



POLICY COMMITTEE

27 July 2011

His Worship the Mayor & Councillors

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 3 August 2011 commencing at 5.00 pm.

A handwritten signature in blue ink, appearing to read "D J Sherley".

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 3 AUGUST 2011

1. 5PM MEETING COMMENCES
2. APOLOGIES
3. REPORT OF PREVIOUS MEETING
 - * Minutes - Policy Committee Meeting - 6 July 2011
4. DECLARATION OF INTEREST

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.
5. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
 - * Director Corporate Services & Finance's Report
 - * Director Engineering Services' Report
 - * General Manager'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 North (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, Thompson, Westman.

In attendance: General Manager, Acting Director Corporate Services & Finance, Director Engineering Services, Director Environmental Planning & Building Services, Director Cultural & Community Services, Acting Manager Corporate Governance, Manager Recreation, Manager Water & Waste, General Manager's Assistant.

MINUTE

2 APOLOGIES
MOVED: B Bourke SECONDED: M Morse

RESOLVED: That the apology from Cr Toole be accepted and leave of absence granted, due to his attendance at the Local Government & Shires Association's R Wilson OAM Dinner.

POLICY COMMITTEE
REPORT OF PREVIOUS MEETING

**REPORT OF PREVIOUS MEETING TO THE POLICY COMMITTEE MEETING HELD ON 3
AUGUST 2011**

General Manager
Bathurst Regional Council

1 MINUTES - POLICY COMMITTEE MEETING - 6 JULY 2011 (07.00064)

Recommendation: That the Minutes of the Policy Committee Meeting held on 6 July 2011 be adopted.

Report: The Minutes of the Policy Committee Meeting held 6 July 2011, are **attached**.

Financial Implications: N/A

MINUTE

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 6 JULY 2011 (07.00064)

MOVED: G Westman SECONDED: M Morse

RESOLVED: That the Minutes of the Policy Committee Meeting held on 6 July 2011 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 6 JULY 2011

5PM MEETING COMMENCES

1 MEETING COMMENCES

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

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

APOLOGIES

2 APOLOGIES

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

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

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 JUNE 2011 (07.00064)

MOVED Cr W Aubin and **SECONDED** Cr G Hanger

RESOLVED: That the Minutes of the Policy Committee Meeting held on 1 June 2011 be adopted with the following amendment:

"Item #7 to reflect that Cr Carpenter requested a report on projects that could be developed for Catchment Management Month."

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

5 Item 1 ENFORCEMENT POLICY (03.00142 & 41.00088)

MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That Council :

- a) place the draft Enforcement Policy on public exhibition for a period of 28 days;
- b) note if no submissions are received, the draft Enforcement Policy will be

adopted; and

- c) note if submissions are received, a further report will be prepared for Council's consideration.

Director Corporate Services & Finance's Report

- 6** **Item 1 POLICY - CODE OF MEETING PRACTICE (07.00064, 07.00065, 41.00089)**
MOVED Cr B Bourke and **SECONDED** Cr I North

RESOLVED: That Council adopt the amended Code of Meeting Practice and update the Policy Manual accordingly.

- 7** **Item 2 2015 BICENTENARY CELEBRATION COMMITTEE - ADOPTION OF LOGO (20.00153)**
MOVED Cr M Morse and **SECONDED** Cr T Carpenter

RESOLVED: That Council:

- (a) approve the use of the logo for all promotion of the 2015 Bicentenary Celebrations
- (b) seek to register the logos as a Trademark.

- 8** **Item 3 AUDIT & RISK MANAGEMENT COMMITTEE - DELEGATES (07.00009)**

Council did not consider this report at this meeting and it will be the subject of a further report.

- 9** **Item 4 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 22 JUNE 2011 (07.00096)**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

General Manager's Report

- 10** **Item 1 COUNCIL MEETING (WEDNESDAY) 17 AUGUST 2011 (11.00005)**
MOVED Cr T Carpenter and **SECONDED** Cr M Morse

RESOLVED: That Council hold the August 2011 Ordinary Meeting on Tuesday 16 August 2011.

