

# Publication guide



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# Contents

Structure and functions of Council	<b>3</b>
Introduction	
Organisational structure	
Council functions	
The effect Council functions have on the public	<b>5</b>
Council Policy development and functions - public participation	<b>6</b>
Information held by Queanbeyan City Council	<b>7</b>
Files	
Policy documents	
General documents	
How members of the public may access and amend Council documents concerning their personal affairs	<b>9</b>
Public officer - Right to Information Officer	<b>9</b>
Officer of the Information Commissioner	<b>10</b>

# Structure and functions of Council

## Introduction

Queanbeyan City Council is a local Council constituted under the *Local Government Act NSW 1993*.

The Council area is undivided and shares boundaries with the Australian Capital Territory and Palerang Council.

The role of the Council as a body corporate is:

- to direct and control the affairs of the Council in accordance with the *Local Government Act NSW 1993* (LGA) and other applicable legislation;
- to participate in the optimum allocation of the Council's resources for the benefit of the area;
- to play a key role in the creation and review of the Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions;
- to review the performance of the Council and its delivery of services,
- implement the integrated plans for the city and appropriate financial management and revenue policies.

The role of a Councillor is, as an elected person:

- to represent the interests of residents and ratepayers;
- to provide leadership and guidance to the community;
- to facilitate communication between the community and the Council.

Queanbeyan is represented by 10 Councillors and the Mayor is popularly elected by the community every four years.

The Mayor presides at all meetings of Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision-making functions of the political body, between its meetings and performs any other functions that the Council determines by delegation.

The Principal Officer of the Council is the General Manager. The General Manager is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions. The General Manager is responsible for the day-to-day management of the Council, exercising any functions delegated by the Council, the appointment, direction and where necessary, the dismissal of staff, as well as the implementation of Council's Equal Employment Opportunity Management Plan.

To assist the General Manager in the exercise of these functions, there are six divisions of Council being Internal Business, City Governance, City Infrastructure, Sustainability and Better Living, Community Living and Strategic Development. Each of these departments is headed by a Group Manager.



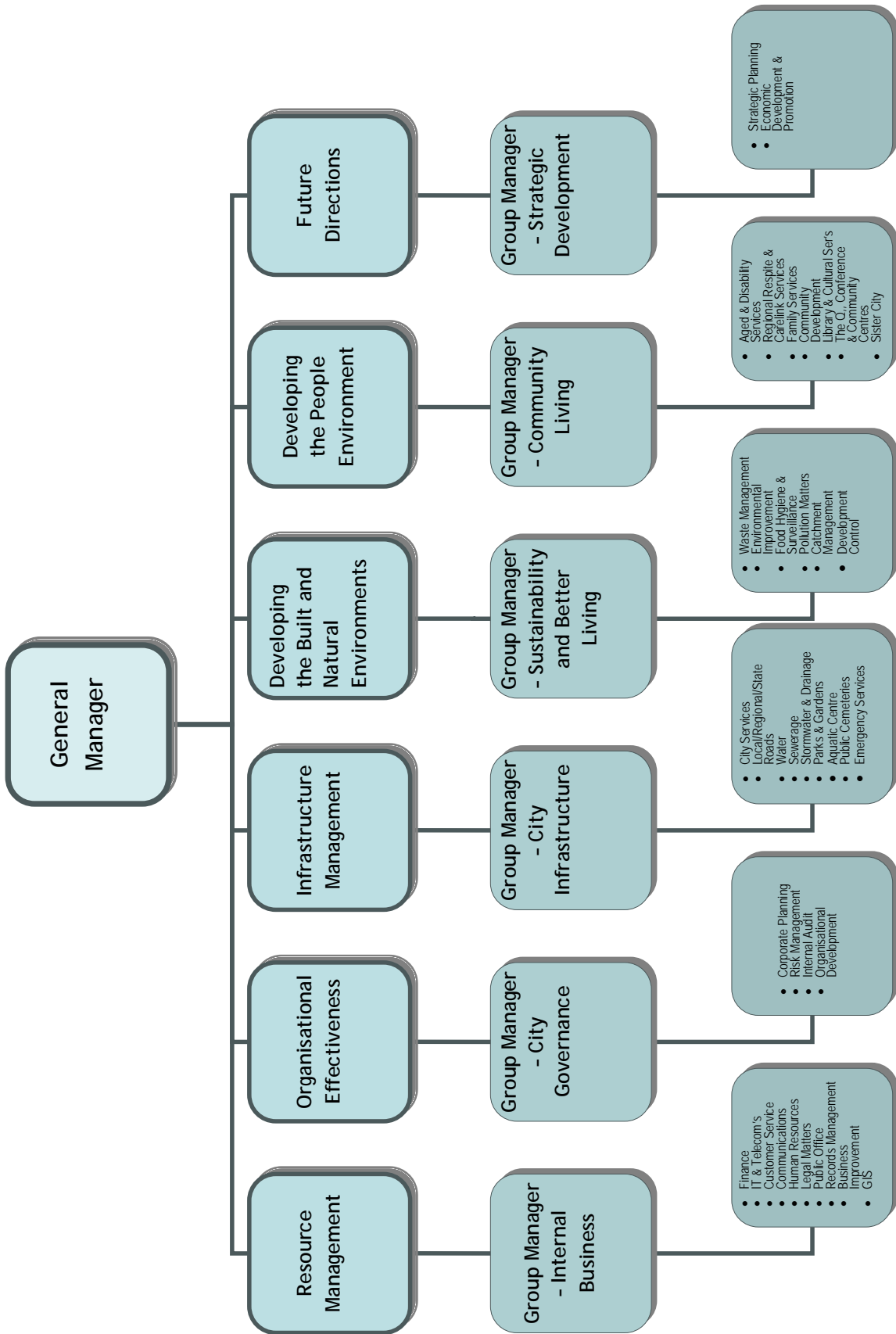
**Queanbeyan Mayor**  
**Cr Tim Overall**



