

Policy title	Development Contributions – Requests for Refunds
Responsible manager(s)	Chief Financial Officer
Contact officer(s)	Financial Accountant
Directorate	General Manager
Approval date	
Outcome area	9. Innovative and proactive leadership
Strategy	9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program	9.2.4 Responsibly manage Council's finances and maintain Fit for the Future status
Operational Plan	9.2.4.2 Provide financial management and reporting

Purpose

Development Contributions, typically paid in association with a development consent, are a Restricted Asset of Council.

This policy is intended to provide:

- consistency in the processing of requests for refunds of Development Contributions
- compliance with legislative requirements under the Environmental Planning and Assessment Act 1979 and the Recovery of Imposts Act 1963
- conformity to relevant case law
- a readily accessible and understandable context for consideration of a request to refund Development Contributions.

Policy statement

1	Application This policy applies to requests for refunds of Development Contributions that have been paid.
2	Legislation Eurobodalla Shire Council will comply with the <i>Environmental Planning and Assessment Act 1979</i> and the <i>Recovery of Imposts Act 1963</i> .

Implementation

Requirements		Responsibility
1	Code of Practice This policy will be implemented by following Council's Development Contributions – Refunds Code of Practice, which specifies in detail the procedures and matters to be considered.	Council officers
2	Staff Under supervision, applicable council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Council Officers

3	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council Officers
5	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages refunds of Development Contributions.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner.

Note: The next general local government election is expected to be held in September 2020.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Concerns	Council records
Compliance with relevant legislation, case law & practice notes	Development Contributions Register

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Development Contributions – Requests for Refunds Code of Practice	www.esc.nsw.gov.au/inside-council/council/council-policies
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
Environmental Planning and Assessment Act 1979	www.austlii.edu.au/au/legis/nsw/consol_act/epaaa1979389/
Recovery of Imposts Act 1963	www.austlii.edu.au/au/legis/nsw/consol_act/roia1963247/

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au/

Department of Planning and Infrastructure	www.planning.nsw.gov.au/~media/Files/DPE/Practice-notes/development-contributions-practice-notes-2005-07.ashx
Case law – NSW Court of Appeal	Frevcourt Pty Limited & Anor v Wingecarribee Shire Council [2005]
Case law – NSW Land and Environment Court	Denham Pty Limited v. Manly Council [1995]
Case law – NSW Court of Appeal	Baulkham Hills Shire Council v Wrights Road Pty Limited [2007]

Definitions

Word/Term	Definition
Development Contribution	A contribution paid towards the provision of public infrastructure in accordance with s93F, s7.11 or s7.12 of the Environmental Planning & Assessment Act 1979, or s64 of the Local Government Act 1993.
Restricted Asset	Funds held by Council that are restricted by legislation in their utilisation.

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	28 Aug 2007	Council	07/244	06.0381 E05.9513	Refunding Developer Contributions Policy adopted by Council (doc 53005.07)
2	27 Aug 2013	Council	13/246	E13.7095 E05.9513	Updated template, updated review date, added links and references. Report O13/131.
3	9 May 2017	Council	17/120	E16.0297 E05.9513	Reviewed (start of new Council term) with minor referencing updates. GMR17/013.
4	TBA	Council	TBA	TBA	Reviewed (start of new Council term) with minor referencing updates.

Internal use (Policy Register)

Responsible officer		Chief Financial Officer	Approved by	Council	
Min	TBA	Report	TBA	Effective date	9 May 2017
File	E05.9513	Review date	April 2022	Pages	3

Policy name	Disability Services
Responsible manager(s)	Director Community, Arts and Recreation
Contact officer(s)	Manager Community Care
Directorate	Community, Arts and Recreation
Approval date	
Outcome area	1. Strong communities desirable lifestyle
Strategy	1.4 Ensure activities, facilities and services meet changing community needs
Delivery Program	1.4.2 Provide flexible, community based services to support older people, people with a disability and their carers
Operational Plan	1.4.2.1 Provide support services for people with a disability

Purpose

This policy is designed to outline the relationships and parameters of disability service delivery by Eurobodalla Shire Council and key areas of responsibility under legislation, NDIS Terms of Business and funding agreements.

Policy statement

1	Application This policy applies to Council's Community Care programs and services.
2	Legislation Eurobodalla Shire Council is required to provide services in accordance with the principles of the <i>Disability Inclusion Act 2014</i> , the NSW Disability Services Standards and the National Disability Standards. Eurobodalla Shire Council is committed to implementing the National Disability Strategy when delivering State and Federally funded disability services. The National Strategy promotes the principles of the United Nations Convention on the Rights of Persons with Disabilities.
3	Council is responsible for delivering disability services consistently, in line with the Disability Support for Older Australians Program manual, the National Disability Insurance Scheme (NDIS) Quality Safeguards Commission Practice Standards, NDIS Code of Conduct, the National Disability Service Standards and the National Disability Strategy.
4	Code of Practice Details of the acceptance and management of clients with a disability against the National Disability Insurance Scheme (NDIS) Quality Safeguards Commission Practice Standards and NDIS Code of Conduct are provided in the Community Care Policies and Service Operation Manuals.
5	Complaints Complaints received regarding the provision of Community Care disability services will be entered into Council's Records Management system and will remain confidential, in accordance with Council's Privacy Management Plan and funding requirements. Complaints will be dealt with in accordance with Council's Complaint's Policy

