

Policy Review

GMR16/041 Work Health and Safety Policy

PSR16/056 Clean Air Policy

IR16/055 Build in the Vicinity of Sewer Mains Policy

IR16/056 Bush Fire Risk Management Policy

IR16/057 Drinking Water Quality Policy

IR16/058 Signs as Remote Supervision Policy

IR16/059 Grazing of Stock on Public Roads Policy

FBD16/081 Community Grants Policy

FBD16/082 Borrowing Management Policy

FBD16/083 Debt Recovery Policy

POLICY

Policy name	Work Health And Safety Policy
Responsible manager(s)	General Manager
Contact officer(s)	Manager Organisation Development/WHS Advisor
Directorate	General Manager
Approval date	December 2016

Purpose

The purpose of this policy is to document Council's commitment to Work, Health and Safety (WHS) and to ensure that adequate resources are made available to comply with Councils legal WHS obligations. This policy also sets out responsibilities and accountabilities in relation to the management of WHS.

The objectives of this policy are:

- (a) to ensure that Council complies with the 'reasonably practical' standard, which is intended to be a very high one;
- (b) to give the highest level of protection from hazards and risks arising from work so far as is 'reasonably practicable';
- (c) to provide for consultation, co-operation and co-ordination between all 'persons conducting a business or undertaking' (PCBUs) and workers and others at a workplace; and
- (d) to ensure that any workplace under Council management or control is, as far as is reasonably practicable, without risk to the health and safety of any person.

Policy statement

1	Application This policy applies to PCBUs, workers and other persons affected by Eurobodalla Shire Council activities at Council workplaces.
2	Legislation Council recognises that it has a legal obligation to ensure the health and safety of workers, and other persons affected by Council activities. In meeting this obligation Council shall comply, so far as it is reasonably practicable, with all work health and safety laws including (but not limited to) the <i>Work Health and Safety Act 2011</i> and the <i>Work Health and Safety Regulation 2011</i> .
3	WHS Goal The work health and safety goal of the Council is: "For Council, senior management and workers to continually improve work systems that ensure the health and safety of personnel, contractors, volunteers and the community whilst maintaining the competitiveness and long term employment prospects of the workforce".
4	Duty of Care Council's primary 'duty of care' is to ensure the health and safety of workers while they are at work and that the work carried out does not carry risks to the health and safety of these workers and others. To achieve this, Council will adopt a systematic risk management approach to the management of work health and safety.

5	Responsibilities Responsibilities of the PCBU (Council), Officers, and Workers are as described below:
5.1	Council (PCBU) shall demonstrate continued commitment in meeting its moral and legal obligation by ensuring that adequate human and financial resources are made available so that the objectives of this policy are met. Council must also consult, coordinate and cooperate with other PCBUs working for or on behalf of Council.
5.2	Councillors (workers) , while conducting business for Council, have a responsibility to ensure that they take reasonable care for their own safety and that their general interaction with Council workers and others does not adversely affect the health, safety or welfare of these people. They must comply with reasonable instructions to assist Council in complying with the WHS legislation.
5.3	The General Manager (officer) as the Council's most senior management representative is responsible, and accountable to the Council, for ensuring that the objectives of this policy are met. The General Manager is responsible for ensuring that a Work Health and Safety Management System (WHSMS), including return to work provisions is developed, implemented, reviewed and maintained. The General Manager shall: <ul style="list-style-type: none"> • approve all work health and safety policies • regularly review and document organisational WHS performance • support and encourage Directors and Divisional Managers in the application of the WHSMS and hold them accountable for their specific WHS responsibilities • actively support the integration of WHS as part of normal management practices • seek and consider the views of workers when making decisions on issues, which may affect their health, safety and welfare
5.4	Directors (officers) are responsible for ensuring that the requirements of the WHSMS are communicated to employees and are implemented at all workplaces within areas of responsibility. Directors shall: <ul style="list-style-type: none"> • actively support the integration of WHS as part of normal management practices • support and encourage Divisional Managers in the application of the WHSMS and hold them accountable for their specific WHS responsibilities • regularly report to the General Manager on WHS initiatives implemented and the WHS performance of their Directorates • seek and consider the views of workers when making decisions on issues, which may affect worker health and safety • provide appropriate resources and funding as required to ensure Councils WHS obligations are met • actively maintain current WHS knowledge as applicable to area of responsibility Director commitment to WHS, its implementation and continuous improvement will be measured via annual performance appraisals.
5.5	Divisional Managers (officers) are responsible for ensuring that the requirements of the WHSM system are communicated to workers and implemented at all workplaces within their area of responsibility. Divisional Managers shall: <ul style="list-style-type: none"> • actively support the integration of WHS as part of normal management practices • support and encourage workers with supervisory responsibilities in the application of the WHSMS and hold them accountable for specific WHS responsibilities

	<ul style="list-style-type: none"> • ensure that adequate provisions are made in their annual budget estimates to meet WHS requirements • identify, develop and implement any necessary WHS procedures or safe systems of work required to comply with WHS legislative requirements • seek and consider the views of workers when making decisions on issues which may affect their health and safety • refer to senior management any WHS matter or concern that falls outside their area of responsibility or authority • regularly report to the Director on WHS initiatives implemented and the WHS performance of their area of responsibility • regularly report on WHS initiatives implemented and the WHS performance of their areas to the WHS Committee • ensure that systems of work are regularly reviewed and provide areas for continuous improvement • ensure all hazard reports raised are dealt with in a timely manner • actively maintain current WHS knowledge as applicable to area of responsibility <p>Divisional Managers' commitment to WHS, its implementation and continuous improvement will be measured via annual performance appraisals.</p>
5.6	<p>Workers with supervisory responsibilities (workers) are responsible for ensuring that the requirements of the WHSMS are communicated to employees and are implemented at all workplaces within their area of responsibility. In line with their supervisory roles, workers with supervisory responsibilities shall:</p> <ul style="list-style-type: none"> • support and encourage workers, and hold them accountable for their specific WHS responsibilities • ensure that WHS policies, procedures and work methods are complied with • ensure adequate supervision, training and information is provided to enable employees to carry out tasks safely • notify the divisional manager of budgetary requirements to meet WHS obligations • refer to an officer any WHS hazard, incident or risk • seek and consider the views of workers when making decisions on issues that affect health and safety • identify, report and rectify workplace hazards, and act on hazards reported in a timely manner • investigate accidents and incidents and report the outcome of the investigation to the responsible officer • respond in a timely manner to issues raised by WHS representatives • ensure that work systems are reviewed and provide areas for continuous improvement • regularly report to the responsible officer on the WHS performance of the section <p>The commitment, implementation and continuous improvement to work health and safety matters by Workers with supervisory responsibilities will be measured via annual performance appraisals.</p>
5.7	<p>Workers without supervisory responsibilities (workers) have a responsibility to take reasonably practicable care for their own safety and that of other people at the workplace, who may be affected by the work being done. Workers without supervisory responsibilities shall:</p> <ul style="list-style-type: none"> • co-operate with other workers and management to ensure that legal WHS requirements are met

	<ul style="list-style-type: none"> actively participate in WHS initiatives at both team and organisational level actively participate in WHS consultation immediately report all accidents, injuries, incidents, hazards, dangerous occurrences, unsafe conditions and near misses to management not intentionally interfere with or misuse anything provided in the interests of health and safety carry out their work activities in accordance with all policies, procedures and approved work methods comply with any lawful WHS directive <p>Workers commitment to WHS, its implementation and continuous improvement will be measured as follows:</p> <ul style="list-style-type: none"> <i>For Employees:</i> - via annual performance appraisals. <i>For Contractors/ Sub contractors:</i> - through contractor performance reviews. <i>For Volunteers:</i> - via on the job review
5.8	<p>Other persons at the workplace have a responsibility to take reasonable care for their own health and safety, and take reasonable care to ensure their acts or omissions do not adversely affect the health and safety of others. Other persons at the workplace shall comply so far as reasonably practicable with any reasonable instruction.</p>

Implementation

Requirements		Responsibility
1	<p>Authorisation</p> <p>This policy is the overriding WHS policy of Eurobodalla Shire Council. The policy is approved by Council and administered by the General Manager. The General Manager shall sign the policy.</p> <p>A summary of this policy shall be prominently displayed at all permanent workplaces and available electronically for reference by officers and workers.</p>	General Manager
2	<p>Compliance</p> <p>Failure by any Council-employed person to comply with this policy is likely to result in disciplinary action in accordance with Council's current discipline procedures.</p> <p>Contractors that fail to comply with this policy shall be stood down until such time as the site supervisor or other authorised person is satisfied that the contractor will not commit any further breaches. Any serious or continued non-compliance shall be considered a breach of the contract and grounds for termination of that contract.</p> <p>The participation of volunteers in Council activities is conditional upon compliance with Council's policies and procedures. Any serious or continued non-compliance with this policy will result in the volunteer being instructed to leave the site and refused permission to participate in further volunteer activities.</p> <p>Visitors that fail to comply with this policy shall be required to leave the premises or worksite.</p>	Officers
3	<p>Staff</p>	Council Officers

	Staff, where appropriately trained and instructed, are required to comply with Council policy and to ensure that the provisions of those policies are adhered to within their work area.	
4	Concerns Concerns and requests received regarding WHS will be recorded on Council's Customer Service Request (CSR) or records system and handled in accordance with Council's Customer service policy. This information will be used to analyse the history of concerns and requests and to help determine follow up actions.	Council Officers
5	Complaints Complaints received regarding this policy will be lodged with the public officer and handled in accordance with council's complaints policy.	Public Officer
6	Consultation The Work Health Safety Committee ensures that regular ongoing WHS consultation occurs throughout Council. Consultation regarding this policy will occur as relevant with key stakeholders and may include legislative bodies and other agencies. It will occur in response to changes in relevant legislation, codes of practice, industry guidelines, standards and any organisational or legislative requirements.	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 2020.*

The General Manager in consultation with officers and workers shall review this policy every 3 years and after any reportable serious incident. 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 WHS. Where the review indicates any changes to the policy the General Manager shall refer the policy to Council for adoption.

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

Performance indicator	Data source(s)
Number of breaches (Hazards and Incidents)	Council records
Concerns or requests regarding WHS	Council records
Employee Feedback Survey Responses	Surveys
Commitment to WHS, its implementation and continuous improvement, measured via: <ul style="list-style-type: none"> Annual Performance Appraisals Contractor Performance Review On the Job Review 	Council records
Audit Records <ul style="list-style-type: none"> the current written and dated policy, signed by the General Manager induction training content and induction records 	Council records

<ul style="list-style-type: none"> tool box/team meeting minutes or other documentation indicating communication of the policy. 	
Internal or external review	Audit
Compliance with Council's WHS Strategy	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
Work Health and Safety Act 2011	www.legislation.nsw.gov.au/maintop/view/inforce/act+10+2011+cd+0+N
Work Health and Safety Regulation 2011	www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+674+2011+cd+0+N
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
WHS Codes of Practice (Safe Work Australia)	http://www.safeworkaustralia.gov.au/sites/swa/model-whs-laws/model-cop/pages/model-cop

Related external references

Name	Link
WorkCover NSW	www.workcover.nsw.gov.au/Pages/default.aspx

Supporting documents

Name	Link
Appendix 1	Definitions and Responsibilities per <i>WHS Act 2011</i>

Definitions

Word/Term	Short Definition – See Appendix 1 for long definition
PCBU	Person Conducting a Business or Undertaking (i.e. Council)
Officers	The persons within Council who make or participate in making decisions that affect the whole or a significant part of the organisation. Council's officers are the General Manager, All Directors and All Divisional Managers. The officers are required to exercise "Due Diligence" in ensuring Council meets its obligations under the Act.
Workers	Anyone carrying out work, in any capacity for or on behalf of Council. This includes employees, contractors and their employees, sub-contractors and their employees, labour hire employees engaged to work for Council, outworkers, apprentices, trainees, work experience students and volunteers.

