

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 December 2018

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 12 December 2018

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 12 December 2018 commencing at 6.00 pm.

From 6.00 pm to 6.15 pm there will be an opportunity for members of the public to raise matters with Council and staff.

D J Sherley

GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL TO BE HELD ON WEDNESDAY, 12 DECEMBER 2018

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC FORUM

3. PRAYER

Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.

4. APOLOGIES

5. MINUTES

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 NOVEMBER 2018

6. 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.

7. MAYORAL MINUTE

* ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE

8. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

- * DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
- * DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
- * DIRECTOR ENGINEERING SERVICES' REPORT
- * DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

9. REPORTS OF OTHER COMMITTEES

* MINUTES - TRAFFIC COMMITTEE MEETING - 4 DECEMBER 2018

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. COUNCILLORS/ DELEGATES REPORTS

- * COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES 14 NOVEMBER 2018
- * MINUTES BATHURST REGIONAL YOUTH COUNCIL 13 NOVEMBER 2018
- * MINUTES AUSTRALIA DAY WORKING PARTY 20 NOVEMBER 2018

* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 28 NOVEMBER 2018

13. RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

Recommendation: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005,:

- 1. In accordance with Section 9(2A) of the Local Government Act 1993, it is the opinion of the General Manager that the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.
- 2. In accordance with Section 10B(1) it is considered that discussion of the matter in open meeting, would on balance, be contrary to the public interest.
- 3. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee.

* MAYORAL MINUTE

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	GENERAL MANAGER'S APPRAISAL	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.

* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	STREET LIGHTING - UPGRADE TO LED LIGHTING WITH SMART	10A (2) (c) – contains information that would, if disclosed, confer a

cor Dis op- ba pul pre ne	conducting (or proposes to conduct) business. iscussion of the matter in an oen meeting would, on alance, be contrary to the ublic interest as it would rejudice council's position in egotiating commercial and or nancial arrangements.
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* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LAND RELEASE - LIMEKILNS ROAD, KELSO - SUNNYBRIGHT ESTATE STAGE "A" RELEASE SUBDIVISION	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
2	RURAL LICENCE AGREEMENT - LOTS 2 & 3 IN DP786760 KNOWN AS 44 FREEMANTLE ROAD, EGLINTON.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	RENEWAL OF TELECOMMUNICATIONS LEASE AGREEMENT - PART LOT 1 DP774489 KNOWN AS 230 HOWICK STREET - VODAFONE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
4	PURCHASE OF PROPERTY AT LOT 2 SECTION 15 DP758840 KNOWN AS 22 ROCKLEY STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	ELECTRICITY PROCUREMENT	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
6	INTEREST ON OUTSTANDING RATES – ASSESS 207604	10A (2) (b) – contains advice concerning hardship of a resident or ratepayer, disclosure of which would not be in the public interest as it would prejudice the personal position of the individual concerned.

* DIRECTOR ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR STORMWATER DRAINAGE PIPES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR CONSTRUCTION OF BATHURST CENTRAL BUSINESS DISTRICT CCTV - STAGE 1	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR READY MIX CONCRETE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED TRANSFER OF LAND TO COUNCIL FOR A SEWER PUMPING STATION - LOT 1025 DP1245197 LIMEKILNS ROAD KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TENDER FOR HIRE OF PLANT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER FOR HIRE OF TRUCKS/WATERCARTS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the

		public interest as it would prejudice the commercial position of the person who supplied it.
7	CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRONS EXTENSION WORKS - BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR SUPPLY AND DELIVERY OF ROADBASE MATERIAL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	CENTROC TENDER FOR LINEMARKING SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

- 14. RESOLVE INTO OPEN COUNCIL
- 15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
- 16. MEETING CLOSE

MEETING CO	MMENCES
	ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

MINUTE				
1	Item 1	MEETING COMMENCES		
North,	Present: Rudge.	Councillors Hanger (Chair), Bourke, Christian, Fry, Jennings, Morse,		

MINUTE

2 PUBLIC FORUM

<u>T Kessey – Youth Council</u> - Spoke to Director Cultural & Community Services Report #1 and Youth Council Minutes, Councillors/Delegates Reports #2. Noted actions of the "How to Adult" workshops and other events held. Youth Council will next meet in February 2019.

<u>M Griffiths</u> – resident 70 Havannah Street - DA 48 Havannah Street - still awaiting copies of reports used to amend the Development Application. Feels have right of access to documentation and so has been denied procedural fairness. Then spoke to toxins alleged to be on the site and further asbestos works that have occurred. Referred to health implications, the consideration of toxins appears to have been removed from the review process. Alleged criminal fraud. Requests access to the documents sought.

B Hennessy - applicant - Item # 6 DEPBS - DA 3397 O'Connell Road, O'Connell - spoke to problems of dealing with Bathurst Regional Council in terms of heritage. If Council takes the private road to their property then adjoining owners could apply to utilise the access. This would mean up to 50 B-Doubles utilising the road, there are safety issues. Spoke to possible vehicle conflict and a tragic accident. All blocks sold have a section 88b requirement for the maintaining of the road. Have sought independent advice from RoadS and Maritime Services, T Renshaw amongst others. The 9 issues raised by Council are false. Gave as an example the Rural Fire Service road needs. Have support of all the owners of the subdivision who utilise the access road. The Hasselhorfs do not use this road. Noted issues concerning Mrs Kelly such as fencing, wash-ways, fencing alignment, Suggests core samples be taken of road, sealing of a form occur and the road remains as a private road.

EXTENSION OF TIME

MOVED Cr J Jennings and SECONDED Cr B Bourke

RESOLVED: That an extension of time be granted for B Hennessy.

<u>A Dunshea</u> – applicant - Item # 4 - DA 449 Conrod Straight, Mount Panorama - spoke to DA, not trying to circumvent disability laws, they do not apply as is acknowledged in the report. Spoke to site restrictions and footprint needed to do the work.

The conditions are being imposed by Council under the National Construction Code (NCC) classification 1(b) and spoke to correspondence received from Council, obtained specialist legal advice and certifier/planner advice separate from Council. They said classification is 1(a), which is different to Council's position. Council got legal advice which agreed with his advice, but still are imposing the access requirements.

The proposal is lawful, pursuant to current planning laws and seeks Council approve the development. The disability standards do not apply to a 1(a) building.

Unit to be used for friends and relatives and some little level of renting out for commercial opportunity. The public interest was noted and the issue of reasonableness. Please approve the Development Application.

EXTENSION OF TIME

Public Forum to the Council Meeting 12/12/2018	
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MOVED Cr B Bourke and SECONDED Cr J Jennings

RESOLVED: That an extension of time be granted for A Dunshea.

B Triming – resident

The news says that the Acting General Manager at Dubbo gets three times the pay of the Bathurst Regional Council General Manager.

<u>B Triming</u> - Item # 4 - DA 449 Conrod Straight, Mount Panorama In regards to development, feels common sense to provide disability access should occur. Has spoken to other members of Bathurst Regional Access Committee. Referred to disability guidelines in existence for buildings. Spoke to what is a guest house and this is one of these. Agrees with Council's determination on this proposal, the paragraph re 4 rooms of the classification has "or" not that both requirements are to be met. Referred to possible breaches of the Disability Discrimination Act.

Then discussed issues of tourism rebuilds and new developments and accessibility requirements. If this is allowed as requested, this sets a precedent for non-accessible development. Commonsense is to make the development accessible, please support the recommendation in the report.

EXTENSION OF TIME

MOVED Cr J Jennings and SECONDED Cr B Bourke

RESOLVED: That an extension of time be granted for B Triming.

<u>G Dunshea</u> – applicant - Item # 4 - DA 449 Conrod Straight, Mount Panorama - Council has agreed the development is 1(a) not 1(b), so the development is not under the auspices of the Disability Discrimination Act.

<u>D O'Keefe</u> – nearby resident - Item #5 - DA 261 Lambert Street - spoke to concerns with the development, possible impacts on trees on Ms O'Keefe's property and the requirements of the Tree Preservation Order (TPO). Queried what processes occur when TPO is applied. The developer is only concerned with how much money they can make, no concern for the community or future impacts. Raised concerns about mental health issues and burden that may come on Council. The proposal is unreasonable

<u>M Pollard</u> – resident, 22 Park Street - DEPBS #3 - Child Care Centre at 23 Park Street, Eglinton

spoke to proposed development, it does not comply with DCP in regards to car parking, noted specific requirements. Feels if get rid of pick up and drop off point then more car parking spaces need to be provided. Noted staff/children ratios which would mean a minimum level of 7 staff are required, spaces need to be provided on site for staff. The Traffic Study uses figures in a study from 2002 and feel the DA does not adequately address issues in the 2002 report, feels this indicates around 17 spaces (staff/client) are needed. Concern street will be blocked up and spoke to his access problems. Also has safety concerns with the proposal given how busy Park Street is. Need to potentially look at 40 km/h zone and pedestrian crossing.

C Hazel - DEPBS #3 - Child Care Centre at 23 Park Street, Eglinton

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Supports recommendation of Council. Mr Hazel is the author of the Traffic Study. The proposed parking complies with Council's DCP, there is enough on street parking. Noted safety concerns, this is a matter for drivers, the road is safe, Park Street is a low density roadway.

<u>T Williams</u> – resident, 37 Park Street - DEPBS #3 - Child Care Centre at 23 Park Street, <u>Eglinton</u> - Park Street is used by a lot of children including with bikes, scooters, etc. Spoke to safety issues, footpath layout and restrictions in Alexander Street to use this as a drop-off zone. Many people driving to public school have to utilise Park Street. There are not enough car spaces for the pre-school and it also needs a drop-off zone. Then raised noise issues with adjoining properties and existing car issues with the General Store. A lot more consideration needs to given to parking with this centre.

<u>C O'Rourke</u> – resident - <u>DEPBS #3 - Child Care Centre at 23 Park Street, Eglinton</u> - spoke to traffic issues in Eglinton around the public school. It is very busy and supports previous speakers.

<u>P Dowling</u> – ratepayer - intersection <u>Durham and Peel Streets</u> - has previously asked Council to look at this road which gets blocked up. This matter was to go to the Traffic Committee, what has happened, referred to other intersections and their treatment, such as corner George and <u>Durham Street</u> at <u>Dan Murphys</u>.

The Director Engineering Services noted queuing is against the law, will look at a community education program. Advised difference in road treatments where the issue is queuing across driveways, rather than road intersections.

<u>D McNab</u> – ratepayer - Mitre/Lambert/Suttor Street roundabout - queried where the progress on this matter is at? Has design work been completed? Wished everyone well for Christmas. Will be back in 2019 and hope roundabout can be completed by end of 2019.

The Director Engineering Services advised still liaising with Department of Crown Lands to have access through Crown Land, when this occurs will then complete the design.

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Public Forum to the Council Meeting 12/12/2018 GENERAL MANAGER	MAYOF Page 12

MINUTE					
3	APOLOGIES MOVED: Cr B Bourke SECONDED: Cr M Morse				
RESO	ESOLVED: That the apology from Cr Aubin be accepted and leave of absence granted.				
	Apologies to the Council Meeting 12/12/2018				

MINUTES	
	ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 NOVEMBER 2018 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 November 2018 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 November 2018, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration
 Strategy 6.4

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Minutes to the Council Meeting 12/12/2018	
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MINUTE				
4 <u>Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 NOVEMBER 2018 (11.00005)</u>				
MOVED: Cr I North SECONDED: Cr J Rudge				
DESCUVED. That the Minutes of the Ordinary Martinary of Dathurst Dagistal Council				
RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Councilled on 21 November 2018 be adopted.				
Minutes to the Council Meeting 12/12/2018				

GENERAL MANAGER

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD ON 21 NOVEMBER 2018

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

<u>Present</u>: Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

PUBLIC FORUM

2 PUBLIC FORUM

B Triming - resident

- <u>Live Streaming of Council meetings</u> requested staff, who provide advice from sidelines, also have microphones provided.
- Water restrictions spoke to and noted the levels vary across the State.
 Referred to Drought Management Plans and restrictions to limit garden watering to half an hour on "odds" and "evens" and raised consideration of one hour. Noted levels set for pools which do not add any environmental benefits and the size of fittings to fill them; suggested restriction terms that should be in place. Asked Councillors to review restrictions being put in place.

<u>L Sargent</u> - resident - Development Application, Lambert Street - Item #3 DEPBS - spoke to concern about the proposed development, and referred to Council's process of advertising developments. Many people feel it is a waste of time to object to developments. Referred to heritage impact statement and the content therein. Noted impact on adjoining neighbours and the incorrectness of the statements in the Heritage Impact Statement. A two storey dwelling will overshadow Ms Sargent's property and will impact on privacy. Pleased to see recommended refusal, but suggests Council needs to adopt guidelines to protect the interests of people living in the heritage city.

EXTENSION OF TIME

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

RESOLVED: That an extension of time be granted for Ms Sargent.

<u>D O'Keefe</u> - resident - Development Application, Lambert Street - Item #3 DEPBS - backs onto proposed building. Has concerns with the building proposed and referred to Heritage Study and information that is lacking. Noted trees shown in the study will be removed as roots will be moved which will kill the trees. Suggested mental health of residents will be impacted with trees, etc being removed; this needs to be considered. Major excavation work will occur which will impact adjoining house. Concern adjoining residents will be restricted in ability to water

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gardens. If fence is destroyed and trees die, who removes them and replaces the fence? Does Council want to destroy this beautiful area, doesn't want towering buildings.

EXTENSION OF TIME

MOVED Cr B Bourke and **SECONDED** Cr J Jennings

RESOLVED: That an extension of time be granted for Mr O'Keefe.

<u>G Crisp - customer water supply service</u> - suggests Councillors read the audit opinion on water statements, not in accordance with auditing standards and liability. Spoke to guidelines on water supply and documents from Council which say don't agree with the guidelines. Referred to cross subsidies and guidelines therein. Stated Council cross subsidises water usage. Has asked these questions to the Office of Local Government and he has not received an answer. Then made allegations regarding use of Trust Funds and relevant legislation.

<u>Chris O'Rourke</u> - resident - notification of issues by <u>Council</u> - has spoken on George Park matter and processes followed. Now, speaking on notification of development applications, most transparent is Sydney City Council - Bathurst is one of the least transparent along with Wagga, Armidale and Dubbo. Referred to toilet block at George Park, this was not advised to residents when it went up. Further, spoke to colour scheme of the Bushrangers building which was changed from what Heritage person advised. Requests Council change Development Control Plan notification policy.

<u>K McNab</u> - ratepayer - Mitre/Suttor/Lambert roundabout - spoke to progress on the roundabout and requested an update. Improvement needed for safety. Spoke to background of matter and safety issues.

The Director Engineering Services advised:

- (a) Design is continuing and council is currently seeking permission to put water through Crown Land which will reduce costs and timelines.
- (b) Liaising with service agencies as to relocation.

<u>L Daymond</u> - resident - Development Application, 10 Russell Street - Item#4

<u>DEPBS</u> - spoke to various proposals put to Council and worked with Council on the plan submitted to reduce issues such as privacy concerns. Noted retention of trees, have considered the neighbours and asks Council to approve the development.

<u>I Pearson</u> - ratepayer/Architect - Limekilns Road - Item#8 <u>DEPBS</u> - spoke to proposed development and suggested changes. Concern is that sufficient open space should be retained to allow access road to be built. Also, spoke to cycleway paths, traffic flows and recent changes proposed. Suggests defer decision.

<u>G Cutler</u> - Limekilns Road - Item#8 <u>DEPBS</u> - tabled some maps of the development and spoke to what they are trying to achieve. Have implemented what the Planning Department have suggested to get a workable outcome. There is greater open space and an important link road will be established. This is a minor adjustment to the Local Environmental Plan, the proposal has been fine tuned to get it right.

P Dowling - congratulated Council and others on the event at Mount Panorama that

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occurred over the weekend. Then spoke to development application matters, when personally involved health issues do occur. Peel and Durham Street intersection needs work as it is regularly blocked. There was to be a report to Traffic Committee about putting signage on road at this intersection.

The Director Engineering Services advised Council is attempting to get matter to next Traffic Committee meeting.

APOLOGIES

3 APOLOGIES

Nil.

MINUTES

<u>Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 17 OCTOBER 2018 (11.00005)</u>

MOVED Cr B Bourke

and **SECONDED** Cr J Rudge

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 October 2018 be adopted.

5 <u>Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 7 NOVEMBER 2018 (11.00005)</u>

MOVED Cr B Bourke

and **SECONDED** Cr I North

RESOLVED: That the Minutes of the Ordinary Meeting of Council following Policy held on 7 November 2018 be adopted.

DECLARATION OF INTEREST

6 DECLARATION OF INTEREST 11.00002

MOVED Cr I North

and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

Cr Bourke

Item #4 of the Director Corporate Services and Finance Confidential Report

Cr Morse

Item #4 of the Director Corporate Services and Finance Confidential Report

RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

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General Manager

Mayor

Director Environmental Planning & Building Services' Report

7 <u>Item 1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)</u>

MOVED Cr I North

and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

8 Item 2 GENERAL REPORT (03.00053)

MOVED Cr I North

and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

9 Item 3 DEVELOPMENT APPLICATION NO. 2018/303 – DEMOLITION OF
EXISTING SHED, DUAL OCCUPANCY (TWO STOREY SECOND DWELLING
WITH ATTACHED GARAGE), CARPORT AND TWO LOT RESIDENTIAL
SUBDIVISION AT 261 LAMBERT STREET, BATHURST. APPLICANT: MR B
MOULDS. OWNER: MODERNIZATION PTY LTD (DA/2018/303)
MOVED Cr B Bourke and SECONDED Cr W Aubin

That Council:

- (a) as the consent authority, refuse consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/303, for the following reasons:
 - (i) No on-site visitor car parking has been provided and insufficient justification has been provided for the variation to this Development Standard:
 - (ii) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

The following AMENDMENT was MOVED

10 Item 3.01 DEVELOPMENT APPLICATION NO. 2018/303 – DEMOLITION OF EXISTING SHED, DUAL OCCUPANCY (TWO STOREY SECOND DWELLING WITH ATTACHED GARAGE), CARPORT AND TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET, BATHURST. APPLICANT: MR B MOULDS. OWNER: MODERNIZATION PTY LTD (DA/2018/303)

MOVED Cr J Jennings and SECONDED Cr A Christian

That Council:

(a) defer determination of DA 2018/303

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- (b) undertake further written discussions between Council staff and the applicant seeking amended plans that reduce the impact on the amenity of the neighbours and allow additional on site parking.
- (c) call a division.

The AMENDMENT was PUT and CARRIED.

The AMENDMENT then became the MOTION.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

<u>In favour of the motion</u> - Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr I North, Cr J Rudge,

Against the motion - Cr W Aubin, Cr B Bourke, Cr M Morse,

Absent - Nil

Abstain - Nil

11 Item 4 DEVELOPMENT APPLICATION NO. 2018/382 – DEMOLITION OF
EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY DETACHED
HABITABLE ROOMS WITH ATTACHED GARAGE AT LOT B, DP157249, 10
RUSSELL STREET, GORMANS HILL APPLICANT: MR P DAYMOND OWNER:
MR P DAYMOND & MRS L DAYMOND (DA/2018/382)
MOVED Cr B Bourke and SECONDED Cr I North

RESOLVED: That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/382, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) Building work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 8.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays and no work to occur on Sundays and public holidays.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

<u>In favour of the motion</u> - Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,

Against the motion - Nil

Absent - Nil

Abstain - Nil

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General Manager

Mayor

12 Item 5 MOUNT PANORAMA SECOND CIRCUIT – EUROPEAN ARCHAEOLOGICAL MANAGEMENT PLAN (37.00611) MOVED Cr | North and SECONDED Cr W Aubin

RESOLVED: That Council:

- (a) note the Mount Panorama Second Circuit European Archaeological Management Plan; and
- (b) refer a copy of the Plan to the NSW Office of Environment and Heritage.

13 Item 6 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 AMENDMENT (20.00328)

MOVED Cr I North

and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

14 Item 7 BATHURST CITY TRAFFIC MODEL (16.00011)

MOVED Cr W Aubin

and **SECONDED** Cr A Christian

RESOLVED: That the information be noted.

15 Item 8 LIMEKILNS ROAD PLANNING PROPOSAL (20.00319) MOVED Cr M Morse and SECONDED Cr B Bourke

RESOLVED: That Council:

- (a) adopt the Bathurst Regional LEP amendment to alter the zone boundaries as outlined in this report:
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment for gazettal;
- (c) adopt the Bathurst Regional Development Control Plan amendment to alter
 Map 4 Kelso as outlined in this report;
- (d) adopt the Developer Contributions Plan, Roadworks New Residential Subdivisions as outlined in this report;
- (e) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act; and
- (f) call a division.

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On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,

Against the motion - Nil

<u>Absent</u> - Nil Abstain - Nil

16 Item 9 EVOCITIES 2019-2023 MEMORANDUM OF UNDERSTANDING (18.00208)

MOVED Cr I North and **SECONDED** Cr A Christian

RESOLVED: That Council:

- (a) continues to participate in the Evocities program until 30 June 2023; and
- (b) authorise the Mayor and General Manager to execute the Memorandum of Understanding between the Evocities for the period 2019/20 to 2022/23.

17 <u>Item 10 GREATER CENTRAL WEST REGIONAL STATE OF ENVIRONMENT REPORT 2017-2018 (13.00004)</u>

MOVED Cr I North

and **SECONDED** Cr J Rudge

RESOLVED: That Council:

- (a) note that the 2017 2018 Regional State of the Environment Report has been completed;
- (b) make electronic copies of the 2017 2018 Regional State of the Environment Report available on Bathurst Regional Council's Website.

18 Item 11 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 13.00089)

MOVED Cr A Christian

and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

<u>Director Corporate Services & Finance's Report</u>

19 Item 1 STATEMENT OF INVESTMENTS (16.00001)

MOVED Cr B Bourke

and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

20 Item 2 MONTHLY REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL

This is page 7 of Minutes (Minute Book Folio 12859) of the Ordinary Meeting of Council held on 21 November 2018

Page 23

General Manager

PLAN 2018-2019 (16.00155)

MOVED Cr W Aubin and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted

21 Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)

MOVED Cr W Aubin

and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted and any additional expenditure be voted.

22 Item 4 POWER OF ATTORNEY (11.00007)

MOVED Cr I North

and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

23 Item 5 2019 NEWTONS NATION IDF WORLD CUP (04.00122)

MOVED Cr W Aubin

and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) Approve the 2019 Newton's Nation event to be held at Mount Panorama on 5-7 April 2019; and
- (b) Waive the circuit hire fee of \$11,769 for the 2019 event, to be funded from the Mt Panorama Fee Subsidy allocation.

24 Item 6 EJ-EH HOLDEN NATIONALS DISPLAY (04.00126)

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

RESOLVED: That Council waive the costs of approximately \$2,500 associated with the road closure of Russell Street for the EJ-EH Holden Nationals Display.

25 <u>Item 7 REQUEST FOR FINANCIAL ASSISTANCE - THE REBELLION ON THE TURON (18.00004, 25.00280)</u>

MOVED Cr J Rudge

and **SECONDED** Cr J Jennings

RESOLVED: That Council provide the additional financial assistance for the 2019 Rebellion of the Turon event of \$1,650.

26 Item 8 REQUEST FOR FINANCIAL ASSISTANCE GRIP LEADERSHIP (21.00012)

MOVED Cr B Bourke and SECONDED Cr M Morse

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RESOLVED: That Council provide a reduction of \$331.60 in BMEC venue hire fees to GRIP Leadership for their 2019 Bathurst Primary School GRIP Leadership Conference.

27 <u>Item 9 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST RUGBY LEAGUE KNOCKOUT 2019 (18.00004)</u>

MOVED Cr B Bourke

and **SECONDED** Cr J Jennings

RESOLVED: That Council provide \$4,000 (+ GST) to the Bathurst Panthers Football Club Inc. as sponsorship of their 2019 Bathurst Rugby League Knockout competition.

<u>128 Item 10 AUDITED FINANCIAL REPORTS (16.00055)</u>

MOVED Cr A Christian

and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

29 Item 11 UPPER MACQUARIE COUNTY COUNCIL - REQUEST FOR ADDITIONAL WEED BIOSECURITY FUNDING (18.00172) MOVED Cr | North and SECONDED Cr B Bourke

RESOLVED: That Council include the increase in its Voluntary Contribution to Upper Macquarie County Council in the 2019/2020, and subsequent, budgets as detailed in the report.

30 Item 12 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 22.00185, 22.01218

MOVED Cr I North

and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

Director Engineering Services' Report

31 <u>Item 1 BATHURST REGION NATURAL ADVISORY GROUP MEETING - 25</u> OCTOBER 2018 (13.00001)

MOVED Cr I North

and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

32 Item 2 CENTROC JOINT REGIONAL FUEL CONTRACT (15.00017) MOVED Cr B Bourke and SECONDED Cr J Jennings

MIOVED OF BOURKE and SECONDED OF Jennings

RESOLVED: That Council participate in a regional procurement process for the

This is page 9 of Minutes (Minute Book Folio 12861) of the Ordinary Meeting of Council held on 21 November 2018

Page 25

General Manager

supply and delivery of bulk fuel.

33 <u>Item 3 RENAMING OF BATHURST AQUATIC CENTRE (20.00038)</u> <u>MOVED</u> Cr J Rudge

That the Bathurst Aquatic Centre be renamed the John and Nina Manning Aquatic Centre - Bathurst.

The MOTION LAPSED for want of a SECONDER.

34 Item 3.01 RENAMING OF BATHURST AQUATIC CENTRE (20.00038) MOVED Cr I North and SECONDED Cr A Christian

RESOLVED: That

- (a) the Bathurst Aquatic Centre be renamed the Manning Aquatic Centre Bathurst
- (b) Council place an interpretative plaque at the Aquatic Centre on John and Nina Manning's contribution to the Bathurst swimming complex. The plaque to be developed in conjunction with the family.

35 <u>Item 4 PROPOSED ROAD CLOSURE - MACHATTIE LANE BATHURST</u> (25.00369)

MOVED Cr W Aubin

and **SECONDED** Cr J Fry

RESOLVED: That Council approve the proposed closure of Machattie Lane, as detailed in the Director Engineering Services' report and upon closing classify the land as operational land for the purposes of the Local Government Act 1993.

36 Item 5 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 32.00026, 36.00680, 36.00610, 36.00682) MOVED Cr | North and SECONDED Cr W Aubin

RESOLVED: That the information be noted.

Director Cultural & Community Services' Report

37 Item 1 LOCAL GOVERNMENT NSW TOURISM CONFERENCE 2019 (07.00016) MOVED Cr I North and SECONDED Cr J Jennings

RESOLVED: That the information be noted and Council nominate Cr Jennings as a delegate to the Conference.

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General Manager Mayor

38 <u>Item 2 2019 THE END FESTIVAL, HILL END - PARTNERSHIP PROPOSAL</u> (23.00026)

MOVED Cr I North

and **SECONDED** Cr M Morse

RESOLVED: That Council provide \$10,000 contribution towards The End Festival 2019, to be funded from Council's advertising and promotions budget.

39 <u>Item 3 SPRING SCHOOL HOLIDAY ACTIVITIES 2018 (21.00039, 21.00054, 21.00039)</u>

21.00060)

MOVED Cr I North

and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

40 Item 4 SCALLYWAGS & LITTLE SCALLYWAGS CHILD CARE CENTRES -

GRANDPARENTS' DAY, 26 OCTOBER 2018 (09.00053, 09.00034)

MOVED Cr M Morse

and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

41 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 NOVEMBER 2018

<u>(07.00064)</u>

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: That the recommendations of the Policy Committee Meeting held on 7 November 2018 be adopted.

Traffic Committee Meeting

42 <u>Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 NOVEMBER 2018</u> (07.00006)

MOVED Cr W Aubin

and **SECONDED** Cr B Bourke

Mayor

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 6 November 2018 be adopted.

COUNCILLORS/ DELEGATES REPORTS

43 Item 1 COUNCILLORS MEETING WITH COMMUNITY

This is page 11 of Minutes (Minute Book Folio 12863) of the Ordinary Meeting of Council held on 21 November 2018

GROUPS/REPRESENTATIVES - 10 OCTOBER 2018 (11.00019)

MOVED Cr I North and SECONDED Cr A Christian

RESOLVED: That the information be noted.

RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

44 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

MOVED Cr W Aubin

and **SECONDED** Cr J Rudge

The Mayor invited members of the public to make submissions on whether the matter should or should not be dealt with in Confidential Committee.

There were no representations from the public.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
	CHARGING STATION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
		10A (2) (d) (i) – contains commercial information of a confidential nature that would,
	- PART LOT 180	if disclosed, prejudice the commercial position
	55 SEYMOUR STREET	of the person who supplied it. Discussion of the matter in open council would, on balance,
	BATHURST - THE	be contrary to the public interest as it would

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	NEIGHBOURHOOD CENTRE	prejudice the commercial position of the person who supplied it.
2	DEMOLITION AND CONSOLIDATION OF PROPERTY AT LOT A DP158048 KNOWN AS 215 DURHAM STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED SUBDIVSION AND PURCHASE OF LAND AT PART LOT 250 DP1148187 KNOWN AS LOT 250 CONROD STRAIGHT, MOUNT PANORAMA.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY COMMUNITY CLUB	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

* DIRECTOR ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	CENTROC TENDER FOR SEWER REHABILITATION (PIPE RELINING) SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	CENTROC TENDER FOR INSPECTION AND CONDITION ASSESSMENT OF GRAVITY SEWER AND STORMWATER MAINS USING CCTV	10A (2) (d) (i) — contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	LANDSCAPE CONSTRUCTION OF FREEMAN PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the

This is page 13 of Minutes (Minute Book Folio 12865) of the Ordinary Meeting of Council held on 21 November 2018

Page 29

General Manager _____

		person who supplied it.
4	SUPPLY, DELIVERY AND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TENDER FOR CONSTRUCTION OF SCALLYWAGS CHILDCARE CENTRE EXPANSION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Environmental Planning & Building Services' Report

<u>a ltem 1 INSTALLATION OF ELECTRIC VEHICLE CHARGING STATION</u>
(13.00089)

MOVED Cr I North

and **SECONDED** Cr A Christian

That Council:

- (a) note the report; and
- (b) delegate authority to the General Manager to sign a licence agreement on behalf of Council.

Director Corporate Services & Finance's Report

b Item 1 COMMUNITY LICENCE AGREEMENT RENEWAL - PART LOT 180
DP862410 LOCATED AT 55 SEYMOUR STREET BATHURST - THE
NEIGHBOURHOOD CENTRE (22.00185)
MOVED Cr I North and SECONDED Cr A Christian

That Council approves the renewal of the Community Licence Agreement for the 'Meeting Room' at part Lot 180 DP862410 located at 55 Seymour Street, Bathurst with The Neighbourhood Centre for a period of 12 months with a 12 month option period as detailed in the report.

c <u>Item 2 DEMOLITION AND CONSOLIDATION OF PROPERTY AT LOT A</u>
DP158048 KNOWN AS 215 DURHAM STREET, BATHURST (22.01218)
MOVED Cr J Rudge and SECONDED Cr W Aubin

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General Manager

That Council approves the demolition and consolidation of property at Lot A DP158048 known as 215 Durham Street, Bathurst as detailed in the report

d <u>Item 3 PROPOSED SUBDIVSION AND PURCHASE OF LAND AT PART LOT 250 DP1148187 KNOWN AS LOT 250 CONROD STRAIGHT, MOUNT PANORAMA.</u> (22.13734)

MOVED Cr W Aubin

and **SECONDED** Cr J Rudge

That Council:

- (a) approve proposed subdivision and purchase the land at Part Lot 250 Conrod Straight, Mount Panorama.
- (b) delegate the authority to the General Manager to negotiate the purchase as detailed in the report
- (c) if successful, classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993.

<u>e ltem 4 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY COMMUNITY CLUB (22.01429)</u>

MOVED Cr I North

and **SECONDED** Cr A Christian

Cr Bourke declared a non-pecuniary interest in this item, left the Chamber and took no part in discussion or voting.

Reason: Past President and Secretary of Club and present Club member.

Cr Morse declared a pecuniary interest in this item, left the Chamber and took no part in discussion or voting.

Reason: The Manager of the facility was on Cr Morse's election ticket in 2017.

That Council act in accordance with the report as follows,

- (i) implement option 1.B
- (ii) implement Option 4.A (to a value of \$15,000 for water cost reduction measures)
- (iii) implement Option 5.A.

Director Engineering Services' Report

<u>f</u> <u>Item 1 CENTROC TENDER FOR SEWER REHABILITATION (PIPE RELINING)</u> <u>SERVICES (32.00026)</u>

MOVED Cr W Aubin

and **SECONDED** Cr I North

That Council accept and sign a contract with Interflow for sewer rehabilitation (pipe relining) services.

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General Manager

Mayor

g Item 2 CENTROC TENDER FOR INSPECTION AND CONDITION ASSESSMENT OF GRAVITY SEWER AND STORMWATER MAINS USING CCTV (32.00026) MOVED Cr I North and SECONDED Cr A Christian

That Council accept and sign contract with Interflow for CCTV inspection works as detailed in their price schedule.

h Item 3 LANDSCAPE CONSTRUCTION OF FREEMAN PARK (36.00680) MOVED Cr I North and SECONDED Cr J Rudge

That Council accept the tender of Creative Outdoors and More in the amount of \$978,476.30 (including GST), subject to adjustments and provisional sums, for the landscape construction of Freeman Park, Bathurst.

<u>i</u> <u>Item 4 EXTENSION OF CONTRACT FOR TENDER NO. 36.00610 – SUPPLY,</u> <u>DELIVERY AND LAYING OF ASPHALTIC CONCRETE SURFACING (36.00610)</u> <u>MOVED Cr B Bourke</u> and <u>SECONDED</u> Cr I North

That Council approve the extension of Contract No. 36.00610 to Downer for a further 12 months, to 31 December 2019.

j Item 5 TENDER FOR CONSTRUCTION OF SCALLYWAGS CHILDCARE CENTRE EXPANSION (36.00682)

MOVED Cr B Bourke

and **SECONDED** Cr M Morse

That Council accepts the tender of Renascent Regional Pty Ltd for the construction of Scallywags Childcare Centre Expansion in the amount of \$1,494,226.00 (GST incl.), subject to provisional items and variations.

RESOLVE INTO OPEN COUNCIL

45 RESOLVE INTO OPEN COUNCIL

MOVED Cr A Christian

and **SECONDED** Cr J Rudge

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

46 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE MOVED Cr I North and SECONDED Cr W Aubin

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field off 21 November 2016	Page 32

MEETING CLOSE			
<u>47</u>	MEETING CLOSE		
	The Meeting closed at 8.46 pm.		
	CHAIRMAN:		

RESOLVED: That the Report of the Committee of the Whole, Items (a) to (j) be

adopted.

MINUTE

5 <u>DECLARATION OF INTEREST 11.00002</u> MOVED: Cr J Rudge SECONDED: Cr B Bourke

RESOLVED: That the following Declarations of Interest be noted.

General Manager

Item #1 of the Confidential Mayoral Minute

Cr Bourke

Item #6 of the Director Environmental, Planning and Building Services Report

Cr North

Item #4 of the Director Environmental, Planning and Building Services Report

Acting Director Corporate Services & Finance

Item #1 of the Director Engineering Services Report

MAYOR Page 34

GENERAL MANAGER

MAYORAL MINUTE AND MINUTES		
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL		

1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 35.01136)

Recommendation: That the information be noted.

Report: The following items have been included in the confidential section of the business paper for Council's consideration:

1 GENERAL MANAGER'S APPRAISAL (35.01136)

This report relates to the General Manager's performance review.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration
 Strategy 6.4

Community Engagement

Inform
 To provide the public with balanced and objective information to help them

understand the problem, alternatives

opportunities and/or solutions.

Mayoral Minute to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAYOR

Page 36

MINUTE

6 <u>Item 1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 35.01136)</u>

MOVED: Cr G Hanger SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

Yours faithfully

Graeme Hanger

MAYOR OF BATHURST

Mangel

GENERAL MANAGER

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT AND MINUTES				
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL				
12 DECEMBER 2018				

1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)

Recommendation: That the information be noted.

Report: Section 4.15 of the Environmental Planning and Assessment Act 1979 is provided below to assist Council in the assessment of Development Applications.

4.15 Evaluation (cf previous s 79C)

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
 - (i) any environmental planning instrument, and
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - (iii) any development control plan, and
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
 - (v) (Repealed)
 - that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

(2) Compliance with non-discretionary development standards—development other than complying development

If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

- (a) is not entitled to take those standards into further consideration in determining the development application, and
- (b) must not refuse the application on the ground that the development does not comply with those standards, and
- (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards,

and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAY

- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:
 - subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and
 - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note. The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and
- (c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, **standards** include performance criteria.

(4) Consent where an accreditation is in force

A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the *Building Code of Australia* if the building product or system is accredited in respect of that requirement in accordance with the regulations.

(5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).

(6) **Definitions**

In this section:

- (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
- (b) **non-discretionary development standards** means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

	lications:	Nil

Bathurst Community Strategic Plan - Objectives and Strategies

• Objective 6: Community leadership and collaboration

Strategy 6.4

Community Engagement

Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTE

7 <u>Item 1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)</u>

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

_____ GENERAL MANAGER _____ MAYOR
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2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

Report: The following reports are provided for Council's information.

- (a) Applications approved using authority delegated to the Director Environmental Planning & Building Services during November 2018 (<u>attachment 1</u>).
- (b) Applications refused during November 2018 (attachment 2).
- (c) Applications under assessment as at the date of compilation of this report ($\underline{\mathbf{attachment}}$ $\underline{\mathbf{3}}$).
- (d) Applications pending determination for greater than 40 days as at the date of compilation of this report (<u>attachment 4</u>).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in November 2018 (attachment 5).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 4: Enabling sustainable growth
 Strategy 4.6

Objective 6: Community leadership and collaboration
 Strategy 6.4

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

MINU	MINUTE				
8	Item 2 GENERAL REPORT (03.00053) MOVED: Cr B Bourke SECONDED: Cr A Christian				
	RESOLVED: That the information be noted.				

3 DEVELOPMENT APPLICATION NO. 2018/290 – DEMOLITION OF EXISTING DWELLING, GARAGE & OUTBUILDING AND CONSTRUCTION OF CHILD CARE CENTRE AT 23 PARK STREET, EGLINTON. APPLICANT: HANNAS CHILDCARE DEVELOPMENTS. OWNER: MR O & MRS J GENC (DA/2018/290)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/290, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for the demolition of the existing dwelling, garage and outbuildings and construction of a 42 place child care centre at 23 Park Street, Eglinton, described as Lot 2, DP 38206.

See location plan and aerial photo at attachment 1.

The subject site currently contains a single storey dwelling with detached garage and numerous outbuildings.

The site has an area of 1012m².

The site adjoins the existing Eglinton Store and existing residential dwellings on the remaining 3 boundaries.

The proposal

The proposed development includes:

- Demolition of the existing single storey dwelling, separate garage and outbuildings;
- Construction of a 42 place child care centre with associated infrastructure.

The proposal includes the provision of 6 on site parking spaces.

The centre will operate from 7am to 6pm, Monday to Friday.

The plans of the proposed development are at <u>attachment 2</u>, the Noise Assessment at <u>attachment 3</u>, Statement of Environmental Effects at <u>attachment 4</u> and the Traffic and Parking Statement at <u>attachment 5</u>.

The following additional documents can be obtained from Council's Environmental Planning and Building Services Department:

- Access 2016 Indicative Compliance Report for DA Lodgement;
- BCA 2016 Indicative Compliance Report for DA Lodgement;
- BCA 2016 Section J Indicative Compliance Report for DA Lodgement

- Preliminary Geotechnical Investigation;
- Preliminary Site Investigation;
- Waste Management Plan; and
- Development Application Cost Plan Report.

Planning Context

<u>State Environmental Planning Policy (Educational Establishments and Child Care Facilities)</u>

Child Care Centres must comply with the requirements outlined in SEPP *Educational Establishments and Child Care Facilities* and, by virtue of Clause 23, the *Child Care Planning Guideline*.

An assessment against these Guidelines is provided at <u>attachment 6</u>. The proposal complies with the obligations provided for under the SEPP.

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014.* A *centre based child care facility* is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.3 Height of buildings

The *Height of Buildings Map* for this locality indicates a maximum overall building height of 9 metres. The proposed building will have an overall height of 5.7 metres and accordingly complies.

Clause 5.10 Heritage conservation

As the proposal includes demolition of a dwelling greater than 50 years of age, a Statement of Heritage Impact <u>attachment 7</u> was submitted. The site is not within a heritage conservation area or adjoining or adjacent to an item of Environmental Heritage. The nearest Heritage Items are the Eglinton Hall and the former church at 27 Alexander Street. Both are in excess of 250 metres from the site. The report concludes:

"The Eglinton hall and church are located at a distance that their significance and curtilage are not affected by this proposed development. There is no heritage based requirement to retain built elements on the subject site, given the lack significance."

Bathurst Regional Development Control Plan 2014

Chapter 10 Urban Design & Heritage Conservation

As the proposal includes demolition of a dwelling greater than 50 years of age, a Statement of Heritage Impact was required which supported the demolition recommending that:

- 1. Prior to demolition of the house a minor photographic archival recording of the house and site would be advisable.
- 2. Materials and elements of the building capable of recovery should be re-cycled and re-used and that this should be considered as part of the process of demolition.
- 3. Landscaping should be used to obscure the carpark.

These matters can be incorporated into conditions of consent.

Chapter 12 Signage and Colour Schemes

Pole Sign			
Development Standards	Comment		
The height of the sign must not exceed the roof	The proposed pole sign will have an overall height		
	of approximately 2.2 metres and an overall panel size of 1.5m ² .		
The size of the sign panel must not exceed 5			
square metres.	The proposed signage is compliant and consistent		
	with the residential character of the area.		
The sign must be constructed so that it is			
structurally adequate to withstand the dead and			
live (wind) loads that may be imposed on it.			

Chapter 13 Landscaping and Greening

A detailed landscape plan has been submitted with the Development Application and is generally consistent with Council's DCP.

Chapter 14 Parking

Council's Development Control Plan requires a ratio of 1 space per 10 children. Accordingly a total of 4 car parking spaces are required. Plans for the proposed development indicate a total of 6 car parking spaces.

Chapter 16 Earthworks

Plans for the proposed development indicate masonry retaining walls of 500mm or less.

Other Matters for Consideration

Noise

A Noise Assessment prepared by Renzo Tonin & Associates has been submitted with the application. The Noise Assessment has been prepared in accordance with the Association of Australian Acoustical Consultants (AAAC) *Guideline for Child Care Centre Acoustic Assessment*.

Sensitive Receivers

As outlined in the following table, the noise assessment identifies seven noise sensitive receivers in the immediate vicinity of the subject site.

Receiver ID	Receiver Type	Address	Description
R1	Residential	25 Park Street (front yard)	Front yard receiver location of the single storey residential property directly to the west of the site. Receiver location potentially impacted by noise from car park activity.
R2	Residential	25 Park Street (rear yard)	Rear yard receiver location of the single storey residential property directly to the west of the site. Receiver location potentially impacted by noise from the outdoor play area.
R3	Residential	17 Lamont Place	Rear yard receiver location of the single storey residential property located directly to the south of

		(rear yard)	the site. Receiver location potentially impacted by noise from the outdoor play area.
R4	Residential	19 Lamont Place (rear yard)	Rear yard receiver location of the single storey residential property located directly to the south of the site. Receiver location potentially impacted by noise from the outdoor play area.
R5	Residential	21 Park Street (rear yard)	A residential rear yard receiver location of the single storey mixed use property located directly to the east of the site. Receiver location potentially impacted by noise from the outdoor play area.
R6	Commercial	21 Park Street (front yard)	A commercial front yard receiver location of the single storey mixed use property located directly to the east of the site. Receiver location potentially impacted by noise from car park activity.
R7	Residential	24 Park Street (front yard)	Front yard receiver location of the single storey residential property located across Park Street north of the site. Receiver location potentially impacted by noise from car park activity.

The following table outlines existing weekday background noise levels in the vicinity.

Location	L _{A90} Background Noise Levels			
		. •	Night	
	(7:00am to 6:00pm,	(6:00pm to 10:00pm,	(10:00pm to 7:00am,	
	Monday to Saturday and	Monday to Sunday &	Monday to Saturday and	
	8:00am to 6:00pm	Public Holidays)	10:00pm to 8:00am	
	Sundays &		Sundays	
	Public Holidays)		& Public Holidays)	
23 Park Street (rear	35	28	23	
yard)				

Background levels during the evening and night periods are not relevant given the proposed hours of operation.

Noise Criteria - Operation Noise - Outdoor Area

Council has no specific guidelines governing noise from Child Care Centres. The Association of Australian Acoustical Consultants has adopted criteria within its *Guideline for Child Care Centre Acoustic Assessment*.

For outdoor areas used for more than 2 hours per day the *Guideline for Child Care Centre Acoustic Assessment* provides the following criteria for residential receivers:

The $L_{Aeq. 15 min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5dB at the assessment location.

The *Guideline for Child Care Centre Acoustic Assessment* provides the following criteria for commercial receivers:

The $L_{Aeq. 15 min}$ noise level emitted from the Child Care Centre shall not exceed 65 dB(A) when assessed at the most affected point at or within any commercial property boundary.

Accordingly the applicable noise criteria based on the above levels for the residential and commercial receivers are as follows.

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Receiver	Address	Applicable Noise Criteria
		L _{Aeq, 15min}
R1	25 Park Street (front yard)	35 + 5 = 40
R2	25 Park Street (rear yard)	
R3	17 Lamont Place (rear yard)	
R4	19 Lamont Place (rear yard)	
R5	21 Park Street (rear yard)	
R6	21 Park Street (front yard)	65
R7	24 Park Street (front yard)	35 + 5 = 40

Noise Criteria - Operation Noise - Mechanical Plant & Car Park

The *Guideline for Child Care Centre Acoustic Assessment* provides the following criteria for residential and commercial receivers:

The L_{A} eq.15min noise level emitted from the cumulative noise impact of children playing indoors, mechanical plant and traffic on the site shall not exceed the background noise level by more than 5 dB at the assessment location.

The applicable noise criteria are therefore the same as the table above.

Predicted Noise Levels - Outdoor Area

Based upon the assumptions made in the acoustic assessment as to the number and age of children attending the Centre and the standard 1.8 metre fence the predicted noise levels for the development are as follows:

Receiver		Noise Criteria dB(A)	Predicted Noise Levels dB(A)	Compliance
R1	25 Park Street (front yard)	40	29	Yes
R2	25 Park Street (rear yard)	40	45	No, exceeded by 5dB(A)
R3	17 Lamont Place (rear yard)	40	49	No, exceeded by 9dB(A)
R4	19 Lamont Place (rear yard)	40	46	No, exceeded by 6dB(A)
R5	21 Park Street (rear yard)	40	39	Yes
R6	21 Park Street (front yard)	65	32	Yes
R7	24 Park Street (front yard)	40	26	Yes

Recommended Mitigation Measures

Based on the above, additional noise mitigation and management are required including:

- The southern (rear) boundary fenced be increased in height from 1.8 metres to 2.4 metres:
- A treated timber lapped and capped fence could be used, provided it has no gaps so that it can perform as an effective noise screen;
- Any penetrations through the fabric of the fence should be sealed air tight;
- All joints and gaps between fence panels / planks should be sealed air tight; and

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 Any gaps between fences and the ground should be filled to ensure that the fence provides appropriate noise attenuation.

The Noise Assessment recommends the following operational mitigation measures:

- The number of children in the outdoor play area at any one time should be limited to the following:
 - o 12 x 0-2 years old and 10 x 2-3 years old: or
 - o 10 x 3-5 years old
- Signs should be erected at appropriate, prominent locations, to advise the following:
 - o that staff and parents converse at a very low volume;
 - o that parents not call out to their children when delivering or collecting their children; and
 - o that gates not be slammed.
- Children who are loudly crying outdoors should be comforted by staff and if the child continues to cry loudly then they should be taken inside.
- No music should be played in any outdoor areas at any time.

Based on these measures, the following predicted noise levels are expected.

Receiver		Noise Criteria dB(A)	Predicted Noise Levels dB(A)	Compliance
R1	25 Park Street (front yard)	40	24	Yes
R2	25 Park Street (rear yard)	40	40	Yes
R3	17 Lamont Place (rear yard)	40	40	Yes
R4	19 Lamont Place (rear yard)	40	39	Yes
R5	21 Park Street (rear yard)	40	35	Yes
R6	21 Park Street (front yard)	65	28	Yes
R7	24 Park Street (front yard)	40	23	Yes

Traffic

The RMS *Guide to Traffic Generating Developments* provides peak hour vehicle movement generation rates for a long day care centre as summarised in the following table:

Centre Type	Vehicle trips per child			
	7.00-9.00am	2.30-4.00pm	4.00-6.00pm	
Long day care	0.8	0.3	0.7	

The following table outlines the estimated traffic generation for the proposed 42 place long day care centre:

Centre Type	AM Peak	PM Peak
42 place long day care centre	42 x 0.8 = 34	42 x 0.7 = 29.4
TOTAL	34	29

The Traffic and Parking Statement submitted with the application prepared by Traffic

Solution Pty Ltd provides:

- The access driveway proposed to serve the development is suitably located and will provide very good sight distance in both directions along Park Street.
- The proposed development satisfies the related geometric design specifications contained in the Australian Standards for off street parking and vehicular access.
- The off-street parking provided in the proposed development exceeds the requirements specified by Council's Development Control Plan.
- The proposal has a potential increase in estimated peak hour traffic flows in the order of 37 and 29 vehicle trips in the morning and evening peak hours respectively, which will not have a noticeable or detrimental effect upon Park Street or the surrounding road network

Public Notification

The Development Application was notified to adjoining property owners from 22 August 2018 to 31 August 2018. Following the notification period one submission was received from the owners of the Eglinton Shop (see submissions at **attachment 8**).

A Discussion Forum was convened on 24 September 2018 (see minutes of Discussion Forum at <u>attachment 9</u>). It should be noted that adjoining owners who lodged the submission were invited to the Discussion Forum but did not attend.

As the applicant was not able to directly discuss the issues with the adjoining owners, they have provided a response to the issues raised (see **attachment 10**).

Issues raised in the submissions included:

• Limited availability of on-street and off-street car parking and therefore the potential impact on access to the adjoining General Store.

Comment: Council's adopted standard in relation to on site parking is 1 space per 10 children. In this instance the development complies. That said, there is the potential for additional parking in the area as a result of employees (requiring long stay) and relatively high turn over but short frequency for parents drop off and pick up. The applicant has included a draft Management Plan (<u>attachment 10</u>) which provides some broad principles governing parking.

Ultimately, for this particular location, it would be beyond the powers of Council to control where employees and parents would park in the event that the carpark is full. Courtesy at least would suggest that the adjoining shop parking not be used by parents however this would be beyond the scope of Council to control. Otherwise, the area is characterised by low levels of on street parking currently and there is adequate parking in Park Street to accommodate any overflow.

Neighbours should not be burdened by cost of installing/maintaining boundary fence.

Comment: As the external fencing is required to satisfy the recommendations in the acoustic assessment it will be provided at full cost to the developer. This fact is acknowledged in the additional information provided by the developer.

Conclusion

Council has received a Development Application (DA) for demolition of the existing dwelling, garage and outbuildings and the construction of a child care centre at 23 Park Street,

Eglinton, described as Lot 2, DP 38206.

The proposal is generally compatible with the neighbourhood. Issues raised by the adjoining owners have been addressed by the applicant.

Issues surrounding noise can be appropriately mitigated. The application warrants approval.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 1: Our sense of place and identity
 Strategy 1.1, 1.2

Objective 4: Enabling sustainable growth
 Strategy 4.1, 4.3

Objective 5: Community health, safety and well being
 Strategy 5.5

Objective 6: Community leadership and collaboration
 Strategy 6.4, 6.5

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

MINUTE

9 Item 3 DEVELOPMENT APPLICATION NO. 2018/290 – DEMOLITION OF EXISTING DWELLING, GARAGE & OUTBUILDING AND CONSTRUCTION OF CHILD CARE CENTRE AT 23 PARK STREET, EGLINTON. APPLICANT: HANNAS CHILDCARE DEVELOPMENTS. OWNER: MR O & MRS J GENC (DA/2018/290)

MOVED: Cr B Bourke SECONDED: Cr A Christian

That Council:

- (a) as the consent authority, refuse to grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/290.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

The following AMENDMENT was MOVED.

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

GENERAL MANAGER

MINUTE

10 Item 3.01 DEVELOPMENT APPLICATION NO. 2018/290 – DEMOLITION OF EXISTING DWELLING, GARAGE & OUTBUILDING AND CONSTRUCTION OF CHILD CARE CENTRE AT 23 PARK STREET, EGLINTON. APPLICANT: HANNAS CHILDCARE DEVELOPMENTS. OWNER: MR O & MRS J GENC (DA/2018/290)

MOVED: Cr J Jennings SECONDED: Cr I North

That Council:

- (a) Defer consideration of DA 2018/290, for further discussion with the proponent on traffic, parking and noise issues.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

The AMENDMENT was PUT and CARRIED

The AMENDMENT then became the MOTION

The MOTION was then PUT and CARRIED

The result of the division was:

In favour of the motion - Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings,
 Cr M Morse, Cr I North, Cr J Rudge,
 Against the motion - Nil
 Absent - Cr W Aubin,

Abstain - Nil

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

GENERAL MANAGER

4 DEVELOPMENT APPLICATION NO. 2018/37 – ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, ERECTION OF A SEPARATE DETACHED GARAGE AND THE ERECTION OF A DETACHED TWO STOREY SELF-CONTAINED UNIT FOR USE AS TOURIST AND VISITOR ACCOMMODATION AT 449 CONROD STRAIGHT, MOUNT PANORAMA. APPLICANT: ANDREW DUNSHEA. OWNER: MRS G L DUNSHEA (2018/37)

Recommendation: That Council:

- (a) as the consent authority, refuse to grant consent pursuant to Section 4.16 (1)(b) of the Environmental Planning and Assessment Act 1979 as amended to Development Application No. 2018/37, for the following reasons;
 - i. The proposal is not in the public interest as it does not provide sufficient access for persons with a disability:
 - ii. Approval of the application would set an undesirable precedent for future applications where Council is of the opinion that access to tourist and visitor accommodation is warranted given the nature of the activity; and
- (b) call a division.

Report: The Site

Council has received a Development Application (DA) for alterations and additions to an existing dwelling, erection of a separate detached garage and the erection of a detached two storey self-contained unit for use as tourist and visitor accommodation, at 449 Conrod Straight, Mount Panorama, described as Lot 1 DP 1179272.

Lot 1 DP 1179272 comprises an area of 5,969 square metres and contains the existing dwelling and associated infrastructure.

See location plan and aerial photo at attachment 1.

The proposal

The proposal is for:

- alterations and additions to the existing dwelling, and
- the erection of a separate detached garage, and
- the erection of a detached two storey self-contained unit for use as tourist and visitor accommodation.

See plans of proposed development at attachment 2.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned RU2 Rural Landscape under the provisions of the *Bathurst Regional Local Environmental Plan 2014.*

The proposal is generally consistent with the objectives of the zone being:

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

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- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To encourage development that enhances Mount Panorama as an international motor racing circuit.

Dwelling houses (as it relates to the dwelling extension) and tourist and visitor accommodation are both permissible with consent in the RU2 zone.

It is, however, noted that *Residential Accommodation* (with the exception of dwelling houses and secondary dwellings) are prohibited development within the zone. Residential accommodation is a parent term and is taken to include:

a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (I) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

Tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation.
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

Accordingly, dual occupancies (being 2 dwellings on the land) are prohibited development. As the property currently contains an existing dwelling, Council cannot lawfully grant consent to a further dwelling on the land (with the exception of a secondary dwelling). Whilst the proposed separate building has the physical characteristics of a dwelling, it cannot lawfully be used as such. The size of the proposed dwelling exceeds that allowable as a secondary dwelling.

The Mount Panorama precinct is subject to a number of special provisions which are addressed below.

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7.6 Mount Panorama environs

- (1) The objectives of this clause are as follows:
 - to ensure development in and around the Mount Panorama Racing Circuit accounts for potential noise and other land use conflicts associated with motor racing and related events,
 - (b) to ensure the future of Mount Panorama as an international motor racing circuit.
- (2) This clause applies to land identified as "50 dBA" on the Mount Panorama Environs Map.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered:
 - (a) whether the development will result in an increase in the number of dwellings or land uses identified by the consent authority as sensitive noise receivers exposed to noise and other land use conflicts from motor racing and associated events, and
 - (b) whether noise impacts from motor racing and associated events are mitigated by or minimised by the design, siting or construction of the development to ensure that the amenity of the development is not adversely affected.

Comment

The site is located in close proximity to the Mount Panorama Racing Circuit and will be subject to noise during race events. The proposal for alterations and additions to the existing dwelling with a separate detached garage and a detached two-storey self-contained unit for tourist and visitor accommodation will not increase the number of permanently occupied dwellings in the locality of the motor racing circuit. The existing house is situated approximately 100 metres away from the edge of the circuit. The proposed tourist accommodation unit will be situated approximately 78 metres from the circuit. There will be some tree and vegetation clearing for the unit site. Other existing vegetation, site slope and construction will provide limited noise attenuation.

- 7.7 Mount Panorama tourist and visitor accommodation and eco-tourist facilities
- (1) The objective of this clause is to regulate tourist and visitor accommodation and eco-tourist facilities in Zone RU2 Rural Landscape.
- (2) Development consent must not be granted for development for the purpose of tourist and visitor accommodation or eco-tourist facilities in Zone RU2 Rural Landscape unless the consent authority is satisfied that:
 - (a) if the land on which the development is to be located already contains a lawful dwelling house—the development will be erected within 50 metres of the dwelling house, and
 - (b) the development will be erected at least 40 metres away from the boundary with the Mount Panorama racing circuit, and
 - (c) each accommodation unit provided within the development will not have a gross floor area of more than 120 square metres, and
 - (d) the development will not be used by the same person for more than 42 days (whether consecutive or not) in any calendar year, and
 - (e) the development will not result in the construction of any additional vehicular access point to the land.

Comment

The proposed unit will be situated approximately 10 metres from the primary dwelling and some 78 metres from the edge of the circuit.

The proposed unit has a gross floor area of approximately 110m².

Occupation of the proposed unit can be conditioned to not exceed 42 days (whether consecutive or not) in any calendar year. Although difficult to enforce, the imposition of this requirement is necessary to ensure that the proposed tourist and visitor accommodation is not used for more permanent occupation or as a dwelling.

Access via on site circulation will be achieved without the need for new or additional vehicle entry points onto Conrod Straight.

- 7.8 Mount Panorama commercial motor race hosting
- (1) Despite any other provisions of this Plan, development for the purpose of commercial motor race hosting is prohibited, except within Zone SP3 Tourist.
- (2) In this clause, commercial motor race hosting means the use of land to provide viewing areas for motor racing for a fee or reward to 13 or more persons. It may or may not include provision for accommodation, food or drink.

Comment

Restriction on the site being used for commercial motor racing hosting would be imposed as a condition of consent.

Bathurst Regional Development Control Plan 2014 – Chapter 6 Rural and Rural Lifestyle Development

Development Standard	Proposed	Permissible	Compliance
Setback – Side (nearest side)	7.3 for garage 9.1 for proposed unit 6 for existing dwelling	20m	NO*
Setback – Rear	896 mm for garage 5.7m for residence	20m	NO*

The proposed garage and tourist and visitor accommodation developments are closer to the boundaries than the required setbacks of 20 metres. The existing dwelling already encroaches on the permissible boundary setbacks and the proposed alteration and additions add to this encroachment.

It is considered that Council could support the departures from the boundary setback development standard as the primary dwelling already encroaches into the setback areas and other dwellings in the locality do not conform to the 20 metre setback. The subject land, being a battle axe block, exhibits general consistency with the setbacks in the locality.

Requirement for building to be accessible

The significant issue to be addressed for this application is whether the proposed tourist and visitor accommodation component should be made accessible, that is, accessible for persons with a disability.

Currently the proposal makes no provision for access for persons with a disability.

Typically access for persons with disability is taken to be:

- Continuous accessible paths from the main pedestrian entries into the site
- An accessible car parking space (where on-site parking is provided)
- A continuous accessible path from the car park to the entrance
- An accessible entrance into the building via the principal entrance doorway
- Access to and within at least one bedroom and associated accessible bathroom facilities
- Access to at least one of each type of common room/facility (e.g. kitchen, laundry, lounge, dining room, gym, swimming pool, patio area, games room, etc.)

Council's historical approach to access to tourist and visitor accommodation

Council's assessment processes typically involve a broader consideration of the use of the building and accordingly the potential provisions of the National Construction Code (NCC) and Premises Standards classifications and provisions.

The NCC does not expressly provide landuse definitions nor does it necessarily correlate with the definitions contained in Council's LEP.

Broadly there are 2 classifications of relevance under the NCC, being:

Class 1 — one or more buildings, which in association constitute—

- (a) Class 1a a single dwelling being—
 - (i) a detached house; or
 - (ii) one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit: or
- (b) Class 1b
 - (i) a boarding house, guest house, hostel or the like—
 - (A) with a total area of all floors not exceeding 300 m² measured over the enclosing walls of the Class 1b building; and
 - (B) in which not more than 12 persons would ordinarily be resident; or
 - (ii) 4 or more single dwellings located on one allotment and used for short-term holiday accommodation,

which are not located above or below another dwelling or another Class of building other than a private garage.

The NCC provides the following explanatory note:

Class 1b buildings used for short-term holiday accommodation include cabins in caravan parks, tourist parks, farm stay, holiday resorts and similar tourist accommodation. This accommodation itself is typically rented out on a commercial basis for short periods and generally does not require the signing of a lease agreement. Short-term accommodation can also be provided in a boarding house, guest house, hostel, bed and breakfast accommodation or the like.

Council's traditional approach to the assessment and determination of similar applications has been to consider them as Class 1b buildings pursuant to the NCC. The net effect of this classification of the building is that disabled access to the tourist and visitor accommodation is required. Access is not required where the building is classified as a dwelling or Class 1a.

The applicants' contention is that the building is most appropriately considered under the NCC to be a Class 1a and accordingly is not required to be accessible. The applicant in this

case has also advised that "redesign of the unit is not an option given the floor area and parking"

The applicants opinions are contained in the information provided at attachment 3.

The approach being put forward is that from an overall permissibility perspective the proposal is for tourist and visitor accommodation and not for the purposes of a dwelling house (as it cannot be, from a planning perspective). From an NCC perspective the proposal is to be treated as a dwelling (notwithstanding that it could not lawfully be used as such).

The Applicant contends that the proposed unit, although intended to be utilised as a short term rental accommodation is not a Class 1b building but is a Class 1a detached dwelling.

In other words, the applicant argues that whilst the use of the land as a dwelling is prohibited, which is not in dispute, the building must be classified as a dwelling under the NCC and this means disabled access cannot be required.

Accepting the applicant's premise does not, however, take into account whether it remains desirable from a planning perspective to provide access to buildings providing this type of service. Certainly that is the position Council has taken in the past although the means of achieving this goal differs.

Council has an obligation to consider the social impact and the public interest of a proposal under Section 4.15(1) (b) and (e) of the Act. There remains a strong argument that requiring buildings which are available to members of the public to rent on a commercial basis should be accessible. It is perfectly reasonable to consider the exclusion of persons with a disability from accessing accommodation of this kind as a relevant matter for consideration.

Reliance upon the building classification alone under the NCC to determine the provisions for disabled access would result in disabled access being required only where there is development for four or more single dwellings located on one allotment. (NCC Part 1.3 Classification - cl1.3.2 b (ii)).

Such reliance will have the consequence of denying this form of tourist accommodation to persons in need of provisions for disabled access.

It is recommended that Council consider denial of such opportunity as unreasonable.

Application of the Premises Standards and the Disability Discrimination Act

It is also important to note the interplay between the classification of buildings under the NCC and the Federal Governments *Disability (Access to Premises - buildings) Standards 2010* (the Premises Standards).

The *Disability (Access to Premises - buildings) Standards 2010* (the Premises Standards) commenced on 1 May 2011. Any application for a building approval for a new building or upgrade of an existing building after that date triggers the Premises Standards.

The Australian Human Rights Commission has issued Guidelines on the application of the Premises Standards to assist in their implementation.

The purpose of the Premises Standards (and corresponding changes to the Building Code of Australia and state and territory building law) is:

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- to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with disability, and
- to give certainty to building certifiers, developers and managers that if the Standards are complied with they cannot be subject to a successful complaint under the Disability Discrimination Act (DDA) in relation to those matters covered by the Premises Standards.

The Premises Standards apply to the construction of new buildings and new parts of existing buildings. Unlike the Building Code of Australia (BCA), the Premises Standards also apply to a specified path of travel in an existing building (the 'affected part') and require a mandatory upgrade where that part does not comply with the Premises Standards.

The Premises Standards do not apply to Class 1a buildings.

For the Standards to apply, a building must first be within the definition of being a Class 1b building, and then must meet the further characteristics of a *specified Class 1b building*.

All Class 1b buildings that are new buildings are required to meet the disability access provisions of the BCA whether or not the building also meets the definition of *specified Class* 1b building under the Premises Standards.

In this instance adoption of a Class 1a classification under the NCC also has the effect of avoiding the obligations under the Premises Standards.

The operators may nonetheless still have an obligation to provide access to the premises under the Disability Discrimination Act independently of the Premises Standards.

The Australian Human Rights Commission provides the following summary of these rights.

A person with a disability has a right to obtain goods and use services and facilities in the same way as people without a disability. This includes goods, services and facilities from:

- Shops and department stores
- Cafes, restaurants, pubs
- Theatres and other places of entertainment
- Banks, credit unions, building societies
- Lawyers and legal services
- Sports and social clubs
- Swimming pools
- Public transport
- Travel agents
- Dentists, doctors, and hospitals
- Hairdressers and beauty salons
- Government-run services.

What is expected?

The Disability Discrimination Act (D.D.A.) makes it against the law for providers of goods, services and facilities to discriminate against a person because of his or her disability.

This means that providers of goods, services and facilities cannot:

Refuse to provide a person with a disability with goods, services and facilities.
 For example, a person cannot be refused service in a restaurant because he or she has a guide dog. A person cannot be refused hospital treatment because he or she is HIV positive.

- Provide goods, services and facilities on less favourable terms and conditions.
 For example, charging a person with a disability a higher kilometre rate for a taxi because he or she uses a wheelchair or not providing a TTY line for deaf people to contact emergency services.
- Provide the goods, services and facilities in an unfair manner. For example, making insulting remarks while serving a person with a disability or serving a person with a disability after everyone else has been served.

It also means that a person with a disability has a right to enter the premises of providers of goods, services and facilities if people without a disability can do so. Like other areas of the D.D.A. a defence of "unjustifiable hardship" may be available in some circumstances.

Whilst a person may take offence to Council granting approval to a development that discriminates against them, Council's protection would be provided by compliance with the Environmental Planning & Assessment Act and the NCC.

The principle at stake is whether Council is unreasonable in requiring disability access for tourist and visitor accommodation, in keeping with contemporary community expections, even if not mandated by the NCC.

Options available to Council

Council broadly has two options available to it:

- 1. Firstly, it could grant consent to the application as lodged, noting that this would mean that the building is not accessible. Council should also be aware that there are other applications which are facing the same issue. This decision would serve as a precedent for others: or
- 2. Secondly, seek to require the building to be accessible.

If the latter option is chosen then Council needs to be mindful of the applicant's advice that the "redesign of the unit is not an option given the floor area and parking". Accepting this means that Council would not simply be able to impose a condition requiring the building to be made accessible as any redesign would likely result in a development which is very different to what is proposed. The consequence is that the application should be refused and this is the course of action that is recommended.

It remains an option to Council to separate the tourist and visitor accommodation from the application, as access considerations only apply to this part, and approve that part of the application that relates to the alterations and additions to the primary dwelling and garage. The applicant was afforded this option to enable a point approval to be made under delegation, which was declined. Should Council be inclined this way, an alternative resolution along the following lines is available.

That Council:

- (a) as the consent authority, provide a partial consent pursuant to Section 4.16 (4)(b) of the Environmental Planning and Assessment Act 1979 as amended to Development Application No. 2018/37, for the additions and alterations to the existing dwelling and the erection of a separate detached garage only, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act, as amended;
- (b) support the variation to the boundary setback development standards prescribed in the Bathurst Regional Development Control Plan 2014; and

(c) call a division

If Council accepts the applicant's position and is inclined to approve the application, a further alternative resolution is available as follows:

That Council

- (a) as the consent authority, approve Development Application No. 2018/37 and grant consent pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, as amended, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act, as amended and including conditions to the effect that:
 - (1) The property is not to be used for commercial motor race hosting. Commercial motor race hosting means the use of land to provide viewing areas for motor racing for fee or reward for 13 or more persons. This may or may not include the provision of accommodation, food or drink;
 - (2) The proposed tourist and visitor accommodation must not be used as a dwelling or by the same person or persons for more than 42 days (whether consecutive or not) in any calendar year;
- (b) support with the variation to the boundary setback development standards prescribed in the Bathurst Regional Development Control Plan 2014; and
- (c) call a division.

Conclusion

Council has received a Development Application for alterations and additions to an existing dwelling, erection of a separate detached garage and the erection of a detached two storey self-contained unit for use as tourist and visitor accommodation, at 449 Conrod Straight, Mount Panorama, described as Lot 1 DP 1179272.

The application as lodged is generally supportable with the exception that it does not provide access for persons with a disability. The applicant's position, put in strong terms, is that access is neither required nor possible to achieve.

Council needs to determine whether the overriding public interest suggests that new buildings which are providing a public interface should be accessible notwithstanding the classification under the NCC. There is a strong body of thought that it should. The test Councillors are asked to consider is whether this is reasonable in this case.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 4: Enabling sustainable growth
 Strategy 4.3, 4.6

Objective 6: Community leadership and collaboration
 Strategy 6.4

Community Engagement

• Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

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MINUTE

11 Item 4 DEVELOPMENT APPLICATION NO. 2018/37 – ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, ERECTION OF A SEPARATE DETACHED GARAGE AND THE ERECTION OF A DETACHED TWO STOREY SELF-CONTAINED UNIT FOR USE AS TOURIST AND VISITOR ACCOMMODATION AT 449 CONROD STRAIGHT, MOUNT PANORAMA. APPLICANT: ANDREW DUNSHEA. OWNER: MRS G L DUNSHEA (2018/37)

MOVED: Cr J Jennings SECONDED: Cr B Bourke

Cr North declared a non-pecuniary interest in this item, left the Chamber and took no part in discussion or voting.

Reason: Applicant is family solicitor

RESOLVED: That Council

- (a) as the consent authority, approve Development Application No. 2018/37 and grant consent pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, as amended, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act, as amended and including conditions to the effect that:
 - (1) The property is not to be used for commercial motor race hosting. Commercial motor race hosting means the use of land to provide viewing areas for motor racing for fee or reward for 13 or more persons. This may or may not include the provision of accommodation, food or drink;
 - (2) The proposed tourist and visitor accommodation must not be used as a dwelling or by the same person or persons for more than 42 days (whether consecutive or not) in any calendar year;
- (b) support with the variation to the boundary setback development standards prescribed in the Bathurst Regional Development Control Plan 2014; and
- (c) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

<u>In favour of the motion</u> - Cr B Bourke, Cr A Christian, Cr J Fry, Cr J Jennings, Cr J Rudge, <u>Against the motion</u> - Cr G Hanger, Cr M Morse, <u>Absent</u> - Cr W Aubin, Cr I North, <u>Abstain</u> - Nil

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5 DEVELOPMENT APPLICATION NO. 2018/303 – DEMOLITION OF EXISTING SHED, DUAL OCCUPANCY (TWO STOREY SECOND DWELLING WITH ATTACHED GARAGE), CARPORT AND TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET, BATHURST. APPLICANT: MR B MOULDS. OWNER: MODERNIZATION PTY LTD (DA/2018/303)

Recommendation: That Council:

- (a) as the consent authority, refuse consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/303, for the following reasons:
 - (i) No on-site visitor car parking has been provided and insufficient justification has been provided for the variation to this Development Standard;
 - (ii) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: This matter was brought before Council at the meeting of 21 November 2018, where Council resolved as follows:

- (a) defer determination of DA 2018/303
- (b) undertake further written discussions between Council staff and the applicant seeking amended plans that reduce the impact on the amenity of the neighbours and allow additional on site parking.
- (c) call a division.

Financial Implications: Nil.

The applicant has advised Council that the property owner wishes to proceed with the application as currently proposed.

Consequently, the matter is again brought before Council with no change to the recommendation of Council staff. The full report to the 21 November meeting of Council is at **attachment 1**.

The applicant has also suggested the owner may revise the submission should Council accept the recommendation and refuse the current application. Whilst this does not remove uncertainty, it is within the rights of the applicant to do so - should Council refuse the application, the applicant has the option of a formal review of the determination by Council with or without amended plans. The applicant also has recourse to the Land and Environment Court to appeal any decision of Council, where the right to submit amended plans also exists if the applicant believes that might persuade the Court to approve the application.

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Bathurst Community Strategic Plan - Objectives and Strategies

• Objective 4: Enabling sustainable growth Strategy 4.1, 4.6

• Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

Community Engagement

Consult To obtain public feedback on alternatives and/or decisions

MINUTE

12 Item 5 DEVELOPMENT APPLICATION NO. 2018/303 – DEMOLITION OF EXISTING SHED, DUAL OCCUPANCY (TWO STOREY SECOND DWELLING WITH ATTACHED GARAGE), CARPORT AND TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET, BATHURST. APPLICANT: MR B MOULDS. OWNER: **MODERNIZATION PTY LTD (DA/2018/303)**

MOVED: Cr B Bourke SECONDED: Cr J Rudge

RESOLVED: That Council:

- as the consent authority, refuse consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/303, for the following reasons:
 - (i) No on-site visitor car parking has been provided and insufficient justification has been provided for the variation to this Development Standard;
 - The development will have an adverse impact on the amenity on the adjoining (ii) properties in Stewart Street in terms of visual impact, overshadowing and privacy;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

On being PUT to the VOTE the MOTION was CARRIED

The result of the division was:

In favour of the motion - Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge, Against the motion - Nil

Absent - Cr W Aubin,

Abstain - Nil

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

GENERAL MANAGER

6 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397 O'CONNELL ROAD, O'CONNELL (20.00099)

<u>Recommendation</u>: That Council reaffirm its position of 21 June 2017 in relation to public road access and construction standard to service the subdivision of Lot 3 DP 1228411, 3397 O'Connell Road, Lagoon, Oberon Shire Council application 10.2015.86.1

Report: Background

Oberon Shire Council (OSC) granted consent to V Hennessey on 15 March 2016 for a 10 lot rural subdivision of the property "Macquarie", described as Lot 2 DP 576703. Whilst the bulk of the land is within the OSC area, the primary access to nine of the lots is from O'Connell Road within Bathurst Regional Council (BRC) area. A plan of the subdivision is at **attachment 1**.

The access to the land, which is over Lot 10 DP 1074856, has been and remains privately owned by Mr and Mrs Hennessey. From O'Connell Road, the access road reaches the Fish River at the boundary between the two Council areas, a length of approximately 550m. Before approving the subdivision, OSC referred the application to BRC, which resulted in a request to OSC to include a condition of consent requiring the access road to become a public road and constructed to a public road standard, including a bitumen seal. This request was in keeping with BRC policy as published in the BRC Guidelines for Engineering Works. The policy requires roads in subdivisions of more than 3 lots to be public roads. The BRC policy is consistent with OSC policy and OSC included the condition in its approval. Various negotiations between the applicant, BRC and OSC before and after the granting of consent resulted in some modifications to the position of BRC, including the acceptance of an additional (fourth) lot to be serviced by a right of carriageway over the access land, a reduction in the required width of road reserve to match the existing allotment width, and termination of the public road before the bridge over the Fish River (i.e. at the boundary of the Bathurst Local Government Area). The consent has been acted upon with some lots registered and sold under an interim arrangement pending the construction of the public access road.

BRC subsequently received notice from OSC that an application to modify the consent had been received requesting the access road be retained as a private road. This was reported to BRC on 21 June 2017 (<u>attachment 2</u>). BRC resolved to preserve the requirement that the road be a public road. OSC is still to make its determination on the application.

A number of discussions were held between BRC staff and Mr and Mrs Hennessey, culminating in correspondence from Mr and Mrs Hennessey criticising the 21 June 2017 report to BRC and the attitude and performance of staff (<u>attachment 3</u>). An updated letter containing additional material is at <u>attachment 4</u>. The response of Council is at <u>attachment 5</u>, rejecting a number of matters raised but advising that the matter will again be reported to BRC should a formal request from OSC be received. This is appropriate protocol given OSC is the consent authority.

During the intervening time, correspondence was received from the Office of Environment and Heritage (OEH) (<u>attachment 6</u>) supporting the position of Mr and Mrs Hennessey based on the heritage significance of the Macquarie homestead complex of buildings. The interim response to OEH from BRC is at **attachment 7**.

A formal request to review Council's position was received from OSC on 19 November 2018

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and is included, with its various attachments, at attachment 8.

Consultation has not occurred with the persons making submissions relating to the 21 June 2017 report, although they have been notified the matter is being reported again to this meeting.

Report

The principle at stake is whether there is sufficient justification to delete a long standing and widely deployed policy position of BRC to require the access road to be a public road. Council staff are expected to apply Council policy unless Council resolves otherwise.

It is therefore beholden on the applicant to justify a departure from policy rather than the Council staff to justify why it should be retained.

The reasons to not depart from policy cited in the 21 June 2017 report to Council have been challenged by Mr and Mrs Hennessey, as illustrated in <u>attachments 3 and 4</u>. This has resulted in a review of issues raised then and since, summarised as follows.

1. Whether maintenance of a private road will be adequate and practical

Should the road become a private road, formal arrangements will need to be put in place to ensure the road is maintained by an entity other than Council. Whilst such arrangements are possible and are in place in some other subdivisions, it is also the case that disputes between landowners and the maintenance entity do arise, with landowners expecting Council to intervene. A poorly maintained access road will increase risks to safety during emergencies, resulting in suggestions Council has some form of duty of care to maintain private roads even if there is no legal liability.

Should the road become a public road, BRC policy requires the road to be bitumen sealed, in large part to lessen routine maintenance operations. Further, there is no certainty of the pavement strength and drainage capability of the existing road, matters which underpin road longevity and maintenance requirements.

2. Dust generation affecting a nearby dwelling if the road is unsealed

This issue was raised by an adjoining property owner in submissions to OSC, which were forwarded to BRC. The amount and frequency of dust is related to the number of vehicle movements, including those of heavy vehicles. Whilst some anecdotal evidence has been provided by the proponents indicating the amount of heavy vehicle traffic in particular is less than in the past, it remains a legitimate matter for consideration which would be minimised by the road becoming bitumen sealed as required by BRC policy. Comments by the proponents regarding the condition of the neighbouring property are irrelevant to this consideration.

3. The amount of traffic generated by the subdivision, including heavy vehicles

Unless a formal traffic study is available, Council policy is to use RMS guidelines to estimate the amount of domestic traffic generated by a subdivision, which is 9 vehicle movements per day per dwelling.

The proponents suggest that the amount of traffic generated by the subdivision and using the access road is inconsequential compared to the current and expected increase in traffic using O'Connell Road. Whilst this is of some interest, it does not influence the amount of traffic on the subject access road and its design standard,

other than the design of the intersection of the access road with O'Connell Road, which is a matter for the RMS.

The amount of heavy vehicle traffic expected to use the access road has also been challenged. No data is available but the access road will receive heavy vehicles during construction of the subdivision, construction of dwellings on the new lots and as a result of agricultural activity on the land after subdivision, regardless of the amount of heavy vehicle traffic the road may have experienced in the past.

4. Periodic inundation from floods

The proponents argue that alternate access is available during floods and therefore flood inundation need not be a reason to require the access to be a public road. The availability of access during floods is an entirely appropriate matter for consideration by BRC and was raised in one of the submissions to OSC. BRC has conceded that should there be a public road, it would terminate at the BRC side of the Fish River but it will be the advice of BRC to OSC that alternative legal and practical access must be required.

5. Potential trespass onto private land if the access was to become a public road

The proponents have raised concern that a public road would exacerbate trespass onto private property. It is not clear how the incidence of trespass will be controlled regardless of whether the road is a private or public road.

6. Requirements of the Rural Fire Service (RFS)

The RFS Planning for Bushfire Protection guidelines specifically list dedication of a road rather than a Right of Way as an Acceptable Solution when determining the standard of road access to a subdivision of more than three dwellings.

It is acknowledged that an Alternative Solution could be considered but it should be informed by a suitably qualified person and should not be considered lightly. To deem a lesser construction standard than that required of a public road as an Alternative Solution increases the risk of liability in the event of RFS (or any other emergency service) being unable to attend in an emergency. It will be BRC advice to OSC that such a risk is unacceptable.

7. Impact on the heritage significance of the Macquarie homestead group of buildings

Correspondence from OEH (<u>attachment 6</u>) indicates support for the access road to remain a gravel road, in keeping with the heritage significance of the homestead group of buildings, particularly as it is in the process of becoming listed as State significant. The BRC interim response (<u>attachment 7</u>) provides information that it appears OEH was not aware of (that the matter is the jurisdiction of OSC; the access road in question is a significant distance from the heritage buildings) but promises to bring their correspondence to the attention of BRC as part of any future report. The BRC interim response also refers to the Heritage Impact Assessment and Conservation Management Plan for the premises submitted as part of the development application to OSC. These describe alternative low visual impact road seal materials if a road near the homestead group is to be sealed, which is a matter for OSC.

Regardless, the Fish River and therefore the nearest point of the access road the subject of this report is approximately one kilometre from the homestead group of buildings, well outside the curtilage of the heritage buildings, and will have little impact

on the heritage significance of the building complex.

8. Concurrence of the owners of lots already sold

Some of the lots in the subdivision have been sold on the basis of there being public road access to O'Connell Road. Correspondence from the owner of Lot 3 to OSC casts doubt on their acceptance of something other than a public road. If BRC is inclined to accept the road being a private road, it is recommended that this be conditional on all affected land owners certifying their concurrence with the change.

9. Operations of the adjoining aggregate, screenings and crushing

Mr and Mrs Hennessey have raised concerns about future operations of an approved aggregate, screenings and crushing facility on land adjoining the access road, such that making the access a public road will allow many more heavy vehicle movements on the access road, disrupting its use by residents of the subdivision. Whilst there are gateways into the works area from the access road, presumably by mutual agreement with the owner of Macquarie at some previous time, there is a formed entrance directly off O'Connell Road and it is this latter entrance that features in the consent for the plant. Expansion of the facility would be expected to use the existing approved access off O'Connell Road. If an application to vary this arrangement was submitted after and if the road becomes a public road, it would need to be assessed in the usual way.

Conclusion

Previous revision of the required design standard indicates a preparedness to align BRC policy with site specific circumstances. Personal criticism of a person making a submission and of Council staff in forming the previous advice to Council is unwarranted.

Because the position of BRC is sufficiently well established in publicly available policy, the question must be asked: if BRC engineering standards, the safety of residents using the access road, the passage of emergency vehicles or the heritage significance of the Macquarie homestead group of buildings are at risk of compromise, that is, if public road access across land within the BRC area to the subdivision is so problematic, why was the subdivision designed and approved dependent on this access?

Although it remains open for Council to determine otherwise, there remains ample grounds to require the access road to this subdivision to become a public road with bitumen seal in accordance with Council policy.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 4: Enabling sustainable growth
 Strategy 4.3

Objective 6: Community leadership and collaboration
 Strategy 6.4, 6.5

Community Engagement

 Inform
 To provide the public with balanced and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

13 Item 6 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397
O'CONNELL ROAD, O'CONNELL (20.00099)
MOVED: Cr J Jennings SECONDED: Cr I North

Cr Bourke declared a non-pecuniary interest in this item and remained in the Chamber.

Reason: Proponent has donated to Op Shop of which Cr Bourke is a Volunteer Manager.

That Council:

- (a) support the variation to the Guidelines for Engineering works to allow nine (9) lots to gain access off a right of carriageway and advise Oberon Shire Council accordingly, subject to the applicant
 - (i) undertaking core sampling to assess the suitability of the road
 - (ii) sealing of the road, with reinforced seal
 - (iii) establishment of Management Committee to oversee the maintenance of the road.
- (b) notify those that made submissions of its decision
- (c) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **LOST**

The result of the division was:

<u>In favour of the motion</u> - Cr B Bourke, Cr J Fry, Cr J Jennings, <u>Against the motion</u> - Cr A Christian, Cr G Hanger, Cr M Morse, Cr I North, Cr J Rudge, <u>Absent</u> - Cr W Aubin, <u>Abstain</u> - Nil

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<u>MINUTE</u>

14 Item 6.01 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397 O'CONNELL ROAD, O'CONNELL (20.00099)

MOVED: Cr M Morse SECONDED: Cr A Christian

RESOLVED: That Council:

- (a) reaffirm its position of 21 June 2017 in relation to public road access and construction standard to service the subdivision of Lot 3 DP 1228411, 3397 O'Connell Road, Lagoon, Oberon Shire Council application 10.2015.86.1
- (b) notify those that made submissions of its decision
- (c) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

<u>In favour of the motion</u> - Cr A Christian, Cr J Fry, Cr G Hanger, Cr M Morse, Cr I North, Cr J Rudge,

Against the motion - Cr B Bourke, Cr J Jennings,

Absent - Cr W Aubin,

Abstain - Nil

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

7 BATHURST – EMERGING INNOVATION PRECINCT STATUS (20.00315)

Recommendation: That the information be noted.

Report: The NSW Innovation and Productivity Council (IPC) recently released a research report titled "NSW Innovation Precincts: Lessons from International experience" (**attachment** 1) which identifies Bathurst as one of the seven emerging innovation precincts in NSW. This report places Bathurst amongst Wagga Wagga, Wollongong, Macquarie Park (Sydney), Ultimo (Sydney), Newcastle and Armidale which is a significant achievement as Bathurst journeys towards becoming a Smart City. Specifically, Bathurst has been recognised in the report as an emerging "Digital Technology" precinct. This status will facilitate national recognition as a centre of innovation and will encourage investment and economic growth.

The IPC was established by the NSW Government to advise them on priorities for innovation-led economic development and productivity. IPC members are leaders from industry and higher education sectors. A key aim is to support innovation in business, government and the education and research sectors in order to stimulate productivity for the broader NSW economy. The IPC recognises the need for innovation precincts to be locally led and driven, including by state and local governments.

The report identifies that an Innovation Precinct has the potential to provide significant benefits to the NSW economy. These place-based concentrations of businesses, knowledge-intensive institutions and entrepreneurs are an important component of the innovation economy, helping to attract talent, and building on the opportunities of their sectors and locations. Successful innovation precincts make a significant contribution to the economy and are more resilient to economic downturns. The clustering of industries in innovation precincts facilitates collaboration, knowledge flows and knowledge spillovers between industry, researchers and entrepreneurs, which plays a critical role in increased levels of innovation, particularly for new ventures.

Bathurst being recognised as an Innovation Precinct is a very important step towards Council's goal of becoming a Smart City. This achievement is due to the combined efforts of Council, local business investment, Charles Sturt University and funding support from state and federal governments in the Bathurst region (for example, the grant received under the Federal Smart Cities and Suburbs Program).

The report recognises the following activities which have led to Innovation Precinct status:

- Bathurst emerging as a centre of innovation for the local communications and digital technology industries, with CenWest Innovate (Charles Sturt University) providing business accelerator training support.
- The presence of 60 educational providers and strong community and business involvement in innovation.
- The creation of the industry-led Gunther's Lane (Reliance Bank), an experimental technology hub that includes everything from robotics to the latest in gaming software to inspire local innovations.
- The 'Upstairs' business incubator providing locals and students access to a shared workspace, mentoring, training, and the opportunity to pitch their new business ideas.

Council is currently developing Bathurst's very first Smart City Plan, and has recognised the regions potential to become a national leader in Smart City development. In 2019 Council and its industry partners will roll out a number of Smart City initiatives including a CBD Free Wi-Fi network, CCTV, additional electric vehicle charging stations and smart-enabled LED

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street lighting.

Conclusion:

Due to the efforts of Council, local business investment, Charles Sturt University and state and federal government, Bathurst has been recognised as one of the seven emerging innovation precinct in the NSW Innovation and Productivity Council's report "NSW Innovation Precincts: Lessons from International experience". This report recognises the significant steps that Bathurst has made towards becoming a Smart City and places the region amongst such prominent innovation areas as Sydney, Newcastle and Wollongong.

Council is currently leading the push for Bathurst to become a Smart City of national significance, with many projects to be launched in 2019.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

• Objective 2: A smart and vibrant economy

Strategy 2.3

Community Engagement

Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

15 <u>Item 7 BATHURST – EMERGING INNOVATION PRECINCT STATUS</u> (20.00315)

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

______ GENERAL MANAGER ______ MAYOR

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8 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 28.00014)

Recommendation: That the information be noted.

Report: The following item has been included in the confidential section of the business paper for Council's consideration:

1 STREET LIGHTING - UPGRADE TO LED LIGHTING WITH SMART CONTROLS (28.00014)

The report considers a contractual arrangement with Essential Energy in relation to street lighting.

<u>Financial Implications</u>: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration
 Strategy 6.4

Community Engagement

Inform
 To provide the public with balanced
and objective information to help the

and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018

16 <u>Item 8 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 28.00014)</u>

MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED: That the information be noted.

Yours faithfully

N Southorn **DIRECTOR**

ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES			
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL			
40 DECEMBED 2040			
12 DECEMBER 2018			

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$82,480,000 was invested at 30 November 2018 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	Average Return
Short Term 1 – 365 Days			
(comprising Commercial Bills, Term Deposits, Dand Certificates of Deposits):	Debentures		
National Australia Bank Limited	A1+	\$9,000,000.00	2.68%
Bankwest	A1+	\$16,500,000.00	2.78%
CBA	A1+	\$7,500,000.00	2.70%
Westpac	A1+	\$1,500,000.00	2.81%
Bank of Queensland Limited	A2	\$1,500,000.00	2.63%
Bendigo & Adelaide	A2	\$1,500,000.00	2.80%
IMB	A2	\$1,500,000.00	2.67%
Auswide Bank	A2	\$1,500,000.00	2.70%
Maritime, Mining & Power Credit Union Ltd	ADI	\$4,500,000.00	2.68%
		\$45,000,000.00	2.73%
Long Term > 365 Days			
(comprising Commercial Bills, Term Deposits, D	Debentures		
and Bonds):			
Floating Rate Term Deposits	A A	#4 500 000 00	0.700/
CBA Deposit Plus	AA-	\$1,500,000.00	2.73%
CBA Deposit Plus 1	AA-	\$1,500,000.00	2.90%
CBA Deposit Plus 2	AA-	\$1,500,000.00	3.02%
Westpac Coupon Select	AA-	\$2,000,000.00	2.96%
Westpac Coupon Select 1	AA-	\$3,000,000.00	3.00%
Westpac Coupon Select 2	AA-	\$1,500,000.00	2.95%
Westpac Coupon Select 3	AA-	\$1,500,000.00	2.75%
Maritime Mining & Power Credit Union Ltd	ADI	\$1,830,000.00	<u>1.70%</u>
		\$14,330,000.00	2.76%
Fixed, Negotiable & Tradeable			
Certificates of Deposits	۸	#4 000 000 00	0.000/
AMP Fixed Rate	A	\$1,000,000.00	2.99%
Greater Bank Ltd	BBB	\$1,000,000.00	3.35%
Greater Bank Ltd	BBB	\$2,000,000.00	3.50%
		\$4,000,000.00	3.34%
Floating Rate Notes	A A	#4 000 000 00	0.000/
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.83%
CBA Climate Bond	AA-	\$1,000,000.00	3.03%
Commonwealth Bank of Australia 2	AA-	\$500,000.00	2.87%

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

Suncorp Metway	A+	\$1,000,000.00	3.18%
Rabobank	A+	\$1,000,000.00	3.45%
AMP	Α	\$1,000,000.00	3.16%
AMP	Α	\$800,000.00	3.16%
AMP	Α	\$1,000,000.00	3.29%
AMP	Α	\$1,100,000.00	3.01%
Macquarie Bank	Α	\$1,000,000.00	3.05%
Bank of Queensland 1	BBB+	\$2,000,000.00	3.04%
Bank of Queensland 2	BBB+	\$1,000,000.00	3.01%
Bendigo & Adelaide Bank 2	BBB+	\$1,000,000.00	2.85%
Bendigo & Adelaide Bank 3	BBB+	\$1,000,000.00	3.04%
Members Equity 3	BBB	\$750,000.00	3.19%
Credit Union Australia 3	BBB	\$1,000,000.00	3.70%
Newcastle Permanent	BBB	\$1,000,000.00	3.28%
Newcastle Permanent 2	BBB	\$1,000,000.00	3.54%
Newcastle Permanent 3	BBB	\$1,000,000.00	<u>3.57%</u>
		\$19,150,000.00	3.17%
Total Investments		<u>\$82,480,000.00</u>	<u>2.86%</u>
These funds were held as follows:			
Reserves Total (includes unexpended loan fund	ds)	\$30,230,157.00	
Grants held for specific purposes	,	\$11,072,220.00	
Section 7.11 Funds held for specific purposes		\$40,713,723.00	
Unrestricted Investments		\$ 463,900.00	
Total Investments		\$82,480,000.00	
Total Interest Revenue to 30 November 2018	<u>3</u>	<u>\$1,047,622.63</u>	<u>2.86%</u>

A Jones Responsible Accounting Officer

<u>Financial Implications</u>: <u>Attachment 1</u> shows Council's year to date performance against the benchmarks contained in Council's Investment Policy. Council has outperformed each of the benchmarks required and complied with the Ministers Investment Order.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration
 Strategy 6.4

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

17	Item 1	STATEMENT OF INVESTMENTS (16.00001)
	MOVED	: Cr J Rudge SECONDED: Cr I North	

RESOLVED: That the information be noted.

2 MONTHLY REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL PLAN 2018-2019 (16.00155)

Recommendation: That the information be noted.

Report: Bathurst Regional Council has in place the Bathurst 2040 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in the Community Strategic Plan which was adopted by Council on 16 May 2018. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au/council/general-information/public-documents. A listing of the Objectives and Strategies from the Bathurst 2040 Community Strategic Plan can be found within the Plan commencing from page 22.

At <u>attachment 1</u> is an update of Council's progress towards achieving the Strategies and Objectives for the 2018-2022 Delivery Plan and the Annual Operational Plan 2018-2019.

The Local Government (General) Regulation 2005 has been amended by inserting clause 413A to make it the duty of the General Manager to give timely information to Councillors about any fines or penalty notices from agencies such as the Australian Taxation Office, the Roads and Maritime Services or the Environment Protection Authority, or where a court or tribunal makes a costs order against a council.

Fines or penalty notices this month - Refer to attachment 1.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

• Objective 6: Community leadership and collaboration

Strategy 6.4

Community Engagement

Inform
 To provide the public with balanced

and objective information to help them understand the problem, alternatives opportunities and/or solutions.

18 <u>Item 2 MONTHLY REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL PLAN 2018-2019 (16.00155)</u>

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

_____ GENERAL MANAGER _____ MAYOR Page 85

3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)

Recommendation: That the information be noted and any additional expenditure be voted.

Report: At <u>attachment 1</u> is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 30 November 2018, including a report on annual Rental Subsidies granted by Council.

<u>Financial Implications</u>: Council's Sundry Section 356 Donations and Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies are included in the current budget, which currently have a balance as follows:

Section 356: \$ Nil BMEC Community use: \$ Nil

Mount Panorama: \$12,245.23

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 5: Community health, safety and well being
 Strategy 5.3

Objective 6: Community leadership and collaboration
 Strategy 6.5

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL 19

NTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA EE SUBSIDY (18.00004) MOVED: Cr I North SECONDED: Cr J Fry
RESOLVED: That the information be noted and any additional expenditure be oted.
Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

Report: That the General Manager's action in affixing the Power of Attorney to the following be noted.

• oOH! Media Pty Ltd - 29 Sydney Road, Kelso -Lot 2, DP1186691 - Licence

Linen Plan Release

- Mr G E. Cutler, Pretty Heights Pty Ltd & Lara (NSW) Pty Ltd Stage 1:9 lot release & residual of 106 lot residential subdivision Lot 1, DP1233661 240 Limekilns Road, Kelso
- Eodo Pty Ltd Stage 2:9 residential & 1 residual lots of 56 lot residential subdivision Lot 1021, DP1233843 - 186 Limekilns Road, Kelso
- RC & DI McCarthy Stage 1:2 lot release & residual of 24 lot large lot residential subdivision & new roads - Lot 14, DP1050220 -3991 O'Connell Road, Kelso

Financial Implications: Nil

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration

Strategy 6.4

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

GENERAL MANAGER

20 <u>Item 4 POWER OF ATTORNEY (11.00007)</u> <u>MOVED: Cr J Rudge SECONDED: Cr I North</u>

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

GENERAL MANAGER

5 FREE WATER FOR VERIFIED PRIMARY PRODUCERS (16.00155)

Recommendation: That Council provides free water for verified primary producers until Ben Chifley Dam reaches 40% or lower; the drought declaration for the Bathurst Local Government Area has been removed; or 5 May 2019.

Report: Council previously resolved, on 5 September 2018, to provide free water for verified primary producers on the following basis:

"The scheme will cease in the event of any of the following:

- (a) When Ben Chifley Dam reaches a capacity of 40% or lower;
- (b) Drought declaration is lifted for the Bathurst Regional Council area; or
- (c) Four months from the commencement of the scheme."

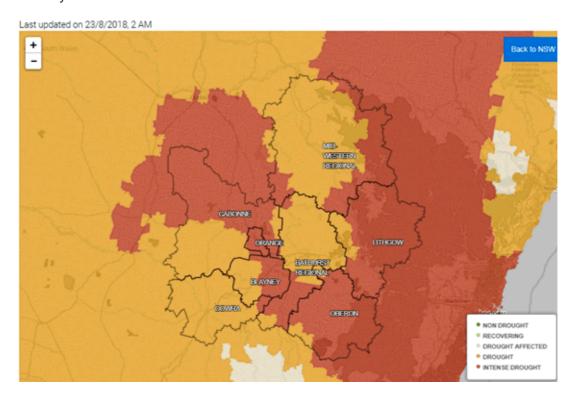
The scheme will therefore expire on 5 January 2019 and this Council meeting is the last before that date. As the area is still drought declared, see the map below, it is recommended that the scheme remain in place past the expiry date and the following conditions be adopted:

The scheme will cease in the event of any of the following:

- (a) When Ben Chifley Dam reaches a capacity of 40% or lower;
- (b) Drought declaration is removed for the Bathurst Regional Council area; or
- (c) 5 May 2019.

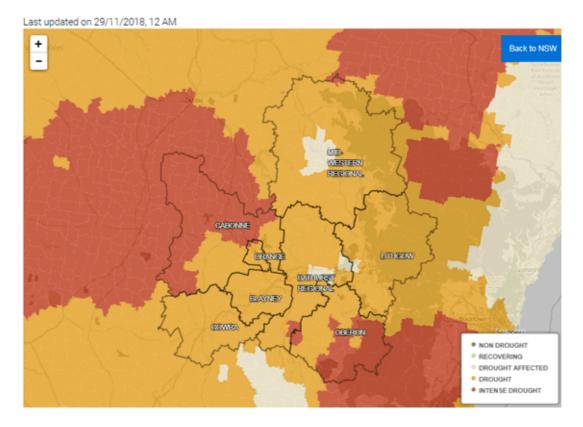
As at the date of this report, 302 kilolitres of free water has been accessed under this scheme representing a minimal loss of income of \$755. There are currently 9 people who have registered, however, very few of them have actually utilised their full allowable quota.

As at 23 August 2018, the drought statistics for the Central Tablelands showed "Intense Drought" at 50.1% and "Drought" at 49.9%, shown in the map below from the Department of Primary Industries.



With the small amounts of rain received, the situation has slightly improved; as at 29

November the Central Tablelands has "Intense Drought" at 19.5%, "Drought" 77.4% and "Drought Affected" at 3.1%. The whole area however, still remains drought declared.



The scheme's guidelines are:

- An application form must be submitted (available on the website or at the Civic Centre).
- The applicant must produce proof of Bathurst LGA residency/ownership of a farmland rate parcel of land, eg drivers licence, Council staff can look up the rates record.
- The applicant must provide a Property Identification Code from Local Land Services.
- The free water allocation will be limited to 20 Kilolitres of water per week per rate notice (non-accruing), to be reviewed regularly and adjusted if necessary based on Ben Chifley Dam levels.
- The water must be used for stock and domestic purposes only, and not be on sold to a third party.
- Council is not responsible for cartage nor the quality of the water once it has been dispensed from the standpipe and users of this service are solely responsible for cleanliness of containers/tanks filled from filling stations.
- Council will monitor usage and reserves the right to cancel access to filling stations if conditions of use are not complied with.
- The scheme will cease in the event of any of the following:
 - (a) When Ben Chifley Dam reaches a capacity of 40% or lower;
 - (b) Drought declaration is removed for the Bathurst Regional Council area; or
 - (c) 5 May 2019.