Implementation

Implementation steps		Responsibility
1	Code of Practice Council's Community Care Policies and Service Operation Manuals specify in detail how services will be managed, in line with Council, National Disability Insurance Scheme (NDIS) Quality Safeguards Commission Practice Standards, NDIS Code of Conduct, the National Disability Service Standards, the National Disability Strategy and Disability Support for Older Australians funding agreements.	Council Officers
2	Staff Under supervision, applicable council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Council Officers
3	Concerns Concerns received regarding this policy will be recorded on Council's Customer Request Management (CRM) system and handled in accordance with Council's Customer Service Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.	Council Officers
4	Consultation Public submissions regarding this policy will be considered during the policy exhibition period. Any other consultation deemed necessary may occur when and if required, with key stakeholders.	As required

Review

This policy may also be reviewed and updated as necessary when the *Model Code of Conduct for Local Councils in NSW* is reviewed, updated and/ or republished by the OLG; or when council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages disability services.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council revokes it sooner.

Reviews of the effectiveness of this policy could include the following.

Performance indicator	Data source(s)
NDIS Quality Safeguards Commission Certification Audit against Practice Standards	NDIS Quality Safeguards Commission; Community Care records
Complaints	Council Records
NDIA Revenue	Council Finance Records
Funding Compliance	Council Records

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Disability Inclusion Act 2014	Disability Inclusion Act 2014 No 41 - NSW Legislation
NDIS Practice Standards and associated Quality Indicators	NDIS Practice Standards and Quality Indicators NDIS Quality and Safeguards Commission (ndiscommission.gov.au)
National Disability Service Standards	National Standards for Disability Services Department of Social Services, Australian Government (dss.gov.au)
National Disability Strategy	The Strategy and supporting documents Disability Gateway
NDIS Code of Conduct	Fact sheet: The NDIS Code of Conduct NDIS Quality and Safeguards Commission (ndiscommission.gov.au)
Disability Support for Older Australians Program manual	Disability Support for Older Australians Program manual Australian Government Department of Health

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au/

Change history

Version	Approval date	Approved by	Minute No	File No	Change
1	24 Nov 2009	Council	09/369	E09.3418	Policy reviewed and adopted – report G09/145
2	23 Jul 2013	Council	13/172	E13.7095	Updated to new Policy Template, updated review date, updated references and links – report O13/112
3	25 Jul 2017	Council	17/237	E16.0297 E96.0152	Updated review date, links, standards, government funding agencies
4	TBA	Council	TBA	TBA	Reviewed (start of new Council term) with minor referencing updates. Report .

Internal use

Responsible manager		Director Community, Arts and Recreation		Approved by	Council
Minute	TBA	Report	TBA	Effective date	
File	E16.0297 E96.0152	Review date	April 2022	Pages	3

Policy title	Drinking Water Quality Policy
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	4. Sustainable living
Strategy	4.1 Maximise the efficient use and reuse of our water resources
Delivery Program	4.1.1 Provide a safe, reliable and sustainable town water supply and sewerage services
Operational Plan	4.1.1.1 Build, renew, operate and maintain water supply system

Purpose

Eurobodalla Shire Council's policy was developed to support the provision of a water supply service which delivers potable quality water to its customers. Given the risk to public health of unsatisfactory water quality, it is of paramount importance that preventative risk management systems are developed, implemented and managed to ensure the protection of human health.

Policy details

1	Application This policy details the requirements for managing Council's water supply systems.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with the <i>Public Health Act 2010</i> .

Implementation

Requirements		Responsibility
1	Commitment Council is committed to managing its water supply effectively to provide a safe, high-quality drinking water that consistently meets the Australian Drinking Water Guidelines.	Council
2	Measures: To achieve this Council will: <ul style="list-style-type: none"> a) manage water quality at all points along the delivery chain from source water to the consumer; b) use a risk-based approach in which potential threats to water quality are identified and balanced; c) integrate the needs and expectations of our consumers, stakeholders, regulators and employees into our planning; d) establish regular monitoring of the quality of drinking water and effective reporting mechanisms to provide relevant and timely information, and promote confidence in the water supply and its management; 	Division Manager Water and Sewer

	e) develop appropriate contingency planning and incident response capability; f) participate in appropriate research and development activities to ensure continued understanding of drinking water quality issues and performance; g) continually improve our practices by assessing performance against corporate commitments and stakeholder expectations.	
3	Implementation Eurobodalla Shire Council will implement and maintain a drinking water quality management system consistent with the <i>Australian Drinking Water Guidelines</i> to manage effectively the risks to drinking water quality. All staff involved in the supply of drinking water are responsible for understanding, implementing, maintaining and continuously improving the drinking water quality management system.	Council officers
4	Concerns Concerns received regarding drinking water quality will be recorded on Council's customer service request (CSR) or records system and handled in accordance with Council's Customer Service Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.	Council officers
5	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages drinking water quality.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner. **Note:** *The next general local government election is expected to be held in September 2020.*

