

27 October 2010

His Worship the Mayor & Councillors

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 3 November 2010 commencing at 5.00 pm.



D J Sherley  
GENERAL MANAGER

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 3 NOVEMBER 2010**

1. 5PM MEETING COMMENCES
2. APOLOGIES
3. REPORT OF PREVIOUS MEETING
  - \* Minutes - Policy Committee Meeting - 29 September 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 Environmental Planning & Building Services' Report
  - \* Director Corporate Services & Finance's Report
  - \* General Manager's Report
6. GENERAL BUSINESS
7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS
8. DISCUSSION FORUM OTHER
9. MEETING CLOSE

## MINUTE

### 1 MEETING COMMENCES

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

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

**MINUTE**

**2     APOLOGIES**

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

**RESOLVED:** That the apology from Cr Hanger be accepted and leave of absence granted.

POLICY COMMITTEE  
REPORT OF PREVIOUS MEETING

**REPORT OF PREVIOUS MEETING TO THE POLICY COMMITTEE MEETING HELD ON 3  
NOVEMBER 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 29 SEPTEMBER 2010 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 29 September 2010 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 29 September 2010 are attached.

**Financial Implications:** N/A

**MINUTE**

**3     Item 1   MINUTES - POLICY COMMITTEE MEETING - 29 SEPTEMBER 2010**

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

**RESOLVED:**That the Minutes of the Policy Committee Meeting held on 29 September 2010 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 29 SEPTEMBER 2010**

**5PM MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**In attendance:** General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Corporate Governance, Development Control Planner x 2, Manager Recreation, Manager Water & Waste

**APOLOGIES**

**2 APOLOGIES**

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

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

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 SEPTEMBER 2010 (07.00064)**

**MOVED** Cr I North and **SECONDED** Cr G Westman

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 1 September 2010 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST**

**MOVED** Cr R Thompson and **SECONDED** Cr G Westman

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Environmental Planning & Building Services' Report**

**5 Item 1 TELECOMMUNICATIONS AND RADIOCOMMUNICATIONS POLICY (11.00011)**

**MOVED** Cr I North and **SECONDED** Cr R Thompson

**RESOLVED:** That Council:



- (a) place the Telecommunications and Radiocommunications Policy on public exhibition for a period of 28 days; and
- (b) refer Policy back to Council for adoption.

## **GENERAL BUSINESS**

### **6 PROSTATE CANCER BARBECUE (18.00004)**

**Cr Bourke** - spoke to the event held last weekend and how successful it was.

### **7 CORNER WILLIAM/RUSSELL STREETS LAYBACK (07.00031)**

**Cr North** - advised of problem with disabled access at this corner with the layback. Noted Works Engineer is talking to Telstra on this matter.

### **8 BIKE RACE, CRONULLA (23.00015)**

**Cr North** - advised State Government is looking at funding this event and making it part of a series. Cr North will be chasing this up to see if Bathurst can be included as one of the venues

### **9 BRIAN BOOTH OVAL, PERTHVILLE (04.00062)**

**Cr North** - advised he had received a letter from the Publican at Perthville Hotel seeking to use Brian Booth Oval for touch football competition.

### **10 RETAINED RFS FIRE FIGHTERS (20.00013)**

**Cr Thompson** - advised that this issue had been raised at a recent meeting of the Rural Fire Service and had potential to create a rift between volunteers and paid fire fighters. Sought Council approval to write to various authorities expressing concerns.

## **MEETING CLOSE**

### **11 MEETING CLOSE**

The Meeting closed at 5.08 pm.

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

**Date:** \_\_\_\_\_ **(20 October 2010)**

**MINUTE**

**4     DECLARATION OF INTEREST**

**MOVED: M Morse SECONDED: G Westman**

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

POLICY COMMITTEE  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
3 NOVEMBER 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE  
POLICY COMMITTEE MEETING HELD ON 3 NOVEMBER 2010**

General Manager  
Bathurst Regional Council

**1 COMPLIANCE AND ENFORCEMENT: FOOD SAFETY (14.00002 & 41.00089)**

**Recommendation:** That Council:

- a) place the draft Compliance and Enforcement Policy Food Safety for Bathurst Regional Council Local Government Area on public exhibition for a period of 28 days.
- b) should no submissions be received during the public exhibition period then adopt the Policy.
- c) Subject to the adoption of the Policy remove references to the NSW Food Act 2003 and any associated legislation from Council's existing Enforcement Policy.

