

26 March 2014

His Worship the Mayor & Councillors

Notice of Policy Committee Meeting of Bathurst Regional Council - Wednesday, 2 April 2014

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 2 April 2014 commencing at 6.00 pm.

The following Discussion Forums will commence at 6.15 pm.

- 1 DEVELOPMENT APPLICATION 2014/0022 – INSTALLATION OF A TELECOMMUNICATIONS TOWER AT 982 LIMEKILNS ROAD, YARRAS. APPLICANT – COMPLAN PTY LTD. OWNER – BEZIDA PTY LTD
- 2 DEVELOPMENT APPLICATION 2014/0042 – USE OF EXISTING SWIMMING POOL, RETAINING WALLS, INTERNAL POOL SAFETY FENCE AND PAVING, DEMOLITION OF AN EXISTING MASONRY POOL FENCE, PUMP SHED AND PRIVACY SCREEN/FENCE AND CONSTRUCTION OF A NEW POOL FENCE AND BOUNDARY FENCE AT 9 MCKELL STREET, WEST BATHURST. APPLICANT AND OWNER – G & K LYNCH



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 2 APRIL 2014

1. 6:00 PM - MEETING COMMENCES

2. APOLOGIES

3. REPORT OF PREVIOUS MEETING

* MINUTES - POLICY COMMITTEE MEETING - 5 MARCH 2014

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
* GENERAL MANAGER'S REPORT

6. GENERAL BUSINESS

7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

* DEVELOPMENT APPLICATION 2014/0022 – INSTALLATION OF A TELECOMMUNICATIONS TOWER AT 982 LIMEKILNS ROAD, YARRAS. APPLICANT – COMMLAN PTY LTD. OWNER – BEZIDA PTY LTD
* DEVELOPMENT APPLICATION 2014/0042 – USE OF EXISTING SWIMMING POOL, RETAINING WALLS, INTERNAL POOL SAFETY FENCE AND PAVING, DEMOLITION OF AN EXISTING MASONRY POOL FENCE, PUMP SHED AND PRIVACY SCREEN/FENCE AND CONSTRUCTION OF A NEW POOL FENCE AND BOUNDARY FENCE AT 9 MCKELL STREET, WEST BATHURST. APPLICANT AND OWNER – G & K LYNCH

8. DISCUSSION FORUM OTHER - Nil

9. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

- 2 **APOLOGIES**
MOVED: Cr I North SECONDED: Cr M Coote

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

REPORT OF PREVIOUS MEETING AND MINUTES

POLICY COMMITTEE

1 MINUTES - POLICY COMMITTEE MEETING - 5 MARCH 2014 (07.00064)

Recommendation: That the Minutes of the Policy Committee Meeting held on 5 March 2014 be adopted.

Report: The Minutes of the Policy Committee Meeting held 5 March 2014, 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 - 5 MARCH 2014 (07.00064)**
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the Minutes of the Policy Committee Meeting held on 5 March 2014 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 5 MARCH 2014

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

2 APOLOGIES
MOVED Cr I North and **SECONDED** Cr J Jennings

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

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 FEBRUARY 2014 (07.00064)
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Policy Committee Meeting held on 5 February 2014 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

5 Item 1 WOOD SMOKE REDUCTION PROGRAM (13.00042)
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That Council:

- (a) note that it has been awarded grant funding to participate in the 2014 Wood Smoke Reduction Program; and

- (b) approve the temporary increase in wood heater replacement rebate value from \$500 to \$1000 for standard installations and from \$700 to \$1400 for pensioner or health care card holders.

Director Corporate Services & Finance's Report

- 6** **Item 1 DELEGATIONS REGISTER REVIEW (41.00088)**
MOVED Cr M Coote and **SECONDED** Cr G Westman

RESOLVED: That Council adopt the Delegations Register as tabled.

General Manager's Report

- 7** **Item 1 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006) (03.00142)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That Council note the updated report (as at February 2014) of the Department of Local Government, PBP Review of November 2006.

GENERAL BUSINESS

- 8** **Item 1 SHADE FOR CHILDRENS PLAY EQUIPMENT (04.00034)**

Cr Jennings - noted temperatures have been at record levels. Asked what is the current position on shade for play equipment.

The Director Engineering Services spoke to structures allowed for in prior budgets and some vandalism issues that have occurred.

- 9** **Item 2 INVESTMENT OF FUNDS (16.00001)**

Cr Jennings - asked does Council invest in ethical investments e.g. not in tobacco.

The Director Corporate Services & Finance spoke to investment policies and processes in place and State Government restrictions.

- 10** **Item 3 ASIAN TRADE (20.00071)**

Cr Jennings - referred to Australia/Japan foundation and noted there are grant opportunities available. Requested Council look at these for the future. Noted value adding to the trip referred to recently in the press. Also raised Wyong Council

activities, including Australian/Chinese consortium. There are economic opportunities. Asked is Council aware of State Government Trade delegation to Asia? Also asked is Simplot involved in this as it targets food manufacturing business?

11 **Item 4 JAMIE OLIVER KITCHEN APPLICATION (23.00026)**

Cr Jennings - noted there is good community and Council support for this. Advised it would be great for Bathurst if it comes here, as the program targets diet related illnesses.

The Mayor advised a letter of support has been sent by the Mayor on behalf of the Council.

12 **Item 5 MULTI-CULTURAL ADVANTAGE PROGRAM (09.00032)**

Cr Jennings - noted that State Government funds are available. Advised he has spoken to Bathurst Information & Neighbourhood Centre (BINC), there is benefit for migrants to Bathurst. Advised he would like Council to support.

13 **Item 6 BATHURST HERITAGE WEEK 9 - 18 MAY 2014 (23.00060)**

Cr Jennings - asked is Council aware there is a National Heritage Week at a different time to Bathurst's week? Advised the National Week next year fits between the middle of March and early May.

The Mayor noted Date of Proclamation Day, Autumn Colours Program and various timing issues. The National Trust Heritage Festival booklet includes Bathurst Heritage Week with excellent exposure for Bathurst.

14 **Item 7 KANGAROOS (04.00019)**

Cr Jennings - asked is there any operational proposals regarding culling in place? Have monitoring counts occurred?

The Mayor advised there are no operational proposals in place.

The Director Engineering Services spoke to Fauna Plan in place and prior count cycles.