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Customer concerns	Council records
Delivery Program/ Operational Plan outcomes achieved	Council reporting
Customer feedback, survey responses	Surveys
Internal or external review	Audit

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Public Health Act 2010	www.austlii.edu.au/au/legis/nsw/consol_act/pha2010126

Related external references

Name	Link
Australian Drinking Water Guidelines 2011	www.nhmrc.gov.au/guidelines-publications/eh52
NSW Health Guidelines for Drinking Water Management Systems	www.health.nsw.gov.au/environment/water/Pages/NSW-Guidelines-for-Drinking-Water-Management-Systems.aspx

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	10 Sept 2013	Council	13/272	E06.0113	Policy commenced 10 September 2013
2	28 Feb 2017	Council	17/31	E16.0297 E06.0113	Reviewed and updated at start of new Council term. GMR17/006
3	TBA	Council	TBA	TBA	Reviewed and updated at start of new Council term.

Internal use

Responsible officer	Director Infrastructure Services		Approved by	Council	
Minute	TBA	Report	TBA	Effective date	TBA
File	E06.0113	Review date	April 2022	Pages	3

Policy title	Engineering Design Standards
Responsible manager(s)	Director, Infrastructure Services
Contact officer(s)	Design Coordinator
Directorate	Infrastructure Services
Approval date	
Outcome area	9. Innovative and proactive leadership
Strategy	9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program	9.2.3 Provide administrative, technical and trade services to support the organisation
Operational Plan	9.2.3.5 Provide technical services

Purpose

This Engineering Design Standards Policy aims to ensure appropriate infrastructure is designed and constructed for subdivisions and other forms of development.

It is in both the developer's and community's interest that appropriate infrastructure is provided to service all new subdivisions and other forms of development. This infrastructure needs to be designed and constructed to industry standards to ensure consistency in service provision, public safety, reasonable development costs and affordable on-going costs to the community, acceptable environmental impacts and minimising potential public risk and liability from poor designs and/or construction.

Under *Guiding principles for Councils* (Section 8A (2)(c) of the *Local Government Act 1993*) Council should consider the long term and cumulative effects of actions on future generations.

It is therefore important that constructed infrastructure is of a high standard and the ongoing costs are affordable taking a long term view.

Policy aims

- Promote an integrated framework for dealing with Subdivisions and other forms of development;
- Ensure consistency and fairness in the manner in which the Council deals with Developers;
- Ensure compliance with legislative requirements under the *Local Government Act 1993*;
- Promote awareness of the requirements of the Act with respect to intergenerational equity;
- Take such steps as are appropriate to ensure that the community gets the required assets as part of any development;
- Make Council's policies and requirements for Engineering Design Standards readily accessible and understandable to the public.

Policy details

1	Application All engineering infrastructure in the Eurobodalla local government area (LGA) (including but not limited to roads, stormwater, water and sewer systems) is to be designed in accordance with the policy implementation requirements.
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2	Legislation Eurobodalla Shire Council will comply with Local Government Act 1993 and Aus-Spec Local Government Specifications .
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Implementation

Requirements		Responsibility
1	All engineering infrastructure (including but not limited to roads, stormwater, water and sewer systems) are to be designed in accordance with: <ul style="list-style-type: none"> a) Aus-Spec #1 – Development Design Specification as modified by Council from time to time; b) Australian Rainfall and Runoff; c) Roads and Maritime Road Design Guidelines; d) Austroads <ul style="list-style-type: none"> • Guide to Traffic Management • Guide to Road Design • Guide to Road Safety e) Water and Sewerage Design and Construction Specification; f) Soils and Construction – Volume 1 Rev 4th Edition Reprinted July 2006. 	Developer and Council
2	Where situations exist to make Requirement 1 impractical, the Director Infrastructure Services be delegated authority to amend the design requirements to achieve a practicable solution while preserving the principle of intergenerational equity.	Director Infrastructure Services
3	Staff Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received relevant training to do so.	Council officers
4	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
6	Consultation Any other consultation deemed necessary may occur when and if required with key stakeholders. Public submissions regarding this policy are invited for consideration during the policy exhibition period.	As applicable

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages Engineering Design Standards.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner.

