B, C and S (refer section 3.3 on page 21). For trade waste charging purposes liquid trade waste dischargers are divided into three charging categories, Category 1, 2 and 3 (pages 24, 25 and 26). In addition, there are Categories 1A and 2S as shown in Figure 1 below.

Figure 1 below shows that Classification A dischargers fall into Charging Category 1 or Category 2. Classification B dischargers fall into Charging Category 2, except for a few dischargers with low impact on the sewerage system which fall into Category 1A. Classification S dischargers fall into Charging Category 2S. Classification C dischargers fall into Charging Category 3.



CATEGORY 1 DISCHARGER

Category 1 liquid trade waste dischargers are those conducting an activity deemed by Council as requiring nil or only minimal pre-treatment equipment and whose effluent is well defined and of a relatively low risk to the sewerage system.

Trade waste dischargers requiring nil or minimal pre-treatment include:

Classification A activities – Retail food outlets with no hot food prepared and/or foods that generate an oily/greasy waste: bakery (only bread baked on-site), bistro (sandwiches, coffee only), café/coffee shop/coffee lounge, canteen, community hall (minimal food), day care centre, delicatessen, fruit & vegetable shop, hotel, ice cream parlour (take away only), juice bar, mixed business, motel, nightclub, nut shop, pizza cooking/reheating (no preparation or washing up on-site, pizza heated and sold for consumption off-site), potato peeling (small operation), sandwich shop/salad bar, take away food outlet.

Classification A activities – Other commercial activities: animal wash, beautician/hairdressing, crafts < 200 L/d, dental surgery (plaster casts, no X-ray unless digital), doctor's surgery (plaster casts, no X-ray), florist, funeral parlour, mobile cleaning

units, morgue, jewellery shop, optical service (retail), pet shop, public swimming pool, tray work/ manual development, venetian blind cleaning, veterinary (no X-ray).

CATEGORY 1A DISCHARGER

Category 1A liquid trade waste dischargers are those conducting an activity deemed by Council as requiring prescribed pre-treatment but having low impact on the sewerage system as their effluent is usually of low strength. If Council's inspection reveals that the pre-treatment equipment for such a discharger had not been properly maintained, a trade waste usage charge of \$1.30/kL will be applied for the relevant billing period. This charge will also apply for any such dischargers who have not installed appropriate pre-treatment equipment.

Trade waste dischargers with prescribed pre-treatment but low impact on the sewerage system include:

Classification A or B activities: boiler blowdown, cooling tower, educational facilities (primary and secondary school, tertiary institution laboratory), industrial boilers, jewellery (stone cutting), laboratory, laundry, medical centre (no X-ray), mobile garbage bin washing, optical services, plants retail, vehicle washing.

CATEGORY 2 DISCHARGER

Category 2 liquid trade waste dischargers are those conducting an activity deemed by Council as requiring a prescribed type of liquid trade waste pre-treatment equipment and whose effluent is well characterised.

Trade Waste dischargers with prescribed pre-treatment include:

Classification A activities: Premises that prepare and/or serve hot food or foods that generate an oily/greasy waste: bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen, butcher, café/coffee shop/coffee lounge, cafeteria, canteen, fast food outlet, chicken/poultry shop, club, community hall, commercial kitchen/caterer, nursing home, patisserie, supermarket, doughnut shop, fish shop (cooking on-site), function centre, hotel, ice cream parlour, motel, nightclub, pizza cooking, restaurant, sandwich shop/salad bar, take away food outlet.

Other commercial Classification A activities: car detailing, craft activities > 200 L/d, dental surgery with X-ray, lawnmower repairs, mechanical workshop, stone working, veterinary (with X-ray), waterless mini lab.

Classification B activities: auto dismantler, bus/coach depot, construction equipment maintenance & cleaning, equipment hire, maintenance & cleaning, glass cutting & grinding, graphic arts, hospital (with or without X-ray), medical centre (with X-ray), optical services (at medical or educational facilities, workshops), oyster processing – shucking, panel beating, photographic lab, radiator repairer, screen printing, service station forecourt, shopping complex, water wash mini-lab, X-ray radiologist.

Other Classification A activities: fish shop (fresh fish for retail).

CATEGORY 2S DISCHARGER

Category 2S dischargers are those conducting an activity of transporting and/or discharging septic tank or pan content waste into the sewerage system.

Trade waste dischargers include the following Classification 2S activities:

Classification S activities: bus/rail coaches/caravan/motor home/caravan park waste dump points, mooring/marina dump points, pan waste, portable chemical toilet waste, septage, septic tank effluent, ship-to-shore pump-outs (galley waste and toilet waste).

CATEGORY 3 DISCHARGER (large or industrial waste dischargers)

Category 3 liquid trade waste dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes (over 20 kL/d) of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds 20 kL/d becomes a Category 3 discharger.

Large trade waste dischargers and other Classification C activities include:

abattoir, bakery (wholesale), brewery, cooling towers, cosmetics/perfumes manufacture, dairy processing (milk/cheese/yoghurt/ice cream etc.), food processing (cereals/cannery/condiments/ confectionary/edible oils/fats/essence/ flavours/fish/fruit juice/gelatine/honey/meat/pickles/ smallgoods/tea & coffee/vinegar/yeast manufacture etc.), fruit and vegetable processing, flour milling, glue manufacturer, egg processing, pet food processing, plants nursery (open areas), potato processing, poultry processing, saleyards, seafood processing, soft drink/cordial manufacture, starch manufacture, sugar refinery, tanker washing, tip leachate, transport depot/ terminal, water treatment backwash, wholesale meat processing, winery, wine/spirit bottling.

Dischargers of industrial waste include the following Classification C activities:

acid pickling, adhesive/latex manufacture, agricultural & veterinary drugs, anodising, bitumen & tar, bottle washing, cardboard & carton manufacture, carpet manufacture, caustic degreasing, chemicals manufacture and repackaging, contaminated site treatment, cyanide hardening, detergent/soaps manufacture, drum washing, electroplating, engine gearbox reconditioning, extrusion & moulding (plastic/metal), feather washing, fellmonger, felt manufacture, fertilisers manufacture, fibreglass manufacture, filter cleaning, foundry, galvanising, glass manufacture, ink manufacture, laboratories, liquid wastewater treatment facility (grease trap receipt depot and other pump-out waste depot), metal finishing, metal processing (refining/rolling/ non-cyanide heat treatment/phosphating/ photo engraving/printed circuit etching/sheet metal fabrication etc.), mirrors manufacture, oil recycling (petrochemical) and refinery, paint stripping, paint manufacture, paper manufacture, pharmaceuticals manufacture, plaster manufacture, powder coating, printing (newspaper, lithographic), sandblasting, slipway, tannery, timber processing (joinery & furniture/plywood/hardwood), textile manufacture (wool dyeing/ spinning/scouring), waxes & polishes.

PHASING-IN OF CHARGES

As indicated on page 18 of the *Guidelines for Best Practice Management Water Supply and Sewerage, May 2004*, the non-residential sewerage bills for customers facing a large increase as a result of implementing best-practice pricing are to be phased in over a period of 5 years. Large increases in trade waste fees and charges may be phased in over a period of up to 3 years.

3.5 Liquid Trade Waste Fees and Charges

Council provides sewerage and liquid trade waste services on a commercial basis, with cost recovery through sewerage and liquid trade waste fees and charges. Council's proposed fees and charges are advertised annually for public comment in its draft Management Plan. In addition to the trade waste fees and charges described below, Council may elect to include any trade waste charges shown in Appendix E of *Water Supply, Sewerage and Trade Waste Pricing Guidelines*, Department of Land & Water Conservation, 2002.

Liquid trade waste discharged to the sewerage system from industrial, commercial or other non-residential customers can impose significant costs on sewage transport and treatment facilities. To recover these costs and to ensure removal of existing significant cross-subsidies from residential customers, in addition to a two-part tariff with an appropriate sewer usage charge/kL for non-residential sewerage, appropriate fees and charges are levied for liquid trade waste.

Council's liquid trade waste fees and charges may include:

- Application fee
- Annual trade waste fee
- Re-inspection fee
- Trade waste usage charge
- Septic tank and pan waste disposal charge
- Excess mass charges
- Food waste disposal charge
- Non-compliance excess mass charge
- Non-compliance penalty

3.5.1 Application Fee

The application fee recovers the cost of administration and technical services provided by Council in processing applications for approval to discharge liquid trade waste to the sewerage system. The application fee will be allocated based on the category into which the discharger is classified and reflects the complexity of processing the application. Application fees will be set annually by Council.

3.5.2 Annual Trade Waste Fee

The purpose of this fee is to recover the cost incurred by Council for administration and the scheduled inspections each year to ensure a liquid trade waste discharger's ongoing compliance with the conditions of their approval.

As part of an inspection, Council or its agents may undertake monitoring of the liquid trade waste discharges from premises or business. Such monitoring may include but is not limited to, flow measurement and the sampling of the liquid trade waste. **Where more than one instance** of such monitoring is undertaken by Council, or its agents, in a financial year, the cost involved may be recovered from the discharger.

Annual liquid trade waste fees are determined based on the category of the discharger and are proportionate to the complexity of their inspection and administration requirements. Annual trade waste fees will be set by Council. Where the discharger is required to pay for monitoring this will be charged based on full cost recovery.

In view of the adverse impact of wastes with a high concentration of oil and grease on Council's sewage transportation system, Council will carry out inspections of

commercial premises preparing hot food at least 4 times per annum. The cost of these scheduled inspections is included in the annual trade waste fee for such premises, minimum \$148* (2007/08\$). Similarly, for Classification A or B activities with prescribed pre-treatment but low impact, the minimum recommended annual trade waste fee is \$148* (2007/08\$). These Classification A and B activities are shown as Category 1A Dischargers on page 25.

3.5.3 Re-Inspection Fee

Where non-compliance with the conditions of an approval has been detected and the discharger is required to address these issues, Council will undertake re-inspections to confirm that remedial action has been satisfactorily implemented. Council will impose a fee for each re-inspection. The re-inspection fee will be set annually by Council based on full cost recovery. A re-inspection may include the monitoring of liquid trade waste discharges, the cost of which may be recovered from the discharger.

3.5.4 Trade Waste Usage Charge

The trade waste usage charge is imposed to recover the additional cost of transporting and treating liquid trade waste from Category 2 dischargers.

Trade Waste Usage Charge (\$) = $Q \times \$1.30/\text{kL}$ * (2007/08\$)

Where Q = Volume (kL) of liquid trade waste discharged to sewer.

Note: As indicated on page 30 of the *Water Supply, Sewerage and Trade Waste Pricing Guidelines*, existing Category 2 dischargers who have not installed and maintained appropriate¹ pre-treatment facilities will be required to pay a trade waste usage charge of \$12.50/kL* (2007/08\$).

3.5.5 Excess Mass Charges

Excess mass charges will apply for substances discharged more than the deemed concentrations in domestic sewage shown in Table 5 below. For excess mass charge calculation, equation (1) below will be applied.

Table 5 – Deemed Concentration of Substances in Domestic Sewage

SUBSTANCE	CONCENTRATION (mg/L)
Biochemical Oxygen Demand (BOD ₅)	300
Suspended Solids	300
Total Oil and Grease	50
Ammonia (as Nitrogen)	35
Total Kjeldahl Nitrogen	50
Total Phosphorus	10
Total Dissolved Solids	1000
Sulphate (SO ₄)	50*

* The concentration in the potable water supply to be used if it is higher than 50mg/L.

NB. Substances not listed above are deemed not to be present in domestic sewage.

$$\text{Liquid Trade Waste Excess Mass Charge (\$)} = \frac{(S - D) \times Q \times U}{1,000} \quad (1)$$

Where:

S = Concentration (mg/L) of substance in sample.

D = Concentration (mg/L) of substance deemed to be present in domestic sewage.

Q = Volume (kL) of liquid trade waste discharged to the sewerage system.

U = Charging rate (\$/kg) for disposal of substance to the sewerage system.

Charging rates (U) used in equation (1) on page 29 are as shown in Council's Annual Management Plan.

With regard to BOD, equation (1) applies for BOD₅ up to 600 mg/L.

Excess mass charges for BOD exceeding 600mg/L

If Council approves the acceptance limits for BOD higher than 600mg/L, an exponential type of equation will be used for calculation of a charging rate (\$/kg) as shown in equation (2) below. Equation (2) provides a strong incentive for dischargers to reduce the strength of waste. In addition, equation (5) on page 31 will be used where the discharger has failed to meet their approved BOD limit on 2 or more instances in a financial year.

Excess mass charging rate for BOD (\$/kg) =

$$2C \times \frac{(\text{Actual BOD} - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - 600\text{mg/L})}{(600\text{mg/L})}} \quad (2)$$

Where C = the charging rate (\$/kg) for BOD₅ 600mg/L.

For example, if C = \$0.54/kg, equation (2) would result in the following excess mass charging rates:

For BOD₅ 600mg/L charging rate of \$0.60/kg

BOD₅ 1200mg/L charging rate of \$2.00/kg

BOD₅ 2400mg/L charging rate of \$5.00/kg

The excess mass charge for BOD is calculated by using equation (1):

$$\text{Excess Mass Charge for BOD (\$)} = \frac{(S - D) \times Q \times U}{1,000}$$

Where U is the excess mass charging rate calculated by using equation (2).

In the case of pH

Equation (3) is used for the waste with pH being outside the approved range. This equation provides an incentive for dischargers to apply appropriate pH correction, so their waste remains within the approved pH limits. Where a large discharger fails to meet their pH limits on 2 or more occasions in a financial year, Council will require the

discharger to install and permanently maintain a pH chart recorder or data logger as control of pH is critical to minimising odour and corrosion problems in the sewerage system.

Charging rate for pH where it is outside the approved range for the discharger =

$$K \times (\text{actual pH} - \text{approved pH})^2 \times 2^{(\text{actual pH} - \text{approved pH})} \quad (3)$$

* Absolute value to be used.

K = pH coefficient = 0.3 (2007/08\$) and needs to be adjusted in accordance with changes in the CPI.

Example: Council has approved the pH range 8.0 to 9.0 for a large discharger generating high strength trade waste to prevent corrosion and odour problems in the sewerage system.

Case 1: pH measured 7.0

$$\text{Charging rate (\$/kL)} = 0.3 \times [7 - 8] \times 2^{(7 - 8)} = \$0.6/\text{kL}$$

Case 2: pH measured 11.0

$$\text{Charging rate (\$/kL)} = 0.3 \times [11 - 9] \times 2^{(11 - 9)} = \$2.4/\text{kL}$$

3.5.6 Food Waste Disposal Charge²

Where Council has approved installation of a food waste disposal unit for a hospital, nursing home or other eligible facility, the following additional food waste disposal charge will be payable annually.

$$\text{Food Waste Disposal Charge (\$)} = B \times U_F$$

Where B = Number of beds in hospital or nursing home.

U_F = Annual charging rate (\\$/bed) for a food waste disposal unit at a hospital or nursing home.

3.5.7 Non-Compliance Excess Mass Charges

Where a discharge quality fails to comply with the approved concentration limits of substances specified in Council's approval conditions (or the acceptance criterion listed in Council's trade waste policy), Council incurs additional costs in accepting and treating that waste. Council may also face problems with the effluent and biosolids management.

To recover Council's costs, equation (4) shall apply for non-compliant excess mass charges, except for BOD where equation (5) overleaf shall apply.

$$\text{Non-compliance Excess Mass Charges (\$)} = \frac{(S - A) \times Q \times 2U}{1,000} + \frac{(S - D) \times Q \times U}{1,000} \quad (4)$$

Where:

S = Concentration (mg/L) of substance in sample.

A = Maximum concentration (mg/L) of pollutant as specified in Council's approval (or liquid trade waste policy).

Q = Volume (kL) of liquid trade waste discharged for the period of non-compliance.

U = Excess mass charging rate (\\$/kg) for disposal of pollutant to sewerage system, as per section 3.5.5.

D = Concentration (mg/L) of substance deemed to be present in domestic sewage.

Non-compliance Excess Mass Charges for BOD

Non-compliance excess mass charging rate for BOD will be calculated by using equation (5) below:

$$\text{BOD non-compliance excess mass charging rate} = 2C \times \frac{(A - 300 \text{ mg/L})}{600 \text{ mg/L}} \times 1.05 \frac{(A - 600 \text{ mg/L})}{600 \text{ mg/L}} + 4C \times \frac{(\text{Actual BOD} - A)}{600 \text{ mg/L}} \times 1.05 \frac{(\text{Actual BOD} - A)}{600 \text{ mg/L}} \quad (5)$$

For example, if $C = \$0.54/\text{kg}$, BOD_5 measured level is 2400mg/L and the acceptance limit in Council's approval is 600mg/L , equation (5) would result in a non-compliance excess mass charging rate of $\$8.04/\text{kg}$.

Non-compliance Excess Mass Charge for BOD is then calculated by using equation (1):

$$\text{Non-compliance Excess Mass Charge (\$)} = \frac{(S - D) \times Q \times U}{1,000}$$

Where U is the non-compliance excess mass charging rate calculated by using equation (5).

The non-compliance excess mass charges shown above are and on page 31 in lieu of the excess mass charges in section 3.5.5.

NB. Council will continue applying the above non-compliance excess mass charge until the quality of discharge complies with Council's approved quality (or the trade waste policy) limits, within the time frame determined by Council for remedying the problem. If the discharger fails to rectify the problem within this time frame, the discharger may be required to cease discharging liquid trade waste into Council's sewerage system and may also be required to pay a 'non-compliance penalty' as indicated in the following section.

3.5.8 Non-Compliance Penalty

The non-compliance penalty covers instances where Council may seek compensation for its costs relating to legal action, damage to infrastructure, incurred fines and other matters resulting from illegal, prohibited, or unapproved liquid trade waste discharged to the sewerage system. Also included are fines under:

- Protection of the Environment Operations Act 1997, section 120(1) (Pollution of any waters by a discharger who fails to comply with the conditions of approval for discharge of liquid trade waste to sewer).
- Local Government Act, 1993, section 627 (Failure to comply with an approval), section 628 (Failure to comply with an order). Non-compliance penalties will be pursued by legal action.

3.5.9 Septic and Pan Waste Disposal Charge

This charge is imposed to recover the cost of accepting and treating septic tank and pan waste.

Septic tank and pan waste disposal charge = $Q \times S$

Where:

Q = Volume (kL) of waste discharged to sewer.

S = Charging rate in \$/kL for septic tank effluent, septage or chemical toilet waste as indicated in Council's Annual Management [Plan](#).*

3.5.10 Responsibility for Payment of Fees and Charges

Property (land) owners are responsible for the payment of fees and charges for water supply, sewerage and liquid trade services provided by Council. This includes property owners of marina, caravan park, etc., if a dump point located at their premises is connected to the sewerage system. Where another party (lessee) leases premises any reimbursement of the lessor (property owner) for such fees and charges is a matter for the lessor and the lessee.

Council will charge a septic tank and pan waste disposal charge for services it provides to transporters of septic tank and pan waste ~~transported~~ and discharged to the sewerage system.

Table 6 - Summary of Trade waste Fees and Charges

Charging Category	Application Fee	Annual Non-Residential Sewerage Bill with Appropriate Sewer Usage Charge/Kl	Annual Trade Waste Fee	Re-Inspection Fee (When required)	Trade Waste Usage Charge/Kl	Septic Waste Disposal Charge	Excess Mass Charges/Kg	Non-Compliance Excess Mass Charges	Non-Compliance Penalty (If required)
1	Yes	Yes	Yes	Yes	No	No	No	No	Yes
1A	Yes	Yes	Yes	Yes	No ⁸	No	No	No	Yes
2	Yes	Yes	Yes	Yes	Yes ⁸	No	No	No	Yes
2S	Yes	Yes ⁹	Yes ⁹	Yes ⁹	No	Yes	No	No	Yes
3	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes

NB. All dischargers of liquid trade waste to Council's sewerage system should be aware that they are subject to prosecution and imposition of fines under the *Local Government Act 1993*, the *Protection of the Environment (Operations) Act 1997* and Regulations. In addition to fines, Council may recover costs of damages and fines incurred by Council because of an illegal liquid trade waste discharge.

3.6 MONITORING

Council will carry out inspections of the premises of all liquid trade waste dischargers and their treatment facilities at least once per annum. Inspections of commercial premises preparing hot food may be carried out at least 4 times per annum (refer to page 27 in

⁷ not applicable for dischargers exempted in Table 1.

⁸ a trade waste usage charge of \$1.30/kL (2007/08\$) will be applied for Category 1A dischargers and \$12.50/kL (2007/08\$) for Category 2 dischargers who have not installed or properly maintained appropriate pre-treatment equipment.

⁹ only applicable if the discharger has a dump point located at their premises which is connected to the sewerage systems.

section 3.5.2). Monitoring of the large and industrial dischargers is to be carried out as specified in the approval conditions.

The Applicant may be required to monitor the liquid trade waste discharge as a condition of an approval or agreement. They may also be required to pay for any sampling and testing of liquid trade waste undertaken by Council.

For this purpose, an inspection/sampling point, where the waste can be inspected and sampled, will be specified in the approval and/or agreement. This point will normally be located after the pre-treatment facility. The discharger may need to install a suitable method of flow measurement.

Council may require the discharger to:

- install a permanent primary measurement device.
- measure the volume and flow rate using the permanently installed flow measurement system (such as a flow metering system); or
- install a flow measurement device on a temporary basis and obtain enough data to determine a basis for assessing the flow rate and volume; and
- provide a system which allows obtaining a flow weighted composite sample.

Testing of samples is to be undertaken by a NATA-registered or other laboratory recognised by DWE to ensure reliable and accurate results. Where the discharger is sampling the effluent, Council may randomly take duplicates to confirm the waste characteristics.

3.7 LIQUID TRADE WASTE SERVICES AGREEMENT

In addition to its approval under the *Local Government Act*, Council may require certain dischargers, including those who wish to discharge liquid trade waste in large volumes (discharge >20 kL/d) or industrial waste (Concurrence Classification C type discharges) or Classification S into its sewerage system to execute a liquid trade waste services agreement (refer to Attachment 1). The agreement will set out the conditions associated with the discharge and execution of the agreement will be a condition of the approval issued by Council (refer to section 3.2 on page 20). The conditions will be binding on the applicant and the Council. The agreement will be for a period of up to five years. No discharge is to be made to Council's sewerage system until an agreement or an interim agreement has been executed.

Provision can be made in the agreement for (in addition to Council's approval conditions):

- additional conditions for discharge of liquid trade waste.
- cancellation of the agreement and/or order to cease the discharge if the discharger is found to be in breach of the agreement or the liquid trade waste approval or, in the opinion of Council, the waste is adversely affecting the sewerage system or the environment.
- entry by Council officers to inspect the liquid trade waste collection, treatment, monitoring and disposal systems.
- the applicant to notify Council in advance of any changes that may affect the quality and quantity of the liquid trade waste; and
- the amount of bond/security to be lodged with Council prior to discharging to the sewerage system.

3.8 ENFORCEMENT OF APPROVALS AND AGREEMENTS (SEE THE ATTACHED AGREEMENT AT ATTACHMENT 1)

Any person who fails to obtain Council's approval to discharge liquid trade waste into the sewerage system or fails to comply with the conditions of the approval, may be liable to a penalty as provided under the *Local Government Act* (sections 626 to 628 and 634 to 639).

Polluting of any waters by a discharger of liquid trade waste who does not have a Council approval or who fails to comply with the conditions of the approval is an offence under section 120 (1) of the *Protection of the Environment Operations Act 1997*. In addition, under section 222 of this Act, Council may issue a penalty notice (ie. an on-the-spot fine) to such a discharger.

Any person who fails to comply with the terms or conditions of a liquid trade waste services agreement (ie. there is a breach of the agreement) will be required to indemnify the Council against any resulting claims, losses or expenses in accordance with section 9 of the agreement. Suspensions may also apply and may include a notice to cease the discharge.

3.9 *Modification and Revocation of Approvals*

Council reserves the right to modify or revoke an approval to discharge liquid trade waste to the sewerage system in any of the following circumstances:

- if the approval was obtained by fraud, misrepresentation, or concealment of facts.
- for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the council not to have granted the approval.
- for failure to comply with a requirement made by or under the *Local Government Act 1993* relating to a condition of the approval; or
- for failure to comply with a condition of the approval.

3.10 *Prevention of Waste of Water*

Water must be used efficiently and must be recycled where practicable. It is an offence under section 637 of the *Local Government Act 1993* and its Regulation (refer to Attachment 2) to waste or misuse water.

Dilution of trade waste with water from any non-process source including Council's water supply, bore water, groundwater and/or stormwater as a means of reducing pollutant concentration is therefore strictly prohibited.

3.11 EFFLUENT IMPROVEMENT PLANS

Where the existing liquid trade waste discharged does not meet Council's requirements, the applicant may be required to submit an 'effluent improvement plan' setting out how Council's requirements will be met. The proposed plan must detail the methods/actions proposed to achieve the discharge limits and a timetable for implementation of the proposed actions. Such actions may include more intensive monitoring, improvements to work practices and/or pre-treatment facilities to improve the effluent quality and reliability.

3.12 DUE DILIGENCE PROGRAMS AND CONTINGENCY PLANS

For *Concurrence Classification A*, a discharger is not required to submit either a due diligence program or a contingency plan.

A discharger may be required to submit a due diligence program and a contingency plan for *Concurrence Classification B* or *Classification S* where it is considered that the discharge may pose a potential threat to the sewerage system. If required a due diligence program and contingency plan must be submitted to Council within six months and three months respectively of receiving a liquid trade waste approval.

For *Concurrence Classification C*, a discharger may need to provide a due diligence program and contingency plan to Council within six months and three months respectively of receiving a liquid trade waste approval.

It should be noted that:

- (1) If the discharger has an accredited environmental management system in place, a due diligence program and contingency plan will not be required. However, proof of accreditation must be provided to Council with the application.
- (2) Where Council considers there is potential risk to the sewerage system from a discharge, it may request a due diligence program and contingency plan be submitted prior to commencing the discharge.

Procedure Review History

Date	Changes Made	Approved By
August 2009	Procedure Developed	Ray Kent - General Manager
November 2010	Profit Margin for Civil Works Added	



GATES & GRIDS ON PUBLIC ROADS PROCEDURE

Approval Date:	24 March 2009
Review Date:	December 2022
Responsible Officer:	Director of Engineering/Technical Services

POLICY STATEMENT

Walgett Shire Council is committed to ensuring that risks to public safety on its public road network are minimized and will implement systematic measures to eliminate or mitigate this risk.