15 **Item 8 ART FOR BATHURST BASE HOSPITAL (22.01047)**

Cr Jennings - advised he would like Council to investigate the possibility of art being supplied to the hospital. This would get art more publicly exposed. Also reduces pressure on storage needed.

16 **Item 9 KEPPEL STREET MEETING (22.00159)**

Cr Jennings - advised the Keppel Street group met with John Holland, appears they may not be seeking demolition of cottage.

The Mayor spoke to future meetings planned with local member and John Holland.

17 **Item 10 DESTINATION MANAGEMENT PLAN (37.00042)**

Cr Jennings - inquired as to where the Destination Management Plan is at?

The Director Environment, Planning & Building Services advised a firm has been appointed, and consultation plan is being finished.

18 **Item 11 USE OF MICROPHONES (11.00005)**

Cr Morse - asked everybody to use the microphones that are provided to assist with the conduct of Council meetings.

19 **Item 12 SHADE FOR TAXIS (28.00009 & 25.00006)**

Cr Morse - advised taxi drivers are requesting shade covers over taxi stops in Howick Street.

The Director Engineering Services noted approaches have been made to Council and discussions are ongoing. The matter is being investigated, possible funding through Department of Transport may be available.

20 **Item 13 ACCESS ISSUES (07.00031)**

Cr Morse - noted problems exist in City concerning disabled access e.g. toilet doors opening outwards. Also spoke to microphone problems. Could sound/audio systems

be investigated for Mount Panorama suite?

The Director Environmental, Planning & Building Services noted Building Code requirements.

21 **Item 14 FOOD MANUFACTURING/AGRIBUSINESS (20.00071)**

Cr Westman - asked could a report comeback on the future direction of food manufacturing/Agribusiness in the region and how it aligns with State and Federal Government directions.

22 **Item 15 12 HOUR EVENT (04.00097)**

Cr Coote - asked how did this event go? Congratulated all involved.

The Director Corporate Services & Finance noted crowd numbers where around 27,000. 14 overseas teams participated and 44 cars started on the grid. Advised financial results appear good. Noted TV ratings information is being collated for Councillors. Live streaming was excellent.

23 **Item 16 WARWICK ARTIS - GREENING BATHURST (18.00157)**

Cr Coote - advised Warwick Artis has passed on his congratulations. Noted Council is not doing a bad job.

24 **Item 17 MASTERS DEVELOPMENT (22.07151)**

Cr Coote - congratulated the group for opening. Also noted future initiatives by Council to meet various businesses into the future, this is excellent.

25 **Item 18 ROAD SAFETY OFFICER (28.00002)**

Cr Aubin - advised application for a grant from IPWEA to go and do Traffic Emergency Studies in Japan has been successful.

26 **Item 19 CHINESE BUSINESS (20.00071)**

Cr Aubin - advised he has received some approaches recently from Chinese businesses. Noted Bathurst is known in the market place,

27 **Item 20 KANGAROOS AT MOUNT PANORAMA (04.00019)**

Cr Aubin - asked can a Working Party be held on this issue? Spoke to fencing being put in place and safety issues.

28 **Item 21 CARPARK BEHIND BERNARDS BAKERY, GEORGE STREET (22.01453)**

Cr Aubin - noted the Carpark located behind Bernards has been recommended by Traffic Committee to change restrictions to all day carparking.

29 **Item 22 KANGAROOS (04.00019)**

Cr North - advised the issue is not just about the race, but concerned about the people in Bathurst. Need to look at options like more fencing, so agrees with a Working Party.

30 **Item 23 TRAFFIC LIGHTS KELSO (NEW) (25.00018)**

Cr North - advised there is confusion with an arrow for westbound traffic and yet sign says no left turn. Asked can this be looked at and be referred to the Traffic Committee.

31 **Item 24 LEP - STATE GOVERNMENT NEW PLANNING LAWS (20.00143)**

Cr North - asked do new proposals allow State to undertake spot rezoning?

The Director Environment, Planning & Building Services advised this has always been the case and is not aware of any changes. Noted will investigate this matter.

32 **Item 25 NEW BUSINESSES TO TOWN (20.00071)**

Cr North - noted there are a number of new businesses coming to town. Asked could Council put in place a process of welcoming these businesses to town and have, for example "Experiences at the Mount".

33 **Item 26 KANGAROOS (04.00019)**

Cr Bourke - noted Council is a big business, and needs to look at fencing, water supply issues etc.

34 **Item 27 CARRINGTON PARK (04.00008)**

Cr Bourke - asked are we looking at using Carrington Park for parking?

The Director Environmental, Planning & Buildings Services understands the park is currently opened during peak times.

The Director Engineering Services noted Council is not looking at expanding use outside of major events.

35 **Item 28 ACCESS ISSUES (07.00031)**

Cr Bourke - noted new buildings need to abide by Building Codes. For old buildings it is very hard to put, for example, a lift in. In country towns there needs to be a compromise e.g. TAFE building and Webb Building.

36 **Item 29 KATH KNOWLES PATHWAY (20.00038)**

Cr Bourke - noted the pathway was recently named after Kath Knowles who did a great deal for the City. Advised he would like to see Ian MacIntosh acknowledged e.g. name the theatre after him as he had a lot to do with this. Noted Council should also look at naming grandstand at Mount Panorama after Ivan Stibbard.

MEETING CLOSE

37 **MEETING CLOSE**

The Meeting closed at 6.50 pm.

CHAIRMAN: _____

Date: _____ **(19 March 2014)**

MINUTE

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

RESOLVED: That the Declaration of Interest be noted.

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES

POLICY COMMITTEE

2 APRIL 2014

1 MEMORANDUM OF UNDERSTANDING WITH CHARLES STURT UNIVERSITY (18.00051)

Recommendation: That Council sign the updated Memorandum of Understanding with Charles Sturt University to explore areas of possible future cooperation.

Report: Council has in place a Memorandum of Understanding (MOU) with Charles Sturt University (CSU), refer DCCS #1, 27 September 2006, **attachment 1**.

Discussions have been held with CSU to update the current MOU. The intent of the MOU is to continue developing cooperative projects and undertaking joint planning on issues that impact on the University and Council, and sharing information about a range of issues. A copy of the proposed new MOU is at **attachment 2**.

