

<b>Policy title</b>	Complaints
<b>Responsible manager(s)</b>	General Manager
<b>Contact officer(s)</b>	Public Officer
<b>Directorate</b>	Corporate and Commercial Services
<b>Approval date</b>	
<b>Outcome area</b>	Innovative and Proactive Leadership
<b>Strategy</b>	9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision
<b>Delivery Program</b>	9.1.2 Implement effective governance
<b>Operational Plan</b>	9.1.2.3 Assist the Council in meeting statutory obligations and roles

### Purpose

Eurobodalla Shire Council is an organisation which exists to assist its customers and stakeholders consistent with the common good and within legal and statutory responsibilities. Dealing with complaints about Council's decisions, actions or procedures and analysing their causes is a positive process as it allows Council the opportunity to improve policy, procedures and services.

Council treats all complaints seriously. Every complaint received by council is given attention by appropriate staff in order to resolve the issues which are raised. Complaints should be resolved in a timely and cost effective manner.

The purpose of this policy is to facilitate a consistent, fair and equitable resolution to customer complaints at the earliest opportunity and in the most efficient, prompt and professional manner.

### Policy aims

- Provide a framework for receiving and responding to complaints from the public, as a means of improving customer service in all areas of Council's operations.
- Ensure that issues which are the subject of complaints are addressed promptly, and in a manner which, as far as possible, ensures that such issues will not be the subject of future complaints.
- Ensure the validity of the complaint is ascertained and the principles of enquiry are applied.
- Provide transparency and awareness to the community regarding Council's policy and procedure regarding complaints from the public.

### Policy statement

<b>1</b>	<p><b>Application</b></p> <p>This policy applies to complaints concerning Eurobodalla Shire Council's affairs, across all areas of Council. The policy provides a mechanism for handling the following types of complaints:</p> <ul style="list-style-type: none"> <li>• Code of Conduct (Councillor or staff behaviour)</li> <li>• Maladministration or Serious and Substantial Waste of public resources</li> <li>• Serious breakdown in Council's operations or the Council as a whole not operating satisfactorily</li> <li>• Conflict of interest (pecuniary/non-pecuniary)</li> <li>• Corrupt or Criminal activity</li> <li>• Competitive Neutrality</li> <li>• Breach of legislation e.g. copyright, Privacy, access to Government information</li> </ul>
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<b>2</b>	<p><b>Legislation</b></p> <p>Council complies with relevant legislation such as the <i>Local Government Act 1993</i>, <i>Government Information (Public Access) Act 2009</i>, <i>Independent Commission Against Corruption Act 1998</i>, <i>Ombudsman Act 1974</i>, <i>Public Interest Disclosures Act 2022</i>, <i>State Records Act, 1998</i> as well as the current version of the NSW Office of Local Government’s <i>Model Code of Conduct for Local Government Councils in NSW</i>.</p> <p>Council is guided by the NSW Ombudsman’s <i>Effective complaint handling guidelines</i> (Feb 2017) and Australian Standard <i>AS ISO 10002:2004, MOD: Customer satisfaction – guidelines for complaints handling in organisations</i>.</p>
<b>3</b>	<p><b>Complaints</b></p> <p>A complaint may relate to a specific activity, incident or issue involving Council, or to matters of a more philosophical or general nature regarding Council’s policy, processes and/or procedures.</p> <p><i>For the purposes of this policy, a complaint is an expression of dissatisfaction with:</i></p> <ul style="list-style-type: none"> <li>• a decision that Council has made</li> <li>• Conduct of Councillors, employees, volunteers or contractors</li> <li>• a Council policy or procedure</li> <li>• information or a service received from Council after making an enquiry or service request, and/or the timeliness of Council’s response.</li> </ul> <p><i>A complaint is not:</i></p> <ul style="list-style-type: none"> <li>• a request for service (unless there was no response to a prior request)</li> <li>• a request for information or explanation of policies or procedures</li> <li>• the lodging of an appeal in accordance with a standard procedure, policy or lawfully made determination (unless this is recorded as a complaint about Council’s decision-making)</li> <li>• an objection to a determination made on a Development Application (DA)</li> <li>• a submission to an item on public exhibition or notification.</li> </ul> <p>These matters may be more appropriately dealt with as Customer Service Requests (see below) or by contacting the relevant area of Council directly.</p>
<b>4</b>	<p><b>Customer Service Requests</b></p> <p>A Customer Service Request (CSR) is created when a customer contacts Council to request action or seek assistance relating to a Council service, function, facility, or to report a problem. The request is entered in Council’s Customer Request Management system and allocated a request number (referred to as an RM). The request is then tasked to the appropriate area of Council to investigate and process the request.</p> <p><i>A CSR is not the mechanism to make a complaint about a Council decision, action or procedure.</i></p>

	<p>Typical examples of CSRs are requests to:</p> <ul style="list-style-type: none"> <li>• report damaged or faulty infrastructure (e.g. damaged footpaths, potholes in roads), including safety issues</li> <li>• report hazards (e.g. a tree branch has fallen)</li> <li>• request Council assistance with compliance matters concerning neighbouring property (e.g. noise or unauthorised building works)</li> <li>• report animal control matters (e.g. barking dog, escaped livestock)</li> <li>• repair or replace a damaged water meter.</li> </ul> <p>CSRs can be lodged through the following Council areas:</p> <ul style="list-style-type: none"> <li>• Customer Assistance 4474 1000</li> <li>• Moruya Depot 4474 1391</li> <li>• Narooma Depot 4476 4144</li> <li>• Batemans Bay Depot 4472 4035</li> <li>• In person – customers can visit our Customer Service Centre at our main office, Eurobodalla Shire Council, cnr Vulcan and Campbell Street, Moruya.</li> </ul> <p>Alternatively customers can email <a href="mailto:council@esc.nsw.gov.au">council@esc.nsw.gov.au</a> and have the matter appropriately assigned to a member of staff for investigation and resolution.</p> <p>Please see Council’s Customer Service Policy for more information.</p>
<p>5</p>	<p><b>Type and Seriousness of Complaints</b></p> <p>Complaints to Council will vary in type and seriousness. In many circumstances the onus will fall on staff to determine the seriousness of the complaint, and what action may be appropriate in responding to the complainant. Council’s procedure is straightforward and provides for a number of levels for investigating complaints.</p> <p>Complaints can often be resolved very quickly and informally by the member of staff with whom customers have been dealing. Customers are encouraged to contact the member of staff, explain what has gone wrong and give them the opportunity to respond and resolve the issue immediately to the satisfaction of the complainant.</p> <p>Where the complaint is deemed to be of a more serious nature, staff should make a written record of the complaint and the advice provided to the complainant, and inform their supervisor or manager and the Public Officer immediately.</p> <p>Where a complaint is not resolved at the initial stage, or a more substantial inquiry or investigation is required, or in situations where Council has statutory obligations to refer complaints to external agencies, the complaint will be handled by the Public Officer or the General Manager.</p> <p>Where a report to Council is required due to the seriousness or complexity of the complaint, the matter should be referred directly to the General Manager.</p> <p>Where a complaint cannot be resolved internally by Council it will be referred to an appropriate external agency, or to some alternative dispute resolution procedure or, as a last resort, any legal remedy.</p>

	<p>Complaints about the Public Officer will be referred to the General Manager and complaints about the General Manager will be referred to the Mayor.</p>
<p>6</p>	<p><b>Lodging and Handling Complaints</b></p> <p>Council aims to make it as easy as possible for customers to contact Council by providing several options for customers to make contact:</p> <ul style="list-style-type: none"> <li>• <b>By phone</b> - on (02) 4474 1000. A staff member will record the complaint.</li> <li>• <b>Online</b> – customers can lodge a complaint via Council’s website <a href="http://www.esc.nsw.gov.au">www.esc.nsw.gov.au</a> by selecting "contact us" link on the top right corner of the home page on the web site. Users can click this link to a useful web page of contact numbers, including a link to the "feedback form".</li> <li>• <b>By Email</b> – <a href="mailto:council@esc.nsw.gov.au">council@esc.nsw.gov.au</a></li> <li>• <b>In person</b> – Make an appointment with the relevant Manager or the Public Officer at the Customer Service Centre at our main office, Eurobodalla Shire Council, cnr Vulcan and Campbell Street, Moruya.</li> <li>• <b>In writing</b> – complaints made in writing should be addressed to The Public Officer, Eurobodalla Shire Council, PO Box 99, Moruya NSW 2537</li> </ul> <p>Community members who approach Council staff outside of the contact methods stated above will be advised to make their complaint by contacting Council using any of the methods listed above.</p> <p>All complaints will be acknowledged initially within 10 working days.</p> <p>Council aims to resolve complaints as quickly as possible. Customer complaints that cannot be resolved on the spot will be assigned to the appropriate officer for action. The customer will be kept informed throughout the process by the investigating officer. If the complaint is of a complex nature that requires additional time to solve, the customer will be informed of predicted timeframes by the investigating officer.</p> <p>In dealing with complaints Council will:</p> <ul style="list-style-type: none"> <li>• respond promptly</li> <li>• investigate thoroughly and objectively</li> <li>• keep customers informed of what is happening</li> <li>• respect (as far as possible) customer desire for confidentiality.</li> </ul> <p>Information relating to complaints is recorded and used for statistical and reporting purposes, to inform the decision making process and improve Council’s service to the community.</p>
<p>7</p>	<p><b>Councils’ statutory obligations to refer complaints to external agencies</b></p> <p>There are a number of external accountability/complaint bodies that receive and investigate complaints about the conduct of councils. Depending on the nature of the complaint, it may have to be referred to one of the agencies listed below.</p>

<p><b>7.1</b></p>	<p><b>Allegations of Inappropriate Conduct, Conflict of Interest (Pecuniary or non-Pecuniary), or Improper use of Positions</b></p> <p>Complaints alleging breaches of Council’s Code of Conduct by a councillor or member of staff must be dealt with under the Code of Conduct.</p> <p>Council’s Code of Conduct requires all complaints within the following categories to be immediately directed to the General Manager:</p> <ul style="list-style-type: none"> <li>• Complaints about practices or procedures underpinning, or arising from, Council’s decision-making processes;</li> <li>• Complaints about the conduct of, or alleging impropriety in the actions of, Council staff or councillors (including alleged corrupt conduct, pecuniary interest, or improper use of position).</li> </ul> <p>These complaints will be handled according to the current version of the Procedures issued by the Office of Local Government (OLG). Staff receiving and recording such a complaint must ensure that the complaint and all allegations contained therein remains confidential, and is not discussed other than with the Public Officer or General Manager.</p> <p>Complaints alleging a serious breakdown in Council's operations or the Council as a whole not operating satisfactorily, breaches of the pecuniary interest provisions of the <i>Local Government Act 1993</i> or a failure to disclose political donations by a Councillor should be referred to the OLG.</p>
<p><b>7.2</b></p>	<p><b>Maladministration and/or Serious and Substantial Waste</b></p> <p>Where a member of the public reports matters related to maladministration by Council, or serious and substantial waste of public resources, the matter is to be reported immediately to the Public Officer or General Manager.</p> <p>The General Manager has a duty to report such matters to the NSW Ombudsman.</p>
<p><b>7.3</b></p>	<p><b>Competitive Neutrality</b></p> <p>The concept of Competitive Neutrality is based on the ‘level playing field’ concept or the concept that businesses which are publicly owned should have no net competitive advantage over a business that is privately owned. Where Council competes in the market place it should do so without utilising its public position to gain an unfair advantage over a private sector competitor.</p> <p>Competitive Neutrality is one of the principles of competition policy and dealing with the complaint requires a detailed understanding of the policy and its ramifications. Complaints regarding Competitive Neutrality should be immediately referred to Council's Public Officer or the Office of Local Government.</p>
<p><b>7.4</b></p>	<p><b>Corrupt Conduct</b></p> <p>Where a member of the public reports any matter related to unethical conduct, fraud, or corruption the matter is to be reported immediately to the General Manager. The General Manager has a statutory obligation to report complaints alleging corrupt conduct to the Independent Commission against Corruption (ICAC) under section 11 of the <i>Independent Commission Against Corruption Act 1988</i>.</p>

