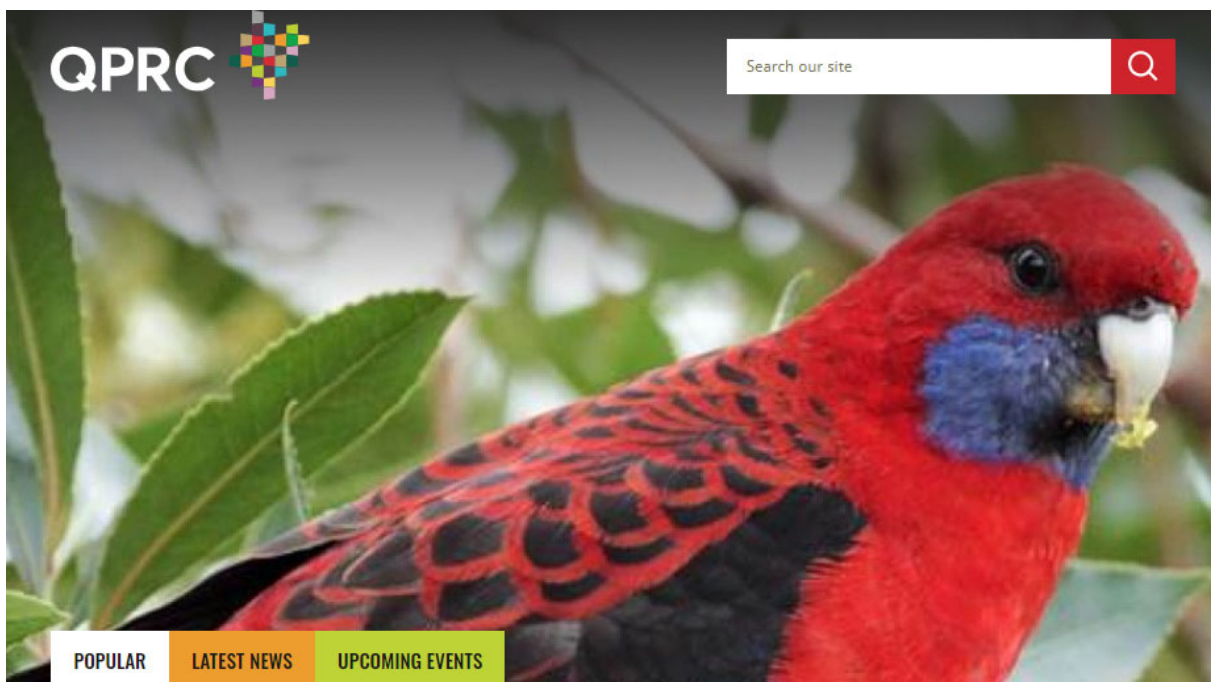


# QPRC



# AGENCY INFORMATION GUIDE



**Careers with Council**  
View current job vacancies



**Animals available for adoption**  
Find animals that are looking for a new home



**Develop or build**  
Find out whether you need council permission to make alterations to your property



**Report and request**  
Find out how to report a problem or request something from Council



**Rubbish**  
Information on where and how to dispose of your rubbish, including collection days



**Pay my rates**  
Pay your rates online here



**Major projects**  
Find out what major projects Council is working on



**Your Voice**  
Access our community engagement hub



**Agendas and Minutes**  
Access Council meeting documentation for ordinary and planning meetings

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## Introduction

This Agency Information Guide has been prepared in accordance with section 20 of the *Government Information (Public Access) Act 2009*. The Guide:

- (a) describes the structure and functions of the Council
- (b) describes the ways in which the functions (including in particular, the decision-making functions) of the Council affect members of the public, and
- (c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the Council's policy and the exercise of the its functions, and
- (d) identifies the various kinds of government information held by Council, and
- (e) identifies the kinds of government information held by Council that it makes (or will make) publicly available, and
- (f) specifies the manner in which the agency makes (or will make) government information publicly available, and
- (g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

Council will review this guide annually.

