



Planning and Strategy Committee of the Whole

12 August 2020

**UNDER SEPARATE COVER
ATTACHMENTS**

ITEMS 7.10 TO 9.4

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
PLANNING AND STRATEGY COMMITTEE OF THE WHOLE**

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QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.10 NAMING OF NEW PARKS, RESERVES AND
SPORTSGROUNDS - GOOGONG

ATTACHMENT 1 GTPL'S PROPOSALS FOR NAMING NEW OPEN SPACES AT
GOOGONG



9 September 2019

Mr. Michael Thompson
Director - Environment Planning & Development
Queanbeyan Palerang Regional Council
PO Box 90
Queanbeyan NSW 2620

Dear Mike,

RE: GOOGONG TOWNSHIP - PROPOSED NAMES FOR PARKS, RESERVES & SPORTS FACILITIES

We are pleased to provide a series of documents for your consideration with respect to the naming of the open spaces and facilities at Googong within NH2. It is our intention that the 4 sporting fields within NH2 adopt European names that is supported by an associated story in the attached document. The various parklands and facilities are proposed to be named based on street name locations or specific to its use. The documents attached to this submission include:

- 1 x A3 plan identifying the parks and facilities proposed to be named.
- 1 x A4 document on the background to the proposed European names.
- 1 x A4 document summarising the proposed names and the current development names being used.

Our submission complies with the Draft QPRC Parks, Reserves & Sports Facilities Naming Policy February 2016 and the Geographic Names Board of NSW - Guidelines Determining Place Names.

We see this submission as an important milestone in the development of Googong and the inclusive nature of the Queanbeyan and Palerang community.

We trust the submission meets with your approval and request that QPRC consider our submission and support the initiative so that the proposed names can be formally gazetted. Should you have any queries we are more than happy to assist where possible and appropriate. Please do not hesitate to contact the undersigned.

Yours sincerely,



Tim Corby
Development Manager
Googong Township PTY LTD

NEIGHBOURHOOD 2 - GOOGONG TOWNSHIP

PROPOSED NAMING OF SPORTING FACILITIES, PARKS AND PLAYING FIELDS

<u>Parks</u>		
Current Name	Proposed Name	Background / Why chosen
Main Entrance Pond / Park / Playground	Bunyip Park	Recognising the history of the Bunyip Property that was originally located in Googong North, 200m from this park.
Local Park 7	McFarlane Park	Adjacent to McFarlane Avenue.
Local Park 8 / NH2 Community Garden	Brewer Lane Gardens	Brewer Lane encircles the park.
Local Park 9 / NH2 Off-leash Dog Park	TBA	The off-leash dog park in NH1A was voted on by the community and we would like to do the same here when the surrounding stage is nearing completion (circa 2023).

<u>Sporting Facilities</u>		
Current Name	Proposed Name	Background / Why chosen
Netball Courts	Googong Netball Courts	A generic name is proposed given the only facility of its kind at Googong.
Tennis Hub	Googong Tennis Centre	A generic name is proposed given the only facility of its kind at Googong.
Indoor Pool	Googong Indoor Pool and Sports Centre	A generic name is proposed given the only facility of its kind at Googong.

<u>Playing Fields</u>		
Current Name	Proposed Name	Background / Why chosen
Sports Field 3	Brooks Oval	Paying homage to the first teacher (Elizabeth Brook) to be employed at the 'Googongs' school from 1883 – 1885.
Sports Field 4	Alexander Playing Fields	Alexander McDonald was engaged as the outstation's manager; a stone cottage was built for him in 1845. McDonald named the cottage 'The Googongs' and continued to

		occupy it until his death in 1875.
Sports Field 5 and 6	James Brown Sporting Hub	Named after the neighbouring land owner who not only took a leading role in securing a school for the Googongs but constructed the original building in 1883. John Brown later (1889) renovated the building so schooling could continue.



AECOM

LEVEL 21, 420 GEORGE STREET, SYDNEY NSW 2000 T 02 8934 0000 F 02 8934 0001

GOOGONG
Place Names: Parks, Reserves and Sporting Facilities

60063557 17 DECEMBER 2018
DRAWING NUMBER: SK01 ISSUE: B

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.10 NAMING OF NEW PARKS, RESERVES AND
SPORTSGROUNDS - GOOGONG

ATTACHMENT 2 QCC PARK, RESERVES AND SPORTS FACILITIES NAMING
POLICY



DRAFT

**Park Reserves and
Sports Facilities Naming
Policy**

Date policy was adopted by Council:	
Resolution number:	
Previous Policy review date:	
Next Policy review date:	October - 2018
Reference number:	SF080616

1 OUTCOMES:

That all Council owner or Managed Parks, Reserves and Sports Facilities are to be appropriately named after consultation and careful consideration by Council, and that the Geographic Names Board of NSW - Guidelines Determining Place Names, are to be applied to assist Council in determining the suitability of place names.

2 POLICY:

All new Park, Reserve or Sports Facility names be in accordance with the Geographic Names Board of NSW - Guidelines Determining Place Names and adopted by resolution of Council. That where existing names are established Council consider dual naming where requested from the local Aboriginal Community. All proposed names are to be placed on public exhibition prior to formal adoption.

3 DEFINITIONS

Nil

4 LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

Geographical Names Act 1966

The Geographical Names Board, the body empowered under the Act to name places within NSW, have released Guidelines which can as standards for naming of places. Of particular relevance are;

- Geographic Names Board of NSW - Guidelines Determining Place Names
- Geographic Names Board of NSW - Guidelines for Dual Naming

5 CONTENT:

Council currently maintain a list of names for new streets, however Parks, Reserves and Sports Facilities each have their own history and identity that will guide Council in selecting an appropriate name. The Geographical Names Board have also released guidelines for naming places and for dual naming of places.

Many parks are named after significant community members, locations or landmarks, eg Queanbeyan Park (location), Moore Park (fallen Soldier), Wright Park (former Mayor) or Mt Jerrabomberra Reserve (Landmark). Additionally, a large park or sports facility may consist of multiple features or venues which may be separately named. Eg, Taylor Park also incorporates Campese Oval and Heather McKay Indoor Sports Centre.

Names should be selected based on a significant connection with the Park, Reserve or Sports Facility, or to acknowledge honour or commemorate a person important to the community.

Dual Naming

All Australians share a relationship to the land and the names we give to places convey their significance, sense of history and identity. Since June 2001 the government has supported a dual naming policy for geographical features and cultural sites. The Geographical Names Board – Dual Naming Guideline assist in applying dual names to places.

Community Engagement

The community should be consulted with regards naming of Parks Reserves or Sports facilities. Submissions called for and received from community and sporting groups and or individuals are put before Council for consideration. The Local Aboriginal Land Council should be requested to submit names or comment on proposed names for Parks, Reserves, Sports Facilities or other public places, including dual naming options for existing facilities.

All requests for naming of Parks shall be referred to Council.

6 PERFORMANCE INDICATOR

Nil

POLICY:-	
Policy No:	
Policy Title:	Park and Sportsground Naming Policy
Date Policy was adopted by Council:	New Draft Policy
Resolution Number:	
Previous Policy Review Date:	
Next Policy Review Date:	October - 2018
PROCEDURES/GUIDELINES:-	
Date Procedure/Guideline (if any) was developed:	Nil
RECORDS:-	
Container Reference in TRIM: Policy	SF080616
Container Reference in TRIM: Procedure	Nil
Other locations of Policy:	Intranet (linked to TRIM Container)
Other locations of Procedures/Guidelines:	Nil
DELEGATION (if any):-	Nil
RESPONSIBILITY:-	
Draft Policy developed by:	Manager Parks and Recreation
Committees (if any) consulted in the development of the Draft Policy:	Nil
Responsibility for Implementation:	Manager Parks and Recreation
Responsibility for Review of Policy:	Manager Parks and Recreation

INTEGRATED PLANNING FRAMEWORK:	
Community Strategic Plan:	Strategic Priority No.3
Delivery Program Title:	Culture and Leisure
Operational Plan:	Program No.538

Senior Authorising Officer	Position General Manager	Signature/Date
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ACTION	COUNCIL MEETING DATE	RESOLUTION NUMBER	REPORT ITEM NUMBER
NEW/RECONFIRMED/ AMENDED			
New			

DATE REVIEWED	REVIEWER POSITION	REVIEWER NAME

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting
Attachment

12 AUGUST 2020

ITEM 7.11 REVIEW OF ALCOHOL RESTRICTED AREAS

ATTACHMENT 1 LIST OF PROPOSED ALCOHOL RESTRICTED AREAS

Proposed List of Alcohol Restricted Areas

Alcohol-Free Zones (Sect 632 LG Act for street drinking - public roads, footpaths and car parks)	
Location	Description/Comment
Monaro Street	Lowe Street to Queanbeyan River Bridge both sides
Crawford Street	Antill Street to Rutledge Street on both sides
Collett Street	Rutledge Street to Morisset Street on both sides
Uriarra Road	Crawford Street to Ross Road on both sides
Tamarind Place	Road and footpath reserve
Southbar Road	Cooma Street to Candlebark Road on both sides
Queenbar Road	Cooma Street to Gray Place on both sides.
Southqueen Place	NEW - Queenbar Road to Southbar Road
Lowe Street Carpark	Lowe Street public carpark
Morisset Street Carpark	Morisset Street public carpark;
Rutledge Street Carpark	Rutledge Street public carpark
Limestone Drive Carpark	Main carpark outside the shopping centre on Limestone Drive Jerrabomberra
Karabar Carpark	NEW - Including undercover carpark
Footpath Cnr McQuoid St/Atkinson St	NEW - In front of Ukrainian Social Club
3A Erin Street Carpark	NEW – Public carpark behind hospital
Henderson Carpark	NEW - Adjacent skate park and train carriage
Alcohol Prohibited Areas (Sect 632A LG Act for Public Places such as Parks)	
Location	Description
Ray Morton Park	Waniassa Street
Waniassa Park	Waniassa Street
Axis Youth Centre Park	Lowe Street tennis courts to Axis Youth Centre
Queen Elizabeth Park	Collett Street/Morisset Street
Queanbeyan River Bank/Walk	Collett Street to Atkinson Street, Waniassa Street to Mowatt Street on both sides of River.
Tamarind PI Waterfall Reserve	Jerrabomberra waterfall reserve creek bank around the waterhole at Tamarind Place Jerrabomberra
Ernie Beaver Park	Gilmore Road
Ryrie Park	Braidwood
Henderson Park	NEW – Including skate park
Apex Park	Crawford Street

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

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ITEM 7.12 QUEANBEYAN CBD PLACE PLAN

ATTACHMENT 1 QUEANBEYAN CBD PLACE PLAN - COMMUNITY
 ENGAGEMENT REPORT



Queanbeyan CBD Place Plan



Ref: Doc Set ID 11.1.8-02

Report - Community engagement – Queanbeyan CBD Place Plan

Executive Summary of engagement report:

Due to the Covid 19 situation, community engagement was limited to the following activities:

1. Exhibition on the QPRC Your Voice online portal from June 16 – July 15 resulting in six submissions received.
2. Development and release of a short video highlighting visual concepts across four of the place plans priority locations available on QPRC Your Voice online portal and www.investqueanbeyanpalerang.com.au
3. Two social media posts reaching a total of 16,876 people.
4. A Queanbeyan CBD Focus Group session was held on July 1 with four local business owners in attendance.

Key recommendations:

That Council note the community comments and adopt the Queanbeyan CBD Place Plan.

Participation in engagement:

Your Voice Online Portal

The following statistics summarise the engagement for the Queanbeyan CBD Place Plan via the Your Voice online portal for the consultation period June 16 – July 15. All engagements are listed below.

Total visits to the Your Voice website portal to view the plan	424
New registrations to the portal	4
Video Views	125
Document downloads	139
Submissions	6

Social Media Posts

A total of 16,876 people were reached with social media posts about the CBD Place Plan being available for community comment

Queanbeyan CBD Focus Group

This group was taken through all aspects of the plan with an indepth look at all seven priority locations outlined. The group provided positive comments and feedback on the plan overall and put forward their concerns.



Report - Community engagement – Queanbeyan CBD Place Plan

Comments received:

Queanbeyan CBD Focus Group Comments

- There needs to be a focus on getting local businesses to come and engage with the new QCCP, if businesses are there then the community will support them. This could be in the form of food trucks etc. supporting large scale events at The Q and Bicentennial Hall.
- The group noted a need for high quality office/commercial spaces within the CBD. It was confirmed that the new HQ building will provide an area for co-working which may be run by a specialist firm. There is an intention that this may provide opportunities for QBN-based workers to work from the city rather than commuting.
- A question was raised relating to the height of the new HQ building and compliancy with DCP set-back restrictions, it was confirmed that the design is compliant.
- It was noted that whilst the Ellerton Drive Extension is a positive approach, there need to be additional contingency to re-direct traffic away from Monaro Street.
- Comments that zoning restrictions within the CBD (and elsewhere in the city) made it hard for people to change the use of a property.
- Comments that it is difficult to speak directly to councillors and feel that they are being heard. There is a concern that the Place Plan may not have the influence that it should have.

Your Voice Online Portal Submissions

Submitter:	Submission:	Council response	Recommendation
1.	<p>"These comments are submitted on behalf of the members of the Queanbeyan Ratepayers and Residents Association (QRRRA). The CBD Place Plan presents an ambitious vision for a vibrant Queanbeyan CBD with cafes, restaurants and event spaces. While we appreciate that the graphics accompanying the report are for illustrative purposes only, they do present a vision of the CBD teeming with people. This vision seems somewhat optimistic and in our view misplaced. From where are all the people, required to make this vision a reality, coming? The report notes that only 1/5th of the Queanbeyan residents work in the Queanbeyan. According to the forecast.id.com website, excluding Googong, there are approximately 40,000 residents in the greater Queanbeyan area. One fifth of these would be 8,000; how many of these people actually work in the CBD? Is this plan and its recommendations a case of 'build it and they will come'? But more than attractive 'places' is required to bring people to the CBD. The report presents a grand vision but also identifies existing constraints and the changes needed to realise the vision. It acknowledges that</p>		

Report - Community engagement – Queanbeyan CBD Place Plan

	<p>“cafes and other active uses may not be viable in all priority areas on day one of the redevelopment” and that private developers will be required to deliver many of the public realm improvements and interventions. The report notes that development incentives will be needed in exchange for identified public benefit requirements. What is missing in the plan is a detailed strategy to attract business and, therefore, people to the CBD, particularly to Monaro Street.</p> <p>The QRRRA are concerned that the development of the proposed 'Eat Street' in conjunction with the QCCP project will hinder the opportunity for business development in other areas, such as Monaro Street. We also believe the QPRC's proposal to provide space in the new HQ building for commercial office space and the provision for a cafe is inappropriate, particularly with the significant number of vacant premises in the CBD. As noted in our submission late last year on the QCCP business case “.. we question whether the QPRC should be competing with the private sector in the commercial rental space. There is a danger that the Council's foray into the commercial rental market will both crowd out new players and/or cause existing players to fail, which will have the effect of reducing confidence in the overall market.” .The proposed provision of café spaces in the HQ building and the old Fire Station building together with the proposed pedestrian plaza will tend to attract workers in the HQ and adjacent buildings to those areas, thus diverting patronage from other venues in the main street. As noted in the CBD Place Plan report, the vacancy rate in Monaro Street is already unacceptably high. The introduction of further competition into the market place, particularly in this time of economic downturn, and indeed recession, will only exacerbate this high vacancy rate. The QPRC should be supporting local business not competing with them.</p> <p>We believe that currently Queanbeyan simply does not have the population to support the suggested proliferation of these 'places' and cafes, as is evidenced by the recent closure of cafes in the CBD. Other than the provision of 'creative affordable housing' to support the establishment of a unique market offering for creative start ups, no mention has been made on how to increase the general population density in the CBD to support this grand vision. The suggestion is that the enhancement of public places will attract people. Queen Elizabeth Park and Town Park, both in close proximity to the CBD, already deliver attractive public spaces, which are well used for a diverse range of purposes. Without a significant increase in population in the vicinity of the CBD and the expected consequent increase in demand, the</p>	<p>The term 'Eat Street' is in reference to Crawford St, there is no new proposed 'Eat Street'.</p> <p>Not within the scope of the Place Plan.</p>	
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Report - Community engagement – Queanbeyan CBD Place Plan

	<p>development and introduction of additional attractive public places runs the risk of spreading the likely patronage rather thinly.</p> <p>The plan draws on areas of Canberra, such as the Kingston Foreshore and Manuka, for inspiration. But we make the point, Queanbeyan is not Canberra. We believe that the uniqueness of Queanbeyan will be lost if the concepts in the plan, which appear to replicate Canberra, are introduced. In our view Queanbeyan needs to highlight its point of difference. If Queanbeyan offers the same as Canberra, people will simply stay in Canberra.</p> <p>As noted in the report it is not expected that all the suggested intervention would happen at once. We would go further and suggest that, in particular, the development of the QCCP be staged with the HQ building being completed first. The development of the public plaza adjacent to it and the Q should be delayed until after the proposed upgrade of Monaro Street. This will allow existing and redeveloped businesses in Monaro Street to be well established before being faced with further competition.</p> <p>We understand that the QPRC has received funding from the NSW State Government to contribute to the improvements to Monaro Street. We urge the Council to give this project a high priority. Improvements suggested in the report seem to be cosmetic; landscaping, paving plus coordination of traffic signals to make it 'pedestrian friendly'. We believe one positive action would be to consult with the NSW government with the intention of improving the road surface in Monaro Street to reduce traffic noise.</p> <p>The report suggests that the significant surface car parking in the CBD would have a higher value (i.e. revenue source) as an alternative land use and could be redeveloped as mixed use developments. We do not support this approach and believe the Council should maintain its 'free parking' policy and its current proposal for multi-story smart parking. Free parking is one point of difference in Queanbeyan which should not be abandoned.</p> <p>In summary, The QCCP project should be a staged development. Priority should be given to the improvements to Monaro Street, including upgrading the road surface. Details of development/redevelopment concessions/incentives in exchange for the delivery of public benefit should be prepared to provide clear guidance for future proposals from the private sector.</p>	<p>The surrounding town centre comparison is highlighting what lessons the QBN CBD can take away from those centres not inspiration. Page 18 puts forward the QBN point difference and what's missing to make the CBD more competitive.</p> <p>Noted</p> <p>There are no changes in the Place Plan relating to the proposed multi story car park for the current Morisset St car park site. There are no plans to introduce paid parking.</p> <p>Noted</p> <p>The tactical interventions outlined in the Place Plan</p>	
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Report - Community engagement – Queanbeyan CBD Place Plan

	<p>Development of other proposed public spaces should be delayed until the population and therefore demand has increased sufficiently to provide sufficient patronage.</p> <p>The recommendation for a change in use of free surface car parking space should not be accepted.</p> <p>And finally, the big question, how much is all this going to cost and where is the money coming from?</p> <p>https://forecast.id.com.au/queanbeyan-palerang/about-forecast-areas"</p>	<p>will be staged and implemented in line with future projects outlined in the CBD Masterplan, it is envisaged that some elements will be a part of each projects budget and some to be funded by grant opportunities.</p> <p>Thank you for your comments</p>	
2.	<p>(1) Monaro Street bridge - it is a focal point for the CBD and yet looks very ugly - anything to soften these would be welcome such as green walls for the concrete pilons /rails and use of the oxidised rustic metal features may add some charm. Suggest engaging Innovative Metalworx (local business in Qbn East - https://www.innovativemetalworx.com.au) to develop some unique corten steel designs in combination with possible green additions might present some quick wins to make the entrance into QBN more inviting. (2) Public Artwork - please avoid introducing any more modern abstract art into our public spaces - it is not in keeping with the area/people and just comes off as pretentious replicating Canberra public architecture. Suggest adding statues of local legends / prominent historical locals along the river walk and throughout the CBD to help tell the town story. (3) Farmers markets - my family drives into the ACT every weekend to pickup produce from the farmers markets there because we don't have any farmers markets in QBN/neighbouring NSW. Ironically, many of the farms are based in the QBN-Palerang area. Suggest using the QBN Showgrounds or other areas to do regular farmers markets to showcase local produce, ensure locals buy locally and draw in people from neighbouring areas including the ACT on the weekends.</p>	<p>Several 'softening' ideas for the Queens Bridge were put forward in the development of the Place Plan, such additions would require approval of Transport NSW who manage this asset as part of the Kings Highway.</p> <p>Themes for future public art projects would be derived from the Place Drivers outlined in the plan and community consultation.</p> <p>Farmers markets have previously been held within the QBN CBD though these struggled to attract required level of custom due to extensive competition across the border which attracts most local suppliers.</p> <p>Thank you for your comments</p>	

Report - Community engagement – Queanbeyan CBD Place Plan

3.	<p>All looks wonderful, it will be great for qbn. Only concern is where will all the parking spaces go?</p>	<p>The 2019 Spatial Masterplan proposes a multistorey carpark at the current Morisset Street Carpark location along with the underground carpark for the new Queanbeyan Civic and Cultural Precinct, car parking spaces within the CBD will increase by 23%.</p> <p>Thank you for your comments</p>	
4.	<p>"I appreciate the desire to improve the areas however noting the apparent 'oversupply' of unpaid parking is actually a strength and great efforts should be made to ensure the free parking remains. Reducing parking removes the attractiveness and convenience of visitors to the area, and would diminish one of the main things that encouraged me to move here. Further, as Queanbeyan grows this 'oversupply' will be needed more and more, so it is great future-proofing to keep it.</p> <p>Outdoor cafes/dining would be a great option on existing streets, and the parking would help to facilitate patrons actually getting to those areas.</p> <p>Segregated bike lanes and bike parking would enhance access, however slowing traffic (speed humps, shared pathways or otherwise) would only serve to make people avoid the area rather than attend it. Stress-free, free-flowing traffic and convenient free parking would boost attendance to these venues and areas in my opinion.</p> <p>Enhanced lighting along the entire Queanbeyan river walk would boost attendance and usage, particularly in the evenings.</p> <p>Mid block crossings on Monaro street are not unsafe, they are ideal for quick pedestrian access whilst not impeding traffic. The option to use the</p>	<p>There are no plans to introduce paid parking.</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Studies of the mid-block crossings on Monaro Street have indicated issues in</p>	

Report - Community engagement – Queanbeyan CBD Place Plan

	<p>safer traffic lights are there for more vulnerable road users... do not remove the mid block crossings!</p> <p>Great plan but i would caution against going for a 'modern' look with all the arts stuff that people really only look at once. Convenient, outdoor dining in the charm of the heritage-looking town is ideal and will bring consistent, repeat attendance to liven the area up.</p> <p>Hope that helps!"</p>	<p>safety for pedestrians particularly at peak times.</p> <p>The development of these crossings within the proposed upgrades will intend on making these crossing points safer for all.</p> <p>Noted and thank you for your comments.</p>	
5.	<p>"The CBD Place Plan report was really good and thorough, but it would have been better if it had been more concise (and not 134 pages long, ex: pages 22-23 were a waste of space).</p> <p>My biggest points would be:</p> <ul style="list-style-type: none"> - Historic Buildings; although we should preserve our historic buildings, there are ways to do this whilst also refurbishing them and adding modern elements. The current CBD gives off a very depressing old vibe that is unwelcoming and appears unkempt. Strong refurbishment is needed which doesn't come across strongly on the CBD place plan. I know that the focus isn't Crawford Street, but this is our front and centre for Queanbeyan and we shouldn't be leaving it until so late. - The place plan for the first project (The Leagues Club, pages 52 onwards) is absolutely awful and the reason why I decided to make this submission. The heritage paving and art murals are something I really hope do not get implemented. The idea of a big projector for sporting events, with pop up restaurant and drive through movies is fantastic. - The HQ and Q interface plans looked really good. With the exception of the need for more kids area, see below, and for the love of god: NO SANDPIT. Put a trampoline on the ground if you must, but no sandpit. - Kids: Queanbeyan has a growing young population. Our preschools are booked, we have tens of Kindergarten classes, yet I feel like there is not enough focus on building more child-friendly areas. Parents will not leave the house with several children if there isn't also something (more than just a slide) for the kids to do. I understand that a lot of the work for 	<p>The QBN CBD Place Plan is a tactical guiding document to help shape the future development of the CBD's current and proposed public spaces. Its length is in line with other similar documents implemented elsewhere.</p> <p>Noted</p> <p>The visual concepts put forward in Project 1 – The Leagues Club are to show what a temporary activation could look like in the current car park.</p> <p>Noted</p> <p>Noted</p>	

Report - Community engagement – Queanbeyan CBD Place Plan

<p>kids environment is being done under project 4 and not 1, but depending on the timeframe for completion this might be a bad idea. The sandpit idea in project one isn't good and finding more innovative ways to incorporate kid (mazes, obstacle course, slides down from a mural, large trampolines, etc) would be a lot better.</p>	
<p>In order of the document itself, please see more detailed feedback:</p>	
<p>- Under page 18, 'what makes Queanbeyan a home'... a lot of those things need severe improvement. Public schools need to be refurbished and be a place where kids feel safe (which isn't currently the case), there are not enough preschools available, etc. Under, 'Lessons learnt', no we do not need to emphasise our 'quirky history'. The rest of that page was excellent. Under page 21, a lesson to be taken from Greenway is not just 'Poor streetscape design' but also how outdated and old it looks.</p>	<p>Noted</p>
<p>- Multicultural: As referenced in the document, 'multicultural' does not mean aboriginal and Australian culture alone, we need to also embrace all the different countries and cultures that make up Queanbeyan. If you look at the current Queanbeyan set up only Australia and Aboriginal cultures are reflected, you'd have no idea of our strong Macedonian, Greek or Indian presence and it is really disappointing (for reference, I am not from either of those countries). The document speaks highly of the Queanbeyan's Multicultural & Language Centre, but the reality is sadder. The centre needs a lot more funding, more programs and more support. The multicultural strategy is really lacking and more needs to be done in this area.</p>	<p>Noted</p>
<p>- Lighting: we need more of this. The 7 in the document were not enough.</p>	<p>Noted</p>
<p>- Climate: consideration needs to be given to actually building more pathways for ""long"" walks, Canberra has long uninterrupted walkways around lakes and rivers which encourage exercise.</p>	
<p>- Paving: I strongly oppose to integrating paving with 'heritage, culture and arts'. It looks really tacky and it does not age well at all. So in 3-5 years time, it will look awful and be off-putting.</p>	<p>Noted</p>
	<p>Noted</p>

Report - Community engagement – Queanbeyan CBD Place Plan

	<p>- Green: can we get some cherry blossoms, please? and autumn colour trees, or Japanese maples or golden ash would be great. Trees with colour.</p> <p>- Water: hear hear, particularly try to build good pathways along the river.</p> <p>- Project 3, the lanes: this is awful. I know they need improving, but the murals are not a solution. The area needs to be refurbished and left clean, maybe add greenery. Hanging horseshoes (or other hanging things) and laneway events are a good idea. The Perth lane from page 83 shows a much better lane, you need space in order to appreciate murals not having them in an area so enclosed. You also need the mural to be cohesive, not all over the place. Yes to outdoor library!</p> <p>- Project 4: Love inclusion of local artist and children here, but it is left too late in the plan.</p> <p>- Project 7: River loop! YES PLEASE.</p> <p>- Under pages 111 and onwards, with particular to building a chamber of commerce and whatnot, I'd like to see community members actually involved in the panel.</p> <p>- Paving plan and lightning: please add cooma street, unlike Ross Rd and Surveyor St (etc) Cooma street's paving is a disgrace.</p> <p>My general feel is that the plan is quite ambitious, but very well researched and thought-out and long overdue. Despite any negative comments above (and below), there was a great deal of good work on the plan and it makes for a very exciting next few years.</p> <p>Something that I cannot stress enough is that you *please* consider costs when implementing the plan, spending hundreds of thousands in murals and works of arts doesn't really give Queanbeyan a sense of community. Money would be better spent in building a safe community where people can gather, providing a better gathering environment, developing programs to encourage community engagement and development and offering more community events. Let's build a strong safe community as a priority.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>The development of the Place Plan is in line with the Place recommendations from previous QPRC Plans and Strategies specifically the CBD Spatial Masterplan and focus on the six blocks of the CBD and the river only.</p> <p>The tactical interventions outlined in the Place Plan will occur in stages and timeframes over the delivery of the Masterplan projects across the next 5-10 years. Implementing these</p>	
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Report - Community engagement – Queanbeyan CBD Place Plan

	<p>There was a lot of discussion on wanting people to walk, but in order to walk to the CBD and reduce traffic, we need to work on better walkways to the CBD from other side streets too. Cooma road in particular is awful to walk through. Also, the CBD video itself wasn't the best to be honest. Depending on cost, I would be really disappointed.</p> <p>To end on a more positive note, thank you to everyone who worked on this plan for us. Great work. "</p>	<p>interventions will be partly included in those projects budgets and grant funding.</p> <p>Noted</p> <p>Thank you for your comments.</p>	
6.	<p>I love the idea of creating open areas in the CBD with different activities to attract people to hang around and socialise - this is something that is really missing in the Queanbeyan CBD at the moment. We need to ensure adequate car parking and access is maintained in the area, particularly for mobility impaired and the elderly. The design also needs to include cultural diversity which is a key feature of Queanbeyan. Most importantly, we need to ensure that the planning includes attractive 'cutting edge' design and landscaping that won't date easily. The video (acknowledging it is conceptual only) is very uninspiring in this respect. I noticed a lot of open concrete areas (car park at the back of the Leagues Club an exception) and not many trees or natural/water features and the public areas included sterile looking 1990s seating and sculptures - all the areas looked very uninviting. I didn't feel inspired to want to be there and hang around. It looked like any modern development in a new real estate area. Please ensure the design focuses on aesthetics and ambience as well as functionality and is distinctly Queanbeyan. It needs to have an individual edgy 'wow' factor to attract locals as well as tourists.</p>	<p>The proposed multi story car park in the current Morisset St car park along with the new underground car park in the Civic & Cultural precinct will provide an additional 23% of car spaces.</p> <p>Noted</p> <p>Thank you for your comments.</p>	

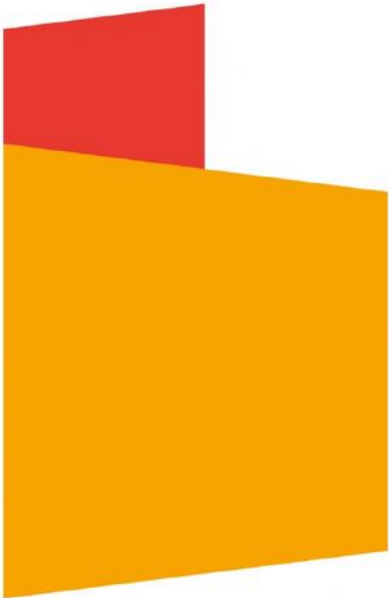
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 1 PROPERTY POLICY



Property Policy

Date policy was adopted:		CEO Signature and date
Resolution number:		
Next Policy review date:	2024	
Reference number:	52.5.4	
Strategic Pillar	Organisation Capability	
Responsible Branch	Governance and Risk	DD/MM/YYYY

Property Policy

1. OUTCOMES

- 1.1 Council has a substantial property portfolio with a mix of commercial, industrial, residential, recreational and infrastructure parcels of land or buildings. Those properties have been accumulated over the years in a range of zones and classified as either operational or community land.
- 1.2 Council will sell or develop 'employment lands' or residential lands to generate returns to enable investment in infrastructure.
- 1.3 The property activity may act as a catalyst to generate private investment that creates jobs or tertiary services.

2. POLICY

- 2.1 Council has established a property revolving fund (reserve) to seed initial acquisitions and development and will use funds from land investment, or use Council land holdings to leverage acquisition of other land critical to the orderly development of important urban or environmental areas.
- 2.2 Council will use returns from its land holdings to supplement revenue sources and minimise the demand for increasing rates above rate-pegging, or reducing services.
- 2.3 Council will use its land or other property to seed affordable housing or business incubation initiatives through:
 - (a) low entry lease and portion of turnover
 - (b) other negotiated returns
 - (c) maintaining the property in council ownership.
- 2.4 Council will report annually on proposed property transactions in the QPRC Operational Plan.
- 2.5 Council will report the outcome of property transactions in the QPRC Annual Report.

3. SCOPE OF THE POLICY

- 3.1 This policy refers to all Council-owned property.

4. DEFINITIONS

Employment lands — commercial or industrial property.

5. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

- *NSW Local Government Act 1993*
- QPRC Code of Conduct
- QPRC Probity Policy
- QPRC Fraud Policy
- QPRC Long Term Financial Plan
- All relevant QPRC planning documents

Property Policy

6. CONTENT

- 6.1 Council will consider returns from land holdings to be either:
- (a) direct cash (through land sale)
 - (b) infrastructure or environment offsets
 - (c) long-term returns through leasehold or share of turnover of developed and managed sites.
- 6.2 Council will apply commercial lease values to all properties, with any rebate or incentive recognised as a donation charged against respective functional area.
- 6.3 As a matter of practice, Council will utilise deeds of agreement or easements so as to not compromise the future serviceability or developmental ability of Council property, while enabling access to and development of adjacent property.
- 6.4 The Chief Executive Officer is authorised to receive and seek bids, to negotiate and to report to Council on property proposals.

7. REVIEW

- 7.1 This policy will be reviewed every four years or as required by changes to:
- (a) Legislation; or
 - (b) Council's functions, structure or activities.