7.5	<p><b>Criminal Conduct</b></p> <p>Complaints involving criminal activity are to be immediately referred to the Public Officer or General Manager for further referral to the Police.</p>
7.6	<p><b>Complaints about Information (Access, Copyright, or Privacy)</b></p> <p>Complaints about copyright, or access to information held by Council under the <i>Government Information (Public Access) Act 2009</i> should be made to the Public Officer.</p> <p>Complaints about breaches of any information protection principles applying to the Council should be made to the Privacy Contact Officer or Right to Information Officer. In some cases these complaints may be referred to the NSW Information and Privacy Commissioner.</p>
8	<p><b>Confidentiality and Anonymity</b></p> <p>Council protects the personal information of its customers in accordance with its adopted Privacy Management Plan and the <i>Privacy and Personal Information Protection Act 1998 (PPIPA)</i>, the <i>Health Records and Information Privacy Act 2002 (HRIPA)</i>, the <i>Government Information (Public Access) Act 2009</i> and the <i>Local Government Act 1993</i>.</p> <p>Where possible Council does not disclose the identity of complainants, however Council will sometimes be required to disclose information about complaints, for example, in response to a court order or subpoena).</p> <p>Anonymous complaints made to Council can be difficult to investigate. Often investigating staff will need more information from the person making the complaint and this cannot be obtained if the source is anonymous.</p> <p>Anonymous complaints will not ordinarily be investigated or acted on in any way except where circumstances dictate otherwise, for example if the issue raises a serious matter or is a threat to public health or safety, and/or there is sufficient information in the request to carry out an investigation.</p>
9	<p><b>Unreasonable Complainant or Customer Conduct</b></p> <p>Council has obligations to keep staff and councillors safe from harm. This means that Council may restrict the way it provides services to individuals who display inappropriate behaviour or are unreasonable. Council will only do this in extreme cases and in accordance with procedures for managing unreasonable customers.</p>
10	<p><b>Customer Rights to Review:</b></p> <p>Should a customer be dissatisfied with the handling or determination of their complaint, they may request that an internal review of the complaint be conducted by the Public Officer.</p> <p>Should a complainant be dissatisfied with the internal review, they may:</p> <ul style="list-style-type: none"> <li>• approach an outside agency to seek resolution, such as the Ombudsman, ICAC, the Information and Privacy Commission, or the OLG</li> <li>• seek alternative dispute resolution</li> <li>• instigate appeal procedures or other legal remedies.</li> </ul>

	<p><b>External Agency Contacts</b></p> <ul style="list-style-type: none"> <li>• NSW Ombudsman 1800 451 524 <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a></li> <li>• ICAC 1800 463 909 <a href="http://www.icac.nsw.gov.au">www.icac.nsw.gov.au</a></li> <li>• Office of Local Government 02 4428 4100 <a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a></li> <li>• Information and Privacy Commission 1800 472 679 <a href="http://www.ipc.nsw.gov.au">www.ipc.nsw.gov.au</a></li> </ul>
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### Implementation

Implementation steps	Responsibility
<p><b>1 Public Officer</b></p> <p>Under <i>the Local Government Act 1993</i>, Council’s Public Officer is specifically charged with the responsibility of dealing with complaints from the public concerning Council's affairs. The Public Officer will also arrange any internal reviews of complaints where the customer has requested that an internal review be conducted.</p>	Public Officer
<p><b>2 Code of Conduct Complaints</b></p> <p>Complaints about alleged breaches of the Code of Conduct by Councillors, General Manager and staff will be specifically handled via the OLG Procedures for Administration of the Model Code of Conduct (current version).</p> <p>Under the Code, the investigation of all complaints about Councillors and the General Manager is managed by an independent conduct reviewer.</p>	General Manager Complaints Coordinator Conduct Reviewer
<p><b>3 Reporting of Complaints</b></p> <p>On a six-monthly basis (September and March) the Public Officer will provide a summary of complaints received to the Executive Leadership Team. This summary will comprise details of the type and number of complaints received and an outline of how they were resolved, the average time for resolution and recommendations of any changes to policy, procedures and services made as a result.</p>	Public Officer
<p><b>4 Complaints about this Policy</b></p> <p>Complaints about this policy will be referred directly to the Public Officer and handled in accordance with the Complaints Policy. Complaint records will be used as a tool to analyse the history of concerns and to assist determination of follow up actions.</p>	Public Officer
<p><b>5 Consultation</b></p> <p>This policy has been developed based on guidelines issued by the NSW Ombudsman, on current ‘best practice’ and referral to relevant legislation. Proposed substantive changes to this policy will be placed on public exhibition for public comment and submissions as required.</p>	As appropriate

### Review

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

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner. *Note: The next general local government election is expected to be held in September 2024.*

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

Performance indicator	Data source(s)
Complaints or Customer Feedback Survey Responses	Council records
Reduction in level of complaints over time	Council records
Evidence that improvements have been identified and rectified	Council records
Internal Review or investigation	Council officers
External Review or Investigation (e.g. Pecuniary Interest and Disciplinary Tribunal)	As applicable

### 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
Customer Service Policy Code of Conduct Policy Public Interest Disclosures Internal Reporting Policy Privacy and Protection of Personal Information Policy	<a href="http://www.esc.nsw.gov.au">www.esc.nsw.gov.au</a>
<i>Local Government Act 1993</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N">www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N</a>
<i>Model Code of Conduct for Local Government Councils in NSW (2020)</i>	<a href="http://www.olg.nsw.gov.au/councils/governance/model-code-of-conduct/model-code-of-conduct-and-procedures-2020/">www.olg.nsw.gov.au/councils/governance/model-code-of-conduct/model-code-of-conduct-and-procedures-2020/</a>
<i>Procedures for Administration of Model Code of Conduct (2020)</i>	<a href="http://www.olg.nsw.gov.au/councils/governance/model-code-of-conduct/model-code-of-conduct-and-procedures-2020/">www.olg.nsw.gov.au/councils/governance/model-code-of-conduct/model-code-of-conduct-and-procedures-2020/</a>
<i>Effective complaint handling guidelines – 3rd edition (Feb 2017)</i>	<a href="http://www.ombo.nsw.gov.au/_data/assets/pdf_file/0018/42228/Effective-complaint-handling-guidelines-Third-edition.pdf">www.ombo.nsw.gov.au/_data/assets/pdf_file/0018/42228/Effective-complaint-handling-guidelines-Third-edition.pdf</a>
<i>Australian Standard Customer satisfaction – guidelines for complaints handling in organisations (AS ISO 10002:2004, MOD)</i>	<a href="http://www.saiglobal.com/PDFTemp/Previews/OSH/AS/AS10000/10000/10002-2006.pdf">www.saiglobal.com/PDFTemp/Previews/OSH/AS/AS10000/10000/10002-2006.pdf</a>
<i>Crown Lands Act</i>	<a href="http://www.austlii.edu.au/au/legis/nsw/consol_act/cla1989134">www.austlii.edu.au/au/legis/nsw/consol_act/cla1989134</a>

*Related external references*

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
NSW Ombudsman	<a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>
ICAC	<a href="http://www.icac.nsw.gov.au">www.icac.nsw.gov.au</a>
Information and Privacy Commission NSW	<a href="http://www.ipc.nsw.gov.au">www.ipc.nsw.gov.au</a>
Pecuniary Interest and Disciplinary Tribunal	<a href="http://www.olg.nsw.gov.au/commissions-and-tribunals/nsw-civil-and-administrative-tribunal/pecuniary-interest-and-disciplinary-tribunal">www.olg.nsw.gov.au/commissions-and-tribunals/nsw-civil-and-administrative-tribunal/pecuniary-interest-and-disciplinary-tribunal</a>

*Definitions*

Word/Term	Definition
Competitive Neutrality	Where Council as a supplier of services is not to use their public position to gain an unfair advantage over a private sector competitor in the marketplace
Complaint	Expression of dissatisfaction with a decision, the quality or timeliness of a service provided, or the behaviour of employees, contractors or volunteers. A complaint may relate to a specific incident or issue involving Council, or to matters of a more philosophical or general nature regarding Council's processes and/or procedures.
Conflict of interest	A conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty
Corrupt Conduct	Dishonest or partial exercise of any official functions by a public official
Customer Service Request (CSR)	Requests for information or service which are dealt with by lodging a service request through Council's Customer Request Management system (CRM) and having the item appropriately assigned to a member of staff for action
Personal Information	Information or an opinion about a person whose identity is apparent, or can be ascertained from the information or opinion
Pecuniary Interest	An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person

*Change history*

Version	Approval date	Approved by	Minute No	File No	Change
1	24 Nov 2009	Council	09/369	E06.0380 E09.3418	Policy Adopted - Report G09/145
2	10 Sep 2013	Council	13/272	E06.0380 E13.7095	Policy reviewed and updated at commencement of new Council term.
3	12 Sep 2017	Council	17/305	E06.0380 E16.0297	Policy reviewed and updated at commencement of new Council term. No significant changes.

4	TBA	Council	TBA	TBA	Reviewed & updated at new Council term. Report
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*Internal use*

Responsible officer	General Manager			Approved by	Council
Min no	TBA	Report no	TBA	Effective date	TBA
File No		Review date	June 2022	Pages	10

<b>Policy title</b>	Customer Service Policy
<b>Responsible manager(s)</b>	Corporate Manager Governance & Administration
<b>Contact officer(s)</b>	Coordinator Customer Service & Information
<b>Directorate</b>	Governance and Administration
<b>Approval date</b>	
<b>Outcome area</b>	9. Innovative and Proactive Leadership
<b>Strategy</b>	9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
<b>Delivery Program</b>	9.2.1 Provide effective, friendly, customer service and information
<b>Operational Plan</b>	9.2.1.1 Provide customer assistance in main administration building and depots

### Purpose

Eurobodalla Shire Council's Customer Service policy was created to guide the development of an organisational culture focused on meeting the needs and expectations of its customers and to continuously improve its services for customers.

### Policy aims

- Promote an integrated framework for providing quality customer service to the customers of Eurobodalla Shire Council
- Promote best practice customer service behaviours and attitudes by all Eurobodalla Shire Councillors, Council staff, contractors and volunteers
- Ensure transparency, consistency, and fairness in how Council interacts with its customers
- Make Council's policies and requirements for Customer Service readily accessible and understandable to the public.

### Policy details

<b>1</b>	<b>Application</b> This policy applies to all customers, councillors, Council staff, contractors and volunteers of Eurobodalla Shire Council.
<b>2</b>	This policy ensures Eurobodalla Shire Council's compliance with Local Government Act 1993 <a href="http://www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/">www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/</a>
<b>3</b>	All Eurobodalla Shire Councillors, staff, contractors and volunteers are responsible for the provision of quality customer service to the customers of EUROBODALLA SHIRE COUNCIL. They should perform their duties in a professional and responsible manner and treat members of the public fairly, respectfully, and consistently, in a non-discriminatory manner and with proper regard for rights and obligations.
<b>3.1</b>	Each staff member is accountable for the quality of customer service delivered through their own work or the quality of output of any project or work team(s) of which they are a member.

3.2	Directors, Managers and Coordinators are responsible for developing a customer focused work ethic in their teams and empowering staff to undertake customer focused decision making.
3.3	Directors, Managers and Coordinators are responsible for working in consultation with their teams to develop and implement customer focused systems and processes that respond to and satisfy internal and external customer needs and expectations.
3.4	Staff will be provided with the appropriate tools, information and training to provide quality customer service.
4	<p><b>Customer Service Charter:</b></p> <p>Council staff, Councillors, volunteers and contractors will strive to meet the best standards that can be practically achieved, defined in the Customer Service Charter in a professional, responsive and ethical manner. Information provided to customers should be provided promptly and in a format that is easy for the recipient to understand. Information provided should be clear, accurate, current and complete.</p>
4.1	<p>The Customer Service Charter will be published and communicated to ensure that Eurobodalla Shire Council customers are aware of the standards they can expect from the representatives of Eurobodalla Shire Council and that are expected of them.</p> <p>We will:</p> <ul style="list-style-type: none"> <li>- Listen, to fully understand your request</li> <li>- Assist with your enquiry courteously and professionally</li> <li>- Clearly and accurately explain our answers, actions, and options</li> <li>- Provide realistic timeframes for response</li> <li>- Respect the privacy of customers in accordance with legislation</li> </ul> <p>We ask our customers to:</p> <ul style="list-style-type: none"> <li>- Be courteous and respectful to our staff</li> <li>- Provide timely, honest, complete and accurate information</li> <li>- Let us know when things change. For example: Contact details</li> <li>- Tell us when our service are less than satisfactory and when our service excels.</li> </ul>
4.2	<p>The Customer Service Charter also defines the standards of response from Council. General enquiries are handled by front line staff and referred to specialist staff for other issues.</p> <p>Phone:</p> <ul style="list-style-type: none"> <li>- Staff will identify themselves by name</li> <li>- If we can't help straight away, we will provide a time frame for when we can</li> <li>- Phone calls will be returned within 24 business hours</li> <li>- When work is to be completed for a customer a reference number will be given</li> <li>- The After-Hours Telephone Service will help with urgent enquiries out of business hours.</li> </ul>