GENERAL BUSINESS

- 11** **PIGEONS 14.00009**

Cr Bourke - Spoke to previous dealings on the matter.

The Director Environment Planning & Building Services advised of status and that discussions have been held with the Games Council.

- 12** **BUS STOP COLVILLE STREET 25.00138**

Cr Bourke - asked if the bus stop on Colville Street could be relocated closer to the retirement village.

13 **TRUNKEY CREEK GRAVE SITE 09.00035**

Cr North - asked for update on returned soldier grave site at Trunkey Creek.

The Manager Recreation responded

14 **JOHN MATTHEWS TENNIS CENTRE 04.00013-06**

Cr North - asked have we completed job and answered the centre operators issues.

The Director Corporate Services & Finance explained seeking more detailed information from operators, lights almost completed.

15 **MUSEUMS REVIEW 21.00086**

Cr North - Requested a working party to be held to develop a strategic plan for museums.

16 **COMMUNITY CONSULTATIVE COMMITTEE KIRKCONNELL 18.00230**

Cr North - advised he attended meeting of the Community Consultative Committee at Kirkconnell. Governor advised interested in doing more works with Council. Could staff advise of possible projects.

17 **BOLLARDS AT EGLINTON PARK NEAR BRIDGE 04.00075**

Cr North - Thanked Council for installing these.

18 **WASTE 2 ART 14.00007 / 23.00026**

Cr Morse - spoke to recent competition that was held and would like Council to continue to support this event.

19 **STOCKLAND BIG W CARPARK ENTRANCE 22.00046**

Cr Morse - recently spoke to issues at the entrance to car park. Thanked Council for actions taken to date.

20 **LIGHTS ON CAR PRIORITY CROSSINGS 28.00014**

Cr Morse - asked who is responsible for lights on car priority crossings.

The Director Engineering Services explained that Council owns these, but Essential Energy carries out works on Council's behalf.

21 **ROADSIDE MEMORIALS 04.00032**

Cr Westman - asked does Council have a policy on roadside memorials.

The Director Engineering Services explained that it hasn't been a issue to date.

The RTA has a policy, officers are currently reviewing and will report to Council.

22 TOWN SQUARE COMMITTEE EXHIBITION 20.00107

Cr Carpenter - Exhibition opened at Australian Fossil and Mineral Museum on Sunday, it is a great photographic exhibition.

23 NAIDOC WEEK 09.00031

Cr Carpenter - noted flag raising occurred this week, it went very well.

24 KEPPEL STREET 25.00039

Cr Carpenter - Spoke to concerns with condition of pavement in Keppel Street.

25 CATHEDRAL PAVEMENTS CONDITION 25.00002

Cr Carpenter - Thanked Engineers for following up concerns of residents in this area so promptly.

26 KEPPEL STREET TRAFFIC LIGHTS 25.00039

Cr Bourke - asked as to the status of the proposal to alter traffic lights at Stewart and Keppel Streets at.

Councillor Aubin noted RTA advised they are investigating this matter.

27 CREMATORIUM PROJECT 36.00246

Cr Bourke - Spoke to meeting with Norwood last week in Canberra. The meeting was positive and went well, Norwood are looking at a staged process.

28 EMERGENCY SERVICE LEVIES 18.00233

Cr North - Spoke to costs being imposed on Council and the need to have rate increase to meet the additional charges, due to 24/7 Fire Station and the new proposed Rural Fire Service facility.

29 POWER SUPPLY AND COMPUTER BACKUP 21.00036

Cr Morse - queried what is current situation with power backup for Council's computer systems.

The Director Corporate Services & Finance spoke to incident that occurred on the weekend.

30 LANDCARE AWARDS COMMITTEE 23.00096

Cr Toole - requested Council nominate a delegate to act on the determination committee

31 LANDCARE AWARDS COMMITTEE 23.00096

MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: Cr Carpenter be appointed Councils representative.