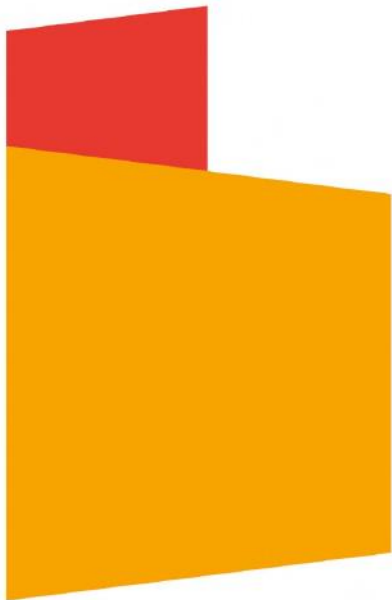
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 2 PROPERTY STRATEGY



DRAFT

PROPERTY STRATEGY

Date strategy was adopted:		CEO Signature and date
Resolution number:		
Next strategy review date:		
Reference number:		
Strategic Pillar		
Responsible Branch		DD/MM/YYYY

Draft Property Strategy

1. OUTCOMES

- 1.1 Council has a substantial property portfolio with a mix of commercial, industrial, residential, recreational and infrastructure parcels of land or buildings. Those properties have been accumulated over the years in a range of zones and classified as either operational or community land. Often the purpose of acquisition or intended uses of those properties may have changed in that time, may have yielded minimal returns, or the demographic or strategic drivers have moved.
- 1.2 This Strategy aims to leverage Council's infrastructure to facilitate private development investments and be a catalyst of investment through introducing or developing Council-owned property in the market.
- 1.3 The focus of the Property Strategy is to redirect focus on:
- (a) property management and not just maintenance
 - (b) value of returns on property rather than the expense of renewals
 - (c) performance of the property and any probity issues
 - (d) consideration of property feasibilities and prospectus.

2. APPROACH

- 2.1 Through examination of the Property Register, Council may use a mix of approaches to optimise its property ownership and returns including:
- (a) **Public Lands Assembly** – assembling Council-owned land to facilitate development interest or sale such as:
 - (i) creating additional footpath, carpark or reserve space in town centres for commercial licence and lease
 - (ii) strategic thoroughfares/pedestrian links
 - (iii) park and ride facilities.
 - (b) **Commercial Holdings** – facilitate development of council-owned real estate or commercial holdings to generate cash and long-term returns on investment:
 - (i) Through direct conditional sale, lease or partnering with a developer under public private partnership regulations
 - (ii) Returns may seed other acquisitions or developments
 - (iii) Acquire other community land or facilities strategically appropriate to the demography of the population and geography of the LGA.
 - (c) **Crown Lands** - utilise leases or development agreements on Crown land under Council care and control to provide public infrastructure or facilities on those Crown lands.
 - (d) **Commercial Leasing** - explore expansion of some of Council's CBD or other neighbourhood centre premises to enable commercial or start-up/incubator leasing such as at Council's head office to establish a 'smart hub'.

3. OPPORTUNITIES

- 3.1 The approach enables Council to get best value from its property and infrastructure holdings to provide community and economic benefits, and recognise commercial returns. They include:

Draft Property Strategy

- (a) *Streetscaping* – explore opportunities to lease roads, carparks, paths and reserves:
 - (i) leasing for kiosks or footpath cafes
 - (ii) business and market pop ups
 - (iii) focus infrastructure effort on highest visibility and usage.
- (b) *Roads and Carparks* – used to leverage commercial redevelopment and improve traffic and pedestrian thoroughfare
 - (i) leasing of airspace above carparks to enable commercial developments
 - (ii) utilise existing carparks/reserve carparks for park and ride
 - (iii) utilise carparks to activate adjacent business activity by allocating carpark use within and outside business hours (e.g. cinema, childcare centre).
- (c) *Community Leasing* – reassess returns from commercial buildings as Council often lets property for community use or NGO at less than commercial rentals
 - (i) the value of a commercial rental will be released and equivalent ‘donation’ made to recognise the net contribution made to the tenants.
- (d) *Strategic Acquisitions* – a number of sites may be identified that may be of long term strategic benefit to hold in public hands, such as:
 - (i) Urban lots that may form a future road connection or pathway
 - (ii) Rural lots that may form part of a biodiversity protection or offset plan.
- (e) *Economic Activity* - some properties may be well placed near energy, transport and telecommunication grids. Those properties may be used to:
 - (i) facilitate business or technology incubators or call centres
 - (ii) facilitate intermodal freight
 - (iii) undertake civil works on private property to assist NGO developments in exchange for part of that or other property
- (f) *Community Business* – better utilisation of community business buildings such as QISC, QPAC, Bicentennial Hall and community centres:
 - (i) productions
 - (ii) arts exhibitions
 - (iii) conference
 - (iv) NGO incubator

4. FINANCING

- 4.1. The returns from property sales will be held in a Property Reserve that will be used to seed other property developments or acquisitions.
- 4.2. Similarly, proceeds from land sales, planning agreements or conditioning of development applications may be used to acquire suitable property for strategic land use, infrastructure or environmental purposes.
- 4.3. Lease revenues may be used to:
 - (a) Maintain infrastructure or new facilities on or near the site upon which the infrastructure was developed
 - (b) Service debt for traffic and car parking , or
 - (c) Supplement development contributions

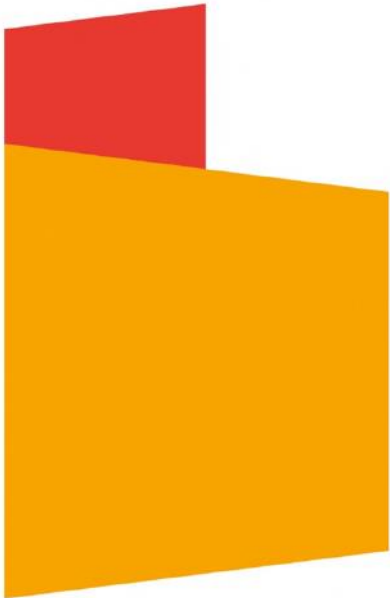
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting
Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 3 COMPLIANCE AND ENFORCEMENT POLICY



Compliance and Enforcement Policy

Date policy was adopted:		CEO Signature and date
Resolution number:		
Next Policy review date:	2024	
Reference number:		
Strategic Pillar	Natural & Built Character	DD/MM/YYYY
Responsible Branch	Natural Landscapes & Health	

Compliance and Enforcement Policy

1. OUTCOMES

- 1.1 Queanbeyan-Palerang Regional Council (Council) has developed a Compliance and Enforcement Policy (policy) to provide information for all internal and external stakeholders and interested parties about Council's position on compliance and enforcement matters in the local government area.
- 1.2 Council has an obligation under section 8 of the *Local Government Act 1993* to ensure that it carries out its functions in a way that facilitates a strong, healthy and prosperous local community. This obligation is met through proactive compliance programs, investigation of complaints and the enforcement action taken against unlawful activities.
- 1.3 Effective compliance and enforcement facilitates a strong, healthy and prosperous local community by:
 - (a) preventing or minimising harm to health, welfare, safety, property and the environment
 - (b) improving the safety and amenity of residents and visitors to the area
 - (c) supporting the welfare of the community or the public interest
 - (d) meeting the expectations of the community
 - (e) encouraging reports of unlawful activity from the community
 - (f) educating the community with respect to their legal obligations and how to achieve compliance
 - (g) ensuring council meets its statutory responsibilities
- 1.4 The intent of this policy is to establish clear guidelines and protocols for Council staff in the management of Council's regulatory activities.
- 1.5 It provides workable guidelines on:
 - (a) responding to reports alleging unlawful activity
 - (b) assessing whether reports alleging unlawful activity require investigation
 - (c) deciding on whether enforcement action is warranted
 - (d) options for dealing with confirmed cases of unlawful activity
 - (e) taking legal action
 - (f) implementing shared enforcement responsibilities
- 1.6 The policy also provides advice and guidance on:
 - (a) the role of the Principal Certifying Authority and
 - (b) the role of Councillors in enforcement

2 THE POLICY

- 2.1 Council's regulatory responsibilities are applicable to actual unlawful activity, as well as a failure to take action (in order to be compliant with certain legal requirements). For simplicity, this policy refers to both an act and/or an omission by an alleged offender as 'unlawful activity'.
- 2.2 This policy distinguishes between a "report alleging unlawful activity" and a "complaint".
- 2.3 For the purposes of this policy, a report alleging unlawful activity is where an individual expresses concern in relation to alleged unlawful activity, or they request service from Council about such matters. Council considers that a response or resolution to a report alleging unlawful activity is explicitly or implicitly expected by the individual, or may be legally required.

Compliance and Enforcement Policy

- 2.4 A complaint where an individual expresses dissatisfaction about Council services, staff or the handling of a complaint will be recorded separately and responded to in accordance with Council's complaints management policy and procedures.
- 2.5 The purpose of this policy is to provide structure for consistency and transparency in decision making, and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.
- 2.6 This policy outlines matters to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, through to which enforcement option Council will choose and whether to commence legal proceedings.
- 2.7 In certain circumstances, Council will have shared enforcement responsibilities with other regulatory authorities. This policy sets out a collaborative and cooperative approach to such matters. Advice and guidance is also provided on the role of Council in building and construction compliance matters where there is a private certifier, and the role of councillors in enforcement.
- 2.8 This policy applies to regulatory issues within Council's area of responsibility including but not limited to:
- development and land use
 - building control and fire safety
 - swimming pool safety
 - waste
 - pollution
 - food safety
 - public health and safety
 - biosecurity weeds and pests
 - biodiversity and tree preservation
 - water and sewer
 - companion animals and livestock
 - parking
 - roads

3 DEFINITIONS

Complaint - an expression of dissatisfaction made about Council services, staff or the handling of a customer request, where a response or resolution is explicitly or implicitly expected or legally required.

For the purposes of this policy, a complaint does not include:

- a report alleging unlawful activity (see definition below)
- a request for information about a Council policy or procedure
- a request for an explanation of actions taken by Council
- a request for internal review of a Council decision

Council staff – anyone employed by Queanbeyan-Palerang Regional Council, whether as an ongoing, fixed term, casual or contracted employee.

Enforcement - actions taken in response to unlawful activity.

Compliance and Enforcement Policy

Regulation - use of a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council.

Regulatory authority - the authority responsible for enforcing the relevant Act or Regulations.

Report alleging unlawful activity - An expression of concern or a request for service in relation to alleged unlawful activity, where a response or resolution is explicitly or implicitly expected or legally required.

Unlawful activity - any breach of legislation where Council is the regulatory authority.

4 CONTENT

4.1 Compliance and Enforcement Principles

4.1.1 The following principles underpin Council actions relating to compliance and enforcement:

Principle	Action
Accountable and transparent	<ul style="list-style-type: none"> • acting in the best interests of public health and safety and in the best interests of the environment • ensuring accountability for decisions to take or not take action • acting fairly and impartially and without bias or unlawful discrimination • providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community • ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy • acting on any complaints or concerns about the conduct of compliance officers in accordance with Council's complaints management policy and procedures • advising people and organisations subject to enforcement action of any avenues available to seek an internal or external review of a decision
Consistent	<ul style="list-style-type: none"> • ensuring all compliance and enforcement action is implemented consistently • encouraging reports about possible unlawful activity by acting reasonably in response to the circumstances and facts of each matter
Proportional	<ul style="list-style-type: none"> • ensuring the level of enforcement action is proportionate to the level of risk and seriousness of the breach • making cost-effective decisions about enforcement action • taking action to address harm and deter future unlawful activity
Timely	<ul style="list-style-type: none"> • ensuring responses to reports alleging unlawful activity and decision making in relation to those is timely

4.2 Responsibility

4.2.1 Council receives information about alleged unlawful activity from members of the public, contact from other government agencies and information gathered by its officers during proactive inspections.

4.2.2 All Council staff who deal with reports alleging unlawful activity are responsible for implementing this policy. Council staff are also responsible for ensuring that any other possible unlawful activity identified as a result of an inspection, proactive enforcement or other activity is brought to the attention of the appropriate business unit of Council.

Compliance and Enforcement Policy

- 4.2.3 Council staff are required to:
- (a) treat all relevant parties with courtesy and respect
 - (b) communicate with all relevant parties and provide feedback on the progress of an investigation and any reasons for delay without compromising the integrity of the investigation
 - (c) protect the identity of people making complaints where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by Council as permitted under the relevant privacy laws and confidentiality obligations
 - (d) make full and proper records in relation to the assessment and investigation of reports alleging unlawful activity, including reasons for any decisions
 - (e) inform all relevant parties of reasons for decisions
 - (f) provide as much information as possible to all relevant parties about the outcomes of investigations to show that adequate and appropriate action was taken and/or is proposed to be taken in response to a report of alleged unlawful activity
 - (g) provide information to all relevant parties about any avenues to seek an internal or external review of a decision.
- 4.2.4 All reports alleging unlawful activity are to be entered into Council's customer request management system and actioned in a timely manner by the appropriate business unit.
- 4.2.5 Only Council staff with appropriate delegations from the Chief Executive Officer can undertake investigations or compliance and enforcement action in relation to this policy.
- 4.3 Responding to concerns about unlawful activity**
- 4.3.1 *How reports alleging unlawful activity will be dealt with by Council*
- 4.3.1.1 Council staff will record and assess every report alleging unlawful activity where Council is the regulatory authority.
- 4.3.1.2 Council staff will respond to all reports unless the person raising the matter has indicated they do not wish to receive a response about Council's handling of the matter, or the report is anonymous.
- 4.3.1.3 Council's objectives when dealing with reports alleging unlawful activity are to:
- (a) maintain the collective good and welfare of the community
 - (b) prevent or minimise harm to health, welfare, safety, property or the environment
 - (c) consider the broader public interest having regard to Council's priorities and any resource limitations
 - (d) consider the report fairly and impartially.
- 4.3.1.4 Not all reports will need to be investigated. A preliminary assessment of all matters will be made to determine the priority for a response, and whether investigation or other action is required.
- 4.3.1.5 An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where the issues are complex. If Council staff decide to investigate, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation and any reasons for delay. This does not mean that the individual can expect to be given details about every aspect of the investigation or information that would compromise the integrity of the investigation.

Compliance and Enforcement Policy

- 4.3.1.6 Decisions about what action should be taken by Council staff are made at Council's discretion. This means the objective is that reports alleging unlawful activity will be resolved to the satisfaction of Council staff, not necessarily the person raising the matter. Council staff will work with stakeholders to resolve matters in a timely manner.
- 4.3.1.7 Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, and in particular explain that in the absence of sufficient evidence of unlawful activity, Council staff may be unable to take further action.
- 4.3.1.8 While there are certain statutory requirements that must be met in relation to notices and orders, Council staff will ensure that all explanatory communications are made in plain English and explain any technical language the law requires to be used.
- 4.3.2 *Confidentiality of people who report allegations of unlawful activity*
- 4.3.2.1 People who report allegations of unlawful activity should not expect that their identities will remain confidential from the subject of their report in all circumstances. Council staff may have to disclose information that identifies them in the following cases:
- (a) the disclosure is necessary to investigate the matter
 - (b) their identity has already been disclosed to the subject of their report directly or in a publicly available document
 - (c) the individual was consulted following receipt of a formal *Government Information (Public Access) Act 2009* application and did not object to the disclosure
 - (d) the individual consents in writing to their identity being disclosed
 - (e) the disclosure is required to comply with principles of procedural fairness
 - (f) the matter proceeds to court.
- 4.3.2.2 Council will take seriously any concerns an individual may have about their physical safety being endangered as a result of making a report. However, this may limit Council's ability to investigate the matter.
- 4.3.3 *What Council expects from people who report allegations of unlawful activity*
- 4.3.3.1 Council expects that people who report allegations of unlawful activity will cooperate and act in good faith in respect of any investigations conducted by Council staff. This includes:
- (a) providing a clear description of the problem (and the resolution sought, if relevant)
 - (b) giving all available and relevant information to authorised Council staff, including any new information about the alleged activity that may become known to the person following the making of their report
 - (c) not giving any information that is intentionally misleading or wrong
 - (d) cooperating with Council's inquiries and giving timely responses to questions and requests for information
 - (e) treating Council's staff with courtesy and respect
 - (f) allowing the investigation to be completed without prematurely taking the matter to other agencies unless referred to by Council.
- 4.3.3.2 If these expectations of the individual are not met, Council may need to set limits or conditions on the continuation of the investigation or may need to restrict any further communications with the individual.
- 4.3.3.3 Any unreasonable conduct will be dealt with in accordance with the principles of the NSW Ombudsman's *Managing Unreasonable Complainant Conduct Manual 2012* and any applicable Council policy.

Compliance and Enforcement Policy

4.3.4 *What parties can expect from Council staff*

4.3.4.1 Any complaints about Council's handling of reports alleging unlawful activity will be recorded separately and handled in accordance with Council's Complaint Management Policy and procedures.

4.3.4.2 Where a person or organisation subject to enforcement action merely disputes Council's decision to take enforcement against them, they will be directed to make representations in accordance with any relevant internal and external appeal processes.

4.3.4.3 Council staff will act on any complaints about the conduct of compliance officers in accordance with Council's Complaints Management Policy and procedures and the Code of Conduct.

4.3.5 *Anonymous reports*

4.3.5.1 Anonymous reports will be recorded and assessed in accordance with the above requirements. However, because it is not possible to seek clarification or additional information about a matter, it may be more difficult to evaluate the allegations and therefore these reports are less likely to warrant investigation.

4.3.6 *Unlawful activity outside business hours*

4.3.6.1 Unlawful activity can occur outside business hours. Council may receive reports about matters such as offensive noise and failure to comply with limitations on hours of operation during nights and weekends.

4.3.6.2 Due to resource and operational capability restraints on Council, investigations into alleged unlawful activity outside business hours will be assessed on the basis of risk of harm to health, welfare, safety, property or the environment or it is otherwise in the public interest to take such action. Council may rely on the resources of other regulatory authorities (e.g. NSW Police) to act on reports of unlawful activity outside business hours.

4.3.7 *Neighbour disputes*

4.3.7.1 Council will at times receive reports from parties involved in neighbour disputes seeking Council's involvement. When a dispute between neighbours is a civil matter, Council will often have no authority to resolve the issue in dispute. Some reports will raise several matters, some of which will require Council's involvement and some of which will be personal to the parties.

4.3.7.2 Council staff will thoroughly assess such reports to determine whether there is evidence of any possible unlawful activity requiring action by Council. Care will be taken to explain which aspects of a report Council can deal with and which cannot be dealt with and why. Where possible, individuals will be provided with information about how to resolve neighbour disputes including referral information resources such as LawAccess NSW and Community Justice Centres.

4.3.7.3 It is possible that one party will provide further information about a matter which changes Council's decision about whether it will become involved. In such circumstances, Council staff will carefully consider the matter before taking action and document reasons for the new decision. Relevant parties will be advised about the reasons Council has changed its position on a matter. Council staff will not change a decision about whether or not Council should be involved purely as a response to the conduct of an individual such as persistent demands or threats.

Compliance and Enforcement Policy

4.4 *Investigating alleged unlawful activity*

- 4.4.1 Not all reports alleging unlawful activity will warrant detailed investigation. A preliminary assessment of all matters will be made to determine whether further investigation or other action is required. Council will prioritise matters on the basis of risk to public safety, human health and environment.
- 4.4.2 If there is insufficient information in the report to undertake a preliminary assessment, further information may need to be sought from the person who made the report or an inspection undertaken. Staff may also need to consult Council's records and other internal business units to understand the relevant history and context of a matter.
- 4.4.3 Council will take no further action if, following a preliminary assessment, it is identified that:
- (a) Council does not have jurisdiction to investigate or is not the appropriate authority to take action on the issues raised. Where there is another appropriate authority or course of action, Council may bring the matter to the attention of the authority or provide information and contact details to the individual. For example SafeWork NSW for workplace safety matters, the NSW Environment Protection Authority for possible environmental offences and Community Justice Centres NSW for personal disputes.
 - (b) The report relates substantially to a matter previously determined by Council and no new or compelling information is presented which would cause Council to change its earlier decision. In this case, staff will acknowledge the report and advise that no further action will be taken as no new information had been provided (other than where the person has previously been advised they would receive no further response).
 - (c) The allegations relate to a lawful activity (e.g. where there is an existing approval or the activity is permissible without Council approval or consent being required).
 - (d) The report is not supported with evidence or appears to have no substance.
 - (e) The relevant Service Manager, Portfolio General Manager or the Chief Executive Officer determines that investigation or other action would have an unreasonable impact on resources and/or is unlikely to achieve an outcome sufficient to justify the expenditure of resources.
- 4.4.4 When deciding whether to investigate, Council staff will consider a range of factors including whether:
- (a) the activity is having a significant detrimental effect on the environment or it constitutes a risk to public safety
 - (b) the report relates to some unfinished aspect of work that is still in progress
 - (c) the activity or work is permissible with or without permission
 - (d) all conditions of consent are being complied with
 - (e) much time has elapsed since the events the subject of the report took place
 - (f) another body is a more appropriate agency to investigate and deal with the matter
 - (g) it appears there is a pattern of conduct or evidence of a possible wide spread problem
 - (h) the person or organisation reported has been the subject of previous reports
 - (i) the report raises matters of special significance in terms of the Council's existing priorities
 - (j) there are significant resource implications in relation to an investigation and any subsequent enforcement action
 - (k) it is in the public interest to investigate the report.

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- 4.4.5 The above are factors for Council staff to consider and weigh in making a determination. Council staff are not limited in their use of discretion by these considerations and may decide to investigate based on these and other factors.
- 4.4.6 The objective of the processes Council staff use when investigating incidents of alleged unlawful activity is to:
- (a) determine the cause of the incident
 - (b) determine if there has been a contravention of law, policy or standards
 - (c) gather evidence to the required standard to support any required enforcement action
 - (d) determine any necessary action to mitigate the possibility of recurrence of similar incidents.
- 4.4.7 Any decision not to investigate an allegation of unlawful activity will be recorded and the reasons for that decision clearly stated.
- 4.5 Taking enforcement action**
- 4.5.1 When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council staff will consider the full circumstances and facts of the matter and the public interest. The following common considerations will assist Council staff in determining the most appropriate response in the public interest.
- 4.5.2 Considerations about the alleged offence and impact:
- (a) the nature, extent and severity of the unlawful activity, including whether the activity is continuing
 - (b) the harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity
 - (c) the seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature
 - (d) the time period that has lapsed since the date of the unlawful activity.
- 4.5.3 Considerations about the alleged offender:
- (a) any prior warnings, instructions, advice that was issued to the person or organisation reported or previous enforcement action taken against them
 - (b) whether the offence was committed with intent
 - (c) whether the person or organisation reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions
 - (d) any mitigating or aggravating circumstances demonstrated by the alleged offender
 - (e) any particular circumstances of hardship affecting the person or organisation reported.
- 4.5.4 Considerations about the impact of any enforcement action:
- (a) the need to deter any future unlawful activity
 - (b) whether an educative approach would be more appropriate than a coercive approach in resolving the matter
 - (c) the prospect of success if the proposed enforcement action was challenged in court
 - (d) the costs and benefits of taking formal enforcement action as opposed to taking informal or no action
 - (e) what action would be proportionate and reasonable in response to the unlawful activity
 - (f) whether Council is prevented from taking action based on earlier advice given, i.e. whether an estoppel situation has been created.
- 4.5.5 Considerations about the potential for remedy:
- (a) whether the breach can be easily remedied

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- (b) whether it is likely consent would have been given for the activity if it had been sought
 - (c) whether there is a draft planning instrument on exhibition that would make the unauthorised use legal.
- 4.5.6 A further explanation of the above considerations is provided in **Appendix 1**.
- 4.5.7 *Legal or technical issues*
- 4.5.7.1 Where legal and/or technical issues are in question, Council staff will consider whether legal advice or professional advice from duly qualified staff or other experts should be obtained and considered. Council may also require a person subject to possible enforcement action to obtain professional advice in relation to issues of concern to Council for assessment as to whether further action is required.
- 4.5.8 *Requirements of Council staff considering enforcement action*
- 4.5.8.1 Prior to taking enforcement action, Council staff will take into account the above considerations as well as the evidence gathered during their investigation. Council staff must act impartially, be mindful of their obligations under Council's Code of Conduct and not act as a decision-maker in relation to any matter in which they have a personal interest. Enforcement action will not be taken purely as a response to the conduct of an individual such as persistent demands or threats.
- 4.5.8.2 Council staff are required to maintain records about critical thinking and decision-making processes in relation to reports alleging unlawful activity and any enforcement action, as well as records of interactions with relevant parties. Council staff will at all times adhere to Council's internal approval processes prior to the commencement of any enforcement action.
- 4.5.8.3 Council staff will take steps to ensure that any enforcement action is taken against the correct person or organisation. Where there are multiple possible parties to an alleged unlawful activity, it will generally not be appropriate to take enforcement action against every person who may be liable for the alleged unlawful activity. In such circumstances, Council staff will be guided by legal advice in determining the appropriate persons to pursue.
- 4.6 ***Options for dealing with confirmed cases of unlawful activity***
- 4.6.1 Council staff will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one approach.
- 4.6.2 Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.
- 4.6.3 At all times, Council's key concerns are:
- (a) to prevent or minimise harm to health, welfare, safety, property or the environment
 - (b) to influence behaviour change for the common good and on behalf of the community.
- 4.6.4 The following enforcement options to be considered by Council are ordered to reflect an escalation in response that is proportionate to the level of risk, the seriousness of the confirmed breach or the need for a deterrent:

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Level of risk	Enforcement options
Very low	<ul style="list-style-type: none"> take no action on the basis of a lack of evidence or some other appropriate reason provision of information/advice on how to be compliant
Low	<ul style="list-style-type: none"> negotiating with the person to obtain voluntary undertakings or an agreement to address the issues of concern issuing a warning or a formal caution
Medium	<ul style="list-style-type: none"> issuing a letter requiring work to be done or activity to cease in lieu of more formal action issuing a notice of intention to serve an order or notice under relevant legislation, and then serving an order or notice if appropriate
High	<ul style="list-style-type: none"> issuing a penalty notice carrying out the works specified in an order at the cost of the person served with the order
Very high	<ul style="list-style-type: none"> seeking an injunction through the courts to prevent future or continuing unlawful activity commence legal proceedings for an offence against the relevant Act or Regulation

4.6.5 *Following up enforcement action*

- 4.6.5.1 All enforcement action will be reviewed and monitored to ensure compliance with any undertakings given by the subject of enforcement action or advice, directions or orders issued by Council. Reports alleging continuing unlawful activity will be assessed and further action taken if necessary. If the unlawful activity has ceased or the work has been rectified, the matter will be resubmitted for follow up action to ensure compliance outcomes are met. Should initial enforcement action be found to have been ineffective, Council staff will consider other enforcement options.

4.7 *Taking legal action*

- 4.7.1 Council and its delegated staff may be guided by legal advice in deciding whether to commence legal proceedings and will consider the following:
- whether there is sufficient evidence to establish a case to the required standard of proof
 - whether there is a reasonable prospect of success before a court
 - whether the public interest warrants legal action being pursued.

4.7.2 *Whether there is sufficient evidence to establish a case to the required standard of proof*

- 4.7.2.1 Council considers the decision to take legal action a serious matter, and as such will only initiate and continue proceedings once it has been established that there is admissible, substantial and reliable evidence to the required standard of proof.

- 4.7.2.2 The basic requirement of any criminal prosecution is that the available evidence establishes a *prima facie* case. The prosecutor is required to prove the elements of the offence beyond reasonable doubt.

- 4.7.2.3 In civil enforcement proceedings, Council will require sufficient evidence to satisfy the court that an actual or threatened breach has occurred on the balance of probabilities.

4.7.3 *Whether there is a reasonable prospect of success before a court*

- 4.7.3.1 Given the expense of legal action, Council will not take legal action unless there is a reasonable prospect of success before a court. In making this assessment, Council staff will consider the

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availability, competence and credibility of witnesses, the admissibility of the evidence, all possible defences, and any other factors which could affect the likelihood of a successful outcome.

4.7.4 *Whether the public interest requires legal action be pursued*

4.7.4.1 The principal consideration in deciding whether to commence legal proceedings is whether to do so is in the public interest. In making this determination, the same factors to be considered when taking enforcement action apply. (See Section 11, Taking enforcement action).

4.7.4.2 The following considerations relate more specifically to the decision to commence legal proceedings and will assist Council and its delegated staff in making this determination:

- (a) the availability of any alternatives to legal action
- (b) whether an urgent resolution is required (court proceedings may take some time)
- (c) the possible length and expense of court proceedings
- (d) any possible counter-productive outcomes of prosecution
- (e) what the effective sentencing options are available to the court in the event of conviction
- (f) whether the proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive.

4.7.5 *Time within which to commence proceedings*

4.7.5.1 Council staff must be aware of legislative time limits in which enforcement proceedings must be commenced. Sometimes legal action will be statute barred despite good evidence that unlawful activity has occurred.

4.8 ***Shared enforcement responsibilities***

4.8.1 Some reports will raise matters involving shared regulatory responsibilities between Council and other authorities including the Environment Protection Authority, the NSW Police Force, the Office of Liquor, Gaming and Racing, NSW Fair Trading, NSW Food Authority and Crown Lands.

4.8.2 Council recognises that collaboration and cooperation between authorities to address issues of shared regulatory responsibility is the best approach. To this end, where there are shared legislative responsibilities, Council staff will liaise with relevant authorities to establish:

- (a) which authority will take the leading role on any joint investigation
- (b) which activities each authority will carry out
- (c) responsibilities for updating an individual where relevant
- (d) protocols for exchanging confidential information between the relevant authorities.

4.8.3 Council will reasonably endeavour to respond to requests for information or assistance on joint regulatory matters in a timely manner.

4.9 ***Role of Council where there is a private certifier***

4.9.1 Council retains its regulatory role and enforcement powers where a private certifier has been appointed the Principal Certifying Authority (PCA). Council is not responsible for ensuring building and construction compliance where a private certifier is appointed as the PCA.

4.9.2 Persons making complaints about a site where a private certifier is the nominated PCA will be advised to contact the PCA in the first instance. This will give the PCA an opportunity to address the issues and take the appropriate action. If the PCA does not address the issues raised by the complainant within a reasonable time, Council may investigate the complaint.

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- 4.9.3 Private certifiers have limited enforcement powers as the PCA under the *Environmental Planning and Assessment Act 1979* (EP&A Act). They have the power to issue a notice of intention to issue an order to the owner or builder to comply with the conditions of consent or rectify any breaches. A copy of any notice of intention issued by a private certifier must be provided to Council for assessment as to whether Council will enforce the notice by issuing an order.
- 4.9.4 Council and private certifiers will work together to resolve any issues when they arise to achieve compliance with the development consent or complying development certificate. Council staff will take steps to ensure individuals are clear about which agency performs which role.
- 4.9.5 Council may lodge a complaint to the Building Professionals Board (BPB) if it appears that a private certifier has not acted in accordance with their obligations under legislation or has not acted in the public interest.
- 4.9.6 Council may suggest to complainants who are not satisfied with the performance of a Private Certifier to contact the BPB directly.

4.10 **Role of Councillors in enforcement**

- 4.10.1 Decision making relating to the investigation of reports alleging unlawful activity and taking enforcement action is the responsibility of appropriately authorised Council staff.
- 4.10.2 Councillors do not have the right to direct Council staff in their day-to-day activities. Councillors can help members of the public who raise concerns about the investigation process, however they cannot ignore or alter a policy in order to satisfy the demands of special groups.
- 4.10.3 The Chief Executive Officer may present certain decisions to be ratified by the elected Council if this is necessary or desirable, and councillors may also have the right to call for a report about particular issues to a Council meeting.

4.11 **Delegations**

- 4.11.1 Council staff delegations for taking action under this policy are included in Council's Delegation Register.

5 **REVIEW**

- 5.1 This policy will be reviewed every four years or updated as necessary if:
 - (a) legislation requires it, or
 - (b) Council's functions, structure or activities change.

6 **ACKNOWLEDGEMENTS**

- 6.1 This policy has been adapted from the NSW Ombudsman's *Model Compliance and Enforcement Model Policy 2015*. Content has also been sourced from the Blue Mountains City Council Enforcement Policy 2017.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 4 PRIVACY POLICY AND PLAN



Privacy Management Policy and Plan

Date policy was adopted:		CEO Signature and date
Resolution number:		
Next Policy review date:	2024	
Reference number:	52.5.4	
Strategic Pillar	Organisation Capability	
Responsible Branch	Governance and Risk	DD/MM/YYYY

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1. OUTCOMES

- 1.1 Queanbeyan-Palerang Regional Council (QPRC) collects and records a variety of personal information about its ratepayers, residents, customers, Councillors and employees in accordance with legislative requirements.
- 1.2 This policy and plan details how QPRC manages the personal information it collects to ensure that the protection of such information reflects Council's legal obligations under the *NSW Privacy and Personal Information Protection Act 1998* and the *NSW Health Records and Information Privacy Act 2002*. It also outlines procedures to follow if a person wishes to lodge a complaint about the manner in which Council has managed their personal information.