	<p>Mail:</p> <ul style="list-style-type: none"> <li>- We provide a response within 10 working days. Email &amp; Feedback Form on Council</li> </ul> <p>Website:</p> <ul style="list-style-type: none"> <li>- We acknowledge within 24 hours</li> <li>- We provide a response within 10 working days.</li> </ul>
<b>5</b>	<p><b>Complaints, service requests and feedback</b></p> <p>Eurobodalla Shire Council councillors, staff, contractors and volunteers recognise that effective handling of complaints, requests and feedback are the centre of good customer service.</p> <p>Responding appropriately to concerns and the information and experience gained in responding are an integral part of improving service provision as well as being key to developing and maintaining a relationship with customers.</p>
<b>5.1</b>	<p><b>Customer Request Management (CRM)</b></p> <p>The Council CRM system provide a system of receiving, recording, investigating, resolving, reviewing and storing service requests made by customers. The Customer Request Management Procedure provides guidance in the correct use of the CRM system for Council Officers.</p>
<b>5.2</b>	<p><b>Complaints, compliments and general feedback</b></p> <p>Complaints, compliments and general feedback to Eurobodalla Shire Council can be made by customers in writing via:</p> <ul style="list-style-type: none"> <li>- Eurobodalla Shire Council website 'Feedback Form'</li> <li>- Council email</li> <li>- Letter.</li> </ul> <p>The Council Records System officers will record, store, nominate a responsible officer and apply Council service standards to the correspondence.</p>
<b>6</b>	<p><b>Accessibility</b></p> <p>Eurobodalla Shire Council Councillors, staff, contractors and volunteers are committed to ensuring that all customers including those with disabilities and special needs are provided quality customer service.</p>
<b>6.1</b>	<p>Council offices provide physical access for customers and staff with mobility restrictions by providing disabled parking, entrance ramps and ensuring entrances are clear. Access to Council information and services is also available by telephone, on the Council website, Council social media pages and by email.</p>
<b>7</b>	<p><b>Customer Service Guide</b></p> <p>This document provides practical advice and tools to Council representatives to enable the delivery of quality customer service. This guide also provides advice on providing service to and communicating with people who have a disability or require translation &amp; interpreting services.</p>

<b>8</b>	<p><b>Unreasonable Customer Conduct Procedure</b></p> <p>When customers behave unreasonably in their dealings with Council, their conduct can significantly affect the customer service provided and received. Council therefore is proactive and decisive in managing customer conduct that negatively and unreasonably affects its services to the community and supports Councillors and staff to do the same.</p> <p>The Unreasonable Customer Conduct Procedure provides guidance to Eurobodalla Shire Council representatives in the behavior that can be expected from customers and how to deal with unreasonable customer conduct.</p>
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## Implementation

Requirements	Responsibility
<p><b>1</b></p> <p>Other Council documents: This policy will be implemented in conjunction with the Council's:</p> <ul style="list-style-type: none"> <li>- Customer Service Charter</li> <li>- Complaints, Service Requests and Feedback Policy</li> <li>- Unreasonable Customer Conduct (UCC) Procedure</li> <li>- Customer Request Management Procedure</li> <li>- Customer Service Guide</li> </ul>	Council officers
<p><b>2</b></p> <p><b>Training</b></p> <p>Council is committed to ensuring that all staff receive appropriate training in the application of this policy and the Customer Service Charter. This policy will be published on the Council website. Council Staff Customer Service Induction sessions will address this policy, the Customer Service Charter and Customer Service Guide.</p>	Directors, Managers and Coordinators
<p><b>3</b></p> <p><b>Staff Responsibilities</b></p> <p>All Eurobodalla Shire Council Councillors, staff, contractors and volunteers will be responsible for ensuring that this policy is implemented appropriately within their work area.</p>	Eurobodalla Shire Councillors, staff, contractors and volunteers
<p><b>4</b></p> <p><b>Concerns</b></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><b>5</b></p> <p><b>Consultation</b></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. Public submissions regarding this policy are invited for consideration during the exhibition period.</p>	

## 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 Customer Service.

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

**Note:** The next general local government election is expected to be held in September 2024. Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
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
<b>Customer</b>	A purchaser or user of products or services of Council. This may include external customers such as ratepayers, residents, organisations, constituents, stake holders, businesses, government agencies, contractors, consultants, and internal customers – Councillors and other staff members.
<b>Customer Service</b>	The identifiable, but sometimes intangible, series of activities undertaken by Council designed to provide a product or function and enhance the level of customer satisfaction.
<b>Standards</b>	A set of instructions or guide for performing operations or functions to ensure uniform methods, processes, practices and outcomes.
<b>Concern / Complaint</b>	Expression of dissatisfaction with a decision, the quality or timeliness of a service provided, or the behaviour of employees, contractors or
<b>CRM</b>	Customer Request Management – Council's customer request management system.
<b>Feedback</b>	Positive or negative information about a customer's reactions to product, or a person's performance of a task which is used as a basis for continuous improvement and positive reinforcement.

## 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>Customer Service Charter</i>	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0010/138898/ESc-SC-web-version.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0010/138898/ESc-SC-web-version.pdf</a>
<i>Statement of Business Ethics</i>	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0020/143471/A4-Brochure-Aug-15.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0020/143471/A4-Brochure-Aug-15.pdf</a>

Local Government Act 1993	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030">https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030</a>
<i>Privacy and Personal Information Protection Act 1998 (PIPPA)</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1998-133">https://legislation.nsw.gov.au/view/html/inforce/current/act-1998-133</a>
<i>Disability Discrimination Act 1992</i>	<a href="http://www.legislation.gov.au/Series/C2004A04426">www.legislation.gov.au/Series/C2004A04426</a>
<i>Health Records Information Privacy Act 2002</i>	<a href="http://www.legislation.nsw.gov.au/#/view/act/2002/71">www.legislation.nsw.gov.au/#/view/act/2002/71</a>

#### Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
Ombudsman NSW	<a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>

#### Supporting documents

Name	Link
Customer Service Guide	Intranet
Customer Request Management Procedure	Intranet - ECM Reference: Doc ID: 4787420 & 4787417

#### Change history

Version	Approval date	Approved by	Min No	File No	Change
1	24 Nov 2009	Council	09/369	E09.3418 E06.0378	Policy adopted.
2	10 Sep 2013	Council	13/272	E13.7095 E06.0378	Reviewed and updated at start of new Council term.
3	25 Jun 2017	Council	17/214	E16.0297 E06.0378	Reviewed and updated at start of new Council term. Report GMR17/021
4	TBA	Council	TBA	E16.0297 E06.0378	Reviewed and updated at start of new Council term. Report

#### Internal use

Responsible officer		Divisional Manager, Governance & Administrative Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	
File	E16.0297 E06.0378	Review date	June 2022	Pages	6

<b>Policy title</b>	Naming Of Parks, Reserves, Sports Fields And Public Pathways
<b>Responsible manager(s)</b>	Divisional Manager Technical Services
<b>Contact officer(s)</b>	Engineering Administration Coordinator
<b>Directorate</b>	Infrastructure Services
<b>Approval date</b>	
<b>Outcome area</b>	1. Strong communities, desirable lifestyles
<b>Strategy</b>	1.3 Encourage and enable healthy lifestyle choices
<b>Delivery Program</b>	1.3.2 Plan for and provide a safe and accessible network of recreation and community facilities
<b>Operational Program</b>	1.3.2.3 Build, Renew, operate and maintain recreation and community facilities

### Purpose

Eurobodalla Shire Council's policy provides guidance to assist in naming public land including parks, reserves, sports fields and public pathways to identify land in Council records, maps and plans for general public use.

The policy ensures compliance with the Geographical Names Board of NSW (GNB) naming and renaming of sites for which Council is the authority.

The Geographical Names Board of NSW (GNB) is the authority, under the *Geographical Names Act 1966*, responsible for the assigning of names to places and geographical features.

### Policy aims

- Promote an integrated framework for dealing with the naming of parks, reserves, sports fields and public pathways
- Ensure compliance with legislative requirements under the *Geographical Names Act 1966*
- Ensure consistency and fairness in the manner in which the Council deals with the naming of parks, reserves, sports fields and public pathways
- Make the Council's policies and requirements for the naming of parks, reserves, sports fields and public pathways readily accessible and understandable to the public.

### Policy details

<b>1</b>	<p><b>Application</b></p> <p>This policy applies to public land including parks, reserves, sports fields and public pathways to identify land in Council records, maps and plans for general public use.</p>
<b>2</b>	<p><b>Authority</b></p> <p>The Geographical names Board of NSW (GNB) is the authority, under the <i>Geographical Names Act 1966</i>, responsible for the assigning of names to places and geographical features.</p> <p>The GNB will only consider the adoption of a place name after the GNB has advertised it in the Government Gazette and local press for one month inviting public comment.</p>

**Implementation**

Requirements		Responsibility
1	<b>Legal</b> The Geographical Names Board (GNB) has prepared guidelines for the determination of placenames. A copy of the guidelines is available from the GNB ( <a href="http://www.gnb.nsw.gov.au">www.gnb.nsw.gov.au</a> ) Council must give the Geographical Names Board (GNB) at least one month's notice of the proposed name.	Council officers
2	<b>Staff</b> 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	<b>Concerns</b> 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	<b>Consultation</b> 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. Where the renaming of an existing site is being considered, affected property owners, community groups and Aboriginal Land Councils will be contacted inviting suggestions. Public submissions regarding this policy are invited for consideration during the exhibition period.	Council officers as applicable

**Review**

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

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

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

Performance indicator	Data source(s)
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	<a href="#">Council policies   Eurobodalla Council website (nsw.gov.au)</a>
Local Government Act 1993	<a href="#">Local Government Act 1993 No 30 - NSW Legislation</a>
Geographical Names Act	<a href="#">Geographical Names Act 1966 No 13 - NSW Legislation</a>

### Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
Geographical Names Board – Guidelines for Determination	<a href="#">GNB_Place_Naming_Policy.pdf (nsw.gov.au)</a>

### Change history

Version	Approval date	Approved by	Min No	File No	Change
1	26 June 2012	Council	12/179	E09.3418 E06.0375	Policy commenced
2	27 Aug 2013	Council	13/246	E13.7095 E06.0375	Reviewed and updated
3	27 June 2017	Council	17/214	E16.0297 E06.0375	Reviewed and updated at start of new Council term. Report GMR17/021.
4	TBA	Council	TBA	E16.0297 E06.0375	Reviewed and updated at start of new Council term. Report

### Internal use

Responsible officer	Director Infrastructure Services		Approved by	Council	
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0375	Review date	Jun 2022	Pages	3

<b>Policy title</b>	National Clean Up Day Campaign
<b>Responsible manager(s)</b>	Divisional Manager Waste Services
<b>Contact officer(s)</b>	Waste Minimisation Officer
<b>Directorate</b>	Planning and Sustainability Services
<b>Approval date</b>	
<b>Outcome area</b>	4. Sustainable living
<b>Strategy</b>	4.2 Targeted reduction of waste with an emphasis on resource recovery and waste minimisation
<b>Delivery Program</b>	4.2.3 Minimise illegal dumping
<b>Operational Plan</b>	4.2.3.1 Coordinate Clean Up Australia day activities

### Purpose

National Clean Up Day originated in 1989. The next year Clean Up Australia Day was born with almost 300,000 volunteers and has been steadily increasing ever since.

The problems of waste management and the need for waste and source reduction are common to communities the world over. There is much that can be done to increase awareness of the magnitude of these problems and to encourage individuals to be responsible for their personal behaviour which is why the Clean Up campaigns have proven to be one of the simplest yet most effective means of tackling these issues.

Clean Up Australia's vision is to inspire and empower communities to clean up, fix up and conserve the environment and has now become the nation's largest community-based environmental event.

Eurobodalla Shire Council's policy was developed to confirm Council's support of the campaign to promote the National Clean Up Day Campaign and to assist with waste disposal generated from the clean-up operations.

### Policy aims

- To promote National Clean Up Day.
- To facilitate and support community volunteers to undertake clean-up activities.
- To assist with waste disposal generated from the clean-up operations.

### Policy details

<b>1</b>	<b>Application</b> This policy applies to National Clean Up Day activities in the Eurobodalla local government area.
<b>2</b>	<b>Waste Disposal</b> 1. Council supports the National Clean Up Australia Day Campaign by offering appropriate assistance to environmental groups, service clubs or individuals requesting assistance in the removal of rubbish within our Shire by in part designating appropriate rubbish receiving points and then removing rubbish from these points.