Other person at the workplace	Any person present at a place where Council carries out work, who is not conducting work for or on behalf of Council (e.g. members of the public, visitors not performing work).
Due Diligence	To take every precaution reasonable in the circumstances to protect the health, safety and welfare of workers and other persons at the workplace.
Reasonably Practicable	Doing what is effective and possible at a particular time to ensure the health and safety of workers and others. All people must be given the highest level of health and safety protection from hazards arising from work, so far as is reasonably practicable.
Duties / Responsibilities	<p>The principles applicable to duties are that:-</p> <ul style="list-style-type: none"> • Duties are not transferable, and • Duties cannot be delegated to another person, and • A person can have more than one duty (i.e. Officers also have duties as Workers), and • More than one person can have the same duty.

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	24 Nov 2009	Council	09/369	E09.3418	Reviewed and approved, report G09/145
2	26 Jun 2012	Council	12/165	E09.3418	Reviewed and approved, updated to reflect legislation, report O12/128
3	10 Sep 2013	Council	13/272	E13.7095	Updated to new Policy Template, updated review date, updated references and links
4	DD Dec 2016	Council	TBA		Reviewed and approved, updated to reflect org structure.

Internal use

Responsible officer		General Manager		Approved by		General Manager	
Min no	13/272	Report no			Effective date	TBA	
File No	E13.7095	Review date		May 2016	Pages	10	

Appendix 1 – Definitions and Responsibilities per WHS Act 2011

Definitions

Duties / Responsibilities:

The principles applicable to duties are that:-

- Duties are not transferable, and
- Duties cannot be delegated to another person, and
- A person can have more than one duty (i.e. Officers also have duties as Workers), and
- More than one person can have the same duty.

Duty of Care:

1. A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of:
 - (a) workers engaged, or caused to be engaged by the person, and
 - (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.
2. A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.

Due Diligence:

The WHS Act sets out a non-exhaustive list of steps which officers are expected to take in order to exercise due diligence. Due diligence includes taking reasonable steps:

- To acquire and keep up-to-date knowledge of work health and safety matters; and
- To gain an understanding of the nature of the operations of the business or undertaking and of the hazards and risks associated with those operations; and
- To ensure that the person conducting the business or undertaking has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
- To ensure that the person conducting the business or undertaking has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
- To ensure that the person conducting the business or undertaking has, and person conducting the business or undertaking under this Act; and
- To verify the provision and use of these resources and processes.

Reasonably Practicable:

What is reasonably practicable to be done at a particular time in relation to ensuring the work health and safety of others. It takes into account and weighs up all matters, including:

- The likelihood of the hazard (identified) or the risk concerned occurring; and
- The degree of harm that might result from the hazard or the risk; and
- What the person concerned knows or ought 'reasonably' to know about the hazard, the risk and ways of eliminating or minimising the risk; and
- The availability and suitability of ways to eliminate or minimise the risk; then finally

- The cost associated with controlling the risk must also be considered, including whether the cost is grossly dis-proportionate to the risk.

Responsibilities

PCBU – (WHS Act 2011 divisions 2 and 3)

Council's primary 'duty of care' is to ensure the health and safety of workers while they are at work and that the work carried out does not carry risks to the health and safety of others. Additionally the PCBU, must consult, coordinate and cooperate with other PCBUs working for or on behalf of Council.

To meet these duties Council will, as far as is reasonably practical:

- Provide and maintain a safe work environment.
- Provide and maintain safe plant and structures.
- Provide and maintain safe systems of work.
- Ensure the safe use, handling and storage of plant, structures and substances.
- Provide adequate facilities (and ensure access is maintained).
- Provide instruction, training, information and supervision.
- Monitor the health of workers and conditions at Council workplaces.

Officers (WHS Act 2011 section 27)

Officers are required to exercise due diligence to ensure the PCBU meets its' duties.

They must take reasonable steps to:

- Gain and update knowledge of WHS matters.
- Understand the nature of Council's operations, and the general hazards and risks involved.
- Ensure Council has and uses appropriate resources for eliminating or minimizing risks.
- Ensure Council has processes for receiving, reviewing and responding to information about incidents, hazards and risks.
- Ensure Council implements processes for complying with its duties including consultation, providing training and instruction and reporting of notifiable incidents.

Workers (WHS Act 2011 section 28)

Workers shall, as far as is reasonably practicable:

- Take reasonable care for his or her own health and safety, and
- Take reasonable care to ensure their acts or omissions do not adversely affect the health and safety of others, and
- Comply so far as reasonably able with reasonable instructions from the PCBU to assist in complying with the WHS Act, and
- Cooperate with any reasonable policy and procedure of the PCBU relating to health or safety at the workplace that the workers have been informed of.

Other persons at the workplace (WHS Act 2011 section 29)

Others must as far as is reasonably practicable:

- Take reasonable care for their own health and safety, and
- Take reasonable care to ensure their acts or omissions do not adversely affect the health and safety of others, and
- Comply so far as the person is reasonably able with any reasonable instructions from the PCBU to assist in complying with the WHS Act.

Policy title	Clean Air
Responsible manager(s)	
Contact officer(s)	Public Environmental Health and Compliance Co-ordinator
Directorate	Planning and Sustainability
Approval date	
Focus area	Our community is a great place to live
Delivery Program link	L4.1 Conduct regulatory compliance and enforcement activities
Operational Plan link	L4.1.1 Monitor, inspect, enforce and investigate complaints in relation to public safety

Purpose

Burning wood and rubbish in open fires and incinerators can cause smoke, which is a major cause of air pollution. It can harm the environment and human health.

Open burning is regulated in NSW by the *Protection of the Environment Operations (Clean Air) Regulation 2010* ('the Regulation'). The intention of the regulation is to manage the air pollution issues associated with burning to protect local and regional air quality, local amenity and public health.

Eurobodalla Shire Council is a Local Government Area (LGA) listed in Part 2 and Part 3, Schedule 8 of the Regulation in which burning of vegetation and other waste is prohibited except with approval. The Regulation dictates the LGAs in which the controls of burning provisions apply.

Eurobodalla Shire Council's policy was developed to provide clear direction where approval to burn dead and dry vegetation can be automatically given following a self-assessment which meets certain conditions. Where not all conditions can be met, or the NSW Rural Fire Service requires that the landholder obtains approval from Council, formal approval can be applied for.

Policy aims

- Protect the environment, the health and the amenity of residents and visitors in Eurobodalla Shire.
- Make council's policy and requirements for burning readily accessible and understandable to the public.
- Assist decision-makers to exercise discretionary powers in relation to the burning of vegetation and waste.
- Ensure transparency, consistency and fairness in the manner in which Council deals with the burning of vegetation and waste.
- Ensure compliance with legislative requirements under the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Clean Air) Regulation 2010*.
- Promote awareness of the requirements of the Act with respect to the burning of vegetation and waste

Policy details

1	<p>Application</p> <p>This policy applies to all burning of vegetation or other waste in the Eurobodalla LGA where Eurobodalla Shire Council is the Appropriate Regulatory Authority (ARA)</p>
2	<p>Legislation</p> <p>This policy ensures Eurobodalla Shire Council's compliance with the <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i>.</p> <p>This policy does not apply to hazard reduction burning activities undertaken in accordance with the <i>Rural Fires Act 1997</i>.</p>
3	<p>Procedure</p>
3.1	<p>Restrictions</p> <ul style="list-style-type: none"> a) Any person residing within the Eurobodalla LGA to which a domestic waste management service is available is prohibited from burning domestic waste on those premises. b) During the Bushfire Fire Danger Period (generally 1 September – 31 March) fires are not allowed unless a permit has been obtained from the NSW Rural Fire Service (RFS).
3.2	<p>Approvals</p> <ul style="list-style-type: none"> a) Following completion of a self-assessment (Appendix 1), and having met all of the requirements, an applicant can proceed to burn dead and dry vegetation subject to the conditions listed in 3.2.1 b) Where all the requirements cannot be met, an applicant can lodge a formal application with Council for a merit-based assessment. Application fees apply and are listed in Council's Fees and Charges.
3.2.1	<p>Conditions</p> <ul style="list-style-type: none"> a) Every attempt shall be made to recycle or reuse vegetation prior to burning. Recycling techniques include but are not limited to mulching, composting, milling, and use as fuel for heating purposes. Only the residue from recycling and reuse shall be burnt. b) Permits shall be obtained from the appropriate fire service during the bushfire danger period each year. Conditions attached to any such permit shall be complied with c) Burning shall be in accordance with the NSW RFS document '<i>Standards for Pile Burning</i>' d) Permission from the owner of the property shall be obtained prior to burning. e) Vegetation shall only be burnt on the premises on which it grew. f) Burning shall only take place during dry weather conditions, taking into account the potential for smoke impacting on any person due to wind direction and other climatic conditions. g) All residents who adjoin the site of the burn must be notified at least 24 hours prior to the burn.

	h) The Moruya RFS is to be notified at least 24 hours prior to the burn on 02 4474 2855. i) Burning must not take place less than 75 metres from a habitable building on neighbouring land. j) Maximum burn pile size is to be 2m wide by 2m long by 1.5m high. k) Burning shall not take place as the result of an activity requiring development consent unless prior consent has been obtained.
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Implementation

Requirements		Responsibility
1	Applications Applications to burn will be processed by the Public Environmental Health and Compliance Unit	Environmental Health Officers
2	Enforcement Rangers will enforce the policy and determine follow-up actions.	Rangers
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 appropriate 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
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. Consultation has been undertaken with the RFS and submissions received. Submissions have also been invited and received from members of the public who have previously provided feedback on the policy. Public submissions regarding this policy are invited for consideration during the exhibition period.	NSW Rural Fire Service As relevant

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 2020.

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 burning of vegetation and other waste.