2. POLICY

- 2.1 Council will ensure that it protects the personal and health information that it collects about its ratepayers, residents, customers, Councillors and employees.
- 2.2 Council collects personal information for the primary purpose of levying rates in accordance with s.494 of the *NSW Local Government Act 1993*.
- 2.3 The names and addresses of individual owners of property are kept on the rate and charging record in accordance with s.602 of the *NSW Local Government Act 1993*, forming the basis of the QPRC Rating and Valuation Register.
- 2.4 In addition to the primary purpose of levying rates, personal information is lawfully used for the conduct and facilitation of Council's business, including but not limited to:
- (a) notifying adjoining owners of proposed development
 - (b) identifying companion animal ownership
 - (c) identifying landholders for the purpose of provisions of the *NSW Dividing Fences Act 1991*
 - (d) evaluating road openings and obstructions
 - (e) evaluating tree preservation orders
 - (f) evaluating land dedications and laneway status
 - (g) investigating parking controls.
- 2.5 Council collects health information about its employees during the course of their employment with Council.
- 2.6 Council collects health information about its ratepayers in situations where Council's utility services may be required for specific medical conditions.
- 2.7 Council will not collect personal information by unlawful means.
- 2.8 Council will comply with the provisions of the *NSW Privacy and Personal Information Protection Act 1998* (PPIP Act) and the *NSW Health Records and Information Privacy Act 2002* (HRIP Act) to ensure that individuals' privacy is respected and their personal information is protected (see Clause 5).
- 2.9 Council may in certain circumstances release personal information that it holds about its ratepayers to a third party for a specific purpose not related to the business of Council (see Clauses 5.1.1 – 5.1.5, 5.4.2 – 5.4.4 and 5.5.2).
- 2.10 The QPRC Privacy Management Plan has been prepared in accordance with s.33 of the PPIP Act. It explains the measures Council will implement to collect, use and protect the personal and health information that it holds.

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3. DEFINITIONS

Adjoining owners — owners of land on either side of a common boundary.

Companion animal — means each of the following:

- (a) a dog
- (b) a cat
- (c) any other animal that is prescribed by the regulations as a companion animal.

Councillor — a person elected or appointed to civic office, including the mayor.

Designated persons — are:

- (a) The Chief Executive Officer
- (b) Other senior staff of the Council
- (c) A person (other than a member of the senior staff of the council) who is a member of staff of the Council or a delegate of the Council and who holds a position identified by the Council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest,
- (d) A person (other than a member of the senior staff of the council) who is a member of a committee of the Council identified by the Council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

Health information — means:

- (a) personal information that is information or an opinion about:
 - (i) the physical or mental health or a disability (at any time) of an individual, or
 - (ii) an individual's express wishes about the future provision of health services to him or her, or
 - (iii) a health service provided, or to be provided, to an individual, or
- (b) other personal information collected to provide, or in providing, a health service, or
- (c) other personal information about an individual collected in connection with the donation, or intended donation, of an individual's body parts, organs or body substances,
- (d) other personal information that is genetic information about an individual arising from a health service provided to the individual in a form that is or could be predictive of the health (at any time) of the individual or of a genetic relative of the individual, or
- (e) healthcare identifiers.

Health Privacy Principles — are set out in Schedule 1 of the HRIP Act and refer to the manner in which health information will be collected, used and protected by Council.

Information Protection Principles — are set out in Part 2, Division 1, ss.8-19 inclusive of the PPIP Act, and refer to the manner in which personal information will be collected, used and protected by Council.

Personal information — information or an opinion about an identified individual, or an individual who is reasonably identifiable:



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- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

Privacy management plan — every NSW public sector agency that is bound by the PPIP Act must prepare a privacy management plan that details the manner in which it will collect, record, use and protect personal information.

Public register — an official list of names, events and transactions, which is required under law to be available to the public. Personal information kept in public registers could include an individual's name, home and email addresses, phone number (land or mobile), gender, occupation and qualifications. The list may include other documents such as records of approvals or licences.

Return — a form prescribed by the *NSW Local Government (General) Regulation 2005* (Schedule 3) that records any disclosures of interests that Councillors and designated persons may hold in a financial year.

4. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

4.1 Section 449 of the *NSW Local Government Act 1993* states:

- (1) A councillor or designated person must complete and lodge with the general manager, within 3 months after becoming a councillor or designated person, a return in the form prescribed by the regulations.

4.2 Section 450A of the *NSW Local Government Act 1993* states:

- (1) The general manager must keep a register of returns required to be lodged with the general manager under section 449.
- (2) Returns required to be lodged with the general manager under section 449 must be tabled at a meeting of the council, being:
 - (a) ...

4.3 Section 494 of the *NSW Local Government Act 1993* states:

- (1) A council must make and levy an ordinary rate for each year on all rateable land in its area.

4.4 Section 8 of the PPIP Act states:

- (1) A public sector agency must not collect personal information unless:
 - (a) the information is collected for a lawful purpose that is directly related to a function or activity of the agency, and
 - (b) the collection of the information is reasonably necessary for that purpose.
- (2) A public sector agency must not collect personal information by any unlawful means.

4.5 Section 33 of the PPIP Act states:

- (1) Each public sector agency must prepare and implement a privacy management plan within 12 months of the commencement of this section.
- (2) The privacy management plan of a public sector agency must include provisions relating to the following:
 - (a) the devising of policies and practices to ensure compliance by the agency with the requirements of this Act or the Health Records and Information Privacy Act 2002, if applicable,
 - (b) the dissemination of those policies and practices to persons within the agency,

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- (c) the procedures that the agency proposes to provide in relation to internal review under Part 5,
 - (d) such other matters as are considered relevant by the agency in relation to privacy and the protection of personal information held by the agency.
- 4.6 Section 57 of the PPIP Act states:
 - (1) The public sector agency responsible for keeping a public register must not disclose any personal information kept in the register unless the agency is satisfied that it is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept.
 - (2) In order to enable the responsible agency to comply with subsection (1), the agency may require any person who applies to inspect personal information contained in the public register to give particulars, in the form of a statutory declaration, as to the intended use of any information obtained from the inspection.
- 4.7 Section 11 of the HRIP Act states:
 - (1) This Act applies to every organisation [public sector agency or private sector person] that is a health service provider or that collects, holds or uses health information.
 - (2) An organisation to whom or to which this Act applies is required to comply with the Health Privacy Principles and with any health privacy code of practice or provision of Part 4 that is applicable to the organisation.
 - (3) An organisation must not do anything, or engage in any practice, that contravenes a Health Privacy Principle or a health privacy code of practice or a provision of Part 4 in respect of which the organisation is required to comply.
- 4.8 This policy is to be read in conjunction with the following documents:
 - *NSW Local Government Act 1993*
 - *NSW Privacy and Personal Information Protection Act 1998*
 - *NSW Health Records and Information Privacy Act 2002*
 - *NSW Government Information (Public Access) Act 2009 (GIPA Act)*
 - *NSW State Records Act 1998*
 - *NSW Children and Young Persons (Care and Protection) Act 1998*
 - *NSW Dividing Fences Act 1991*
 - Privacy Code of Practice for Local Government (2000)
 - Information and Privacy Commission's Fact Sheet September 2014 – Information Protection Principles
 - QPRC Code of Conduct
 - QPRC Records Management Policy and Procedures

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5. PRIVACY MANAGEMENT PLAN

5.1 **Collection**

- 5.1.1 Council will only collect personal information for a lawful purpose, relating directly to the business of Council, and being necessary for that purpose.
- 5.1.2 Council collects and delivers personal information to and from government departments and agencies involved in the normal functions of council's operations, and in accordance with standing arrangements made with individual departments. These must be prescribed in Acts or regulations which permit the supply of such information. Council will not provide personal information to government departments if there is no legal arrangement to do so.
- 5.1.3 Council will disclose personal information to public sector agencies or public utilities on condition that:
- (a) the agency has approached Council in writing,
 - (b) Council is satisfied that the information is to be used by that agency for the proper and lawful functions of the agency, and
 - (c) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's functions.
- 5.1.4 Council will collect personal information directly from you unless you have authorised collection from someone else, or if you are under the age of 16 years and the information has been provided by a parent or guardian.
- 5.1.5 Council will inform you:
- (a) that the information is being collected
 - (b) why it is being collected
 - (c) who will be storing and using it
 - (d) how you can access it and correct your personal information
 - (e) if the information is required by law or is voluntary and
 - (f) any consequences that may apply if you decide not to provide it.
- 5.1.6 A privacy statement will be shown where lists of names and addresses of attendees are collected at public meetings.
- 5.1.7 Council will ensure that the personal information it collects is relevant, accurate, complete, up-to-date and not excessive.
- 5.1.8 The collection of information should not unreasonably intrude into your personal affairs.

5.2 **Storage**

- 5.2.1 Council will store personal information securely, keeping it no longer than necessary and disposing of it appropriately.
- 5.2.2 Council will protect the information from unauthorised access, use, modification or disclosure.

5.3 **Access and accuracy**

- 5.3.1 Council will provide you with details regarding the personal information being stored, why it is being stored and what rights you have to access it.
- 5.3.2 Council will allow you to access your personal information without excessive delay or expense.

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5.3.3 Council will allow you to update, correct or amend your personal information where necessary.

5.4 **Use**

5.4.1 Council will ensure that the personal information it holds about you is relevant, accurate, up-to-date and complete before using it.

5.4.2 Council will only use your personal information for the purpose for which it was collected, unless you have given consent, or the use is directly related to a purpose that you would expect.

5.4.3 Council occasionally receives requests from third parties for access to your personal information for a purpose that is not related to Council's business. Council may decline to provide access in these circumstances, or it may choose to consult with you to explain the source and purpose of the request, and give you the option of granting or withholding your written permission to release your personal information. Council will not release the information to a third party unless it has received your written permission to do so. The third party will be required to pay an administration fee for the costs incurred by Council in consulting with you, as per the adopted Fees and Charges, regardless of whether or not you give permission to release your personal information.

5.4.4 Notwithstanding Clause 5.4.3, Council may release personal information for a purpose not related to the business of Council without consent if it is necessary to prevent or lessen a serious and imminent threat to any person's health or safety.

5.5 **Disclosure**

5.5.1 Council can only disclose your information in limited circumstances if you have consented, or if you were told at the time of collection that it would do so.

5.5.2 Council may disclose without consent personal information which has been collected about an individual if the purpose is to confer an award, prize, benefit or similar form of personal recognition upon that person.

5.6 **Health Privacy Principles (HPP) – Schedule 1 of the HRIP Act 2002**

5.6.1 *Collection (HPPs 1 - 4)*

5.6.2 Council will only collect health information for a lawful purpose that is directly related to Council's activities and is necessary for that purpose.

5.6.3 Council will ensure that health information is relevant, accurate, up-to-date and not excessive and that the collection is not unnecessarily intrusive into the personal affairs of the individual.

5.6.4 Council will only collect health information directly from the individual that the information concerns, unless it is unreasonable or impractical for Council to do so.

5.6.5 Council will tell the person why the health information is being collected, what will be done with it, how it can be amended or corrected, who else might see it and what the consequences are if the person decides not to provide it.

5.7 *Retention and security (HPP 5)*



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- 5.7.1 Council will store health information securely and protect health information from unauthorised access, use or disclosure. Health information will not be kept for any longer than necessary and will be disposed of appropriately.
- 5.8 *Information about health information held by Council (HPP 6)*
- 5.8.1 Council must take such steps as are, in the circumstances, reasonable to enable any individual to ascertain:
- (a) whether the organisation holds health information, and
 - (b) whether the organisation holds health information relating to that individual, and
 - (c) if the organisation holds health information relating to that individual:
 - (i) the nature of that information
 - (ii) the main purposes for which the information is used, and
 - (iii) that person's entitlement to request access to the information.
- 5.9 *Access (HPP 7)*
- 5.9.1 Council will allow the individual to access their health information without excessive delay or expense.
- 5.10 *Amendment (HPP 8)*
- 5.10.1 Any person who is unhappy with the accuracy or acceptable use of their health information kept by Council, may make a written request to the Chief Executive Officer to amend that information.
- 5.10.2 Council has an obligation to take such steps to amend personal information where necessary. If Council decides that it will not amend the information, it must add the additional information so that it can be read with the existing information, and notify the person making the application.
- 5.10.3 The person to whom the information relates is entitled to have the recipients of that information notified of the amendments made by Council.
- 5.11 *Accuracy (HPP 9)*
- 5.11.1 Council will ensure that the health information it holds about an individual is relevant, accurate, up-to-date, complete and not misleading.
- 5.12 *Use of health information (HPP 10)*
- 5.12.1 Council will only use the health information for the purpose for which it was collected or for a directly related purpose that the individual would expect. Otherwise, Council will obtain the individual's consent.
- 5.13 *Disclosure of health information (HPP 11)*
- 5.13.1 Council will only disclose health information under the following circumstances:
- (a) with the consent of the individual,
 - (b) for the purpose for which the health information was collected, or a directly related purpose that the individual to whom it relates, would expect, or

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(c) if an exemption applies.

5.14 *Identifiers (HPP 12)*

5.14.1 Council will only give an identification number to health information if it is reasonably necessary for Council to carry out its functions effectively.

5.15 *Anonymity (HPP 13)*

5.15.1 Council will provide health services anonymously where it is lawful and practical.

5.16 *Transborder data flows and data flow to Commonwealth agencies (HPP 14)*

5.16.1 Council will only transfer personal information out of New South Wales if the requirements of HPP 14 are met.

5.17 *Linkage of health records (HPP 15)*

5.17.1 Council will only include health information in a system to link health records across more than one organisation if the individual to whom the health information relates expressly consents to the link.

6. PUBLIC REGISTERS (refer to Part 6, ss.57, 58 and 59 of the PPIP Act)

6.1 A public register generally confers specific rights, privileges, benefit, or status, which would not otherwise exist. It may be required to be made publicly available or open to public inspection, or Council may make it publicly available or open to public inspection whether or not payment is required.

6.2 Despite the exclusion of health information from the definition of personal information under s.4A of the PPIP Act, s.56A of the PPIP Act includes health information as personal information on public registers.

6.3 Section 57 of the PPIP Act requires very stringent controls over the disclosure of personal information contained in a public register. Where Council is responsible for keeping a public register, it must not disclose any personal information kept in that register unless it is satisfied that the information is to be kept for a purpose relating to the purpose of the register, or the Act under which the register is kept.

6.4 Section 57(2) of the PPIP Act provides that in order to ensure compliance with s.57(1), Council may require any person who applies to inspect personal information contained in the public register to give particulars in the form of a statutory declaration as to the proposed use of that information.

6.5 If the applicant's stated purpose does not conform with the purpose for which the public register is kept, access to the information will not be given by Council.

6.6 Council maintains the following rolls and registers which are publicly available under certain circumstances:

- **Rate and Charging Record** (s.602 *Local Government Act 1993*) – available for inspection, free of charge.
- **Delegations Register** – available for inspection, free of charge.

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- **QPRC Land Register** (ss.53 and 54, *Local Government Act 1993*) – available for inspection, free of charge. Certified copy of classification of public land requires payment of the prescribed fee.
 - **Register of Disclosures of Interest** (s.450A *Local Government Act 1993*) – available for inspection, free of charge.
 - **Development Consent Register** (s.100 *Environmental Planning and Assessment Act*) – available for inspection, free of charge.
 - **Building Certificates Register** (s.149G *Environmental Planning and Assessment Act*) – copies of certificates only available with owners' consent; requires payment of the prescribed fee.
 - **Non-residential Roll and Roll of Occupiers and Ratepaying Lessees** – Council will make the latest copy of these rolls (once they are prepared) available for public inspection at any reasonable time during office hours at an office of the Council [refer s.302(2) of the *NSW Local Government Act 1993*].
- 6.7 Council maintains the following register which is not publicly available:
- **Companion Animals Register** (*Companion Animals Act 1998*) – Council will only allow access to this register by its staff or a police officer.
7. **APPLICATIONS FOR SUPPRESSION IN RELATION TO A PUBLIC REGISTER**
- 7.1 An application for suppression in relation to a public register will be dealt with under the PPIP Act, rather than s.739 of the *Local Government Act*.
- 7.2 A person whose personal information is contained, or proposed to be contained in a public register, may request Council under s.58 of the PPIP Act to have the information removed from, or not placed on, the register.
- 7.3 If Council is satisfied that the safety or wellbeing of any person would be affected by not suppressing the personal information as requested, Council will suppress the information in accordance with the request unless Council is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information.
- 7.4 When in doubt, Council will act in favour of suppression.
- 7.5 Any information that is removed from, or not placed on that part of a public register to be made public, may be kept on the register for other purposes relating to Council's functions, but it cannot be disclosed to other parties.
- 7.6 An application for suppression of information should be made in writing to the Chief Executive Officer and must detail the reasons for the request. Council may require supporting documentation where appropriate.
8. **INTERNAL REVIEW**
- 8.1 Any person is entitled to obtain access to their personal information held by Council.
- 8.2 Where a person has requested their personal information, and is aggrieved by:
- (a) Council's refusal to allow access, or
 - (b) Council's conduct in the following circumstances:

Privacy Management Policy and Plan

- (i) contravention of an IPP and/or HPP that applies to Council,
- (ii) contravention of the Code,
- (iii) disclosure of personal or health information kept on a public register, or
- (c) Council's refusal to amend their personal information,

they are entitled to apply for an internal review of the initial enquiry or complaint.

- 8.3 Council will follow the requirements in Part 5 of the PPIP Act when carrying out an internal review.
- 8.4 The application for review must be in writing, preferably on the form at **Schedule 1**, and addressed to the Chief Executive Officer, Queanbeyan-Palerang Regional Council, PO Box 90, Queanbeyan NSW 2620.
- 8.5 The application must be lodged within six months from the time the applicant first became aware of the conduct (the subject of the application).
- 8.6 The application will be dealt with by Council's Privacy Management Officer who will forward a copy of the application to the Privacy Commissioner. The Commissioner will be informed of progress and the outcome of the review.
- 8.7 The Privacy Management Officer will consider any relevant material submitted by the applicant and/or the Information and Privacy Commissioner.
- 8.8 The review will be completed as soon as is reasonably practicable in the circumstances.
- 8.9 Following completion of the internal review, Council may do one or more of the following:
- (a) take no further action on the matter,
 - (b) make a formal apology to the applicant,
 - (c) take appropriate remedial action,
 - (d) provide undertakings that the conduct will not recur,
 - (e) implement administrative measures to ensure that the conduct will not recur.
- 8.10 As soon as practicable, or within 14 days of the completion of the review, Council will notify the applicant in writing of:
- (a) the findings and the reasons for those findings,
 - (b) any proposed actions to be taken by Council, and
 - (c) the right of the applicant to have those findings and the Council's proposed action, reviewed by the NSW Civil and Administrative Tribunal.
- 8.11 If the review is not completed within 60 calendar days from receipt of the application, or if the applicant is not satisfied with the findings of the internal review conducted by Council, the applicant is entitled to make an application under s.55 of the PPIP Act to the NSW Civil and Administrative Tribunal for an administrative review of the conduct concerned.
- 8.12 The NSW Civil and Administrative Tribunal may be contacted by phone 1300 006 228 or by accessing their website at www.ncat.nsw.gov.au
- 8.13 Council will record the requests for, and outcomes of, internal reviews for annual reporting purposes (Clause 10(3) of the *Annual Reports (Statutory Bodies) Regulation 2010*).

9. TRAINING AND EDUCATION

- 9.1 A copy of the QPRC Privacy Management Policy will be:



Privacy Management Policy and Plan

- (a) given to new employees during their induction
 - (b) available to the public and current staff on Council's front counters, Intranet and website at <http://www.qprc.nsw.gov.au>
 - (c) given to elected Councillors
 - (d) given to third party contractors
 - (e) given to Council's committee members.
- 9.2 Council's Privacy Management Officer will provide training and assistance to Councillors, staff, committee members and contractors in understanding the processes associated with the *PPIP Act* and the *HRIP Act*.
- 9.3 Council's Privacy Management Officer may be contacted by phone on (02) 6285 6000 or by email on council@qprc.nsw.gov.au.
- 9.4 Further information may be obtained by contacting the NSW Information and Privacy Commission on phone 1800 472 679, by email ipcinfo@ipc.nsw.gov.au or by accessing their website at ipc.nsw.gov.au
- 10. REVIEW OF THE PRIVACY MANAGEMENT POLICY**
- 10.1 This policy will be reviewed during the term of each elected Council or as required by changes to:
 - (a) Legislation; or
 - (b) Council's functions, structure or activities.



Privacy Complaint: Internal Review Application Form

Please complete this form to apply for a review of conduct under s53 of the [Privacy and Personal Information Protection Act 1998](#) (PPIP Act) OR s21 of the [Health Records and Information Privacy Act 2002](#) (HRIP Act).

If you need help in filling out this form, please contact the Privacy Contact Officer on (02) 6285 6000 or visit our website at www.qprc.nsw.gov.au.

This is an application¹ for review of conduct under: (please select one)

- s53 of the [Privacy and Personal Information Protection Act 1998](#) (PPIP Act) ☐
- s21 of the [Health Records and Information Privacy Act 2002](#) (HRIP Act) ☐

1.

Surname: **Title:** Mr / Ms

Other names:

Postal address: **Postcode:**

Daytime telephone: **Facsimile:**

Email:

☐ I agree to receive correspondence at the above email address.

If the complaint is on behalf of someone else, please provide there details:

Surname: **Title:** Mr / Ms

Other names:

Postal address: **Postcode:**

Day-time telephone: **Facsimile:**

Email:

What is your relationship with this person? (e.g. parent)

Is the person capable of making the complaint by himself or herself?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide proof that they have the legal authority (i.e. guardianship or power of attorney) to deal with the matter

Privacy and Personal Information Protections Act 1998
Health Records and Information Privacy Act 2002

PRIVACY APPLICATION FORM

2.

What is the specific conduct³ you are complaining about? (*see footnote for explanation of "conduct"*)

3.

Please tick which of the following describes your complaint: (*you may tick more than one option*)

- ☐ Collection of my personal or health information
- ☐ Security or storage of my personal or health information
- ☐ Refusal to let me access or find out about my own personal or health information
- ☐ Accuracy of my personal or health information
- ☐ Use of my personal or health information
- ☐ Disclosure of my personal or health information
- ☐ Other

4.

When did the conduct occur (date)? (*please be as specific as you can*)

5.

When did you first become aware of this conduct (date)?

6.

You need to lodge this application within six months of the date at Q.5.

If more than six months has passed, you will need to request special permission to lodge a late application. Please explain why you have taken more than six months to make your complaint (*e.g. I had other urgent priorities – list them, or while the conduct occurred more than six months ago, I only recently became aware of my privacy rights etc.*):

7.

What effect did the conduct have on you?

General information about the PPIP Act and HRIP Act is available by calling the Information and Privacy Commission NSW (IPC) on 1800 472 679 or visit the IPC's website: www.ipc.nsw.gov.au

Office use only

Date application received:

File reference:

Privacy and Personal Information Protections Act 1998
Health Records and Information Privacy Act 2002

PRIVACY APPLICATION FORM

8.

What effect might the conduct have on you in the future?

9.

What would you like to see us do about the conduct? (e.g. an apology, a change in policies or practices to ensure that the conduct will not occur again, the payment of monetary compensation to the applicant etc.)

10.

I understand that this form will be used by the agency to process my request for an internal review. I understand that details of my application will be referred to the Privacy Commissioner in accordance with: section 54(1) of the *Privacy and Personal Information Protection Act*; or section 21 of the *Health Records and Information Privacy Act*; and that the Privacy Commissioner will be kept advised of the progress of the internal review, and that the Privacy Commissioner may make submissions.

Applicants should also be advised that if the review is not completed within 60 days from the day on which the application was received, the applicant is entitled to a review by the NSW Civil and Administrative Tribunal (NCAT).

Applicant's signature:

Date:

Please post this form to QPRC, PO Box 90 Queanbeyan NSW 2620 or lodge it at:

256 Crawford Street Queanbeyan, or 10 Majara Street, Bungendore, or 144 Wallace Street, Braidwood.

Our Privacy Policy is available by visiting www.qprc.nsw.gov.au.

Keep a copy for your records.

1. It is not a requirement under the PPIP Act or the HRIP Act that you complete an application form. This form is designed for your convenience only. However, you must make a written request in some form to the agency for the matter to be a valid internal review.
2. The PPIP Act regulates NSW state government departments, area health services, most other state government bodies, and NSW local councils. Each of these is defined as a "public sector agency". The HRIP Act regulates private and public sector agencies and private sector persons.
3. "Conduct" can include an action, a decision, or even inaction by the agency. For example the "conduct" in your case might be a *decision* to refuse you access to your personal information, or the *action* of disclosing your personal information to another person, or the *inaction* of a failure to protect your personal information from being inappropriately accessed by someone else.

General information about the PPIP Act and HRIP Act is available by calling the Information and Privacy Commission NSW (IPC) on 1800 472 679 or visit the IPC's website: www.ipc.nsw.gov.au

Office use only

Date application received:

File reference:

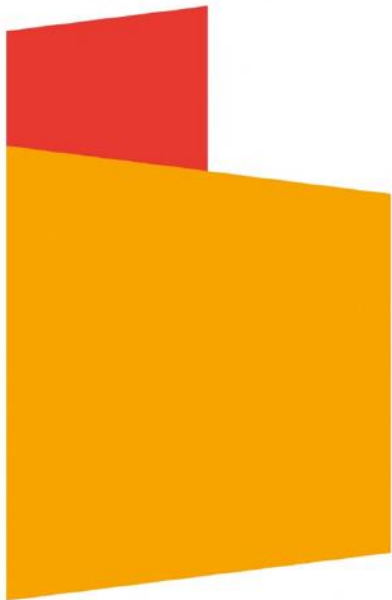
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 5 COUNCILLOR AND STAFF INTERACTION POLICY



Councillor and Staff Interaction Policy

Date policy was adopted:		CEO Signature and date
Resolution number:		
Next Policy review date:	2024	
Reference number:		
Strategic Pillar	Organisation Capability	
Responsible Branch	Governance and Legal	DD/MM/YYYY

Councillor and Staff Interaction Policy

1. OUTCOMES

- 1.1 Interactions between Councillors and staff are necessary to enable well-informed decision-making and provide a high standard of Council services to the QPRC community.
- 1.2 This Policy sets out the obligations of Councillors in exercising their civic duties by specifically addressing their ability to interact and receive advice from authorised staff.

2. POLICY

- 2.1 In accordance with Council's Code of Conduct, Councillors, Administrators and staff are expected to conduct their interactions with each other respectfully, professionally, objectively, honestly and ethically.
- 2.2 All access to staff other than the Chief Executive Officer (CEO) by Councillors is to be authorised by the CEO.
- 2.3 Only those staff nominated by the CEO can provide information and advice to Councillors.
- 2.4 Contact by Councillors with staff other than authorised staff should be through the CEO in the first instance and with the approval of the relevant Portfolio General Manager.

3. SCOPE OF THE POLICY

- 3.1 This Policy applies to the QPRC Mayor or Administrator, Councillors and Council employees, including contract and casual employees engaged by Council.

4. DEFINITIONS

Authorised staff — Staff authorised by the CEO to interact with or provide advice to Councillors, namely the Executive staff (Portfolio General Managers), Governance staff and Communications staff.

5. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

- *NSW Local Government Act 1993* (ss.226 and 232)
- *NSW Local Government (General) Regulation 2005*
- *NSW Government Information (Public Access) Act 2009*
- *NSW Privacy and Personal Information Protection Act 1998*
- QPRC Code of Conduct
- QPRC Code of Meeting Practice

6. CONTENT

6.1 ***Obligations of Councillors***

6.1.1 Councillors or administrators **must not**:

- (a) Direct Council staff other than by giving appropriate direction to the CEO in the performance of Council's functions by way of Council or committee resolution, or by the Mayor or Administrator exercising their power under section 226 of the *NSW Local Government Act 1993*.

Councillor and Staff Interaction Policy

- (b) In any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff or a delegate of the Council in the exercise of the functions of the member or delegate.
- (c) Contact a member of the staff of the Council on Council-related business unless in accordance with the policy and procedures governing the interaction of Councillors and Council staff that have been authorised by the Council and the CEO.
- (d) Contact or issue instructions to any of Council's contractors or tenderers, including Council's legal advisers, unless by the Mayor or Administrator exercising their power under section 226 of the Act. This does not apply to the Chair of Council's Audit, Risk and Improvement Committee who may be provided with any information by individual Councillors reasonably necessary for the Committee to effectively perform its functions.
- (e) Councillors must not take advantage of their official position to improperly influence other Councillors or members of Council staff in the performance of their civic or professional duties for the purpose of securing private benefit for themselves or for another person.

6.2 *Obligations of Staff*

6.2.1 Members of staff of Council **must**:

- (a) Carry out lawful directions given by any person having authority to give such directions.
- (b) Give effect to the lawful decisions, policies, and procedures of the Council, whether or not the staff member agrees with or approves of them.

6.2.2 In circumstances where staff are unsure whether or not they should provide information to, or respond to a request from a Councillor, they should refer the matter to their relevant Portfolio General Manager or to the CEO, or request that the Councillor make the request through the CEO.

6.2.3 Information provided by authorised staff to any Councillor must be provided to all Councillors.

7. **REVIEW**

7.1 This policy will be reviewed every four years or as required by changes to:

- (a) Legislation; or
- (b) Council's functions, structure or activities.

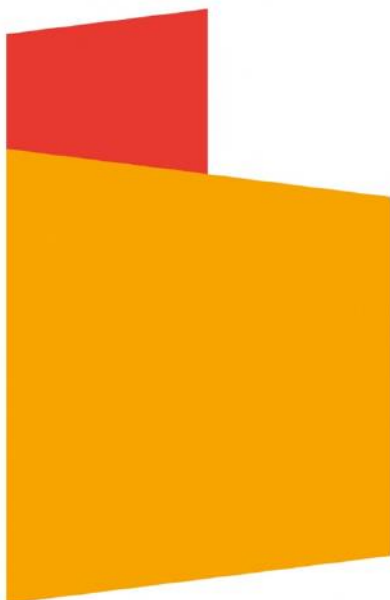
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting
Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 6 DONATIONS POLICY



Donations Policy

(for donations under
s.356 of the *Local Government Act 1993*)

Date policy was adopted:		CEO signature and date
Resolution number:		
Next Policy review date:	2024	
Reference number:	52.5.4 and 52.5.2-01	
Strategic Pillar:	Community Choice	
Responsible Branch:	Business and Innovation	

Donations Policy 2020

1. OUTCOMES

- 1.1 Under s.356 of the *Local Government Act 1993*, Queanbeyan-Palerang Regional Council (QPRC) may exercise a function by resolution to provide various forms of assistance to the community through grants, donations, rental rebates, rate relief, non-financial contributions, in-kind donations and sponsorships. This assistance, referred to collectively as donations, provides the community with funding for activities and programs that align with Council's strategic objectives. This policy establishes an equitable, transparent and accountable management framework to guide the provision of consistent funding administration and assessment processes across Council.

2. POLICY

- 2.1 Council is committed to providing financial assistance for the development of positive and beneficial projects within the community which address identified objectives in the QPRC Community Strategic Plan. Preference will be given to organisations that are based, or have a branch, in the QPRC area.
- 2.2 Council will assess applications and proposals for financial assistance against established criteria and will ensure compliance measures are met prior to the granting of any donation.
- 2.3 Council will make certain that rigorous processes are in place to ensure consistency, fairness, transparency and accountability. Funded projects will be monitored to ensure the benefit to the community is realised and worthwhile.
- 2.4 Funded projects will be required to provide timelines. Approved requests for financial assistance will require lodgement of evidence to Council, through the acquittal process on completion of the project, that funds have been expended for the purpose for which the funds were approved. (see **Schedule 3.2** for an acquittal template).
- 2.5 All Council employees, Councillors or Committee members must declare any conflict of interest in assessing any application or proposal for funds, in accordance with the QPRC Code of Conduct.
- 2.6 Under the Annual Community Grants Program, Council provides financial assistance within four categories:
- 2.6.1 **Category 'A' Funding – general assistance**
- (a) The relief of poverty, hardship or provision of assistance to less advantaged persons through welfare services and facilities, public health services and facilities, education services and facilities, transport services and facilities, and housing.
 - (b) The advancement of education through education services and facilities.
 - (c) Any other purpose for which there is agreement by resolution of Council.
 - (d) Subject to a competitive application process conducted between March and May each year, Council may make donations of up to \$2,000 available under its Annual Grants Program to eligible local community groups that are not-for-profit organisations under the *Charitable Fundraising Act 1991 No. 69*, and in some cases, individuals. These applicants must describe how they provide a community service within the QPRC region where there is a demonstrated community need or benefit from the proposed project. The aim is to support a wide range of activities that builds community capacity, fosters social networks and information exchange, facilitates cooperation and builds on existing community strengths (see **Schedule 3.1** for the application form).

Donations Policy 2020

- (e) Organisations involved in cultural development and activities that meet the eligibility criteria for financial assistance under the Council's Cultural Arts Assistance Scheme should seek financial assistance under that scheme rather than Council's Annual Community Grants Program.

2.6.2 Category 'B' Funding – hire/lease fees

Financial assistance will be provided to community, not-for-profit or charitable organisations that wish to hire or lease a Council facility but are unable to meet this cost (see **Schedule 3.1** for the application form). The grant will be non-monetary and will be recognised financially as a donation and as income for the facility. The grant will be either full or partial payment of venue hire or lease (see **Clause 5** for conditions relating to this category) (see **Schedule 3.3** for eligibility criteria calculations).

2.6.3 Category 'C' Funding – rates, fees and annual charges

- (a) Council will make annual donations as provided in **Schedule 1** to this policy. Council will review this Schedule during the term of each Council.
- (b) Council will consider the waiving of fees or charges for not-for-profit community organisations and s.355 committees on a one-off basis for development application fees and associated charges (see **Schedule 2** for a full list of relevant fees and associated charges).
- (c) Annual charges for waste, water and sewerage services, where these services are available, will be levied in accordance with Council's pricing policies for these services. Community organisations may apply under the Annual Grants Program for a donation towards these costs.
- (d) Where a ratepayer can demonstrate a high level of non-discretionary water use due to the requirements of a home dialysis patient, Council will grant a 100% rebate on the water access charge to their property. The application for such a rebate must be supported by a current doctor's certificate.