	2. Volunteers participating in “Clean Up Australia Day” will be allowed to take the collected refuse to the waste management facility or transfer station for free.
<b>3</b>	<b>Funding of Program</b> 1. An appropriate amount be allocated in budgets or from accumulated funds to cover the cost of such assistance. 2. Tonnages of waste disposed for Clean Up Days be recorded and as a waived fee for data management purposes.
<b>4</b>	If there are no further National Clean Up Days, then Council organise clean up day(s) during the year.

### Implementation

Requirements		Responsibility
<b>1</b>	<b>Staff</b> Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Waste Services Staff
<b>2</b>	<b>Concerns</b> Concerns received regarding the National Clean Up Day Campaign will be recorded on Council’s Customer Service Request (CSR) or records system and handled in accordance with Council’s Customer Service Requests Policy. They will be used to analyse the history of concerns and to help determine follow up actions.	Council Officers
<b>3</b>	<b>Complaints</b> Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with Council’s Complaints Policy.	Public Officer
<b>4</b>	<b>Consultation</b> Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable

### Review

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

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

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

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

Performance indicator	Data source(s)
Concerns or complaints registered	Council records
Customer feedback, survey responses	Surveys

## 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	<a href="#">Council policies   Eurobodalla Council website (nsw.gov.au)</a>
Local Government Act 1993	<a href="#">Local Government Act 1993 No 30 - NSW Legislation</a>

### Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
Clean Up Australia	<a href="http://www.cleanup.org.au">www.cleanup.org.au</a>

### Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418	Policy commenced
2	27 Aug 2013	Council	13/246	E13.7095 E06.0373	Reviewed and updated (start of new Council term)
3	25 Jul 2017	Council	17/237	E16.0297 E06.0373	Reviewed and updated (start of new Council term)
4	TBA	Council	TBA	E16.0297 E06.0373	Reviewed and updated (start of new Council term).

### Internal use

Responsible officer	Director Planning and Sustainability Services		Approved by	Council	
Minute		Report		Effective date	
File	E16.0297 E06.0373	Review date	Jun 2022	Pages	3

<b>Policy title</b>	Pathway Construction – Contributions by Property Owners
<b>Responsible manager(s)</b>	Director, Infrastructure Services
<b>Contact officer(s)</b>	Divisional Manager, Works
<b>Directorate</b>	Infrastructure Services
<b>Approval date</b>	
<b>Outcome area</b>	7. Connected and accessible places
<b>Strategy</b>	7.2 Improve provision and linkages of our pathway network
<b>Delivery Program</b>	7.2.1 Provide and enhance the pathway network
<b>Operational Plan</b>	7.2.1.1 Build, renew and maintain pathway network

### Purpose

Eurobodalla Shire Council’s policy was developed to establish Council’s position in regard to seeking contributions from property owners toward the construction of public pathways along their property frontage.

Eurobodalla Shire has a large number of urban streets without formed pathways, i.e. either a footpath or shared pathway (for pedestrians, scooters and cyclists). Less than one in three urban roads has a pathway on at least one side.

This is a result of the lower standard of infrastructure provided by developers in the 1960s, ‘70s and ‘80s. This deficiency within the urban road network has been identified as a significant issue for our community, from an accessibility, transport and road safety perspective. This is particularly the case with our ageing population.

To provide pathways to all urban streets is well beyond the funding capacity of Council and the local community. To address this network deficiency, Council has developed a Pathways Strategy. This strategy identifies key pathway linkages and provides a mechanism for assisting to determine priorities.

Council has a strong record of working with communities and pursuing grant funding, as well as self-funding a program of works each year. Nevertheless, the funding is insufficient to deliver on the pathway network identified within the Strategy without assistance from land owners benefitting from the pathway works.

Section 217 of the *Roads Act 1993* provides that Council, as the roads authority, may require the owner of land adjoining a public road to contribute up to half of the cost of providing a footway along the frontage of their property. The *Roads Act 1993* defines a footway as including facilities that also provide for cyclists.

For new subdivisions and/or developments above a single residence, the developer is required to provide appropriate pathways along their frontage at their full cost, as well as a Section 94 developer contribution (where a nexus is established).

### Policy aims

- Promote an integrated framework for dealing with the recovery of part costs from property owners towards the construction of public pathways along their property frontage;
- Ensure consistency and fairness in the manner in which Council deals with property owners;
- Ensure compliance with legislative requirements under the *Roads Act 1993*;
- Promote awareness of the requirements of the *Roads Act 1993* with respect to contributions from property owners; and
- Make Council's policies and requirements for Pathway Construction Contributions by Property Owners readily accessible and understandable to the public.

### Policy statement

<b>1</b>	<p><b>Application</b></p> <p>Many older areas of Council do not have constructed pathways within their streets. This is a result of the lower standard of infrastructure required at the time of subdivision in decades past. Council has developed the Pathways Strategy 2010 to assist in identifying and prioritising pathways to be built by Council. This is focussed at high priority areas and linkages in areas of high use, with an emphasis on pathways within villages.</p> <p>Section 217 of the <i>Roads Act 1993</i> provides that Council, as the roads authority, may require the owner of land adjoining a public road to contribute up to half of the cost of providing a footway along the frontage of their property. This includes pathway works to provide a footpath or shared pathway.</p> <p>This Policy outlines when this contribution will be sought from land owners.</p> <p>In new subdivisions, Council requires the developer to provide for public pathways (either footpath or shared pathway, usually in reinforced concrete) as part of the development at their full cost.</p> <p>Similarly, where developers seek to develop land zoned <i>R3 – Medium Density Housing, B1 – Neighbourhood Centre, B2 – Local Centre, B4 – Mixed Use, B5 – Business Development and IN1 – General Industrial development</i>, the developer will be required to provide a concrete pathway at their full cost in conjunction with their development under the provisions of the planning legislation.</p> <p>Where a nexus exists, Council may also require developers to provide links and/or Section 94 developer contributions towards pathways.</p>
<b>2</b>	<p><b>Legislation</b></p> <p>Eurobodalla Shire Council will comply with <a href="#">Roads Act 1993</a></p>

### Implementation

Requirements	Responsibility
<p><b>1 Code of Practice</b></p> <p>This Policy will be implemented by following Council's internal <i>Pathway Construction – Contributions by Property Owners Code of Practice</i>, which specifies in detail the matters for consideration and procedures to be followed.</p>	Council officers
<p><b>2 Land owner contribution</b></p> <p>Where Council is constructing a public pathway as part of its annual works program, Council will adopt the following position in regard to seeking contributions from property owners:</p>	Council and developers

	<p>1. <u>Land Zoned R2 - Low Density Residential Areas</u> Council will not seek contributions toward the construction of new pathways in land zoned R2 - Low Density Residential areas.</p> <p>2. <u>Land Zoned R3 – Medium Density Housing; B1 - Neighbourhood Centres; B2 – Local Centres; B4 – Mixed Use; B5 – Business Development; IN1 – General Industrial</u> Where Council proposes to construct a public pathway adjoining land zoned R3 – Medium Density Housing, B1 - Neighbourhood Centres, B2 – Local Centres, B4 – Mixed Use, B5 – Business Development and IN1 – General Industrial, Council will charge a contribution under Section 217 of the Roads Act 1993 being not more than half of the cost of the work. This amount will be set at a flat rate and be subject to annual review. The rate will be advertised with Council’s Current Fees &amp; Charges. <u>For side boundaries on corner lots</u>, Council will charge a flat rate of half the rate set for front boundaries (ie, half the rates as outlined above).</p>	
3	<p><b>Deferred payments for contributions</b> The General Manager shall have delegated authority to approve an extension of time for the payment of contributions. Prior to commencement of works, Council will write to land owners and offer the option for residents to pay the due amount over a period up to a maximum of two years, subject to receipt of a written request. Subject to strict compliance with an approved arrangement, interest charges that have accrued will be adjusted (written off) on receipt of the final payment.</p>	General Manager
4	<p><b>Staff</b> 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
5	<p><b>Concerns</b> 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
6	<p><b>Consultation</b> 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.</p>	As applicable

## Review

This policy will be reviewed annually. 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 pathway construction contributions from property owners.

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

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

Performance indicator	Data source(s)
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
Eurobodalla Shire Council <i>Pathway Construction – Contribution by Property Owners Code of Practice</i>	Internal Document for staff only
Related Eurobodalla Shire Council Policy or Code of Practice	<a href="#">Council policies   Eurobodalla Council website (nsw.gov.au)</a>
<i>Local Government Act 1993</i>	<a href="#">Local Government Act 1993</a>
<i>Roads Act 1993</i>	<a href="#">Roads Act 1993</a>

### Related external references

Name	Link
Office of Local Government (OLG)	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>

### Supporting documents

Name	Link
Council's Pathways Strategy	<a href="#">Parking, pathways, and traffic   Eurobodalla Council website (nsw.gov.au)</a>

### Change history

Version	Approval date	Approved by	Minute	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418 E06.0375	'Footpath Construction - Contributions By Property Owners' policy adopted
2	10 Sep 2013	Council	13/278	E13.7095 E06.0375	Reviewed and updated. Name of policy changed from 'Footpath' to 'Pathway'.
3	13 Jun 2017	Council	17/181	E16.0297 E06.0375	Reviewed and updated at start of new Council term.
4	TBA	Council	TBA	E16.0297 E06.0375	Reviewed and updated at start of new Council term.

*Internal use*

Responsible officer		Director, Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0375	Review date	Jun 2022	Pages	5

DRAFT

<b>Policy title</b>	Pathways and Shared Pathways Risk Management Policy
<b>Responsible manager(s)</b>	Director Infrastructure Services
<b>Contact officer(s)</b>	Divisional Manager Works
<b>Directorate</b>	Infrastructure Services
<b>Approval date</b>	
<b>Outcome area</b>	7. Connected and Accessible Places
<b>Strategy</b>	7.2 Improve provision and linkages of pathway network
<b>Delivery Program</b>	7.2.1 Provide and enhance the pathway network
<b>Operational Plan</b>	7.2.1.1 Build, renew and maintain pathway network

### Purpose

This Policy provides for the management of risks associated with Council's formed pathway network.

Council has a duty of care to take reasonable measures within the limitations of its budget to manage the risks arising from defects on Council's formed footpath and shared pathway networks.

The *Civil Liability Act 2002 (the Act)* provides special nonfeasance protection for roads authorities such as Council. Section 45 of *the Act* stipulates that a roads authority is not liable for harm arising from a failure to act in respect of maintenance of its roads and road reserves, unless at the time of the alleged failure the roads authority had actual knowledge of the particular risk which resulted in the harm. The importance of this defence is that a roads authority, such as Council, can in some circumstances avoid liability for injuries or damage related to the state of repair or maintenance of its roads and road reserves.

Section 42 of *the Act* also makes allowance for Council's ability to carry out its duty of care as being limited by the financial and other resources which are reasonably available to exercise its functions. To rely on this defence, Council is required to show evidence of its compliance with the general procedures and applicable standards for the exercise of its functions, such as risk management of its pathway networks.

It is accepted that the removal of all risk is not practically achievable. The systems implemented by Council to provide the management of risks will be based on prioritising works within the limited budgets available to Council.

### Policy aims

This Policy aims to:

- promote an integrated framework for dealing with pathways risk management;
- ensure consistency and fairness in the manner in which Council deals with pathways risk management;
- ensure compliance with legislative requirements under the *Local Government Act 1993*, *The Roads Act 1993* and the *Civil Liability Act 2002*;
- promote awareness of the requirements of the *Civil Liability Act 2002* with respect to acceptance by the community and the Court of the shared duty of care for pathway users to take reasonable care for their own safety when using these facilities;
- make Council's policies and requirements for pathways risk management readily accessible and understandable to the public.

