



POLICY COMMITTEE

25 August 2010

His Worship the Mayor & Councillors

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 1 September 2010 commencing at 5.00 pm.

A handwritten signature in blue ink, appearing to read "DJS", is positioned above the typed name.

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 1 SEPTEMBER 2010**

1. 5PM MEETING COMMENCES
2. APOLOGIES
3. REPORT OF PREVIOUS MEETING
  - \* Minutes - Policy Committee Meeting - 4 August 2010
4. DECLARATION OF INTEREST
  - To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.
5. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
  - \* Director Corporate Services & Finance's Report
  - \* Director Engineering Services' Report
7. GENERAL BUSINESS
8. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS - Nil
9. DISCUSSION FORUM OTHER - Nil
10. MEETING CLOSE

## MINUTE

### 1 MEETING COMMENCES

**Present:** Councillors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman.

**In attendance:** General Manager, Director Corporate Services & Finance, Director Environmental Planning & Building Services, Director Engineering Services, Director Cultural & Community Services, Manager Recreation, Manager Water & Waste, Parks Operations Manager

**MINUTE**

**2     APOLOGIES**

Nil.

POLICY COMMITTEE  
REPORT OF PREVIOUS MEETING

**REPORT OF PREVIOUS MEETING TO THE POLICY COMMITTEE MEETING HELD ON 1  
SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 4 AUGUST 2010 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 4 August 2010 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 4 August 2010, are attached.

**Financial Implications:** N/A

**MINUTE**

**3     Item 1   MINUTES - POLICY COMMITTEE MEETING - 4 AUGUST 2010**

**MOVED: B Bourke SECONDED: R Thompson**

**RESOLVED:**That the Minutes of the Policy Committee Meeting held on 4 August 2010 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 4 AUGUST 2010**

**5PM MEETING COMMENCES**

**1 5PM MEETING COMMENCES**

**Present:** Councillors Toole (Chair), Bourke, Carpenter, Hanger, North, Thompson, Westman.

**In attendance:** General Manager, Director Corporate Services & Finance, Director Environmental Planning & Building Services, Director Engineering Services, Director Cultural & Community Services, Manager Water & Waste, Manager Technical Services, Operations Manager Water & Waste, Parks Operations Manager, Development Control Planner.

**APOLOGIES**

**2 APOLOGIES**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That the apologies from Crs Aubin & Morse be accepted and leave of absence granted.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 JULY 2010 (07.00064)**  
**MOVED** Cr G Westman and **SECONDED** Cr R Thompson

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 7 July 2010 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST**  
**MOVED** Cr I North and **SECONDED** Cr R Thompson

**RESOLVED:** That the following Declaration of Interest be noted.

Cr Hanger  
Discussion Forum - DA Submissions - Telecommunications Base Station.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**



## Director Corporate Services & Finance's Report

- 5** **Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE (07.00096)**  
**MOVED** Cr R Thompson and **SECONDED** Cr G Westman

**RESOLVED:** That the information be noted.

- 6** **Item 2 GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009 (GIPPA) - PUBLICATION GUIDE (02.00035, 41.00088)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) note that Council has, as required under Section 22 of the Government Information (Public Access) Act 2009 sent a copy of the Publication Guide to the Office of the Information Commissioner.
- (b) delegate authority to the General Manager to adopt the Publication Guide for Council as this is an operational matter.
- (c) following adoption of the Publication Guide, place it on the Public Document sections of Council's website.

## General Manager's Report

- 7** **Item 1 CODE OF CONDUCT COMPLAINTS RECEIVED 1 JULY 2009 TO 30 JUNE 2010 (07.00088)**  
**MOVED** Cr G Westman and **SECONDED** Cr G Hanger

**RESOLVED:** That the information be noted.

## GENERAL BUSINESS

- 8** **AGED CARE STUDY 09.00006**

**Cr Thompson** – asked could Council advise where we are at with the Study.

**The Director Cultural & Community Services** advised discussions occurring with CSU in September.

- 9** **ENVIRONMENTAL GRANTS 16.00021**

**Cr Thompson** – asked what is the status of this matter.

**The Director Environmental, Planning & Building Services** advised will go to a Council Working Party in September or October

- 10** **SIGNAGE INTO BATHURST 23.00045**

**Cr Thompson** – asked can we address the signage as part of the Economic Development Strategy.

**11**      **BATHURST HEALTH COUNCIL 18.00035**

**Cr North** – asked currently a member of the Council. Pleased with processes occurring which have been positive.

**12**      **LIGHT STANDARD, CNR HOWICK & WILLIAM STREETS 25.00006**

**Cr Bourke** – referred to letter in media regarding this light standard. If anything is done, can this come back to Council.

**The Mayor** advised the status of the matter.

**13**      **CENTROC SUMMIT - JULY 2010 07.00017**

**Cr Carpenter** – Congratulations on a great event that promoted Bathurst. The precinct around the Mount has had a lot of development. There is a need to look at the area for plantings, etc. Can Council look at this.

**Meeting suspended till 5.15pm for Discussion Forum, DA Submissions.**

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

**14**      **Item 1 DEVELOPMENT APPLICATION NO. 2010/0629 – TELECOMMUNICATION BASE STATION AT LOT 1, DP 620110, 9 ILUMBA WAY KELSO. APPLICANT: TCI LTD. OWNER: BATHURST MASONIC TEMPLE SOCIETY INC. (DA2010/0629)**

**Cr Hanger** declared a non-pecuniary interest in this item and took part in discussions.

**Reason: Teacher at Kelso High School**

**Discussion Included:**

**Rodney Fairbrother** (47 Miriyan Drive)

Main concern is health issues. Literature from overseas shows there is a great possibility of diseases. Spoke to his submission made to Council. Telstra has not

convinced residents there are no problems. Request another site be chosen. Also understands other carriers could set up on the tower. The area is sensitive with aged care, school and residents nearby. Feel high impact tower and worried information is being concealed.

**Christina Munns (Kelso resident & Homeopath)**

Spoke of how the body works and electromagnetic fields. Exposure is a real problem. Does Council feel electromagnetic fields will not be impacted by tower? Will Council protect its residents? Can Council postpone DA and establish a consultative committee to examine the proposal, will sit on this committee. Other sites need to be examined away from people.

**Michelle Gooley (57 Miriyan Drive)**

This will impact on two nursing homes, schools and residents. The more items put onto the tower will cause greater effects. What is the exposure level when additions go onto the tower. Studies overseas show health risks. e.g. India. It is too close to Keith Sheehan's place. There is no proof there are no health risks, needs more studies to be done. Main concern is health. the information pack from Telstra is contrary to proposal with respect to height.

**Keith Sheehan (3 Ilumba Way)**

The tower is only 30m from my dining room table. There is a perceived real health risk. Telstra needs to prove they do not create injury. Spoke of schools, aged care facilities, tower should not be near it.