Financial Implications: The financial implications of this scheme are very difficult to estimate. Council has approximately 1,450 properties rated as farmland, however, the take-up rate and length of time until the drought declaration is lifted are completely unknown factors. As noted, the current foregone income is minimal at \$755.

However, bulk water sales were estimated at \$31,500 for the 2018/2019 year and, due to the ongoing conditions, have already reached \$24,752 after five months, noting that the price per kilolitre is still at half-price (\$2.50 per kilolitre).

Bathurst Community Strategic Plan - Objectives and Strategies

 Objective 2: A smart and vibrant economy Strategy 2.1

 Objective 5: Community health, safety and well being Strategy 5.3

Community Engagement

Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

21 <u>Item 5 FREE WATER FOR VERIFIED PRIMARY PRODUCERS (16.00155)</u> <u>MOVED: Cr J Jennings SECONDED: Cr J Fry</u>

RESOLVED: That Council provides free water for verified primary producers until Ben Chifley Dam reaches 40% or lower; the drought declaration for the Bathurst Local Government Area has been removed; or 5 May 2019.

 Director Corporate Services & Finance's Report to the Council Me	eting 12/12/2018
Director Corporate Services & Finance's Report to the Council Me	eting 12/12/2018

6 2019 HI-TEC OILS BATHURST 6 HOUR EVENT (04.00097)

Recommendation: That Council act in accordance with the Director of Corporate Services and Finance report and provide one three (3) day entry pass per permanent employee to attend the 2019 Hi-Tec Oils Bathurst 6 Hour held at Easter.

Report: Council in 2008 introduced a system where each permanent member of staff received a three day pass to the 12 Hour Event which is held in February each year. During late 2015, the ownership structure of the 12 Hour Event changed in that Yeehah Events sold their share of the event to Supercars Australia Pty Ltd. This event has now reached maturity where the event can support itself without Council injecting additional funds by providing tickets to staff members.

Council has also in recent years, in conjunction with Yeehah Events, run the Bathurst Motor Festival, and in 2016, 2017 and 2018 the Bathurst 6 Hour, held at Easter.

At the 2017 Bathurst 6 Hour Event, an entrance charge occurred to cover the costs of upgrading the event. To assist the event in attracting spectators, Council is requested to continue the provision of a three day entry pass to permanent employees to attend the Bathurst 6 Hour at Easter in 2019 (19-21 April 2019). The cost of a 3 day General Admission pass is \$40.

For the information of Councillors, the following number of tickets have previously been supplied:

Bathurst 12 Hour

2012	220
2013	225
2014	216
2015	239

Bathurst 6 Hour

2016	196
2017	117
2018	102

Financial Implications: The cost of ticketing can be financed from the profit received from the operation of this event.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 2: A smart and vibrant economy

Strategy 2.5, 2.6

Community Engagement

To provide the public with balanced Inform

> and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAYOR

22 <u>Item 6 2019 HI-TEC OILS BATHURST 6 HOUR EVENT (04.00097)</u> <u>MOVED: Cr B Bourke SECONDED: Cr I North</u>

RESOLVED: That Council act in accordance with the Director of Corporate Services and Finance report and provide one three (3) day entry pass per permanent employee to attend the 2019 Hi-Tec Oils Bathurst 6 Hour held at Easter.

Meeting 12/12/2018
MAYOF Page 9

7 REQUEST FOR FINANCIAL ASSISTANCE - LIFELINE CENTRAL WEST (18.00195)

<u>Recommendation</u>: That Council refer consideration of a funding allocation of \$15,000 per annum for three (3) years for Lifeline Central West to the 2019/2020 Operational Plan process.

Report: Council has received a request from Lifeline Central West Inc. (refer **attachment** 1) asking for Council to consider re-establishing Lifeline Central West on Council's annual donations list similar to Dubbo Regional Council. The organisation is requesting \$15,000 per annum, which is the recently approved contribution from Dubbo Regional Council.

It should be noted Lifeline will not be holding the Soar, Ride and Shine event in the future. Lifeline has advised that the recurring financial support would be used to support Lifeline Central West's ongoing work in the community of Bathurst and the Central West.

Council contributed previously to the Soar, Ride and Shine event:

2016 - in-kind support, up to \$10,000;

2017 - \$10,000 in-kind support and \$300 cash award for the best car displayed; and

2018 - up to \$10,000 in kind support + \$7,500 for traffic management.

It is recommended that Council refer consideration of a funding allocation of \$15,000 per annum for three (3) years for Lifeline Central West to the 2019/2020 Operational Plan (budget) process.

<u>Financial Implications</u>: Should Council support the recommendation, then there are no financial implications to the 2018/2019 budget. However, consideration of an allocation of \$15,000 would be considered for future budget allocations.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 2: A smart and vibrant economy
 Strategy 2.1

Objective 5: Community health, safety and well being
 Strategy 5.3

Community Engagement

 Inform
 To provide the public with balanced and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018	

GENERAL MANAGER

23 <u>Item 7 REQUEST FOR FINANCIAL ASSISTANCE - LIFELINE CENTRAL WEST (18.00195)</u>

MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Council refer consideration of a funding allocation of \$15,000 per annum for three (3) years for Lifeline Central West to the 2019/2020 Operational Plan process.

 Director Corporate Services & Finance's Report to the Council Meeting 12	2/12/2018
Director Corporate Services & Finance's Report to the Council Meeting 12	2/12/2018 M Pa

8 REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON COUNTRY FAIR (18.00004)

Recommendation: That Council purchase a Gold Sponsorship Package, valued at \$500, for the Eglinton Country Fair to be held on Saturday, 23 February 2019.

Report: Council has received a request from the Eglinton Country Fair Committee at **attachment 1** for Council to become a sponsor of the Eglinton Country Fair to be held on Saturday, 23 February 2019. The Eglinton Public School has been hosting the popular annual country fair for over 50 years and the fair is the main fundraiser for the School. The annual fair is one of the most popular outings in Bathurst and attracts thousands of visitors who come to enjoy great foods, rides, entertainment and stalls.

Sponsorship packages range from Gold (\$500), Silver (\$250) and Bronze (\$100) with various sponsor benefits. Gold sponsors are also welcome to host a display stand on the day.

<u>It is recommended</u> that Council purchase a Gold Sponsorship package at a cost of \$500.

<u>Financial Implications</u>: Should Council resolve to support this request, then a budget transfer of \$500 from Council's Section 356 - Mount Panorama Fee Waiver allocation would be required to fund this request.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 2: A smart and vibrant economy

Strategy 2.1

Community Engagement

Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

24	Item 8	REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON COUNTRY FAIR
(18.00	0004)	

(18.00004) MOVED: Cr I North SECONDED: Cr B Bourke
RESOLVED: That Council purchase a Gold Sponsorship Package, valued at \$500, for the Eglinton Country Fair to be held on Saturday, 23 February 2019.
Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

9 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 20.00329, 22.02055, 22.00041, 22.13109, 16.00007, 22.00771)

Recommendation: That the information be noted.

Report:

The following items have been included in the confidential section of the business paper for Council's consideration:

1 LAND RELEASE - LIMEKILNS ROAD, KELSO - SUNNYBRIGHT ESTATE STAGE "A" RELEASE SUBDIVISION (20.00329)

This report relates to the proposed land release at Limekilns Road, Kelso.

2 RURAL LICENCE AGREEMENT - LOTS 2 & 3 IN DP786760 KNOWN AS 44 FREEMANTLE ROAD, EGLINTON (22.02055)

This report relates to the proposal to enter into a rural licence agreement for Lots 2 & 3 in DP786760 known as 44 Freemantle Road, Eglinton for a period of 12 (twelve) months with a 12 (twelve) month option period at Council's discretion.

3 RENEWAL OF TELECOMMUNICATIONS LEASE AGREEMENT - PART LOT 1 DP774489 KNOWN AS 230 HOWICK STREET - VODAFONE (22.00041)

This report relates to the proposed renewal of the Telecommunications lease agreement for part Lot 1 in DP774489 known as 230 Howick Street, Bathurst with Vodafone for a period of 5 years with an additional 3 consecutive leases being 5 years as detailed in the report.

4 PURCHASE OF PROPERTY AT LOT 2 SECTION 15 DP758840 KNOWN AS 22 ROCKLEY STREET, PERTHVILLE (22.13109)

This report relates to the proposed purchase of property at Lot 2 Section 15 DP758840 known as 22 Rockley Street, Perthville.

5 ELECTRICITY PROCUREMENT (16.00007)

This report relates to the electricity procurement tender being co-ordinated through CENTROC.

6 INTEREST ON OUTSTANDING RATES - ASSESSMENT 207604 (22.00771)

This report relates to a request to write-off of interest on rates and charges for assessment 207604.

<u>Financial Implications</u>: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration
 Strategy 6.4

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAY

Community Engagement

• Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

25 <u>Item 9 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE</u> (11.00005, 20.00329, 22.02055, 22.00041, 22.13109, 16.00007, 22.00771) MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

Yours faithfully

A Jones **DIRECTOR**

CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
12 DECEMBER 2018

1 COUNCIL SPORTING ASSOCIATION GRANTS PROGRAM YEAR ENDING JUNE 2019 (18.00279)

<u>Recommendation</u>: That Council approve the following sporting grants totalling \$16,990 for the 2018/2019 financial year, in accordance with the recommendations contained within the Director Engineering Services' Report;

ORGANISATION	PROPOSED GRANT
Eglinton District Tennis Club	\$4,400
Bathurst City Amateur Swimming Club	\$3,490
Bathurst Carillon Tennis Club	\$4,800
Bathurst Giants ARFC	\$1,800
Bathurst BMX Club	\$2,500

Report: Council would be aware this grant scheme has been developed to assist local sporting organisations in undertaking specific works or purchasing equipment for the advancement of sport in the Bathurst Region. A total of \$20,000.00 is allocated annually to fund this program, with sporting organisations that are affiliated with the Bathurst District Sport and Recreation Council being eligible to apply.

Notices for Council's 2018/19 Sporting grant program were advertised in the Western Advocate in August and September 2018, as well as on Council's Website. In addition, the Bathurst Sport and Recreation Council were also advised during the advertising period.

At the close of advertising, a total of six (6) applications from local sporting groups were received with a total combined amount requested of \$21,190.00. Applications received were submitted by the following organisations:

Eglinton District Tennis Club
Bathurst Panthers Squash Club Inc
Bathurst City Amateur Swimming Club
Bathurst Carillon Tennis Club
Bathurst Giants ARFC
Bathurst BMX Club

The applications from the above organisations were forwarded on to the Bathurst District Sport & Recreation Council (BDSRC) for their comment and consideration. The BDSRC have reviewed the applications and have made recommendations for the allocation of funding. A copy of their letter and deliberations is shown at <u>attachment 1.</u>

The Bathurst Panthers Squash Club Inc has applied for a grant of \$4,200 to undertake line marking and painting to one of the squash courts. It is considered that Council's sporting grants are generally provided to those sporting organisations that are wishing to provide upgrades and facility improvement works to Council owned or managed community facilities. As the Bathurst Panthers Squash courts are located within a commercial facility it is recommended that Council not approve the request for grant assistance in this instance.

In the 2017/18 financial year, Council awarded the Bathurst BMX Club a grant for \$2,250 to install a public address system at the BMX facility located at the Bathurst Bike Park. Part of the conditions of Council's Sports grant requires organisations to provide Council with a Project Completion Report within one year of receiving the sports grant as proof that grant funds have been spent appropriately. It is recommended that this year's grant request by the Bathurst BMX Club of \$2,500 be provided, subject to Council receiving an appropriate

Director Engineering Services' Report to the Co	ouncil Meeting 12/12/2018
GENERAL MANAGER	MAYOR
	Page 104

completion report in order to acquit last year's grant funding requirement.

It is therefore recommended that Council approve the following sporting grants for the 2018/2019 financial year totalling \$16,990, subject to compliance with Bathurst BMX Club's previous grant conditions.

Sporting group	Project description	Amount requested from applicants	BDSRC proposed grant amount	RECOMMENDED GRANT AMOUNT
Eglinton District Tennis Club	Purchase of Tennis Nets and Ball Machine	\$4,400	\$4,100	\$4,400
Bathurst Panthers Squash Club	Painting and Linemarking to Court 2	\$4,200	\$3,900	\$0
Bathurst City Amateur	TV, Swim Mirrors, Swim Coach Communicator & Phlex Edge Tracking Device	\$3,490	\$3,200	\$3,490
Bathurst Carillon Tennis Club	Purchase 4 3 x 3 printed portable marquees	\$4,800	\$4,500	\$4,800
Bathurst Giants ARFC	Purchase a Giant Refrigerator	\$1,800	\$1,800	\$1,800
Bathurst BMX Club	Finish Line Trestle	\$2,500	\$2,500	\$2,500
TOTALS		\$21,190	\$20,000	\$16,990

<u>Financial Implications</u>: Council has included \$20,000.00 in its 2018/2019 Management Plan for the Sporting Grants Program.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 4: Enabling sustainable growth
 Strategy 4.1, 4.3

Objective 5: Community health, safety and well being
 Strategy 5.1, 5.2

Objective 6: Community leadership and collaboration
 Strategy 6.7

Community Engagement

 Inform
 To provide the public with balanced and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

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26 <u>Item 1 COUNCIL SPORTING ASSOCIATION GRANTS PROGRAM YEAR</u> ENDING JUNE 2019 (18.00279)

MOVED: Cr I North SECONDED: Cr A Christian

The Acting Director, Corporate Services & Finances declared a non-pecuniary interest in this item, left the Chamber.

Reason: Member and Past President of Eglinton Tennis Club.

RESOLVED: That Council approve the following sporting grants totalling \$16,990 for the 2018/2019 financial year, in accordance with the recommendations contained within the Director Engineering Services' Report;

ORGANISATION	PROPOSED GRANT
Eglinton District Tennis Club	\$4,400
Bathurst City Amateur Swimming Club	\$3,490
Bathurst Carillon Tennis Club	\$4,800
Bathurst Giants ARFC	\$1,800
Bathurst BMX Club	\$2,500

Director Engineering Services' Report to the Council Meeting 12/12/2018

2 SCOPING STUDY - DEVELOPMENT OF AN ENTRANCE STATEMENT SYDNEY ROAD BATHURST (37.00555)

Recommendation: That:

- (a) the information be noted and,
- (b) a working party be held to discuss possible entrance statement options to be further investigated, as well as future funding provision.

Report: Council has commissioned a consultant to undertake a scoping study to develop a number of options for an entrance statement within Council land adjacent to Sydney Road, Bathurst. The specific site that the consultant was required to review is a block of land on the Kelso side adjacent to the Evans Bridge, as shown at **attachment 1**.

The aims and process of the scoping study were as follows:-

Aim of Commission

The aim of the commission was to provide Council with options on the types of entrance features that could be constructed that would create an appropriate statement as vehicles enter into the Bathurst City Heritage Conservation area. The Consultant was also required to provide order of cost estimates for each of the options proposed.

Scope Of Works

The works required a written compilation, with supporting maps and graphics, providing recommendations and options for a Bathurst entrance feature statement. The study was to involve:

- A site assessment of the property
- Consultation with various interest groups, including the heritage, information, tourism, youth groups and the general public
- The provision of concept drawings of 3 possible entrance statements, with one of these options to involve a water feature
- Provision of cost estimates for each of the options provided
- Development of a final report
- The concept options to be developed were to be given consideration of:
 - o The heritage significance of Bathurst
 - o Uniqueness of the Bathurst environment
 - o Rural setting of the City
 - o Sporting nature of the City
 - Tourism and Destination Management Plan
 - Business that make Bathurst the Regional Centre
 - o Mount Panorama
 - o Bathurst as a centre for education
 - Bathurst Branding Report

Final Report

The consultants have completed the scoping study and have developed four (4) entrance statement concepts that were provided to Councillors at a working Party Meeting held on 14 November 2018. In addition, the Consultancy team of Dsb Landscape Architects have also developed a landscape design concept of the entire land parcel identified within the brief. The final report from Dsb Landscape Architects is provided at <u>attachment 2</u>, and covers the

four entrance statement concepts, the concept landscape design of the site and the cost estimates for each of the statement options. The report also provides information on the community consultation process that was undertaken, which steered the various statement option themes that have been developed.

It should be noted that the works that have been undertaken are conceptual only and no recommendation has been provided on any preferred option. The Scoping study was arranged to provide Council with a number of scenarios, based on the community feedback on theme options, as well as anticipated costs that would be expected to install an entrance statement to assist in future budgeting considerations.

Should Council wish to proceed with any of the concept options provided in the report, including the landscape beautification of the site, further in depth investigations and construction designs will need to be undertaken to ensure that required services are able to be installed at this site and that all legislative requirements in respect to RMS roads and flood plain restrictions etc can be met.

Recommendation

It is recommended that further discussions be held via a working party meeting early in the new year to discuss a preferred entrance statement option, if any, which would be appropriate for the area leading up to the Evans Bridge on Sydney Road. Council may opt for alternative scenarios to be considered that still represent and capture Bathurst's unique heritage, cultural, tourism and sporting identity.

Financial Implications: The cost for the provision of landscaping works to the site identified with the final scoping study report is estimated at \$2.24M. This estimate does not include the provision of services to the site such as water, power and sewer.

Estimated costs for the various entrance statement concept features as detailed within the final scoping study report range between \$253,000 and \$357,500 depending upon the selected option.

In addition to the above anticipated construction costs, additional costs would also need to be budgeted to complete detailed design and tender documentation in order to enable the construction of a chosen entrance statement and the overall landscape of the site. Costs are estimated at \$125,000 for a detailed design of the site landscape works and approximately \$39,000 is estimated for a detailed design of an appropriate entrance statement.

No funding has been provided for in Council's 2018/19 Operational Plan to carry out any of the scoping study options. The Scoping Study only provides anticipated costs that would need to be considered in future budgets, should council wish to proceed with the development of an entrance statement at the approach into the CBD.

Bathurst Community Strategic Plan - Objectives and Strategies

 Objective 1: Our sense of place and identity Strategy 1.2, 1.3, 1.4

 Objective 2: A smart and vibrant economy Strategy 2.6

Director Engineering Services' Report to the Council Meeting 12/12/2018

Community Engagement

• Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

 Director Engineering Services' Report to the Council	il Meeting 12/12/2018
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27 <u>Item 2 SCOPING STUDY - DEVELOPMENT OF AN ENTRANCE STATEMENT SYDNEY ROAD BATHURST (37.00555)</u>

MOVED: Cr B Bourke SECONDED: Cr J Jennings

RESOLVED: That:

- (a) the information be noted and,
- (b) a working party be held to discuss possible entrance statement options to be further investigated, as well as future funding provision.

Director Engineering Services' Report to the Council Meeting 12/12/2018	

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3 REQUEST FOR ACCESS FOR ROADSIDE TESTING BY FORTESCUE METALS – TRUNKEY CREEK AREA (20.00237)

Recommendation: That Council approve the use of Council roads in accordance with the conditions outlined in the Director Engineering Services report.

Report: Council has been requested by Fortescue Metals Group Pty Ltd for access to roadside areas within the Trunkey Creek area for the purposes of non-destructive gravity testing for potential mining exploration. Refer to **attachment 1** for area subject to the exploration request. **Attachment 2** provides detail of the testing method proposed.

A majority of the roads within the exploration area are in Crown ownership, accordingly, Fortescue Metals Group have been advised that consent for access is to be obtained from NSW Department of Primary Industries – Crown Lands.

However, a number of roads within this area are Council roads. Since the request is for low impact, non-destructive testing, it is recommended that the testing be permitted on the basis that:

- (a) Appropriate controls be put in place to provide protection of roadside vegetation, noting that activities are planned in areas of Medium and High conservation areas as identified in Council's *Roadside Vegetation Management Plan 2018.* Documentation outlining controls to be used are to be submitted to Council, for approval, prior to testing being carried out.
- (b) Requirements of Work Health and Safety Act 2011 is followed, including provision of traffic control.

It is noted that a copy of a \$20M Public Liability Insurance Policy has been provided to Council

It is noted that Fortescue Metals Group, as part of their application and at Council's request, have nominated to donate \$1,000 to the Trunkey Creek Progress Association, to be expended on a public project within Trunkey Creek.

<u>Financial Implications</u>: \$1,000 is to be donated to the Trunkey Creek Progress Association.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 2: A smart and vibrant economy
 Strategy 2.1, 2.2

Objective 3: Environmental stewardship
 Strategy 3.1

Community Engagement

 Inform
 To provide the public with balanced and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Director Engineering Services' Report to the Council Meeting 12/12/2018	
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28 <u>Item 3 REQUEST FOR ACCESS FOR ROADSIDE TESTING BY FORTESCUE</u> METALS – TRUNKEY CREEK AREA (20.00237) MOVED: Cr B Bourke SECONDED: Cr M Morse

RESOLVED: That Council approve the use of Council roads in accordance with the conditions outlined in the Director Engineering Services report.

Director Engineering Services' Report to the Co	ouncil Meeting 12/12/2018
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4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 36.00687, 36.00690, 36.00688, 2017/205, 36.00683, 36.00685, 36.00616, 36.00686, 07.00017)

Recommendation: That the information be noted.

Report: The following items have been included in the confidential section of the business paper for Council's consideration:

1 TENDER FOR STORMWATER DRAINAGE PIPES (36.00687)

This report considers the tender for the supply of stormwater drainage pipes, headwalls and lintels, from 1 January 219 to 31 December 2020.

2 TENDER FOR CONSTRUCTION OF BATHURST CENTRAL BUSINESS DISTRICT CCTV - STAGE 1 (36.00690)

This report considers the tender for the construction of Bathurst Central Business District CCTV – Stage 1.

3 TENDER FOR READY MIX CONCRETE (36.00688)

This report considers the tender for ready mix concrete from 1 January 2019 to 31 December 2020.

4 PROPOSED TRANSFER OF LAND TO COUNCIL FOR A SEWER PUMPING STATION - LOT 1025 DP1245197 LIMEKILNS ROAD KELSO (2017/205)

This report considers the transfer of land to Council for a Sewer Pump Station.

5 TENDER FOR HIRE OF PLANT (36.00683)

This report considers the tender for the casual Hire of Plant for 2019 and 2020.

6 TENDER FOR HIRE OF TRUCKS/WATERCARTS (36.00685)

This report considers the tender for the casual Hire of Trucks/Watercarts for 2019 and 2020.

7 CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRONS EXTENSION WORKS - BATHURST AERODROME (36.00616)

This report considers the variation to contract 36.00616 for construction of taxiways and aprons extension works at the Bathurst Aerodrome.

8 TENDER FOR SUPPLY AND DELIVERY OF ROADBASE MATERIAL (36.00686)

This report considers the tender for the supply and delivery of roadbase material for 2019 and 2020.

9 CENTROC TENDER FOR LINEMARKING SERVICES (07.00017)

This report considers the CENTROC tender for linemarking services.

Director Engineering Services' Report to the Co	ouncil Meeting 12/12/2018
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<u>Financial Implications</u>: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

• Objective 6: Community leadership and collaboration

Strategy 6.4

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Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

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29 <u>Item 4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE</u> (11.00005, 36.00687, 36.00690, 36.00688, 2017/205, 36.00683, 36.00685, 36.00616, 36.00686, 07.00017)

MOVED: Cr B Bourke SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

ann J. Sturgies.

Yours faithfully

Darren Sturgiss **DIRECTOR**

ENGINEERING SERVICES

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DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND MINUTES		
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL		
ONDINARY WEETING OF BATTIONOT REGIONAL COONCIL		
12 DECEMBER 2018		

1 BATHURST REGIONAL YOUTH COUNCIL - 'HOW TO ADULT' WORKSHOPS, 2 AND 9 NOVEMBER 2018 (11.00020)

Recommendation: That the information be noted.

Report: On 2 November and 9 November 2018, Bathurst Regional Youth Council in conjunction with TAFE NSW hosted a series of 'How to Adult' Workshops. Local high school students from Years 10 and 11 were invited to participate in the full day event, with Bathurst High School, St Stanislaus' College and MacKillop College taking up the offer.

The workshops included:

How to love your car

This workshop involved demonstrations on how to change a tyre and perform general vehicle maintenance checks. There were also tips on what to look for when buying a car, as well as what is involved in registering and insuring a vehicle.

How to master basic cooking and laundry

In this hands-on workshop, students learnt how to master a basic stir fry. They were also given some tips for making low-cost, simple meals. The workshop concluded with students learning essential laundry skills.

How to build resilience

This interactive resilience workshop explored team work, positive mental health, taking feedback, decision making and goal setting.

How to budget

This workshop involved students learning the key elements of successful budgeting.

How to kick start your career

In this workshop, students learnt what they need to do to successfully attend a job interview. There were also tips for writing resumes and cover letters.

At the conclusion of each workshop, students were given an information sheet relating to the content covered.

The collaboration between Bathurst Regional Youth Council and TAFE NSW was a great success, with many students expressing their appreciation for being given the opportunity to learn such a diverse range of valuable practical skills.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 4: Enabling sustainable growth
 Objective 5: Community health, safety and well being
 Objective 6: Community leadership and collaboration
 Strategy 4.1
 Strategy 5.1, 5.2, 5.3, 5.5
 Objective 6: Community leadership and collaboration
 Strategy 6.1, 6.2, 6.3, 6.5, 6.7, 6.8

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Community Engagement

• Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

30 <u>Item 1 BATHURST REGIONAL YOUTH COUNCIL - 'HOW TO ADULT' WORKSHOPS, 2 AND 9 NOVEMBER 2018 (11.00020)</u>

<u>MOVED: Cr I North SECONDED: Cr J Rudge</u>

RESOLVED: That the information be noted.

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MAYOR
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2 DRAFT BATHURST PUBLIC ART POLICY (11.00038)

Recommendation: That Council:

- (a) Endorse the placement of the draft Bathurst Public Art Policy on public exhibition for 28 days and receive submissions.
- (b) If no submission/s are received during the public exhibition period, adopt the Bathurst Public Art Policy.
- (c) If submission/s received during public exhibition, prepare a further report to Council.

Report: The Public Art Policy for the Bathurst Region has been developed through considerable community consultation with the objective to:

Provide for the development and delivery of a strategically planned and innovative public art program for the Bathurst Region based on contemporary creative thinking and best practice implementation models.

Council recognises that public art includes a wide range of arts activities in the public realm from community cultural development activities, place making projects, and stand-alone artworks, to artworks integrated with buildings, infrastructure, landscape or urban developments. Public art can reflect a diverse range of styles and practices from the traditional forms such as memorials, monuments, sculptures or murals and also functional objects such as fountains, street furniture, lighting and paving. It may be both permanent and/or temporary, including installations and performances, billboard art, sound installations, video or laser projections, text, and street art.

Public art will be an important contributor to a holistic place making approach across the Bathurst Region. Permanent public art can contribute to developing local identity through the expression of local narratives, providing sculptural elements that can become cognitive place markers, and through interactive artworks that encourage community participation.

In Council's context the Bathurst Public Art Policy is an important mechanism through which Council can deliver on the key strategies of the Cultural Vision 2036:

Creative Places: A Place of Culture & Creativity

Public art can make an important contribution to the 'sense of place' and identity of the city and of public spaces across the whole of the Bathurst Region through: celebrating the heritage, events, people and diversity of the area, and communicating community values.

Creative Programs: Telling Bathurst Stories

Public art will be commissioned to contribute to the expression of the history and cultural values of a people and place, including significant Aboriginal, European and migrant stories.

Creative People: Developing a Creative Milieu

Public art will provide a mechanism to encourage creativity, innovation and capacity building within the Bathurst arts community.

To achieve the development of a dynamic and viable Public Art Program for the Bathurst Region, Council sees its role as not only as: a 'Provider', making it happen; a 'Partner', helping to happen; but also, as a 'Supporter', letting it happen.

PROVIDER – Council initiated public art including independently commissioned artwork.

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public art integrated into civic infrastructure, and development of public art platform infrastructure.

PARTNER – Actively encourage third party initiated public art including private sector property development and community initiated public art.

SUPPORTER - Develop strategies that encourage Artist/Community initiated public art initiatives

Delivery of the Bathurst Public Art Policy will occur in three stages: Establishment (1-3 years) will focus on a temporary program of Public Art activity in key public locations; Consolidation (3-5 years) will expand to cover both commissioned independent public artwork and consolidate the integration of artwork into the Council's Capital Works program; and the Ongoing (five years plus) will establish public art as a core Council business.

This will be achieved through the delivery of strategies grouped in the following outcome areas:

Public Art Program / Project Development:

- delivery of a program of temporary and ephemeral art
- facilitation of artist initiated art projects in the public realm

Public Art and Infrastructure:

- creation of platforms for the public display of temporary and ephemeral art
- integration of public art into capital works programs
- integration of public art into private sector developments

Public Art Resources and Management

- ensure a rigorous conceptual review process through the establishment of a Public Art Program Committee, including industry Councillors and staff.
- ensure a rigorous technical review process through the establishment of a Public Art Technical Review Panel.
- ensure professional management of Council's Public Art through the development of an Asset Register and maintenance guidelines to ensure the works are maintained at an acceptable standard.

Council is committed to delivering well-planned, conceptually relevant and high quality public artwork and as such will implement a robust governance structure to oversee the identification of opportunities, approval of proposals and final artworks. In addition to the Public Art Program Committee and Technical Review Panel, a 5 tier approval process will be implemented with sign-off commensurate with the significance of projects. For example, the commissioning of permanent individual artworks \$50,000 and over will require Council endorsement.

To enable the implementation of the Bathurst Public Art Policy, a Public Art Framework will be developed following the adoption of the Policy.

Council is also committed to developing a Public Art Policy, which delivers on the Cultural Vision 2036 goal of developing a "strategic approach to the creative activation of Bathurst's public spaces and places" and believes that the Bathurst Public Art Policy will help to progress the development of a 'premier inland centre of culture and creativity' (Outcome 2.2.1 of Bathurst Region a Cultural Vision 2036).

Exhibition Process

 Director Cultural & Community Services' Report to the Co	ouncil Meeting 12/12/2018
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The draft Bathurst Public Art Policy will be made available at the following locations during the 28 day public exhibition period:

- Council's website
- Bathurst Library
- Council's Civic Centre (Ground Floor and First Floor)
- Council's Cultural Facilities (Art Gallery, BMEC, Australian Fossil & Mineral Museum, Chifley Home & Education Centre)
- Copies will be provided to those who participated in the consultation process (mail out)

A notice will be placed in the Council Notices in the Western Advocate Newspaper, to further advise of the public display of the document.

At the conclusion of the public exhibition period any community feedback will be considered prior to submitting the final Bathurst Public Art Policy for Council adoption.

Implementation

A copy of the draft Bathurst Public Art Policy is at attachment 1.

<u>Financial Implications</u>: Funding for this item is contained within existing budgets. Ongoing implementation of public art will be included in the draft 2019/2020 Budget for consideration by Council.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 1: Our sense of place and identity
 Strategy 1.3

Objective 2: A smart and vibrant economy
 Strategy 2.6

Community Engagement

Involve
 To work directly with the public

throughout the process to ensure that public concerns and aspirations are

consistently understood and

considered.

Director Cultural & Community Services' Report to the Council Meeting 12/12/2018

31 <u>Item 2 DRAFT BATHURST PUBLIC ART POLICY (11.00038)</u> MOVED: Cr J Jennings SECONDED: Cr J Rudge

RESOLVED: That Council:

- (a) Endorse the placement of the draft Bathurst Public Art Policy on public exhibition for 28 days and receive submissions.
- (b) If no submission/s are received during the public exhibition period, adopt the Bathurst Public Art Policy.
- (c) If submission/s received during public exhibition, prepare a further report to Council.

Director Cultural & Community Services' Report to the Council Meeting 12/12/2018	

3 BATHURST REGIONAL ART GALLERY - AWARD WIN AT 2018 MUSEUMS & **GALLERIES NSW IMAGINE AWARDS (21.0002)**

Recommendation: That the information be noted.

Report: The Museums and Galleries NSW IMAGinE awards promote and strengthen the NSW museum and gallery sector. They honour best-practice exhibitions, education programs, outreach projects, collection management projects, and individual achievements.

This year's coveted Exhibition Projects – Galleries (3 to 10 paid staff) category received 22 nominations from galleries in metropolitan Sydney and across the State. In a highly competitive field, The Unflinching Gaze: Photo Media and the Male Figure stood out for its curatorial rigour, innovative content, international focus, public and education programs, and audience development.

The Unflinching Gaze surveyed how the male figure has been depicted using photographic & digital media over the last 140 years. A partnership project with the Leslie-Lohman Museum of Gay & Lesbian Art, NY, the exhibition sought to deliver a groundbreaking exhibition in regional NSW; reach out to the LGBTIQ+ community; and attract new audiences.

The project had significant outcomes, raising awareness of LGBTQI+ issues in regional NSW, forging links between BRAG and community groups, developing new partnerships, and increasing BRAG's profile nationally and internationally.

The Unflinching Gaze: Photo Media and the Male Figure was curated by Richard Perram OAM, previous BRAG Director, and recipient of the 2017 Museums & Galleries of NSW IMAGinE Awards Individual Achievement award.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

 Objective 1: Our sense of place and identity Strategy 1.3

 Objective 2: A smart and vibrant economy Strategy 2.6

Community Engagement

Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Director Cultural & Community Services' Report to the Council Meeting 12/12/2018

32 Item 3 BATHURST REGIONAL ART GALLERY - AWARD WIN AT 2018

MUSEUMS & GALLERIES NSW IMAGINE AWARDS (21.0002)

MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That the information be noted.

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<u>4 BATHURST DESTINATION BRAND STRATEGY IMPLEMENTATION - PROGRESS REPORT (20.00299)</u>

Recommendation: That the information be noted.

Report: Council, at its meeting held 13 December 2017, (DCCS Report #2) resolved to receive quarterly destination brand strategy implementation progress reports, outlining the performance monitoring data as described in the report.

The following information is provided as an update on the implementation of the Bathurst Destination Brand as at December 2018:

Destination Brand	Action
Implementation	
Destination Website	The new Visit Bathurst destination website is performing to expectations with a comparison of the first three months of the new site against the corresponding period in the previous year being: USERS: 13,356 (+28.2%) PAGEVIEWS: 47,479 (+79.7%) AVERAGE SESSION DURATION: 2.24 (+68.7%) BOUNCE RATE (percentage of visitors who navigate away from site after viewing only one page): 51.89% (-17.69%) These figures demonstrate that more visitors are utilising the site and that they are staying longer and viewing more pages.
Online Booking Platform	The new booking engine has been completed and successfully integrated into the website. Event tickets are also now sold online. Sales of \$29,492 generated year to date.
Curated Online Content	Curated content for the website was prepared by a specialist agency. BVIC has now taken over ongoing content creation with an overarching content strategy to be completed by early 2019.
Graphic Design of Branded Collateral	All primary elements identified in the Brand style guide have been created by a local graphic designer, with a range of collateral. In partnership with Ballinger's Trucks a branded B-Double trailer canopy has been designed and fabricated to provide ongoing highway exposure with the trailer displayed at Inland Sea of Sound and to feature at the New Years' 'Party in the Park'.
Development of Marketing Plan	A three year marketing plan was adopted and implemented as at September 2018 allowing prioritisation and tracking of actions
Signage	The re-branding of four highway billboards (located on Mitchell Highway, Orange Road, Blayney Road and Marangaroo) will be undertaken in the next quarter of the 2018/2019 financial year.
Touring Trail App	Three Touring apps have been completed. Craig Lowndes has provided the narration of the Mount Panorama driving tour, Mayfield Garden's narration has been delivered by celebrity gardener Graham Ross, and

Director Cultural & Community Services' Report to the Council Meeting 12/12/2018

	Grant Denyer has narrated the Town Square Tour. Work has begun on the addition of a tour of Machattie Park to be added in Autumn 2019, narrator to be confirmed.
Brand Awareness Campaign	A specialist digital marketing agency will deliver an online campaign over Summer 2018/2019 concurrently with a TV campaign on WIN over the Central West. These campaigns will drive website traffic and create a consumer database derived from specific target markets for ongoing promotions throughout 2019.
Public Relations	A specialist tourism PR agency continues to focus on media relations, a series of targeted media famils and the distribution of media releases promoting Bathurst as a short break destination. All PR reports have been uploaded to the councillor portal. A media event was held in Sydney on 17 October with 11 journalists attending leading to four subsequently visiting Bathurst with a fifth scheduled for March 2019 and coverage of the event in Travel Daily, the peak tourism industry online publication. PR activity continues to provide strong media results for the region, with the following results for the past three months: Total number of clippings: 9 Total circulation: 6,424,021 Total PR Value: \$239,442
Visitor Guide	The 2019 Bathurst region visitor guide is in production. An advertising prospectus has been distributed to local businesses and printing will occur in mid-late December.
Destination Management Plan	The objectives and actions of the Bathurst Region DMP have been reviewed by BVIC staff and the Tourism Reference Group ahead of a proposed revision and update of the plan in 2019 in line with the original five year schedule.

Further reports will be provided quarterly to Council on the implementation of the Bathurst Destination Brand.

<u>Financial Implications</u>: Funding for this item is contained within existing budgets.

Bathurst Community Strategic Plan - Objectives and Strategies

• Objective 1: Our sense of place and identity

Strategy 1.2, 1.3

• Objective 2: A smart and vibrant economy Strategy 2.1, 2.6

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

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33 <u>Item 4 BATHURST DESTINATION BRAND STRATEGY IMPLEMENTATION - PROGRESS REPORT (20.00299)</u>

MOVED: Cr J Rudge SECONDED: Cr M Morse

RESOLVED: That the information be noted.

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5 BATHURST MEMORIAL ENTERTAINMENT CENTRE - 2018 SEASON REVIEW. 2019 SEASON LAUNCH AND 20 YEAR CELEBRATIONS (20.00060)

Recommendation: That the information be noted.

Report: The Bathurst Memorial Entertainment Centre (BMEC) 2019 Annual Season was announced at the Season Launch held on Monday 19 November 2018. The launch was attended by principal sponsors, Councillors and approximately two hundred and fifty BMEC patrons.

20 Year Celebrations

In the first week of March 2019, BMEC will celebrate 20 years since the building was renovated to become the building we know today. Next year it will also be 54 years since the core of the building was created. The core includes the stage, proscenium and backstage area. In 2019 the past will be celebrated with a special BMEC Band Night on Tuesday 5 March 2019 in the City Hall to recall some of the incredible performing arts experiences shared over the past 20 years. As the 21st Annual Season is launched Council recognised 20 years of sponsorship of Reliance Bank as the initial and only principal sponsor of the season of shows. More details will be available in the new year.

2019 Annual Season

The 2019 Annual Season will feature 18 cultural experiences, including; one fully locally produced, world premiere, contemporary production; one concert with an internationally acclaimed artist returning to her hometown of Bathurst; two international productions; works from diverse cultural backgrounds and one production, which will be performed beyond the walls of the venue.

The full program can be obtained from BMEC or viewed on BMEC website: www.bmec.com.au

In 2019 there are eight shows with matinee performances offering a special discount for pensioners.

The launch was followed by a reception in City Hall, with refreshments provided with generous sponsorship of Bathurst RSL Club.

2018 Annual Season Review

The 2018 Annual Season was well received by audiences, with a total of 6,791 patrons attending the 18 shows. The community enjoyed a wide spectrum of cultural experiences; from drama (including Shakespeare), music (including opera), and physical theatre. Children's theatre performances, in particular, were well attended and enjoyed by children and young people. Roald Dahl's George's Marvellous Medicine (Wednesday 11 April 2018), held over three performances, attracted an attendance of 1,485, with 18 schools attending and Yo Diddle Diddle, (Thursday 21 May and Friday 1 June 2018), held over three performances, attracted an attendance of 827. Madame Butterfly included a local Children's Chorus, giving the children a special performance opportunity.

Financial Implications:	Funding for this item is c	ontained within existing budgets.	
	tural & Community Services' Report	to the Council Meeting 12/12/2018	
	GENERAL MANAGER		AYOR de 129

Bathurst Community Strategic Plan - Objectives and Strategies

• Objective 1: Our sense of place and identity

Strategy 1.3

Community Engagement

Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Director Cultural & Community Services' Report to the Council Meeting 12/12/2018

34 <u>Item 5 BATHURST MEMORIAL ENTERTAINMENT CENTRE - 2018 SEASON REVIEW, 2019 SEASON LAUNCH AND 20 YEAR CELEBRATIONS (20.00060) MOVED: Cr I North SECONDED: Cr M Morse</u>

RESOLVED: That the information be noted.

Director Cultural & Community Services' Report to the Council Meeting 12/12/2018	
 GENERAL MANAGER	MA`

6 BATHURST VISITOR INFORMATION CENTRE - NSW TOURISM AWARDS 2019 (21.00041)

Recommendation: That the information be noted.

Report: The 29th Annual NSW Tourism Awards acknowledge and celebrate tourism excellence and recognises and rewards those businesses that demonstrate significant achievements throughout the year. Applicants can progress through entry at regional level to the state finals. The Award recipients across the 27 categories were announced at a gala function at Luna Park on Thursday 22 November 2018 attended by over 600 quests. 71 award winners were announced from 125 State finalists, from an initial 249 regional and state entrants.

The Bathurst Visitor Information Centre (BVIC) entered in the category of 'Visitor Information Services' with the award submission prepared by BVIC staff. BVIC was successful at winning the Silver Award in the Destination Network Country & Outback Awards announced on 27 July 2018. A revised submission was subsequently prepared and entered in the State awards, with BVIC being awarded a Highly Commended in this category.

The Tourism Awards are evaluated and scored by a panel of judges recognised for their experience and expertise in the tourism industry with the results audited by Price Waterhouse Cooper. To become a finalist is not automatic but requires satisfying an established high standard of scoring. Equally, awards are only presented to entrants who have exceeded the required scores. The award of 'Highly Commended' recognises an entrant whose score exceeded these requirements and was only presented in two of the 27 categories.

The official feedback report provided to BVIC following the Awards process stated:

This submission is an example of an organisation operating at a high level and bringing huge value to their community, the region and to tourism at all levels.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst Community Strategic Plan - Objectives and Strategies

 Objective 1: Our sense of place and identity Strategy 1.2, 1.3

 Objective 2: A smart and vibrant economy Strategy 2.1, 2.6

Community Engagement

Inform To provide the public with balanced and objective information to help them

understand the problem, alternatives

opportunities and/or solutions.

Director Cultural & Community Services' Report to the Council Meeting 12/12/2018

35 <u>Item 6 BATHURST VISITOR INFORMATION CENTRE - NSW TOURISM AWARDS 2019 (21.00041)</u>

MOVED: Cr B Bourke SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

Yours faithfully

Alan Cattermole **DIRECTOR**

CULTURAL & COMMUNITY SERVICES

TRAFFIC COMMITTEE MEETING		
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL		

1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 DECEMBER 2018 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 4 December 2018 be adopted.

<u>Report</u>: The Minutes of the Traffic Committee Meeting held on 4 December 2018, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration
 Strategy 6.4

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Traffic Committee Meeting to the Council Meeting 12/12/2018

36	Item 1	MINUTES - TRAFFIC COMMITTEE MEETING - 4 DECEMBER 2018
(07.0)	0006)	

(07.00006) MOVED: Cr B Bourke SECONDED: Cr I North
RESOLVED: That the recommendations of the Traffic Committee Meeting held on December 2018 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE HELD ON 4 DECEMBER 2018

MEETING COMMENCES

<u>1</u> <u>MEETING COMMENCES 2:00 PM</u>

<u>Members</u>: Ms Jackie Barry (Roads & Maritime Services), Mr David Veness (MP Representative) and Sergeant Peter Foran (Police).

<u>Present:</u> Mr Bernard Drum (Manager Technical Services), Mr Myles Lawrence (Civil Design & Project Engineer) & Mr Andrew Cutts (Tablelands Area Road Safety Officer)

APOLOGIES

2 APOLOGIES

That the apology of Councillor Warren Aubin be accepted.

REPORT OF PREVIOUS MEETING

<u>1 ltem 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 NOVEMBER 2018</u> (07.00006)

That the Minutes of the Traffic Committee Meeting held on 6 November 2018 be adopted.

DECLARATION OF INTEREST

<u>4</u> <u>DECLARATION OF INTEREST 11.00002</u>

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 <u>Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 6 NOVEMBER 2018 (07.00006)</u>

That the information be noted and necessary actions be taken.

6 Item 2 MONTHLY REPORT FOR LOCAL GOVERNMENT ROAD SAFETY PROGRAM (28.00002)

That the information be noted.

This is page 1 of Minutes of the Traffic Committee held on 4 December 2018

	Page 137
General Manager	Mayo

<u>7 Item 3 NEW YEAR'S EVE CELEBRATIONS (23.00131)</u>

That the New Year's Eve celebrations to be held on Monday 31 December 2018 be classified as a Class 2 event and the traffic management be endorsed, subject to conditions as detailed in the Director Engineering Services' report.

8 Item 4 THE 2019 ROYAL BATHURST SHOW (18.00108) MOVED P Foran (Police) and SECONDED J Barry (RMS)

That the 2019 Royal Bathurst Show to be held Friday 3 May to Sunday 5 May 2019, be classified as a Class 2 event and the traffic management for this event be endorsed, subject to conditions as detailed in the Director Engineering Services' report.

9 Item 5 2019 PANTHERS VS THE STORM NRL TELSTRA PREMIERSHIP GAME - ROAD CLOSURES AND TEMPORARY NO PARKING (18.00296)

That the 2019 NRL Telstra Premiership Panthers vs The Storm Game to be held at Carrington Park Bathurst on Saturday 30 March 2019 be classified as a Class 2 event, and the traffic management for this event be endorsed subject to conditions as detailed in the Director of Engineering Services' report.

10 Item 6 2019 SUSTAINABLE LIVING EXPO (23.00124)

That the 2019 Sustainable Living Expo to be held on Saturday 23 March 2019 at the Bathurst Showground be classified as a Class 2 event and the traffic management be endorsed subject to conditions as detailed in the Director Engineering Services' report.

TRAFFIC REGISTER

11 Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

12 MEETING CLOSE

The Meeting closed at 2.27pm.

COUNCILLORS/ DELEGATES REPORTS AND MINUTES		
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL		
12 DECEMBER 2018		

COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 NOVEMBER 2018 (11.00019)

Recommendation: That the information be noted.

Report: Present: Councillors Hanger (Chair), Christian, Fry, Jennings, Morse, North

Apologies: Councillors Aubin, Bourke, Rudge

<u>1.</u> **BATHURST HISTORICAL SOCIETY (22.01429)**

Samantha Friend, President met with Council to discuss the history of the Society and Museum, current activities, and future plans.

Discussion included:

- The Society was established in 1947.
- Spoke of purpose, structure and objectives.
- Spoke to Museum content.
- A current project being undertaken is to sort photographs and catalogue each item in the collection.
- The 2000 Olympic cauldron is probably the youngest item currently on display.
- The Museum and shop attract approximately 8,000 visitors per year.
- The Museum is open six days per week.
- Two thirds of the collection is now catalogued.
- In 2016 participated in a standards review program which led to the development of a strategic plan.
- Established a Friendship arrangement with the Grimwade Centre in Melbourne.
- Planning for 2019 Heritage Trades Trail well underway.
- The Society is appreciative of the support and assistance that is provided by Council.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

 Objective 2: A smart and vibrant economy Strategy 2.5

 Objective 4: Enabling sustainable growth Strategy 4.3

 Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives opportunities and/or solutions.

37 <u>Item 1 COUNCILLORS MEETING WITH COMMUNITY</u>

<u>GROUPS/REPRESENTATIVES - 14 NOVEMBER 2018 (11.00019)</u>

<u>MOVED: Cr M Morse SECONDED: Cr I North</u>

RESOLVED: That the information be noted.

Councillors/ Delegates Reports to t	the Council Meeting 12/12/2018	
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GENERAL MANAGER	M	MAYOF
	Pa	ge 14

MINUTES - BATHURST REGIONAL YOUTH COUNCIL 13 NOVEMBER 2018 (11.00020)

Recommendation: That the information be noted.

Report: The Youth Council considered a number of items at the meeting, held Tuesday 13 November 2018 and included the following items:

- Debrief of "How to Adult" workshops, which were held 2 November and 9 November 2018
- Food & Flix Outdoor Cinema Event being held 23 November 2018
- Youth Week 2019
- Mental health awareness initiative

The minutes from the meeting are provided at attachment 1.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

 Objective 4: Enabling sustainable growth Strategy 4.1

 Objective 5: Community health, safety and well being Strategy 5.1, 5.2, 5.3, 5.5

 Objective 6: Community leadership and collaboration Strategy 6.1, 6.2, 6.3,

6.5, 6.7, 6.8

Community Engagement

Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Councillors/ Delegates Reports to the Council Meeting 12/12/2018	

38 <u>Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL 13 NOVEMBER 2018 (11.00020)</u>

MOVED: Cr J Fry SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

Councillors/ Delegates Reports to the Council Meeting 12/12/2	018
GENERAL MANAGER	MAYOR Page 143

3 MINUTES - AUSTRALIA DAY WORKING PARTY - 20 NOVEMBER 2018 (23.00033)

Recommendation: That the information be noted.

Report: The minutes of the Australia Day Working Party held on 20 November 2018 are shown at **attachment 1**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 6: Community leadership and collaboration
 Strategy 6.1, 6.4

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives

opportunities and/or solutions.

Councillors/ Delegates Reports to the Council Meeting 1	2/12/2018

_MAYOR Page 144

39 <u>Item 3 MINUTES - AUSTRALIA DAY WORKING PARTY - 20 NOVEMBER 2018</u> (23.00033)

MOVED: Cr I North SECONDED: Cr A Christian

RESOLVED: That the information be noted.

Councillors/ Delegates Reports to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAYO
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<u>4 COUNCILLORS MEETING WITH COMMUNITY</u> GROUPS/REPRESENTATIVES - 28 NOVEMBER 2018 (11.00019)

Recommendation: That the information be noted.

Report: Present: Councillors Hanger (Chair), Fry, Jennings, North, Rudge

Apologies: Councillors Aubin, Bourke, Christian, Morse.

1. BATHURST EDGELL JOG COMMITTEE (23.00130)

Representative from the Bathust Edgell Jog Committee met with Council to discuss the 2018 Edgell Jog and plans for the 2019 event.

Discussion included:

- Thanked Council for support for last 3 years. Funding was used for Traffic Management
- 787 competitors took part in 2018, committee had hoped for 1,000
- Additional funding/sponsorship was sought from local businesses, so the event made a profit
- Requested \$7,500 funding for the 2019 event for Traffic Management, a reduction from \$13,000.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

Objective 4: Enabling sustainable growth
 Strategy 4.2

Objective 5: Community health, safety and well being
 Strategy 5.1

Objective 6: Community leadership and collaboration
 Strategy 6.1

Community Engagement

• Inform To provide the public with balanced

and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Councillors/ Delegates Reports to the Council Meeting 12/12/2018

40 <u>Item 4 COUNCILLORS MEETING WITH COMMUNITY</u>

<u>GROUPS/REPRESENTATIVES - 28 NOVEMBER 2018 (11.00019)</u>

<u>MOVED: Cr J Jennings SECONDED: Cr J Rudge</u>

RESOLVED: That the information be noted.

 Councillors/ Delegates Reports to the Council Meeting 12/12/2018	3
 GENERAL MANAGER	MAYOR
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RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL CONFIDENTIAL MINUTESS
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
STORWART MEETING OF BATTION OF REGION LEGISTROLE
12 DECEMBER 2018

42 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

MOVED: Cr I North SECONDED: Cr J Jennings

The Mayor invited members of the public to make submissions on whether the matter should or should not be dealt with in Confidential Committee.

There were no representations from the public.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

* MAYORAL MINUTE

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
	APPRAISAL	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.

* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LIGHTING WITH SMART CONTROLS	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1		10A (2) (c) – contains information that would, if
	LIMEKILNS ROAD,	disclosed, confer a commercial advantage on a
	KELSO - SUNNYBRIGHT	person with whom the Council is conducting (or
	ESTATE STAGE "A"	proposes to conduct) business. Discussion of the

Resolve Into Confidential Committee Of The Whole To Deal With Confidential Reports to the Council Meeting 12/12/2018

	RELEASE SUBDIVISION	matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
2	RURAL LICENCE AGREEMENT - LOTS 2 & 3 IN DP786760 KNOWN AS 44 FREEMANTLE ROAD, EGLINTON.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	LEASE AGREEMENT - PART LOT 1 DP774489	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PURCHASE OF PROPERTY AT LOT 2 SECTION 15 DP758840 KNOWN AS 22 ROCKLEY STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	ELECTRICITY PROCUREMENT	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
6	INTEREST ON OUTSTANDING RATES – ASSESS 207604	10A (2) (b) – contains advice concerning hardship of a resident or ratepayer, disclosure of which would not be in the public interest as it would prejudice the personal position of the individual concerned.

* DIRECTOR ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR STORMWATER DRAINAGE PIPES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR CONSTRUCTION OF BATHURST CENTRAL BUSINESS DISTRICT CCTV - STAGE 1	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR READY MIX CONCRETE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who

Resolve Into Confidential Committee Of The Whole To Deal With Confidential Reports to the Council Meeting 12/12/2018

		supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED TRANSFER OF LAND TO COUNCIL FOR A SEWER PUMPING STATION - LOT 1025 DP1245197 LIMEKILNS ROAD KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TENDER FOR HIRE OF PLANT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER FOR HIRE OF TRUCKS/WATERCARTS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRONS EXTENSION WORKS - BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR SUPPLY AND DELIVERY OF ROADBASE MATERIAL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	CENTROC TENDER FOR LINEMARKING SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

<u>MINUTE</u>

41 <u>Item 1 SUSPENSION OF STANDING ORDERS</u> MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Standing Orders be suspended to allow Council to move Mayoral Minute, General Manager's Appraisal to last item in Confidential Committee.

GENERAL MANAGER

MAYORAL MINUTE			
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL			

(a) <u>Item 1 GENERAL MANAGER'S APPRAISAL (35.01136)</u> <u>MOVED: Cr G Hanger SECONDED: Cr J Rudge</u>

The General Manager declared a pecuniary interest in this item, left the Chamber.

Reason: concerns his employment.

That Council note:

- (a) the performance review of the General Manager, which was rated as more than satisfactory;
- (b) that the General Manager's employment package has been set at \$358,346.

GENERAL MANAGER

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' CONFIDENTIAL MINUTES			
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL			
12 DECEMBER 2018			
12 BEGENIBER 2010			

(b)	Item 1	STREET LIGHTING - UPGRADE TO LED LIGHTING WI	TH
SMAR	T CONTR	ROLS (28.00014)	
	MOVED:	Cr I North SECONDED: Cr M Morse	

That Council authorise the General Manager to act in accordance with the report.

Director Environmental Planning & Building Services' Report to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAYO
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DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES		
	ORDINARY MEETING OF BATHURST REGIONAL COUNCIL	
	12 DECEMBER 2018	
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(c) <u>Item 1 LAND RELEASE - LIMEKILNS ROAD, KELSO - SUNNYBRIGHT</u> <u>ESTATE STAGE "A" RELEASE SUBDIVISION (20.00329)</u> <u>MOVED: Cr I North SECONDED: Cr J Rudge</u>

That Council approves:

- (a) the release for sale of 95 Lots, namely Lot 20 to Lot 115, in the new residential subdivision to be known as Sunnybright Estate stage "A" release, located at Limekilns Road, Kelso under the ballot system.
- (b) grant approval for the General Manager to finalise lot sale prices once registration has occurred, as detailed in the report.

ance's Report to th	ne Council Meeting 12/12/2018	8
ANAGER		MA
		nnce's Report to the Council Meeting 12/12/201

(d) Item 2 RURAL LICENCE AGREEMENT - LOTS 2 & 3 IN DP786760 KNOWN AS 44 FREEMANTLE ROAD, EGLINTON. (22.02055) MOVED: Cr B Bourke SECONDED: Cr I North

That Council approves entering into a rural licence agreement for Lots 2 & 3 in DP786760 known as 44 Freemantle Road, Eglinton for a period of 12 (twelve) months with a 12 (twelve) month option period at Council's discretion, as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAYOR
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(e) Item 3 RENEWAL OF TELECOMMUNICATIONS LEASE AGREEMENT - PART LOT 1 DP774489 KNOWN AS 230 HOWICK STREET - VODAFONE (22.00041)

MOVED: Cr I North SECONDED: Cr J Jennings

That Council approve the renewal of the Telecommunications lease agreement for part Lot 1 in DP774489 known as 230 Howick Street, Bathurst, with Vodafone for a period of 5 years with an additional 3 consecutive leases being 5 years each as detailed in the report.

(f) Item 4 PURCHASE OF PROPERTY AT LOT 2 SECTION 15 DP758840 KNOWN AS 22 ROCKLEY STREET, PERTHVILLE (22.13109) MOVED: Cr I North SECONDED: Cr J Rudge

That Council:

- (a) authorise the General Manager to negotiate the purchase of the property at Lot 2 Section 15 DP758840 known as 22 Rockley Street, Perthville as detailed in the report.
- (b) classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993.

F

(g) Item 5 ELECTRICITY PROCUREMENT (16.00007) MOVED: Cr I North SECONDED: Cr M Morse

That Council:

- a) Endorse Council's involvement in the Request for Tender for the management of Aggregated Electricity Procurement being coordinated through CENTROC.
- b) Acknowledge that there are extenuating circumstances surrounding the procurement of electricity and as such Council should be excused from the tendering requirements under Section 55 of the Local Government Act. The extenuating circumstances being
 - 1. the time constraints involved in the process between obtaining and accepting a price
 - 2. the Aggregated Electricity Procurement process will involve an adequate and practical testing of the pricing existing within the marketplace at the time
- c) Delegate to the General Manager and Mayor the authority to execute the contracts for:
 - (i) The Management of Aggregated Electricity Procurement
 - (ii) The supply of electricity.

GENERAL MANAGER

(h) Item 6 INTEREST ON OUTSTANDING RATES – ASSESS 207604 (22.00771)

MOVED: Cr I North SECONDED: Cr M Morse

That Council write off the accrued interest on rates and charges for assessment number 207604, amounting to \$5,495.37.

Director Corporate Services & Finance's Report to the Council Meeting 12/12/2018

_____ GENERAL MANAGER _____ MAYOR
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DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
12 DECEMBER 2018

(i)	Item 1	TENDER FOR STORMWATER DRAINAGE PIPES (36.00687)
` '	MOVED	: Cr I North SECONDED: Cr J Rudge

That Council accept the tender from Rocla Pipeline Products for supply of stormwater drainage pipes, headwalls and lintels, from 1 January 2019 to 31 December 2020.

Director Engineering Services' Report to the Cou	ıncil Meeting 12/12/2018
GENERAL MANAGER	MAYOR
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(j) Item 2 TENDER FOR CONSTRUCTION OF BATHURST CENTRAL BUSINESS DISTRICT CCTV - STAGE 1 (36.00690) MOVED: Cr I North SECONDED: Cr A Christian

That Council accepts the tender of ECS Services Pty Ltd for the construction of Bathurst Central Business District CCTV – Stage 1 in the amount pf \$142,230.84 (GST incl.) subject to provisional items and variations.

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Director Engineering Services' Report to the Council Meeting 12	/12/2018
Director Engineering Services' Report to the Council Meeting 12 GENERAL MANAGER	/12/2018

That Council accept the tender from Ever-Ready Concrete for the supply of ready-mix concrete from 1 January 2019 to 31 December 2020.
That Council accept the tender from Ever-Ready Concrete for the supply of ready-mix concrete from 1 January 2019 to 31 December 2020.

(I) Item 4 PROPOSED TRANSFER OF LAND TO COUNCIL FOR A SEWER PUMPING STATION - LOT 1025 DP1245197 LIMEKILNS ROAD KELSO (2017/205)

MOVED: Cr I North SECONDED: Cr J Fry

That Council:

- (a) approve the transfer of Lot 1025 in DP1245197 located at Limekilns Road Kelso, from Eodo Pty Ltd to Bathurst Regional Council.
- (b) classify the land as Operational under Section 31 of the Local Government Act 1993.

Director Engineering Services' Report to the Council Meeting 12/12/2018	

GENERAL MANAGER

(m) Item 5 TENDER FOR HIRE OF PLANT (36.00683) MOVED: Cr I North SECONDED: Cr J Rudge

That Council accept the tenders for the Hire of Plant for 2019 and 2020, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Plant.

Director Engineering Services' Report to the Council Meeting 12/12/2018	
GENERAL MANAGER	MAYOF
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(n) Item 6 TENDER FOR HIRE OF TRUCKS/WATERCARTS (36.00685) MOVED: Cr A Christian SECONDED: Cr M Morse

That Council accept the tenders for the Hire of Trucks/Watercarts for 2019 and 2020, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Trucks/Watercarts.

 Director Engineering Services' Report to the Council	Mooting 12/12/2019
Director Engineering Services Report to the Council	wieeting 12/12/2010
 GENERAL MANAGER	MAYOR
	Page 170

<u>MINUTE</u>

(o) Item 7 CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRONS EXTENSION WORKS - BATHURST AERODROME (36.00616) MOVED: Cr I North SECONDED: Cr J Rudge

That Council accepts the variation to Contract 36.00616 in the amount of \$142,976.06 (GST incl.) subject to provisional items and variations.

Director Engineering Services' Report to the Council Meeting 12/12	2/2018
 Director Engineering Services' Report to the Council Meeting 12/12 GENERAL MANAGER	MAY

(p) Item 8 TENDER FOR SUPPLY AND DELIVERY OF ROADBASE MATERIAL (36.00686)

MOVED: Cr I North SECONDED: Cr J Fry

That Council accept tenders from

- (a) Oberon Quarries for the Supply and Delivery of Roadbase
- (b) Hynash Haulage Pty Ltd, Hothams Sand Soil and Gravel Pty Ltd and Bennett's Earthworks and Machinery Hire for the supply of "Natural Gravel" and "Other" materials

for the period from 1 January 2019 to 31 December 2020, as and when required, as listed in the Director Engineering Services' report.

 Director Engineering Services' Report to the Council Meeting 12/12/2	018
 GENERAL MANAGER	MAYO
	Page 17

<u>MINUTE</u>

(q) Item 9 CENTROC TENDER FOR LINEMARKING SERVICES (07.00017) MOVED: Cr M Morse SECONDED: Cr J Rudge

That Council accept tenders for linemarking services from the following contractors -

- Central West Linemarking
- Complete Linemarking Services
- Gumbay Holdings t/as Avante Linemarking
- Oz Linemarking
- Red Squirrel

Director Engineering Services' Report to the Council Meeting 12/12/2018	

GENERAL MANAGER

43	RESOLVE INTO OPEN COUNCIL
	MOVED: Cr I North SECONDED: Cr J Frv

RESOLVED: That Council resume Open Council.

44 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE MOVED: Cr J Rudge SECONDED: Cr J Jennings

MOVE	MOVED: Cr J Rudge SECONDED: Cr J Jennings					
RESOLVED:	That the Report of the Committee of the Whole, Items (a) to (q) be adopted.	•				
		_				
	Adopt Report Of The Committee Of The Whole to the Council Meeting 12/12/2018					

45 MEETING CLOSE	
The Meeting closed at 8.59 pm.	
CHAIRMAN:	·
Meeting Close to the Council N	Meeting 12/12/2018

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT - ATTACHMENTS				
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL				
12 DECEMBER 2018				

1 of 2 DA's Approved S_DEPBS_2_1

BATHURST 3 REGIONAL COUNCIL LIVE

1/11/2018 - 30/11/2018

						LIVE
Printed: 3	3/12/2018 7	7:48:20AM				Date
Туре	Year	No.	Value	Description	Address	Determined
10	2018	198		Stage 1 - Alteration & additions to existing	Keppel St BATHURST	12/11/2018
				commercial building		
10	2018	262		Alterations to dwelling and patio cover	Twynam Ave WINDRADYNE	22/11/2018
10	2018	278		Alterations to place of public worship	William St BATHURST	16/11/2018
10	2018	315		Use of existing site as depot	Vale Rd SOUTH BATHURST	2/11/2018
10	2018	325	\$220,000	Alterations and additions to existing industrial	Hampden Park Rd KELSO	15/11/2018
10	2018	328	\$185 875	building Construction of dwelling additions	Wellington St PEEL	1/11/2018
10	2018	332		Alterations and additions to dwellings, two lot	Morrisset St BATHURST	6/11/2018
10	20.0	002	Ψ200,000	subdivision (boundary	Morrison of Britisher	0/11/2010
10	2018	337	\$3,500	Carport	Hope St BATHURST	22/11/2018
10	2018	360	\$2,100,000	Place of public worship	Boundary Rd ROBIN HILL	26/11/2018
10	2018	367	\$600,000	Add/alt to dwelling, freestanding habitable	Howick St BATHURST	19/11/2018
				rooms, pool, shed		
10	2018	368		Additions and alterations to dwelling	Reef St HILL END	2/11/2018
10	2018	369		Replacement of existing sign	Kendall Ave BATHURST	2/11/2018
10	2018	373		Convert existing warehouse to storage units	Corporation Ave ROBIN HILL	27/11/2018
10	2018	377		Use of existing dwelling addition	Uralla Cct KELSO	7/11/2018
10	2018	381		Retaining wall, refurbish beer garden	Budden St ROCKLEY	1/11/2018
10	2018	382	\$135,000	Two storey detached habitable rooms with attached garage	Russell St GORMANS HILL	27/11/2018
10	2018	383	\$2 900 000	Additions and alterations to student	Panorama Ave MITCHELL	21/11/2018
10	2010	000	Ψ2,000,000	accommodation	Tanorama / We WIT OTTELL	21/11/2010
10	2018	384	\$34,300	Additions to dwelling	White Rock Rd WHITE ROCK	15/11/2018
10	2018	385	\$37,420	Construction of shed with attached carport	Mount Rankin Rd MOUNT RANKIN	5/11/2018
10	2018	386		Single storey dwelling with attached garage and	Quigley Cl KELSO	6/11/2018
				retaining walls		
10	2018	387		Alterations and addition	Hawkins St WEST BATHURST	7/11/2018
10	2018	389	\$542,591	Dual occupancy and two lot residential	Maxwell Dr EGLINTON	1/11/2018
40	0040	000	#0.400	subdivision	Davis Dil ADEDODOMBIE	45/44/0040
10	2018	390	\$3,480	Two lot residential subdivision (boundary adjustment) and civil works	Parer Rd ABERCROMBIE	15/11/2018
10	2018	391	\$15,000	•	Sydney Rd KELSO	5/11/2018
10	2018	392		Dual occupancy (second dwelling) and two lot	Darling St EGLINTON	1/11/2018
			+ ===,===	residential subdivision		
10	2018	394	\$80,000	Two storey addition to dwelling	Parnham St WEST BATHURST	22/11/2018
10	2016	30	\$26,500,000	MOD - Aged care facility	Peel St BATHURST	5/11/2018
10	2014	145	\$200,000		Durham St BATHURST	14/11/2018
10	2018	399	\$580,000	Dual occupancy and two lot residential	Darling St EGLINTON	16/11/2018
			***	subdivision	MA A L DIDATINIDOT	
10	2018	400		Retaining wall	McAuley PI BATHURST	19/11/2018
10	2017	402	\$80,000	MOD - Additions and alterations to two storey dwelling	McAuley PI BATHURST	26/11/2018
10	2018	402	\$20,000	Additions and alterations to second dwelling	Leo Grant Dr KELSO	9/11/2018
10	2018	407		Construction of a garage	Russell St BATHURST	27/11/2018
10	2018	410		Garage	Saltram Cct EGLINTON	22/11/2018
10	2018	414		Bus shed	Gormans Hill Rd GORMANS HILL	13/11/2018
10	2018	415		Replacement of roof on existing commercial	Gormans Hill Rd GORMANS HILL	7/11/2018
			. ,	premises		
10	2018	416	\$12,400	Carport and patio cover	McKibbin PI WINDRADYNE	22/11/2018
18	2018	143	\$4,000	Above ground swimming pool and fence	Freeman Cct LLANARTH	1/11/2018
18	2018	144	\$360,000	Single storey dwelling with attached garage	Carrol Ave EGLINTON	2/11/2018
10	2018	419	\$0	Three lot industrial subdivision	Hampden Park Rd KELSO	15/11/2018
10	2018	420		Garage	Prince St PERTHVILLE	26/11/2018
10	2018	421	\$16,000	Temporary structure - marquee for Challenge	Mountain Stgt MOUNT PANORAMA	12/11/2018
40	2040	445	#220 000	Bathurst 14 to 17 November	Correl Ave FOLINTON	7/44/0040
18	2018	145		Single storey dwelling with attached garage	Carrol Ave EGLINTON	7/11/2018
10	2018	423		Retaining walls	Wentworth Dr KELSO	23/11/2018
10	2018	424	φ <i>31</i> ,000	Installation of 30kW solar photovoltaic system on roof of building	Stewart St BATHURST	28/11/2018
18	2018	146	\$70 455	Additions and alterations to exstisting dwelling	Willow Dr KELSO	7/11/2018
18	2018	148		Single storey dwelling with attached garage	Brennan Dr KELSO	12/11/2018
10	2016	431		MOD - Restoration of existing church &	Alexander St EGLINTON	26/11/2018
-		-	, -,-,-	construct commercial premises		
10	2018	429		Alterations to industrial building	Watt Dr ROBIN HILL	23/11/2018
10	2018	431	\$0	External painting of commercial premises	Keppel St BATHURST	23/11/2018

2 of 2 DA's Approved S_DEPBS_2_1

BATHURST 3 REGIONAL COUNCIL LIVE

1/11/2018 - 30/11/2018

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Туре	Year	No.	Value Description	Address	Date Determined
10	2018	432	\$0 Use of existing shed	Cox St EGLINTON	23/11/2018
18	2018	150	\$275,000 Single storey dwelling with attached garage	Locke St RAGLAN	14/11/2018
10	2018	434	\$0 Use of existing earthworks	McGillan Dr KELSO	23/11/2018
18	2018	151	\$388,500 Single storey dwelling with attached garage	Dovey Dr KELSO	19/11/2018
10	2018	440	\$10,000 Use of existing earthworks	Gell PI ABERCROMBIE	28/11/2018
18	2018	152	\$270,000 Single storey dwelling with attached garage	Darling St EGLINTON	23/11/2018
18	2018	153	\$270,000 Single storey dwelling with attached garage	Lew Ave EGLINTON	22/11/2018
18	2018	154	\$60,000 Addition to existing dwelling	Cox St EGLINTON	22/11/2018
18	2018	155	\$241,500 Single storey dwelling with attached garage	Barr St WINDRADYNE	23/11/2018

Authority

1 of 1 DA's Refused

S_DEPBS_2_2

BATHURST REGIONAL COUNCIL

1/11/2018 - 30/11/2018

Prir	ited: 3	3/12/2018	7:49:23AM			
						Date
Т	ype	Year	No.	Value Description	Address	Determined
	10	2018	207	\$450,000 Single storey dwelling with attached garage	Tarana Rd BREWONGLE	21/11/2018

1 of 2 DA's Pending



LIVE

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Typo	Year	No.	Value	Description	Address
Type 10	2015	196		Recreation facility - Go Kart track	Brocks Skyline MOUNT PANORAMA
10	2013	214		Internal office addition to existing hangar	PJ Moodie Dr RAGLAN
10	2017	455		Additions to dwelling	Gormans Hill Rd GORMANS HILL
10	2017	37		Add/alt to dwelling, separate garage & self contained unit	Conrod Stgt MOUNT PANORAMA
10	2018	62		Relocation of fuel facility including installation of two above	PJ Moodie Dr RAGLAN
10	2010	02	ψ+10,000	ground	TO MODGIC DI TOTOLITA
10	2018	115	\$0	Continued and expanded operation of an extractive industry	Mid Western Hwy EVANS PLAINS
10	2018	128		Use of existing habitable space	Bonnor St KELSO
10	2018	227	\$8,500,000	Mixed use redevelopment	Keppel St BATHURST
10	2018	232		Additions and alterations to dwelling	Mid Western Hwy EVANS PLAINS
10	2018	240		Use of existing spa pool	Billywillinga Rd BILLYWILLINGA
10	2018	244	\$572,000	One x two bedroom and one x three bedroom two storey units, three lot	Rankin St BATHURST
10	2016	441	\$432,000	MOD - Separate dwelling addition	PJ Moodie Dr RAGLAN
10	2018	290		Demolition of existing dwelling 2.Childcare centre	Park St EGLINTON
10	2018	300	\$45,000	Commercial - Additions/Alterations	William St BATHURST
10	2018	303	\$310,000	Demolition of existing shed, dual occupancy (two storey second dwellin	Lambert St BATHURST
10	2018	338	\$0	312 Lot residential subdivision & associated roads	Bonnor St KELSO
10	2018	340	\$1,400,000	Boundary adjustment and KFC restaurant	Ingersole Dr KELSO
10	2018	341	\$2,700,000	Service station & fast food restaurant	Ingersole Dr KELSO
10	2018	342		Proposed industrial building & subdivision (boundary adjustment)	Alpha St BATHURST
10	2018	344	\$855.000	Multi-dwelling housing and 4 lot residential subdivision	Sydney Rd RAGLAN
10	2018	350		123 lot residential subdivision	Marsden La KELSO
10	2018	353		Use of existing fuel tank	Michigan Rd KELSO
10	2018	361		Alterations to existing commercial building - service station	William St BATHURST
10	2018	363		Demolition of garage, secondary dwelling, carport, new	Rocket St WEST BATHURST
			, ,	garage	
10	2018	365	\$0	Use of alterations to dwelling, garage and verandah	Keppel St BATHURST
10	2018	375	\$0	Use of existing detached habitable room	Moresby Way WEST BATHURST
10	2018	378	\$93,000	Alterations and additions to existing dwelling	Mitre St BATHURST
10	2018	380	\$0	124 lot residential subdivision with associated roads	Marsden La KELSO
10	2018	388	\$90,000	Single storey dwelling	Rockley Rd ROCKLEY MOUNT
10	2018	393	\$285,000	Dual occupancy (2nd dwelling) and two lot residential subdivision	Darling St EGLINTON
10	2018	395	\$0	90 lot residential subdivision, new roads and 1 residue lot	Colville St WINDRADYNE
10	2018	396		Commercial laundry	Durham St BATHURST
10	2018	397		Two commercial signs	Stewart St BATHURST
10	2018	398		Carport	Wolery CI KELSO
10	2018	401		Additions and alterations to existing dwelling	Lavelle St WINDRADYNE
10	2018	403		Workshop including office and separate carport	Oakes St BATHURST
10	2018	404		Single storey dwelling with attached garage	The Bridle Tr DURAMANA
10	2018	405		Partial demolition, addition to existing dwelling and granny flat	Howick St BATHURST
10	2018	406		External painting of commercial premises and use of existing roof shee	William St BATHURST
10	2018	408		single storey dwelling	Borrowpit Rd MEADOW FLAT
10	2018	409		Single storey dwelling with attached garage and carport	Links PI ROBIN HILL
10	2018	411		Alterations to existing dwelling	Russell St BATHURST
10	2018	412	\$77,000	Partial demolition of dwelling & carport and addition to dwelling & ne	Rankin St BATHURST
10	2018	413	\$0	Eight lot residential strata subdivision	Piper St BATHURST
10	2018	417	\$10,000	Fit out of food premise	Alexander St EGLINTON
10	2018	418		Farm machinery shed	Eleven Mile Dr EGLINTON
10	2018	422	\$5,000	Commercial alterations to shopfront	William St BATHURST
18	2018	147		Single storey dwelling with attached garage	Poate St WINDRADYNE
10	2018	425		Single storey dwelling with attached garage	Samuel Way THE LAGOON
10	2018	426		Addition to existing outbuilding	Sofala Rd PEEL
10	2018	427		Two lot residential subdivision	Christie St RAGLAN
10	2018	428		Two lot residential subdivision	Havannah St BATHURST
10	2018	430		Transportable dwelling	Timber Ridge Rd WALANG
10	2018	433		Single storey rural dwelling with attached garage and detached shed	Mount Haven Way MEADOW FLAT
10	2018	435	\$4,373	Use of existing above ground swiming pool and safety barrier	Freemantle Rd WATTON

2 of 2 DA's Pending

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Туре	Year	No.	Value Description	Address
10	2018	436	\$45,130 New garage	Strathmore Dr FOREST GROVE
10	2018	437	\$11,000 Use of existing gate & fence	McCarthy CI EGLINTON
10	2018	438	\$0 Two lot residential subdivision	Landseer St RAGLAN
10	2018	439	\$1,820,000 New two storey motel	Ingersole Dr KELSO
10	1991	154	\$652,628 MOD - 18 Lot residential subdivison and new road	Weeronga Way KELSO
10	2018	441	\$0 External painting of commercial premises	William St BATHURST
10	2018	442	\$20,000 Use of existing commercial premises as a food and drink premises	William St BATHURST
10	2018	443	\$3,500 Additions to existing dwelling	Sofala Rd WATTLE FLAT
10	2017	221	\$323,500 Dual Occupancy - New and Subdivision - Residential	Poate St WINDRADYNE
10	2018	444	\$120,000 Additions to existing dwelling	Rankin St BATHURST
10	2018	445	\$295,000 Additions and alterations to dwelling	Morrow PI ROBIN HILL
10	2018	446	\$0 Use of existing habitable rooms	George St BATHURST
10	2018	447	\$4,500 Retaining wall	Wentworth Dr KELSO
10	2017	439	\$436,700 MOD - Single storey dwelling with attached garage	Peregrine Rd BILLYWILLINGA
10	2018	448	\$410,000 Additions and alterations to existing dwelling	White Rock Rd WHITE ROCK
18	2018	158	\$26,000 In ground swimming pool and safety barrier	Blue Ridge Dr WHITE ROCK
10	2018	449	\$12,500 Commercial Additions and Alterations	Lombard Dr ROBIN HILL
10	2018	450	\$7,000 Carport	Emerald Dr KELSO
10	2017	484	\$430,000 Separate Dwelling - New and Swimming Pool and Patio Cover and Other -	Governors Pde WINDRADYNE
10	2018	451	\$271,700 Ancillary dwelling and propogating/processing shed	Bant St SOUTH BATHURST
10	2018	452	\$48,356 Deck addition and shade sail to licensed club premises	Piper St BATHURST
10	2018	453	\$21,000 Patio cover	Blue Ridge Dr WHITE ROCK



LIVE

	Reason	Report to 12 December Council meeting	Awaiting contamination report from applicant	JRPP Feb 19 Due to revised documentation	Waiting on additional information	Discussion forum 5 December	Additional information requested	Concept DA waiting on additional information	Additional details required	Application for exemption to be determined	Additional information requested	Report to 12 December Council meeting	Awaiting owners consent	Report to 12 December Council meeting	Waiting on Office of Water	Requires Discussion Forum	Requires Discussion Forum	Additional information requested	Awaiting engineering comment	Additional information required	Waiting additional information	Under Assessment	Under Assessment	Waiting on additional information	Waiting on additional information	Under Assessment	Waiting on additional information	Under Assessment	Requested improved design	Awaiting additional information	Waiting on amended plans
Stop	Days		255	162	192		486		136		115		102														4			119	344
Days	Open	294	280	235	227	883	532	154	149	142	140	109	102	101	6/	26	26	6/	28	73	99	22	26	26	46	4	43	43	45	126	368
Application	Date	9/02/2018	23/02/2018	9/04/2018	17/04/2018	30/06/2016	16/06/2017	29/06/2018	4/07/2018	11/07/2018	13/07/2018	13/08/2018	20/08/2018	21/08/2018	12/09/2018	12/09/2018	12/09/2018	12/09/2018	13/09/2018	18/09/2018	25/09/2018	4/10/2018	5/10/2018	5/10/2018	15/10/2018	17/10/2018	18/10/2018	18/10/2018	19/10/2018	27/07/2018	27/11/2017
	Address	Conrod Stgt MOUNT	PJ Moodie Dr RAGLAN	Mid Western Hwy EVANS	Bonnor St KELSO	Boundary Rd MOUNT	PJ Moodie Dr RAGLAN	Keppel St BATHURST	Mid Western Hwy EVANS	Billywillinga Rd	Rankin St BATHURST	Park St EGLINTON	William St BATHURST	Lambert St BATHURST	Ashworth Dr KELSO	Ingersole Dr KELSO	Ingersole Dr KELSO	Alpha St BATHURST	Sydney Rd RAGLAN	Graham Dr KELSO	William St BATHURST	Moresby Way WEST	Mitre St BATHURST	Graham Dr KELSO	Rockley Rd ROCKLEY MOUNT	Darling St EGLINTON	Colville St WINDRADYNE	Durham St BATHURST	Stewart St BATHURST	PJ Moodie Dr RAGLAN	Gormans Hill Bd GORMANS
	Description	Additions to dwelling, separate garage & self contained unit	Relocation of fuel facility plus install two storage tanks etc	Continued and expanded operation of quarry	Use of existing habitable space	Recreation facility - Go Kart track	Internal office adidtion to existing hangar	Mixed use redevelopment	Additions and alterations to dwelling	Use of existing spa pool	1 x 2 bedroom and 1 x 3 bedroom two storey units	1. Demolish existing dwelling 2. Childcare centre	Commercial - Additions/Alterations	Demolish shed, dual occupancy & subdivision	312 Lot residential subdivision & associated roads	Boundary adjustment and KFC restaurant	Service station & fast food restaurant	Proposed industrial building & subdivision	Multi-dwelling housing and 4 lot residential subdivision	123 lot residential subdivision	Alterations to existing commercial building	Use of existing detached habitable room	Alterations and additions to existing dwelling	124 lot residential subdivision with associated roads	Single storey dwelling	Dual occupancy (2nd dwelling) and two lot subdivision	90 lot residential subdivision, new roads & 1 residue lot	Commercial laundry	Two commercial signs	MOD - Separate dwelling addition	Additions to dwelling
	<u>8</u>	37	62	115	128	196	214	227	232	240	244	290	300	303	338	340	341	342	344	350	361	375	378	380	388	393	395	396	397	441	455
	Year	18	18	2018	18	15	17	18	18	18	18	18	18	2018	18	18	18	18	18	18	18	18	18	18	2018	2018	2018	2018	18	2016	17
Арр	ype	2018	2018	50.	2018	2015	2017	2018	2018	2018	2018	2018	2018	50.	2018	2018	2018	2018	2018	2018	2018	2018	2018	2018	50	50	50.	50.	2018	50	2017
	Ε.	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10

S_DEPBS_2_5 1 of 1 Page 1 of 1 Date Determined BATHURST SEGIONAL COUNCIL Concurring Authority Extent Of Variation Justification Of Variation DA's Approved Under SEPP 1 Development Standard To Be Varied 1/11/2018 - 30/11/2018 Environmental Category Planning Instrument Zoning Of Land \exists Postcode Suburb Street Name Street No Printed: 4/10/2018 11:31:18AM Lot DP Authority Council DA Ordinary Meeting Page 8 of 651 - 12 December 2018





Bathurst Regional Council PMB 17 158 Russell Street BATHURST NSW 2795 Telephone: 02 6333 6111 Fax: 02 6331 7211 Email: council@bathurst.nsw.gov.au Important Notice!
This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or subability of the information for use for any purpose (whether the table of the council of the survey of this data, neither the Bathurst Regional Council nor the LPI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligency for all expenses, losses, damages (including indirect or consequential damage) and costs within you might hour as a result of the data being inaccurate or incomplete in any way and for any reason.

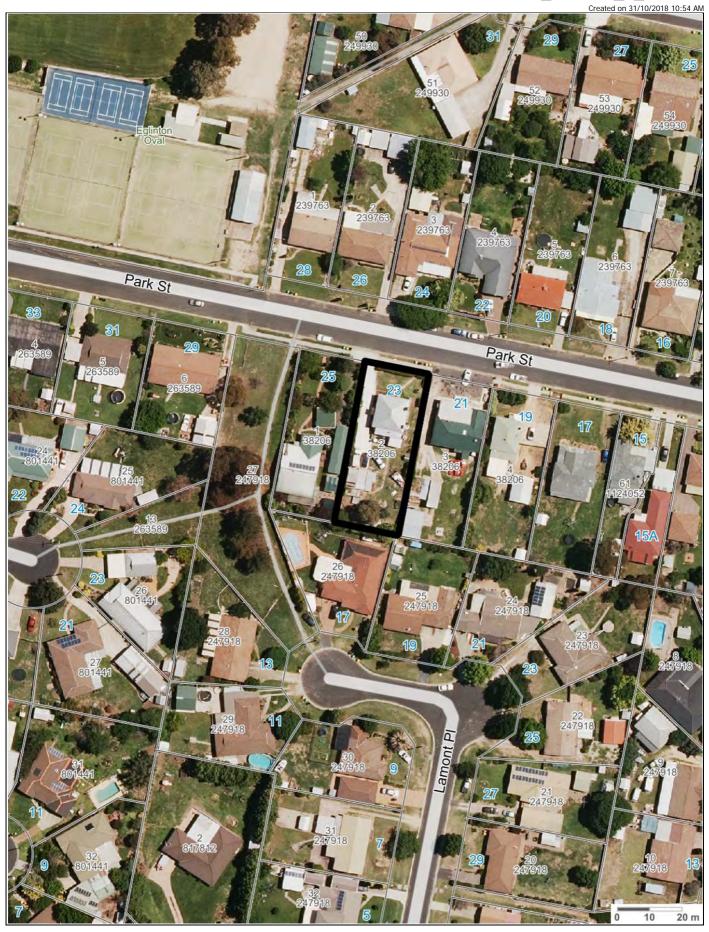
Other State Of New South Wales (Land and Property Information).



Date: 31/10/2018

Projection: GDA94 / MGA zone 55

DA 2018-290





Bathurst Regional Council PMB 17 158 Russell Street BATHURST NSW 2795 Telephone: 02 6333 6111 Fax: 02 6331 7211 Email: council@bathurst.nsw.gov.au Important Notice!
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Drawn By: Dwye

Date: 31/10/2018

Projection: GDA94 / MGA zone 55

Map Scale: 1:1128 @ A

DA 2018-290

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GENERAL CONSTRUCTION NOTES

BUILDING MATERIALS

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ALL LIGHT WEIGHT CLADDING TO BE CONSTRUCTED IN ACCORDANCE WITH
N.C.C. AND AS2908.
ALL LIGHT WEIGHT TIMBER WALL FRAMES TO BE CONSTRUCTED IN ACCORDANCE
WITH N.C.C. AND AS1684
ALL SIRUCTURAL SIFEL TO DESIGNED AND CONSTRUCTED IN ACCORDANCE
WITH N.C.C. AND ASJANDSAND ASSEMBLY TO COMPLY WITH C1.10 OF
THE N.C.C. REQUIREMENTS
ALL CONSTRUCTION AND BUILDING MATERIALS TO COMPLY WITH RELEVANT
N.C.C. REQUIREMENTS AND AUSTRALIAN STANDARD REGULATIONS BUILDING CONSTRUCTION IS TO CONSIST OF REINFORCED CONCRETE SLABS, WALLS AND COLUMNS, (TO ENGINEERS DETAILS), WITH BRICK CLADDING. ALL BRICKWORK IS TO BE CONSTRUCTED IN ACCORDANCE WITH N.C.C. AND

TERMITE RPOTECTION

TO PROTECT THE BUILDING FROM ATTACK BY TERMITES OR OTHER PESTS, TERMITE SHIELDS OR OTHER SUITABLY APPROVED PHYSICAL BARRIER COMPLYING WITH AS3660 ARE TO BE PROVIDED

INSULATION

INSULATION TO BE R3.5 FOR CEILING BATS WITH SARKING BETWEEN ROOF BATTENS AND COLOURBOND ROOF SHEETING ALL EXTERNAL WALLS TO HAVE R1.5 BATS IN WALL CAVITY.

ALL SARKING MATERILA TO COMPLY WITH AS/NZS 4200 PART 1 AND

WATERPROOFING REQUIREMENTS

ALL WET AREAS ARE TO HAVE AN APPROVED WATERPROOFING MEMBRANE IN ACCORDANCE WITH N.C.C. REQUIREMENTS AND AS3740 AND AS4854

EXTERNAL FINISHES

EXTERNAL FINISHES ARE TO BE AS NOTED OR SIMILAR:

(REFER TO DRAWING A.1.04 FOR LOCATIONS)

ROOFING TO BE COLORBOND WOODLAND GREY COLOUR
GUTERS AND DOWNPIPES TO BE POWDER COATED/PAINTED COLORBOND
WOODLAND GREY COLOUR
FASCIA BOARDS TO HAVE PAINTED FINISH "WOODLAND GREY" BY DULLUX
BRICK WALLS TO CONSIST OF FACE BRICK "PGH SMOOTH FACE MINERAL" WITH
WHITE MORTARS
EXTERNAL WALL CLADDING TO CONSIST OF WEATHERTEX SELFLOK
EXTERNAL WALL CLADDING TO CONSIST OF WEATHERTEX SELFLOK
EXTERNAL WALL CLADDING TO CONSIST OF WEATHERTEX SELFLOK
COCROOVE 150 SMOOTH PANEL CLADDING WITH PAINTED FINISH "ANTIQUE WHITE
USA BY DULLUX
ALL WINDOWS, SLIDING DOORS AND DOOR FRAMES TO BE POWDER COATED
COLORBOND WINDSPRAY COLOUR
CROSSING MARKINGS IF REQUIRED
ALL POOLSTYLE AND PALISADE FENCING TO BE POWDER COATED BLACK
ALL EXTERNAL STRUCTURAL STEELWORK TO HAVE PAINTED FINISH
'COLORBOND WINDSPRAY' BY DULLUX

DOOR AND HANDLE REQUIREMENTS

LATCH OPERATING DEVICES FOR ALL EXIT DOORS AND DOORS IN THE PATH OF TRAVEL TO AN EXIT DOOR TO COMPLY WITH N.C.C. CLAUSE DL2.1.

LEXIT DOORS MUST BE ABLE TO BE OPENED BY A FORCE NO GREATER THAN 110N IN ACCORDANCE WITH N.C.C. CLAUSE 2.19.

ALL EXTERNAL AND INTERNAL DOOR FURNITURE TO BE LEVER HANDLES FOR EASY ACCESS THAT ARE DEPRESSED DOWNWARD. ALL EXTERNAL DOORS TO BE 40mm SOLID CORE DOORS WITH RAVEN DOOR SEALS RP1 (FRAMES) AND RP8 (BOTTOM SEAL) AND TO HAVE RZ8 INSULATION RATING.

PROVIDE DISABLED ACCESS IN ACCORDANCE WITH N.C.C. CLAUSE D3.2 & D3.3 AND ASIARS. PROVIDE DENTIFICATION ACCESSIBLE FACITILES, SERVICES AND FEATURES IN ACCORDANCE WITH N.C.C. D3.6 & D3.8 AND ASI428. IF HEARING ALCOMENTATION SYSTEM IS REQUIRED, DESIGN AND INSTALL SYSTEM TO MEET N.C.C. D3.7 AND ASI428 DISABLE ACCESS REQUIREMENTS

SYMBOLOGY LEGEND

HOT WATER UNIT	FIRE BLANKET	FIRE EXTINGUISHER	FIRE HOSE REEL	ELECTRICAL CUPBOARD TO HAVE 120/120/120 FIRE RATING	AIR-CONDITIONER UNIT	EMERGENCY EXIT SIGNS	DOWN PIPES	FINISHED SURFACE LEVEL	NATURAL GROUND LEVEL	FINISHED GROTIND LEVEL
M/M	FB	핖	E	EC	AC	EXIT	DP	FSL	NGL	FGI

COUNCIL AND DEECD NOTES SPACE REQUIREMENTS

THIS CENTRE WILL INCLUDE:

AN ADMINISTRATION ROOM FOR SERVICE AND PRIVATE CONSULTATION
BENWER STAFF AND PARENTS — INDIOGRATED ON PLANS AS OFFICE.

A RESPITE ROOM FOR STAFF — INDIOGRED ON PLANS AS STAFF ROOM.

ALL INTERNAL PLAY AREAS HAVE BEEN DESIGNED TO EXCEED A CLEAR

UNENCUMBERED PLAY SPACE OF 3.25 SQUARE METRES PER CHILD.

ALL EXTERNAL PLAY AREAS HAVE BEEN DESIGNED TO EXCEED A CLEAR

USABLE PLAY SPACE OF 7 SQUARE METRES PER CHILD.

SHADED AREAS FOR THE OUTDOOR PLAY AREAS HAVE BEEN PROVIDED

AND EXCEED THE REQUIREMENTS PUBLISHED BY THE NEW SOUTH WALES

CANCER COUNCIL UNDER THE TITLE "THE SHADE HANDBOOK".

THE CENTRE MUST HAVE FIRE HOSE REELS, FIRE EXTINCUISHERS AND BLANKETS, SMOKE DETECTORS, EMERGENCY LIGHTING, EXIT SIGNS, ETC. TRAT COMPLY WITH THE NC.. REQUIREMENTS AND AS2293, AS2441, AS/AZS3504, AND AS3768.

ALL MAINTEANICE FIRE EQUIPMENT MUST COMPLY WITH AS1851.

IF THE CENTRE IS LOCATED IN A BUSH FIRE ZONE THE BUILDING MUST BE BUILT TO COMPLY WITH AS3959.

VENTILATION, LIGHT AND HEATING

THIS CENTRE HAS A LAUNDRY ROOM ON THE PREMISES FOR THE PURPOSE OF CLEANING SOILED CLOTHES AND THE LIKE.
ALSO PROVIDED ARE SAFE, SANITARY FACILITIES FOR THE STORAGE OF ITEMS BEFORE LAUNDRING.
THE WASHING MACHINE AND TUBS IN THE LAUNDRY ARE BOTH CONNECTED TO THE HOT AND COLD WATER.

FENCING

THE CENTRE HAS BEEN DESIGNED TO PROVIDE ADEQUATE ACCESS TO NATURAL LIGHT AND VENTILATION.

ALL ARTIFICAL LIGHTING TO MEET AS/NZS 1680-2009 AND N.C.C. F4.4

ADDITIONAL VENTILATION IS PROVIDED BY MECHANICAL VENTILATION WITH

ALL AIR HANDLING UNITS LOCATED OUT SIDE, AWAY FROM CHILDREN'S PLAY AREAS

BUILDING VENTILATION TO MEET AS1668.2-2012 & AS/NZS 3666.1-2011

AND N.C.C. F4.5 REQUIREMENTS.

ALL CONTROLS WILL BE KEPT AWAY FROM CHILDREN,

CRAFT PREPARATION FACILITIES

CRAFT AREAS WHICH INCLUDE A 45 LITRE DROP TUB INTO THE BENCH TOP OF CUPBOARDS WITH CHILD PROOF LOCKS HAVE BEEN PROVIDED IN EVERY PLAY ROOM.

THESE HAVE BEEN LOCATED AWAY FROM ANY FOOD PREPARATION AREAS AND NAPPY CHANGING FACILITIES.

ALL DESIGNATED OUTDOOR PLAY SPACES MUST BE FENCED ON ALL SIDES DESIGN AND HEIGHT OF ALL FENCING IS TO PREVENT CHILDREN FROM SCALING OR CRAWILING UNDER OR THROUGH IT.

LISTE OF STARWAYS, RAMPS, CORRIDORS, HALLWAYS OR EXTERNAL BALCONYS NON ABUTTING A WALL MUST BE ENCLOSED TO PREVENT CHILDREN FROM ENTERNIC OR LEANING THE PREMISES UNSUPERNISED.

ALL GATES ACCESSIBLE TO THE CHILDREN ARE TO BE FITTED WITH CHILD RESISTANCE LATCHES AND SHELF CLOSING HINGES IN ACCORDANCE AS1926.1

FOOD PREPARATION FACILITIES

A KITCHEN AND PANTRY FACILITY, SEPARATE TO ALL CHILD PLAY AREAS HAS BEEN PROVIDED FOR FOOD PREPARATION. INCLUSIONS ARE: STOVE, MICROWAVE, SINKS (HOT AND COLD WATER), REFRIGERATOR, FREEZER AND PANTRY.
THE KITCHEN HAS A CHILD PROOF DOOR AND HANDLE INSTALLED TO PREVENT ACCESS TO ANY HARMFUL SUBSTANCE EQUIPMENT OR AMENITY BY THE CHILDREN. BOTTLE PREPARATION AREAS HAVE BEEN PROVIDED WITH A CHILD PROOF DOOR AND HANDLE TO PREVENT ACCESS BY CHILDREN, THESE AREAS ARE AWAY FROM THE NAPPY-CHANGING FACILITIES.

ALL GLAZED AREAS THAT ARE ACCESSIBLE TO THE CHILDREN THAT ARE 750mm OR LESS ABOVE THE FLOOR LEVEL WILL BE SAFETY GLASS AS PER N.C.C. REGUIREMENTS AND AS/NZS2208, AS1288 AND AS2047-2014 ALL WINDOWS THAT ARE ABLE TO BE OPENED MUST BE FITTED WITH APPROPRIATE BARRIERS (FLY SCREENS)

GLASS

TOILET AND WASHING FACILITIES

AL SANITARY FACILITIES WILL COMPLY WITH THE REQUIREMENTS FOR A CLASS 9b BUILDING (EARLY CHILDHOOD CENTRE) OF THE N.C.C. CLAUSE F2.3.
ALL DISABLED W.C. AREAS TO COMPLY WITH AS1428 PARTS 1-3

CLEANLINESS, MAINTENANCE AND REPAIRS

THE PREMISES AND ALL EQUIPMENT MUST BE MAINTAINED IN A SAFE, CLEAN AND HYGIENIC CONDITION AND IN GOOD REPAIR AT ALL TIMES. THE PREMISES WILL BE KEPT FREE FROM VERMIN AND PESTS. THE PREMISES WILL NOT BE FUMIGATED WHILE CHILDREN ARE IN ATTENDANCE. THE BUILDING WILL BE FITTED WITH APPROPRIATE DEVICES TO PREVENT CHILDREN FROM GANING ACCESS TO POWER POINTS OR OTHER ELECTRICAL OUTLETS, AND TO MINIMISE THE RISK OF ELECTRICAL SHOCKS ARISING FROM ELECTRICAL WIRING.

THE PREMISES WILL BE KEPT CLEAN FROM RUBBISH, GARBAGE AND RUBBLE.

NAPPY CHANGE FACILITIES

NAPPY CHANGING FACILITIES WILL BE PROWDED IN A SEPARATE AREA NOT ACCESSIBLE TO CHILDREN UNLESS SUPERVISED AND WILL INCLUDE SOLID BENCHES (900mm WIDE), IMPERVIOUS WASHABEL MATS (1 PER 10 CHILDREN), HADN WASHING FOR STAFF, SANITARY FACILITIES FOR SOILED ANPPIES, STORAGE FOR CLEAN NAPPIES, AND A CONTAMINATED WASTE DISPOSAL UNIT.

ALSO PROWDED IS AN AGE APPROPRIATE WASHING FACILITY WITH TEMPERATURE REGULATED HOT AND COLD RUNNING WATER IN THE NAPPY CHANGE AREA.

STORAGE ROOMS ARE PROVIDED IN ALL PLAYROOMS FROM 1 YEAR AND OVER WITH CHILD PROOF DOORS AND HANDLES. OUTDOOR STORAGE FACLITIES ARE TO BE PROVIDED FOR EXTERNAL PLAY EQUIPMENT, REFER TO PLANS FOR LOCATION.

LOCATION.

LOCKERS FOR EACH CHILD ARE PROVIDED IN EACH PLAYROOM.

STORAGE FACILITIES

THERE WILL BE AT LEAST 2 TELEPHONES IN THE CENTRE FOR CONTACTING ANY EMERGENCY SERVICE NEEDED

UNENCUMBERED SPACE AMOUNTS

SCHEDULE OF PLAY AREAS

PROPOSED

REQUIRED

LOCATION

39.00sqm (3.25sqm/Child) 32.50sqm (3.25qm/Child)

SLEEPING FACILITIES

THE DEDICATED COT ROOMS ARE DESIGNED TO ALLOW EASY ACCESS BEWEEN EACH COT. ALL COTS TO COMPLY WITH AS/NZS2172 OR AS/NZS2195.

THERE WILL BE ADEQUATE NUMBERS OF COTS/SLEEPING MATS FOR EACH CHILD EACH TIME.

NO CHILD OVER THE AGE OF 2 (EXCEPT WITH WRITTEN CONSENT FROM PARENTS) SLEEPS IN A ROOM WITH AN ADULT SLEEPING.

NO CHILD OVER THE AGE OF 7 WILL SLEEP IN THE SAME ROOM AS ANOTHER CHILD OVER THE AGE OF 7 WILL SLEEP IN THE SAME ROOM AS ANOTHER CHILD OF THE OPPOSITE SEX WHO IS NOT A RELATIVE. ALL PLAY EQUIPMENT, BOTH INDOOR AND OUTDOOR, MUST NOT BE ABLE TO INJURE ANY CHILD BY ETHER FALL FROM A HEIGHT, SHARP EDGES, PINCHING, CRUSHING OR TRAPPING.
ALL EQUIPMENT MUST BE IN GOOD WORKING ORDER AT ALL TIMES.
ALL SURRAGES IN THE PLAYGROUND AREAS MUST COMPLY WITH AS4422 REQUIREMENTS. DEVELOPMENT AND PLAY EQUIPMENT

THE CENTRE MUST BE EQUIPPED WITH A SUITABLE AND FULLY STOCKED FIRST AID KIT, A KIND APPROVED BY WORKCOVER AUTHORITY UNDER THE OH&S ACT 2000.