**Council General Manager**  
**Mr Gary Chapman**

## Organisational structure

Queanbeyan City Council employs 304 full-time equivalent staff (Annual Report 2009-2010) working across six divisions which are headed by Group Managers.



## Council functions

Council has functions conferred or imposed on it by the *Local Government Act NSW 1993*.

These functions are:

Service functions	Regulatory functions	Ancillary functions
<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Provision of community health, recreation, education and information services</li> <li>• Environmental protection</li> <li>• Waste removal and disposal</li> <li>• Land and property, industry and tourism development and assistance</li> <li>• Civil infrastructure planning</li> <li>• Civil infrastructure maintenance and construction</li> <li>• Community Services</li> <li>• Children's Services</li> <li>• Aged Care Services</li> </ul>	<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Approvals</li> <li>• Orders</li> <li>• Building Certificates</li> </ul>	<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Resumption of land</li> <li>• Powers of entry and inspection</li> </ul>
Revenue functions	Administrative functions	Enforcement functions
<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Rates</li> <li>• Charges</li> <li>• Fees</li> <li>• Borrowings</li> <li>• Investments</li> </ul>	<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Employment of staff</li> <li>• Integrated Planning and Management Plans</li> <li>• Financial reporting</li> <li>• Annual reports</li> </ul>	<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Proceedings for breaches of the <i>Local Government Act NSW 1993</i> and Regulations and other Acts and Regulations</li> <li>• Prosecution of offences</li> <li>• Recovery of rates and charges.</li> </ul>

As well as the *Local Government Act NSW 1993*, Council has powers under a number of other Acts including:

*Coastal Protection Act 1979*

*Community Land Development Act 1989*

*Companion Animals Act 1998*

*Contaminated Land Management Act 1997*

*Conveyancing Act 1919*

*Environmental Planning and Assessment Act 1979*

*Fire Brigades Act 1989*

*Fluoridation of Public Water Supplies Act 1957*

*Food Act 1989*

*Government Information (Public Access) Act 2010*

*Heritage Act 1977*

*Impounding Act 1993*

*Library Act 1939*

*Privacy and Personal Information Protection Act 1998*

*Noxious Weeds Act 1993*

*Protection of the Environment Operations Act 1997*

*Public Health Act 1991*

*Recreation Vehicles Act 1983*

*Roads Act 1993*

*State Emergency and Rescue Management Act 1989*

*State Emergency Service Act 1989*

*Strata Schemes (Freehold Development) Act 1973*

*Strata Schemes (Leasehold Development) Act 1986*

*Strata Schemes Management Act 1996*

*Swimming Pools Act 1992*

*Unclaimed Money Act 1995*

# The effect Council functions have on public

As a service organisation, the majority of the activities of Queanbeyan City Council undertake have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

Service functions affect the public as Council provides services and facilities to the public. These include provision of human services such as child care services and libraries, halls and community centres, recreation facilities, infrastructure, roads and drainage and the removal of garbage.

