

31 May 2017

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council -
Wednesday, 7 June 2017**

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 7 June 2017 commencing at 6.00 pm.



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 7 JUNE 2017

1. 6:00 PM - MEETING COMMENCES

2. APOLOGIES

3. REPORT OF PREVIOUS MEETING

* MINUTES - POLICY COMMITTEE MEETING - 3 MAY 2017

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

6. GENERAL BUSINESS

7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS - Nil

8. DISCUSSION FORUM OTHER - Nil

9. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

Present: Councillors Hanger (Chair), Aubin, Bourke, Coote, Morse, Westman.

MINUTE

2 APOLOGIES

MOVED: Cr B Bourke SECONDED: Cr M Morse

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

REPORT OF PREVIOUS MEETING AND MINUTES

POLICY COMMITTEE

1 MINUTES - POLICY COMMITTEE MEETING - 3 MAY 2017 (07.00064)

Recommendation: That the Minutes of the Policy Committee Meeting held on 3 May 2017 be adopted.

Report: The Minutes of the Policy Committee Meeting held 3 May 2017, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

- 3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 3 MAY 2017 (07.00064)
MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That the Minutes of the Policy Committee Meeting held on 3 May 2017 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 3 MAY 2017

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

Present: Councillors Hanger (Chair), Aubin, Bourke, Coote, Morse, North, Westman.

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 APRIL 2017 (07.00064)
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That the Minutes of the Policy Committee Meeting held on 5 April 2017 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 22 MARCH 2017 (07.00096)
MOVED Cr M Coote and **SECONDED** Cr M Morse

RESOLVED: That the recommendations of the Audit & Risk Management Committee Meeting held on 22 March 2017 be adopted.

GENERAL BUSINESS

6 BATHURST BUSINESS CHAMBER (23.00026, 18.00027)

Cr Bourke - expressed concern at a recent article from the Business Chamber about Council operations, in particular, Christmas decorations. The attack on Council was unfair. Noted no support by Chamber for 2015 celebrations. Council brings numerous events to town, spoke to items such as New Years Eve and the Winter Festival. Council has already said it will have a working party on Christmas decorations before end of year. Council is helping the businesses throughout the year. The Chamber needs to work with Council. Council has spent over \$2 million in the last year, helping the businesses through economic development, events, and other programs.

7 Item 2 AUTUMN COLOURS FESTIVAL (23.00060)

Cr North - advised has been receiving feedback about concerns that the Autumn Colours Festival Program is online. Noted booklet that has been issued for May 2017. Can feedback be provided to Councillors on how the program has run this year. A report after the Event has finished would be appreciated.

8 Item 3 CCTV CAMERAS (16.00145)

Cr North - noted CCTV Cameras are going into Oberon, they are working with the Government, perhaps we can review.

9 Item 4 MOBILE TOWERS (08.00002)

Cr North - noted at Gold Coast they have camouflaged towers. Can we look at this as an option for future requests in Bathurst.

10 Item 5 RECYCLING (14.00053)

Cr North - spoke to services in place, noted Glenelg Council have trailers with bins, which the community can hire out.

11 Item 6 CEW BEAN AND D PARER (04.00032)

Cr North - CEW Bean and D Parer are two notable people who have connections

This is page 2 of Minutes of the Policy Committee held on 3 May 2017

with Bathurst. Would like to see Council do something to acknowledge these persons. Noted plane memorial in Canberra and signage on the plane which does not acknowledge Bathurst.

12 **Item 7 LAGOON ROAD (25.00128)**

Cr North - asked where are we at with 80 km/h signs on the Lagoon Road.

The Acting Director Engineering Services advised Council has raised with RMS that a review of signage needs and speed zone requirements needs to be undertaken.

13 **Item 8 PIGEONS (14.00627)**

Cr North - advised has had contact from a person who has eradicated pigeons at other locations. The contractor will contact Council to discuss his services.

14 **Item 9 CAFE AT BATHURST VISITOR INFORMATION CENTRE LEASE (21.00095)**

Cr North - asked that matter be reviewed.