OBJECTIVES:

- To prohibit any additional gates and grids being constructed across public roads.
 - To encourage the removal of existing gates and grids on public roads.
 - To ensure that existing gates and grids on public roads are maintained in a safe condition.
 - To ensure that, if an existing grid is replaced, it is replaced with a grid of a standard which minimizes any future liability to Council arising from the safety and maintenance requirements of such a structure.
 - To ensure that all persons carrying out activities on public roads, that involve the diversion of pedestrian and/or vehicular traffic, have obtained proper authorization, acknowledge and accept any liability which may arise as a result of their activities in a public road corridor.
 - To comply with all relevant legislative and regulatory requirements placed upon WSC.
-

Related WSC Policies

Road Occupancies Policy

Objective

Walgett Shire Council will pursue consistency in the replacement and maintenance of gates and grids on public roads.

Statutory Requirements

[Local Government Act 1993](#)

[Roads Act 1993](#)

Transport Administration Act 1988

Road Transport (Safety and Traffic Management) Act 1999

Related Policy/Procedure

Financial Management and Control
Fraud Control

Gates & Grids on Public Roads

1. Authorisation and Approval

Approvals to install, replace, or remove a grid or gate on a public road shall only be issued by the General Manager, Director or Engineer with the responsibility for the road. The exception is if a gate or grid requires removal or repairs for the immediate protection of public safety. This work may be authorised by the Council Officer making that assessment and without further approval.

Where a person wants to have such works approved, they should apply to Council in writing and provide sufficient details for their application to be assessed.

2. New Gates or Grids

The installation of new grids or gates will not be approved, unless they are required to manage biosecurity risks as advised by the Livestock Health and Pest Authorities.

3. Removal

Existing grids will be removed by Council at no cost to the fence owner, subject to budget limitations and at a time subject to the revocation of the permit for the by-pass.

Where a fence owner wishes to have a gate or grid removed, Council will contribute to the cost of materials to fence the road corridor. The fence owner must receive written approval from Council prior to commencing any works for a contribution from Council to be payable.

Contributions to the cost of fencing are subject to the fence owner providing a copy of a proper Tax Invoice. Council contributions to the fencing of road corridors shall not exceed eight (8) kilometres of fencing per gate or grid removed.

4. Maintenance

Grids equal to or exceeding eight (8) meters clear width shall be maintained by Council at no cost to the fence owner.

Grids less than eight (8) meters clear width shall be maintained by Council or Council-approved contractors and the fence owners shall be requested to pay for the cost of maintaining the grid. Council will maintain the warning signs at no cost to the fence owner.

Any existing grid requiring replacement shall be replaced with a grid of minimum eight (8) meters clear width. The fence owner will be requested to pay for the supply of one four (4) meter wide grid unit and shall be responsible for making good the adjoining fence. The grid shall be installed by Council or Council-approved contractors.

Council will prepare a program of replacement or removal of all grids of less than eight (8) meters clear width and commence implementation of this plan by June 2013.

Maintenance priorities shall be set based on a risk assessment.

5. Standards

All new gates and grids shall be a minimum eight (8) meters clear width.

All new grids shall be of highway standard and suitable for a design live loading equivalent to [SM1600](#).

Procedure Review History

Date	Changes Made	Approved By
24 March 2009	Procedure Developed and confirmed by Council	CM 89/09



GEOLOGICAL RESOURCE EXPLORATION ON COUNCIL LAND POLICY

Adoption Date: 6 March 2012

Review Date: December 2022

Responsible Officer: Director Engineering/Technical Services

POLICY STATEMENT

Walgett Shire Council is committed to encouraging economic diversity while ensuring that resource exploration and development does not have a significant detrimental impact on Council's infrastructure or the community's natural resources.

OBJECTIVES:

- To minimise the potential for adverse impacts on Council infrastructure, natural resources, or the community.
- To encourage economic diversity where there is no significant potential for adverse impacts.

BACKGROUND:

Walgett Shire Council has significant freehold land holdings and is the occupier of various areas of Crown Land, including parks, roads, and streets. Periodically Council's consent is sought from parties wanting to access land for purposes related to exploration for and development of geological resources such as coal seam gas, coal, petroleum, gas, minerals, or extractive materials. Purposes could include:

- Recovery of geological samples by trenching, drilling or the like.
- Using geophysical tools to measure the density, radioactivity, resistivity, magnetism, and chemistry of surface and sub-surface geological features. In some cases, drill holes, trenches or the like may be used to facilitate measurements.

Inappropriate resource exploration or development could result in significant adverse social, economic, or environmental impacts. Examples of adverse environmental impacts include pollution of water, soil and air and soil erosion.

STRATEGIES:

Council will apply the following strategies to ensure that its objectives for geological resource exploration and development are met:

1. All requests for access to Council owned or controlled land for the purpose of geological resource exploration or development will be determined by the elected Council.
2. Council will evaluate any potentially significant environmental, social, and economic risks prior to making any determination on a request for access.

POLICY IMPLEMENTATION PROCEDURES, GUIDELINES AND DOCUMENTS

Nil.

RELATED WSC POLICIES

Nil.

VERSION HISTORY

Version	Trim No.	Date	Author	Section	Page	Changes
1.0	09/1409/0004	Sep 2011	DPRS	All	All	Draft policy prepared.

Procedure Review History

Date	Changes Made	Approved By
24 March 2009	Procedure Developed and confirmed by Council	CM 89/09

Local Preference Purchasing

WSC - Policy/Procedures – Local Preference Purchasing Policy



LOCAL PREFERENCE PURCHASING POLICY

Adoption Date:

Review Date: December 2023

Responsible Officer: Chief Financial Officer

POLICY STATEMENT

This policy is to be read and implemented in conjunction with the following Council policies and procedures:

- Procurement of Goods and Services Policy
- Tendering Procedure
- Tendering Guidelines for NSW Local Government

The Council's Local Preference Purchasing Policy recognizes that overall value for money is about the broader economic benefits to the Shire, and not just the lowest price. The Council acknowledges that economic benefits flow to all local businesses where Council maximizes opportunities for local suppliers to compete for Council's business based on value for money.

The Council's Local Preference Purchasing Policy aims to use Council's procurement actions to encourage and support local suppliers, and support economic activity within the Shire, where it is efficient to do so, while achieving the Council's overall value for money objectives. This approach seeks to maximize overall community benefit for the Shire.

OBJECTIVES

The primary objective of the Local Preference Purchasing Policy is to achieve the best value for money in its procurement of goods and services, where possible giving preference to local suppliers, and non-local suppliers using local content, to support the Council's economic development.

PROVISIONS

Definitions

In this policy (unless the context indicates otherwise):

1. **local content means** good, and services procured from a local supplier or employees living permanently in the Walgett Shire Council local government area.
2. **local supplier will be defined as:**
 - a. An organisation /individual that operates from permanently staffed premises within the boundaries of Walgett LGA, and has operated from the premises for a minimum period of three (3) months before submitting the quotation or tender; or
 - b. An organisation that is more than 49.9% owned by an individual (or individuals) the live/s within the boundaries of Walgett LGA and has done so for a minimum period of three (3) months before the organisation submits the quotation or tender. It is assumed that the individual/s reside/s at their address on the electoral roll.
 - c. An organisation having submitted the appropriate documentation required to be considered a "Local Supplier" would include:
 - i. The address of the business premises within the Walgett Shire LGA
 - ii. The number of full-time staff that operate from the premises

- iii. The name of the owner (or owners) of the organisation (and how they legally own more than 49.9% of the organisation submitted a quotation) and their address/es within the Walgett Shire LGA
 - d. If subsequent investigations by Council prove that false declarations were made, and this organisation should not be considered a "Local Supplier" then the "Local Preference" policy will not apply to this organisation.
3. **net cost means**, in relation to a quotation, tender or expression of interest, the total amount quoted or offered by a supplier for the supply of goods or services, including any freight or delivery charges and excluding GST, and any discounts or rebates offered by the supplier.
4. **Procurement request** means Tender under the Local Government Act 1993.

Policy Implementation

To assist local industry and local economic development, the Council shall:

- a) encourage a "local preference purchasing" policy culture within the Council
- b) encourage local suppliers to participate in Council business by advertising in local newspapers and other means considered appropriate.
- c) ensure that procurement policies and procedure do not disadvantage local suppliers.
- d) ensure transparency in Council procurement practices.
- e) encourage use of local suppliers by contractors, whenever goods or services have to be sourced from outside the Shire.
- f) consider the non-price value for money considerations set out in this policy; and
- g) apply a price preference discount in favour of local suppliers, as set out in this policy

Non-price value-for-money considerations

Council acknowledges that in assessing overall "value for money", the following non-price considerations should be considered (where relevant) in relation to a Procurement Request:

- a) availability and access to after-sales service and maintenance.
- b) quality, type and availability of goods or services.
- c) advantages in dealing with a local supplier, including administrative and operational efficiency.
- d) the proportion of local content to be supplied.
- e) whole of life costs of the purchase or contract.
- f) compliance with specifications, guidelines, and requirements.
- g) the supplier acknowledges, experience and ability to fulfill the requirements of the contract or purchase.
- h) the supplier's commitment to supporting local business and the local economy through sub-contracting and other supplier arrangements.
- i) net benefits to the Shire, including economic benefits; and
- j) all other factors relevant to consideration of the Procurement Request.

Notwithstanding the Council's Local Preference Purchasing Policy, an assessment of response to a Procurement Request must consider all the above factors, in conjunction with price and locality considerations.

Price preference discounts

For the purpose of comparing the price tendered by local and no-local suppliers, the price preference discounts set out below will be applied and given to:

- a) local suppliers submitting responses to Procurement Requests which are assessed in relation to this policy; and
- b) non-local suppliers submitting responses to Procurement Requests, which include use of local content, and which are assessed in relation to this policy.

Local Supplier Discount

For local suppliers who respond to Council's Procurement Requests, Council will assess their response as if their total net cost bid was reduced by 5%. Discounts will be limited to a maximum of \$15,000

Local Content Discount

For non-local suppliers who respond to Council's Procurement Requests if at least 25% of the net cost of their response or tender includes or is attributable to local content, Council will assess such response as if the total net cost attributable to local content were reduced by 5%. Discounts will be limited to a maximum of \$15,000.

Obtaining discounts

To be eligible for either discount, suppliers must specifically detail and explain in their response to Council's Procurement Request the particular facts upon which they rely to establish their eligibility for the discount and must provide any evidence of such eligibility as reasonably required by the Council.

Procedural matters

All Procurement Requests (Tenders & Quotations) issued by Council must clearly state whether and how a price preference for local suppliers will be applied so that respondents to such Procurement Requests are aware of Local Preference Purchasing Policy prior to responding to the Procurement Request.

If the Local Preference Purchasing Policy is applied in a procurement process, the community should be notified and advised of the cost to the community of applying the policy by posting details of the successful supplier, the monetary cost of applying the policy (only those discounts exceeding \$5,000), and a brief statement of the rationale behind the policy on the Council's website within a reasonable time of award of the tender.

Council in its Annual Report shall provide details of all discounts exceeding \$5,000, including details of the successful supplier, the monetary cost of applying the policy.

All Procurement Requests resulting in local preferences being applied must be capable of identification and verification through the Council's audit or internal control mechanism.

Overall local preference

If:

- a) the net costs bid by a local supplier and a non-local supplier are equal (after calculating any applicable discounts in accordance with this policy);
- b) both suppliers otherwise meet the criteria and requirements of the Procurement Request; and
- c) each supplier (and its goods and/or services) is otherwise regarded as being "equal", taking into account the non-price value-for-money considerations set out above,

Preference will be given to the local supplier.

To avoid doubt, normal processes of assessment of non-price considerations still apply, and this policy does not require that the lowest cost tender is necessarily successful. The purpose of this policy is to give preference to local suppliers (compared to non-local suppliers) where all else is equal.

IMPLEMENTATION

Examples of how the Policy may be implemented are shown below:

Example 1

A tender for the supply of goods and services attracts the following bids:

- a) Bid A of \$9,750 (net cost) is received from a non-local supplier, which is using non-local supplies and services. No price preference discount applies.
- b) Bid B of \$10,000 (net cost) is received from a local supplier within the municipality. A 5% price preference discount applies to the net cost, which is discounted to \$9,500 for comparison purposes.

The local price preference discount is applied as follows:

Tenders Received	Preference	Calculation	Total Bid for Evaluation Only
Bid A – (Non-Local Supplier) \$9,750	No preference applicable	N/A	\$9,750
Bid B – (Local Supplier) \$10,000	5% price discount is applied	Less 5% of \$10,000 = \$500	\$9,500

Bid B is successful, subject to all other considerations being met. Price paid is \$10,000.

Example 2

A tender for a contract attracts the following bids:

- a) Bid A of \$490,000 (net cost) is received from a non-local supplier, which includes local content of \$150,000. Since local content comprises more than 25% of the net cost, a 5% price preference discount applies to the local content component of the bid. The discounted total net cost of the bid is therefore \$482,500 for comparison purposes.
- b) Bid B of \$497,500 is received from a local supplier. A 5% price preference discount applies to the total net cost of the bid. The discount is limited to the maximum discount of \$15,000. The total discounted net cost of the bid becomes \$482,500 for comparison purposes.

The price discount preferences are applied as follows:

Tenders Received	Preference	Calculation	Total Bid for Evaluation Only
Bid A – (Non-Local Supplier) \$490,000	5% price discount is applied to the local content.	Less 5% of \$150,000 = \$7,500	\$482,500
Bid B – (Local Supplier) \$497,500	5% price discount is applied	Less 5% of \$497,500 = \$24,875 Limited to \$15,000	\$482,500

Because Bid B comes from a local supplier, and on the basis that all other considerations were equal, Bid B is successful even though the discounted prices were equal. Price paid is the original \$497,500, thus costing the Council a notional \$7,500 (i.e. Council could have purchase from non-local supplier for \$490,000).

REVIEW

This Policy shall be reviewed annually by the Corporate Services Department.

History of Policy Review

Version	Adoption Date	Minute No	Details of Review



Walgett Shire Council

Local Preference Purchasing Policy

In this policy (unless the context indicates otherwise):

1. **Local Content means** – goods and services procured from a local supplier or employees living permanently in the Walgett Shire Council Local Government area.
2. **local supplier will be defined as:**
 - a. An organisation /individual that operates from permanently staffed premises within the boundaries of Walgett LGA, and has operated from the premises for a minimum period of three (3) months before submitting the quotation or tender; or
 - b. An organisation that is more than 49.9% owned by an individual (or individuals) the live/s within the boundaries of Walgett LGA and has done so for a minimum period of three (3) months before the organisation submits the quotation or tender. It is assumed that the individual/s reside/s at their address on the electoral role.
 - c. An organisation having submitted the appropriate documentation required to be considered a "Local Supplier" would include:
 - i. The address of the business premises within the Walgett Shire LGA
 - ii. The number of full time staff that operate from the premises
 - iii. The name of the owner (or owners) of the organisation (and how they legally own more than 49.9% of the organisation submitted a quotation) and their address/es within the Walgett Shire LGA
 - d. If subsequent investigations by Council prove that false, declarations were made, and this organisation should not be considered a "Local Supplier" then the "Local Preference" policy will not apply to this organisation.
2. **net cost means**, in relation to a quotation, tender or expression of interest, the total amount quoted or offered by a supplier for the supply of goods or services, including any freight or delivery charges and excluding GST, and any discounts or rebates offered by the supplier.
3. **Procurement request means** Tender under the Local Government Act 1993. Council at its meeting held on xxxxxxxxxxxxxxxx resolved to implement a local preference purchasing policy. This policy gives a price advantage to local suppliers, for the supply of goods, materials and/or services above an amount of \$5,000. In determining the successful supplier, an amount of 5% will be nominally deducted from the local suppliers price for the purpose of price comparison only.
"Local Suppliers" are required to complete an application form every twelve months following initial application when submitting their first quote/tender to Council. The onus of proof is on the supplier.
For further information please contact Council's Accounts Payable Officer, Ms, Ramita Kushi on 02 68286100.

Local Preference Purchasing Policy - Local Supplier Details

Company Name _____

Trading Name _____

Postal Address of Supplier: _____

Street Address of Supplier _____

Telephone No.: _____

ABN: _____ Email: _____

No. of fulltime staff: _____

I _____ being the owner/director of the above supplier hereby request that my firm be identified as a "local supplier" for the purposes of supplying _____ to Walgett Shire Council.

(Brief description of Goods or Services)

I hereby certify that:

- a). the abovementioned business has operated from permanently staffed premises located within the boundaries of Walgett Shire Local Government Area for a minimum period of three months before submitting this form
- b). the above-mentioned business is 49.9% owned by an individual/individuals that reside within the Walgett Shire Local Government area. The names of the owner/owners of the business and their residential addresses follow:

Owners Name	Residential Address	Ownership Details eg %
_____	_____	_____
_____	_____	_____
_____	_____	_____

Council reserves the right that if subsequent investigations by Council prove that false declarations were made and this organisation should not be considered a 'Local Supplier' then the 'Buy Local' policy will not apply and that supplier may not be able to supply goods, materials and/or services to Walgett Shire Council for a period of 12 months.

It will be the suppliers' responsibility to lodge this "Local Suppliers Details" form to Council on a 12 monthly basis.

I certify that above details to Council are correct.

Signed: _____ Date: _____

Office Use Only Creditor No:/.....

SUPPLIER DETAILS

Business

Company Name	
Trading Name	

ABN number	
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OR

Individual

Surname	
Given Names	

No ABN number	Form "Statement by Supplier" Available from www.ato.gov.au ATO form NAT 3346 must be supplied otherwise provide ABN
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Street Address			
City			
State		Post code	

Postal Address			
City			
State		Post code	

Email for payment advice	
--------------------------	--

Phone	
Fax	

Bank Account details for payment of Invoices

BSB	-	Account number	
Bank		Branch	
Bank Account owners name			
Signature of authorised person			

Contact Name Signature.....

FAX COMPLETED FORM TO 02 68281608 OR EMAIL TO admin@walgett.nsw.gov.au



POTABLE WATER TESTING POLICY AND PROCEDURE

Approval Date:

Next Review Date: December 2023

Responsible Officer: Director of Engineering/ Technical Services

Policy Statement

Walgett Shire Council is committed to providing the highest quality potable water to its residents and visitors through rigid compliance with safe drinking water legislation coupled with regular and stringent testing.

Objective

To ensure that the sampling methods of potable water sources are accurately carried out.

Statutory Requirements

Local Government Act 1993

Public Health Act 2010

Public Health Regulation 2022

National Water Quality Management Strategy Charter

Australian Drinking Water Guidelines 2011

Procedure for Potable Water Testing

1. Ensure all equipment provided is implemented and accounted for (gloves, correct footwear, butane burner matches etc) Proceed to step 2.
2. **SAMPLING CONTAINERS** – (For microbiological and chemical analysis)
 - Ensure enough and correct sample bottles are taken to sampling sites.
 - 250ml sterile sample containers for all microbiological samples.
 - Chlorinated systems for microbiological sampling must be collected in a 250ml sterile container that has been rinsed in sodium thiosulphate (100mg/L)
 - Chemical water samples are to be taken in a one litre sample container, free of contaminants.
 - If in doubt regarding sampling containers to implement contact microbiological lab on 02 9646 0422
 - Proceed to step 3.

3. **SAMPLING COLLECTION METHODS** – (For microbiological and chemical analysis)

Manual sampling methods will be implemented when testing at potable water sites in the form of grab samples.

- Effort must be made to ensure that samples are representative of water under examination.
- If samples are collected from the same source on the same occasion for chemical and microbiological examination. Microbiological sampling must be taken first to prevent contamination of sampling point.

SAMPLING METHODS INCLUDE – (For microbiological and chemical analysis)

- **RETICULATED SUPPLIES** Taps should be disinfected before samples are taken achieved by two methods
 - 1) **Firstly** swab or spray the nozzle part of the tap liberally with 100% alcohol or methylated spirits and flame it. Repeat. Allow water to run for 2-3 minutes before taking sample. If this method is invalid use second method.
 - 2) **Secondly** use a butane or propane burner disinfect the tap by flaming. Start at the nozzle and work backwards until water in nozzle boils. After flaming allow water to run until cool before sample is taken.
- Once disinfection has taken place proceed to sampling, using a sterile 250ml bottle. Fill out identification label with appropriate details and **stick on** bottle. Fill bottle to top allowing headspace for mixing at lab. Secure lid tightly.
- **WELLS AND BORES ECT** When sampling from a hand pump, it should be operated for at least 5 minutes before sampling. Whilst mechanical pumps should be operated for at least 2-3 minutes before sampling.
- After pumps have been flushed proceed to sampling using sterile 250ml container. Fill bottle to top allowing for headspace for mixing at lab. Fill out appropriate label and **stick on** bottle.

- RIVERS AND LAKES Collect the sample by holding bottle at its base then plunge it neck first below the surface. Turn the bottle until neck of bottle is slightly vertical and the mouth of bottle is directed towards the current.
If there is no current artificially create one by pushing bottle forward horizontally in a direction away from the hand.
If samples are unable to be collected in this way, attach a weight to the bottom of bottle and lower into water.
- Proceed to step 4.

4. LABELS

- For all microbiological samples use the allocated labels titled "Allocated microbiological sample". (White sticker on blue background)
- For all chemical samples use the allocated labels titled "Allocated chemical sample". (Yellow sticker on white background)
- Analysis of microbiological samples involves testing for E-coli, Presumptive failure, Total plate count, Coliforms, Faecal coliforms, Faecal Streptococci, Enterococci, P aeruginosa, Salmonella, Total Algae cells per ml, Total Algae ASU per 100ml.
- Analysis for chemical samples involves testing of Ph, Alkalinity, Hardness, Salinity, Biochemical Oxygen Demand and Dissolved and Organic Carbon.
- Proceed to step 5.

5. PACKAGING (All samples)

- Place samples in an insulated container, along with ice or freezer bricks to ensure samples are kept at a temperature of between 0-5 degrees.
- All samples are to be packed in a way as to prevent breakages and damage to labels.
- Seal container to prevent tampering during transportation.
- Include a chain of custody and other relevant paperwork, placing in a plastic bag to prevent damage.
- Proceed to step 6.

6. TRANSPORTATION

- Mayne Logistics are the preferred courier service all delivery charges to be prepaid by sender contact number is 13 50 31.
- Samples must reach lab 24hrs after sampling.
- Proceed to step 7.

7. **CHECKLIST**

- Has correct safety and operating equipment been accounted for?
- Have correct sampling bottles been taken?
- Do the sampling bottles require preservatives to be added? (Refer to step 2)
- Have correct labels been taken and correctly filled out? (Refer to step 4)
- Has transportation equipment been accounted for – esky and ice/bricks?
- Have analysis parameters been identified? (Refer to step 4)
- Has chain of custody been filled out and packed in container?
- Have arrangements been made for a courier service? (Refer to step 6)

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
13 December 2022	Reviewed	DETS



QUOTING CONTRACT CIVIL WORKS AND SERVICES

Approval Date:

Review Date: December 2022

Responsible Officer: Director of Engineering/ Technical Services

Policy Statement

Walgett Shire Council is committed to providing its rate payers with the optimum price when requested to use its assets and resources to provide works and services for a third party entity.

Objective

- To provide clear guidelines when providing quotations for undertaking contract works for third parties.
- To ensure all costings provided are calculated in an accurate and transparent manner.

Statutory Requirements

[Local Government Act 1993](#)

[Local Government \(General\) Regulation 2021](#)

[Local Government Code of Accounting Practice and Financial Reporting](#)

Related Policy/Procedure

Financial Management and Control

Quoting Council Plant and Vehicle Hire

Cost Margins & Overheads on Council Works and Services

Local Preference Purchasing

Quoting Council Plant and Vehicle Hire

Quotations for Contract Civil Works and Services

The following procedure will apply for pricing quotations for undertaking contract works for third parties, such as the Roads and Traffic authority of NSW, other councils, and private companies / individuals:

1. Quotations must be in accordance with the current council Management Plan (Fees and Charges).
2. Availability of council resources is limited, and council reserves the right to deny its availability to undertake contract works, where such undertaking would potentially interrupt delivery of council's core services.
3. Council *may* have adopted rates in its current Management Plan for specific conditions, such as grading access roads for ratepayers during normal working hour associated with adjacent works in progress – these over-rides this procedure.
4. Council has a separate procedure covering circumstances where *only plant hire* is being provided. See AFM – Quoting Council Plant and Vehicle Hire.
5. Initial or general enquiries about contracting council to undertake civil works should be forwarded to either the Director Rural Infrastructure & Support Services, or the Director Urban Infrastructure Services or their nominated delegate(s), depending on the works proposed to be undertaken. The relevant Director or their delegate will then assess whether Council has the resources and expertise available to complete the works.
6. Civil Works Quotations may only be issued by staff with a delegation of expenditure exceeding the price of the quotation, and only where the works involve resources normally allocated to their position.
7. The quoted price(s) shall account for all costs likely to be incurred by council in providing the service and include allowances for items (a) + (b) + (c) + (d) + (e) + (f) + (g) + (h) + (i):
 - a) **The (internal) plant hire costs** – This is found in the Engineering – Plant module and is maintained by the Support Services Officer. They are reviewed on an as-required basis and may change over the course of a financial year. The rate covers the operating, maintenance, and replacement cost of the plant item.
 - b) **Council employee costs from Payroll** – Select the actual staff that will be working on the project and determine whether they will be working normal or overtime etc. The rate must cover the employee wages, leave entitlements, other allowances, and council's payroll function. This is derived from the pay rate in Authority plus the labour overhead. See AFM – Cost Margins & Overheads on Council Works and Services.
 - c) **Contract plant & staff costs** – you should select likely small contractor rates either from standing offers or by specific quotation.
 - d) **Materials costs** – you should select likely cost of materials required either from standing offers or by specific quotation.

- e) **Administration charge** – this is the currently adopted rate to cover council's administrative overheads (management, finance, etc) It is applied to (a) + (b) + (c) + (d). See AFM – Cost Margins & Overheads on Council Works and Services.
 - f) **Contract Services costs** – where a subcontractor is providing a full-service contract, include the quoted cost of this resource plus the current administrative charge to cover council's administrative overheads. (Examples are bitumen sealing and full-service pavement stabilisation). See AFM – Cost Margins & Overheads on Council Works and Services.
 - g) **Allowance for error in estimating** – the extent to which the estimated quantities, costs, or duration of the project (wet weather) may vary should be assessed, documented and the full or partial risk should be included in the offer having regard to the available mitigation measures that can and will be implemented.
 - h) **Allowance for rework** – the extent to which part of the project may initially fail to meet the required quality standard and the cost of replacing or reworking that part of the project should be assessed, documented, and included in the offer price.
 - i) **Profit margin** - If Council submits an offer to provide commercial services, it should, as a minimum, comply with the principle of Competitive Neutrality under the National Competition Policy. This involves making an allowance for the payment of all taxes or tax equivalent payments that a private firm would pay, such as payroll tax and stamp duty. See AFM – Cost Margins & Overheads on Council Works and Services.
8. **Form of Offer** – the Director should consider the form of offer made – whether it is lump sum price, schedule of rates, and the inclusion of provisional sums or quantities – having regard to all things affecting the risk to Council.
9. Quotations for council to provide civil works and services shall be authorised in compliance with the delegations of authority for expenditure.

