

Policy Review (to be placed on exhibition)

- Youth Services
- Media
- Water Usage Charging
- Work Health And Safety (WHS)
- Pressure Sewer Systems
- Vegetation Clearing - Roadside and Infrastructure Lines
- Water And Sewer - Rural And Trunk Main Connections
- Build In The Vicinity Of Sewer Mains
- Water Supply And Sewerage Headworks Charges
- Water Carting
- Water Restrictions
- Water Saving Incentives For Reticulated Water Customers
- Water Supply Backflow Prevention And Cross Connection Control
- Street Activities
- Dedication Of Land To Council
- Tree Risk Management On Council Controlled Land
- Parks, Playgrounds and Reserves Risk Management

Policy title	Youth Services
Responsible manager(s)	Divisional Manager, Community Development and Participation
Contact officer(s)	Coordinator, Community Development and Youth
Directorate	Community, Arts and Recreation
Approval date	
Outcome area	2. Our community that welcomes, celebrates and supports everyone.
Strategy	2.1 Acknowledge our beginnings and embrace our diversity
Delivery program	2.1.4 Provide services and strengthen opportunities to retain and attract youth, supported by the youth action plan.
Operational plan	2.1.4.5 Finalise and adopt the Youth Action Plan

Purpose

This policy reflects Council's commitment to addressing barriers and promoting opportunities for young people aged 12-25 years in this shire, and indicates the types of services provided to young people by Council.

Policy aims

The policy aims to:

- Promote an integrated framework for providing strategic support for local youth development
- Ensure consistency and fairness in the manner in which the Council deals with current and emerging youth issues
- Ensure compliance with legislative requirements under the *Commission for Children and Young People Act 1998*, the *Child Protection (Working with Children) Act 2012*
- Make council's policies and requirements for youth readily accessible and understandable to the public.

Policy details

1	Application This policy applies to Council's Youth Services, providing service and support for young people aged 12 -25 years in the Eurobodalla Shire.
2	Legislation Eurobodalla Shire Council will comply with the Child Protection (Working with Children) Act 2012 No 51 - NSW Legislation and Commission for Children and Young People Act 1998 in the delivery of youth services.
3	Standards 1. Council will develop and implement a youth action plan in cycles commensurate with local government elections.

3.1	Council will deliver services to young people with regard to the following objectives: Participation & Engagement Council recognises the importance of youth participation and engagement in Council processes, civic activities, active recreation, sports activities and the broader
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	<p>community. Council is committed to positively encouraging young people through participatory leadership processes to empower them to make decisions and actively participate in their community. Furthermore, Council will seek appropriate forms of communication to connect with young people in general.</p> <p>Partnerships, Roles and Collaboration</p> <p>Council recognises the value of the Youth Committee, including their role, and the importance of the retention of youth leaders in the region. Council will endeavour to consult with the Youth Committee and other young people and youth stakeholders within the shire in a timely and appropriate manner on matters that will, or are likely to, impact youth. Council will create effective partnerships with the community and service sector in the development and implementation of programs and initiatives.</p> <p>Planning and Decision Making</p> <p>Council acknowledges the importance of planning for communities and the provision of public, recreational and other facilities that are inclusive of, and addresses the needs of, young people. Council is committed to proactively involving young people and youth stakeholders through consultation and decision-making processes.</p>
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Implementation

Requirements		Responsibility
1	<p>Code of Practice</p> <p>This policy will be implemented by following council's Integrated planning processes and the Youth Action Plan, which specifies the planned activities, procedures and matters to be considered.</p>	Council officers
2	<p>Staff</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>	Coordinator Community Development and Youth and Youth Development staff
3	<p>Concerns</p> <p>Public concerns communicated to Council regarding this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.</p>	Council officers
4	<p>Consultation</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. Public submissions regarding this policy are invited for consideration during the policy exhibition period.</p>	As required

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 functions, structure or activities change; or when technological advances or new systems change the way that council manages Youth Services.

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

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; Customer 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 plans, and guidelines.

Related legislation and policies

Name	Link
Code of Practice	www.esc.nsw.gov.au
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182

Related external references

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

Change history

Version	Approval date	Approved by	Minute No	File No	Change
1	24 Nov 2009	Council	09/369	E09.3418 E96.0152	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095 E96.0152	Reviewed and updated
3	25 Jul 2017	Council	17/237	E96.0152	Reviewed
4	TBA	Council	TBA	E96.0152	Reviewed and updated (start of new Council term) Report

Internal use

Responsible manager	Divisional Manager Community and Recreation Development			Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File No	E96.0152	Review date	Sep 2022	Pages	3

POLICY

Policy name	Media Policy
Responsible manager(s)	General Manager
Contact officer(s)	Corporate Manager Communications
Directorate	Communications
Approval date	
Outcome area	8. Collaborative and engaged community
Strategy	8.1 Encourage an informed community
Delivery program	8.1.1 Coordinate delivery of effective media coverage across a range of channels
Operational plan	8.1.1.1 Manage media relations and advice 8.1.1.2 Distribute media releases and respond to media enquiries

Purpose

Council has an important relationship with the media. This relationship provides Council with an opportunity to keep the community informed and involved in its activities and programs.

This purpose of this policy is to:

- Provide for communication of Council affairs through the media
- Set a framework for an effective working relationship with media
- Promote coverage of Council affairs that is fair, accurate and reliable
- Identify spokespeople and their responsibilities.

Policy aims:

- Ensure communication by Councillors and staff with the media is consistent, well informed, timely, appropriate and newsworthy
- Build Council's reputation and maximise accurate editorial coverage of Eurobodalla Shire Council's events, programs, services and decisions
- Promote positive media relationships
- Limit the publication of inaccurate information and reduce risk
- Clearly indicate Council's authorised spokespersons.

Policy statement

1	<p>Application</p> <p>This policy applies to communications between Eurobodalla Shire Council councillors and staff with the media and includes any communications:</p> <ul style="list-style-type: none"> • About Council affairs and related matters • At public speaking engagements. <p>The policy applied to council officials is defined in Council's Code of Conduct which reflects the Model Code of Conduct for Local Councils in NSW.</p> <p>This policy does not apply to:</p> <ul style="list-style-type: none"> • the distribution and publication of communications other than media releases for marketing, promotion and education purposes • advertising • media activities undertaken as part of Council's tourism promotion or other specific marketing projects.
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	Council reserves the right to choose when and where it will publish and distribute communications other than those covered in this policy, and the right to choose where it will place advertising.
2	<p>Legislation</p> <p>The policy acknowledges the rights and responsibilities of councillors as elected representatives as outlined in: The Local Government Act 1993; the Media, Entertainment and Arts Alliance Code of Ethics for journalists; addition of and the Australian Press Council's Statements of Principles, Specific Standards, Standards of Practice and Advisory Guidelines.</p>
3	<p>Spokespeople – roles and responsibilities</p> <p>The Mayor and General Manager are the official spokespersons on Council affairs.</p> <ul style="list-style-type: none"> • The Mayor may designate Councillors to speak on his/her behalf. • The General Manager may designate directors to speak on his/her behalf, and managers and specialist staff to speak and respond to media queries on technical or operational matters. • As members of the community, Councillors are entitled to enter into public debate in their private capacity and make comment on Council affairs provided they clearly state that such public comment reflects their personal opinion and not that of the council or a committee of the Council. • The Chairs of committees can speak to media in regard to their particular portfolio with designated staff being able to comment on technical or administrative details about the issue at hand. • The Executive Manager Communications and Media Coordinator are authorised Council spokespersons on matters of fact or clarification, and will request that media credit their responses to 'a Council spokesperson'. • Staff and councillors should support Council decisions and refrain from using the media to make negative personal comments which are likely to undermine public confidence in the Council or local government generally. • Staff must not make political or controversial statements in or to the media on Council affairs, decisions and or events or about Councillors. <p>Within these guidelines, Council will openly discuss matters of interest with the media unless disclosure of certain information contravenes Council's obligation of confidentiality or privacy, duty of care, or could infringe other laws or regulations that govern Council operations.</p>
4	<p>Liaising with the media</p> <ul style="list-style-type: none"> • Media enquiries and requests for interviews should be directed to Council's communications unit through the communications unit, who will coordinate Council's response with relevant staff and spokespeople. • The media service will be provided to media organisations and their representatives equally and without bias. • Media enquiries from media organisations and their representatives will be dealt with promptly and media can expect an acknowledgement of receipt of their query and a response in a timely manner.

	<ul style="list-style-type: none"> • Requests for information and matters raised in discussions with media organisations and their representatives will not be disclosed to other media organisations. • Media releases will be approved by the General Manager, a director, or the Executive Manager Communications on their behalf. • Council's communications unit is responsible for coordinating and distributing media releases and other media communications on behalf of the Mayor or the Council. • The General Manager will determine the priority of media releases. • Council media releases will be placed on Council's public website. • In consultation with Councillors, the General Manager may cease or refuse to provide Council's media service to individuals or organisations that do not act in accordance with the Australian Media, Entertainment and Arts Alliance Code of Ethics for journalists, and/or the Australian Press Council's Statements of Principles, Specific Standards, Standards of Practice and Advisory Guidelines.
5	<p>Incorrect information</p> <p>In the event that incorrect information or information that has personal or corporate reputation risk is published, the Executive Manager Communications will investigate and report to the General Manager on how the information came to be published. If necessary, the General Manager will issue or authorise a media release to be issued that conveys the correct information, or request that communications staff speak to the journalist concerned to request as published clarification or correction.</p>

Implementation

Requirements		Responsibility
1	<p>Implementation and Coordination</p> <p>This policy is to be implemented in conjunction with other media and corporate protocols. Council's Executive Manager Communications is responsible for ensuring this policy is implemented.</p>	Executive Manager Communications
2	<p>Concerns</p> <p>Concerns received regarding this policy will be recorded on Council's customer service request (CSR) or records system and handled in accordance with Council's Customer Service Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.</p>	Council officers
3	<p>Breaches</p> <p>Breaches of this policy will be dealt with in accordance with the Model Code of Conduct for Councils in NSW – that is staff will be disciplined while allegations against councillors, the Mayor or General Manager will be referred to the Office of Local Government.</p>	General Manager
4	<p>Complaints</p>	Public Officer

	Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with council's Complaints Policy.	
5	Consultation 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. Changes to this policy will be placed on public exhibition for 28 days to invite submissions from the community.	Community key stakeholders

Review

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

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 2016.*

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

Performance indicator	Data source(s)
Customer concerns or complaints	Council records
Breaches	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
The Model Code of Conduct for Local Councils in NSW 2013	www.esc.nsw.gov.au www.dlg.nsw.gov.au
Local Government Act 1993	www.legislation.nsw.gov.au
NSW Defamation Act 2005	www.legislation.nsw.gov.au
Privacy Act 1988	www.legislation.nsw.gov.au

Other related external references

Name	Link
Division of Local Government	www.dlg.nsw.gov.au/
Australian Media, Entertainment and Arts Alliance Code of Ethics	www.meaa.org/meaa-media/code-of-ethics/
Australian Press Council's Statements of Principles, Specific Standards, Standards of Practice and Advisory Guidelines.	www.presscouncil.org.au/standards/

Definitions

Term	Definition
Council affairs	Includes matters before the council and other Council affairs and business, policy, interpretation of policy, management of Council business or staff, or other matters that may commit the Council's resources
Council officials	As defined by the Model Code of Conduct for Councils in NSW, Council officials include Councillors, members of staff of Council and other approved delegates, including volunteers and chairs of Council committees
Council staff	Council officials employed by Council who are not councillors
Media	Organisations that prepare or disseminate mass media information, including reporters, journalists and researchers working for or on behalf of such organisations, either accredited with or regulated by a recognised media industry peak body, or that acts in accordance with the Media, Entertainment and Arts Alliance Code of Ethics for journalists and/or the Australian Press Council's Standards of Practice and Advisory Guidelines.
Publication	The distribution of information via print or electronic media including but not limited to newspapers, radio, TV, and the internet.
Media enquiries	When the media requests more information in relation to a media release – for example an interview with a Council spokesperson – or a response or quote in relation to an issue they are reporting on. Media enquiries are coordinated by the communications unit.
Media Service	<p>Council's media service:</p> <ul style="list-style-type: none"> • Prepares, publishes and distributes media releases • Responds to media queries and requests for information • Provides quotes, photos, videos and inclusions when available • Organises media briefings and provides updates and clarification • Liaises with stakeholders on joint media activities • Engages on media's social media platforms where appropriate • Addresses incorrect information in media • Distributes and publishes other communications outside the application of the Media Policy including but not limited to; media for public relations activities to support tourism promotion or specific projects, and advertising and content for marketing, promotion and education purposes.

