



ANABRANCH
BURONGA
COOMEALLA
CURLWAA
DARETON
ELLERSLIE
GOL GOL
MONAK
PALINYEWAH
POMONA
POONCARIE
RUFUS RIVER
TRENTHAM CLIFFS
WENTWORTH

Regulations

Rules

Standards

Policies

Compliance

Law

Compliance and Enforcement Policy

Policy No: PR008

Approved: 02 September 2022

INTERPRETER SERVICES



MAHALAGA | FILIPINO

Kung kailangan mo ng tulong sa pagbabasa at pag-unawa sa dokumentong ito, ang mga kawani ng customer service ng Wentworth Shire Council ay masaya na tumulong sa pag-aayos ng isang libreng serbisyo ng interpretasyon. Upang ayusin ang isang interpreter, mangyaring makipag-ugnayan sa Council sa 03 5027 5027, o bisitahin ang isang Council Office na nakalista sa ibaba.



IMPORTANT | FRANÇAIS

Si vous avez besoin d'aide pour lire et comprendre ce document, le personnel du service client du Wentworth Shire Council se fera un plaisir de vous aider à organiser un service d'interprétation gratuit. Pour organiser un interprète, veuillez contacter le Conseil au 03 5027 5027 ou visitez un bureau du Conseil indiqué ci-dessous.



ΣΗΜΑΝΤΙΚΟ | ΕΛΛΗΝΙΚΟ

Εάν χρειάζεστε βοήθεια για την ανάγνωση και την κατανόηση αυτού του εγγράφου, το προσωπικό εξυπηρέτησης πελατών του Wentworth Shire Council είναι πρόθυμο να σας βοηθήσει στη διευθέτηση μιας δωρεάν υπηρεσίας διερμηνείας. Για να κανονίσετε έναν διερμηνέα, επικοινωνήστε με το Δήμο στο 03 5027 5027 ή επισκεφθείτε ένα Γραφείο του Συμβουλίου που αναφέρεται παρακάτω.



IMPORTANTE | ITALIANO

Se hai bisogno di assistenza per leggere e comprendere questo documento, il personale del servizio clienti del Wentworth Shire Council sarà lieto di assisterti nell'organizzazione di un servizio interpretativo gratuito. Per organizzare un interprete, contattare il Comune allo 03 5027 5027 o visitare uno degli uffici del Comune elencati di seguito.



PENTING | MELAYU

Jika anda memerlukan bantuan membaca dan memahami dokumen ini, kakitangan perkhidmatan pelanggan Wentworth Shire Council berbesar hati untuk membantu dalam pengatur perkhidmatan tafsiran percuma. Untuk mengatur jurubahasa, sila hubungi Majlis di 03 5027 5027, atau lawati Pejabat Majlis yang disenaraikan di bawah.



重要 | 普通话 (简体中文)

如果您在阅读和理解本文件时需要帮助, 温特沃思郡议会的客户服务人员很乐意协助安排免费口译服务。如需安排口译员, 请致电 03 5027 5027 联系议会, 或前往下列议会办公室。



મહત્વપૂર્ણ | અંગ્રેજી

જેકર તુહાનું દિસ દસઝાવેજી તું પઝગન અઝે સમઝતે વૈંચિ સઘાઈઝા દી લેઝ રી, ઝાં વૈનટવરથ સઘાઈર કાઉન્સિલ દે ગાઠક મેટા સટાઢ દિંક મુઢઝ વૈઆખીઆ મેટા દે પુરંચપ વૈંચિ સઘાઈઝા કરન લઈ ખુસ ઠન। દુઝામીદે દા દિંઝામી કરન લઈ, કચિપા કરવે 03 5027 5027 'ઝે કાઉન્સિલ નાલ મંપરક કરે, જાં ઠેઠાં સુચીચંપ કમિ કાઉન્સિલ દઢઝર 'ઝે જાઈ।



สำคัญ | แบบไทย

หากคุณต้องการความช่วยเหลือในการอ่านและทำความเข้าใจเอกสารนี้ เจ้าหน้าที่บริการลูกค้าของ Wentworth Shire Council ยินดีให้ความช่วยเหลือในการจัดการบริการล่ามฟรี หากต้องการจัดเตรียมล่าม โปรดติดต่อสภาที่ 03 5027 5027 หรือไปที่สำนักงานสภาตามรายการด้านล่าง



ÖNEMLİ | TÜRKÇE

Bu belgeyi okuma ve anlama konusunda yardıma ihtiyacınız varsa, Wentworth Shire Belediyesi'nin müşteri hizmetleri personeli, ücretsiz tercümanlık hizmetinin ayarlanmasında yardımcı olmaktan mutluluk duyacaktır. Bir tercüman ayarlamak için lütfen 03 5027 5027 numaralı telefondan Belediye ile iletişime geçin veya aşağıda listelenen bir Belediye Ofisini ziyaret edin.