Procedure Review History



Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
13 December 2022	Review	DETS



REQUESTS FOR QUOTATIONS POLICY AND PROCEDURE

Approval Date:

Next Review Date: December 2025

Responsible Officer: Director of Engineering/ Technical Services

Policy Statement

Walgett Shire Council is committed to procuring goods and services, which provide best value for money to its rate payers, in an open and transparent manner.

Objective

To provide direction for staff requesting quotations for simple procurements.

Statutory Requirements

[Local Government Act 1993](#)

[Competition and Consumer Act 2010](#)

Related Policy/Procedure

Quotation and Tender Thresholds
Financial Management and Control
Fraud Control
Local Preference Purchasing

Requests For Quotations (RFQ)

Process

Where the Procedure AFM – Quotation and Tender Thresholds calls for written invitation for quotations to be issued, the following process is to be implemented:

- 1) Register the procurement in the current Request for Offers Register found in TRIM folder 09/1868 by **creating a new version** of the document and completing the form including the estimated price of the procurement.
- 2) Where the procurement is a simple purchase, complete the Quotation Form – Simple Procurements, a template for which is found in TRIM folder 09/1869. **Save the completed document** in the TRIM folder relevant to your work activity with the Title containing the Offer number and title, in the form such as: **"RFQ10001 Supply and Delivery of Example Services"**.
- 3) If the procurement is of a complex nature or requires the approval of a manager or Director, advice should be sought from the Authorising Officer prior to completing the request for offer documents.
- 4) Where the procurement is to be advertised, complete the Request for Offers (RFO/RFQ) Ad – Simple Procurements, a template for which is found in TRIM folder 09/1869.
- 5) Where the procurement is to be advertised, arrange for advertising in the local papers and the uploading of the Request for Offer documents to Council's website.

Standards

The following standards shall apply to all written Requests for Quotations:


- 1) The closing time shall be a minimum of 2 weeks after the date of first publication in a local newspaper
- 2) The closing time shall be when Council's administration office is open to the public.
- 3) Staff must complete adequate market assessment to ensure that sufficient suppliers will be aware of the Request for Offers invitation to deliver the best value outcome. This may necessitate additional advertising and the forwarding of the documents directly to suppliers who may have the capacity to submit an offer.
- 4) Consideration of holding retention monies should be considered where the supply involves the construction of works that may develop defects as a result of workmanship not covered by manufacturer's warranties.
- 5) Where a Schedule of Rates/Fees is used, preference should be given to maintaining a Lump Sum Quotation with a specified level of accuracy for the estimated quantities provided or a Fixed Upper Limit. This must be explicitly detailed in the Annexure.
- 6) All quotations must incorporate the provision of a total procurement price. Rates or fees shall not be requested without providing a basis for determining a total procurement price.
- 7) Lowest Price Conforming Offer should be used for all simple quotations for *fully specified* procurements.
- 8) Where Weighted Selection Criteria are proposed to be used, the Authorising Officer must be satisfied that an objective assessment of the criteria can be made from information submitted with the Quotation or other assessments/documentation required to be facilitated by the supplier in the Request for Quotation. The weighting

on price shall not be above 60% whereby it would always outweigh the other criteria being used.

- 9) Where the procurement is complex in nature or exceeds \$80,000, consideration should be given to using Australian Standards or equivalent industry standard contract conditions and using a quotation assessment panel of two or more people.
- 10) The Contact Officer managing the procurement shall ensure that the Request for Quotation process is compliant with the following Australian Standards wherever relevant: AS4120 Code of Tendering, AS4121 Code of Ethics and Procedures for the Selection of Consultants.
- 11) No amendments shall be made once the Request for Quotation documents have been issued or uploaded to the website unless a strictly accurate register of persons receiving the documents, including their nominated contact details, is established and maintained by the Contact Officer. Where such amendments are made, an addendum shall be issued to every person who previously obtained a set of documents. An addendum shall not be issued within 7 days of the time of closing of the Request for Quotations.
- 12) Assessment of the Offers using Weighted Selection Criteria requires that a scoring system is documented before the closing time. Where no procurement specific scoring system has been developed, the following shall apply to non-price criteria (with no intermediate scores):
 1. Unworkable
 2. Poor
 3. Fair
 4. Good
 5. Excellent
- 13) Where Weighted Selection Criteria are used, Price (or Whole of Life Cost) shall be one of the criteria and shall be scored as follows: $\text{Score} = \text{Weighting} \times 5 \times (\text{Cheapest Tender Price}) / (\text{Tender Price})$ accurate to one decimal place.
- 14) Where Weighted Selection Criteria are used, each member of the panel shall score the offers independently, and the preferred offer shall be the one with the highest score.
- 15) Offers shall not be shortlisted unless the process of shortlisting is specified in the Request for Offer documents.
- 16) The Contact Officer must be willing to debrief any unsuccessful supplier and justify the assessment process and scores awarded to the supplier's offer.
- 17) In a debrief, suppliers shall not be provided with the scores of specific competing suppliers. However, their relative position in the scores awarded across all offers received should be provided. The aim of debriefing a supplier is to show them where they can improve their own offer such that they will score higher next time they make a submission. (i.e. to discuss their offer, not someone else's)
- 18) Suppliers may identify information in their offers as "commercial in confidence" or "confidential", this should never be disclosed to any person outside of the assessment panel without first obtaining expert advice.

Forms and Templates

Quotation Form – Simple Procurements

Request for Quotation (RFQ)			
Offer No.	Offer Title	Closing Time	
Contact Officer:		Accepted Method(s) of Submission:	
Name:		<input type="checkbox"/>	Fax: (02)6828 1608
Position:		<input type="checkbox"/>	Email: admin@walgett.nsw.gov.au
Email:		<input type="checkbox"/>	Email to Contact Officer
		<input type="checkbox"/>	Post: PO Box 31 WALGETT NSW 2832
		<input type="checkbox"/>	By Hand: 77 Fox Street WALGETT NSW
Services Required: (tick those that apply)			
<input type="checkbox"/>	Supply Only	<input type="checkbox"/>	Project Management
<input type="checkbox"/>	Supply and Delivery	<input type="checkbox"/>	Contract Administration
<input type="checkbox"/>	Install Only	<input type="checkbox"/>	Construction Surveillance
<input type="checkbox"/>	Supply and <u>Install</u>	<input type="checkbox"/>	Professional Advice
<input type="checkbox"/>	Civil Construction	<input type="checkbox"/>	Design and Documentation
<input type="checkbox"/>	Building Works	<input type="checkbox"/>	Other (See Specification / Brief)
Details of Requirement (Specification / Brief)		<input type="checkbox"/>	Annexure Attached
[Insert Requirements]			
Delivery Location / Site:			
Basis of Payment: (tick those that apply)			
<input type="checkbox"/>	Lump Sum	<input type="checkbox"/>	Payment on Completion
<input type="checkbox"/>	Schedule of Rates / Fees (see annexure)	<input type="checkbox"/>	5% Retention Withheld for 26 Weeks after completion
<input type="checkbox"/>	Other (see annexure)	<input type="checkbox"/>	5% Retention Withheld for 52 Weeks after completion
Assessment Criteria: (tick one option that applies)			
<input type="checkbox"/>	Lowest Price Conforming Offer	<input type="checkbox"/>	Weighted Selection criteria
		Criteria	Weight
		1. Price	60%(max)
		2.	
		3.	
		4.	
		5.	
			100%
Approved for Advertising:			
Signature		Date	

**Request for Offers (RFO/RFQ) Ad –
Simple Procurements**

SINGLE AD



Walgett Shire Council invites the submission of offers closing at [insert closing time & date], for [insert offer number & name]. Offer documents are available from Council's Administration Office at 77 Fox Street Walgett NSW or from www.walgett.nsw.gov.au. Enquiries in relation to this offer must be directed to Council's [insert contact officer position & name] on phone [insert contact officer phone number] or email [insert contact officer email].

MULTIPLE AD



Walgett Shire Council invites the submission of the following offers:

[insert offer number & name] closing at [insert closing time & date]. Enquiries in relation to this offer must be directed to Council's [insert contact officer position & name] on phone [insert contact officer phone number] or email [insert contact officer email].

[insert offer number & name] closing at [insert closing time & date]. Enquiries in relation to this offer must be directed to Council's [insert contact officer position & name] on phone [insert contact officer phone number] or email [insert contact officer email].

[insert offer number & name] closing at [insert closing time & date]. Enquiries in relation to this offer must be directed to Council's [insert contact officer position & name] on phone [insert contact officer phone number] or email [insert contact officer email].

.....
Offer documents are available from Council's Administration Office at 77 Fox Street Walgett NSW or from www.walgett.nsw.gov.au

Procedure Review History



Date	Changes Made	Approved By
December 2009	Procedure Developed	
13 December 2022	Review	DETS





COUNCIL HOUSING POLICY AND PROCEDURE

Approval Date: December 2022~~July 2018~~

Review Date: December 2023~~July 2020~~

Responsible Officer: General Manager

POLICY STATEMENT

WSC is committed to the provision of a range of incentives, including staff housing, designed to attract and retain appropriately skilled and experienced staff to the Walgett Shire and to encourage them to remain in employment with WSC on a long term basis.

OBJECTIVES:

1. To purchase, upgrade and maintain as necessary, adequate housing stock to provide rental housing primarily to successful applicants of designated positions.
2. To consider the rental of housing deemed as excess to the requirements of Council for staff use, by Government Departments and selected special purpose bodies through selected real estate agencies or by direct lease from Council at commercial rental rates.
3. To provide quality housing options to attract medical and dental practitioners to the Shire for the benefit of WSC ratepayers.
4. To provide a framework for the rental of WSC housing that ensures fairness and transparency as a Landlord and to comply with all relevant Statutory and Regulatory requirements.

Objective

This procedure provides a framework for the rental of WSC housing that ensures fairness and transparency as a landlord and complies with all relevant regulatory requirements.

Statutory Requirements

Residential Tenancies Act 2010
Residential Tenancies Act 2010 Amendment
Local Government Act (1993)
Local Government (General) Regulation 2021~~105~~

Related Policy/Procedure

Financial Management and Control

Application

This procedure applies to Council staff, medical and dental practitioners and any other persons occupying Council housing.

Housing

1. Ownership

All housing remains at all times the property of Walgett Shire Council.

2. Management

Council housing is to be managed and administered under the control of the General Manager.

3. Council Staff

Council purchases, upgrades and maintains as necessary, adequate housing stock to provide rental housing to designated positions as listed in *Annexure A*.

Such housing is to be offered to the successful applicant of the designated position, at the discretion of the General Manager. This arrangement contributes to a range of incentives designed to attract and retain appropriate skilled and experienced staff to the Walgett Shire.

4. Housing Standards

As at 2018 Council owns ~~2934~~ units and residences in Walgett, Lightning Ridge and Collarenebri. These dwellings range in quality of amenity and maintenance level from basic to executive accommodation. This list must be updated in these procedures by May each year by the Property Officer.

All dwellings are to be subject to an initial condition appraisal to ascertain appropriate rental grading by an appropriate qualified independent individual or organisation.

5. Excess housing

When excess housing is available, the housing may be offered to government departments and selected special purpose bodies such as medical and dental practitioners where there is a direct benefit to WSC ratepayers, through selected real estate agencies or by direct lease from Council at commercial rental rates.

All requests for excess housing allocations must be in writing addressed to the General Manager.

6. Rental

Rent charged to designated positions listed in *Annexure A* is to be 30% (unfurnished residences) of equivalent market rental value as independently assessed and reviewed at least every three years (with the exception of Part 7 below – Sub Leasing). Rental rates for current employees will be adjusted in accordance with these procedures after a period of three months' notice from the date of approval of this Procedure.

All rent shall be paid fortnightly by direct salary deduction (before tax for Council staff). All other rent shall be invoiced (in advance) and paid fortnightly through Walgett Shire Council Debtors system.

Housing benefits (difference between market rent price and subsidised rent paid) included in salary packages are to be shown as a \$ cost on group certificates with monies received transferred to the Council Housing Internally Restricted Funding Reserve.

The General Manager may at his/her absolute discretion allocate excess housing to staff members not listed in *Annexure A* at a subsidised rate in recognition of work completed outside Council's core business hours. Generally, housing allocations will be in addition to salary packages where subsidised rent is in recognition of work completed outside Council core hours.

7. Sub Leasing

With the prior approval of the General Manager, an employee may have a tenant. Where a staff member has a tenant the rent charged by Council is to be 50% (unfurnished residences) of equivalent market rental value as independently assessed and reviewed at least every three years. These charges are not applicable to existing rental arrangements and are only effective on Residential Tenancy Agreements made after February 2016.

This arrangement has been introduced to ensure that equity is present in all housing arrangements. All other conditions are as contained in these procedures. The principal tenant is responsible for the tenancy and entitled to the 50% housing subsidy.

8. Tenancy Agreements and Bonds

It shall be the responsibility of the Council's Property Officer to ensure that tenants sign a Tenancy Agreement prior to occupying a Council Residence. All tenants will be provided with a copy of The Renting Guide published by the Department of Fair Trading (NSW).

A bond equal to four (4) weeks market rent is to be paid by all new tenants. In the case of staff it will be deducted from salary in four (4) equal instalments. The bond will be lodged with the ~~Rental Tenancy~~ Bond Board for the duration of the tenancy and repaid on termination of employment, less any costs incurred by Council associated with damage or works required for re-tenancy not considered fair wear and tear including garden maintenance.

9. Existing Tenancies

All existing tenancy agreements are to remain at the discretion of the General Manager. Should any existing or new tenancy be deemed unsatisfactory it will be terminated strictly in accordance with the terms of the tenancy agreement or by an independent rental dispute tribunal.

10. Pre-Tenancy Inspection

Before commencement of a tenancy, a joint inspection of the condition of the property is to be carried out, a report prepared and signed by both the tenant and council's representative. This report will form the basis for maintenance requirements and is to be made available should any dispute arise in the future.

11. Periodical Inspections

Inspections on leased residences shall be carried out by the Council Property Officer. These inspections will occur ~~once~~ **twice** annually.

The tenant shall be given a least seven (7) days' notice of a proposed inspection and shall be entitled to be in attendance when the inspection is undertaken. Unsatisfactory maintenance or conditions will be dealt with in accordance with the terms of the tenancy agreement signed by the tenant.

12. Routine Maintenance

The tenant shall notify Council Property Officer (preferably in writing) of any maintenance required as the need arises. The Property Officer shall consult with the Director of ~~Corporate Services Engineering/Technical Services~~ regarding the priority to be given to the work and funding available, and where agreed, arrange for the work to be performed as quickly as possible.

The Council will not undertake, or pay for, routine maintenance which has not been organised in accordance with the procedure.

13. Emergency Maintenance

Where the need for emergency repairs arises during Council's normal operating hours, the need shall be reported to Council's Property Officer for action. Emergency repairs which affect the health or security of the tenant may be arranged by the tenant if the need arises outside normal Council operating hours, or if the Property Officer is unavailable to deal with the matter. Any emergency repair shall be reported the Property Officer as soon as possible.

Invoices for emergency repairs arranged by the tenant in accordance with this procedure shall be submitted to the Council for payment and the tenant will be paid within fourteen (14) days.

14. Garden and Lawn Maintenance

All properties are to be kept in a neat and tidy condition and clear of excess rubbish at all times. Garden and lawn maintenance shall be the responsibility of the tenant.

15. Disposal of Housing

Housing stock deemed to be in excess of assessed housing requirements or in need of major maintenance, may be disposed of at the discretion of Council. All monies received from the sale of such properties will be transferred to the Council Housing Internally Restricted Funding Reserve.

16. Rental Subsidy

Where Council has no housing available for positions noted in *Annexure A*, and the employee takes up a private lease agreement, a rental subsidy, being the difference between market rent price and subsidised rent, will be paid to the employee.

17. Furniture

Basic furniture already available to the tenant will continue for the term of his/her occupancy.

Rental in such instances will be a minimum of \$10 and a maximum of \$25 depending on the quantity and quality of furniture involved. The rental of furniture is unsubsidised and will be added to the rent payable. Furniture rental is to be assessed and determined by the Property Officer.

Where a dwelling is provided with furniture, an annual inventory shall be prepared by the tenant in conjunction with Council's Property Officer and submitted to council for record purposes.

All Council supplied soft furnishings should be professionally cleaned, when the tenant vacates the property, where they have come in contact with pets of any type.

No additional furniture shall be acquired for the refurbishment of Council residences, unless the General Manager determines otherwise.

18. Housing Upgrades

As part of the preparation of the Operational Plan, the Director of Corporate Services~~Engineering/Technical Services~~ shall arrange for an assessment of each of Council's residences to be made regarding the need for works to upgrade those residences and shall report to the Council the details of works considered necessary with an estimate of costs.

The Council shall determine what upgrades shall be undertaken and include those works in its adopted Operational Plan for the relevant year.

19. Utilities

The tenant is to be responsible for all costs associated with gas and power during the term of the tenancy. Telephone, electricity and gas supplies are to be connected and remain in the name of the tenant for the term of the tenancy.

20. Insurance

Council will maintain adequate property insurance. The tenant is responsible for appropriate contents insurance on all privately owned goods and chattels.

21. Council Housing Internally Restricted Funding Reserve

All proceeds from rental received are to be deposited in the Council Housing Internally Restricted Funding Reserve to be expended on rates, insurance, maintenance and upgrading works associated with the Council's housing stock. Additional funding where required, will be made available in accordance with the annual budget process.

22. Pets

Pets of any type are not allowed inside Council residences, unless written application is made to the General Manager and permission is given in writing. Any damage caused by the pet must be repaired at the cost of the tenant.

23. Disputes

Any unresolved dispute concerning the Council's Housing Policy and Procedure shall be referred to the General Manager whose decision shall be final and binding on the Council and the Tenant. The tenant shall be given 14 days to vacate a premise if so decided by the General Manager.

Annexures

Annexure A: Eligibility for Housing – Designated Positions

WSC Housing Procedure

Annexure B: Council Housing List as July 2018

Annexure C: Standard Furniture List Inclusions

ANNEXURE A: Eligibility for Housing – Designated Positions

The following are identified positions eligible to occupy Council housing at subsidised rent:

- General Manager
- Chief Financial Officer/Director Corporate Services
- Director Environmental Services
- Director Engineering/Technical Services
- Manager Infrastructure Roads ~~Deputy Director Engineering/Technical Services~~
- Works Engineers
- Projects Engineers
- Management Accountant
- Senior Finance Officer ~~Graduate Accountant~~
- Rates Clerk
- Executive Assistant
- ~~Senior~~ Health and Building Surveyor
- Regulatory Environment Compliance Officer ~~Health and Building Surveyor~~
- Town Planner
- Human Resources Manager
- Information Services Coordinator
- Technical Officers
- Manager Infrastructure Urban
- GIS Officer

Additional vacant staff housing may be offered to other staff members if and when available after an application in writing which will be considered and determined by the General Manager.

ANNEXURE B: [Walgett Shire Council Housing List as at July 2018](#)

ANNEXURE C: [Standard Furniture List Inclusions](#)

Kitchen

- Microwave
- Kettle
- Toaster
- Cutlery (4 piece)
- Glasses (4 piece)
- Dinner set (4 piece)
- Frypan
- Cooking pots (3 piece)
- Mixing bowl
- Baking dish
- Cutting board
- Chopping knife
- Egg lifter
- Tongs
- Large serving spoon
- Fridge/Freezer
- Dining table & chairs

Lounge

- TV 32 inch
- TV cabinet or coffee table
- Three piece lounge
- Coffee table

Bedroom 1

- Queen bed
- Two bed side tables

Bedroom 2

- Queen, double or single as required or available

Laundry

- Washing machine

Extras

- Vacuum
- Bin
- Broom
- Mop/Bucket
- Ironing Board
- Iron

Procedure Review History

Date	Changes Made	Approved By
November 2016	Procedure Developed	Don Ramsland – General Manager
July 2018	Updated	Don Ramsland – General Manager
<u>December 2022</u>	<u>Updated with review by General Manager</u>	<u>Council</u>



DRUG AND ALCOHOL POLICY

Adoption Date: 1 May 2018

Review Date: 1 May 2021

Responsible Officer: General Manager/Human Resources Manager

POLICY STATEMENT

Walgett Shire Council has a duty of care to ensure the health, welfare and safety of all workers at work. Council also has a duty of care to ensure the health and safety of members of the public who enter the workplace. Workers are also responsible for taking care of others and co-operating with Council whilst at work. Alcohol, illegal drugs and certain medications are known to be detrimental to the safety of workers and visitors in the work environment. The use of drugs and alcohol in the workplace during work hours and/or while attending duties is strictly prohibited.

AIM:

To provide a safe working environment for all workers and for members of the public by implementing procedures to ensure workers who are affected by drugs and alcohol do not attend work.

OBJECTIVES:

The focus of this Policy is to implement an effective Drug and Alcohol Program within the workplace with the aim to:

- Create a safe and healthy work environment for our workers and others, which is free from the hazards associated with drugs and alcohol in the workplace.
- Ensure a rehabilitation process is available for workers who may have difficulty addressing drug and/or alcohol related issues.
- Foster a positive attitude amongst all persons that it is not acceptable to come to work under the influence of alcohol or any other drug that will prevent them from performing their duties in a safe manner.
- Ensuring that Walgett Shire Council meets its legal obligations by providing a safe working environment for its workers and the public.
- Ensure workers are aware that breaches of the Policy will lead to disciplinary action as per Clause 36 of the Local Government (State) Award 2017.
- Promote and maintain a Risk Management focus within Walgett Shire Council to meet the legislative requirements of the NSW Work Health and Safety (WHS) Act and Regulations 2011.

General Manager:

Signature: _____ Date: _____



DRUG AND ALCOHOL PROCEDURES

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SCOPE

This policy applies to all paid Council workers, contractors, sub-contractors, volunteers and people on 'programs' working with Walgett Shire Council staff or under the supervision of Council staff.

DEFINITIONS

Alcohol: legal or illegal substances specifically containing alcohol. Alcohol is a depressant drug, which slows brain activity and responses in the central nervous system, which means it slows messages going between the brain and the body. Alcohol can cause loss of balance and coordination and reduces the ability to judge speed and distance. It can also impair a person's ability to process and respond to situations, make decisions and take actions. Alcohol also increases confidence and aggression in some people.

Council: means Walgett Shire Council.

Drugs: legal (prescribed by a medical practitioner and over-the-counter) and illicit substances (drugs deemed to be illegal pursuant to current State Legislation, such as cocaine, cannabis, methamphetamines etc.). There are a range of drugs and medications that can produce unsafe work performance, e.g. confusion and/or impaired motor coordination. Some of these, may include pain relievers, sleeping pills, tranquilizers, and anti-histamines.

Duty of Care: Persons Conducting a Business or Undertaking (PCBU) are to ensure the health, safety and welfare of their workers and other people at the workplace. Every worker must take reasonable care in relation to the health and safety of people at the workplace and must cooperate with all reasonable requests made by the PCBU under the WHS Act and Regulations 2011.

Workers: paid workers, volunteer workers, contractors, sub-contractors and others assigned to work with or under the supervision of Council staff.

Intoxication: in general, intoxication is the temporary loss of control, due to alcohol or drug abuse, over mental and physical powers. Absolute standards set by the government exist for particular activities such as driving motor vehicles. Referral for testing, diagnosis and treatment should be based on work performance and related issues.

Reportable Incident: is defined as any accident or event that occurs in the course of work which results in personal injury, vehicle damage, property damage and/or any incident that has the potential for significant risk of harm or injury to a person or equipment.

Plant: means large and small plant items, trucks and motor vehicles operated on Council worksite's **or on behalf of Council**.

Prescription Drugs: are those drugs prescribed by a medical practitioner. Prescribed medications will be subject to a risk assessment and certification by the medical practitioner that they do not adversely affect the workers work performance or ability to operate plant and equipment in a safe manner.

Tester: means a person authorised by Council and trained to conduct breath analysis, urine or oral swab testing in accordance with Australian Standard (AS) AS 3547:1997, AS4760:2006 and AS4308:2008.

Initial Test: is defined as a valid method used to exclude the presence of alcohol and/or other drug or a class of drugs as provided by AS 3547:1997, AS4760:2006 and AS4308:2008.

Certified Laboratory: a laboratory that meets the minimum Australian performance standards set by an accredited agency being the National Australian Testing Authority (NATA).

Confirmatory Test: means a second analytical test performed to identify the presence of alcohol and /other drugs in accordance with AS4760:2006 and AS4308:2008. The confirmatory test of a second sample from the original sample taken at the original collection time. Nothing in this procedure prevents an independent test, by a method chosen by the person who tested non negative.

Negative: means that the drug concentrations in the sample are below the designated target or cut-off levels for a specific drug class. A negative result does not always mean there are no drugs present in the sample, it means there are not drugs present above the Australian Standards target or cut-off levels.

Non-Negative: means the initial test has been identified as not being negative and as yet unconfirmed until such time the sample result is confirmed at an accredited Laboratory.

Positive: means that the drug concentration in the sample is greater than the designated target or cut-off level for a specific drug class at Laboratory confirmation.

Vehicles: means light vehicles including sedans, station wagons, utilities, four-wheel drives operated on council worksites **or on behalf of Council.**

Workplace: a specific location where a worker performs their work duties, which may include a vehicle or vehicles, depot, office or other location and which does include travel to and from work.

RESPONSIBILITIES

Divisional Manager: the person responsible for managing the department.

Supervisor: is responsible for directly supervising field staff at supervisor level.

Worker: is employed or person/s providing services engaged by Walgett Shire Council.

GENERAL

This Policy will operate at all levels throughout the Council and is applicable to any person that works, or services are engaged by Walgett Shire Council.

This Policy is concerned with the effect of drugs and alcohol on job performance, and safety of the individual, and other workers of Council, including the public.

This Policy is designed to achieve restoration of a satisfactory level of worker health and job performance. This includes workers who participate in rehabilitation program by acknowledging and addressing their individual problems. Also, to establish disciplinary procedures to address those workers who choose to disregard the Walgett Shire's drug and alcohol policy and procedures.

All Walgett Shire Council workers and relevant others will be notified of the revised Drug and Alcohol Policy and Procedures. Drug and Alcohol awareness training and or other information will be made available to all workers and relevant others as determined by the General Manager and Divisional Managers and relevant others.

DRUGS AND ALCOHOL IN THE WORKPLACE

The use, possession or distribution of drugs or alcohol in the workplace, including Council premises, parks, reserves, vehicles, plant or any Council building or physical asset is strictly prohibited. Workers breaching this policy will be subject to disciplinary action under Clause 36 of the Local Government (State) Award, 2017.