## Structure and functions of Council

### Description

Queanbeyan-Palerang Regional Council was proclaimed on 12 May 2016. The Council area is located in south-eastern NSW, between 10 and 100 kilometres east of the Canberra CBD, and between 250 and 280 kilometres south-west of the Sydney CBD. QPRC is bounded by Upper Lachlan Shire and the Goulburn Mulwaree Council area in the north, Shoalhaven City and Eurobodalla Shire in the east, the Snowy Monaro Regional Council area in the south, and the Australian Capital Territory and the Yass Valley Council area in the west.

### Basis of Constitution

Queanbeyan-Palerang Regional Council is constituted under the *Local Government Act 1993*.

### The Principles of Local Government

Section 8A of the *NSW Local Government Act 1993* outlines the following guiding principles for local government councils

- (1) Exercise of functions generally:
  - (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
  - (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
  - (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
  - (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
  - (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
  - (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.

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- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

### (2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

### (3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

## Role of the governing body

Section 223 of the *Local Government Act 1993* prescribes the collective role of a council's governing body as follows:

- (a) To direct and control the affairs of the council in accordance with the Act
- (b) To provide effective civic leadership to the local community
- (c) To ensure as far as possible the financial sustainability of the council
- (d) To ensure as far as possible that the council acts in accordance with the principles for local government and the plans, programs, strategies and policies of the council
- (e) To develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council
- (f) To determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area
- (g) To keep under review the performance of the council, including service delivery
- (h) To make decisions necessary for the proper exercise of the council's regulatory functions
- (i) To determine the process for appointment of the general manager by the council and to monitor the general manager's performance
- (j) To determine the senior staff positions within the organisation structure of the council
- (k) To consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities
- (l) To be responsible for ensuring that the council acts honestly, efficiently and appropriately.

## Role of the mayor

Under s.226 of the *NSW Local Government Act*, the role of the mayor is as follows:

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,

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- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the CEO in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (l) to carry out the civic and ceremonial functions of the mayoral office,
- (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the councillors, to lead performance appraisals of the general manager,
- (o) to exercise any other functions of the council that the council determines.

### Role of councillors

Council is governed by 11 councillors elected by the residents and ratepayers of the local government area for a term of four years, unless otherwise directed by the NSW Office of Local Government. The Mayor and Deputy Mayor are elected from the body of councillors. The Deputy Mayor is elected annually, while the position of Mayor is elected for a two-year period.

Section 232 of the *Local Government Act 1993* states:

- (1) The role of a councillor is as follows--
  - (a) to be an active and contributing member of the governing body,
  - (b) to make considered and well informed decisions as a member of the governing body,
  - (c) to participate in the development of the integrated planning and reporting framework,
  - (d) to represent the collective interests of residents, ratepayers and the local community,
  - (e) to facilitate communication between the local community and the governing body,
  - (f) to uphold and represent accurately the policies and decisions of the governing body,
  - (g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.
- (2) A councillor is accountable to the local community for the performance of the council.

### Organisation structure

The Principal Officer of the Council is the Chief Executive Officer (CEO), described in the *Local Government Act 1993* as the General Manager. The CEO is responsible for the efficient operation of the Council's organisation in accordance with the strategic plans and other plans, programs, strategies and policies and for ensuring the implementation of Council decisions. The CEO is also responsible for the exercise of any functions delegated by the Council, provision of timely information and advice to the Council and the appointment, direction and dismissal of staff.

The CEO of the Council has the following functions—

- (a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,
- (b) to implement, without undue delay, lawful decisions of the council,
- (c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,
- (d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,