NOTE 1: Churches and religious bodies are exempt from all rates under s.555 of the *Local Government Act 1993*, but are required to pay all charges in relation to water, sewer and waste services.

NOTE 2: There is no legislative requirement for Council to provide relief to sporting, recreational and community organisations for rates and charges. Any donation provided for this purpose is at Council's discretion.

NOTE 3: An application seeking rates or charges relief for sporting, recreational or community organisations must demonstrate that the relevant facility complies with all conditions articulated in Clause 5.16(iii) – (vi) of this Policy.

2.6.4 Category 'D' Funding – rental rebate

- (a) Council may assist community organisations using Council's leased or licensed properties or facilities by providing a rental rebate for a specified period (see **Schedule 5** for eligibility criteria).
- (b) The rental rebate will be defined as a donation.

NOTE: This category does not include:

- Council's facilities that are covered by specific legal commercial leasing and licensing agreements as approved by Council;

Donations Policy 2020

- leases and licenses where the lessee/licensee is not a charitable or not-for-profit, incorporated organisation.
- 2.7 Under the Cultural Arts Assistance Scheme, Council provides financial assistance to local arts and cultural groups to develop their own projects and to improve the Queanbeyan-Palerang community's opportunities for involvement in art and cultural activities (see **Schedule 6** for the application form and eligibility criteria).
- 2.8 Under the Sports Assistance Scheme, Council provides financial and in-kind assistance to local sporting groups for equipment, special events and elite athletes/officials who are selected to compete at a national or international level (see **Schedule 7** for the application form and eligibility criteria).

3. DEFINITIONS

Donation — a voluntary, freely-given form of financial assistance given by Council that meets QPRC's strategic goals and objectives. There are generally no formal conditions or reporting measures, excluding those relating to a rental rebate, placed on recipients of donations other than that the funds are expended within the intent for which they were given.

Facility— any Council-owned asset or venue such as halls, reserves, parks, showgrounds and sportsgrounds that may be hired for a fee.

Grant — a payment made by Council to an independent organisation or individual for a specific purpose or project that demonstrates community benefit and assists in meeting QPRC's strategic goals and objectives. Grants are subject to an application process and are generally equitably distributed among a range of individuals, organisations or groups.

In-kind donation — rather than contribute direct funding, Council may undertake works using its own resources. Such in-kind donations will be costed the same way in which Council's own works are costed, including for labour and plant.

Non-financial contribution — the provision of a Council service, product or facility free of charge or at a subsidised rate. A non-financial contribution may be subject to eligibility criteria and shall meet QPRC's strategic goals and objectives.

Rental rebate — assistance in the form of a subsidy given by Council to community lessees/licensees of Council-owned or managed properties or facilities. The level of rental rebate will vary between 0 – 100% of the market rental value of the property.

Sponsorship — is provided in exchange for a negotiated mutual benefit that meets QPRC's strategic goals and objectives. A sponsorship can be of a financial or non-financial nature.

4. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

4.1 Section 356 of the *NSW Local Government Act 1993* states:

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:

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- (a) the financial assistance is part of a specific program, and
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.
- 4.2 Section 610E of the *Local Government Act 1993* states:
 - 1. A council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.
 - 2. However, a council must not determine a category of cases under this section until it has given public notice of the proposed category in the same way as it is required to give public notice of the amount of a proposed fee under section 610F(2) or (3).
- 4.3 Section 377 of the *Local Government Act 1993* states, inter alia:
 - (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:
 - ...
 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons.
- 4.4 Under this policy, financial assistance including community grants and the waiving of Council fees or charges is considered to be a donation, provided in accordance with s.356 of the *Local Government Act 1993*.
- 4.5 This policy is to be read in conjunction with the following documents:
 - *NSW Local Government Act 1993*,
 - QPRC Code of Conduct,
 - Pricing policies for waste, water and sewerage services.

5. CONTENT

Annual Grants Program

Category A funding – General Assistance

- 5.1 Council may determine that the Annual Grants Program for any given year will be directed towards particular outcomes, but the emphasis will always be towards supporting the community's aspirations as articulated in the QPRC Community Strategic Plan.
- 5.2 Applications will only be considered for one-off expenditure in the financial year in which the costs occur.
- 5.3 Applications will be sought through advertising in local media, community newsletters, social media, Council's website and Engagement HQ following the allocation of funds, this being

Donations Policy 2020

typically through the adoption of Council's Operational Plan in June each year. Applications are to be made on the relevant form (**Schedule 3**), and address all criteria outlined in the Annual Grants Program guidelines for that year (see **Schedule 4**).

- 5.4 Applications must be received by the advertised closing date on the relevant application form with supporting documentation, rather than on an ad hoc basis.
- 5.5 Notwithstanding Clause 5.4, Council may consider applications outside the funding round if the applicants are able to demonstrate that the purpose for which they are seeking the donation was not foreseen at the time of the Annual Grants Program round.
- 5.6 Should any applications be received in accordance with Clause 5.5, consideration of the applications will be dependent on any funds being available following allocation from the current round, and will require a resolution from Council regarding the assessment of the applications.
- 5.7 Any request for financial assistance outside the Annual Grants Program must address the criteria detailed in the guidelines, and be submitted on the relevant application form.
- 5.8 Applications will be assessed in accordance with the current guidelines, criteria and budget allocations by a panel of staff nominated by the Chief Executive Officer. The panel will prepare recommendations for funding to the next available ordinary meeting of Council. All approved fees or charges to be waived will be in the form of a donation and paid by Council on behalf of the organisation.

Category B funding – hire/lease fees

- 5.9 Requests for the waiving of hire/lease fees of Council facilities should be in writing addressed to Council's Chief Executive Officer. When making requests, applicants need to clearly outline how the event will benefit the QPRC community.
- 5.10 When submitting an application, applicants should ensure that:
 - (a) bookings are confirmed;
 - (b) a copy of the facility's "Hire Agreement", including a quote for the cost of hire, is submitted with the application;
 - (c) once the hire agreement is in place and the donation amount has been awarded, any variation to the hours of hire that may affect the total donation provided, is to be reported to Council as soon as possible. For example, if the hours are reduced, the donation amount will reduce proportionately. If the hours increase, full hire charges will apply for the additional hours.
- 5.11 The following criteria will be applied in assessing these requests:
 - (a) the purpose of the donation;
 - (b) the alignment with Council's Community Strategic Plan and Delivery Plan;
 - (c) any previous donations and support provided to the applicant by Council;
 - (d) the amount requested;
 - (e) the applicant's access to alternative sources of funding, including the ability to raise general income from usage of the facility,
 - (f) Council's annual budget allowance.
- 5.12 Waiving of fees or charges for ongoing usage or events will not be considered unless negotiated in a service level agreement with Council.

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Category C funding – rates, fees and annual charges

- 5.13 Standing donations of rates and annual charges within Category C funding (see **Schedule 1**) will be processed at the time of the levy of the annual rates and charges notices. A letter will be issued to the recipient organisation notifying them of Council's donation.
- 5.14 Any increase in standing donations, other than for rates or annual charges, is limited to the statutory rate pegging limit. Any request for an increase above this limit is to be referred to Council for consideration.
- 5.15 All requests from not-for-profit community organisations, sporting and recreation bodies and s.355 committees for the waiving of development application fees should be in writing and addressed to Council's General Manager.
- 5.16 All requests should consider the criteria below when outlining the reasons for waiving of fees, and be submitted prior to the lodgement of the development application:
- (a) the proposed improvements are to be constructed on land owned by or vested in Council, OR
 - (b) where the improvements are to be constructed on freehold land by a not-for-profit community, sporting or recreation body, Council may consider the waiving of applicable fees or charges where a community benefit will be provided by the construction of the facility.

In addition, the facility:

- (i) is to be freely accessible to all sectors of the community;
 - (ii) must satisfy a need that has been previously identified in the community;
 - (iii) is in accordance with plans of management or a sporting or recreational strategy adopted by Council; and
 - (iv) is designed for multi-use purposes.
- 5.17 Council will not consider waiving development application fees if the proposed works are for commercial purposes, e.g. for the development of land for commercial sale or the undertaking of a commercial enterprise or commercial activity regardless of the charitable status of the organisation.

Category D funding – rental rebate

- 5.18 A market rental valuation or assessment of a Council-owned or managed property or facility will be obtained by Council at its cost, prior to the granting of a rental rebate. This will indicate the amount of annual rent that Council could charge if the property or facility had been let or leased in a competitive market.
- 5.19 The total cost to Council in operating a facility or managing a property will be determined, and will include but not be limited to:
- depreciation
 - maintenance
 - land rates
 - rent payable by Council to the Department of Industry - Crown Lands
 - water charges
 - waste removal
 - telephone
 - gas and/or electricity
 - administration costs

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- improvements
- 5.20 In the case of a new building, a facility management plan and appropriate sinking fund will be established as part of its long-term asset management planning.
- 5.21 The level of rebate to not-for-profit community organisations will be reviewed on a regular basis so that Council is informed of the total level of rebates being applied.
- 5.22 The level of the rental rebate will be determined based on the criteria contained in **Schedule 5**, which will be provided to potential lessees and licensees prior to establishing an agreement.
- 5.23 The level of rebate will vary between 0 – 100% of the market rental value; however, a minimum annual rental fee applies (see Council's adopted **Fees and Charges Schedule** on its website). This minimum annual rental fee will not attract any rebate and will be payable by the organisation leasing or licensing the property or facility.
- 5.24 All rental rebates will be reported to the community on an annual basis.
- 5.25 Community groups and organisations occupying Council-owned or managed properties will be required to report annually in relation to the facility and the group's activities.

6. REVIEW

This policy will be reviewed during the term of each elected Council or as required by changes to:

- (a) Legislation; or
- (b) Council's functions, structure or activities.

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Schedule 1

S1.1 Annual Donations

Council will make annual donations as follows:

1. Public schools located within the Queanbeyan-Palerang Regional Council Local Government Area for their annual prize giving/speech day ceremonies, to be increased by the annual rate peg amount, rounded up to the nearest \$5.00.
2. Council will donate the rates and/or charges to community or sporting organisations that:
 - (a) lease Council-owned land, and
 - (b) undertake community service obligations on behalf of Council.
3. Council may consider applications for contributions to rates and/or charges from community or sporting organisations that do not lease Council-owned land but undertake community service obligations on behalf of Council.
4. In determining eligibility for donations equivalent to all or part of ordinary rates levied for the year referred to in (2) and (3) above, preference will be given to organisations that provide a worthwhile service or benefit to the QPRC community as a whole, for which there are no alternative sources of funding.
5. In order to be eligible for such a donation under this policy, the community organisation must be:
 - (a) Either based in the QPRC local government area, or affiliated with, or service, clients within the QPRC local government area, AND
 - (b) An incorporated not-for-profit organisation that is able to demonstrate registered not-for-profit status with the Australian Charities and Not-For-Profit Commission or an unincorporated not-for-profit organisation under the auspices of an incorporated organisation, AND
 - (c) the property is an integral part of the service provision and is not used for any commercial activity, AND
 - (d) the organisation demonstrates, through its financial statements, a need for assistance to pay its rates (provided that the organisation sets its fees and charges at a proper rate of cost recovery).
6. The following organisations and facilities have been assessed to meet the above criteria and will be granted a donation equivalent to the ordinary rates levied for the year:
 - (a) Any Scouts Australia group
 - (b) Braidwood & District Historical Society
 - (c) Braidwood Show Society
 - (d) Any Country Women's Association branch
 - (e) Any service club including Lions and Rotary
 - (f) Any men's shed registered with the Australian Association of Men's Sheds
 - (g) Any registered pre-school
 - (h) Bungendore War Memorial Hall
 - (i) Araluen Community Hall
 - (j) Charleys Forest Community Hall
 - (k) Gundillion Community Hall

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- (l) Majors Creek Community Hall
- (m) Nerriga Community Hall

NOTE: The Captains Flat Community Hall and Queanbeyan halls and community centres are under Council's control.

- 7. General rates do NOT include water, sewer or garbage charges, or waste levy.

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Schedule 2

S2.1 Development applications and associated charges

All fees and charges associated with lodging a development application are:

Council fees:

- Development application
- Local Approval applications (there are a several of these e.g. water/sewer, on-site sewerage management, solid fuel heater, manufactured homes and associated structures)
- Construction Certificate application
- Inspection fees – mandatory
- Inspection fees – construction
- Re-inspection fees
- Inspection fees – surveillance
- Fee to lodge 'Notice to Commence and Appointment of a Principal Certifying Authority'
- Fee to lodge 'Notice of Work for Plumbing and Drainage'
- Water and / or sewer connection application
- Section 138 application
- Advertising fee
- Integrated development referral fee
- Issue of rural address number
- Section 94 contributions
- Section 64 contributions

State Government fees:

- Plan First Levy – applicable on all building works over \$50,000
- Long Service Levy – applicable on all building works \$25,000 and over

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Schedule 3

S3.1 Annual Grants Program – Application Form (Categories A and B)



ANNUAL GRANTS PROGRAM Application Form – Categories A and B

Applications close: 5.00pm on ...

Privacy Management

Personal information provided in this form is required in order to process the application. Provision of the information is voluntary; however, if insufficient information is provided, support for the application will be difficult when considering competing requests. Your personal information will not be used without your prior written permission.

LODGING THE COMPLETED APPLICATION

There are three lodgement options available:

Hand-delivered to Council's Administration Offices 256 Crawford Street, Queanbeyan 10 Majara Street, Bungendore 144 Wallace Street, Braidwood	Post to: at: The Grants Officer Business and Innovation Branch Queanbeyan-Palerang Regional Council PO Box 90 QUEANBEYAN NSW 2620
Email to: liz.mirowski@qprc.nsw.gov.au	

Up to \$2,000 assistance is available to applicant organisations under the program. Applications must be clearly marked '**Annual Grants Program [year] – Category A or B**'.

For further information or assistance with this application, please contact Council's Grants Officer on 02 6285 6044 or 0428 354 660.

GENERAL GUIDELINES FOR APPROVAL OF COUNCIL DONATIONS

Please refer to Council's Donations Policy when completing your application. A copy of the Policy can be viewed on Council's website at www.qprc.nsw.gov.au/Resources-Documents/Adopted-QPRC-Policies. The application form may be downloaded from Council's website at www.qprc.nsw.gov.au/Community/Grants-Donations.

In allocating funds, Council will give consideration to the nature of the request, the proposed beneficiaries, equality of access, any recent donations to each applicant, whether previous funds have been acquitted, alternative funding sources and equity of support across the local government area.



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An application for financial assistance would be enhanced by supporting financial reports such as annual financial statements, auditors' reports, recent bank statements, or references from qualified accountants, auditors or financial advisors. Any such reports and documents will only be used for assessing the financial status of the applicant and will be kept in strict confidence.

Council's donations generally do not apply to individuals; however in certain circumstances, such donations may be approved.

TYPE OF ORGANISATION / CONTACT DETAILS

Name of organisation/group: _____

Postal address: _____

Primary purposes and activities of organisation: _____

Number of members: _____

Property Description of facility (if applicable) _____
(Lot and DP)

Names of primary office-bearers (please print clearly):

President/Chair: _____

Secretary: _____

Treasurer: _____

Contact person for this application: _____

Phone: _____ Mobile: _____

Email: _____

Is the group/organisation GST Registered?

☐ Yes

☐ No

☐ Exempt



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(If yes provide ABN): _____

Is the group/organisation not-for-profit?

☐ Yes

☐ No

(If yes, provide copy of not-for-profit certificate)

Is the group a hobbyist organisation

☐ Yes

☐ No

(If yes, provide Statement by Supplier)

FINANCES

Please tell us why you need financial assistance from Council i.e. what financial resources are available to your organisation and why they are not sufficient for your project/event.

TIMELINE

Please provide a timeline for your project: _____

ADDITIONAL INFORMATION REQUIRED FOR CATEGORY A

Title of Project: _____

Description: _____

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What are the funds being used for (e.g. purchase of equipment, provision of a service, etc. Please be specific)

Total Cost of project/activity/item	\$
Less your contribution (\$ for \$ in cash or in-kind)	\$
Amount of funds sought from this round	\$

Does your organisation intend to distribute any of these funds to other local charitable organisations (if yes, please provide names)

ADDITIONAL INFORMATION REQUIRED FOR CATEGORY B

Name of Function to be held: _____

Primary Purpose of Function: _____
(e.g. fundraising, appreciation event; exhibition/showcasing, etc.)

Council Facility required: (Booking confirmation and quote to be attached with application)



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Total cost of hire	\$
Less your contribution	\$
Amount of funds sought from this scheme	\$

FOR CATEGORIES A & B

Item	Amount sought from Council	Amount being contributed by your organisation	Amount sought from other sources (e.g. sponsors, income, etc.)
1. Fees			
2. Direct Costs: Venue Materials			
3. Administration			
4. Advertising / Promotion			
5. In-kind support (Please list – e.g. volunteer hours cost)			
6. Other			
Total Amount			

NOTE: Please also include a realistic value for volunteer labour (e.g. \$25/hr) and donated materials above.

Applicants seeking in excess of \$1,000 must attach -

- 1) A copy of the organisation's most up-to-date audited statement of income and expenditure, and
- 2) A copy of the organisation's current budget.

AUTHORISATION BY THE APPLICANT ORGANISATION

The application must be signed by an accountable executive officer and witnessed by another executive officer of the applying organisation.

I certify that the information given in this document is true and accurate, and that if the organisation receives a donation from Council, the conditions as set out in the Council's Donations Policy will be complied with. The Queanbeyan-Palerang Regional Council will be acknowledged as a sponsor of the project/activity.

Full Name (please print)	Full Name of Witness (please print)
Signature	Signature
Position	Position



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Date	Date

FOR OFFICE USE ONLY					
Date Received/Post Marked:		File Number:			
Meets Mandatory Eligibility Requirements				Yes	No
Grant Awarded				Yes	No
Amount Awarded				\$	
Completion Date:		Acquittal Received	Yes	No	
Comments					

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Schedule 3

S3.2 Acquittal Form



Annual Grants Program Acquittal Form (Category A)

To be submitted to Council upon completion of your funded project

Name of Organisation			
Postal Address			Postcode
Title of project/activity being acquitted			
Acquitted by (please print name)			
Phone Number	Signature		Date

Please attach copies of the following with this form when acquitting the grant:

- Receipts (or copies) of expenditure directly related to the project/activity covered by this fund.
- All press releases and advertising material showing acknowledgment of Council support
- Photographs and/or other material which will show the result of funding the project

Please advise of the successful aspects of your project/activity

Please advise of the successful aspects of your project activity.

How did the Queanbeyan-Palerang Regional Community benefit from your project/activity?

How did the questions in the following Regional Community Benefit from your project/activity?



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Financial Information for the project/activity

Item	Amount sought from Council	Amount being contributed by your organisation	Amount sought from other sources (e.g. sponsors, income etc.)
1. Fees			
2. Direct Costs			
Venue			
Materials			
3. Administration			
4. Advertising / Promotion			
5. In-kind support (Please list – e.g. volunteer hours cost)			
6. Other			
7. GST Amount			
Total Amount			

NOTE: Please also include a realistic value for volunteer labour (e.g. \$25/hr) and donated materials above.

Annual Grants Program

ACKNOWLEDGMENT REQUIREMENTS

QPRC provides more than \$800,000 each year to the community by means of donations, grants and other in-kind support.

All recipients of Council's donations must formally acknowledge the support they receive from Council. This document has a generic press release and signage details that must be utilised following successful annual donation applications.

Acknowledgment of Council is now a mandatory duty of individuals/groups receiving Council's assistance.

Press

The following is a generic press release document. Individuals or organisations must either fill in the appropriate spaces or use the form as a basis for completing a media release upon receipt of Council assistance. Contact details for local media are provided.



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MEDIA RELEASE

Council provides assistance for.....

(Your representative's name and your organisation's name) has today announced that the Queanbeyan-Palerang Regional Council has provided assistance for *(your project or event)* by *(form of Council assistance i.e. donation/grant/sponsorship/rent relief/fee relief/in-kind support etc)*.

(Your representative) said that *(briefly describe the nature of the project or event and the benefits to your organisation and the community)*

(Provide any further information and contact details of your organisation and the project or event).

(Your representative), on behalf of *(your organisation's name)*, thanked Council for its support this year and encourages all members of the community to *attend/watch/come and enjoy (your event / game / celebration / project)*.

Email to:

Queanbeyan Age Chronicle – upload online at

<https://www.queanbeyanagechronicle.com.au/story/5032917/got-a-story-to-tell-were-all-ears/>

Canberra Times – media.release@canberratimes.com.au

Win News – cannews@winns.com.au

Braidwood Bugle – braidwoodbugle@gmail.com

Bungendore Weekly – info@bungendoreweekly.com

Use of Council Logo

Queanbeyan-Palerang Regional Council's logo is to be displayed on all communication and promotional material relating to the Council's assistance. For example, flyers/posters must display either Council's logo or words to the effect "Sponsored by Queanbeyan-Palerang Regional Council". Any signage associated with Council's assistance must display the QPRC logo. However, it should also be clear that Council is a sponsor of the event or project, rather than the main provider of the event or project.

The electronic version of the QPRC logo will be forwarded to recipients of Council's assistance by Council's Communications Branch upon request. They can be contacted by phone on 1300 735 025 or email communications@qprc.nsw.gov.au.

Copies and/or details of all Council acknowledgement must be included with the acquittal form.



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Schedule 3

S3.3 Calculation for assessment of applications for community donations (Category A and B)

Criteria	Type (a) (each answer is worth 4 points)	Type (b) (each answer is worth 3 points)	Type (c) (each answer is worth 2 points)	Type (d) (each answer worth 1 point)
1. Purpose of donation - Social and community benefit for the local community	Function is unique and specific and meets high level of need OR Service meets identified social / community needs, with most service users from low socio-economic backgrounds	Function or service meets identified social / community needs, with service users from a range of socio-economic backgrounds	Function or service meets a broad social / community need	Function or service is valued by the community, but is not focused on meeting an identified social /community need
2. Alignment with Community Strategic Plan and Delivery Plan	Project fully aligns with the Strategic Plan and addresses its identified objectives	Project partly aligns with the Strategic Plan and partly addresses its identified objectives	Project has minimal alignment with the Strategic Plan	Project has no alignment with the Strategic Plan.
3. Support provided by Council in the last two financial years	The organisation received no support from Council last financial year.	The organisation received support worth \$700 or less, from Council last year	The organisation received support of \$1,400 or less from Council last year	The organisation received between \$1,400 and \$2,000 from Council last financial year.
4. The amount requested	Request is for less than \$500	Request is for between \$500 and \$1,000	Request is for more than \$1,000 but less than upper limit of \$2,000	\$2,000 upper limit per applicant organisation is requested
5. Applicant's access to alternative sources of funding	The organisation relies entirely on donations from the community	The organisation has limited access to other sources of funding and has limited fundraising activities	The organisation has access to a number of sources of funding, including fundraising activities	The organisation raises income from multiple sources such as member subscriptions, participant fees, donations, regular funding-raising activities and grants
6. Organisational status and structure	The organisation is locally-based, stand-alone and locally managed, servicing only the QPRC community	The organisation is a locally-based, stand-alone service, has a regional focus, and undertakes local and regional activities or services	The organisation is a local branch of a regional umbrella organisation	The organisation is a local or regional branch of a state or national umbrella organisation
7. Extent of accessibility to the community	Function or service is accessible to the entire QPRC community	Function or service is generally accessible to the community	Function or service has limited accessibility to the community	Function is limited to a specific target group

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Schedule 4

S4.1 Calculation for eligibility of sporting, recreational and community organisations for rate relief

Category	Level of rebate	From (>)	To (<)
A	High	90%	100%
B	Medium	50%	90%
C	Low	0%	50%
D	None	0%	0%

Points attained	Rate relief	Points attained	Rate relief	Points attained	Rate relief	Points attained	Rate relief
1	0%	7	5%	13	35%	19	65%
2	0%	8	10%	14	40%	20	70%
3	0%	9	15%	15	45%	21	75%
4	0%	10	20%	16	50%	22	80%
5	0%	11	25%	17	55%	23	90%
6	0%	12	30%	18	60%	24	100%

Criteria	Category A (each answer worth 4 points)	Category B (each answer worth 3 points)	Category C (each answer worth 2 points)	Category D (each answer worth 1 point)
Purpose of donation	The organisation provides a unique activity or service to the majority of residents in QPRC	The organisation provides a unique activity or service to a particular group of residents in QPRC	The organisation provides an activity or service to QPRC residents that may be difficult to access outside the LGA	The organisation provides an activity or service to QPRC residents that may be easily accessed outside the LGA
Management of organisation	The organisation is stand-alone and locally managed servicing only the QPRC community	The organisation is locally managed and participates in local and regional activities or services	The organisation is a local branch of a regional umbrella organisation	The organisation is a regional branch of a national umbrella organisation
Accessibility of service or function	Accessible to all QPRC residents and provides disabled access	Accessible to all QPRC residents but no disabled access is provided	Accessible to the majority of the QPRC community	Access is limited to small groups within QPRC
Alignment with QPRC's Community Strategic Plan	Project fully aligns	Project partially aligns	Project has minimal alignment	Project has no alignment
Support provided by Council in the last financial year	The organisation has received no support from Council	The organisation has received a maximum of 25% support from Council	The organisation has received a maximum of 50% support from Council	The organisation has received at least 75% support from Council
Sources of funding	The organisation relies entirely on donations from the community	The organisation can raise income from member subscriptions or participants' fees only	The organisation can raise income from member subscriptions, participants' fees and regular fundraising activities	The organisation can raise income from member subscriptions, participants' fees, regular fundraising activities and grants

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Schedule 5

S5.1 Rental rebate calculation

The level of rebate will be determined by assessing each user against the criteria and evaluating their weighted distribution across the categories.

Category	Level of rebate	From (>)	To (<)
A	High	90%	100%
B	Medium	50%	90%
C	Low	0%	50%
D	None	0%	0%

Points attained	Rebate amount	Points attained	Rebate Amount	Points attained	Rebate amount	Points attained	Rebate amount
1	0%	11	5%	21	54%	31	91%
2	0%	12	10%	22	58%	32	92%
3	0%	13	15%	23	62%	33	93%
4	0%	14	20%	24	66%	34	94%
5	0%	15	25%	25	70%	35	95%
6	0%	16	30%	26	74%	36	96%
7	0%	17	35%	27	78%	37	97%
8	0%	18	40%	28	82%	38	98%
9	0%	19	45%	29	86%	39	99%
10	0%	20	50%	30	90%	40	100%

The total score is referenced with the table above to determine the level of rebate that will be applied.

Criteria	Category A (each answer worth 4 points)	Category B (each answer worth 3 points)	Category C (each answer worth 2 points)	Category D (each answer worth 1 point)
Structural integrity	Assumes full responsibility for long-term maintenance (structural integrity) of the building	Makes some contribution to long-term maintenance (structural integrity) of the building	Makes minimal contribution to long-term maintenance (structural integrity) of the building	Council is responsible for long-term maintenance (structural integrity) of the building
Reactive and ongoing maintenance	Takes responsibility for internal and external reactive maintenance as detailed in the agreement	Takes responsibility for almost all the internal and external reactive maintenance as detailed in the agreement	Takes responsibility for some internal and external reactive maintenance as detailed in the agreement	Takes no responsibility for internal and external reactive maintenance even though detailed in the agreement
Extent of service provided by organisation	Broad community (more than 40% of QPRC residents) is a beneficiary of the service provided by the organisation	Service is significantly used by a number of specific sections of the local community	While the organisation provides a direct service to only a small number within the local community, it forms part of a larger service provision	Service is used by a small number within the local community
Extent of accessibility to community	Facilities are accessible to many in the community	Facilities are generally accessible to the community	Facilities have limited accessibility to others in the community	Facilities have limited access for the community, with fees charges being paid to the lessee/licensee
Number/type of service providers within the local community	A unique service	One of a number of providers of a similar community service	One of a number of providers meeting a less critical community need (in terms of Council-identified targets) or meeting an	Provider meets social or recreational needs only

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			identified recreational need	
Ability to charge fees and raise income	Limited or no ability to raise revenue	Some ability to raise revenue and charge fees, which may be varied to reflect ability of clients to pay	Has ability to charge fees and raise revenue	Operates on a profit basis
Access to other sources of funding	No access to other sources of funding	Limited access to other sources of funding (no more than 5% of total funding)	Access to other sources of funding (state, federal and local) which provides between 5 - 30% of total funding	Access to other sources of funding (state, federal and local) which provides more than 30% of total funding
Do they provide direct competition to commercial ventures?	No, the main activity is not a commercial one	While main business is not a commercial activity, some aspects of the business are in direct competition	While they are in direct competition with commercial providers, they provide added or differentiated service to users	Yes, they are in direct competition with commercial providers
Does their service impact on Council's need to provide a similar service?	Without this service provision, Council would be required to provide additional service	Lack of service would have some impact on Council's provision	Service is not a core responsibility of local government, but could be provided	Service is not the responsibility of local government
Organisational status and structure	The organisation is locally-based, stand-alone and not-for-profit; and it has a voluntary management committee, comprised mainly of local area representatives	The organisation is a locally-based service, has a regional focus, is stand-alone and not-for-profit; and has a voluntary management committee, comprised partly of local area representatives	The organisation is a locally-based service outlet or project that is part of a larger not-for-profit organisation; and has a voluntary advisory committee comprised partly of local area representatives	The organisation is a locally-based service, outlet or project that is part of a larger, not-for-profit organisation; there is limited, or no local area representation on the advisory committee or similar
Capacity to undertake a range of administrative and management responsibilities	Dependent on assistance from volunteers for all administrative and management functions	Paid staff undertake some of the administrative and management functions and volunteers assist with other tasks	Staff undertake the majority of administrative and management functions with additional assistance provided by umbrella organisation	Umbrella organisation carries out the majority of administrative and management functions
Social and community benefit for the local community	Service is unique and specific and meets high level of need OR service meets identified social / community needs, with most service users from low socio-economic backgrounds	Service meets identified social/community needs, with service users from a range of socio-economic backgrounds	Service meets a broad social/community need	Service is valued by the community, but is not focused on meeting an identified social / community need

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Schedule 6

S6.1 Cultural Arts Assistance Scheme Application Form



CULTURAL ARTS ASSISTANCE SCHEME Application Form

Applications are open throughout the year, or until funds are exhausted.

Privacy Management

Personal information provided in this form is required in order to process the application. Provision of the information is voluntary; however, if insufficient information is provided, support for the application will be difficult when considering competing requests. Your personal information will not be used without your prior written permission.

LODGING THE COMPLETED APPLICATION

There are three lodgement options available:

Hand-delivered to Council's Administration Offices 256 Crawford Street, Queanbeyan 10 Majara Street, Bungendore 144 Wallace Street, Braidwood	Post to: The Grants Officer Business and Innovation Branch Queanbeyan-Palerang Regional Council PO Box 90 QUEANBEYAN NSW 2620
Email to: liz.mirowski@qprc.nsw.gov.au	

GENERAL CONDITIONS FOR APPROVAL - COUNCIL ARTS ASSISTANCE SCHEME

Please refer to Council's Donations Policy when completing your application. A copy of the Policy can be viewed on Council's website at www.qprc.nsw.gov.au/Resources-Documents/Adopted-QPRC-Policies. The application form may be downloaded from Council's website at www.qprc.nsw.gov.au/Community/Grants-Donations.

The aim of Council's Cultural Arts Assistance Scheme is to assist local arts and cultural groups to develop their own projects, and to improve the Queanbeyan-Palerang community's opportunities for involvement in art and cultural activities. Applications are invited from cultural and community organisations for projects that meet the eligibility criteria, and can demonstrate that they will benefit the community through their cultural or artistic outcomes.

Applicants applying for assistance under the scheme need to ensure that any previous funds received have been acquitted. It is condition of the Scheme that projects be formally acquitted after completion of the project by using the acquittal form attached to this application and providing copies of receipts and all media and Council acknowledgement. It is a condition of the Scheme that formal acknowledgement of Council's



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support must appear on all publicity, promotion, media and correspondence relating to the assistance provided.

Applicants should seek guidance and advice from Council's Grants Officer on (02) 6285 6044 when making an application.

Eligible Projects

- The project can be of a capital nature or activity-based
- The project must be able to demonstrate that it is of benefit to the Queanbeyan-Palerang community through its cultural or artistic outcome
- Applications for 'seeding grants' for projects or new organisations will be considered.

Ineligible Projects

- Projects that are for retrospective funding
- Funding for running cost of organisations or
- Funding for private commercial ventures.
- Applications will **not** be considered until the applicant's previous projects have been completed and fully acquitted.

Eligible organisations and groups must be:

- Community based, not-for-profit organisations, preferably incorporated
- Working in or with the community of Queanbeyan-Palerang Regional Council
- Non-government organisations (e.g. school Parents and Citizens groups)
- Able to demonstrate a matching dollar amount either financial, or in-kind through voluntary contributions
- Able to complete the project (or stage) within 12 months.

Non-incorporated organisations may apply but the funds will be administered directly by Queanbeyan-Palerang Regional Council. Individuals can apply through an appropriate organisation.