The General Manager or a resolution by Council may approve the consumption of alcohol in Council premises under special circumstances.

SUPERVISOR AND WORKER OBLIGATIONS

It is the responsibility of all supervisors and workers to ensure that no worker commences or continues to perform their duties if the worker presents as being affected by alcohol, illegal drugs, medication or other substances which is likely to compromise the safety of themselves or others and results in an inability to perform their normal work duties safely.

FITNESS-FOR-WORK OBLIGATIONS

It is the worker's responsibility to present themselves for work in a fit state, to enable them to carrying out their work activities so that they do not expose themselves, others or public to unnecessary risks to health and safety. In addition, the worker is responsible for any civil or criminal penalty, which results from being under the influence of alcohol or drugs in the workplace.

SELF-REFERRAL PROGRAMME

Workers who suspect that they may have an alcohol, substance or drugs of abuse issue, are encouraged to seek diagnosis and rehabilitation treatment. Workers will receive the same consideration and opportunity to undertake rehabilitation treatment as is presently extended to workers suffering from other illnesses. The decision to request diagnosis and accept rehabilitation treatment for an alcohol, substance or other drugs of abuse issue is the responsibility of the worker.

Contact should be made initially with your Divisional manager who will seek assistance from the Human Resources Manager for matters of this nature. Confidentiality of records will be maintained. A referral for rehabilitation treatment and requests for support will not, where possible ~~jeopardise~~ the job security of the worker.

Neither supervisors nor union representatives have the qualifications or training to assess a person's alcohol, drug or other problems. A Fitness for Work – Observation Form should be submitted to Council's trained Drug & Alcohol Testing Staff for further investigation.

Refusal to accept a fitness for work assessment or to follow through in rehabilitation treatment, accompanied by further deteriorating job performance, risk of personal injury and risk of injury to other workers will be actioned in accordance with Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017.

Workers participating in the program will be expected, within a period defined by the appropriate treatment provider and program, to re-establish satisfactory job performance levels and adhere to Council work rules, policies and procedures. **Where this does not occur, Council may have no option but to terminate employment.**

Once satisfactory worker health and work performance has been restored, assessed and maintained the matter for alcohol, substance or drugs of abuse issue will be closed however, records will remain on Council Human Resource files.

Nothing in this Policy is to be interpreted as constituting a waiver of Management's responsibility to maintain discipline or the right to take disciplinary measures in accordance with Clause 36 of the Local Government (State) Award 2017.

TESTING REGIMES

PRE-EMPLOYMENT:

All new workers will be subject to drug testing and alcohol breath screen prior to employment. Applicants who return a non-negative alcohol or other drug screen result, may not be offered employment as a result. In addition, all existing workers who have applied for a different position within Council will be subject to drug and alcohol testing.

RANDOM TESTING:

Council reserves the right to conduct random drug/alcohol testing as regular screening is a compulsory component of Council's risk management program. Management reserves the right to select groups of workers for random testing, and the frequency of random drug/alcohol testing.

The Manager Human Resources will monitor the preparation and implementation of the process to ensure that workers are not being targeted or victimised.

Results are recorded and kept confidential between the employee, Drug and Alcohol tester, Manager Human Resources, and the General Manager.

FOR-CAUSE:

If a worker suspects another worker of being under the influence or affected by either drugs or alcohol, they should report their concerns to their immediate supervisor who will monitor the suspected workers behavior. The supervisor will complete a Fitness for Work – Observation Form and submit this to Council's accredited Drug and Alcohol Testers for further investigation and action. If the worker is not deemed fit for work following an assessment, the worker will be requested to undergo a drug and or alcohol test.

POST-ACCIDENT/INCIDENT:

Where there is reasonable cause to believe that a worker covered by the scope of Council's Drug and Alcohol Policy has been involved in an accident or incident as defined, drug and alcohol screening will be compulsory. Such screening will occur as soon as possible after the incident and not later than four (4) hours post incident where possible. An injured worker who requires immediate medical attention will be screened when it is deemed appropriate to do so. This will be determined in consultation with appropriate medical personnel and may be performed by the medical practitioner at the request of Council or by the Police at their own discretion.

RETURN TO WORK:

Where a non-negative or confirmed positive result for the presence of drugs and or alcohol has been received, the worker will be required to supply a negative sample prior to resuming work duties. If the worker is off for extended periods of time, access to sick leave, long service, annual leave or other if available may be accessed following discussions with and approval from Manager Human Resources. Such approval in not to be unreasonably withheld. The worker is required to provide evidence of attendance and conduct regular communication during the agreed period of absence.

SELF TESTING:

Council workers will have the opportunity to self-test for alcohol and/or drugs provided for voluntary withdrawal from duties up to and including 15 minutes after presentation at work. Council will make reasonably available breath analysis disposable alcohol breath screen and drug testing equipment where a worker wishes to self-test following contact with the Manager Human Resources. Where a worker presents for more than three self-tests for alcohol and/or drugs within a 12 month period, Council will reserve the right to initiate further discussions, and fitness for work assessment and or ongoing testing with that worker. Workers who present and disclose to the Manager Human Resources, their supervisor or Divisional manager that they have an alcohol and/or drug issue, this will be managed on a case by case basis.

Where a worker disputes a non-negative self-test result the worker will be placed on leave without pay or any accrued leave can be accessed and appropriate transportation will be arranged to return them to their normal place of residence. The worker can request the sample to be sent for further confirmatory Laboratory analysis, all costs are to be paid by the worker. If the confirmatory Laboratory test is negative, the worker will be reimbursed leave taken and resume work with no follow-up actions. If the Laboratory confirmative test returns

a positive result for the presence of drugs and or alcohol, the worker will be required to supply a negative sample prior to resuming work duties and participate in disciplinary action in accordance with Walgett Shire Council procedures.

TESTING STANDARDS

Testing will be conducted by a person authorised by Council and accredited to conduct breath analysis, oral swab or urine testing in accordance with Australian Standard procedures outline in AS3547:1997, AS4760:2006 and AS4308:2008, or an independent company as employed by Council for drug and /or alcohol testing in line with this policy.

Any reference to urine testing be adopted as per the industry parties (USU, LGEA, DEPA and Local Government NSW) as referenced in the NSW Local Government Alcohol and Other Drugs Policy and in accordance with the Australian AS4760:2006.

In addition, the following will apply:

- Council reserve the right to conduct testing in accordance with the defined testing regimes.
- Councils Drug and Alcohol Policy and Procedure is to be applied fairly, objectively and equitably. It is important the responsible workers act in an ethical and professional manner and with consistency on each occasion and across all staff.
- Council will endeavor to ensure worker and other confidentiality standards are maintained at all times. All testing will be conducted in a private location that maintains the privacy and dignity of the worker presenting for testing. Medical and other related health information will be held in compliance with the requirements of the Health Records and Information Privacy Act 2002.
- Workers are not permitted to leave the worksite once they are selected to participate in an alcohol and/or other drug screen. Leaving the worksite (testing area) or refusal to undergo the alcohol and/or drug testing will be regarded as a positive test result.
- Worker participating in an alcohol and/or drug test are not to do anything or introduce, alter or tamper with the sample being provided for testing.
- Council reserves the right to conduct breath alcohol and oral saliva testing as the initial test and where required a follow-up urine drug test may also be conducted, in accordance with AS3547:1997, AS4760:2006 and AS4308:2008 processes.
- Where workplace tests are identified as non-negative and results are disputed, the sample will be sent for laboratory confirmation. If the laboratory result is negative council will pay all associated costs, however, where the laboratory result is deemed positive the worker is to pay all associated costs and participate in a rehabilitation program under the directive of a suitably qualified health professional or medical practitioner.
- All testing must be directly supervised, and the worker has the right to have a support person of their choice or union representation.
- Where a worker is identified or has reported as having an alcohol or drug issue, and where it has been identified that alcohol or drugs influence their ability to safely perform their duties in the workplace, Council under its Employee Assistance Program will establish a counselling and rehabilitation program to help the worker overcome their issues.
- Any worker, who fails to participate in an agreed counselling and/or rehabilitation programs, will be subjected to Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017.
- Any dispute relating to the application of Councils Drug and Alcohol Policy and Procedure will be settled in accordance with Councils Grievance Policy and Procedure which is based on the Local Government Award.

TYPES OF TESTING

ALCOHOL:

Testing will be conducted by breath analysis using a device which complies with AS 3547:1997
That the acceptable level for all workers of Council be a zero alcohol reading.

Where a worker returns a breath alcohol reading of zero, the test will be deemed as negative and no further action will apply.

Where a worker returns a breath alcohol reading greater than zero, the following procedure will apply:

Initial reading greater than prescribed or certified:

- The worker is required to sit for a period of 20 – 30 minutes prior to being re-tested.
- If a worker is found to have a breath alcohol level greater than zero, after having rested for the required time, the worker shall be placed on leave without pay, or any accrued leave and appropriate transportation will be arranged to return them to their normal place of residence.
- The worker may wish to participate in a confirmatory analysis, (blood test) at a pathology laboratory within 24 hours. The costs associated with this confirmatory test is to be paid by the worker. If the confirmation blood test is negative, the worker will be reimbursed leave taken and resume work with no follow-up actions.
- If the confirmation breath alcohol is greater than the workers prescribed level of zero, the worker will remain on leave without pay or utilize any accrued leave until they can submit a zero breath alcohol test result. A positive test will be deemed as a second positive (As per below)
- The worker will be offered counselling and an initial warning will be issued as per Clause 36 of the Local Government (State) Award 2017 and performance monitoring along with a rehabilitation program will continue over a three month period.

Second reading greater than prescribed or certified:

- A second breath alcohol test greater than zero will result in Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017. The worker will be required to participate in performance monitoring along with a rehabilitation program will continue over a further six month period.

SALIVA AND/OR URINE TESTING FOR DRUGS

An initial drug test will be conducted using an oral swab (saliva) as per AS4760:2006. However, if deemed necessary following consultation a urine collection as per AS4308:2008 may also be conducted. The test will be administered by a suitably qualified tester.

Prescribed Medication (by a Medical Practitioner)

It is recognised that certain prescription medication may return positive results during testing, and it is the responsibility for any worker, in accordance with Councils work health safety policies and procedures, to inform their Supervisor if they are taking any prescription medication that may cause a non-negative result.

Any worker required to undertake drug testing can choose to declare any medication taken immediately prior to the test being conducted or can declare following the initial test if an initial non-negative result is obtained. Such information is to be kept confidential and only to be used in determining if such medication may have contributed to or caused a false non-negative result.

Council may request further information such as a medical review and certificate from the workers medical practitioner. Further ongoing testing may be required and fitness for work assessments, depending on the medical practitioners advice and the workers individual work role.

Drugs to be tested:

<u>Drug</u>	<u>Common Names</u>
Cannabis	Marijuana, Pot, Weed, Grass, Joint, reefer, Mary Jane, Dope
Opioids	Codeine, Morphine, Heroin,
Amphetamines	Ecstasy, Speed, Meth, Chalk, Glass, Ice
Cocaine	Crack, Coke, Blow
Benzodiazepines (not tested for in saliva)	Sedatives such as Valium, Librium, Ativan, Mogadon, Serenax

Where a worker returns a drug test reading that is deemed negative no further action will apply.
Where a worker returns a non-negative result to drugs the following procedure will apply:

Initial drug test identified as non-negative:

If a worker records a non-negative test result for the first time for drugs then the following will apply:

- If the presence of drugs is detected the worker will be placed on leave without pay or any accrued leave can be accessed and appropriate transportation will be arranged to return them to their normal place of residence. The worker can request the sample to be sent for further confirmatory Laboratory analysis. If the confirmatory Laboratory test is negative, the worker will be reimbursed leave taken and resume work with no follow-up actions.
- If confirmation Laboratory test is positive, the worker will remain on leave without pay or any accrued leave until they can submit a negative test for drugs. A positive test will be deemed as a second positive (As per below)
- The worker will be offered counselling and an initial warning will be issued as per Clause 36 of the Local Government (State) Award 2017 and performance monitoring along with a rehabilitation program will continue over a three month period.

Second drug test identified as positive:

- A second drug test confirmed as positive following Laboratory confirmation will result in Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017. The worker will be required to participate in performance monitoring along with a rehabilitation program will continue over a further six month period.

DISCIPLINARY ACTION

While Council is willing to participate with workers in rehabilitation programs to support workers' health and return to work to a safe and satisfactory standard, Council has a responsibility, as does the worker, under the Work Health and Safety Act and Regulations 2011 (NSW) to maintain a safe working environment.

Therefore, the following actions, may constitute a serious breach of Council's disciplinary and WHS standards as to require immediate action:

- Any worker undertaking the operation of a Council vehicle or plant found to have more than the prescribed concentration of alcohol or to have operated a vehicle under the influence of alcohol or a prescribed drug will be subject to Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017.
- Any worker found to be consuming alcohol or a non-prescribed drug in a Council workplace during normal working hours except at a recognised social event will be subject to with Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017.
- Any worker found to be under the influence of alcohol or drugs in a Council workplace during working hours will be subject to Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017.
- If an worker is found to be in possession of drugs or alcohol unless authorised, in a Council workplace during working hours will be subject to Disciplinary Procedures as per Clause 36 of the Local Government (State) Award 2017.

While Council acknowledges it has a role in the rehabilitation of its workers it should also be noted that a greater concern exists, this being the safety and well-being of all other Council workers and others in the workplace.

Initial Disciplinary Process

- For any worker who has returned a non-negative sample to breath alcohol or other drugs, the worker will initially be stood down from work duties until at such time a negative retest or Laboratory confirmative test has been received.
- During this stand down period the worker will be able to access accrued leave, however if Laboratory confirmatory testing shows that the result is negative then leave taken will be reimbursed by Council.
- Where the sample is shown by Laboratory confirmatory testing to be positive, the worker will be responsible for the costs of the Return to Work test and any subsequent testing.
- If the worker is off for extended periods of time, access to sick leave, long service, annual leave or other if available may be accessed following discussions with and approval from Manager Human Resources

Provision of Suitable Duties

Council will consider the provision of suitable duties in limited circumstances as follows:

- Suitable duties may be made available in response to the need for medication prescribed by their medical practitioner as a result of a medical condition where the worker has initiated contact with Manager Human Resources to develop a return to work plan. The provision and duration of suitable duties will be at the discretion of Council.
- Suitable duties will not be made available where the worker has screened positive to alcohol or other drugs.

GENERAL INFORMATION AND REQUIREMENTS

PRESCRIBED DRUGS

Those workers on prescribed medication as issued by their medical practitioner that record a positive result during the testing process will be required to obtain certification from their medical practitioner that the medication does not impede the performance of their daily duties, nor affect their ability to operate plant and equipment.

Management is not concerned as to worker's personal medical details except where the prescribed medication impedes performance and poses a risk to the worker's own, others and the general public's health and well-being.

Management will conduct risk assessments on a case by case basis to mitigate risk with workers on prescribed drugs.

MOTOR VEHICLE/PLANT OR EQUIPMENT LICENCES

It is the responsibility of the worker to obtain/hold and renew the relevant licence's as is appropriate and to provide a copy of the licence's to Council.

Council will manage workers who have had their licence's suspended, cancelled, withdrawn or not renewed as a result of an alcohol or drug related offence, in one of the following ways:

When the position at Council does not require the possession of a licence, then a person would be able to continue their normal duties providing they undertake this work in accordance with the requirements of this Policy.

If the licence is a requirement of the position and the licence is suspended or cancelled for an extended period of time, the worker will be disciplined as per Clause 36 of the Local Government (State) Award 2017.

SUSPENSION/TERMINATION

When an alternative position is **not** available within Council's current work program that does not specifically require the incumbent to hold a licence in order to satisfactorily carry out the duties associated with their position/employment the person involved may be suspended/terminated.

Whether suspension or termination results, depends upon the length of time that the worker is prevented from holding a licence and shall be at the discretion of the General Manager.

Positions of workers terminated due to a 'loss' of licence will **not** be held open until such time as the disqualification loss of licence period lapses. The position will be re-advertised in accordance with Council's normal procedure. If the position is unfilled at such time as the disqualification/loss of licence period lapses, the original incumbent may reapply for the position when re-advertised on the premise that his/her application will be treated equally to all other applications received.

REPEATED OFFENCE

Where a similar offence to that described above reoccurs and, the worker maintains a position where Council requires the incumbent to hold a relevant licence in order to satisfactorily carry out the duties of their position, the consequence of a second disqualification/loss of licence will result in disciplinary action under Clause 36 of the Local Government (State) Award 2017.

REVIEWS AND RELEVANT DOCUMENTS

PROPOSED REVIEW DATE

12 months from the date of adoption of this Code by Council.

FURTHER INFORMATION

Manager Human Resources, Walgett Shire Council.

No.	Date Adopted	Minute No.	Date Commenced
1	26 th July 2016	13/2016/8	22/08/16
2	1 May 2018	5/2018/32	9 November 2018
3			

POLICY IMPLEMENTATION PROCEDURES, GUIDELINES AND DOCUMENTS

- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2011 (NSW)
- Road Transport (Safety and Traffic Management) Act 1999
- Clause 36 of the Local Government (State) Award 2017
- Health Records and Information Privacy Act 2002
- Australian Standard AS3547:1997, AS4760:2006 and AS4308:2008
- Civil Aviation Safety Act1988 (cth)

List all other related WSC Policies

Employee Induction

WHS Policy

Bullying & Harassment Policy

Equal Employment and Opportunities

Appendix 1.

CHAIN OF CUSTODY FORM (Informative)

TEST REQUEST - to be completed by medical officer, authorised collector or employer representative.

Donor Name or I.D. Number:

Date of Birth:

COMPANY NAME: Walgett Shire Council

Requesting Officer:

DONOR CERTIFICATION - To be completed by Donor

I certify that the specimens accompanying this form are my own and were provided by me to the collector. Further, I certify that the specimen containers were sealed with tamper-proof seals in my presence and that the information provided on this form and on the labels is correct. Also, I consent to the analysis of the specimens for drugs of abuse and the release of these results to my Supervisor or his authorized representative.

Signature of donor:

Date:

COLLECTOR CERTIFICATION - to be completed by the Collector

Collection site location:

Date of collection:

Serial number of seals:

Time of collection:

Temperature of specimen _____ °C (read within four (4) minutes of collection)

Duplicate specimen provided to laboratory: YES / NO

Collection comments:

I certify that the specimen identified on this form is that provided to me by the donor providing the certification above, that it bears the same identification as set forth above and that it has been collected, divided, labelled and sealed in accordance with the instructions provided.

Signature of collector:

Date:

LABORATORY USE ONLY

Specimen received by	Date/Time Received	Seal Intact		Labels Match		Accession Number
		Yes	No	Yes	No	

Walgett Shire Council
Fitness for Work - Observation

Employee's full name _____ Employee's Payroll No. _____

Record of Observations\

Breath – alcohol related smell	<input type="checkbox"/> Nil	<input type="checkbox"/> Slight	<input type="checkbox"/> Moderate	<input type="checkbox"/> Strong
Colour of Face	<input type="checkbox"/> Flushed	<input type="checkbox"/> Pale	<input type="checkbox"/> Other	
Skin	<input type="checkbox"/> Pale	<input type="checkbox"/> Needle Marks	<input type="checkbox"/> Ulcers	<input type="checkbox"/> Abscesses <input type="checkbox"/> Sweaty
Clothing	<input type="checkbox"/> Orderly	<input type="checkbox"/> Soiled	<input type="checkbox"/> Disarranged	
Attitude	<input type="checkbox"/> Talkative	<input type="checkbox"/> Co-operative	<input type="checkbox"/> Anxious	<input type="checkbox"/> Excited <input type="checkbox"/> Dreamy
	<input type="checkbox"/> Relaxed	<input type="checkbox"/> Indifferent	<input type="checkbox"/> Hallucinating	<input type="checkbox"/> Sedated <input type="checkbox"/> Antagonistic
	<input type="checkbox"/> Hostile	<input type="checkbox"/> Irritable	<input type="checkbox"/> Cocky	<input type="checkbox"/> Depressed <input type="checkbox"/> Abusive
	<input type="checkbox"/> Unable to follow instructions		<input type="checkbox"/> Other	
Actions	<input type="checkbox"/> Swearing	<input type="checkbox"/> Hiccoughing	<input type="checkbox"/> Belching	<input type="checkbox"/> Vomiting <input type="checkbox"/> Fighting
	<input type="checkbox"/> Drooling	<input type="checkbox"/> Restless	<input type="checkbox"/> Runny Nose	<input type="checkbox"/> Itching <input type="checkbox"/> Aggressive
	<input type="checkbox"/> Loss of emotional control		<input type="checkbox"/> Constant scratching	<input type="checkbox"/> Unco-operative
	<input type="checkbox"/> Other			
Eyes	<input type="checkbox"/> Watery	<input type="checkbox"/> Glazed	<input type="checkbox"/> Bloodshot	<input type="checkbox"/> Normal <input type="checkbox"/> Eyelids drooping
	<input type="checkbox"/> Pupils enlarged		<input type="checkbox"/> Pinpoint	<input type="checkbox"/> Colour
Breathing	<input type="checkbox"/> Other	<input type="checkbox"/> Short		
	<input type="checkbox"/> Normal	<input type="checkbox"/> Other	<input type="checkbox"/> Jerky	<input type="checkbox"/> Rapid <input type="checkbox"/> Shallow
Speech	<input type="checkbox"/> Slow	<input type="checkbox"/> Incoherent		
	<input type="checkbox"/> Slurred	<input type="checkbox"/> Mispronounced words	<input type="checkbox"/> Confused	<input type="checkbox"/> Fast <input type="checkbox"/> Slow
Balance	<input type="checkbox"/> Normal	<input type="checkbox"/> Unsteady		<input type="checkbox"/> Other
	<input type="checkbox"/> Swaying	<input type="checkbox"/> Other	<input type="checkbox"/> Sagging	<input type="checkbox"/> Falling
Movements	<input type="checkbox"/> Normal	<input type="checkbox"/> Sluggish		
	<input type="checkbox"/> Jerky		<input type="checkbox"/> Clumsy	<input type="checkbox"/> Tremor
	<input type="checkbox"/> Manner of Walking (comment)			

Other Notes

.....

.....

.....

Opinion (based on observations)

Level of Sobriety	<input type="checkbox"/> Slightly affected	<input type="checkbox"/> Moderately affected	<input type="checkbox"/> Well affected
Affected by	<input type="checkbox"/> Alcohol	<input type="checkbox"/> Drugs	<input type="checkbox"/> Uncertain

In my opinion, the above employee presented to work as ☐ Fit for Work ☐ Not fit for Work
(tick box that applies) based on the above observations.

Sign off

Employer Representative		Date	
Employee		Date	
Witness		Date	

Copy of Form to:

☐ Employee ☐ Personnel File ☐ Other (specify) _____

Payment of Expenses and Provision of Facilities for Councillors

WSC – Policy/Procedure – Payment of Expenses and Provision of Facilities for Councillors



PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS POLICY & PROCEDURE

Adopted Date:

Next Review Date: November 2024

Responsible Officer: Chief Financial Officer

POLICY STATEMENT

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors. The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

OBJECTIVES:

- To provide for the fair and equitable reimbursement of expenses incurred by the Councillors, Mayor and Deputy Mayor in discharging the functions of civic office
 - To provide adequate facilities for use by the Councillors, Mayor and Deputy Mayor to enable them to discharge the functions of civic office
-

Policy Implementation Procedures, Guidelines and Documents

Related WSC Policies

Work Health and Safety Policy

POLICY

Reporting Requirements

Council is required by Section 428 of the Local Government Act 1993 to include in their Annual Report:

- A copy of this Policy
- The total amount of money expended during the year on providing these facilities and payment of these expenses
- Additional information as required by the Local Government (General) Regulation 2021

Approval Arrangements

Attendance at conferences, travel on Council business and the like is to be, where possible, approved by a full meeting of the Council. If this is not possible then the approval is to be given by the [Mayor](#).

The [Mayor](#) may attend any function, training or conference that he/she deems appropriate without seeking prior approval from the Council or another councillor. Such events are to be reported to the next meeting of Council by way of a report by the [Mayor](#).

When travel involves overnight accommodation, an *Authority to Travel* form must be completed at least one week prior to the event and forwarded to the Executive Assistant for filing (see attached form)

PAYMENT OF EXPENSES

Annual Fees - Mayor

Council will determine annually the fee to be paid to the [Mayor](#) in accordance with Section 249 of the Local Government Act 1993. This fee, which is in addition to the ~~Councillor's~~ fee, will be paid to the [Mayor](#) monthly in arrears.

Annual Fees – Deputy Mayor

Council will determine annually the fee to be paid to the Deputy Mayor in accordance with Section 249(5) of the Local Government Act 1993. This fee, which is to be deducted from the [Mayor's](#) fee, is in addition to the ~~Councillor's~~ fee. This fee will be paid to the Deputy Mayor monthly in arrears.

Annual Fees – Councillors

Council will determine annually the fee to be paid to the Councillor in accordance with Section 248 of the Local Government Act 1993. This fee will be paid to Councillors monthly in arrears as provided by Section 250 of the Act.

Payment of Expenses and Limitation of Time

Where there is a right under this Policy to claim reimbursement of costs and expenses, reimbursement will only be made upon the production of appropriate receipts and tax invoices, and the completion of the required claim forms.

Councillors must seek reimbursement of expenses within three (3) months of incurring that expense. Claims submitted outside of this period shall NOT be paid.

Spouse and Partner Expenses

Except as provided below, Councillors are required to meet all expenses incurred by spouse/partners in attending conferences and seminars including any additional cost supplement for accommodation.

Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government NSW annual conference may be met by Council. The expenses will be limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner / accompanying person tours etc are the personal responsibility of individual Councillors.

SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

Attendance at Seminars and Conferences

Council will meet the costs associated with Councillors attending conferences or seminars that have been authorised by Council resolution or approved under delegated authority by the Mayor and General Manager as follows:

- The payment of registration fees
- Accommodation (see page 12)
- Reasonable sustenance and incidental expenses (see page 12)
- Travel

Travel Arrangements and Expenses

Transportation

Where Council Officers are attending any meeting, conference, seminar or function and are travelling by motor vehicle Councillors will, where practical, travel to and from the meeting, conference, seminar or function with the Officers.

Should travel with an Officer be impractical, then the Councillor will make a request of the Mayor or General Manager (or the General Manager's nominee) to authorise travel by the most direct route to and from the meeting, conference, seminar or function either in a 'pool' vehicle or the Councillor's private vehicle. (See below).

A travelling allowance, based on the rates applicable under the relevant State Award (or its successors), or the cost of the equivalent return first class rail fare or air fare (whichever is the lesser amount) will be paid to the Councillor upon presentation of the appropriate claim form, where the Councillors private vehicle is used.

Where distances or practicality prevent travel by motor vehicle Council will meet the cost of either the return first class travel by rail or return economy class airfare together with taxi fares to and from the railway stations or airports for Councillors attending meetings, conferences seminars or functions.