**Policy details**

1	<p><b>Application</b></p> <p>This Policy provides for the appropriate risk management of Council's formed pathway network.</p>
2	<p><b>Legislation</b></p> <p>Eurobodalla Shire Council will comply with the <i>Local Government Act 1993</i>, <i>Roads Act 1993</i> and <i>Civil Liability Act 2002</i>.</p>
3	<p><b>Duty of Care</b></p> <p>Council will act reasonably in its endeavour to minimise injury and damage occurring as a consequence of Council's responsibilities.</p> <p>This concept requires acceptance by the community and the Court, of the shared duty of care for pedestrians, cyclists and other pathway users to take reasonable care when using the pathways network.</p>
4	<p><b>Risk Management System</b></p> <p>In relation to Council's formed pathway network, Council has developed appropriate systems to manage and maintain its network by:</p> <ul style="list-style-type: none"> <li>a) recording all formed pathway assets under Council's control;</li> <li>b) identifying defects through formal inspection of its pathway network;</li> <li>c) rating the hazard associated with the identified defect;</li> <li>d) prioritising the work based on the hazard rating and the efficiency of undertaking works;</li> <li>e) keeping appropriate records of actions taken;</li> <li>f) managing customer inquiries relating to formed pathways.</li> </ul> <p>It is accepted that the removal of all risk is not practically achievable. The systems implemented by Council will be based on prioritising works within the limited budgets available to Council.</p> <p>All defects are entered into and prioritised by Council's maintenance system from which a maintenance schedule is produced. Works are prioritised based on the highest defect rating, taking account of the efficiency of undertaking the work and the available budget limitations.</p>
5	<p><b>Outcomes</b></p> <p>The desired outcomes are to provide:</p> <ul style="list-style-type: none"> <li>a) an approach that facilitates safer pathways;</li> <li>b) a proactive system, taking account of the limited financial and other resources reasonably available to Council, to better manage the risks inherent in services provided by Council as a roads authority;</li> <li>c) a reduced potential for public liability claims against Council and the community it represents.</li> </ul>

<b>6</b>	<p><b>Financial and Resources</b></p> <p>Funding for the maintenance and renewal of Council's formed pathway network is budgeted annually and details of this budget are contained within Council's Operational Plan. This Plan is advertised for public comment prior to being considered and adopted by Council.</p> <p>Council has limited resources and has arranged these resources to undertake the work efficiently, based on geographic constraints. Council utilises a sector maintenance approach to achieve this outcome for routine maintenance issues.</p> <p>Council has also developed a pathway strategy that identifies a significant amount of new pathways as being desirable to provide to the community. These new pathways will be provided on a priority basis within the limited capital funding program as determined by Council within the annual Operational Plan.</p>
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### Implementation

Requirements	Responsibility
<p><b>1</b></p> <p><b>Implementation requirement</b></p> <p>Council will:</p> <ul style="list-style-type: none"> <li>• record all formed pathway assets under Council's control;</li> <li>• identify defects through formal inspection of its pathway network;</li> <li>• rate the hazard associated with the identified defect;</li> <li>• prioritise the work based on the hazard rating and the efficiency of undertaking works and available budget;</li> <li>• keep appropriate records of actions taken;</li> <li>• manage customer enquiries relating to formed pathways;</li> </ul> <p>establish an annual budget for the maintenance and renewal of the pathway network.</p>	<p>Divisional Manager Works</p>
<p><b>2</b></p> <p><b>Staff</b></p> <p>Under supervision, relevant Council staff will be responsible for ensuring that this Policy is implemented within their work area, after they have received relevant training and instruction on how to do so.</p>	<p>Council officers</p>
<p><b>3</b></p> <p><b>Concerns</b></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>	<p>Council officers</p>
<p><b>4</b></p> <p><b>Consultation</b></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. Public submissions regarding this Policy are invited for consideration during the exhibition period.</p>	<p>As applicable</p>

## 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.

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 Pathways Risk Management.

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

Performance indicator	Data source(s)
Customer Concerns	Council records
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit
Number of incidents on pathways	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 <i>Risk Management Policy</i>	<a href="#">Council policies   Eurobodalla Council website (nsw.gov.au)</a>
<i>Local Government Act 1993</i>	<a href="#">Local Government Act 1993</a>
<i>Roads Act 1993</i>	<a href="#">Roads Act 1993</a>
<i>Civil Liability Act 2002</i>	<a href="#">Civil Liability Act 2002</a>

### *Related external references*

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au/">www.olg.nsw.gov.au/</a>
Statewide Mutual's <i>Best Practice Manual</i> – <i>Footpaths (v6 August 2019)</i>	<a href="https://www.statewidemutual.com.au/">https://www.statewidemutual.com.au/</a>

*Change history*

Version	Approval date	Approved by	Min No	File No	Change
1	24 Nov 2009	Council	09/369	E09.3418	Policy adopted
2	27 Aug 2013	Council	13/246	E13.7095	Updated to Template, review date, references and links. Report O13/131.
3	dd mmm 2016	Council	TBA	E16.0297 E06.0375	Reviewed and updated (start of new Council term). Renamed to include “and Shared Pathways”.

*Internal use*

Responsible officer		Director, Infrastructure Services		Approved by	Council
Minute		Report		Effective date	
File	E16.0297 E06.0375	Review date	Jun 2022	Pages	5

DRAFT

<b>Policy title</b>	Pesticides/Herbicides Use Notification Plan
<b>Responsible manager(s)</b>	Director, Infrastructure Services
<b>Contact officer(s)</b>	Divisional Manager, Works
<b>Directorate</b>	Infrastructure Services
<b>Approval date</b>	
<b>Outcome area</b>	1. Strong communities, desirable lifestyles
<b>Strategy</b>	1.3 Encourage and enable healthy lifestyle choices
<b>Delivery Program</b>	1.3.2 Plan for and provide safe and accessible recreation and community facilities
<b>Operational Plan</b>	1.3.2.3 Build, renew, operate and maintain recreation and community facilities

### Purpose

In accordance with requirements under the *Pesticides Regulation 2009*, Council is required to have a Pesticides/Herbicides Plan prepared and available to the public.

The aim of the Plan is to meet the community's right to know about pesticide applications made to public places that are owned or controlled by Council. Public places are areas that the public is entitled to have access to (whether or not on payment of fee) and are described in detail in the *Pesticides/Herbicides Use Notification Plan Code of Practice*.

The Code allows members of the community to take action to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe, responsible manner without harm to the community or the environment.

### Policy Aims

- Promote an integrated framework for dealing with pesticide use on Council owned or controlled land
- Ensure consistency and fairness in the manner in which the Council deals with pesticide use on Council owned or controlled land
- Ensure compliance with legislative requirements under the *Local Government Act 1993*
- Promote awareness of the requirements of the *Act* with respect to the use of pesticides on Council owned or controlled land
- Take such steps as are appropriate to ensure pesticides are applied to public places in a safe, responsible manner
- Make Council's policies and requirements for pesticide use readily accessible and understandable to the public.

### Policy details

<b>1</b>	<b>Application</b> This Policy refers the community to the Pesticides/Herbicides Use Notification Plan Code of Practice, which sets out how Council will notify members of the community of pesticide applications made or allowed by Council in public places that it owns or controls.
<b>2</b>	<b>Legislation</b> Eurobodalla Shire Council will comply with the <a href="#">Pesticides Regulation 2009</a>

**Implementation**

Requirements	Responsibility
<p><b>1 Code of Practice</b>            This Policy will be implemented by following Council’s <i>Pesticides/Herbicides Use Notification Plan Code of Practice</i>, which specifies in detail the plan, procedures and matters to be considered and is to be made available in Council’s Policy Register – Codes of Practice.</p>	<p>Council officers</p>
<p><b>2 Public Places</b>            For the purposes of this Policy, the following categories of outdoor public spaces within the Council’s local government area include:</p> <ul style="list-style-type: none"> <li>• Low use public reserves (including Crown Reserves under Council’s care and control, operational land and natural areas)</li> <li>• Parks and gardens (including Crown Reserves under Council’s care and control)</li> <li>• Playgrounds;</li> <li>• Sporting fields and ovals</li> <li>• Road verges</li> <li>• Laneways and pathways</li> <li>• Drains and easements</li> <li>• Caravan/holiday parks</li> <li>• Cemeteries</li> <li>• Swimming pool grounds</li> <li>• Public buildings.</li> </ul>	<p>Council officers</p>
<p><b>3 Staff</b>            Under supervision, relevant Council staff will be responsible for ensuring that this Policy is implemented within their work area once appropriate training has been received.</p>	<p>Council officers</p>
<p><b>4 Concerns</b>            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>	<p>Council officers</p>
<p><b>5 Consultation</b>            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.</p>	<p>As applicable</p>

**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 Pesticides/Herbicides Use Notification.

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

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

Performance indicator	Data source(s)
Public concerns or complaints, feedback survey responses	Council records
Internal or external audit	Audit

### Governance

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

#### Related legislation and policies

Name	Link
<i>Pesticide/Herbicide Use Notification Plan Code of Practice</i>	<a href="#">Council policies   Eurobodalla Council website (nsw.gov.au)</a>
<i>Local Government Act 1993</i>	<a href="http://www.legislation.nsw.gov.au/#/view/act/1993/30">www.legislation.nsw.gov.au/#/view/act/1993/30</a>
<i>Pesticides Regulation 2009</i>	<a href="http://www.legislation.nsw.gov.au/#/view/regulation/2009/417?dq=Regulations%20under%20Pesticides%20Act%201999%20No%2080">www.legislation.nsw.gov.au/#/view/regulation/2009/417?dq=Regulations%20under%20Pesticides%20Act%201999%20No%2080</a>

#### Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
Environmental Protection Authority	<a href="https://www.epa.nsw.gov.au/">https://www.epa.nsw.gov.au/</a>

#### Change history

Version	Approval date	Approved by	Min No	File No	Change
1	20 Dec 2006	Council	06/464	91.2669	Pesticide Use Notification Plan reviewed (Report W06/147)
2	10 Sep 2013	Council	13/272	E13.7095	Reviewed and updated. Renamed to include 'Herbicide'
3	11 Apr 2017	Council	17/99	E16.0297 E06.0375	Reviewed and updated (start of new Council term). Renamed to include 'Use Notification Plan' in line with Code of Practice.
4	TBA	Council	TBA	TBA	Reviewed and updated at start of new Council term.

#### Internal use

Responsible officer	Director, Infrastructure Services		Approved by	Council	
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0375	Review date	Jun 2022	Pages	3

<b>Policy title</b>	Planning Agreements
<b>Responsible manager(s)</b>	Divisional Manager, Strategic and Sustainable Growth
<b>Contact officer(s)</b>	Coordinator, Strategy and Place
<b>Directorate</b>	Planning and Sustainability Services
<b>Approval date</b>	
<b>Outcome area</b>	6. Responsible and balanced development
<b>Strategy</b>	6.1 Plan for growth and encourage increased investment and development outcomes
<b>Delivery Program</b>	6.1.2 Review and prepare planning strategies, policies and studies
<b>Operational Plan</b>	6.1.2.4 Review Infrastructure Contribution Plans

### Purpose

Planning agreements provide enhanced and more flexible infrastructure funding opportunities for planning authorities to achieve tailored development outcomes and targeted public benefits, subject always to good planning.

The Planning Agreement Policy sets out Council's framework to negotiate the provision of public infrastructure, facilities and services.

### Policy aims

- establish a framework governing the use of planning agreements by Council;
- ensure the framework so established is efficient, fair, transparent and accountable;
- enhance planning flexibility in Council's area through the use of planning agreements;
- enhance the range and extent of development contributions made by development towards public facilities in Council's area; and
- set out Council's specific policies on the use of planning agreements.

### Policy details

<b>1</b>	<b>Application</b> This policy applies to planning agreements made or proposed to be made pursuant to Section 93F of the <a href="#">Environmental Planning and Assessment Act 1979</a> .
<b>2</b>	<b>Legislation</b> This policy sets out Council's policy relating to planning agreements under s7.4 of the <a href="#">Environmental Planning and Assessment Act 1979</a> (the Act) and the <a href="#">Environmental Planning and Assessment Regulation 2021</a> (the Regulation).
<b>3</b>	<b>Framework</b> Council's planning agreements framework consists of the following: <ol style="list-style-type: none"> <li>the provisions of Subdivision 2 of Division 6 of Part 4 of the Act;</li> <li>the provisions of Division 1A of Part 4 of the Regulation;</li> <li>this policy; and</li> <li>the Planning Agreements Code of Practice.</li> </ol>
<b>4</b>	<b>Objectives</b> Council's strategic objectives for the use of planning agreements include: <ol style="list-style-type: none"> <li>to provide an enhanced and more flexible development contributions system for Eurobodalla Shire;</li> </ol>