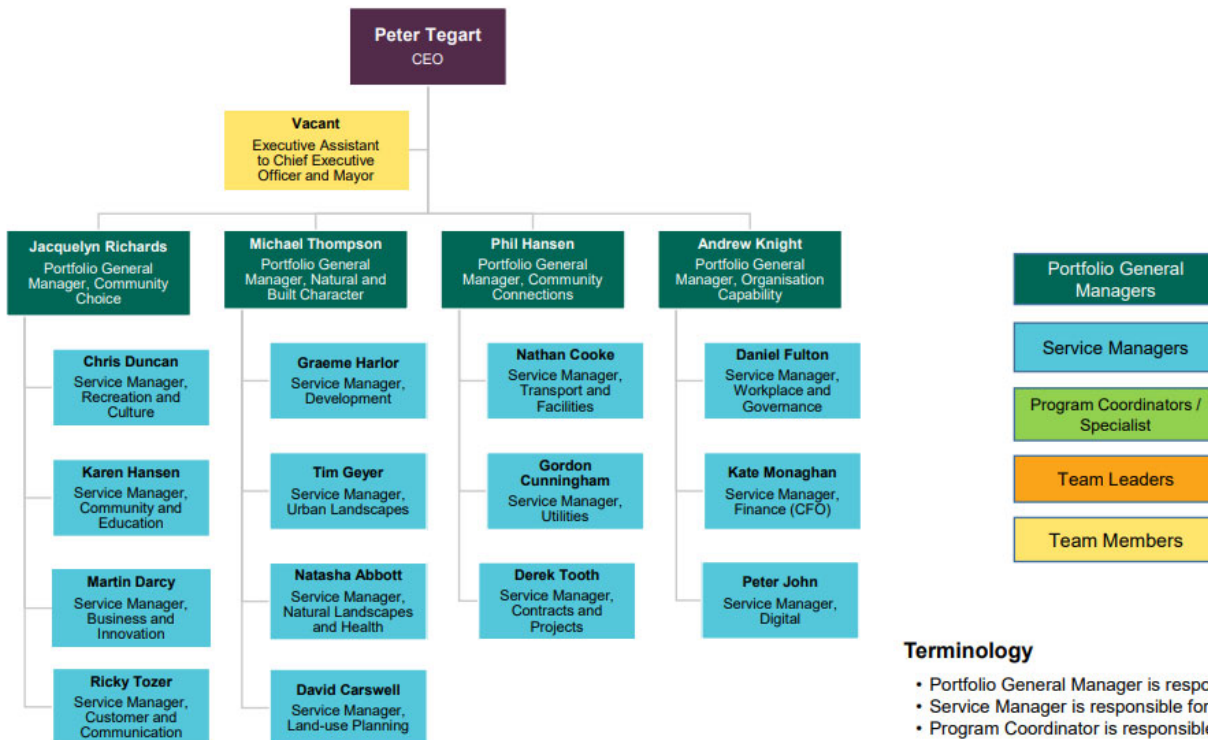
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- (e) to prepare, in consultation with the mayor and the governing body, the council’s community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,
- (f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
- (g) to exercise any of the functions of the council that are delegated by the council to the CEO,
- (h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,
- (i) to direct and dismiss staff,
- (j) to implement the council’s workforce management strategy,
- (k) any other functions that are conferred or imposed on the CEO by or under this or any other Act.

In line with Part 3, Delegation of Functions of the Act, the CEO is able to delegate any of their functions, except the power to delegate. Delegation of regulatory functions is approved by the CEO and the Council.

To assist the CEO in the exercise of these functions, Council has employed four Portfolio General Managers who oversee the five strategic pillars as outlined in Council’s Community Strategic Plan and other Integrated Planning documents. A copy of the structure is set out below.

## Organisational Chart



### Terminology

- Portfolio General Manager is responsible for a **portfolio**
- Service Manager is responsible for a **branch**
- Program Coordinator is responsible for a **program**

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## Functions of Council

Council has functions conferred or imposed on it by the *NSW Local Government Act 1993*. Council's functions can be grouped into six categories.

### Service Functions

Council provides goods, services and facilities and carries out activities which are appropriate to the current and future needs of its local community and, where appropriate, of the wider public. Service functions include but are not limited to waste, community events, family day care, water and sewer, roads and much more.

### Regulatory Functions

Council plays an important role in maintaining community cohesion by striking a balance for individuals, the community and the environment. It does this through providing approvals, orders and building certificates.

### Ancillary Functions

Ancillary functions include the resumption of land and powers of entry and inspection.

### Revenue Functions

Revenue functions include the generation of income via rates, charges, fees, borrowings and investments.

### Administrative Functions

Council undertakes a range of administrative functions which support the smooth operation of Council. It does this through employment of staff, development of strategic and other management plans, financial plans and annual reports.

