

COUNCIL POLICY: COMMUNITY PROJECT WORKS ON COUNCIL LAND

Date Adopted:	26 June 2013
Committee Reference:	Corporate & Community Services; 11/6/13 Item 4.5
Contact officer:	Manager Property and Operations
Next review date:	30 November 2015
File Reference:	08/05/001; 04/15/004
Related Policies/Local Laws/Legislation:	Land Act 1994
Related Documents:	Community Leasing Policy Bonding of Works Policy

OBJECTIVES

The objectives of this policy are:

- To establish standard processes for consideration of proposals by community organisations and other entities to undertake works on Council-controlled properties
- To ensure that the conditions of approval to undertake works on Council-controlled properties address all relevant criteria (e.g. Quality, maintenance, ownership, insurance, public liability, public safety, construction requirements)

Key Result Area/s	Infrastructure and Asset Management <i>Infrastructure is planned, delivered and managed in accordance with the prioritised needs of our growing community and contemporary asset management principles</i>
Goal/s	<i>Embed asset management, financial and environmental sustainability principles as fundamental components of infrastructure planning and management which include appropriate controls and standards</i>

POLICY STATEMENT

Council welcomes initiatives by community groups to undertake Community Project Works on Council-controlled land where those works are appropriate and serve the overall public interest.

Proposed projects are to be considered and approvals granted under the following process:

- a) Proponent to submit Preliminary Project Proposal (refer Attachment A)
- b) Preliminary Project Proposal considered by Council Department responsible for management of the property and discussions held with proponent (as required)
- c) Council to determine whether Preliminary Project Proposal is acceptable (with or without modification) and, if so, advise proponent to submit Final Project Proposal
- d) Proponent to submit Final Project Proposal to Council (refer Attachment B)
- e) Council to issue Final Project Approval (including request to complete and return Constructors Agreement)
- f) Proponent to return Constructor's Agreement, undertake works as per approval and submit 'as constructed plans' to Council

When considering Preliminary Project Proposals, Council will assess whether:

- there is a justifiable need for the project
- the project is in keeping with Council's future plans for the location
- community consultation is required to determine support for the project
- the proponent has access to sufficient funding and other resources available to complete the project
- Application Fees will be applicable
- Council resources are required (and available) to monitor or assist with undertaking the project
- the project may be a safety risk to other persons following its completion
- construction will be durable and of appropriate quality to the location
- Council will be responsible for repairs and maintenance of the project over its life cycle (and if so, the anticipated costs)
- further detail is required for Council to make its preliminary assessment

Written consent to proceed will outline the information required to be submitted in the Final Project Proposal (refer Attachment B).

Unless otherwise stated in a Council approved written agreement or Council holds the funding for the project, a bond will be required for all project work over the value of \$5,000.00 (included in the value is the labour cost of volunteers) to ensure that work complies with the written approval and, if it does not, it can be rectified using the bond money. The bond will amount to 10% of the project value. The bond will be returned once the work has been satisfactorily completed and the final inspection certificate issued.

Failure of the Project Coordinator to comply with this policy (particularly with regard to obtaining the necessary approvals prior to starting and not ensuring all inspections are completed) will result in one or more of the following occurring:

- the installations associated with the project will be removed or demolished or rectified at the Project Coordinator's expense;
- the Project Coordinator will be required to obtain an engineer's certificate as to structural adequacy;

- a request from Council for the Project Coordinator to sign a written acceptance of the responsibility for the ongoing maintenance for the life of the installation associated with the project;
- a request from Council for the Project Coordinator to sign a written acceptance of all liability associated with the installation from the project; and
- all future applications by the Project Coordinator and/or the entity they represent will require a bond representing 50% of the construction cost of the project (including the cost of volunteer labour).

SCOPE

This policy relates to any of the following entities proposing to undertake Community Project Works on Council-controlled land:

- Lease holders and permittees
- Sporting groups
- Community organisations
- Individuals
- State or Federal Government entities
- Not for profit organisations
- Council Departments other than the Department with primary responsibility for management of the property.