HE FIRST AID KIT AND THE INACCESSIBLE TO CHILDREN, BUT READILY ACCESSIBLE TO ALL STAFF.

ACCESSIBLE TO ALL STAFF.

ADULT AND CHILD CARDIO—PULMONARY RESUSCITATION CHARTS MUST BE DISPLAYED IN A PROMINENT POSITION BOTH INSIDE AND OUT.

all hot water accessible to children must be regulated to keep The Temperature from these outlets below 43.5' degrees celsius

	MEMBER	SCHEDULE
MARK	SIZE DEPTH×WIDTH	COMMENTS
DOORS		
10	2100x1660	EXT DOOR 2100×1000 ALUMINIUM FRAMED GLASS PANELS FULL HEIGHT WITH 2100 HIGH FIXED GLASS PANEL WINDOW
D2	2040x920	INT DOOR SOLID
03	2040x920	INT DOOR WITH GLASS PANEL HIGH
D4	2040x920	INT SPLIT DOOR WITH GLASS PANEL HIGH
05	2040x820	FIRE RATED -/120/30 WITH SELF CLOSING MECHANISM
90	2040x3224	INT 3 DOOR STACKER
D7	2100×1000	EXT DOOR 2100x1000 ALUMINIUM FRAMED GLASS PANELS FULL HEIGHT
D8	2100x2170	EXT SINGLE DOOR SLIDER
60	2100×1200	ROLLER DOOR
WINDOWS		
W1	1800x610	FIXED PANEL
W2	490×1090	FIRE RATED GLASS BRICKS
W3	1490x490	FIRE RATED GLASS BRICKS
W4	690x1290	FIRE RATED GLASS BRICKS
W5	1030x610	FIXED PANEL
9,4	1800x850	
W7	1000x1800	
W8	600x1100	FIXED PANEL
6M	1000x1100	
W10	1000×900	FIXED PANEL
SKLIGHTS		
SL1	1180x550	FIXED PANEL
GATES		
61	1200×920	POOL STYLE GATE WITH SHELF CLOSING HINGES AND CHILD PROOF LOCK
62	1200×1000	POOL STYLE GATE WITH SHELF CLOSING HINGES AND CHILD PROOF LOCK
63	1800×1000	STEEL FRAMED TIMBER CLAD SECURITY GATE WITH LOCKABLE LATCH

NOTES:
1. WINDOW AND DOOR SIZES MAY VARY BETWEEN MANUFACTURERS.
BUILDER TO CONFIRM WINDOW AND DOOR SIZES PRIOR TO WALL
FRAMES BEING MANUFACTURED

DOOR HARDWARE TO BE LOCATED AT 1550mm ABOVE FLOOR LEVEL EXCEPT FOR DISABLED TOILET WHERE HARDWARE IS TO BE LOCATED 1000mm ABOVE FOOR LEVEL 7

ALL DOOR FRAMES TO HAVE A 30% LUMINANCE CONTRAST WITH DOORS

40.90sqm 33.50sqm (3.3sqm/Child) 66.90sqm (3.3ssqm/Child) 299.40sqm (7.13sqm/Child) 145.30sqm (3.46sqm/Child)

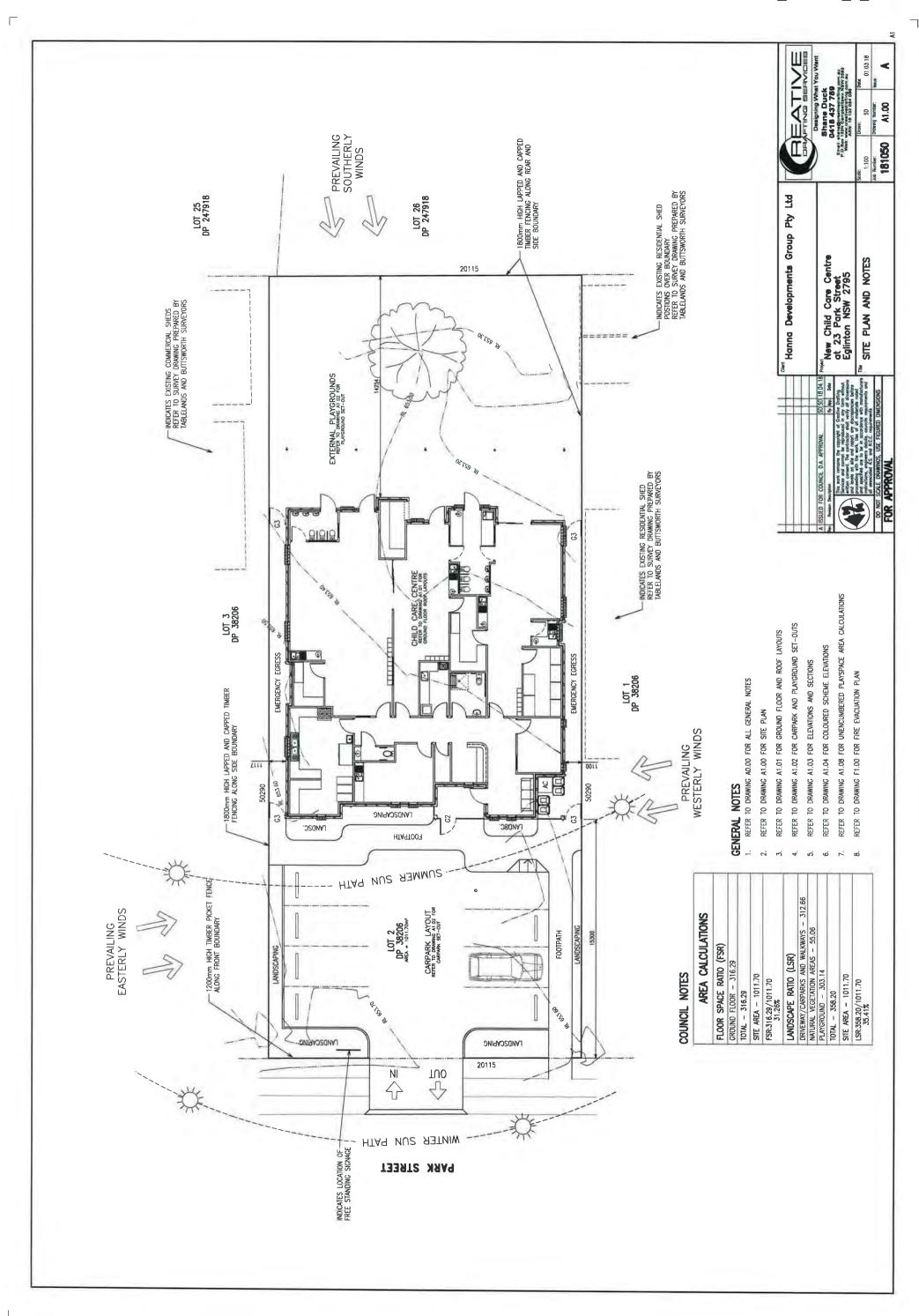
PLAY ROOM 1 (0–1Yrs)
Designed for 12 Children
PLAY ROOM 2 (2–3Yrs)
Designed for 10 Children
PLAY ROOM 3 (3–5Yrs)
Designed for 20 Children
PLAYGROUNDS TOTAL
Designed for 42 Children
EXTERNAL SHADE
Designed for 42 Children

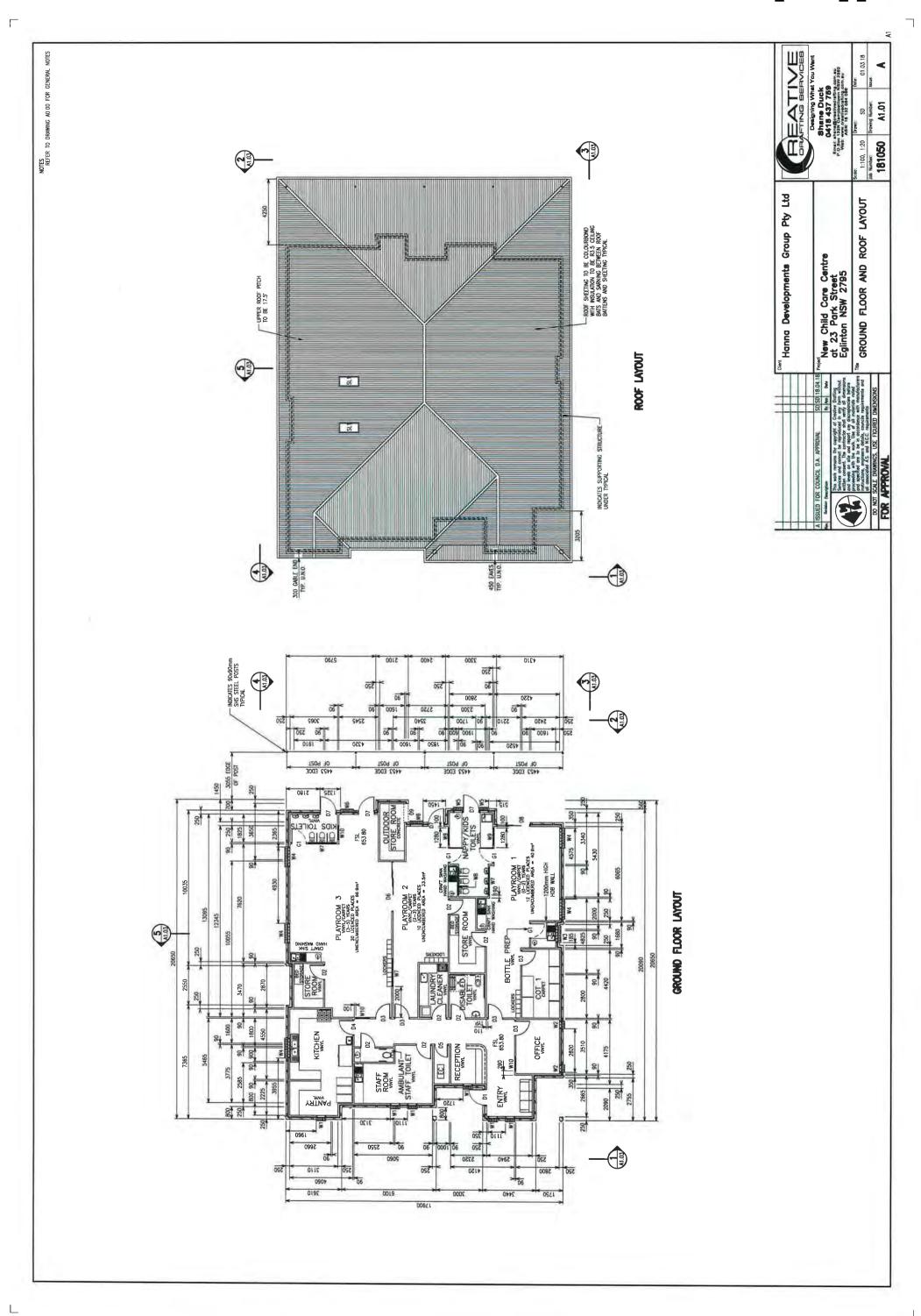
65.00sqm (3.25qm/Child) 294.00sqm (7.00sqm/Child) 105.00sqm (2.50sqm/Child)

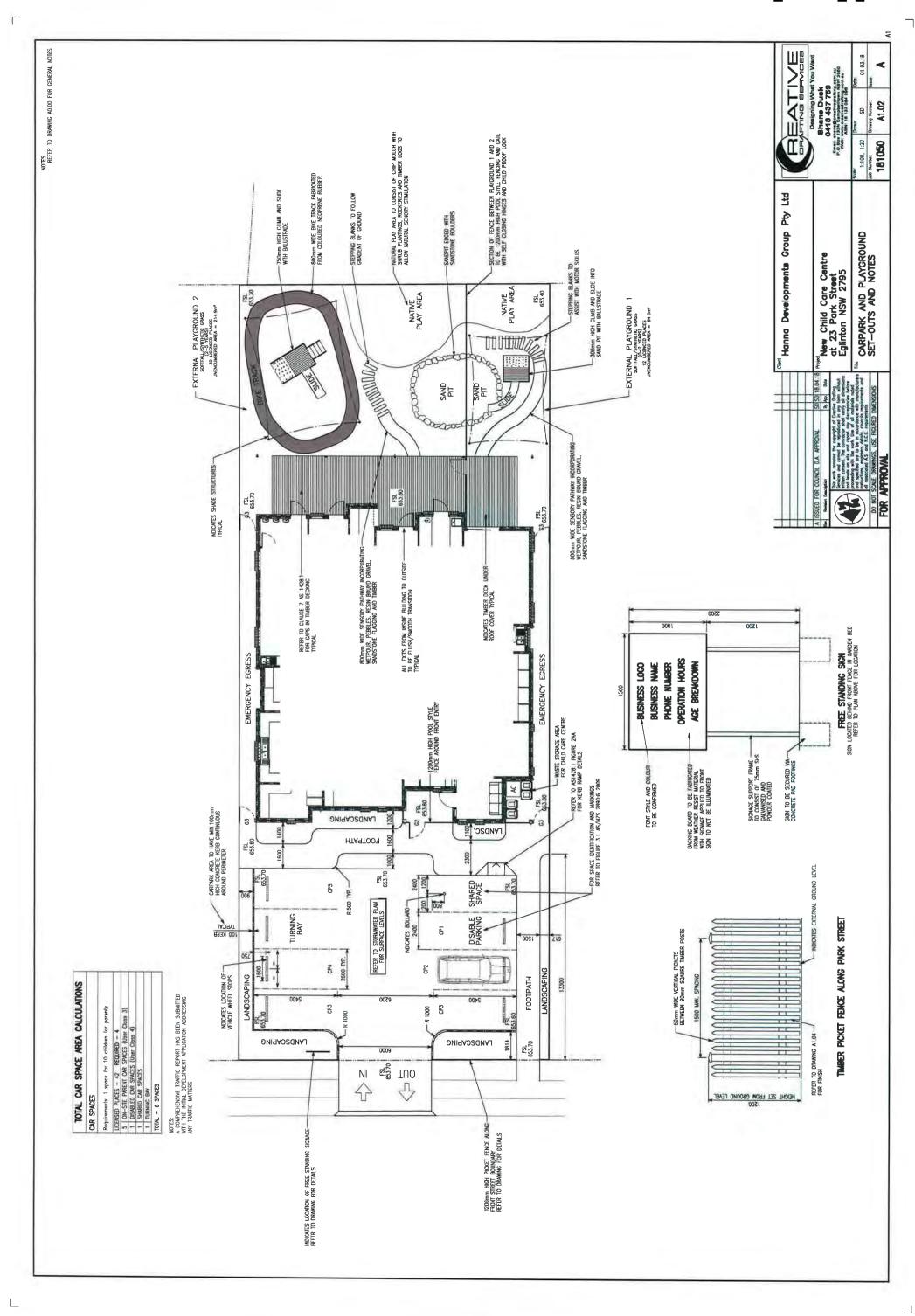
		Hanna Developments Group Pty Ltd		1
			DRAFTING BERVICES	II 8
A ISSUED FOR COUNCIL D.A. APPROVAL	SDISDI 18 04 18	Project	Designing What You Want	/ant
New Revision Description	By. App. Date	New Child Care Centre	044 447 780	
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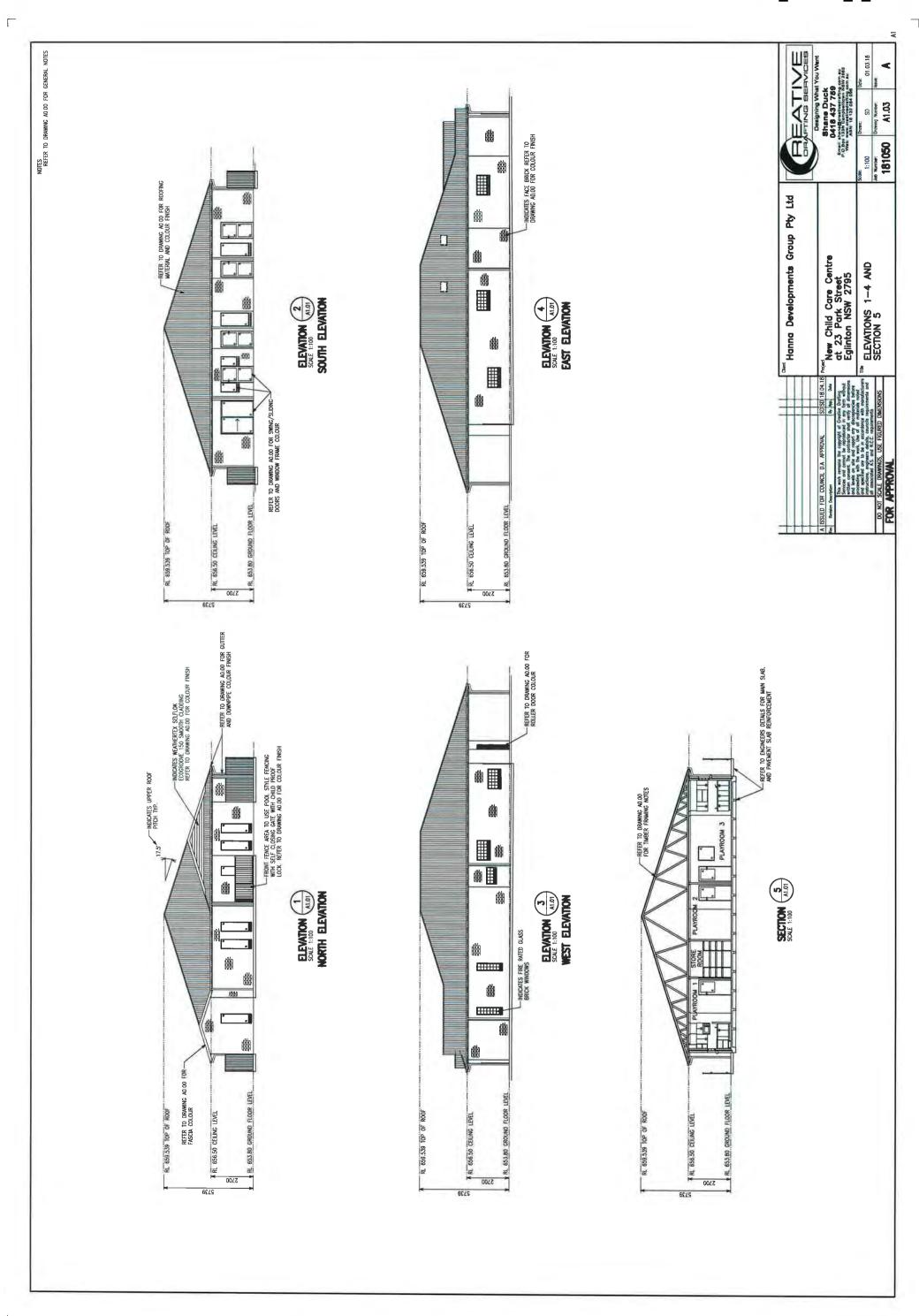
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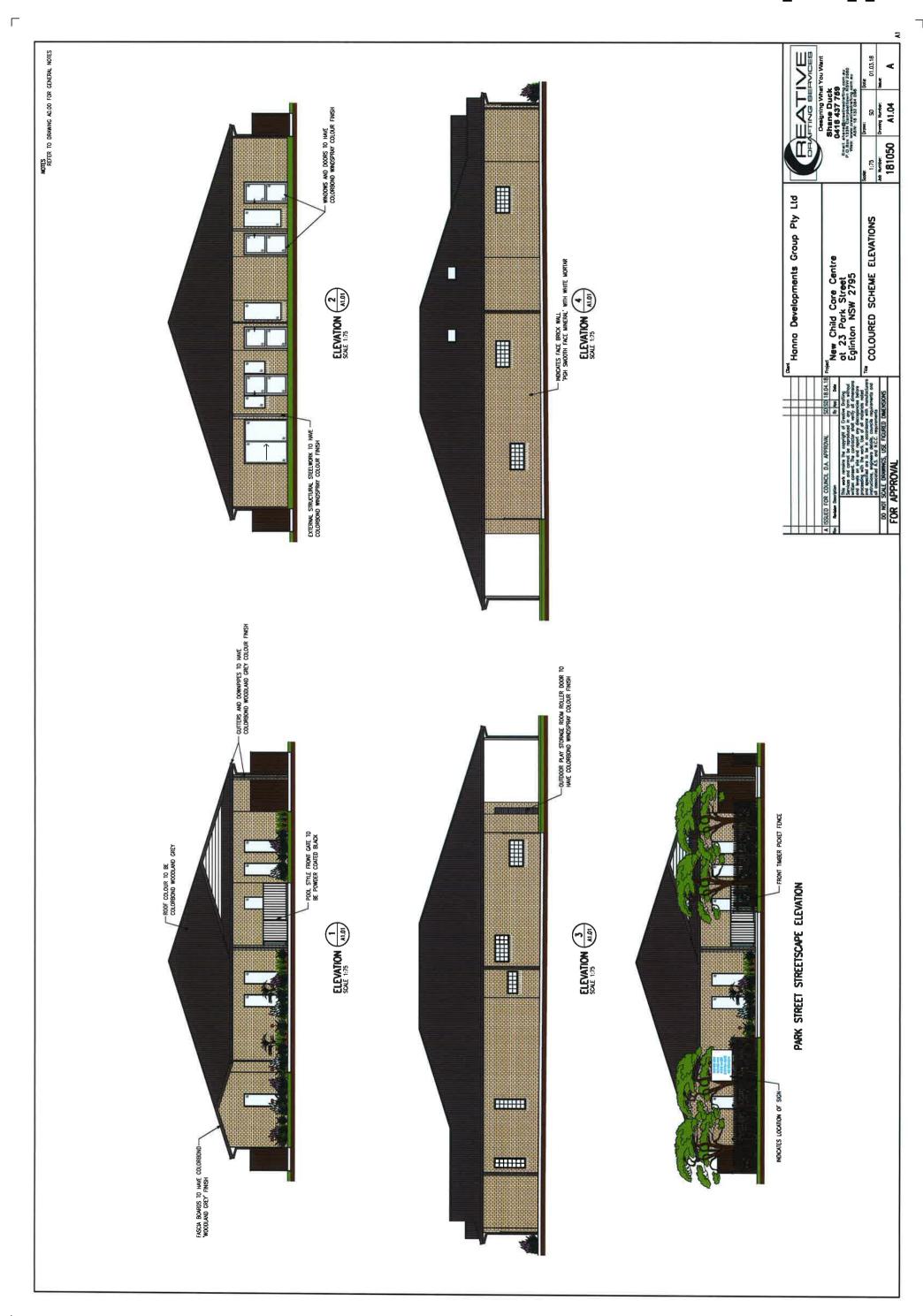
2 of 8







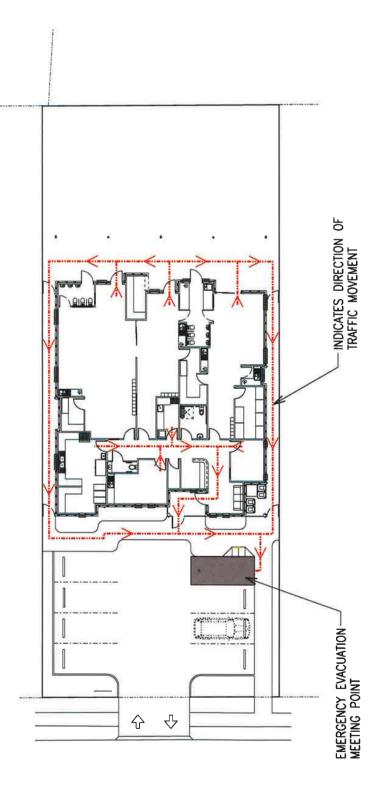




 \Box



NIS Jo Norter: 181050



EMERGENCY EVACUATION PLAN

REMEMBER

Test all doors before opening them for heat and smoke, and remember to close asll doors/windows as you evacuate (if safe to do so)
Stay low to avoid the effects of smoke, use a cloth over your mouth (sook in water if available)
GET OUT FAST, once you have spotted smoke or flames, alert others and evacuate the building via the closest safe exit route DO NOT re-enter the building once out. Stay out and await for assistance from the responding Emergency Services

RACE!)
(Remember
FIRE
P
CASE
Z

R EMOVE PEOPLE FROM DANCER AREA if safe to do so. Do not obstruct Exits and Exit Route

C ONFINE FIRE AND SMOKE close all doors behind you and where practicable windows A LERT PEOPLE NEARBY AND RAISE AN ALARM Dail 00 and ask for Fire Brigade

E XTINGUISH OR CONTAIN FIRE/EVACUATE
If trained and if safe to do so, operate appropriate
extinguishers/fire hose reels



Acoustics Vibration Structural Dynamics

23 PARK STREET, EGLINTON

Noise Assessment for Proposed Childcare Centre

18 June 2018

Hanna Developments Group Pty Ltd

TK283-01D01 Noise Assessment (r0)





2 of 29

RENZO TONIN & ASSOCIATES

Document details

Detail	Reference
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Prepared for:	Hanna Developments Group Pty Ltd
Address:	PO Box 2230
	Smithfield NSW 2164
Attention:	MR ANTHONY HANNA

Document control

Date	Revision history	Non-issued revision	Issued revision	Prepared	Instructed	Authorised
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Important Disclaimer:

The work presented in this document was carried out in accordance with the Renzo Tonin & Associates Quality Assurance System, which is based on Australian Standard / NZS ISO 9001.

This document is issued subject to review and authorisation by the Team Leader noted by the initials printed in the last column above. If no initials appear, this document shall be considered as preliminary or draft only and no reliance shall be placed upon it other than for information to be verified later.

This document is prepared for the particular requirements of our Client referred to above in the 'Document details' which are based on a specific brief with limitations as agreed to with the Client. It is not intended for and should not be relied upon by a third party and no responsibility is undertaken to any third party without prior consent provided by Renzo Tonin & Associates. The information herein should not be reproduced, presented or reviewed except in full. Prior to passing on to a third party, the Client is to fully inform the third party of the specific brief and limitations associated with the

In preparing this report, we have relied upon, and presumed accurate, any information (or confirmation of the absence thereof) provided by the Client and/or from other sources. Except as otherwise stated in the report, we have not attempted to verify the accuracy or completeness of any such information. If the information is subsequently determined to be false, inaccurate or incomplete then it is possible that our observations and conclusions as expressed in this report may change.

We have derived data in this report from information sourced from the Client (if any) and/or available in the public domain at the time or times outlined in this report. The passage of time, manifestation of latent conditions or impacts of future events may require further examination and re-evaluation of the data, findings, observations and conclusions expressed in

We have prepared this report in accordance with the usual care and thoroughness of the consulting profession, for the sole purpose described above and by reference to applicable standards, guidelines, procedures and practices at the date of issue of this report. For the reasons outlined above, however, no other warranty or quarantee, whether expressed or implied, is made as to the data, observations and findings expressed in this report, to the extent permitted by law.

The information contained herein is for the purpose of acoustics only. No claims are made and no liability is accepted in respect of design and construction issues falling outside of the specialist field of acoustics engineering including and not limited to structural integrity, fire rating, architectural buildability and fit-for-purpose, waterproofing and the like. Supplementary professional advice should be sought in respect of these issues.

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1 Introduction

Renzo Tonin & Associates was engaged to assess environmental noise impacts from the proposed childcare centre to be located at 23 Park Street, Eglinton and its impact on nearby affected sensitive receivers. Noise impact from the proposed childcare centre is assessed in accordance with the requirements of Bathurst Regional Council.

The work documented in this report was carried out in accordance with the Renzo Tonin & Associates Quality Assurance System, which is based on Australian Standard / NZS ISO 9001. Appendix A contains a glossary of acoustic terms used in this report.

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2 Project Description

2.1 Background Information

Development consent is required for the proposed childcare centre to be located at 23 Park Street, Eglinton. The childcare centre will accommodate up to 42 children with the breakup of children in each age group as follows:

- 12 x 0-2 years old
- 10 x 2-3 years old
- 20 x 3-5 years old

The internal areas of the proposed childcare centre will consist of three indoor play rooms, cot room, staff room, store rooms, kitchen, laundry, office and amenities.

The site will accommodate an outdoor play area located in the rear yard of the proposed childcare centre site, with scheduled periods each day (weather permitted) of free play.

For modelling purposes and for a conservative assessment, the worst case scenario would be based on the following number of children playing in the outdoor play area concurrently:

- 12 x 0-2 years old
- 10 x 2-3 years old
- 20 x 3-5 years old

It is noted that however, play times may be staggered and not all children will be outdoors at any one time based on optimal noise management measures.

The childcare centre will accommodate seven (7) car parking spaces including one disabled parking space, located within the car parking area on the northern side of the childcare centre building. The car parking area will have driveway access to and from Park Street.

2.2 Hours of Operation

The proposed operating hours of the childcare centre will be as follows:

• 7.00am to 6.00pm, Monday to Friday

Outdoor play is expected to occur at any time during the day time operating hours of the childcare centre.

RENZO TONIN & ASSOCIATES

2.3 Noise Issues

It is anticipated that noise from the childcare centre will essentially emanate from the following sources:

- Operational noise from the use of the proposed childcare centre including:
 - Intermittent noise from the outdoor play area and indoor areas;
 - Noise generated during the hours of operation by mechanical plant; and
 - Traffic noise generated by vehicle movement in the car park.
- Road traffic noise on public roads generated by vehicles associated with the childcare centre.

It is noted that the proposed childcare centre building will be mechanically ventilated through the use of air conditioners. Consequently, all windows and doors will be closed during the use of indoor areas of the centre. Noise emission from internal playrooms with all windows and doors closed is not considered to be a significant noise source and is therefore not further addressed in this report.

Furthermore, existing traffic flows along Park Street are minimal as it operates only as a local road, and as a consequence, noise imissions as a result of traffic noise from Park Street impacting on the proposed childcare centre and the outdoor play area is expected to be insignificant and therefore, will not be assessed further from herein.

2.4 Noise Sensitive Receivers

Residential properties potentially impacted upon by noise emissions from the proposed childcare centre were identified as follows:

Table 2.1 - Receiver Locations

Receiver ID	Receiver Type	Address	Description
R1	Residential	25 Park Street (front yard)	Front yard receiver location of the single storey residential property directly to the west of the site. Receiver location potentially impacted by noise from car park activity
R2	Residential	25 Park Street (rear yard)	Rear yard receiver location of the single storey residential property directly to the west of the site. Receiver location potentially impacted by noise from the outdoor play area
R3	Residential	17 Lamont Place (rear yard)	Rear yard receiver location of the single storey residential property located directly to the south of the site. Receiver location potentially impacted by noise from the outdoor play area
R4	Residential	19 Lamont Place (rear yard)	Rear yard receiver location of the single storey residential property located directly to the south of the site. Receiver location potentially impacted by noise from the outdoor play area
R5	Residential	21 Park Street (rear yard)	A residential rear yard receiver location of the single storey mixed use property located directly to the east of the site. Receiver location potentially impacted by noise from the outdoor play area
R6	Commercial	21 Park Street (front yard)	A commercial front yard receiver location of the single storey mixed use property located directly to the east of the site. Receiver location potentially impacted by noise from car park activity

Receiver ID	Receiver Type	Address	Description
R7	Residential	24 Park Street (front yard)	Front yard receiver location of the single storey residential property located across Park Street north of the site. Receiver location potentially impacted by noise from car park activity

Figure 1 below shows the site, surrounds and the receiver locations.

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18 JUNE 2018

Figure 1 – Site, Surrounds and Monitoring & Receiver Locations



3 Acoustic Environment

Background noise varies over the course of any 24 hour period, typically from a minimum at 3am in the morning to a maximum during morning and afternoon traffic peak hours. Therefore, the NSW Noise Policy for Industry (NPfl, Environment Protection Authority 2017) requires that the level of background and ambient noise be assessed separately for the daytime, evening and night-time periods. The NPfl defines these periods as follows:

- Day is defined as 7:00am to 6:00pm, Monday to Saturday and 8:00am to 6:00pm Sundays & Public Holidays.
- Evening is defined as 6:00pm to 10:00pm, Monday to Sunday & Public Holidays.
- Night is defined as 10:00pm to 7:00am, Monday to Saturday and 10:00pm to 8:00am Sundays
 & Public Holidays.

3.1 Noise Monitoring Location

For this assessment, long term noise monitoring was carried out at the following location between Friday 25th May and Friday 8th June 2018.

• Location M1 – 23 Park Street, Eglinton

Long term unattended noise monitoring was undertaken in the rear yard of the proposed childcare centre site. The noise environment was dominated by natural sounds (birds, insects, etc.) and general neighbourhood noise.

Background and ambient noise levels at this location were considered representative of all surrounding residential receivers.

Figure 1 presents the noise monitoring location.

Appendix A of this report presents a description of noise terms. The graphical recorded output from the long term noise monitoring is included in Appendix B. The graphs in Appendix B were analysed to determine an assessment background level (ABL) for each day, evening and night period in each 24 hour period of noise monitoring, and based on the median of individual ABLs an overall single Rating Background Level (RBL) for the day, evening and night period is determined over the entire monitoring period in accordance with the NSW 'Noise Policy for Industry' (NPfl).

3.2 Existing Background Noise Levels

Existing background noise levels during the weekday period, representing the operating period of the proposed childcare centre, are presented in Table 3.1 below.

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Table 3.1 – Measured Existing L_{A90} Background Noise Levels, dB(A)

Lastin	L _{A9}	₀ Background Noise Lev	rels ¹
Location	Day	Evening	Night
Location M1 – 23 Park Street, Eglinton	35	28	23

Notes: 1. Background noise levels for the weekday period only, which represents the operating period of the proposed childcare centre

Given that the proposed childcare centre will operate during the day period, only the day period will be assessed from herein.

4 Operational Noise Assessment

4.1 Operational Noise Criteria

Bathurst Regional Council does not have specific noise guidelines relating to the operation of childcare centres. Therefore, operational noise impact from the proposed childcare centre to the surrounding residential receivers will be assessed in accordance with the noise criteria stipulated in the Association of Australian Acoustical Consultants (AAAC) 'Guideline for Child Care Centre Acoustic Assessment' (October 2013).

4.1.1 Outdoor Area

The following noise criteria as presented in the AAAC Guideline have been adopted for the operation of the outdoor play areas of the proposed child care centre.

"Outdoor Play Up to 2 hours (total) per day – The $L_{Aeq,15 min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 10 dB at the assessment location.

More than 2 hours per day – The $L_{Aeq,15 min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dB at the assessment location.

The assessment location is defined as the most affected point on or within any residential receiver property boundary. Examples of this location may be:

- 1.5 m above ground level, or
- on a balcony at 1.5 m above floor level, or
- outside a window on the ground or higher floors."

It is anticipated that the use of the outdoor play areas may occur for more than two hours a day; therefore, the following criterion has been adopted for the proposed childcare centre:

• $L_{Aeq,15minute} \le Background noise level + 5dB(A)$

The AAAC Guideline also provides noise criteria for commercial receptors, which states the following:

"The L_{Aeq, 15 min} noise level emitted from the Child Care Centre shall not exceed 65 dB(A) when assessed at the most affected point at or within any commercial property boundary."

Thus, the following criterion has been adopted for the commercial receivers surrounding proposed childcare centre:

 $\bullet \qquad L_{Aeq,15minute} \ \le \ 65dB(A)$

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Therefore, based on the above AAAC requirements and the background noise level established in Section 3.2, the applicable noise criteria for each receiver location are presented in Table 4.1 below.

Table 4.1 – Residential and Commercial Noise Criteria for Proposed Childcare Centre, dB(A)

Receiver Location	Applicable Noise Criteria – L _{Aeq, 15 min}
Receiver R1 – 25 Park Street (front yard)	
Receiver R2 – 25 Park Street (rear yard)	
Receiver R3 – 17 Lamont Place (rear yard)	35 + 5 = 40
Receiver R4 – 19 Lamont Place (rear yard)	
Receiver R5 – 21 Park Street (rear yard)	
Receiver R6 – 21 Park Street (front yard)	65
Receiver R7 – 24 Park Street	35 + 5 = 40

4.1.2 Mechanical Plant and Car Park

The following noise criteria as presented in the AAAC Guideline have been adopted for noise from mechanical plant and the car park area servicing the proposed childcare centre.

"The $L_{\text{eq,15min}}$ noise level emitted from the cumulative noise impact of children playing indoors, mechanical plant and traffic on the site shall not exceed the background noise level by more than 5 dB at the assessment location."

Therefore, based on the above requirement and the background noise levels established in Section 3.2, the applicable noise criteria for each receiver location are as follows.

Table 4.2 – Residential and Commercial Noise Criteria for Mechanical Plant and Car Park, dB(A)

Receiver Location	Applicable Noise Criteria – L _{Aeq, 15 min}
Receiver R1 – 25 Park Street (front yard)	
Receiver R2 – 25 Park Street (rear yard)	
Receiver R3 – 17 Lamont Place (rear yard)	35 + 5 = 40
Receiver R4 – 19 Lamont Place (rear yard)	
Receiver R5 – 21 Park Street (rear yard)	
Receiver R6 – 21 Park Street (front yard)	65
Receiver R7 – 24 Park Street	35 + 5 = 40

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4.2 Noise Sources

4.2.1 Outdoor Play Areas

As previously stated, the childcare centre will cater for up to 42 children in total, comprising of:

- 12 x 0-2 years old
- 10 x 2-3 years old
- 20 x 3-5 years old

The sound power levels recommended in the AAAC Guideline have been used in the noise calculations for the outdoor play areas. The AAAC Guideline gives a range of noise levels for different age groups of children playing as shown in Table 4.3.

Table 4.3 – AAAC Sound Power Levels for Groups of 10 Children Playing, dB(A) re. 1pW

Number of children	Sound Power Level dB(A)		
10 children ages 0 to 2 years	77 to 80		
10 children aged 2 to 3 years	83 to 87		
10 children aged 3 to 6 years	84 to 90		

By way of explanation the "sound power level" is not the same as the "sound pressure level". The "sound power level" is the source emission strength analogous to the wattage of a light bulb (a higher wattage producing a higher light intensity at any distance). Having established the sound power level of children at play, the sound pressure level then decreases with distance and is further reduced by interposed acoustic barriers.

Experience with other childcare centres shows that if one were to adopt the highest values in Table 4.3 for calculations, this predicts noise levels that are too high compared with the measured noise levels. Instead, if the logarithmic average of the highest and lowest values is used, this results in a realistic assessment for children engaged in active play. Taking the logarithmic average is skewed towards the higher values as shown in the following Table 4.4.

Table 4.4 - Adopted Sound Power Levels for Groups of 10 Children in Active Play, dB(A) re. 1pW

Number of children	Sound Power Level dB(A)
10 children ages 0 to 2 years	79
10 children aged 2 to 3 years	85
10 children aged 3 to 6 years	88

The sound power levels are then scaled to take into consideration the actual number of children at the proposed childcare centre in each age group to enable prediction of noise levels to receiver locations.

Table 4.5 shows the sound power levels used in the calculations, when converted for the appropriate number of children in each age group.

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Table $4.5 - L_{Aeq(15min)}$ Sound Power Level of Children Playing Outside, dB(A) re. 1pW

Noise Source	L _{Aeq(15min)} Sound Power Level		
12 x 0-2 years old children	80		
10 x 2-3 years old children	85		
20 x 3-5 years old children	91		

4.2.2 On Site Vehicle Movement

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The car park area of the proposed childcare centre is to be located on the northern side of the childcare centre, with driveway access to and from Park Street.

Noise generated by car park activities that typically contribute to the overall L_{Aeq} noise level emission from a site includes doors closing, vehicle engines starting and vehicles moving. To assess the impact of these noises, the L_{Aeq} noise levels were determined for the relevant period based on the number of vehicle activities expected to occur during that period at the nearest affected residential and commercial premises. Sound power level measurements from our database and library files have been used for the purpose of this assessment.

The sound power level of the car park activity which is anticipated to impact the nearest affected receivers is shown in Table 4.6 below.

Table 4.6 - Sound Power Levels of Car Park Activities

Activity	Sound Power Level, dB(A) re. 1pW
Vehicle door closing	86
Vehicle engine starting	92
Vehicle moving (10km/h) per metre	79

The number of vehicle movements for the proposed childcare centre was based on the traffic and parking statement prepared by Traffic Solutions Pty Ltd (ref. 17.18.088, dated 21 May 2018). The report predicts the peak number of vehicle movements from parents dropping off / picking up children (ie. not staff vehicles) occurring during the 7:00am to 9:00am morning peak period, to be 37 trips (19 in / 18 out). Therefore, the vehicle movements during the morning peak <u>one hour</u> period have been assumed to be 37 trips (19 in / 18 out).

4.2.3 Mechanical Plant

The details and noise emission levels of mechanical plant items to be installed are yet to be finalised at this early DA stage of the project. Therefore, noise emissions from these sources are dealt with in a general manner in the following sections of this report.

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4.3 Predicted Noise Level

Noise emissions were predicted by modelling the noise sources, receiver locations, topographical features of the intervening area, and possible noise control treatments using CadnaA (version 2018) noise modelling computer program. The modelling program calculates the contribution of each noise source at each specified receiver point and allows for the prediction of the total noise from a site.

The noise prediction model takes into account:

- Location of noise sources and receiver locations;
- Height of sources and receivers;
- Separation distances between sources and receivers;
- Ground type between sources and receivers (hard/soft); and
- Attenuation from barriers (natural and purpose built).

The noise predictions are based on the following architectural drawings prepared by Creative Drafting Services.

Table 4.7 – Architectural Drawings

Drawing Number	Revision	Date
181050-A0.00	A	18/04/2018
181050-A1.00	A	18/04/2018
181050-A1.01	A	18/04/2018
181050-A1.02	A	18/04/2018
181050-A1.03	A	18/04/2018
181050-A1.04	A	18/04/2018
181050-A1.05	А	18/04/2018
181050-F1.00	А	18/04/2018

It is noted that noise predictions include losses due to shielding provided by the proposed **1.8m** high lapped and capped timber boundary fence along the boundaries of the site, as shown in the architectural drawings.

Furthermore, the noise predictions also consider attenuation due to distances and shielding from buildings (eg. garages, childcare centre building, etc) and roof coverings.

4.3.1 Outdoor Play Areas

Predicted noise levels for outdoor play areas are based on the worst case scenario presented in Section 2.1 above.

Table 4.8 below presents the predicted noise levels from children playing in the outdoor play areas impacting on the nearby affected receiver locations.

Table 4.8 – Predicted L_{Aeq (15 min)} Noise Levels from Outdoor Play Areas, dB(A)

Receiver ID	Noise Criteria	Predicted Noise Levels	Comply?
Receiver R1 – 25 Park Street (front yard)	40	29	Yes
Receiver R2 – 25 Park Street (rear yard)	40	45	No, exceed by 5dB(A)
Receiver R3 – 17 Lamont Place (rear yard)	40	49	No, exceed by 9dB(A)
Receiver R4 – 19 Lamont Place (rear yard)	40	46	No, exceed by 6dB(A)
Receiver R5 – 21 Park Street (rear yard)	40	39	Yes
Receiver R6 – 21 Park Street (front yard)	65	32	Yes
Receiver R7 – 24 Park Street	40	26	Yes

Notes: 1. **Bold** font indicates exceedance of the applicable noise criterion

Results presented in Table 4.8 above indicate that the noise impacts from the proposed childcare centre are predicted to exceed the applicable criteria at Receivers R2, R3 and R4.

Therefore, further noise mitigation measures in addition to the proposed 1.8m high boundary fences presented in the architectural drawings would be required to reduce noise to accepted levels.

4.3.2 Car Park Vehicle Movement on Site

Noise levels from car park vehicle activities have been predicted to the nearest affected receiver locations. The predictions are based on 37 vehicle movements (19 in and 18 out) into and out of the car park by visitors / parents' during the morning peak one hour period. It is noted that car park noise is only assessed to the receiver locations potentially impacted by noise from the car park, namely Receivers R1, R6 and R7.

Table 4.9 - Predicted L_{Aeq (15 min)} Noise Levels from Car Park Activities, dB(A)

Receiver ID	Noise Criteria	Predicted Noise Levels	Comply?
Receiver R1 – 25 Park Street (front yard)	40	35	Yes
Receiver R6 – 21 Park Street (front yard)	65	35	Yes
Receiver R7 – 24 Park Street	40	36	Yes

Notes: 1. Only assessed at receiver locations potentially impacted by the car park. Other receivers not impacted due to shielding provided by the childcare centre building or other buildings (eg. dwellings, garages, sheds, etc)

Results presented in Table 4.9 above indicate that the noise impact from car park activities complies with the nominated criteria. Therefore, no further noise mitigation measures are required to reduce noise from the car park activities.

4.4 Recommendation

The following recommendations provide in-principle noise control solutions to maintain noise compliance at the noise sensitive receivers. This information is presented for the purpose of Council

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approvals process and cost planning and shall not be used for construction unless otherwise approved in writing by the acoustic consultant. Assistance of an acoustic consultant must be sought at the detailed design phase of these works to provide the necessary design details and specifications.

Before committing to any form of construction or committing to any contractor, advice should be sought from an acoustic consultant to ensure that adequate provisions are made for any variations which may occur as a result of changes to the design and form of construction.

The advice provided here is in respect of acoustics only. Supplementary professional advice may need to be sought in respect of fire ratings, structural design, buildability, fitness for purpose and the like.

4.4.1 Physical Mitigation

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In addition to the proposed fences shown in the architectural drawings, the boundary fence south of the outdoor play area should be increased to a minimum height of **2.4m** above the ground level. The extents of the recommended fences are shown in Figure 2.

The construction of all the fences can be from any durable material with sufficient mass to prevent direct noise transmission eg. masonry, steel, fibrous-cement, timber, acrylic or polycarbonate, selected to withstand the weather elements. A double-skinned profiled sheet steel construction with a cavity between the sheets and each sheet having 0.6mm minimum base metal thickness (eg 'Colorbond' fence or similar) or 1 layer of 9mm Fibrous Cement (FC) sheeting is adequate for use as a noise screen. A treated timber lapped and capped fence could be used, provided it has no gaps so that it can perform as an effective noise screen.

Additionally, solid transparent acrylic (eg. Perspex) panels can be used to make up the additional required height of the boundary fences to provide noise attenuation benefits.

In addition to the above, all boundary and playground fences should give regard to the following to maintain acoustic integrity and for the fences to perform as noise screens:

- Any penetrations through the fabric of the fence should be sealed air tight.
- All joints and gaps between fence panels / planks should be sealed air tight.
- Any gaps between fences and the ground should be filled to ensure that the fence provides appropriate noise attenuation.



HANNA DEVELOPMENTS GROUP PTY LTD TK283-01F01 NOISE ASSESSMENT (R1)

23 PARK STREET, EGLINTON NOISE ASSESSMENT FOR PROPOSED CHILDCARE CENTRE

4.4.2 Management Measures

In addition to the acoustic fences recommended in Section 4.4.1, the following management measures should be implemented as part of the operation of the proposed childcare centre:

- The number of children in the outdoor play area at any one time should be limited to the following:
 - 12 x 0-2 years old and 10 x 2-3 years old

OR

- 10 x 3-5 years old
- Signs should be erected at appropriate, prominent locations, to advise the following:
 - that staff and parents converse at a very low volume;
 - that parents not call out to their children when delivering or collecting their children;
 and
 - that gates not be slammed.
- Children who are loudly crying outdoors should be comforted by staff and if the child continues to cry loudly then they should be taken inside.
- No music should be played in any outdoor areas at any time.

4.4.3 Mechanical Plant

Mechanical plant associated with the childcare centre has the potential to impact on nearby residential properties. However, as details for mechanical plant are not available at this stage of the development, the following in-principle noise management measures are provided for mechanical plant servicing the proposed development.

- Acoustic assessment of mechanical services equipment will need to be undertaken during the
 detail design phase of the development to ensure that they shall not either singularly or in
 total emit noise levels which exceed the noise limits specified in Section 4.1.2.
- Mechanical plant noise emission can be controllable by appropriate mechanical system
 design and implementation of common engineering methods that may include any of the
 following:
 - procurement of 'quiet' plant;
 - strategic positioning of plant away from sensitive neighbouring premises, maximising the intervening shielding between the plant and sensitive neighbouring premises;
 - commercially available silencers or acoustic attenuators for air discharge and air intakes of plant;

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- acoustically lined and lagged ductwork;
- acoustic screens and barriers between plant and sensitive neighbouring premises; and/or
- partially enclosed or fully enclosed acoustic enclosures over plant.
- Mechanical plant shall have their noise specifications and their proposed locations checked prior to their installation on site.

4.4.4 Predicted Noise Levels with Mitigation Measures

Based on the recommended acoustic fence and management measures presented above, the predicted noise levels from children playing in the outdoor play area impacting on the nearby receiver locations are presented in the table below.

Table 4.10 – Predicted L_{Aeg (15 min)} Noise Levels from Outdoor Play Areas with Mitigation, dB(A)

Receiver ID	Noise Criteria	Predicted Noise Levels	Comply?
Receiver R1 – 25 Park Street (front yard)	40	24	Yes
Receiver R2 – 25 Park Street (rear yard)	40	40	Yes
Receiver R3 – 17 Lamont Place (rear yard)	40	40	Yes
Receiver R4 – 19 Lamont Place (rear yard)	40	39	Yes
Receiver R5 – 21 Park Street (rear yard)	40	35	Yes
Receiver R6 – 21 Park Street (front yard)	65	28	Yes
Receiver R7 – 24 Park Street	40	23	Yes

From the prediction results detailed in Table 4.10 it can be concluded that the noise emissions from the outdoor play area will comply with the applicable criteria at all receiver locations when the recommended acoustic fences and management measures are implemented.

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5 Road Traffic Noise Assessment

Noise impact from the potential increase in traffic on Park Street due to the childcare centre's operation is assessed against the NSW 'Road Noise Policy' (RNP). The RNP sets out criteria to be applied to particular types of road and land uses. These noise criteria are to be applied when assessing noise impact and determining mitigation measures for developments that are potentially affected by road traffic noise associated with the proposed childcare centre, with the aim of preserving the amenity appropriate to the land use.

For a conservative assessment, Park Street is classified as a local road. Therefore, for "existing residences affected by additional traffic on existing local roads generated by land use development" the following road traffic noise criterion applies:

Day (7am to 10pm) – L_{Aeq(1 hour)} 55dB(A)

As discussed previously, traffic generation due to the proposed childcare centre was estimated to be up to 37 trips (19 in / 18 out) during the morning peak period. Furthermore, it is noted that Park Street currently has minimal traffic flows; therefore, the assessment of road traffic noise along Park Street has been based on traffic generated by the proposed childcare centre only.

Based on all the proposed 37 vehicle movements to occur along Park Street during the morning peak period, road traffic noise on public roads as a result of the proposed childcare centre was predicted for residences located along Park Street and presented in the table below.

Table 5.1 – Predicted L_{Aeq(1 hour)} Road Traffic Noise Levels along Park Street, dB(A)

Receiver	Criteria	Peak Hour Movements	Distance to Road	Predicted Noise Level	Comply
Residences on Park St	55	37 vehicles/hr	10m ¹	51	Yes

Notes: 1. Based on typical distance from facade of dwelling to road

Results presented in the table above indicate that traffic noise impacts from vehicle movements on public roads, namely Park Street, due to the proposed childcare centre will comply with the RNP noise criteria at affected residences.

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6 Conclusion

Renzo Tonin & Associates has completed an assessment of environmental noise impact from the proposed childcare centre to be located at 23 Park Street, Eglinton. Noise impact from the proposed childcare centre upon potentially affected receivers have been quantified and compared to relevant NSW guidelines and regulations and the AAAC noise guidelines for childcare centres.

Operational noise from the outdoor play area of the proposed childcare centre, was predicted to exceed the applicable noise criteria at the nearest affected receiver locations, while noise from car park activities were predicted to comply. Therefore, noise mitigation measures were recommended including inprinciple physical and management noise mitigation measures to reduce noise to acceptable levels.

Furthermore, traffic noise on public roads due to traffic generated by the proposed childcare centre was predicted to comply with the relevant RNP noise criteria for residences along Park Street.

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APPENDIX A Glossary of terminology

The following is a brief description of the technical terms used to describe noise to assist in understanding the technical issues presented.

Adverse weather	Weather effects that enhance noise (that is, wind and temperature inversions) that occur at a site for a significant period of time (that is, wind occurring more than 30% of the time in any assessment period in any season and/or temperature inversions occurring more than 30% of the nights in winter).		
Ambient noise	The all-encompassing noise associated within a given environment at a given time, usually composed of sound from all sources near and far.		
Assessment period	The period in a day over which assessments are made.		
Assessment point	A point at which noise measurements are taken or estimated. A point at which noise measurements are taken or estimated.		
Background noise	ckground noise is the term used to describe the underlying level of noise present in the ambient ise, measured in the absence of the noise under investigation, when extraneous noise is moved. It is described as the average of the minimum noise levels measured on a sound level eter and is measured statistically as the A-weighted noise level exceeded for ninety percent of a mple period. This is represented as the L90 noise level (see below).		
Decibel [dB]	The units that sound is measured in. The following are examples of the decibel readings of every day sounds: OdB The faintest sound we can hear 30dB A quiet library or in a quiet location in the country 45dB Typical office space. Ambience in the city at night 60dB CBD mall at lunch time 70dB The sound of a car passing on the street 80dB Loud music played at home 90dB The sound of a truck passing on the street 100dBThe sound of a rock band 115dBLimit of sound permitted in industry 120dBDeafening		
dB(A)	A-weighted decibels. The A- weighting noise filter simulates the response of the human ear at relatively low levels, where the ear is not as effective in hearing low frequency sounds as it is in hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter switched on is denoted as dB(A). Practically all noise is measured using the A filter.		
dB(C)	C-weighted decibels. The C-weighting noise filter simulates the response of the human ear at relatively high levels, where the human ear is nearly equally effective at hearing from mid-low frequency (63Hz) to mid-high frequency (4kHz), but is less effective outside these frequencies.		
Frequency	Frequency is synonymous to pitch. Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz.		
Impulsive noise	Having a high peak of short duration or a sequence of such peaks. A sequence of impulses in rapid succession is termed repetitive impulsive noise.		
Intermittent noise	The level suddenly drops to that of the background noise several times during the period of observation. The time during which the noise remains at levels different from that of the ambient is one second or more.		
L _{Max}	The maximum sound pressure level measured over a given period.		
L _{Min}	The minimum sound pressure level measured over a given period.		

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L ₁	The sound pressure level that is exceeded for 1% of the time for which the given sound is measured.	
L ₁₀	The sound pressure level that is exceeded for 10% of the time for which the given sound is measured.	
L ₉₀	The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L90 noise level expressed in units of dB(A).	
L _{eq}	The "equivalent noise level" is the summation of noise events and integrated over a selected period of time.	
Reflection	Sound wave changed in direction of propagation due to a solid object obscuring its path.	
SEL	Sound Exposure Level (SEL) is the constant sound level which, if maintained for a period of 1 second would have the same acoustic energy as the measured noise event. SEL noise measurements are useful as they can be converted to obtain Leq sound levels over any period of time and can be used for predicting noise at various locations.	
Sound	A fluctuation of air pressure which is propagated as a wave through air.	
Sound absorption	The ability of a material to absorb sound energy through its conversion into thermal energy.	
Sound level meter	vel meter An instrument consisting of a microphone, amplifier and indicating device, having a declared performance and designed to measure sound pressure levels.	
Sound pressure level	The level of noise, usually expressed in decibels, as measured by a standard sound level meter with a microphone.	
Sound power level	Ten times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power.	
Tonal noise	Containing a prominent frequency and characterised by a definite pitch.	

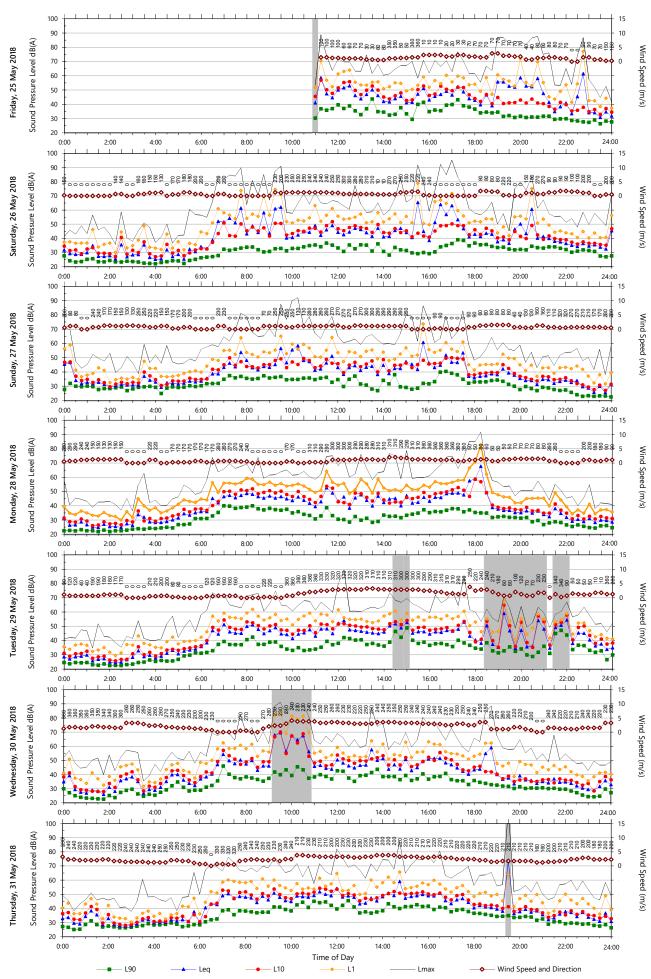
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APPENDIX B Noise Monitoring Results

Attachments

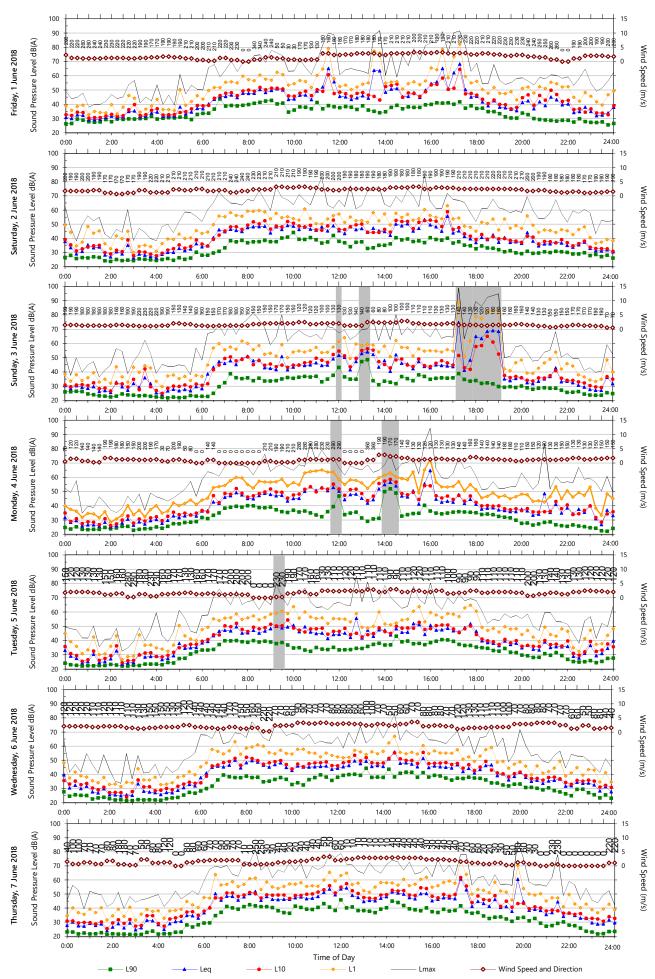
Unattended Monitoring Results

Location: 23 Park Street, Eglinton



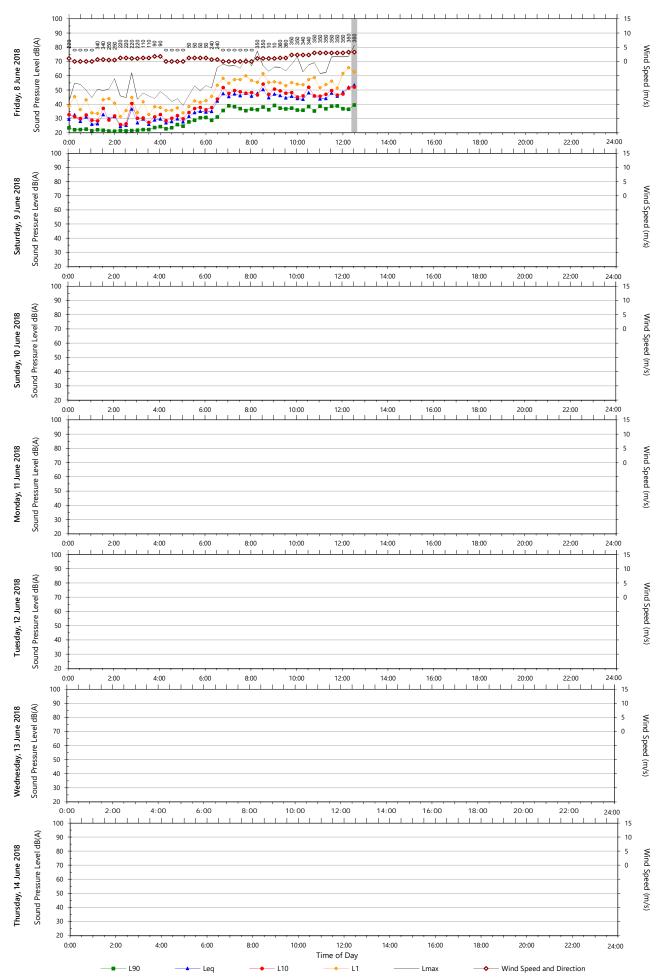
Ordinary Meeting

Location: 23 Park Street, Eglinton



Unattended Monitoring Results

Location: 23 Park Street, Eglinton





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Statement of Environmental Effects

Demolition of dwelling, garage and outbuildings and construction of a single-storey 42 place child care centre with associated car parking, landscaping, signage and site works on Lot 2 in DP 38206, 23 Park Street, Eglinton.

July 2018

COMPASS PLANNING PTY LTD ABN 34 112 501 158

23 Park Street Eglinton

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23 Park Street Eglinton

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared on behalf of Hanna Developments Group Pty Ltd to accompany a development application (DA) seeking consent to the demolition of the existing dwelling, garage and outbuildings and construction of a single-storey 42 place child care centre with associated car parking, signage and landscaping on Lot 2 in DP 38206, 23 Park Street, Eglinton.

The SEE addresses the matters for consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979 as well as matters required to be considered by Bathurst Regional Council.

1.1 Pre-Lodgement Meeting

A Development Assessment Pre-Lodgement meeting has not been held however Council has provided preliminary written advice in regard to the development in correspondence dated 13 March 2018. The SEE and supporting documentation has sought to address the matters raised in Council's correspondence.

2.0 SUBJECT SITE

2.1 Property Description

The subject site is legally identified as Lot 2 in DP 38206 and known as 23 Park Street, Eglinton.

The site is a generally rectangular shaped parcel of land located on the southern side of Park Street between Hamilton Street to the east and Alexander Street to the west (refer Map 1 & 2).

2.2 Site Dimensions

A survey plan prepared by Tablelands & Buttsworth Surveyors accompanies the submitted DA documentation.

The site has frontage to Park Street of 20.115m. The eastern and western side boundaries have a length of 50.29m. The southern rear boundary has a length of 20.115m. Overall the site has an area of 1.011.58m².

2.3 Site Topography

The site is relatively level with a minor slope of approximately 400mm from the front, Park Street, property frontage to the rear.

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2.4 Site Improvements/Characteristics & Surrounding Development

The Survey Plan indicates the site is occupied by a cement rendered single storey residence situated within the site frontage facing Park Street. A detached cement rendered garage is located within the rear yard together with a number of metal shed buildings. (Refer Map 2).

A neighbourhood shop, 'the Eglinton Store' is located on the adjacent site to the east.

A single storey weatherboard residence is located on the front portion of the adjacent allotment to the west.

A combination of single and two-storey detached dwellings are located on adjacent sites.

The character of the locality comprises predominantly detached single storey dwellings of brick and weatherboard construction generally situated on the front portion of their respective allotments facing the public street Front setback are variable with a number of the older style dwellings setback further from the front property boundaries.

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MAP 1 – Locality Plan of subject site (courtesy Google Maps)

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 ${f MAP~2}$ – Extract from NSW Spatial Information Exchange (SIX) Maps showing subject site and surrounds.

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3.0 THE PROPOSED DEVELOPMENT

The proposed development comprises demolition of the existing dwelling, garage and outbuildings and construction of a purpose built single-storey 42 place child care centre, on-site car parking, landscaping, signage and associated site works.

Details of the proposed development are provided in the following submitted documentation;

 Architectural plans prepared by Creative Drafting Services, Issue A, Dated 18/04/18 and incorporating the following plans;

A0.00 General Notes,

A1.00 Site Plan and Notes.

A1.01 Ground Floor & Roof Layout,

A1.02 Carpark and Playground Setouts and Notes,

A1.03 Elevations 1-4 and Section 5,

A1.04 Coloured Scheme Elevations.

A1.05 Coloured Unencumbered Area Layouts.

F1.00 Emergency Evacuation Plan

• Stormwater Concept Plan prepared by Australian Consulting Engineers, Issue A, Dated 23/05/18 and incorporating the following plans;

DWG 101 Stormwater Concept Plan, DWG 102 Miscellaneous Details Sheet.

- *Noise Assessment* prepared by Renzo Tonin & Associates, Report Ref. TK283-01D01, Rev 0, Dated 18.06.2018,
- *Traffic and Parking Statement* prepared by Traffic Solutions Pty Ltd, Ref: 17.18.088, Dated 21 May 2018,
- Detail Survey prepared by Tablelands & Buttsworth Surveyors Pty Ltd, Ref: 18114Td&I, Dated 27/02/2018
- Waste Management Plan for demolition, construction and use of premises prepared by Compass Planning Pty Ltd.
- BCA 2016 Indicative Compliance Report prepared by Building Certificates Australia Pty Ltd, Ref: PRO-02281-Q9X4, Ver: 1.0 Dated 4/07/18,
- Access 2016 Indicative Compliance Report prepared by Building Innovations Ptv Ltd, Project No: PRO-02282-T423, V1.0, Dated 4/07/18,
- BCA Section J Indicative Compliance Report prepared by Building Innovations Australia Pty Ltd, Project PRO-02283- Q5W2, V1.0, Dated 4/07/18.

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- Preliminary Cost Plan Report prepared by MCG Quantity Surveyors, Dated May 10, 2018,
- Landscape Plan prepared by Monaco Landscape Designers,
- Preliminary Site Investigation prepared by Martens Consulting Engineers, P1806504JR01V01, June 2018,
- Preliminary Geotechnical Investigation prepared by Martens Consulting Engineers, P1806504JR02V01, July 2018.

Demolition of existing structures

The existing dwelling, garage and outbuildings are to be demolished.

All demolition work will be carried out by an appropriately qualified licenced demolition contractor in accordance with Australian Standard AS 2601:2001 (The Demolition of Structures).

Any services (ie water, telecommunications, gas, electricity, sewerage etc) will be disconnected in accordance with the relevant authorities' requirements prior to any demolition work as necessary.

All demolition material, incapable of being recycled, will be disposed of to an approved waste management facility.

Demolition work will be carried out in accordance with Council's and Workcover's approved hours of operation.

An appropriate area within the site will be suitably fenced for the containment of building waste pending collection and removal from the site.

Construction of centre-based child care centre

The proposed child care centre comprises a single storey building of domestic design to be positioned within the central portion of the site fronting the public street. The child care centre has a gross floor area (GFA) of 316.29m².

The child care centre building is to be of brick veneer construction with a 17.5° pitched metal sheet colorbond® roof which comprises a predominantly hipped form with feature gables facing the public street.

The front entry to the centre fronts the public street and is directly accessible from the on-site car park. The administration and service areas of the centre are located within the front portion of the building with the internal play rooms positioned at the rear overlooking, and directly accessible, to the external play areas.

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On-site vehicular car parking to accommodate a total of 6 vehicles, including 1 disabled parking space and turning bay, is located within the site frontage with vehicular access proposed via a single 6.0m wide combined entry/exit driveway centrally positioned within the site frontage.

The external play areas are located at the rear of the site and directly accessible from the three (3) internal playrooms.

Associated site works

Landscaping to the site frontage between the front property boundary and internal car park as well as the side boundaries is proposed as detailed on the submitted Landscape Plan.

A 1200mm high timber picket fence is proposed along the front, Park Street, property boundary on either side of the central driveway and pedestrian pathway.

1800mm high lapped and capped timber paling fencing is proposed to the side and rear boundaries.

3.1 Days & Hours of Operation

The child care centre will provide long day care Monday to Friday between the hours of 7.00am to 6.00pm.

3.2 Number of Child Care Places

A total of forty-two (42) child care places will be available for children between the ages of 0 and 5 and allocated as follows;

Age	Number of Places
0-1	12
2-3	10
3-5	20
Total	42

3.3 Number of Staff

Staffing of the proposed child care centre will be in accordance with Regulation 123 of the Children (Education and Care Services) National Regulation.

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The staff to child ratio detailed in Regulation 123 of the aforementioned Regulations is shown in Table 1.

TABLE 1 - Staff to Child Ratios

Age	Proposed No. of Places	Staff ratios req'd	No. of staff to be provided
0-2	12	1:4	3
2-3	10	1:5	2
3-5	20	1:10	2
Total	42		7

The child care centre will employ a total of seven (7) child care staff. Child care staff will commence work on a staggered basis between 7.00am and 10.30am as child care places are progressively filled.

Twqo (2) additional part time or casual staff will be employed to clean the centre and carry out administrative duties but will generally commence upon closure of the centre.

3.4 Building Code of Australia

The following reports, prepared by Building Innovations Australia, have been submitted with the DA;

- 1. BCA 2016 Indicative Compliance Report,
- 2. Access 2016 Indicative Compliance Report.
- 3. BCA Section J Indicative Compliance Report.

The reports provide an indicative compliance assessment of the proposed development against the provisions of the BCA and demonstrate that there will be no additional requirements, resulting from the prescribed application of the BCA, for any significant design changes that would necessitate submission of an application under Section 4.55 of the Environmental Planning and Assessment Act, 1979.

4.0 ENVIRONMENTAL PLANNING ASSESSMENT

The proposed development has been assessed having regard to the relevant matters for consideration under the provisions of Section 4.15(1) of the Environmental Planning & Assessment Act 1979, as detailed hereunder.

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4.1 Statutory Considerations

4.1.1 Environmental Planning & Assessment Act 1979 – Section 4.15

The matters for consideration under section 4.15 (1) of the EPA Act 1979 are addressed as follows;

- (a) the provisions of:
- (i) any environmental planning instrument, and

Bathurst Regional LEP 2014 represents the principal environmental planning instrument applicable to the proposed development.

The relevant provisions of the LEP are addressed within section 4.1.3 of the SEE.

State Environmental Planning Policy 55 – Remediation of land is applicable and has been addressed within the SEE.

State Environmental Planning Policy No.64 – Advertising and Signage is applicable and has been addressed within the SEE.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 is applicable and has been addressed within the SEE.

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no known such instruments affecting the subject site or proposed development.

(iii) any development control plan, and

Bathurst Regional DCP 2014 is applicable and the relevant provisions of the DCP have been addressed within the SEE.

The NSW Child Care Planning Guideline is applicable and addressed within the SEE.

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(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

No such planning agreement, has, or is proposed to be, entered into in respect of the proposed development.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

There is no specific prescribed matter within the Regulations that is required to be addressed.

(v) any coastal zone management plan (within the meaning of the <u>Coastal Protection</u> <u>Act 1979</u>), that apply to the land to which the development application relates,

There are no coastal management plans applicable to the subject land.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The likely impacts of the proposed development including environmental, social and economic are addressed within the SEE and incorporate appropriate mitigation measures to minimise any adverse impact in the locality.

(c) the suitability of the site for the development,

The site is not identified as being affected by any easement, covenant and/or restriction as to use which would prevent the proposed development.

Furthermore, the site is not affected by any particular natural hazard that would render the site unsuitable for the proposed use as a centre-based child care facility.

(d) any submissions made in accordance with this Act or the regulations,

It is expected that Council will advise the Applicant of any particular issues that are raised as a consequence of public notification of the development application.

(e) the public interest.

The proposed development is considered to be in the public interest having regard to the shortages of child care places generally particularly in the 0-2 year age group.

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4.1.2 State Environmental Planning Policy No. 55 – Remediation of Land

A Phase 1 Contamination Assessment Report prepared by Martens Consulting Engineers Pty Ltd accompanies the submitted DA documentation.

The assessment identified several signs of potential contamination within the site including,

- hazardous building materials (asbestos and heavy metals) within existing structures,
- sheds/garage may currently or previously have stored fuel, oils or other chemicals leading to hydrocarbon contamination, lead based paints, PACM (fibrous cement sheeting containing asbestos) and galvanized metal may have been used during construction.
- Potentially contaminating adjacent activity underground storage tanks (UST)/fuel bowsers on adjacent property to the east may have leaked into soil and led to soil and/or groundwater contamination

The report recommends, among others, that a detailed Phase 2 Assessment be carried out.

4.1.3 State Environmental Planning Policy No. 64 – Advertising and Signage

Proposed Signage:

A location plan of the proposed signage is documented on DWG A1.00 Site Plan and Notes and signage elevation of DWG A1.02 Car Park & Playground Set-Out of the architectural plans prepared by Creative Drafting Services and comprises the following;

1. A single non-illuminated free-standing business identification sign measuring 1500mm(W) x 1000mm(H) located within the site frontage in proximity to the driveway entry. The sign has an advertising area of 1.5m². The top of the sign will be elevated a maximum of 2200mm above ground level.

The sing will display the business logo, business name, contact details, hours of operation and age range of children catered to.

Bathurst Regional LEP 2014 defines a business identification sign as follows;

business identification sign means a sign:

- (a) that indicates:
- (i) the name of the person or business, and
- (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

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(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note.

Business identification signs are a type of *signage*—see the definition of that term in this Dictionary.

The proposed signage is consistent with this definition.

STATE ENVIRONMENTAL PLANNING POLICY No. 64 - ADVERTISING AND SIGNAGE

An assessment of the proposed signage against the provisions of SEPP 64 follows;

8 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

3 Aims, objectives etc

- (1) This Policy aims:
- (a) to ensure that signage (including advertising):
- (i) is compatible with the desired amenity and visual character of an area, and
- (ii) provides effective communication in suitable locations, and
- (iii) is of high quality design and finish, and
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time-limited consents for the display of certain advertisements, and
- (d) to regulate the display of advertisements in transport corridors, and
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed signage is considered to be consistent with the aims and objectives of the Policy as set out in clause 3 (1) (a) on the following grounds;

- The proposed signage comprises a single business identification sign which will assist to identify the location of the proposed child care centre to clients, visitors and emergency services,
- The sign will be professionally constructed and will not be visually intrusive within the residential streetscape given its relatively small advertising area.

Consideration of the proposed signage against the assessment criteria of Schedule 1 of the Policy follows;

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Schedule 1 Assessment criteria

1 Character of the area

• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?

The subject site is located within an R2 Low Density Residential zone under the provisions of Bathurst Local Environmental Plan, 2014 and associated zoning map (LZN_011A).

The erection of business identification signage is a permissible use within the zone and necessary to identify the location of business premises to the public, other businesses and public authorities and emergency services.

• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

There is no established theme for outdoor advertising within the residential zone.

2 Special areas

• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

The subject site is located within an established residential zone and is not identified as a 'special area'.

3 Views and vistas

Does the proposal obscure or compromise important views?

The proposed signage comprises a free-standing business identification sign and will not obscure or compromise important views.

• Does the proposal dominate the skyline and reduce the quality of vistas?

The proposed signage is located within the site frontage and has a maximum height of 2200mm above NGL.

Does the proposal respect the viewing rights of other advertisers?

The proposed signage will not encroach or otherwise intrude on the viewing rights of any other business as the site is located within a residential zone.

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4 Streetscape, setting or landscape

• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?

The sign measures 1500mm wide x 1000mm high and will have a maximum height to the top of the sign of 2200mm. The scale and proportion of the sign is not anticipated to be visually intrusive within the streetscape.

• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?

No, the signage is considered neutral in this regard with its primary purpose to identify the location of the proposed child care centre.

• Does the proposal reduce clutter by rationalising and simplifying existing advertising?

There is no existing signage clutter and the proposed signage will not create such clutter.

• Does the proposal screen unsightliness?

No, there is no 'unsightliness' that requires screening.

• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?

No, the signage has a maximum height of 2200mm above ground level which will be below the eave height of the proposed centre and neighbouring dwellings. The sign height is equal to typical side and rear boundary fencing.

Does the proposal require ongoing vegetation management?

No, appropriate landscaping will be provided in proximity to the sign to minimise any necessity for substantial vegetation management.

5 Site and building

• Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?

The proposed signage is considered to be compatible with the scale and proportions of the host building which will comprise a single-storey residential scale building. The proposed signage is not expected to be visually intrusive or a dominant feature/element of the building exterior.

The adjacent site on the eastern side comprises a neighbourhood shop which displays signage.

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Does the proposal respect important features of the site or building, or both?

The subject site and proposed host building do not have any particular important features.

• Does the proposal show innovation and imagination in its relationship to the site or building, or both?

No, the proposed signage is neutral in this regard.

6 Associated devices and logos with advertisements and advertising structures

• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

No and none are required as the signage can be serviced and/or maintained from ground level without the necessity for any specialized equipment.

7 Illumination

Would illumination result in unacceptable glare?

The proposed signage is non-illuminated.

8 Safety

Would the proposal reduce the safety for any public road?

The proposed signage is to be erected within the site frontage and contained wholly within the subject site. The signage is non-illuminated and does not contain any moving parts and therefore will not reduce the safety for any public road.

Would the proposal reduce the safety for pedestrians or bicyclists?

No, for the reasons provided above.

• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

No, for the reasons provided above.

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4.1.4 Bathurst Regional Local Environmental Plan 2014

The Dictionary of Bathurst Regional LEP 2014 defines a centre-based child care facility as follows;

centre-based child care facility means:

- (a) a building or place used for the education and care of children that provides any one or more of the following:
- (i) long day care,
- (ii) occasional child care,
- (iii) out-of-school-hours care (including vacation care),
- (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the *Children (Education and Care Services) National Law (NSW)*),

Note

An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) is provided. but does not include:

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the *Children (Education and Care Services) National Law (NSW)*), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

The subject property is zoned R1 General Residential under the provisions of Bathurst Regional LEP 2014 and associated zoning map (LZN_011A) (refer Map 3) within which zone a *centre-based child care facility* is permissible with development consent.

The objectives of the R1 General Residential Zone are as follows;

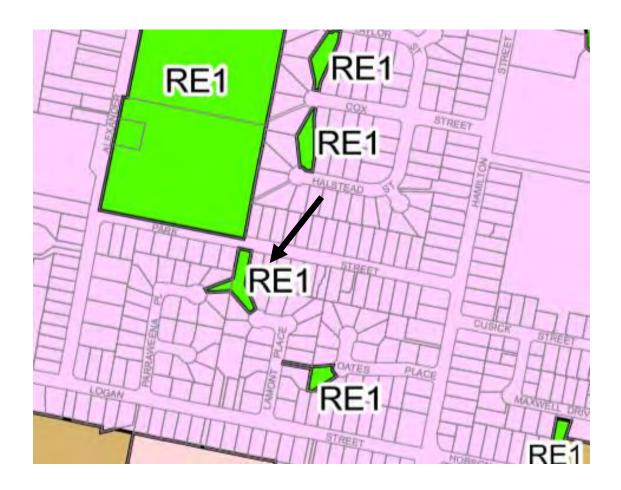
Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide housing choice and affordability by enabling opportunities for medium density forms of housing in locations and at densities that complement the surrounding residential environment.
- To protect and conserve the historic significance and scenic quality of the urban villages of Eglinton, Raglan and Perthville.

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• To enable commercial development that is compatible with the amenity of the area and does not prejudice the status and viability of the Bathurst central business district as the retail, commercial and administrative centre of Bathurst.

The proposed development is considered to be consistent with the aims and objectives of the R1 zone on the basis that the child care centre will provide a facility to meet the day to day needs of residents.



Part 4 – Principal development standards

Clause 4.3 Height of Buildings

Clause 4.3 and the accompanying Height of Buildings Map (HOB_011A) nominate a maximum building height of 9.0m for the site.

The Dictionary of Bathurst Regional LEP 2014 defines building height as follows;

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

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The proposed child care centre is a single storey building with a 2700mm floor to ceiling height and 17.5° pitched colorbond® hipped roof. DWG A1.03 indicates that the proposed building has a maximum height overall height above NGL of 5739mm.

Clause 4.4 Floor space ratio

Bathurst Regional LEP 2014 and associated Floor Space Ratio Map (FSR_011A) does not specify a maximum FSR for the site.

Clause 5.9 Preservation of trees or vegetation

The survey plan shows that the subject site does not contain any significant vegetation.

Clause 5.10 Heritage conservation

Bathurst LEP 2014 and associated Heritage Map (HER_011A) indicate that the subject site does not contain any items of heritage significance and is not located within a heritage conservation area. Furthermore, there are no items of heritage significance located within the visual catchment of the subject site that may be impacted by the proposed development.

Part 7 Additional local provisions

Clause 7.1 Flood planning

The subject site is not identified within the LEP Flood Planning Map (FLD_011A) as being affected by flooding.

Clause 7.2 Bush fire prone land

The subject site is not identified on the Bush Fire Prone Land Map as affected by bush fire.

Clause 7.3 Airspace operations

The subject site is not affected by airspace operations.

Clause 7.5 Essential services

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The subject site is located within an established residential precinct which is currently serviced with essential infrastructure including reticulated water and sewer, electricity telecommunications, sealed roads and drainage.

Clause 7.10 Signage

Development approval is being sought for the proposed business identification sign to be erected within the site frontage as previously addressed within the SEE concurrently with approval for the use of the site for a centre-based child care facility consistent with the provisions of clause 7.10 (1)(a).

4.1.5 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

Pursuant to clause 5 and the Standard Instrument the proposed development constitutes a *centre-based child care facility* which forms part of the definition of an *early education and care facility*.

Both land-uses are defined as follows;

centre-based child care facility means:

- (a) a building or place used for the education and care of children that provides any one or more of the following:
- (a) long day care,
- (ii) occasional child care,
- (iii) out-of-school-hours care (including vacation care),
- (i) preschool care, or
- (b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

Note.

An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the Children (Education and Care Services) National Law (NSW)) is provided.

but does not include:

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or

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- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

early education and care facility means a building or place used for the education and care of children, and includes any of the following:

- (a) a centre-based child care facility,
- (b) home-based child care,
- (c) school-based child care

Part 3 of the Policy, which addresses 'Early learning and care facilities – specific development controls', is applicable to the proposed development.

The specific clauses under Part 3 are addressed as follows;

Clause 22 Centre-based child care facility – concurrence of Regulatory Authority required for certain development

DWG A1.05 details the areas of unencumbered indoor and outdoor play spaces provided within the centre.

The proposed development complies with the regulation 107 (indoor unencumbered space requirements) and regulation 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations as required within clause 22(1)(a) and (b) and consequently does not require the concurrence of the Regulatory Authority.

Clause 23 Centre-based child care facility – maters for consideration by consent authorities

The applicable provisions of the *Child Care Planning Guideline* have been addressed and a Compliance table assessment of the proposal against the matters for consideration under Part 3 of the Guideline incorporated within the submitted Statement of Environmental Effects (SEE) at Appendix A.

Clause 24 Centre-based child care facility in Zone IN1 or IN2 – additional matters for consideration by consent authorities

The provisions of this clause are not applicable as the proposed development Is not located upon IN1 or IN2 zoned land.

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Clause 25 Centre-based child care facility – non-discretionary development standards

The clause outlines the following non-discretionary development standards that, if complied with, prevent the consent authority from requiring more onerous standards for those matters;

(a) **location** – the development may be located at any distance from an existing or proposed early education and care facility.

(b) Indoor or outdoor space

- (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or
- (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,
- (c) **site area and site dimensions**—the development may be located on a site of any size and have any length of street frontage or any allotment depth,
- (d) **colour of building materials or shade structures**—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.

Clause 26 Centre-based child care facility – development control plans

- (1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:
 - (a) operational or management plans or arrangements (including hours of operation),
 - (b) demonstrated need or demand for child care services,
 - (c) proximity of facility to other early childhood education and care facilities,
 - (d) any matter relating to development for the purpose of a centre-based child care facility contained in:
 - (i) the design principles set out in Part 2 of the Child Care Planning Guideline, or
 - (ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).
- (2) This clause applies regardless of when the development control plan was made.

The relevant provisions of the following sections/chapters of Bathurst DCP 2016 have been addressed within the SEE;

 Section 4 Residential Development (building height, front, side and rear setbacks, external appearance, height of buildings, services and facilities)

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- Section 12 Signage
- Section 13 Landscaping
- Section 14 Parking
- Section 15 Crime

4.2 Merit Considerations

Bathurst Regional Development Control Plan (DCP) 2014

Bathurst Regional Development Control Plan (DCP) 2014 provides, among other things, detailed criteria for the assessment of development applications and is required to be considered by the Council under section 4.5 of the Environmental Planning and Assessment Act 1979 when determining development applications.

The relevant sections of DCP 2014 are addressed as follows;

Section 4 Residential Development

Front building line setback

The proposed child care centre will maintain a minimum front building line setback of 15.3m as the site frontage is to be utilized for the purpose of on-site parking

Side and rear building line setbacks

The proposed child care centre will be setback 1117mm from the eastern side boundary and 1100mm from the western side boundary.

The eastern and western side elevations of the building do not contain any window or door openings with fire-rated glass blocks being used to provide natural light and satisfy compliance with the Building Code of Australia (BCA).

External appearance

The proposed child care centre building comprises a single storey building structure of traditional domestic design and scale. The building exterior incorporates face brick external walls, aluminium framed windows and a 17° broken hipped metal corrugated colorbond roof form with feature gables to the front facade.

The external façade includes appropriate articulation and fenestration to minimize the perceived bulk and scale of the building and create visual interest to the building form. The external design does not create entrapment opportunities.

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The front entry to the centre is located within the northern elevation, clearly visible from the public street and directly accessible from the on-site car park.

Height of buildings

Bathurst Regional LEP 2014 stipulates a maximum building height within the R1 zone of 9m.

The proposed development comprises a single storey building structure to be constructed as a concrete slab on ground with a floor to ceiling height of 2700mm and 17.5° pitched roof form. The building has an overall roof height of 5739mm.

Services and facilities

The subject site is currently serviced with essential infrastructure including reticulated water and sewer, electricity (overhead) and telecommunications.

Stormwater management

A Stormwater Concept Plan prepared by Australian Consulting Engineers accompanies the submitted DA documentation.

A Preliminary Geotechnical Investigation carried out by Martens Consulting engineers has established that there are no particular geotechnical issues associated with the site. The report makes a number of geotechnical recommendations regarding the proposed development including footing and foundations, drainage and earthworks.

Waste management

A Waste Management Plan prepared by Compass Planning Pty Ltd accompanies the submitted DA documentation.

Waste Generation

The majority of waste generated by the child care centre is classified as general waste that predominantly includes light weight items such as nappies and food scraps. When the child care centre is operating at full capacity the weekly general waste is estimated to be a maximum of 0.6m³.

The balance of the waste is classified as recyclable waste that includes light weight items such as paper scraps, cans, bottles and plastic containers. When the child care centre is operating at full capacity the weekly recyclable waste is estimated to be a maximum of 0.3m³.

On-Site Waste Management

23 Park Street Eglinton

<u>Demolition and construction waste management</u>

The existing dwelling and garage are to be demolished.

All demolition work will be carried out by an appropriately qualified licenced demolition contractor in accordance with Australian Standard AS 2601:2001 (The Demolition of Structures).

All services (ie water, telecommunications, gas, electricity, sewerage etc) will be disconnected in accordance with the relevant authorities' requirements prior to any demolition work.

All demolition material, incapable of being recycled, will be disposed of to an approved waste management facility.

Demolition work will be carried out in accordance with Council's and Workcover's approved hours of operation.

An appropriate area within the site will be suitably fenced for the containment of building waste pending collection and removal from the site.

Operational waste management

A waste bin storage area is located within the western side boundary setback adjacent to the north-western front corner of the building and suitably screened from the public street as shown in DWG A1.00 Site Plan.

The waste storage area will accommodate five (5) mobile 240lt bins which will include three (3) 'red lidded' general waste bins and 2 'yellow lidded' recycling bin.

The western side elevation of the building and waste bin storage area will be secured with a lockable 1800mm high steel framed timber clad security gate to prevent unsupervised access by children.

Waste storage facilities will be provided within the kitchen, bottle preparation and nappy change areas and emptied by staff to the external waste/recycling bins on a regular basis throughout the day as necessary.

Waste collection will be managed by Council's regular weekly kerb-side collection service with the bins being wheeled by centre staff to the street frontage.

Green waste and cleaning of bins will be undertaken by a private maintenance contractor engaged by the centre and who will also be responsible for landscape maintenance.

23 Park Street Eglinton

Section 12 Signage

Proposed business identification signage for the proposed development has been previously addressed within the SEE and assessed against the provisions of SEPP 64 – Advertising & Signage.

Section 13 Landscaping

A landscape Plan prepared by Monaco Designs has been submitted with the DA documentation.

The landscape plan proposes informal planting of a variety of shrubs and trees within the site frontage between the front property boundary and front edge of the internal car parking. Formal planting of regular spaced shrubs are to be located along the common side boundaries within the site frontage.

Additional landscape planting is also proposed within the external playground at the rear of the site.

Section 14 Parking

A *Parking and Traffic Statement* prepared by Traffic Solutions Pty Ltd accompanies the submitted DA documentation.

The Traffic and Parking Statement has assessed the proposed development in regard to;

- 1. access arrangements and adequacy and suitability of the off-street parking provision,
- 2. traffic generation,
- 3. impact of the estimated traffic generation on the existing road network.

Access & parking

The report notes that a total of 7 on-site parking spaces are proposed including 1 disabled space. Vehicular access to the parking is proposed via a 6.0 metre wide combined entry and exit driveway directly off Park Street. The report notes that the location of the driveway provides very good sight lines in both directions along Park Street with the available sight distance exceeding the 69m distance suggested in AS/NZS 2890.1:2004 for 50km/h.

The geometric design of the car park including parking space dimensions, aisle widths, driveway width and driveway grades are compliant with the requirements of AS/NZS 2890.1:2004 Part 1: Off Street Car Parking and Part 6 of 2009: Off Street Parking for People with Disabilities.

23 Park Street Eglinton

The provision of 7 on-site parking spaces exceeds Council's DCP requirements which requires parking at the rate of 1 space per 10 children with an additional dedicated drop off/pick up point.

Traffic generation

The Traffic and Parking Statement estimates that the proposed development will generate a total of 37 vehicle trips in the AM peak hour and 29 trips in the PM peak hour. Accordingly, the estimated trips will be in the order of 19 in and 18 out in the morning peak hour and 15 in and 14 out in the evening peak hour.

The Traffic & Parking Statement notes that the traffic generated equates to an average of 1 vehicle trip every 2 minutes either approaching or departing the site over the peak 1 hour period. This increase in vehicle traffic is unlikely to have any unacceptable traffic impacts upon Park Street or the surrounding road network.

Accessibility

An accessible parking space is proposed within the site frontage. The Traffic & Parking Statement indicates that the parking space complies with the provisions of AS2890.6 Off Street Parking for People with Disabilities.

Section 15 Crime

Given the location of the proposed child care centre within an established residential precinct it would be expected that during daylight hours that there will be minimal risk or harm to public safety for staff and clients accessing the child care centre due to the presence of other persons in and around the centre and immediate neighbourhood generally.

The potential for anti-social behaviour, including criminal behaviour, will however increase during the late afternoon in winter and evening when the centre is closed.

Crime Prevention through Environmental Design (CPTED) acknowledges that the built environment influences the likelihood of criminal behaviour taking place and consequently encourages the application of design features, routine activities and space management practices which alter conditions that create opportunities for criminal behaviour.

The following principles, which are central to Crime Prevention through Environmental Design, Surveillance, Accessibility, Territoriality and Space Management, are addressed accordingly in respect of the proposed development of the site for a child care centre.

Surveillance

23 Park Street Eglinton

"The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical".

- Internal and external CCTV cameras will be installed with minimum 30 day file storage.
- ❖ The child care centre centre will utilise internal and external movement activated security sensor lighting.
- ❖ The external play areas will be securely fenced to facilitate supervision of children and for their personal safety and security.
- Accessibility

"Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime".

- ❖ The perimeter of the site, as well as the external play area, will be suitably fenced with an 1800mm high lapped and capped timber paling fence. Both the eastern and western side boundaries will be secured at the building frontage with a lockable 1800mm high steel framed and timber slat infill gate to prevent unauthorised and unsupervised access.
- ❖ An internal and external alarm siren and associated blue strobe light will be installed within the premises which will be activated upon unauthorised entry to the child care centre.
- Access to the child care centre will be restricted to the front entry off the internal car park where parents, carers and visitors will need to sign-in/signout.
- Territoriality

"Community ownership of public space sends positive signals. People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals".

The subject site comprises a privately owner parcel of land with frontage to Park Street consistent with the established pattern of development within the locality. The delineation between public (the Park Street road reserve) and private property will be clearly delineated with a combination of landscaping and fencing such that there will be no confusion between public and private space.

Space Management

23 Park Street Eglinton

"Popular public space is often attractive, well maintained and well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for".

The following security measures will be installed;

- Motion activated external security lighting detectors throughout the centre,
- > After-hours random private security patrols 7 days a week.
- Movement activated sensor/floodlighting of curtilage of the centre including pathways and outdoor play area.

Noise

A Noise Assessment prepared by Renzo Tonin & Associates Pty Ltd accompanies the submitted DA documentation.

The report anticipates that noise from the childcare centre will essentially emanate from the following sources;

- Operational noise from the use of the proposed childcare centre including;
 - o Intermittent noise from the outdoor play area and indoor area;
 - o Noise generated during the hours of operation by mechanical plant, and
 - o Traffic noise generated by vehicle movement in the car park area.
- Road traffic noise on public roads generated by vehicles associated with the childcare centre.

The Noise Assessment identifies a total of five (5) adjacent and neighbouring residential properties (Noise Sensitive Receivers) that may be potentially impacted by noise emissions. All of the subject properties, with the exception of 1 receiver located opposite the subject site on the northern side of Park Street, share a common boundary with the subject site.

Indoor Play Areas

The noise assessment predicts that noise emissions from internal playrooms will be compliant with noise criteria.

Outdoor Play Areas

The noise assessment predicts that, based on the assumption of all 42 children playing in the external area at any one time, the noise levels will exceed the applicable criteria at three (3) of the adjacent Receivers (R2, R3 and R4).

23 Park Street Eglinton

Accordingly, the noise assessment notes that noise mitigation measures will be necessary to reduce noise levels to acceptable levels.

The noise assessment recommends a number of physical noise mitigation and noise management measures including;

- The boundary fence along the southern rear boundary should be increased to a minimum height of 2.4m.
- The number of children in the outdoor play area at any one time should be limited to the following,
 - 12 x 0-2 year olds and 10 x 2-3 year olds
 OR
 10 x 3-5 year olds
- Signs should be erected at appropriate, prominent locations, to advise the following;
 - That staff and parents converse at a low volume,
 - That parents not call out to their children when delivering or collecting their children, and
 - That gates not be slammed.
- Crying children should be taken indoors and settled before being allowed to return outdoors.
- No music should be played in any outdoor areas at any time.

The recommended management measures will be incorporated into the Plan of Management for the centre.

Car Park Vehicle Movements on site

The noise assessment predicts that, based on a worst case scenario of 37 vehicles movements in a one hour period, the noise impact from vehicle activities within the car park will comply with the applicable criterion.

Mechanical plant

The noise assessment could not assess noise emissions from mechanical plant as the size, type and location of such equipment has not as yet been determined. However, the report outlines a number of matters for consideration during the detailed design of the mechanical plant.

Road Traffic Noise

23 Park Street Eglinton

The noise assessment predicts that road traffic noise on Park Street generated by the child care centre will comply with the Road Noise Policy (RNP) noise criteria at affected residences.

4.3 Suitability of the Site for the Development

The subject site is located within an established residential neighbourhood and is not identified as affected by any natural or built hazards as previously noted within the SEE.

4.4 Social & Economic Impacts in the Locality

The proposed child care centre is not anticipated to have any significant adverse social and/or economic impacts in the locality in terms of noise or traffic generation providing the recommendation of the acoustic report regarding the numbers of children playing in the outdoor area at any one time are adhered to.

4.5 Public Interest

The proposed child care centre is not considered to be contrary to the broader public interest as the facility is a permissible use within the zone and will assist to cater to the demand for child care places in the Bathurst locality.

5.0 Conclusion

The proposed development is permissible in the R1 GeneralResidential zone with development consent and the Statement of Environmental Effects is considered to have satisfactorily demonstrated that the proposed development complies with the statutory provisions of Bathurst Regional LEP 2014 and merit based considerations of Bathurst Regional DCP 2014 and will not have any significant adverse impact on the amenity of neighbouring residential development in the locality.

Having regard to the foregoing it is considered appropriate that the proposed development be approved.

Simon Pocock Director

23 Park Street Eglinton

Appendix A: SEPP (Educational Establishments & Child Care Facilities 2017 – Compliance Table Assessment – Part 3 & 4

NSW Child Care Planning Guideline

Part 3. Matters for Consideration

Proposed centre-based child care facility - Lot 2 DP 38206 - 23 Park Street, Eglinton.

3.1 Site selection and location	Proposal	Compliance/Comment
Objective: To ensure that appropriate zone considerations are assessed when selecting a site.		
C1 For proposed developments in or adjacent to a residential zone, consider:	The subject site is zoned R1 General Residential.	Yes.
 the acoustic and privacy impacts of the proposed development on the residential properties. 	An acoustic report prepared by Renzo Tonin & Associates Pty Ltd has been submitted with the DA documentation. The report makes a number of physical and management recommendations to achieve compliance with applicable noise criteria	
• the setbacks and siting of buildings within the residential context	The proposed CCC comprises a single storey building structure of traditional residential design incorporating a 2700mm floor to ceiling height and hipped roof form with feature gables. The CCC is sited on the central and rear portion of the site facing the public street with on-site car parking located within the site frontage. The internal layout of the CCC has sought to orientate the main internal playrooms towards the southern rear boundary overlooking the external play area. The eastern and western elevations of the CCC maintains a minimum side boundary setback of approximately 1100mm but does not incorporate and openings within this elevation to ensure	

dinary M	compliance with the BCA. Fire-rated glass blocks provide light into the building along these elevations.
• traffic and parking impacts of the proposal on residential amenity.	A Traffic Impact Assessment prepared by Traffic Solutions Consulting has been submitted with the DA documentation. The report does not raise any particular traffic and parking issues and establishes that the proposal will not adversely impact on the residential amenity.
For proposed developments in commercial and industrial zones, consider:	Not applicable.
_	0 5
private recreation zones, consider: private recreation zones, consider: the compatibly of the proposal with the	

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characterions and nature of the community or private recreational facilities	• if the existing premises is licensed for alcohol or gambling	• if the use requires permanent or casual occupation of the premises or site • the availability of on site parking	• compatibility of proposed hours of • compatibility of proposed hours of • operation with surrounding uses, • particularly residential uses	• the availability of appropriate and dedicated sanitation facilities for the development.	For proposed developments on school, TAFE or university sites in Special Purpose zones, consider:	• the compatibly of the proposal with the

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linary Meeting	the proximity of the proposed facility to other uses on the site, including premises licensed for alcohol or gambling		
	 proximity to sources of noise, such as places of entertainment or mechanical workshops 		
Page 85 of 6	 proximity to odours, particularly at agricultural institutions 		
651 - 12 Dece	 previous uses of a premises such as scientific, medical or chemical laboratories, storage areas and the like. 		
ember 20	Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.		
18	C2 When selecting a site, ensure that:	The immediate locality is characterised by residential	\ \ \
	compatible with the proposed development development or use	compatible with the proposed development development comprising a mixture of older style weatherboard or use	0 D
Attachn	• the site is environmentally safe including The site risks such as flooding, land slip, bushfires, hazard t	The site is not identified as affected by any particular risk and or hazard that would render it unsuitable for the proposed	

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dinary	coastal hazards	development such as flooding and/or bushfire.	
Meeting	 there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed 	A Preliminary Site Investigation has been undertaken and established that the site has been used for residential purposes since the 1960's to present. Some areas of potential contamination have been identified both on site and adjacent site (fuel bowsers) and a Phase 2 assessment recommended.	
Page 8	 the characteristics of the site are suitable for the scale and type of development proposed having regard to: 	The site is currently utilised for residential purposes (single dwelling) and has a minimal slope.	
36 of 651 - 1	 size of street frontage, lot configuration, dimensions and overall size 	The site is a rectangular shaped parcel of land with frontage to Park Street of 20.115m and overall site area of 1011.7m². The site has negligible slope.	
2 Decem	 number of shared boundaries with residential properties 	The site shares 5 boundaries (side and rear) with residential properties.	
ber 2018	 the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas 	The site is zoned R1 General Residential and is not located within a sensitive environmental or cultural area.	
	Objective: To ensure that sites for child care facilities are appropriately located.		
	C3 A child care facility should be located:	Yes	Si
Attachn	 near compatible social uses such as schools and other educational 	Eglinton Public School is located to the west on Alexander Street. Cubis Park is situated to the north-west on the opposite side of	
ne			

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establishments, parks and other public open space, community facilities, places of public worship	Park Street. The 'Eglinton Store' is situated on the adjacent site to the east.
 near or within employment areas, town centres, business centres, shops 	Other than the adjacent Eglinton Store there are no employment areas or town centres located in the area
 with access to public transport including rail, buses, ferries 	Public transport facilities in the locality are limited.
• in areas with pedestrian connectivity to the local community, businesses, shops, services and the like.	A public pedestrian footway links the site with the Eglinton Public School.
Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards	
C4 A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:	The subject site is located within an established residential Yes precinct characterised by predominantly low density single storey detached housing.
• proximity to:	
 heavy or hazardous industry, waste transfer depots or landfill sites 	There is no industrial land use activities within proximity to the site.
- LPG tanks or service stations	The adjacent Eglinton Store contains fuel bowsers.