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

Performance indicator	Data source(s)
Applications to burn received/approvals given	Council records
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
ARA	Appropriate Regulatory Authority
LGA	Local Government Area
RFS	New South Wales Rural Fire Service

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.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N
Protection of the Environment Operations (Clean Air) Regulation	http://www.legislation.nsw.gov.au/#/view/regulation/2010/428

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
NSW Rural Fire Service	www.rfs.nsw.gov.au/

Supporting documents

Name	Link
NSW RFS Standards for Pile Burning	http://www.rfs.nsw.gov.au/_data/assets/pdf_file/0012/13323/Standards-for-Pile-Burning.pdf

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Feb 2011	Council	11/39	E91.2508	Policy commenced

2	23 Jul 2013	Council	13/173	E13.7095	Reviewed and updated (start of new Council term)
3	dd mmm 2016	Council	TBA	E16.0297 See list	Reviewed and updated (start of new Council term)

Internal use

Responsible officer	Relevant director or GM			Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	See list E16.0297	Review date	Sep 2020	Pages	8

Appendix 1: Self-Assessment Checklist

	Item	Yes	No
1	Only dead and dry vegetation that has been grown on the premises is to be burned		
2	Permission from the owner of the property has been obtained		
3	The RFS and adjacent property residents have been given at least 24 hours notice		
4	During the Bushfire Danger Period, a fire permit has been obtained from the RFS		
5	All attempts must be made to prevent or minimise air pollution when burning so burning will not impact on another person's health or amenity		
6	Burning is to be undertaken during dry weather conditions, taking into account the potential for smoke impacting on any person due to wind direction and other climatic conditions.		
7	Fire is located where it is not a threat to a buildings or property and at least 75 metres away from a habitable building on any adjacent properties		
8	Fire will not cause a smoke hazard for traffic		
9	Material to be burnt is not subject to a condition of a development consent that prohibits burning		
10	Fire will be under direct supervision at all times, and a method of extinguishment is immediately available		
11	Activities are being undertaken in accordance with the NSW Rural Fire Service document ' <i>Standards for Pile Burning</i> '		
<p>Please Note: If you have marked the 'No' column for any of these items, you do not have automatic approval to burn. Please contact Council on 02 4474 1310 for further information on applying for approval</p>			

Appendix 2: Approvals for Burning Activities

Type of Burning	Types of Approval Required	Where to Obtain Approval
Burning of vegetation and waste <i>within</i> 75 metres of a habitable building on neighbouring land	<ul style="list-style-type: none"> Formal ESC written approval (as per s3.2.b) and Fire Permit from NSW RFS or Fire and Rescue NSW during the declared Bush Fire Danger Period 	<ul style="list-style-type: none"> ESC NSW RFS in a rural fire district Fire and Rescue NSW in a fire district
Burning of vegetation more than 75 metres from a habitable building on neighbouring land	<ul style="list-style-type: none"> Completed self-assessment (Appendix 1) meeting all requirements Fire Permit from NSW RFS or Fire and Rescue NSW during the declared Bushfire Danger Period 	<ul style="list-style-type: none"> NSW RFS in a rural fire district Fire and Rescue NSW in a fire district
Hazard reduction burn	Hazard Reduction Certificate	NSW RFS Moruya
Beach fires	Prohibited	N/A
Agricultural burning of material such as stubble, orchard pruning or diseased crops	Fire Permit (only during declared Bushfire Danger Period)	NSW RFS Moruya
Burning in an incinerator	Prohibited except where: <ul style="list-style-type: none"> Licensed by NSW EPA No domestic waste collection service is available Dead and dry vegetation burnt in an incinerator is >75m from a habitable building on adjoining property 	NSW EPA for licensed premises
Burning of dry vegetation in a solid fuel heater within a building	No approval required	N/A
Burning of domestic waste	Prohibited except where domestic waste collection services are not available	N/A
Burning to demolish a building or other building materials	Prohibited	N/A
Burning of vegetation cleared as part of a subdivision or construction site	Prohibited except where a condition of development consent allows it	ESC for development consent conditions
Burning of: Tyres, coated wire, paint containers and residue, solvent containers and residue, treated timber with copper chromium arsenate (CCA) or pentachlorophenol (PCP)	Prohibited	N/A
LPG BBQ or campfire for cooking on private land including wood-fired BBQs/pizza ovens/braziers etc	No approval required (★see note regarding Total Fire Bans and No Burn Days)	N/A
Burning to clear native vegetation	Approval under the <i>Native Vegetation Act 2003</i> required	NSW EPA/NSW Local Land Services
<p>★During a Total Fire Ban you cannot light, maintain or use a fire in the open, or to carry out any activity in the open that causes, or is likely to cause, a fire.</p> <p>★Outside of the bushfire season the NSW EPA may prohibit the burning of fires in the open or in incinerators by issuing a No-Burn Notice if it is of the opinion that, because forecast weather conditions, burning is likely to contribute to the build-up of air pollution.</p>		

DRAFT

Policy title	Build in the Vicinity of Sewer Mains
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water & Sewer
Directorate	Infrastructure Services
Approval date	
Focus area	Sustainable Communities
Delivery Program link	S1 Provide a safe, reliable and sustainable sewer service that meets future needs
Operational Plan link	S1.2 Operate and maintain Council's sewerage systems

Purpose

Under Section 59A of the *Local Government Act 1993* (the *Act*), Council is the owner of all works of water supply, sewerage and stormwater drainage installed in or on land by council (whether or not the land is owned by council). The *Act* provides council access to any land required to operate, repair, replace, maintain, remove, extend, disconnect, improve or do any other things that are necessary or appropriate to any of its works to ensure that, in the opinion of council, the works are used in an efficient manner for the purposes for which the works were installed.

Where water supply pipelines and sewer rising mains are located on private land, council generally requires that an easement be placed over the pipeline which places restrictions on the use of that part of the land covered by the easement, and which protects the pipelines from damage and provides access for plant and equipment to enable council to carry out the functions outlined above. However, council does not normally require easements over sewer gravity pipes and so a policy which clearly defines the requirements for development in the vicinity of sewer mains is required.

Policy aims

The policy aims to:

- Protect existing and future assets, both privately and publicly owned, from potential damage.
- Minimise the liability for future costly repairs and costly asset renewals by limiting the amount of development over sewers.
- Promote an integrated framework for dealing with applications to build in the vicinity of sewer mains.
- Ensure consistency and fairness in the manner in which the council deals with developers and the community.
- Ensure compliance with legislative requirements under the *Local Government Act 1993*.
- Make the council's policies and requirements for build in the vicinity of sewer mains readily accessible and understandable to the public.

Policy details

1	Application This policy applies to development in the vicinity of council owned sewerage infrastructure.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with the <i>Local Government Act 1993</i> .

Implementation

Requirements		Responsibility
1	Code of Practice This policy will be implemented by following Council's <i>Build in the Vicinity of Sewer Mains Code of Practice</i> which specifies in detail the procedures and matters to be considered.	Development Assessment officers
2	Clearance from Structures Sewer access structures, including manholes, maintenance shafts and sewer dead ends, shall be accessible at all times in case of urgent maintenance.	Developer, Development Assessment officers
3	Construction not permitted Heavy or permanent structures will not be permitted within council's easements or over the following: <ul style="list-style-type: none"> Sewer rising mains, surcharge mains or critical gravity mains (generally all sewer mains of 300mm diameter or greater and/or deemed to be excessively deep). Sewer manholes, maintenance points and junctions.	Developer, Development Assessment officers
4	Considerations Any application to build over a sewer or within 2 metres of a sewer main alignment will only be considered if alternative options are found to be not viable. Council's approach to 'build in the vicinity of sewer' requests in order of priority of solutions is as follows: <ol style="list-style-type: none"> Relocate the proposed structure. Relocate council's affected assets. Provide protection measures and build over or close to council's asset. Option 3 will only be considered in exceptional circumstances if options 1 or 2 are neither practical nor reasonable to achieve. Where a developer proposes constructing 'heavy or permanent structures' within 2 metres of a sewer main alignment the Director of Infrastructure Services or Division Manager Water and Sewer must be consulted to determine the appropriateness of the proposal prior to issuing development consent.	Developer, Development Assessment officers

5	Asset Protection Measures Where construction of structures will impose a load within an existing sewer assets zone of influence, asset protection measures will be required.	Developer, Development Assessment officers
6	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 appropriate training to do so.	Development Assessment officers
7	Costs The developer/applicant is responsible for all costs associated with: <ul style="list-style-type: none"> Investigation, design and any costs associated with seeking approval. If approval is granted then all construction costs. Repairing any damage to sewer infrastructure caused by construction over or near an existing sewer. The Director Infrastructure Services or Division Manager Water and Sewer may approve a contribution from Council's sewer fund towards the cost of asset relocation works where there is a demonstrated tangible benefit to council.	Developer Director Infrastructure Services/ Division Manager Water and Sewer
8	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
9	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with Council's Complaints Policy.	Public Officer
10	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

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 2020.

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 operations, maintenance and construction of sewer mains.

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

Performance indicator	Data source(s)
Delivery Program/ Operational Plan outcomes achieved	Council reporting
Concerns or complaints registered	Council records
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
Related Council Policy or Code of Practice	www.esc.nsw.gov.au/inside-council/council/council-policies
Local Government Act 1993	www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N

Related external references

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

Supporting documents

Name	Link
Build in the Vicinity of Sewer Mains Code of Practice	www.esc.nsw.gov.au

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	28 Oct 2008	Council	08/386	06.0381	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095	Reviewed and updated (start of new Council term)
3	dd mmm 2016	Council	TBA	E16.0297 06.0381	Reviewed and updated (start of new Council term)

Internal use

Responsible officer	Director Infrastructure Services			Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	06.0381 E16.0297	Review date	Sep 2020	Pages	4

POLICY

Policy title	Bush Fire Risk Management
Responsible manager(s)	Director, Infrastructure Services
Contact officer(s)	Fire Mitigation Officer
Directorate	Infrastructure Services
Approval date	TBC
Focus area	<i>Liveable Communities</i> Objective 2.2: Shared responsibility for community safety
Delivery Program link	<i>Liveable Communities</i> L4.5 Assist with planning for and coordination of emergency services L4.6 Collaborate with agencies and services to deliver coordinated management and response.
Operational Plan link	<i>Public & Environmental Health & Safety</i> L4.5.2 Assist development and implementation of Bush Fire Risk Management Plan L4.5.3 Local Emergency Management and Bush Fire Management Committees L4.6.2 Undertake fire mitigation on Council land

Purpose

This Policy clarifies the management of bush fire risk to the community within Council controlled lands.

The Eurobodalla Shire covers approximately 342,900 hectares and a significant proportion of this area is identified as bush fire prone land. There are approximately 1,200 parcels of Public Reserve and Crown Land under Council's care and control in both urban and rural environments.

The risk management of bush fire is often a complex and emotive issue and one that requires a balance between managing the risks to people and community assets and acknowledging the value of the natural environment to our social, economic and cultural wellbeing.

Policy aims

- Promote an integrated framework for dealing with bush fires
- Ensure consistency and fairness in the manner in which Council deals with hazard mitigation
- Ensure compliance with legislative requirements under the *Rural Fires Act 1997*
- Promote awareness of the requirements of the *Rural Fires Act 1997* with respect to people, community assets and the natural environment
- Take such steps as are appropriate to ensure the effective management of bush fires
- Make the Council's policies and requirements for Bush Fire Management of Council owned land or land under its control and management readily accessible and understandable to the public.