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	13 Jul 2007	Council	494	06.0380	New policy 'Media Releases Spokesperson for Council'
2	10 Sep 2013	Council	13/272	E06.0380 E13.7095	Reviewed and updated, renamed to Media Policy
3	12 Sep 2017	Council	17/292	E06.0380 E16.0297	Reviewed and updated
4	TBA	Council	TBA	E06.0380 E16.0297	Reviewed and updated (start of new Council term) Report

Internal use

Responsible officer		General Manager		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File no	E06.0380 E16.0297	Review date	Sep 2022	Pages	6

DRAFT

Policy title	Water Usage Charging
Responsible manager(s)	Chief Financial Officer
Contact officer(s)	Revenue Manager
Directorate	General Manager
Approval date	
Outcome area	5. Innovative and Proactive Leadership
Strategy	5.3 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program	5.3.1 Responsibly manage Council's finances and maintain Fit for the Future status
Operational Plan	5.3.1.2 Collect rates and charges

Purpose

Eurobodalla Shire Council provides a metered water supply service to the community, which is funded by users of the service through annual and usage charges. This policy applies to all owners of properties that are connected to Council's water supply systems, and explains how Council determines water usage accounts.

Policy aim

The policy aims to:

- Confirm who is responsible for the payment of water usage charges.
- Explain how water usage accounts are calculated.
- Explain Council's procedure for dealing with disputed water meter readings.
- Provide concessions for public hospitals, home haemodialysis patients and where a concealed leak has resulted in a significant increase in a customer's water use.
- Promote an integrated framework for determining water supply usage accounts.
- Ensure consistency and fairness in the way Council deals with water supply customers.
- Comply with legislative requirements under the *Local Government Act 1993*.
- Ensure Council's policies and requirements for water supply and usage charging are readily accessible and understandable to the public.

Policy statement

1	Application This policy applies to metered water usage by all properties connected to Eurobodalla Shire Council's water supply systems.
2	Legislation Eurobodalla Shire Council complies with the <i>Local Government Act 1993</i> and the <i>Local Government (General) Regulation 2005</i> .
3	Responsibility for water usage The owner of a property is responsible for all water usage that is recorded on the water meter/s servicing that property.
4	Meter readings Water meter readings are accepted as final and conclusive as measurement for water, subject to the meter not being defective (see 6. Disputed meter readings).

5	<p>Water usage accounts</p> <p>Water usage charges payable are determined by multiplying the measured quantity of water used, less any approved concessions, by the water usage charge listed in Council's Revenue Policy (published annually as part of the Operational Plan).</p> <p>Usage accounts are issued on a quarterly basis. A minimum charge of \$10 per usage account shall be applied.</p> <p>No allowance will be made where customers use water from the metered water supply servicing their property for the maintenance of adjacent public land.</p>
6	<p>Disputed meter readings</p> <p>Council will arrange for a water meter to be inspected and tested at the request of the owner or occupier of premises and on the payment of a meter test fee.</p> <p>The meter test fee is published annually in Council's Fees and Charges, as part of the Operational Plan.</p> <p>A water meter is taken to correctly measure the quantity of water passing through it when a meter test registers below 4 per cent variance from the correct quantity (i.e. the reading may be up to 4 per cent less or more than the actual quantity).</p> <p>If an inspection and test reveals a water meter is incorrectly measuring the quantity of water passing through it, Council may charge for the supply of water as follows:</p> <ol style="list-style-type: none"> where the meter is reading <i>in favour of Council</i>: on the basis of a daily consumption equal to the average daily consumption during the corresponding meter reading period of the previous year, in which case Council will refund the meter testing fee; or where the meter is reading <i>in favour of the customer</i>: <ol style="list-style-type: none"> on the basis of a daily consumption equal to the average daily consumption during the corresponding meter reading period of the previous year, in which case Council will refund the meter testing fee; or for the water consumption recorded for the period, in which case Council will not refund the meter testing fee. <p>Defective meters shall be replaced at Council's expense.</p>
7	<p>Undetected leaks concession</p> <p>Whilst the property owner is responsible for all water usage at their property, Council may apply a concession where a concealed leak has resulted in a significant increase in water use, subject to the following conditions:</p> <ol style="list-style-type: none"> An application is to be made on the appropriate form. The application must be received by Council within 60 days of the water usage account being issued. The applicant must be the owner or agent of the premises for which the application applies. The leak must have been concealed - the occupant could not reasonably have known that a leak existed (e.g. below ground leaks, or leaks under buildings). The leak must have been repaired and the internal plumbing system tested at a minimum test pressure of 1500KPa. A copy of the licenced plumber's invoice or account should accompany the application. The invoice should state the location of the leak, the repairs that were necessary and a statement that the internal plumbing system has been tested and that the entire system is in good condition.

	<p>g) The leak must have been significant. A leak is determined to be significant if the water usage for the period is greater than 50 kilolitres and is at least 1.5 times greater than the average water usage of the corresponding meter reading period for the previous 3 years.</p> <p>h) The maximum reduction shall be 1,000 kilolitres.</p> <p>i) A reduction will not be granted if relief has been granted in the previous 3 years.</p>
8	<p>Haemodialysis concession</p> <p>Residents undergoing haemodialysis at home shall receive 20 kilolitres of water per billing period without charge.</p> <p>Applicants must provide a medical certificate from the Southern NSW Local Health District confirming the patient's address and that they are undergoing haemodialysis.</p>
9	<p>Commercial concession</p> <p>Eligible businesses shall receive 50% of water in excess of 10 kilolitres per day average water consumption without charge.</p> <p>Eligible businesses include those businesses that can demonstrate:</p> <ul style="list-style-type: none"> that they compete in external markets, ie it is difficult to pass on high input costs, and that they have already taken steps to improve their water efficiency. <p>Eligibility for the commercial concession will be determined by following Council's Commercial Water Supply Concessions Code of Practice.</p>
10	<p>Public Hospital concession</p> <p>A public hospital shall be supplied free of charge with 300 litres per day for each person resident in the hospital.</p>

Implementation

Requirements		Responsibility
1	<p>Staff</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
2	<p>Concerns</p> <p>Concerns received regarding this policy will be recorded on Council's customer service request (CSR) or records system and handled in accordance with Council's Customer Service policy. They will be used to analyse the history of issues and help determine follow up actions.</p>	Council Officers
3	<p>Consultation</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. Public submissions regarding this policy are invited for consideration during the policy exhibition period.</p>	As required

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 usage charging.

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)
Customer Concerns, Customer 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
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
Local Government (General) Regulation 2005	www.austlii.edu.au/au/legis/nsw/consol_reg/lgr2005328/s254.html

Change history

Version	Approval date	Approved by	Minute No	File No	Change
1	2006	Council	06/26		'Water supply and charging' Policy Commenced policy.
2	22 Sep 2009	Council	09/291	E09.3418	Policy reviewed and adopted.
3	10 Sep 2013	Council	13/272	E13.7095 E05.9513	Reviewed and updated. Policy Name changed.
4	10 Feb 2015	Council	15/17	E05.9513	Reviewed, reformatted. Updated meter variance allowance to 4% as per change in regulation.
5	8 Aug 2017	Council	17/259	E16.0297 E05.9513	Reviewed. Pressure test KPa increase from 800 to 1500 as per AS3500.
6	TBA	Council	TBA	E16.0297 E05.9513	Reviewed and updated (start of new Council term) Report

Internal use

Responsible officer		Director Corporate and Commercial Services		Approved by	Council
Min no	TBA	Report no	TBA	Effective date	TBA
File no	E16.0297 E05.9513	Review date	Sep 2022	Pages	4

Policy name	Work Health And Safety (WHS)
Responsible manager(s)	General Manager
Contact officer(s)	Manager of People and Culture
Directorate	General Manager
Approval date	
Outcome area	9. Innovative and Proactive Leadership
Strategy	9.3 Leverage our skills, knowledge and systems to continually improve and innovate
Delivery Program	9.3.2 Continue to be an organisation people want to work for
Operational Plan	9.3.2.5 Implement Work, Health and Safety strategy

Purpose

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

The objectives of this policy are:

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

Policy/Procedure details

1	Statement Council has an ongoing commitment to using a merit based selection approach and providing career opportunity internally.
2	Application This policy applies to PCBUs, workers and other persons affected by Eurobodalla Shire Council activities at Council workplaces.
3	Legislation Council recognises that it has a legal obligation to ensure the health and safety of workers, and other persons affected by Council activities. In meeting this obligation Council shall comply, so far as it is reasonably practicable, with all work health and safety laws including (but not limited to) the <i>Work Health and Safety Act 2011</i> and the <i>Work Health and Safety Regulation 2017</i> .
4	WHS Goal The work health and safety goal of the Council is: "For Council, senior management and workers to continually improve work systems that ensure the health and safety of personnel, contractors, volunteers and the community whilst maintaining the competitiveness and long term employment prospects of the workforce".

5	<p>Duty of Care</p> <p>Council's primary 'duty of care' is to ensure the health and safety of workers while they are at work and that the work carried out does not carry risks to the health and safety of these workers and others. To achieve this, Council will adopt a systematic risk management approach to the management of work health and safety.</p>
6	<p>Responsibilities</p> <p>Responsibilities of the PCBU (Council), Officers, and Workers are as described below:</p>
6.1	<p>Council (PCBU) shall demonstrate continued commitment in meeting its moral and legal obligation by ensuring that adequate human and financial resources are made available so that the objectives of this policy are met. Council must also consult, coordinate and cooperate with other PCBUs working for or on behalf of Council.</p>
6.2	<p>Councillors (workers), while conducting business for Council, have a responsibility to ensure that they take reasonable care for their own safety and that their general interaction with Council workers and others does not adversely affect the health, safety or welfare of these people.</p> <p>They must comply with reasonable instructions to assist Council in complying with the WHS legislation.</p>
6.3	<p>The General Manager (officer) as the Council's most senior management representative is responsible, and accountable to the Council, for ensuring that the objectives of this policy are met.</p> <p>The General Manager is responsible for ensuring that a Work Health and Safety Management System (WHSMS), including return to work provisions is developed, implemented, reviewed and maintained.</p> <p>The General Manager shall:</p> <ul style="list-style-type: none"> • approve all work health and safety policies • regularly review and document organisational WHS performance • support and encourage Directors and Level 3 Managers in the application of the WHSMS and hold them accountable for their specific WHS responsibilities • actively support the integration of WHS as part of normal management practices • seek and consider the views of workers when making decisions on issues, which may affect their health, safety and welfare
6.4	<p>Directors (officers) are responsible for ensuring that the requirements of the WHSMS are communicated to employees and are implemented at all workplaces within areas of responsibility. Directors shall:</p> <ul style="list-style-type: none"> • actively support the integration of WHS as part of normal management practices • support and encourage Level 3 Managers in the application of the WHSMS and hold them accountable for their specific WHS responsibilities • regularly report to the General Manager on WHS initiatives implemented and the WHS performance of their Directorates • seek and consider the views of workers when making decisions on issues, which may affect worker health and safety • provide appropriate resources and funding as required to ensure Council's WHS obligations are met • actively maintain current WHS knowledge as applicable to area of responsibility <p>Director commitment to WHS, its implementation and continuous improvement will be measured via annual performance appraisals.</p>

6.5	<p>Level 3 Managers (officers) are responsible for ensuring that the requirements of the WHSM system are communicated to workers and implemented at all workplaces within their area of responsibility. Level 3 Managers shall:</p> <ul style="list-style-type: none"> • actively support the integration of WHS as part of normal management practices • support and encourage workers with supervisory responsibilities in the application of the WHSMS and hold them accountable for specific WHS responsibilities • ensure that adequate provisions are made in their annual budget estimates to meet WHS requirements • identify, develop and implement any necessary WHS procedures or safe systems of work required to comply with WHS legislative requirements • seek and consider the views of workers when making decisions on issues which may affect their health and safety • refer to senior management any WHS matter or concern that falls outside their area of responsibility or authority • regularly report to the Director on WHS initiatives implemented and the WHS performance of their area of responsibility • regularly report on WHS initiatives implemented and the WHS performance of their areas to the WHS Committee • ensure that systems of work are regularly reviewed and provide areas for continuous improvement • ensure all hazard reports raised are dealt with in a timely manner • actively maintain current WHS knowledge as applicable to area of responsibility <p>Level 3 Managers' commitment to WHS, its implementation and continuous improvement will be measured via annual performance appraisals.</p>
6.6	<p>Workers with supervisory responsibilities (workers) are responsible for ensuring that the requirements of the WHSMS are communicated to employees and are implemented at all workplaces within their area of responsibility. In line with their supervisory roles, workers with supervisory responsibilities shall:</p> <ul style="list-style-type: none"> • support and encourage workers, and hold them accountable for their specific WHS responsibilities • ensure that WHS policies, procedures and work methods are complied with • ensure adequate supervision, training and information is provided to enable employees to carry out tasks safely • notify the Level 3 manager of budgetary requirements to meet WHS obligations • refer to an officer any WHS hazard, incident or risk • seek and consider the views of workers when making decisions on issues that affect health and safety • identify, report and rectify workplace hazards, and act on hazards reported in a timely manner • investigate accidents and incidents and report the outcome of the investigation to the responsible officer • respond in a timely manner to issues raised by WHS representatives • ensure that work systems are reviewed and provide areas for continuous improvement • regularly report to the responsible officer on the WHS performance of the section <p>The commitment, implementation and continuous improvement to work health and safety matters by Workers with supervisory responsibilities will be measured via annual performance appraisals.</p>