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- water cooling and water warming systems	There are no water cooling or water warming systems in proximity to the site.	
a codour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses	There are no odour generating activities or land uses within proximity to the site.	
3.2 Local character, streetscape and the public domain interface		
Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape.	Yes	
C5 The proposed development should:	Yes.	
contribute to the local area by being designed in character with the locality and celexisting streetscape	The proposed building comprises a single-storey purpose built centre-based CCC of traditional large domestic design and scale.	
surple the predominant form of single surple	Surrounding development comprises a mixture of older style single storey weatherboard dwellings and more recently constructed single storey brick detached dwellings situated on the front portion of their respective allotments facing the public street. A neighbourhood shop, 'The Eglinton Store', is situated on the adjacent land.	
ape cale,	The proposed brick exterior, fenestration and pitched hipped colorbond® roof form with feature gables will compliment the character of residential development in the locality.	
• Include design and alcrifectural		

	treatments that respond to and integrate with the existing streetscape • use landscaping to positively contribute to the streetscape and neighbouring amenity • integrate car parking into the building and site landscaping design in residential areas. Objective: To ensure clear delineation between the child care facility and public spaces. C6 Create a threshold with a clear transition between public and private realms, including:	The front entry to the CCC faces, and is clearly visible, from the public street A pedestrian pathway links the public footpath to the front entry. The façade incorporates appropriate articulation and fenestration to contribute positively to the streetscape. The site frontage incorporates landscape treatments to soften the buildings forms and car parking located within the site frontage. Ye	Yes.
cember 2018	 fencing to ensure safety for children entering and leaving the facility 	The site frontage will incorporate a 1200mm high timber picket fence with 1.8m wide landscaping located between the site frontage and perimeter of the on-site car parking.	
		The side and rear boundaries of the site are proposed to be fenced with solid 1800mm high lapped and capped timber paling fencing positioned on top of proposed retaining walls.	
Attachmo	 windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the 	The façade of the CCC incorporates windows facing the public street which represent the administration and office areas of the centre.	

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linary	facility and the community		
Meetin	 integrating existing and proposed landscaping with fencing. 	The site is currently devoid of any significant vegetation other than grass.	
g	C7 On sites with multiple buildings and/or	Not applicable.	Yes
	entries, pedestrian entries and spaces		
	should be differentiated to improve		
	legibility for visitors and children by		
Pag	changes in materials, plant species and colours.		
e 90		Not applicable. The subject site does not adjoin a public park,	Yes
of	parks, open space or bushland, the	open space or bushland.	
65	facility should provide an appealing		
1 - 1			
2 De	tne following design solutions:		
ecen	 clearly defined street access, pedestrian 		
nber	paths and building entries		
201	 low fences and planting which delineate 		
8			
	adjoining public open space		
	 minimal use of blank walls and high 		
-	fences.		
	Objective: To ensure that front fences	>	Yes.
Atta	complement the context and character		
chr	of the area and do not dominate the		
n			

Compass Planning

Statement of Environmental Effects –23 Park Street Eglinton

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lina	public domain.		
	C9 Front fences and walls within the front setback should be constructed of visually	A 1200mm high timber picket fence is proposed along the front property boundary on either side of the vehicular driveway.	Yes
etin	permeable materials and treatments.	Landscape planting of trees and shrubs are also proposed within	
-	Where the site is listed as a heritage item,	the site frontage immediately behind the front fence to assist with	
σ	adjacent to a heritage item or within a	screening the on-site car parking.	
0	conservation area front fencing should be	: :	
σ.	designed in accordance with local	The site is not located within a heritage conservation area.	
_	neritage provisions.		
<u>P</u> a	C10 High solid acoustic fencing may be	Park Street is not a classified road and no high solid acoustic	Yes.
	used when shielding the facility from	tencing is required to mitigate traffic noise.	
⊆ 91	noise on classified roads. The walls		
	should be setback from the property		
<u>65</u>	boundary with screen landscaping of a		
	similar height between the wall and the		
മ 12	boundary.		
က Ded	3.3 Building envelope, orientation and		
cen	design		
nbei	Objective: To respond to the		Yes.
	streetscape and site, while optimising		
ო 018	solar access and opportunities for		
•	shade.		
<u> </u>	C11 Orient a development on a site and	The proposed building has been positioned on the central portion	Yes.
0	design the building layout to:	of the site facing the on-site car parking and public street. The	
		external play areas are positioned at the rear of the building.	
		The siting and design of the development has orientated the	
	 ensure visual privacy and minimise 		
tach	potential noise and overlooking impacts on neighbours by:	external play areas. Tournm nign lapped and capped timber baling fencing is proposed along the common side boundaries to	
er			

	provide visual and acoustic privacy. The acoustic report has recommended the southern rear boundary fence be 2.4m high.
- facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential	The eastern and western side elevations of the proposed CCC building, which are setback approximately 1100mm from the common side boundary, do not contain any openings with fire-rated glass blocks provided to ensure visual privacy and minimise noise transmission to the adjacent residential neighbours as well as compliance with fire rating requirements of the BCA.
2) 2) 3) 3) 4) 5) 5)	The external play areas are located within the rear yard of the CCC to avoid 'active' play areas fronting the public street. The front setback will contain on-site car parking.
- placing play equipment away from common boundaries with residential properties	The siting of the external play areas has sought to minimise the number of residential neighbours potentially impacted by noise.
- locating outdoor play areas away from residential dwellings and other sensitive uses	The windows of the internal play areas are generally orientated to the south directly overlooking the external play areas.
• optimise solar access to internal and external play areas	The proposed CCC is a single storey building structure with the pitched hipped roof having a maximum height of 5739.
 avoid overshadowing of adjoining residential properties 	residential properties.
• minimise cut and fill	The proposed development entails minimal cut and fill as the site is relatively level.

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linary Me	 ensure buildings along the street frontage define the street by facing it 	The proposed CCC fronts the public street and has the principal pedestrian entry facing, and clearly visible, from the street.	
eting	 ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions. 	The proposed CCC is located at ground level.	
Pag	C12 The following matters may be considered to minimise the impacts of the proposal on local character:		Yes.
	 building height should be consistent with other buildings in the locality 	The proposed CCC is a single storey building structure with a 2700mm floor to ceiling height and overall roof height of 5739mm.	
51 - 12 Dece	 building height should respond to the scale and character of the street 	The building height is not inconsistent with adjoining or neighbouring residential development. The R1 zone provides for a maximum building height of 9 metres.	
mber 2018	 setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility 	As previously stated a minimum setback of approximately 1100mm is proposed along the eastern and western side elevations but the building contains no openings within these elevations with fire-rated glass blocks only proposed to facilitate natural light access and ensure compliance with the BCA.	
	 setbacks should provide adequate access for building maintenance 	The proposed side boundary setbacks are sufficient to enable suitable access for maintenance.	
Atta	 setbacks to the street should be consistent with the existing character. 	The proposed development maintains a 15.3m front setback as the on-site carparking is located within the site frontage.	
chn	Objective: To ensure that setbacks		Yes.

• respects and responds to its physical	The proposed CCC is a single storey building of modern traditional domestic design and scale and incorporates materials	
context such as adjacent built form, in heighbourhood character, streetscape	and finishes typical of residential development in the locality	
quality and heritage	including a combination of face brick, aluminium framed windows and colorbond roofing.	
• contributes to the identity of the place	The proposed development fronts the public street consistent with residential development in the locality	
 retains and reinforces existing built form and vegetation where significant. 	The site is devoid of any significant landscape elements.	
• considers heritage within the local peighbourhood including identified	The site does not contain any heritage items, is not located within a heritage conservation area and there are no heritage items within the visual catchment of the site which may be impacted by	
heritage items and conservation areas	the proposal.	
• responds to its natural environment including local landscape setting and climate.	The site is located within an older established urban area which comprises a mixture of predominantly low density residential development.	
Objective: To ensure that buildings are designed to create safe environments for all users.	Ye	Yes.
C16 Entry to the facility should be limited to one secure point which is:	The proposed development incorporates a single pedestrian Ye access via the front entry facing the public street.	Yes.
 located to allow ease of access, particularly for pedestrians 	A 1500mm concrete footway from the site frontage to the front entry is proposed.	
directly accessible from the street where possible	Vehicular access to the site is proposed via a single combined entry/exit driveway centrally positioned within the site frontage.	

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directly visible from the street frontage	Both the pedestrian and vehicular access is clearly visible from the street frontage.	
easily monitored through natural or camera surveillance	CCTV surveillance is proposed. Refer SEE for further details of CPTED measures.	
• not accessed through an outdoor play area.	No access to the external play area is provided other than from within the centre. A locked gate is proposed within the side boundary setbacks which will be utilised for maintenance and emergency access only.	
• in a mixed-use development, clearly defined and separate from entrances to other uses in the building.	Not applicable.	
Objective: To ensure that child care facilities are designed to be accessible by all potential users.		Yes.
C17 Accessible design can be achieved by:		Yes.
• providing accessibility to and within the building in accordance with all relevant legislation	The site has negligible fall. Disabled access is to be provided to all necessary areas of the CCC.	
• linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry	External play areas are to be relatively level and directly accessible from the internal play areas.	

Ord		
• providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible	A 1500mm wide concrete pedestrian pathway is proposed from the street frontage to the front entry along the western side boundary.	
minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath.		
NOTE: The National Construction Code, the Discrimination Disability Act 1992 and the Disability (Access to Premises – Buildings) Standards 2010 set out the requirements for access to buildings for people with disabilities.		
3.4 Landscaping		
Objective: To provide landscape design that contributes to the streetscape and amenity.		Yes.
C18 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by:	A Landscape plan prepared by Monaco Designs has been submitted with the DA documentation.	Yes.

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linary Me	 reflecting and reinforcing the local context 		
eting	 incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 		
	C19 Incorporate car parking into the landscape design of the site by:	An at-grade car park to accommodate 7 vehicles, including an accessible parking space and turning bay, is proposed within the site frontage. A 1 8m wide landscape strip is proposed along the	Yes.
Page 98 of 6	 planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings 	site frontage to assist with screening the car park.	
51 - 12 Dece	 taking into account streetscape, local character and context when siting car parking areas within the front setback 		
ember 20			
216	3.5 Visual and acoustic privacy		
3	Objective: To protect the privacy and security of children attending the facility.		
	C20 Open balconies in mixed use developments should not overlook	Not applicable.	
/	facilities nor overhang outdoor play spaces.		
Attachr	C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from	The internal play areas are orientated to face south overlooking the external play areas. 1800mm high solid timber paling acoustic	
ner			

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public areas through:	fencing is proposed to the eastern and western side boundaries
• appropriate site and building layout	
• suitably locating pathways, windows and doors	and
 permanent screening and landscape design. 	
Objective: To minimise impacts on privacy of adjoining properties.	
	in The proposed child care centre building is a single storey building which does not incorporate any window openings within the
	eastern or western side elevations. The front entry, reception and office face the public street to provide appropriate casual surveillance.
• appropriate site and building layout	The area along the eastern and western side boundary setbacks area are not generally accessible to children or parents with this area proposed for emergency earess and maintenance access only
suitable location of pathways, windows and doors	
 landscape design and screening. 	
Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.	JC
C23 A new development, or development shat includes alterations to more than 50	lent 50

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Orc)
dinary Meeti	per cent of the existing floor area, and is located adjacent to residential accommodation should:		
ng F	 provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). 	The submitted acoustic report has recommended construction of a combination of 1800mm and 2400mm high lapped and capped timber paling fence along the side and rear boundaries adjacent to the external play areas to ensure compliance with acoustic criteria.	
Page 100 of 651 -	 ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure. 	The acoustic report has made appropriate recommendations regarding the type and location of mechanical plant.	
· 12 December	C24 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:	An acoustic report prepared by Renzo Tonin & Associates Pty Ltd Yes. has been submitted with the DA documentation.	
2018	 identify an appropriate noise level for a child care facility located in residential and other zones 	Yes.	
	 determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use 	Yes.	
Attachme	 determine the appropriate height of any acoustic fence to enable the noise criteria 	Yes.	

Statement of Environmental Effects –23 Park Street Eglinton

to be met		
3.6 Noise and air pollution		
Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.	The acoustic report did not identify any external noise sources that would adversely affect the CCC.	Yes.
C25 Adopt design solutions to minimise the impacts of noise, such as:	The proposed CCC has been designed such that the internal playrooms and external play spaces are located away from the public street with the administrative and service functions located	
 creating physical separation between buildings and the noise source 	within the front portion of the building facing the public street.	
 orienting the facility perpendicular to the noise source and where possible buffered by other uses 		
 using landscaping to reduce the perception of noise 		
 limiting the number and size of openings facing noise sources 		
 using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) 		
 using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits 		

0.00		
• locating cot rooms, sleeping areas and play areas away from external noise sources.		
appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:	Not applicable.	δ
• on industrial zoned land	The site is not zoned industrial.	
• where the ANEF contour is between 20	The site is not affected by ANEF contours.	
• along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007	The site is not located in proximity to a railway or mass transit corridor.	
• on a major or busy road	Park Street is not a classified road.	
• other land that is impacted by substantial external noise.	There is no other land in proximity which is impacted by substantial external noise with the immediate and neighbouring area being predominantly residential or community uses.	
Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.	Yes.	့
C27 Locate child care facilities on sites	There are no identified external sources of potential air pollution	

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which avoid or minimise the potential impact of external sources of air pollution	which may impact the CCC.	
such as major roads and industrial development.		
C28 A suitably qualified air quality	Not applicable.	
professional should prepare an air quality		
assessment report to demonstrate that		
proposed child care facilities close to		
major roads or industrial developments		
can meet air quality standards in		
accordance with relevant legislation and		
ું guidelines. The air quality assessment		
report should evaluate design		
considerations to minimise air pollution		
such as:		
:		
• creating an appropriate separation		
distance between the facility and the		
poliution source. The location of play		
areas, sleeping areas and outdoor areas		
should be as rar as practicable from the		
major source of air pollution		
• using landscaping to act as a filter for air	i	
pollution generated by traffic and industry.		
Landscaping has the added benefit of		
improving aesthetics and minimising		
	Á	
• incorporating ventilation design into the		

rd			
ina	design of the facility.		
ry I			
Meeting	Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.		Yes.
	C29 Hours of operation within areas where the predominant land use is residential should be confined to the core	The proposed hours of operation as detailed in the SEE and acoustic report are 7.00AM to 6.00PM Monday to Friday with the CCC closed on Saturday. Sunday and public holidays.	Yes.
Page 104 of 65			
1 - 12 De	C30 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care	Not applicable	
cember 2	facility should be assessed with respect to its compatibility with adjoining and colocated land uses.		
2018	3.8 Traffic, parking and pedestrian circulation		
	Objective: To provide parking that satisfies the needs of users and demand generated by the centre.		Yes.
Attach	Ī	The submitted Traffic Impact Assessment indicates the proposed CCC requires a total of 5 parking spaces to satisfy the provisions of the DCP which requires parking for a CCC at the rate of 1 space per 10 children.	
nments			

Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates: • 1 space per 10 children • 1 space per 2 staff. Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space. In other areas: • 1 space per 4 children. A reduction in car parking rates may be considered where: • the proposal is an adaptive re-use of a heritage item

rd		
• the site is in proximity to high frequency and well connected public transport		
• the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks)		
• there is sufficient on street parking a vailable at appropriate times within proximity of the site.		
	Not applicable.	
parking may only be considered where		
there are no conflicts with adjoining uses, that is, no high levels of vehicle		
trucks and large vehicles.		
(C33 A Traffic and Parking Study should A Traffic a	A <i>Traffic & Parking Statement</i> prepared by Traffic Solutions has Ye been submitted with the DA documentation. The report	Yes.
quantify potential impacts on the	addresses on-site parking, traffic generation and impact on the	
minimised. The study should also address		
any proposed variations to parking rates and demonstrate that:		
The amenity of the surrounding area will		
not be affected		

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from the wider locality in times of emergency.		
Objective: To provide a safe and connected environment for pedestrians both on and around the site.	Yes	
C36 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:		
 separate pedestrian access from the car park to the facility 	A separate 1500mm wide concrete pedestrian pathway is provided adjacent to the western side boundary linking the site front entry	
 defined pedestrian crossings included within large car parking areas 	Line marked pedestrian crossings are not considered necessary given the size and layout of the car park.	
 separate pedestrian and vehicle entries from the street for parents, children and visitors 	An 1500mm wide concrete pedestrian pathway links the public footway to the CCC entry.	
 pedestrian paths that enable two prams to pass each other 	The pedestrian pathway has a width of 1500mm.	
 delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities 	The largest vehicles expected to service the CCC is a light commercial vehicle (i.e Toyota Hi-Ace) which will use the on-site car park. Deliveries will be scheduled to occur outside of peak drop-off and pick-up times.	

)rc		
• in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas	rre ny	Not applicable.
 vehicles can enter and leave the site in a forward direction. 		The car park incorporates a vehicle turning bay.
C37 Mixed use developments should include:		Not applicable.
• driveway access, manoeuvring areas • and parking areas for the facility that are • separate to parking and manoeuvring • areas used by trucks	areas hat are ring	
exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site	are ig the ces to the he same cess or	
• parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.	ner uses,	

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C38 Car parking design should: include a child safe fence to separate car park is located within the site frontage separate from external play areas which are located at the rear of the centre and secured with 1800mm high steel framed and timber clad security gates (G3). • provide clearly marked accessible parking as close as possible to the parking as close as possible to the primary entrance to the building in secondance with appropriate Australian Standards • include wheelchair and pram accessible parking.	ro	
a child safe fence to separate ng areas from the building and play areas clearly marked accessible to so so so so building in the with appropriate Australian is	C38 Car parking design should:	
 provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards include wheelchair and pram accessible parking. 	• include a child safe fence to separate car parking areas from the building entrance and play areas	The car park is located within the site frontage separate from external play areas which are located at the rear of the centre and secured with 1800mm high steel framed and timber clad security gates (G3).
• include wheelchair and pram accessible barking.	• provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian	An accessible parking space is located immediately adjacent to the CCC.
	• include wheelchair and pram accessible parking.	

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NSW Child Care Planning Guideline

Statement of Environmental Effects -23 Park Street

Part 4. National Quality Framework Assessment Checklist

Proposal: Demolition of existing structures and construction of a 42-place centre-based child care facility with associated car parking, landscaping, signage and site works.

Property: Lot 2 DP 38206, 23 Park Street Eglinton.

Regulation	Proposed	Complies
104. Fencing or barrier that encloses outdoor spaces.	(Indicate height, materials and style on plans)	Yes.
	The side and rear boundaries of the external play areas are	
Outdoor space that will be used by children will be	enclosed by a combination of 1800mm and 2400mm high	
enclosed by a fence or barrier that is of a height and	lapped and capped acoustic timber paling fence. Refer DWG	
design that children preschool age or under cannot	A1.00 Site Plan.	
go through, over or under it.	Gates G3, which provide access to the external playground	
Note: This clause does not apply to a centre-based	along the side boundaries comprise, 1800mm x 1000mm	
service primarily for children over preschool age or	steel framed and timber clad gate with lockable latch.	
a family day care residence or venue for over		
preschool age children.		
106. Laundry and hygiene facilities	(On site or off site facilities)	Yes.
The proposed development includes laundry	The facility incorporates a laundry on-site and located off the	
facilities or access to laundry facilities OR explain	central corridor.	
the other arrangements for dealing with soiled	The laundry is not accessible by unsupervised children. Refer	
clothing, nappies and linen, including hygienic	DWG A1.01.	

facilities for storage of soiled clothing, nappies and linen prior to their disposal or laundering. Laundry/hygienic facilities are located where they do not pose a risk to children		
	Number of Children: 42	Yes
The proposed development includes at least 3.25	Required Area: $42 \times 3.25 = 136.5 \text{m}^2$	
	Playroom 1: $12 \times 3.25 = 39 \text{m}^2$ Playroom 2: $10 \times 3.25 = 32.5 \text{m}^2$ Playroom 3: $20 \times 3.25 = 65 \text{m}^2$	
112 of (Provided Area: 265m²	
651 - 12 Dec	Playroom 1: 39.0m² Playroom 2: 33.5m² Playroom 3: 66.9m²	
108. Unencumbered outdoor space	Number of Children: 42	Yes.
The proposed development includes at least 7.0	Required Area: $42 \times 7 = 294 \text{m}^2$.	
	Playground 1: $12 \times 7 = 84m^2$ Playground 2: $30 \times 7 = 210m^2$	
information on calculating outdoor space, and for different requirements for out-of-school-hours care services.	Provided Area: 299.4m²	
Atta	Playground 1: 84.5m ² Playground 2: 214.9m ²	
ਤੂੰ 109. Toilet and hygiene facilities	(Show number of toilets and hand basins on plan)	Yes

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The proposed development includes adequate, development includes a dequate, and drying facilities for use by children. Being and drying facilities for use by children being development includes indoor spaces 110. Ventilation and natural light enables and evaluation of the toilet washing and drying facilities and caned for by the service. The location and design of the toilet washing and drying facilities and caned for by the service. The location and design of the toilet washing and drying facilities and caned for by the service. The location and design of the toilet washing and drying facilities and caned for by the service. The location and design of the toilet washing and drying facilities and caned for by the service. The location and drying facilities and caned for by the service. The location and drying facilities and caned for by the service. The location and drying facilities and caned for by the service. The location and drying facilities and caned for by the service. The location and drying facilities and caned for the project and caned for higher that the service and drying facilities and drying facilities is available from all playroom 1 (Indicate on plans and elevations from all playroom 1 (Indicate on plans) 111. Administrative space and conducting the administrative functions of the service; and conducting the administrative functions of the service; and conducting the administrative functions of the service; and conducting with parents of children, and conducting with parents of children, and conducting the administrative functions of the service; and conducting the administration 107. 112. Nappy change facilities 113. Nappy change facili	rdin			
and design of the toliet, washing and drying facilities enable safe and convenient use by the children. 10. Ventilation and natural light The proposed development includes indoor spaces to be used by children that — vill be well searly and well-being of children. 11. Administrative space The proposed development includes an adequate and or areas for the purposes of conducting the provided in the calculation of unencumbered indoor space. 12. Nappy change facilities and consulting with parents of children. 13. Nappy change facilities 14. Nappy change facilities and convenient use by the children. 14. Nappy change facilities 15. Nappy change facilities 16. Sasual surveillance of the toilet facilities is available from all play area and associated 3 hand basins. (Indicate on plans and elevations how natural ventilation and included in the toilet facilities is available from all play nead associated 3 hand basins. (Indicate on plans and elevations how natural ventilation and included in the toilet facilities is available from all play nead associated 3 hand basins. (Indicate on plans and elevations how natural ventilation and elevations of the building with windows/glazed doors providing direct access to natural light and ventilation. (Indicate administrative space on plans) An office and reception area is located adjacent to the entry lobby. (Indicate nappy change on plans)	ary Meeting	The proposed development includes adequate, developmentally and age appropriate toilet, was and drying facilities for use by children being educated and cared for by the service.	Playroom 1 (12 x 0-2 y/o) and Playroom 2 (10 x 2-3y/o) incorporate a common shared nappy change/kids toilet facility with 3 toilets.	
110. Ventilation and natural light The proposed development includes indoor spaces to be used by children that ensures the safety and veill-being of children. 111. Administrative space and evelopment includes an adequate or areas for the purposes of conducting the acronsulting with parents of children; and conducting private conversations. Note: This space cannot be included in the calculation of unencumbered indoor space. 112. Nappy change facilities Casual surveillance of the toilet facilities is available from all Playrooms. (Indicate on plans and elevations how natural ventilation and ighting is achieved) The internal play areas are generally located along the southern elevation of the building with windows/glazed doors providing direct access to natural light and ventilation. (Indicate administrative space on plans and elevations of the building with windows/glazed doors providing direct access to natural light and ventilation. (Indicate administrative space on plans) The space has not been included in the calculation of unencumbered indoor space. Indicate administrative space on plans) (Indicate administrative		and design of the toilet, washing and drying facilities enable safe and convenient use by the children.	Playroom 3 ($20 \times 3-5y/o$) incorporates an adjacent toilet facility with 3 toilets and associated 3 hand basins.	
The proposed development includes indoor spaces The proposed development includes indoor spaces to be used by children. The proposed development includes an adequate natural light; acro are an aminatined at a temperature that ensures the safety and well-being of children. The proposed development includes an adequate and ministrative space are or areas for the purposes of conducting the and ministrative conversations. Note: This space cannot be included in the calculation of unencumbered indoor space – see regulation 107 The proposed development and equate or plans and equate and evelopment includes an adequate and equate and evelopment includes an adequate and equate and evelopment includes an adequate and equate and evelopment includes and equate and evelopment includes an adequate and evelopment included in the calculation of unencumbered indoor space – see regulation 107 The proposed development includes an adequate and reception area is located adjacent to the entry lobby. The space has not been included in the calculation of unencumbered indoor space. The interval of the service; and conducting the space has not been included in the calculation of unencumbered indoor space. The interval of the service and reception area is located adjacent to the entry lobby. The space has not been included in the calculation of unencumbered indoor space. The interval of the service and reception area is located adjacent to the entry lobby. The space has not been included in the calculation of unencumbered indoor space. The interval of the proposed development included in the calculation of unencumbered indoor space. The interval of the proposed development includes an apply change area	Pa		Casual surveillance of the toilet facilities is available from all Playrooms.	
The proposed development includes indoor spaces to be used by children that —• will be well ventilated; and • will have adequate natural light; and • can be maintained at a temperature that ensures the safety and well-being of children. 111. Administrative space development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and consulting with parents of children; and conducting private conversations. Note: This space – see regulation 107 112. Nappy change facilities The internal play areas are generally located along the south will care natural light. Sputhern elevation of the building with windows/glazed doors providing direct access to natural light and ventilation. (Indicate administrative space on plans) The space has not been included in the calculation of unencumbered indoor space. Space – see regulation 107 112. Nappy change facilities (To be completed only if the proposed development includes in the calculation of unencumbered indoor space. (Indicate administrative space on plans) The space has not been included in the calculation of unencumbered indoor space. (Indicate nappy change on plans) (To be completed only if the proposed development includes an adequate included in the calculation of unencumbered indoor space. (To be completed only if the proposed development includes an adequate included in the calculation of unencumbered indoor space. (To be completed only if the proposed development includes in the calculation of unencumbered indoor space.) (To be completed only if the proposed development includes in the calculation of unencumbered indoor space.) (To be completed only if the proposed development includes an adequate access to natural light and ventilation. (To be completed only if the proposed development includes an adequate access to natural light and ventilation. (To be completed only if the proposed development includes an adequate access to natural light.	ige 11:			
The proposed development includes an adequate administrative space on plans) The proposed development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and conducting with parents of children; and conducting private conversations. Note: This space cannot be included in the calculation of unencumbered indoor space – see regulation 107 112. Nappy change facilities (Indicate administrative space on plans) The space has not been included in the calculation of unencumbered indoor space. Indicate administrative space and reception area is located adjacent to the entry lobby. The space has not been included in the calculation of unencumbered indoor space. (Indicate nappy change on plans) (To be completed only if the proposed development is for a service that will care for children who wear incorporates a nappy change area off Playroom 1. Refer	3 of 651 - 12 De		The internal play areas are generally located along the southern elevation of the building with windows/glazed doors providing direct access to natural light and ventilation.	
The proposed development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and consulting with parents of children; and conducting private conversations. Note: This space cannot be included in the calculation of unencumbered indoor space – see regulation 107 112. Nappy change facilities An office and reception area is located adjacent to the entry lobby. The space has not been included in the calculation of unencumbered indoor space. Indicate nappy change on plans) (Indicate nappy change area off Playroom 1. Refer incorporates a nappy change area off Playroom 1. Refer	ecem			·
consulting with parents of children; and conducting private conversations. Note: This space cannot be included in the calculation of unencumbered indoor space – see regulation 107 112. Nappy change facilities (To be completed only if the proposed development is for a service that will care for children who wear incorporates a nappy change area off Playroom 1. Refer	ber 2018		An office and reception area is located adjacent to the entry lobby.	
112. Nappy change facilities(Indicate nappy change on plans)(To be completed only if the proposed development is for a service that will care for children who wearThe proposed facility will care for children who wearThe proposed facility will care for children who wear		hildren; and conduct This space cannot of unencumbered ind	The space has not been included in the calculation of unencumbered indoor space.	
(To be completed only if the proposed development is for a service that will care for children who wear		112. Nappy change facilities		
	Attachme		The proposed facility will cater for $12 \times 0-2y/o$ and incorporates a nappy change area off Playroom 1. Refer	

Statement of Environmental Effects –23 Park Street Eglinton

Ordina	nappies) The proposed development includes an	DWG A1.01.	
ry Meeting	adequate area for construction of appropriate hygienic facilities for nappy changing including at least one properly constructed nappy changing	The nappy change room incorporates a solid bench, hand washing for staff, sanitary facilities for soiled nappies and a	
g	bench and hand cleansing facilities for adults in the immediate vicinity of the nappy change area. The	contaminated waste disposal unit.	
	proposed nappy change facilities can be designed and located in a way that prevents unsupervised	A pool style gate (G1) 1200mm x 920mm with self-closing hinges and child proof lock will prevent unsupervised access to the change room	
Pa			
ige 1	113. Outdoor space—natural environment	(Indicate on landscape plans) Yes.	
114 of 651 -	The proposed development includes outdoor spaces that will allow children to explore and experience the natural environment.	The external playground incorporates a combination of open play areas, active play areas (play equipment & native play areas), quiet areas and vegie garden	
12 [114. Outdoor space—shade	(Indicate shade on landscape plans)	
December 2018	The proposed development includes adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	A skillion roof projects over the southern elevation of the CCC providing a maximum 4250mm wide verandah as a transition area between the internal and external play areas (refer DWG A1.01 & A1.02)	
		Shade sails are located over the active play areas. Refer DWG A1.02	
	115. Premises designed to facilitate supervision	(Indicate on floor plans)	
Attachme	The proposed development (including toilets and nappy change facilities) are designed in a way that facilitates supervision of children at all times, having regard to the need to maintain the rights and dignity	The layout and configuration of the internal and external play areas are considered to be appropriate and include suitable design measures to facilitate casual surveillance of all areas by centre staff.	

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Compass Planning



TRAFFIC SOLUTIONS PTY LTD

Reference No: 17.18.088 21 May 2018

The General Manager Bathurst Regional Council Private Mail Bag 17 Bathurst NSW 2795

Dear Sir,

<u>Traffic and Parking Statement - Proposed Child Care Centre,</u> <u>23 Park Street, Eglinton</u>

Traffic Solutions Pty Ltd has been engaged by Hanna Developments Group Pty Ltd to provide Council with an assessment of the potential traffic and parking implications of a proposed 42 place Long Day Care Centre at the subject location.

This assessment has been undertaken with reference to plans prepared by Creative Drafting Services, Job No 181050, Drawing Numbers A0.00, A1.00-A1.05, issue A and dated 1 March 2018.

Seven (7) parking spaces are proposed with vehicle access via a 6.0m wide driveway direct to Park Street. The proposed driveway location is satisfactory and will provide very good sight distance in both directions along Park Street. The available sight distance easily exceeds the desirable 69m distance suggested by AS/NZS 2890.1:2004 for 50km/h.

PARKING

Geometric design requirements for car park layouts are specified in the 'Australian/New Zealand Standard, Parking Facilities Part 1; Off Street Car Parking (AS/NZS 2890.1) of 2004 and Australian/New Zealand Standard, Parking Facilities Part 6: Off street Parking for People With Disabilities of 2009. Part 1 of this standard classifies this development as a Class 3 off-street car parking facility requiring a category 1 driveway. The following table provides a comparison on the requirements of AS/NZS 2890.1 and AS/NZS 2890.6 applicable to the car parking proposal.

FEATURE	AS/NZS 2890.1 & AS/NZS 2890.6	PROPOSED	CONFORMS
	REQUIREMENT		TO
			STANDARD
Parking Space	5.4m x 2.6m car space Additional 300mm when adjacent a wall	5.4m x 2.6m car space no spaces adjacent walls	YES
	5.4m x 2.4m plus 5.4m x 2.4m shared zone disabled	5.4m x 2.4m plus 5.4m x 2.4m shared zone disabled	YES
Aisle Width	5.8m min	6.2m	YES

Traffic Solutions Pty Ltd, PO Box 9161, Bathurst NSW 2795 Ph: 02 6331 0467 • Email: <u>craig@trafficsolutions.com.au</u> ABN 63 074 165 263

FEATURE	AS/NZS 2890.1 & AS/NZS 2890.6 REQUIREMENT	PROPOSED	CONFORMS TO STANDARD
Blind Aisle	1.0m	1.0m	YES
Driveway Width	Category 1 d/w = $3m - 5.5m$ Category 2 d/w = $6m - 9m$ Note: Driveways are normally combined, but if separate, both entry and exit widths should be 3.0m min.	Category 1 d/w 6.0m combined	YES
Ramp Grades	 1 in 20 (5%) for 1st 6m > 20m 1 in 5 (20%) max < 20m 1 in 4 (25%) max. Transition required if grade change in excess of 1 in 8 (12.5%) 	Car park at grade <5%	YES
Pedestrian sight line splay	2m (along frontage) x 2.5m (into site)	2mx 2.5m (low landscaping)	YES

Accordingly, this development proposal adheres to the above Australian Standard Requirements.

CAR PARKING

Council's Development Control Plan (Bathurst Regional Development Control Plan 2014) specifies the following car parking requirements:

Child Care Centre – 1 space per 10 children with an additional dedicated drop off/pick up point.

Utilising this rate, the requirements for a 42 place child care centre is 5 spaces. However, the provision of a dedicated drop off/pick up point is superfluous as it is a requirement of the Family and Community Services that all children are to be signed in and out of child care centres.

Consequently, the proposed child care centre exceeds Council's parking requirements with the provision of 7 off-street parking spaces.

TRAFFIC

An estimation of the traffic generation of the proposed development can be calculated by referring to the Roads and Maritime Services 'Guide to Traffic Generating Developments, Section 3 – Landuse Traffic Generation' of October 2002. The guide specifies the following peak hour generation rates:

Centre Type	Peak Vehicle	Peak Vehicle Trips/Child		
	7.00-9.00am	2.30 - 4.00pm	4.00 - 6.00pm	
Pre-school	1.4	0.8		
Long day care	0.8	0.3	0.7	
Before/after care	0.5	0.2	0.7	

Accordingly, the estimated traffic generation of this development calculates as:

Children number and centre type	AM Peak Hour	PM Peak Hour
42 place long day care	$42 \times 0.8 = 33.6$	42 x 0.7 = 29.4
Total	37 Trips	29 Trips

The estimated increase in traffic generation is in the order of 37 and 29 trips in the morning and evening peak hours respectively. The RMS defines a vehicle trip as a one-way vehicular movement from one point to another excluding the return journey. Accordingly, the estimated trips will be in the order of 19 in and 18 out in the morning peak hour and 15 in and 14 out in the evening peak hour.

This equates to approximately 1 vehicle trip every 2 minutes on average either approaching or departing which will not have any unacceptable impact upon the current operation of Park Street or the surrounding road network.

CONCLUSIONS

The preceding assessment has revealed the following:

- The access driveway proposed to serve the development is suitably located and will provide very good sight distance in both directions along Park Street.
- The proposed development satisfies the related geometric design specifications contained in the Australian Standards for off street parking and vehicular access.
- The off-street parking provided in the proposed development exceeds the requirements specified by Council's Development Control Plan.
- The proposal has a potential increase in estimated peak hour traffic flows in the order of 37 and 29 vehicle trips in the morning and evening peak hours respectively, which will not have a noticeable or detrimental effect upon Park Street or the surrounding road network.

Should you require any additional information or clarification of the contents of this letter please contact me on the numbers provided.

Yours sincerely

Craig Hazell Director

CHILD CARE PLANNING GUIDELINE - CONSENT AUTHORITY ASSESSMENT -

Development Application No.: 2018/290

Description of Development: Child care centre and Associated Advertising Signage

Address: 23 Park Street, Eglinton

Applicant: Hannas Childcare Developments

Owner: Mr O & Mrs J Genc

PART 2 Design Quality Principles

Principle 1 - Context

Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood.

Well-designed child care facilities take advantage of its context by optimising nearby transport, public facilities and centres, respecting local heritage, and being responsive to the demographic, cultural and socio-economic makeup of the facility users and surrounding communities.

Comment: The subject site is within an established residential area. The proposed building is of a residential design and scale. The subject site is adjacent to the Eglinton General Store, the Eglinton Oval and the Eglinton Public School. Eglinton is characterised by young families.

Principle 2 - Built form

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area.

Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Good design also uses a variety of materials, colours and textures.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Contemporary facility design can be distinctive and unique to support innovative approaches to teaching and learning, while still achieving a visual appearance that is aesthetically pleasing, complements the surrounding areas, and contributes positively to the public realm.

Comment: The subject site is within an established residential area. The proposed building is of a residential design and scale and will therefore complement its residential neighbours.

Principle 3 - Adaptive learning spaces

Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for-purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces fit-out.

Good design achieves a mix of inclusive learning spaces to cater for all students and different modes of learning. This includes appropriately designed physical spaces offering a variety of settings, technology and opportunities for interaction.

Comment: The layout of both internal and external learning spaces in the proposed centre will provide a high level of amenity and functionality.

Principle 4- Sustainability

Sustainable design combines positive environmental, social and economic outcomes.

This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and re-use of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

Well-designed facilities are durable and embed resource efficiency into building and site design, resulting in less energy and water consumption, less generation of waste and air emissions and reduced operational costs.

Comment: The proposed centre has been designed to capture natural light and ventilation. Significant open space will allow for deep soil zones with extensive landscaping.

Principle 5 - Landscape

Landscape and buildings should operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Well-designed landscapes make outdoor spaces assets for learning. This includes designing for diversity in function and use, age-appropriateness and amenity.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Comment: Significant open space will allow for deep soil zones with extensive landscaping.

Principle 6 - Amenity

Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive learning environments and the well-being of students and staff.

Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.

Well-designed child care facilities provide comfortable, diverse and attractive spaces to learn, play and socialise.

Comment: The layout of both internal and external learning spaces in the proposed centre will provide a high level of amenity. Each internal learning space has direct access to the common outdoor learning area. Internal and external learning areas will receive ample natural lighting and ventilation.

Principle 7 - Safety

Well-designed child care facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk, and can be checked and maintained efficiently and appropriately.

Good child care facility design balances safety and security with the need to create a welcoming and accessible environment. It provides for quality public and private spaces that are inviting, clearly defined and allow controlled access for members of the community. Well-designed child care facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).

Comment: Both internal and external learning spaces have been designed to provide a high level of safety and security.

PART 3 Matters for consideration

3.1 Site selection and location

Objective: To ensure that appropriate zone considerations are assessed when selecting a site.

C1

For proposed developments in or adjacent to a residential zone, consider:

- the acoustic and privacy impacts of the proposed development on the residential properties
- the setbacks and siting of buildings within the residential context
- traffic and parking impacts of the proposal on residential amenity.

For proposed developments in commercial and industrial zones, consider:

- potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental or amenity issues such as air or noise pollution and local traffic conditions
- the potential impact of the facility on the viability of existing commercial or industrial uses.

For proposed developments in public or private recreation zones, consider:

- the compatibly of the proposal with the operations and nature of the community or private recreational facilities
- if the existing premises is licensed for alcohol or gambling
- if the use requires permanent or casual occupation of the premises or site the availability of on site parking
- compatibility of proposed hours of operation with surrounding uses, particularly residential uses
- the availability of appropriate and dedicated sanitation facilities for the development.

For proposed developments on school, TAFE or university sites in Special Purpose zones, consider:

- the compatibly of the proposal with the operation of the institution and its users
- the proximity of the proposed facility to other uses on the site, including premises licensed for alcohol or gambling
- proximity to sources of noise, such as places of entertainment or mechanical workshops
- proximity to odours, particularly at agricultural institutions
- previous uses of a premises such as scientific, medical or chemical laboratories, storage areas and the like.

Comment: The subject site is within an established residential area zoned R1 General Residential. An Acoustic Assessment Report has been lodged with the application and this report makes recommendations on sound mitigation measures including fences. The proposed front, side and rear setbacks are consistent with those established in the surrounding residential area. A Traffic Impact Assessment has been lodged with the application and this report concludes that the proposed development will not have any significant adverse impacts on the surrounding residential area in terms of traffic or parking.

Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.

C2

When selecting a site, ensure that:

- the location and surrounding uses are compatible with the proposed development or use
- the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards
- there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed
- the characteristics of the site are suitable for the scale and type of development proposed having regard to:
 - size of street frontage, lot configuration, dimensions and overall size
 - number of shared boundaries with residential properties
 - the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas
- where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use
- there are suitable drop off and pick up areas, and off and on street parking
- the type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use
- it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises.

Comment: There are no known environmental hazards affecting the subject site. A Preliminary Site Investigation has been lodged with the application. This report concludes that while the subject site has been used for residential purposes for many decades, there are some areas on the site and on the adjacent site that have the potential contamination. The report recommends a Phase 2 site assessment. The subject site and its locality are considered appropriate for a child care centre. Adequate parking and maneuvering areas will be provided. Access to the subject site is via a minor road. There are no incompatible land uses within the vicinity of the subject site.

Objective: To ensure that sites for child care facilities are appropriately located.

C3

A child care facility should be located:

- near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship
- near or within employment areas, town centres, business centres, shops
- · with access to public transport including rail, buses, ferries
- in areas with pedestrian connectivity to the local community, businesses, shops, services and the like.

Comment: The subject site is within an established residential area. The subject site is adjacent to the Eglinton General Store, the Eglinton Oval and the Eglinton Public School. Eglinton is well connected with an extensive footpath network.

Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.

C4

A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:

- proximity to:
 - heavy or hazardous industry, waste transfer depots or landfill sites
 - LPG tanks or service stations water cooling and water warming systems
 - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses

Comment: The subject site adjoining a site containing a general store/service station with fuel bowsers and a gas bottle storage cage. The fuel bowsers and gas bottle storage cage are located adjacent to the proposed car park and not near the rear outdoor play area or the actual building. The subject site is not adjacent to any heavy or hazardous industries, waste transfer depots or landfill sites, water cooling or water warming systems or odour generating uses.

3.2 Local character, streetscape and the public domain interface

Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape.

C5

The proposed development should:

- contribute to the local area by being designed in character with the locality and existing streetscape
- reflect the predominant form of surrounding land uses, particularly in low density residential areas
- recognise predominant streetscape qualities, such as building form, scale, materials and colours
- include design and architectural treatments that respond to and integrate with the existing streetscape
- use landscaping to positively contribute to the streetscape and neighbouring amenity
- integrate car parking into the building and site landscaping design in residential areas.

Comment: The subject site is within an established residential area. The proposed building is of a residential design and scale. The proposed building incorporates a variety of different features, materials, finishes and colours. The front façade of the proposed building includes a number of different design elements that break the façade into sections. The proposed centre is considered to be compatible with the established character of the locality. Extensive landscaping will be provided.

Objective: To ensure clear delineation between the child care facility and public spaces.

C6

Create a threshold with a clear transition between public and private realms, including:

- fencing to ensure safety for children entering and leaving the facility
- windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community
- integrating existing and proposed landscaping with fencing.

Comment: Fencing will provide clear delineation between public and private areas. A clearly identifiable front entrance provides a single point of transition between public

and private areas. Windows in the front façade of the building will provide passive surveillance of the car park and the public road.

C7

On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.

Comment: A clearly identifiable front entrance provides a single point of transition between public and private areas.

C8

Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:

- clearly defined street access, pedestrian paths and building entries
- low fences and planting which delineate communal/ private open space from adjoining public open space
- minimal use of blank walls and high fences.

Comment: Not applicable.

Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.

C9

Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.

Comment: The proposal includes a semi-transparent 1.2 metre high picket front fence.

C10

High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.

Comment: Not applicable.

3.3 Building orientation, envelope and design

Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade.

C11

Orient a development on a site and design the building layout to:

- ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by:
 - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties
 - placing play equipment away from common boundaries with residential properties
 - locating outdoor play areas away from residential dwellings and other sensitive uses
- optimise solar access to internal and external play areas
- avoid overshadowing of adjoining residential properties
- · minimise cut and fill
- ensure buildings along the street frontage define the street by facing it
- ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.

Comment: The proposed centre has very few windows and doors immediately adjacent to external boundaries. Side fences of 1.8 metres high and a rear fence of 2.4 metres high will provide acoustic privacy to adjoining residential properties. Internal and external learning areas will achieve ample solar access. Minimal site fill and retaining walls are required. The proposed building addresses the street.

Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.

C12

The following matters may be considered to minimise the impacts of the proposal on local character:

- building height should be consistent with other buildings in the locality
- building height should respond to the scale and character of the street
- setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility
- setbacks should provide adequate access for building maintenance
- setbacks to the street should be consistent with the existing character.

Comment: The subject site is within an established residential area. The proposed building is of a residential design and scale. The proposed building is single storey only, as are all of its neighbours. All proposed setbacks (front, side and rear) are consistent with those established in the street. The proposed centre has very few windows and doors immediately adjacent to external boundaries.

Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.

C13

Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.

Comment: All setbacks are in accordance with the DCP and the NCC and are considered appropriate.

C14

On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.

Comment: All proposed setbacks (front, side and rear) are consistent with those established in the street.

Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.

C15

The built form of the development should contribute to the character of the local area, including how it:

- respects and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage
- contributes to the identity of the place
- retains and reinforces existing built form and vegetation where significant
- considers heritage within the local neighbourhood including identified heritage items and conservation areas
- responds to its natural environment including local landscape setting and climate
- contributes to the identity of place.

Comment: The subject site is within an established residential area. The proposed building is of a residential design and scale.

Objective: To ensure that buildings are designed to create safe environments for all users.

C16

Entry to the facility should be limited to one secure point which is:

- located to allow ease of access, particularly for pedestrians
- · directly accessible from the street where possible
- directly visible from the street frontage
- easily monitored through natural or camera surveillance
- not accessed through an outdoor play area.
- in a mixed-use development, clearly defined and separate from entrances to other uses in the building.

Comment: A clearly identifiable front entrance provides a single point of transition between public and private areas.

Objective: To ensure that child care facilities are designed to be accessible by all potential users.

C17

Accessible design can be achieved by:

- providing accessibility to and within the building in accordance with all relevant legislation
- linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry
- providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible

• minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath.

NOTE: The *National Construction Code*, the *Discrimination Disability Act 1992* and the *Disability (Access to Premises – Buildings) Standards 2010* set out the requirements for access to buildings for people with disabilities.

Comment: The proposed development will be constructed to comply with the relevant Regulations, Standards and Codes. Details of compliance will be submitted with a Construction Certificate.

3.4 Landscaping

Objective: To provide landscape design that contributes to the streetscape and amenity.

C18

Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by:

- reflecting and reinforcing the local context
- incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping.

Comment: Extensive landscaping will be provided in front of and behind the proposed building.

C19

Incorporate car parking into the landscape design of the site by:

- planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings
- taking into account streetscape, local character and context when siting car parking areas within the front setback
- using low level landscaping to soften and screen parking areas.

Comment: Extensive landscaping will be provided in front of the building in and around the car park.

3.5 Visual and acoustic privacy

Objective: To protect the privacy and security of children attending the facility.

C20

Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.

Comment: Not applicable.

C21

Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:

- appropriate site and building layout
- · suitably locating pathways, windows and doors
- permanent screening and landscape design.

Comment: Indoor and outdoor learning areas have been designed so that they are predominantly only visible from within the site. Side and rear fencing will provide both an acoustic and visual barrier.

Objective: To minimise impacts on privacy of adjoining properties.

C22

Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:

- appropriate site and building layout
- · suitable location of pathways, windows and doors
- · landscape design and screening.

Comment: The proposed centre has very few windows and doors immediately adjacent to external boundaries. Side and rear fencing will provide both an acoustic and visual barrier.

Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.

C23

A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:

- provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence).
- ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.

Comment: The proposed centre has very few windows and doors immediately adjacent to external boundaries. Side fences of 1.8 metres high and a rear fence of 2.4 metres high will provide acoustic privacy to adjoining residential properties. The Acoustic Assessment Report has made recommendations in relation to type and positioning of mechanical plant.

C24

A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:

- identify an appropriate noise level for a child care facility located in residential and other zones
- determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use
- determine the appropriate height of any acoustic fence to enable the noise criteria to be met.

Comment: A detailed Acoustic Assessment has been submitted with the Development Application and this document addresses the above matters.

3.6 Noise and air pollution

Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.

C25

Adopt design solutions to minimise the impacts of noise, such as:

- creating physical separation between buildings and the noise source
- orienting the facility perpendicular to the noise source and where possible buffered by other uses
- using landscaping to reduce the perception of noise
- limiting the number and size of openings facing noise sources
- using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)
- using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits
- locating cot rooms, sleeping areas and play areas away from external noise sources.

Comment: The subject site is not within the immediate vicinity of any significant noise sources. The building has however been designed so as to minimise noise impact from residential and commercial neighbours.

C26

An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:

- · on industrial zoned land
- where the ANEF contour is between 20 and 25, consistent with AS 2021 2000
- along a railway or mass transit corridor, as defined by *State Environmental Planning Policy* (*Infrastructure*) 2007 on a major or busy road other land that is impacted by substantial external noise.

Comment: Not applicable.

Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.

C27

Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.

Comment: The subject site is not within the immediate vicinity of any significant odour sources.

C28

A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:

- creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution
- using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway
- incorporating ventilation design into the design of the facility.

Comment: The subject site is not within the immediate vicinity of any significant odour sources.

3.7 Hours of operation

Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.

C29

Hours of operation within areas where the predominant land use is residiential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.

Comment: As the subject site is within an established residential area, the centre's hours of operation will be from 7.00am to 6.00pm weekdays.

C30

Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and colocated land uses.

Comment: Not applicable.

3.8 Traffic, parking and pedestrian circulation

Objective: To provide parking that satisfies the needs of users and demand generated by the centre.

C31

Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.

Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates:

Within 400 metres of a metropolitan train station:

• 1 space per 10 children

- 1 space per 2 staff. Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space. In other areas:
- 1 space per 4 children.

A reduction in car parking rates may be considered where:

- the proposal is an adaptive re-use of a heritage item
- the site is in a B8 Metropolitan Zone or other high density business or residential zone
- the site is in proximity to high frequency and well connected public transport
- the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks)
- there is sufficient on street parking available at appropriate times within proximity of the site.

Comment: The DCP requires the provision of 1 space per 10 children therefore 5 spaces are required. Plans for the proposed development indicate 7 spaces.

C32

In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.

Comment: Not applicable.

C33

A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:

- the amenity of the surrounding area will not be affected
- there will be no impacts on the safe operation of the surrounding road network.

Comment: While it is acknowledged that the proposed development will generate a discernible increase in localised traffic, the surrounding road network is considered to be of sufficient capacity to cope with the anticipated increase.

Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.

C34

Alternate vehicular access should be provided where child care facilities are on sites fronting:

- a classified road
- roads which carry freight traffic or transport dangerous goods or hazardous materials.

The alternate access must have regard to:

- · the prevailing traffic conditions
- pedestrian and vehicle safety including bicycle movements
- the likely impact of the development on traffic.

Comment: The subject site is not on a classified road or freight route.

C35

Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.

Comment: Not applicable.

Objective: To provide a safe and connected environment for pedestrians both on and around the site.

C36

The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:

- separate pedestrian access from the car park to the facility
- defined pedestrian crossings included within large car parking areas
- separate pedestrian and vehicle entries from the street for parents, children and visitors
- pedestrian paths that enable two prams to pass each other
- delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities
- in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas
- vehicles can enter and leave the site in a forward direction.

Comment: Clear delineation between vehicle and pedestrian areas will be provided.

C37

Mixed use developments should include:

- driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks
- drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site
- parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.

Comment: Not applicable.

C38

Car parking design should:

- include a child safe fence to separate car parking areas from the building entrance and play areas
- provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards
- include wheelchair and pram accessible parking.

Comment: A fence around the entrance doorway has been identified on the plans. Fences separate the rear outdoor learning area from the car park. The building will be fully accessible and an accessible car parking space has been identified adjacent to the entrance doorway.

PART 4 Applying the National Regulations to development proposals

Fencing (Regulation 104)

Outdoor space that will be used by children will be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Laundry and hygiene facilities (Regulation 106)

The proposed development includes laundry facilities or access to laundry facilities OR explain the other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage of soiled clothing, nappies and linen prior to their disposal or laundering. Laundry/hygienic facilities are located where they do not pose a risk to children

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Indoor space requirements (Regulation 107)

The proposed development includes at least 3.25 square metres of unencumbered indoor space for each child. Refer to regulation 107 of the Education and Care Services National Regulation for further information on calculating indoor space.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Outdoor space requirements (Regulation 108)

The proposed development includes at least 7.0 square metres of unencumbered outdoor space for each child. Refer to regulation 108 of the Education and Care Services National Regulation for further information on calculating outdoor space, and for different requirements for out-of-school-hours care services.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Toilet and hygiene facilities (Regulation 109)

The proposed development includes adequate, developmentally and age-appropriate toilet, washing and drying facilities for use by children being educated and cared for by the service. The location and design of the toilet, washing and drying facilities enable safe and convenient use by the children.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Ventilation and natural light (Regulation 110)

The proposed development includes indoor spaces to be used by children that —

- · will be well ventilated; and
- will have adequate natural light; and
- can be maintained at a temperature that ensures the safety and well-being of children.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Administrative space (Regulation 111)

The proposed development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and consulting with parents of children; and conducting private conversations.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Nappy change facilities (Regulation 112)

The proposed development includes an adequate area for construction of appropriate hygienic facilities for nappy changing including at least one properly constructed nappy changing bench and hand cleansing facilities for adults in the immediate vicinity of the nappy change area. The proposed nappy change facilities can be designed and located in a way that prevents unsupervised access by children.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Natural environment (Regulation 113)

The proposed development includes outdoor spaces that will allow children to explore and experience the natural environment.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

Shade (Regulation 114)

The proposed development includes adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.

Comment: Compliance demonstrated on plans for proposed development and in supporting documentation.

18 of 18 S_DEPBS_3_6 Premises designed to facilitate supervision (Regulation 115) The proposed development (including toilets and nappy change facilities) are designed in a way that facilitates supervision of children at all times, having regard to the need to maintain the rights and dignity of the children. Comment: Compliance demonstrated on plans for proposed development and in

supporting documentation.

STATEMENT OF HERITAGE IMPACT



Statement of heritage impact for:

No. 23 Park Street, Eglinton. NSW 2795

This statement forms part of the development application for:

Proposed demolition of existing dwelling, carport, garage and outbuildings

Date:

15 Nov 2018

Reference:

Bathurst Region Urban Strategy
Bathurst Regional Heritage Study
Bathurst Regional Local Environmental Plan
Heritage Strategy for the Bathurst Region
Bathurst Regional Development Control Plan
Eglinton Village Expansion Local Environmental Study

Address and property description:

No. 23 Park Street Bathurst. NSW 2795 Lot 2 DP 197420 & Lot B DP38206

Prepared by:

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For: Compass Planning Pty Ltd

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1. INTRODUCTION

1.1 Context

This report was commissioned by the owner of the property as part of the development application for demolition of an existing dwelling building, garage with attached carport and existing outbuildings.

This report addresses the impact of the proposed demolition on heritage values of the Eglinton suburb and streetscape, Park Street area and the adjacent properties.

The report is to be read in conjunction with Heritage Report prepared by Bathurst District Historical Society Inc.

1.2 Objectives

- Assess the heritage impact of the proposed demolition on the significance of the site and the surrounding area which encompasses the Park Street area which runs between Alexander and Hamilton Street of Eglinton, NSW 2795.
- assess the impact of the proposed demolition on the heritage values of the Bathurst Regional Council Area.

1.3 Heritage Management Framework

The property is located within the Bathurst Regional Council Area. Bathurst Regional Council's Local Environmental Plan states that it must, before granting consent in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the area concerned. There are no locally acknowledged heritage items in the vicinity of the subject property. Eglinton Memorial Hall and Eglinton church are identified in the Bathurst Regional Heritage study along with outlying farm homesteads ('Westbourne', 'Kelloshiel' and Margan's House) and Kelloshiel stone bridge as being items of historical interest or on the LEP but none of these are located in Park Street. The hall and church are located in the Alexander cross street to the west. Bathurst Regional Council Development Control Plan 2014 identifies the land as as being in the 'Housing' area.

2. LOCATION & DESCRIPTION

Bathurst is located approximately 200km west of the Sydney and is located in the Bathurst Regional Council local government area.



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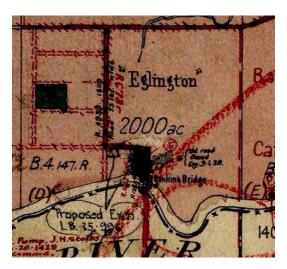


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Front façade



Driveway side of house



Streetscape of Park Street

Sydney Mail (NSW: 1912 - 1938), Wednesday 1 March 1933, page 2

Glimpses of Country Life



The Rankens of Bathurst

Fascinating Family Memoirs of the Early Days

THE family memoirs of the Rankens of Bathurst, who, with others, laid the foundations of settlement in the west after the rugged steeps of the Blue Moun-tains had been conquered, reveal one of the most fascinating and romantic chap-ters in Australia's early history. Among the visitors to Bathurst recently were four brothers—Messix, G. H., W. H. C. A. C. and H. B. Ranken, whose father

4. THE PROPOSED DEVELOPMENT

The development application is for demolition of the existing dwelling building at the front of the block, demolition of the garage with attached carport at the rear and demolition of outbuildings. The proposed development is for a childcare centre with parking areas at the front and single access driveway from Park Street.

5. HERITAGE STATUS & SIGNIFICANCE

Statement of Significance

The proposed site and dwelling are not listed as heritage items in the NSW Heritage Register nor in the Bathurst LEP and therefore do not need to be assessed for potential impacts under the requirements of the LEP. The street adjoins areas where there are heritage items.

Local government is required to conserve and enhance buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest, or otherwise of special cultural value.

The site of 23 Park Street has some low significance as a minor part of the extensive land holdings of the first government grantee, European settler George Ranken, and in particular "Saltram' farm. It is part of the early village subdivision that formed Eglinton village.

The buildings are typical of their era and very common throughout Bathurst.

They display no particular adornments or unique features. This type of building supplied affordable housing on low-cost land. The lack of services such as sewerage meant that the area was not highly desirable and the housing reflects the housing standard and type of the mid 20th century in that circumstance.

There is little potential for aboriginal archeological significance due to previous site disturbance.

The building is not unique. The type of building it resembles is found in other locations with the Bathurst central area and there are much better examples of buildings of the era.

The primary implications arising from the assessed significance of the site are as follows:

- The principal significance of the place relates to the historical association with a prominent early settler of the Eglinton district and the subsequent village subdivision of his land. Part of George Ranken's 'Saltram' farm was sold and the gridded pattern of development with the defined park as part of this is still evident today.
- There is no heritage based requirement to retain the built elements on the subject site given their lack of significance and lack of uniqueness.

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

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- The infill building does not detract from the streetscape. This is a very eclectic street with examples of housing from many 1900's eras. Many of the houses are brick veneer stock from the 1970's and 1980's which extend across their allotments in the manner as the proposed development.
- The brick walls and corrugated steel fabric is similar to surrounding buildings. The
 proposal is at a similar height, scale and bulk to adjacent buildings. The carpark of the
 adjoining shop is a visually open space similar to the proposed carpark. This means that
 the impact of carpark and greater setback distance of a new building in the street is
 minimised.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

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- The proposed carpark with wide central access and the new building alignment (15.3m) being rearwards of most of the buildings in the streetscape means it will be dissimilar to other buildings and driveways although it is not dissimilar to other buildings such as the Lapidary Club and the adjoining building at No.25 Park Street which is set back approximately 24m.
- Hard and soft landscaping may reduce the visibility of the carpark. Street trees and fencing may also reduce the impact.

The following sympathetic solutions have been considered and discounted for the following reasons:

 Adaptive reuse of the buildings considers uses that retain and enhance the values of a places as well as the significant heritage building fabric. Re-use of the buildings has been discounted because of condition, unsuitability of spaces and non-compliance with childcare facility requirements.

6. CONCLUSIONS AND RECOMMENDATIONS

The Eglinton hall and church are located at a distance that their significance and curtilage are not to be affected by the development. There is no heritage based requirement to retain built elements on the subject site, given the lack significance. Proposed strategies for the site are to re-use any element that can be retrieved during demolition and requirements are therefore satisfied.

It is recommended that:

- 1. Prior to demolition of the house a minor photographic archival recording of the house and site would be advisable.
- 2. It is recommended that materials and elements of the building capable of recovery should be re-cycled and re-used and that this should be considered as part of the process of demolition.
- 3. Landscaping should be used to obscure the carpark.

Documentary Sources:

Davison G., McConville C., A Heritage Handbook Allen & Unwin Australia Pty Ltd 1991 ISBN 0 04 820040 9

Hagan J., People and Politics in Regional New South Wales: 1856-1950s Volume 2 Federation Press

Freeland J. M., Architecture in Australia, Penguin Books 1972 F.W Cheshire Publishing Pty Ltd 1968 ISBN 04021152 7

NSW Heritage Manual, Heritage Office and Department of Urban Affairs and Planning 1996, revised 2002

National Library of Australia digital newspaper records - Trove

State Records Office of New South Wales

Land Titles Office of New South Wales,

Bathurst District Historical Society

Trove National Library of NSW

Bathurst Regional Council:

Bathurst Region Heritage Study Bathurst Regional (Interim) Local Environmental Plan Heritage Strategy for the Bathurst Region Bathurst Development Control Plan Bathurst Regional LEP Bathurst Community Strategic Plan Bathurst Region Urban Strategy

2018/290-02/010



Submission - Development Application No. 2018/290

Jim Fishlock to: council@bathurst.nsw.gov.au

25/08/2018 10:37 AM

From: To: Jim Fishlock <jido@outlook.com.au>

"council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>

In reference to the subject DA, we wish to raise two concerns as owners of the adjoining property, 21 Park Street. (General Store)

Vehicle arrivals and departures at the proposed child care centre site, we have read the Traffic Solutions report which states that there "will not be a noticeable or detrimental effect upon Park st", I believe this is the case if the vehicles are merely travelling along or through the road network.

However the vehicles will be arriving at a single location, generally in a compressed time window, morning and afternoons and noting that the development is a child care centre, the vehicles will have to be parked for a period of time to unload & load young children, and assuming the centre is at capacity, with the potential 40 vehicle arrivals & departures twice a day, plus the likely seven additional parked vehicles used by staff already onsite.

Our concerns are that the street will have to be used to access the centre, with there
clearly being minimal parking available onstreet at that segment of park st, and if there is
not sufficient onstreet parking available outside the child care centre, that parents may
utilise the General Store onsite parking as a defacto car park for the centre, thus
preventing and or restricting customers and tenants accessing 21 Park St.

In reference to the proposed eastern boundary fence, we have no objections with the construction of the fence, however we do understand that due to the development being a child care centre there are regulations and specifications around secure fencing that is required by the centre.

• This is not necessarily fencing we would desire, or select regarding our requirements and or use of our property, and request that a condition be made that the proposed eastern boundary fence be erected & maintained at no cost to us.

In conclusion; other than the points raised above, we have no objections to the proposed development.

Regards

2 of 2

S_DEPBS_3_8

Jim & Donna Fishlock

DISCUSSION FORUM

DETAILS:

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION

OF CHILD CARE CENTRE AT 23 PARK STREET, EGLINTON

DATE:

24 SEPTEMBER 2018

PRESENT:

CRAIG HAZELL, NEIL SOUTHORN, RICHARD DENYER

FILE:

DA 2018/290

Mr & Mrs Fishlock, the owners of the adjoining property who lodged a submission were invited to the Discussion Forum but did not attend.

Mr Hazell, who attended on behalf of the applicant, provided the following clarification on the issues raised in the submission:

- Parking rates are provided in accordance with DCP requirements of 1 per 10 children.
- RMS parking standards are generally higher than Council DCP (generally based on 1 per 4 children). RMS standards are reflective of need for parents to physically sign in/out of centre negating need for drop off zones etc.
- Average stay for parents is 7 minutes.
- Parking rates in Park Street are generally low which is reflective of residential nature of street and availability of resident parking on properties.
- Trip generations figures are based on approximately 34 trips in AM peak (slight discrepancy with figure quoted in traffic report of 37). This represents the total figure i.e. in and out during 1 hour.

Fencing will require upgrading to accommodate recommendations of Acoustic Assessment and would therefore need to be supplied, installed and maintained by the child care operators.

Mr Hazel will prepare a response to the neighbour's submission including:

- Clarification on traffic generation figures.
- Potential for management plan to highlight issues surrounding appropriate areas to park (particularly for employees), not parking in the shop parking, etc.
- Noise management and responsibility for fencing.

Council officers raised concerns about the proximity of the neighbour's gas storage facility to the boundary.

Once received, Mr Hazel's response will be forwarded to Mr & Mrs Fishlock for their consideration. If Mr Hazel's response is received on or before 2 October 2018 the Development Application will be reported to the October Ordinary Meeting of Council.

N Southorn

DIRECTOR

ENVIRONMENTAL, PLANNING & BUILDING SERVICES



DA 2018/290 - Response to Council Request for Further Information - 23 Park Street Eglinton

Simon Pocock to: council, wayne.mcdonald Cc: "Catherine Chaaya", "Anthony Hanna"

15/11/2018 03:56 PM

From: "Simon Pocock" <simon@compassplanning.com.au>

To: <a href="mailto:c

Hi Wayne,

Please find attached a response to Council's request for further information as detailed in the letter of 29/08/18.

Regards

Simon Pocock

Compass Planning Pty Ltd

PO Box 11

LAMBTON NSW 2299

T: (02) 4950 9577, Mob: 0407 286 933

E: simon@compassplanning.com.au

- DA2018-290 - Response to Council RFI - 23 Park Street Eglinton.PDF - SoHI 23 Park Street Eglinton.pdf - Supplementary traffic Statement 23 Park St Eglington.pdf - Plan of Managment 23 Park st, Eglinton.pdf



A PO Box 11 Lambton NSW 2299 > T 4950 9577 > F 4950 9677 > M 0407 286 933 > E simon@compassplanning.com.au

15 November 2018

YR REF: DD:JM:DA/2018/290

The General Manager
Bathurst Regional Council
Private Mail Bag 17
BATHURST NSW 2164

Email: council@bathurst.nsw.gov.au

wayne.mcdonald@bathurst.nsw.gov.au

Attention: Mr Wayne McDonald.

Dear Wayne,

DEVELOPMENT APPLICATION 2018/290: PROPOSED CHILD CARE CENTRE - REQUEST FOR ADDITIONAL INFORMATION PROPERTY: LOT 2 DP 38206, 23 PARK STREET, EGLINTON

I refer to Council's letter of 29th August 2018 as well as the meeting between Council Officers, the applicant's traffic consultant, Mr Craig Hazell of Traffic Solutions Pty Ltd on the 24th September 2018 and enclose the following additional information as requested by Council;

- Supplementary Traffic and Parking Statement prepared by Mr Hazell responding to traffic and parking matters raised within the public submission.
- 2. Plan of Management (POM) prepared by Child Care Consultancy,
- 3. Heritage Impact Assessment (HIS) prepared by Ms Robin White from Robin White Design.

I trust the submitted additional information is sufficient to address the issues raised in Council's letter and enable final assessment and determination of

COMPASS PLANNING PTY LTD ABN 34 112 501 158

the application. However, should you require any further information please do not hesitate to contact either the Applicant or myself.

Yours sincerely

Simon Pocock DIRECTOR.

STATEMENT OF HERITAGE IMPACT



Statement of heritage impact for:

No. 23 Park Street, Eglinton. NSW 2795

This statement forms part of the development application for:

Proposed demolition of existing dwelling, carport, garage and outbuildings

Date:

15 Nov 2018

Reference:

Bathurst Region Urban Strategy Bathurst Regional Heritage Study Bathurst Regional Local Environmental Plan Heritage Strategy for the Bathurst Region Bathurst Regional Development Control Plan Eglinton Village Expansion Local Environmental Study

Address and property description:

No. 23 Park Street Bathurst. NSW 2795 Lot 2 DP 197420 & Lot B DP38206

Prepared by:

Robin White 69 Brilliant Street Bathurst. NSW 2795 Tel. 02 6331 3589 Fax 02 6331 3589 rwhite1@bigpond.com.au

For: Compass Planning Pty Ltd

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1. INTRODUCTION

1.1 Context

This report was commissioned by the owner of the property as part of the development application for demolition of an existing dwelling building, garage with attached carport and existing outbuildings.

This report addresses the impact of the proposed demolition on heritage values of the Eglinton suburb and streetscape, Park Street area and the adjacent properties.

The report is to be read in conjunction with Heritage Report prepared by Bathurst District Historical Society Inc.

1.2 Objectives

- Assess the heritage impact of the proposed demolition on the significance of the site and the surrounding area which encompasses the Park Street area which runs between Alexander and Hamilton Street of Eglinton, NSW 2795.
- assess the impact of the proposed demolition on the heritage values of the Bathurst Regional Council Area.

1.3 Heritage Management Framework

The property is located within the Bathurst Regional Council Area. Bathurst Regional Council's Local Environmental Plan states that it must, before granting consent in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the area concerned. There are no locally acknowledged heritage items in the vicinity of the subject property. Eglinton Memorial Hall and Eglinton church are identified in the Bathurst Regional Heritage study along with outlying farm homesteads ('Westbourne', 'Kelloshiel' and Margan's House) and Kelloshiel stone bridge as being items of historical interest or on the LEP but none of these are located in Park Street. The hall and church are located in the Alexander cross street to the west. Bathurst Regional Council Development Control Plan 2014 identifies the land as as being in the 'Housing' area.

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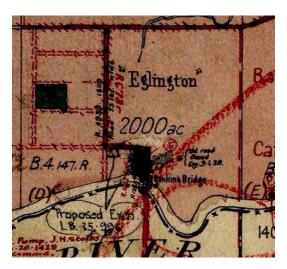


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Sydney Mail (NSW: 1912 - 1938), Wednesday 1 March 1933, page 2

Glimpses of Country Life



The Rankens of Bathurst

Fascinating Family Memoirs of the Early Days

THE family memoirs of the Rankens of Bathurst, who, with others, laid the foundations of settlement in the west after the rugged steeps of the Blue Moun-tains had been conquered, reveal one of the most fascinating and romantic chap-ters in Australia's early history. Among the visitors to Bathurst recently were four brothers—Messix, G. H., W. H. C. A. C. and H. B. Ranken, whose father

4. THE PROPOSED DEVELOPMENT

The development application is for demolition of the existing dwelling building at the front of the block, demolition of the garage with attached carport at the rear and demolition of outbuildings. The proposed development is for a childcare centre with parking areas at the front and single access driveway from Park Street.

5. HERITAGE STATUS & SIGNIFICANCE

Statement of Significance

The proposed site and dwelling are not listed as heritage items in the NSW Heritage Register nor in the Bathurst LEP and therefore do not need to be assessed for potential impacts under the requirements of the LEP. The street adjoins areas where there are heritage items.

Local government is required to conserve and enhance buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest, or otherwise of special cultural value.

The site of 23 Park Street has some low significance as a minor part of the extensive land holdings of the first government grantee, European settler George Ranken, and in particular "Saltram' farm. It is part of the early village subdivision that formed Eglinton village.

The buildings are typical of their era and very common throughout Bathurst.

They display no particular adornments or unique features. This type of building supplied affordable housing on low-cost land. The lack of services such as sewerage meant that the area was not highly desirable and the housing reflects the housing standard and type of the mid 20th century in that circumstance.

There is little potential for aboriginal archeological significance due to previous site disturbance.

The building is not unique. The type of building it resembles is found in other locations with the Bathurst central area and there are much better examples of buildings of the era.

The primary implications arising from the assessed significance of the site are as follows:

- The principal significance of the place relates to the historical association with a prominent early settler of the Eglinton district and the subsequent village subdivision of his land. Part of George Ranken's 'Saltram' farm was sold and the gridded pattern of development with the defined park as part of this is still evident today.
- There is no heritage based requirement to retain the built elements on the subject site given their lack of significance and lack of uniqueness.

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

- The infill building does not detract from the streetscape. This is a very eclectic street
 with examples of housing from many 1900's eras. Many of the houses are brick veneer
 stock from the 1970's and 1980's which extend across their allotments in the manner as
 the proposed development.
- The brick walls and corrugated steel fabric is similar to surrounding buildings. The
 proposal is at a similar height, scale and bulk to adjacent buildings. The carpark of the
 adjoining shop is a visually open space similar to the proposed carpark. This means that
 the impact of carpark and greater setback distance of a new building in the street is
 minimised.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

- The proposed carpark with wide central access and the new building alignment (15.3m) being rearwards of most of the buildings in the streetscape means it will be dissimilar to other buildings and driveways although it is not dissimilar to other buildings such as the Lapidary Club and the adjoining building at No.25 Park Street which is set back approximately 24m.
- Hard and soft landscaping may reduce the visibility of the carpark. Street trees and fencing may also reduce the impact.

The following sympathetic solutions have been considered and discounted for the following reasons:

 Adaptive reuse of the buildings considers uses that retain and enhance the values of a places as well as the significant heritage building fabric. Re-use of the buildings has been discounted because of condition, unsuitability of spaces and non-compliance with childcare facility requirements.

6. CONCLUSIONS AND RECOMMENDATIONS

The Eglinton hall and church are located at a distance that their significance and curtilage are not to be affected by the development. There is no heritage based requirement to retain built elements on the subject site, given the lack significance. Proposed strategies for the site are to re-use any element that can be retrieved during demolition and requirements are therefore satisfied.

It is recommended that:

- 1. Prior to demolition of the house a minor photographic archival recording of the house and site would be advisable.
- 2. It is recommended that materials and elements of the building capable of recovery should be re-cycled and re-used and that this should be considered as part of the process of demolition.
- 3. Landscaping should be used to obscure the carpark.

Documentary Sources:

Davison G., McConville C., A Heritage Handbook Allen & Unwin Australia Pty Ltd 1991 ISBN 0 04 820040 9

Hagan J., People and Politics in Regional New South Wales: 1856-1950s Volume 2 Federation Press

Freeland J. M., Architecture in Australia, Penguin Books 1972 F.W Cheshire Publishing Pty Ltd 1968 ISBN 04021152 7

NSW Heritage Manual, Heritage Office and Department of Urban Affairs and Planning 1996, revised 2002

National Library of Australia digital newspaper records - Trove

State Records Office of New South Wales

Land Titles Office of New South Wales,

Bathurst District Historical Society

Trove National Library of NSW

Bathurst Regional Council:

Bathurst Region Heritage Study Bathurst Regional (Interim) Local Environmental Plan Heritage Strategy for the Bathurst Region Bathurst Development Control Plan Bathurst Regional LEP Bathurst Community Strategic Plan Bathurst Region Urban Strategy

Trollic Solutions

TRAFFIC SOLUTIONS PTY LTD

Reference No : 17.18.088 31 October 2018

The General Manager Bathurst Regional Council Private Mail Bag 17 Bathurst NSW 2795

Attention: Mr. Daniel Dwyer, Senior Development Control Planner

Dear Sir,

<u>Supplementary Traffic and Parking Statement - Proposed Child Care Centre,</u> <u>23 Park Street, Eglinton - DA2018/290</u>

I refer to a meeting on the 24th September 2018 with Mr Neil Southorn and Mr. Richard Denyer regarding the subject proposed child care centre application.

As per discussions at this meeting the following additional information is provided for Council's consideration and the adjoining owners who provided a submission on the application.

Estimated Traffic Generation

To clarify the Traffic Assessment prepared by this firm that was submitted with the development application the estimated traffic generation trips of the proposed centre are based upon surveys and research undertaken by the Roads and Maritime Services.

The potential traffic generation of child care centres are spread over several hours in the morning and afternoon depending on parent/guardian drop off and pick up times.

The estimated potential traffic generation of the proposal is 34 and 29 in the morning and evening peak hours respectively. The RMS defines a vehicle trip as a one-way vehicular movement from one point to another excluding the return journey. Accordingly, the estimated trips will be in the order of 17 in and out in the morning peak hour and 15 in and 14 out in the evening peak hour.

With 42 children proposed to be cared for at the centre, 17 vehicles dropping off in a 1 hour morning period would obviously be insufficient to cater for the capacity of the centre. Accordingly, the RMS research suggests that this on average would occur over the complete morning period (of about 2 hours) and similarly in the afternoon pick up period. Therefore, the estimated traffic generation during the morning and evening drop off and pick up periods of several hours would be in the order of 34 and 29 vehicles approaching and departing the site.

It should be noted that the estimated traffic generation of the proposal may not be all new traffic to Park Street as some of the parents/guardians that will utilise the proposed centre

Traffic Solutions Pty Ltd, PO Box 9161, Bathurst NSW 2795 Ph: 02 6331 0467 • Email: craig@trafficsolutions.com.au ABN 63 074 165 263 may already be travelling along Park Street when travelling to and from work or dropping of siblings to Eglington Public School.

Management Plan

The operation of Child Care centres is commonly controlled by a management plan. Attached is a conceptual management plan provided by Hannas Childcare Developments of which it is proposed that staff will be instructed not to park in the adjoining local shop car park. In addition, it is common that all parents/guardians are provided with a car parking operational information flyer that indicates the rules for the dropping off and picking up of children which would include the instruction not to use the shop car park. A copy of a similar plan for a centre in Lithgow is attached for reference.

As Council is aware all child care centre children are required to be signed in and out by their parent/guardian and not just dropped off/picked up from their vehicle.

The applicant raises no objection to conditions requiring a Centre Management Plan and car parking operation plan being applied to the development consent.

Noise Management and Fencing

The fencing to be provided (as determined by the acoustic report submitted to and assessed by Council) will be provided at full cost to the child care centre developer. It is also a requirement of the Department of Community Services that the acoustic fencing is maintained by the operator.

Should you require any additional information or clarification of the contents of this letter please contact me on the numbers provided.

Yours sincerely

Craig Hazell Director

Child Care Consultancy

Helping to Solve the Child Care Puzzle

Plan of Management Proposed Childcare Centre 23 Park St Eglinton

Prepared for

Hanna Developments Group Pty Ltd

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Prepared 25th October, 2018

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1. Introduction

This Management Plan has been prepared for the proposed childcare centre at 23 Park Street, Eglinton.

The proposed childcare centre will accommodate up to 42 children, with the breakup of children in each age group as follows:

- 12 x 0-2 years old
- 10 x 2-3 years old
- 20 x 3-5 years old

In preparing this document consideration was given to the requirements of:

- Australian Children's Education and Care Quality Authority (ACEQA)
- The National Quality Framework, 2018
- Education and Care Services National Regulation 2018
- Education and Care Services National Law 2010 (updated version as of October, 2017).

2. Aim of the Childcare Centre

The aim of the centre is to meet community demand for high quality care that is intimate and homely. The centre will be able to meet those requirements by meeting and exceeding the elements of the National Quality framework. This is comprised of the Education and Care Services National law, the Education and Care Service National Regulations, the National Quality Standards and the Early Years Learning Framework.

The program will be guided by the national curriculum being the 'Early Years Learning Framework' and the National Quality Standards. The Early Years Learning Framework is a national curriculum for the 0-5 year old age group. Through play based learning and intentional teaching, the educators will explore the learning outcomes specified in the Early Years Learning Framework with all the children, by planning for them individually and as a group. Parent involvement and cultural, community respect will be a key aspect of the program.

The room routines will be adapted and designed to meet the needs of all the children, families and Educators at the service. Educators will be provided an orientation/ transitional period to allow the Educators to foster a relationship and to become familiar with the children's individual needs. This will allow the Educators to be able to adjust a startup routine to design a quality routine that allows the children to optimize their learning by having their individual needs met.

3. Maximum Number of Children

The Department of Education and Care Services (DECS it will be referred to) provides a variable age group license which means the centre can cater for up to 42 children from age 0 to 6 year olds. However in practice the 0 -2 year olds age group requires additional support facilities such as a nappy change and bottle preparation area plus a cot room. The centre has been designed to allow for 12 children between the ages of 0 - 2 years to be accommodated for in the one room with the sleeping provision made with one cot room to ensure each child is provided with the appropriate sleeping facilities.

Rooms will be appropriately set up to provide a homelike environment that provides the children the opportunity to engage in stimulating age appropriate activities. The number of children allocated to a room has been designed in respect to the Education and Care Services National regulations 107 (2) of allowing 3.25 sq. metre unencumbered indoor space per child.

The preschool room (3-5 years) will accommodate 20 children. Its facilities include a craft sink and a suitably equipped bathroom indoors which is also accessible from the outdoor environment. The 2-3 years old room will cater for 10 children and is also equipped with a craft sink and an accessible store room shared with the 0-2 year room. The 2-3-year-old room has a shared nappy change facility and bathroom facilities with the 0-2 years room which is also accessible from the outdoor area. The appropriate storage facilities for resources has been designed and implemented in each room to ensure all play resources are readily accessible within the rooms. This also allows ratios to maintain throughout the day as Educators are able to readily access resources and are not required to leave the room.

4. Hours of Operation

The centre will operate from 7.00 am to 6.00 pm, Monday to Friday. It will be closed on Public Holidays.

5. Staffing

Consistent and committed educators and coordinators support good quality standards and continuity of care for children. Effective, transparent and equitable recruitment processes ensure the service attracts and retains educators, co-ordinators and other staff members who can best meet the needs of children and their families

Educators within the centre will be employed to ensure that minimum qualification requirements are met through the employment of trained Educators. Educators within the centre will also be employed to ensure the minimum number of educator to children ratios set by the Education and Care Services National Regulations, 2018, is also met. (See Appendix 1 for tables indicating educator to children ratios and the number of educator qualifications required for the overall number of children).

All Educators will maintain qualifications in First Aid, Asthma and Anaphylaxis, Child Protection and will engage in regular professional development opportunities to meet the National Quality Standards quality area four.

All staff must agree to follow the code of conduct/code of ethics that applies to management, educators, coordinators and staff members which clearly explains the responsibilities of all parties in relation one another, to children and families using the service.

An Educational Leader will be appointed to guide and mentor all Educators with all aspects of the program and a Responsible person approved by the Approved Provider, and meets the requirements set out by the NSW Department of Education and Care, will be in attendance at all times as per regulation 150.

6. Outdoor Play

The early years are the ultimate time to instill a lifelong learning skill on sun protection. Regulation 114 of the Education and Care Services Regulation states that "the approved provider of a centre-based service must ensure that outdoor spaces provided at the education and care service premises include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun" The centre will be joining the Sun Smart Child Care Program as provided by the NSW Cancer Council. The Outdoor play area will provide the appropriate amount of shade cover to ensure the children are able to play safely outdoors but also be exposed to natural light.

Regulation 113 states that "the approved provider of a centre-based service must ensure that the outdoor spaces provided at the education and care service premises which will allow children to explore and experience the natural environment". The use of natural features such as trees, sand and natural vegetation will provide the opportunity for children to engage in safe physical play in a natural environment. Further evidence of the positive outcomes of this provision is supported by Outcome four of the Early Years Learning Framework curriculum (2011). This encourages us to provide children with the opportunity to engage in the natural environment to assist a child to develop into a confident and involved learner with an appreciation for the environment around them.

Equipment which is developmentally and age appropriate that meets all Kids Safe standards, will be available to ensure the children are provided the opportunity to engage in safe play in a stimulating high quality learning environment. Ample resources will facilitate the learning process and will take the form of a variety of natural items for example wooden bowls, baskets and natural fibres. The children will be encouraged to explore natural materials within the centre environment and the community.

The outdoor area complies with the Education and Care Services National regulations 108 (2) allowing 7.0 sq. metres unencumbered outdoor space per child. The outdoor area has been further enhanced by having two specific play areas purposely built and designed to accommodate the developmental age break up of each room. The area is open and enables supervision to be effective. Toileting and nappy change facilities are accessible in the external playground.

6.1 Noise Management

A noise management policy will be implemented to ensure the service meets all council requirements and noise is to be kept to a minimum. The centre will adopt the recommendations from Renzo Tonin and Associates acoustics report dated 18th June, 2018.

The following measures are recommended to be incorporated in the design of the boundary fences with a focus on the outdoor area.

• In addition to the proposed fences shown in the architectural drawings, the boundary fence south of the outdoor play area should be increased to a minimum height of 2.4m above the ground level.

The construction of all the fences can be from any durable material with sufficient mass to prevent direct noise transmission eg. masonry, steel, fibrous-cement, timber, acrylic or polycarbonate, selected to withstand the weather elements. A double-skinned profiled sheet steel construction with a cavity between the sheets and each sheet having 0.6mm minimum base metal thickness (eg 'Colorbond' fence or similar) or 1 layer of 9mm Fibrous

Cement (FC) sheeting is adequate for use as a noise screen. A treated timber lapped and capped fence could be used, provided it has no gaps so that it can perform as an effective noise screen.

Additionally, solid transparent acrylic (eg. Perspex) panels can be used to make up the additional required height of the boundary fences to provide noise attenuation benefits.

In addition to the above, all boundary and playground fences should give regard to the following to maintain acoustic integrity and for the fences to perform as noise screens:

- Any penetrations through the fabric of the fence should be sealed air tight.
- All joints and gaps between fence panels / planks should be sealed air tight.
- Any gaps between fences and the ground should be filled to ensure that the fence provides appropriate noise attenuation.

(The location and recommended materials are provided further in the completed Renzo Tonin and Associates acoustic report dated 18th June, 2018)

Management recommendations include:

In addition to the acoustic fence further noise management recommendations will be implemented as part of the daily operation of the service:

- The number of children in the outdoor play area at any one time should be limited to the following.
 - o 12 x 0-2 years old and 10 x 2-3 years old OR
 - o 10 x 3-5 years old
- Signs should be erected at appropriate, prominent locations, to advise the following:
 - o that staff and parents converse at a very low volume;
 - that parents not call out to their children when delivering or collecting their children; and
 - o that gates not be slammed.
- Children who are loudly crying outdoors should be comforted by staff and if the child continues to cry loudly then they should be taken inside.
- No music should be played in any outdoor areas at any times

This report indicates, with physical and management measures being putting in place, the outdoor areas meet the noise assessment requirements. The Outdoor Play Areas will mainly be used between the hours of 8.00am to 11.30am and 2.00pm to 5.30pm for active

and passive play as during the middle of the day the Sun Smart Childcare program requires them to be out of the sun especially during Daylight Saving time.

It is up to the educators to determine which age group goes out at what time but is generally best practice to ensure each age group will attend outdoor playtime for 1 to 1.5 hours in the morning and the afternoon. This usually stays the same throughout the year but can change depending on the developmental needs in each age group.

Meetings held at the centre after hours will be based on low volume discussions that assist Educators, management and families to review policies and procedures to ensure the centre runs at a proficient high quality standard that meets all needs.

(example of a noise management policy)

Noise Management Policy

Aim of Policy

To implement strategies in order to reduce noise emitted from the operation of the Child Care Centre as outlined by the acoustic report written by Renzo Tonin and Associates acoustics report dated 18th June, 2018

Implementation

- 1. The following actions shall occur at all times during the operation of the Child Care Centre:
 - (a) Erection and maintenance of signs of appropriate dimensions, to advise the following:
 - i) that the Child Care Centre's staff, as well as parents, must converse at a very low volume at all times when outdoors;
 - ii) that parents not call out loudly when delivering or collecting their children;
 - iii) that gates and doors not be slammed;
 - (b) The abovementioned signs are to be located at the entry to the outdoor play areas and in the outdoor playa areas.
 - (c) No music should be played in any outdoor areas at any time.
 - (d) Staff are directed:
 - i) to supervise children at all times.

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- ii) to speak to children and to each other quietly whilst outdoors;
- iii) to provide stimulating and engaging play activities and zones that keep the children engaged in outdoor activities.
- iv) to approach parents who are talking too loudly and request that they speak quietly;
- v) to approach children and get down to their level to talk to children or resolve conflicts, rather than shouting across the playground area
- vi) If children are yelling or screaming, staff will redirect the child to quieter play.
- vii) Babies who are loudly crying outdoors will be comforted by staff and if the baby continues to cry loudly then they will be taken inside.
- (e) The Noise Management Policy will be included in the Parent Handbook, which is given to all parents upon enrolment of their child;
- (f) A reminder of the existence of the Noise Management Policy, and the need to adhere thereto, will be sent to all parents and staff at least once a quarter;

Below is an example of a notice that will be sent to the parents;

Notice to Parents

We are informing you of our Noise Management Policy which is active at our Child Care Centre.

The Aim of the Policy is to implement strategies in order to reduce noise emitted from the operation of the Child Care Centre.

Please find **enclosed** a copy of the Noise Management Policy.

The Noise Management Policy requires the cooperation of all parents. Please note in particular the following:

- Do not slam the doors or gates
- Do not call out loudly when delivering or collecting their children
- Please do not have loud discussions outside with educators or other parents.

We thank you for your assistance.

Kind regards,

Management

Below is an example of a sign to be placed at the entrance to the outdoor area and within the outdoor areas.

PARENTS AND STAFF

Please Remember our Noise Management Policy:

- Please closed the doors or gates GENTLY;
- Please walk over to your children rather than calling out loudly;
- converse with staff, other parents and your children QUIETLY

We appreciate your cooperation

The service design has allowed the use of existing walls in the external playground to assist in maintaining an appropriate level of noise omitting from the building.

7. Laundry Facilities

The centre includes a laundry facility. The laundry will be operated by the centre staff and used to wash and dry the following on a daily basis:

- linen used in cots and beds
- face cloths and bibs

The laundry facility will also include a lockable cupboard for the safe storage of chemicals.

8. Staff Room

The staff room facilities provided is intended for the use of educators whilst on meal breaks and for programming and study purposes

9. Waste Management

Centre staff will remove waste daily. Waste will be placed in commercial waste bins located in the bin area. These bins will be emptied using a commercial waste collection service.

10. Car Parking

The centre will adopt a Car Park Management Plan. As part of this management plan staff will be asked not to park in the shops that adjoin the centre or in the centre's onsite car park between the morning peak (7am-9am) and after peak (3pm to 6pm). Centre staff would be encouraged to car pool which is also a benefit to the environment. This will form part of the Staff induction process and staff handbook.

Parents will also be asked not to park in the shops that adjoin the centre and will be asked to park in the spaces onsite provide at the front of the centre. If there are no spaces available, they will be asked to park on the street infront of the centre or down the street.

Other items that would be included in the Car Park Management would be

- Centre management encourages parents/guardians to walk or car pool to the centre as often as possible to minimise the car parking demand.
- Any meetings between parents/guardians and the centre manager or staff shall be arranged to be outside the peak drop off and pick up hours when possible. (7am-9am and 3pm-6pm)
- All vehicles entering and exiting the car park are to do so in a forward direction only.

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11. Managing Complaints

The centre management will ensure a 'Dealing with complaints' procedure and policy is developed and implemented into the service as required by the Regulation 168 of the Education and Services Regulations 2018. Families will be informed of this policy on enrolment and will be reminded yearly. The name and contact number of the service member who is responsible for dealing with complaints will be displayed in the main part of the service as part of the prescribed information that must be on display in Regulation 173 (DECS, 2018). This information will also be able to be viewed from the exterior front entry to the service for community access to contact numbers.

All centre staff will be informed of the dealing with complaints policy and procedure on induction and will be reminded yearly. All complaints will be reviewed and managed immediately. Serious incidents and complaints will be reported to the regulatory authority and ACECQA as per regulation 12 (Education and Care Services National Regulations, 2018.)

12. Access and security in the centre

Regulation 99 of the National Childcare Regulations, 2018, state that a child may only leave the relevant premises if the child;

- (a) is given into the care of
- (i) a parent of the child; or
- (ii) an authorised nominee named in the child's enrolment record; or
- (iii) a person authorised by a parent or authorised nominee named in the child's enrolment record to collect the child from the premises; or
- (b) leaves the premises in accordance with the written authorisation of the child's parent or authorised nominee named in the child's enrolment record;

Due to the above childcare regulation and the owners request for security access to the centre the following systems will be introduced.

The Centre will install a security pin pad at the main entrance. An additional safety gate has been provided to stop children accessing the street/ carpark without parent supervision. All visitors will be attended to by staff before accessing the service.

Educators will have the direct supervision of children at the Centre at all times and a sign in/out record will be implemented daily. Regular number record checks will be conducted throughout the day by the Educators in direct care of the children, to identify the number of children in the service at all times. Educators will be required to ensure all children have

signed out and left the Centre before close each day and reconfirm this with a secure sign in / out system.

Clear pathways, regularly maintained and cleaned will provide safe access for all children, families and staff between rooms.

13. The community

The National Quality Standards support the partnership with communities in Quality Area 6. In most communities the service is one of a range of services that supports families with children. When nominated supervisors, educators and coordinators develop links, share information, and work in collaboration with other community organisations they are better able to achieve the best outcomes for children and families using the service.

14. Appendix 1.

Educator to children ratios- required by Education and Care Services National Regulations 2018, Regulation 123 and (NSW specific provisions), Part 7.3 reg. 271.

Children's age	Number of Educators to children
0-2 years	1:4
2-3years	1:5
3-5 years	1:10

Qualified Educators required for a centre with 61 children required by Education and Care Services National Regulations 2018 (accessed 1/2/18), (NSW specific provisions), Part 7.3 reg. 272.

University trained early childhood	3
teachers	
Diploma trained	50%
Certificate 111 or working towards	All other educators





Bathurst Regional Council PMB 17 158 Russell Street BATHURST NSW 2795 Telephone: 02 6333 6111 Fax: 02 6331 7211 Email: council@bathurst.nsw.gov.au

Important Notice!



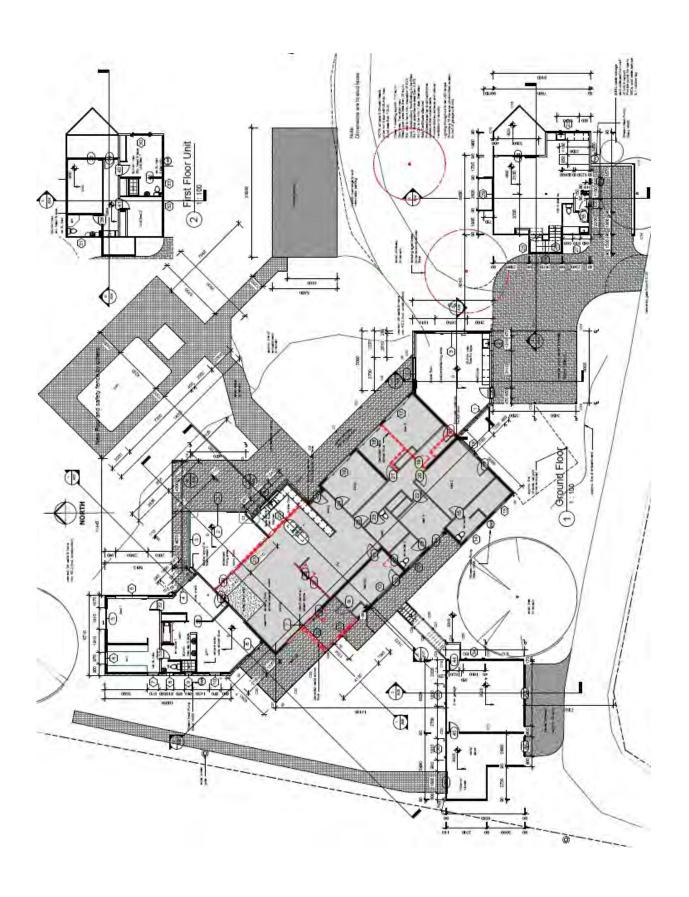
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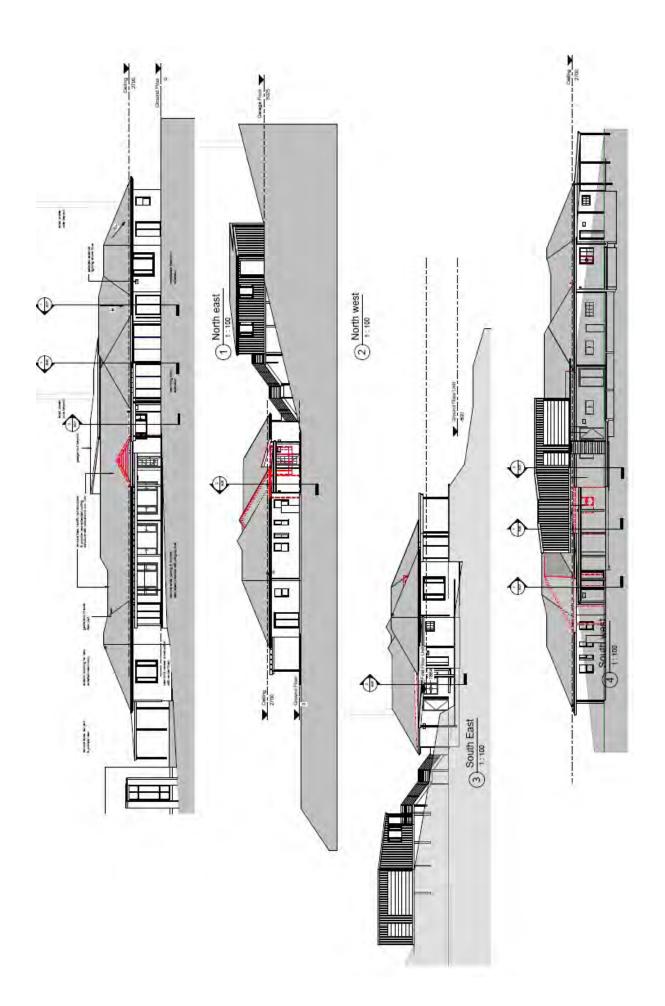
> 29/11/2018 Date:

GDA94 / MGA zone 55 Projection:

The Proposal







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Andrew Dunshea
449 Conrod Straight
MOUNT PANORAMA NSW 2795

28 July 2018

The General Manager
Bathurst Regional Council
Cnr William & Russell Streets
BATHURST NSW 2795

By Hand Delivery

Dear Sir,

Sam Baumberger 453 Conrod Straight MOUNT PANORAMA NSW 2795



RE: Development Applications - Short Term Tourist and Visitor Accommodation Interpretation of Bathurst LEP and BCA in relation to Disability Access

We refer to previous correspondence and the discussions with Council representatives in relation to our respective Development Applications.

By way of explanation, we lodged our respective Development Applications by coincidence a short time apart. Given Council's response by Notice of Determination (Baumberger) and correspondence setting out intentions of Notice of Determination (Dunshea) we both find ourselves essentially in the same position, that is disagreeing with Council's interpretation of the relevant instruments. Prior to taking any further steps we seek that the matter be internally reviewed by Bathurst Regional Council.

The purpose of this letter is not to further traverse the issues, as both Applicants and Council have essentially made their positions clear. We have sought professional advice to inform our decision making moving forward. We now wish to take this opportunity to provide Council with the advice we have obtained as follows:

- Advice dated 4 May 2018 from Steele Law. The similarity in name between Steele +
 Co Solicitors and Steele Law is coincidental. This planning and development law firm
 was recommended to Andrew Dunshea by a colleague, and was briefed with all
 material and engaged commercially to review Council correspondence and our
 representations to Council and provide initial advice;
- 2. Advice dated 27 June 2018 from Whitehall Building Certifiers; and
- 3. Advice dated 2 July 2018 from Anthony Daintith Town Planning.