Note: The next general local government election is expected to be held in September 2020.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Complying Developments	Approvals
Complaints	Council records
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
Aus-Spec Specifications	www.natspec.com.au/local-government

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
Guide to Traffic Management	www.austroads.com.au/traffic-management
Guide to Road Design	www.austroads.com.au/road-construction/road-design/guide-to-road-design
Guide to Road Safety	www.austroads.com.au/road-operations/road-safety/resources/guide-to-road-safety
RMS Road Design Guidelines	www.rta.nsw.gov.au/doingbusinesswithus/designdocuments/index.html

Change history

Version	Approval date	Approved by	Minute No	File No	Change
1	19 Oct 2011	Council	11/259	E09.3418	Policy adopted O11/213
2	23 Jul 2013	Council	13/172	E13.7095	Updated Template, review date, references and links – report O13/112
3	09 May 2017	Council	17/120	E16.0297 E06.0375	Reviewed and updated at start of new Council term - report GMR17/013
4	TBA	Council	TBA	TBA	Reviewed and updated at start of new Council term - report

Internal use

Responsible officer	Director, Infrastructure Services	Approved by	Council
Min	TBA	Report	TBA
File	E06.0375	Review date	April 2022
		Effective date	TBA
		Pages	3

Policy title	Fingerboard Signs – Local Directional
Responsible manager(s)	Director, Infrastructure Services
Contact officer(s)	Engineering Administration Coordinator
Directorate	Infrastructure Services
Approval date	
Outcome area	7. Connected and accessible places
Strategy	7.1 Work in partnership to provide an integrated transport network
Delivery Program	7.1.2 Provide a safe efficient and integrated transport network
Operational Plan	7.1.2.1 Build, renew and maintain the road network

Purpose

This Policy recognises the importance of providing directional signage for residents, visitors and emergency services. It provides Council with a mechanism to ensure that fingerboard signs (street signposts) are erected on a priority basis without compromising road safety.

Fingerboard signs at street junctions provide key directional information for residents, visitors and emergency services about the street name and location of key destination points (e.g. public facilities).

Supporting businesses and tourism is important to ensure the economic and social wellbeing of our community. Council receives requests from businesses and tourism operators to permit signs directing people to their enterprise.

The number of signs provided at each junction point must be limited to ensure drivers have the ability to safely read, make decisions and turn if required without impacting on road safety. The policy does this by applying a priority to the types of signs that can be erected at any one junction, and placing a limit on the number of visible signs per post.

Policy aims

This Policy aims to:

- provide a mechanism for dealing with the erection of directional fingerboard signs which doesn't compromise road safety;
- ensure consistency and fairness in the manner in which the Council deals with requests;
- ensure compliance with legislative requirements under the *Roads Act 1993*;
- assist consumers to find local businesses and recognise the importance of business and tourism to the local economy;
- be readily accessible and understandable to the public.

Policy details

1	<p>Application</p> <p>This Policy applies to any requests received from the public for the placement of local, directional fingerboard signs.</p> <p>All fingerboard signs are to be provided, maintained and replaced by Council except for tourist and commercial signs and some public information signs that will be at full cost recovery.</p>
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2	Legislation Eurobodalla Shire Council will comply with the <i>Roads Act 1993</i> .
3	Erection of Signs <ul style="list-style-type: none"> The erection of fingerboards signs will only be permitted to provide direction to local facilities. The fingerboard signs shall conform to specified Australian Standards (AS 1742.5:2017) for size, content, lettering, colour and location. The allocation of space on the signpost shall be prioritised so that the number of signs on any one post is restricted to achieve the following: <ul style="list-style-type: none"> a) road safety is not compromised by motorists being distracted; b) street names are clearly identified; c) “No Through Roads” are clearly identified. Remaining space on the signpost is allocated for signs that provide direction to local facilities such that the more important facilities receive the highest priority. The order of priority shall be: <ul style="list-style-type: none"> a) emergency facilities (eg, hospital); b) high priority public facilities (eg, sporting precincts, boat ramps); c) tourist facilities; d) lower priority public facilities.
4	Directory Information Boards Where the demand for fingerboard signs exceeds the available space, such as at the entrance to villages, consideration shall be given to the establishment of Directory Information Boards. These directories and provision of appropriate pull-off bays will be funded by revenue from businesses displaying information on the boards.

Implementation

Requirements		Responsibility
1	Code of Practice This Policy will be implemented by following Council’s Code of Practice for Fingerboard Signs – Local Directional, which specifies in detail the plan, procedures and matters to be considered.	Council officers
2	Requests in Writing Requests regarding fingerboard signs must be in writing with details of the requested sign, location and wording. The applicant is liable for all costs incurred with the sign (including installation).	Public Council officers
3	Staff Under supervision, and once appropriate training has been received, relevant Council staff will be responsible for ensuring that this Policy is implemented within their work area.	Council officers

4	Concerns Public concerns communicated to Council in relation to this Policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
5	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages directional fingerboard signs.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner.