DEFINITIONS

Council-controlled land - includes Council freehold land, State land for which Council is the appointed Trustee and road reserves (other than State-controlled roads)

Not for profit external service provider - non Scenic Rim Regional Council person(s), group(s) or organisation(s) performing works on Council land and property

Community Project Works are the provision of any improvements or maintenance works but excluding:

- works which are fully controlled by other approval processes (eg advertising signs, works within road reserves, tree work/removal)
- the erection of temporary structures
- mowing and vegetation control

Constructor or Project Coordinator - either the Council nominated officer for a Council project or the person coordinating the not for profit service providers which may be either a nominated volunteer within the group, or the person within Council who initiated the project. This person becomes the main point of contact for the Council operational manager or coordinator in charge of the land or property.

RESPONSIBILITIES

Policy Author	Coordinator Facilities and the Coordinator Parks, Gardens and Cemeteries
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Policy Owner	Manager Property and Operations
Guidelines and procedures - Attachment A: Preliminary Project Proposal Information Attachment B: Final Project Proposal Information	Coordinator Facilities

Adopted By:

**SCENIC RIM REGIONAL COUNCIL
26 June 2013**

Attachment A

Preliminary Project Proposal Information

The following information should be supplied as part of a Preliminary Project Proposal:

- name and full contact details (email, postal address, work hours contact telephone number) of the not for profit organisation and/or the nominated project coordinator;
- a project name;
- project description;
- detail of the justification/need for the project and its benefit to the community and Council (eg community surveys, petitions of support, letters of request/support) (the larger the project, the greater the justification required);
- funding requirements for all aspects of the project (including potential funding sources - do not apply for funding until approved to do so);
- detail of assistance required from Council (including funding for materials or services and/or the requirement for project management staff resources);
- information on how participants and the project are to be covered for insurance and Council indemnified from liability (provide copy of insurance policy if applicable);
- proposed timeframe for start and completion of project;
- detail of maintenance requirements, commitment to maintenance and confirmation of who will be responsible for ongoing maintenance

ATTACHMENT B

Final Project Proposal Information

The following documentation may be required as part of a Final Project Proposal:

- Development Applications (eg Building Application, Operational Works) Note: if not working from Council standard specifications for structures, then professionally drafted drawings will need to be submitted and there are instances where it will be requested that engineer certification be obtained. Such structures will need to be constructed from suitable materials and be of commercial quality.
- Name and contact details of the designated Project Coordinator
- Names of contractors to be utilised
- Planned commencement and completion dates
- ‘Dial before you dig’ information
- Department of Natural Resources and Mines’ construction approval and Native Title clearance (on land other than Council freehold)

NOTES

- 1 Playground Equipment is to be installed by a Licensed Contractor and all work and equipment is to conform with Australian Playground Standards.
- 2 Earthworks, fencing, landscaping and sports oval construction is to be undertaken by persons experienced in such work.
- 3 The constructor is to complete a Council constructor’s agreement prior to any work starting.
- 4 All building work is to be supervised by a BSA licensed contractor.
- 5 All plumbing work is to be supervised by a licensed plumber/drainier. All regulated plumbing work will require a plumbing permit.
- 6 All painting is to be supervised by a BSA licensed or qualified tradesman.
- 7 All electrical work is to be carried out by a licensed electrical contractor.
- 8 The details of the nominated builder, plumber or electrician who will be responsible for supervising the work are to be included on the constructor’s agreement.
- 9 Position of underground services is to be determined prior to any excavation taking place. Dial Before You Dig plans may be required prior to any

excavations being undertaken. Any underground services that are damaged during excavation are to be repaired at the constructor's expense.

- 10 All work is to be inspected by Council's Facilities section. Inspections will be as detailed in the constructor's agreement. All defects, work that is deemed unsatisfactory or not completed in a tradesman-like manner are to be repaired or rectified at the constructor's expense.

Adopted By:

**SCENIC RIM REGIONAL COUNCIL
25 June 2013**