### Enforcement Functions

In support of the regulatory functions of Council and through legislative imperatives, Council undertakes a range of enforcement action to recover rates and charges, address breaches of government legislation and Council's conditions and orders and to prosecute offences

A summary of the functions undertaken by each of the strategic pillars of Council is set out in Table 1.

**Table 1**

Community Choice	Natural and Built Character	Community Connections	Organisational Capability
<ul style="list-style-type: none"> <li>• Recreation facilities</li> <li>• Events and marketing</li> <li>• Community culture</li> <li>• Community sports</li> <li>• Aquatic facilities</li> <li>• Libraries</li> <li>• Community and youth development</li> <li>• Family day care</li> <li>• Aboriginal community liaison</li> <li>• Place management</li> <li>• Economic development</li> </ul>	<ul style="list-style-type: none"> <li>• Building surveying and compliance</li> <li>• Town planning</li> <li>• Land-use planning</li> <li>• Infrastructure planning</li> <li>• Spatial services</li> <li>• Public health and compliance</li> <li>• Onsite sewage management systems</li> <li>• Sub-divisions</li> <li>• Parks and gardens</li> <li>• Cemeteries</li> <li>• Sports fields</li> </ul>	<ul style="list-style-type: none"> <li>• Security</li> <li>• Weight of loads</li> <li>• Building maintenance</li> <li>• Parking rangers</li> <li>• Road infrastructure construction and maintenance</li> <li>• Bridge infrastructure construction and maintenance</li> <li>• Footpaths and cycle paths</li> <li>• Water and sewer</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Industrial relations</li> <li>• Learning and development</li> <li>• Business analysis</li> <li>• Work, health and safety</li> <li>• Information and data technology</li> <li>• Budgeting and accounting</li> <li>• Revenue, including rates</li> <li>• Procurement</li> </ul>

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<ul style="list-style-type: none"> <li>• Tourism</li> <li>• Grants</li> <li>• Communications and engagement</li> <li>• Customer service</li> <li>• Animal management</li> <li>• Saleyards</li> <li>• Records management</li> <li>• Disaster recovery</li> </ul>	<ul style="list-style-type: none"> <li>• Bushland management</li> <li>• Urban landscapes</li> <li>• CBD cleaning and maintenance</li> <li>• Tree management</li> <li>• Playgrounds</li> <li>• Natural landscapes management</li> <li>• Biosecurity weeds</li> <li>• Sustainability</li> <li>• Environmental health and compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Waste management and minimisation</li> <li>• Trade waste</li> <li>• Local emergency management</li> <li>• Plant and fleet</li> <li>• Survey and design</li> <li>• Project and contract management</li> <li>• Assets</li> <li>• Workshop operation</li> </ul>	<ul style="list-style-type: none"> <li>• Risk management</li> <li>• Governance</li> <li>• S.355 committees</li> <li>• Council support</li> </ul>
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## Powers to Act

Council's power to act principally come from the *Local Government Act 1993* however Council has a range of powers under a number of other acts including (but not limited to) the following:

*Companion Animals Act 1998*

*Conveyancing Act 1919*

*Fire Brigades Act 1989*

*Food Act 1989*

*Roads Act 1993*

*Heritage Act 1977*

*Public Health Act 1991*

*Swimming Pools Act 1992*

*Unclaimed Money Act 1995*

*Library Act 1939*

*Noxious Weeds Act 1993*

*Impounding Act 1993*

*State Emergency Service Act 1989*

*Community Land Development Act 1989*

*Strata Schemes Management Act 1996*

*Strata Schemes (Freehold Development) Act 1973*

*Strata Schemes (Leasehold Development) Act 1986*

*Environmental Planning and Assessment Act 1979*

*Government Information (Public Access) Act 2009*

*Fluoridation of Public Water Supplies Act 1957*

*Contaminated Land Management Act 1997*

*Privacy & Personal Information Protection Act 1998*

*Protection of the Environment Operations Act 1997*

*State Emergency & Rescue Management Act 1989*

### Impact of Council Functions on the Public

As a service organisation, most of the activities of QPRC have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

**Service functions** affect the public as Council provides services and facilities to the public. These include the provision of human services such as childcare services, libraries, halls and community centres, recreation facilities such as swimming pools and playing fields, infrastructure and the removal of waste.