Reviews of the effectiveness of this Policy could include the following:

Performance indicator	Data source(s)
Assessed requests	Council records
Concerns or complaints registered	Council records
Customer feedback, survey responses	Surveys
Internal or external audit	Audit

Governance

This Policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Eurobodalla Shire Council <i>Fingerboard Signs – Local Directional Code of Practice</i>	https://www.esc.nsw.gov.au/_data/assets/pdf_file/0009/138735/Fingerboard-Signs-Local-Directional-Code.pdf
<i>Local Government Act 1993</i>	www.legislation.nsw.gov.au/#/view/act/1993/30
<i>Roads Act 1993</i>	www.legislation.nsw.gov.au/#/view/act/1993/33
AS 1742.5-1997:2017 <i>Manual of uniform traffic control devices – Street name and community facility name signs</i>	SAI Global Current Publications https://infostore.saiglobal.com/en-au/Standards/AS-1742-5-1997-99527_SAIG_AS_AS_265932/

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au

Change history

Version	Approval date	Approved By	Min No	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418	Local Directional Fingerboard Signs Policy reviewed & retained (report G09/99)
2	10 Sep 2013	Council	13/272	E13.7095	Reviewed and updated, policy name changed.
3	09 May 2017	Council	17/120	E16.0297 E06.0375	Reviewed and updated at start of new Council term
4	TBA	Council	TBA	TBA	Reviewed and updated at start of new Council term - report

Internal use

Responsible officer		Director, Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0375	Review date	April 2022	Pages	4

Policy title	Fiscal Responsibility
Responsible manager(s)	Chief Financial Officer
Contact officer(s)	Chief Financial Officer
Directorate	General Manager
Approval date	
Outcome area	9. Innovative and proactive leadership
Strategy	9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program	9.2.4 Responsibly manage Council's finance and maintain Fit for the Future status
Operational Plan	9.2.4.1 Monitor and report on key financial results 9.2.4.2 Provide strategic financial management and reporting

Purpose

To provide guidance and targets for budgeting and financial results.

Eurobodalla Shire Council's policy is designed to ensure that reasonable financial health and sustainability is maintained.

Policy aims

The policy aims to Guide Financial Responsibility and covers the following areas:

1. Statement of Financial Performance
2. Asset Management Planning
3. Integrated Planning and Reporting
4. Liquidity/Cash
5. Fees and Charges
6. Rates and Charges
7. Reserves
8. Borrowing and Debt Services
9. Annual Financial Statements
10. Revotes
11. Budgetary Control
12. Risk Management

Policy statement

	Application This policy applies to Eurobodalla Shire Council.
	Legislation Eurobodalla Shire Council will comply with the <i>Local Government Act 1993 (NSW)</i>
1	Statement of Financial Performance a) Council will aim for surpluses in the budgeted and actual overall Statement of Financial Performance. Ideally it will achieve surpluses before revenue for capital purposes.

	<ul style="list-style-type: none"> b) Budgeted deficits may occur however will be acceptable if it is compensated by adequate unrestricted cash reserves, previous actual and future budgeted surpluses as part of a long term financial strategy. c) Council will aim for a surplus for the Consolidated entity and in each major fund including General (which includes the Environment and Waste funds), Water, and Sewer. d) Council will ensure an adequate level of unrestricted cash reserves are held to fund business operations and contingencies.
2	<p>Asset Management Planning</p> <p>Long term financial strategies are to be informed and align with robust Asset Management Plans and Strategic Business Plans. These are to be maintained in accordance with best practice requirements and other applicable legislative requirements.</p>
3	<p>Integrated Planning and Reporting</p> <p>Annually, an Operational Plan including detailed budgets for the following year and a delivery program budget for a four year period will be developed/and or reviewed. These documents will inform the Long Term Financial Plan which covers a minimum 10 year time frame per the Integrated Planning and Reporting framework. This will test long term community aspirations against Financial parameters.</p>
4	<p>Liquidity/ Cash</p> <p>Council aims to achieve an unrestricted current ratio of 1:5:1 (the Office of Local Government (OLG) benchmark) for the Consolidated entity and in each major fund including General (which includes the Environment and Waste funds), Water, and Sewer.</p>
5	<p>Fees and Charges</p> <p>All non-statutory fees and charges be generally increased by the greater of the IPART Local Government Cost Index (rate peg) percentage or the relevant CPI. These are comprehensively reviewed annually. Regular review of pricing is to be used to ensure that appropriate cost recoveries are achieved taking into account Community obligations and market factors.</p>
6	<p>Rates and Charges</p> <ul style="list-style-type: none"> a) The mix of the rating categories share of the General Rate levy will be reviewed at least in conjunction with each revaluation i.e. every three years. b) The General Rate and associated charges will be increased by the maximum rate pegged percentage fixed annually by IPART. c) The maximum amount of interest per annum on overdue rates and associated charges nominated by the State Government will be adopted. d) Rates outstanding, compared to collectible, will be targeted to be less than 3% and other debtors outstanding levels meet LGMA health check benchmarks.
7	<p>Reserves</p> <p>Council will restrict funds for external purposes based on OLG, legislative, policy or other prescribed requirements (externally restricted). Council may also resolve to restrict funds for other specific purposes (internally restricted). Reserves will be monitored to ensure that they are utilised for their intended purpose and reserve balances monitored.</p>