**Lou Lucarno (46 Miriyan Drive)**

Telstra have other options. Putting it here as it suits Telstra's bottom line. Will Council back the ratepayers or Telstra.

**Resident**

Real Estate Agents has said house values will decrease 10 - 20% if tower located here. Concern at impact on wildlife. Have concerns for grandchildren and family members who live near the area. The main issue is health, at a lesser value is value of properties.

**Bruce Blatch (resident)**

Live straight across the road from the tower. The area is beautiful to live in and now with a small area of land left, a tower is to go up. This is disgusting.

**Noeleen Mitchell (resident)**

Has just moved into the area. Did not buy in Orange due to transmission lines. Have grandchildren with special needs, have health concerns. The area is lovely, do not want to see this happen.

**Vesna Greig (Telstra)**

A need has been identified for Kelso. The object is to improve 3G system. Spoke

to facility provision needs in the area, which the proposal is intended to address. Held community information sessions in July and over 450 invitations were sent out. The facility will operate within national standards which take into account guidelines from groups such as the World Health Organisation. The facility will operate at less than 1% of the standard. Spoke to alternative sites in the area, e.g. water reservoir, these did not offer adequate coverage. The facility has been designed to limit visual impact. Thanks to Council for opportunity to speak to the matter.

The following questions were asked of Telstra:

**Lou Lucarno**

Telstra have looked at several other sites, if site at Hall was not available, then would have had to look elsewhere. Safety is only what we know now, look at asbestos.

**Telstra**

Site selection was based on servicing the area. Mount Panorama has reached capacity, now need to put in additional smaller towers within areas to provide service. The Masonic hall caters for 3 sectors.

**Keith Sheehan**

When pack was sent to residents, there was not one photo of his house, why? Recently in Darwin and saw a new tower, could not get access from Tower within 50 meters.

**Telstra**

Services will work within 50m of tower. Photos taken to show street view.

**Resident**

Have a commodore, cannot park it near towers due to impact on remote control. What will the tower do to remote controls, e.g. television, car etc.

**Telstra**

Spoke to band width licence within which Telstra must work.

**Michelle Gooley**

On information night asked can Telstra guarantee safety and guarantee properties will not devalue. These questions were not answered.

**Telstra**

Telstra will comply with standard and if it changes, Telstra will comply with this. Proposal will operate at less than 1% of standard.

**Resident**

Have had sufficient information on radiation, do not know what future effects will be.

**DISCUSSION FORUM OTHER**

**Item 1 PROPOSED ROWING AT CHIFLEY DAM (32.00005)**

Discussion included;

**Mr Renford, (CEO NSW Rowing)**

Spoke to proposal for rowing on Chifley Dam. Noted accessibility to water is a prime consideration; have had ongoing discussions with Council and the community. Raised logistics such as getting boats to water, storage needs. Seeking feedback on the proposal.

**Bruce Weal (Water Skiing)**

Does not have a Club or Association. Seeking clarification on what areas will be utilised, when and how often etc. What is the impact on their "spot".

**Mr Renford** advised looking at area near cabins and utilising area (north) up the dam. Expect limited usage initially. The sport is used to working in shared areas eg Lake Jindabyne. The timing will be most likely mornings and afternoons mid-week; does not feel there will be major conflict.

**Mick Dunn (Water Skiing)**

Asked, will there be a permanent course set-up?

**Mr Renford** advised No. Spoke of temporary infrastructure used.

**Mr Booth**

Ben Chifley Dam is not really big and so can cause a problem; Jindabyne is not a good example. He feels dam very small and conflicts will occur.

**Mr Renford** spoke of areas such as Parramatta River, with multiple uses and conflicts that exist and how to deal with them.

**Ben Thomas (Water Skiing)**

Asked, has consideration been given to use of Lake Wallace?

**Mr Renford** advised Yes. Consideration has been given and some use has been made; currently suspended; has looked at other water bodies.

**Rob Strange (Central Tablelands Rowing Club)**

Primary use is for training and development rather than regattas and competition. Length of waterway at Chifley is a major attraction. Only see 1 to 2 days per annum for competition needed.

**Linda Hurford (Bathurst Ratepayer)**

Love to use dam for other things besides water skiing. Excited to hear Rowing Club may start up. Would be great to have another sport on the Dam.

**Bruce Weal (Water Skiing)**

Do not want to exclude anyone. Rowers have used Dam previously. Not sure what the proposal is concerning the shed; skiers want to know what are full details of the proposal. When 20-25 boats are on the dam, area is not large. Need to think about access to the Dam from back of the dam over private property to water speed restricted areas.

**Mr Renford**

Investigating further options. What is being proposed is an initial stage to get rowing up and going.

**Steve Hill (Skier)**

Have family day at Chifley Dam and lots of people go out. Will have problems when areas are restricted due to rowing. There are many children and safety is an issue. Cabins are used mainly by skiers and fishermen. Want to use Dam safely; most people want flat water. Need more signage at Dam to say operate anti-clockwise.

**Mr Renford**

Not proposing any more restrictions and are not closing down the dam.

**Terry Rowling (Fishing Bathurst)**

On weekends bottom of dam is chaos; why not use top area of dam? Go through private property.

**Mr Renford**

Will look at options.

**Hamish Croucher (Kinross Wallaroi School)**

During week rowers are finished by 7.30 am. On weekends need to work with all groups to come to an arrangement. Would like to come to Chifley Dam.

**Terry Jones (RSL Fishing Club)**

This is notified trout waters. Spoke to fish being stocked and future proposals. Infrastructure needs to be looked at and the competing interests need to be addressed and get common areas established. Needs a management plan put in place. Perhaps look at shared facilities. Spoke of ramps, pontoons etc. Council should work with NSW Maritime and Fisheries. It is a great idea; will not conflict with slow boats. Spoke of use times by fishing groups.

**Denise Hall (Skier)**

What is the timeframe for this? Can skiers be kept in the loop? Happy for everyone to use the dam.

**Mr Renford**

Spoke to timeframe and working with schools. Would like to be on dam ideally in September to get going in summer. Trying to get kids interested.

**Les Bingham**

Have used dam for 25 years. Used to be a Sailing club; there was never a problem when they operated. Spoke of fishing use of upper reaches.

**Brett Hurditch (Water Skier)**

Safety is an issue due to dam size. Restricted where can operate due to area's skiing needs. This needs to be taken into account. Skiers operate anti-clockwise; need to be careful that accidents do not occur as do not want dam to be closed.

**Ben Thomas**

Ten to fifteen years ago a local group tried to start a ski club and Clubhouse and this was knocked back. This seems to be promoted by out of towners.

**Mr Renford**

Wishes to work with Council and users. Rowing NSW here to grow accessibility of the sport.

**Steve Allan (Water Skier)**

Rowing is great fun. If wish to expand rowing, need to be aware of conflicts. If everyone is out there at once, then there will be problems.

**Catriona Roach**

Most people do not begin in sculls. There will not be too many boats; conflict can be controlled.