**Report:** A Partnership Agreement between Bathurst Regional Council and the NSW Food Authority commenced on 1 July 2009. Under the Agreement Council was appointed and delegated a range of responsibilities to administer the provisions of the NSW Food Act 2003 and associated regulation. These responsibilities centre on Council inspecting food premises and working with food premises to ensure high standards. The Act provides for a range of enforcement options ranging from warnings for minor issues through to Orders requiring businesses to cease trading in extreme circumstances.

The NSW Food Authority has developed protocols to guide Council with the responsibilities of its partnership. In this way there is consistency in the different approaches between councils and allows for direct comparison between areas.

This Policy is based on the guidelines issued by the NSW Food Authority.

The Policy will enable Council to provide a consistent and transparent approach to the enforcement of the NSW Food Act 2003 and associated legislation as recommended by the NSW Food Authority.

The draft Policy is provided at **attachment 1**.

Council currently has references to the Food Act within its existing Enforcement Policy. Subject to the adoption of this Policy those references will be removed.

**Financial Implications:** Nil.

**MINUTE**

**5 Item 1 COMPLIANCE AND ENFORCEMENT: FOOD SAFETY**

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

**RESOLVED:** That Council:

- a) place the draft Compliance and Enforcement Policy Food Safety for Bathurst Regional Council Local Government Area on public exhibition for a period of 28 days.
- b) should no submissions be received during the public exhibition period then adopt the Policy.
- c) Subject to the adoption of the Policy remove references to the NSW Food Act 2003 and any associated legislation from Council's existing Enforcement Policy.

Yours faithfully



D R Shaw  
**DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

POLICY COMMITTEE  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT  
3 NOVEMBER 2010

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE POLICY  
COMMITTEE MEETING HELD ON 3 NOVEMBER 2010**

General Manager  
Bathurst Regional Council

**1 DELEGATIONS REGISTER (41.00088)**

**Recommendation:** That Council adopt the changes to the Delegations Register as tabled.

**Report:** As part of the ongoing review of Council's Delegations Register and recent Council resolutions the Register has been updated as follows:

- 1 **Freedom of Information Act 1989/Government Information (Public Access) Act 2009 -**  
The Freedom of Information Act 1989 has now been repealed and replaced by the Government Information (Public Access) Act 2009 effective from 1 July 2010. Council resolved to amend the Delegations Register to reflect this change. (Refer DCSF #1 Policy 3 February 2010)

The following change has been made to the list of Acts and Regulations, Corporate and Executive Powers #17 on page 6 of the register as follows:

*delete* Freedom of Information Act 1989

*add* Government Information (Public Access) Act 2009

- 2 **Strategic Asset Management Policy (SAMP) - Council on 16 July 2008 (DCSF Confidential report #2)** resolved to replace the Strategic Asset Management Policy with an in-house program developed with the assistance of Echelon Australia (a firm used by Council's Insurer Statewide Mutual).

The following change to Corporate Services/Administration delegation 114 has been made.

*delete* "Strategic Asset Management Policy (SAMP)

*add* "Council's asset management program"

*Revised Delegation*

114 Authority to exercise and perform on behalf of Council all functions, powers, authorities, duties and matters contained in Council's asset management program.

- 3 **Government Information (Public Access) Act 2009 - Council on 4 August 2010 (DCSF Report #2, Policy)** resolved to

"delegate authority to the General Manager to adopt the Publication Guide for Council as this is an operational matter".

*New Delegation (Corporate Services/Administration)*

116 To adopt on behalf of Council the Publication Guide required under Section 20 of the Government Information (Public Access) Act 2009.

- 4 Rural Lands Protection Board/Livestock Health and Pest Authority - The following change to Planning & Development Delegation 433 (page 15) has been made due to name change for the authority.

*delete* "Rural Lands Protection Board"

*add* "Livestock Health and Pest Authority"

*Revised Delegation*

433 To carry out rabbit eradication on roadsides in conjunction with the Livestock Health and Pest Authority.

- 5 Accreditation of Council Building Surveyors - Council on 19 May 2010 (DEPBS Report #13), resolved to

"grant delegated authority to the General Manager to make recommendations in relation to applications for accreditation of Council Building Surveyors under the Building Professionals Act 2005."

*New Delegation (Planning & Development)*

438 Authority to make recommendations in relation to applications for accreditation of Council Building Surveyors under the Building Professionals Act 2005.

It is recommended that Council adopt the changes to the Delegations Register as tabled. A copy of the updated Delegations Register is shown at **attachment 1**.