	<ul style="list-style-type: none"> <li>b) more particularly, to supplement or replace, as appropriate, the application to development of s7.11 and s7.12 of the Act;</li> <li>c) to give all stakeholders in development greater involvement in determining the type, standard and location of public facilities and other public benefits;</li> <li>d) to allow the community, through the public participation process under the Act, to agree to the redistribution of the costs and benefits of development in order to realise community preferences for the provision of public benefits;</li> <li>e) to adopt innovative and flexible approaches to the provision of infrastructure in a manner consistent with Council's adopted management plan;</li> <li>f) to provide or upgrade infrastructure to appropriate levels that reflect and balance environmental standards, community expectations and funding priorities;</li> <li>g) to provide certainty for the community, developers and Council in respect of infrastructure and development outcomes; and</li> <li>h) to facilitate the provision of particular public facilities and other public benefits in connection with the development of priority sites nominated as such as in any structure plan made by Council.</li> </ul>
<p><b>5</b></p>	<p><b>Circumstances in which Council will consider negotiating a planning agreement</b> Council, at its discretion, may negotiate a planning agreement with a developer in connection with any application by the developer for an amendment to an environmental planning instrument (EPI) or for development consent relating to any land in Council's area. Council may consider negotiating a planning agreement with a developer to:</p> <ul style="list-style-type: none"> <li>a) compensate for the loss of, or damage to, a public amenity, service, resource or asset caused by the development through its replacement, substitution, repair or regeneration;</li> <li>b) meet the demands created by the development for new public infrastructure, amenities and services;</li> <li>c) address a deficiency in the existing provision of public facilities in Council's area;</li> <li>d) achieve recurrent funding in respect of public facilities;</li> <li>e) prescribe inclusions in the development that meet specific planning objectives of Council;</li> <li>f) monitor the planning impacts of development; and</li> <li>g) secure planning benefits for the wider community</li> </ul> <p>Council will consider the Acceptability test in the code when determining the desirability of a proposed planning agreement.</p>
<p><b>6</b></p>	<p><b>Application of s7.11 and s7.12 to development to which a planning agreement relates</b></p> <p>Council has no general policy on whether a planning agreement should exclude the application of s7.11 or s7.12 of the Act to development to which the agreement relates. This is a matter for negotiation between Council and a developer having regard to the particular circumstances of the case.</p> <p>However, where the application of s7.11 of the Act to development is not excluded by a planning agreement, Council will decide on a case-by-case basis whether it will allow benefits under the planning agreement to be taken into consideration in determining a development contribution under s7.11</p>
<p><b>7</b></p>	<p><b>Form of development contributions under a planning agreement</b></p> <p>The form of a development contribution to be made under a proposed planning agreement will be determined by the particulars of the instrument change or development application to which the proposed planning agreement relates.</p>

**Implementation**

Requirements		Responsibility
1	<b>Code of Practice</b> This policy will be implemented by following Council's Planning Agreements Code of Practice, which specifies in detail the matters for consideration and procedures to be followed.	Divisional Manager, Strategic Services
2	<b>Staff</b> Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Land Use Planning Coordinator, Development Assessment Coordinator
3	<b>Concerns</b> 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	<b>Consultation</b> Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable.

**Review**

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

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

**Note:** *The next general local government election is expected to be held in September 2024.* Reviews of the effectiveness of this policy could include the following:

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

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

**Definitions**

Other than the terms defined below, terms used in this policy and its associated code of practice have the meanings found in the Acts listed above

Word/acronym/phrase	Definition
<i>surplus value</i>	the value of the developer's provision under a planning agreement less the sum of the value of public works required to be carried out by the

	developer under a condition imposed under s80A(1) of the Act and the value of development contributions that are or could have been required to be made under s7.11 or s7.12 of the Act in respect of the development the subject of the agreement.
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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
Code of Practice	<a href="https://www.esc.nsw.gov.au/council/governance/council-policies">https://www.esc.nsw.gov.au/council/governance/council-policies</a>
Local Government Act 1993	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030">https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030</a>
Environmental Planning and Assessment Act 1979	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030">https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030</a>
Environmental Planning and Assessment Regulation 2021	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0759">https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0759</a>
<i>Land Acquisition (just Terms Compensation) Act 1991</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1991-022">https://legislation.nsw.gov.au/view/html/inforce/current/act-1991-022</a>
<i>Development Contributions Practice notes – July 2005</i>	<a href="https://www.planning.nsw.gov.au/-/media/Files/DPE/Practice-notes/practice-note-development-contributions-section-94-jul05.pdf?la=en">https://www.planning.nsw.gov.au/-/media/Files/DPE/Practice-notes/practice-note-development-contributions-section-94-jul05.pdf?la=en</a>

### *Related external references*

Name	Link
Office of Local Government	<a href="https://www.olg.nsw.gov.au/">https://www.olg.nsw.gov.au/</a>
Department of Planning and Environment	<a href="https://www.dpie.nsw.gov.au/">https://www.dpie.nsw.gov.au/</a>

### *Change history*

Version	Approval date	Approved by	Min No	File No	Change
1	19 Dec 2006	Council		E06.0381	Policy commenced
2	22 Sep 2009	Council	09/291	E09.3418 E06.0381	Policy retained (report G09-99)
3	10 Sep 2013	Council	13/272	E13.7095 E06.0381	Updated template, review date, references and links
4	27 June 2017	Council	17/214	E16.0297 E06.0381	Reviewed and updated (start of new Council term) report GMR17/021
5	TBA	Council	TBA	E16.0297 E06.0381	Reviewed and updated (start of new Council term) report

### *Internal use*

Responsible officer		Director Planning and Sustainability Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E06.0381	Review date	Jun 2022	Pages	5

DRAFT

<b>Policy title</b>	Pricing
<b>Responsible manager(s)</b>	Chief Financial Officer
<b>Contact officer(s)</b>	Chief Financial Officer
<b>Directorate</b>	General Manager
<b>Approval date</b>	
<b>Outcome</b>	9. Innovative and Proactive Leadership
<b>Strategy</b>	9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
<b>Delivery Program</b>	9.2.5 Benchmark and review Council fees and charges
<b>Operational Plan</b>	9.2.5.1 Review commercial services fees and charges

### Purpose

To enable a pricing methodology based on guiding principles, with respect to fees and charges made by Council under Section 608 of the *Local Government Act (NSW) 1993* (the Act) and required to be shown in Council's Operational Plan under Section 405 of the Act.

### Policy aims

Pricing will:

- Explore cost recovery opportunities
- Ensure value for money by providing effective and efficient service
- Balance fees against rates, grants and other funding sources
- Manage financial risk
- Develop transparent pricing structures that can be administered simply and efficiently and be understood by the public
- Develop pricing structures that reflect real life-cycle and environmental costs
- Recognise pricing encourages or discourages consumer use and behaviours.

### Policy statement

<b>1</b>	<b>Application</b> Council's Pricing Policy generally supports the cost recovery philosophy. It recognises people's ability to pay and balances an expectation that some services will be cross subsidised from rates for the common good of the community.
<b>2</b>	<b>Legislation</b> Eurobodalla Shire Council will comply with Part 10 of Chapter 15 <i>Local Government Act (NSW) 1993</i> .
<b>3</b>	<b>Fees and Charges</b> Section 608 of the Act allows councils to charge or recover a fee for any service it provides such as: <ul style="list-style-type: none"> <li>• Supplying a service, product, or commodity;</li> <li>• Giving information;</li> <li>• Providing a service in relation to council's regulatory functions; or</li> <li>• Allowing admission to a building or other council owned venue.</li> </ul> Fees and charges made under Section 608 of the Act will be classified according to the following pricing methodology: <ul style="list-style-type: none"> <li>• Full Cost Recovery - Recovery of costs including direct, indirect, allocated overheads and opportunity cost of capital associated with providing a service. In some cases,</li> </ul>

	<p>provision may be made for future expenditure (such as pricing in the ‘marginal cost’ of next upgrade or proposal to increase service levels).</p> <ul style="list-style-type: none"> <li>• Partial Cost Pricing - Subsidised operations which are of benefit to the community as a whole, particularly keeping low-income users in mind.</li> <li>• Statutory Fees - Price of the service is determined by Legislation. These fees will only be varied by changes to the legislation concerned.</li> <li>• Market Pricing - The price of the service is determined by examining alternative prices of surrounding service providers. Council will not use subsidies to compete unfairly or price others out of the market where services are of the same quality.</li> </ul> <p>In determining which pricing methodology is appropriate for each type of service, Councils are guided by principles of ‘fair imposition’ and ‘user pays’. It may also be appropriate to conduct a benefit cost analysis if it is considered likely a net cost will result. Councils may raise funds for local purposes by fair imposition of rates, charges and fees, by income earned from investments, and when appropriate by borrowings and grants. User pays is attached to those council services that are made available to the public but not necessarily provided collectively and generically to all ratepayers. Hence payment is sought from the user or direct beneficiary of the service rather than imposing that cost on all ratepayers.</p> <p>On an annual basis, fees and charges (not including statutory fees) will be increased generally by the higher of September to September Consumer Price Index and IPART’s Local Government Cost Index and are subject to a rounding policy. Further detailed information, including the rounding policy, is contained in Council’s Fees and Charges document that is reviewed, publicly exhibited and adopted annually.</p>
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### Implementation

Requirements		Responsibility
<b>1</b>	<p><b>Staff</b></p> <p>Under supervision, applicable council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.</p>	Council officers
<b>2</b>	<p><b>Concerns</b></p> <p>Concerns received regarding this policy will be recorded in Council’s records system and handled in accordance with Council’s Customer Service or Complaints Policy. These records will be used to analyse the history of concerns and to help determine follow up actions.</p>	Council officers
<b>3</b>	<p><b>Consultation</b></p> <p>Development of this policy forms part of Council Operational Planning processes and refers to relevant legislation. Changes to this policy will be placed on public exhibition for the required notice period with public submissions encouraged.</p>	Council officers Community

### 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 Pricing.

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

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

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

Performance indicator	Data source(s)
Customer Concerns, Feedback Survey Responses	Council records, 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
Operational Plan	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0018/219303/ESC-DP-2022-26-OP-2022-23-web.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0018/219303/ESC-DP-2022-26-OP-2022-23-web.pdf</a>
Local Government Act 1993	<a href="http://www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/">www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/</a>
Policy Statement on the Application of Competitive Neutrality	<a href="http://www.treasury.nsw.gov.au/sites/default/files/pdf/TPP02-1_Policy_Statement_on_the_Application_of_Competitive_Neutrality_Policy_and_Guidelines_Paper.pdf">www.treasury.nsw.gov.au/sites/default/files/pdf/TPP02-1_Policy_Statement_on_the_Application_of_Competitive_Neutrality_Policy_and_Guidelines_Paper.pdf</a>
Guidelines for Pricing of User Charges	<a href="http://www.treasury.nsw.gov.au/sites/default/files/pdf/TPP01-2_Guidelines_for_Pricing_of_User_Charges.pdf">www.treasury.nsw.gov.au/sites/default/files/pdf/TPP01-2_Guidelines_for_Pricing_of_User_Charges.pdf</a>

### Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>

### Change history

Version	Approval date	Approved by	Min No	File No	Change
1	24 Nov 2009	Council	09/369	E09.3418 E05.9513	Policy adopted Report G09/99.
2	27 Aug 2013	Council	13/246	E13.7095 E05.9513	Updated template, review date, references, links. Report O13/131.
3	27 June 2017	Council	17/214	E16.0297 E05.9513	Reviewed and updated, report GMR17/021
4	TBA	Council	TBA	E16.0297 E05.9513	Reviewed and updated, report

### Internal use

Responsible officer	Director Corporate and Commercial services		Approved by	Council
Min No	TBA	Report no	TBA	Effective date
File no	E16.0297 E05.9513	Review date	Jun 2022	Pages
				3

<b>Policy title</b>	Procurement
<b>Responsible manager(s)</b>	Divisional Manager Governance and Administrative Services
<b>Contact officer(s)</b>	Fleet and Procurement Coordinator
<b>Directorate</b>	Corporate and Commercial Services
<b>Approval date</b>	
<b>Outcome area</b>	9. Innovative and Proactive Leadership
<b>Strategy</b>	9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
<b>Delivery Program link</b>	9.2.3 Provide administrative, technical and trade services to support the organisation
<b>Operational Plan link</b>	9.2.3.6 Provide procurement and stores

### Purpose

To ensure principles of value for money, efficiency, ethics, and fair dealing are maintained in the procurement of goods and services by Eurobodalla Shire Council.

The policy requires an emphasis on a planned, risk considerate approach to the purchase of goods and services through achieving:

- High levels of customer service;
- Accurate determination of the requirement;
- Minimisation and mitigation of risks;
- Efficient use of Council resources;
- Open and effective competition;
- Ethics and fair dealing; and
- Accountability and transparency.

### Policy aims

- Assist decision-makers to exercise discretionary powers in relation to procurement;
- Promote an integrated framework for dealing with suppliers;
- Ensure transparency, consistency and fairness in the manner in which Council deals with suppliers and contractors;
- Ensure compliance with legislative requirements under the *Local Government Act 1993*;
- Promote awareness of the requirements of the Act with respect to purchasing and probity;
- Take such steps as are appropriate to ensure probity and accountability; and
- Make Council's policies and requirements for procurement readily accessible and understandable to the public.