Over recent years activities have included:

- Joint lobbying for medical and dental schools.
- Student Work Placements – Australian Fossil & Mineral Museum (AFMM), Water Wise Program, Kelso Community Centre, Bathurst Memorial Entertainment Centre (BMEC) (DCCS#3, 21 April 2010).
- Waste 2 Art collaboration (DES#2, 15 June 2011).
- Scholarships (Foundation and Gordon Bullock – Budgets).
- Road Safety Program – Kajulu (DES#2, 4 December 2012).
- Pilot Project: Mapping the Aged Care Industry and Ageing Issues in the Bathurst-Blayney-Wattle Flat Regional Community (DCCS#3, 3 September 2008).
- Learning & Teaching in Public Spaces project utilising Chifley Home (DCCS#8, 11 December 2013).
- CSU representation on 2015 Committee.
- AFMM venture and The Somerville Collection Board.
- Bathurst Indigenous History module for schools (DCCS#4, 20 November 2013).
- Representation on Youth Council (Delegate Report#2, 19 June 2013).
- Involvement in special events, eg United Nations Day (DCCS#1, 16 November 2011).
- Partnership with CSU on Hawthorden Creek regrading and stabilisation works (DEPBS Confidential#1, 19 June 2013).
- Patch Theatre Creative Learning Project (DCCS#1, 19 June 2013).
- Partners in Council's Community Safety Plan (DCCS#1, 20 November 2013).
- Catapult – School of Communication & Creative Industries (SCCI) – staff and student involvement in the coordination and running of the event. Student accreditation for doing so.
- Inland Sea of Sound Festival – SCCI – student involvement in the coordination and running of the event. Some accreditation. (DCCS#3, 21 April 2010).
- Local Stages – SCCI – student involvement.
- Smashed Arts – SCCI – staff and student involvement.
- Art Gallery – “The Gallery as a Resource” have partnered with the Education & Teaching Faculty, Bachelor of Education (Early Childhood and Primary) to deliver a lecture series and practical opportunities for the pre-service teachers as part of their Visual Arts curriculum studies.
- Library staff developed a storytime session with CSU students acting out and telling stories.
- AFMM – Development of marketing plans (two groups).
- Library - Development of a promotion campaign.

The MOU does not prevent cooperation between any other parties, nor does it oblige a party to incur any cost or expense. The proposed MOU is an updating of the current document and creates no further obligations/duties on Council. Accordingly it is recommended that Council sign the updated document.

Financial Implications: There are no financial implications at this time.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.3
- Objective 25: To support the provision of high quality medical care that meets the needs of the Bathurst community. Strategy 25.4
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

MINUTE

5 Item 1 MEMORANDUM OF UNDERSTANDING WITH CHARLES STURT UNIVERSITY (18.00051)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council sign the updated Memorandum of Understanding with Charles Sturt University to explore areas of possible future cooperation.

2 COUNCILLOR DELEGATE BATHURST LIQUOR ACCORD (07.00036)

Recommendation: That Council nominate a delegate to the Bathurst Liquor Accord.

Report: Council has received a request from the Bathurst Liquor Accord (copy at **attachment 1**) for the appointment of a Councillor as a delegate(s) to the Group.

Traditionally the group meets each quarter and Council has previously had a delegate to the Accord.

Financial Implications: There are no financial implications from this matter.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1

MINUTE

6 Item 2 COUNCILLOR DELEGATE BATHURST LIQUOR ACCORD (07.00036)
MOVED: Cr M Coote SECONDED: Cr G Hanger

RESOLVED: That Council nominate Cr Bourke as the delegate with Cr North as the alternate delegate to the Bathurst Liquor Accord.

3 UPDATE OF COUNCIL'S PURCHASING MANUAL (15.00008)

Recommendation: that Council:

- (a) adopt the revised Purchasing Manual
- (b) delegate authority to the General Manager to update Appendix 2 - Suppliers Exempt from Requirement to Obtain Quotations as required from time to time.

Report: Council has for many years used a Purchasing Manual as the procedural document governing its procurement processes. The Purchasing Manual has undergone a complete review by a staff committee. There has been significant changes made to the manual to reflect current practices, legislative changes and it is also the first review undertaken since the introduction of e-purchasing a couple of years ago. A copy of the updated Purchasing manual is provided at **attachment 1.**

The most significant changes have occurred in the requirements for the various levels of expenditure. In the updated manual the levels are set as follows: over \$150,000 (tenders required - no change to previous level); between \$15,001 and \$150,000 (previously \$20,000 was the lower limit) and between \$0 and \$15,000 (previously upper limit was \$20,000).

Clauses 7, 9 and 10 of the manual provide the specific purchasing procedures to be followed for the ranges shown above.

Clause 7

Clause 7.1 has been updated to reflect changes to section 55 of the Local Government Act 1993 (LGA). Clause 7.3.2 has been added to reflect the new practice of dealing with tenders electronically. Clause 7.4.4 has been updated to include a section on Security Deposits and Subcontractor's Statement in relation to workers compensation (which are standard requirements now in Council's tendering procedures). Clause 7.10 has been renamed Submission of Tenders and includes the specification for submitting electronic tenders. Clause 7.15 has been added to reflect the need to ensure that adequate records of all council interactions in relation to a tender have been placed on the appropriate file.

Clause 7 on tendering has been updated considerably to reflect the new E-Tendering procedures adopted by Council. For councillors information E-Tendering is done through a site on the internet called Tenderlink. Council uploads its tender with all the required documentation to the Tenderlink site and companies who have previously registered an interest with Tenderlink for a specific area of tenders (e.g. supply of concrete) are notified via email. Companies then can download the documents from the Tenderlink site and all correspondence goes through the Tenderlink site. If council provides additional information as a result of a question from one supplier it is provided through the Tenderlink site and all companies that have downloaded a copy of the tender are automatically notified of the additional information. Council does not see any of the tenders until after the closing time for the tenders.

Clause 9

Clause 9.1 has been modified to reflect the lower limit change to \$15,000. Clause 9.2 has had a requirement to include appropriate record keeping for all quotations in this range. Clause 9.3 includes option to consider the use of the Tenderlink site for quotations expected to be above \$75,000 and also specifies that quotations do not require formal

Council approval but must be accepted in accordance with the requirements of the Purchasing Manual.