Policy details

1	<p>Application</p> <p>The NSW Rural Fire Service is the lead agency in coordinating the management of risks from bush fires in NSW. This Policy applies to lands owned and managed by Eurobodalla Shire Council. The managing of the risk from bush fire is a shared responsibility between individual landowners, State agencies, Council and the emergency management groups.</p>
2	<p>Legislation</p> <p>Council has statutory obligations to minimise the risk of bush fires in accordance with the relevant legislation, namely <i>The Rural Fires Act 1997 Act and Regulation, Local Government Act 1993, Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Clean air) Regulations 2010, The Environmental Planning and Assessment Act 1979, Native Vegetation Act 2003, Threatened Species Conservation Act 1995, State Emergency and Rescue Management Act 1989.</i></p> <p>Council's policy also operates in accordance with the <i>Bush Fire Environmental Assessment Code for NSW Rural Fire Service 2006, Planning for Bush Fire Protection (NSW Rural Fire Service 2006) and NSW Rural Fire Service Standard Operational Procedures – Prescribed Burning Activities.</i></p>
3	<p>Bush Fire Hazard Management Regulatory Control</p> <p>It is the duty of a public authority (Council, National Parks, State Forests, Crown Lands), owner or occupier to undertake maintenance and management of land under their care or control in order to mitigate bush fire risk under the Rural Fires Act 1997. Under Section 74C(3) of the <i>Rural Fires Act 1997</i>, a local authority must refer any complaint made to it under this Division to the Commissioner of the NSW Rural Fire Service within 14 days of receipt of the complaint in order to manage bush fire hazard complaints. Authorised officers of the NSW Rural Fire Service, in exercising the above responsibilities, may undertake inspections and issuing of notices for bush fire hazard reduction work requiring property owners or land managers to mitigate the presence of significant bush fire hazard on their land.</p>
4	<p>Bush Fire Hazard Mitigation on Council-controlled Land</p> <p>Council acknowledges the need to manage this issue within its limited financial resources to minimise the risk to the community, to limit Council's (ie, the community's) potential liability and to provide fairness between people seeking action to address their concerns about bush fire hazards where it does not require additional resources/management by Council.</p> <p>The Eurobodalla Bush Fire Management Committee is coordinated by the Rural Fire Service. In accordance with the <i>Rural Fires Act 1997</i>, the EBFMC prepares the Eurobodalla Bush Fire Risk Management Plan. The Plan identifies the levels of risk across the Eurobodalla Local Government area and establishes coordinated hazard reduction zone strategies which responsible land management authorities implement in order to manage bush fire risks.</p> <p>To achieve compliance with the Eurobodalla Bush Fire Risk Management Plan, Council shall develop and implement a Code of Practice to provide guidance for the management of bush fire risk from vegetation on Council controlled land.</p> <p>Council will:</p> <ol style="list-style-type: none"> Undertake fire mitigation works on Council managed lands to the limit of the allocated budget on a priority basis as determined under Council's Code of Practice for <i>Bush Fire Hazard Mitigation – Council Controlled Land</i>. Where Council is unable to undertake works due to limited budget, give private landowners the option of funding fuel reduction works on Council Controlled Land.

	c) As a general principle, give priority to public safety and legislative requirements over other factors such as environmental and heritage issues.
5	<p>Smoke Management</p> <p>Council, its employees and contractors may burn dead and dry vegetation on Council controlled land in accordance with the <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i> and subject to the conditions of Eurobodalla Shire Council's Clean Air Policy.</p> <p>In undertaking Hazard Reduction activities by means of fuel reduction burns, Council will undertake such works in accordance with the <i>NSW Rural Fire Service Bush Fire Environmental Assessment Code 2006</i>, including requirements for smoke management. In accordance with conditions imposed on such works by an approved Hazard Reduction Certificate issued by Council, the <i>NSW Rural Fire Service Standard Operational Procedures – Prescribed Burning Activities</i> also requires burn planning to take into account smoke impact to ensure burns are not conducted during a "No Burn Day" declared by the Environmental Protection Authority (EPA) and to ensure all adjoining property owners that could be affected by the impact of smoke emissions are provided with notifications prior to the commencement of works.</p>

Implementation

Requirements		Responsibility
1	<p>Coordination and Collaboration</p> <p>Strategic planning and operations in the Eurobodalla Rural Fire District are co-ordinated by the NSW Rural Fire Service.</p> <p>The NSW Rural Fire Service coordinates the Eurobodalla Bush Fire Management Committee made up of relevant government agencies and the peak body representatives constituted under the <i>Rural Fire Act 1997</i>. Council will provide representation to this Committee and proactively assist with the development and implementation of the Eurobodalla Bush Fire Risk Management Plan to minimise the risk to the community from bush fire.</p>	<p>NSW Rural Fire Service</p> <p>Council</p>
2	<p>Local Emergency Management</p> <p>The NSW Rural Fire Service is the lead agency in planning and implementing a response to bush fires.</p> <p>Council will act in good faith in endeavouring to fulfil its responsibilities under the <i>State Emergency and Rescue Management Act 1989</i> through the provision of support for the Local Emergency Management Committee and the provision of Executive Support to assist the Local Emergency Operations Controller. This may include assisting with the establishment and operation of the Eurobodalla Emergency Operations Centre if requested by the NSW Rural Fire Service or otherwise required by authorised direction under the <i>State Emergency and Rescue Management Act 1989</i>.</p>	<p>NSW Rural Fire Service</p> <p>Council</p>
3	<p>Code of Practice</p> <p>The development and implementation of a Code of Practice shall include:</p> <ul style="list-style-type: none"> a) the methodology for rating the risk that is used to prioritise works; b) the methodology for implementing actions to mitigate the risk; 	Council

	<ul style="list-style-type: none"> c) the methodology for compromise where environmental constraints and safe works methods are limiting the extent of the works allowable; d) details of customer service; e) a system of recording all actions and reporting to the Eurobodalla Bush Fire Management Committee; and f) Bush Fire Risk Management work on Council Controlled Land by Others. 	
4	Community Education The prime responsibility for community education and provision of information relating to bush fire remains with the NSW Rural Fire Service. Council will incorporate relevant links to this community education within its programs.	NSW Rural Fire Service Council
5	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 Fire Mitigation Officer
6	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
7	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. This will include consultation with the NSW Rural Fire Service and the Local Emergency Management Committee. Public submissions regarding this Policy are invited for consideration during the exhibition period. Any other consultation deemed necessary may occur with key stakeholders when and if required.	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 2020.

This Policy may also be reviewed and updated as necessary if legislation requires it; or when Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages bush fire risks to the community.

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

Performance indicator	Data source(s)
Customer Concerns or Complaints	Council records
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit
Community Strategic Plan 2.2	esc.nsw.gov.au

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
<i>Local Government Act 1993</i>	Local Government Act 1993
<i>NSW Rural Fires Act 1997</i>	NSW Rural Fires Act 1997
<i>NSW Rural Fire Service Bush Fire Environmental Assessment Code 2006</i>	NSW RFS Bush Fire Environmental Assessment Code 2006
<i>Planning for Bush Fire Protection NSW Rural Fire Service 2006</i>	NSW RFS Planning for Bush Fire Protection 2006
<i>State Emergency and Rescue Management Act 1989</i>	State Emergency and Rescue Management Act 1989
<i>Protection of the Environment Operations Act 1997</i>	Protection of the Environment Operations Act 1997
<i>Protection of the Environment Operations (Clean Air) Regulations 2010</i>	Protection of the Environment Operations (Clean Air) Regulations 2010
<i>Environmental Planning and Assessment Act 1979</i>	Environmental Planning and Assessment Act 1979
<i>Native Vegetation Act 2003</i>	Native Vegetation Act 2003
<i>Threatened Species Conservation Act 1995</i>	Threatened Species Conservation Act 1995
<i>NSW Department of Planning Standards for Bush Fire Hazard Reduction Works in SEPP 14 Coastal Wetlands</i>	NSW Department of Planning Standards for Bush Fire Hazard Reduction Works in SEPP 14 Coastal Wetlands
<i>State Environmental Planning Policy 14 – Coastal Wetlands</i>	State Environmental Planning Policy 14 - Coastal Wetlands
<i>State Environmental Planning Policy 26 – Littoral Rainforests</i>	State Environmental Planning Policy 26 - Littoral Rainforests

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
NSW Rural Fire Service	www.rfs.nsw.gov.au
Department of Environment & Heritage	www.environment.nsw.gov.au

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Oct 2011	Council	09/369	E09.3418	Policy reviewed and adopted G09-99
2	10 Sep 2013	Council	13/272	E13.7095	Updated template, review date, references and links
3	dd mmm 2016	Council	TBA	E06.0375 E16.0297	Reviewed and updated (start of new Council term)

Internal use

Responsible officer	Director, Infrastructure Services			Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	E06.0375 E16.0297	Review date	Sep 2020	Pages	6

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	
Focus area	Provide a safe, reliable and secure water supply that meets future needs
Delivery Program link	S2.2 Operate and maintain Council's water supply systems
Operational Plan link	S2.2.2 Operate water 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: 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	Division Manager Water and Sewer

	timely information, and promote confidence in the water supply and its management; 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	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with council's Complaints Policy.	Public Officer
6	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

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 2020.

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 drinking water quality

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
Related Council Policy or Code of Practice	esc.nsw.gov.au/inside-council/council/council-policies
Local Government Act 1993	legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N
Public Health Act 2010	Public Health Act link

Related external references

Name	Link
Office of Local Government	olg.nsw.gov.au
Australian Drinking Water Guidelines 2011	Drinking Water Guidelines (2011)
NSW Health	NSW Guidelines Drinking Water Management Systems

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	10 Sept 2013	Council	13/27 2	E06.0113	Policy commenced 10 September 2013
3	dd mmm 2016	Council	TBA	E16.0297 E13.7095	Reviewed and updated (start of new Council term)

Internal use

Responsible officer	Director Infrastructure Services			Approved by	Council
Minute #		Report #		Effective date	TBA
File	E06.0113 E16.0297	Review date	Sep 2020	Pages	3

POLICY

Policy title	Signs as Remote Supervision
Responsible manager(s)	Director, Infrastructure Services
Contact officer(s)	Divisional Manager, Works
Directorate	Infrastructure Services
Approval date	TBC 2016
Focus area	<i>Liveable Communities</i> Objective 2.2: A shared responsibility for community safety
Delivery Program link	<i>Community Spaces</i> L5.2 Manage and maintain a safe, sustainable and accessible range of community spaces
Operational Plan link	<i>Community Spaces</i> L5.2.1 Undertake maintenance program

Purpose

This Policy recognises the importance of using signs as remote supervision (SARS) to warn users of Council owned, operated or controlled land within the Eurobodalla Shire Council Local Government Area (LGA) of the risk and nature of any hazards in the area.

Eurobodalla's LGA encompasses an area of 342,900 hectares along a 110 kilometre coastal strip between South Durras and Wallaga Lake, including 47 pristine beaches.

Users of Council owned, operated or controlled land are exposed to varying degrees of risk associated with the hazards which exist on the land - both natural hazards and hazards related to developed facilities. As it is not always possible to eliminate the risk from these hazards, it is desirable to provide a warning to land users about the risk and nature of any hazards. Signs can be an effective way to provide this risk warning.

Using signs as remote supervision also helps Council achieve the community objective in meeting the needs of the Eurobodalla community and its visitors.