MEETING CLOSE

32 **MEETING CLOSE**

The Meeting closed at 5.30 pm.

CHAIRMAN: _____

Date: _____ **(20 JULY 2011)**

MINUTE

- 4 **DECLARATION OF INTEREST (11.00002)**
MOVED: T Carpenter SECONDED: B Bourke

RESOLVED: That the Declaration of Interest be noted.

POLICY COMMITTEE
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
3 AUGUST 2011

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE POLICY
COMMITTEE MEETING HELD ON 3 AUGUST 2011**

General Manager
Bathurst Regional Council

**1 GUIDELINES FOR THE APPOINTMENT & OVERSIGHT OF GENERAL MANAGERS -
DELEGATIONS (02.00003, 41.00088)**

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

Report: The Department of Local Government has recently released Guidelines under section 23A of the Local Government Act 1993 relating to the appointment and oversight of General Managers.

Part D of the Guidelines states that a council's governing body should delegate to the Mayor the role of day-to-day oversight of and liaison with the General Manager which includes matters such as approving leave, approving expenses incurred and managing complaints about the general manager.

With the introduction of these new Guidelines it will be necessary for the following amendments to be made to Council's Delegations Register.

MAYOR: Under the heading MAYOR:

insert new 8. Day-to-Day Oversight and Liaison with the General Manager

The Mayor shall be responsible for the day-to-day oversight and liaison with the General Manager including, but not limited to:

- approving leave.
- approving expenses incurred.
- managing complaints about the General Manager.

Renumber existing 8. to:

9. Code of Conduct Committee.

A copy of Part D of the Guidelines is shown at **attachment 1** for Councillors' information.

It is recommended that the Delegations Register be updated to reflect the introduction of the Guidelines under section 23A of the Local Government Act 1993 relating to the appointment and oversight of General Managers.

Financial Implications: Nil.

MINUTE

5 Item 1 GUIDELINES FOR THE APPOINTMENT & OVERSIGHT OF GENERAL MANAGER'S DELEGATIONS (02.00003, 41.00088)

MOVED: T Carpenter SECONDED: G Westman

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

2 AUDIT & RISK MANAGEMENT COMMITTEE - DELEGATES (07.00009)

Recommendation: That Council appoint Cr Hanger as an alternate Councillor delegate to the Audit & Risk Management Committee.

Report: At the Audit & Risk Management Committee Meeting held on 23 March 2011 it was resolved to request Council to nominate an alternate Delegate to the Committee.

Council at its meeting of 15 July 2009 appointed the Mayor of the day (Cr Toole) and one other Councillor, being the Deputy Mayor (Cr North) as delegates to the Audit & Risk Management Committee. The Committee includes two independent external members (Andrew Fletcher - Chair and Graham Marchant). The Internal Auditor, a representative from Council's external auditor and relevant staff also attend the meetings.

The Committee has met quarterly since March 2010. As the Committee only has 4 voting members, it has been requested that an alternate Councillor Delegate be appointed to represent the Mayor or Deputy Mayor when they are unable to attend due to other Council commitments. Cr Hanger has expressed an interest in being involved in this Committee.

Financial Implications: Nil.

MINUTE

6 Item 2 AUDIT & RISK MANAGEMENT COMMITTEE - DELEGATES (07.00009)

MOVED: G Westman SECONDED: M Morse

RESOLVED: That Council appoint Cr Hanger as an alternate Councillor delegate to the Audit & Risk Management Committee.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

POLICY COMMITTEE
DIRECTOR ENGINEERING SERVICES' REPORT
3 AUGUST 2011

DIRECTOR ENGINEERING SERVICES' REPORT TO THE POLICY COMMITTEE
MEETING HELD ON 3 AUGUST 2011

General Manager
Bathurst Regional Council

1 ROADSIDE TRIBUTES POLICY (15.00017, 41.00089)

Recommendation: That:

- (a) Council place the Policy on Roadside Tributes for on public exhibition for a period of 28 days.
- (b) If no submissions are received; adopt the Policy.
- (c) If any submissions are received; report back to Council.