**Financial Implications:** Nil.



**MINUTE**

**6     Item 1   DELEGATIONS REGISTER**

**MOVED: G Westman SECONDED: I North**

**RESOLVED:**That Council adopt the changes to the Delegations Register as tabled.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

POLICY COMMITTEE  
GENERAL MANAGER'S REPORT  
3 NOVEMBER 2010

**GENERAL MANAGER'S REPORT TO THE POLICY COMMITTEE MEETING HELD ON 3  
NOVEMBER 2010**

General Manager  
Bathurst Regional Council

**1 INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION AUSTRALIA (IMBA)  
CONFERENCE - SYDNEY APRIL 2011 (29.00010)**

**Recommendation:** For Council's consideration.

**Report:** The IMBA has announced that it will be holding a comprehensive conference/workshop in Sydney from 9 - 12 April 2011. The name of the conference is Tracks & Trails 6th Biennial conference (Web address: [www.tracksandtrails.org.au](http://www.tracksandtrails.org.au)). With Council recently undertaking the Bathurst Bicycle Park Feasibility Study, as well as the extensive park areas in the Bathurst region, it may be prudent to have Councillor representation at this Conference.

The IMBA advises as follows:

*"THEMES - For this years' conference, we will continue to build on previous conference themes and outcomes.*

*2008 saw around 250 delegates learn much in the area of trails development, management and maintenance - particularly in the area of mountain biking. Since then, we have all seen activity across the nation in the area of trail development, some of it proactive and productive and some of it far slower than we would like.*

*As the wheels of regional and urban trail development increasingly turn, it is timely that we explore some of the themes that will impact on users of these community assets. Key words such as 'engagement, 'destination' and 'business' have been frequently used in trail discussions around Australia.*

*In recent years, sustainable trail development within a conservation context, is seen increasingly for its true value to the community. However, the 'business end' of trails is often overlooked - how do we maximise visitation, measure return on investment and provide support for local community inputs - all the time working to expand the capacity for conservation outcomes to be intimately linked to the business side of the trail equation? Is it as simple as "safety in numbers" - the more people that engage with parks, will see more people respect parks, and result in more people investing in parks - better managed assets, better conservation and diversity outcomes through increased visitation? During the planning stage of the conference, we will be working towards the thematic look and feel from the key words and phrases below. As we proceed, we will expand on these themes.*

**Community**

Engagement  
Ownership  
Stewardship  
Volunteers

**Destination**

*Product and destination development  
Marketing/Events/risk etc  
Land management  
Policy*

**Design**

*Trail and signage standards - local and national  
Sustainable trail design  
Trail monitoring - evidenced based  
Insurance*

**Business**

*Commercial partnerships  
Government grants and program funds  
Volunteer development and retention  
Evaluation - the SEE Principle (social/  
environmental/economic)"*

**Financial Implications:** Costs will be funded from the Councillors' Expenses Vote and will include conference registration fee, accommodation, meals and incidentals. Estimated cost \$2,200.

**MINUTE**

**7 Item 1 INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION AUSTRALIA (IMBA) CONFERENCE - SYDNEY APRIL 2011**

**MOVED: B Bourke SECONDED: G Westman**

**RESOLVED:** That Council authorise two Councillors to attend the International Mountain Bicycling Association Australia Conference in Sydney in April 2011 and pay relevant expenses including travel and accommodation.

## **2 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006) (03.00142)**

**Recommendation:** That Council note the updated report (as at November 2010) of the Department of Local Government, PBP Review of November 2006.

**Report:** As Councillors would be aware, in November 2006, the Department of Local Government undertook a Promoting Better Practice Review of the Council. The Review Report and initial responses were presented to Council at its meeting on 16 May 2007 (General Manager's Report No 1). Follow-up reports have been provided to Council at its meetings of 3 September 2008, 1 April 2009, 30 September 2009 and 5 May 2010.

The purpose of this item is to provide an ongoing report on how Council is addressing the recommendations contained within the review. At **Attachment 1** is an Action Plan/Status Report which provides a Progress Report on each recommendation. It is considered the results of the Review were extremely pleasing. A number of the recommendations have progressed:

### **1. Recommendation 1**

The State Government has issued guidelines on Long Term Financial Planning. Bathurst Regional Council has been gazetted for inclusion in Group 3.

### **2. Recommendations 11 and 12**

The Audit Committee has now met on 2 occasions - 31 March and 1 July 2010. A Charter is in place for operation of the Committee. Three year Internal audit program now in place.