**Bob Trimming**

Issue seems to be conflict with high powered ski-boats. Cannot have dam tied up with one or two sports. Need management plan to maximise usage.

**Bruce Weal**

Water skiers try not to be elite fast boat operators. Want to share facilities; need to be aware of dangers. It is a small dam and size needs to be taken into account.

**MEETING CLOSE**

**16**      **MEETING CLOSE**

The Meeting closed at 6.40 pm.

**CHAIRMAN:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **(18 August 2010)**



**MINUTE**

**4     DECLARATION OF INTEREST**

**MOVED: G Hanger SECONDED: I North**

**RESOLVED:** That the Declaration of Interest be noted.

POLICY COMMITTEE  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT  
1 SEPTEMBER 2010

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE POLICY  
COMMITTEE MEETING HELD ON 1 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 GOVERNANCE - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR  
COUNCILLORS (11.00008, 41.00089)**

**Recommendation:** That Council:

- (a) note that no changes have been made to the existing Policy.
- (b) Adopt the revised Policy, update the Policy Manual and place on Council's website.
- (c) Forward the revised Policy to the Division of Local Government.

**Report:** Section 252(1) of the Local Government Act 1993 states "within five months after the end of each year, a Council must adopt a Policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office".

The Division of Local Government, Department of Premier and Cabinet has also issued in Circular 09-36, Councillor Expenses and Facilities Guidelines.

Council last revised its Policy on Payment of Expenses and Provision of Facilities for Councillors in November 2009. A copy of that Policy is shown at **attachment 1**. There are no alterations required to the Policy at the present time. Section 253(3) of the Local Government Act 1993 states "a Council need not give public notice of a proposed amendment to its Policy for the payment of expenses or provision of facilities, if the Council is of the opinion that the proposed amendment is not substantial". As there are no changes proposed to the existing Policy, Council does not have to place the Policy on public display.

It is recommended that Council:

- (a) note that no changes have been made to the existing Policy.
- (b) Adopt the revised Policy, update the Policy Manual and place on Council's website.
- (c) Forward the revised Policy to the Division of Local Government.

**Financial Implications:** Nil. Expenses incurred under this Policy are already provided for in Council's adopted budget.

**MINUTE**

**5 Item 1 GOVERNANCE - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS**

**MOVED: G Westman SECONDED: R Thompson**

**RESOLVED:**That Council:

- (a) note that no changes have been made to the existing Policy.
- (b) Adopt the revised Policy, update the Policy Manual and place on Council's website.
- (c) Forward the revised Policy to the Division of Local Government.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

POLICY COMMITTEE  
DIRECTOR ENGINEERING SERVICES' REPORT  
1 SEPTEMBER 2010

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE POLICY COMMITTEE**  
**MEETING HELD ON 1 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 PROCEDURES FOR NAMING OF COUNCIL FACILITIES (04.00008-08 & 41.00008)**

**Recommendation:** That Council adopt the Guidelines of Procedures for the Naming of Council Facilities.

**Report:** At its Meeting held 21 April 2010, Council resolved to place the Draft Procedures for the Naming of Council Facilities, with a number of minor word changes, being

- (i) **Objective** - include the words *To allow for the recognition of both the European and Indigenous cultural heritage of the Bathurst Region* .
- (ii) **Policy** - in the last dot point include the words *Local Aboriginal Land Council* .
- (iii) **Approval** - include the words *Council will ensure the origin of the name will be clearly stated and recorded.*

This resolution also included placing on exhibition for a period of 28 days and following any feedback from the community, present a report to Council for the adoption of the Policy. At the conclusion of the exhibition period, nil comments had been received in relation to this matter.

Therefore Council now only needs to formally adopt the procedures. A copy of the procedures, with the changes as resolved, is at **attachment 1** for Council's information.

**Financial Implications:** Nil

**MINUTE**

**6     Item 1   PROCEDURES FOR NAMING OF COUNCIL FACILITIES**

**MOVED: I North SECONDED: B Bourke**

**RESOLVED:**That Council adopt the Guidelines of Procedures for the Naming of Council Facilities.

## **2 SUCCESSION PLANTING (04.00012 & 04.00039)**

**Recommendation:** That the information be noted.

**Report:** With the removal of trees from Kings Parade and Machattie Park, there has been some suggestion of embracing the notion of succession planting as a means of ensuring that another tree of the same specie is able to fill the gap once a neighbouring tree has been removed for a specific reason. It is believed that Council should be aware that succession planting is a term more related to vegetable production in small gardens than to ensuring that a replacement tree of considerable maturity is available to take the place of one removed.

In theory, succession planting may appear to be perhaps viable when this term is applied to trees. However, in reality, it is most difficult or even bordering on impossible to successfully instigate succession planting for amenity planting of trees, especially within formal landscape sites or heavily vegetated areas. The following explanation is provided.

Amenity tree planting can take the form of formal or informal planting. Formal planting is undertaken to delineate areas planted from areas where no planting occurs. Formal planting is generally carried out in areas adjoining roadways such as the trees planted adjacent to the main roads and secondary roads throughout the city. Informal planting is achieved in larger areas where trees are planted in a formation of random positions. The trees in Machattie Park and Kings Parade share elements of both formal and informal planting with the Cedrus deodara trees in Kings Parade being a formal planting. To implement succession planting in an area such as this is not practical. The reasons for this is that the space between the present trees does not allow for younger, smaller trees to be planted between them and any planting adjacent to them will only encroach on the lawn areas. In addition, there may be implications regarding the optimal growth of the trees being in close proximity. If the present lines of tree planting in both parks is to be maintained, only succession planting between the existing trees can be undertaken and the above issues will more than likely be encountered. In support of this issue, the Machattie Park Management Plan undertaken by Gutteridge, Haskins and Davey and commissioned by Council in June 1990, stated that the "establishment of young replacement trees will be difficult. Even if alternate trees are removed to make space, competition is likely to result in stunted or leggy growth."

Another consideration of succession planting in such formal planting scenarios in these parks is that it cannot be predetermined as to when a particular tree will fail or require to be removed. The trees within these parks are of varying ages and if succession planting is to be implemented the question then remains when one tree in the line fails, are all of the others removed so that the line of trees is maintained in relation to size and location. This approach to succession planting requires a new avenue of trees to be planted far enough away from the original trees and once the new trees are of an acceptable size, the original trees are removed, even if they are still healthy, and the newer trees then become the avenue, albeit, on a different line. This approach is expensive and may not sit well with the community as apparently healthy trees are being removed. Again, the GHD report states "a commitment to this plan would be necessary because some degree of ruthlessness would be called for in the establishment of new rows."

In relation to the removal of the two trees within Kings Parade, Council's intention is to follow a further recommendation from the GHD report regarding replanting which indicates that any trees requiring removal should be replaced with well grown advanced stock. For information, the cost of purchasing such replacements for these trees is in excess of \$15,500. In addition to this cost is the expenditure necessary for the removal and disposal



of the trees.