Where road travel is required over a time period greater than 3 hours each way then Council approved air travel may be utilised.

Class of Air Travel

Economy Class travel will be used for all official air travel, with the exception that Business Class travel may be used for air travel to destinations overseas.

Private chartered flights or hired planes may also be used where appropriate.

Use by Councillors of their private motor vehicle(s)

Where car pool vehicles are unavailable Council will meet the cost of Councillors in using their own motor vehicle for travelling by the most direct route to and from the destination (plus an allowance for incidental kilometres on overnight stays) for:

- a) Meetings of the Council or the meetings of any Committee of the Council, Working Party, Taskforce, Forum or the like, of which the Councillor is a member or any briefing, community consultation, or the like, organised or authorised by the Council.
- b) Business or inspections within or outside the Council area in accordance with a resolution of the Council.
- c) Periodical conferences and/or meetings of organisations of which the Council is a member or other meetings specifically authorised by resolution of Council or where a Councillor has been elected as the Councils delegate to an organisation
- d) Any meeting, conference or function on behalf of the Council or the Mayor when such attendance is authorised.

Councillors are to lodge claims for travelling expenses within a period of three months after which the expense was incurred and the claim is to be on the appropriate form. The Councillor will also lodge with any claims a log of the journey in the "Councillor Expense Claim" form.

The total quantum of travelling expenses paid for the use of a Councillor's motor vehicle by a Councillor for travelling on Council business is to be either:

- (i) an amount calculated according to the rates applicable under the Local Government State Award (or its successors), or
- (ii) an amount equivalent to the cost of a return first class rail fare, or air fare whichever is the lesser amount.

Frequent Flyer Points

Councillors shall not be entitled to claim frequent flyer points relating to air travel authorised by this policy. In circumstances where the Councillor has no option but to pay for air travel and frequent flyer points are accrued to his/her personal account, the Councillor will surrender the points to the airline upon reimbursement of the airfare by Council.

Accommodation whilst out of the Council Area

Council will meet the cost of accommodation for Councillors attending to Council business, inspections, meetings, conferences or functions outside the Council area which are authorised by the Council or Mayor.

Council will meet the cost of accommodation for each Councillor at the venue of the conference or seminar or at another suitable location providing an equivalent standard of accommodation in close proximity to the venue.

When travelling by motor vehicle to conferences or seminars that require the Councillor to break their journey the Council will meet the accommodation and meal expenses of the Councillor, provided that the accommodation is located along the most direct and practicable route when journeying to and from the conference or seminar venue.

Sustenance and Incidental Expenses

Sustenance whilst on Council Business within Australia

Where no meals are provided Council will meet the cost of reasonable sustenance for Councillors attending to Council business, inspections, meetings, conferences, seminars or functions which are authorised by the Council or Mayor

Sustenance will be paid on an actual cost basis or reimbursed following the receipt of an appropriate claim and supported by receipts. Where details to support the expenditure are not available a sum of up to \$35 may be paid for each meal.

Incidental expenses whilst on Council business within Australia

Council will meet reasonable incidental expenses for Councillors associated with conferences and seminars, or such other forums as the Council approves, on an actual cost basis upon the production of receipts and duly authorised claims.

Sustenance and incidental expenses whilst on Council business outside Australia

Council will, in the case of approved Overseas Travel for Councillors, pay an allowance equivalent to that applicable in tax ruling TR2003/7 for federal public servants (to be paid as if the Councillors received a salary in the mid-range) or any other document that should replace the above tax ruling.

Functions

Official Functions

Council will meet the costs of the Mayor and Councillors and their spouse / partner when they attend Council-organised functions.

Community Functions within the Walgett Shire

In those cases where the Mayor and Councillors are invited to attend any official function that is of such a nature that the councillor's spouse / partner would normally be expected to accompany the councillor, any reasonable costs associated with the attendance of the spouse / partner will be met by Council. This includes instances where a councillor is representing the [Mayor](#).

The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending the function. Peripheral expenses incurred by

spouses / partners / accompanying person such as grooming, special clothing and transport are not considered reimbursable expenses.

The Council will NOT meet any costs associated with attendance at fund-raising activities or rallies held by registered political parties or groups.

Training and Educational Expenses

Councillors will be provided with any necessary training / education in the use of equipment supplied by the Council or in sessions relating to issues like probity, pecuniary interests or other issues that has been authorised by Council resolution or approved under delegated authority by the Mayor or General Manager.

Council will meet the full cost of attendance of Councillors at any of these sessions in the same manner as applicable to a Councillor's attendance at Conferences, Seminars and the like.

Care and other related Expenses

Councillors who require access to childcare in order to attend Council meetings, event and activities will be provided with child care through a registered and accredited child care provider, at Council's expense.

In addition the reimbursement of the reasonable cost of other carer arrangements is also provided for. Carer arrangements include the care of elderly, disabled and/or sick immediate family members of Councillors, to allow Councillors to undertake their council business obligations.

Council will also reimburse the payment of other related expenses associated with the special requirements of Councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities. The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending of the carer to attend functions to support the councillor. Peripheral expenses incurred by carers such as grooming and special clothing are not considered reimbursable expenses.

Councillors seeking to claim carer expenses are to provide sufficient documentation to support their claim. Councillors claiming the carer expense should not be subject to criticism for doing so.

Council will meet Councillors' reasonable medical expenses associated with travel on approved Council business.

Insurance Expenses and Obligations

Council will effect and maintain Personal Accident Insurance and Professional Indemnity cover for Councillors.

Council will also take out full travel insurance, which includes personal effects, personal accident and travel accident or sickness insurance, where appropriate, for Councillors involved in overseas, interstate or intrastate travel on Council business.

Council will effect and maintain insurance to cover any loss or damage to Council property in the possession or control of Councillors.

At any time during the currency of this policy, additional insurance may be taken out to cover Councillors, if and when it is identified.

Legal Expenses and Obligations

If the Mayor or a Councillor incurs legal expenses in an inquiry, investigation or hearing instigated by any of the following:

- Independent Commission Against Corruption
- The Office of the Ombudsman
- The Office of Local Government
- The Police
- The Director of Public Prosecutions
- The Local Government Pecuniary Interest Tribunal
- The Australian Securities Commission
- Any other person, body or authority approved by a resolution of Council

and the enquiry, investigation or hearing results from the Mayor or Councillor discharging their duty, or relates to the office of Mayor or Councillor, then the Council may, after considering this matter (and an estimate of the cost) resolve to pay such expenses incurred.

This assistance is on the basis that the costs do not vary substantially from the estimate considered by Council provided that:

- a) the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor; and
- b) the enquiry, investigation, hearing or proceeding results in a finding substantially favourable to the Councillor; and
- c) the costs are only paid after the hearing, enquiry or investigation.

Council will not meet the legal expenses of proceedings initiated by the Councillor under any circumstance.

PROVISION OF FACILITIES FOR COUNCILLORS

PROVISIONS

Each Councillor will be provided with:

- Business Cards
- Diary
- Name badge

In addition Councillors may be provided with ties/scarves and or corporate clothing such as polo shirts and official jackets for use when representing the Council up to a value of \$700 per term.

EQUIPMENT

Computers

Council will provide each Councillor with an iPad to assist in accessing Council information. Each iPad will be fitted with appropriate software to enable the Councillor to carry out his or her responsibilities.

Each iPad will be loaded with the current policies, plans and key documents of Council and will be able to store Council meeting reports and minutes.

Where Councillors reside outside normal mobile phone coverage areas Council will provide a suitable internet connection.

Business papers will be provided by email, dropbox or at Councils website.

Virus scanning processes will be set to automatically run when the machine is turned on.

All use is to be in accordance with Council's current policies on email and iPad use.

The equipment and information held on it remains the property of the Council.

Reasonable technical support and training will be provided.

MEALS

Ordinary Meeting, Committee, Briefings and Working Party Meetings

Councillors shall be provided with light refreshments at Ordinary meetings, committee, briefing and working party meetings, commensurate with the time of day that the meeting is to be held, and the amount of business to be conducted at the meeting.

PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR

It is recognised that the Mayor of the day has specific needs to adequately meet the demands of civic office.

Accordingly the Mayor, in addition to the facilities outlined elsewhere in this Policy, will be provided with the following facilities:

Office Facilities and Secretarial / Clerical Support

The Mayor will be provided with a fully furnished office and telephone as well as secretarial / clerical support, during normal office hours, for work directly associated with the official functions and duties of the office of Mayor.

Council will meet the cost of postage of correspondence forwarded by the Mayor in the conduct of official duties.

Mayoral Vehicle

Council will provide to the Mayor, at its cost, a registered, insured, maintained and fuelled vehicle for use by the Mayor on official duties and for private use.

The vehicle is provided on the following basis:

- The changeover of the vehicle is to occur in accordance with Council's Motor Vehicle Policy or practices.
- The Mayor is to be provided with a suitably equipped vehicle commensurate with the requirements of the Office of Mayor in accordance with Council's Motor Vehicle Procurement Policy that is in place at the time of purchase. The standard of vehicle shall be equivalent to a Toyota Prado GXL model.
- The Mayor is to enter into Council's standard agreement for the use of the vehicle, which is the subject of this Policy.

Mobile Telephone

A mobile telephone will be provided to the Mayor for use in relation to official functions and duties of the office of Mayor and the Council will meet the cost of maintenance, rental and calls. A call limit of \$1,500 per annum is to be applied.

Council's Mobile Phone Policy shall be applied.

Gifts

The Mayor undertakes a range of civic, ceremonial and promotional activities.

In recognition of this the Mayor will be provided with mementos such as books etc for presentation to people who have made significant contributions to the community, dignitaries or guests who visit the area.

The Mayor at his/her absolute discretion may provide Councillors with mementos for presentation, by the Councillors, to people visiting the area who it is considered have made significant contributions to the community, are dignitaries or are guests who visit the area.

Credit/Purchase Card

- The Mayor will be provided with a Corporate Credit Card to facilitate payment of incidental expenses such as attendance at functions, parking and sustenance in conjunction with discharging the functions of the Mayoral Office.
- The credit card will have a limit of \$5,000.
- The account is to be in the name of Walgett Shire Council, the card being personally issued to the Mayor. The application form is to be signed by the Mayor.
- The credit card is to be used for Council-related business expenditure only.

- The credit card must not be used for obtaining cash advances.
- Upon completion of the Mayoral term, the credit card is to be returned to the General Manager on or prior to the date the term ceases.
- On-going use of the credit card by the Mayor will be in accordance with the Walgett Shire Council "Purchase Card" policy and subject to any other policy relating to the use of such credit facilities adopted by Council from time to time.

Community Functions

In those cases where the Mayor is invited to attend any official function that is of such a nature that the councillor's spouse / partner would normally be expected to accompany the councillor either within or outside of the Council area, any reasonable costs associated with the attendance of the spouse / partner will be met by Council.

The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending the function. Peripheral expenses incurred by spouses / partners / accompanying person such as grooming, special clothing and transport are not **considered reimbursable expenses**.

The Council will NOT meet any costs associated with attendance at fund-raising activities or rallies held by registered political parties or groups.

PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR DEPUTY MAYOR

It is recognised that the Deputy Mayor of the day has specific needs to adequately meet the demands of civic office and to assist the Mayor.

Accordingly the Deputy Mayor, in addition to the facilities outlined elsewhere in this Policy, may be provided with the following facilities:

Office Facilities and Secretarial / Clerical Support

The Deputy Mayor will be provided with secretarial / clerical support, during normal office hours, for work directly associated with the official functions and duties of the office of Deputy Mayor.

Council will meet the cost of postage of correspondence forwarded by the Deputy Mayor in the conduct of official duties.

PRIVATE USE OF EQUIPMENT AND FACILITIES

Councillors should not generally obtain private benefit from the provision of equipment and facilities, nor from travel bonuses or any such loyalty schemes. However, it is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

OTHER MATTERS

Acquisition and Returning of Facilities and Equipment by Councillors

Equipment to Remain the Property of the Council

Any equipment or office machinery provided to Councillors remains the property of the Council. It is to be returned to the Council, in good working order and condition having regard to the age of the equipment, within 21 days of the Councillor ceasing to hold office unless otherwise specified in this policy.

Councillors will be responsible for meeting the cost of repairs to any damaged equipment.

Special Circumstances

If special circumstances arise where it is impractical for the strict terms of this policy to be applied the General Manager may authorise a one-off variation to the policy to meet those special circumstances.

Status of the Policy

This policy, once adopted, is to remain in force unless it is reviewed beforehand by the Council in accordance with the provisions of Sections 253 and 254 of the Local Government Act 1993.

Limits

In accordance with the guidelines issued by the Office of Local Government the following table establishes the reasonable limits for all expenses and facilities covered by this policy.

Expense or Benefit	Type	Per Event
Travel expenses	Air fares	Standard charge applicable at the time
	Private vehicle	Rates as described in the Local Government State Award applicable at the time
Accommodation	LGNSW Conference	Standard room rate charged by the conference venue
	Other conferences and functions	Standard room accommodation up to a maximum of \$400 per night in capital cities and \$250 elsewhere
Sustenance	Conferences and functions	The charge levied by the conference organisers for the meals included in the conference
	Conferences	Up to a maximum of \$60 per head per meal – not including alcohol
Incidentals	Taxi fares, parking fees	Taxi fares up to a maximum of \$100 per day and parking fees up to \$80 per day
Sustenance	Community and Council functions within the shire	Cost of the ticket for the Councillor and partner
Mobile Telephone	Mayor	\$1,500per annum
Carer Costs	Councillors	Maximum \$2,000 per annum

WSC – Policy/Procedure – Payment of Expenses and Provision of Facilities for Councillors

Clothing	Councillors	\$700 per term
Meal at Council Meetings	Councillors	Maximum \$40 per head



COUNCILLOR EXPENSES CLAIM FORM

COUNCILLOR:	
ADDRESS:	
CLAIM FOR THE MONTH OF:	

TRAVEL EXPENSE CLAIM:

Motor Vehicle Details: Make/Model _____ Engine Capacity: Under 2.5L / Over 2.5L

Date	Time	Place From	Place To	Meeting Details	KM's Travelled (one way)	Rtn Journey (Yes/No)

OTHER EXPENSES

All receipts must be attached to substantiate claim

Fares And Parking Fees	MEETING DETAILS	\$
Accommodation	MEETING DETAILS	\$
Meals (a) per attached receipts (b) @ \$35 per day	MEETING DETAILS	\$

Signature of Claimant: _____ Date: _____	Authorised for Payment: _____ General Manager Date: _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="background-color: #d3d3d3;">OFFICE USE ONLY</th> </tr> <tr> <td>Total KM's @ \$0.78/km</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Fares & Parking</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Accommodation</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Meals</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>TOTAL CLAIM:</td> <td style="text-align: right;">\$</td> </tr> </table>	OFFICE USE ONLY		Total KM's @ \$0.78/km	\$	Fares & Parking	\$	Accommodation	\$	Meals	\$	TOTAL CLAIM:	\$
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TOTAL CLAIM:	\$													

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MOTOR VEHICLE USE POLICY

Approval Date:	20 th December 2022
Review Date:	December 2023 2
Responsible Officer:	Director Corporate Services

Policy Statement

Walgett Shire Council is responsible for the provision of motor vehicles to service the operational requirements of Council.

Objective

Walgett Shire Council provides motor vehicles for staff and Councilors use and recognizes that operational requirements and staffing arrangements of Council may vary from time to time.

To ensure that Council complies with the relevant industrial requirements and the Occupational Health and Safety Act 2011.

To establish procedures and guidelines for the provision of motor vehicles recognizing that operational requirements and staffing arrangements of Council may vary from time to time.

To ensure that the economic, environmental and social implications of purchasing a motor vehicle are considered during the procurement process.

To recognize that Council has a duty of care to provide a safe system of work including the obligation to maintain plant and systems of work that are safe and minimize the risk of harm.

Council Policy Reference

Motor Vehicle Policy

Statutory Requirements

[Local Government Act 1993](#)

Local Government (General) Regulation 2021

[Occupational Health and Safety Act 2011](#)

Related Policy/Procedures

GOV – Code of Conduct

NVR – Conditions of employment policy and procedures

Application

This policy and procedure applies to all Council staff that use and administer the use of Council motor vehicles.

Motor Vehicles

Statement

Vehicle selection, private use arrangements, and the Motor Vehicle Policy and Procedure as amended from time to time are based upon the operational needs of the organisation and cost benefit to the Council.

Where vehicles are subject to a private use arrangement, they are not provided to a specification designed to meet the private use requirement of the employee. However, employees can request optional equipment to be fitted to the vehicle at their own expense. (Refer to Section 7 - Employee Funded Optional Equipment)

The provision of a vehicle for private use is to be considered a benefit, and Walgett Shire Council reserves the right to rescind its decision to provide a vehicle, vary the type of vehicle to be provided, vary the contribution rates, and vary the Motor Vehicle Procedures at any time, to ensure the interests of Council are being met.

The Local Government (State) Award 2017 and other contracts of employment may make certain provisions in relation to the provision of "lease-back" motor vehicles. The termination or variation of a motor vehicle leaseback agreement is subject to these conditions to the extent that they are applicable.

1. Delegation of Authority

The General Manager, under Delegated Authority, is to manage the purchase and changeover of Council's vehicles as provided for annually in the adopted budget and in accordance with this policy/procedure document.

2. Administration of the Motor Vehicle Procedures

The Director Engineering/Technical Services and Fleet Manager is to be accountable to the General Manager for the overall management of the Motor Vehicle fleet.

3. Review of Procedures

The Policy/Procedures will be reviewed every two years or at such other time as is necessary, by the Chief Financial Officer and any recommendations will be submitted to the General Manager.

4. Vehicle Categories

Vehicle selection shall be based upon suitability for the operational needs of Council, inclusive of the most beneficial whole of life costing in an effort to promote efficiency within fleet operations.

5. Vehicle Maintenance

- I. Council's Workshop shall be responsible for ensuring that all vehicles are serviced and maintained.
- II. All vehicles are to be serviced according to manufacturer's specifications, and it is the responsibility of the employee to ensure vehicles are booked in with the Workshop no less than one (1) week prior to service falling due.
- III. All vehicle defects are to be reported to the Workshop via the formal 'Vehicle Log Book', and verbally by telephone or radio to the Workshop Foreman. Vehicle Log Book books will be distributed at the time of vehicle issue, with additional books being available from the Workshop.
- IV. Council shall pay all registration and insurance costs. All vehicles remain the property of the Council.

6. Vehicle Replacement

- I. Vehicles shall be replaced at a time considered appropriate by the Director of Engineering/Technical Services in consultation with the Fleet Manager to provide the optimum benefit to Council. Employees with private use of motor vehicles need to be aware that vehicle replacement is not based on any set criteria in relation to time or kilometres travelled.
- II. All vehicle changeovers are to be completed by the Fleet Manager using the *Vehicle Issue & Return Form* (Annexure B). The Fleet Manager will subsequently issue vehicles to the relevant employee.
- III. All vehicles returned to Fleet Manager for disposal will be assessed and prepared to a condition that is considered to attain the best financial outcome for Council.
- IV. No vehicle colour preference will be given to employees. Colours, other than white, shall be selected at the discretion of the Director of Engineering/Technical Service by recommendation to the General Manger.
- V. Where a position is vacated for which a vehicle was provided, the relevant division Director shall review the need for such vehicle and is to ensure in consultation with the Director of Engineering/Technical Services, that any future vehicle provided is in accordance with the procedures and meets Council's operational requirements.

7. Employee Funded Optional Equipment

The following are fitted to Council vehicles as standard equipment:

1. Sedans and Wagons
 - (a) Air Conditioning
 - (b) Seat Covers
 - (c) Floor Mats
 - (d) Headlight Protectors (Glass headlight lenses only)
 - (e) Mudflaps

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- (f) Cruise Control
 - (g) Fire Extinguisher
 - (h) First Aid Kit
 - (i) 'ABS' Braking System
 - (j) Driver & Passenger Air Bag Systems
 - (k) Bull Bar (to be approved by the Director of Engineering/Technical)
 - (l) Driving Lights (to be approved by the Director of Engineering/Technical Services)
 - (m) Tow Bar
2. Utilities and 4WD's
- (a) Air Conditioning
 - (b) Seat Covers
 - (c) Floor Mats
 - (d) Fire Extinguisher
 - (e) First Aid Kit
 - (f) Headlight Protectors (Glass headlight lenses only)
 - (g) Mudflaps
 - (h) Cruise Control (where available)
 - (i) 'ABS' Braking System (where available)
 - (j) Driver & Passenger Air Bag Systems (where available)
 - (k) Bull Bar (to be approved by the Director of Engineering/Technical Services)
 - (l) Driving Lights (to be approved by the Director of Engineering/Technical Services)
 - (m) Tow Bar
 - (n) Bonnet Protector Strip (where available)
 - (o) Cargo Net (Utilities Only)

Selected optional extras may be fitted to vehicles leased under Type A (Refer to 12 - *Vehicle Leaseback*), initially at the employee's own expense where such item is not standard specification, and subject always to approval from the General Manager.

Employee funded options may (where practical) be transferred or replaced at time of vehicle changeover at Council's expense. Council will not reimburse employees for the purchase of optional extras. All equipment transfers are to be completed by persons approved by the Fleet Manager.

Roof racks may not be fitted or used on Council vehicles unless approved by the General Manager. Approved type racks will be fitted to type A leased vehicles at full cost to the employee. Any damage caused to a vehicle by use of non-approved roof racks will be payable by the employee at the full cost of the repair.

Where an employee ceases for any reason to participate in the Leaseback Scheme, no cash allowance will be made for employee funded options under any circumstances.

Employee funded options may be paid via payroll deductions over a period agreed by the General Manager.

Property damage to third parties caused by employee owned boats, trailers, and caravans etc, whilst being towed by Council vehicles, will be covered by Council's Motor Vehicle Insurance. However, damage to the trailer, caravan or boat itself is not covered. An employee involved in an accident whilst towing an unregistered trailer or caravan etc. may be liable for any unrecoverable costs associated with the accident.

8. Vehicle Usage

The following rules shall apply to the vehicle usage:

- I. The employee assigned to a Council vehicle shall be responsible for ensuring proper and adequate care, usage and maintenance of the vehicle as explained when the vehicle has been issued, including garaging/off street parking where practicable, regular cleaning both internal/external and ensuring regular checks (as per the manufacturers handbook) of running items including:
 - 1) Fuel Level
 - 2) Engine oil level
 - 3) Engine coolant level
 - 4) Transmission oil level (Automatic only)
 - 5) Brake fluid level
 - 6) Tyres including spare tyre
 - 7) Lights
 - 8) Windscreen washers/wipers
 - 9) General roadworthiness of vehicle
- II. The employee assigned to a Council vehicle shall ensure that log books are accurately completed in accordance with Australian Taxation Office Guidelines where issued or directed by the Fleet Services Section.
- III. All vehicles are to be cleaned, serviced, and repaired as per Section 5 - *Vehicle Maintenance*, and at all times in accordance with the manufacturer's handbook. All vehicles are to be polished at least once every year, all cleaning and regular checks of the vehicle vehicles subject to Type A, Leases shall take place on the employee's time.
- IV. Cleanliness and general care of vehicles will be monitored by the Workshop Foreman at regular intervals and any breach shall be brought to the attention of the Fleet Manager, action will be at the discretion of the relevant Department Director. Animals (i.e. pet dogs/cats) are not to be allowed to come into direct contact with the vehicles passenger compartment and must be transported in accordance with RTA guidelines.
- V. Type A, lease vehicles use may be driven by the assigned employee's spouse or defacto spouse. Immediate family members or other licensed drivers may drive the vehicle only if specifically approved by the General Manager.
- VI. Type D, D1, E, and F vehicle usage allows employees to pick up and drop off members of their work gang, if the Supervisor for the employee has given their

prior approval.

- VII. Type D, D1, E and F vehicle usage shall be limited to the participating employee only.
- VIII. No person other than those specified above shall be permitted to drive the vehicle, except in an emergency. The full insurance excess is payable by unauthorised persons involved in an accident.
- IX. Non employees may travel as passengers in Council Vehicles if such travel is for work related purposes. Passenger travel in Council vehicles for non work related purposes is not permitted without prior approval of the relevant General Manager, except in an emergency or if the driver has a Type A Lease.

Note: Where contractors are engaged by Council to undertake works or services, staff are not obligated to provide transport of any form for the contractor unless it is specifically included in the written conditions of engagement.
- X. Any warning lights (eg flashing or rotating lights whether operational or not) if practical, shall be removed before the participating employee's spouse or other authorized driver operates the vehicle.
- XI. Vehicles are to be brought onto the job every working day except for lease Type A participants when on leave, and shall be available for official use as required by any employee of Council when not required for official use by the participating employee. Use of Council vehicles is restricted to private use and Council use only. Under no circumstances shall Council vehicles be used for other purposes eg, for personal commercial gain.
- XII. All employees who are required to drive Council vehicles must hold a current drivers license issued by, or approved by, the New South Wales (NSW) Roads and Maritime Services (RMS) (outside of employee probationary period). Staff who require a license to carry out their work and who have their license cancelled either fully or partially, shall immediately notify their supervisor. Failure to notify will be considered a serious misdemeanour, which may result in suspension or termination of employment. Upon notification of license cancellation or suspension, the employee's employment status will be reviewed and any rights to the use of a Council vehicle shall be terminated.
- XIII. Unacceptable Uses:
 1. Smoking is not permitted in or on any Council vehicles or equipment.
 2. The vehicle may not compete in any car rally or competition, or be used for commercial purposes or otherwise contrary to the terms of Council's motor vehicle insurance policy.
 3. The employee or other authorized driver must not willfully or recklessly misuse or mistreat the motor vehicle.
 4. The employee must not do anything that might result in any insurance on or relating to the vehicle becoming void or which might increase the premium on any policy. If any insurance excess charge or other charge increases are incurred as a result of the use to which the vehicle is put by the employee, the employee may be required to pay the additional amount.
- VIII. An employee convicted of drink driving in association with an accident will be liable for all costs associated with the repair of such vehicle/vehicles.