Funding Amount

Grants are usually available up to a maximum of **\$750**. Grants of up to **\$1,500** will be considered if the project meets one or more of the following criteria:

- Employs a professional artist
- Attracts matching funding from another source outside Council
- Works in partnership with other community groups/government bodies
- A festival, event or project that will engage the broader Queanbeyan-Palerang community.

Assessment Process

Applications will be assessed by Council staff to ensure that they meet all the required criteria for the Cultural Arts Assistance Scheme. Cultural grants recommendations are presented to the next available Queanbeyan-Palerang Regional Council meeting, and Council makes the final decision concerning the funding of projects. Applicants are notified of the outcome of their application after the relevant Council meeting.

Applications may be submitted at any time of the year, or until funds are exhausted. Applicants should allow at least two months from submission of their application until notification of the results of their application.



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TYPE OF ORGANISATION / CONTACT DETAILS

Name of organisation/group: _____

Postal address: _____

Primary purposes and activities of organisation: _____

Number of members: _____

Names of primary office-bearers (please print clearly):

President/Chair: _____

Secretary: _____

Treasurer: _____

Contact person for this application: _____

Phone: _____ Mobile: _____

Email: _____

Is the group/organisation GST registered?

☐ Yes

☐ No

☐ Exempt

(If yes, provide ABN): _____

Is the group/organisation not-for-profit?

☐ Yes

☐ No

(If yes, provide copy of not-for-profit certificate)

Is the group a hobbyist organisation

☐ Yes

☐ No

(If yes, provide Statement by Supplier)



Donations Policy 2020

FINANCES

Please tell us why you need financial assistance from Council i.e. what financial resources are available to your organisation and why they are not sufficient for your project/event.

PROJECT DETAILS

Please provide a full description of your project or activity, indicating community groups or artists involved (If space is insufficient, please include attachments):

Donations Policy 2020

Describe how the project/activity will address the aim of the Cultural Arts Assistance Scheme i.e. 'To improve the Queanbeyan-Palerang community's opportunities for involvement in Cultural and Arts activities'.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

How will the Queanbeyan-Palerang Regional Council's community participate or be encouraged to participate during the course of the project?

[illegible]

Donations Policy 2020

Where will the project/activity be conducted?

Outline the benefits of this project on the development of your organisation / group.

If your organisation is successful, when will the project begin and be completed?



Donations Policy 2020

BUDGET INFORMATION REQUIRED

<i>Item</i>	<i>Amount sought from Council</i>	<i>Amount being contributed by your organisation</i>	<i>Amount sought from other sources (e.g. sponsors, income, etc.)</i>
Total Amount			

NOTE: Please also include a realistic in-kind value for any volunteer labour (e.g. \$25/hr) and donated materials above in 'Amount being contributed by your organisation'.

Applicants seeking in excess of \$1,000 must attach -

- 3) A copy of the organisation's most up-to-date audited statement of income and expenditure, and
- 4) A copy of the organisation's current budget.

AUTHORISATION BY THE APPLICANT ORGANISATION

The application shall be signed by an accountable executive officer and witnessed by another executive officer of the applying organisation.

I certify that the information given in this document is true and accurate, and that if the organisation receives a donation from Council, the conditions as set out in the Council's Donations Policy will be complied with. The Queanbeyan-Palerang Regional Council will be acknowledged as a sponsor of the project/activity.

Full Name (please print)	Full Name of Witness (please print)
Signature	Signature



Donations Policy 2020

Position	Position
Date	Date

FOR OFFICE USE ONLY				
Date Received/Post Marked:		File Number:		
Meets Mandatory Eligibility Requirements			Yes	No
Grant Awarded			Yes	No
Amount Awarded			\$	
Completion Date:		Acquittal Received	Yes	No
Comments				

Donations Policy 2020

Schedule 7

S7.1 Sports Assistance Scheme Application Form



SPORTS ASSISTANCE SCHEME Application Form

Applications may be submitted at any time through the year.

Privacy Management

Personal information provided in this form is required in order to process the application. Provision of the information is voluntary; however, if insufficient information is provided, support for the application will be difficult when considering competing requests. Your personal information will not be used without your prior written permission.

LODGING THE COMPLETED APPLICATION

There are two lodgement options available:

By email to leigh.penman@qprc.nsw.gov.au

Post to:

Team Leader – Sports Fields
Queanbeyan-Palerang Regional Council
PO Box 90
QUEANBEYAN NSW 2620

Up to \$7,000 assistance is available each year to applicant organisations under the program. Applications must be clearly marked '**Sports Assistance Scheme [year]**'.

For further information or assistance with this application, please contact Council's Team Leader – Sports Fields on 02 6285 6231 or 0417 027 965.

GENERAL GUIDELINES FOR APPROVAL OF COUNCIL DONATIONS

Please refer to Council's Donations Policy when completing your application. A copy of the Policy can be viewed on Council's website at www.qprc.nsw.gov.au/Resources-Documents/Adopted-QPRC-Policies. The application form may be downloaded from Council's website at www.qprc.nsw.gov.au/Community/Grants-Donations.

In allocating funds, Council will give consideration to the nature of the request, the proposed beneficiaries, equality of access, any recent donations to each applicant, whether previous funds have been acquitted, alternative funding sources and equity of support across the local government area.



Donations Policy 2020

An application for financial assistance would be enhanced by supporting financial reports such as annual financial statements, auditors' reports, recent bank statements, or references from qualified accountants, auditors or financial advisors. Any such reports and documents will only be used for assessing the financial status of the applicant and will be kept in strict confidence.

In applying for assistance from this program, applicants need to:

- ensure that any previous funds received have been acquitted
- submit the completed application form together with all supporting information required
- keep a copy of their application for acquittal purposes after the project is completed.

Incomplete applications will not be considered.

As part of Queanbeyan-Palerang Regional Council's commitment to local sport, the Sports Assistance Scheme provides funding to local sporting groups for a wide range of assistance including:

- **Equipment Assistance** - funding for clubs to purchase equipment for the sole purpose of club operations. Personal equipment, in particular uniforms, is not included. A quote or invoice indicating the cost of the purchase is needed.

Maximum grant \$1,500 on a dollar-for-dollar basis

- **Special Events Assistance** - funding for the promotion and staging of special events that are not part of a standard season program. Funds may be used for the printing of brochures, advertising, hiring of tents etc. A financial plan for the event and a copy of the proposed program of events are required.

Maximum grant \$700 on a dollar-for-dollar basis

- **Elite Athletes/Officials Assistance** - assistance for athletes/officials affiliated with a Queanbeyan-Palerang based club who are selected to compete at a national or international level. A maximum of four athletes per calendar year will be considered from any one club. Evidence of selection is needed e.g. an official letter.

Maximum grant - \$300 per athlete/official (national) on a dollar-for-dollar basis

Maximum grant - \$600 per athlete/official (international) on a dollar-for-dollar basis

Applicants must meet the following criteria:

- Be community-based and non-profit
- Be a resident of the Queanbeyan-Palerang Regional Council local government area
- Represent a Queanbeyan-Palerang Regional Council based club (if applicable)
- Be clear of debt in respect of hire fees or loans **including key deposits**.

Applications may be submitted at any time of the year with limited amount of funds available spread over the year.

In making an application to the Sports Assistance Scheme, clubs are advised to:

- contact Council's Team Leader Sports Fields who will assist you with the application process
- fill out all details in the application form
- ensure all necessary attachments are included with your application
- send the application to the Team Leader Sports Fields

All grants approved must be fully acquitted by completing the acquittal form attached to this form and attaching copies of all original receipts.



Donations Policy 2020

The completed acquittal form must be returned to the Team Leader Sports Fields on purchase of equipment or completion of the project/event. A maximum of two months between approval and acquittal is allowed.

TYPE OF ORGANISATION / CONTACT DETAILS

Name of organisation/club:

Postal address:

Primary purposes and activities of organisation:

Number of members: _____

Address of clubhouse/sports grounds (if applicable)

Names of primary office-bearers (please print clearly):

President/Chair:

Secretary: _____

Treasurer: _____

Contact person for this application:

Phone: _____ Mobile: _____

Email: _____

Is the group/organisation GST Registered?

☐ Yes

☐ No

☐ Exempt



Donations Policy 2020

(If yes provide ABN):

Is the group/organisation not-for-profit?

☐ Yes

☐ No

(If yes, provide copy of not-for-profit certificate)

Is the group a hobbyist organisation

☐ Yes

☐ No

(If yes, provide Statement by Supplier)

Donations Policy 2020

FINANCES

Please tell us why you need financial assistance from Council i.e. what financial resources are available to your organisation and why they are not sufficient for your project/event.

TIMELINE

Please provide a timeline for your project:

Have previous grants received been acquitted?

Yes

No

ADDITIONAL INFORMATION

Title of Project:

Description:

What are the funds being used for (*e.g. purchase of equipment, other assistance etc. Please be specific*)



Donations Policy 2020

Applicants seeking in excess of \$1,000 must attach:

1. A copy of the organisation's most up-to-date audited statement of income and expenditure, and
2. A copy of the organisation's current budget

AUTHORISATION BY THE APPLICANT ORGANISATION

The application must be signed by an accountable executive officer and witnessed by another executive officer of the applying organisation.

I certify that the information given in this document is true and accurate, and that if the organisation receives a donation from Council, the conditions as set out in the Council's Donations Policy will be complied with. The Queanbeyan-Palerang Regional Council will be acknowledged as a sponsor of the project/activity.

Full Name (please print)	Full Name of Witness (please print)
Signature	Signature
Position	Position
Date	Date

FOR OFFICE USE ONLY				
Date Received/Post Marked:		File Number:		
Meets Mandatory Eligibility Requirements			Yes	No
Grant Awarded			Yes	No
Amount Awarded			\$	
Completion Date:		Acquittal Received	Yes	No
Comments				

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting
Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 7 SUMMARY OF AMENDMENTS TO DONATIONS POLICY

PROPOSED AMENDMENTS TO DONATIONS POLICY 2020 - REVISED

Clause No	Current clause	Proposed amendment
2. 2	Council will assess applications and proposals for financial assistance against established criteria and will ensure compliance measures are met.	Council will assess applications for financial assistance under established criteria and will ensure compliance measures are met prior to the granting of any donation.
2.4	Funded projects will be required to provide timelines. Approved requests for financial assistance will require lodgement of evidence to Council that funds have been expended for the purpose for which the funds were approved.	Funded projects will be required to provide timelines. Approved requests for financial assistance will require lodgement of evidence to Council, through the acquittal process on completion of the project, that funds have been expended for the purpose for which the funds were approved.
2.6	Council provides financial assistance within four categories:	Under the Annual Community Grants Program, Council provides financial assistance within four categories:
2.6.1(d)	From time to time, Council may make funds available under its Annual Grants Program for local, not-for-profit community groups and, in some cases, individuals. The aim...	Subject to a competitive application process conducted between March and May each year, Council may make donations of up to \$2,000 available under its Annual Grants Program to any eligible local community groups that are not-for-profit organisations under the <i>Charitable Fundraising Act 1991 No.69</i> , and in some cases, individuals. These applicants must describe how they provide a community service within the QPRC region where there is a demonstrated community need or benefit from the proposed project. The aim...
2.6.1 New clause (e)		2.6.1(e): Organisations involved in cultural development and activities that meet the eligibility criteria for financial assistance under the Council's Cultural Arts Assistance Scheme should seek financial assistance under that scheme rather than Council's Annual Community Grants Program.
2.6.3(a)	Council will make annual donations as provided in Schedule 1 to this policy. Council will review this Schedule every two years.	Council will make annual donations as provided in Schedule 1 to this policy. Council will review this Schedule during the term of each Council.
2.6.3(b), (c) and (d)	(b) Council may, at its discretion, consider upon application a one-off rates rebate for sporting, recreational and other community organisations.	Delete clauses (b), (c) and (d) and renumber remaining clauses (b) to (d).

	<p>(c) Eligible organisations in (b) above must demonstrate that such donations will enable a particular purpose or project to be undertaken that meets QPRC's strategic objectives.</p> <p>(d) Eligible organisations in (b) above may receive a rebate of up to 100% of Council's rates and charges, depending upon their level of eligibility (see Schedule 4 for eligibility criteria calculations).</p>	
2.6.3 Note 1	Churches and religious bodies are exempt from all rates under s.555 of the <i>Local Government Act 1993</i> .	Churches and religious bodies are exempt from all rates under s.555 of the <i>Local Government Act 1993</i> , but are required to pay all charges in relation to water, sewer and waste services.
2.6.3 New Note 3		Add new NOTE 3: An application seeking rates or charges relief for sporting, recreational or community organisations must demonstrate that the relevant facility complies with all conditions articulated in Clause 5.16(iii) – (vi) of this Policy.
2.7 New clause		Under the Cultural Arts Assistance Scheme, Council provides financial assistance to local arts and cultural groups to develop their own projects and to improve the Queanbeyan-Palerang community's opportunities for involvement in art and cultural activities (see Schedule 6 for the application form and eligibility criteria)..
2.8 New clause		Under the Sports Assistance Scheme, Council provides financial and in-kind assistance to local sporting groups for equipment, special events and elite athletes/officials who are selected to compete at a national or international level (see Schedule 7 for the application form and eligibility criteria).
3. Definitions		Add new definition: <i>Facility</i> — any Council-owned asset or venue such as halls, reserves, parks, showgrounds and sportsgrounds that may be hired for a fee.
4.6	<p>This policy rescinds the following documents:</p> <ul style="list-style-type: none"> • The QPRC Rental Rebate Policy 2016 • The former Queanbeyan City Council Donations Policy 2013 	Delete (these policies have been rescinded).

	<ul style="list-style-type: none"> • The former Palerang Council Donations Policy 2015 • The former Queanbeyan City Council Rates and Charges Relief Policy 2013 	
5.8	...nominated by the General Manager.	...nominated by the Chief Executive Officer.
5.9	...addressed to Council's General Manager.	...addressed to Council's Chief Executive Officer.
6. Review	<p>This policy is a local policy and accordingly will be automatically revoked 12 months after the declaration of the poll for the next NSW general local government election, unless revoked sooner by Council. [Note: automatic revocation of this policy is provided for under s.165(4) of the <i>Local Government Act 1993</i>. The next general local government election is scheduled to be held in September 2017].</p> <p>This policy may be reviewed and updated as necessary if:</p> <ul style="list-style-type: none"> (a) legislation requires it, or (b) Council's functions, structure or activities change. 	<p>This policy will be reviewed during the term of each elected Council or as required by changes to:</p> <ul style="list-style-type: none"> (a) Legislation; or (b) Council's functions, structure or activities.
Schedule 1 - Annual Donations	<ol style="list-style-type: none"> 1. Public schools located within the Queanbeyan-Palerang Regional Council Local Government Area for their annual prize giving/speech day ceremonies, to be increased by the annual rate peg amount, rounded up to the nearest \$5.00 starting from \$100.00 donated in 2016/17. 2. A donation equivalent to the ordinary rates levied for the year to the following organisations and facilities located within the Queanbeyan-Palerang Regional Council Local Government Area: <i>(as listed)</i> 	<ol style="list-style-type: none"> 1. Public schools located within the Queanbeyan-Palerang Regional Council Local Government Area for their annual prize giving/speech day ceremonies, to be increased by the annual rate peg amount, rounded up to the nearest \$5.00. 2. Council will donate the rates and/or charges to community or sporting organisations that: <ul style="list-style-type: none"> (a) lease Council-owned land, and (b) undertake community service obligations on behalf of Council. 3. Council may consider applications for contributions to rates and/or charges from community or sporting organisations that do not lease Council-owned land but undertake community service obligations on behalf of Council.

		<p>4. In determining eligibility for donations equivalent to all or part of ordinary rates levied for the year referred to in (2) and (3) above, preference will be given to organisations that provide a worthwhile service or benefit to the QPRC community as a whole, for which there are no alternative sources of funding.</p> <p>5. In order to be eligible for such a donation under this policy, the community organisation must be:</p> <p>(a) Either based in the QPRC local government area, or affiliated with, or service, clients within the QPRC local government area, AND</p> <p>(b) An incorporated not-for-profit organisation that is able to demonstrate registered not-for-profit status with the Australian Charities and Not-For-Profit Commission or an unincorporated not-for-profit organisation under the auspices of an incorporated organisation, AND</p> <p>(c) the property is an integral part of the service provision and is not used for any commercial activity, AND</p> <p>(d) the organisation demonstrates, through its financial statements, a need for assistance to pay its rates (provided that the organisation sets its fees and charges at a proper rate of cost recovery).</p> <p>6. The following organisations and facilities have been assessed to meet the above criteria and will be granted a donation equivalent to the ordinary rates levied for the year: <i>(as listed)</i></p> <p>7. General rates do NOT include water, sewer, garbage, or waste levy.</p>
Schedule 3.2 New schedule		Acquittal form template to be used for all programs.

Schedule 3.3 New schedule		Matrix for assessment of applications under Categories A and B of the Annual Community Grants Program.
Schedule 6 New schedule		S6.1 Cultural Arts Assistance Scheme Application Form.
Schedule 7 New schedule		S7.1 Sports Assistance Scheme application form.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 8 RISK MANAGEMENT POLICY



Risk Management Policy

Date policy was adopted:		CEO Signature and date
Resolution number:		
Next Policy review date:	2024	
Reference number:	52.5.4	
Strategic Pillar	Organisation Capability	
Responsible Branch	Legal and Risk	DD/MM/YYYY

Risk Management Policy

1. OUTCOMES

- 1.1 Queanbeyan-Palerang Regional Council (QPRC) has a significant role in ensuring the quality of life of all residents within the Queanbeyan-Palerang Local Government Area, including through effective management of risks inherent to the provision of Council services and the pursuit of Council objectives.

2. POLICY

- 2.1 QPRC is committed to developing a formal, systematic, structured and proactive enterprise risk management (ERM) approach that employs consistent processes, language and systems in the management of risk across Council, and takes an organisation-wide and strategic view in determining its risk management priorities.
- 2.2 Council recognises that while risk is inherent in all its activities, the management of risk is good business practice, creates value, is integral to sound corporate governance, and is in some instances a mandatory legal requirement. In particular, effective risk management can lead to better decision-making and planning as well as better identification of opportunities and threats and is an integral element of sound strategic business management.
- 2.3 Council also acknowledges and is committed to implementing the NSW State Government's requirements for risk management strategies to be included in the planning and activities the Council undertakes under the Integrated Planning and Reporting Framework, particularly in relation to long-term financial planning and asset management. Council is also committed to meeting its responsibilities under the Local Government Act 1993 as they relate to risk management.

3. SCOPE OF THE POLICY

- 3.1 The policy is to be applied in the management of risk inherent to all Council's activities, including business continuity risk. Additional policies may be developed to provide further guidance in the management of specific risks.

4. DEFINITIONS

- 4.1 Council adopts the definitions contained in the Australian and international risk management standard, AS/NZS ISO31000:2018.

5. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

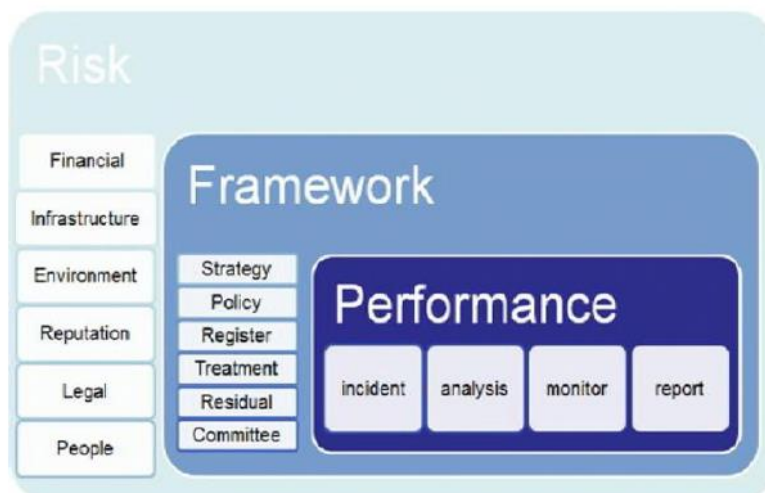
- 5.1 AS/NZS ISO31000:2018 establishes the principles and approach for an overarching risk management framework; however, relevant legislative obligations and associated standards are determined by the activity being undertaken.
- 5.2 Council will also comply with legislation governing specific risks, including:
- *Work Health and Safety Act 2011 and Work Health and Safety Regulations 2011*
 - *Environment Planning and Assessment Act 1979*
 - *Privacy and Personal Information Protection Act 1998*

Risk Management Policy

6. CONTENT

6.1 Risk Management Framework

- 6.1.1 Council's enterprise risk management framework is a set of components that provides the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management of both its day-to-day operations and strategic direction.



- 6.1.2 Council is committed to maintaining an effective, efficient and tailored risk management framework that includes:

- this policy;
- a risk management directive, updated at least annually, specifying the approach, the management components and resources to be applied to the management of risk;
- matrixes to enable the consistent analysis, evaluation and response to risk across Council; and
- a risk register recording key information about identified risks, including risk levels and controls.

- 6.1.3 The framework supports:

- a formal, structured approach to risk management that is appropriate to the Council's activities and operating environment; and
- a risk management approach consistent with the principles of the Australian and international risk management standard, AS/NZS ISO 31000:2018.

6.2 Risk Appetite

- 6.2.1 As a local government authority, Council has an obligation to its stakeholders to ensure that it does not accept high levels of risk that might impact on community wellbeing and amenity or the ongoing viability of Council. Accordingly, Council generally has a low appetite for unmitigated risks across all of its day to day operations.

Risk Management Policy

- 6.2.2 However, in order to achieve the outcomes identified in the Community Strategic Plan, Council will have to take some calculated risks to deliver the range of services and infrastructure expected by the local community. This may include risks associated with commercial development and partnerships with other public and private sector entities. In addition, as a newly formed entity there will be significant expectations from a range of stakeholders including the NSW State Government that will exert pressure on Council to meet various performance benchmarks as set out in the Stronger Councils Framework. This will also require Council to take some risk beyond levels it may have traditionally accepted in the recent past.

6.3 Implementing Risk Management

- 6.3.1 Council is committed to ensuring that a strong risk management culture exists and to developing and maintaining an approach to risk management that:
- (a) embeds risk management as an integral aspect of Council's planning and operational processes, including practices for setting fees and penalties where appropriate;
 - (b) allocates sufficient funding and resources to risk management activities;
 - (c) provides staff with appropriate training in risk management principles;
 - (d) assigns clear responsibilities and authorities to staff at all levels for managing risk;
 - (e) embeds key controls to manage risks into business processes;
 - (f) establishes appropriate mechanisms for measuring and reporting risk management performance;
 - (g) communicates risk management policies, plans and issues to staff and other stakeholders;
 - (h) takes human and cultural factors into account;
 - (i) is dynamic, iterative and facilitates continual improvement;
 - (j) promotes and encourages communication within our stakeholder community in relation to the management of risk; and
 - (k) promotes honesty with ourselves and with others in relation to the risk exposures and challenges faced by the Council.

6.4 Monitoring and Reporting of Risk Management

- 6.4.1 Risk owners are responsible for monitoring and reporting on the scope and effectiveness of their management of risks inherent to their business activities, including the timeliness and effectiveness of the treatment of risks for which they are responsible.
- 6.4.2 The Executive are responsible for periodically reviewing Council's risk profile and the risk management program to ensure that all material risks, particularly enterprise-level risks are being adequately identified, assessed and managed.
- 6.4.3 Reports to the elected Council must detail any risk management considerations relevant to the subject matter.
- 6.4.4 Reports provided within the Integrated Planning Framework are to detail relevant risk management activities and issues and Council's annual report is to include a summary of the achievements and main activities in risk management during the reported year.

6.5 Working with other Organisations

- 6.5.1 Council may consider guidance and advice provided by other organisations in respect of relevant risk management issues.

Risk Management Policy

- 6.5.2 Such organisations may include Office of Local Government, Council's insurers, Canberra Region Joint Organisation, and Local Government New South Wales and member bodies.

6.6 Accountabilities and Responsibilities for Managing Risk

- 6.6.1 Council is ultimately responsible for adopting and committing to this risk management policy, identifying and monitoring emerging risks and fully considering risk management issues contained in Council reports and other information provided to councillors.
- 6.6.2 The Audit, Risk and Improvement Committee provides independent assurance and assistance to the Council on risk management, control, governance, and external accountability responsibilities, and acting as a forum to support management of risks inherent to Council's activities and objectives.
- 6.6.3 The Work Health and Safety Committee is responsible for reviewing the risk management reporting process for effective overview of the significant risk exposures to QPRC workers; monitoring and reviewing hazards, risks and control measures for early intervention strategies for continuous improvement; and providing information and advice on how Work Health and Safety risk management strategies can be implemented.
- 6.6.4 The Chief Executive Officer is responsible for leading the development of an enterprise risk management culture across the organisation and ensuring that the Risk Management Policy and Plan are being effectively implemented.
- 6.6.5 Council's Executive are responsible for providing strategic oversight of the management of risk in accordance with Council's risk appetite, particularly in relation to risks that require a coordinated response across Council or in conjunction with external stakeholders.
- 6.6.6 Portfolio General Managers are responsible for ensuring that the Risk Management Policy and Plan are being effectively implemented within their areas of responsibility.
- 6.6.7 The Risk Management Coordinator is responsible for the day to day coordination of the Risk Management Program for the Council.
- 6.6.8 Internal Audit periodically reviews the risk management framework, including the internal controls designed to manage risk.
- 6.6.9 Managers at all levels are the risk owners and are required to create an environment where the management of risk is accepted as the personal responsibility of all staff, volunteers and contractors. Service Managers are accountable for the implementation and maintenance of sound risk management processes and structures within their area of responsibility in conformity with Council's risk management framework.
- 6.6.10 Project managers are the risk owners for risks inherent to projects they manage and are required to create an environment where the management of risk is accepted as the personal responsibility of all staff and contractors assigned to or working on that project. Project managers are accountable for the implementation and maintenance of sound risk management processes and structures within their area of responsibility in conformity with Council's risk management framework.
- 6.6.11 All staff are required to act at all times in a manner which does not place at risk the health and safety of themselves or any other person in the workplace or community. Staff are responsible and accountable for taking practical steps to minimise Council's exposure to risk in so far as is reasonably practicable within their area of activity and responsibility.

Risk Management Policy

7. PERFORMANCE INDICATORS

- 7.1 A report on the Council's risk profile and risk management performance is to be provided to the Audit, Risk and Improvement Committee at least annually.
- 7.2 The Chief Executive Officer and Portfolio General Managers are to review the Council's risks at six-monthly intervals to ensure that all relevant risks have been identified and assessed and are being managed effectively in accordance with this policy.

8. REVIEW

- 8.1 A report on Council's risk profile and risk management performance is to be provided to the Audit, Risk and Improvement Committee at least annually.
- 8.2 The Chief Executive Officer and the Portfolio General Managers are to review Council's risks at six-monthly intervals to ensure that all relevant risks have been identified and assessed and are being managed effectively in accordance with this policy.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 9 SECTION 355 COMMITTEE GUIDELINES



Section 355 Committee Guidelines

Date guidelines adopted:		CEO Signature and date
Resolution number:		
Next review date:		
Reference number:		
Strategic Pillar		
Responsible Branch		DD/MM/YYYY

Section 355 Committee Guidelines

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Section 355 Committee Guidelines

1. INTRODUCTION

1.1 Section 355 Committees

Council recognises and appreciates the important work done by volunteers through the s.355 Committee framework. These Guidelines have been developed to assist Committee members in the ongoing operation of a Section 355 committee.

Section 355 committees carry out a critical function of local government councils. Each s.355 committee of Queanbeyan-Palerang Regional Council (QPRC), and each individual member of those committees, acts on behalf of QPRC. As such, they are bound by the same legislation that binds QPRC.

There are various Acts and legislation that place requirements on Council's operations and these s.355 Committee Guidelines have been developed to ensure they are being met, thereby protecting both Committee members and Council.

Unless otherwise noted, references to the Act refer to the *Local Government Act 1993*.

1.2 Rules Governing the Appointment of a Committee

1.2.1 Sections 355 and 377 of the *Local Government Act 1993* provides that:

1.2.2 Council may appoint a committee of local citizens to exercise a function on its behalf in respect of any park, reserve, hall or facility or undertaking under the control of the Council, and delegate to the Committee the care, control and management of the work or activity, and the expenditure of such monies as the Council may vote.

1.2.3 The Council may dissolve any such committee at any time.

1.2.4 The committee must manage the facility under guidelines set by Council policy and the *Work Health and Safety Act 2011*.

1.2.5 Council reviewed its committee structure in October 2017 and resolved to modify the existing s.355 committees so that they may operate more informally and without a Councillor representative at their meetings.

1.2.6 As they will still be responsible for the operational management of a Council facility, the existing s.355 committees will "feed into" six new over-arching place-based committees which will have oversight of their plans and activities.

1.2.7 Community associations, progress and sporting associations, residents' associations and chambers of commerce will be invited to join the place-based committees.

1.2.8 These are as follows:

- (a) Araluen Locality Committee (including Araluen, Majors Creek and Gundillion)
- (b) Braidwood Locality Committee (including Braidwood, Mongarlowe, Charleys Forest and Nerriga)
- (c) Bungendore Locality Committee (including Bungendore, Gidleigh and Butmaroo)
- (d) Wamboin Locality Committee (including Wamboin and Bywong)
- (e) Captains Flat Locality Committee (including Captains Flat, Hoskinstown, Forbes Creek and Carwoola)
- (f) Burra Locality Committee (including Burra, Urila, Royalla and Fernleigh Park)

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- 1.2.9 These place-based committees will have at least one Councillor representative appointed each year in September and will report to Council twice yearly on the activities of the “feeder” s.355 committees and community associations on the following matters:

- (a) Financial statements
- (b) Recommending fees and hire charges
- (c) Annual reporting
- (d) Plans of management for the facilities/assets

1.3 Responsible staff

- 1.3.1 Council’s Service Manager Governance is the staff member responsible for the administration of s.355 committees and the Locality committees.

- 1.3.2 Council’s Finance staff provide financial reporting assistance to the committees.

2. COMMITTEE PROCEDURE

2.1 Appointment of Committees and Members

- 2.1.1 Council is authorised to appoint committees for a specific or indefinite term, however each new committee should have a sunset clause added to their charter.

- 2.1.2 All members of s.355 committees must be formally approved by resolution of Council to ensure that they are covered by Council’s insurances when acting within their delegated authority on the committee.

- 2.1.3 A member will cease to hold office if they:

- (a) resign, or fail to attend three consecutive meetings of the Committee without reasonable excuse;
- (b) die;
- (c) become bankrupt;
- (d) Council passes a resolution to remove the member from the Committee;
- (e) fail to disclose any pecuniary interest in any matter with which the Committee is concerned and take part in the consideration, discussions or votes on any question relating to the matter. (Refer Section 442 of the Local Government Act).
- (f) while holding office, are convicted of an offence referred to part 4 of the Crimes Act 1900, and
- (g) become mentally incapacitated.

- 2.1.4 Should a vacancy occur at any time, the committee must inform Council in writing regardless of whether or not it wishes to recommend a replacement. Council may call for nominations by way of public advertisement to fill a vacancy.

- 2.1.5 Membership of committees remains in Council’s control but consideration will be given at any time to recommendations from the committees on the matter of membership.

2.2 Committee Membership

- 2.2.1 As a general guide, a s.355 committee should comprise of a minimum of four members and a maximum of 12 members. All Committee members must be a registered volunteer of Council.

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- 2.2.3 Committee members who are not staff of Council are to abide by Council's Volunteer Policy and Guidelines.
- 2.2.4 Unless otherwise determined by Council, the term of membership shall be no less than 12 months and not exceed four years. The term of membership will generally be two years.
- 2.2.5 Retiring members are eligible for reappointment unless they are excluded for any reason outlined in Clause 2.1.
- 2.2.6 Members of the public are encouraged to attend meetings of s.355 committees and consider becoming a volunteer member at any time. The committees should advise Council of any new members so that they may be formally approved by Council.
- 2.2.7 Where committee membership stipulates a particular category, e.g. "community representative", "sports representative" etc, persons nominating for those categories should ensure that they are adequately qualified to represent that particular category effectively.
- 2.3 Election of Office Bearers**
- 2.3.1 The s.355 committees should elect office-bearers as follows:
- (a) Chairperson
 - (b) Deputy Chairperson (optional)
 - (c) Secretary
 - (d) Treasurer (if the Committee handles funds)
 - (e) Bookings Officer (if required)
 - (f) Publicity Officer
- 2.3.2 A member should normally only hold one office-bearer position at any one time, however given the size of some s.355 committees, a member may hold a combination of duties, for example Secretary/Treasurer or Secretary/Bookings Officer.
- 2.3.4 All positions should be declared vacant and re-elected at each Annual General Meeting.
- 2.3.5 For further information on office-bearer roles and responsibilities, refer to Appendix A.
- 2.4 Meetings**
- 2.4.1 Meetings are open to the public and may be held as often as necessary but must be held at least quarterly, unless otherwise stated in individual Committee charters.
- 2.4.2 An Annual General Meeting must be held no later than 30 September each year.
- 2.4.3 The committee shall determine the dates and venues for its meetings and provide adequate notice to the local community via newsletters, noticeboards, letter-drops and/or printed advertisements in local newspapers.
- 2.4.4 They should adhere as far as possible to the meeting procedures as outlined in Council's Code of Meeting Practice.
- 2.4.5 A financial report should be submitted to each meeting for those committees handling funds.
- 2.4.6 Each committee should advise Council of its meeting schedule to enable this to be publicised on Council's website as public information.

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2.4.7 For further information on meeting procedures, refer to Appendix B.