Clause 10.1 has increased the limit for purchases not requiring provision of written quotations to be obtained from suppliers to \$5,000 (staff members must still act in accordance with their delegations, Council's adopted Code of Conduct, the Adopted Management Plan/Budget and it is also governed by checks built in to the Council's e-procurement processes). Clause 10.3 Monthly Orders has been updated to reflect tighter controls on the use of this method of purchasing.

Purchases over \$15,000

Council's procedures stipulate that any purchase over \$15,000 requires three quotations to be obtained. Any requisition (request to purchase) above \$15,000 that does not have the required three quotations requires approval from the General Manager. Several payments that Council has to make in any financial year are statutory contributions (e.g. contributions to Rural Fire Service, Fire and Rescue NSW and State Emergency Service) or are so specific that there is only one supplier. These payments are usually made in quarterly instalments and require written confirmation from the General Manager each quarter. The Purchasing manual has had Appendix 2 added to allow for the option to include payments such as this on a list that will not require approval by the General Manager each quarter. They are still verified by the appropriate staff when the contribution is levied or when the insurance policy is renewed. It is proposed to give the General Manager the delegated authority to amend this list from time to time to allow for the efficient processing of orders. In order to ensure the probity of this process it is proposed to present this list to the Audit and Risk Management Committee on an annual basis.

Tendering Guidelines

It is proposed to develop in the next twelve months a set of guidelines for staff that will be attached as Appendix 3 to the Purchasing Manual. The guidelines will include among other procedures to be followed for tenders, copies of sample documents (such as the tender specification and contract) and other documentation that may need to be considered as part of the tender process. Although the Guidelines will be attached to the Manual, as they are procedural in nature, they will not require formal Council adoption.

It is recommended that Council:

- (a) adopt the revised Purchasing Manual
- (b) delegate authority to the General Manager to update Appendix 2 - Suppliers Exempt from Requirement to Obtain Quotations as required from time to time.

Financial Implications: Any procurement by council is done within existing budgets or approved tenders.

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
- Objective 33: To be and develop good leaders. Strategy 33.5

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

Strategy 28.6

MINUTE

7 Item 3 UPDATE OF COUNCIL'S PURCHASING MANUAL (15.00008)
MOVED: Cr G Westman SECONDED: Cr J Jennings

RESOLVED: that Council:

- (a) adopt the revised Purchasing Manual
- (b) delegate authority to the General Manager to update Appendix 2 - Suppliers Exempt from Requirement to Obtain Quotations as required from time to time.

4 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 18 MARCH 2014 (07.00096)

Recommendation: That the recommendations of the Audit & Risk Management Committee Meeting held on 18 March 2014 be adopted.

Report: The minutes of the Bathurst Regional Council Audit and Risk Management Committee Meeting held on 18 March 2014 are shown at **attachment 1**,

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

MINUTE

8 Item 4 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 18 MARCH 2014 (07.00096)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the recommendations of the Audit & Risk Management Committee Meeting held on 18 March 2014 be adopted.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

GENERAL MANAGER'S REPORT AND MINUTES

POLICY COMMITTEE

2 APRIL 2014

1 MANAGEMENT PLAN 2013-14 - ANNUAL OPERATING PLAN; SAVINGS INITIATIVES - INSURANCE (16.00135)

Recommendation: That Council note the report on the Operational Review of Insurances carried out by Council.

Report: Background

Council, as part of the 2013-14 Budget process discussed the financial background in which Local Government finds itself. The report to Council on 1 May 2013 (DCSF No 1) included the following:

Summary

As Councillors are aware this budget has been prepared having regard to tight financial circumstances. Factors such as :

- *Rate pegging*
- *Cost shifting*
- *Take-up of additional services*
- *Increasing costs such as electricity*
- *Imposition of tasks on Councils with no corresponding revenue*

have continued to place extra pressures on the budget.

For example, Council collects State fees under NSW Plan first and the Builders Long Service Leave schemes, but receives no recompense for this. Other examples include the Companion Animals Act Obligations and Child Care Services.

In regards to transfer of cost, examples include Rural Fire Service charges, in 2009/2010 council paid \$314,016 and in 2011/2012 the levy was \$400,541, a 27% increase. In 2009, 34.7km of regional roads were transferred back to Council, this resulted in a loss of \$165,000 in road maintenance grants which then had to be funded by council, a turn-a-round of \$330,000.

Take-up of additional services includes the agreement by council to transfer to a 24 hour fire station operation. The first year (2011/2012) of operations added to the Fire & Rescue NSW (State) Levy of \$157,621 and this is expected to exceed \$200,000 per annum into the future, no corresponding revenue increases were granted.

The budget process is becoming more difficult every year as the effects of large cost increases outside Council's control are having a detrimental effect on Council's ability to operate within the confined income levels. The budget has a surplus as follows:

Summary by Department			
	Income	Expenditure	Net
<i>Engineering</i>	<i>(64,839,614)</i>	<i>80,123,972</i>	<i>15,284,358</i>
<i>Corporate Services and Finance</i>	<i>(62,202,092)</i>	<i>38,712,290</i>	<i>(23,489,802)</i>

<i>Cultural & Community Services</i>	(6,273,437)	11,374,911	5,101,474
<i>Development and Environmental Services</i>	(3,191,791)	6,246,813	3055,022
Total All Services	(136,506,934)	136,457,986	(48,948)
Summary by Fund			
	Income	Expenditure	Net
<i>General Fund</i>	(95,307,353)	95,258,405	(48,948)
<i>Water Fund</i>	(20,977,501)	20,977,501	0
<i>Wastewater Fund</i>	(11,984,193)	11,984,193	0
<i>Waste Management</i>	(8,237,887)	8,237,887	0
Total All Services	(136,506,934)	136,457,986	(48,948)

Generally the budget covers the directions of Council and includes continued operation of Council's services at current levels of service (LOS)

In earlier budget workshops the Council provided direction that it wished to pursue potential savings in the budget such as:

- Efficiency savings
- Different styles of service provision to reduce costs
- Revenue options
- Alterations to work practices.

Paramount to this review was firstly Council's direction not to increase the general rate above the approved rate pegging limit and secondly, the requirement to have nil or limited impact on the Level of Service (LOS) provision to the community.