Further, prior to lodging the Dunshea Development Application, advice was sought from Henry Bialowis, architect. Mr Bialowis as part of his brief reviewed the relevant planning instruments and designed the freestanding unit, in his view in complete compliance. In all, four qualified professionals support our view.

We both wish to make clear to Council that we support generally the notion of disability access in line with the relevant planning instruments. However, in the case of our applications the imposition of these requirements at the very least adds undue expense and reduces utility of the dwellings, in circumstances where they will be rented infrequently during race periods and otherwise used for visiting friends and relatives. Given the space and site topography of the Dunshea proposed unit, redesign of the unit is not an option given the floor area and parking.

We thank you for your time in meeting with us today, and would ask you contact us at any time should you require any further information, otherwise we look forward to your response.

Your faithfully,

Andrew Dunshea

Sam Baumberger

From: Marcus Steele < marcus.steele@steelelaw.com.au >

Sent: Friday, 4 May 2018 1:27 PM

To: Andrew Dunshea <<u>andrew@steeleandco.com.au</u>> **Subject:** DA 18/37 - Advise re BCA Classification

Dear Andrew

1. The purpose of this email

You have lodged a development application (**DA 18/37**) with the Bathurst Regional Council seeking consent to carry out development at 449 Conrod Straight, Mount Panorama.

That development relevantly includes the construction and use of a two storey self-contained unit for use as tourist accommodation (**Tourist Development**). We are instructed that the unit will be let for fewer than 42 days per year.

Two disputes have arisen during the course of Council's assessment of DA 18/37.

The first dispute relates to how the Tourist Development should be classified under the Building Code of Australia (BCA).

While you argue that this development should be classified as a "Class 1a" building, Council think it should be classified as a "Class 1b" or, alternatively, a "Class 3" building.

This issue has practical consequences as buildings classified as "Class 1a" are subject to less stringent construction standards, including with respect to fire safety and access for disabled persons, than buildings classified as either "Class 1b" or "Class 3".

The second dispute relates whether different accessibility standards would apply to the Tourist Development if it comprised two, rather than one, units.

You have asked us to provide short form advice in respect of these issues.

2. Summary of advice

For the reasons explained below, we think the better view is that:

a. the Tourist Development should be classified as a "Class 1a" building under the BCA; and

b. the inclusion of a second unit in the Tourist Development should not change its classification under the BCA or its accessibility requirements.

3. Analysis

The obligation to comply with the BCA arises at various points in the development application and approval process.

Compliance with the BCA is a mandatory condition of consent and compliance with its requirements is a mandatory prerequisite for the issue of any complying development, construction or occupation certificate.

The BCA relevantly contains the following classifications of buildings (emphasis added):

Class 1a	a single dwelling being a detached house; or one of a group of attached dwellings being a town house, row house or the like.
Class 1b	a boarding house, guest house or hostel that has a floor area less than 300 m ² , and ordinarily has less than 12 people living in it. It can also be four or more single dwellings located on one allotment which are used for short-term holiday accommodation
Class 3	residential buildings other than a Class 1 or Class 2 building [which are multi residential apartment buildings]. They are a common place of long term or transient living for a number of unrelated people. Examples include a boarding house, guest house, hostel or backpackers (that are larger than the limits for a Class 1b building). Class 3 buildings could also include dormitory style accommodation, or workers' quarters for shearers or fruit pickers.

It is to be noted that the classifications contain a number of terms which:

- a. are not defined within the BCA; but
- b. which have a particular meaning under the *Environmental Planning & Assessment Act* 1979 (EP&A Act) and the Environmental Planning Instruments made thereunder.

One of these terms is "dwelling" which is defined in the Dictionary to the *Bathurst Regional Local Environmental Plan 2014* (BRLEP) as follows:

"dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile."

In its letter of 17 April 2018, Council sets out a two-step analysis of this issue:

- 1. first, Council notes that DA 18/37 seeks consent for "tourist and visitor accommodation" (permissible under the BRLEP) rather than a "dwelling house" (prohibited under the BRLEP in circumstances where it would result in a second dwelling house on the land); and
- second, Council concludes, on the basis of the above, that the Tourist Development cannot fall within Class 1(a) of the BCA (which applies to "single dwellings being a detached house") because it is not a "dwelling" and so must fall within categories 1(b) or 3.

The difficulty with this approach is that it leads to absurd results. If we assume that the Tourist Development is not a "dwelling" for the purposes of the BCA because it is "tourist and visitor accommodation" then:

- a. it cannot constitute residential accommodation at all (as tourist and visitor accommodation is expressly excluded from the definition of residential accommodation); and so
- b. it cannot fall with Class 1(a), (b) or 3 of the BCA, which each apply to different types of residential building; but
- c. it also clearly does not fall within any of the other available BCA classifications.

This illustrates the difficulty in seeking to import terms defined under the BRLEP directly into the BCA without modification and without having proper regard to the wording of the classifications themselves.

We think the better approach to interpreting the BCA classifications is that adopted by the Courts when interpreting the provisions of development consents and other non-statutory instruments. Under that approach, the meaning of terms is to be determined objectively having regard to the

instrument as a whole and on the understanding that the document has been drafted to be understood by laypersons and so may lack legal precision.

Class 1 of the BCA applies to houses which are typically "standalone single dwellings of a domestic or residential nature". The Class is divided into two sub-classes being 1(a) and 1(b).

Class 1(b) expressly applies to "four or more single dwellings located on one allotment which are used for short-term holiday accommodation". Applying the approach to interpretation outlined above, the clear and obvious inferences to draw here are that:

- a. the term "dwelling" when used in the BCA (and perhaps in contradistinction to its use in the BRLEP expressly includes a dwelling used for short-term holiday accommodation; and
- b. where there are *fewer* than four single dwellings used for short-term holiday accommodation on single allotment, those dwellings fall within Class 1(a).

It is further noted that the Tourist Development is clearly of a different type to the development specified in Class 3 (which applies to buildings used for long-term or transient buildings) or any other class in the BCA.

Put simply, Class 1(a) is the class into which the Tourist Development (provided its comprises fewer than four single dwellings) fits best.

4. Next steps

As noted above, any development consent granted in respect of DA 18/37 will be subject to a mandatory condition that the development comply with the BCA.

This condition would be satisfied where an accredited private certifier has issued a construction certificate and occupation certificate confirming the classification of the building under the BCA and that it satisfies the standards applicable to that classification.

As a next step, you could consider obtaining an opinion from an accredited private certifier confirming that the Tourist Development is appropriately classified under the BCA as a Class 1(a) building. This could give comfort to the Council that they could approve the development subject to the mandatory BCA compliance condition with the task of determining the appropriate BCA classification determined by the accredited private certifier.

Happy to discuss.

Kind regards

Marcus Steele Director Steele Law

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WHITEHALL BUILDING CERTIFIERS

Peter Whitehall 27.6.18 BPB 0439 42 Lewis St Mudgee NSW 2850 T 63720203 M 0402 697 442 E pwhitehall@bigpond.com

PROPOSED TOURIST ACCOMMODATION AT 449 CONROD STRAIGHT BATHURST NSW NATIONAL CONSTRUCTION CODE (NCC) ASSESSMENT FOR DETERMINING WHETHER FACILITIES SUITABLE FOR USE BY PERSONS WITH DISABILITIES NEED TO BE INCORPORATED INTO THE BUILDING

THE BUILDING: The proposed building is a two storey structure consisting of 2 x bedrooms, bathroom, kitchen and lounge area. It is not attached to any other building. This building is not designed nor intended to accommodate more than 12 persons and is less than 300 square metres in area.

THE NCC: The NCC operates by placing buildings into various classes as the initial approach to discovering what requirements are necessary for each class.

THE CLASSIFICATION : This building does not sit comfortably within CLASS ${\bf 1}(b)$ defined as: "Class ${\bf 1}(b)$ –

- (i) A boarding house, guest house, hostel or the like;
 - A. With a total area of all floors not exceeding 300 square metres measured over the enclosing walls of the Class 1(b); and
 - B. In which not more than 12 persons would ordinarily be resident; or
- 4 or more single dwellings located on one allotment and used for short term holiday accommodation,
 - Which are not located above or below another dwelling or another class of building other than a private garage "

The NCC has an explanatory note stating:

"Class 1(b) buildings used for short-term holiday accommodation include cabins in caravan parks, tourist parks, farm stay, holiday resorts and similar tourist accommodation. This accommodation itself is typically rented out on a commercial basis for short periods and generally does not require the signing of a lease agreement. Short-term accommodation can also be provided in a boarding house, guest house, hostel, bed and breakfast accommodation or the like"

This building does not fit well with 1(b) (i) above because it is not "a boarding house, guest house, hostel or the like"

This building is a <u>dwelling</u> used for short term holiday accommodation, however the Class 1(b) (ii) above only becomes applicable if there are 4 or more of them.

The only suitable NCC classification for this building is Class 1(a) " a single dwelling being – (i) a detached house". It is a dwelling and it is used for short-term holiday accommodation and Class 1(a) is the best fit for this building under the NCC.

DETERMINING WHETHER DESIGN FOR DISABLED ACCESS AND FACILITIES IS REQUIRED: There are 2 relevant pieces of legislation which will provide the answer to this question:

- 1. The NCC
- 2. Disability (Access to Premises Buildings) Standards 2010 (Premises Standards).

There are no requirements for disabled access under either of these pieces of legislation for Class 1(a) buildings.

We have here two (2) items which are causing some difficulties on this issue:

- Different terminology between town planning assessment and NCC assessment.
 The council planning scheme does not allow a second dwelling on this land, but does allow tourist accommodation. Perhaps the council would be better off referring to this proposed building as a "serviced apartment" or similar. The NCC refers to this proposed building as a "dwelling".

 It is not a "dwelling" in the town planning sense of a home used for permanent or long.
 - It is not a "dwelling" in the town planning sense of a home used for permanent or longterm accommodation.
- Councils should refrain from carrying out an NCC assessment as part of the DA process.
 The NCC assessment is part of the Construction Certificate process, and is the province of
 the Principal Certifying Authority (PCA), which can be a council certifier or a private
 certifier depending upon who the applicant appoints for that task. The disability access
 requirements are part of the NCC assessment.

CONCLUSION: The council should be issuing the Development Consent based on the fact that this development is permissable with consent, and leave the NCC assessment to the appointed PCA. They should simply place the usual conditions on the consent requiring compliance with the NCC and Premises Standards (Disability Discrimination Act).

It would be open to the PCA to assess this building as per this report and not require disabled access.

Peter Whitehall



293 Dalton Street, Orange 145 Keppel Street, Bathurst PO Box 1975 Orange NSW 2800 ABN: 46 121 454 153 Phone: 0263624523

Email: anthony@adtp.com.au

Our Ref: 2018-128

2 July 2018

Mr Andrew Dunshea 449 Conrod Straight MOUNT PANORAMA NSW 2795

Dear Andrew

RE: DA 2018/37

LETTER FROM COUNCIL 17 APRIL 2018

Reference is made to Bathurst Regional Councils letter of the 17 April 2018. Council has advised that the proposed serviced apartment should be adapted to comply with the disabled access provisions of the National Construction Code and the Premises Standard. It is noted that a Development Application has been lodged but not a Construction Certificate application.

The proposed building is considered to be a serviced apartment. Serviced apartments are a type of tourist and visitor accommodation which is permitted with consent in the RU2 Rural Landscape zone under the provisions of the Bathurst Regional Local Environmental Plan 2014.

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Note.

Serviced apartments are a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

Clause 7.7 of the LEP provides provisions relating to tourist and visitor accommodation around Mount Panorama that would need to be complied with.

In accordance with the National Construction Code (NCC), it is considered that the proposed building is best classified as a Class 1a building:

1.3.2 Classification

Class 1 and 10 buildings are classified as follows

Class 1 — one or more buildings, which in association constitute—

(a) Class 1a — a single dwelling being—

(i) a detached house; o

(ii) one of a group of two or more attached dwellings, each being a building, separated by a fire resuming wall, including a row house, terrace house, town house or villa unit: or (b) Class 1b —

(i) a boarding house, guest house, hostel or the like-

(A) with a total area of all floors not exceeding 300 m² measured over the enclosing walls of the Class 1b building; and

(B) in which not more than 12 persons would ordinarily be resident; or

(ii) 4 or more single dwellings located on one allotment and used for short-term holiday accommodation,

which are not located above or below another dwelling or another Class of building other than a private garage (see Figure 1.3.1, 1.3.2 and 1.3.3).

This building does not fit well with Class 1b(i) above because it is not "a boarding house, guest house, hostel or the like". This building is considered a dwelling used for short term holiday accommodation, however the Class 1(b) (ii) above only becomes applicable if there are 4 or more of them.

The only suitable classification under the NCC for this building is Class 1(a) "a single dwelling being – (i) a detached house". It is considered a dwelling and it is used for short-term holiday accommodation and Class 1a is the best fit for this building under the NCC.

The NCC and Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards) provide provisions for disabled access to buildings. There are no provisions for disabled access under either of these for Class 1a buildings.

There is clearly a conflict of definition between the town planning and NCC assessment in this instance. The LEP definition of a "serviced apartment" is considered appropriate for the Development Application. It is considered that the NCC refers to this proposed building as a "dwelling".

The NCC assessment is part of the Construction Certificate process and is the responsibility of the Principal Certifying Authority (PCA), which can be a council certifier or a private certifier depending upon who the applicant appoints for that task. The disability access requirements are part of the NCC assessment.

Should you have any questions with respect to this matter, please contact the office on 63624523.

Yours faithfully

Anthony Daintith Town Planning Pty Ltd

Anthony Daintith

Principal

Andrew Dunshea 449 Conrod Straight MOUNT PANORAMA NSW 2795 Sam Baumberger 453 Conrod Straight MOUNT PANORAMA NSW 2795

12 November 2018

The General Manager Bathurst Regional Council Cnr William & Russell Streets BATHURST NSW 2795

By email: council@bathurst.nsw.gov.au

Dear Sir,

RE: Development Applications - Short Term Tourist and Visitor Accommodation

We refer to our meeting with Mr Southorn and Mr Denyer of 5 November 2018.

At the aforementioned meeting we were advised that Council:

- Had obtained legal advice and was now prepared to concede that the proposed dwellings to be used for tourist and visitor accommodation are appropriately classified as 1 (a) under the NCC: and
- Has decided that notwithstanding the identified point of difference for which both
 parties have spent considerable time and money is now essentially resolved, that
 Council will impose the same requirement for disability access as a consent condition,
 despite not being required under legislation and the relevant planning instruments.

We enclose:

- Emails of 28 March 2018 & 2 April 2018 to BRC;
- Councils letter of 17 April 2018 to Andrew Dunshea;
- 3. Email from BRC to Andrew Dunshea of 7 May 2018; and
- Our letter to you of 28 July 2018 (with enclosures) handed to Mr Sherley and Mr Southorn on 1 August 2018.

The purpose of enclosing the above correspondence is to, within the one document, provide context to Councils decision and our submissions. We submit:

 Council's latest position is unreasonable when the issue to date has been the classification of the proposed dwellings for tourist and visitor accommodation under the NCC. By reference to Council's letter of 17 April 2018 and discussions with Council generally, the clear inference since this matter was first raised by Council in March 2018, was that if the dwellings were classified 1 (a) then no disability requirements would be necessary.

2. We have not been afforded procedural fairness in this process. We have spent a considerable amount of time and money on consultants as a result of Council's position, indeed, we assume Council has spent considerable money in obtaining its legal advice. Council could have indicated it intended making the current decision regardless of legislation and any planning requirements at the relevant time, and thus, would have saved us a significant amount of time and money on consultants, and allowed us to address the basis of Council's decision. No such opportunity has been given to us, the sole focus was on classification of the proposed works.

In summary, there is no necessity to impose this condition at this stage in the approvals process, these issues would ordinarily arise at the Construction Certificate stage where classification is necessary. Indeed, Mr Baumberger's Notice of Determination does not classify the building, instead noting the classification as "N/A".

It is extraordinary that at the end of this process Council's decision is based on a new position entirely. The rationale for this decision as put to us at the meeting was so Council may remain consistent with previous decisions, and secondly in relation to "community expectations of reasonableness" on Council's part. We have had no proper opportunity to respond to these new reasons as put by Council and the process has not afforded us procedural fairness.

Moreover, we acknowledge that Council may at times impose discretionary conditions. However, Council we believe Council should not be imposing planning decisions contrary to the relevant legislation and planning instruments. Community members should be entitled to make the investment in scoping, designing and submitting proposed works for consent in the knowledge that if the works comply with legislation and all planning instruments, they would be approved.

We submit this letter to request Council reconsider, and to avoid a formal appeal, in which case we will tender this letter as part of our evidence and on the matter of costs.

We look forward to your response.

Andrew Dunshea

Sam Baumberger

Andrew Dunshea

From: Andrew Dunshea

Sent: Monday, 2 April 2018 11:28 AM

To: richard.denyer@bathurst.nsw.gov.au; lucie.barnett@bathurst.nsw.gov.au;

andrew.ballard@bathurst.nsw.gov.au; Daniel.Dwyer@bathurst.nsw.gov.au

Cc: sam@scottbuild.com.au; Henry Bialowas (bialowas@ix.net.au)

Subject: FW: Conrod Straight - Dunshea & Baumberger - Tourist and Visitor

Accommodation DAs

Dear Richard, Lucie, Andrew & Daniel

Further to my earlier email, I wish to provide further information as to why I consider that the dwellings (both Dunshea & Baumberger) do not fall into the Class Ib building category.

Class 1b buildings are a "boarding house, guesthouse, hostel or the like...". At our recent meeting it was stated by BRC representatives that our buildings are being categorised as Class 1b due to being interpreted and captured by the "or the like...." description. I respectfully put do you that this is incorrect and not a proper use of your discretionary interpretation of the BCA and the Access Standards for the following reasons:

- A boarding house, guesthouse or hostel is a category of accommodation wherein rooms are typically rented
 on a room by room basis to separate clients. This accommodation usually has living areas and other facilities
 of a communal nature. To be able to utilise the "or the like..." part of the definition and apply it to our
 proposed dwellings, they actually should be 'like' in nature and characteristics. They are not; and
- 2. The legislation goes to the trouble of separately distinguishing "... single dwellings located on one allotment and used for short term holiday accommodation" from "boarding house, guest house, hostel or the like..".
 This distinction is made within the same provision. There would be no purpose in making the distinction unless single dwellings used for short term holiday accommodation are in fact a separate category of buildings as distinct from boarding house, guesthouse, hostel or the like.

It is not proper to apply the Access Standards to a building which is not captured by Class 1b (ii) and then changing its description to force it into Class 1b (i). I submit the dwellings must fall into Class 1a as they do not meet the description as set out in Class 1b.

I note it was put to me by Mr Ballard by telephone that if the Dunshea proposed building was not to be classified as Class 1b, it must necessarily be Class 3. I disagree. The definition of a Class 3 building is "a residential building, other than Class 1 or 2, which is a common place of <u>long term</u> (my emphasis) or transient living for a number of unrelated person's. Examples: boarding house, hostel, backpackers accommodation or residential part of a hotel, motel, school or detention centre". Approval of the dwelling is sought for and limited to <u>short term</u> accommodation and not to be continuously occupied by the same persons for more than 42 days (consecutive or not) in one calendar year.

In summary, I submit the dwellings should be categorised as Class 1a buildings, each being "a single dwelling being a detached house...". The term "house" in the BCA does not carry the same meaning as a "dwelling house" as defined in the Bathurst LEP. The proposed dwellings are each as described in Class 1a, a detached house, as it is a freestanding building being a place of domicile or dwelling, however its occupation is regulated by the Bathurst LEP and any approval of such a dwelling would be on the basis it is restricted to use for short term visitor accommodation, therefore not a "dwelling house" under the Bathurst LEP.

Speaking for my proposed development (although I understand the same applies for Baumberger) the unit will be used for friends and family predominantly at certain periods such as Christmas and family celebrations and gettogethers. I concede that I intend that it be rented a couple of times a year for race weekends, but to impose the Access Standards in the circumstances would be an improper application of the Access Standards as adopted within the BCA since 1 May 2011.

I imagine that this set of circumstances is a little unusual, as most determinations would be more typical or "cut and dried". I respectfully ask you reconsider your interpretation of the BCA in these circumstances given the further information we have provided.

I look forward to your response. Andrew

Andrew Dunshea Solicitor Director



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From: Andrew Dunshea

Sent: Wednesday, 28 March 2018 9:14 AM

To: richard.denyer@bathurst.nsw.gov.au; andrew.ballard@bathurst.nsw.gov.au; lucie.barnett@bathurst.nsw.gov.au

Cc: sam@scottbuild.com.au; Henry Bialowas (bialowas@ix.net.au)

Subject: Conrod Straight - Dunshea & Baumberger - Tourist and Visitor Accommodation DAs

Dear Lucy, Richard and Andrew,

Thank you for your time yesterday. I have spent quite a bit of time reviewing the BCA, the Disability Discrimination Act, and the Disability (Access to Buildings) Standards 2010. I believe for the reasons that I outlined in our meeting today, that the proposed development of both myself and Sam & Jamie Baumberger, being short term residential accommodation, as set out in our respective DA applications, are not subject to the Access requirements as the proposed buildings are not specified class 1b buildings.

However, on researching this matter further following our meeting, I think there is a solution in the Bathurst LEP, before it is necessary to progress to the Access Standards and the BCA. So if you don't mind I reserve my comments on the disability legislation and the BCA and would ask you consider my brief submission on the Bathurst LEP on a preliminary basis, and if necessary, I will provide you a submission on the disability legislation at a later time.

The BRC Planning Department's position seems predicated on the word 'dwelling', it was stated several times in the meeting that I cannot have a dwelling on the land due to the zoning and the LEP. However on closer review of the LEP it is clear that at 4.2B (3):

"Development consent must not be granted for the erection of a **dwelling house** on land to which this clause applies unless the land does not have a **dwelling house** erected on it...".

However the LEP sets out the definition of a dwelling as being:

"dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile".

I concede my proposed structure is a dwelling. However the LEP goes on to further define a "dwelling house", which is in fact what is prohibited under 4.2B of the LEP.

"A "dwelling house" means a building containing only one dwelling.

Note.

Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary."

The notation in the above definition is significant. When analysing the distinction between **dwelling** and **dwelling house** it is important to consider the definition of **residential accommodation** as set out in the LEP Dictionary is as follows:

"residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

(a)	attached dwellings,
(b)	boarding houses,
(c)	dual occupancies,
(d)	dwelling houses,
(e)	group homes,
(f)	hostels,
(g)	multi dwelling housing,
(h)	residential flat buildings,
(i)	rural workers' dwellings,
(j)	secondary dwellings,
(k)	semi-detached dwellings,
(1)	seniors housing,
(shop top housing,

but does not include tourist and visitor accommodation or caravan parks."

So therefore it seems to me that given the LEP goes to the trouble of separately defining a "dwelling" versus a "dwelling house", and that the LEP specifically precludes construction of a second "dwelling house", it is lawful to construct a second "dwelling" on rural land provided it is not "residential accommodation". Tourist and visitor accommodation is not residential accommodation.

I respectfully put to you that the proposed dwellings should be classified as class 1a buildings. It also makes sense as the humble units we propose to build do not constitute "a boarding house, guest house, hostel or the like..." when they are only to be used for family and friends and for paid accommodation on race weekends. The effect of imposing Access requirements on these units would turn them into structures resembling a commercial building or hospital or the like, with significant extra cost.

Please consider my submission with a view to approving the tourist and visitor accommodation as class 1a buildings, alternatively could I respectfully ask you set out your reasoning if you think otherwise.

I look forward to your response.

Andrew

Andrew Dunshea Solicitor Director

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17 April 2018

Mr A Dunshea 449 Conrod Straight MOUNT PANORAMA NSW 2795

Andrew@steeleandco.com.au

Dear Mr Dunshea

Development Applications 2018/37 tourist accommodation at 449 Conrod Straight

I refer to the above Development Application and your representations regarding the building classification.

The property is zoned RU2 Rural Landscape under the Bathurst Regional Local Environmental Plan 2014. The zone control table for the RU2 Rural Landscape zone prohibits all residential accommodation (being parent definition) with the exception of dwelling houses (i.e. one dwelling) and secondary dwellings (being the child definitions). A dwelling "comprises a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile."

A dwelling house, being one dwelling, is permissible with consent subject to the provisions of Clause 4.2B of the Bathurst Regional Local Environmental Plan 2014. Clause 4.2B is not relevant to this discussion because it applies to a new dwelling on vacant land (i.e. the first dwelling on a parcel of land).

Two detached dwellings on one parcel of land would constitute a dual occupancy. The definition of a dual occupancy (detached) is:

2 detached dwellings on one lot of land, but does not include a secondary dwelling.

A dual occupancy (detached) is prohibited on land zoned RU2 Rural Landscape by virtue of the prohibition of the parent definition of "residential accommodation". Therefore Council cannot consent to a dual occupancy on the land.

Tourist and Visitor Accommodation are specifically excluded from the definition of residential accommodation.

The application form for the development seeks consent for "proposed tourist accommodation". The application form for the development seeks consent for "tourist cabin". Neither application seeks consent for a dwelling.

Reference: Enquiries: RD:CB:DA/2018/37

Mr R Denyer 02 6333 6276

2018-37 dunshea - fo.docs

BATHURST REGION ... FULL OF LIFE



2

Mr Dunshea 17 April 2018

Under the Bathurst Regional Local Environmental Plan 2014 the proposed developments are defined as "tourist and visitor accommodation "(being the parent definition) in that they intend to provide temporary or short term accommodation on a commercial basis. The development would most closely align with the definition of "serviced apartments" (being the child definition).

In accordance with Clause 7.7 of the Bathurst Local Environment Plan the use of tourist and visitor accommodation is further limited in that it may not be occupied by the same person for more than 42 days (whether consecutive of not) in any calendar year.

For the purpose of the development consent

- 1. The application proposes tourist and visitor accommodation
- 2. Tourist and visitor accommodation are permissible with consent
- It would be usual practice that the consent when issued will specifically preclude the use as a dwelling house.
- 4. A further dwelling house on the land would be prohibited.

From NCC perspective Part 1.3.2 provides the following classification for buildings:

Class 1 - one or more buildings, which in association constitute -

- (a) Class 1a Single dwelling being;
 - (i) a detached house; or
 - or one of a group of two or more attached dwelling, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit, or
- (b) Class 1b -
 - (i) or a boarding house, guest house, hostel or the like;
 - A. with a total area of all floors not exceeding 300 square meters measured over the enclosing walls of the Class 1b; and
 - B. in which not more than 12 persons would ordinarily be resident; or
 - 4 or more single dwellings located on one allotment and used for short term holiday accommodation,

which are not located above or below another dwelling or another class of building other than a private garage.

Part A3.1 Principles of Classification the NCC states that "the classification of a building or part of a building is determined by the purpose for which it is designed, constructed or adapted to be used".

Reference: RD:CB:DA/2018/37 Enquiries: Mr R Denyer 02 6333 6276

2018-37 dunshea - fo dock

3

Mr Dunshea 17 April 2018

In this particular case the development is designed, constructed and adapted to be used as tourist and visitor accommodation and not a single dwelling.

It is further noted that the explanatory information provided to Part 1.3.2 of the NCC contains the following:

Class 1b buildings used for short-term holiday accommodation include cabins in caravan parks, tourist parks, farm stay, holiday resorts and similar tourist accommodation. This accommodation itself is typically rented out on a commercial basis for short periods and generally does not require the signing of a lease agreement. Short-term accommodation can also be provided in a boarding house, guest house, hostel, bed and breakfast accommodation or the like.

The BPB Practice advice number PS 11-001 dated December 2011, provides clarification on the interpretation between class 1b buildings under the NCC and specified class 1b buildings under the Premises Standards. Whilst there are differences between the two, Council is of the opinion that the proposal would fall within both. Where the building meets the disability access provisions of the NCC it will also meet the standards under the Premises Standard. It is also noted that the Premises Standard, in the case of new buildings, does not override the NCC.

Under the circumstances Council remains of the opinion that the proposal is appropriately classified as a Class 1b building under the NCC.

If you have any queries please contact Mr Richard Denyer of Council's Environmental Planning & Building Services Department on 02 6333 6276.

Yours faithfully

MANAGER DEVELOPMENT ASSESSMENT

Reference: RD:CB:DA/2018/37 Enquiries: Mr R Denyer 02 6333 6276

2018-37 dunshea - lo docx

Andrew Dunshea

From: Wayne.McDonald@bathurst.nsw.gov.au

Sent: Monday, 7 May 2018 2:41 PM

To: Andrew Dunshea Subject: DA2018/37

Attachments: pic13829.gif; pic30900.gif

Good Afternoon Andrew,

I have been handed your application to progress.

I have undertaken a cursory review of the file and see that the contentious issue is the proposed classification (1b) of the proposed residential unit to be constructed as 'tourist and visitor accommodation'.

I can confirm that if the application is to be progressed as is, a newly constructed building where one of more rooms is made available for rent, it must be classified as Class 1b and will need revised plans indicating accessibility provisions including:

- Continuous accessible paths from the main pedestrian entries into the site
- An accessible car parking space (where on-site parking is provided)
- A continuous accessible path from the car park to the entrance.
- An accessible entrance into the building via the principal entrance doorway
- Access to and within at least one bedroom and associated accessible bathroom facilities
- Access to at least one of each type of common room/facility (e.g. kitchen, laundry, lounge, dining room, gym, swimming pool, patio area, games room, etc.)

Notwithstanding:

I have viewed the application plans and see that they are silent on the final total floor areas for:

the primary residence existing;

the primary residence after proposed additions and alterations; and

the two levels of the proposed unit.

There is an indication that the unit is about 110m2 and the finished house will have a roof area of about 500m2.

Based on these approximations you are not far off the 'secondary dwelling' criteria of 20% of primary residence.

It may be that rather than 'tourist and visitor accommodation' and associated accessibility requirements that you redesign the unit area (slight reduction) to meet clause 5.4 (9)(b) of the LEP as a 'secondary dwelling'.

An indication of your intention would be appreciated.

Regards

Wayne McDonald

Development Control Planner (Embedded image moved to file: pic13829.gif) 158 Russell Street BATHURST NSW 2795

Phone: 02 6333 6211

Email: wayne.mcdonald@bathurst.nsw.gov.au

(Embedded image moved to file: pic30900.gif)

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3 DEVELOPMENT APPLICATION NO. 2018/303 – DEMOLITION OF EXISTING SHED, DUAL OCCUPANCY (TWO STOREY SECOND DWELLING WITH ATTACHED GARAGE), CARPORT AND TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET, BATHURST. APPLICANT: MR B MOULDS. OWNER: MODERNIZATION PTY LTD (DA/2018/303)

Recommendation: That Council:

- (a) as the consent authority, refuse consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/303, for the following reasons:
 - (i) No on-site visitor car parking has been provided and insufficient justification has been provided for the variation to this Development Standard;
 - (ii) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for the demolition of an existing shed, the construction of a dual occupancy (two storey second dwelling with attached garage), the construction of a carport and a two lot residential subdivision at 261 Lambert Street, Bathurst, described as Lot B, DP 161951.

See location plan and aerial photo at attachment 1.

The site currently contains a single storey semi-detached dwelling with detached shed.

The site has an area of 682.9m².

Adjoining properties contain single storey dwellings and associated outbuildings. The BP service station adjoins part of the eastern boundary of the property.

The proposal

The proposed development includes:

- Demolition of the existing shed;
- Construction of a dual occupancy (in the form of a two storey five bedroom dwelling with attached single car garage);
- Construction of a single car carport for the existing four bedroom dwelling; and
- A two lot residential subdivision to create separate lots for the existing and proposed dwellings.

No works are proposed to the existing dwelling on the site.

The single storey component of the proposed new dwelling, being the garage, will be located 0.2m off the common boundary with 251 Stewart Street. The second storey component will

Director Environmental Planning & Buildi	ng Services' Report to the Council Meeting 21/11/2018
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be located 1.5 metres off the common boundary with 249 and 251 Stewart Street.

It is noted that during the assessment process the applicant submitted amended plans incorporating privacy screens on the first floor windows of the proposed dwelling facing 249 and 251 Stewart Street.

Plans of the proposed development are at attachment 2 and shadow diagrams at attachment 3.

The Statement of Heritage Impact is at attachment 4.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 under the provisions of the Bathurst Regional Local Environmental Plan 2014. A dual occupancy (detached) is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

The Minimum Lot Size – Dual Occupancy Map for this locality indicates a minimum lot size of 600m². The subject site has an area of 682.9m² and therefore a dual occupancy is permissible.

Clause 4.3 Height of buildings

The Height of Buildings Map for this locality indicates a maximum overall building height of 9 metres. The proposed two storey dwelling will have an overall height of 7 metres which therefore complies.

Clause 5.10 Heritage conservation

The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain a Heritage Item.

The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The scale of the proposed dwelling is not inconsistent with other two storey dwellings in the Bathurst Heritage Conservation Area. The materials to be used are generally consistent with those in the locality.

While parts of the proposed new dwelling will be visible from both Lambert Street and Stewart Street, it will be set back a minimum of 40 metres from both street frontages and will therefore have limited direct impact on the streetscape of the respective streets.

Bathurst Regional Development Control Plan 2014

Chapter 4 Residential Development

The site is contained within Precinct 1 pursuant to the Bathurst Regional Development Control Plan 2014 (DCP). Dual occupancies are permissible with consent in the precinct. While the proposal complies with the objectives of the Precinct it does not comply with all of the development standards for dual occupancies as outlined below:

Director Environmental Planning & Building Services' Report to the Council Meeting 21/11/2018		
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Development Standard	Proposed	Permissible	Compliance
Minimum lot size	682.9m²	600m²	Yes
Site Coverage	40%	Max. 50% coverage	Yes
Height	Two storey	Two storey maximum	Yes
Setback - front	N/A	Complement existing	Yes
Setback - rear	1.7m	In accordance with NCC	Yes
Setback - side	0.2m	In accordance with NCC	Yes
Car parking - resident	1 per dwelling	1 per dwelling	Yes
Car parking - visitor	0	1 per 2 dwellings	No*
Accessway Width	3.5m	3-6m wide	Yes
Open space area - existing dwelling (4 bed)	50.8m²	50m²	Yes
Open space area - proposed dwelling (5 bed)	51.5m²	50m²	Yes
Open space width - existing dwelling (4 bed)	Min 6.5m wide	4m wide	Yes
Open space width - proposed dwelling (5 bed)	Min 4.0m wide	4m wide	Yes

* At least 1 on site visitor car parking space is required however no provision has been made for on-site visitor car parking. Only one covered resident space is provided for each dwelling despite their considerable size (being 4 bedrooms and 5 bedrooms respectively). There is no opportunity provided for casual parking on the site (i.e. parking in front of garages etc.) due to the need for manoeuvring areas for the respective parking spaces.

The applicant has lodged a *Request for Variation of Development Control Plan Standard* form (<u>attachment 5</u>) in respect of the visitor car parking standard and has provided the following reasons for the request:

- The Lambert Street road carriage way is approximately 29m in width, with an actual two way road width of approximately 15m. Current driveway spacing between the subject site and neigbouring dwellings provide for many on street parking opportunities in the immediate area of the proposed development.
- The development site is approximately 10.0m in width. Whilst the site is able to accommodate permanent parking and vehicle manoeuvring areas for both the existing and proposed dwelling, an off street visitor parking space would encroach on allowable building area making the proposed development not financially viable. Given the 'temporary use' nature of a visitor parking space, we believe the on site area would be better utilised as it has currently been documented.
- In summary the existing road allows for ample parallel parking on both sides of Lambert Street. Allowing 1 'on street' visitor car space will not have a negative effect on the current road network.

The existing dwelling (4 bedrooms) and the proposed dwelling (5 bedrooms) are each provided with a single car resident parking space only. This complies with Council's DCP in terms of the resident car parking standard. It must however be acknowledged that the size of each dwelling and the fact that it is provided with the bare minimum of on-site parking means that the request for dispensation in relation to visitor parking is more critical in this instance. The relative size of each dwelling does suggest that variation to the visitor car parking development standard should not be supported.

On street parking in this area is constrained by the proximity of the site to the intersection of Lambert and Stewart Streets. Given the size of the existing dwelling (4 bedrooms) and the

1	Director Environmental Planning & Building Services' Repo	ort to the Council Meeting 21/11/2018
	GENERAL MANAGER	MAYOF

proposed dwelling (5 bedrooms), reliance upon on street parking is not considered acceptable. It is considered that there is insufficient on-site car parking and that the applicant has not provided sufficient justification for the variation to the Development Standard.

It is also noted that parking for both dwellings will be located to the rear of the property so there will be no opportunity for stacked parking in front of the resident parking spaces, as would occur if parking was provided at the street frontage (e.g. in front of a garage).

In this particular case the applicant has not demonstrated that the development standards are unreasonable or unnecessary. Further there is little to suggest that there are sufficient planning grounds to justify the departure and the applicants suggestion the development would not be viable if reduced in scale is questionable.

Whilst the absence of the visitor parking alone may be considered to be a minor issue it is nonetheless symptomatic of the overall size and scale of the development in an attempt to maximise the "financial viability" of the site. It is not unreasonable to suggest that a smaller scale development would generate a significantly lesser impact on the adjoining properties and provide the opportunity for compliance with the development standards.

Chapter 10 Urban Design and Heritage Conservation

A Statement of Heritage Impact, prepared in accordance with Section 10.2.3 of the DCP has been submitted with the application (attachment 4). The Statement of Heritage Impact, prepared by Andrew Starr & Associates, draws the following conclusion:

The appearance of No. 261 Lambert Street suggests that the house was constructed in the Inter-War period. Land Title searches on the house were inconclusive and an exact date of construction was not determined. The existing house is in the Bathurst Conservation Area and is a contributory item in the streetscape. The house has some heritage significance providing evidence of the development of the area during this period. It is not a rare building and its aesthetics merits are modest. No. 261 is part of a duplex. It's contributory status warrants its retention. It is retained in this proposal.

The new building in the extensive rear yard of the existing property is screened by the existing house on the site and its partner in the duplex from public view from Lambert Street. It is screened from view from the Great Western Highway by the existing service station and houses that run in front the boundary of the yard. There is no impact on the streetscape or its neighbours. The duplex and groups of houses built in the Inter-War Period and Federation period are not impacted.

The choice of materials and finishes are appropriate to the context of the site. There is a clear division between old and introduced fabric that avoids confusion between what is old and what is new.

The proposal is sympathetic to the area. Public enjoyment of the conservation area is not impacted.

The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain a Heritage Item.

The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The design and scale of the proposed dwelling is not inconsistent with other two storey dwellings in the Bathurst Heritage Conservation Area.

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While parts of the proposed dwelling will be visible from both Lambert Street and Stewart Street, it will be setback a minimum of 40 metres from both street frontages and will therefore not directly impact on the streetscape.

Public Notification

The Development Application was notified to adjoining property owners from 29 August 2018 to 7 September 2018. Following the notification period a total of two (2) submissions were received (see submissions at <u>attachment 6</u>) on behalf of 3 adjoining residences.

A Discussion Forum was convened by the Director Environmental, Planning & Building Services on 12 October 2018. Minutes of the discussion forum are at <u>attachment 7</u>. Key issues raised in the submissions and at the discussion forum are as follows:

Overshadowing

Comment: Section 4.4 of the DCP provides the following:

New development should not significantly affect access to sunlight of existing or likely future development on other property between 9.00am and 3.00pm, particularly living areas and usable open space. At least two hours sunlight to indoor and outdoor living areas of adjoining properties is to be maintained between 9.00am and 3.00pm on June 21.

Shadow diagrams have been provided in 1 hour intervals for the period 9.00am and 3.00pm on 21 June.

Shadows will be cast into the rear yard of 251 Stewart Street from 9.00am onwards on 21 June. At 3.00pm the shadows extend approximately 15 metres into the rear yard of 251 Stewart Street. While shadows will not affect the internal living areas of the dwelling they will impact on the private open space area used for passive recreation, gardening and clothes drying.

Shadows will be cast into the rear yard of 249 Stewart Street from 10.00am onwards on 21 June. At 3.00pm the shadows extend approximately 15 metres into the rear yard of 249 Stewart Street. While shadows will not affect the internal living areas of the dwelling they will impact on the private open space area used for passive recreation, gardening and clothes drying.

247 Stewart Street will not be impacted by shadowing on 21 June at any time.

Accordingly the development as proposed complies with the numerical standards contained in Council's DCP but the development will impact on the usable open space areas of 249 and 251 Stewart Street.

The applicant was invited to submit amended plans to reduce the amount of overshadowing but chose to retain the plans as submitted in regard to building height and set back.

Privacy/overlooking

Comment: The proposal will directly adjoin the rear yards containing the private open space areas for 249 and 251 Stewart.

The windows on the second storey closest to 249 and 251 Stewart Street are for

Director Environmental Planning & Building Services' Report to the Council Meeting 21/11/2018

bedrooms and the connecting stairwell. Windows in the rear elevation of the second storey are for ensuites.

Subsequent to the submissions and the Discussion Forum the applicant submitted amended plans incorporating privacy screening on the two first floor bedroom windows and one stairwell window facing towards the rear yards of 249 Stewart Street and 251 Stewart Street.

The location of the proposal "behind" and above the properties in Stewart Street is likely to result in an impact that will be perceived as severe by the residents. Whilst this is largely a subjective matter a more sensitive design would lead to an improved sense of privacy for the adjoining residents.

Stormwater/flooding

Comment: It is the developer's responsibility to capture stormwater from the entire site and convey it to a legal point of discharge. A stormwater concept design has been submitted with the application which shows a pit and pipe system conveying stormwater to Lambert Street. The properties fronting Stewart Street have historically had issues with stormwater coming from the higher properties in Lambert Street. The current proposal has the potential to improve the stormwater situation given that stormwater from the entire site will be captured and conveyed to Lambert Street.

Inconsistent with character of area

Comment: The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The design and scale of the proposed dwelling is not inconsistent with other two storey dwellings in the Bathurst Heritage Conservation Area.

Visual impact on streetscape

Comment: While small parts of the proposed new dwelling will be visible from both Lambert Street and Stewart Street, it will be setback a minimum of 40 metres from both street frontages and will therefore not directly impact on the streetscape.

Damage to root system of established trees

Comment: Within the rear yard of 251 Stewart are a number of established trees located close to the common boundary. In some areas the trees overhang the common boundary.

Due to the proximity of the trees to the boundary fence, tree roots are likely to be damaged through excavation works during construction and there is also likelihood of some impact being caused to the future growth of the trees following the building construction, due to possible reduced sunlight in the winter.

It is somewhat difficult for Council to accurately determine what this level of impact will ultimately be. Certainly it would not be unreasonable to remove those parts of the tree which overhang and extend beyond the boundary (roots etc.). This however may lead to long term impacts on the health of those trees.

Proximity of building to boundary

Comment: Part of the ground floor of the proposed dwelling will be 0.2 metres from the

 Director Environmental Planning & Building Services' Report to the Council Meeting 21/	11/2018
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boundary with 251 Stewart Street. With the appropriate fire rating such as proposed, a setback of less than 0.9 metres can be applied. The remainder of the building, including the second storey component, will be 1.5 metres from the boundary with 249 and 251 Stewart Street. Minimum side and rear setbacks as prescribed in the National Construction Code (NCC) have been achieved. This is consistent with the DCP requirements, but it does result in a blank garage wall to be 0.2 metres from the boundary presenting to neighbouring open space.

Height/scale of proposed dwelling and resulting visual impact on properties at 247-251 Stewart Street.

Comment: The proposed dwelling will have an overall height of 7 metres and a wall height of 5.4 metres. Along the boundary with 247-251 Stewart Street, the dwelling will be located 0.2 metres from the boundary for the single storey component and 1.5 metres from the boundary for the two storey component.

Given the proximity of the building to the boundary, the height of the building and the relative position of the Stewart Street properties "below" the subject property, it will have a high visual impact on the outlook of properties at 247, 249 and 251 Stewart Street. The proximity to the boundary and the relative levels of the properties means that the extent of change will be large and when viewed from the lower properties would be said to be significant. Whilst this is ultimately a subjective opinion (as the development otherwise complies), it is fair to say that a more sensitive design would have a significantly reduced impact. The applicant was invited to submit amended plans to reflect this sensitivity but has chosen to retain the same bulk and scale as submitted.

Conclusion

Council has received a Development Application for the demolition of an existing shed, the construction of a dual occupancy (two storey second dwelling with attached garage), the construction of a carport and a two lot residential subdivision at 261 Lambert Street, Bathurst. The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain a Heritage Item. The subject site is zoned R1 under the provisions of the Bathurst Regional Local Environmental Plan 2014. A dual occupancy (detached) is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone. The proposal does not comply with Council DCP development standards with respect to visitor car parking provision. Given the size of the existing and proposed dwellings, a variation to this standard cannot be supported. Further, the development will have a high visual impact on the outlook of neighbouring properties and will significantly overshadow the open space areas of neighbouring properties. It is therefore recommended that the Development Application be refused for the reasons outlined in the body of this report.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

 Objective 4: Enabling sustainable growth Strategy 4.1, 4.6

 Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

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GENERAL MANAGER

Community Engagement

• Consult

To obtain public feedback on alternatives and/or decisions

Director Environmental Planning & Building Services' Report to the Council Meeting 21/11/2018

1 of 2

S_DEPBS_3_1





Bathurst Regional Council PMB 17 158 Russell Street BATHURST NSW 2795 Telephone: 02 6333 6111 Fax: 02 6331 7211 Email: council@bathurst.nsw.gov.au



GDA94 / MGA zone 55

Drawn By:

DA 2018/303

2 of 2

S_DEPBS_3_1





Important Notice!

This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy suitability of the information for use for any purpose (whether the surpose has been notified and of the council of the surpose has been notified and the council of the surpose has been notified and the council of the surpose has been notified and the surpose has been not surpose and the surpose has been not for the surpose has been not surpose and the surpose and the surpo

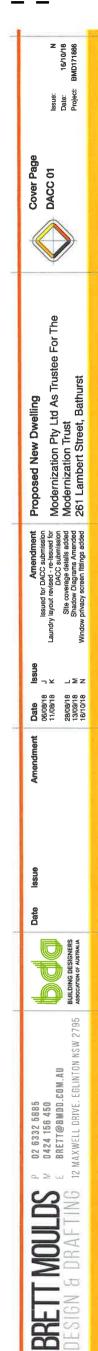


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DA 2018/303

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First Floor Plan

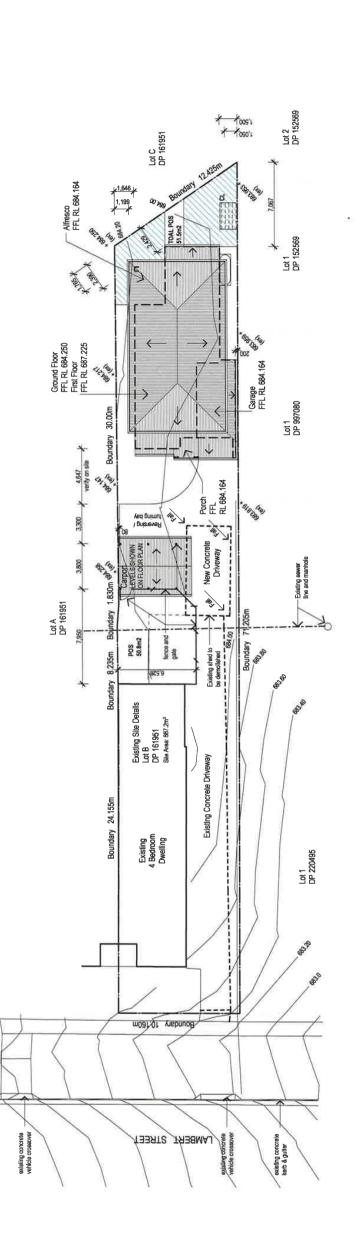
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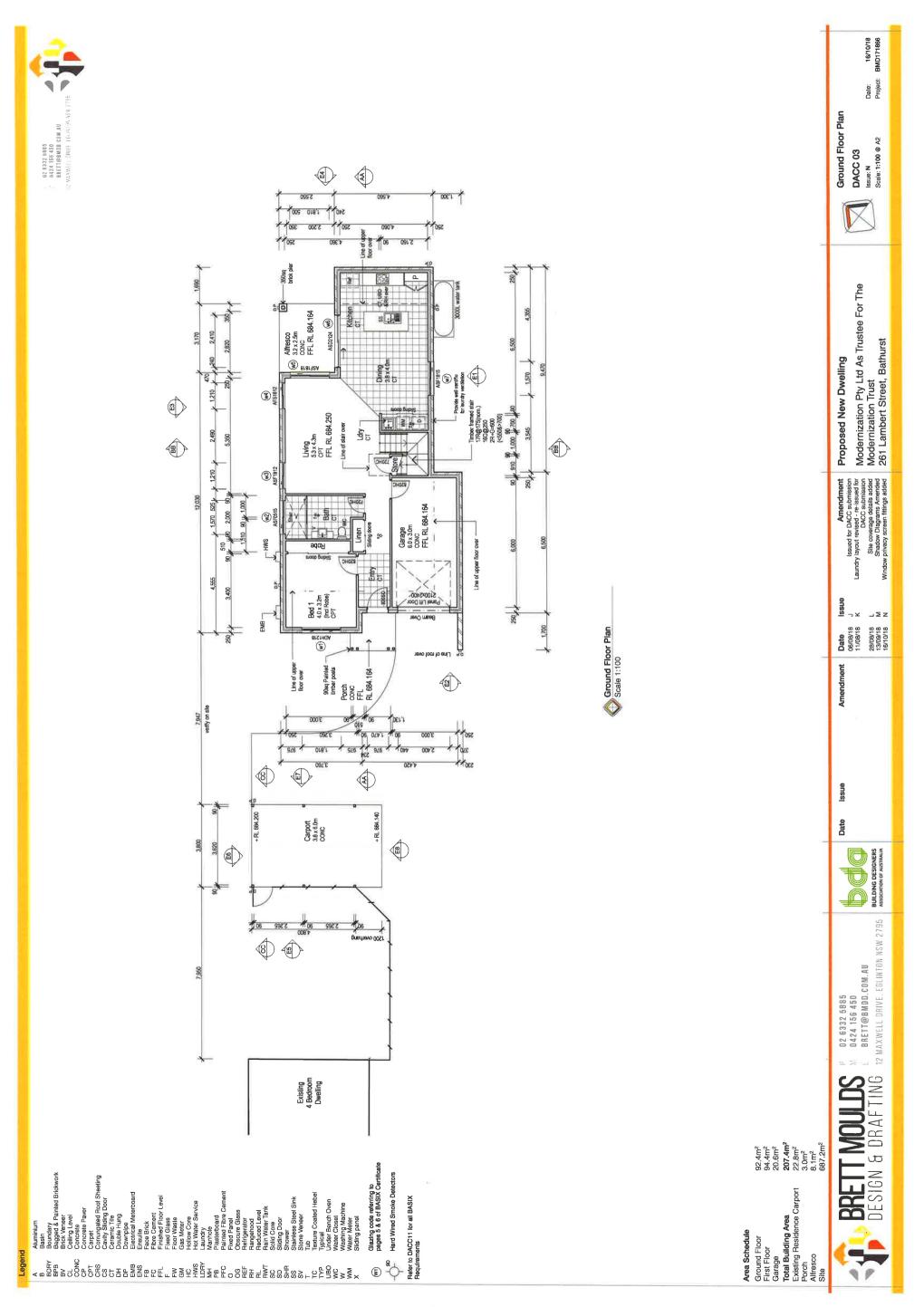
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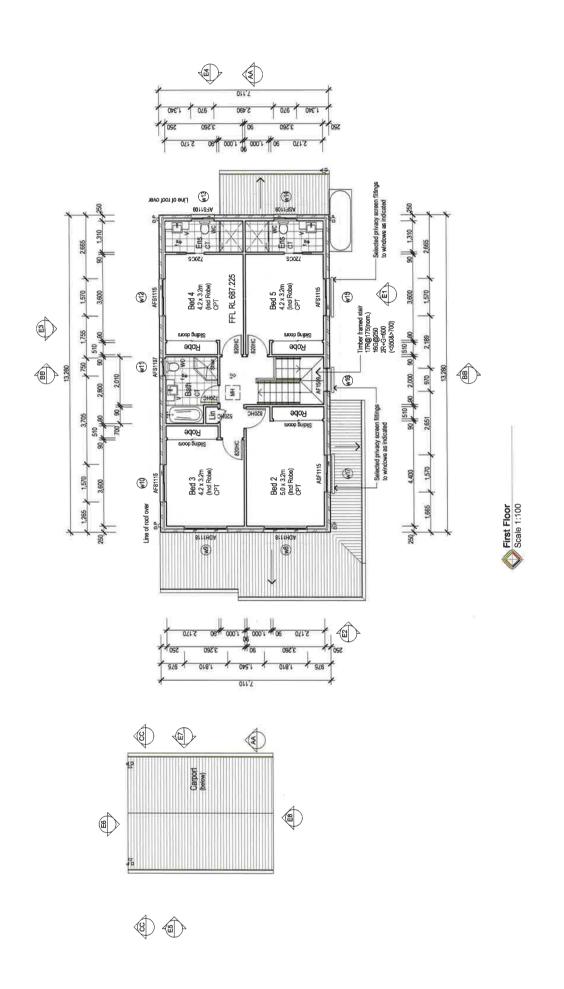
Site/Roof Plan DACC 02 Issue: N Scale: 1:200 @ A2 Modernization Pty Ltd As Trustee For The Modernization Trust 261 Lambert Street, Bathurst **Proposed New Dwelling** Date 06/08/18 11/08/18 28/08/18 13/09/18 16/10/18 12 MAXWELL DRIVE EGLINTON NSW 2795 O2 6332 5885 0424 156 450 BRETT@BMDD.COM.AU 92.4m² 94.4m² 20.6m² **207.4m²** 22.8m² 3.0m² 8.1m² 687.2m²



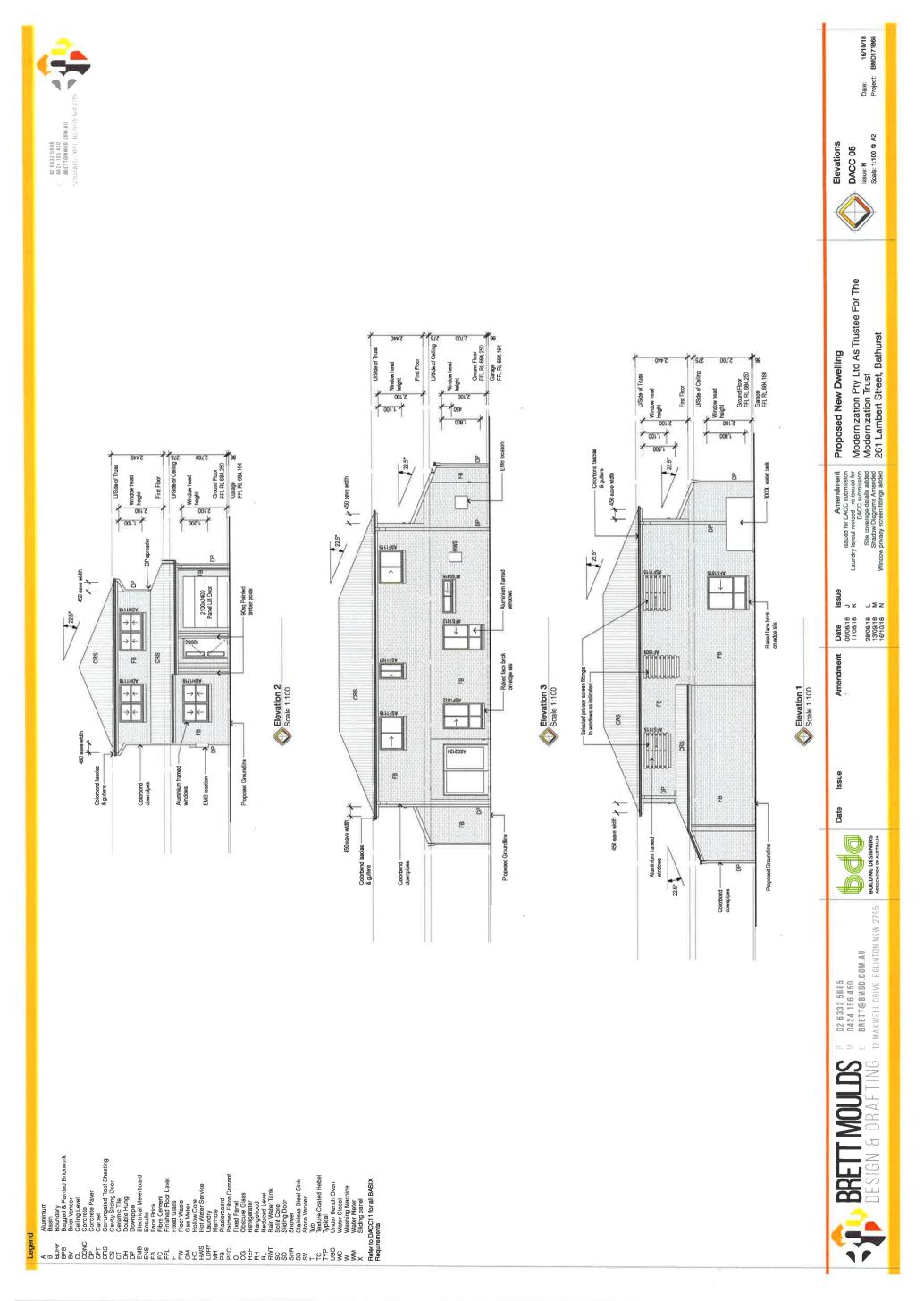
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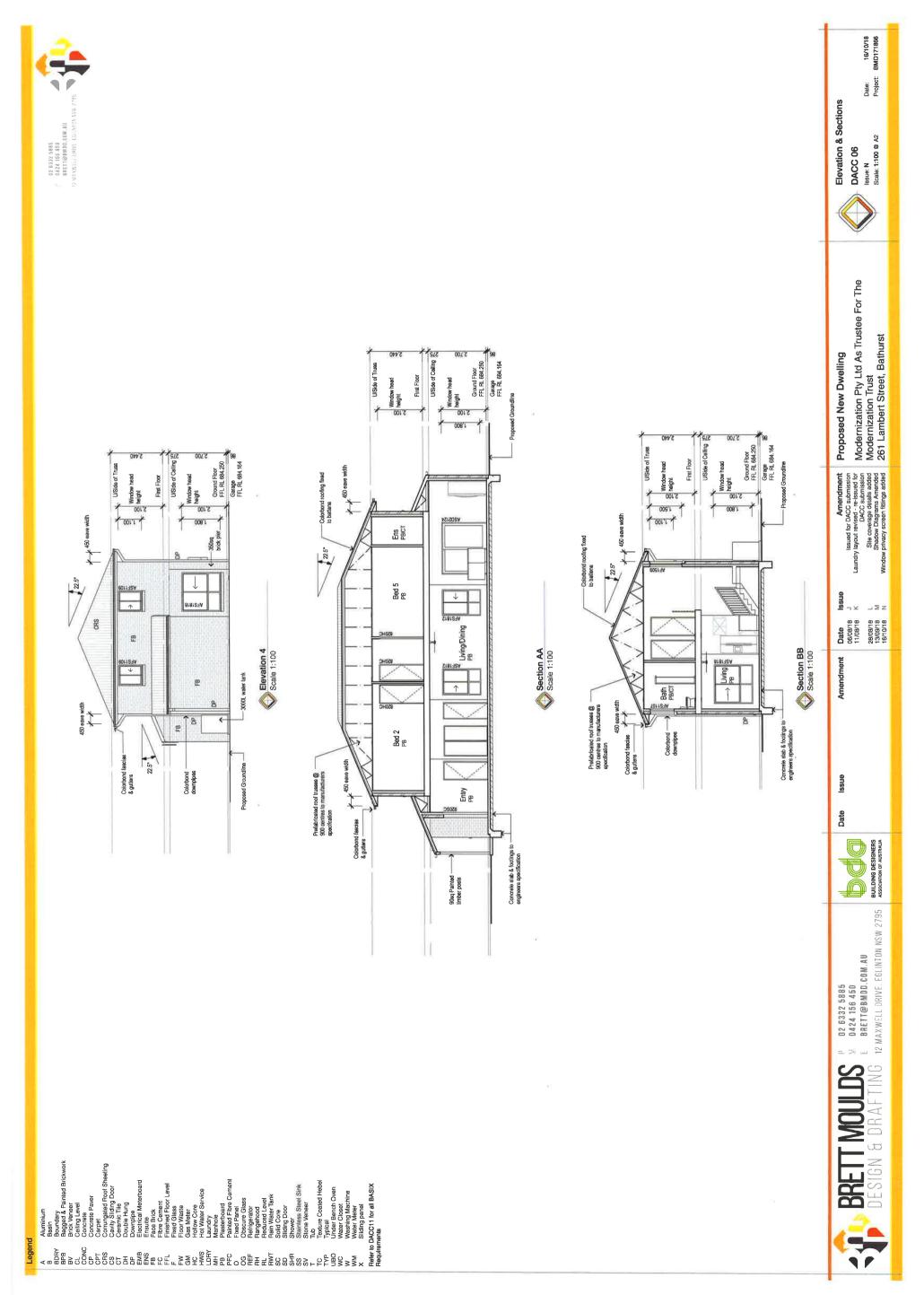






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Issue: N
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Date: 16/10/18 Project: BMD171866

Carport Elevations & Section

DACC 07

Issue: N

Scale: 1:100 @ A2

Project: BMD1

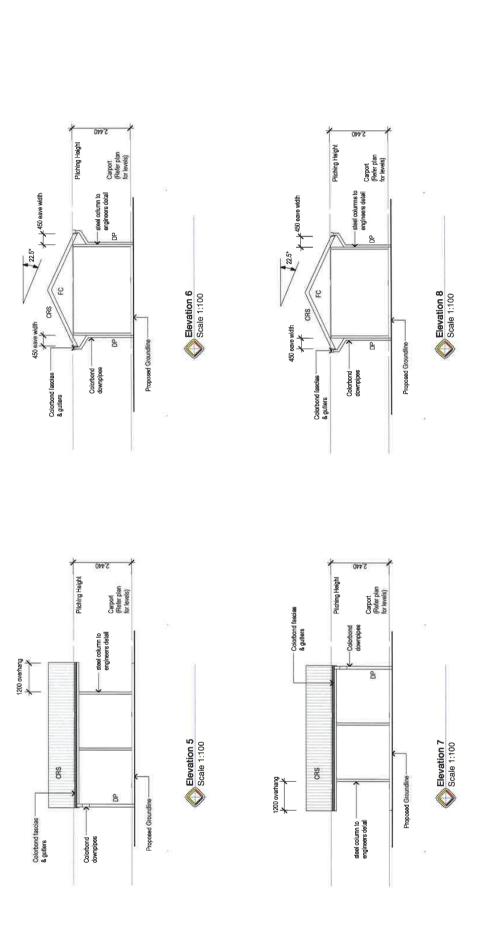
Modernization Pty Ltd As Trustee For The Modernization Trust 261 Lambert Street, Bathurst

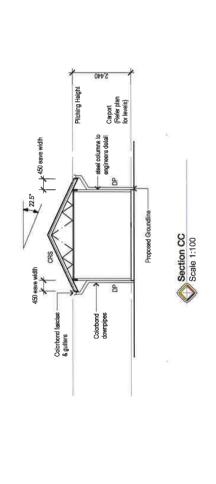
Proposed New Dwelling

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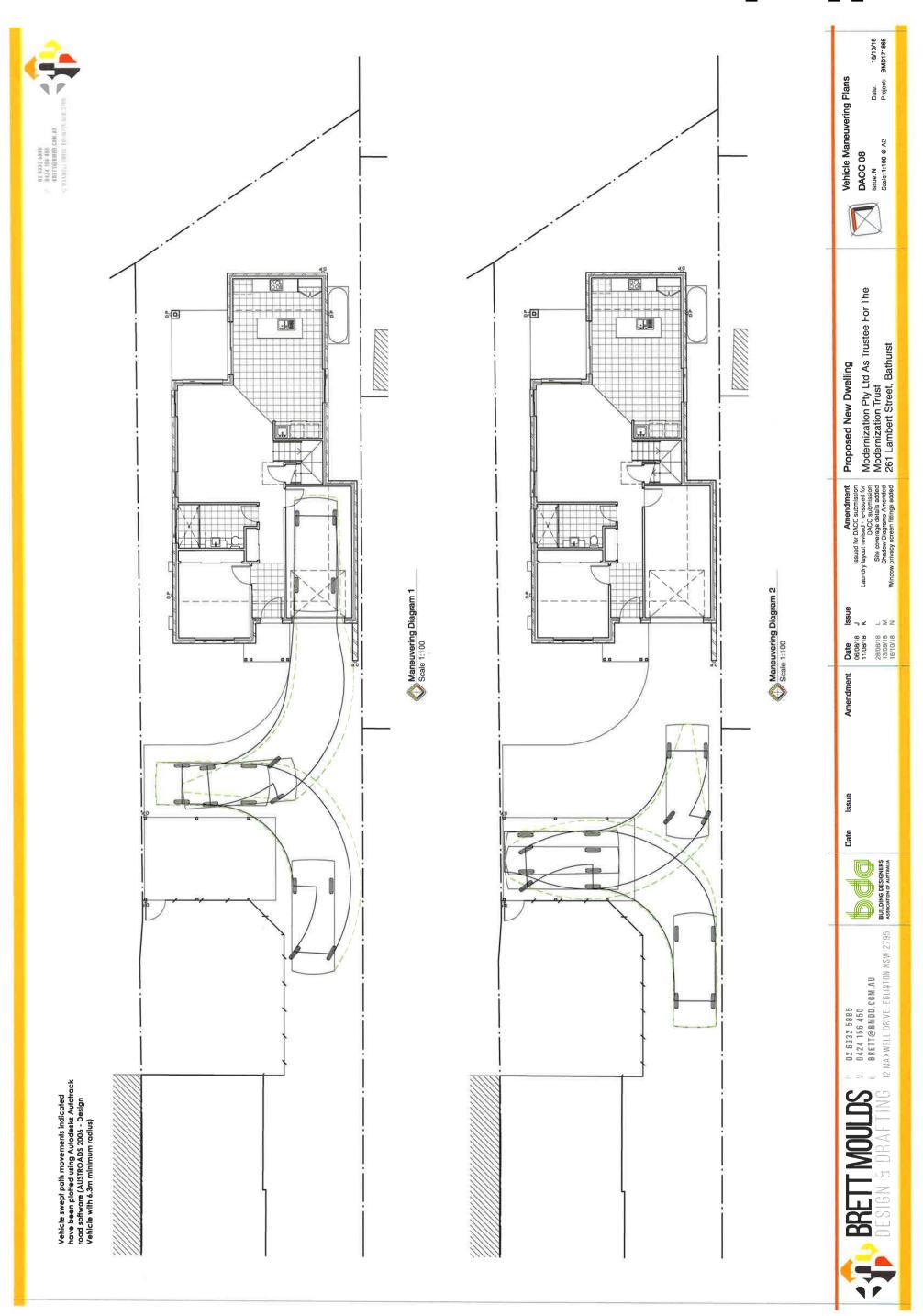






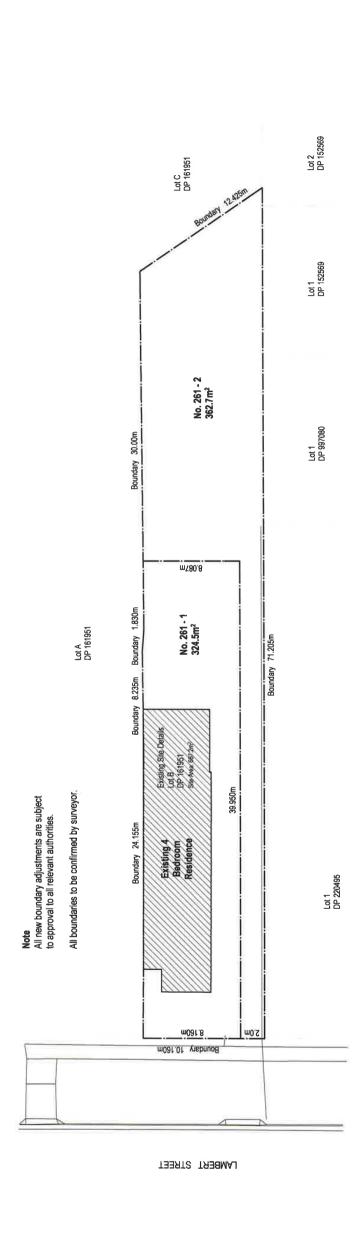
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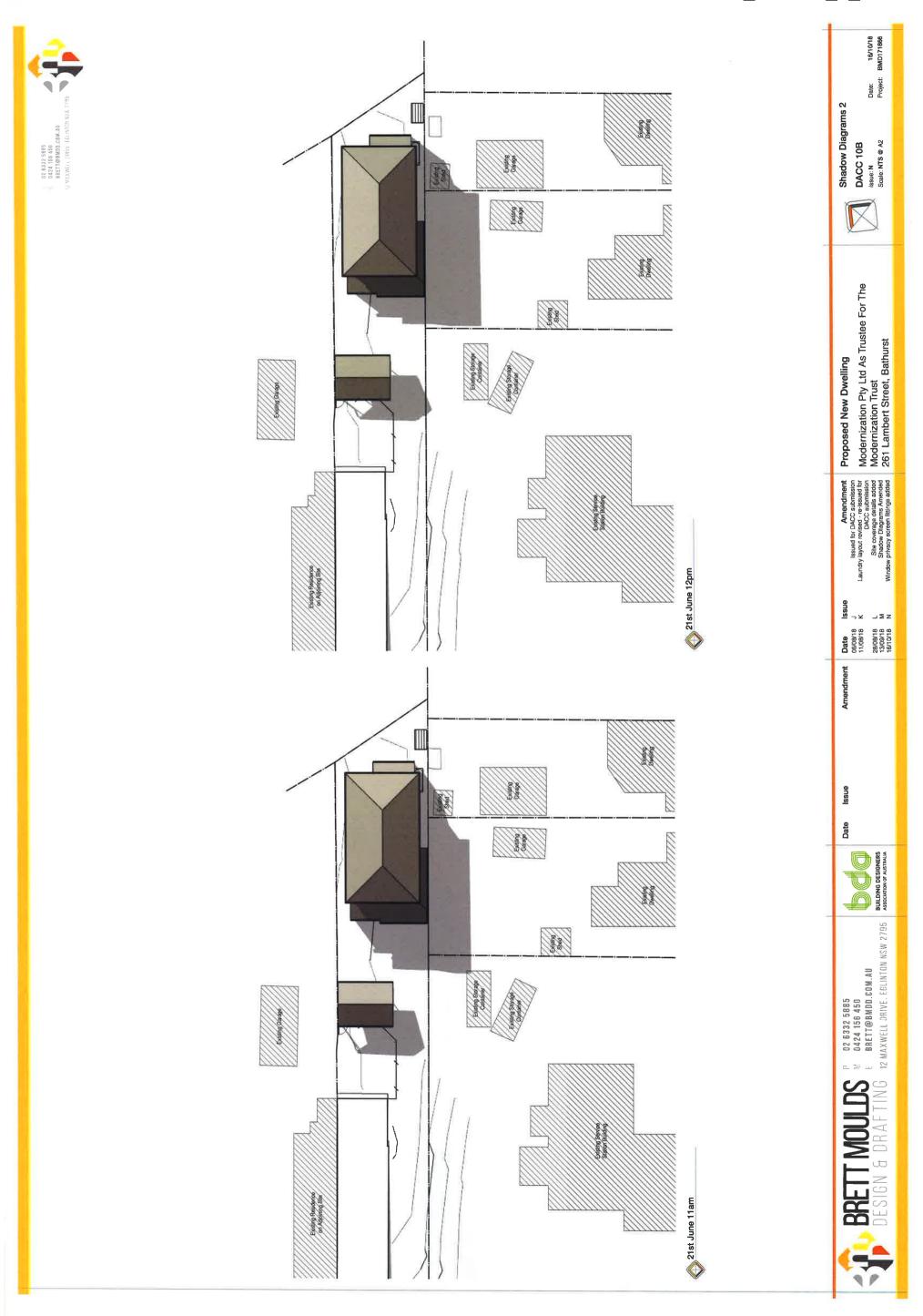


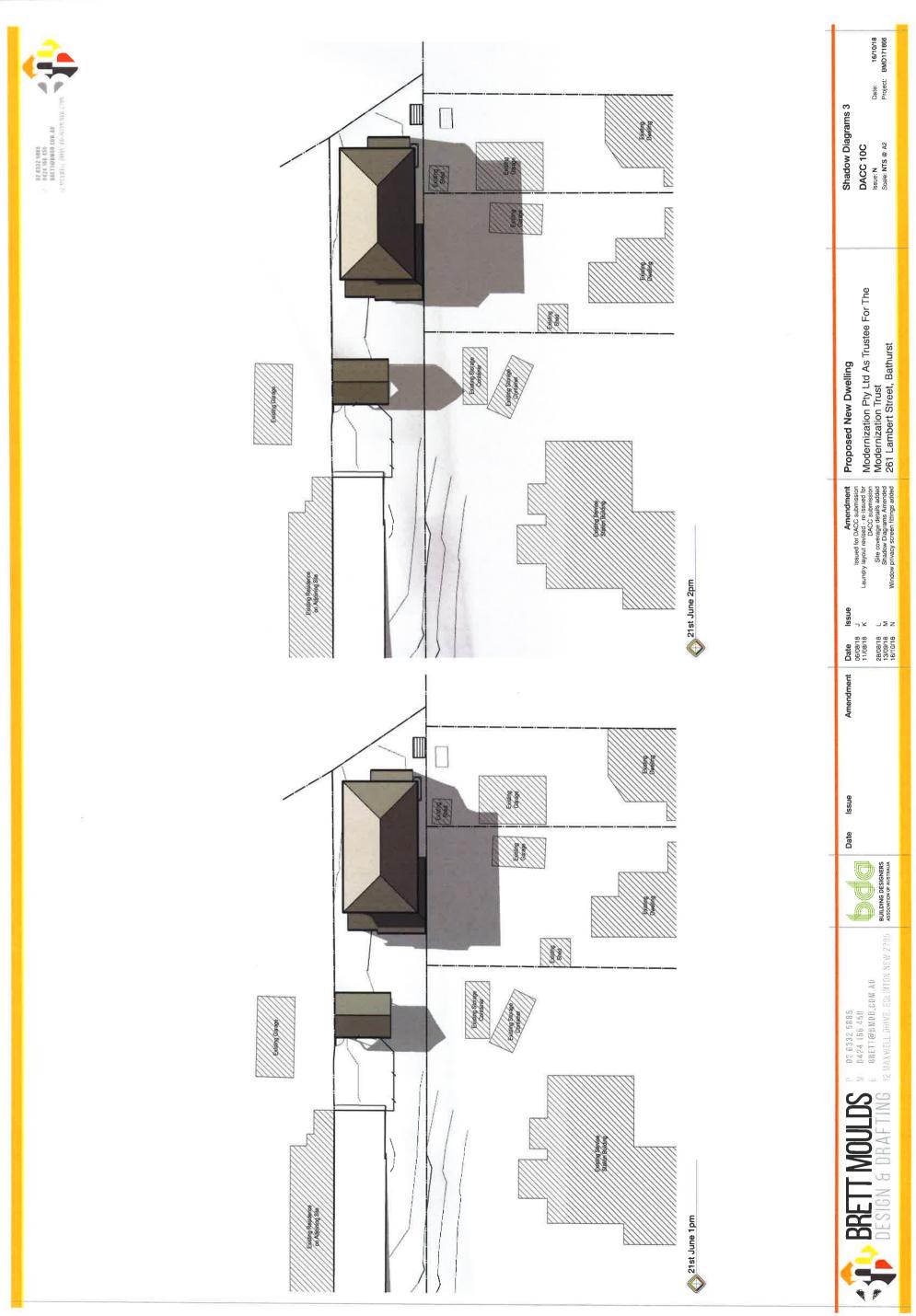




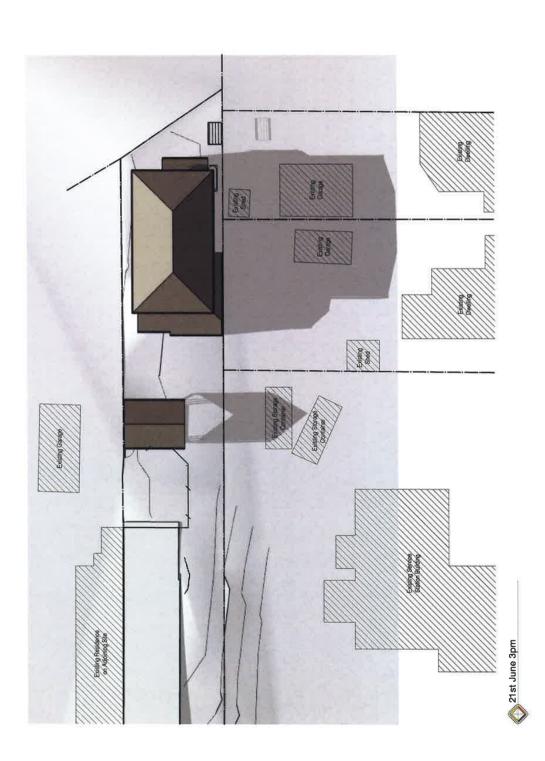














16/10/18 BMD171866

Specification

DACC 11 Issue: N Scale: MTS @ A2

S_DEPBS_3_2

14 of 15



BASIX Requirements

Indigenous or low water vegetation must be throughout 10m² of the sile.

A 3000 litre rainwater tank must be installed.
Al least 40m² of not area must be drained to the rainwater tank.
All tolles and feet put a supplies cold water to otherse washer must be connected to the rainwater tank.
All showetheads to have a minimum 3 star raing (>4.5 but <=6.0 Umin).

Kichen and Basin taps to have a minimum 3 star raing.

Thermal Commitments

Gound floor concrete slab on ground

First floor "timed of "timed" - 18 floor "suspended over garage - 2 floor suspended over garage - 2 floor sloor werear - 18 floor (18 floor white garage - 2 floor garage of "Celling and Hoof (flat celling/bliched roof) - Celling - 18 floor color of garage of the sloor sloor of the sloor sloor of garage of the sloor of garage of the sloor of garage of garage of the sloor of garage of ga

Energy Commitments

In accordance with maturatures in successory.

Sitip and sheel floring shall be installed in accordance with AS1684.

All metal fittings used in structural timber foints and bracing must have corrosion protection.

Steel framing shall be in accordance with manufacture's recommendation and Part 3.4.2 of BC.

All not deadloing shall comply with Part 3.1 of BCA and be installed in accordance with manufacturer's recommendations.

Gutters and downplose shall be in accordance with Part 3.5.2 of BCA.

Sarking shall comply with Part 3.3.4 of BCA.

Flashings shall comply with Part 3.3.4 of BCA.

Clay brickwork shall comply with Part 3.3 of BCA.

Clay brickwork shall comply with Part 3.3 of BCA.

Concrete blockwork shall be constructed in accordance with Part 3.3 of BCA.

- Autoclaived aerasted corrects products shall be installed in accordance with

- The applicant must install an instantaneous gas hot water system with a minimum 3 star rating cooling in at least one living com and at least now bedroom to be ceiling fans Heasting in at least one living com to be a gas fixed flute heater with a minimum rating of 3 stars. Heating in at least one living com to be a gas fixed flute heater with a minimum rating of 3 stars. Heating in at least one bedroom to be a large fixed flute heater with a minimum rating of 3 stars. Heating in at least one bedroom to be alroonditioning ducting only an annual switch skitchen to heave an individual fan, ducked to flazade or roof with a manual switch skitchen to have dedicated flutorescent or LED lighting Kitchen to have dedicated flutorescent or LED lighting A gas cooktop and electric oven to be installed.

Modernization Pty Ltd As Trustee For The Modernization Trust 261 Lambert Street, Bathurst **Proposed New Dwelling** 28/08/18 13/09/18 16/10/18 Date 06/08/18 11/08/18 Issue

RIVE ECLINTON NSW 2795

shall comply with Part 3.3.3 of BCA. Appropriate ties shall be

"..." accordance with Part 3.3 of BC municated agrated concrete products shall be installed in accordance with Part 3.3 of BC municated concrete products shall be installed in accordance with Part 3.3 of BCA camp proof courses shall comply with Part 3.34 of BCA camp roof courses shall comply with Part 3.34 of BCA with AS3700.

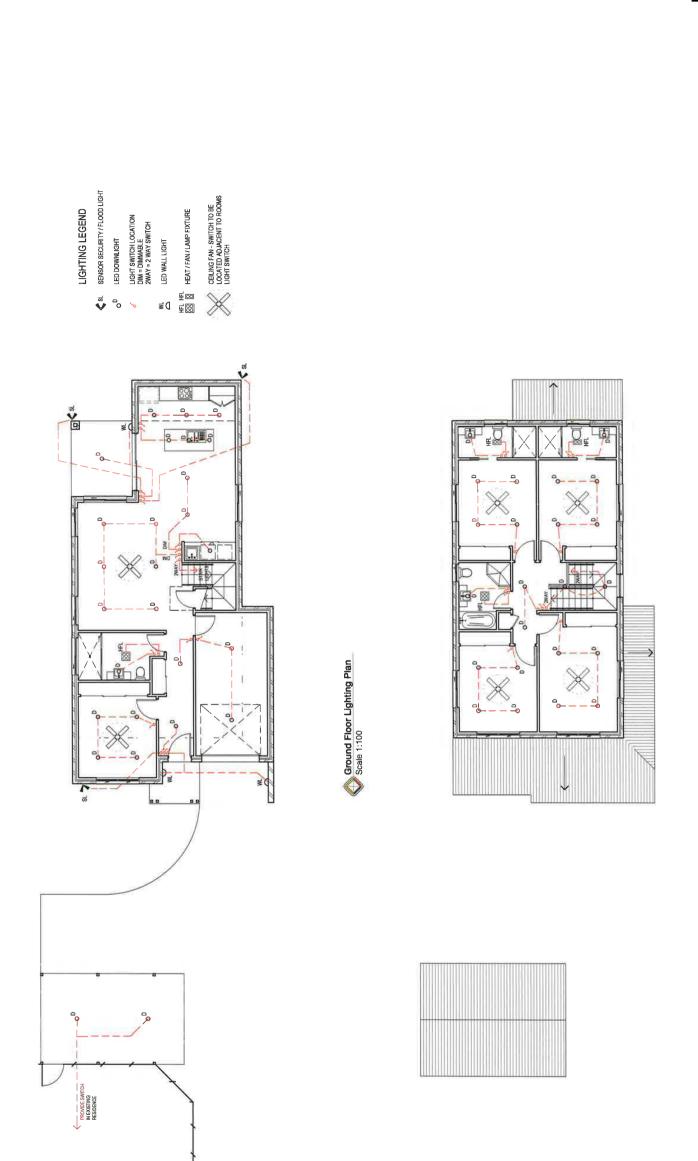
With AS3700.

With AS3700.

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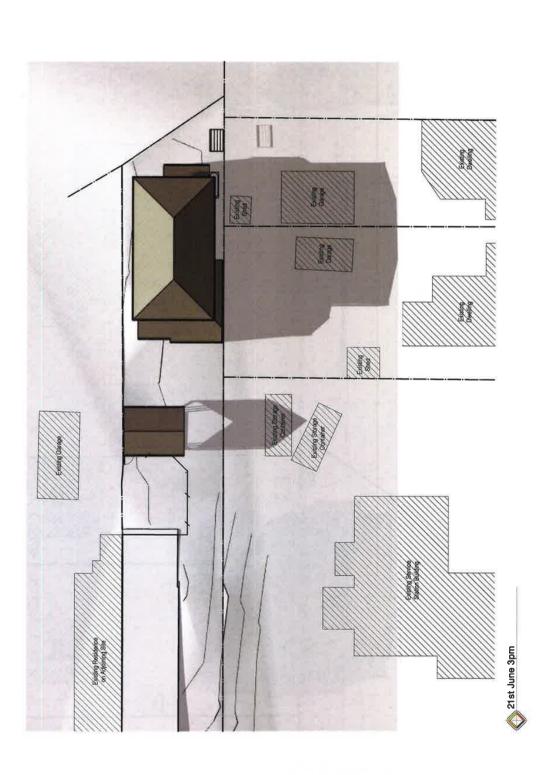
First Floor Lighting Plan Scale 1:100













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Andrew Starr and Associates Heritage Consultants For Brett Moulds Heritage Impact Assessment



261 Lambert Street, Bathurst Prepared by Andrew Starr and Associates Heritage Consultants September 2018

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1.0 Introduction

1.1 Background

Andrew Starr and Associates Heritage Consultants have been engaged by Brett Moulds. to prepare the following Heritage Impact Statement. It is proposed to construct a new house on land behind No. 261 Lambert Street Bathurst. The subject site is in the Bathurst Conservation Area. The house is half of a duplex with No. 263. The site has a long deep garden. No. 261 is not individually listed as a heritage item. The site of the new house is screened from public view from the exiting house and by a service station and houses on the Great Western Highway to the south-east of the site. Bathurst has many fine examples of Victorian and Federation houses. However, Nos. 261 and 263 are modest examples of Inter-War houses. This report assesses the impact of the new building on the Conservation Area.

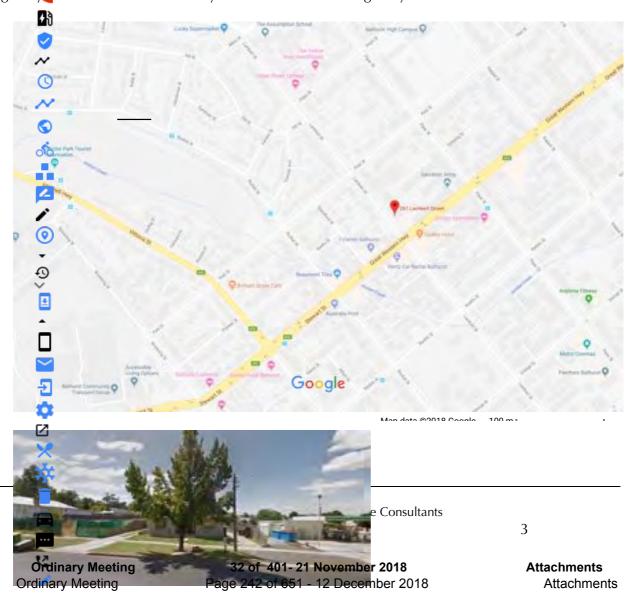
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The site in a The Bathurst Conservation Area.

1.22Size Location

27/9/18, 1:38 pm

The subject site is located in Bathurst at 261 Lambert Street. The specific site of the development is the rear yard of the property. The site is neat the corner of Lambert Street and the Great Western Highway. It is in a block defined by The Great Western Highway and Peel Street.



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1.3 Methodology

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Manual 'Statements of Heritage Impacts' and 'Assessing Heritage Significance' guidelines. The philosophy behind this report has been guided by the Australia ICOMOS Burra Charter 1999. The report has also been prepared in accordance with Bathurst regional Council's guidelines on documentation accompanying development applications involving heritage items and conservation areas. The subject site has been assessed in relation to the controls and provisions contained in the Bathurst Local Environment Plan 2014 and the Bathurst Development Control Plan 2014.

This report considers the heritage significance of 261 Lambert Street Bathurst, and the impact of the proposed new building to the site upon this significance. The purpose of this report is to:

- Outline the historical background of the site.
- Describe the locality and its significance.
- Describe the building's fabric and its condition.
- Assess the heritage significance of the building.
- Assess the impact of the proposed works on the heritage significance of the conservation area.

1.4 Author identification

This report is prepared by Andrew Starr, Heritage Consultant, Graduate of the University of Sydney, Master of Arts with Merit. Currently a PhD. Candidate at UNSW. Andrew Starr has been registered with the New South Wales Heritage Office as a Generalist Consultant since 1998.

1.5 Limitations

- This SOHI is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.
- This SOHI relies solely on secondary sources. Primary research has not been included in this report, other than the general assessment of the physical evidence on site.
- It is beyond the scope of this report to address Indigenous associations with the subject site.
- It is beyond the scope of this report to locate or assess potential or known archaeological subsurface deposits on the subject site or elsewhere.
- It is beyond the scope of this report to assess items of movable heritage.
- Andrew Starr and associates Heritage Consultants has only assessed aspects of the subject building/place that were visually apparent and not blocked or closed on the day of the arranged site inspection.

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2.0

ITEM DESCRIPTION AND CONTEXT

2.1 Item Description

The appearance of No. 261 Lambert Street suggests that the house was constructed in the Inter-War period. Land Title searches on the house were in conclusive and an exact date of construction was not determined. The existing is in the Bathurst Conservation Area and is a contributory item in the streetscape. The house has some heritage significance providing evidence of the development of the area during this period. It is not a rare building and its aesthetics merits are modest. No. 261 is part of a duplex. It contributory status warrant its retention. It is retained in this proposal. back yard and is separated from its neighbour to the west by a narrow breezeway.

The style of the building is influenced by Federation Arts and Crafts Style c. 1890- c. 1915. This style is described in A Pictorial Guide to Identifying Australian Architecture by R. Apperly, R. Irving and P. Reynolds. It is a minor example of this style.

Extent

Australia Wide

Background

Remote origins in single-storey, veranda'd, vernacular houses in countries colonized by Europeans (especially India). Immediate origins in the United States (especially West Coast) around the turn of the century – Arts and Crafts values plus concepts of the 'simple life' promoted by Gustav Stickley. Influence of designs in his magazine The Craftsman. General literary influence from writings of Henry Thoreau (especially Walden). Style prevalent in Australia towards the end of the Federation period.

Broad Characteristics

Ground-hugging, generally single-storey, but sometimes with rooms in roof-space. Unpretentious, homely quality. Use of 'natural' materials, honestly expressed.

Settings and Relationships

Free-standing single -storey houses on suburban blocks, with informal lawns and gardens.

Exterior Relationships

Simple massing. Broad simple roof planes, often featuring gabled roof with ridge parallel to the street and with the main roof extending over the veranda. Veranda with roofs supported by masonry piers and /or simple, sturdy timber posts. Favoured wall materials: roughcast, face brick, timber shingles. Leadlights used sparingly, usually in simple rectangular or grid patterns.

Structure and Construction

Traditional brick or stud-framed bearing wall, timber floor and roof construction. Sometimes rock-faced sandstone foundation walls and veranda piers.

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Other Qualities

Transition between FEDERATION QUEEN ANNE style, which is rather more decorative, and INTER-WAR CALIFORNIA BUNGALOW style, which typically has more assertive roof detailing such as street-facing gables with exposed timber components.

Photographs were taken on the 11 September 2018.



Fig.1 Federation houses opposite side of Lambert Street.



Fig. 2 Site on the other side of the duplex.



Fig. 3 The duplex No 263 and 261



Fig. 4 The duplex No 263 and 261



Fig. 5 Driveway and garage



Fig. 6 View from outside No. 261 looking towards The Great western Highway.



Fig. 7 Looking up Lambert Street from outside of No 261 Lambert Street



Fig. 8 Fence behind the service station

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Fig. 9 Looking up Lambert Street from outside of No 261 Lambert Street



Fig. 10 Looking to Great Western highway from outside No 261 Lambert Street

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Fig.11 Houses on Great Western Highway.



Fig.12 House on Great Western Highway.



Fig.13 Service station and house on Great Western Highway.



Fig.14 Looking to Great Western highway from opposite No 261 Lambert Street



Fig.15 Looking to Great Western highway from opposite No 261 Lambert Street



Fig.16 Houses on Great Western Highway.

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Fig.18 View to No. 261 from outside the service station on the corner of Lambert Street and The Great Western Highway.

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Fig. 19 View to No. 261 from outside the service station on the corner of Lambert Street and The Great Western Highway.



Fig.20 View toward s the vacant site beside the subject site.



Fig. 21 View towards No. 261 from the corner of Lambert Street and The Great Western Highway



Fig. 22 Driveway



Fig. 23 Rear elevation



Fig. 24 Garage and rear yard



Fig. 25 Garage



Fig. 26 Rear yard and subject site.

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Fig. 27 Rear yard and subject site.



Fig. 28 Rear yard and subject site.

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Fig. 29 Garage and rear door of the existing building



Fig. 30 Rear yard and subject site

2.2 Site Context

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The subject site is in a suburban street featuring diverse styles of architecture from Federation to 1970s infill. The existing building on the site is an Inter-War duplex. Opposite the site on Lambert street are some Federation houses. A service station on the corner of Lambert Street and The Great Western Highway abut the site. The block on the other side of the site is undergoing development. So far ground works are being undertaken. Along the southeast boundary of the site are a group of Federation houses that run along the Great Western Highway.

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3.0

Historical Development of the Site

3.1 Historical Context History

Colonial period (1800s) to gold rush era (1860s)



John Lewin, The Plains, Bathurst, watercolour drawing, ca. 1815, State Library of New South Wales

The government surveyor, George Evans, was the first European to sight the Bathurst Plains in 1813, following the first successful European crossing of the Blue Mountains in the same year. In 1814, Governor Lachlan Macquarie approved an offer by William Cox to build a road crossing the Blue Mountains, from Emu Plains, the existing road terminus west of Sydney, to the Bathurst Plains. The first road to cross the Blue Mountains was 12 feet (3.7 m) wide by 101 ½ miles (163.3 km) long, built between 18 July 1814 to 14 January 1815 using 5 freemen, 30 convict labourers and 8 soldiers as guards. Governor Macquarie surveyed the finished road in April 1815 by driving his carriage across it from Sydney to Bathurst. The Governor commended Cox and stated that the project would have taken three years if it had been done under a contract. [16] As a reward Cox was awarded 2,000 acres (810 ha) of land near what is now Bathurst.

On 7 May 1815, <u>Governor Macquarie</u> at the terminus of Cox's Road <u>raised the flag</u>, ordered a <u>ceremonial volley</u> to be fired and proclaimed the named the future town of Bathurst after the <u>Secretary of State for War and the Colonies</u>, <u>Henry Bathurst</u>, <u>3rd Earl Bathurst</u>. <u>1171</u> Bathurst is the oldest inland town in Australia. It was intended to be the administrative centre of the western plains of New South Wales, where orderly colonial settlement was planned.



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Bathurst, painted by Joseph Backler c.1847-1857

Local Wiradjuri groups under leaders such as <u>Windradyne</u> resisted the settlers until the <u>Frontier Wars</u> of the early 1820s ended the open conflict. The initial settlement of Bathurst was on the eastern side of the river in 1816. It is in today's suburb of <u>Kelso</u>. Ten men were granted 50 acres (20 ha); five were men newborn in the colony and five were immigrants. These men were William Lee, Richard Mills, Thomas Kite, Thomas Swanbrooke, George Cheshire, John Abbott, John and James Blackman, John Neville and John Godden. In 1818 Governor Macquarie stated in his diary:

This morning I inspected 10 new settlers for Bathurst. I have agreed to grant each 50 acres of land, a <u>servant</u>, a cow, four <u>bushels</u> (141 litres) of wheat, an allotment in the new town, and to receive into the King's Store at Bathurst all the Wheat they can grow for the first 12 months. [19]

In the early years of settlement, Bathurst was a base for many of the early explorers of the NSW inland, including George Evans in 1815, <u>John Oxley</u> in 1817–1818, <u>Allan Cunningham</u> in 1823, and <u>Thomas Mitchell</u> during the 1830s. [20][21]



Painting of Edward Hammond Hargraves, who is credited with the first discovery of payable gold near Bathurst in 1851

Flecks of gold were first discovered in the Fish River in February 1823, but it was 12 February 1851 in a Bathurst Hotel when <u>Edward Hargraves</u> announced the discovery of payable gold. Soon, gold was found at Ophir (later Sofala) and Hill End in the 1850s. In the 1860s, the town of Bathurst began to boom. Bathurst was to become the first gold centre of Australia. The nearby gold localities would transport their gold to Bathurst then to Sydney. The mail and gold transport coaches became an obvious target for <u>bushrangers</u>, which became a major problem for the authorities.

The Ribbon Gang and the <u>Bathurst Rebellion</u> occurred in 1830, when a large group of over 80 convicts roamed the Bathurst district. They were eventually captured and charged with murder, bushranging and horse-thieving. On 2 November 1830, ten members of the Ribbon Boys were hanged in Bathurst for their crimes. The site of the first and largest public hanging in Bathurst is still marked by the laneway sign *Ribbon Gang Lane* in the CBD. <u>Ben Hall</u>, who became a notorious bushranger, was married in St Michael's Church at Bathurst in 1856. In October 1863, a gang of five (including Hall) raided Bathurst, robbing a

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jeweller's shop, bailed up the Sportsmans Arms Hotel and tried to steal a racehorse. They returned three days later and held up more businesses. [23] John Piesley, another bushranger, was tried and hanged for murder at Bathurst Gaol in 1862. [23]

Bathurst's economy was transformed by the discovery of gold in 1851. One illustration of the prosperity gold brought to Bathurst is the growth and status of hotels and inns.. The first licensed inn within the township was opened in 1835, the Highland Laddie. At the peak of hotel activity in 1875, coinciding with the gold rush period, there were 61 operating concurrently. A total of 89 hotel locations have been identified in the town of Bathurst, with 112 operating in the immediate district during the course of the history in Bathurst. Initially many pubs were simply a cottage with stables. As prosperity increased during the gold rush, the Hotels became typical of architecture of pubs known today. [24]

Development of the City (1860s) to Federation (1910)

See also: History of infrastructure development in Bathurst

The Cobb & Co. business was a horse drawn coaching transport business originally established in Victoria but relocated to Bathurst in 1862 to follow the gold rush. The business provided gold escorts, mail services and passenger services to the towns and rural settlements. [25] Cobb & Co. coaches were constructed in the coaching workshops located in Bathurst and the Bathurst Information Centre contains a restored Cobb & Co. coach. [26][27]

Bathurst later became the centre of an important coal-mining and manufacturing region. The <u>Main Western</u> railway line from Sydney reached Bathurst in 1876. From that time, the town became an important railway centre with workshops, crew base with locomotive depot and track and signal engineering offices. It remains today as the railway regional engineering headquarters with a large rail component manufacturing facility.

In 1885, Bathurst had a population of approximately 8,000 and a district population of an additional 20,000 people. The town in 1885 was a hub for stores such as E.G. Webb & Co. with supplies and distribution occurring throughout large parts of western NSW and into <u>Queensland</u> and South Australia. [20]

Federation (1910) and post war development (1940s)

This period is characterised by periods of slow to moderate population growth, with industrial and education industries developing and technology and services delivered to the town. Several major infrastructure developments arrive such as distributed town gas, electricity, town water supplies, and a sewage treatment system. Town gas had arrived in Bathurst courtesy of a private venture in 1872, with the Council providing a competing network from 1888. On 30 June 1914, the Council purchased the Wark Bros gas system and combined the gas networks. The old gasworks plant on Russell Street (now out of use) was built in 1960. In 1987 natural gas arrived via a new 240 km spur pipeline off the Moomba to Sydney pipeline. The early part of the century saw electricity arrive initially for street lighting; the city converted from gas street lighting to electric lighting on 22 December 1924, when 370 electric lights at a cost of £40,000 were switched on. Lighting spread along streets through to 1935, over time to businesses and finally private houses. Sewage treatment was an early infrastructure project funded by the state government and built in 1915. Water supply started with private wells in backyards. Eventually a waterworks was built to the south of the town on the river with the water pumped through piping laid progressively to the businesses and private dwellings. In 1931, work started on the 1,700 ML Winburndale Dam project to gravity feed water through a wood stave pipe laid to the town. The scheme was opened by the Premier of New South Wales on 7 October 1933. Later,

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a new larger water supply dam was built on the <u>Campbells River</u>. Originally known as the Campbell River Dam scheme and later renamed the <u>Ben Chifley Dam</u> after the late Prime Minister <u>Ben Chifley</u> of Bathurst. It was opened in November 1956. The Ben Chifley Dam received a major storage upgrade designed to meet the cities needs to 2050; the work was completed in 2001 increasing the capacity by 30% to 30,800 ML. [31]

An ambulance service commenced on 6 June 1925 with a new <u>Hudson</u> ambulance. A new ambulance station was opened 2 March 1929 and is still used by the <u>NSW Ambulance</u> Service. Motor cars were becoming common in the early 20th century and the need for road service patrols commenced in 1927, provided by the <u>NRMA</u> using a motorcycle/sidecar response vehicle. The early electronic media age arrived with the opening of commercial radio station <u>2BS</u> on 1 January 1937. <u>Bathurst Aerodrome</u> was opened in 1942, initially to benefit the war effort providing parking for aircraft overflowing from <u>Richmond air force base</u>. The first commercial airline service departed for Sydney on 16 December 1946.

A famous Australian brand name of frozen foods began in Bathurst. Robert Gordon Edgell arrived in Bathurst in 1902. By 1906, he was growing pears, apples and asparagus and experimenting with canning and preserving fruit and vegetables, eventually opening a small <u>cannery</u> in 1926. In 1930, he formed the company Gordon Edgell & Sons which became, and still is, a famous Australian food brand, now owned by <u>Simplot</u>.