Policy aims

This Policy aims to:

- promote an integrated risk management framework including use of signs as remote supervision;
- ensure consistency and fairness in the manner in which Council deals with signage;
- promote awareness and ensure compliance with legislative requirements under the *Local Government Act 1993* and the *Civil Liability Act 2002*;
- take such steps as are appropriate to ensure that signs are effective and meet current risk management best practice and Australian Standards; and
- make Council's policy and requirements for signs as remote supervision readily accessible and understandable to the public.

Policy details

1	<p>Application</p> <p>This Policy applies to signs used for remote supervision on Council owned or controlled land and facilities in the Eurobodalla Local Government Area (LGA).</p>
2	<p>Legislation</p> <p>Eurobodalla Shire Council complies with the <i>Local Government Act 1993</i>, the <i>Civil Liability Act 2002 (CLA)</i> and relevant Australian Standards.</p> <p>Section 5M of the CLA states that a risk warning for a recreational activity can be given in writing, including by means of a sign.</p> <p>Council's duty of care is outlined in Part 5 Section 42 of the <i>Civil Liability Act 2002</i> - principles concerning resources and responsibilities of public or other authorities.</p>
3	<p>Use of Signs for Remote Supervision (SARS)</p> <p>Areas of recreational risk exposure at Council owned or controlled facilities such as beaches, swimming pools, reserves, parks and public walkways, will be assessed with a view to mitigating the risk by using signs as remote supervision.</p> <p>Remote supervision signage will be used to advise or warn people of inherent dangers in the environment in which they are operating.</p> <p>Council's <i>Signs as Remote Supervision Code of Practice</i> includes procedures in relation to its signs used as remote supervision, based on current best practice.</p>
4	<p>Risk Management</p> <p>Council will conduct a regular site risk audit for all Council owned or controlled beaches, pools, parks and reserves, skate parks and BMX facilities.</p> <p>The site risk audits will include inspection and assessment of defects and appropriateness of existing remote supervision signage, and make recommendations regarding any maintenance, installation or changes to signs.</p>
5	<p>Installation and Replacement</p> <p>Signs as Remote Supervision (SARS) shall be provided as resources permit, based on a priority rating as per Council's Code of Practice.</p> <p>SARS signs in existence currently not meeting the current best practice and/or Australian Standards shall be replaced as resources permit, in priority order, as per Council's Code of Practice.</p>

Implementation

Requirements	Responsibility
<p>1 Code of Practice</p> <p>This Policy will be implemented by following Council's <i>Signs as Remote Supervision Code of Practice</i>, which specifies in detail the procedures and rating formula for facilities.</p> <p>A rating formula will be used to assess all Council's facilities and allocate a Facility Visitation Rating (FVR) based on public usage.</p> <p>Facility Visitation Rate = (Development x Population) + Frequency.</p> <p>The value of the FVR is an indication of the risk that Council is exposed to related to the activities that occur in each facility. This value will allow Council to decide on the most appropriate sign which in turn will act as the most suitable form of remote supervision.</p> <p>Once the FVR has been determined and the hazards for each facility identified, appropriate SARS signs will be installed as warranted.</p>	Council officers
<p>2 Staff</p> <p>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.</p>	Council officers
<p>3 Concerns</p> <p>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.</p>	Council officers
<p>4 Consultation</p> <p>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.</p> <p>Staff, other Councils, regional risk groups, and Council's regional risk manager have been consulted in the development of this Policy, along with current Best Practice documentation and Australian Standards.</p> <p>Public submissions regarding this Policy are invited for consideration during the exhibition period.</p>	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 2020.

This Policy may also be reviewed and updated as necessary if legislation requires it; or when Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages signs as remote supervision.

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

Performance indicator	Data source(s)
Complaints	Council records
Customer Feedback Survey Responses	Surveys
Risk Audit Site Inspections	Inspections
Internal or external audit	Audit
Number of incidents at facilities	Council records
Number of liability claims	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
Eurobodalla Shire Council's <i>Signs As Remote Supervision Code of Practice</i>	ESC Signs as Remote Supervision Code of Practice
Eurobodalla Shire Council's <i>Risk Management Policy</i>	ESC Risk Management Policy
Eurobodalla Shire Council's <i>Parks, Playgrounds & Reserves Risk Management Policy</i>	ESC Parks, Playgrounds & Reserves Risk Management Policy
<i>Local Government Act 1993</i>	Local Government Act 1993
<i>Civil Liability Act 2002</i>	Civil Liability Act 2002

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
Australian Standard AS/NZS ISO 31000:2009	www.standards.org.au
<i>Signs As Remote Supervision Best Practice Manual</i> (Statewide Mutual)	www.statewide.nsw.gov.au

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 09	Council	09/291	E09.3418	Policy adopted. G09/99.
2	27 Aug 2013	Council	13/246	E13.7095	Updated Template, review date, added references and links. Report o13/131.

3	dd mmm 2016	Council	TBA	E16.0297 E06.0375	Reviewed and updated (start of new Council term)
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Internal use

Responsible officer		Director, Infrastructure Services		Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	E06.0375	Review date	Sep 2020	Pages	5

POLICY

Policy title	Grazing of Stock on Public Roads
Responsible manager(s)	Director, Infrastructure Services
Contact officer(s)	Divisional Manager, Works
Directorate	Infrastructure Services
Approval date	2016
Focus area	<i>Liveable Communities</i> Objective 2.2: Shared responsibility for community safety
Delivery Program link	<i>Community Spaces</i> L5.2 Manage and maintain a safe, sustainable and accessible range of community spaces
Operational Plan link	<i>Community Spaces</i> L5.2.1 Undertake maintenance program

Purpose

This Policy establishes the requirements to minimise the risk arising from the grazing of stock on public roads.

Policy aims

This Policy aims to:

- promote an integrated framework for dealing with grazing stock on public roads;
- ensure consistency and fairness in the manner in which Council deals with farmers and graziers and the travelling public;
- ensure compliance with legislative requirements under the Rural Lands Protection Act 1998;
- promote awareness of the requirements of the Act with respect to stock permits;
- take such steps as are appropriate to ensure Council is indemnified against public liability claims associated with or resulting from the grazing of stock on road reserves; and
- make Council's policies and requirements for grazing of stock on public roads readily accessible and understandable to the public.

Policy details

1	Application This Policy identifies the need and procedure for Council to be indemnified against public liability claims associated with or resulting from the grazing of stock on road reserves under Council's control. This Policy also specifies the conditions to be imposed to reduce the risk to the travelling public.
2	Legislation Eurobodalla Shire Council will comply with the Rural Lands Protection Act 1998

Implementation

Requirements	Responsibility
1 Persons wishing to graze stock on a road reserve under Council's control require approval from the South East Livestock Health and Pest Authority (SELHPA). The <i>Rural Lands Protection Act 1998</i> Section 101 (3) requires that a stock permit cannot be issued authorising a person to graze stock (other than travelling stock) on a public road without the concurrence of the local authority in which the road is vested.	Applicant
2 Council's Public Liability insurance cover does not extend to the liability of farmers and graziers utilising roadside reserves for stock grazing. Council will require the person seeking approval to hold public liability insurance cover for \$20,000,000, including appropriate clauses listing Council as an 'interested party'.	Applicant Council
3 Council will also require appropriate conditions of consent including acceptable traffic management arrangements.	Applicant Council
4 Approvals for grazing stock on road reserves will be limited to low volume local roads (typically less than 200 vehicles per day).	Council
5 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
6 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
7 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

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 2020.

This Policy may also be reviewed and updated as necessary if legislation requires it; or when Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages the grazing of stock on public roads.

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

Performance indicator	Data source(s)
Delivery Program/Operational Plan outcomes achieved	Council reporting
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
Related Eurobodalla Shire Council Policy or Code of Practice	ESC Policies Register
Local Government Act 1993	Local Government Act 1993
Rural Lands Protection Act 1998	Rural Lands Protection Act 1998
Southeast Local Land Services (formerly South East Livestock Health and Pest Authority)	http://southeast.lls.nsw.gov.au/

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	E02.6988 E09.3418	Policy reviewed and adopted – report G09/145
2	23 Jul 2013	Council	13/172	E13.7095	Updated Template, review date, references and links – report O13/112
3	dd mmm 2016	Council	TBA	E16.0297 E06.0113	Reviewed and updated (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 E16.0297	Review date	TBA	Pages	3

Policy title	Community grants
Responsible manager(s)	Director Finance and Business Development
Contact officer(s)	Divisional Manager Governance and Information
Directorate	Finance and Business Development
Approval date	TBA 2017
Focus area	Support Services
Delivery program	SS1.2 Maintain a sound governance framework within which Council operates
Operational plan	SS1.2.2 Ensure transparency in council dealings

Purpose

Section 356 of the *Local Government Act 1993* allows Council to grant financial assistance for the purpose of exercising its functions.

Eurobodalla Shire Council recognises the value and importance of the role that community groups and organisations play in building vibrant, inclusive and healthy communities.

Council provides grants funding to a range of organisations for the purpose of providing a community service or undertaking a project of benefit to the community. The purpose of this policy is to set out Council's framework for delivering grant funding to the community, and provide information for Council and the community on the principles guiding the community grants program.

This policy specifically reflects Council's approach to grant-making within the Eurobodalla environment, with consideration to local government's role in achieving community cohesion, civic participation and capacity building.

Policy aims

This policy aligns community grants with Council's strategic objectives and planning, and supports the community vision from the current Community Strategic Plan to encourage commitment to our future and a sense of common purpose and responsibility. It establishes clear expectations around Council and community roles; provides Council with direction to develop community grants and funding programs; and sets out an accessible yet rigorous and robust approach to governance and accountability. This ensures the process of allocating and monitoring grants is fair, consistent, and transparent.

The objectives of the community grants program are to:

- increase residents' participation in their community,
- increase representation of community groups and issues,
- develop innovative approaches to local issues,
- assist groups and volunteers to develop skills and build capacity,
- encourage the sustainability and better governance of community organisations, and
- encourage partnerships between local organisations and the development of local community networks.