Report:

Councillors, through the 2013-14 Management Plan process, identified a number of savings, service provision changes and revenue options to be explored/implemented for the 2013-14 Operating Plan; refer DCSF Report, Item 1, Ordinary Meeting 1 May 2013. One of these items was:

"7. Insurances Review

An operational review of insurances carried, in particular levels of excess, is currently being undertaken. Issues such as greater risk exposure, self-funded reserves, current claim trend lines are included in this review.

Whilst it is difficult to fully quantify savings, an amount of \$160,000 has been allowed for in the 2013/14 Annual Operating Plan.

It is anticipated this will have limited impact on the level of service (LOS) provided."

The major focus in the review of insurances has been on the following two policies:

- Public Liability/Professional Indemnity (PL/PI), and
- Property

These policies (excluding Workers Compensation) accounted for 83.7% of the premiums paid by Council in the year 2012-13,

Savings realised from the operational review have been \$328,692. This is the difference between the premium paid in 2012-13 as against that paid in 2013-14. Further details are contained in the body of this report.

The review was undertaken having regard to a number of factors including:

1. Enterprise Risk Management Plan - Strategic Risk Register
2. Claims history
3. Asset Register review
4. Need/Level Insurance Reserves
5. Feedback from Council's Insurers

1. Enterprise Risk Management Plan (ERM) - Strategic Risk Register

The Plan assists in the implementation of an organisational approach to risk management. The Risk Register identifies the major risks Council is exposed to and the current controls and potential controls that could be used to minimise those risks.

The ERM was last reported to Council, DCSF Item 1, 9 October 2013.

The main risk actions in the insurance review were:

1. Look at varying the level of excess (\$) carried by Council, in particular PL/PI insurance - \$50,000 to \$100,000 per claim.
2. Undertake a review of assets insured (property) and the levels of insurance to be carried (\$).

The main risk impacts are:

Consequence - Assets Category: 4, Reputation: Category 5

Likelihood - It has Happened/Known to happen: B/C

The rating would indicate a risk profile of Medium - Monitor and maintain strict control measures in line with the hierarchy of hazard controls.

It was considered that this was an acceptable risk in terms of this initiative.

2. Claims History

An extensive review of Council's claims history has been undertaken for:

- (a) Public Liability/Professional Indemnity, and
- (b) Property Claims.

Property Claims

Year	Number	Expenditure \$	Excess \$
2008	7	93,241	--
2009	2	17,378	--
2010	1	48,644	--
2011(*)	3	145,738	60,000
2012(*)	3	176,978	60,000
2013(*)	<u>2</u>	<u>82,371</u>	<u>40,000</u>
Total:	18	564,350	160,000

* \$20,000 excess applied, per claim.

PL/PI Insurance Claims

Year	No Claims	Excess Exposure/ Claim	Total Annual Exposure (2)
2004	25	15,000	375,000
2005	56	15,000 (1)	820,000
2006	54	15,000	810,000
2007	30	15,000	450,000
2008	12	15,000	180,000
2009	5	15,000	75,000
2010	3	15,000	45,000
2011	1	15,000	15,000
2012	6	50,000	300,000
2013	5	50,000	250,000

(1) Two claims in this period operated on an excess of \$500 only

(2) This is gross possible exposure for the year's claims

3. Asset Register Review

Council during the period undertook an analysis of all properties held by Council as part of the review of insurance levels required.

Further, Scott Fullerton, Valuers, were engaged to undertake a review of assets in terms of insurance values on the assets held.

Reviews were then undertaken into: insurance excess levels, what items would be insured and prior claims experiences.

4. Need/Level Insurance Reserves

As part of the analysis in dealing with the risk of increasing insurance "excess" levels, appropriate cash funded reserves are being put in place. The funding for these will come from the initial savings achieved. At this time, a third of the savings (minimum) for each of the next three years will be transferred to an insurance equalisation reserve. Ongoing analysis will continue.

These funds will come from savings realised on the Property and PL/PI policies.

The current savings are as follows:

Type of Insurance	Cost of Premiums \$	Deductible \$	Cost of Premium \$	Deductible \$	Savings \$
Property	664,291	50,000	509,175	50,000	155,116
PL/PI	<u>832,812</u>	<u>50,000</u>	<u>659,236</u>	<u>100,000</u>	<u>173,576</u>
Total:	<u>\$1,497,103</u>		<u>\$1,168,411</u>		<u>\$328,692</u>

Accordingly, the transfer to reserves in the first year will be a minimum of \$109,564.

Over the period 2009-2013 (5 years), there have been 20 claims on Council's PL/PI. Based on the current excess of \$50,000, the indicative maximum risk exposure (average) per annum is:

20 claims x \$50,000 ÷ 5 years = \$200,000 per annum.

An increase in the excess to \$100,000 produces the following profile:

20 claims x \$100,000 ÷ 5 years = \$400,00 per annum.

The intention is to create an equalisation reserve that covers at least one year of the extra indicative maximum risk exposure, ie \$200,000. This will be achieved within 2 years of transfers to the equalisation reserve based on the current savings profile. The level of the reserve will be the subject of ongoing reviews.

5. Feedback from Council's Insurers

The actions contained above were discussed with Council's insurers, who saw no issues with the proposed changes.

Financial Implications: Council as part of the 2013-14 Budget process requested an operational review of insurances be carried out. The review has been undertaken with savings of \$328,692 being achieved in regards to the Property and PL/PI insurance policies of Council. These policies, excluding Workers Compensation, accounted for 83.7% of the premiums paid by Council in the year 2012-13.

The main exposure for Council is the increase in the excess limit for PL/PI claims. As part of Council's risk management process an insurance equalisation reserve is being created to minimise risk. Funding for the reserve is identified in this report.

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 28.6
- Objective 33: To be and develop good leaders. Strategy 33.5

MINUTE

**9 Item 1 MANAGEMENT PLAN 2013-14 - ANNUAL OPERATING PLAN;
SAVINGS INITIATIVES - INSURANCE (16.00135)**

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That Council note the report on the Operational Review of Insurances carried out by Council.

Yours faithfully



D J Sherley
GENERAL MANAGER

GENERAL BUSINESS

POLICY COMMITTEE

MINUTE

10 Item 1 NSW CRICKET KNOCKOUT FINALS (04.00045, 04.00007, 04.00014)

Cr Hanger - congratulated staff involved in setting up the wickets. The event has been fantastic with schools from all over the state represented. Spoke to Mayoral reception that was well received.