To undertake succession planting on a broad scale is considered difficult as Council is constrained by its available resources, both labour and finances, necessary to follow such scenarios. It is believed that the approach presently taken to tree maintenance is a viable option as it is generally affordable and the community is generally accepting of necessary tree removals whether they are undertaken in our formal parks or informal planting areas. Therefore, it is considered prudent that Council continue to address the matter of tree removal/planting in this manner. In taking such an approach, Council is, by definition, undertaking succession planting within Machattie Park and Kings Parade by ensuring that replacement trees are planted as soon as the existing tree/s have been removed.

**Financial Implications:** Nil

**MINUTE**

**7     Item 2   SUCCESSION PLANTING**

**MOVED: G Westman SECONDED: T Carpenter**

**RESOLVED:** That the information be noted.

Yours faithfully



Doug Patterson  
**DIRECTOR**  
**ENGINEERING SERVICES**

**MINUTE**

**8      CHIFLEY DAM DEVELOPMENT APPLICATION (2010/0726)**

**Cr Bourke** – asked for status of this matter.

**The Director Engineering Services** advised the Development Application has been approved. Reviewing fire requirement issues and water requirements.

**MINUTE**

**9      CHURCH STREET LIGHT STANDARDS (28.00014-05)**

**Cr Bourke** – asked who is responsible for knocking down lamp standards in Church Street. There are a number leaning over.

**The Director Engineering Services** will investigate.

**MINUTE**

**10     AIRPORT (21.00008-09)**

**Cr North**– asked when ambulance transferring patients to planes at Bathurst Airport, is there a cover/protection that can be provided to protect people from the elements.

**The Mayor** advised that the matter will be investigated.

## MINUTE

### 11 COUNCIL SUBDIVISIONS (20.00018-04)

**Cr North** – advised width of roads is narrow, can we look at sizes provided, e.g. Darwin Drive.

**The Director Engineering Services** advised of projected level of vehicle use for Darwin Drive when rest of the estate is constructed.

**MINUTE**

**12     GREEN WASTE BINS (14.00053-04)**

**Cr North**– asked for the status on this matter.

**The Manager Water & Waste** advised of project on use of compost that is occurring. We need to be sure if we collect the material that we can use it.

**MINUTE**

**13     PARAWEENA STREET/LAMONT PLACE (28.00016-04)**

**Cr North** – advised part of pathway is not concreted all the way through to Park Street. Can we look at a concrete path or better gravel walkway.



**MINUTE**

**14     WATER 32.00006-15**

**Cr North** – asked can a report be prepared for possible raising of the dam wall.

**The Mayor** advised will go for consideration to 2011/2012 Management Plan.

**MINUTE**

**15     LAFFING WATERS ESTATE - ACCESSIBILITY (25.00106)**

**Cr Morse** – advised that recently there was an accident which blocked off access to Laffing Waters Estate for 4 hours.

**The Director Engineering Services** explained history of estate and that current access is temporary till the rest of the estate is opened. Private ownership of the land is an issue.

**MINUTE**

**16 RUBBISH - HOWICK STREET, BETWEEN WILLIAM & BENTINCK STREETS**  
**(13.00025-03)**

**Cr Morse** – advised has received complaints about the amount of rubbish on the street, particularly near entry to Stocklands and also near the Acropole. Can we do something?

**MINUTE**

**17     ACCESSIBILITY FOR HEARING IMPAIRED - COUNCIL MEETINGS (11.00005-13)**

**Cr Morse** – spoke to problem of hearing in Council Chambers. There are problems for people with hearing disabilities and the public, due to layout of the room. People are unable to lip read. Can we look at solutions.

## MINUTE

### 18 INFORMATION PROVISION BEFORE MEETING (11.00005-13)

**Cr Morse** – raised concern that sometimes information is given to Councillors at the last minute before the meeting. Councillors are unable to read this in time. Need a system put in place, have spoken to General Manager about this.

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to the Policy Meeting 01/09/2010

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GENERAL MANAGER

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MAYOR  
Page 37

**MINUTE**

**19     TELSTRA COMMUNICATION TOWER DA (2010/0629)**

**Cr Westman** – asked for the status of this matter.

**The Mayor** advised have spoken to Telstra. They are doing further investigations.

**MINUTE**

**20     CBD PARKING STUDY (20.00090)**

**Cr Westman** – asked for status on this matter

**The Director Environmental Planning & Building Services** advised monitoring is currently occurring up to December of this year, then report will be prepared.

**MINUTE**

**21     WINDRADYNE MEMORIAL (23.00125)**

**Cr Carpenter** – asked for the status of this matter. With a new working Party, can we ask this to be taken up.

**The Mayor** spoke of history of meetings and awaiting feedback.



**MINUTE**

**22     KEPPEL STREET INTERSECTION (5.00039-05)**

**Cr Carpenter** – asked are there plantings to occur at this location where road has been narrowed.

**The Director Engineering Services** advised the RTA did these works. Council had little involvement. There is insufficient drainage and water supply in this area to do additional plantings. Without adequate watering system not practical to extend plantings.

## MINUTE

### 23 ONE LOCAL GOVERNMENT ASSOCIATION (18.00105-10)

**Cr Carpenter** – advised the Department will be holding a seminar into Modernising Local Government. If people have any issues please pass them onto Cr Carpenter for taking to the conference.

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to the Policy Meeting 01/09/2010

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GENERAL MANAGER

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MAYOR  
Page 42

**MINUTE**

**24     GUIDING MOVEMENT 100 YEARS DINNER (23.00012-04)**

**Cr Hanger** – represented Council at this function. Council was presented with a Certificate of Appreciation.

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to the Policy Meeting 01/09/2010

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GENERAL MANAGER

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MAYOR  
Page 43

**MINUTE**

**25     BIKE CONFERENCE (29.00001-20)**

**MOVED: M Morse SECONDED: B Bourke**

**RESOLVED:** That Cr North be approved to attend the Bike Futures Conference in Melbourne and that Council meet associated travel, accommodation and registration expenses.

**MINUTE**

**26     MEETING CLOSE**

The Meeting closed at 5.38 pm.