Policy statement

1	Application This policy applies to all financial assistance granted by Eurobodalla Shire Council to the community. It applies to all councillors and Council employees involved in the promotion, assessment and management of community grants that fall within the program framework.
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	This includes managing relationships with organisations receiving Council funding, promoting various grant categories to the community, assisting applicants with grant submissions, undertaking grant assessments, and overseeing the completion of grant recipients' funding obligations.	
2	<p>Legislation</p> <p>Council can financially assist others under section 356 of the <i>Local Government Act 1993</i> (LGA), for the purpose of exercising its functions.</p> <p>Financial assistance granted by Council will comply with s356 of the LGA to exercise Council's service functions defined by the LGA.</p> <p>Under section 377(1A) of the LGA, Council may delegate its functions relating to the granting of financial assistance if:</p> <ul style="list-style-type: none"> (a) the financial assistance is part of a specified program, and (b) the program is included in Council's draft operational plan for the year in which the financial assistance is proposed to be given, and (c) the program's proposed budget for that year does not exceed 5 per cent of Council's proposed income from the ordinary rates levied for that year, and (d) the program applies uniformly to all persons within Council's area or to a significant proportion of all the persons within Council's area. <p>Any financial assistance granted to offset or subsidise Council fees or charges is consistent with the requirements of s610E and s610F of the LGA.</p>	
3	<p>Program framework</p> <p>The grants program framework follows best practice and integrates Council's grant funding activities so that they strategically align with community needs identified within the Community Strategic Plan (CSP), Council's Delivery Program (DP) and Operational Plan (OP). Grants are distributed by the program via defined streams and categories, in accordance with Council's strategic plans, objectives and community priorities.</p> <p>The community grants program intends to be responsive to emerging themes, issues and trends. Priorities will be influenced by the best available current statistics and knowledge of Council and the community. Streams, objectives and themes will be reviewed regularly and may change according to emerging needs and priorities of the community.</p> <p>Details will be clearly articulated to the community through respective grant guidelines.</p>	
4	<p>Streams</p> <p>Grants are distributed through four streams that support the current Community Vision from the Community Strategic Plan.</p> <p>These streams may be reviewed and amended as necessary to maintain alignment with any future changes to the Vision, Plan or emerging community priorities which may be identified through community consultation and Council strategic planning.</p> <p>The four current streams are:</p>	
	<p>Liveable community</p> <p><i>Friendly</i></p>	<ul style="list-style-type: none"> • Support from community • Access to activities • Support for local talents • Enable healthy lifestyle choices • Provide the right places, spaces and activities • Improve local access to health services • Community safety • Accessible and affordable lifestyle • Celebrate creativity and cultural expression
	<p>Sustainable community</p> <p><i>Responsible</i></p>	<ul style="list-style-type: none"> • Effective use of resources • Value, protect and enhance our natural environment • Develop a clean energy future • Use our water wisely • Reduce, reuse and recover waste

	Productive community <i>Thriving</i>	<ul style="list-style-type: none"> • Increase opportunities to work locally • Motivation • Develop the right assets and infrastructure • Support the growth of our business community • Promote our community as the place to visit, live, work and invest • Quality education and training • Supply of information
	Collaborative community <i>Proud</i>	<ul style="list-style-type: none"> • Eurobodalla leads the way • Community spirit • Community events • Connecting with community groups • Removing barriers • Broad, rich and meaningful engagement • Informed community • Sense of community • Work in partnership to plan for future • Strong relationships and shared responsibilities
5	Grants categories The Community Grants program delivers financial assistance through the following grant categories: <ul style="list-style-type: none"> • Mayoral grants • Annual grants • 4-yearly grants • Events grants Each category includes one or more streams of funding aligned to the current community vision from the Community Strategic Plan, with individual eligibility and assessment criteria (defined in full detail in the program procedures and guidelines) Grants may be distributed in the form of monetary or ‘in-kind’ contributions.	
6	Mayoral grants <i>Approval: Mayor (delegated under s.377(1A) LGA)</i> Financial assistance grants of up to \$750 for Eurobodalla residents where the outcome is likely to enhance the social, recreational, and cultural wealth of the Eurobodalla. Grants may be provided towards expenses incurred by applicants for: <ul style="list-style-type: none"> • individual or team achievement in sport and recreation or arts and cultural activities, or • delivery of a one-off initiative with special social, recreational or cultural benefit to the community. Mayoral grants allow Council to provide assistance for applications of merit throughout the year which do not meet application or eligibility requirements for other types of grants. Applications are accepted at any time throughout the year but grant allocation is dependent on the remaining budget allocation allowed in the Operational Plan. <ul style="list-style-type: none"> • Council delegates authority to the Mayor to distribute these grants under s.377(1A) of the LGA. The purpose for the financial assistance must fall within the service functions defined by the LGA. If there is any doubt as to whether a matter relates to a function of Council then it will be referred to Council for determination. • An individual Mayoral grant must not exceed \$750. • The Mayor is to report to Council in conjunction with each quarterly Operational Plan review, detailing all grants approved and declined for the quarter. 	

	<ul style="list-style-type: none"> • The General Manager must be consulted where there is any doubt as to the potential for a conflict of interest. Where there is any potential for a conflict of interest the General Manager will prepare a report for the consideration of Council. • Where the applicant is a licensed body, or where the beneficiary is likely to be a State or Federal Government function, the matter will be referred to Council for determination. • The total actual donations provided by a Mayor under delegated authority should bear the same relationship to total budget as the Mayor's term of office, so that if another Mayor is elected part way through the financial year there is a commensurate amount of budget remaining to be expended. • The Mayor has delegated authority to grant assistance from budget allocation for special or emergency events, but is to report to Council in conjunction with each quarterly Operational Plan review.
7	<p>Annual grants</p> <p>The Annual grants category provides funding to community organisations, groups and clubs for activities, projects or equipment that support community-strengthening initiatives or improve the quality of life of Eurobodalla residents. Annual grants will not be provided for private, individual or political gain.</p> <p>Some of this grant funding is distributed by Council on behalf of, or in collaboration with other agencies or organisations.</p> <p>This is a competitive category with application windows opened at various times during the year, depending on the stream. Annual funding does not continue into subsequent years and previous recipients are invited to re-apply each year when applications are open.</p> <p>Annual grants funding is distributed through the following streams:</p> <p><i>Liveable community –</i></p> <p>Healthy Community grants <i>Approval:</i> Council resolution</p> <p>For projects to improve the health and wellbeing of people in the Eurobodalla.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan for each financial year. • Applications are sought once per year and will not be accepted outside the annual application period. • Individual grants are generally limited to the advertised amount determined each year. However, amounts may vary and are determined on an individual basis, merit and may be subject to conditions regarding timing of use. • A panel will review applications and make recommendations to Council for approval. <p>Seniors week grants <i>Approval:</i> Council resolution</p> <p>For projects to improve the health and wellbeing of older people in the Eurobodalla.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan for each financial year. • Applications are sought once per year and will not be accepted outside the annual application period. • Individual grants are generally limited to the advertised amount determined each year. However, amounts may vary and are determined on an individual basis, merit and may be subject to conditions regarding timing of use. • A panel will review applications and make recommendations to Council for approval.

NAIDOC week grants

Approval: Council resolution

For Eurobodalla's not-for-profit organisations, schools and community groups to run local NAIDOC (National Aboriginal and Islander Day Observance Committee) Week activities.

- Council will approve a budget allocation in the Operational Plan for each financial year.
- Activities must promote partnership with the Aboriginal community or an Aboriginal organisation and encourage wider community participation in NAIDOC Week.
- Applications are sought once per year and will not be accepted outside the annual application period.
- Individual grants are generally limited to the advertised amount determined each year. However, amounts may vary and are determined on an individual basis, merit and may be subject to conditions regarding timing of use.
- A panel will review applications and make recommendations to Council for approval.

Use of Council land by not-for-profit groups

Approval: General Manager (delegated under s.377(1A) LGA)

Support for Eurobodalla's not-for-profit group activities during the year, where the group holds a licence for a facility or land under Council care and control. These grants offset the annual licence fee held by the group for the land use.

- Applications are approved in conjunction with the licence renewal.
- The applicant group must provide evidence of tangible public benefit, such as social, sporting or cultural opportunities, or environmental and economic development outcomes.
- Membership of the applicant group must be reasonably available to the general public and the use of the land by other members of the general public must not be unreasonably restricted by the use by the applicant group.
- The applicant group may be an incorporated society or incorporated group, but must not be operated for private or pecuniary gain or commercial profit.
- Use of the land by the applicant group should not negatively impact on Council's budget and the land must not be solely used for storage by the applicant group.

Sustainable community –

Waste disposal grants

Approval: Council resolution

To encourage and assist community involvement in the management of waste minimisation for the benefit of the whole community. These grants contribute toward waste disposal (tipping) fees for registered charities and not-for-profit sporting, social and cultural organisations providing community services or benefits, such as; historical societies, Schools of Arts, CWA, public halls, pre-school kindergartens, aquatic and surf clubs and the like.

- Council will approve a budget allocation in the Operational Plan for each financial year.
- Applications are sought once per year and will not be accepted outside the annual application period.

- Successful grantees will be granted an annual waste management facility account allowance, to cover estimated waste disposal costs.
- Based on the annual application process, these grants will be specifically provided for in the Operational Plan. Additional applications resulting from submissions on the draft Operational Plan may also be considered by resolution of Council, based on merit and funding availability.
- Where a grantee utilises all of their granted account allowance before the end of the financial year, they may apply for special consideration of additional funding by resolution of Council, dependent on benefit to the community and remaining budget allocation.

Local Heritage Places grants

Approval: Council resolution

To encourage conservation of heritage items identified in the Eurobodalla Local Environmental Plans and assist property owners to carry out restoration works which involve repair, maintenance or reinstatement of missing items on heritage buildings.

- Eligible projects are those related to preservation work on a heritage property that is listed as a heritage item in the *Eurobodalla Local Environmental Plan 2012*, the *Eurobodalla Local Environmental Plan 1987* or the *Eurobodalla Urban Local Environmental Plan 1999*.
- Each year Council will invite owners of heritage buildings listed in Eurobodalla to apply for Local Heritage Places Grants.
- Total available grant funding is determined on an annual basis and includes a grant from the Heritage Division of the NSW Office of Environment & Heritage.
- The level of funding that can be made available for each project is capped at a maximum amount as advertised each year. The applicant will be required to contribute a minimum of \$1 for every \$1 offered from the grant fund.
- Council's Heritage Advisor will consider applications and make recommendations for endorsement by the Heritage Advisory Committee, for approval by Council.
- All works must be completed and an acquittal report submitted by the grantee at the beginning of May within the same financial year as the funds are approved.

Productive community –

Schools and education grants

Approval: Council resolution

Council will consider a grant to local schools and education establishments for annual speech night awards, for academic and other achievement.

Council will also consider granting contributions toward annual scholarships offered by universities and other educational institutions.

- Council will approve a budget allocation in the Operational Plan for each financial year.
- Applications are invited once per year and will not be accepted outside the advertised application window.
- Successful grantees will be granted an annual amount to contribute to school speech night awards and events, or toward annual scholarships.

	<ul style="list-style-type: none"> Grantees are required to recognise Council's contribution and invite the Mayor or a councillor to the speech night or scholarship award ceremony. <p><i>Collaborative community –</i></p> <p>Southern Phone Community grants <i>Approval: Council</i></p> <p>Eurobodalla Shire Council is one of Southern Phone's shareholders, and this grant program is one of the ways Southern Phone returns its profits to the community.</p> <p>These grants have provided up to \$25,000 (in total) annually to Eurobodalla community groups to run projects which provide a direct benefit to the community that would not usually be funded by Council in its normal course of business.</p> <ul style="list-style-type: none"> Availability of these grants is dependent on Southern Phone Company's decision to offer the grant funding in any particular year. Access to the grant is subject to offer of grant funding by Southern Phone Company to the Mayor, who will designate a grant administrator within Council. Community groups will be invited by Council to apply once per year. Funding will only be provided to grantees for projects which meet the objectives of the Southern Phone grant guidelines and provide a physical asset for, or service to, the community. Funding will generally only be extended to legally constituted, not-for-profit, non-political and non-advocacy community groups or organisations. An approval panel (including the Mayor) will determine the applications to be forwarded to Southern Phone Company for consideration. Grants will be made available by Council resolution upon approval by Southern Phone Company, and the grant administrator will distribute the funds to the approved recipients. Full terms and conditions of the Southern Phone grants scheme apply.
8	<p>4-yearly grants</p> <p>4-yearly grants support the operating costs associated with the delivery of community services and initiatives by organisations in the Eurobodalla. The 4-yearly funding period provides the financial certainty needed to improve an organisation's capacity to plan and deliver community services and initiatives that collectively strengthen Eurobodalla's social, recreational, economic and cultural infrastructure. Grants must provide demonstrated community benefits.</p> <p>This is a competitive category with applications opened every 4 years. Grants will only apply for the approved 4-year funding period with recipients invited to re-apply when applications are opened for the next period.</p> <p>Funding allocations are available over a 4-year term. The 4-yearly application process will allow these grants to be specifically provided for in the Operational Plan. Any additional applications resulting from submissions on the draft Operational Plan may also be considered by resolution of Council, based on merit and funding availability.</p> <p>4-yearly grants funding is distributed through the following streams:</p>

Liveable community -

Rates subsidy grants

Approval: Council resolution

Council will consider a grant to partially subsidise the annual rates and charges showing on the rates assessment for registered charities and not-for-profit sporting, social and cultural organisations providing community services or benefits, such as; historical societies, Schools of Arts, CWA, public halls, pre-school kindergartens, aquatic and surf clubs and the like.