MINUTE

11 Item 2 BUY LOCAL CAMPAIGN (20.00020)

Cr Jennings -asked could Council look at hosting such a campaign. Referred to a document from Northern Rivers, suggested work with Bathurst Business Chamber. Spoke to how the program works. Orange Council is looking at this as well.

MINUTE

12 Item 3 AGRICULTURE AUDIT (07.00017)

Cr Jennings - agrees with Cr Westman's suggestion. Spoke to process needed to be put in place. Perhaps CENTROC is an appropriate forum for this review. Needs to cover more than a local council area.

MINUTE

13 Item 4 GREEN ARMY (13.00053)

Cr Jennings - asked will we be getting them. What will they do?

The Director Environmental, Planning and Building Services advised Council has made an application for three projects.

MINUTE

14 Item 5 TOURISM AND INVESTMENT PROSPECTS (20.00020)

Cr Jennings - asked do we have one for this region? Spoke to prospectus from the Hunter area.

The Director Environmental, Planning and Building Services spoke to documents currently available.

MINUTE

15 Item 6 COAL SEAM GAS (20.00237)

Cr Jennings - asked do we know the status of applications across this area?

The Director Environmental, Planning and Building Services advised there are no applications lodged with Council at this time.

MINUTE

16 Item 7 SIMPLOT (22.01698)

Cr Jennings - asked what is forum to meet with Simplot? Can we arrange a meeting to follow up the Council assistance program.

The General Manager advised Simplot would be invited to a Councillors Meeting with Community Groups session.

MINUTE

17 Item 8 KEPPEL STREET PARKING (NEAR ELEPHANT & CASTLE HOTEL)
(28.00006)

Cr Jennings - asked could the limits on parking be reviewed and consultation be undertaken with businesses as they would like longer stays than currently allowed.

MINUTE

18 Item 9 NEW YEARS EVE FIREWORKS (23.00131)

Cr Jennings - asked can the contractor for the New Years Eve Fireworks display be asked to engage with the community to see if children/students can be involved in the design of the display.

MINUTE

19 Item 10 REX - RUNWAY (21.00008)

Cr Jennings - spoke of capital investment in the aerodrome and is there possible over capitalisation.

The General Manager advised on needs for rehabilitation to keep aerodrome open.

MINUTE

20 Item 11 LAGOON ROAD SPEED LIMIT (28.00011)

Cr Jennings - asked could the speed limit be reviewed from the turn-off out to Ben Chifley Dam? This is due to increased road usage and safety concerns.

At 6.15 pm, The Mayor advised that it was now the scheduled time to commence the Discussion Forums.

The Mayor advised General Business will resume immediately following the Discussion Forums.

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS AND MINUTES

POLICY COMMITTEE

1 DEVELOPMENT APPLICATION 2014/0022 – INSTALLATION OF A TELECOMMUNICATIONS TOWER AT 982 LIMEKILNS ROAD, YARRAS. APPLICANT – COMPLAN PTY LTD. OWNER – BEZIDA PTY LTD (DA/2014/0022)

Recommendation: That the information be noted.

Report: Council has received a Development Application for the property at 982 Limekilns Road, Yarras.

The proposal

The Development Application relates to:

- The installation of a 40 metre high monopole;
- A parabolic dish antennae;
- Three panel antennas on circular headframe;
- Equipment cabinets on concrete slab at ground level; and
- Ancillary equipment associated with the operation of the facility, including cable trays, cabling, safe access methods, vehicle tracks, bird proofing, earthing, electricity works and security fencing.

The purposed facility is part of the NBN Co fixed wireless broadband coverage to the Yarras, Glanmire and surrounding areas.

The property is a 42ha rural allotment that also contains a single dwelling and outbuildings.

The property is partially vegetated and currently used for grazing and other agricultural activities, surrounded by rural land uses. There will be no clearing required for the facility and compound itself. Some minor vegetation clearing may be required for the upgrade of the existing access track, which has become over grown.

Public notification

The Development Application was notified to adjoining property owners from 17 February 2014 to 27 February 2014. Following the notification period 1 submission was received (**attachment 1**). This submission had enclosed a petition with 25 signatures against the development.

Issues raised in the submissions included:

- Consultation process
- The proposed site is under the flight paths to the Bathurst Airport
- Lack of time period for objections
- Third party to collate and assess complaints
- Lack of identifying alternative sites at distance >1000 metres from any homes
- Investigate alternative solutions
- Impacts on the local environment ambiance of the region and lifestyles of residents
- Effects of proposed development on land values
- Unknown health risks

Following the Discussion Forum a report will be prepared for the next available Council meeting for determination of the Development Application.

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

MINUTE

21 Item 1 DEVELOPMENT APPLICATION 2014/0022 – INSTALLATION OF A TELECOMMUNICATIONS TOWER AT 982 LIMEKILNS ROAD, YARRAS. APPLICANT – COMPLAN PTY LTD. OWNER – BEZIDA PTY LTD (DA/2014/0022)

The Director Environmental, Planning and Building Services spoke to the DA received and the process to be followed.

Claudia Rajkovic - lives alongside the property and has made a written submission. Has organised a petition (which 26 residents signed), feels not enough communication has occurred on this proposal. Concerns included;

- Process adopted by NBN and lack of consultation by NBN
- Flight path conflict for Bathurst airport
- No complaints process in place
- No alternate sites considered
- Height of the pole and impact on environment and amenity
- Land value impacts
- Unknown health risks
- Haven't had response from Minister for Communications
- Heavy handed approach
- Technology changes and whether variations will need to occur in the short term, appears to be no limitations
- Traffic to and from the tower
- Less than 100 metres from their house.

Need Council to consider all aspects. This is not low impact, residents do count.

Jeanette Grinter - moved to Bathurst as didn't want to be near towers. These towers affect properties. Object to it being placed so close to houses.

Mark Byres- Consultant for NBN - gave a background on the NBN rollout and areas of coverage to occur. Proposal is for the fixed wireless network. NBN has been working in the area for three years, noted other services that have been put in place during this time.