15 **Item 10 LAGOON ROAD (25.00128)**

Cr Aubin - noted the RMS will look at organising hidden cameras being placed near signs being knocked down. The RMS will also review speed limits.

16 **Item 11 TELEPHONE COMMUNICATIONS (08.00002)**

Cr Aubin - recently on road to Orange, encountered a mobile black spot. Could we contact local member on this problem?

17 **Item 12 LAGOON ROAD (25.00128)**

Cr Coote - noted people are using O'Regan's Road to go to the Dam so as to go around the speed restrictions on Lagoon Road.

18 Item 13 BATHURST SHOWGIRL BALL AND BATHURST SHOW (22.00053)

Cr Coote - spoke to how well the Ball and the Show went, congratulated all involved.

19 Item 14 ANZAC DAY (23.00076)

Cr Coote - Rockley service was excellent, congratulations to all involved.

20 Item 15 BUSINESS CHAMBER (18.00027)

Cr Westman - spoke to relationships with Business Chamber. What are we doing to mend the relationship with the Chamber?

The General Manager spoke to working with Chamber; regular meetings with President, provision of id profile package to assist businesses, Biz-Week, Welcome Wagon and other collaborations with the Chamber.

21 Item 16 ADVENTURE PLAYGROUND (04.00121)

Cr Westman - spoke to expenditure proposed. Recently went through Tamworth, their facility is outstanding. Feels Council should go and inspect this to see how it works.

22 Item 17 PROBUS CLUB (23.00012)

Cr Morse - received thanks to Council from Probus Club for providing facilities for their recent picnic.

23 Item 18 ART GALLERY (21.00039)

Cr Morse - recommends people go and see the current exhibition. It is a superb exhibit.

24 Item 19 AUTUMN COLOURS (23.00060)

Cr Morse - agree with problem of catalogue only being available on line. Be aware of what older people need. We need to look after our community.

25 **Item 20 CENTENNIAL PARK (04.00047, 37.00546)**

Cr Morse - asked can we have hard copy of the Centennial Park Scoping Study surveys at Council offices and other locations.

26 **Item 21 FLAGPOLES - EVANS BRIDGE (18.00269)**

Cr Morse - spoke to number of flags going up on the poles. Have previously asked for funds to be provided by Council for additional flags.

27 **Item 22 THE END FESTIVAL (23.00026)**

Cr Morse - This event at Hill End was excellent, Council provided funding to assist. Congratulations to National Parks and Wildlife Service.

28 **Item 23 BATHURST SHOW (22.00053)**

Cr Morse - this was excellent, but there was no banner recognising Council on the community stage. Could this be addressed for next year.

MEETING CLOSE

29 **MEETING CLOSE**

The Meeting closed at 6.33 pm.

CHAIRMAN: _____

MINUTE

- 4** **DECLARATION OF INTEREST 11.00002**
 MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That the Declaration of Interest be noted.

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES'
REPORT AND MINUTES**

POLICY COMMITTEE

7 JUNE 2017

1 DRAFT PLANNING INSTRUMENT AMENDMENTS AND REFUND OF FEES POLICY (41.00089)

Recommendation: That Council:

- (a) place the draft Planning Instrument Amendments and Refund Of Fees Policy on public exhibition;
- (b) place the draft Fees & Charges on public exhibition;
- (c) if no submissions are received, adopt the draft Policy and draft Fees & Charges; and
- (d) upon adoption of the draft Policy, repeal the existing refund of fees for DCP & LEP amendments Policy.

Report: Council is receiving a number of applications to amend its Planning Instruments (Bathurst Regional Local Environmental Plan 2014, Bathurst Regional Development Control Plan 2014 and its various Section 94 Plans). There currently is a fee associated with a request to amend these documents and is charged in accordance with Council's revenue policy.

Council currently has adopted charges of \$19,665 for a LEP amendment and \$5,000 for a DCP amendment. This is charged irrespective of the relative work involved.