- Council will approve a budget allocation in the Operational Plan for each financial year during the 4-year period.
- Public notice of the amount of rates grants will be given in the draft Operational plan for the year in which the fee is to be subsidised, to satisfy section 610E of the LGA.
- Rates subsidy grants can be applied to rented or leased premises where the applicant is responsible for the rates payment.
- Rates subsidy grants will not be available to: organisations that have licensed premises; organisations with significant commercial or surplus income; organisations funded by another level of government; churches or other religious groups.
- If a new application of merit is received after the date on which the Operational plan commences, Council must give public notice (in accordance with section 610E of the LGA) for at least 28 days of the subsidised rates proposed. The grant (if approved by Council resolution) will only apply from the date of the application for the remainder of the 4 year funding period, on a pro-rata basis.

Safety and emergency services grants

Approval: Council resolution

For their significant contribution to community safety and wellbeing, Council will consider grants toward operational costs for Surf Life Saving clubs and emergency organisations such as Volunteer Coastal Patrol and Rescue Squads, helicopter services and the like.

- Council will approve a budget allocation in the Operational Plans for each financial year over the 4 year funding period.
- Applications will be sought every 4 years, and will not be accepted outside the advertised application window.
- Successful grantees will be granted an annual amount to contribute to operational costs associated with delivery of services.
- Grantees will be required to provide an acquittal to Council with details of how the funding provided services to the community.

Sustainable community -

Domestic waste collection grants

Approval: Council resolution

Council will consider a grant to partially subsidise the annual domestic waste collection charge, currently not shown on the rates assessment for registered charities and not-for-profit sporting, social and cultural organisations providing community services or benefits, such as; historical societies, Schools of Arts, CWA, public halls, pre-school kindergartens, aquatic and surf clubs, and the like.

	<ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan for each financial year over the 4 year funding period. • Public notice of the amount of subsidised domestic waste collection charges will be given in the draft Operational plan for the year in which the fee is to be subsidised, to satisfy section 610E of the LGA. • Domestic waste collection grants may be applied to rented or leased premises where the grantee is responsible for the rates payment. • Domestic waste collection grants will not be available to: organisations that have licensed premises; organisations with significant commercial or surplus income; organisations funded by another level of government; churches or other religious groups. • If a new application of merit is received after the date on which the Operational plan commences, Council must give public notice (in accordance with section 610E of the LGA) for at least 28 days of the subsidised rates proposed. The grant (if approved) will only apply from the date of the application for the remainder of the 4 year funding period, on a pro-rata basis.
9	<p>Events grants</p> <p><i>Approval: General Manager (delegated under s.377(1A) LGA)</i></p> <p>Council recognises the value and vitality that events bring to the community, and has identified strategic goals to help the local economy grow and develop and promote a vibrant cultural and leisure tourism destination.</p> <p>Events grants provide support for the two types of events described in Council's current Events policy*:</p> <ul style="list-style-type: none"> • <i>Commercial events</i> - which directly benefit the local economy, and • <i>Community events</i> - that support community-strengthening initiatives. <p>To support these two event types, there are two streams in the Events grants category:</p> <p><i>Productive community -</i></p> <p>Events Support Program (ESP)</p> <p><i>Approval: General Manager (delegated under s.377(1A) LGA)</i></p> <p>The Event support program provides grants for commercial events that directly benefit the local economy by attracting large visitor numbers to the area, or provide the area with local, national or international recognition. Due to the nature of these events, financial assistance may on occasion result in commercial gain/ benefit for the grantee.</p> <p>Council offers an ESP to support and grow events which provide Eurobodalla with an economic boost. The ESP is not currently designed as an events bidding program.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan each financial year. • All events will be assessed against selection criteria. Assistance is granted on the basis of the level of economic benefit to Eurobodalla. • Assistance granted is subject to meeting the minimum requirements of the ESP and remaining annual budget allocation. • Assistance granted may be monetary or in-kind support (see In-Kind support).

	<ul style="list-style-type: none"> Grantees receiving financial support through the ESP are required to complete an event acquittal form and submit to Council no later than 60 days post event or they will become ineligible for future years of funding. <p><i>(*Note: Council's Events Policy is due for review in February 2017 and will be reviewed in light of Council's Events Strategy. This Community Grants policy will be amended as necessary to reflect any changes to the Events policy, Events strategy and the distribution of events grants funding.)</i></p> <p><i>Collaborative community –</i></p> <p>Community events grants Approval: General Manager (delegated under s.377(1A) LGA)</p> <p>This stream distributes grants for local not-for-profit organisations, clubs and sporting groups to provide community events and social, cultural and sporting activities that create and foster a positive community spirit through involvement, participation, relationship-building and co-operation.</p> <p>This is a competitive category with application windows opened once per year. (Note: organisations or groups with urgent applications of merit which fall outside an open application window may instead be eligible to apply for a Mayoral grant.)</p> <ul style="list-style-type: none"> Grants provide assistance to not-for-profit community groups for use of Council-owned facilities and venues for social, cultural and recreational events and activities during the year, including charity fundraising events. Grants also provide assistance to community activities and gatherings of a small scale, which may only require a booking for the use of a Council venue or public space such as a street, park, beach, sportsground or reserve. Assistance may be monetary, such as a payment to off-set booking fees for use of a Council venue; or in-kind support (see In-Kind support).
10	<p>In-Kind support</p> <p>Some applications for grants may seek to access, at no cost to the grantee, Council plant and equipment or staff time and other resources. This “in-kind” support may not involve a direct cash component but still has financial consequences and budgetary implications.</p> <p>In-kind support may include (but is not limited to): preparation of traffic control plans, site plans, survey, design, review of environmental factors, or formwork; provision of traffic control, road closures or special clean-up for events, including waste collection and toilets; staff support for community event planning and set up; provision of temporary fencing; physical construction, earthworks or maintenance works at a project site involving Council plant and/ or labour.</p> <ul style="list-style-type: none"> For the purposes of assessing these applications, Council will first establish the in-kind cost and then decide the application. For approved applications, the value of the in-kind support will be recognised as a grant to offset the budget allocation from which the works were provided.
11	<p>General Conditions</p> <p>The following conditions apply to all applications for financial assistance from Council:</p>

	<ul style="list-style-type: none"> Financial assistance will only be granted by Council as per legislation for the purpose of exercising Council's functions as defined by the LGA. Specified grants program expenditure will not exceed 5% of Council's income from ordinary rates for the year with limits on the maximum assistance provided to a grantee. Financial assistance will not normally be provided unless it has been disclosed and consulted via the draft Operational Plan and subsequently included in a specific program within the adopted Plan and budget. However, Council may by resolution approve a budget amendment to authorise an exception, within the provisions of s356 of the LGA. Disclosure of financial assistance within the Operational Plan will be on a program basis, and may not necessarily disclose specific recipients, although decisions as to particular recipients will be publicly available. Grant applications will be accepted only during the advertised application period for the relevant grant category or stream. If applications for other financial assistance for matters of merit arise outside a specific grant program category or application window, Council may resolve at a public meeting to approve the application, subject to any required public notice and availability of funds. Grant approval will be limited to the defined funding period. Approved applications will not automatically continue on to subsequent years. Grantees will be required to re-apply at the commencement of the next approval period. Applications in competitive categories will be assessed on merit and available funding. Council may employ appropriate ranking criteria including weighted attributes to assist with assessment of applications in competitive categories. Council may assess and approve applications on the basis of the total grants funding the applicant has been granted, across all of the program categories. Grants will not be made by way of reductions or waiver of fees or charges, but rather any fees and charges will be recognised in full with a corresponding grant subsidy recognised in the appropriate activity cost centre. All grantees are required to publicly recognise Council's contribution. Generally, grants are not to be for private, pecuniary or commercial gain. A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under section 356(2) of the LGA, until at least 28 days' public notice of Council's proposal to pass the necessary resolution has been given. This public notice is <i>not</i> required if: <ul style="list-style-type: none"> (a) the financial assistance is part of a specific program, and (b) the program's details have been included in Council's draft operational plan for the year in which the financial assistance is proposed to be given, and (c) the program's proposed budget for that year does not exceed 5 per cent of Council's proposed income from the ordinary rates levied for that year, and (d) the program applies uniformly to all persons within Council's area or to a significant group of persons within the area.
13	<p>Eligibility and exclusions</p> <p>To be eligible for funding through the Community grants program, applicants must:</p> <ul style="list-style-type: none"> (a) apply via the appropriate online application form, (b) demonstrate how funds will be used for the purpose of exercising Council's functions,

	<p>(c) meet all specific eligibility requirements and criteria in this policy and the grants procedures and guidelines,</p> <p>(d) have no outstanding debts to Eurobodalla Shire Council,</p> <p>(e) sign and comply with the funding agreement accepting the conditions of funding, and</p> <p>(f) provide any required acquittals to Council for grant funding received.</p> <p>Applications will not be accepted from the following recipients:</p> <ul style="list-style-type: none"> • Commercial or profit-making enterprises or projects (with the exception of Commercial events via the ESP); • Political parties; • Government departments. <p>Applications will not be accepted for the following purposes:</p> <ul style="list-style-type: none"> • General fundraising activities; • General shortfalls in funding by government departments; • Completed or retrospective activities/ projects; • Duplication of existing services.
14	<p>Application and assessment</p> <p>To simplify the process across the organisation, reduce administrative costs and ensure an equitable distribution of financial assistance, all grant applicants in competitive categories will be required to submit a new online application for a grant to be made within each funding period. The grants program procedure and guidelines will provide full details of the application and assessment process.</p> <p>The application acceptance period will be advertised by Council for each category and stream in accordance with the grants program procedures and guidelines.</p> <p>Previous recipients will be invited to re-apply for the next grant application round. Grants approved during the application period will be budgeted for in the Operational Plan.</p>