2.5 Quorum

2.5.1 A quorum for a meeting shall be a majority of members.

2.6 Non Committee Members

2.6.1 Non-Committee members are able to attend s.355 committee meetings, however they are unable to participate in voting and decision making.

2.7 Minutes

2.7.1 In accordance with Clause 39 of the *Local Government Meeting Regulation 2005*, each committee of Council must ensure that full and accurate minutes of their meetings' proceedings are kept. In particular, a committee must ensure that details of each motion moved at a meeting and of any amendments moved to it, the names of the mover and seconder of the motion or amendment, whether the motion or amendment is passed or lost. Each recommendation passed by the committee must have a sequential identifying number and the year, e.g. 1/2020, 2/2020 etc.

2.7.2 As soon as the minutes of a meeting of a committee of Council have been confirmed at a later meeting of the Committee or by email consensus, the person presiding at the later meeting must sign the minutes of the earlier meeting.

2.7.3 All payments should be approved at a meeting of the committee and recorded in the minutes.

2.7.4 Copies of meeting minutes are to be forwarded to Council as soon as practicable after they have been confirmed.

2.8 Annual Report

2.8.1 Council requires an annual report for every facility managed by a s.355 committee. The report must contain brief details of:

- (a) membership
- (b) office-bearers
- (c) achievements for the past twelve months
- (d) plans for the next twelve months
- (e) plans for the longer term
- (f) brief details of income and expenditure including the major source of income and any major expenditure

2.8.2 The report must accompany the submission of a financial statement. This statement is required within one month of 30 June each year. Refer to Section 4, Financial Management Part 4.9 Annual Statements of Income and Expenditure.

2.9 Charter

2.9.1 The committee will have its own written charter, approved by Council and incorporating the guidelines as set by Council.

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2.10 Powers of Committees

- 2.10.1 Section 355 committees are appointed for the care, control and management of a particular Council facility, asset or activity. The powers, duties, functions and delegations of s.355 committees necessary to manage the facility will be set out in each committee's charter.
- 2.10.2 Advisory committees are not s.355 committees but are established to provide advice and recommendations to Council.

2.12 Payment to Members

- 2.12.1 Council will not permit payments in the form of an honorarium to be made by a committee to any of its members.
- 2.12.2 The committee may, at a properly constituted meeting, approve payment for the reimbursement of reasonable out-of-pocket expenses incurred by members in the course of their work for the committee.

2.13 Disclosure of Interests at Meetings

- 2.13.1 Members of s.355 committees must declare any pecuniary interest or conflict of interest they may have with any matters on the agenda. The declarations must be stated at the start of the meeting and be recorded in the minutes, including the reason given for such interest. Any member declaring such interests must not take part in discussion or voting on the relevant item.

2.14 Further Information

- 2.14.1 There are basic procedures to follow that provide solid structures for operations – large or small. Many of these procedures are common to all kinds of committees throughout the community, not just s.355 committees.
- 2.14.2 To assist the s.355 committees, the following sections provide suggestions for good work practices:
 - (a) 7.1 Appendix A – Office Bearer Roles & Responsibilities
 - (b) 7.2 Appendix B – Meeting Procedures Guidelines
- 2.14.3 Should you require further information or direction, please contact Council's Service Manager Governance.

3. CODE OF CONDUCT

3.1 Introduction

- 3.1.1 Councillors, members of staff and delegates, including members of s.355 committees must abide by the QPRC Code of Conduct. This Code is available on Council's website.

3.2 The purposes of the Code of Conduct

- 3.2.1 To assist Councillors, members of staff and delegates to:
 - (a) understand the standards of conduct expected of them

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- (b) enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence
- (c) act in a way that enhances public confidence in the integrity of local government.

3.3 Conflicts of interest

- 3.3.1 A Councillor, member of staff or delegate must avoid and appropriately manage any conflict or incompatibility between their private or personal interests and the impartial performance of their public or professional duties.
- 3.3.2 A conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 3.3.3 A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.
- 3.3.4 Where the interest is a pecuniary one, the person with the interest must comply with the Act.

3.4 Bribes, gifts, benefits

- 3.4.1 A Councillor, member of staff or delegate must:
 - (a) not seek or accept a bribe, or other improper inducement.
 - (b) not take advantage of their official position to improperly influence other Councillors, members of staff or delegates in the performance of their public or professional duties for the purpose of securing a private benefit for themselves or for some other person;
 - (c) not by virtue of their official position accept or acquire a personal profit or advantage of a pecuniary value other than as permitted by the Act.
 - (d) Gifts of a token value (up to \$50) may be accepted provided the description of the gift and the circumstances under which it was accepted are reported to QPRC's Service Manager Governance.

3.5 Use of Council's resources

- 3.5.1 A Councillor, member of staff or delegate must:
 - (a) use Council resources effectively and economically in the course of their public or professional duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless such use is lawfully authorised and proper payment is made where appropriate; and
 - (b) not convert to their own use any property of the Council.

4. FINANCIAL MANAGEMENT

4.1 General

- 4.1.1 Extreme care must always be taken when dealing with financial matters as Council is required to comply with strict financial requirements of the *Local Government Act 1993* and Regulations. It is therefore necessary for committees to follow certain rules when handling money.



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- 4.1.2 The Chief Financial Officer is responsible for the financial affairs of Council and will offer advice and guidelines for the committees to follow.
- 4.1.3 Council may take action, including external debt recovery action, to recover any payment made by a committee, or member of a committee, outside their authority.
- 4.2 **Books of account**
- 4.2.1 Receipt Book
- (a) A receipt must be issued for all monies received.
 - (b) The original receipt book should consist of pre-numbered receipts and duplicates, so that the original may be detached and the duplicates remain in the book.
 - (c) Used receipt books must be retained and be available upon request.
 - (d) Where an error is made in writing out a receipt both the original and duplicate should be cancelled and both copies retained in the book.
- 4.2.2 Cash Book
- (a) Each committee must keep a cashbook.
 - (b) A cash book must show details of all monies received and payments made, to allow easy cross reference to the receipt book, the cheque book (if used) and the accounts paid.
- 4.2.3 Cheque Book
- (a) Payments should be made by electronic funds transfer (EFT) wherever possible. Where this is not possible, payments must be made by cheque except for any petty cash accounts.
 - (b) Full details of the payee, date and amount should be recorded on the cheque stub as well as in the cashbook. See also Disbursements – Item 4.5.
- 4.3 **Fixing of Fees and Charges**
- 4.3.1 Council fixes all fees and charges annually when developing its budget for the following year.
- 4.3.2 Committees must forward recommended fees and hire charges for the ensuing financial year on or before 30 April each year to the relevant locality-based committee or the Service Manager Governance. Any fees and charges recommended including realistic bonds, should be calculated carefully so as to cover the costs of managing and maintaining the facility including periodic maintenance such as repainting, top dressing, furniture replacement, running of events, etc.
- 4.3.3 All s.355 committees are reminded that they are responsible for the payment of utility services accounts relating to their facility.
- 4.3.4 Care should be taken to ensure that one group or one section of users does not unduly subsidise others and that all users contribute on an equitable basis.
- 4.3.5 Council retains the right to set or increase fees and charges in order to secure a reasonable fee and charge for the facility.

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4.4 Income - Receipting of Monies

- 4.4.1 All monies received must be recorded in the cashbook and a receipt issued. The committee is required to ensure that all monies due to it are in fact received and correctly accounted for.
- 4.4.2 Should the committee be unable to recover any amounts, Council is to be notified of the details in writing so that Council staff may take any further action. This should occur no later than when the account is 60 days overdue.

4.5 Expenditure - Disbursements

- 4.5.1 To allow committees to expend monies received by it, the locality-based committees each year will approve, in order of priority, such allocation of funds for the care, control and management of the facility, asset or event. Expenditure for any other purpose is not permitted without Council approval.
- 4.5.2 All payments should be supported by accounts for goods and/or services received and be made by EFT or by cheque and crossed "Not Negotiable".
- 4.5.3 All disbursements, with the exception of petty cash, must be made by EFT or cheque signed by any two office bearers comprising the Chairperson, Treasurer, and Secretary (or one other authorised office-bearer).
- 4.5.4 Receipts must be obtained for all payments made.
- 4.5.6 All accounts should where possible be submitted to a committee meeting for approval prior to payment being made and particulars recorded in the minutes.
- 4.5.7 Where payment must be made before the next committee meeting, the particulars must be recorded in the minutes of the next committee meeting to confirm such payment.
- 4.5.8 All payment must be recorded separately in the cashbook.
- 4.5.9 A committee must only operate within the levels of the funds held at any one time, i.e. it cannot borrow money or arrange for a bank overdraft.

4.6 Banking

- 4.6.1 Before any committee handles any money, it must seek approval from the QPRC Chief Financial Officer to open an account with cheque drawing facilities in the name of the committee at an approved bank through which all transactions must be made.
- 4.6.2 All monies received by the committee must be banked in the form they were received, preferably at least weekly to aid reconciliation of the bank account with the cash and receipt books.

4.7 Petty Cash

- 4.7.1 A committee may operate a petty cash account. The cash float must not exceed \$100 at any time.
- 4.7.2 Only payments of less than \$100.00 may be made from petty cash. All other payments must be made by EFT or cheque. Petty cash will normally be reserved for secretarial and treasurer expenses.

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- 4.7.3 Petty cash must at all times be kept in a locked container with the key being held by the Treasurer. Cash is not to be left at unattended Council property.
- 4.7.4 All petty cash payments must be supported by receipts/dockets, which are to be placed in the petty cash container.
- 4.7.5 At all times, the total of receipts and cash in the container must equal the total cash float. The cash float should be replenished from time to time by drawing a cash cheque to the total amount of the receipts in the petty cash container. Such receipts should then be removed and properly recorded. The receipts must be attached to the reimbursement cheque details.

4.8 Goods and Services Tax

- 4.8.1 Council has resolved to make payment of any GST payable and retain any GST refundable by a s.355 committee.
- 4.8.2 In order to minimise the impact of Council's decision, committee treasurers are asked to obtain and keep all tax invoices in relation to all expenditures as Council is only able to claim back applicable GST where these records are held.
- 4.8.3 Each committee is obliged to provide information for Business Activity Statements (BAS) as at 30 June each year for preparation of statements and audit of Committee books.
- 4.8.4 Information and guidance in relation to the requirement for GST can be obtained from Council's Chief Financial Officer, who can provide a sample record sheet for GST or an electronic version of this record.

4.9 Annual Statements of Income and Expenditure

- 4.9.1 The financial year of each committee will be from 1 July to 30 June.
- 4.9.2 A fixed accounting period for all committees is required to ensure that details are presented to Council, with their draft budget and fees for the next financial year.
- 4.9.3 Within one month after 30 June each year, the committee must prepare financial statements including:
 - (a) A statement showing all income received and payments made by the committee during the financial year ended
 - (b) A list of all assets under the committee's control as at the end of each financial year, and any liabilities, such as Council loans for improvement works
 - (c) A bank reconciliation
 - (d) A certificate from the bank certifying the balance of funds held as at 30 June.
- 4.9.4 A copy of the financial statements and attachments must be submitted to the relevant locality committee and also forwarded to Council as soon as they are completed.

5. CARE, CONTROL & MANAGEMENT OF A COUNCIL FACILITY

5.1 Management Agreement General Conditions

- 5.1.1 Committees will make adequate arrangements for use of the facilities by members of the public. Council must formally approve any fees charged by the committee.

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- 5.1.2 Committees will collect and retain any approved fees paid by the public for the use of the facility voted by Council for expenditure by the committees on minor maintenance and running expenses.
- 5.1.3 Subject to prior concurrence by Council, committees may alter or waive charges for special charitable functions.
- 5.1.4 Council will provide a copy of an Agreement to Hire form for the use of the committee (see Appendix C).
- 5.1.5 Committees are to accept responsibility for the management of the facilities including arranging and paying for electricity, cleaning and other items in the general maintenance of the facilities except rates and property insurance.
- 5.1.6 Any alterations to the area shall be in accordance with development applications approved by Council. At no time shall committees authorise expenditure in excess of available funds without prior approval of Council or the locality committee.
- 5.1.7 Council will waive development application fees incurred by s.355 committees (refer QPRC Donations Policy).
- 5.1.8 If for any reason a committee ceases to function, all funds held at that date should be transferred to Council forthwith and without deduction and all assets, improvements and equipment will revert to Council's custody.
- 5.2 **General**
 - 5.2.1 Committees must ensure that the premises and surroundings of the facility are safe. A plan and description of the facility will be annexed to the delegation document.
 - 5.2.2 Generally speaking, committees will operate with minimum Council intervention or involvement. However, it will be appreciated that the facilities involved represent an investment of public funds and Council bears ultimate responsibility for the facility. Regular liaison between the individual s.355 committee, the locality committee and Council staff is encouraged to resolve any problems before they escalate.
 - 5.2.3 Committees must manage the facility under guidelines set by Council policy and the *Work Health and Safety Act 2011 and Regulations*.
- 5.3 **Management**
 - 5.3.1 Subject to the payment of relevant fees and charges and other such considerations, the public has a right to seek the use of the facility.
 - 5.3.2 Council's buildings must not in any event be used for any purpose that may conflict with Council's planning and health requirements, or *Work Health and Safety Act 2011* and Regulations.
 - 5.3.3 Committees should exercise due diligence when hiring out Council's facilities to minimise the risk of damage and negligence. An appropriate bond should be charged for all public events.

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5.4 Maintenance and Improvements – Public Buildings

- 5.4.1 Each committee has the responsibility for ensuring that the facility under its control is maintained in a state of reasonable repair and does not present hazards to users. This may entail regular maintenance (e.g. cleaning, replacement of consumables e.g. bins, paper towels and soap, mowing and watering) and periodic maintenance such as repainting, replacement of worn or broken items.
- 5.4.2 Council's staff will inspect the various facilities from time to time but committees are expected to keep Council informed of any substantial repair or upgrading work required on the facility under their control.
- 5.4.3 Any repair work in excess of \$2,000 or any structural alterations must first be referred to Council's Service Manager Governance for approval and advice before any work is undertaken.
- 5.4.4 Any works considered necessary or desirable but beyond the means of the committee should be referred to Council in writing so that early consideration might be given to their inclusion in a works program or the allocation of Council funds.
- 5.4.5 Generally, Council will be responsible for major maintenance and improvements, such as external painting or re-roofing and building extensions, subject to the availability of Council funds, grant funding and income generated by the facility.
- 5.4.6 The committee would be expected to accept responsibility for the cost of such items as:
- (a) cleaning
 - (b) internal painting
 - (c) plumbing maintenance
 - (d) electrical maintenance
 - (e) minor repairs, such as broken windows and fittings
 - (f) installation of new internal fittings, such as cupboards
 - (g) electricity
 - (h) gas
 - (i) excess water
 - (j) provision and maintenance of furniture and equipment
- 5.4.7 Unless otherwise determined, committees will take bookings for the facility, subject to the schedule of fees being approved by Council on an annual basis.

5.5 Maintenance and Improvements - Reserves and Open Spaces

- 5.5.1 Each committee has the responsibility for ensuring that the facility under its control is maintained in a state of reasonable repair and does not present hazards to users. This entails regular maintenance (e.g. cleaning, replacement of consumables i.e. paper towel, soap, mowing and watering, advertising signage) and advising Council of periodic maintenance of a major nature, (e.g. linemarking, topsoiling, replacement or worn or broken items, fencing).
- 5.5.2 Council's staff will inspect the various reserves from time to time, but committees are expected to keep Council informed of any substantial repair or upgrading work required on the reserve under their control.
- 5.5.3 Any repair work in excess of \$2,000 or any alterations must first be referred to Council's Service Manager Governance for approval and advice before any work is undertaken.

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- 5.5.4 Any works considered necessary or desirable but beyond the means of the committee should be referred to Council in writing so that early consideration might be given to their inclusion in a works program or the allocation of Council funds.
- 5.5.5 Council will be responsible for major maintenance and improvements, such as irrigation systems, subject to the availability of Council funds, grant funding and income generated by the facility.
- 5.5.6 The Committee would generally be expected to accept responsibility for the cost of such items as:
- (a) cleaning
 - (b) plumbing maintenance
 - (c) electrical maintenance
 - (d) electricity
 - (e) gas
 - (f) excess water
 - (g) advertising signage
 - (h) fencing erected by the committee
- 5.5.7 Committees will take control of bookings for the facility, subject to the schedule of fees being approved by Council on an annual basis.
- 5.5.8 Fees received by the Committee will be retained to cover the cost of maintenance and improvement.
- 5.6 Funding Allocation – Playing Fields**
- 5.6.1 Applications for subsidy and loans towards the cost of upgrading playing fields under the management of a s.355 committee (e.g. Braidwood Recreation Ground) will be considered by Council when there is a shortfall in funds after taking into account all income, justifiable expenditure and available services.
- 5.6.2 Any application for subsidy should satisfy Council that all income is being fully utilised, adequate fees are being charged and that fields are maintained at a reasonable standard.
- 5.6.3 The s.355 committee may be required to assume total responsibility for the control of any subsidy funding.
- 5.6.4 Maintenance works can be carried out by the following means:
- (a) voluntary labour subject to prior induction and risk management
 - (b) use of contractors
 - (c) Council staff and equipment on the basis that the Management Committee pays Council the appropriate hire rates.
- 5.6.5 The Urban Landscapes staff will regularly check to ensure that the playing field is being properly maintained and that funds allocated by Council are being spent on the approved activities.
- 5.7 Keys to facilities**
- 5.7.1 Keys to all Council buildings and facilities are kept on a master system by Council's Facilities and Safe Cities team.

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- 5.7.2 The staff will provide keys to s.355 committee executive office-bearers. Any additional keys may be requested by the committee, but the allocation of these must be recorded on a key register. Each key must be signed for by the recipient and returned to the committee upon cessation of membership for any reason.
- 5.7.3 Keys issued to members other than the executive office-bearers are the responsibility of the committee. Any replacement of lost or misplaced keys will be charged to the committee.
- 5.8 **External grant funding applications**
- 5.8.1 Committees are encouraged to apply for any grant funding that may be available from the State Government or external bodies such as the Veolia Mulwaree Trust or the Bendigo Community Bank.
- 5.8.2 Prior to submitting a grant application, s.355 committees are strongly encouraged to contact Council's Grants Officer to discuss their requirements.
- 5.8.3 Depending on the specific requirements of the funding application form, committees may lodge such applications direct to the funding body; however, they must, in all cases, be approved by Council, signed by the Chief Executive Officer or their delegate, before being submitted. Where required, Council will provide a letter of support for the application.
- 5.8.4 As s.355 committees act on Council's behalf, grant applications must include details such as Council's ABN, GST status, address and responsible officer.
- 5.8.5 All grant funding requires acquittal upon completion of the project. To ensure that such acquittals can be properly finalised by Council, the committee must keep, and submit to Council, a record of all invoices, statements, payments, in-kind contributions and milestones.
6. **PURCHASES, EMPLOYMENT & INSURANCES**
- 6.1 **Purchases**
- 6.1.1 There will be many times when a committee will need to make purchases. All purchases must be made in accordance with Council's Procurement Policy.
- 6.1.2 As committees act on Council's behalf, purchases over \$1,000 need to have a Council order and be processed through Council's purchasing system. This will also take advantage of Council's GST-exempt status.
- 6.2 **Employment of persons**
- 6.2.1 A committee cannot enter into an agreement, which may be construed as an employer/employee relationship without prior Council approval. This does not preclude the committee engaging the services of contractors for the provision of in-kind maintenance works associated with the facility such as carpenters and electricians.
- 6.3 **Public Liability**
- 6.3.1 As Council appoints s.355 committees, members of such committees are included in Council's Public Liability insurance cover, which extends to all properties owned or leased by Council. Members of committees should note that they are only covered by public liability insurance when acting within the scope of their delegation and when they are an approved registered volunteer of Council.

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6.3.2 Committees should be aware that this policy is subject to a claims excess which is currently \$12,500 excess for each and every claim. For a Casual Hirer, the claims excess is \$1,000 for each and every claim.

6.4 Casual Hirer of Premises

6.4.1 A casual hirer of Council-owned facilities is one who hires a facility for no more than a total of 10 days over any 12-month period.

6.4.2 All short-term, unincorporated users of Council facilities (e.g. weddings, birthdays etc.) are covered by a master policy by Council. Please check with Council's Service Manager Governance to ensure the facility is covered.

6.4.3 Should a claim occur arising out of negligence of Council as owners of the facility hired, (e.g. the third party breaks a leg after tripping on a broken step) then Council's Public Liability – Professional Indemnity Policy is the policy to respond to the claim, not the Casual Hirers policy.

6.4.4 However, if a claim occurs arising out of the negligence of the Hirer, (e.g. the third party breaks a leg after slipping on a drink spilt on the floor) the Casual Hirers policy is to respond.

6.4.5 The Casual Hirers policy provides cover for the ad hoc hiring of Council-owned facilities, including sports facilities. However, it does not provide cover to permanent hirers of the facilities, incorporated associations, sporting bodies or associations of any kind (see permanent hirer for more details).

6.5 Permanent Hirer of Premises

6.5.1 A permanent hirer of Council-owned facilities is one who hires a facility for more than 10 days over any 12-month period.

6.5.2 Incorporated associations, sporting bodies, or association of any kind are to provide their own Public Liability Insurance cover, indemnifying Council against any claims that may arise as a result of their activities.

6.5.3 The hirer shall take out and maintain a Public Liability insurance policy with a reputable insurance office indemnifying Council and in the case of the facility being on a Crown Reserve indemnifying the Minister in the sum of not less than \$20,000,000 in respect of each and every claim.

6.5.4 The hirer shall provide Council with proof of evidence of this by presenting Council with a Certificate of Currency issued by the Insurer, establishing that the Public Liability Insurance policy is current and remains in force.

6.5.5 It is the s.355 committee's responsibility to ensure that all incorporated bodies and regular users of Council's facilities have adequate public liability cover.

6.5.6 It is also the responsibility of each committee to ensure that correct licences are held by facility users engaged in activities that require the same (e.g. carnival operators).

6.5.7 Council has public liability Insurance to cover the various committee facilities.

6.5.8 The following general information applies to the public liability policy:



Section 355 Committee Guidelines

- (a) The policy covers Council and the committee (registered volunteers) against claims made by members of the public for personal injury or injury to personal property arising from a negligent act or omission of Council and/or the s.355 committee.
- (b) When an accident occurs, members of the s.355 committee are instructed to NOT admit liability. The committee should contact Council's Service Manager Governance.
- (c) Members of the public who wish to make a claim should be requested to state their claim in writing setting out full particulars of the accident (when, where and how) and the grounds on which they hold the committee (or Council) responsible.
- (d) When a Committee receives a claim, the committee secretary should question the member/s involved and submit a report in writing concerning the particular accident as recalled by the committee member. Specific reference should be made of points raised in the claimant's claim. A full investigation will be undertaken Council's Risk Management Officer.
- (e) Claims from members of the public and the report of the incident should be forwarded together with any other relevant documentation to the Council and marked to the attention of the Risk Management Officer.

6.6 Personal Accident Insurance

6.6.1 Council has a blanket policy that covers all Council building assets and, where notified, all contents which are assets belonging to Council. Any claims for loss or damage would be subject to an excess.

6.6.2 Only items belonging to Council can be covered under this policy.

6.7 Property – Damage/Theft

6.7.1 In the event of theft or vandalism to Council property or assets, the incident must be reported to the Police in the first instance and appropriate action taken to secure the property and ensure safety of the area.

6.7.2 The reporting officer must fill out an Incident – Vandalism report (see 7.4 Appendix D) and submit to Council's Service Manager Governance for certification. The reporting will serve as an important database of information on small incidents for future reference and budgeting.

6.7.3 S.355 committees will be liable for the first \$500 on all claims below excess.

6.7.4 A claim under this provision must be made on the appropriate Insurance Claim form (see 7.5 Appendix E) accompanied by the Incident – Vandalism Report form. If a claim is successful under this provision, the items will be on a replace/restore basis only through Council's purchasing system.

6.7.5 This provision only refers to property belonging to Council:

- (a) For a claim to be successful, it must be demonstrated that the committee had exercised a "duty of care" prior to the damage or loss.
- (b) It is important that the assets of the committee are listed on Council's records. Written advice is required on new assets in the Annual Report to Council.

Section 355 Committee Guidelines

7. APPENDICES

7.1 Appendix A: Office Bearer Roles & Responsibilities

This section provides more detail on the roles, duties and responsibilities of specific office bearers, as well as the role of committee members who are not office bearers.

Chairperson

Every committee must have an appointed member as chairperson, elected from its members.

The key responsibility of a chairperson is facilitating the operations of the committee.

The duties of a chairperson include:

- (a) providing coordination, guidance and leadership to ensure the successful functioning of the committee
- (b) representing the committee in the public domain
- (c) ensuring the administrative and other tasks from meetings are carried out.

Specifically during meetings, the chairperson is responsible for ensuring:

- (a) meetings are correctly convened
- (b) a quorum is present for all decisions
- (c) meeting decisions are properly minuted
- (d) the maintenance of order at the meetings
- (e) the business of the meeting is conducted and completed properly.

If the chairperson is absent from any meeting, the committee may temporarily appoint another of its members as the chairperson.

The chairperson may vote on any motion considered by the meeting and in the event of a tied vote, the chairperson may exercise a second or casting vote.

Secretary

The key responsibility of a secretary is the administration of the committee.

The duties of the secretary include:

- (a) taking and recording minutes of all meetings
- (b) maintaining all records and correspondence
- (c) receiving all incoming correspondence and bringing it to the attention of the committee
- (d) writing and dispatching all outwards correspondence required by the committee
- (e) keeping committee members properly informed by sending them notices of meetings, agendas and copies of correspondence, reports etc. as required
- (f) liaising with the chairperson between meetings so that the business of the committee is attended to and, in consultation with the chairperson, to call extraordinary meetings as required.

Treasurer

The treasurer is responsible for keeping the committee's financial records in good order.

Section 355 Committee Guidelines

The treasurer's duties include:

- (a) maintain a bank account in the name of the committee (once approved by Council)
- (b) ensuring signatories to the account are the chairperson, treasurer and secretary (or one other office bearer) with any two to sign
- (c) recording and banking money received
- (d) paying accounts as authorised by the committee
- (e) keeping all invoices, receipts, cheque butts, bank statements etc. for audit purposes
- (f) reporting at each committee meeting current details on bank balances, transactions since the previous report, the committee's current financial position and any other information that the committee may require
- (g) preparing an annual financial report, based on the financial year.

Committee Members who are not Office Bearers

Non-office bearing members' duties include:

- (a) actively participating in committee activities and business
- (b) attending all committee meetings and participating in decision making
- (c) bringing to the committee's attention any identified problems or issues.

Non-Members as Office Bearers

Committees may find it useful to appoint someone who is not a committee member, but has relevant skills, to undertake particular tasks such as bookkeeping and secretarial work. In some cases, this will be a volunteer; in other cases the committee may engage a local accountant or bank manager to keep financial records.

7.2 Appendix B: Meeting Procedures Guidelines

Each committee should decide its own meeting frequency and times in accordance with its charter. The aim is to meet as often as is necessary for good management of the Council asset. As a minimum, one meeting must be held each quarter. It is preferable to have a set meeting day and time to avoid confusion.

The business that a committee deals with at the regular meeting will be largely determined by its level of activity. The basics that need to be covered include reports from the:

- (a) Chairperson
- (b) Treasurer
- (c) Secretary, including a list of correspondence received and sent
- (d) Progress reports on any works being done.

A committee can decide its meeting schedule at the start of each year, or determine at the end of each meeting when and where the next one will be held. A good way to remind committee members about a coming meeting is to circulate the minutes of the last meeting, plus agenda and any other papers, about a week before the meeting date.

S.355 committee meetings are open to the public because the committee is representing the community in the management of a public asset. Therefore, visitors should be able to attend meetings if they wish. They can take part in discussions only at the invitation of the chairperson, and cannot propose motions or vote.

Section 355 Committee Guidelines

Holding Committee Meetings

The following provides greater detail on meeting procedures to assist committees.

Notice of the Meeting

A notice of meeting, typically incorporated with the agenda, is circulated to committee members at least two days but preferably a week before the meeting.

Reasonable notice of meetings should also be provided to the public. This may be by publishing annually a schedule of meetings on Council's website, community newsletter, or publishing a notice of meeting prior to each meeting.

Agenda

Prior to any meeting, an agenda is prepared. The agenda is a short document that sets out the business to be dealt with at the meeting.

Usually the secretary, in consultation with the chairperson, prepares the agenda, but all committee members can nominate items of business to be included on the meeting agenda. When circulating the agenda, the minutes of the previous meeting and any reports to be considered at the meeting are usually attached.

At the start of the meeting, the Chairperson usually asks:

- (a) if there are other items of business that any member wishes to be added to the agenda
- (b) if any member wishes to change the order of the agenda.

The addition of new items at the meeting is generally acceptable, but if those items are contentious and/or some members are absent from the meeting, the meeting may decide to refer such items to a subsequent meeting of the committee so that adequate notice can be given.

Quorum

A quorum is the majority of members (the minimum number of members of the s.355 committee who must be present in order for the committee to make decisions).

If thirty minutes after the start of the meeting, a quorum has not been obtained, the chairperson will decide to:

- (a) postpone the meeting, or
- (b) conduct the scheduled business of the committee, but refer all decisions and motions to a subsequent meeting when a quorum is present for reconsideration and/or ratification.

If at any time during the meeting, a quorum cannot be maintained, the chairperson will decide to:

- (a) close the meeting and refer any unfinished business to a subsequent meeting, or
- (b) continue to conduct the remaining scheduled business of the committee, but refer all decisions and motions to a subsequent meeting when a quorum is present for reconsideration and/or ratification.

Section 355 Committee Guidelines

Voting

One method for voting is a show of hands. The chairperson calls first for those in favour of a motion and then for those opposed to a motion, and then declares the result to the meeting. In the event of a tied vote, the chairperson may exercise a casting vote. Another method is for the chairperson to ask if there is any dissent to the motion, and if there is no dissent, the motion is carried.

Addressing the Meeting

For more formally run committees, all committee members addressing the meeting must direct their remarks through the chairperson. A committee member addressing the meeting shall not be interrupted by any other member, except that the chairperson has the right to provide any direction to the member regarding the conduct of that address (e.g. appropriate language, length of time taken).

Making Decisions/Motions

Each decision of the committee should be made by a formal vote, even if everyone agrees, and be recorded in the minutes.

Decisions are made by passing motions. Any committee member may move a motion and the chairperson accepts the motion for consideration.

This could be as simple as:

‘I move that the Treasurer’s report be accepted’ Bill Smith moves.

‘I second that motion’ says Mary Jones.

The Chairperson says ‘All in favour’ (counts six raised hands); ‘All against’ (counts no raised hands). The motion is carried.

The minutes will record the wording of the motion, who moved it, who seconded it, whether it was passed or defeated. The voting margin (6-0) may also be recorded.

All motions (recommendations) passed at the meeting must have a sequential identifying number e.g. 1/2020, 2/2020 and so on. The identifying number should begin at 1 each year.

Committees may have motions that are more complicated and contentious arising from their discussions on how to proceed with a project or manage their asset. In such cases, it may be useful for the motion to be written down and read out or circulated prior to voting, so that everyone is clear about what is being decided.

If a vote is tied, the chairperson has a second or casting vote.

Members may have their name recorded against or for a motion if the motion is carried contrary to the way they voted.

A committee can only make decisions (ie move and pass motions) if a quorum of its membership is at the meeting.

Section 355 Committee Guidelines

Public Participation

All committee meetings are open to the public. The form of public participation at any committee meeting is at the discretion of the committee, and may range from simply allowing the public to witness the committee's proceedings to actively encouraging input into the discussion of items of general business.

Suggestions on managing public participation include:

- Allowing question time at the start of any meeting
- Accepting questions in writing for consideration either at the start of the meeting or as part of general business, and
- Encouraging deputations and petitions.

A committee that regularly attracts public interest may develop and circulate publicly some simple rules on how members of the public are expected to conduct themselves in committee meetings. These rules can detail any limits on participation such as limiting questions to two per person, giving the chairperson the right to eject any person disrupting the meeting etc.

Members of the public cannot vote on any matter before the committee.

Minutes

Minutes are a formal, written record of a meeting and must be kept for all meetings of the committee. They should record decisions, rather than who said what. At a minimum, the minutes should record:

- (a) The time the meeting started and finished
- (b) The place of the meeting
- (c) The names of the committee members present
- (d) Disclosure of any pecuniary interest or conflict of interest of any member.
- (e) The time of any arrivals and departures of members during the meeting
- (f) A list of all items of business considered
- (g) The exact wording of any motions moved, including the name of the mover and seconder, and the mover and seconder of any amendments to the motion
- (h) A record of any or all of the members who supported or opposed the motion if requested by any member
- (i) The results of consideration of any motions – carried, lost, withdrawn, lapsed, amended
- (j) Details of any questions taken on notice
- (k) Details of any deputations made to the Committee, or any guest speakers, and

The minutes should enable a committee member not present at the meeting to be informed of all actions and decisions arising, and the reasons for those actions and decisions.

Every page of the minutes should be numbered and bear the date of the meeting.

The minutes of a meeting should be endorsed at the following meeting as being a true and accurate record. They can also be confirmed by consensus via email to all members. The motion endorsing the minutes should only be moved by a member who actually attended that meeting. It can be seconded by any member present.

Upon ratification of the previous meeting's minutes, the chairperson should sign the minutes. Once endorsed by the signing of the chairperson, they must never be altered.