6.7	<p>Workers without supervisory responsibilities (workers) have a responsibility to take reasonably practicable care for their own safety and that of other people at the workplace, who may be affected by the work being done. Workers without supervisory responsibilities shall:</p> <ul style="list-style-type: none"> • co-operate with other workers and management to ensure that legal WHS requirements are met • actively participate in WHS initiatives at both team and organisational level • actively participate in WHS consultation • immediately report all accidents, injuries, incidents, hazards, dangerous occurrences, unsafe conditions and near misses to management • not intentionally interfere with or misuse anything provided in the interests of health and safety • carry out their work activities in accordance with all policies, procedures and approved work methods • comply with any lawful WHS directive <p>Workers commitment to WHS, its implementation and continuous improvement will be measured as follows:</p> <ul style="list-style-type: none"> • <i>For Employees:</i> - via annual performance appraisals. • <i>For Contractors/ Sub contractors:</i> - through contractor performance reviews. • <i>For Volunteers:</i> - via on the job review
6.8	<p>Other persons at the workplace have a responsibility to take reasonable care for their own health and safety, and take reasonable care to ensure their acts or omissions do not adversely affect the health and safety of others. Other persons at the workplace shall comply so far as reasonably practicable with any reasonable instruction.</p>
7	<p>Implementation Requirements Implementation requirements of the General Manager, Officers and Work Health and Safety Committee are as described below:</p>
7.1	<p>Authorisation – General Manager This policy is the overriding WHS policy of Eurobodalla Shire Council. The policy is approved by Council and administered by the General Manager. The General Manager shall sign the policy. A summary of this policy shall be prominently displayed at all permanent workplaces and available electronically for reference by officers and workers.</p>
7.2	<p>Compliance - Officers Failure by any Council-employed person to comply with this policy is likely to result in disciplinary action in accordance with Council's current discipline procedures. Contractors that fail to comply with this policy shall be stood down until such time as the site supervisor or other authorised person is satisfied that the contractor will not commit any further breaches. Any serious or continued non-compliance shall be considered a breach of the contract and grounds for termination of that contract. The participation of volunteers in Council activities is conditional upon compliance with Council's policies and procedures. Any serious or continued non-compliance with this policy will result in the volunteer being instructed to leave the site and refused permission to participate in further volunteer activities. Visitors that fail to comply with this policy shall be required to leave the premises or worksite.</p>

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

Review

This Policy/Code of Practice will be reviewed every three (3) years. It may be reviewed and updated as necessary when legislation or policy requires it; or Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages Internal Appointments.

Governance

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

Council reserves the right to vary, replace or terminate this policy

Related legislation and policies

Name	Link
Work Health and Safety Act 2011	www.legislation.nsw.gov.au/maintop/view/inforce/act+10+2011+cd+0+N
Work Health and Safety Regulation 2017	https://www.legislation.nsw.gov.au/#/view/regulation/2017/404
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
WHS Codes of Practice (Safe Work Australia)	https://www.safeworkaustralia.gov.au/resources-publications/model-codes-of-practice

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	24 Nov 2009	Council	09/369	E06.0379 E09.3418	Reviewed and approved, report G09/145

2	26 Jun 2012	Council	12/165	E06.0379	Reviewed and approved, updated to reflect legislation, report O12/128
3	10 Sep 2013	Council	13/272	E06.0379 E13.7095	Updated to new Policy Template, updated review date, updated references and links
4	28 Mar 2017	Council	17/56	E06.0379	Reviewed, report GMR17/008 updated to reflect org structure.
5	TBA	Council	TBA	E06.0379	Reviewed and updated (start of new Council term) Report

Internal use

Responsible officer		General Manager	Approved by	Council	
Min no	TBA	Report no	TBA	Effective date	TBA
File No	E06.0379	Review date	Sep 2022	Pages	6

Policy title	Pressure Sewer Systems
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Sustainable
Strategy	1.4 Work together in the management and use of our valuable sources
Delivery Program link	1.4.1 Provide a safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy
Operational Plan link	1.4.1.3 Build and renew sewerage network 1.4.1.4 Operate and maintain sewerage system

Purpose

This policy provides clear direction as to the extenuating circumstances when Council will permit pressure sewer systems to be connected to Council's gravity sewer system, and the conditions that must be met for such connections to be approved.

One of the main factors affecting sewage quality is septicity. Septicity is caused by the prolonged retention of sewage under anaerobic conditions, particularly during low flow periods. It can be avoided by limiting the retention time in pumping stations and pressure mains. Septicity of sewage leads to offensive odours and damage to sewers and is difficult to treat. To minimise the likelihood of septicity, collection system design includes provision for adequate ventilation of sewers, and minimising detention periods by avoiding the use of sewage pumping stations wherever practicable.

Conventional sewerage systems collect wastewater from serviced properties and transport the wastewater to a sewage treatment facility by gravity, assisted by catchment sewage pumping stations wherever necessary. Gravity collection systems are characterised by adequate ventilation and the least practicable number of pumping stations.

Council operates five gravity sewerage schemes at:

- Surf Beach, servicing the urban communities of Maloneys Beach, Long Beach, Surfside, North Batemans Bay, Batemans Bay, Batehaven, Catalina, Batehaven, Sunshine Bay, Denhams Beach, Surf Beach, Lilli Pilli and Malua Bay.
- Tomakin, servicing the urban communities of Mogo, Tomakin, Mossy Point, and Broulee.
- Moruya, servicing the urban communities of Moruya and Moruya Heads.
- Bingie, servicing the urban communities of Tuross Head and Turlinjah.
- Kianga, servicing the urban communities of Dalmeny, Kianga and North Narooma and Narooma.

Pressure sewerage is an alternative type of collection system to conventional gravity sewerage. In pressure sewerage schemes individual pumping stations deliver wastewater from each serviced property into a common pressure pipe which delivers the wastewater to a sewage treatment facility by pressure mains rather than by gravity. Pressure sewerage systems by design have inadequate ventilation and the maximum use of pumping stations, and therefore septicity is an inherent feature. Although pressure sewer is often cheaper to construct than gravity sewer, operational costs are usually greater due to the increased reliance on mechanical and electrical systems.

Pressure sewer catchments that discharge septic sewage into gravity systems can cause odour problems and a reduced life of gravity system components. Council therefore has a clear preference for conventional gravity sewerage.

Council however recognises that a conventional gravity sewerage system is not always practicable. This policy provides clear direction on the extenuating circumstances where pressure sewer systems will be permitted to connect to a gravity sewer system. Where this is permitted, the requirements for the installation, operation and maintenance of these systems will be in accord with this policy.

Policy aims

- Promote an integrated framework for dealing with Pressure Sewer Systems applications and for managing approved pressure sewer systems.
- Ensure consistency and fairness in the manner in which the Council deals with Developers.
- Ensure compliance with legislative requirements under the *Local Government Act 1993*.
- Promote awareness of the requirements of the *Act* with respect to Pressure Sewer Systems.
- Take such steps as are appropriate to ensure Pressure Sewer Systems are only installed where required.
- Make the Council's policies and requirements for Pressure Sewer Systems readily accessible and understandable to the public.

Policy details

1	Application This policy applies to all landowners in the Eurobodalla local government area.
2	Legislation Section 68 of the <i>Local Government Act 1993</i> requires that a person may connect a private sewer with a public sewer under Council's control only with the prior approval of the Council, except in so far as a local policy adopted under Chapter 7, Part 3 of the Act allows the activity to be carried out without an approval. Eurobodalla Shire Council will comply with the <i>Local Government Act 1993</i> . https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030

Implementation

Requirements		Responsibility
1	Code of Practice Where Council authorises the installation of pressure sewer systems, the systems will be installed, operated, maintained and managed in accordance with Council's <i>Pressure Sewer Systems Code of Practice</i> .	Council officers
2	Pressure Sewer Schemes Council, in consultation with the community, may decide to construct a pressure sewerage scheme to service an existing unsewered village in preference to conventional gravity sewerage as a low cost solution to allow the scheme to progress. All serviced properties within a pressure sewer scheme will have a pressure sewer system installed.	Council
3	Gravity Sewer Schemes a) Council managed pressure sewer systems discharging into gravity sewer schemes will not be permitted where:	Council officers

	<ul style="list-style-type: none"> the property can be otherwise serviced by an extension of an existing gravity sewer or; the property is located within a drainage catchment where a conventional sewerage system consisting of gravity sewers and a sewage pumping station has the potential to service the equivalent of 10 or more dwellings i.e. equivalent tenements. <p>b) Council managed pressure sewer systems discharging into gravity sewer schemes may be considered:</p> <ul style="list-style-type: none"> in small drainage catchments where the maximum number of potential properties able to be serviced is less than 10 ET or; in areas with high water tables where it is impractical to install a gravity sewerage system. <p>c) The Director Infrastructure Services or Division Manager Water and Sewer must concur with any development consent that permits the installation of Council managed pressure sewer systems being issued.</p> <p>d) Where a property is serviced by a gravity sewer and the proposed development is not able to discharge to the property's sewer connection point by gravity, Council may approve a privately managed pressure sewer system, subject to:</p> <ul style="list-style-type: none"> the pumping station and rising main being located wholly within the lot being served. compliance with Council's On-site Sewage Management Code of Practice for privately managed pressure sewer systems. 	
4	<p>Construction</p> <p>The developer is responsible for the construction of the pressure sewer reticulation system and for the cost of supplying and installing individual pressure sewer units.</p>	Council officers
5	<p>Ownership</p> <p>a) Council managed pressure sewer schemes - Council will own and maintain the system including the pumping station, control unit, discharge pipeline and boundary kit at each premises.</p> <p>b) Council managed pressure sewer systems - Council will own and maintain the pressure sewer main and property service connections from the main to and including the boundary kit.</p> <p>c) Privately managed pressure sewer systems - the pumping station and rising main will be considered an on-site management system and the operation and maintenance of the system will be the responsibility of the landowner.</p>	Council
6	<p>Power Supply</p> <p>The pumping unit power supply will not be metered separately, and the occupant of the property being serviced will be responsible for the power costs.</p>	Occupant
7	<p>Service Agreement</p> <p>Landowners are required to enter into a service agreement with Council. The service agreement will define the expectations of both parties in the operation and maintenance of the pressure sewer system.</p>	Council Landowners

8	Staff Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Council officers
9	Concerns Public concerns communicated to Council regarding this policy will be recorded in Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. They will be used to analyse the history of concerns and determine follow up actions.	Council officers
11	Consultation 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. Public submissions regarding proposed changes to this policy are invited and considered during the policy exhibition period.	As required

Review

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

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

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

Performance indicator	Data source(s)
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	https://www.esc.nsw.gov.au/council/governance/council-policies
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030

Related external references

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

Change history

Version	Approval date	Approved by	Minute	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095 E06.0374	Reviewed and updated (start of new Council term) O13/56
3	26 Sep 2017	Council	17/317	E16.0297 E06.0374	Reviewed and updated (start of new Council term) GMR17/052
4		Council	TBA	E16.0297 E06.0374	Reviewed and updated (start of new Council term)

Internal use

Responsible officer		Director Infrastructure Services		Approved by	Council
Minute		Report		Effective date	TBA
File	E16.0297 E06.0374	Review date	Spet 2022	Pages	5

Policy title	Vegetation Clearing – Roadsides and Infrastructure Lines
Responsible manager(s)	Divisional Manager, Works
Contact officer(s)	Maintenance Coordinator Environmental Officer
Directorate	Infrastructure Services
Approval date	
Outcome area	4. Our connect community through reliable and safe infrastructure networks
Strategy	4.1 Provide integrated and active transport networks to enable a connected and accessible Eurobodalla
Delivery Program	4.1.3 Provide safe and reliable local rural and urban roads, guided by the asset management plan
Operational Plan	4.1.3.1 Maintain the local rural and urban road network 4.13.2 Build and renew the local and urban road network

Purpose

Eurobodalla Shire Council's policy was developed to clarify the responsibilities of Council when undertaking clearing in road reserves for other infrastructure (e.g. underground services), whether on public land or within private property, for maintenance or construction purposes. The management of risk from trees on private property is covered separately under Council's Tree Risk Management on Council Controlled Land Policy.

Council, as the roads authority under the *Roads Act 1993*, provides and maintains roads to support the social and economic wellbeing of the community. Council has a duty of care to manage the risks within its road reserves that may have an impact on infrastructure, people and/or the property/buildings. Section 88 of the *Roads Act 1993* stipulates that:

"A roads authority may, despite any other Act or law to the contrary, remove or lop any tree or other vegetation that is on or overhanging a public road if, in its opinion, it is necessary to do so for the purpose of carrying out road work or removing a traffic hazard."

Vegetation adjacent to public infrastructure, such as underground services within private lands, may also pose a risk to the infrastructure, requiring removal of the vegetation; for instance, tree roots causing damage to underground services.

Where Council is aware of trees on private property that pose a significant risk to the public (e.g. a tree near a public boundary at high risk of failure) Council may request the landowner to take appropriate action to ameliorate that risk. Council may also undertake tree/ vegetation work to remove unwanted species (e.g. non-endemic species), or to renew trees (e.g. tree replacement in commercial business districts as part of the ongoing management of streetscapes).

When building new infrastructure and/or undertaking major clearing works, Council will prepare a Review of Environmental Factors (REF) in accordance with Part 5 of the *Environmental Planning & Assessment Act 1979* and/or the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, to determine if the work may proceed, with or without measures to ameliorate any impacts of the clearing.