Report: The presence of roadside tributes has been becoming more prevalent in recent years resulting in a variety of standards evident throughout the region on both Local Council roads and the classified road network. There have been reported incidents from other locations in Australia where accidents have occurred due to the presence of such tributes due to the diversion of the motorist's attention from the road to look at the tribute. There is also potential for concern about the appropriateness of specific tributes in relation to the frangibility of them in the event that they are impacted by another road user.

The installation and maintenance of these tributes is a highly emotive issue particularly with the immediate family impacted and any dealings with the individuals involved needs to be handled with understanding and compassion. However Council needs to adopt a policy in this regard to provide guidance to staff handling such matters and to anyone proposing to erect such a tribute so that the potential for inappropriate tributes in regards to safety, location and adverse visual impact is negated. As this is a highly emotive issue it is recommended that this be put on public display.

The Roads and Traffic Authority have a Roadside Tributes Policy that applies to all Classified Roads of which there is in excess of 200 kilometres in the Bathurst Region. It would appear prudent to adopt the RTA Policy for Local roads so that the one policy applies to all roads within the region as opposed to having a policy for different classes of roads.

Shown at **attachment 1** is a draft policy based on the Roads and Traffic Authority's policy for Council's consideration.

Financial Implications: Any resultant cost will be covered by existing budgets within the adopted Management Plan.

MINUTE

7 Item 1 ROADSIDE TRIBUTES POLICY (15.00017, 41.00089)

MOVED: G Westman SECONDED: R Thompson

RESOLVED: That:

- (a) Council place the Policy on Roadside Tributes on public exhibition for a period of 28 days.
- (b) If no submissions are received; adopt the Policy.
- (c) If any submissions are received; report back to Council.

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

POLICY COMMITTEE
GENERAL MANAGER'S REPORT
3 AUGUST 2011

**GENERAL MANAGER'S REPORT TO THE POLICY COMMITTEE MEETING HELD ON 3
AUGUST 2011**

General Manager
Bathurst Regional Council

1 BUILDING PROFESSIONALS BOARD AUDIT (02.00005)

Recommendation: That the information be noted.

Report: Council's Environmental, Planning & Building Services Department has been the subject of an audit of its procedures by the Building Professionals Board.

A copy of the final report (**attachment 1**) has also been forwarded to the Chief Executive, Local Government Division, Department of Premier and Cabinet in accordance with that Act.

Apart from a couple of minor issues, the audit found Council's procedures are in accordance with Act.

Financial Implications: Nil.

MINUTE

8 Item 1 BUILDING PROFESSIONALS BOARD AUDIT (02.00005)

MOVED: G Westman SECONDED: G Hanger

RESOLVED: That the information be noted.

Yours faithfully



D J Sherley
GENERAL MANAGER

POLICY COMMITTEE
GENERAL BUSINESS

MINUTE

9 KELSO HIGH SCHOOL HISTORY PROJECT - MACHATTIE PARK & KINGS PARADE (23.00004)

Cr Hanger - thanked Cr Aubin and staff for their assistance with this project on behalf of Kelso High.

MINUTE

10 WASTE MANAGEMENT CENTRE METHANE PROJECT (14.00007)

Cr Carpenter - feels good opportunity for Council to put a sign up near the flame providing details of the project.

MINUTE

11 TRAVELLING STOCK ROUTES (22.03690)

Cr Carpenter - went to a meeting in Orange about the long term treatment of travelling stock routes and possible sale. Also LH&PA is being examined in terms of its role. There are heritage and environmental issues to be considered. Does Council have many travelling stock routes.

The Director Environmental, Planning & Building Services advised there are a number of travelling stock routes in the Local Government area.