**Regulatory functions** place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and not endanger the lives and safety of any person. Members of the public must be aware of, and comply with, such regulations.

**Ancillary functions** affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter on to a person's land. In these circumstances, only the owner of the property would be affected.



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**Revenue functions** affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

**Administrative functions** do not necessarily affect the public directly but have an indirect impact on the community through the efficiency and effectiveness of the service provided.

**Enforcement functions** affect those members of the community who are in breach of certain legislation or those who have been impacted by a member of the community breaching this legislation. This includes matters such as the non-payment of rates and charges, and companion animal offences.

**Community planning and development functions** affect areas such as cultural development, social planning and community profile and involves:

- Advocating and planning for the needs of our community. This includes initiating
- partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision of grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through a range of community events such as International Women's Day, Australia Day, Youth Week, and Seniors' Week, as well as promoting events of others.

## Public participation

There are two broad ways in which the public may participate in the policy development and the general activities of the Council. These are through representation and personal participation.

### Representation

Local government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their local council to make decisions on their behalf. In NSW, local government elections are held every four years. Information on the next local government election can be found at <https://www.elections.nsw.gov.au/>

At each election, voters elect 11 councillors for a four-year term, unless otherwise directed by the NSW Office of Local Government. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate-paying lessees can also vote but must register their intention to vote on the non-residential role. Voting is compulsory.

Residents can raise issues with and make representations to the elected councillors. The councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

### Personal Participation

There are also avenues for members of the public to personally participate in the policy development and the functions of the Council. The following Section 355 Management Committees include members of the public:

- Araluen Area
- Bungendore School of Arts

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- Burra/Cargill Park
- Bungendore War Memorial
- Carwoola/Stoney Creek
- Les Reardon Reserve
- Canning Close Reserve
- Greenways
- Wamboin Community Hall
- Captains Flat Area
- Hoskinstown War Memorial Hall
- Mick Sherd Oval Canteen
- Nerriga Reserve
- Bungendore School Hall
- Royalla Common
- Fernleigh Park
- Braidwood National Theatre Community Centre
- Braidwood Recreation Ground
- Braidwood Multipurpose Gym
- Braidwood Showground Reserve Trust

There are also a number of advisory committees with members of the public appointed for specific terms of office. Please visit Council's website for a full list of these committees.

### **Council Meetings**

Members of the public can participate in Council meetings. Meetings of the Planning and Strategy Committee are held on the second Wednesday of every month excluding January, and the Ordinary meetings of Council are held on the fourth Wednesday of every month, except for the month of December when a combined Planning and Strategy Committee and Ordinary meeting is held on the third Wednesday of the month. Business papers are available from Council's website on the afternoon of the Friday preceding the meeting. They are also available at the meeting. Residents can make a presentation on any matters on the agenda at a Council meeting.

### **Making Representations to Councillors**

Councillors are the elected representatives of the residents and make decisions having regard to the views of their constituents. Members of the public can contact councillors directly to raise any concerns. Their contact details are on Council's website at [www.qprc.nsw.gov.au](http://www.qprc.nsw.gov.au).

### **Informal Submissions to Council**

The public can either personally, or in writing, enquire about Council-related matters. Every attempt is made by Council to satisfy the concerns of the enquirer. Information provided to Council in correspondence, submissions or requests (verbal, electronic or written), including personal information such as names and addresses, may be made publicly available, including via Council's website, in accordance with the *Government Information (Public Access) Act*.

### **General Feedback**

Council welcomes general feedback from the public in person, in writing or by phone, regarding the exercise of its functions and its dealings with the public.

### **Types of information held by Council and how to access it**

Under the *GIPA Act* there is a right of access to certain information held by Council unless there is an overriding public interest against disclosure of the information. There are four main ways in which Council will provide access to information:

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1. Mandatory proactive release
2. Authorised proactive release
3. Informal release
4. Formal Access applications

Any applications under the *GIPA Act* will be processed in accordance with that Act's requirements and a determination made to release the documents or refuse access based on the relevant considerations under that Act.