Customer requests seeking the removal or management of vegetation for safety reasons, to protect infrastructure from damage, to ensure infrastructure is performing its proper function, or in regard to removal of vegetation shall be tracked in Council's customer request management (CRM) system.

Policy aims

- Promote an integrated framework for dealing with vegetation clearing;
- Ensure consistency and fairness in the manner in which Council deals with vegetation clearing including trees on private property impacting Council's infrastructure;
- Ensure compliance with legislative requirements under the *Roads Act 1993*;
- Promote awareness of the requirements of the *Roads Act 1993* and *State Environmental Planning Policy (Transport and Infrastructure) 2021* with respect to vegetation clearing;
- Take such steps as are appropriate to ensure a duty of care to manage the risk that vegetation may have on infrastructure, people and/or property/buildings; and
- Make Council's policies and requirements for vegetation clearing readily accessible and understandable to the public.

Policy details

1	Application This Policy applies to the responsibilities of Council to undertake clearing in the road reserves and/or on private property to protect infrastructure <u>and/or public safety</u> , for maintenance or construction purposes.
2	Legislation Eurobodalla Shire Council will comply with the <i>Roads Act 1993</i> , the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , the <i>Local Land Services Act 2013</i> , the <i>Biodiversity Conservation Act 2016</i> and the <i>Local Government Act 1993</i> .

Implementation

Requirements		Responsibility
1	Outcomes The desired outcomes are to: (a) protect public infrastructure; (b) manage the risks to public safety; (c) provide clarity in customer contacts; (d) reduce the potential for public liability claims against Council and the community it represents; (e) manage the impact of Council's works on the environment.	Council officers
2	Implementation requirement A vital component of maintenance activities on roads, bridges, drains and for stormwater, water and sewer lines includes the removal, thinning or lopping of trees and vegetation to: (a) maintain adequate sight distance; (b) protect infrastructure and buildings from damage; (c) ensure infrastructure, eg, stormwater culverts and sewer lines, performs the intended function and remains accessible for maintenance;	Council officers

	<p>(d) mitigate the risk to the public, eg, from risk of falling trees, by provision of adequate clear zones from roads, for bushfire purposes;</p> <p>(e) mitigate the risk to private infrastructure, eg, damage to driveways or dwellings from tree roots;</p> <p>(f) mitigate the risk to the environment, eg, scour to batters from ineffective catch drains or stormwater culvert capacity.</p> <p>Priority will be given to the safety of people and property, including community infrastructure, when planning and undertaking vegetation removal and/or tree lopping.</p> <p>Council may clear Endangered Ecological Community or vegetation housing threatened species to protect underground services and within road reserves if it is impacting, or likely to impact, the functionality of the structure or road.</p> <p>Council will endeavour to limit clearing of vegetation to that required for the purposes outlined above.</p>	
3	<p>Implementation requirement</p> <p>For construction activities, consideration shall be given to the consequences of any vegetation clearing via a formal documented Review of Environmental Factors (REF).</p> <p>Council prefers native vegetation species within its road reserves, especially in rural and semi-rural areas. In some instances it may be appropriate to remove unwanted species of trees and/or vegetation to restore or enhance the natural biodiversity of the landscape, e.g. removal of lantana.</p> <p>Council also provides trees and other plantings in commercial business districts and similar urban areas. It is accepted that these trees and plants may be removed and/or replaced from time to time as part of the management of the built urban environment.</p>	Council officers
4	<p>Implementation requirement</p> <p>Prior engagement with the community may be required for certain works including major works, eg, rural road realignment, new underground service lines, tree removal and/or replacement works in commercial business districts or for significant trees in public reserves.</p>	Council officers Community
5	<p>Implementation requirement</p> <p>Except in emergency situations, Council will consult with private landholders and seek their concurrence prior to undertaking any works within private property. In emergency situations, Council will make appropriate endeavours to contact the landholder prior to undertaking any works within private property. Council will comply with the legislative requirements for power of entry under the <i>Roads Act 1993</i> and the <i>Local Government Act 1993</i>.</p>	Council officers
6	<p>Staff</p> <p>Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.</p>	Council officers
7	<p>Concerns</p>	Council officers

	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 policy or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Public officer
8	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Substantive changes to this policy will be placed on public exhibition for 28 days with public submissions 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 vegetation clearing of roadsides and infrastructure lines.

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
Related Council Policy or Code of Practice	ESC Policies Register
Eurobodalla Shire Council <i>Tree Risk Management on Council Controlled Land</i> Policy	Tree Risk Management on Council Controlled Land Policy
<i>Local Government Act 1993</i>	Local Government Act 1993
<i>Roads Act 1993</i>	Roads Act 1993
<i>Local Land Services Act 2013</i>	Local Land Services Act 2013
<i>Biodiversity Conservation Act 2016</i>	Biodiversity Conservations Act 2016
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	SEPP (Transport and Infrastructure) 2021

Related external references

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

Definitions

Word/Term	Definition
Emergency situation	A situation where the threat to the public, property or the environment is obvious and imminent, and the probability of failure is considered high by the staff member in charge of the site if no action is taken.

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	28 Oct 2008	Council	08/386	E91.2033 E06.0375	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095 E06.0375	Reviewed and updated (start of new Council term)
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 (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	Aug 2022	Pages	5

Policy title	Water and Sewer Rural and Trunk Mains Connections
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Sustainable
Strategy	1.4 Work together in the management and use of our valuable sources
Delivery Program	1.4.1 Provide a safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy
Operational Plan	1.4.1.2 Operate and maintain the town water supply stream 1.4.1.4 Operate and maintain sewerage system

Purpose

Council's Strategic Business Plan for Water Supply and Sewerage identifies level of service targets that Council aims to achieve in the delivery of its water supply and sewerage services. Key performance objectives include adequate water quality, maximum and minimum water supply pressures, sewer odour complaints, response times and durations of interruptions.

This policy is to ensure that Council's ability to meet its level of service obligations is not compromised by allowing water and sewer services in low density areas, i.e. rural properties, or from water trunk mains.

Rural Water Connections

Council supplies water that is treated to a standard that meets the Australian Drinking Water Guidelines, including disinfecting the water to destroy any pathogenic (disease causing) organisms that may have been present in the water source. To protect against recontamination in the distribution and reticulation network, Council chlorinates the water to maintain disinfection residual.

Good design, management and integrity of distribution and reticulation systems are essential for maintaining water quality. Stagnation and chlorine decay can occur in poorly designed and operated systems. Unless there is sufficient turnover of water in the network, there is a risk that disinfection capacity will be depleted and reinfection may occur. This is particularly a problem in reticulation systems that contain sections with long detention periods such as long sections of pipe servicing few customers and dead ends.

Due to the low density of rural properties, it is not possible to provide water services from a reticulation system that isn't comprised of long sections of pipe servicing few customers, dead ends and excessive detention periods. Therefore, there is a significant risk that Council will be unable to meet drinking water quality standards for rural customers.

As Council is unable to guarantee level of service obligations, Council does not permit rural properties to be connected to reticulated potable water supply systems.

Trunk Water Main Connections

Trunk water supply pipelines deliver bulk water from one part of the system to another, often aided by pumping. As such, trunk mains are larger in diameter than reticulation mains, are not networked and have fluctuating pressures. Trunk mains are considered part of the distribution system, which is designed to accommodate the peak day demand for catchments within the water supply system. Response and repair times for trunk water main failures can therefore be up to several days depending on the season, which far exceeds Council's level of service obligation.

Council is not able to meet level of service obligations for customers serviced from trunk mains for the following reasons:

- Excessive pressure fluctuations caused by pumps starting and stopping, which lead to level of service complaints.
- Excessive response and repair times due to larger diameter pipes and isolation.
- Long pipelines without networking meaning that service interruptions can disrupt excessive numbers of customers per incident.

As Council is unable to guarantee level of service obligations, Council does not permit properties to be connected to water supply trunk mains.

Rural Sewer Connections

Due to the low density of rural properties, a reticulated sewer system servicing rural properties will contain either:

- Long sections of gravity pipe and transfer pumping stations that service few properties, or
- Long sections of pressure sewer pipelines.

It is not usually possible to provide a viable service to rural customers as operations, maintenance and asset renewal costs will far exceed the income from contributing properties. Long sections of sewer rising main or pressure sewer results in anaerobic sewage conditions which create odour and maintenance issues, and a reduced asset life of the downstream sewerage system.

As Council is not able to provide a viable sewer service or met level of service obligations, Council does not permit rural properties to be connected to Council's sewerage systems.

Policy aims

This policy aims to:

- Ensure that Council's ability to meet service level obligations is not compromised by providing water and sewer services in low density areas or from water trunk mains.
- Ensure consistency and fairness in the manner in which the Council deals with rural property owners.
- Ensure compliance with legislative requirements under the *Local Government Act 1993*.
- Make the Council's policies and requirements for rural and trunk main connections readily accessible and understandable to the public.

Policy statement

1**Application**

This policy applies to water supply and sewerage systems within the Eurobodalla Local Government Area (LGA).

2	Legislation Eurobodalla Shire Council will comply with the <u>Local Government Act 1993</u>
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Implementation

Requirements		Responsibility
1	Rural Water and Sewer Connections <ul style="list-style-type: none"> Connections to Council's water supply or sewerage systems of lots within land use zones RU1 Primary Production or RU4 Primary Production Small Lots shall not be permitted except as outlined in point 3. Requests for connection to Council's water supply and/or sewerage systems of lots within land use zone E4 will be considered on merit. 	Council officers
2	Distribution Mains Service connections to trunk water mains will not be permitted.	Council officers
3	Exceptions Connections to the existing reticulated water supply system of lots within land use zones RU1, RU4 or E4 will be permitted where a reticulated water supply main exists at the property frontage, subject to payment of water connection and water supply head works charges. This exception shall not be applied to sewer services or trunk water main connections.	Council officers
4	Staff Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.	Council officers
5	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
6	Consultation Any 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 water and sewer rural and trunk main 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, customer feedback, survey responses	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
Council's Water and Sewer Connections Policy	https://www.esc.nsw.gov.au/council/governance/council-policies
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030

Related external references

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

Supporting documents

Name	Link
Integrated Water Cycle Management Strategy	https://www.esc.nsw.gov.au/council/plans-and-reporting/plans-and-strategies

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	16 Dec 2008	Council	08/386	E06.0113	Policy commenced
2	10 Dec 2013	Council	13/272	E06.0113 E06.0374 E13.7095	Reviewed and updated at start of new Council term
3	09 May 2017	Council	17/120	E06.0113 E06.0374 E16.0297	Reviewed and updated at start of new Council term report GMR17/013
4	TBA	Council	TBA	E06.0113 E0.0374	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	E06.0113 E0.0374	Review date	Aug 2022	Pages	5

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Policy title	Build in the Vicinity of Sewer Mains
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water & Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Sustainable
Strategy	1.4 Work together in the management and use of our valuable sources
Delivery Program	1.4.1 Provide a safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy
Operational Plan	1.4.1.4 Operate and maintain sewerage system

Purpose

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

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

Policy aims

The policy aims to:

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

Policy details

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

	Requirements	Responsibility
1	<p>Code of Practice</p> <p>This policy will be implemented by following Council's <i>Build in the Vicinity of Sewer Mains Code of Practice</i> which specifies in detail the procedures and matters to be considered.</p>	Development Assessment officers
2	<p>Clearance from Structures</p> <p>Sewer access structures, including manholes, maintenance shafts and sewer dead ends, shall be accessible at all times in case of urgent maintenance.</p>	Developer, Development Assessment officers
3	<p>Construction not permitted</p> <p>Heavy or permanent structures will not be permitted within council's easements or over the following:</p> <ul style="list-style-type: none"> Sewer rising mains, surcharge mains or critical gravity mains (generally all sewer mains of 300mm diameter or greater and/or deemed to be excessively deep). <p>Sewer manholes, maintenance points and junctions.</p>	Developer, Development Assessment officers
4	<p>Considerations</p> <p>Any application to build over a sewer or within 2 metres of a sewer main alignment will only be considered if alternative options are found to be not viable. Council's approach to 'build in the vicinity of sewer' requests in order of priority of solutions is as follows:</p> <ol style="list-style-type: none"> Relocate the proposed structure. Relocate council's affected assets. Provide protection measures and build over or close to council's asset. <p>Option 3 will only be considered in exceptional circumstances if options 1 or 2 are neither practical nor reasonable to achieve.</p> <p>Where a developer proposes constructing 'heavy or permanent structures' within 2 metres of a sewer main alignment the Director of Infrastructure Services or Division Manager Water and Sewer must be consulted to determine the appropriateness of the proposal prior to issuing development consent.</p>	Developer, Development Assessment officers
5	<p>Asset Protection Measures</p> <p>Where construction of structures will impose a load within an existing sewer assets zone of influence, asset protection measures will be required.</p>	Developer, Development Assessment officers
6	<p>Staff</p> <p>Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.</p>	Development Assessment officers
7	<p>Costs</p> <p>The developer/applicant is responsible for all costs associated with:</p>	Developer

	<ul style="list-style-type: none"> Investigation, design and any costs associated with seeking approval. If approval is granted then all construction costs. Repairing any damage to sewer infrastructure caused by construction over or near an existing sewer. <p>The Director Infrastructure Services or Division Manager Water and Sewer may approve a contribution from Council's sewer fund towards the cost of asset relocation works where there is a demonstrated tangible benefit to council.</p>	Director Infrastructure Services/ Division Manager Water and Sewer
8	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
9	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable

Review

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

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

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
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Build in the Vicinity of Sewer Mains - Code of Practice	https://www.esc.nsw.gov.au/_data/assets/pdf_file/0004/138730/COP-Build-in-the-Vicinity-of-Sewer-Mains-07042020.pdf
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030

Related external references

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

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	28 Oct 2008	Council	08/386	E06.0381 E06.0374	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095 E06.0374	Reviewed and updated (start of new Council term)
3	28 Feb 2017	Council	17/31	E16.0297 E06.0374	Reviewed at start of new Council term. Minor referencing updates only. GMR17/005
4	TBA	Council	TBA	E16.0297 E06.0374	Reviewed & updated at new Council term. Report

Internal use

Responsible officer		Director Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0374	Review date	Feb 2022	Pages	4

Policy title	Water Supply And Sewerage Headworks Charges
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Sustainable
Strategy	1.4 Work together in the management and use of our valuable sources
Delivery Program link	1.4.1 Provide a safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy
Operational Plan link	1.4.1.1 Build and renew the water supply network 1.4.1.3 Build and renew sewerage network

Purpose

The provision of existing water and sewer services, including operations and maintenance activities, asset renewals and level of service upgrades is funded by income derived from existing consumers through water and sewer availability and usage charges. New infrastructure required to service development is funded by the developer through direct construction costs and headworks charges. That is, the developer funds the construction of new assets required to service their development, and contributes to capacity upgrades of the existing system required to accommodate the additional demand of development.