Many attempts were made to start a University College, the earliest attempts were 1912 through to 1947 when real progress was made with plans for a state teachers college. The first intake of teacher students came at the beginning of 1951 with the official opening on 9 November 1951. The college has transformed over time into the Mitchell College of Advanced Education on 1 January 1970. The College grew and ultimately became the Charles Sturt University on 19 July 1989. Andrew Denton is a notable alumnus of the University.

Bathurst was one of the locations to campaign to be the site of the new Federal Capital. In an essay prepared by a journalist with the Bathurst Times newspaper, Price Warung, [34] in 1901 to promote Bathurst's candidacy, he responds to the Federal committees key requirements for the capital to have: *centrality and accessibility of situation, salubrity, and capacity for impregnable defence*. [35]

An Army camp was established at Bathurst in early 1940 and was intended for the <u>Second Australian Imperial Force</u>'s <u>1st Armoured Division</u>, although it was later converted to an <u>infantry</u> training centre due to the unsuitability of the closely settled area to armoured training. Following the war, this camp was converted to a <u>migrant reception and training centre</u>. The first group of migrants arrived at Bathurst in 1948; at times the centre had up to 10,000 residents. [20]

Population growth

Bathurst's population has had rapid growth periods throughout its history; during the mid to late 19th century gold rush period, then post World War 2 when migrants from the war ravaged countries were settled in the area and returning soldiers were offered farming land, and at the start of this century has been another fast growth period corresponding in part to Sydney's congestion. Other periods have seen a slightly declining population, including the decade around the 1900s and during the 1960s. The following chart illustrates the growth from 1856 to recent



Holy Trinity Church, Kelso, built 1834.



St Stephen's Church, built 1872.



<u>Italianate style</u> stuccoed and decorated surfaces on the <u>façade</u> of the former Masonic Hall, built 1889.

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Bathurst has a unique collection of architecture from colonial through to recent times, with many examples remaining intact. Historical buildings range from workers cottages, terrace houses, mansions, slab huts, industrial, commercial buildings and grand civic structures.

Periods, styles and features

Colonial

Covering the period from 1815 to 1840, this <u>Old Colonial period</u> is mostly of Bathurst red brick, sometimes limewashed, with 12-paned windows and four- or six-panelled doors. Examples of this style include Old Government House (c. 1820), and Holy Trinity Church (Gothic style). [23]

Early Victorian

During the <u>Early Victorian period</u> from 1840 to 1860 the structures are mostly small domestic buildings. Characteristics of this style has the building line right up close to the street or the front verandah directly on the street. An example of this style include 'Loxsley' a gentlemans townhouse of the period, and the Royal Hotel originally a single storey building. [23]

Mid Victorian

The Mid Victorian period from 1860 to 1880 coincides with greater affluence and more building materials becoming available such as glass. Windows typically now became 4 or 6 panes. Row housing is still a common layout, sometimes in a Gothic influenced style with steeply pitched roofs. An example of this style is the Webb Building built in 1862. During this period, Edward Gell designed many of the main buildings including the ornate St. Stanislaus' College, the railway station (1875) of the Victorian Tudor style with dutch gables topped by finials, bay windows and cast-iron verandah, [37] and a great baronial mansion called Abercrombie House, a large, three-storey, 40-room mansion in the Scottish baronial style. Bathurst Hospital is a large Victorian era hospital complex in the second empire style, constructed of Bathurst red bricks, verandahs are decorated with timber posts, arched brackets and cast iron balustrades. [37]

Many Bathurst mansions were built of the <u>Italianate style</u> in this period, with features such as bay windows, cast iron columns, lacework and verandahs. These include 'Woolstone' (1883), 'Logan Brae' (1877 and now a convent) and 'Delaware' (1878). [38]

Bathurst's Courthouse (1880) designed by colonial architect <u>James Barnet</u> stands in a prominent city position and is <u>neo-classical</u> style with octagonal <u>Renaissance</u> dome, a <u>doric portico</u> with pediment, octagonal tower with turret, stone facings and brick pilasters, a colonnade of Doric pillars, a sage-green roof, red bricks, yellow bricks and long lines of sash windows. Barnet also designed the Bathurst Police barracks (c. 1875) and the <u>Bathurst Gaol</u> (c. 1888) with the ornate lions head holding a key (a Victorian symbol of secure and certain retribution) standing over the gateway entrance. [38]

St Stephen's Presbyterian Church is a Gothic structure built of Bathurst red bricks in 1871–72. [23]

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Late Victorian

During the Late Victorian period from 1880 to 1900, the Bathurst Showground Buildings (c. 1880s) represent one of the most intact groups of nineteenth century timber showground pavilions in New South Wales. The style is known as <u>Carpenter Gothic</u>. The old technical college is a two-storey <u>American Romanesque</u> building erected c. 1896 of red brick with terracotta facings and other detailing. The interior is also of a high quality. Italianate architecture appears in several Bathurst buildings including the former Masonic Hall, now known as Carrington House, with stuccoed and decorated surfaces on the <u>façade</u>, and the Westpac Bank building. [23]

Federation

During Australia's <u>Federation period</u> from 1900 to 1915, there was experimentation in design and construction. The Experimental Farm (now part of Charles Sturt University) is an example of the Federation style. Many of the Federation style buildings have decorative timber fret work and terracotta or iron roofs. [23]

Inter-War period

During the <u>Inter War period</u> from 1915 to 1940, there was great architectural change. Examples in Bathurst include the Knickerbocker Hotel in the <u>functionalist style</u> and the old Commonwealth

Bank built in the <u>Free Classical</u> style. With the coming of electricity in 1924 unique cast iron light posts and lanterns were installed in the centre of the wide city streets and these are still an architectural feature of the city streetscape. [23][39]

Specific History of the site Land Title

Title sold to William anf Christine Sweetman by by Kenneth Aaron Ryan, police officer and Rosemary Alice Ryan on 18 September 1979

Record of Mortgage Ryans from Tableland Co-op Building Ltd 17 Februray 1970

Conclusion

The house by its style seems to be constructed in the Inter-War period. It has modest heritage significance as evidence of Inter-War or late Federation development in Bathurst. *References*:

- -New South Wales Heritage Office State Heritage Inventory search
- -Sydney Sands Directory 1870-1933
- -Land and Titles Office
- -Identifying Australian Architecture
 - R. Apperly, R Irving, P. Reynolds
- -Wikipedia
- -Sydney Morning Herald

Trove

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4.0

Statement of Heritage Significance

4.1 Assessment Criteria

The following assessment of significance addresses the criteria endorsed by the NSW Heritage Council, and is in accordance with the *NSW Heritage Manual* 'Assessing Heritage Significance' guidelines. The assessment is based upon the limited historical information, and the inspection of the fabric of the item and the surrounding area.

a) An item is important in the course, or pattern, of the local area's cultural or natural history.

The house is a modest example of a Federation Arst and Crafts style house built in the Inter-War period. It makes a modest streetscape contribution. It is sympathetic to the grander Federation homes opposite the subject site.

b) An item has strong or special associations with the life or works of a particular person, or group of people, of importance in the local area's cultural and natural history

The item does not meet this criterion.

c) An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative achievement in the local area.

The house is a modest example of Federation influenced architecte. It makes a streetscape contribution.

d) An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.

The item does not meet this criterion.

e) An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history

The item expresses early suburban development in the Bathurst township. It is one of many fine examples of Federation and Inter-war buildingsa in the neighbourhood.

f) An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history

No a rare example of its style.

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- g) An item is important in demonstrating the principal characteristics of a class of the local area's
 - cultural or natural places; or
 - cultural or natural environments

The house is a representative example of a Federation Arts and Crafts style house.

4.2 Statement of Significance

No. 261 Lambert Street is a modest example of Federation influenced architecture in good condition. The house makes a modest streetscape contribution.

4.3 Curtilage

The house is setback from the street by a small front yard. It is attached to No. 263 on its northwestern wall. There is a breezeway to the south east. The property has a substantial rear yard.

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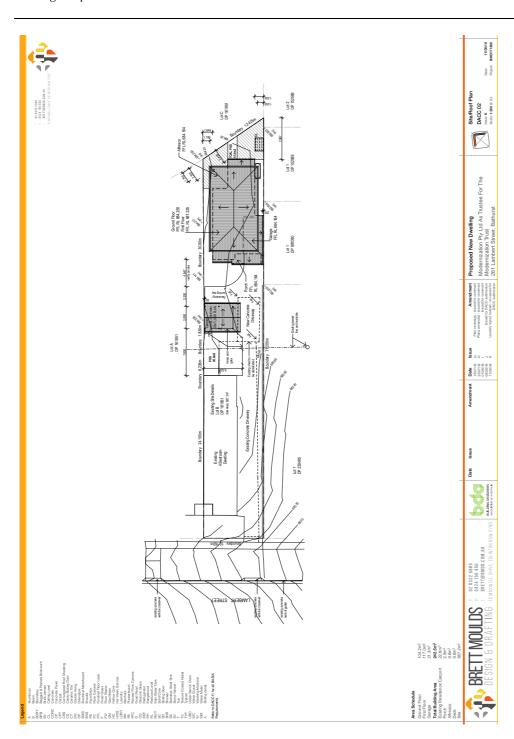
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The Proposal

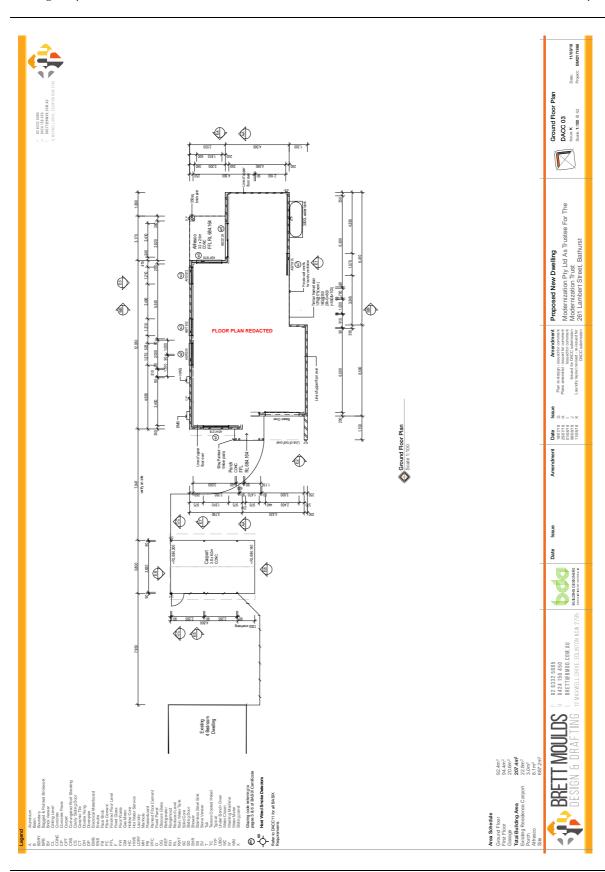
Proposed is a two storey brick house, it is to built in the rear yard and sub-divided from the existing property. The house is five bedroom and has a hipped roof. It is proposed to demolish the existing garage. This outbuilding is clad in asbestos fibro sheeting and poses a health hazard. The house is set in the extensive rear yard and shares a driveway with the existing house. The site is screened by the existing structures and public view is not impacted. Materials and finishes are contemporary but appropriate to the context of the site.

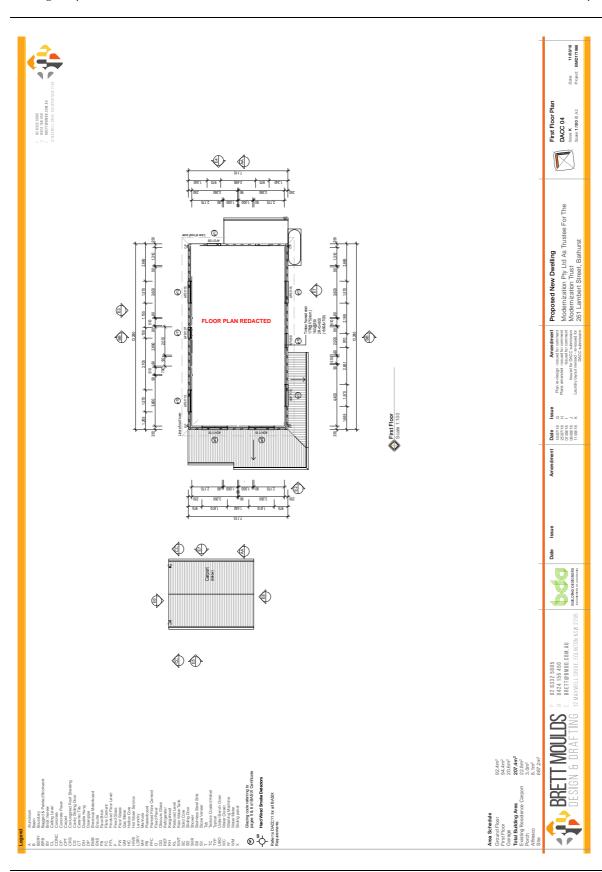
Plans displayed below.

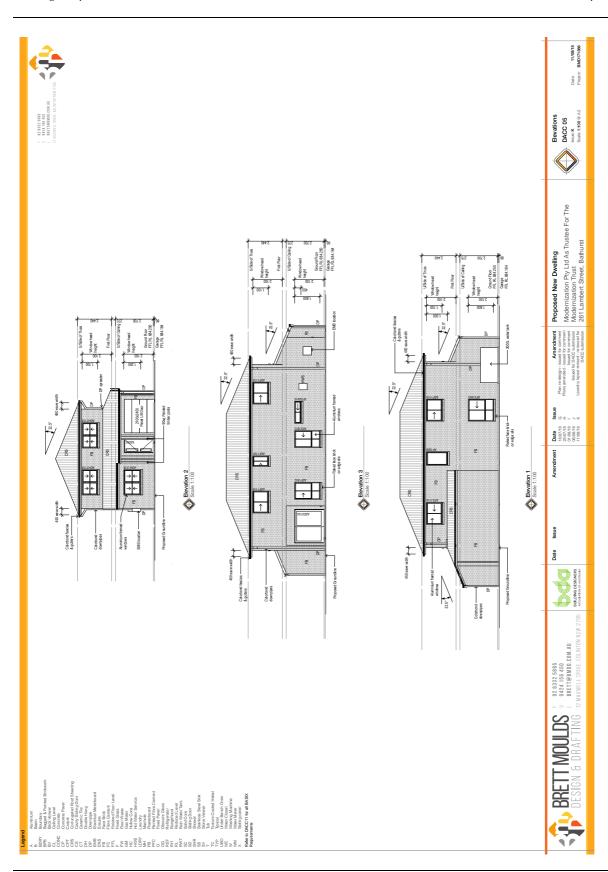


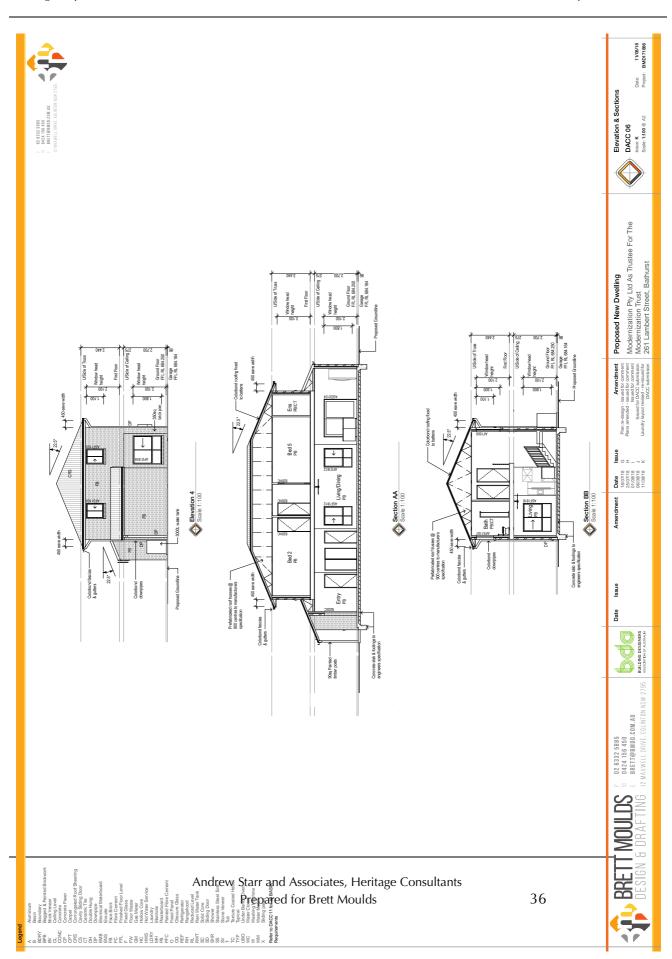
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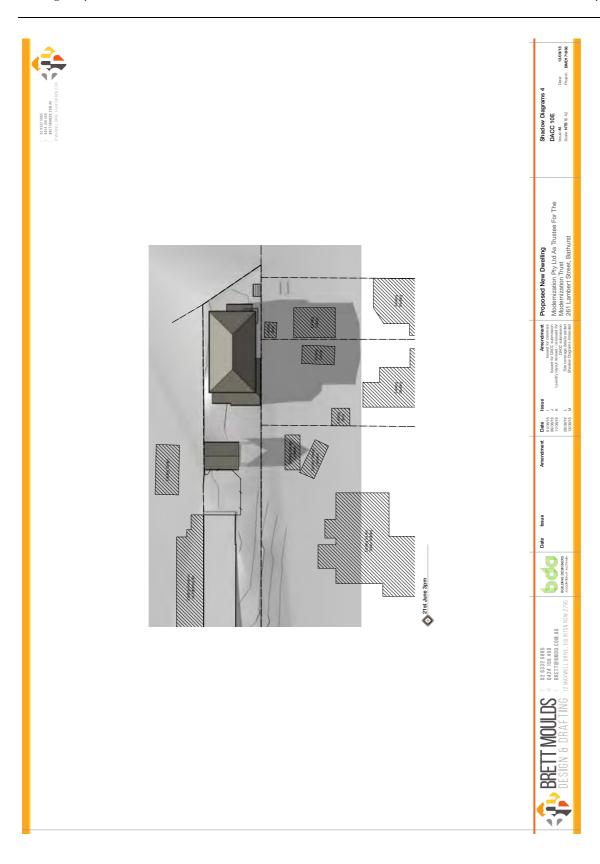












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6.0 Heritage Impact Assessment

6.1 Statutory Controls

The subject building is listed in the Bathurst Conservation Area. The proposal is therefore subject to – Heritage provisions of Bathurst LEP 2014. The subject proposal will be discussed under the relevant Bathurst Council planning controls and provisions.

6.2 Assessment of Impacts

Bathurst Local Environmental Plan 2014

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the <u>Heritage Map</u> as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Bathurst.
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
- (i) a heritage item,
- (ii) an Aboriginal object.
- (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:

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Prepared for Brett Moulds

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September 2018

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
- (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
- (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
- (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
- (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of

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development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.
- This heritage impact statement has been prepared to accompany the development application. The proposed site is a registered heritage item. It is in a conservation area.
- The proposed alteratios and additions are considered appropriate because of the building's change of use.

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ASSESSMENT OF IMPACT

Why is the building/site of heritage significance?

• The site contains a Federation Style house in good condition. It makes a contribution to the streetscape and is complimentary to the more grand Federation Houses opposite in Lambert Street. Situated on the fringe of the Bathurst Conservation area the during the Inter-War period. The existing house is not a rare example of its type. The specific site is behind the duplex which means that the new dwelling will be screened from both Lambert Street and the Great Western Highway by existing buildings.

What positive impacts will the proposed works have on its significance?

- The original house is retained.
- No alteration to the key facade.
- No alteration to any key streetscape

What negative impacts will the proposed works have on its significance? (i.e. What aspects of the proposal detract from, or remove the heritage significance. Give reasons)

Neutral impact on streetscape and conservation area.

What measures are proposed to mitigate the negative impacts?

• The siting of the new building is sympathetic. It is screened from public view by existing houses and a service station in Lambert Street and the Great Western highway. No demolition of any heritage fabric.

6.2.2'Questions to be Answered'

Development in the vicinity of heritage items, heritage conservation areas, heritage streetscape areas, archaeological sites or potential archaeological sites

The consent authority must not grant consent to development on land in the vicinity of a heritage item, a heritage conservation area, a heritage streetscape area, an archaeological site or a potential archaeological site unless it has considered an assessment of the impact the proposed development will have on the heritage significance, curtilage and setting of the heritage item, on the heritage significance of buildings within the heritage conservation area, or on the heritage significance of the streetscape within the heritage streetscape area or of the actual or potential archaeological site, as well as the impact of the development on any significant views to or from the heritage item, heritage conservation area or streetscape.

The proposed works will have no impact on the heritage significance of the adjacent heritage items as defined above.

The proposed new building is screened from public view by existing buildings. There is no change to the setting or curtilage of adjacent items and no impact on views to or from the heritage items.

The subject building was constructed for the State Government to supplement its stores operations in the Sheas creek wool sheds located opposite the site to the rear. The buildings historical relationship to the conservation area is not diminished by the proposed works.

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7.0 Conclusion – Conservation Principles

The appearance of No. 261 Lambert Street suggests that the house was constructed in the Inter-War period. Land Title searches on the house were in conclusive and an exact date of construction was not determined. The existing is in the Bathurst Conservation Area and is a contributory item in the streetscape. The house has some heritage significance providing evidence of the development of the area during this period. It is not a rare building and its aesthetics merits are modest. No. 261 is part of a duplex. It contributory status warrant its retention. It is retained in this proposal.

The new building in the extensive rear yard of the existing property is screened by the existing house on the site and its partner in the duplex from public view from Lambert Street. It is screened from view from the Great western Highway by the existing service station and houses that run infront the boundary of the yard. There is no impact on the streetscape or its neighbours. The duplex and groups of houses built in the Inter-War Period and Federation period are not impacted.

The choice of materials and finishes are appropriate to the context of the site. There is a clear division between old and introduced fabric that avoids confusion between what is old and what is new.

The proposal is sympathetic to the area. Public enjoyment of the conservation area is not impacted.

Andrew Starr and Associates Heritage Consultants September 2018

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Civic Centre: 158 Russell Street Correspondence: Private Mail Bag 17 BATHURST NSW 2795 Telephone 02 6333 6111 Facsimile 02 6331 7211 council@bathurst.nsw.gov.au www.bathurst.nsw.gov.au

OFFICE USE ONLY

REQUEST FOR VARIATION OF DEVELOPMENT CONTROL PLAN STANDARD

Section 1	lopment Details			
DA Number:	2018/303			
Applicant:	Brett Moulds			
Development de	etails: Demolition of Existing Shed, Proposed Dual Occupancy & Two Lot Residential Subdivision			
Section 2	Bathurst Regional Development Control Plan 2014			
	lause 4.9 Parking, Access and Manoeuvring Areas. Medium Density Housing (Precinct 1). For 3 or more bedroom vered car parking space per dwelling and 1 visitors space per 2 dwellings (or part thereof)			
Section 3	Reason/s for variation			
A request to vary t site.	the above mentioned clause is submitted due to the nature of both the subject site, and existing road network around the subject			
	ad carriage way is approximately 29m in width, with an actual two way road width of approximately 15m. Current driveway the subject site and neigbouring dwellings provide for many on street parking opportunities in the immediate area of the proposed			
for both the existin development not fi has currently been In summary the ex	site is approximately 10.0m in width. Whilst the site is able to accommodate permanent parking and vehicle manouvering areas and proposed dwelling, an off street visitor parking space would encroach on allowable building area making the proposed financially viable. Given the 'temporary use' nature of a visitor parking space, we believe the on site area be better utilised as it in documented. Existing road allows for ample parallel parking on both sides of Lambert Street. Allowing 1 'on street' visitor car space will not have on the current road network.			
a negative enect	an die saheik toda hetwork.			

Section 4	Applicant signature panel			
Name (print name				
Brett Moulds	bMould 22/10/18			
	on on this form is being collected to allow council to process your application and/or carry out its statutory . All information collected will be held by Council and will only be used for the purpose for which it was collected. An individual may view their personal information and may correct any errors.			

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Planners con	nments		

Ref:08.00015/054

Issue Date: 1 July 2013

Review Date! As required

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2018/303-02/00



Development application No 2018/303

Donna O'Keeffe to: council@bathurst.nsw.gov.au, Donna OKeeffe

07/09/2018 07:37 AM

From:

Donna O'Keeffe <dokeeffe07@yahoo.com.au>

To:

"council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>, Donna OKeeffe <dokeeffe07@yahoo.com.au>

Please respond to "dokeeffe07@yahoo.com.au" <dokeeffe07@yahoo.com.au>

I would like to make a submission of objection in regards to the above DA and its impact on property at

251 Stewart Street, Bathurst

My concerns are

- 1. The removal of tree roots which would severely inpact on my large trees possibly killing them. "Site
- 2. The shadow created by such a large, tall developement and its impact on lifestyle and health.
- 3. The closeness of the building to the boundary fence.
- 4. The second story windows wil not only look directly onto the whole of my backyard, they will also look directly into the bathroom.
- 5. The flow of natural water in regards to the building levels and the natural fall of land of my property.

Regards

Donna O'Keeffe.(O'Leary) 63 Lorimer Street Llanarth

0424226158

Sent froYahoo7 Mail on Android

Report this message as spam

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Ms L Sargeant 249 Stewart Street, Bathurst NSW 2795 M: 0415 133 482

Mr R Denyer Manager Development Assessment Bathurst Regional Council (BRC) 158 Russell Street Bathurst NSW 2795

BATHURST REGIONAL COUNCIL

1 0 SEP 2018

6th September 2018

Dear Mr Denyer,

REF. 2018/303-02/008

RE: Development Application No 2018/303

On behalf of my brother Alan, and myself, I write to advise you and BRC of our strong objection to above proposed development. Lorna and Gordon Hall, elderly residents of 247 Stewart, also strongly object to proposed development. Please find signatures below.

Firstly, a two storey second dwelling in what is basically 'just over the fence' from our backyard would significantly **overshadow** our property.

Secondly, a two storey second dwelling just over the fence would impact on our **privacy** with occupiers in a property of this height being able to look straight down into our property and surrounding properties.

Thirdly, a development of this nature would more than likely impact on our property through excessive stormwater flooding into our property due to the natural slope of the land.

For your information, our garage has been flooded at least four times over the past 12 years and I enclose photos for your perusal.

Fourthly, a two storey second dwelling in this area is **out of character** with what is essentially a heritage part of Bathurst. Our home, for example, was built in the late 1890s and this has been acknowledged by BRC for a number of years due to us receiving grants from BRC Heritage Fund to improve our property.

Finally, my understanding is that the owner of this property is an investor. As such, he is not concerned about the **visual impact** of the proposed two storey dwelling **in relation to the streetscape** of our area. It can be argued that his interests are only based on profits to be gained.

In sum, it would be greatly appreciated if BRC refuse this development application based on reasons provided herein.

Kind Regards

Alan Sargeant

Lorna Hall

Loma Hall.

Gordon Hall

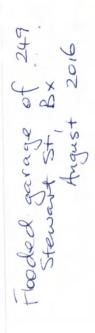
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7 SEP 2018

DEPBS

BATHURST REGIONAL COUNCIL

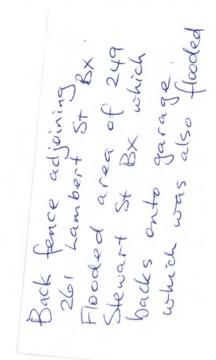




Flooded area at back of garage of 249 Stewart

August 2016





August 2016



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S_DEPBS_3_7

2018/303-02/018

DISCUSSION FORUM

DETAILS:

TWO STOREY DUAL OCCUPANCY WITH ATTACHED GARAGE

AND TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT

STREET, BATHURST

DATE:

12 OCTOBER 2018

PRESENT:

BRETT MOULDS, SANJEEV SAH, DONNA O'KEEFFE,

LORRAINE SARGEANT, ALAN SARGEANT, DANIEL DWYER,

NEIL SOUTHORN

FILE:

DA 2018/303

Meeting Opened:

10.00am

N Southorn:

Welcomed everyone to the meeting. Explained the purpose of

the meeting. Noted that the proposal had been notified to adjoining property owners and that two submissions had been

received, one of which contained four signatures.

L Sargeant:

Advised the she and her brother Alan were part owners of 249 Stewart Street. Advised that her elderly neighbours Lorna and Gordon Hall did not receive notification of the Discussion

Forum but were signatories on the submission.

D Dwyer:

L Sargeant:

Explained that when a submission is received with multiple signatories it is Council's policy to only correspond with the primary/first signatory – in this case Ms Sargeant.

Raised concerns about a large two storey dwelling being right

on her rear boundary. Noted that it will block off all afternoon sun in her yard. Noted that her elderly neighbours Mr and Mrs

Hall shared the same concerns about the proposal. Explained significant stormwater issues, including garage flooding, caused by runoff from the subject property. Noted

photos of the stormwater issue were attached to her

submission.

B Moulds:

Explained that as part of the development all stormwater from the site would be captured and directed to the gutter in Lambert Street. Noted that the developer could not control runoff from the neighbouring large vacant parcel of land behind (265 Lambert Street) and that this may also be

contributing to the stormwater issue.

N Southorn:

Explained that a condition would be imposed on the consent to ensure that all stormwater is captured and directed to the

street gutter.

D Dwyer: Explained that where subdivision is proposed the developer

must capture and drain stormwater from the entire site, not

just the roof water.

B Moulds: Explained that the industry standard for solar access would

be met with the proposal. Noted the DCP requirement for sunlight between the hours of 9.00am and 3.00pm at the

winter solstice.

N Southorn: Spoke to the shadow diagrams and showed Ms Sargeant and

Mr Sargeant shadow intervals.

B Mould: Reiterated that minimum solar access would be achieved and

even exceeded for 251 and 249 Stewart Street.

L Sargeant: Noted that the 2.00pm was very significant. Raised concerns

about only receiving sunlight for half of the day or even less. Explained that her clothes line was at the rear of the yard and that it would be in the shade all of the time. Noted she was not prepared to move her clothes line. Raised concerns about the proposed building being out of character with the heritage area. Raised concerns about noise from neighbours and traffic. Raised concerns about traffic at the intersection of Stewart and Lambert Streets. Noted that she already experiences significant issues with barking dogs. Noted that the property had been in her family since 1971. Noted that Bathurst urgently needs a bypass like many other regional

cities had already built.

N Southorn: Explained that RMS and Council were currently undertaking a

major traffic modelling study to address traffic issues in central Bathurst. Noted that the proposal as submitted is consistent with current planning controls. Noted that Council has to accept the DA, Council has to assess the DA and subject to the outcome of the assessment may decide to approve or refuse the DA. Noted that acceptance of the DA did not necessarily mean that it would be approved. Noted that during the assessment Council has to consider the prescriptive development standards as well as the merit based elements such as character, streetscape and impact on neighbours. Noted that the owner has the right to seek approval for the development that they want. Noted that a Heritage Impact Statement has been submitted and that it concludes that the proposal will not substantially impact upon

the Lambert and Stewart Street streetscapes.

NOTE: Donna O'Keeffe arrived at 10.15am.

D O'Keeffe: Noted that the area is characterised by single storey buildings

but the one proposed was two storey.

N Southorn: Noted that two storey development is permissible in the

Heritage Conservation Area and was guite prevalent. Spoke

to the shadow diagrams and explained the intervals between 9.00am and 3.00pm.

D O'Keeffe: Noted that the shadows indicated on the diagrams were

completely unacceptable.

N Southorn: Explained that shadowing of dwellings was considered, in a

planning sense, as being of greater importance than open

space areas.

D O'Keeffe: Explained that with the shadows as drawn the plants in the

yard would receive no sun, the clothes line would receive no sun and there would be no nice light and airy place to sit. Noted that the height to the eave of the proposed building

would be over 5 metres.

B Moulds: Explained that the height to the eave would be approximately

5.5 metres and the overall height of the building

approximately 7.5 metres.

N Southorn: Explained that the maximum building height under the LEP is

9 metres.

D O'Keeffe: Noted that it was a very large building to have right on the

back boundary. Raised concerns about privacy. Noted that there would be a direct line of sight into the bathroom. Raised concerns about how excessive the building was for this locality. Noted its significant adverse impact on the

neighbours.

N Southorn: Asked Mr Moulds and Mr Sah whether they had already

considered changing the plans to reduce the bulk and subsequently reduce the shadowing. Noted that in the past Council has required the use of screens and/or opaque glass

to address privacy concerns.

B Moulds: Explained that they hadn't yet discussed changing the plans

but that they were prepared to have the discussion. Noted that financial viability was a key consideration and that they would not change the plans if the changes would make the

project unviable.

L Sargeant: Asked what Mr Sah's intentions were for the house. Asked if it

was to be his family home or just a rental.

D O'Keeffe: Noted the large number of bedrooms and bathrooms in the

proposed house. Noted that the proposed house is

monstrous.