### Policy details

<b>1</b>	<p><b>Application</b></p> <p>This policy applies to all procurement undertaken by, or on behalf of Eurobodalla Shire Council and requires that careful consideration of risk is undertaken in all purchases, relevant to the size, nature, and complexity of the requirement. The principles detailed within this policy apply also to the disposal of Council goods, property, and the sale of land.</p>
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2	<p><b>Legislation</b></p> <p>All activities subject to this policy are to be undertaken in accord with the <i>Local Government Act 1993</i> and Council's finance/procurement delegation framework, <i>Local Government (General) Regulation 2021</i>, Office of Local Government (OLG) <i>Tendering Guidelines for NSW Local Government</i>, and all applicable Local, Federal, and State legislation.</p>
3	<p><b>Terms and Conditions</b></p> <p>This policy should be read in conjunction with Council's Procurement (including tendering) Code of Practice and the WHS policy.</p>
4	<p><b>High levels of customer service</b></p> <p>A primary goal of all Council activities is to deliver a high level of customer service to both external and internal stakeholders. Adequate consideration shall be given to the provision of customer service in the procurement of goods, services, and projects.</p>
5	<p><b>Accurate determination of the requirement</b></p> <p>Before commencing a procurement activity, consideration should be given to:</p> <ul style="list-style-type: none"> <li>• fitness for purpose;</li> <li>• minimisation and mitigation of risks;</li> <li>• the estimated cost of the requirement;</li> <li>• environmental sustainability; and</li> <li>• social impacts.</li> </ul>
6	<p><b>Minimisation and mitigation of risks</b></p> <p>Adequate WHS and environmental risk assessments must be conducted for all procurement activities, carefully considering:</p> <ul style="list-style-type: none"> <li>• any potential hazards that may be associated with the required goods or provision of services;</li> <li>• the likelihood of any hazards or risks identified;</li> <li>• the impact or consequence for each risk or hazard identified; and</li> <li>• any controls or strategies appropriate for the mitigation of hazards or risks identified.</li> </ul> <p>Other risks such as quality management, financial, impacts to service delivery/availability, impacts on the community and reputational risks should also be addressed commensurate to the scale and nature of the goods, project or service being procured.</p>
7	<p><b>Efficient use of Council resources</b></p> <p>Before commencing any procurement activity consideration should be made to:</p> <ul style="list-style-type: none"> <li>• availability and source of funding;</li> <li>• any alternative sources of funding (e.g. grants and partnerships) that may be available;</li> <li>• using any government contracts standing offers or other established purchasing agreements available to NSW Local Government organisations;</li> </ul>

	<ul style="list-style-type: none"> <li>• seeking strategic alliances in the delivery of services, where appropriate and forming partnerships with other Local Governments, Government agencies and the private sector;</li> <li>• Whole-of-Life (WOL) cost factors associated with goods including maintainability, commonality of spares, technical support, operating costs, Net Present Value (NPV) and estimated income from sale; and</li> <li>• method and risks associated with disposal.</li> </ul>
<p><b>8</b></p>	<p><b>Open and effective competition</b></p> <p>To ensure value for money is achieved Council should:</p> <ul style="list-style-type: none"> <li>• conduct appropriate market testing for the cost, nature and level of complexity of the purchase;</li> <li>• develop a sound evaluation criteria that is clearly communicated within the tender;</li> <li>• select the lowest-priced, compliant offer provided it is fit for purpose and can be delivered in the time required, unless other reasonable factors are clearly communicated to the bidding party in the evaluation criteria; and</li> <li>• seek offers from both local and non-local sources.</li> </ul> <p>Council will comply with the <i>Local Government Act 1993</i> (the Act). Section 55 of the Act sets out the circumstances where tendering is required. When conducting tendering exercises, Council must adhere to the Office of Local Government (OLG) <i>Tendering Guidelines for NSW Local Government</i> including:</p> <ul style="list-style-type: none"> <li>• adhering to the open tendering threshold of \$250,000 (incl. GST), as mandated under section 3.1 of the guidelines;</li> <li>• developing tender specifications that discourage bias, encourage innovation and alternative solutions, reduce administrative burden, minimise market pressure on suppliers and improve environmental performance;</li> <li>• developing a sound evaluation criteria that is clearly communicated within the tender; and</li> <li>• In the event of goods or services being required in an emergency, application should be made to fast-track or bypass competitive pricing or any other regulative procedures that may exacerbate the situation (noting the provisions of section 55 (3) (k) of the Local Government Act 1993).</li> </ul> <p>Council shall publish a copy of the contract register on the Council’s website as required under Section 35 of the <i>Government Information Public Access Act 2009</i> (GIPA Act).</p>
<p><b>9</b></p>	<p><b>Ethics and fair dealing;</b></p> <p>In order to achieve ethical and fair procurement practices, Council will:</p> <ul style="list-style-type: none"> <li>• maintain principles of probity including fairness, honesty, integrity and professionalism;</li> <li>• insist on suppliers meeting the same level of ethical standards as its own;</li> <li>• ensure an appropriate number of sources are chosen relative to the value of the purchase and the size and nature of the industry;</li> <li>• not split requirements for the purpose of avoiding statutory or other mandatory government purchasing requirements;</li> <li>• not conduct procurement activities for any requirements other than those relating to Council business;</li> </ul>

	<ul style="list-style-type: none"> <li>• identify and report any pecuniary or non-pecuniary interests without delay, in accordance with Council’s Code of Conduct;</li> <li>• maintain the confidentiality of commercially sensitive information, unless agreed to under terms and conditions with the supplier/provider;</li> <li>• approach potential market sources with consistent information; and</li> <li>• foster and encourage equal opportunity and diversity.</li> </ul>
<b>10</b>	<p><b>Accountability and transparency</b></p> <p>Council will ensure that the process for awarding contracts is open to scrutiny, clear, fully documented, and defensible. Tenders and other competitive processes will be based on clearly articulated evaluation criteria, consistent with the legislative and policy framework.</p> <p>A clear audit trail will be maintained for each purchase and records will be kept for 7 years from the date of the activity unless otherwise stated with in the NSW</p>

### Implementation

Requirements		Responsibility
<b>1</b>	<p><b>Code of Practice</b></p> <p>This policy will be implemented by following Council’s Procurement (including tendering) Code of Practice.</p>	All staff
<b>2</b>	<p><b>Staff</b></p> <p>Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.</p>	Council officers
<b>3</b>	<p><b>Concerns and requests</b></p> <p>Public concerns communicated to Council regarding this policy will be recorded on Council’s Enterprise Content Management system and handled in accordance with Council’s Customer Requests Management Procedure or Complaints Policy so concerns can be responded to.</p>	Council officers Public officer
<b>5</b>	<p><b>Consultation</b></p> <p>Consultation regarding this policy will occur as relevant with key stakeholders and may include legislative bodies, other agencies, relevant legislation, industry guidelines, and public comment. Proposed substantive changes to this policy will be placed on public exhibition. Public submissions regarding this policy are invited for consideration during the policy exhibition period.</p>	As required

### Review

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

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless council revokes it sooner. **Note:** *The next general local government election is expected to be held in September 2024.*

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

Performance indicator	Data source(s)
Customer Concerns	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
Local Government Act 1993	<a href="http://www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/">www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/</a>
Local Government (General) Regulation 2021	<a href="#">Local Government (General) Regulation 2021 - NSW Legislation</a>
Tendering Guidelines for NSW Local Government	<a href="http://www.olg.nsw.gov.au/sites/default/files/Tendering-Guidelines-for-NSW-Local-Government.pdf">www.olg.nsw.gov.au/sites/default/files/Tendering-Guidelines-for-NSW-Local-Government.pdf</a>
GA39 Local Government Records Authority	<a href="http://arp.nsw.gov.au/node/319">http://arp.nsw.gov.au/node/319</a>
Procurement (including tendering) Code of Practice	<a href="#">Council Policies and Codes of Practice</a>
Disposal of Council Property Code of Practice	<a href="#">Council Policies and Codes of Practice</a>
Sale of Land Code of Practice	<a href="#">Council Policies and Codes of Practice</a>

### Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
State Records	<a href="http://www.records.nsw.gov.au">www.records.nsw.gov.au</a>

### Definitions

Word/Term	Definition
<b>Fitness for purpose</b>	Suitability of goods and/or services for the desired Council outcome including consideration of performance, cost, safety and the “triple bottom line”.
<b>Procurement</b>	The whole process associated with obtaining goods or services, from determination of the requirement to acceptance of, and payment for the contract deliverable(s).
<b>Tender specification</b>	A list of the specific requirements associated with a requirement for goods or services including technical elements (functional or performance based), administrative and statutory requirements.

<b>Timeliness</b>	Consideration of external factors or events which may affect, or be affected by, the procurement activity being conducted. Such factors include, however are not limited to, user deadlines, interrelationships with other Council projects, advantageous market conditions and savings that can be achieved through bulk purchases.
<b>Triple bottom line</b>	Consideration of cost, social and environmental impacts in decision-making.
<b>Value for money</b>	A concept which requires careful and objective consideration of all value factors as inputs to the procurement decision, including competitiveness of the market, fitness for purpose and timeliness.

*Change history*

Version	Approval date	Approved by	Min No	File No	Change
1	27 Jun 2006	Council	06/139	05.9513	policy replaced; "Tendering and Purchasing Policy" number 4.9, policy number 4.2 "ASSET - Asset Acquisition" and any former policies related to asset disposal, "Tendering policy" (adopted 28 February 2006, Minute No 06/32).
2	10 Sep 2013	Council	13/280	E13.7095	Policy reviewed and retained.
3	July 2015	-	-	E06.0375	Minor referencing updates only- no substantial change (did not need Council re-adoption)
4	25 Jul 2017	Council	17/248	E05.9513 E16.0297	Minor review, inserting "social impact" as an element of requirements determination and noting that the tendering threshold is GST inclusive.
5	TBA	Council	TBA	E05.9513 E16.0297	Reviewed and updated (start of new Council term) Report

*Internal use*

Responsible officer		Director Corporate and Commercial Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E05.9513 E16.0297	Review date	Jun 2022	Pages	6

<b>Policy title</b>	Water and Sewer Connections
<b>Responsible manager(s)</b>	Director Infrastructure Services
<b>Contact officer(s)</b>	Division Manager Water and Sewer
<b>Directorate</b>	Infrastructure Services
<b>Approval date</b>	
<b>Outcome area</b>	4. Sustainable living
<b>Strategy</b>	4.1 Maximise the efficient use and reuse of our water resources
<b>Delivery Program</b>	4.1.1 Provide a safe, reliable and sustainable town water supply and sewerage services
<b>Operational Plan</b>	4.1.1.1 Build, renew, operate and maintain water supply systems 4.1.1.2 Build, renew, operate and maintain sewerage systems

### Purpose

Council provides, manages and operates water supply and sewerage services in accordance with operating licenses and State and Federal legislation. Detailed requirements for the provision of water and sewer connections to Council's water supply and sewerage systems can be found in legislation, standards, industry codes of practice and guidelines.

### Policy aims

- Make Council's requirements for water and sewer connections readily accessible and understandable to the public.
- Promote an integrated framework for dealing with applications for water and sewer connections.
- Ensure consistency and fairness in the manner in which the Council deals with water and sewer customers.
- Ensure compliance with legislative requirements under the *Local Government Act 1993*.