Section 64 of the *Local Government Act 1993* provides that Council may require a contribution from developers towards the cost of water and sewer management works i.e.: headworks where Council has developed a Development Servicing Plan in accordance with the Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (NSW Office of Water).

Council's Development Servicing Plans (2020) for Water Supply and Sewerage Services have determined the charges to be applied to developers for the increase in demand or loading that an average residential dwelling or house, otherwise known as an 'equivalent tenement' (ET), will have on council's water and sewer infrastructure. Headworks charges for development other than an average residential dwelling are determined by assessing the demands on Council's water supply and sewerage infrastructure of that development and comparing them with an equivalent tenement. Development is therefore assessed in numbers of ET, and water and sewer headworks charges are levied as multiples of the adopted developer charges.

It is therefore important to define the demand of an equivalent tenement to enable an assessment of the impact of different types of development. This policy establishes the water and sewer demands of an equivalent tenement for the local area to be used in the determination of headworks charges, and defines the equivalent tenement demands to be used when assessing common types of development.

Policy aims

- Promote an integrated framework for determining water and sewer headworks charges;
- Ensure consistency and fairness in the manner in which the Council deals with developers and ratepayers;
- Ensure compliance with legislative requirements under *Local Government Act 1993*;

- Promote awareness of the requirements of the Act with respect to the construction of works for developers; and
- Make the Council's policies and requirements for water and sewer headworks charges readily accessible and understandable to the public.

Policy details

1	Application This policy applies to all new developments in accordance with Council's Water Supply Services and Sewerage Services Development Servicing Plans.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with Section 64 of the Local Government Act 1993 www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/

Implementation

Requirements			Responsibility	
1	Local Equivalent Tenement Demands The local Equivalent Tenement demands to be used in the determination of headworks charges are: <ul style="list-style-type: none">For water - 180 kilolitres/ET annual demand or 1500 litres/ET peak day demandFor sewer - 120 kilolitres/ET annual demand or 900 litres/ET peak day demand		Development Assessment officers	
2	Vacant Land The following equivalent tenements shall be used for subdivision of land in which additional vacant lots are created:		Development Assessment officers	
	Category	Water ET		Sewer ET
	Small Residential Lot (<500m ²)	0.8		1.0
	Standard Residential Lot (500m ² -2000m ²)	1.0		1.0
	Large residential Lot (>2000m ²)	1.2		1.0
	Commercial Lot	1.0		1.0
	Industrial Lot	1.0		1.0
3	Multi-Residential Development (Units) The following equivalent tenements shall be used for multi-residential developments:		Development Assessment officers	
	Category	Water ET		Sewer ET
	1 bedroom	0.4		0.5
	2 bedrooms	0.6		0.75
	3 bedrooms	0.8		1.0
4	Multi-Residential Development (Duplex/Dual Occupancy) Where there is a potential for the property to be subdivided to create multiple lots with a residence on each lot, the equivalent tenements shall be calculated in accordance with Clause 2 Vacant Land.		Development Assessment officers	

	Where the lot size or layout is such that the property cannot be further subdivided, the equivalent tenements shall be calculated in accordance with Clause 3 Multi-Residential Development (Units).																									
5	<p>Multi-Residential Development (Secondary Dwellings)</p> <p>Development Consents involving the construction of a secondary dwelling where the floor area of the secondary dwelling is not more than 60 square metres shall be exempt from Headworks Charges.</p> <p>Development Consents involving the construction of a secondary dwelling where the floor area of the secondary dwelling is greater than 60 square metres shall be calculated in accordance with Clause 3 Multi-Residential Development (Units).</p>	Development Assessment officers																								
6	<p>Accommodation</p> <p>The following equivalent tenements shall be used for accommodation providing developments:</p> <table> <tr> <th>Category</th><th>Water ET</th><th>Sewer ET</th></tr> <tr> <td>Motel / Hotel (per room)</td><td>0.3</td><td>0.4</td></tr> <tr> <td>Bed and Breakfast / Guest House (per room)</td><td>0.3</td><td>0.4</td></tr> <tr> <td>Caravan Park (per short-term site)</td><td>0.3</td><td>0.4</td></tr> <tr> <td>Caravan Park (per permanent site)</td><td>0.6</td><td>0.75</td></tr> <tr> <td>Backpackers / Hostel (per bed)</td><td>0.15</td><td>0.2</td></tr> <tr> <td>Caretakers Residence</td><td>1</td><td>1</td></tr> <tr> <td>Serviced Apartments (use multi-residential development)</td><td></td><td></td></tr> </table>	Category	Water ET	Sewer ET	Motel / Hotel (per room)	0.3	0.4	Bed and Breakfast / Guest House (per room)	0.3	0.4	Caravan Park (per short-term site)	0.3	0.4	Caravan Park (per permanent site)	0.6	0.75	Backpackers / Hostel (per bed)	0.15	0.2	Caretakers Residence	1	1	Serviced Apartments (use multi-residential development)			Development Assessment officers
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Serviced Apartments (use multi-residential development)																										
7	<p>Residential Care</p> <p>The following equivalent tenements shall be used for residential care developments:</p> <table> <tr> <th>Category</th><th>Water ET</th><th>Sewer ET</th></tr> <tr> <td>Nursing Home (per bed)</td><td>0.4</td><td>0.5</td></tr> <tr> <td>Self-Care Retirement unit (1 bedroom)</td><td>0.4</td><td>0.5</td></tr> <tr> <td>Self-Care Retirement unit (2 bedroom)</td><td>0.6</td><td>0.75</td></tr> <tr> <td>Self-Care Retirement unit (3 bedroom)</td><td>0.8</td><td>1.0</td></tr> </table>	Category	Water ET	Sewer ET	Nursing Home (per bed)	0.4	0.5	Self-Care Retirement unit (1 bedroom)	0.4	0.5	Self-Care Retirement unit (2 bedroom)	0.6	0.75	Self-Care Retirement unit (3 bedroom)	0.8	1.0	Development Assessment officers									
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8	<p>Commercial and Industrial</p> <p>Commercial and Industrial development will be assessed by following the NSW Water Directorate's <i>Section 64 Determinations of Equivalent Tenements Guidelines</i> which provides Council with a basis for determining Equivalent Tenement (ET) loadings for different types of development.</p> <p>A copy of the Water Directorate guidelines is available for download from Council's website.</p>	Development Assessment officers																								
9	<p>Staff</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> <p>The Director of Infrastructure Services or Divisional Manager Water and Sewer may vary the equivalent tenement determination for a particular</p>	Development Assessment officers Director Infrastructure Services/ Division																								

	development if, in their opinion, application of the NSW Water Directorate Guidelines does not produce assessed demands that are consistent with the estimated actual demands of the proposed development. The alternative methodology for assessing the particular development shall be clearly explained and recorded in the relevant development application and property file.	Manager Water and Sewer
10	Headworks Charges Headworks charges payable are determined by multiplying the assessed loadings in numbers of ET for each development by the relevant Headworks Development Contributions charge in Council's Fees and Charges published annually as part of the Operations Plan.	Development Assessment officers and Developers
11	Concerns Concerns received regarding this policy will be recorded on Council's customer service request (CSR) or records system and handled in accordance with Council's Customer Service Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.	Council officers
12	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with council's Complaints Policy.	Public Officer
13	Consultation Consultation regarding this policy will occur as relevant with key stakeholders and may include legislative bodies, other relevant legislation, industry guidelines, and public comment. Public submissions regarding this policy are invited for consideration during the policy exhibition period.	As required

Review

This policy may 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 Water and Sewer Headworks Charges.

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)
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	https://www.esc.nsw.gov.au/council/governance/council-policies
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030

Related external references

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

Supporting documents

Name	Link
NSW Water Directorate Section 64 Determinations of Equivalent Tenements Guidelines	Water NSW
Council Development Servicing Plans - Water Supply and Sewerage	https://www.esc.nsw.gov.au/_data/assets/pdf_file/0005/171608/Water-Supply-and-Sewerage-Development-Servicing-Plans.pdf

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418 E06.0113 E06.0374	Policy adopted
2	10 Sep 2013	Council	13/272	E13.7095 E06.0113 E06.0374	Reviewed and updated
3	26 Sep 2017	Council	17/317	E16.0297 E06.0113 E06.0374	Reviewed and updated (start of new Council term)
4	TBA	Council	TBA	E16.0297 E06.0113 E06.0374	Reviewed and updated (start of new Council term) Report GMR17/021

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	Sep 2022	Pages	5

Policy title	Water Carting
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	2. Inclusive
Strategy	2.4 Foster a safe community
Delivery Program link	2.4.2 Deliver legislated health protection and regulatory programs
Operational Plan link	2.4.2.4 Monitor, inspect and respond to issues in relation to public safety

Purpose

Section 68 of the *Local Government Act 1993* requires that a person may draw water from a Council water supply or a standpipe or sell water so drawn only with the prior approval of the Council, except in so far as a local policy adopted under Chapter 7, Part 3 of the Act allows the activity to be carried out without an approval.

Policy aims

- Protect the health of the community by managing the risk of contamination of Council's water supply and/or drinking water delivered to rural consumers.
- Promote an integrated framework for dealing with water carting applications within Eurobodalla Shire Council.
- Ensure consistency and fairness in the manner in which the Council deals with water carters.
- Ensure compliance with legislative requirements under the Local Government Act 1993.
- Promote awareness of the requirements of the Act with respect to the granting of approvals.
- Make the Council's policies and requirements for water carting readily accessible and understandable to the public.

Policy details

1	Application This policy applies to all persons drawing water from Council's water supply.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with the <i>Local Government Act 1993, Public Health Act 2010 and the Food Act 2003</i> .
3	Exemptions The following persons may draw water from a water supply system or standpipe without the prior approval of the council: a) Council's Water and Sewer employees acting in the course of his or her employment. b) NSW Rural Fire Service and NSW Fire and Rescue personnel drawing

Implementation

Requirements		Responsibility
1	Code of Practice This policy will be implemented by following Council's <i>Water Carting Code of Practice</i> which specifies in detail the procedures to be followed for approving and managing access to Council's water supply by water carters.	Council officers

2	<p>General Requirements</p> <p>a) Risk to Council's water supply: Water may only be drawn from:</p> <ul style="list-style-type: none"> • an authorised water filling station, or • the reticulation system using a removable standpipe, but only with the prior approval of the Director Infrastructure Services, Division Manager Water and Sewer or the Water and Sewer Operations Engineer. <p>b) Risk to consumers:</p> <ul style="list-style-type: none"> • Tanks used for carting drinking water should only be used for that purpose. • Tanks used for carting drinking water must not be used for transport of effluent (treated or otherwise), petroleum products, or other potentially hazardous materials that may be harmful to health. • Tanks may be used for carting water from non-potable sources eg; from dams or rivers, provided that the tank, hoses and fittings are cleaned and disinfected prior to filling with drinking water. • Tanks, hoses and fittings shall be made of, or lined with, a material that will not contaminate drinking water. • Hoses and fittings shall be stored in a dust proof container during transport or when not being used. • Tanks shall be cleaned and disinfected at least every three months and hoses and fittings shall be cleaned and disinfected at least every month, by following the procedures detailed in the <i>NSW Guidelines for Water Carters</i>. <p>c) Other requirements:</p> <ul style="list-style-type: none"> • Tanks shall have an aperture of such size to permit easy inspection and thorough cleaning of the interior. • Water carters shall keep a log book to record information on deliveries and cleaning. <p>Council officers shall inspect tanks approved for carting drinking water at least annually.</p>	<p>Council officers Water carters</p>
3	<p>Applications</p> <p>Applications for an approval to draw water from Council's water supply shall be in accordance with the procedure detailed in Council's <i>Water Carting Code of Practice</i>.</p> <p>Staff will follow the approvals process detailed in the <i>Water Carting Code of Practice</i> when determining whether to grant an approval or to refuse an application.</p>	<p>Council officers Water carters</p>
4	<p>Fees and Charges</p> <p>The following fees and charges are payable in accordance Council's <i>Water Carting Code of Practice</i>:</p> <ol style="list-style-type: none"> Inspection fee Access Key Purchase (new/replacement) Bulk Water Sales 	<p>Water carters</p>

5	Staff Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Council officers
6	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
7	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	As applicable

Review

This policy may 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 water carting.