QUAN TRỌNG | TIẾNG VIỆT

Nếu bạn cần trợ giúp để đọc và hiểu tài liệu này, nhân viên dịch vụ khách hàng của Hội đồng Wentworth Shire sẵn lòng hỗ trợ sắp xếp dịch vụ thông dịch miễn phí. Để sắp xếp một thông dịch viên, vui lòng liên hệ với Hội đồng theo số 03 5027 5027 hoặc đến Văn phòng Hội đồng được liệt kê bên dưới.

IMPORTANT | ENGLISH

If you require assistance reading and understanding this document, customer service staff of Wentworth Shire Council are happy to assist in the arrangement of a free interpretive service.

To arrange an interpreter, please contact Council on 03 5027 5027, or visit a Council Office listed below.

COUNCIL
OFFICES



Midway Community Centre
3 Midway Drive, Buronga NSW 2739



Wentworth Visitor Centre (Main Administration Office)
61 Darling Street, Wentworth NSW 2648

POLICY OBJECTIVE

The objective of this policy is to set out Wentworth Shire Councils approach to compliance and supporting enforcement processes. It explains how we determine our priorities, allocate resources and make decisions to achieve reasonable and defensible regulatory outcomes for the community.

1. POLICY STATEMENT

Wentworth Shire Council is committed to balancing individual and community interests to appropriately allocate resources to issues that present the highest risk. Choosing the appropriate regulatory option involves weighing up sometimes competing interests and priorities. The following principles underpin our compliance and enforcement program:

Fairness and Consistency

We will monitor and enforce the law in a fair, balanced and consistent manner, applying discretion where appropriate. Procedural fairness will be provided in all investigations and enforcement actions.

Proportionality

Our enforcement action will be proportionate to the level of harm, the risk posed, the seriousness of the breach and the culpability of the offender in the particular circumstances. Our officers will exercise regulatory discretion where appropriate.

Accountability & Transparency

We will be accountable for the efficiency and effectiveness of our compliance and enforcement activities. Our activities will aim to achieve the desired outcome with an appropriate level of resources.

Flexibility

We will be flexible in applying this policy in circumstances that require it, such as during a pandemic.

POLICY COVERAGE

This policy applies to all of the Wentworth Shire Council

2. STRATEGIC PLAN LINK

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision making and service delivery

3. DEFINITIONS AND ABBREVIATIONS

| Term/Word | Definition |
|-------------|--|
| Enforcement | Actions taken in response to serious or deliberate contraventions of laws. |

| | |
|------------|--|
| Regulation | Using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council. |
|------------|--|

4. POLICY CONTENT

a) Risk Based Approach to Compliance

A risk-based approach to compliance ensures our effort is focussed on activities that pose the greatest risk to the public, the environment or the integrity of our regulatory framework.

b) Proactive Compliance

Wentworth Shire Council undertakes a number of proactive inspection programs. We use a risk assessment approach and intelligence to determine which premises should be included in a program of compliance inspections. We prioritise the monitoring of premises and activities based on trends in noncompliance, feedback from the community and where the public interest is greatest.

c) Reactive Compliance

Wentworth Shire Council triages incoming reports of unlawful activity. Cases that pose a higher level of risk may be subject to varying degrees of investigation and enforcement.

Not every report will require an investigation. Based on the principles and responsibilities outlined within this policy, if a decision is made not to investigate, the decision will be recorded by the investigating officer and the reasons for that decision clearly explained to the person who reported it.

Anonymous reports will be recorded and assessed but because the complainant cannot be contacted, it may not be possible to accurately evaluate the allegation.

d) What Council expects from people who report allegations of unlawful activity:

Council expects that people who report allegations of unlawful activity will cooperate and act in good faith in respect of any investigations conducted by Council. This includes:

- providing a clear description of the problem (and the resolution sought, if relevant)
- providing a clear description/account of the impact that the alleged activity is having
- giving all available and relevant information to Council, including any new information about the alleged activity that may become known to the person following the making of their report
- not giving any information that is intentionally misleading or wrong
- cooperating with Council’s inquiries and giving timely responses to questions and requests for information
- treating Council’s staff with courtesy and respect

e) Anonymous Reports

Anonymous reports will be recorded and assessed. However, because it is not possible to seek clarification or additional information about a matter, it is more difficult to evaluate the allegations and therefore only high risk matters that are reported anonymously are likely to be tasked for investigation.

f) Responding to concerns about unlawful activity

Council will record every report alleging unlawful activity.

