
GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

**S004-
T00060**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - Policy Review for Exhibition - September 2022

Outcome: 9 Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.2 Implement effective governance

Operational Plan Link: 9.1.2.4 Review Council policies

EXECUTIVE SUMMARY

Council's policies are reviewed within the first 12 months of a new Council term for the reasons set out under the following sections of the *Local Government Act 1993 (LGA)*.

- Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.
- Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.

The following policies have been reviewed.

- 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

RECOMMENDATION

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

**S004-
T00060**

THAT:

1. Council places the following draft policies for the purposes of public consultation for a period of 28 days:
 - a) Youth Services
 - b) Media
 - c) Water Usage Charging
 - d) Work Health And Safety (WHS)
 - e) Pressure Sewer Systems
 - f) Vegetation Clearing - Roadside and Infrastructure Lines
 - g) Water And Sewer - Rural And Trunk Main Connections
 - h) Build In The Vicinity Of Sewer Mains
 - i) Water Supply And Sewerage Headworks Charges
 - j) Water Carting
 - k) Water Restrictions
 - l) Water Saving Incentives For Reticulated Water Customers
 - m) Water Supply Backflow Prevention And Cross Connection Control
 - n) Street Activities
 - o) Dedication Of Land To Council
 - p) Tree Risk Management On Council Controlled Land
 - q) Parks, Playgrounds and Reserves Risk Management
2. Following the expiration of this period, the draft policy and any public submissions be presented back to Council for consideration.

BACKGROUND

Youth Services

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.

Media

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.

Water Usage Charging

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.

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

**S004-
T00060**

Work Health and Safety (WHS)

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 Council's legal WHS obligations. This policy also sets out responsibilities and accountabilities in relation to the management of WHS.

Pressure Sewer Systems

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.

Vegetation Clearing - Roadside and Infrastructure Lines

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.

Water and Sewer - Rural and Trunk Main Connections

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.

Build in the Vicinity of Sewer Mains

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.

Water Supply and Sewerage Headworks Charges

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.

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

**S004-
T00060**

Water Carting

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.

Water Restrictions

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.

Water Saving Incentives for Reticulated Water Customers

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.

Water Supply Backflow Prevention and Cross Connection Control

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.

Street Activities

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.

Dedication of Land to Council

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.

Tree Risk Management on Council Controlled Land

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.

Parks, Playgrounds and Reserves Risk Management

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

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

**S004-
T00060**

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.

CONSIDERATIONS

The policies have been reviewed and no substantive changes are recommended at this time, apart from minor referencing updates.

Community Engagement

Council will place the draft policies on public exhibition for a period of 28 days on Council's website at <https://www.esc.nsw.gov.au/council/have-your-say/public-exhibition>

We are strongly encouraging people to review the policies via our website. Any specific requests for hard copies can be made through the executive services team on 4474 1022.

CONCLUSION

The draft policies will be publicly exhibited for 28 days. At the end of the public exhibition period, the draft policies will be presented to Council for consideration to adopt, along with a report to consider any submissions received during the exhibition period.