

STATEMENT OF AFFAIRS

In accordance with Section 14 of the Freedom of Information Act, 1989, Blue Mountains City Council provides the following Statement of Affairs for the Council to June 2009:

Structure and Functions of Blue Mountains City Council

Authority

Blue Mountains City Council was formed in 1947 by merger of the Shire of Blue Mountains, the Municipality of Blackheath and the Municipality of Katoomba. Council draws its primary authority from the *New South Wales Local Government Act of 1993*. However it has additional responsibilities in the administration of other cognate legislation such as the *Companion Animals Act 1999*, the *Roads Act 1993*, the *Noxious Weeds Act 1993* and a range of environmental planning laws including the *Environmental Planning and Assessment Act 1979*. Blue Mountains is a unique local government area as we are the only city contained within a World Heritage Park in Australia.

Elected Council

The elected Council comprises twelve Councillors elected every four years. Each year these Councillors elect a Mayor and Deputy Mayor for the following year. The area is divided into four wards. Three Councillors are elected from each ward. The current Councillors were elected in September 2008.

The Council normally meets from 7.30 pm every third Tuesday at the Council Chambers in Civic Place, Katoomba between end of January and mid-December. Visit <http://www.bmcc.nsw.gov.au/yourcouncil/councilmeetings/> to view the schedule of meetings.

Functions

The Council General Manager is supported by approximately 550 staff. The major duties and functions of the Council include development assessment and management, environmental planning and surveillance, waste removal and disposal, providing cultural and library services, rates collection, health education and surveillance, corporate planning and community outcomes, town planning, recreation facilities, roads, drainage, public works and traffic management. This, however, is not an exhaustive list as the Council is responsible for over 100 functions.

Vision Statement and Corporate Goals

The Council has the following Vision Statement and Corporate Goals:

Vision

The City within a National Park with distinctive places and communities, carefully planned to enhance the quality of life for present and future generations, respecting our heritage and safeguarding our fragile environment.

Mission

Working in partnership with our diverse communities to ensure local needs and wider responsibilities are met through effective leadership, efficient provision of high quality services and facilities and sound environmental management.

City Profile

The City of the Blue Mountains is justly regarded as a unique place. Each year this World Heritage listed area attracts over 3 million visitors from Australia and the rest of the world. The management

of the Blue Mountains fragile ecosystem, while maintaining sustainable economic development, is the principal challenge for Blue Mountains City Council and the community.

The local government area is 1,405 square kilometres in size. Its population of 75,000 people is spread across 26 towns and villages on a narrow 100km long ridge connecting the Cumberland Plains of Sydney and the Western Plains of the Central West. Each of these communities borders a National Park. These diverse centres include highly urbanised towns and more isolated rural and semi-rural townships.

The tourism industry is a major and growing part of the local economy. Businesses which service these visitors account for about 40% of all jobs in the region. However, about 52% of employed residents work outside the Blue Mountains.

A More Sustainable Blue Mountains

Council has resolved to play its part in achieving the 25 year Outcomes endorsed by the Blue Mountains people through using the City Vision Map to respond to the call for action for a more sustainable Blue Mountains. In the 2007-08 Management Plan, Council had committed to achieve six Sustainability Priorities. These priorities are:

1. To improved the management and condition of built assets for which the council is responsible
2. To manage the community's resources in a sustainable, responsible and business like way
3. To deliver an outstanding level of service to Council's customers
4. To provide civic leadership for a City in a World Heritage National Park
5. To provide information about Council's policy setting and operations in a transparent manner
6. To provide accessible and fairly distributed services and facilities throughout the Local Government Area

The Principles that Guide Us

- People are valued
- Outcome driven / policy led
- Policy / purchaser / provider separation
- Service delivery activities to be carried out in a business like way
- Specialisation not duplication
- Seamless customer service
- Common approach to cost management

Management Plan

Blue Mountains City Council has a management plan for the period to financial year 2008-2009. A copy of this plan may be inspected at the Council Chambers, Civic Place, Katoomba during normal hours of business. Alternatively, visit

<http://www.bmcc.nsw.gov.au/yourcouncil/policyandplanregister/managementplan> to view.

Planning Processes

Council is responsible for developing the City management planning processes in accordance with its strategic objectives. Council is also responsible for preparation of the statutory planning instruments to ensure that the City of Blue Mountains is planned in accordance with Council's strategic objectives. Planning documents are generally put on public exhibition and notification of such exhibition is provided by way of local newspapers.

Planning for Council's activities also includes issues such as Council's objectives; its revenue plan; the future use and disposition of lands; the protection of the natural and built environment; recreation needs; community facilities; and minimisation of bushfire hazard. In many of these activities Council works in partnership with other government and community sector agencies.

Structure

Council operates a variation of a purchaser /provider business model to manage the organisation. Staff are in one of four groups – Executive Services, Environment & Customer Service, Blue Mountains City Services or Community and Corporate.

A Group Manager who reports directly to the General Manager leads each of these Groups. The Environmental and Customer Services and the BM City Services Groups are the two "providers" in the model and staff in these Groups are those that the public would have most contact with.