Council staff have reviewed the existing fee structure against the hours of staff time and other resources allocated to the amendment process. The table below sets out the proposed new fee schedule for amendments to Council's Planning Instruments. The proposed fee is inclusive of staff time and advertising costs associated with the amendment.

Instrument	Type of amendment	Current Fee	Proposed Fee 2017/18 (+ CPI annually)
Amendment to Bathurst Regional Local Environmental Plan	Minor	\$19,665	\$15,000
	Major		\$25,000
Amendment to Bathurst Regional Development Control Plan	Minor	\$5,000	\$5,000
	Major		\$12,000
Amendment to a Section 94 Developer Contributions Plan	All	Nil	\$5,000
Specialist study or report management fee	All	Nil	Actual cost (incl GST) + 10%

It should be noted that the proposed fee schedule has **four** significant changes to the way Council currently charges for amendments to its Planning Instruments. These changes are outlined below:

1. The revised fee structure. Council staff have recently undertaken a review of the fee associated with LEP and DCP amendments in light of the time and resources used to manage the applications. The proposed fees more accurately reflect the time and resources used in relation to minor amendments or more major amendments. The proposed fees are consistent with the approach of other Councils such as Dubbo and Tamworth.

2. The introduction of a 'Minor' and 'Major' category. The new categories reflect the different complexity of applications that Council receives and the time and resources required to manage the process. This methodology is used by other Councils within NSW such as Dubbo, Tamworth and Albury City Councils.
3. The introduction of a fee to amend a Section 94 Plan. The introduction of this fee represents the time and resources to manage the amendment process.
4. The introduction of a fee to manage the preparation of specialist reports. The proposed fee is where Council commissions a specialist study (including a peer review of the documentation supplied) the proponent will pay for the full cost of the study plus a 10% management fee to Council for the supervision of consultants whilst the study is prepared.

It is also proposed to amend the refund of application fees section of Council's existing policy. The rationale for the proposed amendment is that the current refunds do not accurately reflect the time and resources expended to reach each milestone. It is also proposed to simplify the milestones for each of the amendments. The table below sets the milestone and applicable refund for each of the amendments as proposed:

Milestone	Percentage refund
Commencement of the Planning Proposal has not been supported either by delegation or Council resolution prior to the matter being referred to the Gateway.	50% refund of fees
Planning Proposal <u>withdrawn prior to</u> public exhibition commencing.	25% refund of fees
Planning Proposal <u>withdrawn after</u> public exhibition commencing.	0% refund of fees

It is considered that the percentage refunds and the milestones set are commensurate with the amount of staff time and effort expended on the project.

Draft Policy

A draft Policy has been prepared that provides information on the amendment process, identifies how an application will be classified as either a minor or major amendment. The Policy also outlines the proposed refund schedule. A copy of the draft Policy is provided at **attachment 1**. It is proposed that once adopted, the draft Policy will replace Council's existing Refund of fees for LEP & DCP Amendments Policy.

Public Exhibition

It is proposed to place the draft Policy and the proposed fees and charges on public exhibition for a period of 28 days.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3

MINUTE

5 Item 1 DRAFT PLANNING INSTRUMENT AMENDMENTS AND REFUND OF FEES POLICY (41.00089)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) place the draft Planning Instrument Amendments and Refund Of Fees Policy on public exhibition;
- (b) place the draft Fees & Charges on public exhibition;
- (c) if no submissions are received, adopt the draft Policy and draft Fees & Charges; and
- (d) upon adoption of the draft Policy, repeal the existing refund of fees for DCP & LEP amendments Policy.

2 ADVERTISING SIGNS IN PUBLIC AREAS POLICY (41.00089 & 23.00045)

Recommendation: That Council:

- (a) place the amended Advertising Signs in Public Areas Policy on public exhibition for a period of 28 days and;
- (b) if no submissions are received, adopt the Policy.

Report: Council's existing Advertising Signs in Public Places Policy was initially adopted at the Ordinary Council Meeting 31 January 2007.

The current Policy focusses on the regulatory regime behind "A frame" signs.