The proposal at Yarras is part of a wider network. Spoke to communication engagement strategy put in place by NBN to advise residents. When building infrastructure cannot avoid it being visible as must be clear of any obstructions as covers 5-8 kilometres. This is the location where need to locate the tower to get an acceptable level of service. The hill identified is one of the highest in the locality and will facilitate the servicing of houses in the area. NBN strives to use existing structures e.g. Raglan and Mount Panorama, but in Yarras this opportunity was not available. This location is the best of the various sites investigated, radio connectivity is directional, need to avoid obstructions, so high locations are ideal. This is a once in a lifetime investment in regional areas.

In regards to health issues, there has been an enormous amount of research in this area. Further, there is an Australian Communication standard, and the facility is 0.001% of the standard allowed.

Andrew Rajkovic - have brought these concerns to Council then spoke to the petition. there is no independent process to handle objections. Issues of concern included;

- Closeness to residences
- No consideration of alternatives

- Is there in fact a need to build new infrastructure
- Traffic concerns.

There is no guarantee all people will be reached by the NBN. Noted there is a benefit (financial) to the landowner.

2 DEVELOPMENT APPLICATION 2014/0042 – USE OF EXISTING SWIMMING POOL, RETAINING WALLS, INTERNAL POOL SAFETY FENCE AND PAVING, DEMOLITION OF AN EXISTING MASONRY POOL FENCE, PUMP SHED AND PRIVACY SCREEN/FENCE AND CONSTRUCTION OF A NEW POOL FENCE AND BOUNDARY FENCE AT 9 MCKELL STREET, WEST BATHURST. APPLICANT AND OWNER – G & K LYNCH (DA/2014/0042)

Recommendation: That the information be noted.

Report: Council has received a Development Application for the property at 9 McKell Street, West Bathurst.

The proposal

The Development Application relates to:

- The use of the existing inground swimming pool, retaining walls, internal pool safety fence and paving
- The demolition of the existing masonry pool fence and pump shed and privacy screen/fence
- The construction of a new 1.8 metre high pool fence, pump shed and boundary fence.

The proposed fencing will be pale eucalypt facing 11 McKell and woodland grey facing 9 McKell.

The development involves the extension of the existing retaining wall between 9 and 11 McKell Street by approximately 7.6 metres towards the rear of the property. At this point the retaining wall turns back towards 7 McKell Street creating an elevated level within 9 McKell Street. The new retaining wall (where it adjoins 11 McKell) will range in height from 1.3 metres through to 2.1 metres above 11 McKell Street.

Within this elevated area the inground swimming pool has been constructed.

Surrounding the swimming pool will be swimming pool safety fencing comprising a new 1.8 metre high colorbond fence on the common boundary between 9 and 11 McKell Street and a 1.2 metre high metal fence forming the internal barrier. The 1.8 metre fence will commence generally at the front building line of the two properties and extend along the existing retaining wall for its full length. The top of the fence at its highest point will be approximately 3.9 metres above 11 McKell Street.

The area surrounding the pool has been paved.

Located near the boundary with 11 McKell Street is the swimming pool pump. The pump will be enclosed with a colorbond shelter.

The Development Application has been supported by plans (**attachment 1**) and an accompanying Statement of Environmental Effects (**attachment 2**).

History of proposal

In 2011 and 2012 Council considered 2 Development Applications relating to the swimming pool, retaining walls and boundary fence treatments at 9 McKell Street. These Development Applications were as follows:

- Development Application 2011/0439 granted consent to the construction of an inground swimming pool, safety fence and retaining wall.
- Development Application 2012/0026 granted consent to the construction of a brick pool fence, pool filter cover and privacy screen.

The owner of the 11 McKell Street commenced Class 4 proceedings in the Land and Environment Court against the granting of these 2 consents (*Manning v Bathurst Regional Council No.2 (2013 NSWLEC 186)*).

The Land and Environment Court ultimately set aside the 2 consents and ordered the demolition of the works approved under Development Application 2012/0026 (brick pool fence, pool filter cover and privacy screen). The works approved under Development Application 2011/0439 (inground swimming pool, safety fence and retaining wall) were not subject to any orders relating to demolition.

The net result of the Court Orders is that the existing swimming pool, retaining wall and internal safety fence do not currently have consent (although the Court has agreed that they may continue to be used).

Whilst the Court has ordered demolition of the brick pool fence it will need to be replaced in order for it to comply with the standards applicable to swimming pools under *AS1926.1 – 2012 Swimming Pool Safety – Safety Barriers for Swimming Pools*.

The applicant also proposes to replace the existing boundary fence (referred to as a “privacy screen”) with a new boundary fence.

The intention of the Development Application as lodged is therefore to:

- Seek approval for the ongoing use of the existing swimming pool, retaining wall, internal safety fence and paving as they currently exist.
- Demolish those works so ordered by the Land and Environment Court.
- Replace those works demolished with the a new compliant swimming pool fence and construct a replacement pool pump cover and new boundary fence between 9 and 11 McKell Street.

Notification of Development Application

The Development Application and accompanying documents were notified to the 4 adjoining properties for a period of 10 days in accordance with Chapter 2 of Council's Development Control Plan.

In response to notification Council received 1 submission from the owner of 11 McKell Street. Issues raised in the submission were as follows:

- Visual appearance of the proposed retaining wall and pool safety fence.
- Noise associated with the pool pump.
- Impact upon structural adequacy and drainage for the existing brick retaining wall.
- Compliance with the Australian Standard for pool fencing.
- Adequacy of the Statement of Environmental Effects.
- Inaccuracies within the submitted plans.
- Damage to existing fences on the land.
- Not significantly different to the proposal considered by the Court.

A copy of the submission is provided at **attachment 3**.

It is further noted that the applicants have provided a written response to the submission. Issues noted in the response were as follows:

- The materials chosen are consistent with those currently used on the boundary.
- The owners of 9 McKell are open to alternate solutions to the materials to be used and to assist with additional landscaping.
- Options for increased setbacks are not feasible. Other options are constrained by the swimming pool safety standards.
- The pool pump will be housed in a shelter.
- Fencing between the 2 dwellings is required to provide an acceptable level of privacy.
- Issues associated with drainage and dampness within the existing brick wall have previously been investigated and remedied following professional advice.

A copy of the following documentation submitted by the applicant is provided at **attachment 4**.

- Reply to submission.
- Various photographs of the existing deck at 11 McKell, the side wall between the 2 properties and surface water at 9 McKell.
- Letter from Manning to Lynch dated 23 October 2012.
- Engineers reports into the retaining wall dated 25 October 2012 and 8 February 2013.
- Letter from previous owners of 11 McKell regarding the condition of the existing retaining wall.