### **3. Recommendations 13 and 16**

Development of the new LEP which has been delayed due to, amongst other things, the Government's Rural Land Inquiry (Recommendations 13, 16) and inability of Department to sign off on various strategies. Scheduled completion date is now 2011 at the earliest. In the meantime, Council has prepared an Interim Comprehensive DCP (refer to director Environmental Planning & Building Services Report #3 of 15 September 2010) which will allow, as far as possible, for the implementation of the Bathurst Urban, Rural and Heritage strategies.

### **4. Recommendation 22**

Review Business Plans water and sewer, Recommendation No 22. These have now been completed.

### **5. Recommendation 24 and 25**

Asset Management Plans, Recommendations 24 and 25 - Development is ongoing as is noted in the attachment to the report.

**Financial Implications:** Actions are being taken within existing budgets.

**MINUTE**

**8 Item 2 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006)**

**MOVED: G Westman SECONDED: M Morse**

**RESOLVED:** That Council note the updated report (as at November 2010) of the Department of Local Government, PBP Review of November 2006.

Yours faithfully



D J Sherley  
**GENERAL MANAGER**

POLICY COMMITTEE  
GENERAL BUSINESS



## MINUTE

### 9 SOFALA VILLAGE MEETING (03.00068)

**Cr Morse** - issue of need for signage as leaving Bathurst to say 'no fuel at Sofala' was raised at the Sofala Village meeting.

**The Director Engineering Services & Mayor** advised Council will liaise with the RTA over placement of signage.

**MINUTE**

**10     STATE GOVERNMENT ELECTION - LOBBYING OF POLITICIANS (18.00040)**

**Cr Morse** - asked what process is in place to talk to or raise issues with politicians when they come to Bathurst.

**The General Manager** requested all suggestions/issues be forwarded to him.

## MINUTE

### 11 PLAYGROUND - EGLINTON BRIDGE (16.00125)

**Cr North** - asked when is the equipment to be installed at Eglinton Bridge Playground.

**The Director Engineering Services** advised awaiting approval under RLCIP Round 3 for funding.

**The Director Cultural & Community Services** advised of process involved in getting approval for funding - most likely can expect approval around February 2011.

**MINUTE**

**12     FIRE COMMISSIONER - 24 HOUR FIRE STATION (22.10764)**

**Cr North** - asked have we had the report back from the Fire Commissioner re 24 hour fire station? Has data requested from Orange arrived?

**The General Manager** advised still awaiting a response from the Commissioner and data from Orange.

**MINUTE**

**13     PIGEONS - CBD (14.00009)**

**Cr Bourke** - asked what has happened with this review?

**The Director Environmental Planning & Building Services** spoke to brief being prepared for Expression of Interest to be received. This is likely to be issued in January 2011.

**MINUTE**

**14     LOCAL GOVERNMENT ASSOCIATION (LGA) CONFERENCE (18.00074)**

**Cr Carpenter** - spoke to recent LGA Conference in Albury. Main issues raised; Part 3A of Environmental Planning Assessment Act, S:94 funding caps, cost shifting, rate capping, amalgamation of LGSA, water issues, Joint Regional Planning Panels.

Cr Carpenter advised she has been re-elected to the executive of the LGA.

**MINUTE**

**15     LOCAL GOVERNMENT STATE AWARD (17.00004, 19.00010)**

**Cr Carpenter** - New Award effective from 1 November 2010. Includes 18 weeks maternity leave.

**The Mayor** advised Council will hold Working Party on family friendly policies in place.

**MINUTE**

**16 COUNCIL PROPERTIES: SUSTAINABLE BUILDING POLICY & HERITAGE POLICY (11.00006)**

**Cr Carpenter** - requested that Council develop policies in these areas for Bathurst Regional Council owned properties.

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to the Policy Meeting 03/11/2010

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GENERAL MANAGER

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MAYOR  
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## MINUTE

### 17 GROUND SIGNAGE AT MOUNT PANORAMA (04.00028)

**Cr Thompson** - asked can we look at putting website address (e.g. [www.bathurstregion.com.au](http://www.bathurstregion.com.au)) under the Mount Panorama ground sign so advertises area when car races are broadcast, this could include the use of virtual advertising. Can options for advertising Bathurst under the Mount Panorama sign be included in the 2011/2012 Management Plan.

**MINUTE**

**18     WELCOME TO BATHURST SIGN - RAGLAN (23.00045)**

**Cr Aubin** - asked can we look at relocating the "Welcome to Bathurst" sign at Raglan, near where RTA safety cameras are located.

**The Mayor** advised a review of signage is to occur in the new year.

**MINUTE**

**19    MEETING CLOSE**

The Meeting closed at 5.49 pm.

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

**Date:** \_\_\_\_\_ **(17 November 2010)**