8	Borrowing and Debt Servicing Refer to separate Borrowing Policy (borrowing and debt servicing ratios to be prudent, legal and in accordance with the borrowing policy).
9	Annual Financial Statements a) Council will prepare Financial Statements annually in accordance with legislative requirements and the Code of Accounting Practice and Financial Reporting (issued by the OLG) and generally accepted Accounting Standards. b) The auditor will be invited to make a public presentation to the Council annually in conjunction with Council's consideration of its annual audited Financial Statements. c) The Council will aim to meet statutory deadlines for financial reporting.
10	Revotes Revotes be minimised by undertaking achievable programs and furthermore identifying likely non achievement at the December Quarterly Budget Review to enable reconsideration in conjunction with the following Delivery Program (4 years) and Long Term Financial Plan (10 years) and borrowing program.
11	Budgetary Control Net operating and capital expenditure will remain within overall approved budget.
12	Risk Management The Council will aim to budget for the mean expected outcome ensuring there are appropriate reserves and contingency to reasonably cover likely risks from the strategy adopted.

Implementation

Requirements		Responsibility
1	Code of Practice This policy will be implemented by following Council's Fiscal Responsibility Code of Practice, which specifies in detail the plan, procedures and matters to be considered.	Chief Financial Officer
2	Coordination Chief Financial Officer will coordinate. General Manager, Chief Financial Officer, Managers and key staff will guide the Council to achieve its targets.	Chief Financial Officer
3	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handles in accordance with Council's Customer Service or Complaints policy. These records will be used to determine and follow-up actions and analyse the history of reported public concerns.	Council Officers
5	Consultation Consultation regarding this policy will occur as relevant with key stakeholders and may include legislative bodies, other relevant legislation,	As required

	industry guidelines, and public comment. Public submissions regarding this policy will be considered during the exhibition period.	
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Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary when legislation requires it; or council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages its Fiscal Responsibility.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council revokes it sooner.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Measurement	Measurements are included in the Annual Financial Statement Ratios and benchmarks, Auditors reports and presentation.
Internal or external review	Audit

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Related policy or code of practice	www.esc.nsw.gov.au
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418 E05.9513	Policy adopted (G09/99 Council Policy Review)
2	10 Sep 2013	Council	13/272	E13.7095 E05.9513	Updated template, review date, references and links
3	12 Sep 2017	Council	17/291	E16.0297 E05.9513	Reviewed at start of new Council term
4	TBA	Council	TBA	TBA	Reviewed and updated at start of new Council term - report

Internal use

Responsible officer		Chief Financial Officer		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E05.9513	Review date	April 2022	Pages	4

Policy title	Food Inspection
Responsible manager(s)	Divisional Manager Environmental Services
Contact officer(s)	Environmental Health Officers
Directorate	Planning and Sustainability
Approval date	
Focus area	Public and Environmental Health and Safety
Delivery Program link	1.1.2 Deliver legislated health protection and regulatory programs
Operational Plan link	1.1.2.1 Undertake food inspection program

Purpose

This policy provides a risk-based food inspection program that offers an opportunity for food businesses to reduce their inspection frequency. The policy ensures that food for sale is safe and suitable for human consumption in accordance with the NSW Food Authority's Food Regulation Partnership and the *Food Act 2003*. Businesses that demonstrate a continued high level of compliance with legislative requirements are rewarded.

Policy aims

- Implement a risk-based food inspection program for retail food premises.
- Establish guidelines for Council's authorised officers to deliver a transparent and consistent approach to food inspections.
- Promote awareness of the requirements of the *NSW Food Act 2003*, *Food Regulation 2015*, *Australia New Zealand Food Standards Code* and the Food Regulation Partnership between Council and the NSW Food Authority.
- Reduce the incidence of foodborne illness and require that food for sale is safe and suitable for human consumption.

Policy details

1	Application This policy applies to all retail food businesses in the Eurobodalla Shire that are not licensed with the NSW Food Authority. Retail food businesses means all businesses that sell food whether from fixed premises, mobile van or market stall.
2	Legislation <ul style="list-style-type: none"> • <i>Food Act 2003</i> • <i>Food Regulation 2015</i> • <i>Australia New Zealand Food Standards Code</i>
3	Food Inspection Program Council undertakes food inspections to ensure food for the public is safe for human consumption and in accordance with legislation. All retail food businesses in the Eurobodalla must register their details with Council. Risk-based program The risk-based model is based on a two-step process: <ol style="list-style-type: none"> 1. the risk classification of the business (which depends on numerous factors such as the type of activities, the types of consumers, size of the operation) rates the business as high, medium, or low risk according to NSW Food Authority guidelines:

- low risk: a business that sells only foods that are non-potentially hazardous food and pre-packaged (eg, newsagents, confectionery stores, bars, liquor shops)
- medium risk: most hospitality type retail food premises
- high risk: large scale operation, prepare or supply to vulnerable populations, undertake risk processes (eg, raw egg products).

2. the previous business inspection outcomes (ie, compliance history).