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- IX. All employees involved in motor vehicle accidents shall complete an 'Insurance claim form' (regardless of the extent of the damage), all accidents and incidents are also to be recorded using an 'Accident / Incident Report Form'. All accidents shall be investigated by the Work Health Safety Officer to assist with accident prevention strategies.
- X. Vehicles leased under Type A leases are not required to display Council's insignia, except when on official business. All other vehicles are to display Council's insignia at all times.
- XI. Private use of Council vehicles shall be limited to vehicles of less than 3,500kg GVM. No leases of any type will be offered for plant or other vehicles.
- XII. Type A private use will be restricted to periods of leave (i.e. maternity, sick, annual, long service, workers compensation ~~etc~~) that are less than 4 weeks duration. Employees who have extended leave applications approved by the General Manager will have leaseback payments suspended when the leased vehicle is not available for private use. In cases of exceptional personal hardship the General Manager may approve an extension in excess of 4 weeks, and this will be reassessed on a week by week basis. If an employee is absent from work on unpaid leave for one week or longer, the vehicle must be returned to Pool Car Cage for the period of absence.
- XI. Any toll charges, traffic infringements (including parking fines), or other costs arising as a consequence of tolling or traffic offences, will be the responsibility of the normal driver of the vehicle by default when the vehicle has not been allocated to another Council employee via a completed vehicle issue form. Any legal action resulting from a traffic offence will result in a review of the employee's entitlement to private or commuter use of a Council vehicle and may result in suspension or withdrawal of the entitlement. All costs associated with any such legal action will be the responsibility of the employee.

9. Fuel

All Council vehicles shall be ~~fuelled~~ using a fuel card system or from Council's store.

Any person found abusing the fuel card system will be subject to disciplinary procedures and may be removed from any vehicle scheme privileges by the General Manager.

10. Pool Vehicles

All vehicles can be requisitioned for short term use, subject to vehicle availability. Staff should make arrangements directly with the employee to whom the vehicle is assigned for intra-day use. For overnight use, a written request for vehicle use should be sent to the Fleet Manager or other delegate of the Director Engineering/Technical Service. A *Short Term Vehicle Use Form* (Annexure D) must be completed before the vehicle is issued. If a staff member's vehicle has been requisitioned by another staff member and that requisition is approved by Council then council will direct the first staff member to give up use of the vehicle for the approved requisition period. Another vehicle will be allocated to the first staff member.

Council may direct that a vehicle, referred to as a Shared Vehicle, and currently used by any employee will be given to another employee to use, for the period of time notified in a Shared Vehicle Requisition Notice. If so the first mentioned employee will

make the Shared Vehicle available at the time and place referred to in the Vehicle Requisition Notice. Another vehicle will be allocated by Council to the first mentioned employee.

11. Roadside Service

NRMA membership or equivalent roadside service will be provided for all vehicles under Type A leases.

12. Vehicle Leaseback

Staff shall be admitted to the scheme by invitation only and subject to the General Manager's approval.

Short term Type A Lease (eg. Annual leave periods) will not be offered.

The changing of a category of a lease Type A by an employee is at the General Manager's discretion and may only be changed once in every twelve months.

- ii) **Full Private Use Lease Type A** – Full unrestricted business and private use (excluding private commercial use) of a Council supplied motor vehicle, 24 hours per day, 7 days per week within Australia, including all fuel and maintenance costs. Council will pay any Fringe Benefits Tax associated with the private use of this vehicle.

iii)

iv) .

- v) **Take Home Use Agreement Type D1** – The employee is given use of a motor vehicle, which is provided for the position that the employee holds, for the purpose of travelling from the employee's home to Council's work place, and vice versa. The motor vehicle will not be used for any other purpose, and shall be available at all times for Council use (including weekends and RDO's). Private usage of such vehicles is strictly prohibited for any purposes other than approved journeys to and from home/work or during approved meal breaks. The private use during approved meal breaks shall not exceed 1000 km in each FBT year covering the period 1 April to 31 March. Where the vehicle is a panel van, utility, or other commercial vehicle, such use must meet the eligibility criteria for Fringe Benefits Tax limited private use exemption issued by the Australian Taxation Office. Only Council employees or persons authorised by the General Manager shall travel in the vehicle. A Type D1 lease shall incur a charge as set out in the Contribution Rates (Annexure A).

- vi) **On Call Take Home Use Agreement Type E** – The employee is given use of a Council supplied motor vehicle for the purpose of travelling from the employees home to Council's work place, and vice versa, whilst on call. The motor vehicle will not be used for any other purpose, and shall be available at all times for Council use (including weekends and RDO's). Private usage of such vehicles is strictly prohibited for any purposes other than (a) approved journeys to and from home/work and (b) non-work related use that is *minor, infrequent and irregular* during approved meal

breaks within a 20 kilometre radius of the applicable Walgett Shire Council works depot. The private use during approved meal breaks shall not exceed 1000 km in each FBT year covering the period 1 April to 31 March. Where the vehicle is a panel van, utility, or other commercial vehicle, such use must meet the eligibility criteria for Fringe Benefits Tax exemption issued by the Australian Taxation Office. Where the vehicle is a panel van, utility, or other commercial vehicle, such use must meet the eligibility criteria for Fringe Benefits Tax exemption issued by the Australian Taxation Office. Only Council employees or persons authorised by the General Manager shall travel in the vehicle and employees must be dressed in Council issued work uniform whilst travelling in the vehicle.

- vii) **Short Term Take Home Use Agreement Type F** – A vehicle will be assigned on a short term basis not exceeding two (2) weeks, to an employee who is required to have take home use of a motor vehicle, at the specific request of his or her supervisor eg short term traffic control, On Call Duty Officers etc. As a minimum, all conditions of Agreement Type D shall apply.

Termination of Agreements - The General Manager shall retain the right to terminate such agreement by giving the employee written notice as specified in this policy. The grounds for termination shall be as deemed reasonable by the General Manager at the time, eg economics, unsatisfactory employee service, corporate restructure, abuse of car scheme privileges etc. Employees may terminate the agreement upon fourteen (14) days' notice in writing. Employees are not obliged to enter into a lease agreement.

13. Contribution Rates

Refer to Contribution Rates (*Annexure A*)

The relevant fees will be collected fortnightly via payroll or on resignation dismissal/restriction deduction in accordance with Council's pay periods. Fees will be reviewed annually at the commencement of each financial year.

14. Declarations

The Australian Taxation Office requires declarations to be made by employees in certain circumstances for compliance with Fringe Benefits Tax Law. If as a result of providing a vehicle to an employee a declaration is required that employee must complete the relevant declaration supplied by Council.

15. Termination of Employment

- I. Employees who resign or are being dismissed from Council are required to obtain a Vehicle Clearance from the Fleet Manager.
- II. Any outstanding charges arising from the use of a Council vehicle by the employee at the date of termination shall remain payable by the employee.
- III. Any use entitlements of the employee shall end at the date of termination of employment.

Annexure "A"

Contribution Rates

The General Manager's and Directors vehicle lease back is included in their employment contract and is not included in the following table.

The following rate/percentage applies to the "Base Value of the Leased Motor Vehicle", divided by 52 to arrive at a weekly lease fee.

	VEHICLE DESCRIPTION	TYPE A Post Tax			TYPE D1 Post Tax
Class 1	Mid range specification 6-cylinder 4x2 sedan or wagon; or 4 or 5 cylinder turbo diesel dual range transmission 4x4 wagon	10% of motor vehicle base value			
Class 2	Base model specification 6 cylinder 4x2 sedan or wagon; or Class 3 vehicle with unloaded mass > 1,600kg	10% of motor vehicle base value			
Class 3	Base model specification 4 cylinder sedan, hatchback or wagon: 4x2 or 4x4 single range transmission sedan or wagon with unloaded mass < 1,601kg	10% of motor vehicle base value			!
Class 4	Commercial or other operationally specific vehicle with GVM < 3,500kg	10% of motor vehicle base value			\$30

Notes:

N/A: Not Available.

Type A, & D1 includes a fee – refer to Annexure "A"

Type D, E and F vehicle usage does not incur a fee.

Annexure "B"**Vehicle Issue & Return Form**

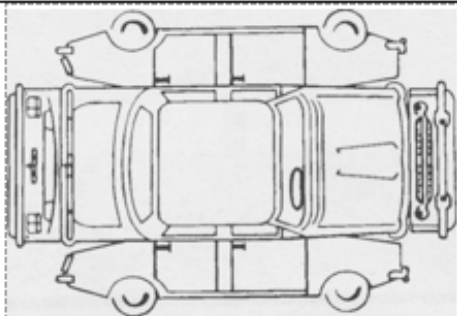
Department: _____

Additional Vehicle ☐ No ☐ Yes (go to Section Two)**Section One**

Item to be replaced: _____

Plant No: _____

Existing damage: ☐ No☐ Yes (please show on diagram)

	Description
---	-------------

Section Two			
Vehicle type:	<input type="checkbox"/> Sedan	<input type="checkbox"/> Wagon	<input type="checkbox"/> Utility
	<input type="checkbox"/> 2wd	<input type="checkbox"/> 4wd	
Engine type:	<input type="checkbox"/> Petrol	<input type="checkbox"/> Diesel	<input type="checkbox"/> Turbo (diesel only)
Transmission:	<input type="checkbox"/> Manual	<input type="checkbox"/> Automatic	
Configuration (utilities):	<input type="checkbox"/> Canopy	<input type="checkbox"/> Tonneau	<input type="checkbox"/> Table Top <input type="checkbox"/> Tipper
Communications:	VHF	UHF	Mobile Phone

Call sign: _____ Number: _____

Standard Options	Passenger	Commercial
Towbar	Cruise Control	Ute Liner
Floor Mats	First aid kit	First Aid Kit
Headlight Covers	Insect Screen for Radiator	Insect Screen
Bonnet Protector	Beacon	Beacon
Seat Covers		Cargo Net
Fire extinguisher		

Other: (please list) _____

Attach to

memo for approval by the General Manager

Signed: On delivery: _____ Date _____

On return: _____ Date _____

Annexure "C"



WALGETT SHIRE COUNCIL VEHICLE LEASE AGREEMENT

EMPLOYEE NAME	
EMPLOYEE NUMBER	
POSITION	

I agree to abide by the terms and conditions for use of a Council provided motor vehicle, as set out in the Walgett Shire Council Motor Vehicle Policy as amended from time to time.

The lease type offered and accepted by me is _____ and I agree to the lease contribution rate (Annexure "A") applicable being deducted from my salary on a fortnightly basis.

I accept that the vehicle issued to me at this time is:-

PLANT NUMBER	
VEHICLE MAKE	
VEHICLE MODEL	
BODY TYPE	

and is in as new condition or as stated on Annexure "B".

This agreement is amendable by the Vehicle Issue and Return Form (Annexure "B").

The nominated address for overnight garaging of the motor vehicle supplied is:

--

Signed by Employee: _____

Signed by Department Director: _____

Signed by General Manager: _____

Date: _____

To be placed on the employee's personal file and a copy provided to Fleet Manager

Procedure Review History



Date	Changes Made	Approved By
13 Nov 2008	Procedure Developed	Ray Kent - General Manager
26 May 2009	Presented to Council Meeting May 2009 changes relating to log book requirements, passenger travel, contract travel and other minor changes	CM 167/09
28 April 2017	Reviewed – presented to the Council Meeting – 28.04.17 and adopted.	Don Ramsland – GM
<u>November 2021</u>	<u>Complete review by General Manager</u>	<u>Council</u>
<u>20th December 22</u>	<u>Review by General Manager</u>	<u>Council</u>





ANIMALS & REGULATORY MATTERS PROCEDURE

Approval Date:

Next Review Date: As-required December 2024

Responsible Officer: Director Planning & Regulatory Services

There is no documented Policy 'Animals & Regulatory Matters' however the Policy which mostly aligns with this Procedure is 'Local Orders Policy for the Keeping of Animals'.

Walgett Shire Council understands that the keeping of companion animals is an important part of personal health and well-being and family life. As a Council, we are committed to administering a balanced environment where companion animals can be kept with minimal impact on the environment, community and businesses within the Walgett Shire Local Government Area.

Objective

To ensure that regulatory operations are conducted to maintain public amenity in a manner that complies with relevant legislation and community expectations, whilst ensuring the safety of Council Officers.

Statutory Requirements

Statutory requirements relevant to this procedure include:

- Impounding Act 1993
- Impounding Regulation [2008 2013](#)
- Companion Animals Act 1998
- Companion Animals Regulation [2008 2018](#)
- [Public Spaces \(Unattended Property\) Act 2021](#)
- [Public Spaces \(Unattended Property\) Regulation 2022](#)
- National Parks and Wildlife Act 1974
- [Protection of the Environment Operations Act 1997](#)
- [Local Government Act 2021](#)

Policies & guidelines

Policies and guidelines relevant to this procedure include:

-
- Guideline for Approved Persons to Access the NSW Companion Animals Register Guideline 2007/01, issued by the [Department Office](#) of Local Government, ~~April 2007~~ [June 2020](#)
 - Guideline on the Exercise of Functions under the Companion Animals Act, issued by the [Department Office](#) of Local Government, ~~January 2007~~ [June 2020](#)
 - Any Local Orders Policy adopted by Council
 - Any Enforcement Policy adopted by Council
 - Any Local Approvals Policy adopted by Council

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1. COMPANION ANIMAL MICROCHIPPING & REGISTRATION

Council employs a Regulatory Officer to facilitate companion animal micro chipping and registration via a range of methods, including:

- Enforcement action.
- Community education.

1.1 Microchipping

Section 8 of the Companion Animals Act 1998 requires that *"A companion animal must be identified as required by the regulations from the time the animal is 12 weeks old"*. Clause 5 of the Companion Animals Regulation 2008 requires that the identification be via a microchip. Dogs and cats are companion animals.

Microchipping can only be undertaken by an accredited person (See Clause 6 of the Companion Animals Regulation 2008).

The following steps must be followed when microchipping:

- (1) The animal owner completes the Companion Animal Identification/ Registration form.
- (2) The owner must pay the microchipping (and where required, the registration fees) before the animal is microchipped.
- (3) The CSO enters the registration date, amount and receipt number in the Companion Animal Identification/ Registration form and initials the form in the agents signature field indicating that they have verified payment.
- (4) The owner or CSO calls the Regulatory Officer to organise a mutually convenient time for the animal to be microchipped.
- (5) The owner gives the Regulatory Officer the Companion Animal Identification/ Registration Form at the time the animal is being microchipped.
- (6) The Regulatory Officer will attach the micro chip number to the form and issue the pink copy to the owner. The yellow and white copy will be returned to Council.
- (7) The CSO or Regulatory Officer enters the microchip information into the Companion Animal Register.

1.2 Registration

Section 9 of the Companion Animals Act 1998 requires that *"A companion animal must be registered" "from the time the animal is 6 months old"*. Note that all cats and dogs must be microchipped before they can be registered (See Clause 19 of the Companion Animals Regulation 2008).

For details about entering or altering data in the Companion Animals Register, refer to the document titled "Companion Animals Register - User guide for Council staff and Registration Agents", published by the Department of Local Government.

Only authorised users can access the register at the web site. The Director Planning and Regulatory Services can arrange for people to become authorised users by e-mailing a request for an appropriate level of access to pets@dlg.nsw.gov.au .

2. COMPANION ANIMAL IMPOUNDING

▲ 2.1 Seizure

Section 13(3) of the Companion Animals Act 1998 specifies that *"Any person (including an authorised officer) can seize a dog that the person finds in a public place in contravention of this section"*.

2.2 Impounding

Once a companion animal under Council control enters the pound, it then becomes impounded. All impounded animals are to:

- Be photographed and the photographs kept in Trim with notes regarding the breed, sex, date and town that the animal came from.
- Be recorded in the impounding register.

2.3 Release

Any animal that has been impounded must be registered before it is released, including working dogs (see section 8 of Companion Animals Act 1998 and clause 23 of the Companion Animals Regulation 2008).

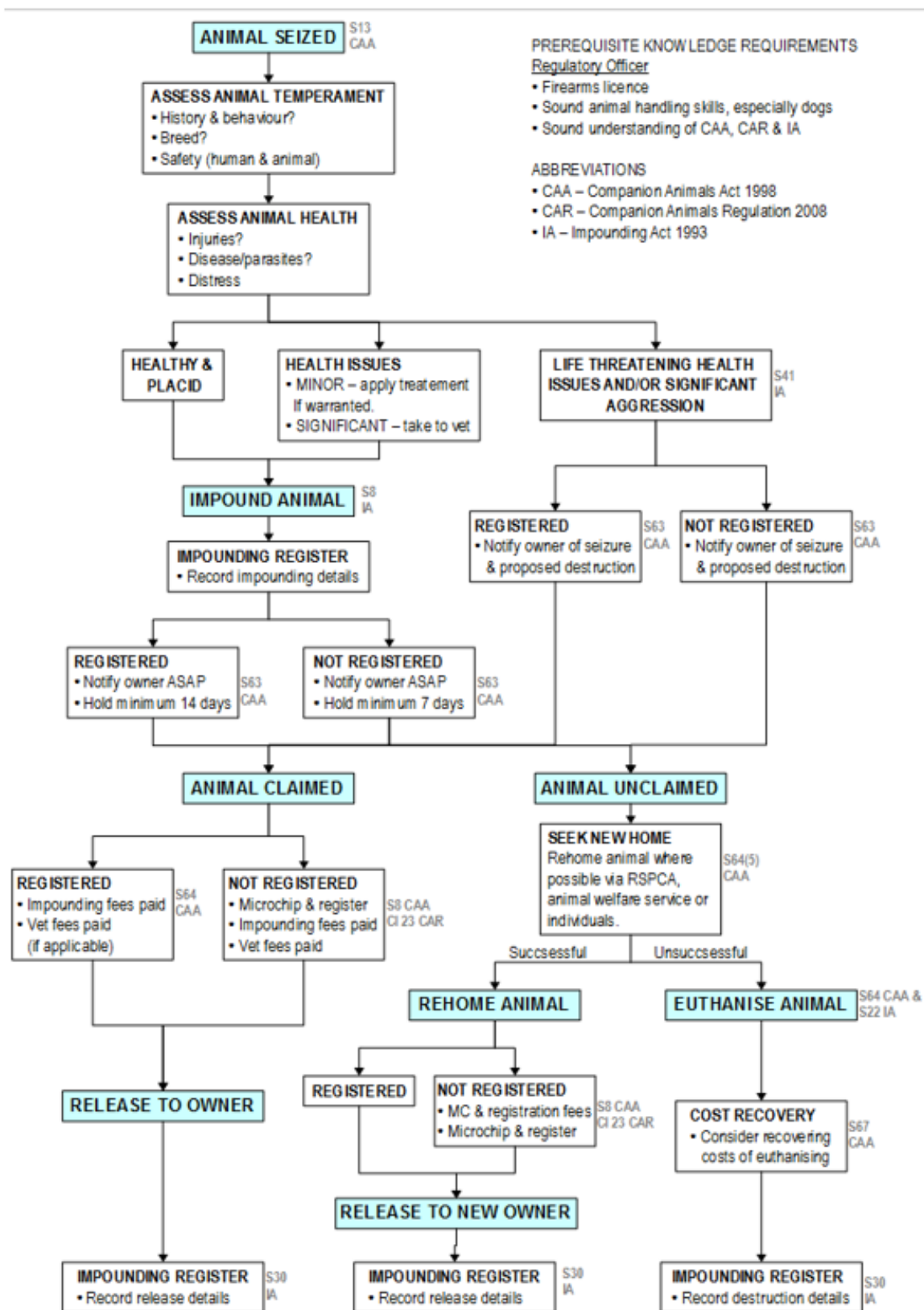
The general procedure for the release of impounded companion animals is as follows:

- (1) Enquiries regarding the release of impounded animals are usually dealt with by the Regulatory Officer or the Customer Service Officer, Planning and Regulatory Services.
- (2) Inform the owner of the charges and advise them that the animal will not be released until the money has been paid in full and, if required, the animal has been microchipped and registered.
- (3) No animal will be released by the Regulatory Officer until they see a receipt from Walgett Shire Council to enable them to verify payment of all the applicable fees.
- (4) The CSO will arrange a mutually convenient time and place for the Regulatory Officer and the animal owner to meet and release the animal.
- (5) Details of the release are to be recorded in the impounding register.

2.4 Overview of processes & regulatory requirements

An overview of the seizure, impounding and release process is provided in the flow chart below. Note that steps in the flow chart should be followed in order from top to the bottom of the chart.

Note that the flow chart does not address activities such as warnings, fines and notices, which may be appropriate and required for particular situations.



2.5 Other impounded animals

Animals other than dogs and cats may also be impounded under the Impounding Act 1993. Examples include horses or cattle found wandering streets or other public places. Such animals should be dealt with in a broadly similar manner to that outlined previously for impounding and releasing companion animals.

3. SURRENDERED COMPANION ANIMALS

3.1 Acceptance

Walgett Shire Council is committed to managing stray dogs and cats with a view to minimising potential adverse impacts for the public or the environment. A key element of this commitment is that the Council will accept companion animals surrendered by their owners. Where possible, new homes will be found for these animals.

Key aspects of the process for Council to accept surrendered companion animals are as follows:

- (1) If a person is proposing to surrender a Companion Animal, the Regulatory Officer must first verbally advise them that surrendered animals:
 - Are held in the pound for two working days.
 - Are re-homed if possible.
 - Most cannot be re-homed, because no one wants them.
 - If the animal cannot be rehomed, it will be euthanised.
- (2) They must sign a surrender for which indicates they have surrendered the animal to Council's ownership.
- (3) The owner must be provided with a copy of the surrender form.
- (4) The animal must be held within the pound for a minimum of two working days. The Regulatory Officer will endeavour to re-home surrendered animals during this time, which also gives the former owner time to reconsider the surrender of the animal.

The flow chart below provides an overview of the procedure that must be applied when dealing with surrendered companion animals.

3.2 Release

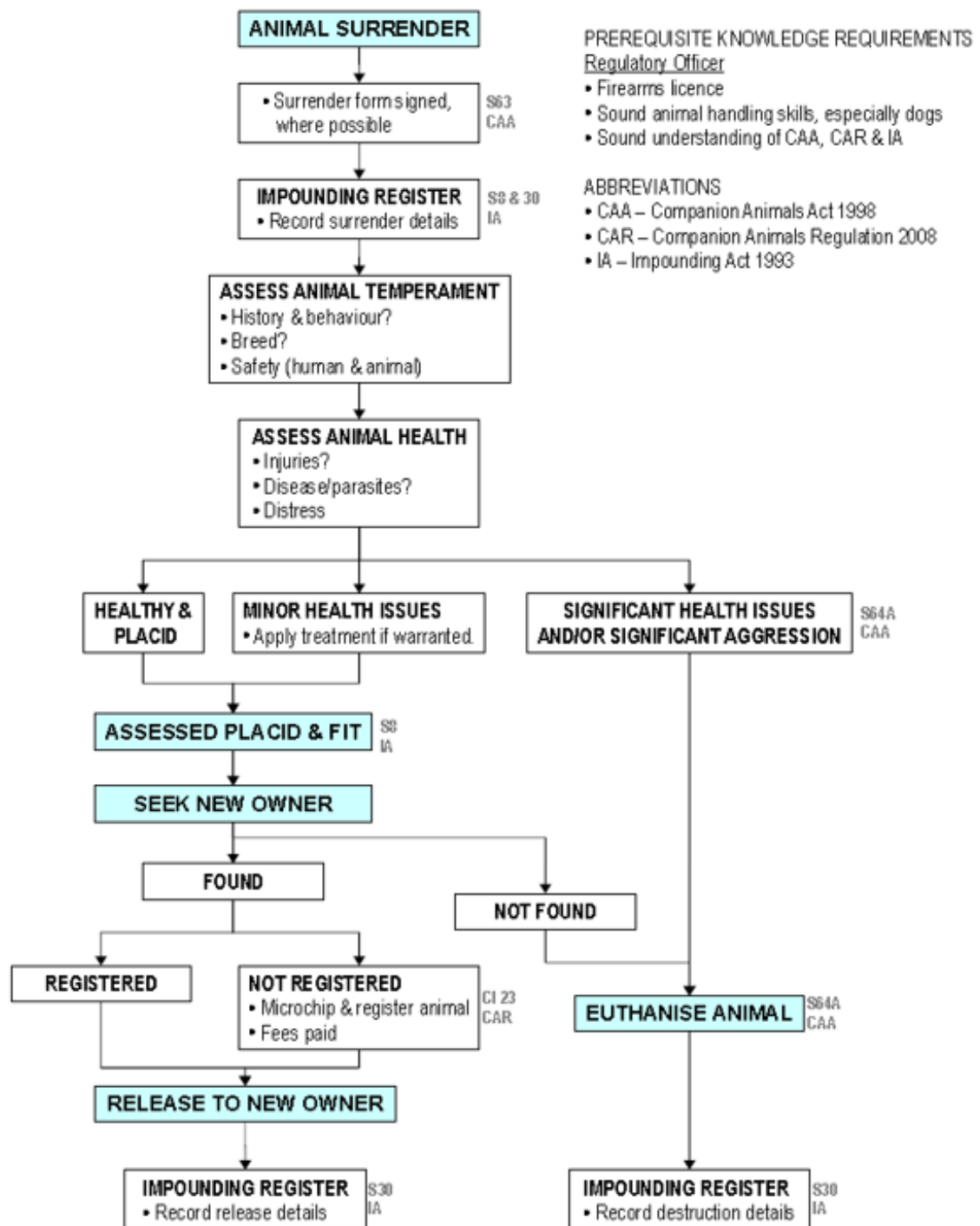
[~~Clause 23~~Part 3](#) of the Companion Animals Regulation [~~2008-2018~~](#) specifies that "A companion animal not otherwise required to be registered under the Act that is taken into the custody of a council" "must be registered under the Act before it is returned to its owner from that custody". This effectively means that any animal that has been surrendered to Council must be registered before it is released, including working dogs.

The general procedure for the release of surrendered companion animals is as follows:

- (1) Enquiries regarding the release of surrendered animals are usually dealt with by the Regulatory Officer or the Customer Service Officer, Planning and Regulatory Services.
- (2) People considering taking up ownership of a surrendered animal must be advised that animals will not be released until they have been microchipped and registered. They should be advised of the full cost.
- (3) No animal will be released by the Regulatory Officer until they see receipt and verify full payment of all the applicable fees.
- (4) The CSO will arrange a mutually convenient time and place for the Regulatory Officer and the animal owner to meet and release the animal.
- (5) Details of the release are to be recorded in the surrender register.

3.2 Unwanted animals

If new homes cannot be found, companion animals will be euthanised as outlined in the section titled "General procedure to euthanise animals". [Section 64A, Part 7](#) of the Companion Animals Act 1998 provides that surrendered companion animals may be sold or destroyed.



4. EUTHANISING

Historically the majority of companion animals passing through the Walgett pound are euthanised because their owners do not claim them and new homes cannot be found for them.

4.1 Unclaimed companion animals

Section 64 of the Companion Animals Act 1998 provides that Council may destroy companion animals that have not been claimed after:

- 7 days if they are unregistered
- 14 days if they are registered.

Section 63 provides that Council must first make efforts to identify the owner of the animal and let them know that Council has seized and impounded the animal.

4.2 Unhealthy impounded animals

The Companion Animals Act 1998 and the Companion Animals Regulation 2008 is silent regarding unhealthy animals.