**CHAIRMAN:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **(15 September 2010)**

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to the Policy Meeting 01/09/2010

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GENERAL MANAGER

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MAYOR  
Page 45

POLICY COMMITTEE  
ATTACHMENTS TO THE  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT  
1 SEPTEMBER 2010

<b>POLICY:</b>	GOVERNANCE – PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS
<b>DATE ADOPTED:</b>	Director Corporate Services & Finance Report #1 Policy 4 November 2009 Council 18 November 2009 Minute Book 10808  Director Corporate Services & Finance Report #2 Policy 1 April 2009 Council 15 April 2009 Minute Book 10645  Director Corporate Services & Finance Report #2 Policy 2 July 2008 Council 16 July 2008 Minute Book No 10457  Director Corporate Services & Finance Report #1 Policy 1 August 2007 Council 15 August 2007 Minute Book No. 10203  Director Corporate Service & Finance Report #1 Policy 7 February 2007 Council 21 February 2007 Minute Book No. 10065  Director Corporate Services & Finance Report #1 Council 2 August 2006, Minute Book No. 9915B Council 16 August 2006 9917  Director Corporate Services & Finance Report #1 Policy 3 August 2005, Council 17 August 2005 Minute Book No. 9638
<b>ORIGINAL ADOPTION:</b>	Director Corporate Services Report #1 Policy 1 December 2004, Council 8 December 2004 Minute Book No. 9416
<b>FILE REFERENCE:</b>	11.00008
<b>OBJECTIVE:</b>	Provide guidelines for payment of expenses and provision of facilities for Councillors in accordance with the Local Government Act.

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**1. PURPOSE**

Section 252 of the Local Government Act 1993, requires Councils to adopt a policy for the payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors.

The policy identifies expenses that will be paid and facilities that will be provided, to the Mayor, Deputy Mayor and Councillors in relation to discharging the functions of civic office.

**In the event that an Administrator is appointed for Bathurst Regional Council, this policy will apply to the Administrator in the same manner as the Mayor.**

## **2. OBJECTIVE**

- To ensure that no Councillors suffer hardship by reason of meeting their civic responsibilities as an elected person.
- To adequately reimburse Councillors for expenses incurred in the performance of their duties, including expenses incurred in becoming adequately informed on subjects relevant to their civic duties.

## **3. STATEMENT OF PRINCIPLES**

The Councillors are the elected governing body of Bathurst. To assist them to discharge their civic, statutory and policy making functions, they are entitled to be provided with the range of necessary facilities and to be reimbursed the expenses specified in this policy.

Recognising the special role of the Mayor this policy allows for the payment of some additional expenses and the provision of some additional facilities.

Claims for facilities and expenses not included in the policy will not be approved.

Where replacement equipment or facilities is required, Council's policy on plant and asset replacement will be followed. Equipment and facilities will be compatible with and of the same standard as other Council equipment and facilities.

Council's facilities and services, as detailed in this Policy, are available to Councillors while carrying out the functions of civic office. These facilities and services are not available for use by members of a Councillor's family, unless the use is directly related to attendance at a civic function or to another aspect of the Councillor's civic duties.

## **4. LEGISLATIVE & LEGAL REQUIREMENTS**

The Local Government Act 1993 states:

248 Fixing and payment of annual fees for Councillors

(1) A Council must pay each Councillor an annual fee.



- (2) A Council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.
- (3) The annual fee so fixed must be the same for each Councillor.
- (4) A Council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.

249 Fixing and payment of annual fees for the Mayor

- (1) A Council must pay the Mayor an annual fee.
- (2) The annual fee must be paid in addition to the fee paid to the Mayor as a Councillor.
- (3) A Council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.
- (4) A minimum fee determined by the Remuneration Tribunal.
- (5) A Council may pay the Deputy Mayor (if there is one) a fee determined by the Council for such time as the Deputy Mayor acts in the office of the Mayor. The amount of the fee so paid must be deducted from the Mayor's annual fee.

250 At what intervals are fees to be paid?

Fees payable under this Division by a Council are payable monthly in arrears for each month (or part of a month) for which the Councillor holds office.”

251 What is the consequence of paying fees?

- (1) A person is not, for the purposes of any Act, taken to be an employee of a Council and is not disqualified from holding civic office merely because the person is paid a fee under this Division.
- (2) A fee paid under this Division does not constitute salary for the purposes of any Act.”

252 Payment of expenses and provision of facilities

- (1) A Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the Mayor or a Councillor of a facility provided by the Council to the Mayor or Councillor.

253 Public notice of proposed policy concerning expenses and facilities

Before adopting a policy for the payment of expenses or provision of facilities, the Council must give at least 28 days public notice of the proposal.

254 Decision to be made in open meeting – Section 254

The Council or a Council committee all the members of which are Councillors must not close to the public that part of its meeting at which a policy for the

payment of expenses or provision of facilities is adopted or at which any proposal concerning those matters is discussed or considered.

The Local Government (General) Regulation 2005 states:

404 Circumstances in which Councillors' annual fees may be reduced or not paid.

For the purposes of Section 254(A) of the Act, the prescribed circumstance for the non-payment or reduction of a Councillor's annual fee is the circumstance where both of the following conditions are satisfied:

- (a) The payment of the annual fee adversely affects the Councillor's entitlement to a pension, benefit or allowance under any legislation of the Commonwealth, a Territory or a State (including NSW),
- (b) The Councillor agrees to a non-payment or reduction.

## 5. REPORTING REQUIREMENTS

The Local Government Act, 1993 imposes reporting requirements on Councils. Council's Annual Report satisfies the reporting requirements imposed under the Local Government Act 1993 and the Local Government (General) Regulation 2005.

## 6. OTHER GOVERNMENT POLICY PROVISIONS

This policy has been developed in accordance with the following policies and documents provided by various government departments.

- Department of Local Government Guidelines for Payment of Expenses and Provision of Facilities to Mayors and Councillors - **October 2009**.
- **Division** of Local Government Circulars (issued from time to time) including but not limited to:-
  - 04/04 Appropriate Controls on the use of Council Credit Cards
  - 05/08 Legal Assistance for Councillors and Council Employees
  - **08/24 Misuse of Council Resources**
  - **08/37 Council decision making prior to ordinary elections**
- Department of Local Government Model Code of Conduct – **June 2008**
- Council's Adopted Code of Conduct
- Various ICAC Publications.

## 7. ANNUAL FEE

Pursuant to Section 248 of the Local Government Act, 1993, an annual fee will be paid to each Councillor in twelve instalments (monthly in arrears). In addition to this, the Mayor will be paid an annual fee in accordance with Section 249 of the Act, to be paid in twelve instalments (monthly in arrears). The amount to be

paid will be as determined by the Local Government Remuneration Tribunal and adopted in Council's Management Plan for that year.

## **8. ACCESS AND USE OF FACILITIES/EQUIPMENT**

Councillors are to be provided with access and use of the following:

- (i) A room suitably furnished for use by all Councillors;
- (ii) Access to a motor vehicle if available, or alternative arrangement (eg hire car), for the purposes of attending official functions or meetings outside the Council area; (see also Clause 15);
- (iii) Use of Council photocopiers, telephones, computers, (& associated equipment) and fax machine in the course of the Councillor undertaking official business.

In addition to those facilities/equipment listed above, the Mayor will be provided with the use of:

- (iv) An office suitably furnished;
- (v) Mayoral robes and chains;
- (vi) A corporate credit card to meet expenses connected with the entertainment of guests of the city;
- (vii) A "Rex" card to allow the Mayor access to the Rex lounge at the airport for the conduct of meetings and whilst waiting between meetings and flights (a card will also be provided to the Deputy Mayor for official use).