MINUTE

12 INTEGRATED PLANNING & REPORTING ASSET/FINANCIAL SEMINAR
(20.00033)

Cr Carpenter - gave details of recent seminar attended on these matters. It was very interesting.

MINUTE

13 GREENING BATHURST (18.00157-02)

Cr Carpenter - requested by Green Bathurst to forward thanks to Cr Thompson for photos he has provided to Greening Bathurst. They also wish to acknowledge work through the Environmental Department and the Vegetation Management Plan.

MINUTE

14 PEEL VILLAGE MEETING (20.00177)

Cr Carpenter - very good attendance at meeting held this week. There were issues raised about road naming and in particular Rivulet Road. Could Council look at this matter as it impacts on emergency services?

MINUTE

15 SPRUNG FESTIVAL (23.00032)

Cr Carpenter - advised Sprung Festival to be held in September/October at CSU. Councillors are invited to attend.

MINUTE

16 SEWER CHARGES REVIEW (26.00010)

Cr Thompson - asked when will this review occur.

The General Manager advised will go to a Working Party in November 2011.

MINUTE

17 MT PANORAMA - LETTER FROM A BROWN (20.00020)

Cr Thompson - asked can we discuss this matter at the next Working Party session.

The Deputy Mayor advised that the matter will be discussed.

MINUTE

18 CITIGATE TENDERS (22.09179)

Cr Thompson - asked where this matter is up to.

The General Manager advised of tender process in place and that two groups have approached Council to obtain details as part of the process.

MINUTE

19 CARPARKING CBD (20.00090)

Cr Westman - asked where are we up to with this study.

The Director Environmental, Planning & Building Services advised study will not be completed until next year. This is due to the need to collate data over the Xmas/holiday period.

MINUTE

20 AQUATIC CENTRE - INDOOR POOL (small) (04.00105)

Cr Morse - asked is it possible to raise temperature of the pool. Can tables and chairs be put in outside area.

The Director Engineering Services gave details of contract conditions regarding temperatures and that these are being met. Noted will talk to Belgravia about tables and chairs.

MINUTE

21 WEST MITCHELL ROAD, SUNNY CORNER, ROAD WIDENING (25.00267)

Cr Bourke - asked is there any more money available for this road. Spoke of previous allocations to Evans Shire Council.

The Director Engineering Services gave details of agreement with Forests NSW and works undertaken since the amalgamation. There are no further funds available at this time.

MINUTE

22 SUNNY CORNER (23.00104, 25.00278)

Cr Bourke - advised trees around village need cutting back. Copies of photos tabled. Could Council review this.

MINUTE

23 ROCKLEY - TRAFFIC THROUGH VILLAGE (07.00006)

Cr Bourke - concerns expressed at trucks going through the village at high speeds.
Can we raise this with police.

Cr Aubin noted that this matter was discussed at Traffic Committee meeting and is being reviewed.

MINUTE

24 PEEL - TRAFFIC SPEED RIVULET ROAD AND VILLAGE MEETING (25.00306, 20.00177)

Cr Bourke - spoke to speed problems on Rivulet Road and need to have a look at this issue. Also noted village meeting was very constructive and well attended.

MINUTE

25 PRIVATE HOSPITAL, CSU (07.00099)

Cr Bourke - asked what is current status of this matter.

The General Manager advised that CSU are still having ongoing discussions with the private hospital group to get this facility established.

MINUTE

26 **SEPANG 12 HOUR CAR RACE 2011 (11.00008)**

MOVED: R Thompson SECONDED: T Carpenter

RESOLVED: That Council authorise attendance of Cr Aubin at the Malaysian 12 Hour Race in 2011 and pay relevant expenses including travel and accommodation.

Cr Bourke asked that his negative vote be recorded.

MINUTE

27 MEETING CLOSE

The Meeting closed at 5.35 pm.

CHAIRMAN: _____

Date: _____ **(16 August 2011)**