S Sah: Explained that he currently lives in Sydney but would one day

like to live in Bathurst. Explained that house will initially be a

rental but may one day become a family home.

		~~~

N Southorn: Explained that the end use of the dwelling is not a planning

consideration. Noted that only its construction was the subject

of the Development Application.

L Sargeant: Explained long term issues with students in the neighbouring

property. Reiterated her significant concerns with the proposal in terms of being out of character, noise, overshadowing,

overlooking and simply being monstrous.

D O'Keeffe: Raised concerns about the impact the development will have

on two significant trees in her rear yard given how close the trees and the proposed building are to the boundary. Noted that disruption to the root system of the trees would most

likely kill them.

N Southorn: Explained that trees in the Heritage Conservation Area are a

planning consideration and will therefore be addressed in the

assessment of the application.

D O'Keeffe: Noted that if the trees died there would be no buffer between

her house and the proposed house.

N Southorn: Noted the passionate objections of all neighbours to the

proposal, particularly in relation to overshadowing and overlooking. Noted Mr Moulds and Mr Sah's preparedness to

discuss a potential redesign.

D O'Keeffe: Noted that unless significant design changes were made the

neighbours objections were unlikely to change.

L Sargeant: Reiterated that a two storey development in this location is

totally inappropriate.

B Moulds: Noted that there was very little opportunity for movement on

the block because of how narrow it is.

D O'Keeffe: Asked if the property would be subdivided so that the existing

and proposed houses would be on separate titles.

N Southorn: Explained that the Development Application included a two lot

subdivision and that this was permissible.

D O'Keeffe: Asked if the proposed development complied with Council's

minimum open space requirements.

B Moulds: Explained that the proposed development complied with all of

Council's prescriptive development standards and that compliance is the first thing he considers with any new

development.

N Southorn: Noted that despite numerical compliance Council must still

consider the project on its merits.

D O'Keeffe:

Noted that, with the exception of the Dudley Hotel, there were no other two storey buildings in the immediate vicinity of the

site.

N Southorn:

Explained that two storey development is permissible in the Heritage Conservation area and that there are many examples nearby. Noted that a Heritage Impact Statement has been submitted and that it concludes the dwelling will not have any adverse impact on the Lambert or Stewart Street streetscapes or on the overall Heritage Conservation Area.

D O'Keeffe:

Reiterated her primary concerns of impact on trees, shadowing, privacy and overall detrimental impact on

neighbouring properties.

N Southorn:

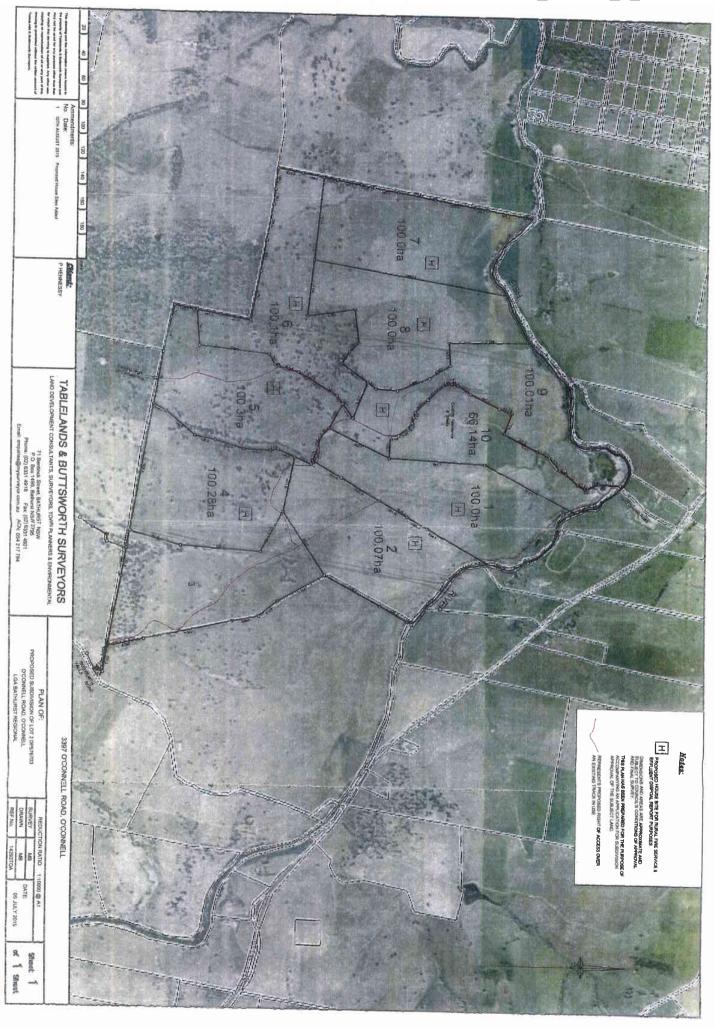
Noted that the majority of the concerns stemmed from the bulk and scale of the proposed dwelling. Noted that Mr Moulds and Mr Sah would discuss a redesign and may choose to submit amended plans. Explained that if the amended plans were considered satisfactory to the neighbours the application would be determined under delegated authority. Explained that if the amended plans were not considered satisfactory or if the applicant chose not to amend them at all, the application would be reported to Council for determination at a Council Meeting. Thanked everyone for attending the meeting and closed the meeting.

Meeting Closed:

10.40am

N Southorn **DIRECTOR** 

**ENVIRONMENTAL, PLANNING & BUILDING SERVICES** 



# 10 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397 O'CONNELL ROAD, O'CONNELL (20.00099)

# **Recommendation**: That Council:

- (a) not support the variation to the Guidelines for Engineering Works to allow nine (9) lots to gain access off a gravel right of carriageway;
- (b) advise Oberon Council that:
  - (i) Condition 14(a) should remain and the access should be constructed as a public road.
  - (ii) Condition 14(b) should remain in the event that the land is to be a public road,
  - (iii) Condition 14(c) may be deleted or modified provided that alternate flood free access is legally and physically available.
  - (iv) Condition 14(d) may be deleted on the basis that the bridge is to be privately owned,
  - (v) Condition 14(e) should remain as is; and
- (c) call a division.

# Report: Background

On 15 March 2016 Oberon Council approved a Development Application for an eight (8) lot rural subdivision of Lot 2, DP 576703, 3397 O'Connell Road, O'Connell. The subject property is an historical holding known as "Macquarie". See location plan at <u>attachment 1</u>.

The majority of the Macquarie property is located in the Oberon Council Local Government Area (LGA). Accordingly Oberon Council is the consent authority for the purposes of the subdivision. It should be noted that there was also a pre-existing subdivision approval for a further two (2) allotments making ten (10) allotments in total.

Bathurst Regional Council's involvement in the Development Application stems from the fact that the primary access to the subject property is within the Bathurst Regional LGA. As part of the initial assessment process Bathurst Council was requested to provide advice to Oberon Council in relation to the land within its jurisdiction. Council's advice is limited to the access road within its LGA and does not extend to the merits of the subdivision nor the internal accesses within the property.

The access handle is currently a privately owned parcel of land, known as Lot 10, DP 1074856. It is held in the same ownership as the Macquarie property.

The access handle is approximately 550 metres long, is currently a gravel driveway and runs between O'Connell Road and the Fish River. The access handle is used to access Macquarie. It would be subject to periodic inundation from the Fish River.

This access will be used by nine (9) lots, being the eight (8) approved additional lots and the residual lot containing the existing dwelling and outbuildings. An additional lot within the holding, being Lot 3, has its own independent access to Bosworth Falls Road and therefore does not rely on the subject access.

The approved plan of subdivision is at attachment 2.

Director Environmental Planning & Building Services' Report to the Council Meeting 21/06/2017	
GENERAL MANAGER	MAYOF

It is understood that the subdivision has been partly implemented with Lots 3, 4 and 5 being registered.

On 9 February 2016, after receiving the original Development Application, Oberon Council sought comment from Bathurst Regional Council in relation to the access to the proposed subdivision.

Bathurst Regional Council responded to Oberon Council's request for comment on 11 March 2016 (see attachment 3). In summary Bathurst Regional Council made the following comments:

- In accordance with Council's Guidelines for Engineering Works the proposed right of carriageway over existing Lot 10 is suitable for servicing the primary allotment and two additional allotments only. However Council is prepared to allow one additional allotment only to be serviced via this right of carriageway, any allotments beyond four will require the construction and dedication of a public roadway as outlined in point 2 below.
- As indicated in the Development Application the proposed development is for a ten lot rural subdivision being serviced by a right of carriageway from the O'Connell Road. This does not comply with Council's Guidelines for Engineering Works. If it is the intention of the applicant to access more than four allotments by this roadway Council would require the construction and dedication of a public roadway in accordance with Council's Guidelines from the O'Connell Road to the current boundary of the LGA. Whilst this would normally consist of a 20 metre wide public road reserve, with a roadway consisting of a 10.5 metre wide formation appropriately drained and an 8.5 metre wide 2 coat bitumen seal minimum Council would accept a reduced public road reserve width to match the existing allotment width on this occasion although the road would continue to be sealed.
- The public roadway is to be designed and constructed to provide unimpeded access to all allotments during a 1 in 100 year flooding event of the Fish River. Council will require a flood impact assessment to be carried out on the flood plain to determine the impacts of the development on adjoining properties prior to approval. Note any significant impact will result in refusal of the development, please refer to Council's flood policy for the definition of significant impact.
- 4. If the access is to be constructed and dedicated as a public road the existing bridge over the Fish River is to be upgraded to comply with all requirements of AS 5100.
- 5. The intersection of the new access roadway and the O'Connell Road (Main Road 253) is to be in accordance with the requirements of the RMS.

Oberon Council, in its consent dated 15 March 2016, imposed the following condition (being condition no. 14 of that consent):

# Legal Access

- 14. Legal and practical access to the development from O'Connell Road via Lot 10 in DP: 1074856 is to be provided in accordance with the requirements of Bathurst Regional Councils correspondence of the 11 March, 2016, as follows:
  - In accordance with Council's Guidelines for Engineering Works the proposed right of carriageway over existing Lot 10 is suitable for servicing the primary allotment and two additional allotments only. However Council is prepared to

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allow one additional allotment only to be serviced via this right of carriageway, any allotments beyond four will require the construction and dedication of a public roadway as outlined in point b below.

- b. As indicated in the Development Application the proposed development is for a ten lot rural subdivision being serviced by a right of carriageway from the O'Connell Road. This does not comply with Councils Guidelines for Engineering Works. If it is the intention of the applicant to access more than four allotments by this roadway Council would require the construction and dedication of a public roadway in accordance with Council's Guidelines from the O'Connell Road to the current boundary of the LGA. Whilst this would normally consist of a 20 metre wide public road reserve, with a roadway consisting of a 10.5 metre wide formation appropriately drained and an 8.5 metre wide 2 coat bitumen seal minimum Council would accept a reduced public road reserve width to match the existing allotment width on this occasion although the road would continue to be sealed.
- c. The public roadway is to be designed and constructed to provide unimpeded access to all allotments during 1 in 100 year flooding event of the Fish River. Council will require a flood impact assessment to be carried out on the flood plain to determine the impacts of the development on adjoining properties prior to approval. Note any significant impact will result in refusal of the development; please refer to Councils flood policy, for the definition of a significant impact.
- d. If the access is to be constructed and dedicated as a public road the existing bridge over the Fish River is to be upgraded to comply with all the requirements of AS 5100.
- e. The intersection of the new access roadway and the O'Connell Road (Main Road 253) is to be in accordance with the RMS.

The road works, including Gazettal and street signage, if required is to be fully completed prior to issue of a Subdivision Certificate, in consultation with Bathurst Regional Council.

Reason: To ensure the proposed road works are appropriately constructed and provide legal and practical access to the development.

# Post approval discussions/correspondence with applicant

Since the Development Application was approved, the applicant has met with, and directly corresponded with, Bathurst Regional Council on numerous occasions. Throughout these discussions and correspondence Council has maintained its position in relation to the requirement for the construction of the public road but has clarified the following elements relating to it:

- The public road can terminate before the bridge over the Fish River (i.e. at the boundary
  of the Bathurst LGA) so that the existing bridge does not form part of the public road and
  therefore does not have to be upgraded to full public road standard.
- A cul-de-sac head needs to be constructed at the point where the public road terminates (i.e. before the bridge over the Fish River).
- A formal property entrance can be constructed at the point where the public road terminates to delineate the end of the public road and the beginning of the internal private access (right of carriageway).
- Signage such as "Private Roadway" and/or "Private Property" can be erected at the point

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- where the public road terminates.
- A lighter coloured aggregate could be used in the bitumen to soften the visual impact of the proposed public road.
- The intersection of the access road and O'Connell Road is a matter for Roads & Maritime Services (RMS). The design specification for this intersection is to be determined by RMS.

# **Current Modification**

On 18 April 2017 Council received notification from Oberon Council that a modification application had been received from the applicant in relation to Condition 14 of the consent (above).

The written request for modification from the applicant is at **attachment 4**.

The proposal seeks to inter alia:

- Delete 14(a) requiring the construction of a public road and in lieu the land continue as a Right of Way (ROW).
- Delete 14(b) relating to the standard of construction for the public road.
- Delete 14(c) relating to flood free access on the basis that alternate access to Bosworth Falls Road is available.
- Delete 14(d) relating to the upgrading of the existing bridge on the basis that it is to remain a private crossing.
- Retain 14(e) requiring the provision of an intersection in accordance with the requirements of the RMS.

Condition 14(a) – Public road or ROW

Section 2.3.5.6 Vehicular Access in Council's Guidelines for Engineering Works states that:

A maximum of three (3) allotments are to be serviced by a right of carriageway. Therefore by definition the primary allotment provides the right of carriageway and two (2) only additional lots benefit. All right of carriageways are to be appropriately formed and surface treatment applied in accordance with section 2.3.7 Driveway Construction.

It should be noted that Council, in its original response to Oberon Council, has already conceded one (1) additional lot to be accessed via the right of carriageway as an interim measure.

It is recommended that Council not support the variation to the Guidelines for Engineering Works for the construction of a public road for the following reasons:

- Administering a maintenance program involving such a high number of users (nine lots and therefore nine individual property owners) is considered impractical.
- The proximity of the access to the dwelling at 3413 O'Connell Road anecdotally already causes issues with dust.
- The RTA Guide to Traffic Generating Developments adopts an average of 9 vehicle movements per day per dwelling. It is noted that there is potential for 9 dwellings within this subdivision including the existing dwelling. This equates to a potential 81 vehicle movements per day over the subject access road.
- Once constructed as a sealed public road, on-going maintenance would be minimal.
- The actual construction of 8 additional dwellings will generate significant heavy vehicle movements over the subject access road.

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- With areas in excess of 100 hectares, each of the proposed lots has agricultural potential which could generate heavy vehicle movements over the subject access road.
- The access would be subject to periodic inundation from the Fish River.
- Issues relating to potential trespass can be managed as noted above.
- This approach is consistent with the Rural Fire Service Planning for Bushfire Protection Guidelines which requires that access to a development comprising more than three dwellings have formalised access by dedication of a road and not by right of way.

# Accordingly, Council's advice to Oberon should be to retain the current condition.

# Condition 14(b) – Standard of road construction

On the basis that condition 14(a) is retained and the road remains as a public road then it follows that it should be constructed in accordance with Council's Engineering Guidelines inclusive of a bitumen seal. It is however noted that the width of the allotment in which the access handle is to be constructed is only 11 metres wide. Accordingly a reduced road reserve width has been adopted.

In the event that 14(a) were to be deleted then 14(b) could likewise be deleted however that is not the recommendation to Council. An alternate gravel standard would need to be specified by Oberon Council.

# Condition 14(c) - Flood free access

The proposed access road to O'Connell Road would be subject to inundation during flood events. This would have the effect of isolating the properties during these times unless the road was to be made flood free or alternate access is available in both a physical and legal sense.

The applicant has advised that alternate access is to be made available through the other lots in the subdivision by virtue of rights of access etc.

The provision of alternate access through to Bosworth Falls Road satisfies the original intent of the condition. Accordingly, subject to Oberon Council satisfying itself that this alternate access is available both legally (by legal ROW etc) and physically by constructing the alternate access then the condition may be deleted. It would also be appropriate that the alternate access is also flood free. If alternate flood free access is not legally and physically available the properties would be isolated during flood events.

### Condition 14(d) – Upgrading the existing bridge

On the basis that the existing bridge is to be retained in private ownership Council no longer has an interest in its upgrading to full public road standard. The appropriate standard as an internal access is a matter for Oberon Council to determine.

### Condition 14(e) – RMS intersection

At this stage Council is not privy to any requirements to upgrade the intersection between the proposed new road and O'Connell Road. The condition remains appropriate notwithstanding the ultimate status of the road (ie public or private).

Accordingly, Council's advice to Oberon Council is recommended as follows:

- Condition 14(a) should remain and the access should be constructed as a public road.
- Condition 14(b) should remain in the event that the land is to be a public road.

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- Condition 14(c) may be deleted or modified provided that alternate flood free access is legally and physically available.
- Condition 14(d) may be deleted on the basis that the bridge is to be privately owned.
- Condition 14(e) should remain as is.

#### Submissions

It is noted that Oberon Council will be the ultimate determining authority in relation to this application. This includes resolving outstanding issues raised by members of the public. Council has been provided with a copy of a submission by the owner of Lot 3 within the subdivision outlining concerns regarding the current and proposed access arrangements and seven submissions from the owner of the property directly adjoining the access road within the Bathurst Regional LGA (3413 O'Connell Road, Brewongle). See submissions at **attachment 5**.

# Conclusion

On 15 March 2016 Oberon Council approved a Development Application for an eight (8) lot rural subdivision of Lot 2, DP 576703, 3397 O'Connell Road, O'Connell. The primary access to the subject property is within the Bathurst Regional Local Government Area (LGA). The access handle is currently a privately owned parcel of land, known as Lot 10, DP 1074856. During its assessment Oberon Council sought comment from Bathurst Regional Council in relation to the access to the proposed subdivision. Bathurst Regional Council responded to Oberon Council's request setting out the requirement for construction and dedication of the access as a public road. Council recently received notification from Oberon Council that a request for modification had been received from the applicant and that this modification related solely to the requirement for construction and dedication of the access as a public road. The applicant seeks to vary Bathurst Regional Council's Guidelines for Engineering Works to allow nine (9) lots to gain access off a gravel right of carriageway as opposed to a constructed and dedicated public road. It is recommended, for the reasons outlined in this report, that Council not support the variation to its Guidelines for Engineering Works.

**<u>Financial Implications</u>**: Nil. All costs associated with the construction of the public road and subsequent dedication are to be borne by the applicant.

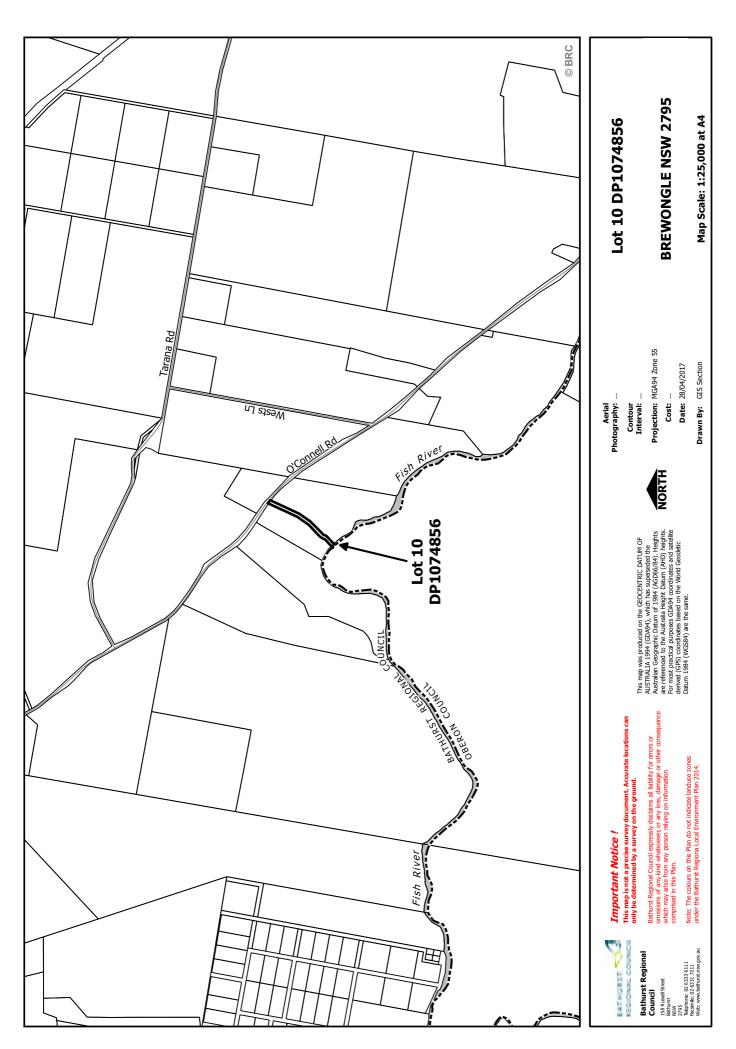
# Bathurst 2036 Community Strategic Plan - Objectives and Strategies

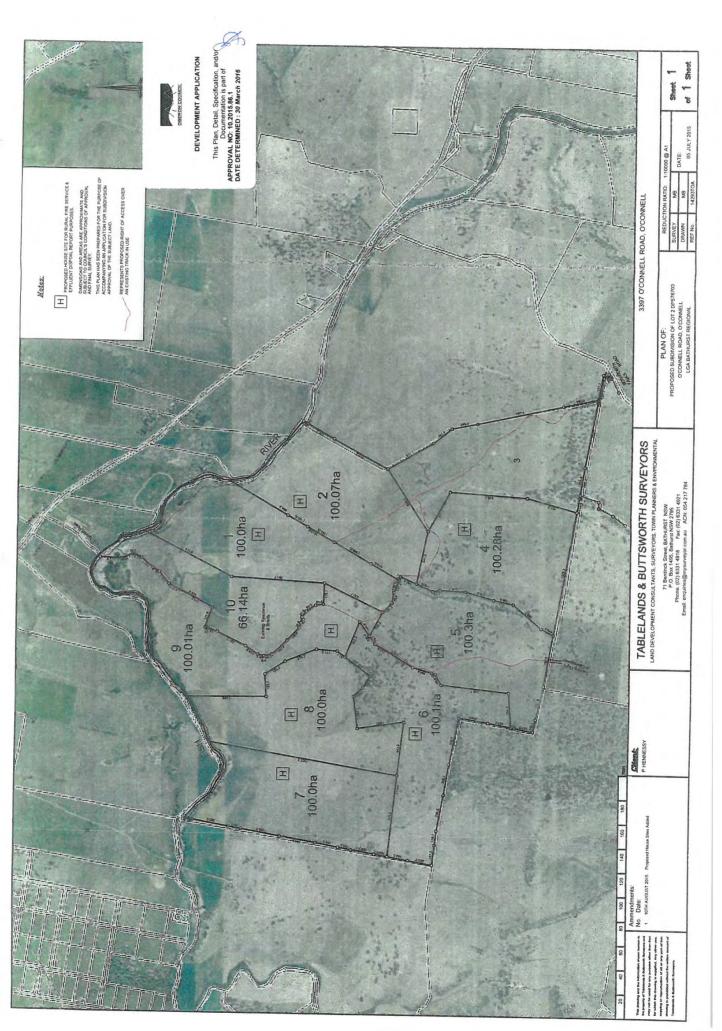
 Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

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www.bathurstregion.com.au

11 March 2016

Mrs J Burns
Acting Planning & Development Director
Oberon Council
PO Box 84
OBERON NSW 2787

EMAIL: council @oberon.nsw.gov.au

Dear Mrs Burns

<u>Development Application 10.2015.86.1</u> <u>Premises: Lot 2 DP 576703, 3397 O'Connell Road, O'Connell</u>

I refer to the abovementioned matter and to your letter dated 9 February 2016.

Thank you for providing Bathurst Regional Council with the opportunity to comment on this Development Application. Council notes that the primary access to this subdivision is within the Bathurst Regional Local Government Area. That access is over private land (ie not a public road) and traverses land which would be flood liable.

Council is of the opinion that the access to the proposed subdivision is a critical element that must be considered as part of the current Development Application. Council does not consider it appropriate for the applicant to have to obtain separate approval for the access and does not consider it appropriate for this critical element of the subdivision to be deferred.

Council also notes that it has had discussions with the applicant regarding the standards to apply to the access road.

Bathurst Regional Council asks that you address the access in your consideration of the Development Application in particular the following matters:

- In accordance with Council's Guidelines for Engineering Works the proposed right of carriageway over existing Lot 10 is suitable for servicing the primary allotment and two additional allotments only. However Council is prepared to allow one additional allotment only to be serviced via this right of carriageway, any allotments beyond four will require the construction and dedication of a public roadway as outlined in point 2 below.
- 2. As indicated in the Development Application the proposed development is for a ten lot rural subdivision being serviced by a right of carriageway from the O'Connell Road. This does not comply with Council's Guidelines for Engineering Works. If it is the intention of the applicant to access more than four allotments by this roadway Council would require the construction and dedication of a public

Reference: Enquiries: DD:MM:20.00099-04/024

Mr D Dwyer 02 6333 6212

Idd Oberon Council 10-2015-86-1 docx

BATHURST REGION... FULL OF LIFE



2

Oberon Council 11 March 2016

roadway in accordance with Council's Guidelines from the O'Connell Road to the current boundary of the LGA. Whilst this would normally consist of a 20 metre wide public road reserve, with a roadway consisting of a 10.5 metre wide formation appropriately drained and an 8.5 metre wide 2 coat bitumen seal minimum Council would accept a reduced public road reserve width to match the existing allotment width on this occasion although the road would continue to be sealed.

- 3. The public roadway is to be designed and constructed to provide unimpeded access to all allotments during a 1 in 100 year flooding event of the Fish River. Council will require a flood impact assessment to be carried out on the flood plain to determine the impacts of the development on adjoining properties prior to approval. Note any significant impact will result in refusal of the development, please refer to Council's flood policy for the definition of significant impact.
- 4. If the access is to be constructed and dedicated as a public road the existing bridge over the Fish River is to be upgraded to comply with all requirements of AS 5100.
- 5. The intersection of the new access roadway and the O'Connell Road (Main Road 253) is to be in accordance with the requirements of the RMS.

In addition to the above matters, Council asks that you also consider that surcharges from septic tanks are a potential source of contamination to the drinking water supply for Bathurst. Council would like, as a minimum, to introduce an appropriate buffer zone between any onsite wastewater disposal and the Fish River or its tributaries upstream of the Water Filtration Plant. To determine the extent of the buffer zone, lot layouts and waste water disposal areas need to be identified for consideration.

If you have any queries please contact Council's Acting Director Environmental Planning & Building Services, Mr Richard Denyer, on 02 6333 6276 or Council's Manger Technical Services, Mr Darren Sturgiss, on 02 6333 6533.

Yours faithfully

R Denyer

**ACTING DIRECTOR** 

**ENVIRONMENTAL, PLANNING & BUILDING SERVICES** 

20 11/03/16

Reference: Enquiries: DD:MM:20.00099-04/024 Mr D Dwyer 02 6333 6212

Idd Oberon Council 10-2015-86-1 docx

314 Carlwood Road Tarana NSW 2787

3 May 2017

Oberon Council 137-139 Oberon Street Oberon NSW 2787

Dear Sir/Madam,

RE: DA.2015.86.1

We refer to the application to modify 14 a and b of approved DA.2015.86.1

We wish to address statements made in the application as the subdivision does not have a complete 'right of carriageway' across Lot 3 in DP1212684 but a 'right of access' across the greater portion of the land. The subdivision does have a small right of carriageway from Bosworth Falls Road but this ends at the right of access, which lies across the bulk of the land.

The right of access lies across a 'track.' Parts of this track were created without proper consent of authorities and the track is subject to flooding and erosion. The track is currently in a very poor state due to the rainfall during 2016. During minor flooding, such as occurred of the Fish River in 2016, sections of the track were flooded, rendering it difficult or dangerous to pass over.

We would welcome council officers to attend upon our property for the purposes of seeing the track.

It is concerning to us that there is an implication that this right of access would be seen as a suitable access point for numerous blocks in the subdivision or for increased traffic, particularly in times of flooding. Keeping in mind that a right of access belongs only to a 'landowner.'

In regards to the 'Bridge Fund' it is yet to be established that this is an effective method of managing financial contributions and road maintenance within the subdivision. In regards to the maintenance of the track on Lot 3, any responsibility or liability for maintaining this track has been refused by the applicant. Furthermore, we have been actively denied access to the meetings relating to the Bridge Fund, despite having the right to attend and vote. It is unclear to us how this process of road maintenance will be workable when many more landowners are involved.

Therefore, the more appropriate solution may be to ensure that the main access to the subdivision from O'Connell Road is upgraded so the residents within the subdivision can have proper access, of a certain standard, in the future and avoid legal disputes.

Yours sincerely,

**H** Haselhoff

- Objection to 'Application No.2015.86.1 Eight (8) Lot Rural Subdivision Located on Lot:4DP:1212884
- 3397 O'Connell Road, O'Connell
- Roadwork Requirements for Subdivision Development

#### Safety

Currently access to the 'private' road from the O'Connell Road is NOT clearly defined. Vehicles entering and exiting traffic on the O'Connell Road from William Lawson Drive cut across our driveway which is only 17m from the centre of the 'private' road. A road seal would clearly define the entry and exit points for this road.

Our family exits and enters our driveway several times each day, on many occasions vehicles 'cutting' across our driveway to and from the 'private' road have almost collided with our vehicle as we use our driveway.

Vehicles accelerating and/or decelerating to enter/exit traffic do not pay attention to our driveway as they are focused on the oncoming traffic and/or traffic in their rear vision mirror.

This is a serious safety issue experienced by myself and our three children on a regular basis. Our concerns MUST be addressed by a clearly identifiable, sealed public road in order to prevent the high possibility of an accident injuring our family.

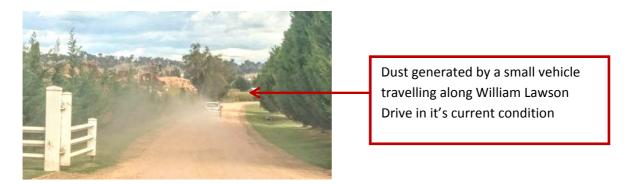


# 2. Exposure to vehicle generated dust

According to the RMS website the est. increase in traffic for each new residence is '10 vehicle trips per day'. Therefore, each of the 9 allotments accessing the subdivision via the unsealed 'private' road access will increase the no. of vehicular trips to 90 per day, 2,700 per month and 32,400 per year.

In addition an increase in heavy vehicles for ongoing agricultural and short term construction processes is guaranteed.

This is a 'significant' increase in the production of dust in what is already a high level dust area.



Our home is located only 34m from the centre of the 'private' road, our yard perimeter fence (in which our 3 young children play) is only 21m from the centre of the 'private' road.



The World Bank Transport Anchor Group undertook a worldwide study 'Quantifying the impact of vehicle generated dust: a comprehensive approach'.

The Main Findings are:-

- The most cost effective and durable form of dust control is a bitumen-based seal.
- Universal agreement was reached that dust generated by unpaved roads is a problem. The level of concern in developed countries like the USA is such that an annual conference to discuss dust control has been initiated.

- There is increasing awareness and concern of the potential adverse impacts of dust on health, agriculture, road safety and the environment.
- In developed countries pollution by dust from gravel roads is recognised as a contributory factor in the composition of airborne particles and air quality.
- ALL gravel roads abrade to some extent to produce dust.

<u>Dust becomes toxic when present in excessive amounts whether inside or outside of the home.</u>

<u>Potential adverse impacts of dust on health have been formally identified as follows:-</u>

- Allergic reactions and increased risk of asthma
- Dermatitis from internal and topical contaminants
- Breathing problems and lung damage caused by scarring (fibrosis) from excessive inhalation of dust contaminants.
- Systematic illnesses invoked by blood intoxication with chemical agents and dust particulate.
- Difficulty breathing and sleeping due to blocked sinus
- Depression and anxiety associated with resulting systematic illnesses

#### Known facts:-

- Dust is generated and then re-settles on the road surface dependent on traffic speed, vehicle weight, local road conditions and rainfall. Strength and direction of wind is a highly influential factor for transportation.
- Unpaved roads provide an inexhaustible supply of dust. The surface of unpaved roads is disturbed constantly and dust particles are entrained into the air by every passing vehicle.
- The action of the vehicle wheels also pulverises the road material into ever decreasing particle sizes so that dust of all sizes is continually being produced including the potentially dangerous minute fractions.



William Lawson Drive - although well maintained showing signs of surface damage



- The EPA has set 'National Ambient Air Quality Standards (NAAOS) for pollutants considered harmful to public health and the environment under the 'Clean Air Act'. These standards are set to protect public health including the health of 'sensitive' populations such as asthmatics, children and the elderly.
- Secondary standard limits are set to protect public welfare including protection against poor visibility, damage to animals, crops, vegetation and buildings.
- The EPA Office of Air Quality Planning and Standards has set 'Air Quality Standards' for 6 principle pollutants one of which is 'particulate matter comprising of approx. 50% road dust'.
- The 'out-dated' view that road dust is primarily a nuisance is being overturned as Councils,
   Environmental and Government bodies realise that dust is a serious polluting agent.
   Exposure to dust is 'known' to be hazardous to health over 20 different species of
   allergens have been identified in road dust together with other substances such as particles
   from tyres, brake linings etc. The impact from unpaved roads is worsened due to the added
   impact of dust generated from gravel roads combining with other pollutants.
- Exposure to fine particulate matter from airborne dust is associated with several serious health problems and adverse health effects have been associated with exposure to particulate matter over periods as short as one day. People with various forms of heart or lung disease as well as the young and elderly are highly vulnerable.

I wish to advise that our youngest son is 9yrs old and is an asthmatic as am I!!

## 3. Impact of dust on the environment

Water sources located near unpaved roads are considered to be at risk of contamination.

The NSW Office of the Environment and Heritage produced a study paper 'Erosion and sediment control on unsealed roads'.

#### Findings:-

There is a greater responsibility to prevent soil erosion and sedimentation in water catchment areas. Erosion and sedimentation of unsealed roads occurs when soil particles are dislodged and transported by the action of wind and water. Sedimentation from unsealed roads is inevitable.



A dam located on our property from which our horses drink, and which also drains into the Fish River.



Sedimentation from the unsealed William Lawson Drive runs off as a result of the natural drainage in the area into our dam and then into the river

Disbursable soils from unpaved road surfaces are structurally unstable in water and easily split into their constituent particles resulting in high levels of turbidity in receiving waters. In order to minimise the amount of sediment entering the waterways the following measures must be taken:-

- Drainage of the road and discharge areas MUST be stable. Sediment and erosion control structures MUST be maintained and checked during and after heavy rainfall
- Road usage MUST be commensurate with road design which NEEDS to meet all protection criteria of a water catchment area.
- Site specific techniques MUST be used to help minimise deposition of sediment into a watercourse which may require a combination of:-
- ✓ Armouring the road surface and/or table drain
- ✓ Sealing the road surface and grassing the table drain
- ✓ Covering the surface of the table drain with erosive resistant material
- ✓ Installing sediment traps and/or sediment fences to prevent soil or gravel entering drainage features

Existing structures which impact the Fish River Watercourse from William Lawson Drive which will need to be upgraded should the road surface remain unsealed and privately managed as determined by the NSW Office of Environment & Heritage:

#### Bridge:-

Unsealed roads should be drained between 5m and 30m from the watercourse crossing.
 Effective drainage at this distance will help prevent run off from the road depositing sediment into the waterway.

The bridge crossing over the Fish River from William Lawson Drive (showing minor flooding after heavy rainfall). Drainage structures should be constructed to protect this significant waterway



- Soil stabilisation measures MUST be used to protect bridge embankments from table drain discharge
- Install structures to prevent soil or gravel from entering drainage features
- Removal of soil or gravel deposits in drainage structures
- Minimise disturbance to bed and bank of drainage feature and use soil stabilisation techniques.

Drainage ditch from William Lawson Drive directing sedimentation 'run-off' into the Fish River (situated in close proximity to the bridge crossing)



Water and sedimentation pooling in the drainage ditch after heavy rainfall



## Culvert:-

Pipes should be covered to a depth in accordance with the pipe manufacturers specifications

 depending on the material and class of pipe (as a general rule pipes of 3.6m diameter or less should be covered by at least 600mm of compacted fill and pipes with a diameter greater than 3.6m should have a depth of cover of 1/6th of the pipe diameter.



Culvert under William Lawson Drive which drains into the Fish River



The unsealed road surface of William Lawson Drive has eroded and 'caved in' allowing sedimentation to flow into the culvert drainage system

Headwalls and soil stabilisation measures should be used to protect the upstream and downstream fill batters surrounding the culvert pipe.

• Pipe outlets should discharge onto stable surfaces, scouring at the pipe should not undermine the crossing structure or initiate gully erosion.

If maintenance activities disturb the soil the area should be re-shaped to a condition that integrates the surrounding landscape and soil stabilisation measures put in place.

Paved roads are designed and constructed with careful consideration given to the correct shape of the cross section. Once paving is finished the roadway is stabilised and keeps its shape for an indefinite period of time.

Gravel roads are not constructed in this way. They rut easily in wet weather, traffic displaces gravel from the surface area to the shoulder and the ditch. The road shoulder MUST be designed to carry water away from the road surface and support the edge of the travelled portion of the road.

All unsealed roads require a 'cyclic' maintenance program. Additional inspections of watercourse crossings and approaches should be conducted regularly as they represent a HIGH risk to water quality. In view of the fact that the Fish River forms part of the water catchment for the Macquarie River and subsequently the drinking water for the 40,000 residents of the Bathurst area.

### 4. Damage to animals

Currently 9 performance horses live on our property – incl. 1 x racehorse, several valuable broodmares + 1 x elderly convalescing 'rescued' mare aged 21yrs. Airborne dust particles can lead to respiratory problems and airway obstructions in horses.



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When horses are consistently exposed to allergy-producing dust particles in the air cells in their lungs react by releasing chemicals that cause the air passage linings to swell and thicken producing mucus. When breathing, the air becomes trapped within these thickened passages. The more your horse is exposed to airborne particles the more sensitive the lungs become and can result in chronic disease known as 'Horse Heaves'. This condition may ultimately lead to a bacterial infection (such as pneumonia) which is a common complication in advanced cases of 'Heaves' and can result in death.

#### 5. Costs

Engineering costs of managing unpaved roads vary considerably depending on factors such as traffic, terrain, type of material, climate etc.

Loss of the fine material that contains the clay fraction which acts as the prime binding agent is the major cause of deterioration in gravel roads, therefore no matter what speed limits are in place it is inevitable the road surface will deteriorate.

Typical annual cost of routine and periodic maintenance combined of unpaved roads is estimated to be in the range of \$5K to %10K per km per year.

Estimates of gravel lost from unpaved roads and dust generated in the process vary, however some statistics record the amount is equal to 25 tonnes per km per year, with more than 6 tonnes per km per year in the form of dust.

# In conclusion

Though we can appreciate Mr Hennessy's position the arguments he has presented are not based on either research or fact. Justification such as:-

- 'the owner of the ninth block .....would be <u>unlikely</u> to allow this' This is an assumption.
- 'based on our experience of maintaining the 8km ....... we <u>believe</u> the annual cost .......'
  This is a 'belief' based on current circumstances, conditions, number of vehicles etc.
- 'Fishing & picnic people using the area by the river as a public picnic ground as well as an open air toilet opportunity'. Why would individuals use this area as an open air toilet?
- 'dead end public road would be a natural meeting place for drug addicts and other undesirables'. Whether or not this is a public road will make no difference. 'Undesirable' individuals will not care whether or not a meeting place is a public road.
- 'based on our experience to date the subject lot holders will number 8 households at most but <u>probably</u> only 6 ......'. What about the future? No-one can predict the future ownership or sale of these properties.
- 'objectors to our development identified an increase in activity as a major objection. To make it public access will increase concerns exponentially'. Where is the proof that traffic flow will increase 'exponentially' because William Lawson Drive becomes a 'public road'? At least the road will have a sealed surface and be built to council specifications in order to protect our family and the environment as a significant water catchment area.

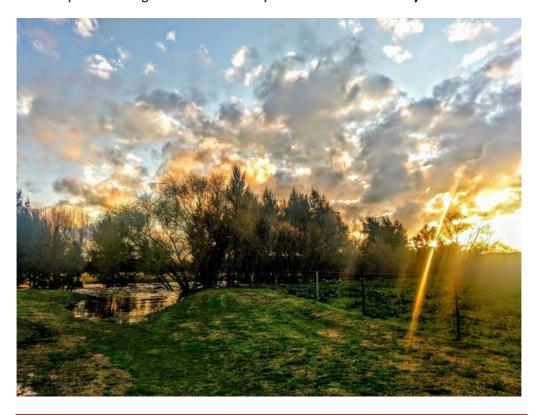
In his application Mr Hennessy states that:-

'in respect of the riparian and riverine areas, we, in partnership with state government agencies and departments including NSW Land Services, have spent many tens of thousands of dollars restoring these two areas. A natural consequence of the above work is that many ideal fishing spots have been created.

- 5-6km of Fish River frontage
- Enjoyable family activity
- Numerous excellent fishing spots
- Platypus
- Trout fishing
- Resurgence of bird life '

I respectfully suggest that the significant financial input of State Government Agencies and Departments which are publicly funded by the 'Taxpayer' should be acknowledged by allowing the public to access the family picnic, swimming and fishing areas into which they have invested their tax dollars.

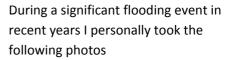
The 'many ideal fishing spots' etc created with the assistance of public funding should NOT be secluded and inaccessible because of private access roads, nor kept secretly for the exclusive benefit of a selected few individuals. Spending of public moneys is for the benefit of the community as a whole. Individuals and their families should be able to access and enjoy quality time enjoying this area. Thank you for taking the time to read my submission. **Louise Kelly**.



The Fish River on our boundary - following minor flooding in 2016.

A beautiful area which should be enjoyed by everyone





Here we see the build up of debris against the bridge crossing. The rising water has not yet covered the bridge





As the water covers the bridge (note the build up of debris showing the location of the bridge) it begins to inundate William Lawson Drive



Within a few hours the water has risen further – note the location of the speed limit sign in the distance indicating the bridge crossing



A considerable section of William Lawson Drive is now underwater and is impassable

**Ordinary Meeting** 

Page 318 of 651 - 12 December 2018

Objection to submission for modification to Roadwork Requirements for Subdivision Development Bathurst Council conditions for Legal Access to the development

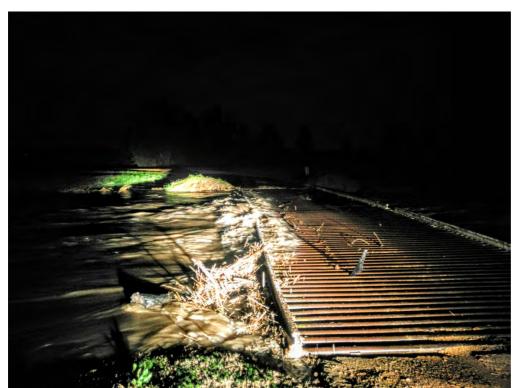
Bathurst Council Engineers have advised Mr Hennessy that the private roadway 'William Lawson Drive' does NOT comply with Council's guidelines for engineering works. As an adjoining landowner I am grateful our Council is insisting that this development is consistent with overall policy and technical approaches.

Only development which meets with Council guidelines will be approved and permission will be refused where flood issues have not been, or cannot be, addressed successfully. Alsowhere the presence of unacceptable residual flood risks to the development, its occupants or users and adjoining property remains.

In his submission for modification Mr Hennessy does not address key issues and concerns such as:-

- The public roadway is to be designed and constructed to provide unimpeded access to all allotments during a 1 in 100 year flooding event of the Fish River.
- Council will require a flood impact assessment to be carried out on the flood plain to determine the impacts of the development on adjoining properties prior to approval.
- Identification of any significant impact on adjoining properties will result in refusal
- If the access is to be constructed and dedicated as a public road the existing bridge over the Fish River is to be upgraded to comply will all the requirements of As 5100.

<u>Reason</u>: To ensure the proposed road works are appropriately constructed and provide legal and practical access to the development.



**Ordinary Meeting** 

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Recent 'minor' flooding of the Fish River in 2016.

This image shows the dangerousness of rising flood waters combined with debris building up against the bridge on William Lawson Drive.

Communities are becoming increasingly aware of the importance of factoring the risk to people, property, the economy and the environment from flooding into the planning system and the role that good planning has in avoiding and reducing future risk.

Lot 4 DP 1212884 is already at risk from periodic future flooding. There are many past instances of flooding in the 14 years we have lived as an adjoining property owner.



Recent 'minor' flooding of the Fish River in 2016.

I request that Mr Hennessy provide Bathurst Council and adjoining property owners with a thorough assessment of the following:-

- All flood risk issues associated with William Lawson Drive providing sufficient detail to provide a quantitative approaisal of potential flood risk
- Any potential impact on flood risk elsewhere as a result of the development of the roadway and the effectiveness of any proposed mitigation measures



Further evidence of 'minor' flooding of the Fish River in 2016.

Bathurst Regional Council has committed to avoiding inappropriate, unsupervised development in flood prone areas by providing clear, realistic 'guidelines' for engineering works to be carried out in floodplain areas.

In making their determination of road access standards for William Lawson Drive Bathurst Council Engineers are ensuring that:-

- Only developments consistent with overall policy and technical approaches to set guidelines will be approved
- Permission will be refused where flood issues have not been, or cannot be, addressed successfully
- Permission will be refused where the presence of unacceptable residual flood risks to the development, its occupants or users and adjoining property remains.

## Safety impact on people and community

Flooding can cause physical injury, illness and loss of life. Deep, fast flowing or rapidly rising flood waters can be particularly dangerous. Even shallow water flowing at 2 metres per second can knock children and many adults off their feet, and vehicles can be moved by flowing water of only 300mm depth. The risks increase if the floodwater is carrying debris. Some impacts are immediate, the most significant being drowning or physical injury due to being swept away by floodwaters.





#### Flood risk identification

Bathurst Regional Council has already identified this area is subject to flooding - my personal photographs as a long term resident of the area are further visual confirmation of this fact. Council has identified there are flooding and surface water management issues related to planning for any proposed development. By simply stating that William Lawson Drive continue to be maintained as a 'private' roadway Mr Hennessy has not acknowledged nor identified his intentions to overcome Council's concerns.



Significant flooding of the Fish River – The floodwaters have covered the bridge with the dangerous build up of debris.

William Lawson Drive is becoming inundated and is now impassible

#### Avoiding development in areas at risk of flooding

Development should preferentially be located in areas with little or no flood hazard thereby AVOIDING or minimising the risk. An alternative, safe and reasonable access site is available from an area of much lower risk. Alternative access from is available and will meet the objectives of safe, proper planning and sustainable development.

# **Precautionary approach**

A precautionary approach should be applied, where necessary to reflect uncertainties in flooding, sufficient risk assessment and the ability to predict the future climate and performance of existing flood defences. All development in flood prone areas should be designed with careful consideration to possible future changes in flood risk, including the effect of climate change.

Flood risk to, and arising from, new development should be managed through location, layout and design incorporating sustainable drainage systems and compensation for any loss of floodplain as a precautionary response to the potential incremental impacts in the catchment.





Floodwaters impacting William Lawson Drive

#### **Environmental concerns**

Development Plans for William Lawson Drive should include flood risk as one of the key environmental criteria against which the plans should be assessed. There is a great deal of uncertainty in relation to the potential effect of climate change.

Significant changes in the flood extent may result from increased rainfall and accordingly a cautious approach to development in flood plain areas should be adopted. Any land-raising works should be sufficient to cope with the effects of climate change over the lifetime of the development they are designed for.

Thank you for your time in considering this objection.



20.00099 Fw: Request for Information from Garry Wallace, Planning & Development Director, Oberon Council Daniel Dwyer

to:

group records 02/06/2017 04:08 PM Hide Details

From: Daniel Dwyer/BathurstCC To: group records@BathurstCC,

From: Louise Kelly <Louise.Kelly@justice.nsw.gov.au> To: Vicki McKinnon < Vicki.McKinnon@oberon.nsw.gov.au> Cc: "daniel.dwyer@bathurst.nsw.gov.au" <daniel.dwyer@bathurst.nsw.gov.au> Date: 02/06/2017 03:46 PM

Subject: RE: Request for Information from Garry Wallace, Planning & Development Director, Oberon Council

#### Thanks Vicki

I appreciate your advice. However, I am asking for detailed information explaining 'how' these specific conditions have been met.

If the subdivision process is truly 'transparent' this information should be made publicly available to anyone who requests to see it. In particular as an adjoining property owner who has expressed many objections to this subdivision I am asking to see the reports and detailed information. Please make them available to me as previously requested.

I have already forwarded my request to Bathurst Council and am currently keeping them informed of my inquiries with Oberon Council.

Regards **Louise Kelly** 

From: Vicki McKinnon [mailto:Vicki.McKinnon@oberon.nsw.qov.au]

Sent: Friday, 2 June 2017 3:36 PM

To: Louise Kelly

Subject: FW: Request for Information from Garry Wallace, Planning & Development Director, Oberon Council

#### Louise

The current approval has been staged by the applicant and conditions of consent have been put in place to minimise the impacts of the development. It is advised that the current modification seeks to change condition 14 only (this is the section of road within the Bathurst regional Council Local Government Area). The conditions that were required to be met as a result of releasing the first 3 allotments of the consent have been met by council in order for the creation of lots 4 and 2. The residual of the lots require adherence to Condition 14 which relate to the creation of a public road within the Bathurst LGA.

In relation to the conditions outlined in the correspondence Council advises that:

Condition 2 – The appropriate AHIMS assessment has been completed and lodged.

Condition 3 – A Bushfire Authority has been issued by RFS

Condition 12 – This condition has been complied with

Condition 18 – this condition applies when the need for construction works are required to be undertaken on the bridge. The applicant has gained the relevant approvals to undertake minor works on the existing bridge and this has been approved by the relevant authority, being Department of Primary Industries – Water.

Condition 19 – This condition has been satisfied for the release of the first stages of the application

Condition 20 - - This condition has been met by the applicant.

I hope this clarifies the guery. Council will forward this concern to Bathurst Regional Council for their consideration of

Page 2 of 4

the Modification request.

Kind regards

Gary

**Gary Wallace General Manager** 

02 6329 8125 Direct 0409 157 003 Mobile gary.wallace@oberon.nsw.gov.au





Please consider the environment before printing this email

From: Vicki McKinnon

Sent: Monday, 29 May 2017 12:17 PM

To: Gary Wallace

Subject: Fwd: Request for Information from Garry Wallace, Planning & Development Director, Oberon

Council

Fyi

Sent from my SAMSUNG Galaxy S7 on the Telstra Mobile Network

----- Original message -----

From: Louise Kelly < Louise. Kelly@justice.nsw.gov.au>

Date: 29/5/17 11:55 am (GMT+10:00)

To: Vicki McKinnon < Vicki.McKinnon@oberon.nsw.gov.au>

Cc: daniel.dwyer@bathurst.nsw.gov.au

Subject: Request for Information from Garry Wallace, Planning & Development Director, Oberon

Council

Hello Vicki

Would you kindly refer this request for information to Garry Wallace as we had previously discussed over the phone on Friday.

Att: Garry Wallace

Planning & Development Director

**Oberon Council** 

RE: Appl. No. 10.2015.86.1

Eight (8) Lot Rural Subdivision located on LOT 4 DP 1212884, 3397 O'Connell Road, O'Connell

I have a copy of correspondence dated 30 March 2016 from you, stating reference No. PR186-3397 which advises that Oberon Council had approved the D.A. for the above subdivision subject to several 'conditions' being met by Mr Hennessy.

I am hereby requesting formal notification from Council together with documentation confirming that the following 'conditions' were complied with and the outcome for each:-

Page 3 of 4

### **Condition No. 2 Aboriginal Archaeology**

Prior to the commencement of subdivision works on site and the issue of a subdivision certificate, the applicant is to consult with the Office of Environment and heritage (OEH) and provide the results of a Aboriginal Heritage Information management system (AHIMS) searach to Council to determine if any aboriginal sites have been recorded on the development site.

Reason: To manage, conserve and protect local aboriginal sites and heritage in accordance with section 86(4) of the National Parks and Wildlife Act (1974)

#### **Condition No. 3 Bushfire Safety Authority**

The development is Integrated Development in accordance with the requirements of 100B of the Rural Fires Act, 1997. Accordingly, the applicant is to obtain a Bushfire Safety Authority from the NSW Rural Fire Service prior to the commencement of works on site and the issue of a subdivision certificate.

Reason: To ensure the proposal complies with the requirements of the Environmental Planning and Assessment Act 1979 as Integrated Development under the Rural Fires Act 1997.

#### **Condition No. 12**

#### No works within 40m of the Ephemeral Watercourse

No construction works associated to the internal driveway access are to commence within 40m of the high water mark of ephemeral watercourse.

Reason: To ensure all work is carried out in an environmentally responsible and sustainable manner and that all required permits are obtained for works within the high water mark of an identified watercourse.

#### Condition No. 18

#### Separate consent required for works associated to the bridge

Prior to the commencement of any works on the bridge spanning the Fish River and prior to the issue of a Subdivision Certificate a separate Construction Certificate may be required to be obtained for these works. Concurrence is to be obtained from the Department of Primary Industries. Office of Water and Fisheries. The application is to be accompanied by fully detailed engineering plans and specifications plans in relation to bridge design, construction safety and potential environmental impacts.

Reason: To inform the applicant that separate development consent is required for any works associated to the bridge. To meet the requirements of Section 76A of the Environmental Planning and Assessment Act 1979.

#### **Condition No. 19 Run-off & erosion controls**

Run-off & erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- (a) Diverting uncontaminated run-off around cleared or disturbed areas, and\
- (b) Erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems or waterways.

Reason: To ensure adequate sedimentation and erosion control measures are provided on site.

Condition No. 20 **Geotechnical Investigation** 

Page 4 of 4

Prior to the commencement of works associated to the subdivision the submission of a waste water report that demonstrates the suitability of each lot to accommodate on site disposal of domestic effluent, is required to be provided. The report shall make reference to the design guidelines contained in the Australian Standard 1547 'disposal systems for effluent from domestic premises' and is to be to the satisfaction of council.

<u>Reason</u>: To ensure there is a suitable area for the disposal of waste water relevant to the proposed Building envelopes. And to ensure there is at least one location on each lot created that all domestic effluent may be disposed of in an efficient and effective manner without adverse environmental impact, or nuisance of health hazard to the occupants of the land or adjoining land.

Further to this application Mr Hennessy has now applied to 'modify' Council's approved D.A. for subdivision as stated 'Roadwork requirements for subdivision development'. In his application Mr Hennessy states that 14c and 14d 'have been resolved' As an adjoining landowner who may be directly affected by any earthworks in the floodplain area I wish to review the 'Flood Impact Assessment' in detail. I have submitted information in the past and provided evidence of the extent of flooding of this area and in particular the road access to the bridge. Mr Hennessy will be unable to ensure 'unimpeded' access during a 1 in 100yr flood event without making significant improvements to this roadway, therefore I would like to understand the potential impact on our property.

Please see photographs attached showing the level of flood inundation of the private access road.

Please provide your advice regarding the above at your earliest possible convenience. I am aware that the cut off period to add such information to my objection to Bathurst Regional Council is this coming Friday.

Thank you for your assistance in this critical matter.

Regards Louise Kelly

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Objection to submission for modification to Roadwork Requirements for Subdivision Development Bathurst Council conditions for Legal Access to the development

#### **Environmental Impact – Flooding**

In his request for modification of the Bathurst Council conditions for William Lawson Drive Mr Hennessy fails to identify the most significant issue for any development, ongoing maintenance and/or earthworks within a flood prone area.

The effect of floodplain earthworks can significantly and detrimentally affect flow, organisms and ecosystems across the Murray Darling Basin catchment areas. The impact of structures and earthworks may affect the overall success of basin level management that doesn't account for them and threatens delivery of the objectives of the Basin Plan.



Above – water catchment areas for the Murray Darling Basin. The Fish River falls within the Macquarie-Castlereagh zone as shown above.

Our river systems transfer inorganic and particulate organic matter incl. phosphates, nitrates, salts, seeds, spores and acquatic plants between disconnected areas. This dispersion balances geochemistry and nourishes soil stimulating survival, reproduction, growth and recruitment of biodiversity.



Above – Healthy, crystal clear water of the Fish River at the back of our property.

Species have specific flooding regimes and flow envelopes. The connectivity between the river and it's floodplain can be permanently severed by eathworks built directly on the floodplain resulting in significant environmental impact on ecosystem health.

Earthworks on the floodplain are site-specific flow controllers that modify flow pathways on the flood plain controlling flow and connectivity. Earthworks may disconnect active pockets of the floodplain, decrease groundwater re-charge and restrict available surface area for infiltration.

Earthworks may also trap water in areas not previously subject to such high water levels increasing water logging and salinisation.

In the past the lack of policy and legislation on floodplain management has allowed considerable development of earthworks and structures without regulation which have impacted connectivity of ecosystems on floodplains.

The State government is currently researching methods of determining the potential risk of earthworks on ecosystems across NSW floodplains and analysis of flooding on either side of a structure built on a floodplain.

The government is developing a management objective to remove or mitigate the impacts of all structures responsible for high risk to flows and their interception. These structures will become the focus for detailed assessment followed by removal/modification. This is particularly important for some structures that lie laterally across the flood path and can intercept environmental flows.

There is consensus that floodplain works will be required to be licenced to ensure the requisite regulatory framework across the entire Murray Darling Basin catchment area. All flood plain structures should be licenced to determine the quantum of water they can divert and/or their effects on ecosystems and flow.

Some roads will need to be assessed for their impact on floodplain flows and if significantly affecting flows will need to be licenced and assessed for their impact on the environment..

The provisions of environment protection legislation and land use should be used to assess potential effects of all floodplain works on aquatic ecosystems and their plants and animals. In particular issues of connectivity are important. The notion of cumulative impact is critical and assessments should not be isolated from other structures and earthworks in the area.

Flood plain structures are physical earth barriers constructed for public and private purposes. The appropriate management of floodplain structures is important for reducing flood risk, maintaining ecological wetland integrity and ensuring water security.



While not specifically designed to control flows elevated roads (asphalt or unconsolidated roads) are deemed to have an impact on the distribution of any inundation of a floodplain.

Any future earthworks (construction/repair) undertaken by the owner/owners of William Lawson Drive will need to undergo environmental suitability assessments to determine the impact on flooding behaviour. Consideration must be given to the cumulative effect, rather than for the individual structure. If privately owned there is no government control, safeguards or guarantee these critical environmental factors will be considered, there is a real threat that work may be substandard and potentially impact the flood plain in a detrimental manner.

Louise Kelly

Objection to submission for modification to Roadwork Requirements for Subdivision Development Bathurst Council conditions for Legal Access to the development

According to the Land title Act 1994 – if a road is shown on an existing lease or it mentions a plan and the plan shows a road it is excluded from the lease, the road is taken to have always been dedicated as a road and open for public use.

Originally the laneway now called 'William Lawson Drive' was owned by the 'Crown'. The laneway was designated to allow access to portions of rural land and to give those landholders in the area the right to drive stock or other animals to a water source.

Historically all 'Crown Roads' provided lawful access to privately owned land, they recognised and protected the 'values' of 'common areas' reserved for community use to support lifestyle, cultural, environmental and economic benefit.

In the last 20 years the 'Crown' owned laneway was sold to the McKibbon family and became privately owned. The McKibbon family allowed the public to continue using the laneway and it remained a 'longstanding' undisputed custom in the community.

# William Lawson Drive should remain open and available to the public!

Public ownership, management and control of William Lawson Drive by Bathurst Regional Council will remove inefficiencies and dispute. Stringent safeguards will be in place to:-

- ensure equitable and sustainable usage
- mitigate exploitation
- allow inclusivity

Public management by Bathurst Regional Council will enable modern, streamlined transparent management of the road in the best interest of the community.

In the past subdivision/development of land has occurred without the developer being made responsible for the provision of an adequate standard of road access. As a long term consequence councils are then continuously requested by the land holders to improve the road access to their properties.

In my previous submissions I have identified several issues associated with the inadequacies of William Lawson Drive such as:-

1. Substandard road surface with corrugations contributing to the dust and noise



2. Poor drainage structures, such as table drains, road shoulders and culverts of poor standard and not adequately maintained allowing sedimentation and contamination to enter the water catchment of the Fish River – ultimately affecting the drinking water for 40,000 residents in the Bathurst area.





3. Environmental issues resulting from earthworks being undertaken in a flood prone area without Council's knowledge or approval.



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4. Significant flooding events which completely isolate those properties in the proposed subdivision.



5. Unsafe, unacceptable bridge crossing



Why should William Lawson Drive remain 'sub-standard' during the sale and development of the subdivision. There is a high probability that Bathurst Regional Council will be required at a future date in time to carry out substantial upgrades using the community/ratepayers money.

Developers SHOULD meet Bathurst Council Engineering 'standards' to ensure:-

- the protection of the environment, and
- safety of residents

If William Lawson Drive remains as a privately owned roadway and responsibility for upgrading and maintenance lies with the purchasers/property owners then:-

- Will there be contentious issues between neighbours regarding funding (i.e. one landholder uses heavy machinery, more vehicles etc)?
- Who can utilise the 'private' roadway, what are the rules of trespass?
- What will the finished road look like?
- What will be the standard of maintenance required? Who will determine this?
- How will road maintenance standards be enforced?
- Who will manage complaints from neighbours?



Objection to submission for modification to Roadwork Requirements for Subdivision Development Bathurst Council conditions for Legal Access to the development

# Potential Claim for Adverse Possession

Every land parcel or property is required to have frontage to a road or right of way for the purpose of access.

In recent years Mr Hennessy has re-fenced the boundary between our properties. The new fence is incorrectly situated on our property and inside our legal boundary.

As a direct result we have been prohibited from accessing a 'lifestyle' section of our own property as the road frontage or right of way has been removed.

We are concerned that Mr Hennessy will be able to make a claim of 'Adverse Possession' to the portion of our property that has been disconnected from the rest by his incorrectly located fence IF William Lawson Drive remains privately owned.



Our legal boundary is clearly defined in red – the encroaching fence is indicated in black + the many trees Mr Hennessy has recently planted are shown by black spots along the incorrect fence line

Should William Lawson Drive become a PUBLIC road it will prevent the potential for exploitation of our small landholding for the wrongful, personal and financial gain of our neighbour. It will ensure we have rightful access and our ownership of the land will remain uncontested.

However if William Lawson Drive remains PRIVATE it will enable our neighbour's continued hostile occupation of our land against our instructions to him. This will result in legal contestability, disputes and caveats against any future sale of either/both properties as well as significant lifestyle and financial disadvantage for us by the potential for a claim for 'boundary re-adjustment'.

Adverse Possession – is a legal principal that enables an 'occupier' of a piece of land to obtain ownership from the legal proprietor if they can prove uninterrupted and exclusive occupation of the land for a statutory period of 12 years as per the Limitations Act S.65.

Our property is registered under the Torrens Title system – we as the 'honestly' registered proprietors should have 'safe and secure' title and should not be displaced as the 'registered proprietors' and all other interests such as the mortgage that burdens the land is also registered.

However there are some exceptions to this rule and in some instances a claim for 'Adverse Possession' against land registered under Torrens Title can occur.



Our neighbour has constructed a new fence which now lies inside our boundary (in some places by up to 15m). We formally notified Mr Hennessy in writing in April 2016 of this encroachment but have not received any response nor acknowledgement. The photo above shows the location of the survey marker peg indicating our legal boundary in relation to the incorrectly located dividing fence.

Gates were also removed from the boundary fence effectively displacing a valuable portion of our land from the rest of our property and left lying in our paddocks.





**Ordinary Meeting** 

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This portion of land is now being used and maintained by Mr Hennessy despite our protest. In the past few weeks Mr Hennessy has continued to occupy our property by planting a row of trees along the incorrectly located fence. When they mature these trees will act as a second boundary fence further adding to the displacement of our property. We have been advised that it may not be wise to remove the trees at this stage - it may be considered by our neighbour to be 'malicious damage' and may involve police action.



Please note our survey marker peg indicating the true boundary between our properties.

Our neighbour's encroaching fence significantly detracts from our enjoyment of our own property as well as our rightful, legal entitlement to access the river for watering stock and domestic purposes. Our family and friends have always enjoyed picnicking, fishing and swimming in the river at the back of our property for over 14yrs.



**Ordinary Meeting** 

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Survey Marker
Pegs – Our
Survey Report
from Godfrey
Bliss, Registered
Surveyor clearly
states 'Bank of
river is boundary.
This fence is a
significant
encroachment of
our riverbank
access

Attachments

We are asking council to consider the potential for hostility, arguments, legal proceedings, caveats, trespass and police intervention should William Lawson Drive remain a private road and the possibility of a claim for 'Adverse Possession' remains.

The portion of land in dispute provides accessible, valuable frontage to the Fish River and could be considered the most valuable portion of our small landholding. The remainder of our 'highly desired' river frontage has very steep banks and is inaccessible as seen in the photograph below



If William Lawson Drive becomes a public road it will ensure transparent intentions toward neighbouring landholdings and mitigation of neighbourhood disputes. As a public road it will support and generate significant social, environmental and financial benefit to the Bathurst community as a whole.



**Ordinary Meeting** 

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This is our small lifestyle beach at the back of our property which provides our family and friends with a fishing, swimming and picnic area. This is the portion of property our neighbour has displaced and can seek 'Adverse Possession' from us.

"Macquarie" 3397 O'Connell Road O'Connell NSW 2795 Mob: 0405 442 026

4 April, 2017

Mr Gary Wallace Planning & Development Director Oberon Council PO Box 84 Oberon NSW 2787

Dear Mr Wallace

RE: APPLICATION NO.2015.86.1 Eight (8) Lot Rural Subdivision Located on Lot: 4 DP: 1212884,

3397 O'Connell Road O'CONNELL

ROADWORK REQUIREMENTS FOR SUBDIVISION DEVELOPMENT

Regarding the Development Consent issued in respect of the above, we understand the power to modify the consent, particularly condition 14, is the province of your council.

# We understand:

- 1. Our request for modification in the normal course of business will be referred to Bathurst Regional Council.
- 2. Our request will then be referred to the elected council for determination.

We attach for your information a copy of the written submission to Bathurst Council in support of the modification which will form the basis of my verbal presentation.

Yours faithfully

**Paul Hennessy** 

Submission to Bathurst Regional Council re modification of consent RE: Development Application No. 10.2015.86.1 Eight (8) Lot Rural Subdivision located on Lot: 4 DP:1212884, 3397 O'Connell Road O'CONNELL dated 30 March, 2016

The alternative treatment and variations we seek is in respect of legal access and in particular 14a and 14b

"In accordance with Council's Guidelines for Engineering Works, the proposed right of carriageway over existing Lot 10 is suitable for servicing the primary allotment and two additional allotments only. However, Council is prepared to allow one additional allotment only to be serviced by this right of carriageway, any allotments beyond four will require the construction and dedication of a public roadway as outlined in point b below."

"as indicated in the Development Application the proposed development is for a 10 lot rural subdivision being serviced by a right of carriageway from the O'Connell Road."

This is incorrect, it is in fact a 9 lot rural subdivision being serviced by a right of carriageway from the O'Connell Road. Block 3's access is off Bosworth Falls Road.

In addition, we have a legal right of carriageway to the O'Connell Plains Road as well as the Bosworth Falls Road for all 9 blocks.

14b (Continued) "If it is the intention of the applicant to access more than four allotments by this roadway Council would require the construction and the dedication of a public roadway in accordance with Council's Guidelines from the O'Connell Road to the current boundary of the LGA"

### 14c and 14d

Have been resolved

14e

We confirm we have retained the services of Calare Civil Pty. Ltd (Consulting Engineers Civil & Structural) to consult with the RMS on our behalf.

We request a variation/modification to remove the restrictions from 4 to 9 lots to be serviced by the subject right of carriageway and to retain the status of a private road as opposed to the public roadway.

We set out our reasons for our request for these variations in the following text.

We anticipate the over-riding concern of your council in waiving the public road requirement and restricting access to 4 lot holders, is the ongoing maintenance cost of the 472 odd metres of roadway ("the road") from O'Connell Road to the Fish River.

In particular, if it was designated a public road, the maintenance of the subject road would be the responsibility of the Bathurst Regional Council and not subject to the capriciousness of nine different lot holders; vagaries that could possibly degenerate into a dispute which could as a consequence render "the road" non-trafficable.

We believe the risk identified above would be extremely low for the following reasons:

- Very light traffic a gated community compromising a maximum of 9 families who must abide by the Conservation Management Plan and Environmental Impact Statement
- The owner of the ninth block containing the historic curtilage would be unlikely to allow this 472 metre road to degenerate to a state where the road becomes non-trafficable. The same case could be said for each of the other 8 lot owners
- Attached to each contract of sale is an 88b instrument. This instrument mandates the
  individual and collective responsibility of all block owners to contribute to a fund for the
  maintenance of the approximately 8 km of all internal roads, including the 472 metres of the
  subject access road and the bridge. "The road" accounts for only approximately 6% of the
  total roadway
- Based on our experience of maintaining the 8 kilometres of internal roads over the last 3
  years, we believe the annual cost to the nine lot holders of maintaining the private straight,
  complication free, 472 metres of "the road" to be no more than \$1000 per annum
- We respectfully suggest, given the distance from the BRC depot, the \$1000 per annum would be but a fraction of what it would cost the council to maintain – an interesting comparison would be the nearby West Lane. [Refer the photograph comparison of West Lane as a public road with William Lawson Drive – our private road]

### **REASONS FOR WAIVER/MODIFICATION**

In making our submission for the variation we site the following:

- Privacy incidence of trespass
- Security
- Increase in traffic flow (i.e. next door plant)
- Burden on neighbours
- Insurance

Trespass has been a particular problem which we believe is simply idiosyncratic of the property:

- <u>Historical</u>
  - o Oldest farm over the mountains
  - o Oldest residence over the mountains we believe
  - o Grant to the explorer, Lt. William Lawson by Governor Macquarie
  - Curtilage, homestead and convict barracks (1822) as well as supervisor's quarters (1830's) and shearing shed (1830's)
- Wide "Macquarie" diaspora

Descendants of:

over 140 convicts

Numerous lease holders

Vegetable and asparagus pickers

Descendants of:

William Lawson,

Caleb Nash (long-term leaseholder) and

the McKibbins (most welcome)

### Fish River – (cleared of basket willows)

In respect of the riparian and riverine areas, we, in partnership with state government agencies and departments including NSW Land Services, have spent many tens of thousands of dollars restoring these two areas. A natural consequence of the above work is that many ideal fishing spots have been created.

- o 5-6 km of Fish River frontage
- Enjoyable family activity
- o Numerous excellent fishing spots
- Platypus
- Trout fishing
- o Resurgence of bird life

The above factors, even with the private road access, has caused us very considerable anxiety. Should the 472 metre access road be converted to a public road, our concerns will increase exponentially by, inter alia, an increase of:

- Lack of privacy
- Lack of security
- Legal liability (risk of fast flowing river and deadly snakes)
   [Should we be compelled to convert this access road from a private road to a public road, we will naturally have to write to BRC and OC to bring to their attention their increased public liability risk)
- Fishing and picnic people using the area by the river as a public picnic ground as well as an open air toilet opportunity, brings a loss of dignity for this historical aboriginal precinct.

In the two years we have resided here at "Macquarie", we have had, to our knowledge, over 200 instances of trespass.

In the last several weeks, trespassers we are aware of include:

- 4 people I observed from my study, walking around the homestead and convict barracks (28 January/17), descendants of convicts)
- o 4 people descendants of asparagus pickers
- o 3 people driving around the back blocks of the farm without permission or notice

Other reasons for the retention of the "private" status include:

- It will be a road to "nowhere" a dead end
- Based on experience to date, the subject lot holders will number 8 households at most but probably only 6. To date, three blocks have been sold and two have been purchased by the one family (Bruntons).

- A dead-end public road would be a natural meeting place for drug addicts and other undesirables.
- Objectors to our development identified the increase in traffic activity as a major objection. To make it a public access road will increase the concerns exponentially.
- Alongside the private access road is a crushing plant. Conversion of the road to a public road heralds the potential access of up to 30 trucks and other vehicles a day, using the now private road.

Stakeholders who will provide letters of support for the retention of the private road status include but are not limited to:

- o Heritage Architect David Scobie author of our Conservation Management Plan
- o Purchasers of lots 2, 4 and 5
- o Neighbours Ray Carter
- o "Macquarie" farm manager John Power

Paul Hennessy 4 April, 2017

### MINUTE

17 Item 10 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397
O'CONNELL ROAD, O'CONNELL (20.00099)

MOVED: Cr M Coote SECONDED: Cr G Westman

That Council:

- (a) not support the variation to the Guidelines for Engineering Works to allow nine (9) lots to gain access off a gravel right of carriageway;
- (b) advise Oberon Council that:
  - (i) Condition 14(a) should remain and the access should be constructed as a public road.
  - (ii) Condition 14(b) should remain in the event that the land is to be a public road,
  - (iii) Condition 14(c) may be deleted or modified provided that alternate flood free access is legally and physically available,
  - (iv) Condition 14(d) may be deleted on the basis that the bridge is to be privately owned,
  - (v) Condition 14(e) should remain as is,
  - (vi) Any encroachments onto the adjoining properties associated with the new public road inclusive of existing fencing and trees are to be removed and the fence is to be replaced upon the correct alignment.
- (c) call a division.

Director Environmental Planning & Building Services' Report to the Council Meeting 21/06/2017

# MINUTE

# 18 Item 10.01 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397 O'CONNELL ROAD, O'CONNELL (20.00099)

MOVED: Cr B Bourke SECONDED: Cr I North

# The following AMENDMENT was MOVED:

# That Council:

- (a) not support the variation to the Guidelines for Engineering Works to allow nine (9) lots to gain access off a gravel right of carriageway;
- (b) advise Oberon Council that:
  - (i) Condition 14(a) should remain and the access should be constructed as a public road, however, Council has no objection to up to five lots being accessed via a Right of Way in the interim. Upon registration of the sixth lot, the access is to be constructed and dedicated as a public road,
  - (ii) Condition 14(b) should remain in the event that the land is to be a public road,
  - (iii) Condition 14(c) may be deleted or modified provided that alternate flood free access is legally and physically available,
  - (iv) Condition 14(d) may be deleted on the basis that the bridge is to be privately owned,
  - (v) Condition 14(e) should remain as is,
  - (vi) Any encroachments onto the adjoining properties associated with the new public road inclusive of existing fencing and trees are to be removed and the fence is to be replaced upon the correct alignment.
- (c) call a division

# On being **PUT** to the **VOTE** the **MOTION** was **LOST**

# The result of the division was:

 $\frac{\text{In favour of the motion}}{\text{Against the motion}} \text{ - Cr B Bourke, Cr I North, Cr G Westman,} \\ \frac{\text{Against the motion}}{\text{- Cr M Coote, Cr G Hanger, Cr M Morse.}} \text{ Cr Hanger used his casting vote to vote against the motion.}$ 

Absent - Cr W Aubin,

Abstain - Nil

The original MOTION was then PUT

Director Environmental Planning & Buildin	g Services' Report to the Council Meeting 21/06/2017
GENERAL MAI	NAGERMAYO Page 10

# MINUTE

# 19 Item 10.02 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397 O'CONNELL ROAD, O'CONNELL (20.00099)

MOVED: Cr M Coote SECONDED: Cr G Westman

# **RESOLVED:** That Council:

- (a) not support the variation to the Guidelines for Engineering Works to allow nine (9) lots to gain access off a gravel right of carriageway;
- (b) advise Oberon Council that:
  - (i) Condition 14(a) should remain and the access should be constructed as a public road.
  - (ii) Condition 14(b) should remain in the event that the land is to be a public road,
  - (iii) Condition 14(c) may be deleted or modified provided that alternate flood free access is legally and physically available,
  - (iv) Condition 14(d) may be deleted on the basis that the bridge is to be privately owned,
  - (v) Condition 14(e) should remain as is,
  - (vi) Any encroachments onto the adjoining properties associated with the new public road inclusive of existing fencing and trees are to be removed and the fence is to be replaced upon the correct alignment.
- (c) call a division.

# On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

### The result of the division was:

<u>In favour of the motion</u> - Cr M Coote, Cr G Hanger, Cr M Morse, Cr I North, Cr G Westman, <u>Against the motion</u> - Cr B Bourke,

Absent - Cr W Aubin,

Abstain - Nil

Director Environmental Planning & Building Services' Report to the Council Meeting 21/06/2017



# PUBLIC PRIVATE ROAD - TO OVERTURN DECISION OF COUNCIL

Bonny Hennessy

to:

neil.southorn

20/08/2018 04:42 PM

**Hide Details** 

From: "Bonny Hennessy" <bonnyhen@bigpond.net.au>

To: <neil.southorn@bathurst.nsw.gov.au>

Please respond to <bonnyhen@bigpond.net.au>

10 Attachments



PUBLIC PRIVATE ROAD - TO OVERTURN DECISION OF COUNCIL.docx





Macquarie plan of subdivision showing exits.jpeg Statement of Terry Renshaw (1).jpg







Statement of Terry Renshaw (2).jpg Statement of Terry Renshaw (3).jpg Wests Lane.jpg







3413 O'Connell Road rubbish bins (4).JPG 3413 rear of ppty horse paddock (1).JPG crushing plant (3).JPG



crushing plant (2).JPG

Hello Neil

Attached are the points for discussion for our meeting with you in your office at 9.30 am this coming Wednesday. We will bring a signed copy of the letter with us.

Regards Bonny Hennessy 0405 442 025

Report this message as spam

"Macquarie"
3397 O'Connell Road
O'Connell NSW 2795
Mob: 0405 442 026
20 August, 2018

Mr Neil Southorn
Director, Environmental, Planning & Building Services
158 Russell Street
Bathurst NSW 2795

Sent via email to:Neil.Southorn@bathurst.nsw.gov.au

## Re: "Macquarie" - Public vs Private Road & Gravel vs Bitumen surface

Dear Neil

Here are the points for discussion for our meeting with you at 9.30 am this coming Wednesday

- (A) On 11 August, 2018 we met with Darren Sturgiss and Janet Bingham re Macquarie's 550 metre odd driveway. In BRC's council meeting of 21 June 2017 the Director's Environmental report recommended the private road should be converted to a public road.
- (B) In making this recommendation reliance was placed on 9 so-called reasons.
- (C) Bonny and I requested that we be provided with the evidence, if any, relied on by BRC to support each of the 9 reasons. We made the request on numerous occasions at the meeting but the two representatives of BRC steadfastly asserted that the evidence was in the report itself for each of the 9 reasons. We just as steadfastly asserted that statement was false.
- (D) We now analyse each of the subject 9 reasons:
  - 1. "Administering a maintenance programme involving such a high number of users (9 lots and therefore nine individual property owners) is considered impractical"

### No evidence has been produced to support such a programme being "impractical"

In the almost 6 years we have owned the property, with multiple owners, the subject road has proved to be virtually maintenance free. The maintenance of same has certainly not proved impractical.

To assert "such a high number of users" is false, nine is in fact a low number of users.

# Again where is your evidence? We believe it is reasonable to assume you have none.

In terms of the maintenance programme - in the almost six years we have owned the property the annual programme has been broadly as follows:

	\$
Mowing – 10 times per year, say 6 hours per mow x \$20 per hour	1,200
Filling pot-holes 2 times per year say 5 hours	
General maintenance 10 hours x \$20/hr	200

Total annual budget for maintenance programme \$1,500

2. The proximity of the access to the dwelling 3413 O'Connell Road anecdotally already causes issues with dust"

### **False**

This particular residence, built some 40 years ago is only approximately 14 metres from the busy O'Connell Road and perhaps some 25 metres from our driveway. Further the residence was built—at a time when the sand washing plant and sand mining activity on 'Macquarie' was at its zenith and the property 'Macquarie' was significantly larger in area.

In framing this reasoning we believe you have relied very heavily on the vexatious objection of Mrs Kelly, the resident at 3413 O'Connell Road. We believe she is well known to your department as a serial complainer.

In the 12 odd years Mrs Kelly has been residing at these premises it would appear that not one tree has been planted on her side of the boundary fence to mitigate the so called issues with dust. Note the location of her large dump bin which has been placed outside her fence for well over a year, next to our maintained entrance. Further, note the cut and fallen timbers which have remained on the ground for several years to slowly decay. The condition of the property can only be described as neglected.

3. The "RTA Guide to Traffic Generating Developments" adopts an average of 9 vehicle movements per day per dwelling. It is noted that there is potential for 9 dwellings within the 'Macquarie' subdivision including the existing dwelling. This equates to a potential 81 vehicle movements per day over the subject access road"

Even if there was the potential for 81 vehicle movements per day, which would be mostly passenger vehicles, it is very much less than the disturbance of the large number of heavy vehicles that historically happened according to the Statement of Mr Terry Renshaw which is attached.

In the 12 years Mrs Kelly has been in residence at 3413 O'Connell Road, traffic has increased exponentially on O'Connell Road. Anecdotal evidence suggests that as a road with its classification — it is the busiest road in the state. The number of timber trucks, even in the six years we have been living here, we would speculate, has doubled. The increase in traffic, particularly heavy vehicle traffic in the six years we have owned 'Macquarie' and the dust they generate would render totally inconsequential the dust developed by any perceived increase in traffic pursuant to the development at 'Macquarie'. The evidence of Terry Renshaw in fact supports the proposition the dust generating traffic at 'Macquarie' has in the last twelve years declined substantially.

We have formed the opinion the daily traffic movements on O'Connell Road would currently range between 1500 and 3000 and possibly higher. Heavy vehicles could account for between 200 to 400 of the total vehicles.

Our opinion re the above, is based on a series of counts at various times of the day and days of the week. We are in the process of obtaining official figures from the RMS.

It is relevant to confirm:

- O'Connell Road is sealed
- 3413 O'Connell Road residence has a set-back of only 14 metres from the bitumen edge of O'Connell Road
- By way of contrast, our driveway is some 25 metres from the side of the residence

When one considers the present maintenance state of the property 3413 O'Connell Road, one could be forgiven for thinking "dust" is a minor or inconsequential issue compared with other outstanding maintenance issues the owner appears not to be concerned about.

4. "Once constructed as a sealed public road ongoing maintenance would be minimal"

### No evidence produced

We fail to see how the above could <u>possibly</u> constitute a reason to not support the variation to the guidelines - it simply defies common sense. Naturally, if it remains a private road Bathurst Regional Council would have **NO** ongoing maintenance commitments at all – which would be better than "minimal" as far as Bathurst Regional Council is concerned!

5. "The actual construction of 8 additional dwellings will generate significant heavy vehicle movements over the subject access road"

## No evidenced produced re "significant"

It is roughly 2½ years since the Development Application was approved by Oberon Council. In that time only one dwelling has been constructed and we speculate that in the next similar period, one more dwelling will be built. That is in the 3 year period, evidence suggests that a total of 2 dwellings will be built.

Given the foregoing, it is reasonable to presume that a maximum six additional dwellings will be built in the next 4 to 10 years, particularly as of today, 4 blocks have been bought by 2 families, each has no intention of building on their second block.

Based on experience, the maximum vehicle movements over the access road of 81 vehicles per day would be reached in about 10 years time if at all.

By that time, we believe it is reasonable to assume the daily vehicle movements on O'Connell Road could increase by 25% to between say 1,800 to 3,750. Heavy vehicle numbers per day on this basis would increase to approximately 250 to 500 per day. The above numbers per day make our 81 vehicles per day (virtually all light vehicles) inconsequential.

Please also refer to the statement by Mr Terry Renshaw which confirms the very significant reduction of heavy vehicles in recent years.

Further, it should be noted the blocks are essentially 'lifestyle' blocks compared to the previous use of 'Macquarie' which included intensive agricultural pursuits.

"With areas in excess of 100 hectares, each of the proposed lots has agricultural potential which could generate heavy vehicle movements over the subject access road"

# Factually incorrect - no evidence produced

There are no areas in excess of 100 hectares. Evidence - refer attached surveyor diagrams.

To state that agricultural potential could generate heavy vehicle movements over the subject access road is far too vague. Based on our six year experience at 'Macquarie', it would be less. Refer again to the statement of Terry Renshaw.

7. "The access would be subject to periodic inundation from the Fish River"

So what! How could this possibly be put forward as a reason to convert the private road to a public road. What difference could it possibly make to flooding if it is a private or a public road. Further, the author of this report fails to mention there are 2 alternative access points here at 'Macquarie' in the high country south of the Fish River that are legally available to all lot holders.

8. "Issues relating to potential trespass can be managed as noted above"

### False – no evidence produced

Little or no notice is taken of signage on 'Macquarie' such as speed limits. It is unworldly and naïve in the extreme to suggest that the actions "noted above" could manage trespass. It's as unlikely as finding an honest burglar!

Refer to statement of Mr Terry Renshaw re "Macquarie" history of drug activities

9. "This approach is consistent with the Rural Fire Service Planning for Bushfire Protection Guidelines which requires that access to a development comprising more than 3 dwellings have formalised access by dedication of a road and not by right of way"

I have contacted the RFS (8741 5555) and was advised by an officer (Garth) that they required the road to be of a similar standard to a public road. The words used by Garth were "as if it was a public road". Please refer to the attached photographs of our driveway and compare these photographs with the nearest public road to us (within 500 metres) - being "West Lane".

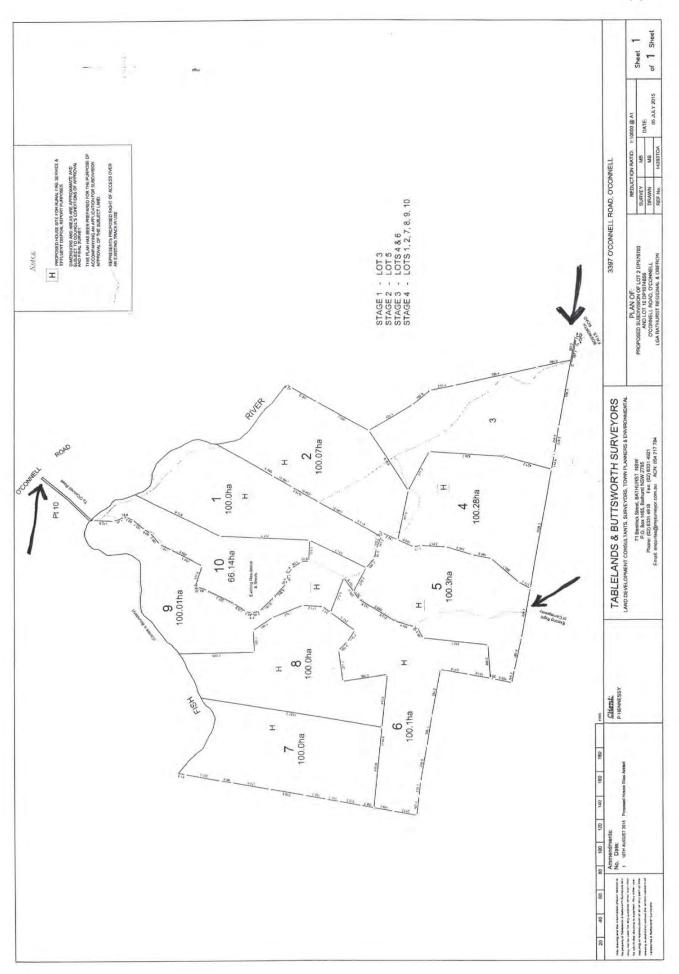
- (E) In conclusion, we believe the author of the report is guilty of the following:
  - a. Bias taking extreme positions and acting as a "Trojan Horse" for the serial complainant at 3413 O'Connell Road
  - b. Lacking evidence regarding issues with dust and movements of heavy vehicles etc.
  - c. Making factual errors by asserting there are "areas in excess of 100 hectares"
  - d. Putting forward reasons, particularly points 4, 7 and 8, that are nonsensicle

As can be seen from the above, and an examination of the report to the council meeting of 21/6/2017, the representations of Janet Bingham and Gary Sturgiss at our recent meeting were false in that the evidence was <u>not</u> all contained in the body of the report. Given their insistence the evidence was in the report, we take it that they both misrepresented the facts.

Yours faithfully

Paul Hennessy Bonny Hennessy dated 20/8/18 dated 20/8/18

A





Ordinary Meeting

Page 352 of 651 - 12 December 2018











#### STATEMENT BY TERRY NOEL RENSHAW

- 1. My name is Terry Noel Renshaw and I reside at 62 North Street, Perthville NSW
- 2. I was born in Bathurst in 1949 and have lived in the area all my life
- I left school at the age 15 to work on my father's farm and have continued to work in the rural sector until the present day.

### 'MACQUARIE' PROPERTY OF WATSON McKIBBIN, 3397 O'CONNELL ROAD

- 4. In 1985, some 33 years ago I entered into a leasing arrangement with the aforementioned Mr McKibbin whereby I leased approximately 40 acres and in a short time totalled 80 acres during that time ran a market garden operation on the property.
- From 1999 until 2012 [at which date Paul and Bonny Hennessy bought 'Macquarie'] I leased the whole of the property – approximately 2,479 acres and ran a full scale farming operation there.
- 5. Since the date of the Hennessy purchase to the present date I have attended the property from time to time on a reasonably regular basis. The purpose of these visits are varied including advice on matters relating to the running of the property, providing background information on matters relating to history as well as social visits. During that time I have had ample opportunity to observe the significant improvements to the property including the restoration of buildings within the historic curtilage.
- Prior to the Hennessy purchase of the property I have witnessed the numerous enterprises undertaken during the 33 year period of my association. Such enterprises include:

Sand mining [ceased in 2005] 
Sand plant operations [still continuing]
Market gardening activities—bulk vegetable growing........as well as 
Traditional farming activities

- At the time of my involvement, the property was reputed to be the biggest supplier of asparagus to Edgells.
- I understand that a number of years ago, the property was significantly larger in size and the enlarged property relied on the entrance on the O'Connell Road.
- 10. I understand a block described as block 3 of 250 acres has been sold by the Hennessys and access for that property is to Bosworth Falls Road and not O'Connell Road.
- 11. Since the Hennessys acquired the property all heavy vehicle activity including sand mining, sand plant operation and market gardening have ceased.
- 12. From my observations, in the almost six year period since the Hennessys acquired 'Macquarie', the daily heavy vehicle movement has virtually ceased. I anticipate based on the type of farm activity it would only be on average 12 heavy vehicles [of lambs] per year and vehicles carting Lucerne as opposed to prior to the Hennessy purchase, there were up to 50, mostly heavy vehicle movements, per day.
- 13. I am aware that in the six years the Hennessys have owned 'Macquarie' there has been one dwelling built which would have an caused an appropriate number of heavy truck movements.

- 14. During my period as a lessee the sand plant was owned by CSR and was operated 5 days a week by 2 - 3 full-time employees. Accordingly, the plant was far more active than it is today as I understand it operates only intermittently with one to two employees there occasionally
- 15. During the course of the Hennessys ownership, I have observed that all roads have been extended and vastly improved. I believe it is reasonable to assume that given the significant reduction in heavy vehicles using the roads, together with the significant improvements of same, that the dust problem would have been reduced and not increased
- 16. I am aware that a number of complaints have come from Mrs Louise Kelly who I assume owns the property adjoining the entrance to 'Macquarie' and has been living there since approximately 2003.
- I understand this residence was built at a time when the various activities at 'Macquarie' previously described were in operation.
- 18. During my period as a lessee the sand washing plant adjacent to her property, was relatively active at a level of activity far in excess of today's.
- 19. I believe it is reasonable to assume that the incidence of dust as it would affect that residence could only have reduced to the present day level.
- 20. I have read the report by the Director Environmental Planning and Building Services submitted to the Council Meeting of 21 June 2016. In particular, I have read the reasons the report recommended that Council not support the variation to the guidelines for engineering works. In particular, I have read the nine reasons for same, I believe the notes that I have provided above contradict reasons 2, 3, 5, 7 and 8.

#### 21. I note that reason 7 states:

"the access would be subject to periodic inundation from the Fish River"

In the 33 years of my experience of 'Macquarie', water inundation has not been an issue because there are two alternate access points, one to Bosworth Falls Road and the other to O'Connell Plains Road and this legal access is available to <u>all potential lot holders.</u>

### 22. Point 8 related to:

"potential trespass can be managed as noted above"

Such a statement is naïve when considered in the context of my 33 years experience with 'Macquarie'. In that time, I am aware the river banks at 'Macquarie' have been used to grow drugs and has been subject to surveillance by police by means of motor vehicle patrols and helicopter observations. To my knowledge it is alleged that at least two known drug traffickers have been involved in this enterprise. I believe the Hennessy's fears in respect of such prospective activities and other security concerns are justified, given my knowledge of the history. I would be sceptical as to whether signage would operate as a deterrent.

23. Encroachment of fences – I note that Oberon Council has been advised that any encroachments onto the adjoining properties associated with the new public road, inclusive of the existing fences and trees, are to be removed and the fences to be replaced on the correct alignment. Some 20 odd years ago the existing fence line was established by Mrs Kelly's father in consultation with Watson McKibbin.

24. I recall the alignment of the fence was in response to inundation and positioned in such a way that the chances of the fence being washed away would be reduced.

Signed by Terry Noel Renshaw at Perthville

Date 15- 8- 18



Macquarie - Public vs private road Bonny Hennessy

to:

neil.southorn 05/09/2018 05:36 PM

Hide Details

From: "Bonny Hennessy" <bonnyhen@bigpond.net.au>

To: <neil.southorn@bathurst.nsw.gov.au>
Please respond to <bonnyhen@bigpond.net.au>

## 1 Attachment



Macquarie - Public vs private road.docx

### Dear Neil

Please find attached, as previously advised, an update of our letter to you of 20 August/18. We have made a number of additions including statistics from RMS.

We look forward to discussing this with you at your earliest convenience.

Regards Paul Hennessy 0405 442 026

Report this message as spam

"Macquarie"
3397 O'Connell Road
O'Connell NSW 2795
Mob: 0405 442 0

Mob: 0405 442 026 5 September, 2018

Mr Neil Southorn
Director, Environmental, Planning & Building Services
158 Russell Street
Bathurst NSW 2795

Sent via email to: Neil.Southorn@bathurst.nsw.gov.au

Re: "Macquarie" - Public vs Private Road & Gravel vs Bitumen surface

Dear Neil

Here are the points for discussion for our meeting with you at 9.30 am this coming Wednesday

- (A) On 11 August, 2018 we met with Darren Sturgiss and Janet Bingham re Macquarie's 550 metre odd driveway. In BRC's council meeting of 21 June 2017 the Director's Environmental report recommended the private road should be converted to a public road.
- (B) In making this recommendation reliance was placed on 9 so-called reasons.
- (C) Bonny and I requested that we be provided with the evidence, if any, relied on by BRC to support each of the 9 reasons. We made the request on numerous occasions at the meeting but the two representatives of BRC steadfastly asserted that the evidence was in the report itself for each of the 9 reasons. We just as steadfastly asserted that statement was false.
- (D) We now analyse each of the subject 9 reasons:
  - 1. "Administering a maintenance programme involving such a high number of users (9 lots and therefore nine individual property owners) is considered impractical"

# No evidence has been produced to support such a programme being "impractical"

In the almost 6 years we have owned the property, with multiple owners, the subject road has proved to be virtually maintenance free. The maintenance of same has certainly not proved impractical.

To assert "such a high number of users" is false, nine is in fact a low number of users.

# Again where is your evidence? We believe it is reasonable to assume you have none.

In terms of the maintenance programme - in the almost six years we have owned the property the annual programme has been broadly as follows:

	\$
Mowing – 10 times per year, say 6 hours per mow x \$20 per hour	1,200
Filling pot-holes 2 times per year say 5 hours	
General maintenance 10 hours x \$20/hr	200

Total annual budget for maintenance programme \$1,500

2. The proximity of the access to the dwelling 3413 O'Connell Road anecdotally already causes issues with dust"

False

File: Macquarie – Public vs private road[Type text]

Page 1

This particular residence, built some 40 years ago is only approximately 14 metres from the busy O'Connell Road and perhaps some 25 metres from our driveway. Further the residence was built at a time when the sand washing plant and sand mining activity on 'Macquarie' was at its zenith and the property 'Macquarie' was significantly larger in area.

In framing this reasoning we believe you have relied very heavily on the vexatious objection of Mrs Kelly, the resident at 3413 O'Connell Road. We believe she is well known to your department as a serial complainer.

In the 12 odd years Mrs Kelly has been residing at these premises it would appear that not one tree has been planted on her side of the boundary fence to mitigate the so called issues with dust. Note the location of her large dump bin which has been placed outside her fence for well over a year, next to our maintained entrance. Further, note the cut and fallen timbers which have remained on the ground for several years to slowly decay. The condition of the property can only be described as neglected.

Of relevance is the multiple piles of crushed stone at the sand crushing plant and its close proximity to the Kelly residence at 3413 O'Connell Road. Dust from this source, we believe, would render dust from our driveway of almost zero consequence (refer photograph attached).

3. The "RTA Guide to Traffic Generating Developments" adopts an average of 9 vehicle movements per day per dwelling. It is noted that there is potential for 9 dwellings within the 'Macquarie' subdivision including the existing dwelling. This equates to a potential 81 vehicle movements per day over the subject access road"

> Even if there was the potential for 81 vehicle movements per day, which would be mostly passenger vehicles, it is very much less than the disturbance of the large number of heavy vehicles that historically happened according to the Statement of Mr Terry Renshaw which is attached.

> In the 12 years Mrs Kelly has been in residence at 3413 O'Connell Road, traffic has increased exponentially on O'Connell Road. Anecdotal evidence suggests that as a road with its classification - it is the busiest road in the state. The number of timber trucks, even in the six years we have been living here, we would speculate, has doubled. The increase in traffic, particularly heavy vehicle traffic in the six years we have owned 'Macquarie' and the dust they generate would render totally inconsequential the dust developed by any perceived increase in traffic pursuant to the development at 'Macquarie'. The evidence of Terry Renshaw in fact supports the proposition the dust generating traffic at 'Macquarie' has in the last twelve years declined substantially.

> We have retained the services of consultants, Western Project Services, who are liaising with RMS on our behalf. RMS have confirmed the AADT (annual average daily traffic) counts on MR253 (O'Connell Road) are as follows:

2008 2589 vehicle movements 2015 2827 vehicle movements

If we extrapolate the above figures, the current AADT would be approximately 3000 movements.

**Ordinary Meeting** 

Our observations suggest, based on anecdotal evidence, at least 10%, probably 15% of such movements would be heavy vehicles (e.g. timber trucks).

That is heavy vehicle movements alone could well be between 300 to 450 per day. The above statistics are very relevant given that O'Connell Road vehicles are restricted to 100 km per hour in contrast to the traffic on our driveway which is restricted to 15 km per hour.

 $81AADT's \times 15 \text{ km per hour} = 1,215$ 

As opposed to

3000 AADT's x 100 km per hour = 300,000

Or 247 times worse on O'Connell Road than our driveway

If we assume that in 10 years time the daily vehicle movements on O'Connell Road were 3,750, the 247 times worse will become 308 times worse.

It is relevant to confirm:

- 3413 O'Connell Road residence has a set-back of only 14 metres from the edge of O'Connell Road
- By way of contrast, our driveway is some 25 metres from the side of the residence
- O'Connell Road is sealed

When one considers the present maintenance state of the property 3413 O'Connell Road, one could be forgiven for thinking "dust" is a minor or inconsequential issue compared with other outstanding maintenance issues the owner appears not to be concerned about.

4. "Once constructed as a sealed public road ongoing maintenance would be minimal"

### No evidence produced

We fail to see how the above could <u>possibly</u> constitute a reason to not support the variation to the guidelines - it simply defies common sense. Naturally, if it remains a private road Bathurst Regional Council would have **NO** ongoing maintenance commitments at all – which would be better than "minimal" as far as Bathurst Regional Council is concerned!

5. "The actual construction of 8 additional dwellings will generate significant heavy vehicle movements over the subject access road"

### No evidenced produced re "significant"

It is roughly 2½ years since the Development Application was approved by Oberon Council. In that time only one dwelling has been constructed and we speculate that in the next similar period, one more dwelling will be built. That is in the 3 year period, evidence suggests that a total of 2 dwellings will be built.

Given the foregoing, it is reasonable to presume that a maximum six additional dwellings will be built in the next 4 to 10 years, particularly as of today, 4 blocks have been bought by 2 families, each has no intention of building on their second block.

**Ordinary Meeting** 

Based on experience, the maximum vehicle movements over the access road of 81 vehicles per day would be reached in about 10 years time if at all.

By that time, we believe it is reasonable to assume the daily vehicle movements on O'Connell Road could increase by 25% to say 3,750. Heavy vehicle numbers per day on this basis would increase to approximately 500 per day. The above numbers per day make our 81 vehicles per day (virtually all light vehicles) even more inconsequential.

Please also refer to the statement by Mr Terry Renshaw which confirms the very significant reduction of heavy vehicles on our driveway in recent years.

Further, it should be noted the blocks are essentially 'lifestyle' blocks compared to the previous use of 'Macquarie' which included intensive agricultural pursuits.

6. "With areas in excess of 100 hectares, each of the proposed lots has agricultural potential which could generate heavy vehicle movements over the subject access road"

### Factually incorrect - no evidence produced

There are no areas in excess of 100 hectares. Evidence - refer attached surveyor diagrams.

To state that agricultural potential could generate heavy vehicle movements over the subject access road is far too vague. Based on our six year experience at 'Macquarie', it would be less. Refer again to the statement of Terry Renshaw.

7. "The access would be subject to periodic inundation from the Fish River"

So what! How could this possibly be put forward as a reason to convert the private road to a public road. What difference could it possibly make to flooding if it is a private or a public road. Further, the author of the report fails to mention there are 2 alternative access points here at 'Macquarie' in the high country south of the Fish River that are <u>legally available to all lot holders</u>.

8. "Issues relating to potential trespass can be managed as noted above"

# False – no evidence produced

Little or no notice is taken of signage on 'Macquarie' such as speed limits. It is unworldly and naïve in the extreme to suggest that the actions "noted above" could manage trespass. It's as unlikely as finding an honest burglar!

Refer to statement of Mr Terry Renshaw re "Macquarie" history of drug activities. Such activities were of a scale that required the utilisation of police helicopters and police vehicles here on "Macquarie". It requires quite a stretch of the imagination to presume that people in these drug activities would constrained by signage.

9. "This approach is consistent with the Rural Fire Service Planning for Bushfire Protection Guidelines which requires that access to a development comprising more than 3 dwellings have formalised access by dedication of a road and not by right of way"

**Ordinary Meeting** 

I have contacted the RFS (phone number 8741 5555) and was advised by an officer (Garth) that they required the road to be of a similar standard to a public road. The words used by Garth were "as if it was a public road". Please refer to the attached photographs of our driveway and compare these photographs with the nearest public road to us (within 500 metres) - being "West Lane".

- (E) In conclusion, we believe the author of the report is guilty of the following:
  - a. Bias taking extreme positions and acting as a "Trojan Horse" for the serial complainant at 3413 O'Connell Road
  - b. Lacking evidence regarding issues with dust and movements of heavy vehicles etc.
  - c. Making factual errors by asserting there are "areas in excess of 100 hectares"
  - d. Putting forward reasons, particularly points 4, 7 and 8, that are nonsensicle

As can be seen from the above, and an examination of the report to the council meeting of 21/6/2017, the representations of Janet Bingham and Gary Sturgiss at our recent meeting were false in that the evidence was <u>not</u> all contained in the body of the report. Given their insistence the evidence was in the report, we take it that they both misrepresented the facts.

Yours faithfully	
Paul Hennessy	Bonny Hennessy
dated 20/8/18	dated 20/8/18

20.00099-04/103



Civic Centre 158 Russell Street Private Mail Bag 17 Bathurst NSW 2795 Telephone 02 6333 6111 Facsimile 02 6331 7211 council@bathurst.nsw.gov.au www.bathurst.nsw.gov.au

14 November 2018

Mr P & Mrs B Hennessey "Macquarie" 3397 O'Connell Road O'CONNELL NSW 2795

Dear Mr & Mrs Hennessey

# Response to your correspondence in relation to report to Council on 21 June 2017

I refer to your correspondence of 20 August, its amended version of 5 September and the various meetings with you and more recently with the General Manager.

I understand your goal is to seek a review of Council's position in relation to the appropriate standard for the entrance to your subdivision as currently incorporated into the Development Consent issued to you by Oberon Shire Council. That request, which is made by way of an application to Oberon Shire Council to modify the consent, had been put to Bathurst Regional Council in a report to the Ordinary meeting of 21 June 2017. Council resolved to not support the request, that is, to not depart from Council's Engineering Guidelines, nor RFS Planning for Bushfire Guidelines, both of which limit private road access to 3 dwellings, although Council has previously conceded a 4th lot could be accessed via the right of carriageway as an interim measure.

In your letter you provide your opinion on the nine reasons included in the Council report at the time and assert that these reasons were not based on evidence. Whilst I again confirm that I will report your concerns to Bathurst Regional Council when a formal request to do so is received from Oberon Shire Council, the General Manager has asked I provide a response.

I now do so in the same order as your correspondence, subheadings paraphrased. Please note these are my opinions and would form the basis of my advice to Council, but are not a Council position.

Evidence that a maintenance programme is "impractical"

I acknowledge that arrangements between landowners can be put in place to account for a maintenance programme for a private road, but it is also the case that such arrangements can lead to landowner disputes and subsequent Council intervention.

Dust affecting 3413 O'Connell Road

The matter of dust was raised in the public submission Council received and it is appropriate and necessary that Council considered the issue in its determination. Also, it is appropriate to consider any additional dust generated by the development, even though there may have historically been greater dust levels. Further, it is not the

Enquiries:

NS:KJD (20.00099-04 & DA/2018/207 Mr N Southorn 02 6333 6213

Ins hennessey - 1411 docx

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Mr P & Mrs B Hennessey 14 November 2018

responsibility of an affected landowner to mitigate the impacts caused by adjoining development, such as by planting trees on their own land, rather, it is the responsibility of the developer.

You make certain claims against the person making the submission. Council has acted appropriately in dealing with the issue at hand.

The level of maintenance of the neighbouring property is not a matter for consideration. A property owner can rightfully cite the potential impact of dust as a legitimate concern.

# 3. Estimated traffic generation

The RTA Traffic Generating Development Guidelines provide a widely accepted basis for assessing traffic generation figures. The Guideline estimate is 9 vehicle movements per day per dwelling. Traffic generation estimates provided by yourself for O'Connell Road, whilst informative, are of limited value to an estimate of the traffic generation levels on the proposed access road (beyond what is the appropriate intersection treatment which has been determined in conjunction with the RMS) and I do not accept your calculation of AADT multiplied by travel speed as an industry standard of traffic impact.

# 4. Ongoing maintenance minimal as a public road

I agree that ongoing maintenance would not be a concern of Council if the road remains a private road. I do not believe that it is controversial to suggest that a sealed road provides a lesser maintenance obligation should Council require the road to be a public road.

# 5. Heavy vehicle movements

Other than for the design of the intersection, which is a matter for RMS determination, I agree the number of heavy vehicle movements as a result of construction activity would not necessarily be significant, however, there will be some additional heavy vehicle movements as a result of the subdivision and the extent that this is significant is a matter of opinion.

I do not accept a ratio of heavy vehicle movements on a local road to that of the road it connects to as a relevant matter. The issue under consideration is the number of heavy vehicle movements on the road in question and the standard it is to be constructed to.

# 6. Agricultural potential of the subdivided land

The plans before Council indicate 8 lots at or greater than 100 ha. You state there are no lots greater than 100 ha. Regardless, there remain large areas available for agricultural activity and I believe this is the point that was made in the report. Whilst this may well be much less than in the past, it is still a matter for consideration when considering total traffic movements on the access road.

Reference: Enquiries: NS:KJD: 20.00099-04 & DA/2018/207

Mr N Southorn 02 6333 6213

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Mr P & Mrs B Hennessey 14 November 2018

# 7. Periodic inundation

The availability of access during floods is a relevant matter for consideration. The suitability of alternate access during floods was raised in one of the submissions to Oberon Shire Council. It is entirely appropriate for Bathurst Regional Council to take this into consideration when a variation to Policy has been requested.

# 8. Potential trespass

I acknowledge your concerns with trespass onto private property. It is not clear how the incidence of risk will be reduced and will be difficult to control whether the road is a public road or a private road.

# 9. RFS requirements

The Rural Fire Service Planning for Bushfire Protection document specifically lists dedication of a road as an Acceptable Performance Solution rather than a Right of Way when determining the standard of road access to a subdivision greater than 3 dwellings.

It is acknowledged that an Alternative Solution could be considered but it should not be considered lightly and should be informed by a suitably qualified person. To deem a lesser standard than a public road as an Alternative Solution increases risk of liability in the event of Rural Fire Service (or any other emergency service) being unable to attend an emergency. It will be Bathurst Regional Council's advice to Oberon Shire Council that such a risk is unacceptable.

A further matter should be considered, being the concurrence of all property owners affected by access. Importantly, some properties have been purchased with the current access requirements in place, i.e. public road access to the Bathurst Regional Council Local Government Area boundary. I note in correspondence to Oberon Shire Council that you expect the purchasers of Lots 2, 4 and 5 to support a change from public road status to private road status. Correspondence from the owner of Lot 3 casts doubt on their acceptance of such a change. It will be my recommendation to Bathurst Regional Council that all affected landowners certify their concurrence with the proposed change.

You also assign guilt to the author of the report. I do not accept the author of the report took an extreme position, made factual errors in regard to agricultural potential, nor provided nonsensical reasons. Further, it is my opinion the author of the report responded reasonably in evaluating the evidence provided to Council.

Yours faithfully

Neil Southorn

DIRECTOR

**ENVIRONMENTAL, PLANNING & BUILDING SERVICES** 

Reference: Enquiries: NS:KJD: 20.00099-04 & DA/2018/207

Mr N Southorn 02 6333 6213

Ins hennessey - 1411 docx



Macquarie Homestead, 3397 O'Connell Road O'CONNELL - HERITAGE concerns Tim Smith

to:

OLG - Bathurst Regional Council 20/07/2018 04:42 PM

Cc:

Cheryl Brown Hide Details

From: Tim Smith <Tim.Smith@environment.nsw.gov.au>

To: OLG - Bathurst Regional Council < council@bathurst.nsw.gov.au>

Cc: Cheryl Brown < Cheryl.Brown@environment.nsw.gov.au>

### 1 Attachment



MacquarieHomestead_Hennessy_LtrBathurstCouncil_SealedRoadsDA_HCconcern_200718.pdf

Dear Sir/Madam

Please find the attached letter issued from the Heritage Council of NSW relative to this property and a current DA that the Heritage Council understands is under assessment.

The Heritage Council wishes to draw to Council's attention the current State Heritage Register listing status of the property, current discussions with the owners, and its strong concern over any proposals to require hard surface roadway paving within this unique heritage place.

Please do not hesitate to contact me at any time on this matter on 0419 648 933.

We would appreciate Council's earliest reply, due to the pending listing determination under the NSW Heritage Act 1977.

Yours sincerely

Tim

**Tim Smith OAM** I Director Heritage Operations

Heritage Division

Office of Environment and Heritage

Locked Bag 5020 PARRAMATTA NSW 2124

Level 6, 10 Valentine Ave, PARRAMATTA NSW 2150

T: 02 8837 6327 I E: tim.smith@environment.nsw.gov.au

W www.environment.nsw.gov.au | www.environment.nsw.gov.au/cultureandheritage.htm



I acknowledge and respect the traditional custodians and ancestors of the lands I work across

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This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL (See attached file:

MacquarieHomestead Hennessy LtrBathurstCouncil SealedRoadsDA HCconcern 200718.pdf)



Lev 6, 10 Valentine Ave Parramatta NSW 2150

Locked Bag 5020 Parramatta NSW 2124 DX 8225 PARRAMATTA Telephone: 61 2 9873 8500 Facsimile: 61 2 9873 8599

heritage@heritage.nsw.gov.au www.heritage.nsw.gov.au

Mr Neil Southorn Director Environmental, Planning & Building Services Bathurst Regional Council PMB 17 Bathurst NSW 2795

cc: Paul and Bonny Hennessy, owners, 'Macquarie' Oberon Regional Council, Planning section

# IMPACTS TO HISTORIC 'MACQUARIE' HOMESTEAD FROM PROPOSED SEALED PUBLIC ACCESS ROAD

### Dear Mr Southorn

I write regarding a current Application before Council for subdivision of the abovementioned property in which Council has sought the construction of bitumen sealed roadways within the existing property boundary. I refer to <u>Application No. 2015.86.1 Rural Subdivision Located on Lot: 4 DP: 1212884, 3397 O'Connell Road O'CONNELL.</u>

The Heritage Council of NSW wishes to advise of its current assessment of 'Macquarie' for State Heritage Register (SHR) listing under the *Heritage Act* 1977. At its meeting of 6 June 2018, the State Heritage Register Committee (SHRC) determined to recommend the listing of the item on the State Heritage Register to the Minister for Heritage.

We understand that the owners have previously sought a 9-lot rural subdivision to be serviced by a right of carriageway from the O'Connell Road and that Bathurst Regional Council has advised that it would require access to be by way of a public roadway. That would seem to require at least partial road access within the property to be by a dedication public (sealed) roadway, in keeping with Council's Guidelines for Engineering Works.

Whilst a determination of adding 'Macquarie' to the State Heritage Register has not yet been determined, the Heritage Council would not support the main historic drive to the homestead, atop the commanding hillock, to be made a solid paved roadway. This would be at odds with the rural historic qualities of the place and the traditional form of 18th and 19thC rural Colonial properties. Similarly, paving additional existing (or new) road alignments would not be considered in keeping with the unique historic qualities of 'Macquarie'.

I note that the Conservation Management Plan (CMP) for the property has specific conservation policies governing the landscape character and setting of the estate, with specific mention of the unpaved presentation of the roadways.

I further note that should the Place be added to the SHR, approval from the Heritage Council or its Delegate for subdivision or major works will be required prior to any works commencing.

I request urgent discussion of this application and the potential detrimental impacts to the heritage Place that might eventuate if the DA was to be determined with this road upgrade requirement. I can be contacted at any time on 0419 648 933 and look forward to discussions with Council on this matter.

Yours sincerely

**TIM SMITH OAM** 

Director Heritage Operations
Heritage Division
Office of Environment & Heritage
As delegate of the Heritage Council of NSW

20 July 2018

20.00099-04/099



Civic Centre
158 Russell Street
Private Mail Bag 17
Bathurst NSW 2795

Telephone 02 6333 6111
Facsimile 02 6331 7211
council@bathurst.nsw.gov.au
www.bathurst.nsw.gov.au

18 October 2018

Mr Tim Smith
Heritage Division
Office of Environment & Heritage
Locked Bag 5020
PARRAMATTA NSW 2124

Dear Mr Smith

Macquarie Homestead

Premises: 3397 O'Connell Road, O'Connell

I am making an interim response to your letter of 20 July 2018 regarding the subdivision surrounding the Macquarie Homestead. This interim response is in part to clarify certain points of detail regarding Bathurst Regional Council jurisdiction. I have tried to telephone to discuss prior to writing.

Please note that Oberon Council is and remains the ultimate Consent Authority to the Development Application. Consent has been granted by Oberon Council and partially acted upon by the applicant with part of the property already subdivided.

Only a section of the access, being approximately 550m to the northern side of the Macquarie River, is located within the Bathurst Regional Council Local Government Area. The remainder of the property is within the Oberon Local Government Area.

Council's advice to Oberon Council has been that the section of road within the Bathurst Regional Council area should be constructed (i.e. sealed) and dedicated as public road given the number of potential users involved (up to 9 dwellings and related activities). These requirements have been incorporated into the current consent conditions.

Council further notes that the Development Application, as considered by Oberon Council, included a Heritage Impact Statement and Conservation Management Plan which contains reference to road access standards within the curtilage of the Homestead Group of buildings.

Council has had no particular input into the standards that would apply to the internal access road to the south of the Macquarie River. This would include the existing access between the river and Macquarie Homestead which is over 1km in length.

Council has previously considered a request from the owners (via Oberon Council) to modify the conditions imposed on the consent. Council re-affirmed its position that the northern section of the access should be upgraded to a public road and it be sealed. It is Bathurst Regional Councils understanding that the modification application is yet to be finalised by Oberon Council.

Reference: Enquiries: RD:CB:20.00099-04/093 Mr R Denyer 02 6333 6276

Ird - Office of enviro and Heritage - 20.00099.docx

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Mr Smith 18 October 2018

Recently, the owners have again made representation to Bathurst Regional Council requesting Council review its position. Given the matter applies to an undetermined application to modify a development consent before Oberon Council, I have suggested to Mr and Mrs Hennessy that this request for a further review be made through Oberon Council. Should that occur, a further report will be put to Bathurst Regional Council. You can be assured that your submission, together with further submissions from the owners and an update of the assessment of 'Macquarie' for State Heritage Register listing will be presented to Council for its consideration.

If you have any queries in regard to this matter please contact me on 02 6333 6213.

Yours faithfully

Neil Southorn DIRECTOR

**ENVIRONMENTAL, PLANNING & BUILDING SERVICES** 

CC: Mr P & Mrs B Hennessy Macquarie 3397 O'Connell Road O'CONNELL NSW 2795

Reference: Enquiries: RD:CB:20.00099

uiries: Mr R Denyer 02 6333 6276

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# OBERON COUNCIL

137-139 Oberon Street PO Box 84 **OBERON NSW 2787** 

ABN 13 632 416 736



Telephone: (02) 6329 8100 Fax: (02) 6329 8142

email: council@oberon.nsw.gov.au Website: www.oberon.nsw.gov.au

Contact:

Shane Wilson

Your Ref:

Our Ref: PR186-3397 SW:JB

13 November 2018

Bathurst Regional Council Att: Neil Southorn Private Bag 17 BATHURST NSW 2795

Dear Sir,



Roadwork Requirements for Subdivision – Oberon Council Application 10.2015.86.1 "Macquarie" - Lot 3 DP 1228411 being 3397 O'Connell Road, The Lagoon NSW

I refer to the abovementioned matter and previous consideration by Bathurst Regional Council at its Ordinary meeting on the 21st June 2017.

At the request of the proponents Mr & Mrs Hennessy, Oberon Council is yet to determine the modification to development consent 10.2015.86.1. Furthermore they have requested that Oberon Council to seek a review of the previous decision of BRC, specifically in relation to Conditions 14(a) and 14(b) - being the requirement of a Public road and associated construction. The request for further review based on additional information, clarification of facts and the imminent State Heritage listing of the property.

It is understood that you have also had meeting with Mr & Mrs Hennessy, in which some of the attached information may have already been received by BRC however it is forward as part of the justification provided to Council for the reconsideration of the pervious decision of BRC.

Attached to this letter is:

- 1. Copy of letter sent to Neil Southorn, Director Environment, Planning & Building Services BRC, dated 5 September 2018.
- 2. Copy of letter from Heritage Council of NSW, dated 20 July 2018.
- 3. Statement by Terry Renshaw dated 15th August 2018.
- 4. Email from Mr & Mrs Hennessy to Shane Wilson dated 24 October 2018.

Oberon Council respectfully request that Bathurst Regional Council undertakes a further review as detailed above, after which a determination for the current application will be made by Oberon Council.

Should you wish to discuss this matter further please don't hesitate in contacting me on (02) 6329 8100.

Yours Sincerely

**Shane Wilson** 

Planning & Development Director

DEPBS

"Macquarie" 3397 O'Connell Road O'Connell NSW 2795 Mob: 0405 442 026

5 September, 2018

Mr Neil Southorn Director, Environmental, Planning & Building Services 158 Russell Street Bathurst NSW 2795

Sent via email to: Neil.Southorn@bathurst.nsw.gov.au

Re: "Macquarie" - Public vs Private Road & Gravel vs Bitumen surface

Dear Neil

Here are the points for discussion for our meeting with you at 9.30 am this coming Wednesday

- (A) On 11 August, 2018 we met with Darren Sturgiss and Janet Bingham re Macquarie's 550 metre odd driveway. In BRC's council meeting of 21 June 2017 the Director's Environmental report recommended the private road should be converted to a public road.
- (B) In making this recommendation reliance was placed on 9 so-called reasons.
- (C) Bonny and I requested that we be provided with the evidence, if any, relied on by BRC to support each of the 9 reasons. We made the request on numerous occasions at the meeting but the two representatives of BRC steadfastly asserted that the evidence was in the report itself for each of the 9 reasons. We just as steadfastly asserted that statement was false.
- (D) We now analyse each of the subject 9 reasons:
  - 1. "Administering a maintenance programme involving such a high number of users (9 lots and therefore nine individual property owners) is considered impractical"

# No evidence has been produced to support such a programme being "impractical"

In the almost 6 years we have owned the property, with multiple owners, the subject road has proved to be virtually maintenance free. The maintenance of same has certainly not proved impractical.

To assert "such a high number of users" is false, nine is in fact a low number of users.

Again where is your evidence? We believe it is reasonable to assume you have none.

In terms of the maintenance programme - in the almost six years we have owned the property the annual programme has been broadly as follows:

	\$
Mowing – 10 times per year, say 6 hours per mow x \$20 per hour	1,200
Filling pot-holes 2 times per year say 5 hours	100
General maintenance 10 hours x \$20/hr	_200

Total annual budget for maintenance programme \$1,500

The proximity of the access to the dwelling 3413 O'Connell Road anecdotally already causes issues with dust"

False

File: Macquarie - Public vs private road[Type text]

Page 1

This particular residence, built some 40 years ago is only approximately 14 metres from the busy O'Connell Road and perhaps some 25 metres from our driveway. Further the residence was built at a time when the sand washing plant and sand mining activity on 'Macquarie' was at its zenith and the property 'Macquarie' was significantly larger in area.

In framing this reasoning we believe you have relied very heavily on the vexatious objection of Mrs Kelly, the resident at 3413 O'Connell Road. We believe she is well known to your department as a serial complainer.

In the 12 odd years Mrs Kelly has been residing at these premises it would appear that not one tree has been planted on her side of the boundary fence to mitigate the so called issues with dust. Note the location of her large dump bin which has been placed outside her fence for well over a year, next to our maintained entrance. Further, note the cut and fallen timbers which have remained on the ground for several years to slowly decay. The condition of the property can only be described as neglected.

Of relevance is the multiple piles of crushed stone at the sand crushing plant and its close proximity to the Kelly residence at 3413 O'Connell Road. Dust from this source, we believe, would render dust from our driveway of almost zero consequence (refer photograph attached).

3. The "RTA Guide to Traffic Generating Developments" adopts an average of 9 vehicle movements per day per dwelling. It is noted that there is potential for 9 dwellings within the 'Macquarie' subdivision including the existing dwelling. This equates to a potential 81 vehicle movements per day over the subject access road"

Even if there was the potential for 81 vehicle movements per day, which would be mostly passenger vehicles, it is very much less than the disturbance of the large number of heavy vehicles that historically happened according to the Statement of Mr Terry Renshaw which is attached.

In the 12 years Mrs Kelly has been in residence at 3413 O'Connell Road, traffic has increased exponentially on O'Connell Road. Anecdotal evidence suggests that as a road with its classification – it is the busiest road in the state. The number of timber trucks, even in the six years we have been living here, we would speculate, has doubled. The increase in traffic, particularly heavy vehicle traffic in the six years we have owned 'Macquarie' and the dust they generate would render totally inconsequential the dust developed by any perceived increase in traffic pursuant to the development at 'Macquarie'. The evidence of Terry Renshaw in fact supports the proposition the dust generating traffic at 'Macquarie' has in the last twelve years declined substantially.

We have retained the services of consultants, Western Project Services, who are liaising with RMS on our behalf. RMS have confirmed the AADT (annual average daily traffic) counts on MR253 (O'Connell Road) are as follows:

2008 2589 vehicle movements2015 2827 vehicle movements

If we extrapolate the above figures, the current AADT would be approximately 3000 movements.

Our observations suggest, based on anecdotal evidence, at least 10%, probably 15% of such movements would be heavy vehicles (e.g. timber trucks).

That is heavy vehicle movements alone could well be between 300 to 450 per day. The above statistics are very relevant given that O'Connell Road vehicles are restricted to 100 km per hour in contrast to the traffic on our driveway which is restricted to 15 km per hour.

 $81AADT's \times 15 \text{ km per hour} = 1,215$ 

As opposed to

3000 AADT's x 100 km per hour = 300,000

Or 247 times worse on O'Connell Road than our driveway

If we assume that in 10 years time the daily vehicle movements on O'Connell Road were 3,750, the 247 times worse will become 308 times worse.

It is relevant to confirm:

- 3413 O'Connell Road residence has a set-back of only 14 metres from the edge of O'Connell Road
- By way of contrast, our driveway is some 25 metres from the side of the residence
- · O'Connell Road is sealed

When one considers the present maintenance state of the property 3413 O'Connell Road, one could be forgiven for thinking "dust" is a minor or inconsequential issue compared with other outstanding maintenance issues the owner appears not to be concerned about.

4. "Once constructed as a sealed public road ongoing maintenance would be minimal"

### No evidence produced

We fail to see how the above could <u>possibly</u> constitute a reason to not support the variation to the guidelines - it simply defies common sense. Naturally, if it remains a private road Bathurst Regional Council would have **NO** ongoing maintenance commitments at all – which would be better than "minimal" as far as Bathurst Regional Council is concerned!

5. "The actual construction of 8 additional dwellings will generate significant heavy vehicle movements over the subject access road"

# No evidenced produced re "significant"

It is roughly 2½ years since the Development Application was approved by Oberon Council. In that time only one dwelling has been constructed and we speculate that in the next similar period, one more dwelling will be built. That is in the 3 year period, evidence suggests that a total of 2 dwellings will be built.

Given the foregoing, it is reasonable to presume that a maximum six additional dwellings will be built in the next 4 to 10 years, particularly as of today, 4 blocks have been bought by 2 families, each has no intention of building on their second block.

Based on experience, the maximum vehicle movements over the access road of 81 vehicles per day would be reached in about 10 years time if at all.

By that time, we believe it is reasonable to assume the daily vehicle movements on O'Connell Road could increase by 25% to say 3,750. Heavy vehicle numbers per day on this basis would increase to approximately 500 per day. The above numbers per day make our 81 vehicles per day (virtually all light vehicles) even more inconsequential.

Please also refer to the statement by Mr Terry Renshaw which confirms the very significant reduction of heavy vehicles on our driveway in recent years.

Further, it should be noted the blocks are essentially 'lifestyle' blocks compared to the previous use of 'Macquarie' which included intensive agricultural pursuits.

6. "With areas in excess of 100 hectares, each of the proposed lots has agricultural potential which could generate heavy vehicle movements over the subject access road"

### Factually incorrect - no evidence produced

There are no areas in excess of 100 hectares. Evidence - refer attached surveyor diagrams.

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So what! How could this possibly be put forward as a reason to convert the private road to a public road. What difference could it possibly make to flooding if it is a private or a public road. Further, the author of the report fails to mention there are 2 alternative access points here at 'Macquarie' in the high country south of the Fish River that are <u>legally available to all lot holders</u>.

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Refer to statement of Mr Terry Renshaw re "Macquarie" history of drug activities. Such activities were of a scale that required the utilisation of police helicopters and police vehicles here on "Macquarie". It requires quite a stretch of the imagination to presume that people in these drug activities would constrained by signage.

 "This approach is consistent with the Rural Fire Service Planning for Bushfire Protection Guidelines which requires that access to a development comprising more than 3 dwellings have formalised access by dedication of a road and not by right of way" I have contacted the RFS (phone number 8741 5555) and was advised by an officer (Garth) that they required the road to be of a similar standard to a public road. The words used by Garth were "as if it was a public road". Please refer to the attached photographs of our driveway and compare these photographs with the nearest public road to us (within 500 metres) - being "West Lane".

- (E) In conclusion, we believe the author of the report is guilty of the following:
  - a. Bias taking extreme positions and acting as a "Trojan Horse" for the serial complainant at 3413 O'Connell Road
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Yours faithfully	
Paul Hennessy	Bonny Hennessy
dated 20/8/18	dated 20/8/18



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Mr Neil Southorn Director Environmental, Planning & Building Services Bathurst Regional Council PMB 17 Bathurst NSW 2795

cc: Paul and Bonny Hennessy, owners, 'Macquarie' Oberon Regional Council, Planning section

# IMPACTS TO HISTORIC 'MACQUARIE' HOMESTEAD FROM PROPOSED SEALED PUBLIC ACCESS ROAD

Dear Mr Southorn

I write regarding a current Application before Council for subdivision of the abovementioned property in which Council has sought the construction of bitumen sealed roadways within the existing property boundary. I refer to <a href="Application No. 2015.86.1 Rural Subdivision Located on Lot: 4 DP: 1212884, 3397 O'Connell Road O'CONNELL">CONNELL</a>.

The Heritage Council of NSW wishes to advise of its current assessment of 'Macquarie' for State Heritage Register (SHR) listing under the *Heritage Act* 1977. At its meeting of 6 June 2018, the State Heritage Register Committee (SHRC) determined to recommend the listing of the item on the State Heritage Register to the Minister for Heritage.

We understand that the owners have previously sought a 9-lot rural subdivision to be serviced by a right of carriageway from the O'Connell Road and that Bathurst Regional Council has advised that it would require access to be by way of a public roadway. That would seem to require at least partial road access within the property to be by a dedication public (sealed) roadway, in keeping with Council's Guidelines for Engineering Works.

Whilst a determination of adding 'Macquarie' to the State Heritage Register has not yet been determined, the Heritage Council would not support the main historic drive to the homestead, atop the commanding hillock, to be made a solid paved roadway. This would be at odds with the rural historic qualities of the place and the traditional form of 18th and 19thC rural Colonial properties. Similarly, paving additional existing (or new) road alignments would not be considered in keeping with the unique historic qualities of 'Macquarie'.

Helping the community conserve our heritage

I note that the Conservation Management Plan (CMP) for the property has specific conservation policies governing the landscape character and setting of the estate, with specific mention of the unpaved presentation of the roadways.

I further note that should the Place be added to the SHR, approval from the Heritage Council or its Delegate for subdivision or major works will be required prior to any works commencing.

I request urgent discussion of this application and the potential detrimental impacts to the heritage Place that might eventuate if the DA was to be determined with this road upgrade requirement. I can be contacted at any time on 0419 648 933 and look forward to discussions with Council on this matter.

Yours sincerely

TIM SMITH OAM

Director Heritage Operations Heritage Division

Office of Environment & Heritage

As delegate of the Heritage Council of NSW

20 July 2018

### STATEMENT BY TERKY NUEL KENSHAW

- 1. My name is Terry Noel Renshaw and I reside at 62 North Street, Perthville NSW
- 2. I was born in Bathurst in 1949 and have lived in the area all my life
- I left school at the age 15 to work on my father's farm and have continued to work in the rural sector until the present day.

## 'MACQUARIE' PROPERTY OF WATSON McKIBBIN, 3397 O'CONNELL ROAD

- 4. In 1985, some 33 years ago I entered into a leasing arrangement with the aforementioned Mr McKibbin whereby I leased approximately 40 acres and in a short time totalled 80 acres during that time ran a market garden operation on the property.
- 5. From 1999 until 2012 [at which date Paul and Bonny Hennessy bought 'Macquarie'] I leased the whole of the property approximately 2,479 acres and ran a full scale farming operation there.
- 6. Since the date of the Hennessy purchase to the present date I have attended the property from time to time on a reasonably regular basis. The purpose of these visits are varied including advice on matters relating to the running of the property, providing background information on matters relating to history as well as social visits. During that time I have had ample opportunity to observe the significant improvements to the property including the restoration of buildings within the historic curtilage.
- 7. Prior to the Hennessy purchase of the property I have witnessed the numerous enterprises undertaken during the 33 year period of my association. Such enterprises include:

Sand mining [ceased in 2005]
Sand plant operations [still continuing]
Market gardening activities—bulk vegetable growing......as well as
Traditional farming activities

- At the time of my involvement, the property was reputed to be the biggest supplier of asparagus to Edgells.
- 9. I understand that a number of years ago, the property was significantly larger in size and the enlarged property relied on the entrance on the O'Connell Road.
- I understand a block described as block 3 of 250 acres has been sold by the Hennessys and access for that property is to Bosworth Falls Road and not O'Connell Road.
- 11. Since the Hennessys acquired the property all heavy vehicle activity including sand mining, sand plant operation and market gardening have ceased.
- 12. From my observations, in the almost six year period since the Hennessys acquired 'Macquarie', the daily heavy vehicle movement has virtually ceased. I anticipate based on the type of farm activity it would only be on average 12 heavy vehicles [of lambs] per year and vehicles carting Lucerne as opposed to prior to the Hennessy purchase, there were up to 50, mostly heavy vehicle movements, per day.
- 13. I am aware that in the six years the Hennessys have owned 'Macquarie' there has been one dwelling built which would have an caused an appropriate number of heavy truck movements.

- 14. During my period as a lessee the sand plant was owned by CSR and was operated 5 days a week by 2 - 3 full-time employees. Accordingly, the plant was far more active than it is today as I understand it operates only intermittently with one to two employees there occasionally
- 15. During the course of the Hennessys ownership, I have observed that all roads have been extended and vastly improved. I believe it is reasonable to assume that given the significant reduction in heavy vehicles using the roads, together with the significant improvements of same, that the dust problem would have been reduced and not increased
- 16. I am aware that a number of complaints have come from Mrs Louise Kelly who I assume owns the property adjoining the entrance to 'Macquarie' and has been living there since approximately 2003.
- 17. I understand this residence was built at a time when the various activities at 'Macquarie' previously described were in operation.
- 18. During my period as a lessee the sand washing plant adjacent to her property, was relatively active at a level of activity far in excess of today's.
- 19. I believe it is reasonable to assume that the incidence of dust as it would affect that residence could only have reduced to the present day level.
- 20. I have read the report by the Director Environmental Planning and Building Services submitted to the Council Meeting of 21 June 2016. In particular, I have read the reasons the report recommended that Council not support the variation to the guidelines for engineering works. In particular, I have read the nine reasons for same, I believe the notes that I have provided above contradict reasons 2, 3, 5, 7 and 8.

### 21. I note that reason 7 states:

"the access would be subject to periodic inundation from the Fish River"

In the 33 years of my experience of 'Macquarie', water inundation has not been an issue because there are two alternate access points, one to Bosworth Falls Road and the other to O'Connell Plains Road and this legal access is available to all potential lot holders.

### 22. Point 8 related to:

"potential trespass can be managed as noted above"

Such a statement is naïve when considered in the context of my 33 years experience with 'Macquarie'. In that time, I am aware the river banks at 'Macquarie' have been used to grow drugs and has been subject to surveillance by police by means of motor vehicle patrols and helicopter observations. To my knowledge it is alleged that at least two known drug traffickers have been involved in this enterprise. I believe the Hennessy's fears in respect of such prospective activities and other security concerns are justified, given my knowledge of the history. I would be sceptical as to whether signage would operate as a deterrent.

23. Encroachment of fences – I note that Oberon Council has been advised that any encroachments onto the adjoining properties associated with the new public road, inclusive of the existing fences and trees, are to be removed and the fences to be replaced on the correct alignment. Some 20 odd years ago the existing fence line was established by Mrs Kelly's father in consultation with Watson McKibbin.

24. I recall the alignment of the fence was in response to inundation and positioned in such a way that the chances of the fence being washed away would be reduced.

Signed by Terry Noel Renshaw at Perthville

15- 8- 18

# **Shane Wilson**

From: Bonny Hennessy <bonnyhen@bigpond.net.au>

Sent: Wednesday, 24 October 2018 4:11 PM

To: Shane Wilson

**Subject:** public vs private road for "Macquarie"

24 October, 2018

### Hello Shane

During our discussions with the engineers organising the road widening on our behalf at the entrance to "Macquarie", it has become apparent to us that if our access road to the Fish river were to be a public road, the owners of the adjoining crushing plant on the eastern boundary will likely be entitled to install one or more entrances into their property off our access road as it would negate the need for them to do any road widening at the front of their main entrance.

In fact, depending on the zoning, LEP's and approvals by BRC etc., there's a possibility the land on **both** the east and west boundaries of our access road could at a later date be subdivided and/or used for enterprises that could entail significant heavy traffic along that access road as these properties would also be entitled to use the road as their main access. Depending on the enterprises involved, this would likely have a major impact not only on the heritage aspects of "Macquarie", but on the quiet enjoyment and security of other landholders within the subdivision.

The work we are doing on O'Connell Road to safely enter/exit our property is estimated to cost well over \$100,000. We believe it is likely the crushing plant owners would want to use our entrance for their trucks to save themselves this sort of expense.

We believe the detrimental impact of this activity in the main historic drive to "Macquarie" is untenable, given the ramifications of, for instance, daily haulage of gravel and other materials with large trucks and double bogeys. Anecdotal evidence from ourselves and our neighbours would suggest there are between 20 to 50 movements of these trucks in and out of the crushing plant per day.

### Other issues are:

- Potential difficulties that might eventuate by owners in the "Macquarie" subdivision entering/exiting and disagreements as a result
- 2. Our 88b instrument calls for no trucking businesses to be carried out in the "Macquarie" subdivision and this access to O'Connell Road forms part of the subdivision
- 3. In an effort to mitigate the unsightly impact of the crushing plant, it is our intention to continue to plant more trees and shrubs along this road how long this landscaping would last would be debatable.

In the interests of maintaining the integrity of this historic property we would very much appreciate your assistance in this matter.

Yours faithfully

Bonny & Paul Hennessy



# Foreword from the NSW Deputy Premier

As NSW transitions to a services and innovation-driven economy, we want to make the most of every opportunity to build on our world-class research and science organisations, leading industries and highly skilled workforce to support the growth of globally competitive sectors.