## **9. PROVISION OF EQUIPMENT**

Each Councillor will be provided with the following:

- (i) Business cards.
- (ii) Councillor letterhead.
- (iii) A name badge.
- (iv) Stationery, office supplies and other consumables.
- (v) Provision of car parking sticker for parking in designated/authorised parking areas.
- (vi) Each Councillor will be provided with the following for Council use:
  - A laptop computer and associated equipment (printer etc).
  - Access to the internet.
  - Facsimile transmission device (Fax) (including installation at the principal place of residence).
  - A document shredder.

NB: All rental, call and stationery costs incurred in the course of Council activities will be met by Council.

(vii) Effective following the Local Government Election to be held on 13 September 2008, Councillors will have the following options in relation to telephone calls made in the course of Council business:

a. Council will reimburse Councillors for the cost of official mobile and landline calls made in the course of Council business up to a limit of \$80 per month. Claims for reimbursement of calls must be made on the appropriate expenditure claim form.

**or**

b. Council will provide Councillors with a mobile phone for exclusive use for Council business, limited to an amount of \$80 per month.

In addition to the equipment listed above the Mayor will be provided with the following:

(viii) A mobile phone with rental and all charges to be met by Council;

(ix) A motor vehicle (including private use) on the basis that all costs are met by the Council. NOTE – that during periods of “leave of absence” of the Mayor the vehicle will be made available to the Deputy Mayor under the same terms and conditions.

(x) A permanently allocated parking space.

**Note: A person’s re-election to the Council is considered a personal interest. Official Council material such as letterhead, publications, websites, email, as well as council services and forms must not be used for any such personal interests.**

### **9.1 Acquisition and Return of Council Equipment and Facilities by Councillors**

All equipment provided to the Mayor, Deputy Mayor or a Councillor to assist them to carry out their official duties remains the property of Council and is to be returned to Council upon the Mayor or the Councillor ceasing to hold office.

A Councillor may at the cessation of their duties request to purchase the equipment provided to them for their official duties or part thereof. Any items offered for sale to a Councillor under this clause will be offered on the basis that they are valued at a fair market price or the current written down value, whichever is the greater.

### **9.2 Private Benefit**

Councillors should not generally use Council equipment for their own personal benefit. However, it is acknowledged that incidental use of Council equipment for private benefit may occur. Such incidental use will not be subject to repayment.

Where more substantial use of Council equipment occurs Council will seek reimbursement at a rate determined by the

(i) Mayor/Deputy Mayor and the General Manager or

(ii) the Council,

depending upon the circumstances.

## **10. ADMINISTRATIVE SUPPORT**

Councillors will be provided with secretarial support in relation to official correspondence.

## **11. TRAINING**

Councillors will be provided with training to enhance their ability to carry out their civic responsibilities. An allowance is made in the annual budget for provision of training to Councillors. The type of training attended would normally be approved by the Council but may, in some circumstances, be approved by the Mayor.

## **12. INSURANCE**

Council will provide appropriate insurance for Councillors including insurance against personal injury whether fatal or not, arising out of, or in the course of carrying out duties, or the performance by such Councillor at functions in his/her capacity as a member of Council.

Council will provide the following Insurance cover for Councillors undertaking official Council business:

- Public Liability.
- Councillors and Officers.
- Personal Accident.
- Travel Insurance (where approved) for interstate and overseas travel on Council business.

## **13. SUSTENANCE/MEALS**

Councillors are entitled to the provision of a meal and/or refreshments in conjunction with the Committee/Council meeting or at any official ceremony authorised by Council or the Mayor, or in carrying out their Councillor's responsibilities including meetings with residents, ratepayers or guests of the city.

## 14. LEGAL

In the event that indemnity is not granted under the existing Councillors and Officers liability policy in relation to:

- (a) any enquiry, investigation or hearing into the conduct of a Councillor:
  - (i) by the Independent Commission Against Corruption;
  - (ii) by the Office of the Ombudsman;
  - (iii) by the Administrative Decisions Tribunal;
  - (iv) **by the Division of Local Government, Department of Premier and Cabinet**
  - (v) by the NSW Police Force;
  - (vi) by the Director of Public Prosecutions;
  - (vii) by Council's Conduct Review Committee/Reviewer**
  - (viii) by the Local Government Pecuniary Interest Tribunal; or
  - (ix) pursuant to FOI legislation;
  - (x) pursuant to Privacy and Personal Information Protection legislation
  
- (b) legal proceedings against a Councillor:

Council shall reimburse such Councillor on a solicitor/client basis for all legal and associated expenses properly and reasonably incurred having regard to the nature of the enquiry, investigation, hearing or proceedings, provided that:

- (i) the enquiry, investigation, hearing or proceedings relate to conduct arising out of or in connection with a Councillor's performance of his or her civic duty or the exercise of his or her functions as a Councillor;
- (ii) the enquiry, investigation, hearing or proceedings have been finalised and have resulted in a finding, in the opinion of the Council, substantially favourable to the Councillor;
- (iii) the amount of any such reimbursement shall be limited to the amount of moneys that are not otherwise recoverable by a Councillor on any other basis;
- (iv) the Council authorises the reimbursement by resolution.

Note: Council cannot pay any legal expenses for

- (a) legal proceedings initiated by a councillor
- (b) a councillor seeking legal advice in respect of possible defamation

## 15. EXPENSES

- (a) Council will reimburse claims for expenses for actual costs incurred by Councillors in relation to discharging the functions of civic office.

**The fundraising activities of political parties, including political fundraising events, are considered to be personal interests. Council will not pay expenses or provide facilities to councillors in relation to supporting and/or attending such activities and events.**

- (b) In relation to discharging the functions of civic office, the following facilities will be provided:

- Mayoral Office.
- Councillors' meeting room.
- Provision of a meal/refreshments in conjunction with the Committee/Council meeting.

- (c) Where a Councillor provides his/her own motor vehicle for transport in relation to discharging the functions of civic office, reimbursement of costs will be made on either:

- (i) a per kilometre basis at the rates specified under Clause 4 of the Local Government (State) Award (NAPSA), or
- (ii) based on the presentation of a fuel docket/receipt.

- (d) Where travel is by air, Council will pay the cost of an economy class ticket.

- (e) Costs of vehicle hire, taxi fares and/or public transport which are reasonably incurred while attending conferences will be reimbursed by the Council.

- (f) Council will reimburse the cost of parking fees (upon the provision of an appropriate receipt) and the cost of any road tolls paid while on Council business.