Section 355 Committee Guidelines

Minutes are a permanent record of the committee's decisions and proceedings. The secretary should keep a Minute Book that will be passed on to the incoming secretary at the end of the committee's term. In the longer term the minutes are public records of Council and must be stored and archived in accordance with the *State Records Act*. A copy of the minutes following each meeting is to be forwarded to council for correct registering and storage.

The Annual General Meeting (AGM)

The AGM is a public meeting where the committee reports to its community.

The AGM must be held no later than 30 September annually. The AGM agenda includes:

- (a) ratification of the minutes of the previous AGM and signing by the chairperson
- (b) the chairperson's report on the committee's activities of the past 12 months
- (c) presentation of audited financial statements by the treasurer or secretary
- (d) an outline of the committee's proposed activities for the 12 months, that may also include seeking the community's approval of those plans
- (e) the election of office-bearers for the following 12 months.

The AGM should be advertised at least seven clear days in advance in local newspapers, on public notice boards, in community newsletters and/or via a mail-out to users of the asset.

Committee members should receive the agenda, reports and minutes from the last AGM at least one week before the meeting.

Attendees can ask questions of the committee (only in the time set aside in the meeting to do so), but it is not a forum for taking motions from the floor or voting on proposals. These actions can only be undertaken by committee members and any such business should be held over to the next regular meeting.

The minutes of the AGM are to be forwarded to Council, along with notification of changes to names, addresses and contact numbers of office bearers.

The incoming office bearers may choose at the end of the AGM to hold the first general meeting of the committee.

Any motions which precipitate action by Council must be recorded as "Recommendations" and be submitted to Council. These recommendations will be considered by Council and may be adopted, amended or not adopted by Council.

Section 355 Committee Guidelines

The following is an example of an agenda:

Committee Meeting for the (Committee Name) Management Committee
MEETING AGENDA
Meeting No: __/20

Meeting Date:

Meeting Time:

Meeting Venue:

Members:

Apologies:

Absent:

-
1. Opening of meeting by Chairperson/ Welcome to any visitors
 2. Apologies
 3. Declarations of pecuniary interest/conflict of interest
 4. Confirmation of Minutes of the previous meeting held (*Copy of Minutes attached*)
 5. Business arising from the previous minutes
 6. Correspondence In/Out
 7. Treasurers report
 8. Agenda Items
 - 8.1. (*List any items submitted by Committee members separately*)
 - 8.2.
 9. General Business
 10. Confirmation of next meeting date
 11. Closure of meeting

(Attach any relevant documents to be sent out with Agenda)

Section 355 Committee Guidelines

7.3 Appendix C: Sample Hire Agreement Form

**Queanbeyan-Palerang Regional Council
Halls, Grounds and all Council owned or operated Facilities
Hire Agreement**

Booking enquiries phone: 1300 735 025

Hirer:.....

Contact

Person:.....

(Applicable only for Club, Association of Committee)

Address for notices:

Phone:

Council Facility Required:

Type of function facility will be used for:

Date required / /20 Times: am/pm to am/pm

Period of Hire: / / 20 to / / 20 Times: am/pm to am/pm

If hire is for a season please provide Council with a copy of the draw

Casual Hirers – Birthdays, Functions, Weddings, Family gatherings (Use of facility less than 10 times per year.)

Casual Hirer does not include commercial hirers, incorporated bodies, sporting clubs or associations of any kind.

Permanent Hirer

- Users of Council facilities more than 10 times per calendar year.
- Sporting Bodies, associations and incorporated associations
- Schools
- Commercial profit making bodies

Permanent Hirer – Must have certificate of currency for Public Liability Insurance of \$20,000,000.

Section 355 Committee Guidelines

CONDITIONS FOR FACILITY USE

The Hirer agrees to abide by the conditions set down for the hire of a Council facility.

1. To pay the fee and/or bond as shown in the Revenue Policy of Council's Operational Plan.
2. To leave the facility in a clean and tidy condition at the end of the period of hire and in particular:
 - i) To remove all rubbish, food scraps, empty drink containers, bottles and cans from the facility and place them in the bins provided at the facility.
 - ii) sweep the facility, clean up any spillage by application of appropriate cleaning liquids and agents and leave the toilet facility and/or Kitchen in a clean and sanitary condition:
 - iii) Clean the tables and chairs used during the time of hire and stack them in the storage area or against the walls of the facility.

If any facility is not left in a satisfactory condition, users will be billed for any costs incurred by Council to return the facility to a satisfactory condition or to repair damages incurred by the hirer.

3. To vacate the facility on or before the end of the time of hire.
4. **All hirers, with the exception of casual hirers, are to have a Public Liability insurance policy in force for the duration of the hire period. This policy shall be for no less than \$20,000,000. A copy of the policy must be provided to QPRC for retention on file. A tax invoice will not be sufficient, as it does not advise of the currency of the policy.**

The policy shall provide cover to the hirer for any act or omission or negligence that may cause loss, death, injury or damage to any person, equipment, personal items that can be directly attributed to the use of the facility in accordance with the terms and conditions of the agreement.

The policy will also provide cover for any damage to Council property that is caused as a direct consequence of the use of the facility in accordance with the agreement.

4. To pay for any replacement or repairs of fittings or fixtures in the facility, which is required because of the use of the facility during the time of hire, this includes repairs to equipment in the facility.
5. Before vacating the facility at the end of each period of hire, the hirer shall turn off all lights and secure all windows and doors.
6. To comply with QPRC's code for outdoor advertising for the erection and removal of sponsor signage.
7. To return to QPRC at the earliest opportunity on the day following the day of hire the keys to the facility or to pay the costs of replacement keys and change of locks should the keys given to the Hirer be lost, as the case may be.
8. Not at any time while the facility is being used pursuant to this agreement permit or suffer the emission of offensive noise. 'Offensive noise' means noise that by reason of its level, nature, character or quality or the time at which it is made, or any other circumstances is likely to be harmful to, or be offensive to, or interfere unreasonably with the comfort of a person who is outside the facility.
9. To observe the 'No smoking' policy that applies to all Council-owned facilities.
10. The hirer cannot sublet or hire out the facility to any other Individual / company or organisation.



Section 355 Committee Guidelines

The hirer agrees that should the hirer breach any of the terms above:

1. The Council shall be entitled to bring the agreement to an end and to require the immediate vacating (or 14 days for permanent occupancy) of the facility by persons using it and if such circumstances occur. The Council shall not be liable to make good any loss or damages suffered by the termination so effected or pay any compensation to anyone because of the termination.
2. The Council shall be entitled to recover from the hirer the cost of remedying or rectifying any breach of this agreement including legal and court costs of such recovery.
3. The Council shall be entitled to apply the whole part or any part of the bond paid under terms of this agreement hereof to remedy any breach of this agreement and demand from the Hirer any balance owing to it on behalf of the Council if the bond is insufficient to meet the cost of remedy and the Hirer will pay such balance to the Committee within 14 days of the demand being made on the Hirer.

The hirer also agrees with the Committee that the hirer accepts full and complete responsibility:

- For any loss of or damage to any personal property (including money, jewellery and credit cards)
- Property on hire or loan that is in the facility prior to, during and after the time of hire, which property is in the facility in connection with or as result of its hire by the hirer.

Copy of evidence of Public liability insurance collected ☐

Booking entered on Computer system ☐

Notification given to Outdoor staff as required ☐

Copy of form provided to hirer ☐

Copy of function on-licence (Alcohol) sited ☐

I,
(Hirer's representative)

agree on behalf of the

.....
that I have read, understand and agree with the conditions as set down by QPRC in consideration of the hiring of the facility for the above period:

1. To pay an advanced rental bond of \$ for the hire of the facility to the QPRC on the date of signing this agreement, or by sundry debtor account raised.
2. To pay key deposit as advertised in Council management plan upon collection of keys to the facility or by Sundry Debtor account.
3. That I have read the conditions for Facility Use Agreement and agree to abide by the requirements of this agreement.



Section 355 Committee Guidelines

Signature of the Authorised Representative of the Committee

Date/...../.....

Please note: Keys may only be obtained from QPRC in office hours 9.00am to 4.30pm weekdays only.

OFFICE USE ONLY - Hire Charges as advertised in Council's Operational Plan

Usage	Casual Hire Rate Hourly or daily	Permanent Hire Charge Per season	Office use only Receipt Number
Rate			
Key Deposit			
Bond			
Electricity costs			
Total			

Before Use

- Copy of Agreement given to Hirer ☐
- Copy of Agreement placed on file ☐
- Copy of Agreement given to Creditors Clerk for raising account ☐

After Use

- Inspection completed after Use ☐
- Key Deposit Refunded ☐
- Electricity read and charges applied ☐

BOOKINGS ARE REQUIRED SEVEN DAYS PRIOR TO USE

QUEANBEYAN-PALERANG REGIONAL COUNCIL Booking a Council Facility

Casual Hirers	<p>Are:</p> <ul style="list-style-type: none"> Those who do not wish to use the facility for more than 10 days in a 12-month period. Those who are not an incorporated body, association or sporting club. Are not required to produce a certificate of currency for Public liability Are required to completed a hire of Council facility form Are required to pay fees as set in the QPRC Operational Plan.
Other hirers of Council facilities	<p>Includes anyone using a Council facility for more than 10 days in a 12 month period</p> <p>Or</p> <ul style="list-style-type: none"> A Sporting Body



Section 355 Committee Guidelines

	<ul style="list-style-type: none"> ▪ A Club or association ▪ An Incorporated body ▪ Are required to complete a hire of Council facility form ▪ They need to produce a copy of a Public liability insurance certificate of currency. ▪ They do need to provide Council with a list of all dates the facility is required ▪ Pay fees as stated in the QPRC Operational Plan.
Council Facility	Includes: <ul style="list-style-type: none"> ▪ All halls ▪ Meeting Rooms ▪ Reserves ▪ Any Council owned property

Further information can be obtained from Council's Service Manager Governance

Please note:

- **Have an inspection report completed prior to use**
- **If stated in the management plan that the user is responsible for electricity charges that meters are read before use.**

Section 355 Committee Guidelines

7.4 Appendix D: Risk Management

What is Risk Management?

A risk is the chance of something occurring that has the potential to cause loss, damage or injury. Most activities have risk associated with them.

Risk management is setting in place practices and processes that enable risks to be identified, minimised and dealt with. Risk management seeks to minimise the impact of undesirable events, without discouraging appropriate risk taking and initiative.

Identification of Risk

There are many ways to identify risks including checklists, judgments based on experience, records, expert opinion etc.

The aim of risk identification is to generate a comprehensive list of events that might affect the Committee's operations or objectives. These risks are then considered in more detail to identify the potential impact of each risk. The identification process should be broad, so that all possible risks, no matter how small, are considered. Steps should then be taken to reduce the risk as much as possible to try to eliminate loss, damage or injury.

As a minimum, Council's insurer has advised that where a facility is hired out, the responsible Committee should have a Pre-Hirer checklist. This would need to be completed by a Committee member prior to the hirer taking possession of the facility to identify and deal with any items that may be a risk of causing loss, damage or injury.

The checklist is also helpful as it can prove that the facility was in good order before the hire, therefore the damage must have been inflicted during the hire period.

Where the Committee identifies a major risk and reducing it is outside the scope of the Committee, a report should be forwarded to the QPRC Risk Management Officer.

Council's Risk Management Officer will assist committees with preparing a risk assessment of all functions prior to these being held in Council's facilities.

Section 355 Committee Guidelines

7.5 Appendix E: Incident – Vandalism Report

Incident Details						No:	
Report Name							(Assigned unique number for incident)
Responsible Officer							
Name of person who discovered the incident							
General Details							
Employee:							
Time call received:			(24 hour time)	Date:			
Advice received from	RTA	Police	Staff	Other:			
Type of Incident (circle)	Accident - No injury	Accident - Injury / Death	Property damaged	Vandalism			
Location :							
Date arrival at site:		Time Arrival at site:					(24 hour time)
				Conforms with response time requirements:			Y / N
				Non-conformance Number (if applicable)			
				(24 hour time)			
Description of incident (attach sketch of further notes if necessary):							
Condition of facility at time of accident:							
Damage to Council property (attach photo(s) and complete Incident Repair Details form as appropriate)							

Section 355 Committee Guidelines

Details of people and/or vehicles causing damage									
Name of Police Officer attending:					Station:		Report No:		
Owner of vehicle:					Phone Number:				
Address:									
Driver of vehicle:					Phone Number:				
Address									
:									
Registration of vehicle:					Licence Number:				
Insurance Company Details:									
Details of Witnesses:									

Section 355 Committee Guidelines

7.6 Appendix F: Section 355 Property Claim Form

Queanbeyan-Palerang Regional Council
Insurance Excess Gap for S.355 Committees
Property Claim Form

IMPORTANT NOTICE

- This claim form will not be accepted without a certified incident report attached
- Omission of relevant information may delay attention to your claim

Name of Committee:

Facility:

Address:

Contact name and phone number of person signing claim form: (please print)

.....

Details of Loss:

Type of incident: (*theft / malicious damage / assault / fraud etc*)

Description of loss:

.....

Date of incident: / / 20 Property value: \$ Replacement Value : \$

Proof of purchase/receipts or replacement quote will be required to substantiate claim.

Duty of Care: (What action was undertaken to avoid the loss)

.....

.....

Police Report:

Police Station where incident was reported to:

.....

Police Officer incident reported to:

.....



Section 355 Committee Guidelines

I/We _____ declare that:

1. The loss referred to in this claim occurred in the manner set out. The particulars contained in this claim are true in every respect;
2. the committee agrees to pay the first \$500.00 as per the management guidelines

Signature of claimant: _____

Position of claimant: _____

Office use only: **Claim No:** **Sum approved:** \$

Advice / comment from Council:

.....
.....



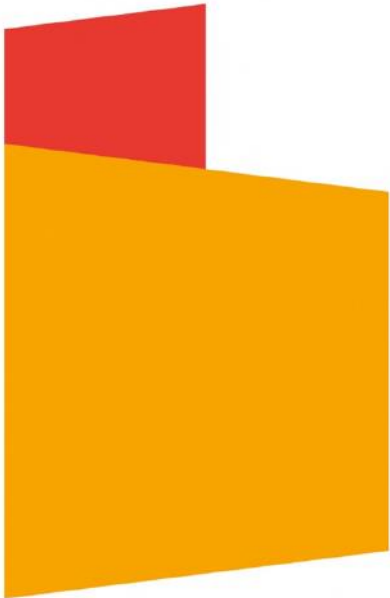
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting
Attachment

12 AUGUST 2020

ITEM 7.13 POLICY HARMONISATION

ATTACHMENT 10 POTABLE AND RECYCLED WATER SUPPLY POLICY



Potable and Recycled Water Supply Policy

Date policy was adopted:		CEO Signature and date
Resolution number:		
Next Policy review date:	2024	
Reference number:	52.5.4	
Strategic Pillar	Community Connection	DD/MM/YYYY
Responsible Branch	Utilities	

Potable and Recycled Water Supply Policy

1. OUTCOMES

- 1.1 Queanbeyan-Palerang Regional Council (QPRC) supplies potable as well as recycled water to customers within the Queanbeyan-Palerang Local Government Area. QPRC will implement and maintain water management systems consistent with the Australian Drinking Water Guidelines and National Guidelines on Water Recycling to effectively manage the risks to public and environmental health.
- 1.2 This Water Supply Policy formalises Council's commitment to responsible, safe and sustainable use of both potable and recycled water. This policy provides a basis for developing more detailed guiding principles and implementation strategies. As such, it addresses broad issues and requirements such as:
- (a) Commitment to responsible use of water, and the application of a risk based management approach
 - (b) Recognition and compliance with relevant regulations and other requirements
 - (c) Communication, engagement and partnership arrangements with agencies with relevant expertise, employees, contractors, stakeholders and with water users
 - (d) Council's intention to adopt best-practice management and multiple-barrier approach
 - (e) Continuous improvement in managing the treatment and use of potable and recycled water, and
 - (f) Considering the opinions and requirements of all partnership agencies, employees, users of recycled water, other stakeholders and the wider community.
- 1.3 Council will ensure that all staff involved in water supply will understand, implement, maintain and continuously improve the water management system.
- 1.4 Staff membership and participation in professional associations dealing with management and use of potable or recycled water is encouraged.

2. POLICY

- 2.1 QPRC supports and promotes the responsible and sustainable use of water and the application of a management approach that consistently meets the Australian Drinking Water Quality Guidelines and National Guidelines on Water Recycling, as well as recycled water user and regulatory requirements.
- 2.2 To achieve this, we will:
- (a) Ensure that protection of public and environmental health is recognised as being of paramount importance.
 - (b) Maintain communication and partnerships with all relevant agencies involved in the management of water resources, including waters that can be recycled.
 - (c) Engage appropriate scientific expertise in developing and operating the water or recycled water schemes.
 - (d) Meet the costs of providing water by applying appropriate cost recover practices.
 - (e) Recognise the importance of community participation in decision-making processes and the need to ensure that community expectations are met within a sustainable framework.

Potable and Recycled Water Supply Policy

- (f) Manage water quality at all points along the delivery chain from source to water user.
- (g) Use a risk-based approach in which potential threats to water quality are identified and controlled.
- (h) Integrate the needs and expectations of water users, communities and other stakeholders, regulators and employees into planning processes.
- (i) Establish regular monitoring of control measures and recycled water quality and establish effective reporting mechanisms to provide relevant and timely information to Council, Regulators and key stakeholders and promote confidence in the water supply and its management.
- (j) Develop appropriate contingency planning and incident response capability.
- (k) Participate in and support appropriate research and development activities to ensure continuous improvement and continued understanding of water issues and performance.
- (l) Contribute to the development of industry regulations and guidelines and other standards relevant to public health and the water cycle.
- (m) Continually improve our practices by assessing performance against corporate commitments and stakeholder expectations.

3. DEFINITIONS

Potable Water — water provided by Council, intended primarily for human consumption.

Recycled Water — water generated from sewage, greywater or stormwater systems and treated by Council to a standard that is appropriate for its intended use.

4. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

- *Water Management Act, 2000*
- *Local Government Act, 1993*
- Australian Drinking Water Guidelines
- Australian Guidelines on Water Recycling, 2006
- National Water Quality Management Strategy, 1994

5. CONTENT

5.1 The effectiveness of this policy will be measured by:

- (a) Compliance with the Drinking Water Quality Management Plan.
- (b) Compliance with the Recycled Water Quality Management Plan.
- (c) Customer feedback.
- (d) Potable water usage.
- (e) Recycled water usage.

6. REVIEW

6.1 This policy will be reviewed every four years or as required by changes to:

- (a) Legislation; or
- (b) Council's functions, structure or activities.



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 8.1 UPDATE ON TRANSFER OF RESPONSIBILITIES UNDER THE
CROWN LANDS MANAGEMENT ACT 2016

ATTACHMENT 1 CLASSIFICATION OF CROWN RESERVES



Reference: LBN19/935

Ms Libby Duncan
Queanbeyan Pelerang Regional Council
256 Crawford Street
Queanbeyan NSW 2620

Dear Ms Duncan

Subject: Queanbeyan-Palerang Regional Council request for consent to manage Crown land as operational land

Thank you for your request for Minister's consent to classify 34 Crown reserves as 'operational land' under section 3.22 of the *Crown Land Management Act 2016*.

I have reviewed the information provided and am pleased to advise that as a delegate of the Minister for Water, Property and Housing, Council is approved to manage nine Crown reserves as operational land under the *Local Government Act 1993* (see – Attachment 1).

In making this decision, I have considered justification provided by Council so as to satisfy the Minister that the land:

- a) *does not fall within any of the categories for community land under the LG Act, or*
- b) *could not continue to be used and dealt with as it currently can if it were required to be used and dealt with as community land.*

Please note, Council is able to manage these reserves as operational land except for any appointment conditions and land management rules and Council will be unable to sell the land without further consent of the Minister. All activities on the reserve must be consistent with the *Native Title Act 1993* (Cth) and therefore consistent with the reserve purpose.

It is noted that Council also requested seven Crown reserves to be classified as operational. As the delegate of the Minister, this request has not been supported and the land is to be dealt with as community land. Council is required to submit initial categorisation for these reserves prior to commencing preparation of the Plan of Management (see – Attachment 2).

It is noted that Council sought categorisation of the following Crown reserves R95678. The categorisation of these reserves requires further investigation by the department. Council will be notified of the outcome in due course.

The remaining 17 Crown reserves are 'devolved land' and are to be managed in accordance with section 48 of the LG Act therefore Council is not able to manage these reserves as if they were public land (see - Attachment 3).

If you have any further questions or need assistance, please contact Ms Victoria Arthur, A/Policy and Project Officer in DPIE - Crown Lands, on (02) 4920 5132 or via email at council.clm@crowmland.nsw.gov.au.

Yours sincerely

437 Hunter Street Newcastle NSW 2300
PO Box 2185 Dangar NSW 2309
Tel: 1300 886 235 www.industry.nsw.gov.au/lands ABN: 20 770 707 468

Document Set ID: 459458
Version: 1, Version Date: 06/11/2019



LEE McCOURT
A/ PRINCIPAL POLICY AND PROJECT MANAGER
DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT – CROWN LANDS

24/09/2019

Encl.

Attachment 1: *Schedule of Crown reserves to be managed as operational land*

Attachment 2: *Schedule of Crown reserves to be managed as Community land*

Attachment 3: *Schedule of Crown reserves not managed by Council as the Crown land manager
Council (s48 of the LG Act)*

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Attachment 1: *Schedule of Crown reserves to be managed as Operational land*

Reserve No.	Purpose(s)	Lot(s)/DP
R66450	Rubbish Depot	Lot 653 DP 40892
R91160	Bush Fire Brigade Purposes	Lot 654 DP 40893
R76152	Sanitary Purposes	Lot 490 DP 48647
R84626	Shire Council Chambers	Lot 34 DP 758152
R88693	Sanitary Purposes	Lot 7008 DP 96164
R85226	Reservoir	Lot 7306 DP 1162058 Lot 102 DP 1186382
R1038388	Rural Services	Lot 63 DP 754870
R65827	Sanitary Purposes	Lot 227 DP 755934
R91707	State Emergency Services	Lot 1 DP 40101

Attachment 2: *Schedule of Crown reserves to be managed as Community land*

Reserves to be managed as community land after consideration of the reserve purpose and LG Act.

Reserve No.	Purpose(s)	Lot(s)/DP
R1001394	Environmental Protection	Lot 489 DP 48647
R71599	Public Recreation Community Purposes	Lots 26-27 Sec. 6 DP 758223
R530017	Public Hall	Lot 1 DP 914660
R31941	Public Recreation	Lot 130 DP 754913
R73685	Day Nursery	Lot 7020 DP 1125463
R95617	Public Recreation	Lot 7303 DP 1137732
R530102	Town Hall Site	Lot 1 DP 758862

Attachment 3: *Schedule of Crown Reserves not managed by Council as the Crown land manager*

Reserve No.	Purpose(s)	Management type
R78882	Cemetery Purposes	Devolved to Council
R1016390	Cemetery Purposes	Devolved to Council
R1001283	Cemetery Purposes	Devolved to Council
R1022568	Cemetery Purposes	Devolved to Council
R67551	Sanitary Purposes	Devolved to Council
R1024028	Cemetery Purposes	Devolved to Council
R1025308	Cemetery Purposes	Devolved to Council
R1023048	Cemetery Purposes	Devolved to Council
R42954	Cemetery Purposes	Devolved to Council
R59897	Cemetery Purposes	Devolved to Council
R60174	Cemetery Purposes	Devolved to Council
R1017348	Cemetery Purposes	Devolved to Council
R1028048	Cemetery Purposes	Devolved to Council
R1028928	Cemetery Purposes	Devolved to Council

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Reserve No.	Purpose(s)	Management type
R1028948	Cemetery Purposes	Devolved to Council
R1028968	Cemetery Purposes	Devolved to Council
R1032888	Cemetery Purposes	Devolved to Council

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Classification of Crown land as operational land (form)

Reserve Number	Gazetted Purpose	Lot/DP	Parish	County	Suburb/Locality	Justification	Decision from Crown (24/09/19)
66450	Rubbish Depot	653/40892			ARALUAN	Sanitary Purposes	Operational
78882	Cemetery Purposes	7009/92828			ARALUAN	Cemetery	Devolved
91160	Bush Fire Brigade Purposes	654/40893			ARALUAN	Emergency Services	Operational
1016390	Cemetery Purposes	7016/1021151		St Vincent	ARALUAN	Cemetery	Devolved
76152	Sanitary Purposes	490/48647			BRADWOOD	Rubbish Depot	Operational
84626	Shire Council Chambers	34/758152			BRADWOOD	Council Administration Building	Operational
95678	Public Recreation	701/1020619			BRADWOOD	Water Infrastructure	Waiting
1001394	Sanitary Purposes	489/48647			BRADWOOD	Rubbish Depot	Community
1001283	Cemetery Purposes	7007-08 /1027317			BUNGENDORE	Cemetery	Devolved
88693	Sanitary Purposes	7008/96164			BYWONG	Sanitary Purposes	Operational
102568	Cemetery Purposes	7301/1143521			CAPTAINS FLAT	Cemetery	Devolved
67551	Sanitary Purposes	160/754866			CAPTAINS FLAT	Sanitary Purposes	Devolved
71599	Public Recreation	26,27/758223 ONLY			CAPTAINS FLAT	General Community Use (health centre)	Community
85226	Reservoir	7306/1162058			CAPTAINS FLAT	Water Infrastructure	Operational
1038388	Rural Services	63/754870			CAPTAINS FLAT	Water Infrastructure	Operational
530017	Public Hall	1/914660			CAPTAINS FLAT	Emergency Services	Operational
1024028	Cemetery Purposes	7008/1029622			HOSKINSTOWN	General Community Use	Community
65827	Sanitary Purposes	227/755934			KRAWARREE	Cemetery	Devolved
1025308	Cemetery Purposes	1/1105072			MAJORS CREEK	Sanitary Purposes	Operational
1025308	Cemetery Purposes	1/1105069			MAJORS CREEK	Cemetery	Devolved
1025308	Cemetery Purposes	7303-04/1148082			MAJORS CREEK	Cemetery	Devolved
1025308	Cemetery Purposes	7318/1167097			MAJORS CREEK	Cemetery	Devolved
1025048	Cemetery Purposes	7007/1031116			NERRIGA	Cemetery	Devolved
31941	Public Recreation	130/754913			QUEANBEYAN	Emergency Services	Community
42954	Cemetery Purposes	531/1136293			QUEANBEYAN	Cemetery	Devolved
59897	Cemetery Purposes	7330-7331/1153148			QUEANBEYAN	Cemetery	Devolved
60174	Cemetery Purposes	7329/1153148			QUEANBEYAN	Cemetery	Devolved
73685	Day Nursery	7020/1125463			QUEANBEYAN	Day Care Facility	Community
91707	Cemetery Purposes	1/40101			QUEANBEYAN	Emergency Services	Operational
95617	Cemetery Purposes	7303/1137732			QUEANBEYAN	Cemetery	Community
530102	Town Hall Site	1/758862			QUEANBEYAN	Council Administration Building	Community
1017348	Cemetery Purposes	55-56/754907			QUEANBEYAN	Cemetery	Devolved
1028048	Cemetery Purposes	1/758862			QUEANBEYAN	Cemetery	Devolved
1028928	Cemetery Purposes	1/650607			QUEANBEYAN	Cemetery	Devolved
1028948	Cemetery Purposes	7334/1154175			QUEANBEYAN	Cemetery	Devolved
1028968	Cemetery Purposes	7335/1154175			QUEANBEYAN	Cemetery	Devolved
1032888	Cemetery Purposes	7332/1153148			QUEANBEYAN	Cemetery	Devolved

*Potentially already operational but want to include in case Council records are incorrect.

Table 1: Multiple reserve update for crown land to be classified as operational

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 9.1 MINUTES OF THE BRAIDWOOD AND CURTILAGE HERITAGE
ADVISORY COMMITTEE HELD 9 JULY 2020

ATTACHMENT 1 MINUTES OF THE BRAIDWOOD AND CURTILAGE HERITAGE
ADVISORY COMMITTEE MEETING HELD 9 JULY 2020

Present: Cr Peter Marshall, John Stahel, Margaret Tuckwell (arrived 10.15am)

Also Present: Lorena Blacklock, Beate Jansen, Pip Giovanelli, Barry Osmond

Others Present: Nil

Apologies: Peter Smith

The Committee Recommends:

1. Nerriga Road Stage 4 (Agenda Item 8)

Barry Osmond provided an overview of the project and advised that this is Stage 4 of the Nerriga Road upgrade which provides for an upgrade of the intersection with Kings Highway. A Heritage Impact Statement has been prepared and the intersection design is being finalised. In terms of visual impact fencing is being replaced by guard rails, there will be a concrete island and concrete dish drains to direct water flow.

The Heritage Advisor's comments were that he has no issue with the project but a landscaping plan is required to ensure the intersection upgrade is an appropriate entry to the town. Appropriate treatment would be landscaping, surface treatment of concrete island of cobbles or granite. Barry advised that landscaping would be outside project scope/funding, however he will discuss this with the project team.

2. Confirmation of the Report of Previous Meeting

Confirmation of minutes of 14 May 2020 to be deferred to the next meeting

3. Business Arising From Minutes

Nil

4. Declaration of Conflicts of Interest

Nil.

5. Gold Ore Crusher Display – Ryrie Park

John Stahel spoke to the item, advising that the Historical Society's idea was to display historical exhibits around town. The timing of installing the Gold Crusher at Ryrie Park could coincide with Heritage Week events in 2021. The Heritage Advisor commented that the Gold Crusher could easily be installed on the existing concrete slab as a trial and removed if required.

6. Development Application – 2 Wallace Street, Braidwood

Recommendation (Stahel/Tuckwell)

B&C HAC 001/20

The Committee recommends that if the subdivision is to be approved, the buffer to the cemetery is to be increased by at least 10m and dense tree planting to be provided to screen the cemetery.

7. Development Application – 121 Wallace Street, Braidwood

Whilst the Committee considers that Braidwood has always been a rural service centre for the region, the impacts of the development need to be mitigated. The Committee raised concerns about the appropriateness of the development based on:

- Impact on the flame tree
- Visual impact on adjoining businesses
- Impact of the gateway design and materials
- Impact of the siting of the buildings which conflicts with the historic east-west orientation of buildings on these lots.

8. Other Business

- The Committee requested that signage should be a formal item on the next agenda and the Heritage Advisor to give a briefing on DCP signage controls.
- Resignation of Kirsty Altenburg noted with thanks.

9. Next Meeting

The next meeting will be held at 10:00 am on **Thursday 13 August 2020** in the Councillors Facilities Meeting Room at the Braidwood Offices.

There being no further business, the meeting closed at 11.50am

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 9.2 MINUTES OF THE QPRC HERITAGE ADVISORY COMMITTEE
MEETING HELD 16 JULY 2020

ATTACHMENT 1 MINUTES OF THE QPRC HERITAGE ADVISORY COMMITTEE
MEETING HELD 16 JULY 2020

Present: Mayor Tim Overall (Chair), Andrew Riley, Judith Bedford, Sue Whelan, David Loft

Also Present: Pip Giovanelli, Mike Thompson, Martin Brown, Beate Jansen, Kaycee Dixon-Hilder

Others Present:

Apologies: Cr Peter Marshall, Jane Underwood

The Committee Recommends:

1. Confirmation of the Report of Previous Meeting

Recommendation (Whelan/Riley)

That the report of the meeting of the Committee held on 25 June 2020 be confirmed.

2. Business arising from the minutes

Nil.

3. Declaration of Conflicts of Interest

Nil.

4. Development Application – 55 The Crescent, Queanbeyan

Mike Thompson reminded the Committee of the background to the DA – 55 The Crescent, Queanbeyan, which proposed to demolish the existing dwelling due to its structural defects and to build a new dwelling.

The Committee held a site inspection prior to the Committee meeting, however access to the building was not possible.

The Heritage Advisor provided the following comments:

- Whilst the building is located within the Heritage Conservation Zone, it is not a listed Heritage Item.
- Even from inspecting the outside of the building only, the structural problems are quite evident.
- Extensive renovation works would be required and once completed not much of the original fabric of the building are left.
- The proposed new dwelling design is appropriate.

a The Committee had differing views in regard to the proposal and was unable to reach consensus on the proposal.

Mike Thompson confirmed that the DA will be accompanied by a report from Council's Heritage Advisor when the matter comes before Council.

5. Development Application – 22 Woodger Parade, Queanbeyan

Mike Thompson provided an overview of the DA – 22 Woodger Parade, Queanbeyan, which is for a new dwelling. The previous dwelling was demolished under the NSW Government's Loose Fill Asbestos removal program and a new dwelling constructed by the same owner. The site is a difficult site as it is subject to flooding and any new dwelling is required to have a floor level above the Flood Planning Level. This has resulted in the current elevated design. The DA is referred to the Committee as the site is located in the vicinity of a listed Heritage Item, Glenrock House (located opposite the subject site).

The Heritage Advisor had the following comment to make:

- The visual impact is minimal due to the fall of the site. From the listed Heritage Item the visual impact will be even more reduced due to the existing trees on this site.
- The proposed building design is acceptable and is compatible with the streetscape and other existing dwellings in the street.
- The building design could be softened with articulation of the front façade which presently does not include a front door and some open timber cladding underneath the building on the front façade of the supporting columns.

Recommendation (Whelan / Riley)

QPRC HAC 02/21

That the Committee has no objection to the proposal subject to the building design including articulation of the front façade (which could include a front verandah and front door) and some open timber cladding underneath the building on the front façade of the supporting columns.