### Policy statement

<b>1</b>	<b>Application</b> This policy addresses Council's requirements for connections to Council's water supply and gravity sewerage systems.
<b>2</b>	<b>Legislation</b> Eurobodalla Shire Council will comply with the <u><i>Local Government Act 1993</i></u>

### Implementation

Requirements	Responsibility
<b>1</b> <b>General Provisions for Water Connections</b> a) Connections to Council's water supply shall only be permitted where not excluded by Council's <i>Rural and Trunk Mains Connections</i> policy. b) Permissible connections to the existing water supply are subject to the owner(s) of the land agreeing to: <ul style="list-style-type: none"> <li>• Make full payment of future consumption charges determined in accordance with Council's <i>Water Usage Charges</i> policy;</li> </ul>	Council officers

	<ul style="list-style-type: none"> <li>• Safeguard the water service connection from damage;</li> <li>• Make full payment for repair costs associated with any damage to the water meter assembly (accidental or as a consequence of vandalism); and,</li> <li>• Keep the water meter accessible for reading and maintenance purposes.</li> </ul> <p>c) All water connections, including new fire services shall be metered.</p> <p>d) All free-standing and multi-unit residential premises must be separately metered.</p> <p>e) Water meters are to be located within 1 metre of the property front boundary or other location approved by the Division Manager Water and Sewer or the Water and Sewer Operations Engineer.</p> <p>f) Connections to Council's water supply shall be carried out by Council following payment of a connection fee as published in Council's Fees and Charges. No work is to commence until the connection fee has been paid in full.</p> <p>g) Council will maintain water service connections from the water main to and including the water meter. All assets including pipes, valves and backflow prevention devices on the property side of the meter are the responsibility of the property owner.</p>	
<p><b>2</b></p>	<p><b>General Provisions for Sewer Connections</b></p> <p>a) Where a new sewer junction is required to be cut into an existing main, the work shall be carried out by Council following payment of a connection fee as published in Council's Fees and Charges. No work is to commence until the connection fee has been paid in full.</p> <p>b) Where the sewer service connection is constructed in accordance with Council's Water and Sewer Design and Construction Specification, Council will maintain the service connection from the sewer main to the base of the boundary inspection shaft.</p> <p>c) Where the sewer service connection has not been constructed in accordance with Council's Water and Sewer Design and Construction Specification, and Council's sewer is located within the property being served, Council will maintain to the collar of the branch junction with the main.</p> <p>d) Where the sewer service connection has not been constructed in accordance with Council's Water and Sewer Design and Construction Specification, and Council's sewer is located outside the property being served, Council will maintain to the property boundary.</p>	<p>Council officers</p>
<p><b>3</b></p>	<p><b>Vacant Land</b></p> <p>a) Water Connection</p> <ul style="list-style-type: none"> <li>• Water connections servicing vacant land shall be linked to Council's water main by an individual property service pipe.</li> <li>• A 20mm positive displacement meter shall be used for all vacant residential allotments.</li> <li>• A 25mm positive displacement meter shall be used for all vacant commercial and industrial allotments.</li> </ul> <p>b) Sewer Connection</p> <ul style="list-style-type: none"> <li>• Sewer connections servicing vacant land shall be linked to Council's sewer main by an individual property service pipe.</li> </ul>	<p>Council officers</p>

	<ul style="list-style-type: none"> <li>The property connection point or boundary inspection for sewer connections servicing vacant land shall be terminated at minimum 600mm below ground level and marked using identification tape and hardwood peg or other approved method.</li> </ul>	
<b>4</b>	<p><b>Single Residential Dwellings</b></p> <p>a) Water Connection</p> <ul style="list-style-type: none"> <li>New water connections servicing properties with single residential dwellings shall be linked to Council’s water main by an individual property service pipe.</li> <li>A 20mm positive displacement meter shall be used for all single residential dwelling water service connections.</li> </ul> <p>b) Sewer Connection</p> <ul style="list-style-type: none"> <li>New sewer connections servicing properties with single residential dwellings shall be linked to council’s sewer main by an individual property service pipe.</li> </ul>	Council officers
<b>5</b>	<p><b>Torrens and Community Title Developments</b></p> <p>a) Water Connections</p> <ul style="list-style-type: none"> <li>New water connections servicing properties with Torrens and Community Title developments shall be serviced by multiple water connections linking each individual lot to Council’s water main by individual property service pipes.</li> <li>A 3 metre wide easement shall be created over any water main extension required on private land to service the development.</li> <li>A 20mm positive displacement meter shall be used for each Torrens or Community Title unit water service connection.</li> </ul> <p>b) Sewer Connections</p> <ul style="list-style-type: none"> <li>New sewer connections servicing properties with Torrens and Community Title developments shall be serviced by multiple sewer connections linking each individual lot to Council’s sewer main by individual property service pipes.</li> <li>A 3 metre wide easement shall be created over any sewer main extension required on private land to service the development.</li> </ul>	Council officers
<b>6</b>	<p><b>Strata Title Developments</b></p> <p>a) Water Connection(s)</p> <p>New water connections servicing properties with strata title developments shall be either:</p> <ul style="list-style-type: none"> <li>Linked to Council’s water main by an individual property service pipe, with all strata units separately metered by private water meters within the development. The property service meter shall be sized in accordance with the requirements of Australian Standard 3500.1 Plumbing and Drainage – Water Services.</li> <li>Serviced by multiple water connections linking each strata unit to Council’s water main by individual service pipes. A 20mm positive displacement meter shall be used for each strata unit water service connection.</li> </ul> <p>b) Sewer Connection</p>	Council officer

	<ul style="list-style-type: none"> <li>• New sewer connections servicing properties with strata title developments shall be linked to Council’s sewer main by a single individual property service pipe where practicable.</li> </ul> <p>Applicants for strata title developments shall be advised that water and sewer connections standards for Torrens and Community Title developments are more onerous, and that allowance for future upgrading of water and sewer connections should be considered in the design.</p>	
7	<p><b>Dual Occupancy Developments</b></p> <p>a) Water Connection(s) New water connections servicing properties with dual occupancy developments shall be either:</p> <ul style="list-style-type: none"> <li>• Linked to Council’s water main by an individual property service pipe, with dwellings separately metered by private water meters within the development.</li> <li>• Serviced by multiple water connections linking each dwelling to Council’s water main by individual service pipes. A 20mm positive displacement meter shall be used for each water service connection.</li> </ul> <p>b) Sewer Connection(s) New dual occupancy developments shall be serviced by either:</p> <ul style="list-style-type: none"> <li>• A single connection to Council’s sewer main by an individual property service pipe.</li> <li>• Multiple sewer connections linking each dwelling to Council’s sewer main by individual service pipes.</li> </ul> <p>Applicants for dual occupancy developments shall be advised that sewer connections standards for development other than single residential dwellings/dual occupancies are more onerous, and that upgrading sewer connections in the future may be costly or impractical.</p>	Council officers
8	<p><b>Commercial and Industrial Developments</b></p> <p>a) Water Connections</p> <ul style="list-style-type: none"> <li>• New water connections servicing properties with commercial or industrial developments shall be linked to Council’s water main by a single individual property service pipe where practicable.</li> <li>• Water meters shall be sized in accordance with the requirements of Australian Standard 3500.1 Plumbing and Drainage – Water Services.</li> <li>• Water meters supplying commercial and industrial allotments shall be a minimum of 25mm.</li> <li>• The property owner may be required to install and maintain a testable backflow prevention device in accordance with Council’s <i>Water Supply Backflow Prevention and Cross Connection Control</i> policy.</li> </ul>	Council officers

	<p>b) Sewer Connections</p> <ul style="list-style-type: none"> <li>• New sewer connections servicing properties with commercial or industrial developments shall be linked to Council’s sewer main by a single individual property service pipe where practicable.</li> <li>• The occupant may require an approval to discharge liquid trade waste to Council’s sewer and may be required to enter into a Liquid Trade Waste Service Agreement in accordance with Council’s <i>Liquid Trade Waste Regulation</i> policy.</li> </ul>	
<p>9</p>	<p><b>Mixed Development</b></p> <p>a) Water Connection(s) New water connections servicing properties with mixed residential / commercial developments shall be either:</p> <ul style="list-style-type: none"> <li>• Linked to Council’s water main by an individual property service pipe, with all residential units separately metered by private water meters within the development. The property service meter shall be sized in accordance with the requirements of Australian Standard 3500.1 Plumbing and Drainage – Water Services.</li> <li>• Serviced by multiple water connections linking each residential unit to Council’s water main by individual service pipes. A 20mm positive displacement meter shall be used for each residential unit water service connection.</li> </ul> <p>b) Sewer Connection</p> <ul style="list-style-type: none"> <li>• New sewer connections servicing properties with mixed developments shall be linked to Council’s sewer main by a single individual property service pipe where practicable.</li> </ul> <p><b>Applicants for mixed residential / commercial developments shall be advised that water and sewer connections standards for Torrens Title developments are more onerous, and that allowance for future upgrading of water and sewer connections should be considered in the design.</b></p>	<p>Council officers</p>
<p>10</p>	<p><b>Fire Services</b></p> <ul style="list-style-type: none"> <li>• Water connections dedicated to servicing private hydrants and/or sprinkler systems shall have a double detector check valve with a 25mm diameter bypass fitted. The 25mm meter shall not be fitted with integral check valves.</li> <li>• Fire services servicing properties with strata title developments may be used as an internal water main to supply individual strata units. The metered bypass shall be sized in accordance with the requirements of Australian Standard 3500.1 Plumbing and Drainage – Water Services.</li> <li>• Water connections required for fire services must not contain an in-line strainer.</li> <li>• Owners of Fire Services must lodge an annual “Backflow Prevention Device Inspection, Testing and Maintenance Report in accordance with Council’s <i>Water Supply Backflow Prevention and Cross Connection Control Policy</i> for the service to be considered a Fire service.</li> </ul>	<p>Council officers</p>

<p><b>11</b></p>	<p><b>Disconnections and Restrictions</b>          Disconnection from Council’s water supply or sewerage system may be instigated by the property owner(s) or by Council.</p> <p>a) At request of the property owner(s).</p> <ul style="list-style-type: none"> <li>• The property owner(s) may request that a water or sewer service be disconnected from Councils water supply or sewerage system if the property becomes vacant or is to be redeveloped.</li> <li>• Disconnections from Council’s water supply or sewerage systems shall be carried out by Council following payment of a disconnection fee as published in Council’s Fees and Charges. No work is to commence until the disconnection fee has been paid in full.</li> <li>• Disconnection from the system may not necessarily result in the property no longer being subject to water and sewer access charges. Owners should confirm if annual access charges will still be payable when seeking to disconnect a service.</li> </ul> <p>b) Disconnection by Council</p> <ul style="list-style-type: none"> <li>• Failure to comply with Council’s water and sewer policies or to pay water and sewer rates or charges may result in Council taking action to restrict the supply of water to a premises or to disconnect the property from its water supply and sewerage systems. Disconnection or restricting the supply of water does not affect the liability of the rateable person to pay the outstanding rates or charges.</li> <li>• Restricting the supply of water to a premises or disconnection from Council’s water supply or sewerage systems will be undertaken in accordance with the Local Government Act and Regulations.</li> </ul>	
<p><b>12</b></p>	<p><b>Staff</b>          Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.</p>	<p>Council officers</p>
<p><b>13</b></p>	<p><b>Concerns</b>          Concerns received regarding the application of the Water and Sewer Connections policy will be recorded on Council’s Customer Service Request (CSR) or records system and handled in accordance with Council’s Customer Complaints &amp; Services Request Policy. They will be used to analyse the history of concerns and to help determine follow up actions.</p>	<p>Council officers</p>
<p><b>14</b></p>	<p><b>Consultation</b>          Consultation regarding this policy will occur as relevant and may include legislative bodies, other relevant legislation, industry guidelines, and public comment.</p>	<p>As applicable</p>

## 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 water and sewer connections.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner. **Note:** *The next general local government election is expected to be held in September 2024.*

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

Performance indicator	Data source(s)
Delivery Program/ Operational Plan outcomes achieved	Council reporting
Concerns or complaints registered	Council records
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	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0005/138632/Water-and-Sewer-Connections-policy.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0005/138632/Water-and-Sewer-Connections-policy.pdf</a>
Local Government Act 1993	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0011/138629/Water-Supply-and-Backflow-Prevention-And-Cross-Connection-Control-Policy.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0011/138629/Water-Supply-and-Backflow-Prevention-And-Cross-Connection-Control-Policy.pdf</a>
Water and Sewer Rural and Trunk Mains Connections policy	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0003/138630/Water-and-Sewer-Rural-and-Trunk-Main-Connections-policy.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0003/138630/Water-and-Sewer-Rural-and-Trunk-Main-Connections-policy.pdf</a>
Water Usage Charges policy	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0004/138631/Water-Usage-Charging-Policy-UPDATED-5-June-2020.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0004/138631/Water-Usage-Charging-Policy-UPDATED-5-June-2020.pdf</a>
Liquid Trade Waste Regulation policy	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0008/138590/Liquid-Trade-Waste-Regulation-Policy.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0008/138590/Liquid-Trade-Waste-Regulation-Policy.pdf</a>
Water Supply Backflow Prevention & Cross Connection Control policy	<a href="https://www.esc.nsw.gov.au/_data/assets/pdf_file/0011/138629/Water-Supply-and-Backflow-Prevention-And-Cross-Connection-Control-Policy.pdf">https://www.esc.nsw.gov.au/_data/assets/pdf_file/0011/138629/Water-Supply-and-Backflow-Prevention-And-Cross-Connection-Control-Policy.pdf</a>

### Supporting documents

Name	Link
Water and Sewer Design and Construction Specification	<a href="http://www.esc.nsw.gov.au">www.esc.nsw.gov.au</a>

*Change history*

Version	Approval date	Approved by	Min No	File No	Change
1	10 Sep 2013	Council	13/272	E13.7095 E06.0113 E06.0374	Policy commenced. Combines and replaces three previous policies 'Service Connections for Developments other than Single Dwellings', 'Water Meter Sizing' and 'Water Meters on Vacant blocks'
2	09 May 2017	Council	TBA	E16.0297 E06.0113 E06.0374	Reviewed and updated (start of new Council term) GMR17/013
3	TBA	Council	TBA	E16.0297 E06.0113 E06.0374	Reviewed and updated (start of new Council term) Report

*Internal use*

Responsible officer		Director Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0113 E06.0374	Review date	Jun 2022	Pages	8