In regard to “functions of Civic Office”, the following guide is provided:

Travel expenses relate to travel that is on Council business (this can be within NSW or interstate, where approved), including:

- to and from Council meetings;
- to and from Committee meetings, Working Parties etc of which the Councillor is a member;
- to and from meetings of external bodies to which the Councillor is an approved delegate;
- inspections within the area of the Council where such inspections have been arranged by a resolution of Council, or by Mayoral approval;

- to and from the periodical conferences, training courses and seminars of Local Government related organisations at which attendance has been approved by a resolution of Council or by Mayoral approval;
- to and from public meetings where such meetings have been arranged by a resolution of Council or by Mayoral approval.

NB: For the purposes of this Policy, travel within the ACT is regarded as travel within NSW.

Payment is subject to:

- the travel being undertaken expediently and by the shortest practicable route;
- claims must be made within three (3) months of incurring the expense;
- wherever possible and appropriate, a Council vehicle will be made available for use by a Councillor travelling outside the Bathurst Regional Council boundary on Council approved business.

N.B. The driver of the vehicle (whether a Council vehicle or private vehicle) will be personally responsible for all traffic or parking fines incurred while travelling on Council business. Under no circumstances will Council reimburse costs associated with traffic or parking infringement fines.

### **15.1 Payment of expenses for spouses, partners and accompanying persons**

Council will pay the cost of attendance of a spouse, partner or accompanying person at an official function of the Council or other official functions that are of a formal and ceremonial nature. Examples would include Citizenship ceremonies, civic receptions/functions and charitable functions for charities supported by the Council.

Council will also pay for any reasonable expenses incurred for a spouse, partner or accompanying person of the Mayor, or of a Councillor when they are representing the Mayor, when they are called upon to attend an official function of Council or, carry out an official ceremonial duty while accompanying the Mayor (or the Mayor's representative) outside the Council's area, but within the State of New South Wales. Reasonable expenses would include the cost of the ticket and meal etc.

In all other instances any costs incurred as a result of the attendance by a spouse, partner or accompanying person shall be met by the respective Councillor.

### **15.2 Payment in Advance:**



The Council will normally pay all costs associated with attendance by a Councillor on official Council business at a conference, seminar or function in advance. Where this is not appropriate or possible:

- a cash allowance or cheque equivalent thereto will be paid to the attendee in advance;
- An allowance for estimated “out-of-pocket” expenses may be paid to an attendee in advance upon request.

Payment via either of these methods will require the provision of a reconciliation statement, verification of expenses and the refund of any unexpended amount being submitted within ten (10) days of the close of the conference, seminar or function.

N.B. Councillors are provided with a credit card to minimise the requirement for payments in advance.

### **15.3 Childcare**

Council will reimburse Councillors for the cost of child care services incurred while on authorised Council business. The amount of reimbursement will be the actual cost incurred, with a maximum of \$8.00 per hour per child applying.

### **15.4 Dependant Care Related Expenses**

Council will reimburse Councillors for the reasonable cost of child/dependant care services (including care of elderly, disabled and/or sick immediate family members of Councillors) incurred while attending Council meetings, Committee meetings, workshops, briefing sessions and other meetings relating to Council’s operations.

Councillors will be reimbursed for expenses associated with child/dependent care paid to providers other than immediate family, spouse or partner up to 1 hour before and after such meetings (based on advertised commencement time) subject to the prescribed form being completed and/or the production of appropriate documentation/receipts.

### **15.5 Councillor Care Related Expenses**

Council will give consideration to the payment of other related expenses associated with the special requirements of Councillors such as disability and access needs, including reasonable transportation provisions for those unable or unwilling to drive a vehicle, to allow them to perform their normal civic duties and responsibilities. Costs could include accommodation, meals and travel expenses for carers, accompanying a Councillor where required.

## **16. CORPORATE CREDIT CARD**

Councillors will, upon request, be given a Corporate Credit Card with a limit of \$1,000.

## **17. PROVISION OF COUNCIL UNIFORM**

Councillors are to be provided with a Council uniform. The initial purchase will be subsidised to a maximum of \$800.00 and thereafter an annual allowance for maintenance of a maximum \$200.00 per annum.

A councillor who is re-elected for a new term of office shall, during the first year of that term, be entitled to an allowance of up to a maximum of \$400 and thereafter the annual maintenance amount will apply.

Where Councillors are required to wear personal protective equipment (PPE), this will be provided up to a maximum of \$500 in any one term of Council.

## **18. CODE OF CONDUCT**

Councillors should be aware that where actions are taken in Breach of the Code of Conduct, the failure to comply with the Code of Conduct may be evidence of a lack of good faith which may lead to a denial of payment under the Policy.

Further, Chapter 13, Part 5 of the Local Government Act allows the Department to surcharge Councillors to recover any deficiency or loss to Council arising from actions involving misconduct. Councillors should be aware that where actions are taken in breach of the Code of Conduct, the failure to comply with the Code of Conduct may be evidence of misconduct which may lead to personal liability pursuant to the surcharge provision of the Local Government Act in connection with such actions.

## **19. CONFERENCES**

In this part **Conference** means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions, events, etc. held within Australia, related to the industry of local government.

### **19.1 Who May Attend Conferences**

Councillors may be nominated to attend conferences by:

- the Council, by resolution duly taken;
- the Mayor, acting within his/her delegated authority.

In addition the Mayor may nominate a substitute Councillor in his or her absence to attend functions within and outside the Council area on those occasions where the Mayor is unable to be in attendance.

### **19.2 What Conferences May be Attended**

The conferences to which this policy applies shall generally be confined to:-

- Local Government Association (LGA) and Australian Local Government Association(ALGA) Conferences.
- Shires Association Conference.
- Special “one-off” conferences called or sponsored by the LGA and/or ALGA on important issues.
- Annual conferences of the major Professions in Local Government.
- Australian Sister Cities Conferences.
- Regional Organisation of Councils Conferences.
- Conferences, which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council’s functions.
- Any Meetings or Conferences of organisations or bodies on which a Councillor of the Council may be elected, or appointed to be, a delegate or member of the Council or the L.G.A.

Other conferences that may be attended would include those listed in the report provided to Council (from time to time) adopting the delegates/duty delegates.

### **19.3 Registration**

The Council will pay all normal registration costs which are charged by organisers, including the costs of related official luncheons, dinners and tours which are relevant to the interests of the Council or assist Councillors to discharge the functions of their civic office.

### **19.4 Expenses Incurred**

Payment or reimbursement of expenses incurred or to be incurred shall be subject to the requirements that:

- (a) travel expenses relate to travel that is on Council business;
- (b) the travel being undertaken with all due expedition, and by the shortest practicable route;
- (c) only reasonable amounts are claimed or accepted towards necessary out-of-pocket expenses;
- (d) out-of-pocket expenses for which amounts are claimed relate only to the verified costs of refreshments, meals, travel, registration fees, accommodation, stationery and the like;
- (e) any time occupied or travel incurred in other than Council business is not included in the calculation of expenses to be paid; and
- (f) the claim is made not later than three (3) months after the expenses were incurred, and upon copies of all relevant dockets, receipts and the like being attached to a written claim for payment/reimbursement.