The Policy aims at reducing clutter of advertising by encouraging concise messages and ensuring signs are located in safe areas for pedestrians, cyclists and motor vehicles. The Policy provides Council the ability to remove any signage which contravenes the Policy.

Under the Policy, Public Indemnity Insurance is to be obtained and an annual Approval fee is to be paid to Council.

In more recent times more businesses are using teardrop banner signs to advertise from the footpath which are currently not covered by the Policy. Given teardrop banner signs use a stand on the ground and can potentially obstruct views, it is considered necessary to assess teardrop banner signs like all other advertising signs in public areas.

An amended Advertising Signs in Public Areas Policy is at **attachment 1**. The amended policy includes specific criteria for teardrop banner signs inclusive of restrictions on signs per street frontage, clearance for pedestrian movement and roadways and a requirement for securely fixing to the ground.

The amendment continues to aim for safety of signage in public areas and reducing clutter of advertising signage.

Further, the public indemnity has increased to \$20 million in accordance with current industry practice.

Public Exhibition

It is proposed to place the amendment Policy on public exhibition for a period of 28 days.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.1, 28.8

MINUTE

6 Item 2 ADVERTISING SIGNS IN PUBLIC AREAS POLICY (41.00089 & 23.00045)

MOVED: Cr G Westman SECONDED: Cr M Morse

RESOLVED: That Council:

- (a) place the amended Advertising Signs in Public Areas Policy on public exhibition for a period of 28 days and;
- (b) if no submissions are received, adopt the Policy.

3 DANGEROUS AND MENACING DOGS POLICY (41.00089 & 02.00006)

Recommendation: That Council :

- (a) place the Dangerous and Menacing Dogs Policy on public exhibition for a period of 28 days; and
- (b) if no submissions are received, adopt the policy.

Report: Council has requested that a Policy be prepared to guide the implementation of Dangerous and Menacing Dog Orders under the Companion Animals Act 1998 (the Act). The draft Policy is provided at **attachment 1**.

Council's Rangers are Authorised Officers under the Act and are required to investigate reports of alleged dog attacks and other incidents. The investigations are guided by Council's Enforcement Policy and the Office of Local Government's "*Guidelines for the Exercise of Functions under the Companion Animals Act*".

Incidents such as alleged dog attacks create heightened emotions in both the alleged victim/s and the dog owner/s. The investigating officer must objectively assess all of the available evidence, and make recommendations, as to the most appropriate course of action.

The draft Policy includes a risk assessment tool which has been adapted from a tool developed by Brisbane City Council. Should Council adopt the Policy, the risk assessment tool would be completed as a part of each investigation into any alleged attack or act of unreasonable aggression by a dog. The risk assessment tool provides a score which leads to a recommended regulatory response.

After considerable research, this tool has been deemed the most effective solution to demonstrating that an objective and consistent approach to these incidents has been applied.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.11
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

- 7 Item 3 DANGEROUS AND MENACING DOGS POLICY (41.00089 & 02.00006)
MOVED: Cr W Aubin SECONDED: Cr G Westman

RESOLVED: That Council :

- (a) place the Dangerous and Menacing Dogs Policy on public exhibition for a period of 28 days; and
- (b) if no submissions are received, adopt the policy.

Yours faithfully



J Bingham
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND
MINUTES**

POLICY COMMITTEE

7 JUNE 2017

1 SUBMISSIONS - FINANCIAL STATEMENTS - RELATED PARTY DISCLOSURES POLICY (16.00055, 41.00089)

Recommendation: That

- (a) Council after considering the submission received, not amend the policy.
- (b) Council adopt the Policy - Financial Statements - Related Party Disclosures

Report: Council at its Policy Committee meeting held on 5 April 2017 considered the draft Related Party Disclosure Policy.

Council resolved to:

- (a) place the draft Related Party Disclosure Policy on public exhibition for 28 days to receive any public submissions; and
- (b) adopt the Related Party Disclosure Policy if no submissions are received

The Policy was placed on public exhibition for 28 days and one submission was received from Mr Gordon Crisp (refer to **attachment 1**). The submission does not however, make any substantive comment on the Related Party Disclosure Policy itself and for this reason it is recommended that no action be taken as a result of this submission.