Although the ~~Impounding Act 1993~~ [Public Spaces \(Unattended Property\) Act 2021](#) does not normally apply to dogs or cats, that Act does enable Council to destroy injured, diseased or distressed impounded animals in the circumstances outlined in ~~Section 22 of the Impounding Act 1993~~ [Div. 2 Public Spaces \(Unattended Property\) Act 2021](#), as reproduced below:

22 Injured, diseased or distressed animals can be destroyed

- (1) An impounding authority may destroy an impounded animal held at its pound if of the opinion that the animal is seriously injured, diseased or starved or is otherwise in a distressed state.
- (2) If the impounding authority knows the identity of the owner of the animal, it must not destroy the animal unless it has informed the owner that it is proposed to destroy the animal and has given the owner a reasonable opportunity to obtain its release.
- (3) The impounding authority may recover as a debt from the owner of an animal the cost of destroying the animal and disposing of its carcass.

In the above context, seriously injured, diseased or starved animals should be euthanised by the Regulatory Officer in the event that holding them within the pound would be inhumane and/or a significant health risk to other animals within the pound.

4.3 Aggressive dogs

Council may destroy aggressive dogs in the circumstances outlined in [Section 22 Div. 7](#) of the Companion Animals Act 1998, as reproduced below (See subsection (2) in particular).

22 Action to protect persons and property against dogs

- (1) Any person may lawfully seize a dog if that action is reasonable and necessary for the prevention of damage to property.
- (2) Any person may lawfully seize, injure or destroy a dog if that action is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death.
- (3) However, subsection (2) does not authorise the seizure of, injury to or destruction of a dog that is engaged in the droving, tending, working or protection of stock unless the action is reasonable and necessary for the protection of a person from injury or death.
- (4) (Repealed)
- (5) If a dog that is not under the effective control of some competent person enters any inclosed lands within the meaning of the *Inclosed Lands Protection Act 1901* and approaches any animal being farmed on the land, the occupier of the land or any person authorised by the occupier can lawfully injure or destroy the dog if he or she reasonably believes that the dog will molest, attack or cause injury to any of those animals.
- (6) An authorised officer who finds a dog attacking or harassing an animal (other than vermin) within a wildlife protection area (as defined in section 14 (1) (h)) can lawfully injure or destroy the dog if there is no other reasonably practicable way of protecting the animal.
- (7) A person who takes action under the authority of this section that results in the injury to or death of a dog must:
 - (a) take reasonable steps to ensure that an injured dog receives any necessary treatment, and
 - (b) report the matter to an authorised officer (unless the person is an authorised officer) and comply with such reasonable directions as the authorised officer may give for the purpose of causing the dog to be returned to its owner or taken to a council pound, and
 - (c) take reasonable steps to inform the owner of the dog.
- (8) An authorised officer is not to give a direction under this section for the purpose of causing a dog to be taken to a council pound unless the authorised officer is satisfied that the owner of the dog cannot be identified.
- (9) Nothing in this section authorises a contravention of the *Prevention of Cruelty to Animals Act 1979*.
- (10) The authority conferred by this section to destroy a dog extends only to authorising the destruction of the dog in a manner that causes it to die quickly and without unnecessary suffering.

Aggressive dogs commonly include breeds that are often used as watch dogs, such as Rottweilers, cattle dogs, pit bulls, German shepherds, etc. Other breeds can also be aggressive, and can cause bite injuries such as terriers and Labradors, often because the aggression is unexpected.

4.4 Surrendered companion animals

In any case where the Regulatory Officer has not been able to find a new owner for a surrendered companion animal, they are to be euthanised.

4.5 Feral companion animals

Occasionally feral cats and dogs are seized or passed to Council. Caging a feral animal invariably causes it substantial and unnecessary stress. Feral animals may be euthanised or relocated prior to the expiration of the statutory holding period.

Steps to be followed when assessing potentially feral cats and dogs include:

- (1) Observe and assess the behaviour of the animal/s to determine whether they are feral.

Note that “feral” means wild, or existing in a state of nature and showing no signs of domestication. Animals which are wearing a collar, identification tag or microchip must **not** be deemed feral.

- (2) If an animal is deemed as feral, it should be euthanised at the earliest opportunity.

Note that feral animals are generally received in a poor condition, are difficult to handle and are not suitable to be re-homed. When dealing with such animals, particular care needs to be taken to avoid bites, scratches and the escape of the animal.

- (3) Details of the animal must be kept in the surrender register along with a notation that the animal was feral.

4.6 Native animals

In certain circumstances there may be a need for Council’s Regulatory Officer to destroy one or more native animals. Examples include:

- A seriously injured kangaroo on the side of a public road.
- An exceptionally aggressive magpie during nesting season that is swooping and injuring children within an urban area.

Although such animals are normally protected under the provisions of the National Parks and Wildlife Act 1974, Section 120 of that Act provides that a licence can be issued authorising a person to destroy protected fauna. When required, a licence should be obtained from the regional office of the Office of Environment and Heritage at Narrabri.

4.7 General procedure to euthanise animals

This section outlines the key procedural steps involved in euthanising animals.

Generally animals are to be destroyed within 24 hours of the expiration of any minimum holding period that may be required by legislation.

- (1) All animals are to be euthanised in a manner that is humane. To be humane the death of the animal should be instantaneous, or near instantaneous.
- (2) The animal must be secured against an immovable object, eg Tied to a fence post with a lead and collar.

In most cases the Regulatory Officer will euthanise an animal, after restraining its movement, via a single bullet to the head.

- (3) Special care must be taken with aggressive, large or restless animals to:

- (a) Ensure that the firearm is always handled in a manner that does not endanger personal or public safety.
- (b) Avoid being bitten, scratched or kicked.
- (c) Ensure a clean kill.
- (4) Aggressive, large or restless animals can be managed by:
 - (a) Mixing tranquiliser tablets with pet food and allowing the animal to become sedated prior to euthanising, and/or;
 - (b) Placing the animal in a cage that has a sliding internal wall that can be used to confine the animal and restrict its movement.
- (5) For all euthanising tasks the Regulatory Officer must ensure that:
 - (a) Animal destruction is undertaken in a manner that minimises the potential for members of the public to be aware of the process.
 - (b) Animal destruction is to be undertaken so that other animals cannot see the destruction process.
 - (c) Animal remains are buried with at least 30cm of earth to prevent the dissemination of offensive odours.
 - (d) Where necessary, hydrated (slaked) lime is mixed with earth when burying carcasses. The lime will assist with odour control and hence minimise the potential for carnivores to dig up carcasses.

5. PROBLEM COMPANION ANIMALS

5.1 Investigations

When Council receives a complaint or information indicating that there may be problem companion animals in a given area, the matter must be promptly investigated with regard for the seriousness of the complaint. The following procedure forms the basis for the initial investigation:

- (1) Determine what the alleged problems are. If necessary, seek clarification of the allegation from the person who lodged the complaint.
- (2) Locate the dog/cat, its owner and/or visit the site with a view to:
 - (a) Obtaining any witnesses version/s of the situation (for example neighbours or passers by).
 - (b) Obtaining the owner's version of the situation.
 - (c) Identifying the animal/s potentially involved (sex, breed, colour, size).
 - (d) Determining whether the animal/s is registered
 - (e) Observing the behaviour of the animal/s.
 - (f) Observing the condition of the animal/s.
 - (g) Recording an accurate summary of the situation.
- (3) Determine whether the allegation is **substantiated beyond reasonable doubt** by witnesses and/or circumstantial evidence and involves a serious matter that

warrants further action. Substantiated allegations may warrant one or more of the following actions in accordance with Council's Enforcement Policy:

- (a) Fines for breaches of the Companion Animals Act 1998.
 - (b) Nuisance dog order.
 - (c) Nuisance cat order.
 - (d) Dangerous dog declaration, fines and/or seizure.
 - (e) Restricted breed declaration, fines and/or seizure.
 - (f) Seizure of an animal.
- (4) Determine whether the **allegation is in doubt, or does not involve a serious matter**. Doubtful and non-serious allegations may warrant some, or all, of the following actions by the Regulatory Officer:
- (a) Issuing a verbal caution.
 - (b) Issuing a written warning.
 - (c) Further monitoring of the situation.
 - (d) Further inquiry to obtain additional information that may reduce or eliminate doubt.
- (5) Determine whether the allegation is **unsubstantiated or does not warrant action by Council**. If this is the case then:
- (a) For investigations triggered by complaints, advise the party that made the original complaint of the outcome of the investigation. Indicate that if substantial new information comes forward then the matter may be investigated further.
 - (b) For investigations triggered by information, consider advising any party that supplied information of the outcome.
- (6) As a general principle the dog/s owner and the complainants should be advised of the investigation outcome. If a complaint was received in writing then a written response should be provided, while verbal complaints generally will receive a verbal response. Responses should be prepared or made by the Regulatory Officer.

5.2 Dogs

Problem dogs can be dealt with via warning letters and fines for breaches of the Companion Animals Act 1998. Additional strategies are detailed under the respective headings below.

5.2.1 Wandering dogs

Dogs roaming public streets hinder public amenity and safety in a range of ways, including:

- Interfering with assistance animals.
- Defecating in public places.
- Intimidating the public.

-
- Periodically attacking people and animals.

A core aspect of the Regulatory Officer's duties is encouraging compliance with the Companion Animals Act 1998 and getting animal owners and controllers to keep their dogs off public streets unless they are supervised and suitably restrained ([section 13 Div. 4](#)). For the Regulatory Officer this involves:

1. Identifying the animal owner – This can be done by:
 - a) Scanning the animal for a microchip and determining the registered owner within the Companion Animals Register using the microchip number.
 - b) Chasing the animal back to its place of residence and asking any occupant who owns it.
 - c) Talking to people living in the vicinity to determine who they think owns the animal and/or where it normally resides.
 - d) Reviewing complaints retained within Council's Trim electronic record keeping system for previously recorded details of dogs and their potential owners.
2. Verbally warning the animal owner/controller that they must keep it off the street, where appropriate.
3. Issuing a written warning to the animal owner/controller that they must keep it off the street, where appropriate.
4. Issuing one or more infringements to an animal owner/controller where appropriate, especially if they have effectively ignored written and/or verbal warnings.
5. Seizing dogs from a [public places](#) and impounding them under [sub-section 13\(3\) Part 7](#) of the Companion Animals Act 1998. Seizures can be done at any time.

Note that warnings and infringements must be issued with regard for Council's current Enforcement Policy. As a general principle Council's Regulatory Officer must act in a proactive and reasonable manner to encourage compliance with Companion Animals Act 1998.

5.2.2 Dog attacks

All dog attacks [are](#) dealt with by Council's Regulatory Officer **must** be reported within 72 hours to the [Director-General/Department Chief Executive](#) of the [Division Office](#) of Local Government via the Companion Animals web site at <http://www.petregistry.nsw.gov.au/Introduction/default.asp> . This includes any attack on a person or animal.

5.2.3 Dangerous dogs

Section 33 of the Companion Animals Act 1998 defines dangerous dogs as follows:

33 Meaning of “dangerous”

- (1) For the purposes of this Division, a dog is *dangerous* if it:
 - (a) has, without provocation, attacked or killed a person or animal (other than vermin), or
 - (b) has, without provocation, repeatedly threatened to attack or repeatedly chased a person or animal (other than vermin), or
 - (c) has displayed unreasonable aggression towards a person or animal (other than vermin), or
 - (d) is kept or used for the purposes of hunting.
- (2) A dog is not, for the purposes of subsection (1) (d), to be regarded as being kept or used for the purposes of hunting if it is used only to locate, flush, point or retrieve birds or vermin. *Vermin* for the purposes of this subsection includes small pest animals only (such as rodents).

Note. If a hunting dog is declared to be a dangerous dog, the declaration does not necessarily mean that the dog cannot be used for the purposes of lawful hunting—see section 51 (3).

[Part 5 Div. 6](#) of the Act is quite detailed and contains a wide of provisions regulating dangerous dogs. Section 34 in particular provides that a dog can be declared dangerous. The process to be followed is:

- (1) An authorised officer must complete the initial investigation and only commence this declaration process if it has been substantiated that the dog is dangerous beyond reasonable doubt.
- (2) Give notice to the owner of the dog of the intention to declare a dog as dangerous (S.35). The notice must set out:
 - (a) The requirements with which the owner will be required to comply if the declaration is made (S.35(2)(a)).
 - (b) The owner’s right to object to the proposed order in writing to the authorised officer within 7 days after the date the notice is given (S.35(2)(b)).
- (3) If an owner has been given notice of an authorised officer’s intention to declare a dog dangerous, Section 36(1) of the act requires the owner to:
 - (a) Ensure that at all times when the dog is away from the property where it is ordinarily kept:
 - (i) It is under the effective control of some competent person by means of an adequate chain, cord or leash that is attached to the dog and is held by (or secured to) the person, and
 - (ii) It has a muzzle securely fixed on its mouth in such a manner as will prevent it from biting any person or animal, and
 - (b) Register the dog (if it is not already registered) within 7 days after receiving the notice.

Note: Registration of a dog requires the dog to be microchipped

Maximum penalty: 50 penalty units

- (4) A dog may be seized by an authorised officer if these requirements are not complied with (S.36(3)).
- (5) The previous requirements only apply for 28 days after notice is given to the dog owner, or the authorised officer has notified the dog owner that the declaration has, or has not been made (S.36(2)).
- (6) If a dog is seized under Section 36(3), the dog can only be claimed under the circumstances described in Section 36(4) and 64.
- (7) Section 37 of the Act requires the authorised officer to consider any objection to the proposed declaration (if it is lodged within 7 days).
- (8) Section 38 of the Act requires notification of the decision regarding declaration, as follows:

38 Authorised officer to notify dog owner of decision and consequences

- (1) An authorised officer of a council must give notice to the owner of a dog when the authorised officer declares the dog to be dangerous or decides not to declare the dog to be dangerous. The notice must be given within 7 days after the declaration or decision is made.
- (2) A notice that a dog has been declared dangerous must set out:
 - (a) the requirements imposed on the owner by this Part and the date or dates by which the owner must comply with those requirements, and
 - (b) the owner's right under section 41 to appeal to the Local Court against the declaration, and
 - (c) the fact that the dog may, under section 58G, be seized and destroyed if the dog attacks or bites a person or animal without provocation or if the requirements imposed on the owner under section 51 (1) (c), (c1) or (e) are not complied with on 2 separate occasions over any period of 12 months (whether or not each occasion relates to the same requirement).
- (3) A declaration has effect from the date specified in the notice or the date on which notice is given, whichever is the later.
- (9) Section 51 of Act imposes mandatory control requirements on owners of dogs that have been declared dangerous.
- (10) Section 39 of the Act provides that 12 months after a declaration has been made, the owner can apply to the Council to have the declaration revoked.
- (11) Dangerous dog declarations must be notified to the Director-General of the Department of Local Government within 7 days of being issued or revoked (S.40).

Note that:

- Part 5 of the Act deal with dangerous dogs. Only the more frequently used provisions have been dealt with in this procedure.
- Section 51 of Act imposes detailed mandatory control requirements on owners of dogs that have been declared dangerous.
- Council must be notified if the dog moves to another address, goes missing or dies (S.51(1)(i)).

5.2.4 Restricted breeds

Section 55 of the Companion Animals Act 1998 defines restricted dogs as follows:

55 Interpretation

- (1) The following dogs are *restricted dogs* for the purposes of this Act:
- (a) American pit bull terrier or pit bull terrier,
 - (b) Japanese tosa,
 - (c) dogo Argentino,
 - (d) fila Brasileiro,
 - (d1) any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the *Customs Act 1901* of the Commonwealth,
 - (e) any dog declared by an authorised officer of a council under Division 6 of this Part to be a restricted dog,
 - (f) any other dog of a breed, kind or description prescribed by the regulations for the purposes of this section.

- (2) In this Division:

existing restricted dog means a dog that is a restricted dog as at the relevant date.

proposed restricted dog means a dog that is the subject of a proposed declaration by an authorised officer of a council under section 58C.

relevant date means the date on which Division 6 of this Part (as inserted by the *Companion Animals Amendment Act 2005*) commences.

transition period means the period beginning on the relevant date and ending 12 months after that date.

~~Part 5~~, Division ~~56~~ of the Act established the procedures that must be followed by an authorised officer to declare a dog to be a "restricted dog" if it is one of the abovementioned breeds, or a cross bred. The table below provides an overview of key sections of the Act relating to restricted dogs.



SECTION	ISSUE
55	Restricted dog definition
56	Control requirements
57	Seizure if not controlled
57A	Prohibition on selling dogs
57B	Prohibition on accepting dogs
57C	Prohibition on breeding dogs
57D	Declared restricted dogs may be seized & destroyed after transition period
58	Civil liability of owner
58A	Notice of intention to declare dog restricted
58B	Owner obligations when notified of intention

SECTION	ISSUE
58C	Authorised officer may declare dog to be restricted dog
58D	Authorised officer to notify dog owner of decision and consequences
58DA	Director-General to be notified of making or revocation of declaration
58E	Protection from liability of assessors
58F	Persons authorised to provide certain information to councils
58G	Power to seize and destroy dangerous or restricted dog in certain circumstances
58H	Certificate of compliance required for dangerous and restricted dog enclosures
58I	Miscellaneous provisions relating to declarations

5.2.5 Nuisance dogs (Div.1A)

Section ~~24~~[32A](#) of the Companion Animals Act 1998 deals with nuisance dogs.

Orders can be issued requiring the owner of a nuisance dog to control one or more behaviours that are causing a nuisance. The process to be followed when issuing a nuisance dog order is:

- (1) An authorised officer must complete the initial investigation and only commence this order process if the nuisance is substantiated beyond reasonable doubt.
- (2) Give notice to the owner of the dog of the intention to issue an order (S.~~24A~~[32B](#)(1)). The notice must set out:
 - (a) The behaviour that is required to be prevented (S.~~24~~[32B](#)(31)).
 - (b) The requirements with which the owner will be required to comply if the order is issued (S.~~24A~~[32B](#)(2)(a2)).
 - (c) The owner's right to object to the proposed order in writing to the authorised officer within 7 days after the date the notice is given (S.~~24A~~[32B](#)(23)(b)).
- (3) If the owner **does not object** within 7 days, consider the situation before making a decision whether or not to issue the order (S.~~24A~~[32B](#)4)). Matters that typically need to be considered include:
 - (a) The significance of the problem (how often, how much of a nuisance?).
 - (b) Has the problem been reduced substantially, or eliminated, since the notice of intention was issued?
- (4) If the owner **does object** within the 7 days, the objection must be considered before deciding whether or not to issue the order (S.~~24A~~[32B](#)(5)). Matters that typically need to be considered include:
 - (a) The significance of the problem (how often, how much of a nuisance?).
 - (b) Has the problem been reduced substantially, or eliminated, since the notice of intention was issued?
 - (c) Whether the objection provides any information requiring further investigation?

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- (d) Whether the objection makes any commitment to address the problem in an appropriate manner?
 - (5) If a decision is made **not to issue an order**, the animal owner must be advised in writing.
 - (6) All orders must:
 - (a) Comply with the requirements of ~~Section 24~~Par 3 Dev. 1 General Responsibilities and 24A of the Act.
 - ~~(b) Be the subject of notification to the Director General of the Department of Local Government within 7 days of being issued (S.21(6)).~~

Note that an order only remains in force for 6 months after it is issued.

5.3 Cats

Problem cats can be dealt with via fines for breaches of the Companion Animals Act 1998, as well as via the nuisance cat provisions of the Act as detailed below.

5.3.1 Nuisance cats

~~Section 31~~Part 4 of the Companion Animals Act 1998 deals with nuisance cats, which are defined as follows:

31 Nuisance cats

- (1) For the purposes of this section, a cat is a nuisance if the cat:
 - (a) makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
 - (b) repeatedly damages anything outside the property on which it is ordinarily kept.

Orders can be issued requiring the owner of a nuisance cat to control one or more behaviours that are causing a nuisance. The general process to be followed when issuing a nuisance cat order is:

- (1) An authorised officer must complete the initial investigation and only commence this order process if the nuisance is substantiated beyond reasonable doubt.
- (2) Give notice to the owner of the cat of the intention to issue an order (S.31A(1)). The notice must set out:
 - (a) The behaviour that is required to be prevented (S.31(3)).
 - (b) The requirements with which the owner will be required to comply if the order is issued (S.31A(2)(a)).
 - (c) The owner's right to object to the proposed order in writing to the authorised officer within 7 days after the date the notice is given (S.31A(2)(b)).
- (3) If the owner **does not object** within 7 days, consider the situation before making a decision whether or not to issue the order (S.31A(4)). Matters that typically need to be considered include:

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- (a) The significance of the problem (ie, would a 'reasonable' person regard the cat as a significant nuisance?).
 - (b) Has the problem been reduced substantially, or eliminated, since the notice of intention was issued?
- (4) If the owner **does object** within the 7 days, the objection must be considered before deciding whether or not to issue the order (S.31A(5)). Matters that typically need to be considered include:
- (a) The significance of the problem (ie, would a 'reasonable' person regard the cat as a significant nuisance?).
 - (b) Has the problem been reduced substantially, or eliminated, since the notice of intention was issued?
 - (c) Whether the objection provides any information requiring further investigation?
 - (d) Whether the objection makes any commitment to address the problem in an appropriate manner?
- (5) If a decision is made **not to issue an order**, the animal owner must be advised in writing.
- (6) Any order that is issued must comply with the requirements of Section 31 of the Companion Animals Act 1998.
- (7) All orders must:
- (a) Comply with the requirements of Section 31 and 31A of the Act.
 - (b) Be the subject of notification to the Director-General of the Department of Local Government within 7 days of being issued (S.31(6)).

Note that an order only remains in force for 6 months after it is issued.

6. ABANDONED VEHICLES

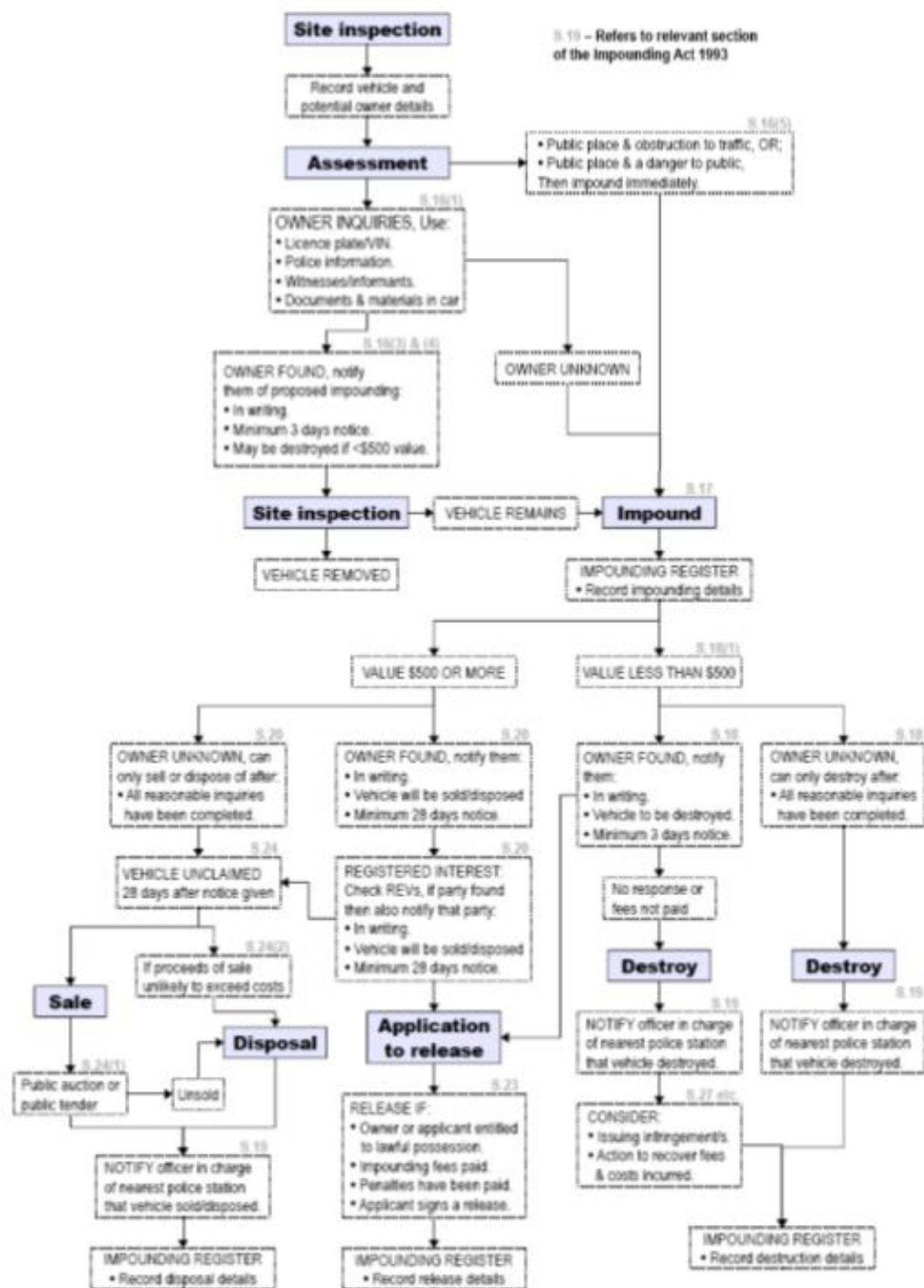
The following sections provide an overview of the processes that must be followed when dealing with abandoned vehicles. Note that there can be significant variations in the procedures to be applied that depend on:

- The value of the vehicle (more than \$1,500 vs less than \$1,500).
- Whether the owner can be found.
- Whether the vehicle is likely to pose a danger to the public.

Care must be taken to ensure that all legal requirements detailed in the respective sections of the [Impounding Act 1993](#) [Public Spaces \(Unattended Property\) Act 2021](#) "Class 3 item" are met.

6.1 Flow chart summary

An summary of the key steps involved in dealing with abandoned vehicles is provided in the flow chart below. More detailed information on each step is contained in the subsequent section.



6.2 Procedure

Periodically vehicles are abandoned on roadsides or in public places. The following procedure should be used as the basis for dealing with such vehicles.

Undertake a site inspection with a view to:

- (a) Determining whether the vehicle is located on a public road or public land (eg a park).
- (b) Determining the registration details of the vehicle (state and licence plate).
- (c) Determining the vehicle identification number.
- (d) Determining the colour, brand, model and year of manufacture.
- (e) Photographing the vehicle where possible.
- (f) Determining whether there are any documents or materials in the car which suggest who may have been its most recent owner or user (*Note that periodically abandoned vehicles have not been registered for some time, hence registration information may not be of much use*).