## **19.5 Categories of Payment or Reimbursement**

The categories of payment or reimbursement are as follows:

**(a) Travel**

See Clause 15 of this policy

**(b) Accommodation**

Reasonable accommodation costs (including meals), including the night before and/or after the conference where this is necessary, will be met by the Council.

**(c) Out-of-Pocket Expenses**

Reasonable out-of-pocket or incidental expenses will be reimbursed for costs associated with attending the conference, including entertainment, but excluding expenses of a normal private nature. Incidental expenses are taken to include items such as:

- (i) hotel/motel charges other than accommodation;
- (ii) telephone or facsimile calls;
- (iii) refreshments/meals not included in the Registration fee;
- (iv) any optional activity in a Conference program;
- (v) taxi fares;
- (vi) parking fees.

## **19.6 Payment of Conference expenses**

Councillors, from time to time, may find it necessary to pay day-to-day expenses out of their own pocket. Councillors must then submit a claim (on the claim form attached to this policy) for reimbursement of those expenses in accordance with this policy. Payment of incidental expenses will be limited to a maximum of \$100 per day.

The General Manager reserves the right to decline the reimbursement of any expenses he/she considers to be inappropriate or unreasonable and refer them for further consideration in accordance with the dispute procedures listed in this policy.

## **19.7 Spouse/Partner**

Where the attendee is accompanied by his or her spouse/partner the attendee will pay for any cost supplement involved in the accommodation. All costs for the spouse/partner (including travel and meals) are to be borne by the attendee.

Council will pay for the attendance by a spouse or partner of an attendee at the Local Government Association Conference and the Shires Association Conference. Payment of expenses in these instances will be limited to the cost of registration at the conference and the cost of the official conference dinner.

## **19.8 Reimbursement of Expenses**

All claims for reimbursement of actual expenses incurred by a Councillor in the course of their official duties are to be made under the following conditions:-

- provision of appropriate tax invoices, receipts;
- submission of claim on the Council claim form provided at Annexure A;
- all claims being submitted within 3 months of the expenditure being incurred (except as otherwise specified in this policy);
- completion of a statutory declaration.

## **20. OVERSEAS TRAVEL**

Council will pay the same expenses as detailed above (for conferences) for Councillors travelling overseas on Council business provided Council resolves that such travel be undertaken. Any proposal for overseas travel must be considered at an Open Council Meeting through a report from the General Manager or other appropriate staff member.

Reports are to indicate:

- Who is to take part in the travel;
- The objectives for undertaking the trip, including an explanation of the benefits that will accrue to the community/Council from taking the trip;
- The duration of the trip and general details of travel arrangements;
- The approximate cost of the trip, including accommodation and other expenses payable.

If the trip is to be sponsored by private enterprise, ICAC guidelines and reporting structures shall be followed.

For overseas travel, a daily meal and an incidental expenses allowance will be paid to each authorised attendee in accordance with the Australian Fringe Benefits Taxation guidelines, provided that such expenses are subject to a period of stay not exceeding the period for the conference or authorised business plus one day each way for travelling. Any such payment will be considered as a Payment in Advance and dealt with in accordance with the requirements of clause 15.2 Payment in Advance of this policy.

Where possible proposals for overseas travel by Councillors and staff on Council business should be included in the annual management plan to ensure community awareness.

## **21. DISPUTE RESOLUTION - PAYMENT OF EXPENSE CLAIMS**

Approval for expenses claimed as a result of attendance at a conference, seminar or function for which there is no formal Council resolution to attend will normally be made jointly by the General Manager and the Mayor (or if the claim

is made by the Mayor, the General Manager and the Deputy Mayor or another Councillor). In the event of a dispute as to the payment of expenses claimed by a Councillor the General Manager will prepare a report for consideration at the ordinary monthly Council meeting and the report will be provided as part of the business paper for the meeting. The Council's decision will be final.

POLICY COMMITTEE  
ATTACHMENTS TO THE  
DIRECTOR ENGINEERING SERVICES' REPORT  
1 SEPTEMBER 2010

## Procedures for Naming of Council Facilities

### Objective

To provide Council with a set of guidelines for the naming of Council owned and managed public open spaces, including reserves, parks, public gardens, sporting fields / facilities and recreational areas and to allow for the recognition of both the European and Indigenous cultural heritage of the Bathurst Region.

The guidelines will ensure that the naming of all places is carried out in a consistent manner according to an established set of criteria.

This policy excludes the naming of geographical or topographical features which are covered by the Geographic Names Board and also excludes roads and streets which have their own set of guidelines.

Where existing Council owned public open space is not named, Council will apply this policy and associated guidelines. The policy will not be used to rename places already named, or names approved by Council, Committees or Community Boards by formal resolution.

### Policy

It is intended that facilities would be named after individuals only in exceptional circumstances and that such naming would:

- Commemorate and recognize individuals, institutions or events that contributed significantly to the betterment of the Bathurst community.
- Demonstrated achievement at a high level.
- Portray the appropriate physical, historical or cultural character of the area/place concerned.
- Be consistent with the overall interest, values and expectation of the Bathurst community.
- Be consistent with the relevant legislation and Geographical Names Board Guidelines where applicable
- Be consistent with Council's guidelines for naming roads.
- Generally, the recommendation to name a Council facility after a person of good character will only be considered after the person is deceased. In exceptional circumstances a Council facility could be named after a person still living in recognition of past contributions, but generally only when the association or link has ceased or is completed.
- Where practicable, the deceased person's next of kin or appropriate relative will be consulted before a deceased person's name is recommended for naming.



- Facilities should not be named for members of Council staff, Councillors, appointees to Committees of the Council or those formally associated with Council, as long as that formal relationship exists.
- The names of existing facilities would only be changed if exceptional circumstances warrant the name to be changed.
- If a facility that has been named is removed or replaced for any reason, or the nature of the facility changes, Council is not obliged to retain the name.
- Council will require sufficient information regarding the request to name the specific area/facility and such information will need to be collaborated by an independent source.
- Council may forward any request to name a specific area/facility to any other party (e.g. Bathurst District Sport and Recreation Council, local sporting organization, Geographical Names board, Bathurst District Historical Society, Local Aboriginal Land Council etc) for comment.

### **Approval**

Approval will be based on the merits of each application and on the guidelines as set in this policy. Proposals for the naming of facilities may come from a variety of sources including individuals, groups, clubs, committees and societies etc.

An initial review of the proposal will be made by Council Officers and an assessment of the proposal for its conformance with the criteria and procedure herein.

If assessed as conforming, the proposal will be advertised in Council's column in the local newspaper for a minimum of 2 weeks to allow for the community an opportunity to comment. Following this, the proposal will be put to Council for final consideration and approval.

Council will ensure the origin of the name will be clearly stated and recorded.

Once approved, the installation and type of signage will be coordinated by Bathurst Regional Council with the cost being borne by the applicant of the request or in exceptional circumstances by Council.