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)
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	https://www.esc.nsw.gov.au/council/governance/council-policies
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030.nsw.gov.au/view/html/inforce/current/act-1993-030
Public Health Act 2010	www.austlii.edu.au/au/legis/nsw/consol_act/pha2010126
Food Act 2003	www.austlii.edu.au/au/legis/nsw/consol_act/fa200357

Related external references

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

Supporting documents

Name	Link
NSW Guidelines for Water Carters	https://www.health.nsw.gov.au/environment/Publications/nsw-guidelines-for-water-carters.pdf

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 2009	Council	09/29 1	E06.0113	Policy commenced
2	10 Sep 2013	Council	13/27 2	E13.7095 E06.0113	Reviewed and updated (start of new Council term)
3	25 Jul 2017	Council	17/237	E16.0297 E06.0113	Reviewed and updated (start of new Council term)
4	TBA	Council	TBA	E16.0297 E06.0113	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	Review date	Aug 2022	Pages	4

Policy title	Water Restrictions
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Sustainable
Strategy	1.4 Work together in the management and use of our valuable sources
Delivery Program link	1.4.1 Provide a safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy 1.4.2 Increase water security through construction of the Southern Water Supply Storage
Operational Plan link	1.4.1.2 Operate and maintain the town water supply stream 1.4.2.1 Commence the construction of the Southern Water Supply Storage/Dam

Purpose

It is normal practice in NSW to design water supply systems so that water restrictions should not be applied in more than 10% of years or for more than 5% of the time. That is, water supply headworks should be sized so that water restrictions are only necessary on average once every ten years and when applied should not be needed on average for longer than six months.

This is in recognition of the fact that:

- It is neither practical, economic nor environmentally responsible to provide “restriction free” water supply systems; and
- A trade-off is necessary between the security of supply i.e. the relative severity of restrictions, and the associated capital and operating costs.

Council’s water supply system has been designed in accordance with these parameters, and therefore we will need to implement water restrictions to secure supply during drought periods. There may also be times when, due to operational faults, the available stored water or the available capacity of supply is so limited that restrictions are necessary in isolated catchments of the water supply system.

Clause 137 of the *Local Government (General) Regulation 2005* allows for restrictions to be imposed if Council deems it necessary.

Policy aims

- Take such steps as are necessary to ensure the continued supply of potable water to consumers.
- Promote an integrated framework for dealing with water restrictions.
- Ensure consistency and fairness in the manner in which the Council deals with potable water consumers.
- Ensure compliance with legislative requirements under the Local Government (General) Regulation 2005.

- Make the Council's policies and requirements for water restrictions readily accessible and understandable to the public.

Policy details

1	Application This policy applies to owners and occupiers of properties connected to Council's potable water supply systems.
2	Legislation This policy ensures is consistent with the requirement of the <i>Local Government Act 1993</i> and the <i>Local Government (General) Regulation 2005</i> .

Implementation

Requirements		Responsibility
1	Drought Management Plan In times of drought, this policy will be implemented by following the <i>Eurobodalla Water Supply Drought Management Plan</i> . The <i>Drought Management Plan</i> provides for various severities of water restrictions to be imposed on consumers based on water storage levels and consumer type. The General Manager or Director Infrastructure Services may vary the adopted trigger levels after taking into account seasonal water demand variations and the medium or long-term weather forecast.	Division Manager Water and Sewer
2	Operational Restrictions The General Manager or Director Infrastructure Services may authorise water restrictions in isolated catchments of the water supply system if, due to operational faults, the available stored water or the available capacity of supply is so limited that restrictions are necessary. Water restrictions introduced in those catchments shall be at a level considered necessary to achieve the required reduction in demand. As soon as practicable following water restrictions being applied due to operational issues, a report detailing the reasons for the water restrictions, the duration or intended duration of restrictions and the numbers of consumers affected shall be reported to the Council.	Division Manager Water and Sewer
3	Enforcement Council's rangers are delegated to issue penalties for non-compliance with water restrictions under section 637 of the <i>Local Government Act 1993</i>	Council rangers
4	Staff Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.	Council officers
5	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers

6 Consultation	Any 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
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Review

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

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

Note: 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

Governance

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

Related legislation and policies

Name	Link
Related Council Policy or Code of Practice	https://www.esc.nsw.gov.au/council/governance/council-policies
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030
Local Government (General) Regulation 2005	https://legislation.nsw.gov.au/view/html/inforce/current/sl-2005-0487

Related external references

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

Supporting documents

Name	Link
Eurobodalla Shire Council Drought Management Plan	https://www.esc.nsw.gov.au/council/plans-and-reporting/plans-and-strategies

Change history

Version	Approval date	Approved by	Minute	File	Change
1	22 Sep 2009	Council	09/291	E09.3418 E06.0113	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095 E06.0113	Reviewed and updated (start of new Council term)
3	25 Jul 2017	Council	17/237	E16.0297 E06.0113	Reviewed and updated (start of new Council term)
4	TBA	Council	TBA	E16.0297 E06.0113	Reviewed and updated (start of new Council term) Report GMR17/021

Internal use

Responsible officer		Director Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0113	Review date	Sep 2022	Pages	4

Policy title	Water Saving Incentives
Responsible manager(s)	Division Manager Water and Sewer
Contact officer(s)	Sustainability Coordinator
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Sustainable
Strategy	1.4 Work together in the management and use of our valuable sources
Delivery Program	1.4.3 Provide opportunities and incentives to encourage responsible use of resources by the community and at council
Operational Plan	1.4.3.1 Promote and issue rebates and incentives to help conserve water and energy

Purpose

Council promotes water conservation and demand management as essential for ensuring efficient use of our valuable water resources and to improve environmental outcomes.

Best Practice Management requires active intervention by supporting appropriate demand management measures such as retrofit programs and rebates for water efficient appliances.

Policy aims

The use of water-efficient fixtures and water-efficient appliances in urban areas with reticulated water supply can have significant environmental, social and financial benefits for both Council and the community.

These benefits include noticeable reductions in:

- water bills for consumers
- water extractions from rivers
- stormwater and treated sewage effluent discharged to local waterways
- demand on existing water supplies, reducing the likelihood of water restrictions
- demand on existing water, sewer and stormwater infrastructure, delaying the requirement for expensive infrastructure upgrades.

Policy details

1	Application This policy applies to customers within the Eurobodalla Local Government Area (LGA) who are connected to the reticulated water supply.
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Implementation

Requirements		Responsibility
1	Incentives Incentives for the purchase and installation of water-saving devices, appliances and systems include eligible: <ul style="list-style-type: none"> • Dual flush toilets • Washing machines 	Council officers

	Detailed information about current incentives including application forms, Terms and Conditions and Frequently Asked Questions, can be found at Council's website www.esc.gov.au	
2	Incentives cap The maximum amount of water saving incentive rebates under this policy is \$2000 per customer.	Council officers
3	Staff Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.	Council officers
4	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
5	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	Council officers

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 saving incentives.

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)
Internal or external audit	Audit
Delivery Program outcomes achieved	Council reporting
Concerns or complaints registered	Council records
Number of applications received	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
Related Council Policy	https://www.esc.nsw.gov.au/council/governance/council-policies
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030
Information on Council website	www.esc.nsw.gov.au
Application for Washing Machine rebate	www.esc.nsw.gov.au
Application for Toilet rebate	www.esc.nsw.gov.au

Related external references

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

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095	Reviewed and updated (start of new Council term)
3	11 Apr 2017	Council	17/99	E16.0297 E06.0113	Reviewed and updated (start of new Council term) GMR17/011
4	TBA	Council	TBA	E16.0297 E06.0113	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	Review date	Sep 2022	Pages	3

Policy title	Water Supply Backflow Prevention and Cross Connection Control
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewer
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Sustainable
Strategy	1.4 Work together in the management and use of our valuable sources
Delivery Program	1.4.1 Provide a safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy
Operational Plan	1.4.1.2 Operate and maintain the town water supply stream

Purpose

Council is responsible for ensuring that drinking water supplied from Council's water supply system is safe to use. To achieve this, Council treats water to a standard that meets the *Australian Drinking Water Guidelines* and manages the water supply system to prevent the water from being contaminated in the distribution and reticulation network.

Containment Protection

There is a risk that activities at premises connected to Council's water supply system can contaminate the water at the premises, and unless there is a barrier preventing contaminated water from returning to Council's water supply system, there is a risk that those activities will contaminate the public water supply.

To ensure the protection of the public water supply, Council requires that all premises connected to Council's water supply system are provided with a backflow prevention device for containment at the property boundary.

Backflow prevention devices that are required for protection against medium or high hazards, as assessed by Council, must be registered with Council and must be tested regularly to ensure that they remain effective. Backflow prevention devices that are required for protection against low hazards, such as at residential premises, are not required to be testable nor registered with Council.

Cross-Connection Control

Many premises connected to Council's water supply system have an alternative water supply e.g. rainwater, that provides water to internal fixtures such as irrigation systems, washing machines and toilets.

There is a risk that non-potable water supplies cross-connected to Council's water supply system within premises will contaminate the public water supply. Where another water source is connected to Council's water supply system, the internal plumbing must meet the particular requirements of Australian Standard 3500 Plumbing and Drainage.

Where a cross-connection is identified, Council will request the landowner to arrange for the internal plumbing to be altered to meet the Australian Standard or for the cross-connection to be removed. If the landowner does not take the necessary actions within required timeframes, then Council will restrict or disconnect the property from the Council's water supply system to protect the integrity of the Council's water supply system.

Policy aims

- To ensure the integrity of the Council's water supply system by minimising the risk of backflow contamination from connections to the system.

- Take such steps as are appropriate to ensure the provision of a safe water supply to consumers.
- Promote an integrated framework for dealing with water supply backflow prevention and cross connection control.
- Ensure consistency and fairness in the manner in which the Council deals with water consumers.
- Ensure compliance with legislative requirements under the *Local Government Act 1993*.
- Make the Council's policies and requirements for water supply backflow prevention and cross connection control are readily accessible and understandable to the public.

Policy details

1	Application Containment Protection This policy applies to all premises connected to Council's water supply.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with Section 17 of the Plumbing and Drainage Act 2011.

Implementation

Requirements		Responsibility
1	Containment Protection <ol style="list-style-type: none"> 1) Council requires all premises connected to the water supply to be provided with a backflow prevention device for containment at the property boundary. The containment backflow prevention device shall be suitable for the degree of cross-connection hazard rating deemed applicable by Council. 2) Where required, backflow prevention devices shall be: <ul style="list-style-type: none"> • registered with Council where the backflow prevention device is a break tank, registered air gap, reduced pressure zone device, pressure vacuum breaker or testable double check valve assembly; • of an authorised type; • installed according to the provisions of the Plumbing Code of Australia. • maintained in a satisfactory operating condition. 3) All backflow prevention devices are the responsibility of the property owner. 4) The inspection, testing and maintenance of registered backflow prevention devices shall be carried out by authorised persons, who are accredited to carry out testing procedures. 5) The property owner shall arrange for all registered devices to be tested and a "Backflow Prevention Inspection Testing and Maintenance Report" shall be provided to Council at intervals not exceeding 12 months. 6) Where the testing of backflow prevention devices and submission of the required "Backflow Prevention Inspection Testing and Maintenance Report" is not completed by the date 	Council officers

	specified, Council may inspect, test and carry out maintenance on the backflow prevention device for a fee.	
2	<p>Cross-Connection Control</p> <p>Rainwater tanks at premises connected to the water supply system must be installed in accordance with the Council's Code of Practice - Design Guidelines for Rainwater Tanks Where an Existing Reticulated Water Supply Exists.</p> <p>Where, in the opinion of Council a potential or physical cross-connection is found in the water service at any property, the property owner shall, upon written advice from Council, ensure that such cross connection is immediately disconnected or altered to comply with Council's requirements or otherwise removed. Failure to comply within the period nominated by Council may result in the immediate restriction or disconnection of the property from Council's water supply.</p>	Council officers
3	<p>Staff</p> <p>Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.</p>	Council officers
4	<p>Concerns</p> <p>Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.</p>	Council officers
5	<p>Consultation</p> <p>Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.</p>	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 backflow prevention and cross 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
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 - <i>Design Guidelines for Rainwater Tanks Where Existing Reticulated Water Supply Exists</i>	https://www.esc.nsw.gov.au/council/governance/council-policies
<i>Local Government Act 1993</i>	www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N
<i>Australian Standard AS3500.1:2013</i>	https://www.standards.org.au/standards-catalogue/sa-snz/waterandwasteservices/ws-014
<i>Local Government (General) Regulation 2005</i>	www.legislation.nsw.gov.au
<i>Plumbing and Drainage Act 2011</i>	www.legislation.nsw.gov.au/#/view/act/2011/59

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
Fair Trading – Plumbers and Drainers	https://www.fairtrading.nsw.gov.au/trades-and-businesses/construction-and-trade-essentials/plumbers-and-drainers

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418 E06.0113	Policy commenced
2	10 Sep 2013	Council	13/272	E13.7095 E06.0113	Reviewed and updated (start of new Council term)
3	25 Jul 2017	Council	17/237	E16.0297 E06.0113	Reviewed and updated (start of new Council term)

4	TBA	Council	TBA	E16.0297 E06.0113	Reviewed and updated (start of new Council term) Report GMR17/021
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Internal use

Responsible officer		Director Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0113	Review date	Sep 2022	Pages	5

DRAFT

Policy title	Street Activities
Responsible manager(s)	Divisional Manager, Strategic Services
Contact officer(s)	Manager, Economic Development and Place Activation
Directorate	Planning and Sustainability Services
Approval date	
Outcome area	3. Our region of vibrant places and spaces
Strategy	3.1 Balance development between the needs of people, place and productivity
Delivery Program	3.1.1 Review, prepare and deliver planning instruments that support sustainable social, environmental and economic outcomes as guided by our Local Strategic Planning Statements.
Operational Plan	3.1.1.4 Conduct ongoing reviews and update planning controls

Purpose

This policy recognises the value to community groups and the broader community of the opportunity to use Council footpaths and other public land for fund raising, information provision, entertainment and services.