Council will assess requests for access to information having regard to:

- *Government Information (Public Access) Act 2009*
- *Government Information (Public Access) Regulation 2018*
- *Privacy and Personal Information Protection Act 1998*
- *Health Records and Information Privacy Act 2002*
- *State Records Act 1998*
- *Local Government Act 1993*
- *Environmental Planning and Assessment (EPA) Act 1979*
- *Companion Animals Act 1998*
- and any other relevant legislation and guidelines as applicable.

### **Mandatory Proactive Release**

Under Part 3 of the *GIPA Act*, Council must make its open access information publicly available unless there is an overriding public interest against disclosure of the information. Open access information is required to be published on Council's website unless to do so would impose an unreasonable additional cost on Council. The public is also entitled to inspect these documents at the offices of the Council during business hours. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges. A pricing policy of Council's fees and charges is available on the website.

Open access information is defined in Section 18 of the *GIPA Act* and includes:

- Council's current agency information guide which contains information about Council's structure and functions, and lists the type of information that is publicly available
- Council's policy documents
- a disclosure log of formal access applications which includes release of information that Council believes may be of interest to other members of the public
- a register of contracts worth more than \$150,000 which Council has with private sector bodies
- a record of open access information that Council has not made publicly available on the basis that there is an overriding public interest against disclosure
- such other government information that may be prescribed by the *GIPA Regulation* as open access information.

### **Authorised Proactive Release**

In addition, Council will make as much other information as possible publicly available in an appropriate manner, including on its website. The information will be available free of charge or at the lowest reasonable cost. Such other information includes frequently requested information or information of public interest that has been released as a result of other requests.

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### Informal Release

Access to information which is not available as Mandatory Release or Authorised Proactive Release information may be provided through Informal Release. In this regard, applications should be made to Council by submitting the appropriate Informal Access to Information application form. The application form can be found on Council's website. Council will endeavour to release information in response to such a request, subject to any reasonable conditions as Council deems fit to impose.

### Formal Access Applications

Notwithstanding the lodgement of an informal application, Council may require a formal access application to be submitted. It should be noted that a formal access application will only be used as a last resort. This may apply where the information sought:

- is of a sensitive nature that requires careful weighing of the considerations in favour of and against disclosure, or contains personal or confidential information about a third party that requires consultation, or
- would involve an unreasonable amount of time and resources to produce.

To make a formal request for access to information, a 'Formal Access to Information' application form should be completed, which can be obtained from Council's website. In accordance with the *GIPA Act*, an application fee of \$30 is payable, and additional processing charges may be applicable. An acknowledgement of receipt of such an application will be provided by Council within five working days.

Copyright laws apply to certain documents. The copyright owner's consent is required if any part of the document is used for any other purpose.

Where information is released to an applicant under a formal access application and Council considers that it will be of interest to other members of the public, Council will provide details of the information in a disclosure log for inspection by the public.

### How members of the public may access and amend Council information concerning their personal affairs

The majority of Council information can be inspected at and obtained from Council's administration offices in Queanbeyan, Bungendore and Braidwood between 8.30am and 4.30pm, Monday to Friday, excluding public holidays. For further enquiries about any information, a Customer Services Officer should be contacted. If you experience difficulty in obtaining information, you should contact the Public Officer on phone 1300 735 025.

## Public Officer and Right to Information Officer

The Portfolio General Manager, Organisation Capability has been appointed as the Public Officer. Among other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public documents of the Council. The Legal Specialist is Council's Right to Information Officer and, as such, is responsible for determining applications for access to documents or for the amendment of records. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer. If you would like to amend a document of Council which you feel is incorrect, it is necessary for you to make a written application to the Public Officer in the first instance. Enquiries should be emailed to [council@qprc.nsw.gov.au](mailto:council@qprc.nsw.gov.au)

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### **Information and Privacy Commission (IPC) NSW**

If you require any other advice or assistance about access to information, you may contact the NSW Information Privacy Commission by telephone on 1800 472 679, email at [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au), or visit the IPC website <https://www.ipc.nsw.gov.au/>