Other Business

The Heritage Advisor raised the issue of promoting the artistic heritage of Braidwood and asked how this can be promoted. The Mayor advised that QPRC does hold the Regional Art Awards. These are open to the entire region, however they could have a specific theme. The Mayor will follow this up with Council's Portfolio Manager, Community Choice.

Mike Thompson provided an update on the proposed community building at South Tralee which is required to incorporate materials from the demolished heritage building. The developers have met with their Heritage Consultant and will come back to Council with more details on how this material will be incorporated into the design of the new community building.

The Mayor asked if Committee members could be provided with copies of the recently launched Bungendore and Braidwood Heritage Booklets.

6. Next Meeting

The next meeting will be held at 4.30pm on **Thursday 20 August 2020** in the Committee Room at Queanbeyan Council Chambers.

There being no further business, the meeting closed at 5.30 pm.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 9.3 MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY
ADVISORY COMMITTEE HELD ON 6 MAY 2020

ATTACHMENT 1 MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY
ADVISORY COMMITTEE 6 MAY 2020



**Report of the Environment and Sustainability Advisory Committee Meeting
6 May 2020 @ 4pm**

Present: Cr Peter Marshall (Chair), Katrina Willis (Community Representative); Tom Baker (Queanbeyan Landcare), Meagan Cousins (Community Representative)

Also Present: Michael Thompson (Portfolio General Manager), Natasha Abbott (Service Manager Natural Landscapes and Health), Cameron Pensini (Sustainability Officer)

Apologies: Paul Downey (Community Representative)

1. Declarations of Interest

Nil

2. Confirmation of report of the previous meeting

Minutes accepted. Moved Cr Marshall/ Seconded Tom Baker

3. Matters arising from previous minutes

Nil

4. Draft Local Strategic Planning Statement

Council has prepared the Draft Local Strategic Planning Statement – ‘Towards 2040’ which is now open for community comment until 25 May 2020. Members to submit individual responses via “Your Voice” on website or email David.Carswell@qprc.nsw.gov.au .

The Draft Local Strategic Planning Statement (LSPS) – ‘Towards 2040’ sets out:

- The 20 year vision for land-use in the local area;
- The special characteristics which contribute to local identity;
- Shared community values to be maintained and enhanced; and
- How growth and change will be managed into the future.

The NSW Government requires all councils to prepare and make Local Strategic Planning Statements. LSPS’s are also required to meet the various statutory requirements of the *Environmental Planning and Assessment Act 1979*.

The Draft LSPS’s visions, objectives and planning priorities provide the rationale for how land-use decisions will be made to achieve the community’s broader goals.

The Draft LSPS works in concert with the Community Strategic Plan 2018-2028 to set out the community’s long-term vision and aspirations for all Council’s planning activities. Its vision, planning priorities and associated actions have drawn heavily on the extensive and various community consultations undertaken for the Community Strategic Plan 2018-2028.

Member Comments which were taken note of included the following:

- One month exhibition is not long enough.
- If it doesn't address consideration of bushfire preparedness and experiences then it is not fit for purpose.
- The language is weak, "minimise" "take account" does not address challenges to withstand the impact of climate change. The document should be more ambitious and take an opportunity for better planning such as orientation and solar power.
- Poor of Government to require a document by 1 July, when we were expected to have a new Council in September who will be committed to this for 20 years. (Review required every 7 years)
- Priorities required specifically for Bungendore and Braidwood.
- Priority 7 (We actively promote and implement sound resource conservation and good environmental practice) must be LGA wide.
- New Biodiversity study to be LGA scale, updating information for whole LGA, with community input.

5. Waste Strategy

It is proposed that the Draft Final Report will be ready for the Waste Strategy Working Group by the end of May. A report to Council will be to the June meeting for release to public exhibition.

6. New Queanbeyan Sewerage Treatment Plant

The draft concept plan has been developed based on design criteria and preferred treatment processes. The project is using the ISCA process and aims to achieve an 'Excellent' design rating for the design of the new STP. The draft concept has been submitted and reviewed internally by QPRC staff as well as technical assessors from NSW Department of Planning, Industry and Environment and representatives from the ACT Environment Protection Agency. It is intended to submit the finalised concept plan by the end of May. Public consultation on the design will follow the submission of the finalised concept plan.

7. Googong Recycled Water

QPRC are in the final approval stage with few minor issues to be resolved with DPIE. All infrastructure is ready to go, with education materials and communications with residents the remaining phase before release of recycled water into the network. This is estimated to be September this year.

8. Integrated Transport Strategy

Advice has been received that the integrated Transport Strategy has been presented to Council and minor amendments are to be made.

Outstanding questions asked by the Committee include:

- If not quite finished has it impeded allocation to the budget and roll out?
- Committee would like to see a plan for roll out?
- Is funding going to be provided in the budget?

9. Riverside Caravan Park

Physical works to Riverside Caravan Park have been completed. Council has agreed to negotiate a lease with Crestview Caravan Park owners, for 5 years. Due to COVID constraints commencement of the lease will not be likely to commence until September.

Some additional planting is still required along river bank to provide more concealment for platypus moving around weir.



10. Draft Climate Change Action Plan

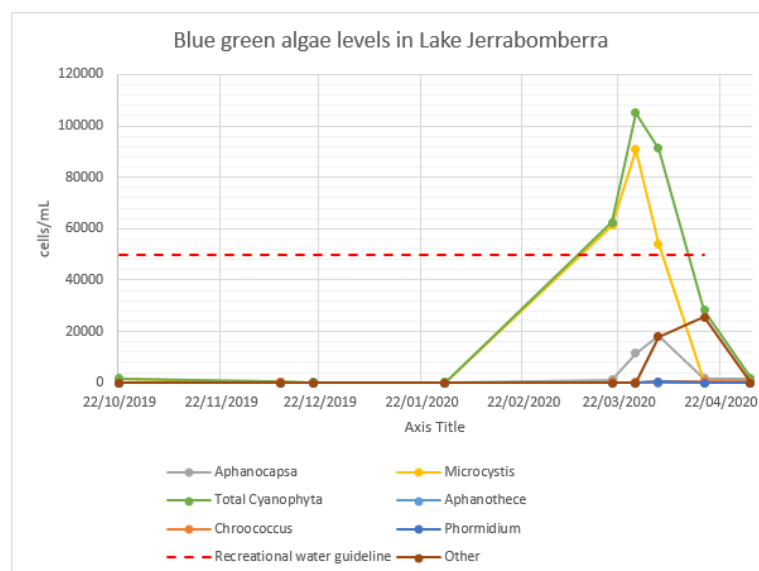
Public exhibition closed with 73 submissions. Many were 6-7 pages long. There were 150 key issues and changes to be considered. A report on the submissions is to be taken back to Council 27 May 2020.

Member Comments:

- Surprised at number of submissions and detail
- Bushfires featured in submissions
- Good response by Bungendore and Braidwood residents.

11. Lake Jerrabomberra

Since the introduction of the ultrasound units in Lake Jerrabomberra, staff have been monitoring the algae levels. There was good rain in February and heavy rains in March. Residents reported heavy sediment loads being washed into the lake. Spikes in blue green algae usually occur around the end of February but this year levels were relatively low. There was an unseasonal spike in blue green algae in late March. The spike was likely caused by the increased nutrients in the sediment load from the rain. It is not clear whether the ultrasound units actually reduced algae growth during the summer months, though it appears to have eased again now.



9.3 Minutes of the Environment and Sustainability Advisory Committee held on 6 May 2020
Attachment 1 - Minutes of the Environment and Sustainability Advisory Committee 6 May 2020 (Continued)

Date	Aphanocapsa	Aphanothece	Chroococcus	Microcystis	Phormidium	Total cyanobacteria of concern	Other	Total Cyanophyta
22/10/2019	173	0	0	1402	0	1575	0	1580
10/12/2019	323	0	152	0	0	475	0	475
20/12/2019	152	0	19	0	0	171	19	190
29/01/2020	154	20	0	0	0	174	0	174
10/2/2020	Rainfall 60mm							
14/2/2020	Rainfall 2.6mm							
16/2/2020	Rainfall 6.8mm							
19/2/2020	Rainfall 4mm							
4/3/2020	Rainfall 12.8mm							
5/3/2020	Rainfall 37.6mm							
6/3/2020	Rainfall 22mm							
9/3/2020	Rainfall 4mm							
14/3/2020	Rainfall 5mm							
15/3/2020	Rainfall 1.8mm							
20/03/2020	1205	0	196	61164	0	62565	0	62600
26/3/2020	Rainfall 2mm							
27/03/2020	11514	0	190	90896	0	102600	0	105000
30/3/2020	Rainfall 13.2mm							
2/4/2020	Rainfall 1.4mm							
3/4/2020	Rainfall 20mm							
3/4/2020	18169	0	588	54145	402	73304	17954	91200
4/4/2020	Rainfall 8.2mm							
10/4/2020	Rainfall 12mm							
11/4/2020	Rainfall 2mm							
17/04/2020	1646	0	608	451	0	2705	25696	28400
29/4/2020	Rainfall 1.6mm							
30/4/2020	Rainfall 24.4mm							
01/05/2020	1463	0	418	181	0	2062	0	2062

12. Keep Australia Beautiful Awards

The Sustainable Communities - Tidy Towns (regional) Awards Programs reward and celebrate the achievements of NSW councils, community groups, businesses, schools, individuals and towns in keeping our state sustainable.

These annual awards recognise projects that reduce litter, minimise waste, encourage recycling, promote heritage and culture, habitat, and celebrate community spirit and many other environmental areas.

Awards categories include:

- Aboriginal Cultural Heritage
- Circular Economy
- Coastal and Waterways Protection
- Community Spirit and Inclusion
- Don't Be a Tosser! Litter Action
- Environmental Communication
- Habitat and Wildlife Conservation
- Heritage and Culture
- Recycled Organics
- Renewable Energy
- Response to Climate Change
- Return and Earn Litter Prevention
- Schools Environmental Achievement
- Sustainable Projects
- Waste Less, Recycle More Waste Minimisation
- Young Legends Environmental

If the town has 4 winning entries in an area then it could be up for the major "Tidy Town" award. Community groups are encouraged to enter. There is no cost to enter. Entries close Monday 29 June 2020

13. Increasing Resilience to Climate Change Grant

An urban forestry steering group has been established with key Council staff and community reps and a request for heat mapping quotes is underway. At this stage, vulnerability assessments will be undertaken after the heat maps have been developed, as they will provide an indication of what areas to target first and therefore what trees to target. This information will assist in development of a Tree replacement strategy and policy.

Note this is not just trees but vegetation, assessing trees which have been impacted by drought.

14. Events Management Policy

A report went to Council on 22 April 2020, to place the Draft Sustainable Events Management Policy on public exhibition.

That the draft Sustainable Events Management Policy was deferred for discussion at a workshop, which was then held on 29 April 2020. The events team representative attended and they are also reviewing Event Guidelines so this is an opportunity to link the two documents for a comprehensive events package. The two will then go back to Council.

15. Actions List

QPRC ESAC 01/19 – What has happened to Sustainability Policy? Once Climate Change Action Plans are adopted we can review new emission targets.

QPRC ESAC 09/18 – What has happened with Repair Café? It has been incorporated into the Draft Climate Change Action Plan. Waiting on legal advice.

16. Officers Reports

Nil.

17. Members Reports

African Love Grass - African Lovegrass was identified along the old portions of the centre median on Ellerton Drive and has since been sprayed. These weeds are prevalent around Queanbeyan, along major roads and many parts are treated too late, dispersing seed. This is a threat which in some parts such as north and east are clean. Community education must be increased.

Cross border approach required. Used to have a regional weeds committee. Need to approach ACT to set up a cross border Government process or forum to discuss extent of problem to keep weeds under control. Could be under CBRJO? Not just controlling and spraying but also public education.

RECOMMENDATION: (QPRC ESAC 01/20) - That Council invest additional resources in weed management of biosecurity weeds not under control in LGA. Moved KW/Seconded TB

National Tree Day – Sunday 2 August 2002, planned at this stage depending on restrictions. Keep an eye on announcements. Some sort of activity to be planned. Could be weeding last year's section.

Landcare Plant Identification Walk - Tom Baker and Bill Willis have led a tour on Mount Jerrabomberra with 22 Council staff identifying trees and shrubs. The day was informative and appreciated by staff.



Draft Operational Plan - Council has placed its draft Operational Plan and Revenue Policy and Fees and Charges for 2020-21 on public exhibition from 24 April until 1 June 2020. Includes a detailed budget and capital works program for 2020-21.

Next Meeting

Next Meeting is planned for 15 July 2020.

There being no further business, the meeting closed at 5.15pm.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 AUGUST 2020

ITEM 9.4 MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY
ADVISORY COMMITTEE MEETING OF 15 JULY 2020

ATTACHMENT 1 MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY
ADVISORY COMMITTEE MEETING HELD 15 JULY 2020



**Report of the Environment and Sustainability Advisory Committee Meeting
15 July 2020 @ 4pm**

Present: Cr Peter Marshall (Chair), Katrina Willis (Community Representative); Tom Baker (Queanbeyan Landcare)

Also Present: Michael Thompson (Portfolio General Manager), Natasha Abbott (Service Manager Natural Landscapes and Health), Simon Holloway (Coordinator Natural Landscapes), Cameron Pensini (Sustainability Officer);

Apologies: Paul Downey (Community Representative); Janelle Dennis (Molonglo Conservation Group)

1. Declarations of Interest

Nil

2. Confirmation of report of the previous meeting

Minutes accepted. Moved Cr Marshall/ Seconded Tom Baker.

3. Matters arising from previous minutes

Sustainable Events Management Policy – Council deferred exhibition of the Sustainable Events Policy at its meeting of 22 April 2020 and requested the subject be discussed at a Workshop.

Workshop was held on 29 April 2020, outcome was that the Events Team will be releasing a new Events Policy and Guide which will incorporate sustainability issues. They will coordinate presentation back to Council.

Biosecurity Weeds (African Lovegrass) – What was the outcome of increased resources to combat Lovegrass? - Minutes from the last meeting had not yet been presented to Council and as such the Committee's recommendation has not been considered.

4. Update on New Waste Strategy

Advised that a Draft is almost ready to go back to the Waste Strategy Working Group.

5. **Integrated Transport Strategy**

Council adopted the Integrated Transport Strategy and Bicycle and Pedestrian Facility Plans as amended with reference to appropriate rural residential transport on 25 September 2019.

Discussion on the Transport Strategy included the following:

- What actions from the strategy have been funded this year? It needs a Plan of implementation.
- Cycling – During pandemic more people are out walking and cycling, kids on bikes. QPRC needs to support more cycling and walking. Recommit to making it safer to get around the older part of the City. Very dangerous on the roads. The need to focus more on commuting for bikes, encouraging people not to have a car, facilities like recharge stations at bus interchange for electric bikes. Promote car sharing, services to hire a car. More people in the City don't need a car. Need more bike racks.
- Used to have a bike committee. There should be a committee set up for the implementation of the strategy. Committee to look for opportunities and assist in implementation of the Strategy. RMS Traffic Committee is roads authority and we need to expand it. Nothing stopping Council having a committee for Transport.

Action: Bring back list of Transport Strategy projects funded in 2020/2021

6. **Climate Change Action Plans**

Council adopted the Climate Change Action Plans on 27 May 2020, noting that actions requiring funding will be considered for inclusion in future Delivery Plans.

The Climate Change Action Plans comprise two separate documents. These are:

- QPRC Council Operations Climate Change Action Plan
- QPRC Community Climate Change Action Plan

Council received a total of 32 written submissions and 40 'Your Voice' comments from the community and Council staff. Over 100 actions have been adopted to complete with significant carbon abatement. Next stage is to put forward actions into delivery plans.

Some funded projects in 2020/2021 include:

Action Number	Project	Funds allocated
CU 6.2.2	Electric vehicle charge station	\$10,000
CU 6.6.5	Community Air Quality Monitoring Network	\$15,000
CO 7.4.1 & CO 7.4.2	Efficient Street Lighting Update	\$3,300,000

7. Lake Jerrabomberra

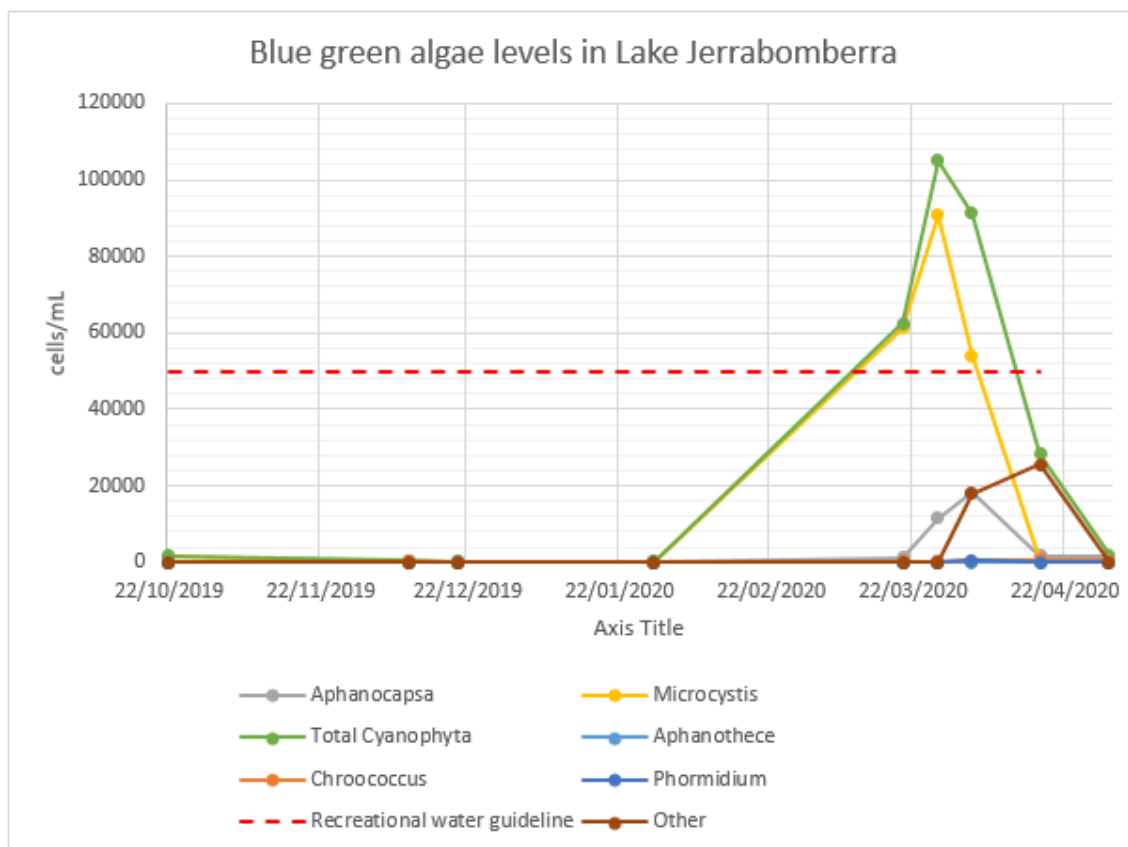
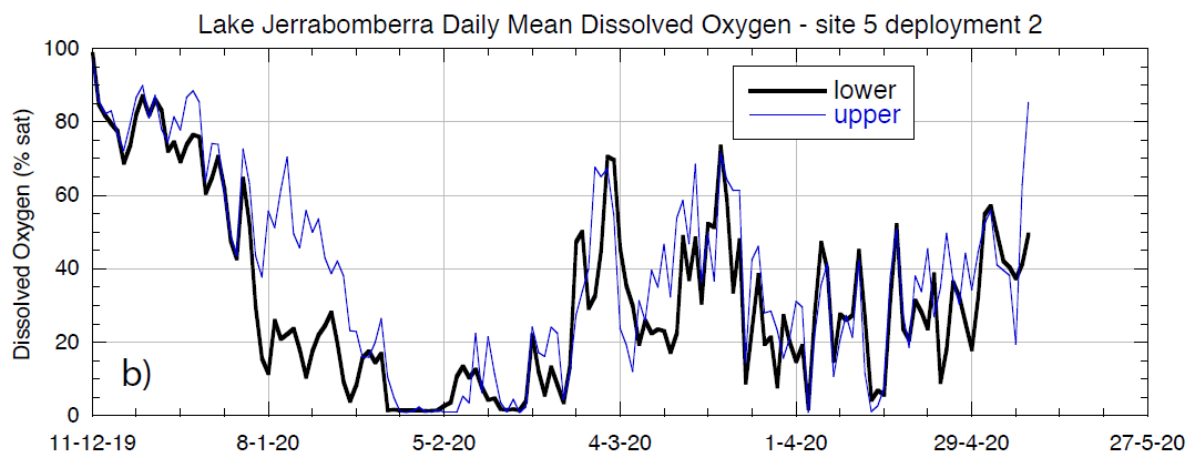
QPRC retained Reservoir Doctors Pty Ltd to provide quality assurance and basic analysis of temperature and dissolved oxygen data measured using PME miniDOT2T loggers in Lake Jerrabomberra during two deployments between September 2018 and May 2020 (September 2018 - June 2019, December 2019 - May 2020).

The loggers were deployed to provide a quantitative estimate of dissolved oxygen concentrations in the Lake in order to facilitate informed management of the risk of fish kills that had been experienced previously and that were attributed to oxygen depletion in the Lake.



The general seasonal pattern reveals a spring-early summer warming through the end of January with seasonal cooling commencing by early February. The maximum daily mean temperature was 27-28 °C in both years. Water temperatures during January 2020 were noticeably cooler (roughly by 3-4 °C) than in January 2019 which most likely reflects the impact of the bushfire smoke in attenuating solar insolation. The 2018-2019 deployment will be more representative of 'normal' years.

Dissolved oxygen varies seasonally in the lake. It dropped steadily from roughly 80% saturation on 11 Dec 2019 to anoxic (no oxygen) conditions by the last week of January. In late January, there was a period of roughly one week where the loggers reported no oxygen anywhere in the water column (see graph). These conditions pose a risk of a fish kill if they extend throughout Lake Jerrabomberra. From March through April the dissolved oxygen concentration oscillated in the range 20-60% with characteristic values in late April of 40% for the upper loggers and 30% for the lower loggers.



Summary of findings:

- Sites 1 & 2 have mixing of the water column – they're shallower, and site 1 receives stormwater which is likely more oxygenated than the Lake.
- Site 3 is deeper and there is almost no mixing of the water column. The lower logger reported no or very low oxygen levels for months.
- DO decreases over the summer months and recovers as it gets colder.
- In January there was a week where none of the loggers detected any oxygen anywhere in the water column – this would have been the highest risk for a fishkill. Algae numbers were low at this time – the bloom we had this year was in March.
- We need more and better recorded data (calibration, location consistency including depth)

That the very low oxygen in the last week of January does not line up with the algae bloom is interesting. It does match up with the rainfall events. So inflow stormwater may be a contributor. Focusing more on catchment and considering aeration technology rather than algae control for the lake may be the next step forward.

8. Queanbeyan Nature Reserve

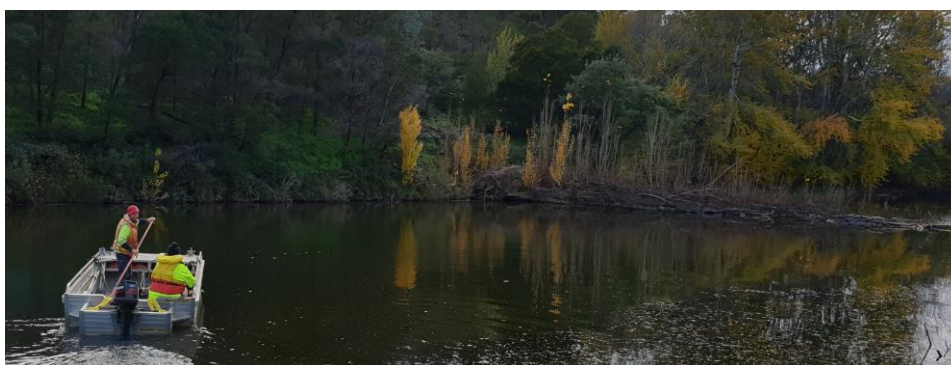
During July, NSW National Parks & Wildlife Service and Council have undertaken prescribed burning to remove felled pine trees from the reserve. In addition, feral rabbit burrows have been ripped for pest control. RFS have been consulted and appropriate checklists completed. Flyer has gone out to homes in the area, pedestrian access to be closed and risk assessment includes signage on Lanyon Drive during works.

Pines are providing harbourage for rabbits and fire risk in summer months.



9. Fallen Poplar in River

Members of Queanbeyan Landcare have been concerned about a fallen Poplar in the Queanbeyan River. Recent operation has been undertaken to remove the fallen tree.

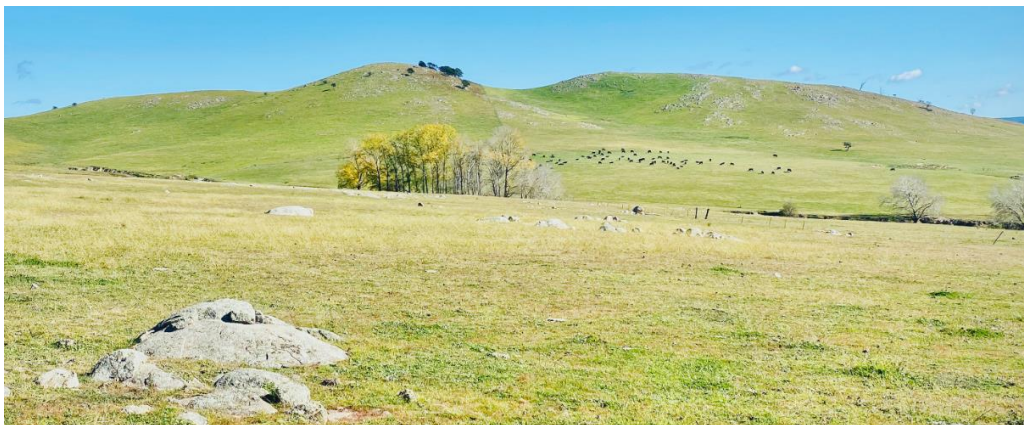


10. Beefing Up Braidwood

The Beefing up Braidwood project was grant funded project of \$500,000. The program was funded by the Federal Government through the *Communities Combating Pests and Weed Impacts During Drought Program - Biosecurity Management of Pests and Weeds* program. This was a 12 month project which has now been finalised.

Fifty local participants had Property Management Plans prepared and high resolution aerial photography of each property has been printed and laminated at A0 poster size. The maps show high resolution 10cm imagery flown across 400km² covering the Braidwood grazing area. This keepsake of their project participation should also serve as a valuable resource for the farmers and the future weed management of their property. In addition, targeted sites had drone survey imagery captured at 2cm resolution to better identify and map weed species. This imagery covers more than 36km², a significant achievement for Council's drone survey program supported by contractors.

A short video about the project was also produced: https://youtu.be/VEgni_Tf9q4



11. Turallo Creek Clean Up

On 28 February 2018, Council resolved to consider the inclusion of \$60,000 funding in the 2018-2019 Operational Plan for Stage 1 works and Stage 2 works to undertake initial removal of litter, debris and smaller woody weeds in the Coomon section of Turallo Creek in Bungendore.

The section of Turallo Creek between the railway bridge and Tarago Road bridge is heavily infested with Willow trees and other invasive woody weeds. These cause significant blockages to natural water flow particularly due to tree trunks growing in-stream that catch fallen branches and other waste materials.



A Draft Project Plan is being finalised which recommends staging works so that removal of woody weeds from within the watercourse and riparian zone occurs in manageable sections of the Creek, followed by targeted revegetation with a combination of local native grasses, herbs, shrubs and trees. This allows immediate replanting and stabilisation of cleared areas, ensures that habitat loss is minimised, and retains the amenity values of the majority of the Creek area throughout the rehabilitation process. Contractors have commenced clean up activities.

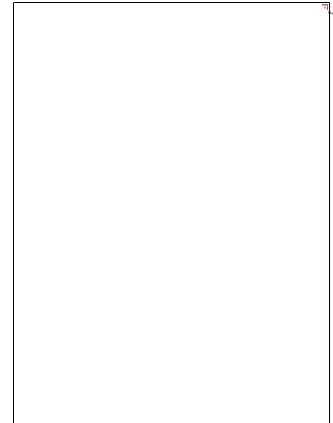
12. Redbox Place Grand Canyon Works

Council has had expert advice from consultants that the erosion issues at Redbox Place are complex and to fix the erosion problems, work will need to be undertaken on the private property adjacent. The main problem is underground water flow, which has changed the project scope.

The NSW Government Trust recently approved the Trust funds to be used to repair the erosion control dam lining on the neighbouring property. This is based on expert advice that the leaky dam is responsible for much of the erosion occurring in the project area.

As an additional concern, residents have reported is 4WDs “hooning” in the reserve. Last time the reserve was locked residents expressed concerns about being locked out of the area. As such a contractor has been engaged to replace the with a “ranger style” and provide a horse crossing.





13. National Tree Day Activity

National Tree Day activities planned for 2020 will not be carried out this year.

Planet Ark have confirmed that due to the impact of the COVID-19 pandemic they have cancelled public National Tree Day planting events for 2020. They have also advised that Planet Ark branding and insurance cannot be used for any independent events.

In the past Council has had successful days with lots of community interest however, with public events limited to 20 Council is unfortunately unable to advertise and organise an event this year.

Last year's planting site at Bungendore Hill has had a lot of weeds come up – Crumb weed, Purslane, Ink weed & Marshmallow. Council's contribution this year will be to engage contractors to remove the weeds from the site and to plant out the walkway access at Dominion Place. Bungendore Hill should have had follow up watering and weeding. Include water carter in future budget.

A small number of Landcare members is working on the lookout at Bicentennial Park.

Suggest Council do some social media to keep the spirit alive.



14. Projects funded in 2020/2021

The Committee was provided with the following list of environmental projects adopted by Council in the 2020/21 Operational Plan.

Environmental Projects		
2020/2021		
Project	Amount	Comment
100504 - Trees for Cars/ National Tree Day	\$4,000	Weed last years NTD site/ plant Dominion Place
100505 - Smarter Action Squad	\$5,000	
100507 - Schools/Community Events	\$10,500	
100509 - Energy Management	\$15,605	
104208 - Keeping it Cool - Vegetation & Heat Adaption Strategy	\$42,000	Reserve / Grant Funded
100403 - Jerrabomberra Lake Cleanout	\$49,299	From Reserve
100494 - River Water Sampling Plan	\$5,000	
100495 - Landcare Initiatives	\$2,000	
100496 - Native Fish Restocking of Queanbeyan River	\$1,500	
100497 - River Rehabilitation	\$30,000	
100498 - Bushland Maintenance	\$20,000	\$10,000 new gates and horse access for Redbox Pl.
100499 - Fire Management & Bush	\$10,000	
100500 - QBN - Platypus Conservation Monitoring	\$60,000	NSW Uni Grant project submission
100503/104257 - Rehabilitation of Barracks Flat Creek - 12 River Drive	\$65,397	Unsuccessful Grant
100522 - Alternate Energy Efficiency implementation under CCAP	\$50,000	Into our Energy Reserve
100600 - Pest/Animal Control public land	\$5,000	
104083 - QBN - Offset land Maintenance - 17 Copperfield Pl	\$5,000	
104256 - NEW - QBN - Mt Jerrabomberra Plan of Management	\$40,000	
104258 - NEW - QPR - Education Trailer Refurbishment	\$7,000	
104259 - NEW - QPR - Electric Vehicle Charging Station	\$10,000	
104260 - NEW - QPR - Air Quality Monitoring Network	\$15,000	
100635 - Save our Scarlet Robin Weed Management project	\$20,000	Grant Funded
100833 - Ox-Eye Daisy Project	\$2,000	Grant Funded
104022 - QBN - Grand Canyon: Protecting Redbox Reserves- Royalla	\$95,573	Reserve
750301 - SEWAP - QPRC Local Program	\$205,200	Grant funded
750302 - Save Our Scarlet Robin - Roadside Revegetation		Reserve \$18,528
750306 - BioSecurity Weed Control - QPRC Lands	\$243,000	
750309 - Biosecurity Weed Control - WaterNSW Land at Bombay		Reserve \$11,458
750310 - Turallo Creek Rehabilitation	\$50,000	
750315 - Beefing up Braidwood drought weed control		Completed (\$500,000)
Mixed - Biosecurity Weed Control - Crown Lands -	\$123,000	Grant Funded

Comments:

Project No 104259 – Location of charge station to be considered. Suggestion is Collett Street Carpark. It should also charge electric bikes and other modes of transport. Solar panels on top with battery storage? Visit other Councils to research e.g. Goulburn visitors centre.

Project No 104260 – What is the Air Quality Monitoring Network? - During the fires the air quality data for the area was out of date and came from Goulburn and ACT. This is for a trial program of private networks distributed across the region. Project to be investigated and presented to the Committee

15. Officers Reports

Nil

16. Members Reports

Climate Change Action Plan – very disappointed that only about two recommendations from members of the public were included. Analysis of what Council did and didn't agree to would be nice. There was a high expectation from people in regard to bushfires. Every opportunity should have been found as a change vehicle to reduce community emissions. Council operational emissions are 1% of the LGA emissions. Change development controls for solar panels.

Next Meeting

Next Meeting was planned for 2 September 2020

There being no further business, the meeting closed at 4.51pm.