Policy aims

This policy aims to establish the circumstances under which approvals may be granted for certain activities on public roads (including footpaths) and public car parks within the Eurobodalla shire.

Policy details

1	Application This Policy applies to the use of public roads (including footpaths) and public car parks for the following activities: <ul style="list-style-type: none"> a) Street Stalls b) Mobile Food Businesses c) Mobile Community Services d) Busking
2	Legislation Eurobodalla Shire Council will comply with the Local Government Act 1993 .
3	Policy Objectives <ul style="list-style-type: none"> a) To allow the use of public roads and car parks for appropriate activities. b) To ensure a clear and safe footpath is maintained for pedestrians, including access for persons with a disability. c) To provide guidance on the appropriate location of certain activities on public roads and public car parks. d) To protect the viability of the Shire's commercial centres.
4	Street Stalls
4.1	Council approval is required for a person or organisation to set up a street stall on footpaths in accordance with the Street Activities Code of Practice.

4.2	Approvals will be issued for street stalls at the sites designated in the Street Activities Code of Practice, or at alternative sites adjoining retail or commercial premises in the business or village zones where the safety and amenity of pedestrians will not be compromised. Proponents of street stalls at alternative sites must notify the operator of the adjoining premises prior to submitting an application for approval.
4.3	Street stalls shall preferably be located outside of the footpath walkway zone. However, Council may approve street stalls to be located adjacent to a building (i.e within the footpath walkway zone) in locations away from entrances to retail or commercial premises, where a minimum of 2.7m is available between the stall and the kerb line.
4.4	Approvals will not permit spruiking or the use of public address systems or other forms of amplification in association with street stalls.
4.5	Fund raising activities that include the preparation of food for sale (such as a barbeque event) are not appropriate activities on public roads, including on footpaths, or public car parks. Such activities are more appropriately located on public reserves.
4.6	Fund raising activities that include the raffling of large items which are proposed to be on display at the site, such as a wheelbarrow or trailer of goods, a large Christmas stocking, a vehicle or the like, may be approved by Council in appropriate locations where the activity will not obstruct the footpath walkway zone. Large items for display must not be located in any on-street parking space.
5	Mobile Food Businesses
5.1	Council approval is required for a person or business to undertake a mobile food business on public roads and public car parks in accordance with the Street Activities Code of Practice.
5.2	Council will not approve the undertaking of mobile businesses that provide other goods or services on public roads (including footpaths) and public car parks.
5.3	Approvals will be issued for mobile food businesses to park for a temporary period in public car parks and to intermittently stop on roads where the speed limit does not exceed 50kph and not within school zones. For the purposes of this Policy, the terms “temporary” and “intermittent” refer to the period of time the operator is engaged in serving a customer or customers.
5.4	Approvals will not be issued for mobile food businesses to operate in locations within 250m of an established shop, stall, sportsground or market/ festival selling similar goods when it is open for trading.
6	Mobile Community Services
6.1	Any person or organisation proposing to set up a mobile community service on a public road or public car park, must notify Council in writing, addressing the matters outlined in the Street Activities Code of Practice. The proponent must not set up the mobile community service until Council has provided a letter of agreement to the proposal.

6.2	Council encourages the setting up of mobile community services for a temporary period of time at the designated sites in the Street Activities Code of Practice or at public car parks that meet the following criteria: a) good exposure to passing traffic; b) not a priority parking area (a priority parking area has high demand and high turnover, such as a paid parking area or the parking area in the immediate vicinity of retail premises); c) sufficient available parking for customers; d) close proximity to toilet facilities; and e) close proximity to food premises.
6.3	Council will also consider the parking of mobile community services at other locations, such as on the grounds of existing community facilities where appropriate and where parking for the community facility is not significantly reduced.
7	Busking
7.1	Council approval is required for a person or group to undertake busking on a footpath of a public road in accordance with the Street Activities Code of Practice.
7.2	Busking shall preferably be located outside of the footpath walkway zone. However, Council may approve individual buskers to be located adjacent to a building (i.e. within the footpath walkway zone) in locations away from the entrances to retail or commercial premises, where a minimum of 2.7m is available for pedestrians between the busker and the kerb line.
7.3	Approvals may permit the use of amplified music or public address systems for busking activities on a trial basis. Should complaints be received from the public regarding excessive noise from approved busking activities, Council reserves the right to revoke the approval and/or refuse to grant further approvals.
7.4	Approvals for busking will not permit the use of dangerous materials or animals.
8	Street Vending
8.1	Approvals will not be granted for street vending in the Eurobodalla.
	Note: Roadside stalls (as defined in the <i>Local Environmental Plan 2012</i>) may not be located on the road reserve in front of the property. A Development Application is required for a roadside stall.

Implementation

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

3	Concerns Concerns received regarding this policy will be recorded on Council's Customer Service or records system and handled in accordance with Council's Customer Service or complaints Policy. They will be used to analyse the history of concerns and to help determine follow up actions.	Council Officers
4	Consultation Consultation with relevant stakeholders and the community will be undertaken when the policy is due for review.	Manager, Strategic Services

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 Street Activities.

The policy may be revoked by Council 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)
Community concerns	Council records
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit

Definitions

Term	Definition
Busking	playing music or performing entertainment on footpaths for tips and gratuities from passing pedestrians
Dangerous materials	materials and implements that pose risk, hazard or uncertain outcomes for people and include flammable materials and chemicals, fire, fireworks, smoke, flairs, heated elements, knives, spears, swords, spikes and other sharp implements.
Footpath walkway zone	that part of the footpath extending from the building line or shop front of premises towards the street kerb for a minimum of 2 metres.
Mobile Community Service	the use of a vehicle parked on a public road or public car park for the purpose of offering a community service, such as the mobile Blood Bank, mobile Department of Health services, mobile library or toy library services
Mobile Food Business	the use of a vehicle parked on a public road or a public car park for a short period of time and/or travelling on public roads making brief intermittent stops for the purpose of selling food
Spruiking	the act of repetitively and loudly advocating the offers and bargains to be found at the street stall, with or without the use of a public address system or other form of amplification, but does not include the act of greeting passers-by to offer raffle tickets for sale or engage in a discussion with regard to the particular charity or services being advocated at the stall.
Street Stall	a small table, stall or stand set up on footpaths for the purpose of not-for-profit organisations, volunteer organisations, community organisations,

	charities and the like to sell goods, including raffle tickets, for the purpose of raising funds, or to provide information to the community
Street Vending	the setting up or use of any standing vehicle, box, stall, stand or barrow on footpaths for the sale of food or goods not associated with any existing premises in the vicinity, but does not mean a street stall, mobile business or roadside stall

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	www.esc.nsw.gov.au
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
Roads Act 1993	www.legislation.nsw.gov.au/maintop/view/inforce/act+33+1993+cd+0+N
Crown lands Act 1989	www.legislation.nsw.gov.au/maintop/view/inforce/act+6+1989+cd+0+N

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au/
Transport for NSW	www.transport.gov.au

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Nov 2011	Council	11/304	E06.0376	Policy commenced (Report O11/244) replacing Street Vending policy
2	27 Aug 2013	Council	13/246	E13.7095 E06.0376	Updated to new Policy Template, updated review date, updated references and links
3	27 June 2017	Council	17/214	E16.0297 E06.0376	Reviewed and updated (start of new Council term)
4	TBA	Council	TBA	E16.0297 E06.0376	Reviewed and updated at start of new Council term Report

Internal use

Responsible officer		Director Planning & Sustainability Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	E16.0297 E06.0376	Review date	Aug 2022	Pages	5

Policy title	Dedication of Land to Council
Responsible manager(s)	Divisional Manager, Strategic Services
Contact officer(s)	Land Use Planning Coordinator
Directorate	Planning and Sustainability Services
Approval date	
Outcome area	6. Responsible and balanced development
Strategy	6.1 Plan for growth and encourage increased investment and development outcomes
Delivery Program	6.1.1 Investigate and communicate planning opportunities and impacts
Operation Plan	6.1.1.1 Review housing and land supply

Purpose

This policy recognises that as a result of the subdivision or development of land, some land may need to be dedicated to Council in the form of public open space. The policy also recognises the need to ensure that land so dedicated is fit for purpose.

This public open space may be structured such as parks, playgrounds or shared pathway connections; or unstructured such as riparian corridors, drainage reserves, biodiversity areas or areas of cultural heritage significance. Riparian, drainage and habitat corridors provide important biodiversity links for the Shire.

Through the development of its Recreation and Open Space Strategy (ROSS), Council has undertaken a comprehensive review of recreational needs, facilities and spaces in the Eurobodalla Shire on the basis of local, district and regional community needs. The strategy forms the basis for this policy.

Land may be dedicated to Council in lieu of making a monetary contribution pursuant to Council's Local Infrastructure Contributions Plan 2012 (LICP), as part of a voluntary planning agreement (VPA), or land may be dedicated to Council free of cost.

Policy aims

This policy aims to provide a clear rationale and assessment process for decisions regarding Council's acceptance of land proposed to be dedicated as public open space.

Policy details

1	Application This policy applies to the dedication of private land to Council as public open space within the Eurobodalla Local Government Area.
2	Legislation Eurobodalla Shire Council will comply with the Environmental Planning and Assessment Act 1979 .
3	All subdivisions creating new lots and developments generating increased populations will contribute to an increased demand for public open space. This demand may be met by either the dedication of land to Council or the payment of a monetary contribution for the embellishment of existing open space or the purchase of other land to meet the strategic needs as identified in the ROSS. The objectives of this policy are as follows:

	<ul style="list-style-type: none"> a) to set standards for the type, quality, nature and condition of land proposed to be dedicated; b) to ensure increased recreational, environmental and community value of public open space; c) to ensure maintenance of public open space is within Council's financial and operational capability; d) to ensure functionality and useability of public open space and/or drainage reserve.
4	The dedication and acceptance of structured and unstructured land to Council must be in accordance with the Dedication of Land to Council Code of Practice.
5	It will be the responsibility of the proponent to demonstrate that any proposal to dedicate land to Council as public open space complies with this policy in particular with regard to demonstrating that the ongoing costs and activities for Council of management and maintaining the land will be minimal.
6	Every subdivision will be assessed on its merits and according to this policy as to the requirement for an area of public open space. There may however be unique circumstances that may give rise to variation or departure from the policy and this is at the discretion of and by formal determination of Council.
7	In most circumstances, private ownership and management of riparian corridors, drainage land, biodiversity land and areas of cultural and heritage significance results in acceptable management outcomes and is Council's preferred outcome. Only in exceptional circumstances will Council accept public ownership of these lands.

Implementation

Requirements		Responsibility
1	Code of Practice This policy will be implemented by following Council's Dedication of Land to Council Code of Practice, which specifies in detail the matters for consideration and procedures to be followed.	Divisional Manager, Development Services
2	Staff Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Council Officers
3	Concerns Concerns received regarding this policy will be recorded on Council's customer service request (CSR) or records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
4	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this policy are invited for consideration during the exhibition period.	Community, Arts and Recreation Services and Infrastructure Services Directorates

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 dedication of land to Council.