Effect of Council's Functions on Members of the Public

Council performs over one hundred functions in which it directly interacts with the community. Some functions that have wide public effect are detailed in the following:

- A council has the power to propose zonings for individual properties;
- The development of land is controlled by a council;
- A council will classify the way in which public land for which it is responsible is used;
- A council may cause works to be constructed in the community. Such works could include public buildings, recreation facilities, roads, car parks, footpaths and drainage works;
- A council may make orders concerning certain public nuisances and other matters;
- In certain circumstances a council may enter onto private land and/or cause certain works to be done;
- A council may levy rates and collect certain charges;
- A council may regulate behaviour in certain public places;
- A council may regulate certain matters relating to public health;
- In certain circumstances, a council may seek to acquire private property; and
- A council may regulate traffic and parking within its area of control.

The abovementioned powers are generally authorised via the *Local Government Act, 1993* or through other cognate legislation.

2008-2012 Priorities for Action

The following list identifies (in order of priority) Councillor priorities for action for 2008-2012:

1. Addressing Council's financial sustainability
2. Addressing asset renewal and maintenance funding gaps - including equitable service provision/ service levels
3. Strong LEP/ Managing development
4. Complete major projects
5. Leadership on climate change
6. Sustainable economic development
7. Focus on children and families
8. Waste management
9. Community input on decision-making
10. Great Western Highway – widening and safety
11. Healthy communities
12. improved partnerships with community organisations

13. Environmental protection – urban bush interface
14. Build on “Relevance Responsiveness Respect”
15. Educating community on Council’s financial status
16. Well run organisation
17. Civic leadership – World Heritage
18. Re-shaping Council’s 21st Century thinking and e-skills

For further information see 2008-2009 Management Plan

<http://www.bmcc.nsw.gov.au/yourcouncil/policyandplanregister/managementplan>

Principal Activities

Provide Good Government

- Support to Councillors and democratic decision making
- Governance and information about Council operations including annual reports, newsletters, pamphlets, Council web site
- Advocacy to other levels of government on behalf of the Blue Mountains community
- Civic responsibilities
- Internal auditing and probity
- Annual Reporting
- Access to Information

Quality Local Government

- Efficient and effective management of the community's resources
- Customer relations

Protection of the Natural Environment

- Facilitating community involvement in environmental protection
- Bushland habitat and catchment protection policy
- Bush regeneration / weed control
- Environmental education
- Waste water systems management and water quality
- Monitoring the environment
- Preparation / implementation of Management Plans for Council's natural areas
- Tree management

Land Use Management

- Local planning policy development
- Land use applications
- Development construction / monitoring
- Land use enforcement

Environmental Health and Regulatory Compliance

- Public health protection
- Public safety protection
- Local laws enforcement
- Environmental health inspections
- Companion animals management
- Domestic swimming pool compliance

Waste Management and Minimisation

- Waste collection
- Waste disposal depots
- Effluent removal
- Waste minimisation and recycling
- Cleansing

Emergency Management

- Emergency response coordination
- Bush fire mitigation
- Provision and maintenance of fire trails

Facilitating Community Development

- Advocacy for services for special needs groups
- Community events and celebrations support
- Promotion of Access and Equity in service provision
- Family Day Care and Vacation Care

Promoting Economic Development and Supporting Tourism

- Program planning for economic development
- Local business and industry support
- Cultural / Tourism Development
- Tourist information
- Visitor information centres
- Caravan parks

Provision of Recreational and Community Facilities / Services

- Management and maintenance of community buildings (halls, child care centres, youth care centres, neighbourhood centres, swimming pools, public toilets), cemeteries, parks, reserves
- Library services
- Neighbourhood parks
- Sporting fields and facilities
- Reserves, trails and lookouts
- Community bus services
- Family day care co ordination
- Asset and infrastructure management
- Project management for major asset development

Transportation and Roads

- Provision and maintenance of traffic facilities, signs and line marking
- Traffic safety

Arrangements for Public Participation in Policy Formulation

The elected Council considers all policy matters at Council meetings open to the public. Details of forthcoming Council Meetings may be obtained from Council's weekly advertisement in the Blue Mountains Gazette or by ringing the Council (02) 4780 5000 during office hours. Copies of the meeting Agenda and Business Papers can also be inspected at Council Offices or at each branch library. Agenda and copies of most of the material included in each Business Paper are also

available from Council's website, visit <http://www.bmcc.nsw.gov.au/yourcouncil/councilmeetings/> to view.

The current Code of Meeting Practice for the Council makes provision for members of the public to address Council meetings and prescribes the framework for such participation.

Council also seeks public comment on contentious and pertinent matters, for example, how to manage complaints across the organisation. This may be by way of public meetings, public exhibitions of documents or more formalised public hearings. Details are always pre advertised in the Blue Mountains Gazette.

Development Control Plan #35 Community Consultation for Land Use Management outlines Council's approach to public participation on planning and development matters. Visit, <http://www.bmcc.nsw.gov.au/yourcouncil/policyandplanregister/developmentcontrolplans> to view.