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

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

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

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

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non payment of rates and charges, impounding of animals, unregistered dogs and parking offences.

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

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



**Council provides a number of services to the community, including maintenance to local parks and sportsfields and the Queanbeyan Aquatic Centre.**

# Council policy development and functions – public participation

Councils in NSW are elected every four years with the next elections to be held in September 2012.

At each election, voters elect the Councillors and the Mayor for a four-year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside the area and ratepaying lessees can also vote, but must register their intention to vote on the non-residential roll. Voting is compulsory.

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

Members of the public are able to attend Council meetings (fourth Wednesday of each month) and the Planning and Development Review Committee meetings (second Wednesday of each month) in the Council Chambers, 257 Crawford St, Queanbeyan. Prior to meetings, the opportunity is offered interested persons to address Council on any matters that are listed for discussion at the meeting.



**The Council Chambers are located in Crawford St.**

Council also holds monthly public forums where members of the public can submit questions which are answered by Council staff or elected representatives. Public forums are held on the first Wednesday of the month.

In addition, Council holds community meetings two each year at Googong, Jerrabomberra and Queanbeyan.

Council also has the following community committees, some that include members of the public:

- Australia Day Annual Community Awards Committee
- Australia Day Organising Committee
- Consultative Committee on Aboriginal Issues
- Cultural Development Council
- Environment Sustainability Advisory Committee
- General Manager's Review Committee
- Heritage Advisory Committee
- Local Traffic Committee
- Queanbeyan Development Board
- Queanbeyan Palerang Library Service Development Committee
- Queanbeyan Showground Advisory Committee
- Queanbeyan Sports Council
- Sister City Committee
- The Q Advisory Board
- Traffic Advisory Committee

Council has also been appointed under the *Crown Lands Act 1989* as manager of the following Crown Land Trusts:

- Queanbeyan Showground Reserve Trust
- Queanbeyan Park Trust
- Queanbeyan City Council Crown Reserves Reserve Trust
- Letchworth Trust
- Seiffert Reserve Trust

In addition, an Advisory Committee comprising community representatives has been established for the Queanbeyan Showground.

The Council has also established the following statutory workplace committees:

- Occupational Health and Safety Committee
- Workplace Consultative Committee
- Internal Audit Committee



**Queanbeyan Park is located in the centre of Queanbeyan and hosts a number of community events each year, including the Queanbeyan Gift and Family Fun Day and Australia Day celebrations.**

# Information held by Queanbeyan City Council

The Council holds a wide range of information, in both hard copy and electronic form. This information is described as follows:

## Files

Prior to 2005, the Council had a "hard copy" filing system, with material being held in physical files. Since then, Council's files have been maintained in electronic format, physical files being dispensed with, except for development/building/construction files and personnel records.

Council's files are not available on the website however this information may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with the provisions of *Government Information (Public Access) Act 2009 (GIPAA)*.

Members of the public can also request the informal release or an access application by contacting Council.

## Policy documents

Council's policies are maintained in a policy register and are available via the website.

## General documents

General documents held by Council have been divided into four sections as outlined by Schedule 5 of *GIPAA*. Schedule 5 of *GIPAA* requires that these documents are made available to the public to inspect, free of charge.