Not all reports will, can or need to be investigated. A preliminary assessment of all matters will be made to determine the priority for a response, and whether investigation or other action is required.

An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where the issues are complex. If Council decides to investigate, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation, and any reasons for delay. This does not mean that the individual can expect to be given details about every aspect of the investigation or information that would compromise the integrity of the investigation.

Decisions about what action should be taken by Council are made at the Council's discretion. This means the objective is that reports alleging unlawful activity will be resolved to the satisfaction of Council, not necessarily the person raising the matter. Council will generally try to resolve matters as quickly and informally as possible so as to avoid the need to take formal action.

Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, and in particular explain that in the absence of sufficient evidence of unlawful activity, Council may be unable to take further action. Council does not have unlimited resources and powers to deal with reports alleging unlawful activity.

g) Investigating alleged unlawful activity

A preliminary assessment of all requests will be made to determine whether investigation or other action is required.

When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider the full circumstances and facts of the matter and the public interest.

The objective of the processes Council staff uses when investigating incidents of alleged unlawful activity, is to:

- determine the cause of the incident.
- determine if there has been a contravention of law, policy or standards.
- gather evidence to the required standard to support any required enforcement action.
- determine any necessary action to mitigate the possibility of reoccurrence of similar incident.

Any decision not to investigate an allegation of unlawful activity will be recorded and the reasons for that decision clearly stated.

h) When Council will not take further action

Council will take no further action if, following a preliminary assessment, it is identified that:

- the report is not supported with evidence or appears to have no substance.
- Council does not have jurisdiction to investigate or is not the appropriate authority to take - action on the issues raised. Where there is another appropriate authority or course of action, Council may bring the matter to the attention of the authority or provide information and contact details to the individual. For example, NSW WorkCover for workplace safety matters, the NSW

Environment Protection Authority (EPA) for possible environmental offences and Community Justice Centres NSW for personal disputes.

- the report relates substantially to a matter previously determined by Council and no new or compelling information is presented which would cause Council to change its earlier decision. In this case, staff will acknowledge the report and advise that no further action will be taken as no new information had been provided (other than where the person has previously been advised they would receive no further response).
- the allegations relate to a lawful activity (e.g. where there is an existing approval or the activity is permissible without Council approval or consent being required or it meets exempt development provisions).
- the relevant Director or the General Manager determines that investigation or other action would have an unreasonable impact on resources and/or is unlikely to achieve an outcome sufficient to justify the expenditure of resources.

i) Relevant factors guiding decisions as to whether to act or not:

In addition to the above considerations, Council staff are not limited in their use of discretion by these considerations and may decide to investigate based on these and other matters not stated in this policy:

- Is the activity permissible without any consent or approval?
- Are the conditions of a consent or approval being complied with?
- Is the complaint trivial, frivolous, vexatious or unreasonable?
- Is the activity having a significant detrimental effect on the environment or does it constitute a risk to public health, safety and amenity?
- Have there been previous complaints about the subject premises or this person or organisation?
- Does the complaint have special significance in relation to existing enforcement priorities?
- Overall, is it in the public interest to investigate the complaint?

5. RELATED DOCUMENTS & LEGISLATION

Biosecurity Act 2015

Boarding Houses Act 2012

Companion Animals Act 1998

Contaminated Land Management Act 1997

Crown Land Management Act 2016

Environmental Planning and Assessment Act 1979

Fines Act 1996

Food Act 2003

Impounding Act 1993

Local Government Act 1993

Protection of the Environment Operations Act 1997

Public Health Act 2010

Roads Act 1993

Swimming Pools Act 1992

6. ATTACHMENTS

Nil

7. DOCUMENT APPROVAL

For Council Policies please use the following, otherwise delete

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on 17 August 2022. All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council's record management system and Reliansys.



Signed:

General Manager Wentworth Shire Council

Date *2 SEPT 2022*



Contact

 **Main Service Centre**
61 Darling Street, Wentworth

 **Postal Address**
PO Box 81, Wentworth NSW 2648

 **(03) 5027 5027**

 **council@wentworth.nsw.gov.au**

 **wentworth.nsw.gov.au**

Have Your Say:
wentworth.nsw.gov.au/have-your-say