Documents Held by Council

Blue Mountains City Council holds a range of documents which are available for public viewing:

Development Control Plans

DCP	Better Living
DCP 5	Echo Point Precinct, Katoomba
DCP 9	Register of Significant Trees
DCP 11	Water Board Staging Plan
DCP 14	Sorensens Nursery Site, Herbert Street, Leura
DCP 15	Parklands, Govetts Leap Road, Blackheath
DCP 17	Lucasville Road/Mount Street/Brookdale Terrace, Glenbrook
DCP 19	Katoomba Golf Course
DCP 21	Advertising and Information Signage
DCP 31	Public Infrastructure Works in Subdivisions and Developments
DCP 32	The Ritz, Lot 3, 4, 6 and Part Lot 5, Sec 10 DP1175 and Lot 1 DP916747, 203-223 Leura Mall
DCP 33	Exempt and Complying Development
DCP 35	Community Consultation for Land Use Management and Manual of Procedures
DCP 36	Residential Swimming Pool Safety

Council Registers

- Information that is publicly available Under Section 12, Local Government Act 1993
- Land Register (Section 53, Local Government Act 1993)
- Register Pecuniary Interest Returns (Section 450A Local Govt Act 1993)
- Companion Animals Register (Companion Animals Act 1998)
- Development Consent Register (Section 100 Environmental Planning and Assessment Act 1979)
- Building Certificates Register (Section 149G Environment Planning and Assessment Act 1979)
- Record of Approvals Register
- Political Donations and Gifts Register
- Cemetery Register
- Delegations Register
- Heritage Register
- Skin Penetration Register

- Policy Register
- Protection of the Environment Operations Act Register

Policy

Executive Services

Access to Information
 Access to Information, Council staff and Council Premises for Councillors
 Code of Conduct
 Code of Meeting Practice
 Community Consultation
 Internal Audit Charter
 Internal Audit Policy
 Media Policy
 Probity Audit Policy for BMCC Capital Works Program
 Payment of Expenses and the Provision of Facilities Policy
 Policy on Public Access to Council Documents
 Purchasing Policy
 Public Access to Council Documents
 Serious & Substantial Complaints
 Statement of Business Ethics
 Unreasonable Complainants

Community & Corporate

Community

Access and Equity Policy
 Statement of Principles – Waiving of fees
 Public Art Policy

Asset & Contract Management

Community Buildings Policy
 Asset Naming Policy
 Corporate Property Policy
 Sustainable Asset Management Policy
 Unformed Roads Policy

Financial Management

Pay As You Go (PAYG) Withholding Tax Policy
 Debt Recovery and Writing off
 Investment
 Sundry Debtor Invoicing

Corporate Human Resources

Equal Employment Opportunity
 Staff Support to emergency Services Centre During Incidents and Emergencies
 OHS Risk Management

Blue Mountains City Services

Operations Policy
 Bushcare Policy

Environment & Customer Service

Activities in Public Places Policy
Contaminated and Potentially Contaminated Land Policy
Enforcement Policy
Addendum to Local Order No 18
Local Orders
Mediation Policy
Companion Animals Management Plan
Temporary fencing (hoardings)/Barrier Systems

Arrangements for access to Council held information

With the exception of archival material held in Council's History Library, all other material may be accessed at the Council Chambers, Civic Place, Katoomba during normal business hours.

Council's History Library is located at 104 Macquarie Road, Springwood and is open three days per week. Enquiries may be made by letter, personal visit or telephone to Katoomba Council Chambers, Civic Place, Katoomba, 2780, (02) 4780 5000 or Springwood History Library (02) 4723 5000.

Council provides access to information and records under two pieces of legislation: Section 12 of the *Local Government Act 1993* makes provision for a wide range of information to be publicly available; and the *Freedom of Information Act 1989* legislates for access to most other Council held records.

Copies of material will generally be made available but Council is able to, and does, set a charge for copying. Each year council determines a schedule of fees and charges for its services for the following financial year and this information is available in the updated Management Plan - Detailed Financial Documentation considered by Council each year as part of its review of the Management Plan. This document is available for inspection, at no cost, in Council's offices and at Branch libraries.

Applications for access to information made under the *Freedom of Information Act 1989* should be sent to the Privacy Officer and must be accompanied by the application fee of \$30.00. Applicants may apply for a discount of 50% in cases of personal hardship. The Act also makes provision for Council to charge for additional processing or photocopying charge may be applicable.

Our staff will assist you with any concerns you may have regarding the accuracy of information held by Council. Requests for amendments/corrections to our records should be addressed to the Privacy Officer and outline the basis of any objections to the information currently held by Council. Statutory requirements may prevent amendments without submission of satisfactory documentation.

Note, our staff will co-operate and, whenever this is permissible, will provide access for you to inspect documents relevant to your interests. Our Statutory responsibilities and legal obligations may restrict or prohibit the inspection of certain documents/files etc and, in some cases, may prevent us from providing a copy of the information.

For further Information, contact:
Privacy Officer

Blue Mountains City Council
Locked Bag 1005 Katoomba NSW 2785
Ph: 4780 5000
Fax (02) 4780 5555
Email: <mailto:council@bmcc.nsw.gov.au>