Council inspects all high and medium risk premises each year. The NSW Food Authority's Food Premises Assessment Report (FPAR) is used to conduct the inspection and utilises a points scoring system. If breaches of the *Australia New Zealand Food Standards Code* are identified during the inspection, points are deducted for each breach.

The following star rating system is applied ('Scores on Doors'):

- 5-star rating = 3 or less points deducted
- 4-star rating = from 4 to 8 points deducted
- 3-star rating = from 9 to 15 points deducted
- Failed inspection = where more than 15 points are deducted or a single serious breach is identified (8 points are deducted for a single serious breach).

Inspection regime

Low risk businesses: only inspected upon complaint.

Medium risk businesses: those that achieve a 5-star rating require one (1) inspection per annum. The businesses that do not achieve a 5-star rating will be subject to a second inspection per annum.

High risk businesses: require two (2) inspections per year.

Businesses that are newly established, or under new ownership or management require two (2) inspections in the first year. If the inspections both achieve a five-star rating, the business will then require one (1) inspection per annum.

Businesses that are the subject of a foodborne illness investigation may be reclassified as a high risk.

After each inspection, fixed premises (shop fronts) and mobile food vendors are offered a certificate ('Scores on Doors') to display the star rating achieved.

Other food inspections include:

- mobile food vendors – a minimum of one (1) inspection per year
- temporary food stalls – inspected at markets and at festivals and are only permitted to operate within these events
- schools and childcare centres prepare food for vulnerable persons and are inspected twice each year
- charities and non-profit organisations (eg, a temporary fundraising BBQ) are inspected on complaint only
- businesses subject to complaint are generally inspected within 24 hours. This is independent of annual inspection regimes.

Failed inspections

Where a business fails an inspection, unannounced re-inspections are conducted until food handling failures are rectified. An inspection fee may be charged for each re-inspection and other enforcement actions may be undertaken.

	<p>Fees and charges</p> <p>Annual administration fees and inspections fees are applied in accordance with Council's adopted fees and charges.</p> <ul style="list-style-type: none"> • Low risk businesses are only charged an inspection fee if a breach is identified at a complaint inspection. • High and medium risk rated businesses (all fixed premises - shop fronts) are charged an annual administration fee and a fee for each inspection. • Mobile food vendors are charged an annual administration fee and an inspection fee. • Temporary food stall fees (both inspection and administration) are charged to the organiser of the market or festival. • Schools are charged inspection fees only. • Charities and non-profit organisations are only charged an inspection fee if a breach is identified at a complaint inspection. <p>Businesses subject to a complaint are only charged an inspection fee if a breach is identified at a complaint inspection.</p>
3.1	<p>Enforcement actions</p> <p>Where there is ongoing non-compliance, enforcement action may need to be taken. Enforcement actions are taken in accordance with the NSW Food Authority Compliance and Enforcement Policy, Council's Compliance Policy, the <i>Food Act 2003</i> and the <i>Food Regulation 2015</i>. A graduated enforcement approach is taken and may include the following actions:</p> <ul style="list-style-type: none"> • warning letter • improvement notice • penalty infringement notice • prohibition order • prosecution • Court action
3.2	<p>Data and reporting</p> <p>Inspection reports are entered onto the Council Public Health Register. An activity report is generated by the Register, and this is used to provide an annual report to the NSW Food Authority.</p> <p>Food complaints are recorded on Council's CRM system (Customer Relationship Module).</p>

Implementation

Requirements		Responsibility
1	<p>Implementation requirement</p> <p>Officers undertaking inspections must have appropriate delegation under the <i>Food Act 2003</i> and in accordance with the relevant legislation, regulations and codes.</p>	Council officers
2	<p>Staff</p> <p>Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.</p>	Council officers

Requirements		Responsibility
3	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
4	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, and statutory and industry bodies. Consultation will be undertaken with the NSW Food Authority. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable

Review

The policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election unless Council revokes it sooner.

Note: Automatic revocation of the policy is provided for by section 165(4) of the Local Government Act 1993. The next general local government election is expected to be held in September 2024.

This policy may also be reviewed and updated as necessary when:

- legislation requires it
or
- Council's functions, structure or activities change
or
- when technological advances or new systems change the way that Council manages the Food Inspection Program.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
The NSW Food Authority partnership	Food Authority reporting
Delivery Program/Operational Plan outcomes achieved	Council reporting
Concerns or complaints registered	Council records
Customer feedback, survey responses	Surveys
Internal or external review	Audit

Definitions

Word/acronym/phrase	Definition
NSWFA	New South Wales Food Authority

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Related Council policy or code of practice	https://www.esc.nsw.gov.au/council/governance/council-policies
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030
Food Act 2003	http://www.legislation.nsw.gov.au/#/view/act/2003/43
Food Regulation 2015	https://legislation.nsw.gov.au/view/html/inforce/current/sl-2015-0622

Related external references

Name	Link
The Office of Local Government	www.olg.nsw.gov.au
NSW Food Authority	http://www.foodauthority.nsw.gov.au/