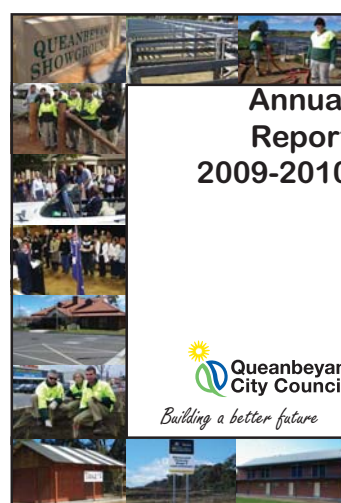
The public is entitled to inspect these documents on the Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) and at Council's offices during normal office hours (8.30am-4.30pm) or at any other place as determined by Council. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

In respect of some information, there may be an overriding public interest against publishing it on the website. Where this is the case, the information will be available for inspection at Council offices only.

**These documents are publicly available on Council's website or by visiting Council's offices at 257 Crawford St, Queanbeyan:**

### 1. Information about Council

- The model code prescribed under section 440 (1) of the *Local Government Act NSW 1993*
- Council's adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plan
- EEO Management Plan
- Policy concerning the payment of expenses incurred by, and the provision of facilities to Councillors.
- Annual Reports of bodies exercising functions delegated by Council



**Council's Annual Report is published in November and is available for public inspection.**

### **1. Information about Council (cont)**

- Any codes referred to in the *Local Government Act NSW 1993*
- Returns of the Interests of Councillors, designated persons and delegates (inspection only)
- Agendas and business papers for any meeting of Council or any committee of Council
- Minutes of any meeting of Council or any committee of Council
- Departmental Representative Reports presented at a meeting of Council
- Land Register
- Register of Investments
- Register of Delegations
- Register of Graffiti removal works
- Register of current Declarations of Disclosures of Political donations
- Register of Voting on Planning Matters

### **2. Plans and policies**

- Local policies adopted by Council concerning approvals and orders
- Plans of Management for Community Land
- Environmental planning instruments
- Development Control Plans
- Contribution Plans
- Voluntary Planning Agreements

### **3. Information about development applications**

Development applications and any associated documents received in relations to a proposed development including:

- Home warranty insurance documents
- Construction certificates
- Occupation certificates
- Structural certification documents
- Town Planner reports
- Submissions received on development applications
- Heritage consultant reports
- Tree inspections consultant reports
- Acoustic consultant reports
- Land contamination consultant reports
- Records of decisions on development applications including decisions on appeals
- Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information

### **4. Approvals, orders and other documents**

- Applications for approvals under Part 7 of the *Local Government Act NSW 1993*
- Applications for approvals under any other Act and any associated documents received
- Records of approvals granted or refused, any variation from Council policies with reasons for the variation, and decisions made on appeals concerning approvals
- Orders given under Part 2 of Chapter 7 of the *Local Government Act NSW 1993*, and any reasons given under section 136 of the Act
- Orders given under the authority of any other Act
- Records of building certificates under the *Environmental Planning and Assessment Act 1979*
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory acquisition notices
- Leases and licenses for use of Public Land classified as Community Land

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

As far as practicable, Council documents will be assessable by members of the public during office hours. (8.30am to 4.30pm weekdays, except public holidays)

Persons interested in obtaining access to documents or who wish to seek an amendment to the Council's records concerning their personal affairs, should contact a Customer Service Officer on 6285 6000 or by visiting 257 Crawford St. If you experience difficulty in obtaining documents or information you should contact Council's Public Officer.

### **Public Officer – Right to Information Officer**

The Executive Manager Legal and Internal Services has been appointed as the Council's Public Officer. Amongst other duties, the Public Officer deals with requests from the public concerning Council's affairs and has the responsibility of assisting people gain access to Council documents.

The Executive Manager Legal and Internal Services is also Council's Right to Information Officer and, as such, is responsible for determining applications for access to documents or for the amendment of records in accordance with GIPAA. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer. Also, if you would like to amend a Council document which you feel is incorrect it is necessary for you to make written application to the Public Officer in the first instance.

Enquiries should be addressed as follows:

General Manager  
Queanbeyan City Council  
PO Box 90, Queanbeyan NSW 2620  
[council@qcc.nsw.gov.au](mailto:council@qcc.nsw.gov.au)

### **Office of the Information Commissioner**

If you require any other advice or assistance about access to information you may contact the Office of the Information Commissioner by telephone on 1800 194 210 (free call) or by email at: [oiquery@informationcommissioner.nsw.gov.au](mailto:oiquery@informationcommissioner.nsw.gov.au)