Implementation

Requirements		Responsibility
1	<p>Program procedures and guidelines</p> <p>This policy will be supported by an internal procedures document and grant guidelines for applicants. Procedures and grant applications will be administered by the relevant division responsible for the respective grants offered.</p> <p>Applicants should refer to the guidelines for applicants for information about eligibility, how to apply and the approval process.</p>	<p>Council officers</p> <p>Applicants</p>
2	<p>Applications and acquittals</p> <p>All applications and acquittals will be made and managed through Council's online grant management system.</p>	<p>Applicants</p> <p>Council officers</p>
3	<p>Mayoral grants</p> <p>A checklist is provided to the Mayor that reflects the requirements of the policy to assist in the determination of a grant application.</p>	<p>Mayor</p>

	A Council officer will be appointed as grants administrator to assist the Mayor with administration of Mayoral grants.	Grants administrator
4	Healthy Communities, Seniors Week, and NAIDOC week grants (annual) A panel will review applications and acquittals and make recommendations to Council for approval.	Director, Community Arts & Recreation
5	Not-for-profit group licence grants Applications will be determined under the Property Manager in conjunction with licence renewals.	Property Manager
6	Local Heritage Places grants (annual) Applications and acquittals will be reviewed and managed by the Heritage Planner with recommendations made to the Heritage Advisory Committee for approval.	Heritage Planner Heritage Advisory Committee Council
7	Waste disposal grants, School and educational grants (annual) Applications invited once per year with a report to Council for approval by resolution.	General Manager Council
8	Southern Phone Community grants (annual) Subject to availability and Southern Phone Company terms and conditions. Applications recommended to Southern Phone Company by approval committee (incl. Mayor), and successful grants administered by the designated Grants administrator (Council officer)	Mayor and approval panel Grants administrator Council
9	4 yearly grants: Rates, Safety and emergency services, and Domestic Waste Collection Applications invited once every 4 years with report to Council for approval by resolution.	General Manager Council
10	Events grants – Events Support Program (ESP) See Events Policy, ESP Guidelines*. Applications will be determined by the Divisional Manager, Business Development & Events under delegated authority, within budget allocated by Council each year.	Div. Manager, Business Development & Events
11	Events grants – Community events Applications will be determined by the Divisional Manager, Community and Recreational Development under delegated authority, within budget allocated by Council each year.	Div. Manager, Community & Recreational Development
12	Finance Grants program budget allocations will be included in the annual Operational Plan and budget each financial year. Cost centres will reflect the grants categories to enable accurate and transparent reporting of financial assistance granted to the community. Grants to subsidise fees/ charges will see the fee/ charge applied in full with a corresponding grant subsidy allocated to the relevant cost centre.	Council Director, Finance and Business Development

13	Staff Under supervision, applicable 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
14	Concerns Concerns received by 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 follow up actions and analyse the history of concerns.	Council officers Public Officer
15	Consultation Substantive changes to this policy will be placed on public exhibition for 28 days for community comment and submissions. Proposals to approve grants which may be for private gain, or which involve a subsidy toward a fee or charge not included in the Operational Plan, will be placed on public exhibition for 28 days.	Council officers Community submissions

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 financial assistance granted under s356 of the LGA.

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 2020.

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

Performance indicator	Data source(s)
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit
Number of applications received and approved	Council records
Donations and grants remain within allocated budget	Council records
Acquittals confirming return on investment	Council records
No statutory breaches	Council records

Definitions

Word/ Acronym/ Phrase	Definition
Competitive category	A competitive grants category involves applications being open to all eligible applicants with applications decided on merit and budget availability.
Grantee	A recipient of grant funding.

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
Council policies	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	24 Nov 2009	Council	09/369	E06.0380 E09.3418	Policy commenced, replacing all related policies and codes.
2	10 Sep 2013	Council	13/272	E06.0380 E13.7095	Reviewed and updated.
3	TBA 2017	Council	17/ TBA	E06.0380 E16.0297	Renamed to Community Grants policy. Completely revised and updated after review of grants program to encompass all financial assistance grants provided by Council.

Internal use

Responsible officer	Director Finance & Business Development		Approved by	Council
Min No	17/TBA	Report no	TBA	Effective date: DD MM 2017
File no	E06.0380 E16.0297	Review date	TBA	Pages: 15

Policy title	Borrowing Management Policy
Responsible manager(s)	Director Finance and Business Development
Contact officer(s)	Divisional Manager Finance
Directorate	Finance and Business Development
Approval date	To be inserted
Focus area	Support Services
Delivery Program link	SS1.1 Manage Council's financial assets and obligations SS1.2 Maintain a sound governance framework within which Council operates
Operational Plan link	SS1.1.1 Provide integrated corporate accounting and financial management systems and procedures SS1.1.2 Undertake forward budgeting and financial reporting SS1.2.1 Manage council risk and insurances SS1.2.2 Ensure transparency in council dealings

Purpose

Council seeks to ensure that its borrowing policy and related procedures are publicly transparent and meet good business and best practice criteria including controls over identified risks. Council has a strong preference for certainty in relation to debt repayment, management of risk, and to minimise administrative complexity.

Eurobodalla Shire Council's policy was developed to govern the objectives, procedures and controls in relation to the Council's borrowing decisions and processes.

Policy aims

- To ensure compliance with legislative requirements under sections 621 – 624 of the *Local Government Act 1993* (the Act), sections 229 – 230 of the *Local Government (General) Regulation 2005* and a borrowing order signed by the Minister Local Government (Office of Local Government Circular to Councils NO: 09.21)
- To promote awareness of the requirements of the Act with respect to borrowing management.
- To make Council's policies and requirements for borrowing management readily accessible and understandable to the public.
- To ensure Council has appropriate working capital (an unrestricted current ratio equal to or greater than 1.5:1 per the current OLG benchmark) to satisfy its obligations when they fall due, to deliver the outcomes of its Operational Plan and Delivery Program and to inform its long term financial strategies. Where Council finds itself in a strong liquidity position it shall consider replacing borrowings with cash. However, the intergenerational responsibility element of any loan funding will also be considered.
- To ensure that the costs of any expenditure can be recovered at the time that the benefits of that expenditure accrue. In particular debt may be used to fund capital expenditure that provides future service benefits (the principle of improving the valuation and pricing of social and ecological resources applies - the users of goods

and services should pay prices based on the full life cycle costs, this particularly applies to the matching of debt profiles to infrastructure asset profiles).

- To ensure that the debt is used in a manner consistent with competitive neutrality policy requirements.
- For procedures and controls to address risk and meet good business and best practice requirements.

Policy details

1	Application This borrowing policy is intended to govern the objectives, procedures and controls in relation to the Council's borrowing decisions and processes.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with Sections 621 – 624 of the <i>Local Government Act 1993</i> , Sections 229 – 230 of the <i>Local Government (General) Regulation 2005</i> and borrowing order signed by the Minister Local Government (Office of Local Government Circular to Councils NO: 09.21).

Implementation

Requirements		Responsibility
1	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 appropriate training to do so.	Council officers
2	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
3	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

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 2020.

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 Borrowing.

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

Performance indicator	Data source(s)
External review	Auditor
Interest rate exposure	Financial system
Liquidity risk	Financial system
Credit risk	Credit ratings

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
Asset Disposals policy	www.esc.nsw.gov.au/inside-council/council/council-policies
Local Government Act 1993	www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N
Local Government (General) Regulation 2005	www.austlii.edu.au/au/legis/nsw/consol_reg/lgr2005328/
Minister For Local Government Revised Borrowing Order	www.olg.nsw.gov.au/news/09-21-revised-borrowing-order

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	24/11/2009	Council	09/369	E09.3418	Policy commenced
2	23/04/2016	Council	13/110	E13.7095	Reviewed and updated (start of new Council term)
3	dd mmm 2016	Council	TBA	E16.0297 See list	Reviewed and updated (start of new Council term)

Internal use

Responsible officer	Director Finance and Business Development			Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	See list E16.0297	Review date	Sep 2020	Pages	3

Policy title	Debt Recovery
Responsible manager(s)	Director Finance and Business Development
Contact officer(s)	Divisional Manager Finance
Directorate	Finance and Business Development
Approval date	
Focus area	Support Services
Delivery Program link	SS1.1 Manage Council's financial assets and obligations
Operational Plan link	SS1.1.3 Levying and collection of rates and charges

Purpose

The purpose of this policy is to ensure ethical, effective and efficient debt recovery, including rates, charges and other debts.

Council pursues commercial debt recovery procedures in order to minimise the impact of outstanding debts on Council's financial position.

Debt recovery procedures of Council and any agent employed by Council must meet the highest ethical and professional standards, such as the Debt Collection Guideline for collectors and creditors, developed jointly by the Australian Competition and Consumer Commission (ACCC) and Australian Securities and Investments Commission (ASIC), in 2010.

Policy aims:

- To promote a clear guideline for the recovery of debts.
- To ensure consistency and fairness in the way Council deals with debt recovery.
- To ensure compliance with legislative requirements and financial industry guidelines.
- To take such steps as are appropriate to minimise the impact of outstanding debts on Council's financial position.
- To make Council's policy and requirements regarding debt recovery readily accessible and understandable to the public.

Policy details

1	Application This policy applies to Eurobodalla Shire Council and its ratepayers and debtors.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with the <i>Local Government Act 1993</i> and follows ACCC and ASIC debt collection guidelines.
3	Rates and Property Debts <ul style="list-style-type: none"> • All rates and property debts are to be recorded so that they are correctly and automatically included within any S603 certificate (or like certificate) and therefore correctly dealt with and settled during any property sale process.

	<ul style="list-style-type: none"> Commercial debt recovery procedures will be pursued in order to minimise the impact of outstanding debts on council's financial position. Council will adhere to ethical guidelines in respect of debt recovery procedures. Debtors will be advised of the likely additional legal costs prior to the issue of any summons. Land may be sold, with Council approval, where rate or other property debt arrears are greater than the land value of the property, or rates are in arrears for five years.
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Implementation

Requirements		Responsibility
1	Coordination and Implementation The Divisional Manager Finance and the Revenue Accountant are responsible for coordinating and implementing the policy.	Divisional Manager Finance and the Revenue Accountant
2	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 appropriate 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
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, statutory and industry bodies. 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 2020.

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 Debt Recovery.

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

Performance indicator	Data source(s)
Concerns	Council records
Customer Feedback Survey Responses	Surveys

Audit (Internal or External)	Audit
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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
Rates and Debtors Hardship Policy	www.esc.nsw.gov.au/inside-council/council/council-policies
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
Debt Collection Guideline for collectors and creditors (ACCC/ASIC) 2010	www.accc.gov.au/business/treating-customers-fairly/debt-collection#read-the-joint-accc-asic-guide

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	2006	Council	06/136	E06.0380	Debt Recovery and Debtor Accounts - Commercial Operations policy commenced.
2	22/09/2009	Council	09/369	E09.3418	Policy updated report G09-99.
3	27/08/2013	Council	13/246	E13.7095	Updated template, review date and links, renamed policy, consolidated 'Debtors and Recoveries' and 'Rates Recovery' policies into one policy. Report O13/131.
4	dd mmm 2016	Council	TBA	E16.30297	Reviewed and updated (start of new Council term).

Internal use

Responsible officer	Relevant director or GM			Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	See list E16.0297	Review date	Sep 2020	Pages	3