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

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

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

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

Governance

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

Related legislation and policies

Name	Link
Dedication of Land to Council Code of Practice	www.esc.nsw.gov.au/inside-council/council/council-policies
Recreation and Open Space Strategy (ROSS) Local Infrastructure Contributions Plan Shared Path Strategy Development Contributions Plan	https://www.esc.nsw.gov.au/council/plans-and-reporting/plans-and-strategies
South Coast Regional Conservation Plan	www.environment.nsw.gov.au/resources/biodiversity/101000scrcp.pdf
Southern Rivers Catchment Action Plan	SRCMA CAP 2013 (windows.net)
<i>Environmental Planning and Assessment Act 1979</i>	Environmental Planning and Assessment Act 1979 No 203 - NSW Legislation

Related external references

Name	Link
Department of Planning and Infrastructure	www.planning.nsw.gov.au

Change history

Version	Approval date	Approved by	Minute No	File No	Change
1	24 Nov 2011	Council	11/130	E05.9314 E06.0381	Policy Adopted – report O11/86
2	23 Jul 2013	Council	13/172	E13.7095 E06.0381	Updated Template, review date, references and links; removed operational elements to Code of Practice – report O13/112

3	27 June 2017	Council	17/214	E16.0297 E06.0381	Reviewed and updated (start of new Council term)
4	TBA	Council	TBA	E16.0297 E06.0381	Reviewed and updated (start of new Council term) – report

Internal use

Responsible officer		Director, Planning & Sustainability Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	27 June 2017
File	E06.0381	Review date	April 2022	Pages	4

DRAFT

Policy title	Tree Risk Management on Council Controlled Land
Responsible manager(s)	Director, Infrastructure Services
Contact officer(s)	Divisional Manager, Works
Directorate	Infrastructure Services
Approval date	
Outcome area	2. Our community that welcomes, celebrates and supports everyone 4. Our connected community through reliable and safe infrastructure networks
Strategy	2.2 Encourage community spirit and enable healthy lifestyles 4.1 Provide integrated and active transport networks to enable a connected and accessible Eurobodalla
Delivery Program	2.2.3 Plan for, and deliver safe and accessible recreation opportunities guided by the Recreation and Open Space Strategy and asset management plan 4.1.3 Provide a safe and reliable local rural and urban roads, guided by asset management plan
Operational Plan	4.1.3.1 Maintain the local road network 2.2.3.1 Provide, maintain and renew recreation facilities

Purpose

Eurobodalla Shire Council has a duty of care to take reasonable measures within budget limitations to manage the risks arising from trees on all land under Council's control. This Policy provides for the management of risks arising from:

- Tree failure potentially causing injury to people and/or property damage.
- Tree roots causing and/or likely to cause damage to property such as buildings and structures.

This Policy does not address the risks posed by trees or other vegetation in terms of fire mitigation, protection of Council assets or safety on roadways (eg maintaining sight lines around corners, trees within clear zones). These issues are addressed separately in the *Bush Fire Risk Management* and *Vegetation Clearing – Roadsides & Infrastructure Lines* policies.

Section 42 of the *Civil Liability Act 2002* 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 from trees on public land controlled by Council.

The risk management of trees on public land is often a difficult and emotive issue and one that requires a balance between managing the risks to the community's safety and infrastructure, whilst acknowledging the significant benefit of trees within the landscape to the social, environmental, economic and cultural wellbeing of our community. Council must also manage this issue within its limited financial resources in such a way as to limit Council's (ie the community's), potential liability and provide equity between people seeking action to address their concerns about trees.

Policy aims

- Promote an integrated framework for dealing with the management of risks from trees on land under the control of Council and take reasonable steps to ensure that Council delivers its required duty of care.
- Ensure consistency and fairness in the manner in which the Council manages the risks arising from trees within public land controlled by Council.
- Ensure compliance with legislative requirements under the *Local Government Act 1993*, *Roads Act 1993*, the *Civil Liability Act 2002* and the *Privacy & Personal Information Protection Act 1998*.
- Take such steps as are appropriate to ensure a balance between managing the risks to the community's safety and infrastructure, whilst acknowledging the significant benefit of trees within the landscape to the social, environmental, economic and cultural wellbeing of our community.
- Make the Council's policies and requirements for Tree Risk Management on Council controlled land readily accessible and understandable to the public.

Policy details

1	Application This Policy applies to all lands under Council's control including road reserves, public reserves, freehold land and Crown reserves under Council's care and control.
2	Legislation Eurobodalla Shire Council will comply with the Local Government Act 1993 , Roads Act 1993 , Civil Liability Act 2002 and Privacy & Personal Information Protection Act 1998
3	Duty of Care It is accepted that the removal of all risk is not practicably achievable. The systems implemented by Council will be based on prioritising works within the limited budgets available to Council. The implementation of a system to manage the risk arising from trees on land under Council's control provides for better management of trees, reduces the risk to the community, minimises the cost of public liability insurance premiums Council pays to protect the community's interest and assists in providing a legal defence where claims are made against Council. It is acknowledged that it is not reasonably practicable for Council to inspect all trees on land under Council's control. Council will use this policy in response to concerns raised by the public.
4	Financial and other Resources Council will establish an annual budget for managing the risk from trees on public lands under Council's control. Council will prioritise work and: <ol style="list-style-type: none"> a) provide sufficient funding to address identified trees with a risk rating as having a high risk under Council's Code of Practice; b) give private landowners the option of funding works on trees on Council controlled land where trees are rated as a moderate risk under Council's Code of Practice; c) aim to protect trees rated as a low risk under Council's Code of Practice.

Implementation

Requirements		Responsibility
1	<p>Code of Practice</p> <p>This Policy will be implemented by following Council's <i>Tree Risk Management on Council Controlled Land</i> Code of Practice, which specifies in detail the matters for consideration and procedures to be followed.</p>	Council officers
2	<p>Risk Management</p> <p>This Policy and the Code of Practice have been developed taking account of the principles of AS/NZ ISO 31000-2018 Risk Management Standard and Statewide Mutual's Best Practice Manual, <i>Trees and Tree Roots Version 8</i> with a view to limiting Council's (ie the community's), exposure to potential litigation claims.</p> <p>Council resources do not permit inspection and risk rating of trees on a pro-active basis due the number of trees within the Shire. Council will respond to concerns raised by customers in a systematic way in accordance with the Tree Risk Management Code of Practice.</p> <p>The Code of Practice includes:</p> <ul style="list-style-type: none"> a) The methodology for rating the risk from each tree. b) The methodology for determining if works are required. c) The methodology for determining how works are to be prioritised. d) Details of customer service requirements. e) A system for recording all actions relating to inquiries on tree matters. f) As a general principle, priority to be given to public safety over other factors such as environmental and heritage issues. g) Council will not remove trees solely for the retention or provision of solar access to, or views from, dwellings. h) Council will not be obliged to treat termite infestations in trees within land under Council's control. 	Council officers
3	<p>Staff</p> <p>Under supervision, and once appropriate training has been received, relevant Council staff will be responsible for ensuring that this Policy is implemented within their work area.</p>	Council officers
4	<p>Concerns</p> <p>Public concerns communicated to Council in relation to this Policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.</p>	Council officers
5	<p>Consultation</p> <p>Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this Policy are invited for consideration during the exhibition period.</p>	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 tree risk management on Council controlled land.

The policy may be revoked by Council 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)
Customer concerns or customer feedback survey responses	Council records
Claims for damage from trees	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
Eurobodalla Shire Council <i>Bush Fire Risk Management Policy</i>	Bush Fire Risk Management Policy
Eurobodalla Shire Council <i>Vegetation Clearing – Roadside & Infrastructure Lines Policy</i>	Vegetation Clearing - Roadside & Infrastructure Lines Policy
Eurobodalla Shire Council <i>Tree Preservation Code</i>	Tree Preservation Code
<i>Local Government Act 1993</i>	Local Government Act 1993
<i>Roads Act 1993</i>	Roads Act 1993
<i>Civil Liability Act 2002</i>	Civil Liability Act 2002
<i>Privacy & Personal Information Protection Act 1998</i>	Privacy & Personal Information Protection Act 1998

Related external references

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

Supporting documents

Name	Link
AS/NZ ISO 31000-2018 Risk Management Standard	ISO 31000:2018(en), Risk management — Guidelines

Statewide Mutual's Best Practice Manual, Trees and Tree Roots Version 8	www.statewide.nsw.gov.au
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Change history

Version	Approval date	Approved by	Min No	File No	Change
1	2006	Council	06/136	06.	Policy commenced
2	22 Sep 2009	Council	09/291	E09.3418	Policy reviewed and adopted.
3	10 Sep 2013	Council	13/279	E13.7095	Reviewed and updated.
4	27 Jun 2017	Council	17/214	E16.0297 E06.0375	Reviewed and updated (start of new Council term) Report GMR17/021
5	TBA	Council	TBA	E16.0297 E06.0375	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 E06.0375	Review date	Sep 2022	Pages	5

Policy title	Parks, Playgrounds and Reserves Risk Management
Responsible manager(s)	Director, Infrastructure Services
Contact officer(s)	Divisional Manager, Works
Directorate	Infrastructure Services
Approval date	
Outcome area	2 Our community that welcomes, celebrates, and supports everyone
Strategy	2.2 Encourage community spirit and enable healthy lifestyles
Delivery Program	2.2.3 Plan for, and deliver safe and accessible recreation opportunities, guided by the Recreation and Open Space Strategy and asset management plan
Operational Plan	2.2.3.1 Provide, maintain and renew recreation facilities

Purpose

This Policy provides for the management of Eurobodalla Shire Council's parks and reserves facilities, including playgrounds and skateparks. Council has a duty of care to take reasonable measures within budget limitations to manage the risks arising from defects on Council's parks and reserves facilities. Pathways within reserves are covered by the *Pathways Risk Management Policy*. Signs as remote supervision are covered by the *Signs as Remote Supervision Policy*.

Section 42 of the *Civil Liability Act 2002* 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 parks and reserves facilities.

Policy aims

- Promote an integrated framework for dealing with the appropriate management of Council's parks, reserves facilities and skateparks and take reasonable steps to ensure that Council delivers its required duty of care.
- Ensure consistency and fairness in the manner in which the Council manages the risks arising from defects on Council's parks and reserves facilities.
- Ensure compliance with legislative requirements under the *Local Government 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 parks and reserves users to take reasonable care for their own safety when using these facilities. Council promotes awareness as set out in the *Signs as Remote Supervision Policy* and Code of Practice.
- Make Council's policies and requirements for Parks and Reserves Facilities Risk Management readily accessible and understandable to the public.

Policy details

1	Application This Policy applies to all parks and reserves facilities, including playgrounds and skateparks, under the care and control of Eurobodalla Shire Council.
2	Legislation Eurobodalla Shire Council will comply with the <i>Local Government Act 1993</i> and the <i>Civil Liability Act 2002</i> .
3	Duty of Care 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. The implementation of a systematic approach to managing the risk arising from defects on Council controlled parks and reserve facilities provides for better management of reserve assets, reduces the risk to the community, minimises the cost of public liability insurance premiums Council pays to protect the community's interest, and assists in providing a legal defence where claims are made against Council.
4	Financial and Other Resources Council will establish an annual budget for the maintenance and renewal of its parks and reserves facilities, taking account of the changing extent and type of assets provided.

Implementation

Requirements		Responsibility
1	Code of Practice This Policy will be implemented by following Council's Parks, Playgrounds and Reserves Risk Management Code of Practice.	Council officers
2	Risk Identification and Management In relation to Council's formed parks and reserves facilities, including playgrounds, Council will develop appropriate systems to: <ul style="list-style-type: none"> a) record all built parks and reserves facilities under Council's control; b) identify hazards through formal inspection of its parks and reserves facilities; c) rate the identified hazard(s); d) prioritise the work based on the hazard rating and the efficiency of undertaking works; e) keep appropriate records of actions taken; f) manage customer inquiries relating to parks and reserves facilities; g) undertake condition assessment of assets; 	Council officers

	h) replace parks and reserves facilities at the end of their useful life in accord with the available budget.	
3	Staff Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received relevant training to do so.	Council officers
4	Concerns Public concerns communicated to Council in relation to this Policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
5	Consultation Staff and Council's Regional Risk Manager have been consulted in the development of this Policy. 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, current legislation, and public comment.	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 risk management of parks and reserves facilities.

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)
Customer Concerns	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's <i>Risk Management Policy</i>	www.esc.nsw.gov.au/inside-council/council/council-policies
Eurobodalla Shire Council's <i>Signs as Remote Supervision Policy</i>	www.esc.nsw.gov.au/inside-council/council/council-policies

Eurobodalla Shire Council's <i>Parks, Playgrounds and Reserves Risk Management Code of Practice</i>	Staff Internal use only
Eurobodalla Shire Council's <i>Signs as Remote Supervision Code of Practice</i>	www.esc.nsw.gov.au/inside-council/council/council-policies
<i>Local Government Act 1993</i>	www.legislation.nsw.gov.au/#/view/act/1993/30
<i>Civil Liability Act 2002</i>	www.legislation.nsw.gov.au/#/view/act/2002/22

Related external references

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

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Oct 2011	Council	09/291	E09.3418 E06.0375	Policy reviewed and adopted G09/99.
2	27 Aug 2013	Council	13/246	E13.7095 E06.0375	Updated Template, review date, references and links. Report O13/131.
3	28 Feb 2017	Council	17/31	E16.0297 E06.0375	Reviewed and updated at start of new Council term. GMR17/006
4	TBC	Council	TBC	E16.0297 E06.0375	Reviewed and updated at start of new Council term.

Internal use

Responsible officer		Director, Infrastructure Services		Approved by	Council
Minute	TBC	Report	TBC	Effective date	
File	E16.0297 E06.0375	Review date	Sep 2020	Pages	4