Apply the processes detailed in [Section 16 of the Impounding Act 1993 Part 4 Public Spaces \(Unattended Property\) Act 2021](#), as follows:

16 Special procedures for impounding of motor vehicles

- (1) An impounding officer must make all reasonable inquiries in an effort to find out the name and address of the owner of a motor vehicle before the officer impounds the vehicle.
- (2) If the impounding officer's inquiries fail to reveal the name and address of the owner, the officer may proceed to impound the vehicle.
- (3) If the impounding officer's inquiries do reveal the name and address of the owner, the officer is not to impound the vehicle until notice of the proposed impounding has been given to the owner and the period specified in the notice has elapsed.
- (4) The notice to the owner must be in writing addressed to the owner and must indicate that the vehicle may be impounded unless it is removed within a specified period (not less than 3 days) and may be destroyed if its value is less than \$500 (or such other amount as may be prescribed under section 18).
- (5) A motor vehicle may be impounded immediately (without following the procedures in this section) if the vehicle is in a public place and the impounding officer is satisfied on reasonable grounds that its immediate removal is justified because it is causing an obstruction to traffic (vehicular or pedestrian) or is or is likely to be a danger to the public.

Note. Section 43 provides for police assistance in finding out who the owner of a motor vehicle is. See section 49 for the ways in which notice can be given to the owner of a vehicle.

Note that it would be reasonable to attempt to identify the owner using:

- **Licence plate details and vehicle identification numbers:** Police are obligated to assist with performing checks on licence plate details and vehicle identification numbers under section 43.
- **Police:** Who may have reports or notes on the abandoned vehicle.

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- **Witnesses and informants:** People may have observed the vehicle being abandoned or may recognise the vehicle as belonging to a person they know.
 - **Documents and materials in the car:** These may provide an indication of a potential owner.

When a vehicle is being impounded, apply the processes detailed in Section 17 of the Impounding Act 1993, as follows:

17 Impounded article to be delivered to pound

- (1) An impounding officer must have an impounded article delivered to a pound as soon as practicable after it is impounded. The pound to be used is the nearest convenient pound (if it is impounded by a police officer) or (if it is impounded by an impounding officer of an impounding authority) the nearest pound operated or used by the authority.
- (2) However, an impounded article need not be delivered to a pound if the size, quantity or nature of the article concerned makes its delivery to or storage at a pound impracticable, unreasonably costly or more costly than the value of the article. In such a case, the impounded article may be left where it is impounded.
- (3) An impounded motor vehicle need not be taken to a pound if section 18 authorises it to be destroyed or otherwise disposed of.

Contact Council's Support Services Coordinator to arrange for appropriate vehicle recovery equipment to be made available (and staff if necessary) to retrieve and impound the vehicle. Vehicles shall generally be impounded at the nearest secure Council depot.

If a motor vehicle has a value of less than \$1,500 then the requirements and processes detailed in [Section 18 of the Impounding Act 1993 Part 4 Public Spaces \(Unattended Property\) Act 2021](#) shall be applied:

18 Impounded motor vehicles worth less than \$500 may be destroyed

- (1) An impounding officer may cause an impounded motor vehicle to be destroyed or otherwise disposed of as soon as it is impounded if the impounding officer believes on reasonable grounds that the value of the vehicle is less than \$500 (or such other amount as may be prescribed).
- (2) However, a motor vehicle impounded without inquiries having been made as to its owner (on the grounds that it was causing an obstruction to traffic or was or was likely to be a danger to the public) is not to be destroyed or otherwise disposed of under this section until:
 - (a) the impounding officer has made all reasonable inquiries in an effort to find out the name and address of the owner of the vehicle, and
 - (b) (if those inquiries reveal the name and address of the owner) notice of the impounding has been given to the owner and the period specified in the notice has elapsed without an application for its release being made.
- (3) Notice to the owner must be in writing addressed to the owner and must indicate that the vehicle has been impounded and may be destroyed if its value is less than \$500 (or such other amount as may be prescribed under this section), unless its release is applied for within the period specified in the notice (not less than 3 days).
- (4) The destruction or other disposal of a motor vehicle under this section is to be carried out in accordance with the directions of the impounding authority concerned.

Details of all impounded or destroyed vehicles must be entered in the impounding register.

[Part 4 Public Spaces \(Unattended Property\) Act 2021](#)~~Section 19 of the Impounding Act 1993~~, imposes requirements on the Regulatory Officer with regard to impounded or destroyed motor vehicles, as follows:

19 Police to be informed of action concerning motor vehicle

An impounding officer who impounds a motor vehicle or causes a motor vehicle to be destroyed or otherwise disposed of must ensure that the officer in charge of the nearest police station is informed of that action as soon as practicable after the motor vehicle is delivered to a pound, destroyed or otherwise disposed of.

[Part 4 Public Spaces \(Unattended Property\) Act 2021](#)~~Section 20 of the Impounding Act 1993~~, imposes requirements for notifying the owner of a vehicle, as follows:

20 Impounding authority to notify owner

- (1) An impounding authority must make all reasonable inquiries in an effort to find out the name and address of the owner of an impounded item and, in the case of an impounded motor vehicle, must also make a search of the PPS Register for information concerning PPS security interests in the vehicle.
- (2) The inquiries and search must be made as soon as practicable after the item is delivered to the authority's pound or (in the case of an article that is impounded without being delivered to a pound) as soon as practicable after the article is impounded.
- (3) If the impounding authority knows or finds out the name and address of the owner, the authority must cause notice of the impounding to be given to the owner of an impounded item as soon as practicable after becoming aware of the name or address.
- (4) If the impounding authority's search of the PPS Register reveals a PPS security interest in the motor vehicle, the authority must also cause notice of the impounding to be given to the person who claims the interest.
- (5) A notice under this section must be in writing addressed to the person to be given the notice. It must clearly indicate that the item has been impounded and will be sold or otherwise disposed of if not claimed within a stated period (not less than 7 days in the case of an animal and not less than 28 days in the case of an article).
- (6) Inquiries as to the owner of a motor vehicle need not be made under this section if those inquiries have already been made under another provision of this Act.
- (7) This section does not apply to a motor vehicle that has been destroyed or otherwise disposed of under section 18 (Impounded motor vehicles worth less than \$500 may be destroyed).
- (8) In this section:

PPS Register means the Personal Property Securities Register under the *Personal Property Securities Act 2009* of the Commonwealth.

PPS security interest, in relation to a motor vehicle, means a security interest in the vehicle to which the *Personal Property Securities Act 2009* of the Commonwealth applies (including a transitional security interest within the meaning of that Act).

Note. See section 49 for the ways in which notice can be given.

Note that a VIN or chassis number is required to undertake a search of the register.

[Part 4 Public Spaces \(Unattended Property\) Act 2021](#)~~Section 23~~ of the Impounding Act 1993, provides that the owner can have an impounded item released, as follows:

23 Owner can obtain release of impounded item

- (1) Application may be made to an impounding authority for the release of an impounded item held by it or impounded by one of its impounding officers. The application may be made at any time before the item is sold or disposed of.
- (2) The impounding authority must release the item to the applicant if:
 - (a) the authority is satisfied on reasonable grounds that the applicant is the owner of the item, is authorised to claim the item on the owner's behalf or is otherwise entitled to lawful possession of the item, and
 - (b) all fees and charges payable in respect of the impounding, holding and disposing of the item are paid to the impounding authority, and
 - (c) the authority is satisfied that all penalties imposed in connection with the event that gave rise to the impounding have been paid, and
 - (d) the applicant signs a receipt for the release of the item.

Details of the release of an item must be entered in the impounding register.

[Part 4 Public Spaces \(Unattended Property\) Act 2021](#)~~Section 24 of the Impounding Act 1993~~, provides that an impounded item can be sold, as follows:

24 Impounded item to be sold if not claimed

- (1) An impounding authority must cause an impounded item to be offered for sale if the item is not released before the deadline for release (subsection (5)). The sale is to be by public auction or public tender.
- (2) The item may be disposed of otherwise than by sale if the impounding authority believes on reasonable grounds that the item has no monetary value or that the proceeds of sale would be unlikely to exceed the costs of sale.
- (3) If an impounded item offered for sale is not sold, the impounding authority may dispose of the item otherwise than by sale.
- (4) An impounding authority that has offered an impounded animal for sale may destroy the animal if it is not sold within 7 days after being offered for sale.
- (5) The *deadline for release* for an impounded item is:
 - (a) in the case of an impounded animal—7 days from the day on which notice was given to the owner of the animal under section 20 or, if reasonable inquiries by the impounding authority concerned have failed to reveal the name and address of the owner, 7 days from the day on which those inquiries were completed, or
 - (b) in the case of an impounded article—28 days from the day on which notice was given to the owner of the item under section 20 or, if reasonable inquiries have failed to reveal the name and address of the owner, 28 days from the day on which those inquiries were completed or the date on which the article was impounded (whichever is the later).
- (6) This section does not apply to a motor vehicle destroyed or otherwise disposed of under another provision of this Act.

Note. Section 45 provides protection for people who buy impounded items.

Details of the sale or disposal of an item must be entered in the impounding register.

[Part 4 Public Spaces \(Unattended Property\) Act 2021](#)~~Section 25 of the Impounding Act 1993~~, makes certain provisions regarding the proceeds to the sale of impounded items, as follows:

25 Proceeds of sale of impounded item

- (1) An impounding authority holds the net proceeds of sale of an impounded item for the person who was the owner of the item immediately before its sale. The *net proceeds of sale* are the proceeds (if any) remaining after deduction of the expenses of sale and the fees and charges payable in respect of the impounding, holding and disposing of the item.
- (2) An application for payment of the net proceeds of sale may be made to the impounding authority at any time within 12 months after the item was sold.
- (3) The authority must pay the net proceeds of sale to the applicant if satisfied that the applicant is entitled to the proceeds.

Note. The applicant need not be the owner.
- (4) If no application is made within that 12 month period, the impounding authority may transfer the net proceeds of sale to such of its funds as it considers appropriate. The money then becomes the property of the authority.

[Part 4 Public Spaces \(Unattended Property\) Act 2021](#)~~Section 27 of the Impounding Act 1993~~ provides that Council can recover fees and charges associated with impounding an item. Such recovery should be considered in consultation with the Director Planning and Regulatory Services.

27 General right to recover impounding fees and charges and damages

- (1) An impounding authority may recover the following amounts as a debt from the person responsible for an impounded item:
 - the fees and charges payable in respect of the impounding, holding and disposing of the item,
 - in the case of an animal impounded because it was trespassing—the cost of rectifying any loss or damage attributable to the trespassing of the animal.
- (2) The Commissioner of Police may recover as a debt from the owner of an impounded item the fees and charges payable in respect of the impounding of an item by a police officer.
- (3) The person responsible for an impounded item for the purposes of this section is the owner of the item unless the owner, within 21 days after being required to do so by the impounding authority by notice in writing:
 - (a) supplies by statutory declaration to the impounding authority the name and address of the person (being a person who is at least 18 years of age) who was in charge of the item immediately before it was abandoned, became unattended or was permitted to trespass, or
 - (b) satisfies the impounding authority that he or she did not know and could not with reasonable diligence have ascertained that name and address.
- (4) If the owner supplies such a statutory declaration, the person named in it is the person responsible for the impounded item for the purposes of this section.
- (5) Amounts recoverable under this section can be recovered only if they have not already been paid, or deducted from proceeds of sale.
- (6) An impounding authority must pay any amount recovered by it under this section for loss or damage attributable to the trespassing of an animal on private land to the person who suffered the loss or damage.
- (7) For the purposes of subsection (6), an impounding authority is entitled to treat the owner of the land concerned as the person who suffered the loss or damage unless satisfied that the loss or damage was suffered by some other person.

7. ILLEGAL RUBBISH DUMPING

One of the tasks regularly performed by the Regulatory Officer is to check for illegal rubbish dumping in the vicinity of Council waste depots. This tends to be a bigger problem for tips that are manned and open for limited hours (Walgett & Lightning Ridge). Typically people will dump their rubbish in the scrub just outside the depot fence or near a track within one kilometre when a waste depot is closed, because they don't want to come back when it is open.

As part of the Regulatory Officer's normal work, they are expected to check the vicinity of the Walgett and Lightning Ridge waste depots for dumped rubbish at least a once a month and:

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- (1) If a pile of dumped rubbish is found, it is to be checked for anything that might identify who dumped the material (eg name and address on cardboard boxes, bills, envelopes, etc). Personal protective equipment such as gloves, a rake or shovel, ~~depending~~ may be required, depending on what sort of rubbish is being dealt with.

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- (2) If documents are found that identify a person, then:
- i) Photograph the pile of rubbish plus the identification document/s (legible close up of document and a picture of document plus pile of rubbish).
 - ii) Consult with the Director of Planning & Regulatory Services regarding the issuing of letters to the respective people inviting them to show cause why they should not be fined for not complying with section 143 of the Protection of the Environment Operations Act 1997. That section provides that the owner of waste must take reasonable precautions and exercise due diligence to prevent their waste from being unlawfully dumped.
- (3) So that the dumped rubbish can be cleaned up, let the Urban Infrastructure Director know:
- i) Where the piles are.
 - ii) How big they are (eg about 2 cubic metres).
 - iii) What they are, so they know whether they may need to make special clean up arrangements. For example, general house hold waste, empty herbicide chemical drums, insecticide chemical drums, asbestos sheeting, etc.

Smaller waste depots at Carinda, Come By Chance, Burren Junction, Rowena and Collarenebri should also be checked periodically, or in response to complaints.

8. PERSONNEL SAFETY MANAGEMENT

The purpose of this procedure is to provide Regulatory Officers with a process for minimising potential threats to their safety from aggressive animals or people. The procedure applies at all times and within all areas of the Shire.

- (4) If a Regulatory Officer feels that their personal safety is at risk in the course of undertaking their lawful business, they should immediately seek to remove themselves from the source of risk.
- (5) If a Regulatory Officer cannot get away from the risk source, they should:
 - (a) Immediately contact the Police (where appropriate) and request their assistance via any means at their disposal. (*Walgett Shire Council undertakes to make a mobile telephone available to the Regulatory Officer*). ForAn example situation is if the owner of an impounded dog has cornered the Regulatory Officer and is aggressively demanding that their animal be released.
 - (b) Contact the Customer Services Officer Planning and Regulatory Services or Director Planning and Regulatory Services to seek assistance from other staff (where appropriate). ForAn example situation is where the Regulatory Officer has left their car and become cornered by an aggressive dog. o ~~Other~~ staff may be able to assist with distracting and/or catching the dog.
- (6) If a Regulatory Officer believes that follow up action is warranted on a matter associated with a risk source, they should promptly evaluate the use of alternative methods to address the problem/s.

- (7) Alternative methods should be selected on the basis that they eliminate or substantially reduce risk. Examples include, but are not limited to:
- i. Establishing and maintaining dog traps in the general region.
 - ii. Negotiating with Police to provide an escort and/or support.
 - iii. Providing information to Police so that they can investigate the matter with a view to issuing infringement notices or other taking other actions.
 - iii.iv. Using tranquiliser tablets inserted in pet food to sedate an aggressive animal prior to capture.
- (8) If a Regulatory Officer cannot determine any alternative methods of addressing the problem/s then they should immediately advise the Director Planning and Regulatory Services of the options considered and the reasons why they cannot be implemented. The Director will then advise the Regulatory Officer whether any further action is required.
- (9) If the Regulatory Officer disagrees with a direction for further action issued by the Director Planning and Regulatory Services, then the matter may be referred to the General Manager for further consideration.
- (10) If a Regulatory Officer receives any injury or threat related to their work, they should:
- (a) Where a person has caused the injury or issued the threat, then immediately report the matter to the Police who will determine whether formal action is warranted on their part.
 - (b) Submit a written incident or accident report directly to their supervisor and the OHS Officer within 24 hours of the incident.

<u>HAZARD TYPE</u>	<u>SOURCE OF HAZARD</u>	
	<u>ANIMAL/S</u>	<u>PERSON/S</u>
<u>Significant aggression</u>	<p><u>Consider circumstances and using one or more strategies such as:</u></p> <ul style="list-style-type: none"> • <u>Tranquilising animal & allowing enough time for it to become sedated.</u> • <u>Using a trap baited with food to capture animal.</u> • <u>Contacting Planning & Regulatory Services Director or CSO to request second person to assist with distracting and/or capturing animal.</u> • <u>Immediate destruction of animal if it is a significant danger to people and/or livestock and other strategies impractical or have not been effective.</u> 	<p><u>Consider circumstances and using one or more strategies such as:</u></p> <ul style="list-style-type: none"> • <u>Leaving the site and avoiding any further confrontation.</u> • <u>Addressing issue via a warning letter, infringement, or some other mechanism that does not require on-site contact with aggressor.</u> • <u>Immediately contacting the Police and requesting their urgent assistance.</u> • <u>Leaving the site and subsequently contacting the Police and requesting their assistance. This could include:</u> <ul style="list-style-type: none"> ○ <u>Jointly attending site.</u> ○ <u>Seeking AVO.</u> ○ <u>Issuing a caution.</u>
<u>Damage/theft of equipment</u>		

Note that section 69H of the Companion Animals Act 1998 also provides that a "person who wilfully obstructs an authorised officer in the exercise of any function under this Act is guilty of an offence".

9. RECORD KEEPING

Accurate record keeping is essential aspect of Council's regulatory operations. It enables Council to understand the types of matters that are being dealt with, and their frequency, while facilitating an appropriate response.

9.1 Written correspondence

Copies of all written correspondence regarding regulatory matters is to be maintained within Council's Trim electronic record keeping system by the staff member creating, or receiving, the correspondence. This includes:

- Letters.
- E-mails
- Copies of infringements being issued.

9.2 Verbal actions

A record of any significant verbal action related to a regulatory matter is to be maintained within Council's Trim electronic record keeping system by the staff member involved in the verbal action. This includes verbal:

- Warnings issued to the public.
- Complaints received from the public.
- Responses to complaints.
- Threats received from the public.

10. DOCUMENT CONTROL



Date	Changes Made	Approved By
April 2012	Minor changes to content and layout	Matthew Goodwin, DPRS
May 2012	Review of terminology & flow charts. Removal of section dealing with administrative arrangements for companion animal registration and placement in separate procedure. Added sections on wandering dogs and record keeping.	Matthew Goodwin, DPRS
January 2013	Added requirement to photograph all impounded animals, hold surrendered animals for a minimum of 2 working days, verbally explain surrender process and provide owner with a copy of the surrender form, etc.	Matthew Goodwin, DPRS
July 2013	Revised impounding flow chart, section 2.4.	Matthew Goodwin, DPRS
June 2014	Addition of new section on "illegal rubbish dumping."	Matthew Goodwin, DPRS
Aug 2014	Revision of section 8, Personnel Safety Management	Matthew Goodwin, DPRS
Dec 2022	Reviewed	Kim Talbert - DES



LOCAL ORDERS POLICY FOR THE KEEPING OF ANIMALS POLICY AND PROCEDURE

Adoption Date:

NEXT Review Date: December 2023

Responsible Officer: General Manager/Director Environmental Services

STATEMENT

This policy seeks to inform the Walgett Shire Community of Council's regulatory powers concerning the keeping of animals in the Walgett Shire Council area. The Orders Policy aims to:

- a) Minimise the incidence of nuisance being caused to persons
- b) Protect the welfare of companion, farm and other animals
- c) Protect the welfare and habitat of wildlife; and
- d) Minimise the disturbance of or damage to protected vegetation.
- e) Safeguard the environment

It is well documented that the keeping of companion animals and / or pet animals is usually most beneficial to the well-being of people. Nevertheless, on occasions, complaints are made to Council where animals of an inappropriate kind or number are being kept or where the animals and their accommodation is not being looked after properly.

It is not intended within this policy to completely regulate the manner in which animals should be kept. It is however necessary that this policy should inform the reasonable limits (both statutory and advisory) which apply concerning the maximum number of animals and the circumstances under which they may be kept on the premises.

Responsible ownership is a very important component of nuisance control and this document also contains advice to the animal owner regarding their responsibilities to prevent a nuisance from occurring.

SCOPE

This policy applies to animals kept for domestic purposes, as companion animals, pets or for hobby interests in the Walgett Shire Council area including Opal Fields.

The principals contained in the prescriptive requirements will also apply to the keeping of animals for commercial purposes, including boarding, breeding, grooming, caring, treatment, training, racing, exhibiting, trading or selling.

Under Council's Local Environmental Plan 2013 the keeping of animals for commercial purposes may be carried out in certain zones where a development application has been submitted and consent received. Consent to the establishment of "Animal Establishments" may not be allowed where Council considers that the proposal would be detrimental to the amenity of the locality.

This policy relates to Order Numbers 18 and 21 of Chapter 7 of the Local Government Act, 1993.

OBJECTIVES

1. To inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.
2. To give guidance and advice to persons as to the keeping of animals for domestic purposes.
3. To establish local standards, acceptable to the community, for the keeping of animals.
4. To publicly notify the circumstances that the Council will consider in determining whether to serve an Order under Section 124 of the Local Government Act, 1993 to prohibit, restrict or in some other way, require things to be done regarding the keeping of animals.

4. PRESCRIPTIVE REQUIREMENTS

The number of animals that may be kept at a premise should not exceed the number shown as appropriate to the specified kind of animal listed in the included table.

The kind of animal that is suitable to be kept at any premises will be determined having regard for the size of the available yard area and the distance to the nearest dwelling or other prescribed building. Certain statutory requirements also apply as noted in the table.

It should not be assumed that animals of all kinds may be kept on premises which are part of a multiple dwelling allotment. Where a dwelling is owned within a Strata Plan, it will be necessary for the rules of the Body Corporate to be examined for requirements relevant to the keeping of animals.

Animals should be kept in a manner, which does not:

- Create unclean or unhealthy conditions for people or for the animals.
- Attract or provide a harbourage for vermin.
- Create offensive noise or odours.
- Cause a drainage nuisance or dust nuisance.
- Create waste disposal problems or pollution problems.
- Create an unreasonable annoyance to neighbouring residents.
- Cause nuisance due to proliferation of flies, lice, fleas or other pests and parasites.
- Cause neighbouring residents to fear for safety.

Suitable shelter(s) should be provided for all animals. Certain kinds of animals are required to be kept in cages to prevent escape or attack by predators. Generally other animals are to be securely enclosed with adequate fencing to prevent escape.

Certain animal shelters should not be erected or located at premises without the prior approval of Council. Please contact Council's Environmental Services Department for further details.

Design guidelines for the size, layout and construction of animal shelters are produced by the various animal welfare organisations and the Department of Agriculture. These may be adopted from time to time as supplements to this policy.

5. COUNCIL'S POWER TO CONTROL AND REGULATE THE KEEPING OF ANIMALS

Generally, Council's powers to control and regulate the keeping of animals is provided under Section 124 of the Local Government Act, 1993 and the Local Government (Orders) Regulation, 1993.

The Council may in the appropriate circumstances, issue an Order to:

- * [prohibit](#) the keeping of various kinds of animals
- * [restrict](#) the number of various kinds of animals to be kept at a premises
- * [require](#) that animals be kept in a specific manner.

The Council may also issue Orders requiring:

- * [the](#) demolition of animal shelters built without the prior approval of Council
- * [the](#) occupier to do or refrain from doing such things as are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

It is advised that Council can exercise further controls over animals under the following Acts:

- * Companion Animal Act 1998
- * Protection of the Environment Operations Act 1997
- * [The Impounding Act, 1993 Public Spaces \(Unattended Property\) Regulation 2022](#)
- * The Food Act, [1989-2003](#) (prohibits animals to be kept where food is handled for sale).
- * Local Government Act 1993

“An objection to the provisions of the Local Orders Policy may be made under Section 82 of the Local Government Act 1993 in a particular circumstance. The objection shall be in writing and is to be accompanied by such supporting documentation as is necessary and to include the fee from time to time set by Council”.

Several animal societies have adopted a code of conduct for the keeping of particular animals. These are referred to in the table and attached as appendices.

Note that any aviary, kennel or shelter used by the animal is required to be approved by Council prior to construction should it be over 10 square metres in area or 2.4 metres in height.

6. GIVING ORDERS BY COUNCIL

Upon complaint, Council will inspect the premises and discuss any concerns with the owner/tenant of the premises in question. In addition, Council may liaise with community representatives with regard to solving the problems.

Where a problem is identified with the keeping of animals and it [can not](#) be resolved by consultation, the Council will proceed to issue notice of its intention to serve an Order. Normally a person will be given opportunity to make representations to Council prior to a formal Order being issued. In situations where urgency is required, an emergency Order may be issued without prior notice.

7. TABLE OF REQUIREMENTS

The following table indicates the essential requirements and relevant considerations regarding the keeping of animals.

ANIMAL	MAXIMUM NUMBER (<u>excludes</u> offspring to 3 months of age)	MINIMUM DISTANCE (<u>from</u> certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
Dogs	2	<u>Generally</u> 6m Kennels & yards to be 1m from the boundary.	<u>The Companion Animals Act 1998</u> requires lifetime identification and registration and effective control of dogs at all times. Adequate fencing is essential. The Council may approve requests to keep additional dogs where adequate yard size relative to the size and number of dogs, proper care and desexing can be demonstrated. Noise reduction must be considered when building kennels.
# Greyhounds (breeding/sale training/racing)	As registered with Council	6m	Council requires every premises to be registered with Council. Inspection of these premises will take place if complaints are received.
# Breeding/selling of animals	As registered with Council	6m	Approval must be sought on any kennels over 10 m ² in floor area and 2.4 metres in height.
# Boarding	As registered with Council	6m	# These activities are defined as Animal Establishments and require development consent.

ANIMAL	MAXIMUM NUMBER (<u>excludes</u> offspring to 3 months of age)	MINIMUM DISTANCE (<u>from</u> certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
Cats Household Pets	2	6 m	<p><i>All cats are now required to be registered under the provisions of the Companion Animals Act 1998.</i></p> <p>The keeping of more than 2 cats is not recommended.</p> <p>Desexing, use of identity collars with multiple bells, proper care, restriction of access to outdoors at night will be relevant factors in determining whether more than two cats may be kept at a premises.</p> <p>Council requires every premise to be registered with Council. Inspection of these premises will take place if complaints are received.</p> <p>Approval must be sought on any cattery/ cat run over 10 m² in floor area and 2.4 m in height.</p>
Pedigree/Show Boarding (breeding/showing/ selling boarding)	* As registered with <u>Council</u>		
# Selling of animals			# These activities are defined as Animal Establishments and require development consent.

NOTES:

- The distances indicated in the third column of the above table are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- Animal includes a mammal, bird, reptile, amphibian or fish. It does not include a human being (as defined in the Prevention of Cruelty to Animals Act).
- Schedule 5 of the Local Government (Orders) Regulations, 1999 specifies minimum standards for the keeping of certain animals. Should a person wish to object to the provisions contained in this policy please refer to Clause 5.
- All cages, kennels and any structure for the keeping of animals over 10 m² of floor area and a maximum height of 2.4 metres is subject to Development Application.

- No more than 2 types of animals shall be kept at the maximum number for any one property.