For Councillors information the Australian Accounting Standards Board recently made a decision in relation to the reporting requirements of local government (refer to **attachment 2**). Originally Councils were required to disclose **all** transactions of a related party. The Australian Accounting Standards Board has now decided that transactions ***that are significant or outside the normal provision of public services*** need to be disclosed. Factors that need to be taken into account when considering whether transactions need to be disclosed include:-

whether it is

- (a) significant in terms of size (this relates to the significance of the transaction in relation to the financial statements as a whole not the size of the individual transaction)
- (b) outside normal day-to-day business operations, such as the purchase and sale of businesses
- (c) disclosed to regulatory or supervisory authorities
- (d) reported to senior management
- (e) subject to shareholder approval (in this context ministerial approval)

The Board stressed that this Accounting Standard is not for the purpose of assessing governance or probity issues. Rates and charges levied by Council via rates notices are part of the normal provision of public services and this ruling means that rates payments etc, are now exempt from these reporting requirements.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

8 Item 1 SUBMISSIONS - FINANCIAL STATEMENTS - RELATED PARTY DISCLOSURES POLICY (16.00055, 41.00089)

MOVED: Cr B Bourke SECONDED: Cr G Westman

RESOLVED: That

- (a) Council after considering the submission received, not amend the policy.
- (b) Council adopt the Policy - Financial Statements - Related Party Disclosures

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

GENERAL BUSINESS

POLICY COMMITTEE

MINUTE

9 Item 1 COMMUNITY OP SHOP (21.00143)

Cr Bourke - Thanked Council for support over the recent Community Op Shop incident.

MINUTE

10 **Item 2** **BATHURST 12 HOUR (04.00097)**

Cr Bourke - requests a report on a Driver's Parade for 2018 Bathurst 12 Hour event.

MINUTE

11 Item 3 ADVERTISING SIGNS POLICY (23.00045)

Cr Aubin - asked does the Advertising Signs Policy cover road signs. What is the policy on temporary signage on roadsides?

The Acting Director Engineering Services advised that the policy does not cover road signs. Further, advised of timelines in place for temporary signage.

MINUTE

12 Item 4 KELSO TRAFFIC ISSUES (25.00035)

Cr Aubin - asked what is the car movement per household per day. Can Council do a traffic count on Hereford Street? The problem is going to get worse with Sunbright Estate development. Need to be proactive in planning for future traffic. Requests a report on plans/options.

The Acting Director Engineering Services advised there are 9 vehicle movements per day.

MINUTE

13 Item 5 BANNER SIGNAGE IN WILLIAM STREET (23.00006)

Cr Westman - asked what is the pricing of digital signage. Requests a report on costs and business case/plan.

MINUTE

14 Item 6 TRAFFIC IN KEPPEL STREET (25.00039)

Cr Morse - noted the issue with pedestrian movement between Vinnies and Salvation Army stores. Is the existing pedestrian crossing going to be moved? Is there beautification of Keppel Street planned?

The Acting Director Engineering Services outlined beautification items planned, but not budgeted. Plan would need to be revisited.

MINUTE

15 Item 7 KEPPEL STREET DISABLED PARKING (25.00039)

Cr Morse - feels the current location is not appropriate, could a more appropriate location be investigated?

The Mayor advised this matter will be referred to the Traffic Committee.

MINUTE

16 **Item 8** **SMALL DOG OFF LEASH AREA (22.01232)**

Cr Morse - requested an update on the small dog off leash area.

The Acting Director Environmental, Planning & Building Services advised fencing should commence after the long weekend.

MINUTE

17 Item 9 CARILLON UPDATE (04.00021)

Cr Morse - noted there is a working party interested in upgrading the Carillon, hope to bring this to Council.

MINUTE

18 MEETING CLOSE

The Meeting closed at 6.16 pm.

CHAIRMAN: _____