Supporting documents

Name	Link
Australia New Zealand Food Standards Code	http://www.foodstandards.gov.au/code/Pages/default.aspx

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	13 February 2018	Council	18/6	E80.1313	Policy commenced
2	TBA	Council	TBA	E16.0297	

Internal use

Responsible officer	Lindsay Usher			Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	E16.0297	Review date	April 2022	Pages	5

Policy title	Fraud Control
Responsible manager	General Manager
Contact officer	Chief Financial Officer
Directorate	General Manager
Approval date	
Outcome area	9. Innovative and proactive leadership
Strategy	9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program	9.2.3 Provide administrative, technical and trade services to support the organisation
Operational Plan	9.2.3.4 Provide risk and insurance services

Purpose

This policy is designed to protect public funds and assets, protect the integrity, security and reputation of Eurobodalla Shire Council and its staff, and maintain a high level of services to the community.

Policy aims:

- Facilitate the development of controls which will aid in detection and prevention of fraud against the Council.
- Promote a culture of awareness that fraud and corruption will not be tolerated.

Policy statement

1	Application This policy applies to all Eurobodalla Shire Council councillors, staff, contractors, volunteers and delegates.
2	Legislation Council will comply with the <i>Public Interest Disclosures Act 1994</i> , <i>Local Government Act 1993</i> (Chapter 14 Honesty and Disclosure of Interests), and <i>ICAC Act 1998</i> .
3	General Requirements (a) Management is responsible for the detection and prevention of fraud, misappropriations and other inappropriate conduct. (b) Management and each member of the Management Team should be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. (c) All councillors and employees have a responsibility to report fraud and suspected corrupt activity, through the appropriate notification, which may include taking advantage of the Public Interest Disclosures Act.

Implementation

Requirements		Responsibility
1	Code of Practice This policy will be implemented by following council's <i>Corruption Prevention Code of Practice</i> , which specifies in detail the plan, procedures and matters to be considered.	Chief Financial Officer

2	Staff Under supervision, all Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received relevant training to do so.	Council managers and officers
3	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to analyse the history of reported concerns.	Council officers
4	Consultation Audit, Risk and Improvement Committee and consultation with Management Team. Dissemination to Council staff via divisional managers, intranet and e-mail. Other Consultation regarding this policy will occur as relevant with key stakeholders and may include legislative bodies, other relevant legislation, industry guidelines, and public comment.	Audit & Risk Committee Management team As appropriate

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages fraud and corruption control.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner.

Note: The next general local government election is expected to be held in September 2024.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
<ul style="list-style-type: none"> Council and Management publicly support the policy. Managers actively and positively contribute to the development and maintenance of controls. Any fraud detected is dealt with in accordance with this policy. There is staff awareness and/or use of appropriate reporting lines. 	Council records Internal Audit
Reduction of incidence to nil	Council Records
Internal or external audit	Audit

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
Independent Commission against Corruption Act 1998	www.austlii.edu.au/au/legis/nsw/consol_act/icaca1988442/
Public Interest Disclosures Act 1994	www.austlii.edu.au/au/legis/nsw/consol_act/pida1994313/

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
Independent Commission against Corruption (ICAC)	www.icac.nsw.gov.au

Definitions

Term	Definition
Corruption	A breach of trust in the performance of official duties, acted or failed to act in the performance of the functions of their duties, or taken advantage of their employment to obtain any benefit for themselves or another person. Normally this will involve: a criminal offence, a disciplinary offence, or reasonable grounds for terminating the services of a public official.
Fraud	<p>Fraud is not restricted to monetary benefits. For the purpose of this policy, fraud against Council is described as: <i>"The dishonest misuse of Council's resources or using one's position and power for personal gain."</i></p> <p>A basic test for fraud could include the following questions: Was deceit employed? Was the action unlawful? Did it result in money/ benefits being received to which the person was not entitled?</p> <p>Some examples of fraud include:</p> <ul style="list-style-type: none"> • Unauthorised use of Council plant and equipment • Private use of Council's inventory and stores • Claiming unworked overtime on time sheets • Providing confidential Council information to unauthorised people or bodies • Allowing contractors to not fully meet contract requirements.

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	27 Jun 2006	Council	06/139	E05.9513	Policy Commenced
2	22 Sep 2009	Council	09/291	E09.3418	Policy reviewed and updated
3	27 Aug 2013	Council	13/246	E13.7095	Updated, added references and links
4	July 2015	Council	-	E06.0380	Minor referencing updates only (no substantive changes)
5	27 Jun 2017	Council	17/214	E16.0297 E06.0380	Reviewed at start of Council term. Report GMR 17/021
6	TBA	Council	TBA	TBA	Reviewed at start of Council term.

Internal use

Responsible officer	Director Corporate & Commercial Services	Approved by	Council
Min	TBA	Report	TBA
File	E16.0297 E06.0380	Review date	April 2022
		Effective date	TBA
		Pages	3