Following the closure of the notification period Council received a second submission from the owner of 11 McKell Street (**attachment 5**). Issues raised include:

- drainage issues have not been addressed and are ongoing.
- the pool pump was not part of the first Development Application.

Following the discussion forum a report will be prepared for Council for determination of the Development Application. It is noted that the assessment will be undertaken by an independent planning consultant.

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

MINUTE

22 Item 2 DEVELOPMENT APPLICATION 2014/0042 – USE OF EXISTING SWIMMING POOL, RETAINING WALLS, INTERNAL POOL SAFETY FENCE AND PAVING, DEMOLITION OF AN EXISTING MASONRY POOL FENCE, PUMP SHED AND PRIVACY SCREEN/FENCE AND CONSTRUCTION OF A NEW POOL FENCE AND BOUNDARY FENCE AT 9 MCKELL STREET, WEST BATHURST. APPLICANT AND OWNER – G & K LYNCH (DA/2014/0042)

The Mayor noted an Independent Planning Consultant has been appointed.

The Director Environmental, Planning and Building Services spoke to the DA received and the process to be followed.

Mrs B Manning - Owner, adjoining property - referred to letter from Calare Civil, said she has not received a copy of this. Matters referred to included;

- Existing structures
- Demolition order from court
- Timelines of the DA
- Concern about child access to the pool from her property.

DA should not have been passed onto Mr Fletcher, this is possible misfeasance. Calare Civil say have inspected the wall, yet never asked Mrs Manning to view the wall.

Questioned whether comments of Judge have been taken on board. DA is replacing one structure with another, with only a change of materials.

Grant Lynch - 9 McKell Street - this has been going on for a long while. Have acted on everything they have been asked to do. Will demolish existing fence and put in a fence that is safe and complies with legislation. Spoke to timelines of work undertaken. Referred to Calare Civil matter, this related to a drainage matter raised in 2012. Replaced the drainage on the engineers advice and it has been checked to be structurally sound. The DA is for the fence. There is a "mish mash" of materials due to circumstances that occurred. Tried to get some consistency, unable to get agreement. The latest DA tries to get consistency of materials. Main overriding issue is to comply with pool safety. Noted need for privacy screen.

Gordon Crisp - ratepayer - spoke to matter going to the Land and Environment Court, concerned this new DA does not go again to the Court. The proposal needs to be looked at very carefully, concerned changes proposed are purely cosmetic, feels judge wanted something more substantial due to the effects on the objector.

Declares an interest, as he has lodged an objection himself to a DA which is to be considered by Council.

The Mayor advised that the meeting will now return to General Business.

GENERAL BUSINESS

POLICY COMMITTEE

MINUTE

23 Item 12 DESTINATION MANAGEMENT PLAN (37.00421)

Cr Morse - asked what is the next stage in the Destination Management Plan process.

The Director Environmental, Planning and Building Services spoke to communication processes to be put in place, will roll out in May 2014.

MINUTE

24 Item 13 HOWICK STREET ROUNDABOUT (GEORGE STREET) (25.00006)

Cr Coote - asked what is happening in this location.

The Director Engineering Services noted routine patching occurring in the short-term. Will need to close this area in the future for major works.

MINUTE

25 Item 14 RELAY FOR LIFE (23.00026)

Cr Coote - asked what were the final figures raised from Relay of Life.

Cr Hanger advised more than \$105,200 as at this morning with over 700 participants.

MINUTE

26 **Item 15** **CRICKET NETS - HAVANNAH STREET (04.00045)**

Cr Coote - advised fencing over the nets needs to be repaired.

MINUTE

27 Item 16 NEW PARKING SYSTEM (28.00006)

Cr Coote - asked how is the new parking system going.

The Director Environmental, Planning and Building Services advised some teething problems have occurred. But overall very good.

MINUTE

28 Item 17 STRATEGIC PLANNING - CENTENNIAL PARK (04.00047)

Cr Coote - spoke to discussions on this matter and how concept had been developed.

MINUTE

29 Item 18 LEP (20.00143)

Cr North - asked where is the LEP at in terms of timeline.

The Director Environmental, Planning and Building Services advised the LEP is with Parliamentary Counsel. Hope to be gazetted by June 2014. Counsel is looking at one or two small changes, not changing intent of the instrument.

MINUTE

30 Item 19 DEVONGLEN ROAD/DARWIN DRIVE (25.00319)

Cr North - matter was previously raised, what is happening?

The Director Engineering Services advised Council have liaised with resident who raised concerns. Some works have occurred and more will be done in the future.

MINUTE

31 Item 20 RAIL MAINTENANCE FACILITY (22.00159)

Cr North - understand State Government is looking at future of the Rail Maintenance facility. Has Council heard anything on this? Could we follow up please?

MINUTE

32 Item 21 GILMOUR STREET (25.00031)

Cr North - spoke to safety issues raised by community in this area, are we doing anything?

The Director Engineering Services advised that the request was only received this week. Will look at various options to address concerns raised.

MINUTE

33 **Item 22** **RETENTION BASIN - GILMOUR STREET (20.00174)**

Cr North - congratulated staff on works undertaken in this area.

MINUTE

34 **Item 23** **SHELTER BERRY PARK (04.00065)**

Cr Bourke - advised the misuse of the facility has partially settled down. Thanked Council staff for their assistance. Need to look at future of this building.

MINUTE

35 Item 24 HOARDING ISSUES (30.00005)

Cr Bourke - advised has received a complaint about a property where cars are being collected and stored. Can Council do anything about this?

The Director Environmental, Planning And Building Service advised it is very difficult area to police, need to prove a health risk and then can act.

MINUTE

36 Item 25 DA MATTERS: KEPPEL STREET (OLD NEWSAGENT)/AUSSIE DISPOSAL STORE (2013/0290, 22.14962)

Cr Bourke - where are these two matters at?

The Director Environmental, Planning and Building Services noted action on Keppel Street DA taken. Also Aussie Disposal Store, Council is chasing a DA on this matter.

MINUTE

37 MEETING CLOSE

The Meeting closed at 7.26 pm.

CHAIRMAN: _____.

Date: _____ **(16 April 2014)**