something which is often easier in person. The benefits as new technologies transform established industries. When such places start to gain economic momentum of collaboration - the sharing of knowledge, services While technology platforms enable work to be done and infrastructure – have led many businesses and nstitutions to co-locate in specific hubs or clusters. This new 'innovation economy' is emerging rapidly emotely, innovation is helped by collaboration hey come to be known as innovation precincts.

such as California's Silicon Valley, London's Silicon Roundabout and Tel Aviv's innovation ecosystem are just a few that have achieved global reach and contribution to their local and national economies. nternationally recognised innovation precincts mpact. As a result they have made a significant

cities and regions already host innovation ecosystems NSW is well-positioned to learn from this international and services. I encourage the businesses, universities, from med-tech and healthcare, finance and business that are creating and commercialising new products services, to IT, defence, science and engineering and start-ups and local councils that are making these creative industries. A number of locations in NSW places happen to work together to strengthen our experience and build on our industry strengths – growing innovation precincts

in developing innovation precincts in NSW. It examines inform the decision-making of organisations involved innovation precincts are more successful than others the international literature and case studies from the and to identify the different roles that stakeholders viewpoint of NSW to better understand why some developed the report NSW Innovation Precincts to The NSW Innovation and Productivity Council and governments can play

he NSW State Infrastructure Strategy, Future Transport ncluding the work of the Greater Sydney Commission, Strategy, NSW Innovation Strategy, and the work of The report complements the State's overarching planning, place-making and innovation policies, Jobs for NSW

sector organisations such as local councils, universities Council on this important research. It will be a valuable esource for NSW Government agencies, other public government policy making. Together, we can support NSW innovation precincts to fulfil their potential and and hospitals, and our diverse business community. congratulate the NSW Innovation and Productivity This important resource will also be used for future bring economic benefit to NSW and its residents.



The Hon. John Barilaro MP

Minister for Regional New South Wales Minister for Skills

Minister for Small Business

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Foreword

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Foreword

# Foreword from the Chair, NSW Innovation and Productivity Council

to the NSW economy. These place-based concentrations of businesses, Innovation precincts have the potential to provide significant benefits knowledge-intensive institutions and entrepreneurs are an important component of the innovation economy, helping to attract talent, and building on the opportunities of their sectors and locations.

The NSW Innovation and Productivity Council (IPC) developed the report NSW Innovation Precincts to provide a clear, evidence-based view of what makes different types of innovation precincts succeed, explain the different stakeholder roles in precinct development, and identify the common risks and failures.

Innovation precincts are diverse and develop in different ways. In NSW, many are only just developing, and will need coordinated support from multiple stakeholders and a long term view to succeed. It is important we understand the factors for success so that decision makers – both in government and the private sector – can provide the right support to nelp them grow.

We hope the insights in this report will serve as a useful guide for organisations that provide support to precincts and help foster further collaboration across government and between precinct stakeholders.

This work follows on from the IPC's report,

The Innovation Economy: Implications and Imperatives
for States and Regions, which identified areas that
can make a difference in transitioning to an
innovation economy.

On behalf of the NSW Innovation and Productivity Council, I would like to thank the numerous people that were involved in developing this report, including all those that provided feedback throughout its development.



Mr. Neville Stevens AO Chair, NSW Innovation and Productivity Council

# **Executive summary**

nnovation is at the heart of competitive advantage for firms and economies. through to new services, products and ways of doing business. It underlies t takes many forms – from improvements in products and processes productivity at the firm level and the creation of jobs throughout the economy. In many cases it can lead to success in global markets.

nnovative firms can be anywhere, from city to regional areas. Often they may cluster together, perhaps sharing common services or forming part of a supply chain for a larger firm or industry. Wherever they are located, they underpin the economic prosperity of NSW.

Over the last few decades, a new generation of technologies and increased connectivity has driven an unprecedented change in the scale, depth, speed and spread of innovation across industries. This has been described as the emergence of a globalised innovation economy. One feature of this innovation economy has been the increasing importance of agglomeration – where businesses concentrate in specific geographic areas to match skills, to collaborate, or to share knowledge and resources in a cost-effective way.

Concentrated place-based innovation activity, often referred to as an 'innovation precinct', is increasingly seen as key to offering economic and productivity advantages to businesses, investors, and workers. They create market visibility and identity for industry and research clusters and build on the opportunities and characteristics of their location. The proximity between firms, institutions and investors enhances collaboration, attracts skilled workers and provides the spaces and infrastructure that suit the various participants – anchor tenants, businesses, research organisations, investors, entrepreneurs, incubators and accelerators.

Unsurprisingly, there is global interest by governments, businesses and research institutions in developing and fostering innovation precincts.

In NSW, innovation precincts are emerging in cities, in regions and in greenfield and brownfield developments.

Locations across NSW have strengths in a range of sectors including healthcare, scientific instruments, financial and business services, biopharmaceuticals, defence, software and communications, ag-tech, engineering and creative industries. These precincts are frequently centred around universities, researchintensive local health districts with large hospitals such as Westmead Hospital, major infrastructure or significant research facilities, such as the Australian Nuclear Science and Technology Organisation

# Their opportunities are anchored to their unique Drawing on case stiplace-based characteristics and innovation ecosystem, the report provides including NSW's strong research sector and skilled what makes innovation precincts and builds upon pretake years to develop, and strong market drivers are and Productivity Co

workforce. Globally, significant innovation precincts take years to develop, and strong market drivers are critical to their success. The NSW Government, the Greater Sydney Commission and other organisations including universities and major hospitals, are supporting emerging precincts to become more competitive, to grow and to drive economic activity and create high-value jobs. This support needs to involve multiple stakeholders and be coordinated and long-term in its approach.

Side by side with innovation precincts, other place-based innovation activities, clusters and collaboration areas are emerging and adding to the range of innovation location sizes, types and sectors that are needed to create a diverse innovation ecosystem in NSW. These activities benefit the broader economy as they provide important multipliers, spillovers and agglomeration advantages.

# Lessons from

# international experience

This report has been developed by the NSW Innovation and Productivity Council as a resource for local, state and federal government agencies, universities, local health districts, and the wide range of actors in the innovation ecosystem – from large businesses, property developers and real estate providers, through to small to medium-sized enterprises (SMEs), startups and accelerators.

Drawing on case studies and international examples, the report provides stakeholders with a clear view of what makes innovation precincts succeed or falter and builds upon previous work by the NSW Innovation and Productivity Council on the innovation economy.

It aims to educate and encourage innovation precinct stakeholders to draw on the lessons from international experience in assessing the strengths, weaknesses, opportunities and priority actions for their individual precincts.

The complex mix of stakeholders, economic drivers and local factors needed for innovation precincts to succeed makes them particularly vulnerable to the market failures that hinder innovation more generally. The tendency for firms to under-invest in innovation, the information gaps between investors and startups, or between business and knowledge institutions, and the governance and coordination failures within and between the different stakeholders in the innovation ecosystem can all keep a precinct from reaching its potential. This report encourages better coordination between stakeholders.

Innovation locations vary in size, scale and stage of development, but only a few will grow to become high-profile, international innovation precincts. Whether the innovation precincts emerging in NSW will achieve global recognition depends on multiple factors, including the size of the market opportunity, the competitiveness of the local research and industry strengths, and the capacity of research, business and entrepreneurial stakeholders to work together to maximise the opportunity in collaboration with government.

# The potential benefits of innovation precincts

Successful innovation precincts deliver benefits to local and national economies – from higher wages and quality jobs for workers to superior products for consumers and higher tax revenues for government. There are many examples of innovation precincts demonstrating higher than average productivity and firm growth, and firms located in a precinct experiencing higher than average export growth.

Successful innovation precincts make an outsized contribution to the economy and are more resilient to economic downturns. The clustering of industries in precincts facilitates collaboration, knowledge flows and knowledge spillovers between industry, researchers and entrepreneurs, which plays a critical role in increased levels of innovation, particularly for new ventures. Higher rates of innovation also mean an increased capacity to deliver products and services at reduced cost to the consumer.

Successful precincts make productive use of land and buildings and capture more returns on sunk public investments in infrastructure facilities, government funding for research and development and the education of workers. Precincts can offer a means for NSW to better leverage investments in major assets such as hospitals, universities and airports and to accelerate an economic transition to a more diversified economy.

investors, standard investment groups or public funding.

Firms in startup and growth phases may not be able to

precinct participants to interact collaboratively with

startups and smaller firms.

Poor access to capital

The precinct may not provide quality incubator and accelerator programs or other support needed for

Lack of entrepreneurial culture

access enough capital from angel and venture capital

# What does success look like?

Some precincts emerge organically, others are catalysed by targeted investment, and a small number are shaped by government programs. Irrespective of their beginnings, the experience of globally significant innovation precincts suggests seven broad factors for success:

not always successful. As locations for the creation of Efforts to establish and grow innovation precincts are

Barriers to success

new-to-market and new-to-firm innovations, precincts

are affected by the same types of risks and barriers hat hinder innovation more generally. International research suggests a number of factors are at play in

precincts that falter



# 1 Market drivers

protections and the competitive regulatory services; competitive pressure in the sector environment needed for a well-functioning to innovate; access to markets, skills and Strong market demand for the goods or investors; reliability of the jurisdictional egal and intellectual property (IP) innovation economy



# 5 Amenity

ecosystem and the workers that provide is underpinned by flexible and adaptive provision of well-designed local cultural land use planning regulations and the ancillary services to the precinct and live there. It offers a sense of place A vibrant and liveable location that attracts people to work, play and for participants in the innovation infrastructure



# 6 Enterprise culture

programs and a diversity of organisations aking, collaboration and sharing ideas. This culture is supported by mentoring Strong entrepreneurial culture of riskand workers, and is influenced by the culture of the anchor institution.

of precincts. These can include restrictive intellectual

property controls, a closed academic culture and a

endency for industry to under-invest in research.

R&D) will slow innovation activity and the success

commercialisation of research and development

Factors that impact the investment in and



communicated through strong branding

Clearly defined market advantage

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2 Competitive advantage

or sector specialisation that is

to attract and retain talented workers

and financial investment, supported by

pro-productivity regulatory settings.

# 7 Leadership

political commitment and a shared vision. Robust governance, strong leadership,



precincts are established primarily because of politica

will rather than market demand.

Barriers to investment and commercialisation

evidence of new economic activity or innovation from

Precincts may not have the factors needed for them

Weak market demand

to be economically viable, or there may be little

ousinesses locating there. There are also risks when



# organisations - from spaces for informal social 'collisions' through to commercial

# 4 Infrastructure

rameworks for joint ventures.

infrastructure that supports research, innovation activity and business connectivity within and outside Physical, transport and digital of the precinct



Facilities and programs to support

3 Collaboration

collaboration between diverse



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Executive summary

# 08

# Poor access to skills

Local skills shortages can hinder the capacity of the precinct to innovate and scale.

# Poor place-making and connectivity

Insufficient amenity, inadequate public transport and poor tenant infrastructure will reduce the attractiveness of the precinct to employers, workers and startups.

# Restrictive regulation and a lack of policy support and coordination

Policies and long-term funding decisions of stakeholders may not support the new technologies, emerging business models and changing demand for skills that are central to successful precincts. Planning regulations can create financial or bureaucratic impediments to zoning land to support mixed uses, while poor IP regulations can restrict knowledge sharing and have a negative impact on innovation activity in the economy.

# **NSW** innovation precincts

A broad-range of place-based innovation activity is occurring across NSW in a range of sectors including healthcare, scientific instruments, financial and business services, biopharmaceuticals, defence, software and communications, agtech, engineering and creative industries. These innovation locations span different scales – from a single building to a cluster of affiliated locations to an innovation corridor defined by the opportunities and characteristics of the location. A number of them are developing into innovation precincts where research and business collaborations are attracting capital and fostering further innovation.

# Drawing on international research, precincts developing in NSW can be broadly categorised under four typologies:

- 1 Health and education innovation precincts
- 2 Innovation precincts around universities
- 3 Innovation precincts around a major asset
- Inner city innovation locations

In NSW, health and education innovation precincts are developing around some of the major research hospitals and universities, including the Randwick Health and Education Precincts, the Westmead Health and Education Precinct. These have built an active network of medical research institutions, ancillary facilities and a mix of complementary industry tenants. The Greater Sydney Commission's A Metropolis of Three Cities also identified additional health and education precincts for future expansion.

Innovation precincts are developing around universities in NSW, including regional precincts around the University of New England in Armidale and the Charles Sturt University campuses in Bathurst and Wagga Wagga. These innovation precincts are leveraging their research strengths and assets to attract business and investment across a range of disciplines that include digital technology, biotechnology, agricultural technology, and creative industries.

Specialist precincts are emerging in NSW around major assets to leverage the large public investment and access to supply chains. These include the Australian Nuclear Science and Technology Organisation (ANSTO) precinct in applied nuclear science and technology, the emerging precinct around the Williamtown Aerospace Centre near Newcastle for aerospace and defence, and the GATE in Orange that is designed to develop agtech ideas and fast-track the adoption of agricultural R&D.

Innovation precincts are developing in inner city locations around the Sydney CBD including the Sydney Startup Hub, Central to Eveleigh and in North Sydney to take advantage of the growing entrepreneurial and innovation activity in digital and financial technology. The large mix of creative talent has also created a dense innovation corridor of creative industries across Surry Hills, Redfern (including Australian Technology Park) and Moore Park.

Two innovation precincts are also proposed close to the future Western Sydney Airport to leverage its links to global supply chains and access to new export partners: the Western Sydney Aerospace and Defence Industries Precinct; and Luddenham Science Park, with a focus on advanced science, technology, engineering and maths (STEM) research and development.

# The role of stakeholders

forces and the preferences of workers and businesses, between institutions, industry, entrepreneurs, investors and land owners. Pro-innovation government policies, and relies on effective governance and collaboration egulations and planning settings are also needed to Precinct development is driven primarily by market create the right environment

# nstitutions, businesses and entrepreneurs

and appetite to catalyse innovation activity and act as and coordinator of precincts as they provide the scale nospitals and defence facilities are often the catalyst nstitutions such as universities, research-intensive anchors to attract and retain talent and capital

he vision, enthusiasm and risk-taking appetite that are and knowledge sharing opportunities and can further connect the precinct to the broader supply chain of connected businesses, while entrepreneurs provide nnovation businesses provide important network mportant ingredients in an innovation precinct

# nvestors, accelerators and incubators and real estate partners

and are critical to the success of an innovation precinct estate developers are increasingly acting to facilitate orograms also support early stage firm development and process innovations. Accelerator and incubator nvestors provide the capital and expertise needed and the innovation ecosystem more broadly. Real to finance ventures that commercialise product and foster innovation precincts.

# The role of government

development, and policies that facilitate the attraction provide incentives for universities to collaborate more promote and brand a precinct and, where appropriate, of skilled workers and protect IP. As the major funder esearchers working there. Governments provide the microeconomic and tax policies to support business government can play a role in community leadership of universities, the Australian Government can also effectively with industry and the community. Local and land use planning and regulation. It can help The activity of a precinct and its level of success he businesses, institutions, entrepreneurs and co-locate staff and facilities within a precinct and sustainability will ultimately be driven by

also assist in bringing stakeholders together to assess planning, infrastructure and program levers that can shape and foster precinct development, particularly egulatory and business climate that supports firm when well-coordinated across portfolios. They can State governments are instrumental in creating a growth and economic activity. They also control opportunities and foster collaboration

development of major facilities, such as the significant Health and Education Precinct, Westmead Health and factors and priority actions, coordinating government State governments have a leadership role in precinct programs and working with stakeholders helps such Education Precinct and the Western Sydney Airport. development at the point of making catalytic public nfrastructure investment to support the Randwick the innovation landscape. These can include the A proactive approach to identifying key success efforts to drive the development of a successful nvestments that have the potential to change nnovation precinct

development in NSW. It is not a government strategy, This report provides a basis for understanding the success factors for globally recognised precincts that could be used to support successful precinct nor an assessment of the potential of existing or planned innovation precincts in NSW

encourages stakeholders to use the information in this report as a starting point for their own assessments of the strengths, weaknesses and opportunities for The NSW Innovation and Productivity Council individual innovation precincts in NSW. Public or private support for innovation precincts ought erm and coordinated with the activities of other major to be assessed on a case-by-case basis, proportional to the market opportunity, sustained over the longer stakeholders and the wider innovation economy

# Next steps

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**Executive summary** 

# Introduction

This report provides a review of the drivers, benefits and common barriers to successful innovation precincts. It is based on a review of international experience and informed by local stakeholder consultations. It builds on work already published by the NSW Innovation and Productivity Council on

# The innovation economy and innovation precincts

The speed of technological change together with growing global integration and competition has significantly increased innovation activity. An 'innovation economy' is emerging rapidly as a new generation of technologies, combined with smart enterprise models and investment capital, transform both established and emerging industries. This economy depends on a strong and connected 'innovation ecosystem' of firms, institutions, customers, infrastructure, supply chains, labour markets and investment systems to drive business creation, capitalisation, and growth.

A new generation of technology-powered industries and firms that rely on proximity to markets as well as a talent pool that prefers urban locations and lifestyles is leading to a concentration of innovation activity in geographic areas.

Although technology increasingly enables work to be done remotely, innovation is supported by face-to-face collaborations. This has led businesses and institutions to co-locate to share knowledge, services and infrastructure. When such locations start to gain economic momentum they come to be known as innovation hubs, clusters, or districts. In Australia, these large innovation locations are generally referred to as 'innovation precincts' (Chapter 1).

# Growing interest in innovation precincts

Firms are attracted to innovation precincts because they offer access to skilled workers and knowledge-sharing opportunities. Businesses, workers, entrepreneurs, researchers, students, and investors gain advantages from the proximity and interaction that precincts make possible. Collaborators such as universities, hospitals and other anchor institutions help to create dynamic working environments that are attractive to investors and skilled workers.

Governments seek to foster precincts because they can support industries, firms, workers and places to embrace economic transition and enterprise opportunity, and deliver economic benefits through new knowledge-intensive jobs and improved economic resilience.

Precincts can play a key role in increasing the visibility of the local innovation economy, supporting the branding of specific clusters of expertise and signalling investment or trade opportunities to markets.

# The international experience

Studies of globally recognised precincts show that successful precincts can have a positive impact on local and national economies. Globally recognised precincts are distinguished from smaller clusters of innovating businesses by the degree of this impact. The most significant innovation precincts translate science and discovery into leading patents, new processes or products for multiple industries and increase internationally-traded IP and new innovations that disrupt whole industries.

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the innovation economy.

# The NSW context

(Chapter 5), but there is no single agency responsible for whole-of-government Innovation Strategy, Jobs for NSW, by multiple agencies under related strategies such as its support for innovation precincts is shaped by a range of ncluding support for SMEs, startups and entrepreneurs. A Metropolis of Three Cities, Future Transport 2056 and the NSW State Infrastructure Strategy. A range of NSW policy drivers and a suite of targeted actions delivered precinct development and support. NSW Government participants within the broader innovation ecosystem Government programs and services also support key There is a significant body of government-supported where there is a net benefit to the NSW community, nnovation activity across NSW, and a number of nnovation precincts developing in key locations

Not all precincts are successful or deliver such tangible

ndustry and startups that include student internships,

co-location of universities and research institutes,

collaborative research projects and student startups.

that there are multiple factors needed to drive success

Chapter 3), and that work to inhibit the precinct

now these factors might shape the opportunities and

commercial potential of NSW precincts.

Chapter 4) shows the importance of understanding

benefits. Review of the international literature shows

This report aims to provide a shared understanding of to guide the efforts of government, industry, research the success factors of globally recognised precincts. and other stakeholders (Chapter 6) in developing the emerging innovation locations in NSW.

# Report overview

phenomenon of innovation precincts, their multiple ypes and formats, and their different stages of Chapter 1 provides global context on the evolution and maturity.

successful precincts across a range of indicators Chapter 2 details the potential benefits from

recognised precincts, and identifies seven distinct Chapter 3 examines the ingredients of globally factors for success.

of precinct projects, and illustrates some of the factors Chapter 4 looks at the common reasons for the failure hat can impede precinct development:

Chapter 5 observes four broad types of innovation precinct that are emerging in NSW, and maps the developing and proposed innovation precincts across NSW.

essential to the success of precincts and their capacity to maintain their competitiveness through multiple Chapter 6 identifies the key stakeholders that are economic and political cycles

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Introduction

nore optimal use of land and buildings. They can also

development and retention, urban restructuring and

support education and skill development through the

disposable income, deepening of supply chains, talent

spillover benefits (Chapter 2) - including increased

a diversified economy to deliver multiplier and

economic transition to advanced sectors and support

Precincts seem to offer a means to accelerate



# 7

# What are innovation precincts?

Large innovation locations that offer quality facilities and host productive collaborations between firms, researchers, investors and entrepreneurs have been identified since the late 1990s.

nnovation precincts can take a variety of forms – from an agglomeration of innovative activity around a significant research-intensive hospital or university in a single building that hosts a density of startups, entrepreneurs and investors. These geographic concentrations of economic and innovative activity can go by different names. The term 'innovation precinct' is widely used in Australia, while 'innovation district,' hub', or 'cluster' are more commonly used nternationally, but the underlying concept and rationale s the same. The Brookings Institution defines these ocations as:

[geographic areas] where leading-edge anchor institutions and companies cluster and connect with start-ups, business incubators, and accelerators. They are also physically compact, transit-accessible, and technically-wired and offer mixed use housing, office, and retail."

An innovation precinct is distinguished from other innovation locations by the intensity and scale of its on-site collaboration, productivity and positioning in the global market, and the brand visibility it gives its economic activities. A precinct is not simply a small group of companies in the same location, a place that policy makers designate as innovative, or a speculative real estate 'play,' although these sites may later develop into innovation precincts with the right conditions.

Varied use of the terms 'innovation' and 'precinct' is widespread in Australian policy, planning and placemaking literature. 'Innovation precinct' is sometimes interchanged with related terms to refer to the same or similar concepts. Jobs for NSW refers to 'innovation clusters', while the Greater Sydney Commission refers to 'Health and Education Precincts' and 'Collaboration Areas'³. Some terms are used to refer to particular initiatives or highlight a specific place for focus, such as 'priority precinct'.⁴

A full range of innovation activities and locations is economically critical – whether in the form of a single company improving its products and services, a group of businesses collaborating to commercialise a new invention or a larger cluster of complementary services located in proximity to each other that are collectively advancing an industry.

Some place-based innovation terms refer to these different types of economically important innovation locations that are not in themselves innovation precincts. These include startup 'hubs', 'collaboration areas', 'creative, arts and cultural precincts', 'research and science zones' and 'advanced industry areas'. While such locations may naturally seek to expand their activities, not every innovation location will grow to become an innovation precinct, and not every precinct will achieve economic significance.

# **1.2** Emergence of innovation precincts

The re-urbanisation of innovation is a phenomenon that has been observed in many countries around the world.

Over the last 25 years, many companies that participated in earlier cycles of innovation that were located in suburban or out-of-town locations such as science and technology parks have begun the process of re-locating some, or all, of their functions in more accessible, dense and amenity-rich urban environments. At the same time most new companies operating in global sectors, and the talent that they depend on, prefer the proximity, connectivity, profile and market access that is available near urban centres.

Innovation precincts have emerged where businesses and entrepreneurs are responding to market pressures to be more competitive by making links with local research organisations and venture capital to pursue market opportunities. These links usually require proximity and collaboration between multiple firms and knowledge institutions as well as enabling regulatory environment and an entrepreneurial working culture.

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# 1.2 Emergence of innovation precincts continued

The genesis and development of precincts varies between locations. Many emerge organically in low-cost or under-utilised locations that further develop to improve the amenities and quality of the place, or from commercial activity associated with research efforts in universities and medical institutions. Precincts can also be deliberately developed through government support and investment, particularly when a catalytic government investment creates a new market opportunity for large-scale, place-based agglomeration, collaboration and innovation.

Most economically successful cities will usually have several types of innovation precincts at different stages of development and maturity, supported by a strong innovation economy.

# **1.5**Types of innovation precincts

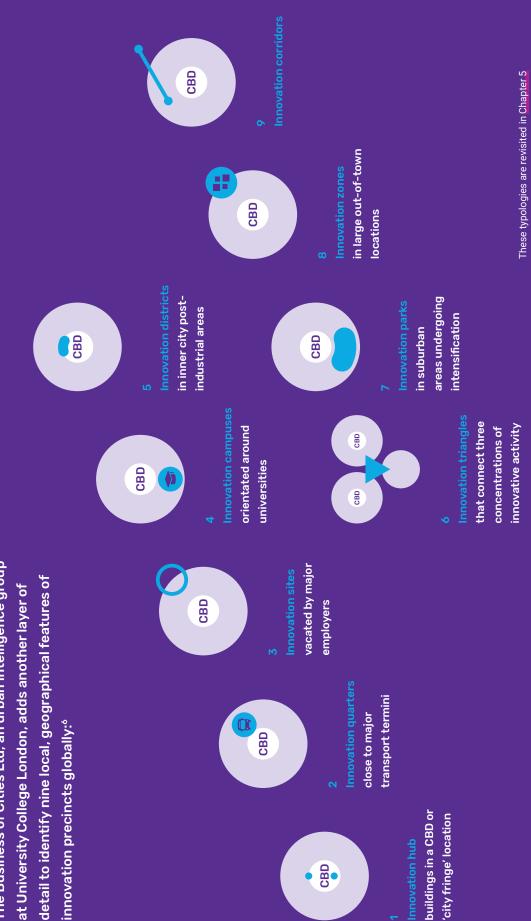
While the locations, types, scales and formats of innovation precincts vary, precincts can still be sensibly classified to reflect their emergence and key features. Such classifications are helpful for understanding how a particular innovation precinct emerged and what might be the best way to support its future development.

The Brookings Institution is a globally well-regarded knowledge source on innovation precincts that describes three broad models for innovation precincts:5

- 1 Anchor Plus innovation precincts centred around major anchor institutions, such as universities, hospitals and large corporates that catalyses and attracts a rich base of related firms, entrepreneurs and spin-off companies involved in the commercialisation of innovation.
- 2 Reimagined Urban Areas existing urban areas are undergoing a physical and/or economic change to become more innovative. These areas are typically well served by transport, have an element of heritage building stock and are in close proximity to a high-rent CBD.
- 3 Urbanised Science Park innovation precincts in suburban and outer-metro contexts where traditionally isolated, sprawling development is incorporating more urban activities and characteristics. This is often occurring through increased density and new activities that are mixed, as opposed to separated (e.g. adding retail, hospitality, services, housing).

1 The evolution of innovation precincts

The Business of Cities Ltd, an urban intelligence group detail to identify nine local, geographical features of at University College London, adds another layer of



as a basis for presenting the range of NSW innovation precincts.

1 The evolution of innovation precincts

#### 1.3.1

### Maturity pathways

As precincts progress along a maturity pathway, their scale, productivity, innovation outputs and economic impact will substantially increase. However, innovation precincts develop, grow and change in various ways and at different rates. Some may even become less prominent over time and their innovation activity and economic outputs may diminish.

Although a precinct's maturity pathway is not always linear, considering where a precinct might sit along that pathway can be a useful way for stakeholders to think about the priority factors to focus on at different stages of development.

The Greater Sydney Commission's A Metropolis of Three Cities maps the typical maturity pathway for health and education precincts, which becomes progressively more complex as the hospitals, medical research institutes and universities in the precinct scale up their commercialisation activity, attract startups and venture capital and diversify to establish an active innovation ecosystem.⁷

The varying levels of precinct development can also be understood in terms of the different features of proposed, emerging, active and globally significant precincts.

#### 1.3.2

### Proposed precincts

Proposed precincts are those that are supported and committed to by a range of stakeholders including government, private and non-government sectors.

They have been publicly announced but are in the early planning stages.

In Sydney, the Bays Precinct has been proposed by the NSW Government as an innovation precinct that makes productive use of the historic White Bay power station and leverages its proximity to the CBD. In Western Sydney, the Western Sydney Aerospace and Defence Industries Precinct has been proposed as a greenfield precinct development, with investment from local, state and federal governments linked to the planned Western Sydney Airport and associated aerospace and defence industries.

These precincts have strong government support and land, but will need the right mix of appropriate infrastructure, participating businesses, research strengths and market drivers to secure wider stakeholder commitment. This includes conducive zoning and planning controls to support mixed-uses, securing investment for the required infrastructure, and attracting anchor institutions and business that will help draw others needed to build a place-based innovation ecosystem.



# Rotterdam Innovation District

Rotterdam Innovation District is an international precinct that has been planned by leading stakeholders in a joint development between the city and the Port Authority. Together they launched the district just west of the city centre and designated it along with Rotterdam Central District as the two strategic locations to explore the opportunities of the next economy. Subsequently, the City and Port have looked to develop the districts through attracting international incubators, relocating education institutions and activating public spaces and cultural infrastructure* while strengthening the wider ecosystem.8

Cultural infrastructure includes permanent buildings and spaces that accommodate or support one or more of the cultural disciplines of visual arts, crafts, media arts, performing arts, heritage, museum, archives, libraries, publishing, sound recording, film, audio visual, radio and television.

16

# 1.3 Types of innovation precincts continued

#### 1.3.3

### **Emerging precincts**

building local networks and collaborative ventures and An emerging precinct is a working innovation location nas support and commitment from key stakeholders that is starting to scale up. It has made progress in for expansion.

own to collaborate with technology providers, business accelerator Sparklabs Cultiv8. Agricultural technology developers can access others' expertise or bring their (GATE) in Orange is a NSW Department of Primary and technology providers, universities and ag-tech services and investors in creating commercialised n NSW, the emerging Global Ag-Tech Ecosystem agricultural research and development. GATE is a collaborative partnership between research ndustries (DPI) initiative to fast-track adoption products for the NSW agricultural sector.

Precinct stakeholders can work together to increase more liveable, attract investment to boost its market stakeholders to support the precinct's development. advantage and establish a recognisable brand and the diversity of its participants, make the precinct A focus for emerging precincts is establishing appropriate governance to bring together key market identity



# **University City Center City**

precincts, the largest institutions, corporates, and civic oodies have yet to fully organise themselves and build grow the clusters, connect startups more effectively shared leadership in order to address place-making with customers, and use procurement to drive local Penn University, Children's Hospital of Philadelphia, Drexel, and Comcast. It has great promise in gene therapy, digital health, energy, chemicals, and new materials. The next challenge is to organise and development and inclusion. Unlike more mature The University City Center City in Philadelphia is a two-square-kilometre precinct that is home to and skills in the precinct and wider area.9

### Active precincts

/ibrant, mixed-use environment that attracts skilled services. It has good enabling infrastructure and a workers and visitors. In NSW, the Randwick Health and Education Precinct and Westmead Health and Education Precinct are often cited as examples of development to commercialise new products and nvestment and actively undertakes research and An active innovation precinct has a recognised entrepreneurialism, access to venture capital identity, a strong culture of collaboration and active precincts

partnerships, takes advantage of opportunities as they A focus for active precincts is to build on the existing ikely to have a formalised governance structure that coordinates efforts to attract new investment and scale and tap into global markets. The precinct is brand and identity of the precinct to increase its arise, and addresses any emerging challenges

# **Globally significant precincts**

strong culture of collaboration and

international partnerships

- significant economic contribution
- sophisticated infrastructure

#### attracts and retains talented workers and businesses respected international brand and reputation significant commercialisation of R&D

sustained international market presence

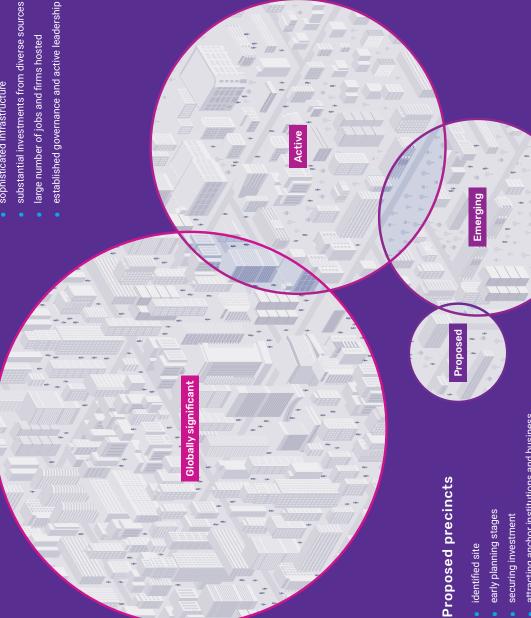
### Active precincts

- increasing its scale and reach
- good enabling infrastructure
- accessing venture capital investment
- attracting new partnerships
- formalised governance structure
- culture of collaboration and entrepreneurialism
- strengthening brand and identity commercialisation of R&D
- vibrant location attracts workers and visitors
- tapping into global markets

### **Emerging precincts**

- starting to scale up
- improving amenities and infrastructure
  - increasing investment
- diversifying participants
- forming appropriate governance
- undertaking collaborative ventures
- establishing identity and brand

# attracting anchor institutions and business commitments from stakeholders



# 1.3 Types of innovation precincts continued

#### 1.3.5

# **Globally recognised precincts**

Significant innovation precincts take years to develop and only a small number will develop into globally recognised centres of innovation.

A globally recognised precinct has a clearly defined market advantage or sector specialisation that is in high demand internationally. Through their success in international markets, they make a substantial contribution to their local economies and are larger in scale than precincts that primarily service domestic or regional markets. This scale can also help foster further international connections and collaborations.

The precinct is supported by strong governance and leadership with a respected brand and connected location that attracts and retains talented workers, businesses and financial investment. It offers sophisticated infrastructure and a strong entrepreneurial culture that supports the commercialisation of research and development. These features are discussed in more detail in Chapter 3.

A given regional economy can only reasonably support a small number of these globally recognised centres.

There are natural local constraints to the size of a sector and its related research capacity.

There are also market conditions that can impact a region's capability to innovate and grow. These are addressed by building (and leveraging) the preconditions of a strong innovation ecosystem –economic, physical and networking assets and a risk-taking enterprise culture that facilitates idea generation and accelerates commercialisation.

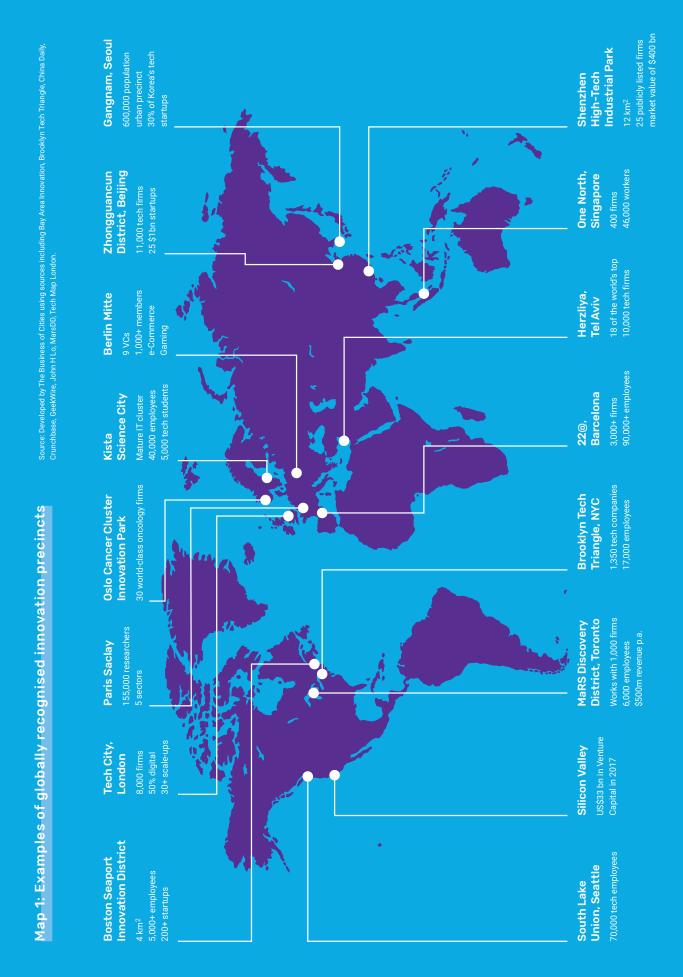
This report makes reference to 16 different globally recognised innovation precincts (Map 1) that are the most commonly cited and assessed in the literature.



### South Lake Union

network and a new power sub-station, helping to attract increased the demand for commercial and hotel space e-commerce, and the arrival of Microsoft and Amazon Today the precinct is a diversified technology precinct The precinct has been managed principally by Vulcan Real Estate, which purchased the majority of the land development cycle, the district diversified into IT and first development cycle, the project was successfully and convened a shared vision for a 'walkable' mixedre-zoned and public investment flowed into the tram with magnetic appeal to highly skilled workers, and use neighbourhood in an urban infill location. In its recognised precinct that is now in its third cycle of development since its formation in the late 1990s. high-profile tenants in life sciences. In the second The South Lake Union in Seattle is a globally flexible spaces for firms of different sizes. 10

1 The evolution of innovation precincts





Globally recognised precincts are shown in international research to deliver significant

oenefits. These precincts are part of

their broader innovation ecosystem, so a strong local innovation economy may

also be driving many of the economic and social benefits attributed to precincts in

the literature. Not all precincts will grow to become internationally significant,

and different precincts will provide

varying levels of return, so any proposal for investment in innovation precincts

ought to be assessed on a case-by-case basis and include consideration of the overall net benefit to the community

and the likelihood of success.

#### 7.7

# Innovation precincts enhance collaboration and commercialisation

Innovating businesses that locate close to one another can build collaborative relationships that can lead to the development of new ideas, new businesses and new jobs.¹¹ In the US and Canada, firms in the biotechnology industry are eight times more innovative when located together.^{12,13} The World Bank's research on scale economies and agglomeration found that proximity is important for entrepreneurs and workers in advanced industrial and service-oriented production to share knowledge and new ideas.¹⁴

Precincts are learning environments within which firms can collaboratively benefit from each other. ¹⁵ In Australia, this collaboration is associated with a 70% increase in the likelihood of new-to-world innovation and a 32% increase in the likelihood of new-to-Australia innovation. ¹⁶ The clustering of industries facilitates the exchange of ideas and information (knowledge spill overs) between businesses, which is shown to play a critical role in increasing levels of innovation, particularly

for new ventures.17



Collaboration is associated with a 70% increase in the likelihood of new-to-world innovation.

#### **2.2** Superior products and services

Successful precincts deliver innovations through new and improved products and services and operational oractices. Higher rates of innovation mean an increased capacity to deliver products and services to market at a reduced cost, which amplifies improvements to consumer experiences and living standards.

High-value, research-oriented sectors such as the applied sciences, creative fields such as industrial design and graphic arts, and specialised, small-batch production such as artisan-oriented manufacturing are among the leaders in the innovation economy for delivering superior services and products. ¹⁸ These have included the internet, smart phones, medical treatments and other ubiquitous innovations that have a direct, day-to-day impact on consumer and community wellbeing.

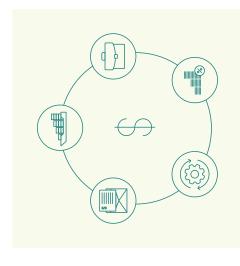


High-value, research-oriented sectors are among the leaders for delivering superior services and products.

### Financial benefits, growth and resilience

The benefits of innovation more broadly include increased job creation, productivity and higher wages, which flow through to governments in the form of increased tax revenue. ¹⁹ The South Lake Union precinct in Seattle, which was developed from a post-industrial site into a high-tech precinct, increased permanent jobs by 63% from 1995 to 2012. ²⁰ Research in Sweden found that startups embedded in innovation precincts generate higher tax payments. ²¹

Successful innovation precincts appear to 'punch above their weight' economically. The top 31 economically significant areas in the UK contributed 20% of the country's Gross Value Add (GVA), but made up only 8% of businesses.²² They are also more resilient to economic downturns. During the 2007-08 recession, 40 international high-tech manufacturing clusters achieved an 11.2% average employment growth rate and 40 knowledge-intensive services clusters achieved a 14.3% average employment growth rate.²³



### Benefits of innovation

Increased job creation

Productivity Higher wages

ncreased tax revenue for

governments

# Greater productivity

output of innovation-intensive sectors in Silicon Valley nad increased 15% from 2005.27 The cumulative GDP 1rms.24 Clustering is also positively and significantly lapan and Canada. 25, 26 In 2015, worker productivity ech businesses located in close proximity to other in Silicon Valley was 1.7 times the US average, and firm-level productivity is shown to increase in highassociated with higher firm productivity in the UK, average productivity and firm growth. In the US, nnovation precincts can maintain higher than

# rose almost 150% from 2010 to 2015.28

in Silicon Valley was 1.7 times In 2015, worker productivity the US average

# Export growth

higher than average export growth. In Wichita USA, the 28% of the city's gross metropolitan product to foreign 40,500 workers employed by the 120 organisations in Successful innovation precincts typically experience countries in 2008, a figure more than two-and-a-half their aircraft cluster helped the region export nearly times higher than the national average. 29 

precinct created five additional Every job in the innovation obs elsewhere

### Jobs growth and higher wages

knowledge-intensive services precincts over a four-year period. This exceeded all European country averages.30 The average employment growth rate in 80 precincts advanced manufacturing precincts and 19.4% in across OECD member countries was 13.5% in

in the surrounding Brooklyn area.31 The Brooklyn Tech Friangle's overall contribution to the economy in 2015 Brooklyn Tech Triangle, compared with a 29% growth From 2009 to 2015, employment grew 87% in the US was estimated to be \$5.3 billion.32

to create five jobs in other sectors.33 With this multiplier In the US, each technology-based job has been shown effect on the economy, the technology industry in the US has grown at a rate 25 times greater than other industry sectors.34

those in the surrounding region.36 A similar experience employed by firms located in the top 31 economically One in seven of the working population in the UK are offer average salaries that are typically higher than significant precincts.35 These precincts collectively is reported in Canada³⁷ and Sweden.³⁸

# 2 Cited benefits of successful innovation precincts

### Social, environmental and cultural benefits

nousing and decreases in amenity. Silicon Valley is an nnovation precincts can be affected by similar social and infrastructure development are needed to protect example of a globally significant precinct with much igher median home values, rental prices and travel invironments, so adequate planning, good design and environmental issues faced by highly urban

The Brookings Institution estimate that 50% of jobs in vages 10% higher than non-STEM jobs in high-growth do not require a bachelor's degree and offer average opportunities for local disadvantaged communities. nnovation precincts that connect local residents to occupations such as health care and IT.40

against reductions in the local availability of affordable imes than surrounding areas.39 employers that are located near low or moderate income areas can offer expanding employment and educational 3TEM-intensive industries found in innovation precincts

power, but only 5% of this workforce comes from the pipeline. Philadelphia's innovation district has a high number of well-paying, middle-skill occupations and surrounding disadvantaged areas, despite a quarter However active efforts are needed to engage local of adults in these communities having vocational residents and build this strong and diverse talent a concentration of institutions with strong hiring training qualifications.41

Well-planned precincts can help curtail urban sprawl by increasing residential and employment densities in well-connected and accessible spaces with good to set ambitious built environment performance New innovation precincts provide opportunities public transport and high-quality open space.⁴² standards and 'good design' objectives, an area of focus in recent NSW planning reforms.43

environment.44 This included planning for the ultimate 22@ Barcelona in Catalonia, Spain developed from an old industrial area to create a dynamic business area, incorporating social housing, cultural infrastructure and green spaces in a highly urbanised, densified 114,000 m² of public open space areas to create a high level of urban and environmental amenity creation of 4,000 subsidised housing units and to foster a high-value cultural sector.45

The Boston Waterfront innovation district resulted from he Big Dig project to tear down and bury key highways. Precincts located in refurbished, underused brownfield broader city and metropolis to create a vibrant creative sites and old industrial buildings in urban settings that precinct, improving the workability, liveability and built environment for the local area.46 Active support of the ocal artist community through cultural programming oster cultural infrastructure can bring local benefits. such as exhibitions, events and workshops created This re-connected the Boston waterfront to the a vibrant, creative centre. 47

shown to provide diverse and wide-ranging benefits Cities and communities that foster strong creative industries and a vibrant cultural sector have been rom positive health impacts, to cognitive and behaviour gains.48

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supported by pro-productivity

regulatory settings.

and financial investment,

within a well-functioning innovation environment and good government. Innovation precincts take time to develop and need to be situated ecosystem, which relies on an open, competitive regulatory

hat have emerged in strong innovation economies, each made Analysis of the global literature and review of individual case studies finds seven distinct features of successful precincts up of a set of fundamental characteristics.

sectors or precinct types - for instance, life sciences or advanced manufacturing precincts will have different spatial, infrastructure Some of these 'success factors' are more relevant to particular and intellectual property needs to digital media or fintech hubs. The importance of each success factor to a specific precinct will also depend on its unique place-based characteristics, scale, sector, typology and level of development. 49

#### globally significant Seven factors for precincts

Competitive

Market drivers

advantage

#### and retain talented workers strong branding to attract communicated through Clearly defined market specialisation that is advantage or sector for the goods or services; Strong market demand

reliability of the jurisdictional sector to innovate; access to markets, skills and investors; legal and IP protections and competitive pressure in the the competitive regulatory for a well-functioning environment needed innovation economy. Defined market advantage

Macro-economic factors

Clusters of skills and talent

Talent attraction and retention Branding and positioning

Supportive legal and P framework

Strong industry and investment base

Access to funding and finance Access to knowledge and research institutions

Characteristics

3 Factors for success

Supportive governance

Culture of entrepreneurship

Liveability and sense of place

Digital and specialist

infrastructure

Commercial partnerships

Collaboration

Active networking

Characteristics

Social interaction

and inclusion

Transport infrastructure

and risk-taking

Precinct leadership

Shared vision

Mentorship and support

Different businesses

and people

Vibrant mix of uses

Sustainability

Maintenance of affordable

commercial rents

services and amenities

Flexible facilities,

Housing choice

Political commitment

and support

Anchor institution

3 Factors for success

### Collaboration

globally significant Seven factors for

precincts

support collaboration between social 'collisions' through to commercial frameworks for Facilities and programs to from spaces for informal diverse organisations – joint ventures.

### Infrastructure

Physical, transport and digital infrastructure that supports research, innovation activity and business connectivity within and outside of the precinct.

#### Ŋ

Amenity

that provide ancillary services participants in the innovation use planning regulations and location that attracts people It offers a sense of place for ecosystem and the workers to work, play and live there. well-designed local cultural flexible and adaptive land and is underpinned by A vibrant and liveable infrastructure.

of risk-taking, collaboration programs and a diversity of organisations and workers, is supported by mentoring of the anchor institution.

and sharing ideas. This culture and is influenced by the culture Strong entrepreneurial culture

strong leadership,

**Enterprise culture** 

### Robust governance,

#### political commitment and a shared vision.



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### Leadership

# Market drivers

The market drivers for precincts are the competitive pressures access to mobile international talent, a base of investors, markets, the presence of a talented local workforce and to innovate, the proximity of the precinct to important a supportive legal and IP framework, and access to collaborative knowledge and research institutions.

# A successful precinct has:

- strong market demand for the products or services precinct to achieve scale, or even dominance, in a that the precinct provides, and this enables the specific set of technology
- market willing to embrace innovative technologies buyers of innovative products and a public sector good access to markets, sizeable institutional
- an available skilled local workforce pool
- an understanding of the specific needs of innovative access to legal counsel and patent attorneys with businesses who can work in collaboration with venture capital firms

- access to a local base of investors with an appetite for higher risk investments
- innovative finance streams are available that support growth without straining existing operations
- strong networks with universities and research institutions that have an embedded culture of collaboration, ongoing investment in research and strengths in commercialising research
- that support a culture of entrepreneurship and pro-enterprise and pro-productivity policies trusted partnerships between government, businesses and research



### Silicon Valley

sustomers creating demand for electronic products, a highly open labour demand drivers. The cluster benefited from the proximity to large federal narket, unique pools of specialised graduate and entrepreneurial talent, enture capitalists, a culture of cooperation and informality, and access a supportive immigration policy, a critical mass of angel investors and silicon Valley in the US is an innovation precinct with very strong to top-class facilities.50

# Supportive legal and IP framework

where businesses work flexibly with external partners.⁵² property (IP) can support entrepreneurship, creativity an understanding of the specific needs of innovative ousinesses and who can work in collaboration with enture capital firms, for example 'open innovation" access to legal counsel and patent attorneys with and risk taking.51 Successful precincts also have Regulations and policies that protect intellectual

Open innovation refers to the flow of ideas and knowledge across business boundaries.

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#### 3.1.2

#### Strong industry and nvestment base

products, a public sector willing to embrace innovative echnologies and solutions and a developed volunteer become successful. Its predominant industry sectors A precinct relies on critical market pre-conditions to need established value chains, clear opportunities oase of test markets and clinical trials. 54 Particular nnovation. 53 Businesses within the precinct need sectors may also need proximity to downstream nanufacturing processes for critical products.55 for growth and competitive pressures that drive proximity to a range of markets, including end consumers, institutional buyers of innovation

complementary businesses and services. An influential markets within the city and the region more broadly.57 Precincts can also become attractive locations when employers are complex and include consideration of factor is often the size of the supplier and consumer business district. Startups in particular are drawn to the higher rental costs of more premium innovation ocations with lower cost floor space, and may find cost, space, existing labour market concentrations, hey are outside of an established high-rent central in locating in the precinct. Locational strategies of The right businesses must see a clear advantage nward investment strategies56 and proximity to precincts to be cost prohibitive.58

#### 3.1.3

# Access to funding and finance

Sweden, and \$26 in the UK, Canada, and New Zealand.60 compared to \$100 in the US, \$46 in South Korea, \$33 in Australia lags internationally on this type of investment, to invest in higher risk activities, is needed to support ending, and a local base of investors with the desire Access to seed and venture capital and commercial risk capital can limit the formation of new startups. the creation and expansion of innovative firms and with approximately \$12 of angel funding per capita, promising startups in the precinct. 59 Lack of high-

tools, such as leveraging city-owned assets, can support absence of other direct government funding.⁶² Cities can provide their land to the types of tenants that strengthen innovation ecosystems but are not placed to pay market on existing and limited resources. 61 Creative financing help their businesses to grow without putting a strain Most innovation precincts need finance streams that the growth of innovation precincts, particularly in the innovation centres, training and meeting spaces.63 rents, for example to create maker spaces, public

epurpose land and buildings in the Cortex technology developments. They have been used to renovate and communities provide credit against federal income district in St Louis, which was founded in 2002 as esearch, development and commercialisation.64 in the US, New Market Tax Credits to incentivise revitalisation of low-income and disadvantaged an innovation hub of bioscience and technology The tax credits helped to develop the area into axes for qualified investments in community a thriving innovation precinct

#### 3.1.4

### Access to knowledge and research institutions

a genuine culture of collaboration, continual investment networks) can stimulate innovation as long as there is in research, a financial incentive to commercialise and these institutions (within the precinct or through other universities and private and public R&D organisations universities, and many locations with universities that are not precincts. However, linking businesses with are sources of talent, knowledge and ideas. There are many successful precincts that do not host an overarching system of entrepreneurship.65 Knowledge and research institutions such as

#### 3.1.5

# Macro-economic factors

Consistent, long-term, pro-enterprise and pro-productivity egulation can foster a culture of entrepreneurship that commercialisation. It can also reduce the compliance incentivises research institutions to actively pursue time and cost burden on innovative businesses

Policies that attract and retain talent in the context of firms and skilled workers ensure innovation precincts global competition between markets for high value have access to the skills needed to succeed

3 Factors for success

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### **3.2** Competitive advantage

The competitive advantage for precincts is anchored to their unique place-based characteristics that are driven by market and institutional strengths. This is communicated through effective branding and positioning, and other market signals.



### Tech City ———

London's Tech City is an innovation precinct that has established a position as a highly competitive hub for technology that builds on the city's strengths in finance, IT, media, advertising, fashion, architecture, engineering, and software. The precinct grew organically and fed off London's large artistic and digitally literate workforce – subsequently it has been successfully promoted by City Hall and the national government, with the support of an investment promotion agency that works to grow

mechanisms for attracting and retaining talent and

businesses and individuals who see it as a

profitable and desirable place to work

leveraged the core regional economic and

institutional strengths

a continued flow of skilled labour and upskilling of

existing workers

a compelling brand identity that conveys the precinct's defined competitive advantage and

shared vision

ooth the local and national ecosystem.66

#### 3

# Defined market advantage

Market advantages of successful precincts are varied and can range from onsite specialised infrastructure (e.g. high-tech, unique and expensive medical equipment) to climatic conditions conducive to specific sector innovation (e.g. solar power, agriculture) to an established legacy of local innovation (post-industrial locations). The definable market advantage of the precinct is front and centre in business decisionmaking by successful innovation precincts.

#### 3.2.2

# Cluster of skills and talent

Close proximity of businesses, relevant institutions such as universities and research-intensive hospitals and people within a defined area in ways that support collaboration and networks is central to the very definition of innovation precincts. It is the underlying principle by which co-working spaces and startup hubs such as Sydney's Fishburners and Tank Stream Labs operate. High startup density is a feature of successful innovation precincts⁶⁷, but this approach also applies to research outputs – an analysis of over 35,000 research articles found that researchers that are located closer to one another cited each other's works more frequently.⁶⁸

Clustering of like businesses and jobs may emerge organically over a long period, but it can happen relatively quickly: the Brooklyn Tech Triangle hosted a 22% increase in the number of innovation companies and a 45% increase in the number of innovation-related employees in just three years.⁶⁹

#### 3.2.1

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3 Factors for success

and opportunities

leveraged their unique place-based characteristics

A successful precinct has:

# 3.2 Competitive advantage continued

Access to a skilled workforce and emerging talent (students, graduates, post-graduates and startups) that can perform the jobs within the precinct is fundamental⁷⁰ and should be supported by policies for skilled migration and work visas to address local skill gaps.

#### 2.3

# Talent attraction and retention

Successful precincts make efforts to establish and maintain a talented workforce through the attraction, retention and professional development of skilled workers and businesses. These activities are what can differentiate successful from unsuccessful precincts in seemingly identical locations within the same city, region or country.⁷¹

Campaigns to entice businesses and individuals with specific specialisations can give precincts a critical competitive edge. ¹² The US South Lake Union precinct attracted anchor giant Amazon to move to the area through a concentrated strategy, which further attracted other businesses and people: We love being next to Amazon. They are to South Lake Union and Seattle what Microsoft was to Redmond and the Eastside in the 1990s. They attract a lot of talent. Talent begets talent. ⁷³

Retention of key businesses, skilled workers and university graduates that supply a renewable source of human capital is equally important. Long periods of growing a strong pool of talent can be reversed if key businesses or individuals are lost.74

Developing talent in situ is critical to the core mission, sustained growth and competitive positioning of an innovation precinct.⁷⁵ This includes increasing people's entrepreneurial capacity as well as catalysing spin-offs and startups that are dedicated to the commercialisation of ideas⁷⁵ and can create a feeder system of STEM workers with skills needed in other innovative sectors.

#### 2.4

# **Branding and positioning**

Branding and market positioning gives the precinct visibility' and provides 'market signalling' benefits to precinct enterprises, investors and workers. A strong precinct brand can communicate a new and exciting model of economic activity, attracting talent to consider new areas that may have otherwise been off the radar, and motivating companies and investors from inside and outside the region to participate.



### 22@ Barcelona

22@ Barcelona in Spain has a strong brand and articulated vision and is one of the most well-known innovation precincts in the world, with a competitive advantage in digital and mobile communication technologies. The city was selected as the 'Mobile World Capital', beating a number of other competing cities, and hosts the Mobile World Congress which brought more than 110,000 visitors to the city in 2017.77

A compelling brand that draws on the precinct's shared vision for growth and defined competitive advantage is particularly valuable for suburban innovation park typologies whose location may not appear as attractive as 'downtown' or urban locations.78

### 3 Factors for success



### Collaboration

through to commercial frameworks that support joint ventures Successful precincts have the right facilities and programs organisations – from spaces for informal social 'collisions' to encourage collaboration between diverse people and

# A successful precinct has:

- resource-sharing arrangements and shared physical spaces that provide opportunity for both competing and complementary firms to interact in the precinct
- collaboration initiatives that encourage precinct frequent informal and formal networking and participants to build relationships
- strong partnerships between industry and academia creating shared IP and commercialised research
- robust culture of collaboration, openness and ideasharing that delivers commercialisation outcomes.

#### 3.3.1

### Active networking

encourage informal meet-ups and ad hoc networking nterpersonal interactions and relationships are the basis of idea exchanges and formal collaborations. Successful precincts provide shared spaces that as well as programmed initiatives and events.

33% of top-performing startup companies in New York Mentoring programs can also be used to great effect: were created by founders that had mentoring from a highly successful entrepreneur.79

#### 3.3.2

# Commercial partnerships

sources of talent, knowledge and technical and subject matter expertise for the precinct business community Research, health and education institutions are major to draw on. Connecting business workers to research can drive collaborative innovations where there is and education staff through formal partnerships a strong focus on IP management and research commercialisation Institutions can also provide training programs to build the innovative capital within the precinct and the wider innovation ecosystem

# MaRS Discovery District

participate in a dense clustering process that has involved tactical relocations of R&D other stakeholders across multiple political cycles to commercialise publicly funded unctions, reconfiguring real estate assets, and increasing interaction with research and entrepreneurship. A non-profit corporation established in 2000 has acted as a partnership vehicle to engage multiple tiers of government, capital providers and n Toronto, MaRS Discovery District's success over the past 15 years owes itself to the collaboration between medical institutions that have deliberately opted to medical research and other technologies. 80 

#### 3.3.3

#### Culture

been attributed to its 'freewheeling', networked-based of collaboration by encouraging the sharing of ideas markets, a high degree of informal communications a strong culture of cooperation rather than secrecy, and capabilities. The success of Silicon Valley has economic system, supported by more open labour Successful innovation precincts support a culture and greater commercial flexibility A culture of 'collaborate to compete' amongst aspiring and successful entrepreneurs can deliver major benefits to startups and their host precinct

# **3.4** Infrastructure

Whether innovation precincts are in dense urban centres hosting digital media and software companies, or in space-hungry greenfield locations specialising in clean tech and pharmaceuticals, quality physical and digital infrastructure is essential to precinct success. They have good transport to/from and within the precinct, digital or specialist infrastructure and other high-quality amenities that support connectivity.

# A successful precinct has:

- high-quality transport infrastructure for public and active transport
- fast, reliable, secure and high-bandwidth digital infrastructure
- access to advanced technology and equipment
- flexible building design with adaptable spaces, open floor plans and accessible ground floor spaces where the precinct activities can be visible to the public
- access to affordable commercial rents to attract and retain startups, incubators and accelerators
- specialist infrastructure where needed, such as specific energy provisions for large tech companies or unique water provisions for manufacturing purposes
- high-quality civic, community and cultural spaces
- flexible and adaptive land use planning



The emergence of Stockholm's large innovation and lifestyle precinct, Södermalm, has benefited from multiple kinds of physical infrastructure investment. A municipally owned, dark fibre infrastructure provider, Stokab helped to lower network costs, expand superfast access to SMEs and create opportunities for smart interventions in the urban environment. In addition, the precinct has witnessed rapid roll-out of bicycle infrastructure and public spaces, while the metro stop at the innovative epicentre is just four stops from Central Station and three from most government offices.⁸¹

#### 3.4.1

# Digital and specialist infrastructure

The high rate of technological change in the market makes investment in technologically enhanced facilities critical for successful place-based innovation.

High-quality telecommunications, IT platforms, wifi infrastructure and advanced technologies provide a platform for R&D, innovation, product development and prototyping. They can also connect individuals and businesses within a precinct, serving as 'networking assets'82 for cross-pollination of ideas across different sectors.

### 3.4 Infrastructure continued

Some precincts need specialist infrastructure and set up systems to leverage onsite infrastructure, to reduce startup or experimentation costs.⁸³ Cost-prohibitive specialist technologies can be accessed by multiple parties through workspaces, shared laboratories, and technology centres. London's Crick Institute has 14 different analytical and diagnostic platforms that can be used by members, ranging from genomic analysis to spectrometry.⁸⁴ Other precincts have specific utility needs that need to be built in, for example, special energy provisions to support large tech companies or unique water provisions for manufacturing purposes.

#### 4.2

# **Transport infrastructure**

Infrastructure for public transport (heavy rail, light rail buses and ferries) and active transport (pedestrianfriendly streets, connected footpaths and bike paths) connects a precinct internally and out to the region.

Transport connectivity is fundamental to making the precinct an attractive location for people to work. It can also facilitate better and more productive interactions between people and firms inside and outside the precinct.

### Brooklyn Tech Triangle

The Brooklyn Tech Triangle covers the commercial and office-dominated Downtown Brooklyn, industrial park Brooklyn Navy Yard, and technology-focused DUMBO and serves as a mega-cluster of multi-agency, multi-sector collaboration. It actively improved transit, pedestrian and bicycle facilities to improve liveability and connections within the precinct.

These improvements saw the bus service and bike connections expanded within the triangle and the introduction of a new citywide ferry service to link to other emerging innovation hubs.⁸⁵

#### 4.3

# Flexible facilities, services and amenities

Flexible, open and networked spaces – both within offices and more broadly in the public areas of a precinct – all support collaboration.⁸⁶ Both Facebook and Google work in 'hackable buildings' with open floor plans that are easily reconfigured to create dense, collaborative spaces as required for teams and projects.⁸⁷

Real estate providers that act as a service provider, as opposed to simply asset owners, can support the precinct development by offering support services such as networking, funding and coaching. They can be flexible to accommodate changing tenant needs and changing building layout and access. ⁸⁸ International experience has seen a shift in real estate provider to a culture of transparency, partnerships and mutual incentives with tenants and a total-place approach to attract and sustain startups. ⁸⁹

#### 3.4.4

# Affordable commercial rents

Startup ecosystems can thrive in basic, relatively low-quality office space with cheap rents. As those locations become more popular, rents tend to increase, pushing out the tenants that made it popular in the first place. London's 'Silicon Roundabout' began around a major traffic interchange but the subsequent upgrade and marketing of the area increased rents, driving many firms out.³⁰ Precincts that maintain affordable commercial rents as they grow do better at retaining diverse startup and entrepreneurial tenants.

## ☆ **3.5** ↑←∃ Amenity

amenity of a precinct, including investments in a vibrant local place-based innovation. Efforts to improve the liveability and cultural sector, can attract and retain startups, established elements of the regulatory framework needed to support businesses, skilled workers, academics and researchers. Flexible land-use and zoning regulations are important

# A successful precinct has:

- a unique sense of place and offers well-designed, safe and accessible public spaces
- social interaction and a high level of informality a range of concentrated 'hot spots' for and 'trendiness'
- access to affordable, diverse housing for workers and students
- early in the morning to late in the evening and vibrant public and private spaces used from
- cultural, retail, entertainment and potentially a balanced mix of commercial, research education, childcare, community, civic, residential uses
- easy access for people to move through and within it
- flexible land-use regulations to allow high-quality the shifting infrastructure needs of fast-growing a mix of innovative activities and help to meet public space repurposing, artistic events, smaller firms and specific sectors



### Factory Campus

collaborative space to suit small and large firms ('stage agnostic'), spanning more than ive sectors. High-quality audio visual equipment, recording studios, meeting and event anchors an innovation precinct that has excelled for its range and quality of amenity. nonths on-site accommodation. The precinct has benefited from its management's experience in entrepreneurship, community management and event management.91 spaces, fitness centres and art galleries are all integrated, along with options for six The Factory Campus in Berlin is home to SoundCloud's global headquarters and At its heart is a former warehouse brewery re-designed from scratch to create a

#### 3.5.1

# Liveability and sense of place

A sense of place and good liveability are key attractors for precinct members and influence the overall culture of the precinct Successful innovation precincts can be master-planned ntegrated with new purpose-built facilities. This kind New York's Cornell Technion (hospital buildings) and of 'total place' perspective is being taken by precinct buildings or ex-industrial land that has fallen vacant. examples of 'adaptive reuse' of heritage buildings, Boston's Waterfront District (shipyards) are good as new developments or by repurposing existing developers to attract startups. 92, 93

3 Factors for success

### 3.5 Amenity continued

Well-designed public spaces can encourage a sense of community within the precinct and improve the amenity of surrounding land uses including residential and retail.⁹⁴ Good coordination between developers, tenants, institutions and local authorities is needed for these types of precinct property development efforts to be successful.

Liveability enables workers to live near to the precinct, or in some cases actually in it. This includes formal infrastructures and public services such as affordable housing and transport, social services, education, and health care. It also includes privately provided amenities such as shops, restaurants, cafés, bars and other entertainment venues.

#### .5.2

# Social interaction and inclusion

Precincts that allow people to easily move and connect to each other and the surrounding spaces are more active and vibrant.

To support social interactions between employees, some successful precincts provide concentrated 'hot spots' such as bars and cafés to foster collaboration⁹⁵, which can also deliver good returns on investment.⁹⁶

Place-making efforts, along with staff training, recruitment and business development, can cultivate local talent, encourage more diverse ownership structures, and turn the tide on disinvestment in surrounding communities. 97 The flow-on benefits include a strong local skills pool, reduced conflict with residents of the local area and a more vibrant on-site innovation ecosystem.

#### 3.5.3

### Housing choice

Where affordable, diverse housing is offered within precincts it can play an important role in attracting and retaining businesses and workers. Real estate prices can increase in the areas around a successful innovation precinct, changing the demographic mix of employers, employees and local residents. 98, 99 Policies and strategic projects that preserve local housing affordability shore up the long-term growth, diversity and sustainability of an innovation precinct and mitigate negative impacts to surrounding communities. 100

#### 3.5.4

### Vibrant mix of uses

Consumer and worker preferences are shifting toward more urban-oriented environments and more people are placing a high priority on walkability and shorter commutes, proximity to health care, entertainment facilities, cultural infrastructure, schools and social contacts.¹⁰¹

For the 'Millennial' demographic who are central to the innovation workforce, quality of life is more closely associated with proximity to urban amenities such as eateries, retail, cultural, and social venues.¹⁰²

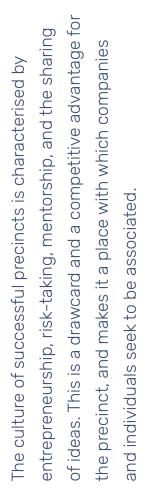
Successful mixed-use precincts are a co-location of commercial, residential, services, childcare, schools and other cultural facilities within the precinct area. High-quality public space repurposing for artistic events, enabled through flexible, adaptive regulations, has been very important in the development of the IDEA district in San Diego.¹⁰³

#### 3.5.5

### Sustainability

Ambitious sustainability goals for the precinct environment can give innovation precincts a point of difference¹⁰⁴ that attracts major corporations, especially those with high corporate sustainability standards.¹⁰⁵ Some successful precincts use onsite renewable energy as their main power source, and are transforming their buildings and surrounding areas to 'living labs' to test environmental technologies and demonstrate new products and services.¹⁰⁶ The precinct topography can also achieve higher sustainability outcomes simply by driving denser residential and employment patterns.

### 3.6 Enterprise culture



# A successful precinct has:

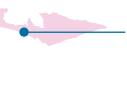
a community that sees it as a desirable place to work

a well-defined identity and is recognised as a place

anchor institutions with collaborative cultures that are well integrated with the surrounding precinct.

for the creation and implementation of ideas a community that accepts some ideas will fail

- a diversity of businesses and individuals within the precinct that regularly and openly collaborate, resulting in commercial ventures
- strong education and skill development aimed at providing future talent and entrepreneurship
- providing ruture tarent and entrepreneurship successful connections between young firms, entrepreneurs, researchers, students, mentors and specialised advisors, increasing business survival rates and the generation of new ideas



#### Herzliya

An embedded culture of risk appetite, acceptance of failure and inter-generational mentorship has underpinned the success of Tel Aviv's main innovation precinct, Herzliya. The technical skillsets of the region's military graduates, the diverse origins of immigrant entrepreneurs and the commitment of American venture capital, all cultivated a pro-innovation mindset and a symbiosis between nimble startups and established firms. In the same vein, the precinct's IDC university engages students as active partners in the education process, and helps to supply innovative solutions to local companies.¹⁰⁷

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3 Factors for success

### 3.6 Enterprise culture continued

#### 3.6.1

### Culture of entrepreneurship and risk-taking

The culture of a productive innovation precinct is distinct from a traditional corporate company in that it encourages risk-taking and accepts a level of failure rather than seeking to avoid it.¹⁰⁸

Successful precincts are supported by mentorship and other programs such as free services (e.g. seminars, legal support, expert advice), accessible and simplified systems for businesses to navigate, and education programs that build up the skills base within the precinct. ¹⁰⁹

Connecting young firms and entrepreneurs to mentors and advisors with specialised expertise can increase firm survival rates.¹¹⁰ Pittsburgh USA recovered from the collapse of the local steel industry in the 1980s by developing successful technology clusters around biotech, pharmaceuticals and information technology. The city's GDP was \$139 billion in 2015.¹¹¹ A state government-established regional technology centre that provides mentoring and support for startups dealing with regulatory barriers is cited as a key reason for this successful transition.¹¹²

#### 3.6.2

# Diverse businesses and people

The culture of a precinct and its occupants can be crucial to attracting the best talent from diverse backgrounds. Precincts with a diverse mix of companies, institutions, startups, not-for-profit organisations, creative enterprise and people of various ages, genders, backgrounds and education, bring new thinking and ideas into the innovation ecosystem. The majority (61%) of Australia's most successful tech startups founded since 2003 were first-generation Australians with migrant parents¹¹³, and 60% of the highly successful startups in the US were founded by first or second-generation Americans.¹¹⁴ Social diversity and cultural infrastructure also adds to the vibrancy of a place.

The Tonsley Innovation District in Adelaide was master planned around the cross-pollination between diverse institutions and firms – the Flinders University and TAFE SA campuses, major established industries including Siemens and Mitsubishi, and startups and small businesses.

#### 3.6.3

### **Anchor institutions**

Anchors are enduring, high-performing organisations that tend to remain in their geographical settings irrespective of changing conditions around them.¹¹⁵ Quality anchors can be key to the success of some innovation precincts, exemplified in 'anchor plus' model precincts.¹¹⁶ They may be institutions (such as universities and hospitals), large companies or government agencies, and in successful cases provide a strong, stable base that can be leveraged to grow a robust innovation precinct.

Anchors can assist in forming cohesive precinct communities in lower-profile suburban precincts and can also lend credibility and knowledge to spin-off enterprises.¹¹⁷ The anchor institutions need to be well integrated within the broader precinct, though this can be challenging where the anchor has market drivers that keep it nearly exclusively focused on its own operation, for example, a university that is primarily concerned with what is taking place within their own campus.¹¹⁸

#### **3.7** Leadership

Innovation precincts are made up of multiple stakeholders with varying resources, priorities and influence. Strong governance and leadership can help establish, shape and drive the precinct and guide interactions between government, the private sector and education institutions. Political leadership also comes in the form of political comes not just in the businesses that are hosted within the precinct but in the way that they are serviced and how the precinct itself is led.

# A successful precinct has:

- a coordinated governance structure and leadership group that meets regularly
- an adaptable governance structure to allow the precinct to grow and change at key stages of development

generally and to the innovation precinct specifically

supportive policy, incentives, regulation and programming that signals a long-term view

to success

a demonstrated political commitment with

cross-government commitment to innovation

transparent, regular and ongoing community and

stakeholder engagement

- a collaborative leadership group that actively builds partnerships between industry, research, education and government stakeholders
- a vision statement that sets out short, medium and long-term economic, physical and social goals, which is used to position the precinct in the market

# Boston Seaport Innovation District —

The Boston Seaport Innovation District was a planned initiative that was a direct result of the vision and leadership of former Mayor Thomas Menino. Menino's team proposed the creation of the district, attracted major tenants and anchors such as accelerator MassChallenge and global firm Vertex, engaged the community, promoted the project, created a wider mix of housing options, and mobilised resources for waterfront infrastructure improvements.¹¹⁹

#### 3.7.1

# Supportive governance framework

A flexible and resilient governance framework guides interactions between precinct members and helps precincts respond and adapt to market opportunities and challenges as they occur. It also provides independence from individual agendas. This is important as there are many dimensions to innovation precincts that require coordination, both within the industry clusters and across the ecosystem of talent and capital, around the shared narrative, and the harmonisation of policy responses at different levels of government and across different government departments.

### 3.7 Leadership continued

This complexity can require a management and governance vehicle that achieves 'buy-in' and is responsive to changing market conditions over the long-term. International examples include HafenCity GmbH, a company established to manage the development of HafenCity in Hamburg, the Boston Redevelopment Authority in Boston, Barcelona Activa in Barcelona and the not-for-profit MaRS Discovery District corporation in Toronto.

Health and Education Precinct, working together under Health and Education Precinct, a Westmead Alliance out stakeholders ought to assess the most effective dentifying challenges and opportunities that affect entity or contractual arrangement between parties, in NSW, three major stakeholders in the Randwick he umbrella of the Greater Sydney Commission's shared vision. A Collaboration Agreement or MoU can be easier than establishing a dedicated legal mechanism for each precinct depending on their Memorandum of Understanding (MoU) aimed at building commitment and consensus towards a Collaboration Area*, are developing a vision and was established by the partners entering into a development of the precinct. At the Westmead unique circumstances One of the challenges of a multi-institutional innovation precinct is to accommodate different voices and build an institutional alliance. Paris Saclay has experienced challenges gaining the support of all participating research universities to re-design curricula and degreeawarding processes, and combine assets. In contrast, the London Knowledge Quarter in Euston has been much more able to create and convene networks that have built a culture of partnership and started to speak with a single unified voice.¹²⁰

#### 3.7.2

### Precinct leadership

A strong leader or leadership group will identify the value proposition of the precinct and the different resources needed for success.¹²¹ They help facilitate partnerships between industry, research, education and government.

Whichever governance model is chosen, it ought to be adequately insulated from politicisation and riskaversion so it can quickly adapt to market needs.⁷²²

#### 3.7.3

### Shared vision

Setting a shared vision that provides actionable guidance for how an innovation precinct should develop in the short, medium and long-term, and covers economic, physical and social goals has proven beneficial for a number of successful innovation precincts. 123

A strong vision that reflects the unique offering of the precinct gives clear guidance to members, local and regional institutions and companies. It also serves to promote the precinct and make a compelling case for investment.¹²⁴ Areas of focus in this vision will be influenced by the maturity of the precinct. For example, a precinct that is just emerging may concentrate its leadership efforts on infrastructure investment and improving amenities while an active precinct may focus on building international connections.

#### 3.7.4

#### Political commitment and support

Innovation precincts are complex and require multiagency collaboration. A successful precinct takes time and patience and long-term political support and commitment is critical.¹²⁵

Pro-innovation policies, incentives, regulation and programs can assist precincts overcome some of the inherent barriers to establishment and growth. For example, zoning guidelines and incentives established to encourage private developers to bring forward flexible, innovation-friendly development, and regulatory frameworks developed to enable the provision of required land and infrastructure can provide the macro-environment preconditions for a precinct to establish and grow.¹²⁶

Political support helps to promote and market precincts and sends a strong market signal, for example when a minister opens a new precinct facility or publicly recognises an important partnership. Government can also help to promote and market their innovation precincts, and champion emerging precincts and provide them with valuable credibility and exposure to potential investors, both domestically and internationally.

*A collaboration area describes a whole-of-government approach to managing places that either hold great potential, or face complex challenges in meeting the demands of urban growth to enhance the liveability, sustainability and productivity of the area through collaboration between local councils, stage agencies and other key stakeholders, facilitated by the Greater Sydney Commission.



43

factors required for an innovation precinct to succeed make them particularly As locations for the creation of new-to-market and new-to-firm innovations, innovation more generally. The complex mix of multiple stakeholders and precincts are affected by the same types of risks and factors that hinder vulnerable to market-based coordination and information failures.

# International research found a number of factors at play in precincts that are not thriving:

#### <del>-</del>

# Weak market demand

Precincts may not have the market drivers needed for them to be economically viable, or there may be little evidence of new economic activity or innovation from businesses locating there. There are also risks when precincts are established primarily because of political will rather than market demand.

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### Barriers to investment and commercialisation

Factors that impact the investment in and commercialisation of R&D will slow innovation activity and the success of precincts. These can include restrictive intellectual property controls, a closed academic culture and a tendency for industry to underinvest in research.

Lack of entrepreneurial culture

# The precinct may not provide quality incubator and accelerator programs or other support needed for precinct participants to interact collaboratively with startups and smaller firms.

#### _

### Poor access to capital

Firms in startup and growth phases may not be able to access enough capital from angel and venture capital investors, standard investment groups or public funding.

#### r.

### Poor access to skills

Local skills shortages can hinder the capacity of the precinct to innovate and scale.

### 9

### Poor place-making

and connectivity

Insufficient amenity, inadequate public transport and poor tenant infrastructure will reduce the attractiveness of the precinct to employers, workers and startups.

#### _

# Lack of policy and coordination

Policies and long-term funding decisions of stakeholders may not support the new technologies, emerging business models and changing demand for skills that are central to successful precincts.

A complex planning system and regulations can create financial or bureaucratic impediments to zoning land to support mixed uses, while poor IP regulations can restrict knowledge sharing and have a negative impact on innovation activity in the economy.

#### 4.

### Policy plays

Weak market

demand

### of planned

Market drivers of planned
precincts have not been
well established
New innovation precincts that have been planned
without an understanding of the real market demand
can falter. A 'build it and they will come' approach may
work in dense cities in need of innovation space, but
needs careful implementation to deliver results as a

n Seville, up-front investment to develop a 215-hectare iverside site for Expo 92 was intended to spark the growth of a futuristic technology precinct. ¹²⁸ The site did not attract interest from office occupiers and eff the city with large debts. Some of the pavilions were dismantled, but many others are still vacant or derelict today. One part of the site eventually became a conventional business park, and another a theme park.

Precinct projects are also at risk when they are driven primarily by real estate developers in their traditional ole as asset owners/managers rather than from an understanding of the foundational requirements of the specific innovation ecosystem in the precinct.

# Innovation precincts that are planned beg

Innovation precincts that are planned because of political considerations, rather than a comprehensive analysis of the demand and innovative activity, will often struggle without broader stakeholder support and a strong value proposition. There are similar issues when an existing area is labelled as innovative for political reasons, when it is not. ¹²⁹ A 2018 review by the Brookings Institution highlights the risk of managing innovation projects from the top down without sufficient understanding of the science and technology involved and the likely demand from the private sector. ¹³⁰

Hong Kong Cyberport was conceived in 1999 by the Hong Kong government as a high-tech campus that would make their technology sector more competitive. However luxury residential takes up 70% of the built space, along with an office complex, retail mall and luxury hotel.¹³¹ It opened in 2002 and has not achieved the level of technology success anticipated¹³², despite significant government grants and support for startups.

The multifunction polis (MFP) in Adelaide, South Australia was proposed as a new city to combine the best technology, energy, health, education and lifestyle in a contained environment. It was never developed because it lacked a defined vision and a compelling economic case. ¹³³ It is estimated that the feasibility and planning of the MFP project cost around \$150 million. ¹³⁴

#### 1.13

# Little evidence of additionality

Some new precincts may attract established firms to relocate there, but not to innovate. The move may boost their performance slightly but without any increase in local jobs. In some cases the relocation can even reduce their staff numbers.

An example of this is partly visible in Turin. The city's Polytechnic University expanded into a new central campus – the "Cittadella Politecnica" – and new curricula were created to persuade large manufacturing investors such as General Motors, Motorola and JAC to set up. Although this has helped technology transfer between business and academia, the overall impact on job creation and retention of large employers in the city has been low.¹³⁵

A precinct may also not host enough on-site innovation activity, even with a quality anchor tenant. The local innovation impact of a tech giant depends on their role in the larger corporation—it matters whether they are a sizable product development team or just the local sales division.

4.1.1

commercial proposition. 127

#### 4.1.

# **Underperforming firms**

Unsuccessful precincts may carry too many underperforming firms. The health of these firms may not be immediately visible when using sector-wide metrics and so their prospects for growth ought to be directly assessed.

A recent study of Singaporean startups found that only 8% were gazelles (high-growth companies) and 57% were struggling as 'zombie' firms, kept affoat by state support and basic revenue. The number of startups in Singapore had doubled between 2004 and 2015, but this was driven by high-tech services, although the number of startups in high-tech manufacturing is in steady decline.¹³⁶

Barriers to investment and commercialisation

#### 4.2.1

### Under-investment

A beneficial effect of innovation precincts is that knowledge and innovations can 'spill over' between and beyond their participants to deliver a social benefit greater than the private benefit returned to the investing firms and institutions. But these spillovers reduce the incentive for precinct participants to invest in risky or novel research and development, particularly in sectors where innovation can be easily copied or adapted to trigger further innovations by competitors. As with the broader economy, firms tend to underinvest in innovation without additional support to overcome these disincentives.¹³⁷

#### 00

# Collaboration and information

Australia's performance on metrics of collaboration between industry and research institutions is below international counterparts. ¹³⁸ A lack of understanding and trustworthiness between industry and research bodies has been observed, where businesses may not understand the benefits of working with researchers, or how to find and build productive partnerships, or where academic and commercial interests around the publishing of research results are not aligned.

Academic funding arrangements that focus on peerreviewed publications have not historically incentivised researchers to create startups. Linking funding to research impact and increasing university focus on industry engagement and proposals for R&D tax concessions aimed at rewarding collaborations by industry with public research institutions is helping to address this.

There are also information gaps in the wider interactions between actors within an innovation system. Entrepreneurs or SMEs may develop high-tech innovations, but not have the external legal, marketing and financing connections needed to make them commercially viable. 139

#### 4.2.3

# Intellectual property regimes

Traditional university legal and IP frameworks have been a barrier to patenting research findings and creating commercially successful products. ¹⁴⁰ This can create challenges for spin offs to take place or for licenses to be transferred to a company, but the standard models are changing. The University of Waterloo in Canada took early steps to make it possible for more university faculties to set up innovative businesses, and more university commercialisation units are now starting to offer Easy Access IP programs for significant research discoveries, with NSW a leader of this approach. ¹⁴¹

#### 4.3

#### Lack of entrepreneurial culture

#### 7 7

# Low success of local startups

n many regions or precincts within regions, local startups have a comparatively low record of achieving success or scale. This can reflect a lack of aspiration, management capability, business planning, or nternational experience. For example, lack of business skills has been viewed as a contributing factor to the failure of Malaysia BioValley Science Park. 142

#### 4.3.2

### Varying success of

accelerator programs

ncubator, accelerator and mentor programs in or near to precincts give startups access to the space, cols and expertise they need to experiment and grow. There are well-known 'A' list accelerator programs (e.g. Y Combinator, Techstars and 500 Start-ups in the JS, or Startmate in Australia), but the quality of this sype of support in the marketplace can vary. 143

Some lesser-known programs have had low success rates and have quietly disappeared with little to show in the way of converting startups into fully-fledged businesses.¹⁴⁴ Many international incubators and accelerators did not succeed because of a lack of experienced mentorship, low track record in business development and a tendency to replicate models without regional customisation.¹⁴⁵

#### 4.3.3

### Small firms excluded from collaboration

Larger firms may have more capacity to invest in risky collaborative ventures but the involvement of smaller firms is critical to the health of a precinct innovation ecosystem. A lack of integration of small firms in collaborative research and development activities can be a barrier to realising the innovation potential of precincts.

Sophia Antipolis has been Southern France's main innovation precinct since the 1990s, and has struggled with the fact that innovation networks stayed within firms, vertically, rather than spreading out to the group of startups. ¹⁴⁶ Few large firms have their HQ functions in the out-of-town park, so there is little leadership to productively engage with the main concentrations of SMEs and entrepreneurs in the Nice-Cannes area. ¹⁴⁷

#### 4.4

#### Poor access to capital

#### 4.4.1

### Lack of seed capital

Some precincts fail to build links with the wider investment community, especially the specialist angel and venture capital groups that are critical, early stage funding sources for startups. There may be a lack of available high-risk capital in the ecosystem, or the precinct may not have put the right level of effort into building new finance networks.

#### 4.4.2

# Reliance on public funding sources

Precincts that rely on significant funding from public sources may be vulnerable to shifts in political control or policy priorities. An over-reliance on public funding can also point to a lack of demand in the market and risks to the commercial viability of the precinct.

Innovation precincts can also become 'political footballs' where a lack of bipartisan support can jeopardise early stage precincts that are reliant on direct public investment or government loans.'

#### 4.5

# Poor access to skills

### Location quality

Innovation precincts need skilled workers in order to succeed. Local shortages in specialist or knowledge-intensive skills can be a major impediment to innovation activity and growth.

The amenity of the innovation location and surrounding area and its enterprise culture play a role in attracting and retaining talented workers.¹⁴⁹ Situating innovation precincts in unaffordable locations, unsafe areas, or neighbourhoods that otherwise offer a low-quality lifestyle, can undermine the precinct's commercial efforts by making them unattractive places for skilled employees to live and work.

### Workforce culture

The culture of a precinct and its occupants can be crucial to attracting the best talent from diverse backgrounds. An enterprise culture that is tolerant, open and welcomes diversity can assist precincts to become destinations of choice for talented workers and bring out the best in that workforce.

### Labour markets

The precinct's capacity to retain globally mobile talent also reflects the scale of the local labour market opportunities. Sustaining a growing innovation precinct can be a challenge for regions with smaller and less dynamic labour markets.

### 4.6

# Poor place-making and connectivity

#### 4.6.1

### Lack of amenity and public transport

Precincts without strong planning and transport infrastructure investment can create affordability and amenity issues that can impact their competitive advantage. A precinct that is easily accessible by public transport is in a stronger position to attract skilled workers and desirable anchors and smaller companies.

In Silicon Valley, rising housing costs, longer commute times, and growing opportunities in other innovation regions are drawing talent away. In 2015-16, Silicon Valley experienced a 50% drop in venture capital investment. During this time, median home values were 17% higher than San Francisco and local rental prices increased by 9%, while the average commute time had increased by 15.5% between 2010 and 2015, with the average worker spending over an hour a day commuting each way:150

#### 4.6.2

# Mismatch of infrastructure

### with precinct needs

Precincts that do not offer the right mix of facilities may not attract the types of firms they need to succeed. Desirable anchor firms may need a bespoke combination of infrastructure to entice them to locate there.

For example, as a digital platform with significant warehousing and transport needs, Amazon looks for large-scale facilities that have the digital infrastructure to be highly automated with little requirement for an on-site or skilled workforce. As one of many of the disruptive emerging business models in logistics and distribution, Deliveroo looks for extensive 'hard' infrastructure for fleet parking, maintenance and loading, next to a comfortable, people-friendly sales and marketing office.

At the other end of the spectrum, many startup hubs flourish in basic, relatively poor quality office space because of cheaper rents. ¹⁵¹ Precinct developers need to fully assess and provide for the diverse infrastructure needs of prospective tenants.

ncts 4 Barriers to success

# Lack of policy and coordination

While the success of innovation precincts is ultimately driven by their participants in response to market forces, it is still reliant on effective government policy, regulation and coordination, which can stifle innovation without the right incentives or business climate adjustments.

#### 4.7.1

### Coordination failure

The collective effort to develop a successful innovation precinct takes time, negotiation, resources and sustained effort by numerous players. However, the specific role, potential contribution and possible returns for each stakeholder is not always clear to them or others in the network.

Due to the complex and fluid nature of innovation precincts, deliberate coordination is needed to create good practical governance. Without this, efforts to develop the precinct can be fragmented and undertaken in service of competing commercial and brand priorities rather than working towards an overarching strategic vision.

#### 4.7.2

### Longer term

### return-on-investment

Innovation precincts are the result of countless business activities, research efforts, collaborations, investments, policies and locational factors that evolve and change. The large investments from government and universities in cornerstone infrastructure and anchors such as hospitals, campuses, transport infrastructure and high-technology equipment, can take decades to plan and mature.

Because innovation precincts tend to develop over a long time-scale – beyond the standard property, economic and political cycles – the necessary investments may be overlooked for development offering faster returns, such as high-density residential developments.

Government investment in precincts can have longterm returns and make it challenging to justify the public spend. In Canada, the funding viability of the MaRS Toronto precinct became a major election issue in 2014 with questions over state government support and an extension to repay a \$290 million loan. ¹²² Some predicted the support package would fail, but the outcome was successful, with the precinct continuing to grow and the loan repaid three years early in 2017. ¹⁵³ However, such return on investment is not guaranteed or may take many years, emphasising the need for government support to be determined on a case-by-case basis.

#### 4.7.3

# Restrictive regulations

Restrictive land zoning may prevent precincts from converting some of their land to mixed and residential use, which can reduce foot traffic and limit their potential as immersive, 'live-work-play' environments. Land-use regulations are a particular challenge in precincts that spill across multiple jurisdictions or that are under the control of multiple agencies and government departments.

Planning regulations can create financial or bureaucratic impediments to land zoning or low-cost programming of events in precincts. This can impact precincts' ability to pivot to more innovative uses and become a vibrant 18-hour or 24-hour environment. The Werksviertel District in inner city Munich took close to five years to obtain approval to convert the industrial zoned land to mixed-use.¹⁵⁴



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There is a broad range of place-based innovation activity across NSW taking place in a variety of sectors including healthcare, scientific instruments, financial and business services, biopharmaceuticals,

defence, software and communications, ag-tech, engineering and creative industries from a single building to a cluster of affiliated locations to an innovation corridor defined by the opportunities These innovation locations span different scales and characteristics of the location.

esearchers and businesses are attracting capital and precincts where commercial collaborations between A number of them are developing into innovation uelling further innovation

concentration of activity and momentum needed to With targeted effort, some may achieve the grow into globally recognised precincts

# Metropolitan area strengths

nealth districts in collaboration with universities. These A number of the developing precincts in metropolitan and research in Sydney locations such as Westmead, areas have been driven by research-intensive local are seen in the densification of medical innovation Randwick and Camperdown-Ultimo.

Technology Organisation (ANSTO) and large aerospace around the new Western Sydney Airport to leverage the Aerospace and Defence Industries Precinct is planned nfrastructure at the Williamtown RAAF base and an Specialised precincts are also emerging around major assets at Australian Nuclear Science and scale of the investment

growth in entrepreneurs, startups and supportive spaces in the Sydney CBD, the digital and financial technology entrepreneurial and innovative culture and an increase are cheaper. North Sydney CBD has also experienced a seen a proliferation of digital industries where rents Central to Eveleigh where there is Australia's largest Inner city activity is seeing a clustering of creative cluster of start-up firms, and Pyrmont, which have sector is increasingly characterised by a growing spilled over into surrounding areas, such as from industries in Surry Hills, Redfern and Moore Park. in startups and venture capital. This activity has such as innovation hubs and co-working places

# Regional NSW strengths

ocal communications and digital technology industries, Regional areas are developing competitive advantages formed around the research strengths of the University with CenWest Innovate providing business accelerator in innovation, particularly around ag-tech, biosciences and research. Regional concentrations of innovation Bathurst is becoming a centre of innovation for the University in Wagga Wagga, which has established of the University of New England in Armidale, such have developed around the expertise and facilities an Agritech Incubator. Charles Sturt University in as the Centre for Agribusiness, and Charles Sturt of Newcastle and the University of Wollongong's training support. Innovative locations have also

# Recognisable typologies

recognisable typologies, but these are dynamic and over ts operation a precinct may transition from one typology could be considered both a health and education precinct other large institutions to change the characteristics and and an innovation precinct orientated around a university. The location-specific characteristics of NSW precincts For example, Randwick Health and Education Precinct to another, or be described as a hybrid of two or more. and development of the precinct. They do have some broad similarities that allow their categorisation into Existing anchors in precincts can also help to attract are unique and reflect their opportunities, activities industry focus of the precinct over time.

NSW can be broadly grouped under four typologies: Innovation Locations, 155 precincts developing in Drawing on the global study 'The Logic of

- Health and education innovation precincts
- Innovation precincts around universities
- Innovation precincts around a major asset

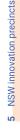
Inner city innovation locations

precincts presented are based on foundational evidence based research by the University of Technology, Sydney NSW and is not presented as a definitive list. The NSW publicly available datasets, secondary sources such as stakeholder consultation. Information sources include reports and media articles and in-depth consultations (UTS) Business School 156 and further refined through This chapter is focused on larger precincts, does not cover all types and scales of innovation locations in with precinct and other stakeholders.

This was developed from initial research by UTS in conjunction with input from the IPC subcommittee and stakeholder consultation.

NSW Innovation And Productivity Council NSW Innovation Precincts

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5 NSW innovation precincts

NSW Innovation And Productivity Council NSW Innovation Precincts

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## Globally recognised health and education precincts feature world-leading research, internationally competitive and recognised health and education institutions, and a strong value chain.

They also have formal governance that guides the interactions between the different stakeholders, a focus on commercialising research and intellectual property that supports collaboration and profit-sharing, access to state-of-the-art research facilities and capital, and efforts to attract local and international talent.

Health and education innovation precincts are developing around some of the major NSW research hospitals and universities. Three of these are highlighted in this section:

- Randwick Health and Education Precinct,
- Westmead Health and Education Precinct (Greater Parramatta)
- Camperdown Ultimo Health and Education Precinct (Harbour CBD)

These NSW health and education precincts have built an active network of medical research institutions, a mix of complementary industry tenants, and offer ancillary facilities, services and access to a large pool of researchers, medical experts and patients for clinical trials.

The Greater Sydney Commission's Greater Sydney Region Plan 2018¹⁵⁷ has also identified potential health and education precincts for future expansion to leverage significant investments in local health districts, hospitals and associated medical research and education.

The plan identifies 13 health and education precincts that are at varying points along a maturity pathway:

- Bankstown
   Harbour CBD
- Blacktown
   Kogarah
- Campbelltown- Liverpool
  Macarthur Macquarie Park
- Frenchs ForestRandwick

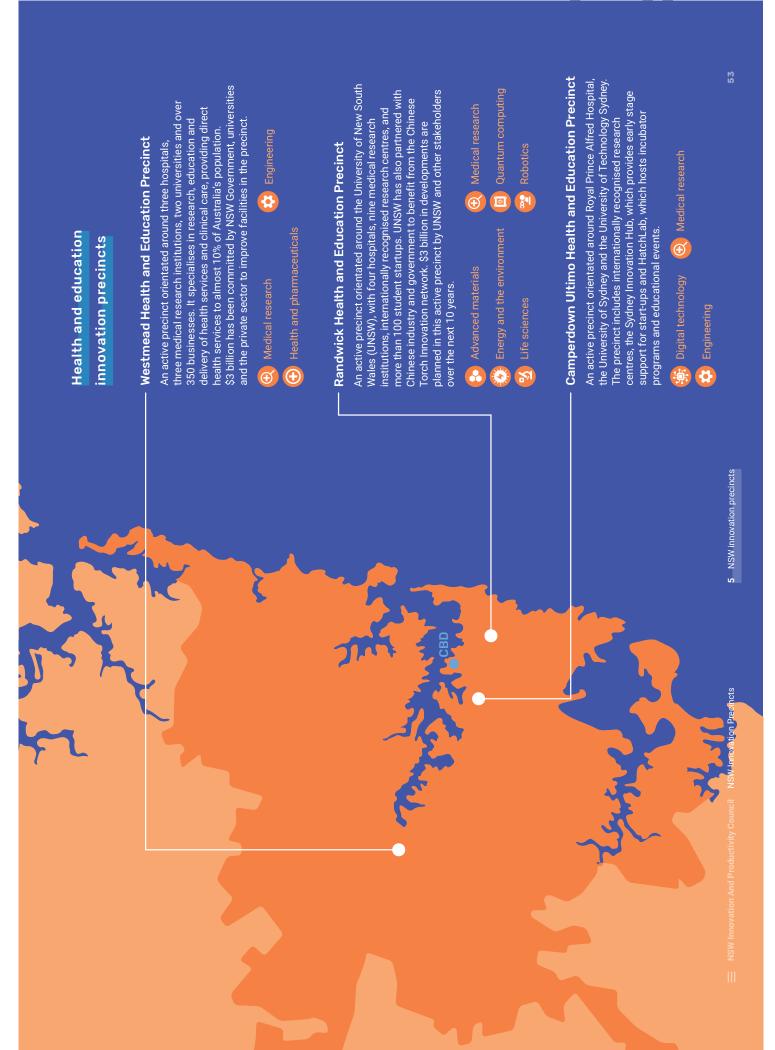
**Greater Parramatta** 

Greater Penrith

St Leonards

The Oslo Cancer Cluster is an international example of a health and education innovation precinct. Located next to the Norwegian Radium Hospital and the Institute of Cancer Research, it aims to bring the whole value chain of oncology together in one place, and integrates a high school with medical courses, lectures, internships and pathways for employment.

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## 5.1 Health and education innovation precincts continued

## Randwick Health and Education Precinct

The Randwick Health and Education
Precinct is a significant health and
education precinct in NSW centred
around the University of New South
Wales (UNSW) and the Randwick Health
Campus with four hospitals, nine medical
research institutions, internationally
recognised research centres, a large
number of student startups and
more than 6,000 skilled workers.

The precinct includes internationally recognised research in cancer, neuroscience, mental health, women's and children's health, infection and immunology and non-communicable diseases.

An entrepreneurial culture is supported through an ecosystem of expansive health education, research and innovation services, student startups, entrepreneur and incubator programs, the Michael Crouch

Innovation Centre and industry engagement.

Precinct members have a long history of collaboration with each other, external organisations and international allies. The NSW Government is investing in the redevelopment of the health campus, enabling stronger collaboration with the UNSW and Randwick City Council to further develop the Randwick Health and Education Precinct.

UNSW has also partnered with Chinese industry and government to benefit from the Chinese Torch Innovation network, and to establish the UNSW Centre for Transformational Environmental Technologies (Yixing) and a high-tech, multi-million-dollar innovation precinct proposed at the UNSW campus to drive innovation and economic growth.¹⁵⁸

The current precinct has extensive ground floor area, equipment, facilities, student accommodation, childcare, IT infrastructure, and easy transport by bus, car, and plane. UNSW development plans will significantly increase ground floor area, childcare places, student accommodation, IT, research facilities and equipment, and general amenities.

A \$3 billion investment is planned by UNSW as well as other stakeholders in the precinct in the next 10 years to improve transport and public amenities surrounding the precinct and the affordability of spaces for innovation activity.¹⁵⁹



## 5.1 Health and education innovation precincts continued

## Westmead Health and Education Precinct

The Westmead Health and Education
Precinct is a significant health and
education precinct in NSW and a
key provider of jobs for the greater
Parramatta and western Sydney region,
providing around 18,000 jobs.¹⁶⁰

There are more than 1,100 research staff and a high concentration of workers with qualifications in the fields of science, health, engineering, mathematics and IT.¹⁶¹ Westmead Hospital is the teaching hospital for University of Sydney, with over 3,400 students, including a high number of PhD students.¹⁶² The NSW Government, universities and the private sector have committed \$3 billion to improve facilities in the Westmead Health and Education Precinct.¹⁶³

Westmead provides direct health services to almost 10% of Australia's population¹⁶⁴ throughout Australia. The precinct is orientated around three hospitals (Westmead, the Children's Hospital and Cumberland Hospital), three internationally-recognised medical research institutions (Westmead Medical Research Institute, the Children's Medical Research Institute and the Kids Research Institute), University of Sydney and Western Sydney University.

In 2013 precinct stakeholders formed the Westmead Alliance to create a shared vision and advocate for the interests of the precinct. A strong presence of leadership and businesses built around the anchor institutions has created a dynamic precinct of over 350 complementary enterprises. An entrepreneurial culture is supported through the Westmead Research Hub, a collaboration of five organisations with expertise in medical research, health and education.

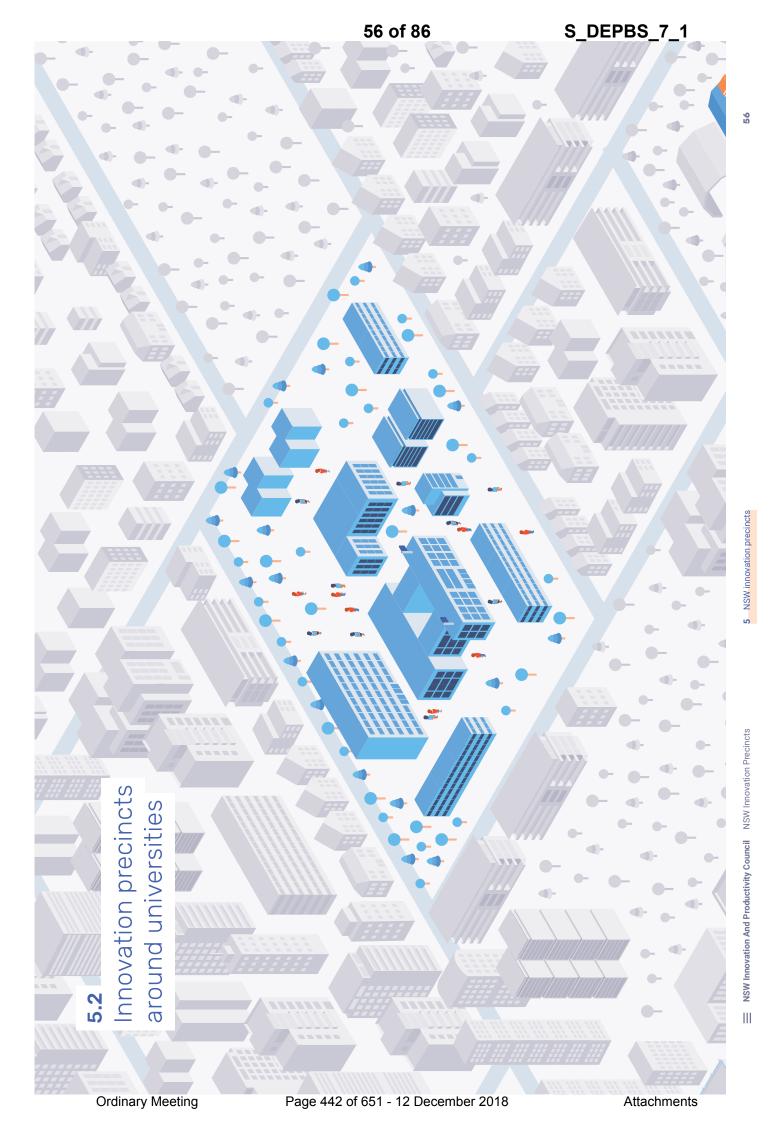
Westmead has a well-developed talent pool and access to public and private funding that attracted \$79 million in medical research in 2015.¹⁶⁵ A number of initiatives such as the Western Sydney University Launch Pad and the Research Hub actively support and mentor local tech startups through training events and seminars. There are currently three launch pads planned across Western Sydney, Werrington, Parramatta and Liverpool. A new 8,000 square metre innovation centre is also in the pipeline to provide a platform for connecting and facilitating industry and commercial partnerships.

Westmead has a mix of high-density residential and health service and educational establishments with expectant growth in supporting amenities such as accommodation and food services. It is well connected to transit by the T-way rapid bus system, train, and access to the M4 and M7. A planned light rail will link the Westmead Hospital precinct to the commercial centre of Parramatta CBD and improved pedestrian bridges will link Western Sydney University and Westmead Hospital. Westmead has been announced as an additional station location on the Sydney Metro West project, which will link Westmead to previously announced stations of Sydney CDB, The Bays precinct, Sydney Olympic Park and Parramatta CBD.

The Medtech Knowledge Hub, 166 coordinated by the Medical Technology Association of Australia (MTAA) fosters collaboration between academia, industry and government to improve the business environment for all areas of the medical technology industry.



5 NSW innovation precincts



## 5.2 Innovation precincts around universities continued

## A number of precincts in NSW have emerged around universities to leverage their research strengths and assets to attract businesses and investment.

This has seen a densification of innovative activity and mixed use, driven by quality commercial collaboration between researchers and businesses and a growth in capital investment.

Regional precincts are developing around the University of New England in Armidale and the Charles Sturt University campus in Wagga Wagga to leverage their strengths in agriculture research, while an emerging precinct is developing around the Charles Sturt University campus in Bathurst focused on digital technology.

An innovation precinct has emerged around the University of Newcastle to leverage its research strengths in energy, engineering, and medical research, and established institutes and programs. The new Innovation Campus in Wollongong is fostering innovation around the University of Wollongong's strengths in engineering and materials research and health and well-being, supported by a diverse range of startups.

In Sydney, an innovation precinct has developed around Macquarie University and Hospital with a focus on life sciences, health and pharmaceuticals and biotechnology, while an emerging precinct has developed around the University of Technology Sydney campus in Ultimo with strong links to the creative innovation corridor that includes Redfern, Surry Hills and Moore Park.

Features of globally recognised precinct campuses include excellence in research and international leaders in a specific industry or research area, clear market demand and strong value chain potential, formal governance that guides the interactions between the different stakeholders, a strong focus on commercialising research and intellectual property that support collaboration and profit sharing, ability to tackle big research challenges and opportunities through interdisciplinary collaborations, access to capital, and the attraction of local and international talent.

An example is Paris, where a government joint venture has consolidated many of its leading research institutions within a single suburban precinct – Paris-Saclay. This project has reinvented the programs of over a dozen academic institutions, while large firms in energy, IT, automotive and health have become tenants on the site, as well as multiple public and private incubators.

## 5.2 Innovation precincts around universities continued

## **Armidale Agritech Innovation Precinct**

## The Armidale Agritech Innovation Precinct is centred around the University of New England (UNE), which excels in the environmental, crop and animal sciences.

UNE has eight rural properties that are used for research and education purposes, including the award-winning SMART Farm.¹⁶⁷ It showcases the latest technologies, with the goal to improve productivity, environmental sustainability and safety. Students and the community can access the latest data streaming from a range of field, animal and machinery sensors. Integrated in the precinct is a comprehensive program of education and outreach aimed at primary (UNE Discovery¹⁶⁸), secondary (UNE GRASS¹⁶⁹ and the international-reaching Smart Farm learning Hub¹⁷⁰), VET (TAFE Digital) and tertiary level (undergraduate teaching and postgraduate research¹⁷⁷) students.

The university's Smart Farm Innovation Centre (SFIC) specialises in agriculture, farming and horticultural technologies and works closely with farmers to deliver technology-enabled farming solutions to regional and international communities.

The precinct integrates an **ag-tech cluster**¹⁷² of more than 35 businesses including international agricultural technology companies such as ICT International, which produces sensors for farming use. A UNE Smart Region Incubator was launched in 2017 to enable small to medium-sized enterprises and entrepreneurs to connect regionally, nationally and internationally using communications technology supported by commercial expertise. An example is the successful online platform to enable regional parents to participate in birthing classes remotely¹⁷³ and the recently-launched SmartShepherd.¹⁷⁴

The region hosts industry events including Tech Fest' and the Agementation Hackathon¹⁷⁸ to attract stakeholders from outside the region to collaborate with local businesses, while UNE hosts national agribusiness events with Meat and Livestock Australia and other rural Research Development Corporations (RDCs) to share ideas from across the country.



5 NSW innovation precincts

established initiatives and programs. These include the Hunter Medical Research Institute, Newcastle Institute

Newcastle's strengths in science, engineering, energy

An emerging precinct built on the University of I

**Newcastle Innovation Precinct** 

and the environment, health and medicine, and well

programs including the Hunter Innovation Project and

for Energy and Resources (NIER), acceleration

NIER-hosted NSW Energy and Resources Knowledge

Entrepreneurship with strong links to the creative Jniversity of Technology Sydney (UTS) campus

that includes the ABC and Sydney School of An emerging precinct centred around the

The Ultimo Precinct

purpose built incubator, as well as the Australian

An active precinct centred around Macquarie

**Innovation District** Macquarie Park

University that includes a state of the art

Hearing Hub and Macquarie University Hospital.

The adjacent Macquarie Business Park has small businesses. An industry led initiative, more than 180 large international and 200

innovation corridor that includes Redfern, Surry

the Integrated Innovation Network (I2N) and the

Hub – a knowledge-sharing platform for the sector

and enhanced industry connections. The precinct

leverages the region's capabilities, supports startups,

and fosters collaboration.

**KINDRED.PLACE, an online knowledge-sharing** Hills and Moore Park. The Creative Industries Knowledge Hub coordinated by UTS includes platform to link, engage and educate creative

and pharmaceuticals, digital and bio-technology

competitive advantage in life sciences, health by key stakeholders in 2015 to leverage their

Macquarie Park Innovation District was created

ndustry professionals.

# 5 NSW innovation precincts

## around universities in NSW Innovation precincts

experimental technology hub that includes everything from robotics, to the latest in gaming software, is an initiative by Reliance Bank to (CSU) Bathurst campus and includes 60 educational providers and strong community and business involvement. Gunther's Lane, an An emerging precinct centred around the Charles Sturt University gives locals and students access to shared workspace and local inspire local innovations. A business incubator called 'Upstairs' businesses, training, and the opportunity to pitch their ideas. Bathurst Innovation Precinct

community to deliver innovative farming solutions

Centre works closely with the national farming

animal sciences. The Smart Farms Innovation the University of New England's strengths in

environmental, crop science and technology and An emerging precinct in agritech centred around

Innovation Precinct **Armidale Agritech** 

Smart Regions Incubator, ensuring ideas from the

integrated with precinct activities along with a

secondary, VET and tertiary level students is

Education and outreach targeting primary,

university community and from across the sector

are translated into outcomes that grow not only

agricultural productivity but also the emerging

agritech startup culture in Australia.



### **Agritech Innovation Precinct** Wagga Wagga

hosts the headquarters of AgriFutures Australia. It includes Charles Sturt University (CSU) Wagga Wagga campus that It forms part of the agricultural innovation ecosystem thal National Wine and Grape Industry Centre and the Agritech office space, laboratories, glasshouses and warehousing. includes the Graham Centre for Agricultural Innovation, ncubator, which also implements initiatives to improve AgriPark, which offers tenants a range of options from An emerging agricultural precinct centred around the women's participation in technology.



### Wollongong Innovation Precinct

attract a large startup hub of mixed uses. The university also hosts the iAccelerate business incubator program. University of Wollongong's Innovation Campus to draw on the university's strengths in engineering, materials research, health, wellbeing, and medical research and An emerging innovation precinct centred around the The university has recently commissioned a health, wellbeing and aged care precinct













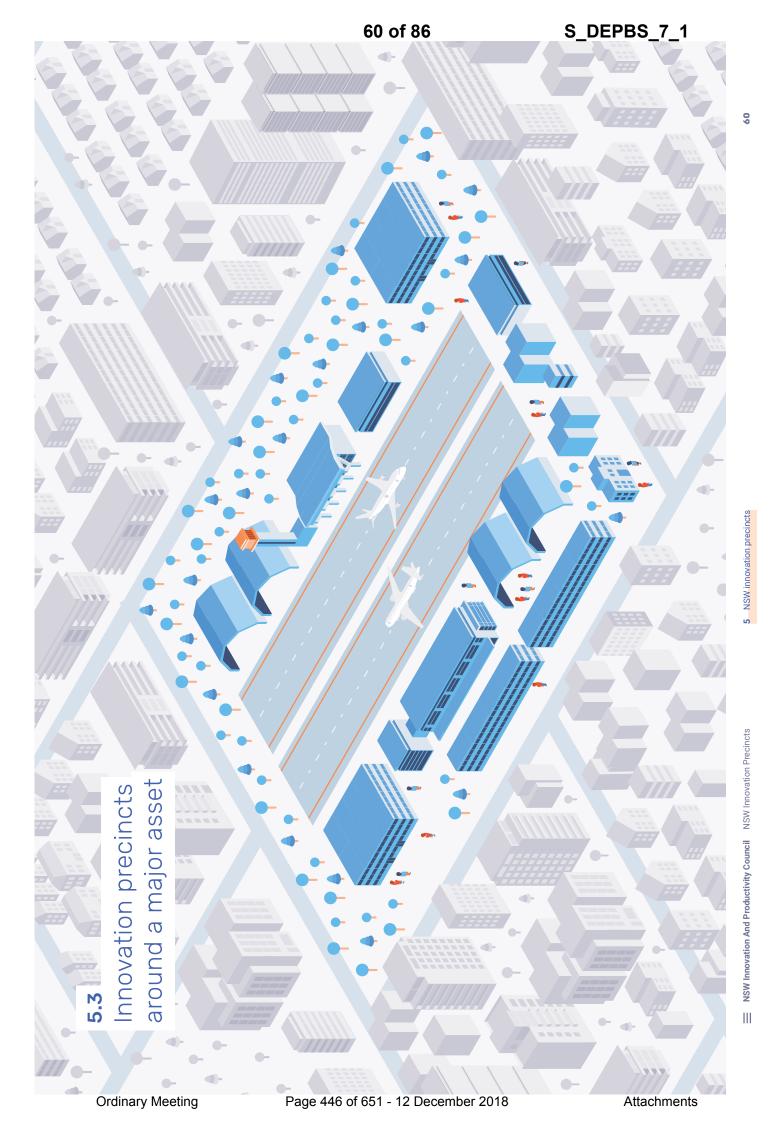






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## 5 NSW innovation precincts

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## NSW Innovation And Productivity Council NSW Innovation Precincts

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Specialised precincts are emerging in NSW around major assets that leverage the large public investment in these locations and their access to supply chains. These are creating mutually beneficial opportunities for investment and job attraction.

An innovation precinct is developing around the Australian Nuclear Science and Technology Organisation (ANSTO) in applied nuclear science and technology to leverage the unique scientific infrastructure and capabilities. Outside Newcastle, an emerging innovation precinct in aerospace and defence is developing around Australia's largest operating air force base at Williamtown Aerospace Centre. The GATE is based at the NSW Department of Primary Industries Orange Agricultural Institute to leverage the expertise of extensive scientific and technical capabilities, data and infrastructure for on-farm validation.

Two precincts are also proposed close to the future Western Sydney Airport to leverage its links to global supply chains and access to new export partners: the Western Sydney Aerospace and Defence Industries Precinct; and Luddenham Science Park with a focus on advanced STEM research and development.

Features of globally recognised precincts located around a major asset include proximity to new or existing major infrastructure and supply chains, and the provision of business services that make it easier for companies to relocate there.

In Manchester, the expansion and internationalisation of the city's airport has catalysed the development of the MediPark innovation precinct, anchored by the University Hospital of South Manchester. The hospital Manchester City Council and Manchester Airports Group recognised the opportunity to expand research and clinical expertise and use land parcels in the adjacent Enterprise Zone to grow the cluster.

## 5.3 Innovation precincts around a major asset continued

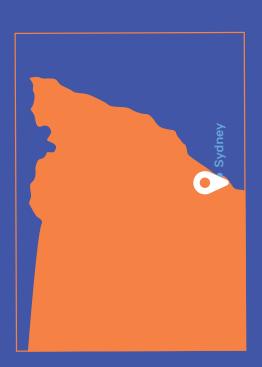
### Australian Nuclear Science and Technology Organisation

The Australian Nuclear Science and Technology Organisation (ANSTO) is a publicly-funded research organisation and significant science facility utilising applied nuclear science and technology.

Located in Lucas Heights in the Sutherland Shire, ANSTO is a significant contributor to the local economy, working with around 280 local enterprises and investing more than \$25 million into local business. It is currently one of the region's biggest employers, with more than 1,000 staff on its Lucas Heights campus, predominantly scientists, engineers, and technicians. The ANSTO Innovation Precinct seeks to expand ANSTO's contribution to the region, NSW and the nation.

The current science and technology campus is largely occupied by ANSTO, with other tenants including the CSIRO and businesses in the nuclear science and technology industry. Each week, ANSTO delivers more than 11,000 doses of life-saving nuclear medicine from its Lucas Heights campus to over 250 hospitals and medical practices across Australia. They also run events and school outreach programs, provide training and support for incoming students and access to its world-leading research capabilities to industry and research users from across Australia and overseas.

ANSTO is planning to expand its existing technology park to accommodate new startups and businesses on land adjacent to its current campus. As part of this growth strategy, ANSTO is also investing in the extension of their existing technology campus including the development of a graduate institute and a deep technology incubator. The redevelopment will give opportunities for business, universities, research organisations and government offices to co-locate within the precinct.



Council NSW Innovation Precincts 5 NSW innovation precincts

Innovation And Productivity Council

## Innovation precincts around a major asset

# The GATE (Global Ag-tech Ecosystem)

Lockheed Martin, Boeing and Bohemia Interactive technical and light industrial spaces, a conference The commercial campus-style tech park includes It will be RAAF's Sustainment Hub for operations centre and hotel facility. Current tenants include and training of the new F-35 Joint Strike Fighter. An emerging precinct next to Australia's largest operating air force base and Newcastle airport. defence-level security, commercial offices,

the GATE is an emerging precinct to develop ag-tech

Industries (DPI) Orange Agricultural Institute, Based at the NSW Department of Primary

ideas and fast-track adoption of agricultural R&D. Australia and the GATE will provide access to the

DPI is the largest agricultural R&D provider in

long-term data sets and facilitate on-farm validation

of new technologies across 25 research stations

and 13,000 ha of trial farms.

expertise of 600 scientific and technical staff and

Williamtown Aerospace Centre

### (global leaders in military training simulation). Aerospace and defence

### Technology Organisation (ANSTO) **Australian Nuclear Science and**

tenants include the CSIRO and businesses in nuclear science An emerging precinct specialising in applied nuclear science and technology centred around ANSTO's landmark scientific and technology. The ANSTO campus is currently undergoing Graduate Institute and an expanded Technology Park, which will support and house new startups and businesses on site expansion to provide for a Deep Technology Incubator, a infrastructure and unique capabilities. Currently, other to the future Western Sydney Airport. It will provide advanced STEM facilities and schools with a focus

on research and development in the food, energy

and health sectors and is set to open in 2021

Luddenham Science Park (proposed)

A proposed science park in close proximity

Economic Corridor by the Greater Sydney Commission.

Aerospace and defence

chains and access to new export partners and

Defence Industries Precinct (proposed) A proposed precinct adjacent to the future Western Sydney Airport to leverage the links to global supply markets. It is part of the proposed Western Sydney

**Western Sydney Aerospace and** 







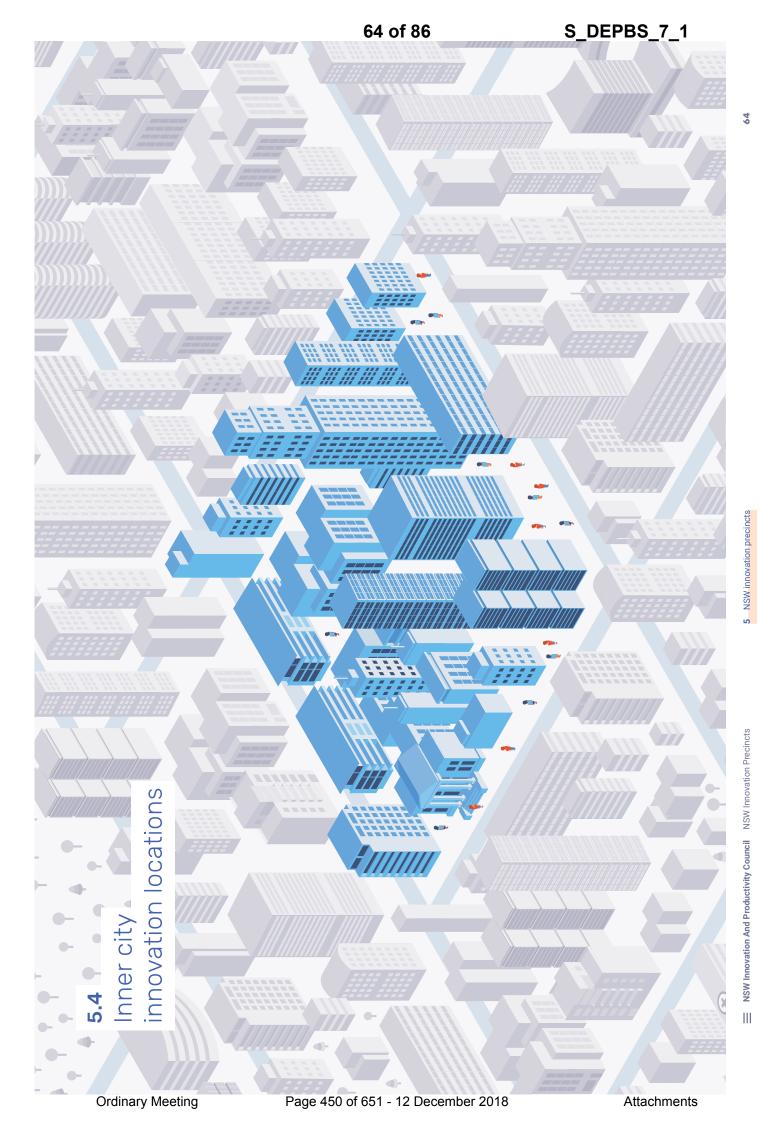




Food and nutrition

5 NSW innovation precincts

## NSW Innovation And Productivity Council NSW Innovation Precincts



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## NSW Innovation And Productivity Council NSW Innovation Precincts

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Inner city areas can make within and in financia and inn financia softwar softwartal to the local innovation startup provide ecosystem, although they anew stretchi under an identifiable across

These areas attract corporate headquarters of global companies working in specific industry sectors and have a well-established customer base. They are highly urbanised and accessible with vibrant, mixed-use environments and are characterised by a nigh concentration of businesses, the presence of entrepreneurs and venture capital firms and good quality public transport.

Within the Sydney CBD, there is growing entrepreneurial and innovation activity driven largely by the digital and financial technology sector and anchored by major software companies such as Atlassian. The Sydney Startup Hub established with NSW Government funding provides critical support to strengthen the local startup community. The NSW Government is also supporting a new Sydney Technology and Innovation Precinct, stretching from Central to Eveleigh where there is Australia's largest cluster of startup firms.

A clustering of complementary creative industries across Surry Hills, Redfern and Moore Park has taken advantage of a concentration of industry talent and market demand to develop into a creative industries corridor. The North Sydney CBD is also experiencing local growth in entrepreneurs and startups and the emergence of supportive spaces such as innovation hubs and co-working places.

Features of globally recognised inner city innovation locations include proximity to customers, strong connections between complementary industry clusters and supply chains, access to a large talent pool and investors, a good selection of day and night time amenities, and affordable workspaces to accommodate businesses expansion.

In the New York borough of Brooklyn, several inner city locations have become highly popular for innovative firms in digital media, publishing, advertising and health technology. Many have opted to reclaim disused factories in areas such as the Brooklyn Navy Yard, and populate shared workspaces, incubators, and creative office buildings. The clustering of firms has created huge demand for amenities – including a 21-acre park, new and improved bus services, and public infrastructure to test and demonstrate new innovations. As the geography of the precinct expands, the different hubs have begun to organise as the Brooklyn Tech Triangle to identify the next shared priorities for investment and to maintain affordable rents.

A globally recognised hub building is Seoul Space, located in the Korean capital's Gangnam district.

In an environment where there is limited capital in the startup ecosystem because government programs extend to a small number of companies, Seoul Space has laid important foundations for helping IT startups and early-venture businesses to go global, while also providing a gateway for global internet and software companies to enter the domestic market. Like many hub buildings it provides mentoring, market research

### North Sydney

innovation hubs and co-working spaces (e.g. Workinc). The Australian Catholic University has a startup hub, Collaborate Plus, in their A high-density area with an emerging technology and startup culture which has seen traditional office spaces being converted into North Sydney campus providing a co-working space for new SMEs. There are also around eight shared spaces on the North Shore; CSIRO's Lindfield Collaboration Hub; established medtech, biotech and pharmaceutical companies; and startups/small businesses specialising in robotics, EdTech and STEM. The North Sydney Innovation Network (not-for-profit) helps connect local businesses, government and industry on the North Shore.





### The Sydney Startup Hub

sustainable, high-value jobs in NSW. This emerging precinct covers over 17,000 m², spanning 11 floors and brings together a diverse mix Established by NSW Govemment funding and launched in 2017 to support innovation, strengthen the startup community, and grow new of organisations and talent under one roof in the centre of the Sydney CBD to help spark innovation, ignite collaboration and give easier and superior access to networks, skills, funding and leadership. The hub also gives subsidised rents to help build a sustainable startup ecosystem. Tenants include Stone and Chalk, Fishburners, Tank Stream Labs and The Studio.





### Sydney CBD

Australia's main financial and economic centre, this active precinct has a strong presence of venture capital financing and is home to many of the largest companies located in the country. It is also one of the main commercial hubs for the Asia-Pacific. There is an entrepreneurial and innovative culture, particularly in the digital and financial technology sector







## Surry Hills-Redfern-Moore Park Creative Industries Corridor

Park and links up with the Ultimo Precinct. The corridor includes the recently redeveloped International Convention Centre and numerous An active, diverse precinct with a large mix of creative talent that includes Australian Technology Park, Redfern, Surry Hills, and Moore event and collaboration spaces.





## Sydney Technology and Innovation Precinct

NSW Government to co-create the precinct. A NSW Government taskforce will also include representatives from University of Technology The NSW Government is partnering with the tech industry to help design a technology and innovation precinct, stretching from Central to Eveleigh. The precinct is already home to Australia's largest cluster of startup firms. Atlassian, Australia's largest tech company, along with other industry players including co-working space Fishburners, and industry representative body Tech Sydney, will work with the Sydney, University of Sydney and Sydney Business Chamber, as well as industry experts from a wide range of Australian startups.



5 NSW innovation precincts

The Bays (proposed)

### 7

## 5.4 Inner city innovation locations continued

## Surry Hills-Redfern-Moore Park

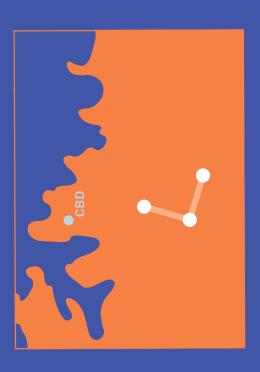
The creative industries of Surry Hills, Redfern and Moore Park and those in Ultimo around UTS, the ABC, and the new Sydney School of Entrepreneurship, together with the digital industries in Pyrmont, form a corridor of creative digital, media and design industries.

The area is diverse, with a large mix of creative talent, and includes the recently redeveloped International Convention Centre and numerous event and collaborative spaces. UTS's City Campus Master Plan will further develop and support the creative and cultural industries.

The 14-hectare Australian Technology Park (ATP) is located at the southern end of the corridor. It currently hosts a diverse business community in digital technology and research, including Cicada Innovation, Data61 and the CSIRO. The redevelopment of the former railway site, undertaken by Mirvac, commenced in 2016 and will include new buildings, revitalised heritage buildings and continued operation of the Blacksmiths Workshop. Co-working and event spaces are also planned to give startups and industry opportunities to collaborate.

training and mentoring programs to build the skills and educational and engagement activities are designed to The corridor benefits from access to innovation labs, develop an entrepreneurial mindset and The Hatchery to support early stage ventures through collaborative ncluding Accelerate, a three-month tailored program capabilities of industry and quality events to create a strong culture of innovation and entrepreneurship ncluding Hear Us Roar (clothing line), FOOD4FACE co-working space, mentorship and education. The Accelerate program has helped generate startups a platform managing Cryptocurrency portfolios). a revolutionary musical instrument) and Fortifex education program offers a range of programs Sydney School of Entrepreneurship's dynamic non-pollution skin care solution), Airsticks

The activities of the Creative Industries Knowledge Hub, ¹⁷⁶ coordinated by UTS, include development of an online knowledge-sharing platform KINDRED.PLACE to link and engage creative industry professional across the state and equip them with business and entrepreneurial skills, and features research and self-curated learning.



5 NSW innovation precincts



Stakeholders may collectively seek to act in the best interests overcome competing priorities to provide stable governance. governments, research, education and health institutions, of the precinct, but they are also driven by their individual its leadership must be drawn from multiple sources and business needs. For a precinct to develop and mature, industry, entrepreneurs, investors and land owners. Innovation precincts rely on collaboration between

Stakeholders play different roles and can use different 'levers' to contribute most effectively to the precinct. These are also linked to the type of innovation location, its activities, the particular sector and industries it consists of, and any national or regional differences in the market and regulatory environment, including cultural attitudes to risk. The significance of different stakeholders in the leadership of the precinct may also vary as it develops and matures.

While there are common features of precincts that work, and common levers available to stakeholders to help make them work, each precinct will be shaped by their specific characteristics and market drivers and there is no single recipe for success.

Ш

### 6.1

### Institutions

## Institutions can act as anchors for an innovation precinct.

They include universities, hospitals and local health districts, large broadcasters, airports, defence facilities and even convention centres. Their essential characteristic is having the scale and appetite to catalyse local innovation activity.

Institutions provide knowledge and investment, may contribute land or facilities and play a significant role in attracting external talent and capital. They can lend market identity, brand reputation and organisation capacity to the precinct. They may also play a critical leadership role in partnership with other stakeholders.

## The active role of institutions – Oslo's Oncology Innovation Park''⁷⁷

Growth of the Oncology Innovation Park in the Ullern suburb of Oslo has been underpinned by two institutions – the Norwegian Radium Hospital and the Oslo University Hospital's Institute of Cancer Research Leadership at these institutions recognised the opportunities not only to build their own R&D networks and actively commercialise research, but to build an entire oncology value chain – from skills to basic research to industry – within one precinct.

The hospitals saw a major advantage in creating an environment that could take cellular research back and forth quickly between the patient bed and the laboratory bench. When a nearby piece of land occupied by Ullern High School was slated for demolition, the hospitals obtained and developed the site under an innovative deal to re-house the school within the precinct and integrate it into the scientific mission of the precinct, with the universities providing lectures and mentoring to school students. In 2016, Oslo University Hospital also moved its Molecular Diagnostics and Genomics and Bioinformatics Units to the park.

The Radium Hospital transitioned from a simple technology transfer office into a pre-seed investor. It began to operate as an oncology-focused, early stage, evergreen fund and take an active role in the development of the nine on-site biotech companies in its portfolio. Adjustments to IP regulations enabled hospital cancer specialists to set up biotech companies, and the physical space of the precinct allowed these companies to cluster, share knowledge and adapt quickly.

The hospitals helped set up a park management team with good experience in real estate and public realm activation.

Oslo's experience highlights that research institutions have an important role in actively pursuing co-location and commercial partnerships with industry to make it easier to connect with research capacity and overcome barriers to collaboration and commercialisation.

NSW Innovation And Productivity Council NSW Innovation Precincts

### **6.2** Businesses

Innovative businesses contribute to the diversity and health of the innovation ecosystem and the 'internal market' within the precinct.

They include startups, gazelles (high growth companies), unicorns (fast-growth companies with over \$1 billion valuation) and larger, more established firms. They provide important network and knowledge-sharing opportunities and either establish or are part of a broader supply chain of connected trading enterprises.

Established innovative businesses can play an important role in sharing knowledge and research with other businesses, particularly smaller firms, when they can see clear business reasons for doing so. They also are well placed to invest in the next cycle of talent, and spotting demand-side opportunities to ensure the precinct and the city/region remain responsive to changing trends in their industry.



## The active role of businesses - Telefónica¹⁷⁸

There are many international examples of innovative firms playing a catalytic role in their precinct, from Amazon's role as a city-shaping company in the South Lake Union district of Seattle, to Soundcloud's contribution to a digital eco-system in the Berlin district of Mitte (specifically within Factory Berlin), to the anchor role of drug developer Vertex Pharmaceuticals in Boston.

Telefónica has made a long-standing contribution in Barcelona's 22@ district. It established an early presence in the district and set up an open innovation and entrepreneurship program called Wayra to produce the next generation of firms and talent.

Many of the companies that have grown in Wayra (e.g. Marfeel, MyTwinPlace, Social And Beyond, Tappx and Cl3) opted to locate in the district and maintain close links with the original company.

In 2011, Telefónica set up the global headquarters of its R&D division in the district, rather than at its corporate headquarters in Madrid.

The firm also championed Barcelona's hosting of the Mobile World Congress, the world's largest mobile technology gathering, helping the city to diversify and move up the technology value chain during a challenging post-recession cycle.

## NSW Innovation And Productivity Council NSW Innovation Precincts

6 Role of government and other stakeholders

### Entrepreneurs

Both new and established participants in successful entrepreneurs are vital

institutions or firms and can encourage a healthy appetite to grasp market opportunities and build university researchers, investors and firms. They may also play a mentoring role and even act as connections between different actors such as

Decisions about where and how entrepreneurs to the amenities, lifestyle and affordability of particular locations

## innovation precincts.

capital providers. They can act as disruptors of larger intermediaries between public sector leaders and big competition between stakeholders in the precinct They have vision, enthusiasm and a risk-taking

co-locate can influence the geography of innovation within a city and region. They are typically attracted



## The active role of entrepreneurs - Tel Aviv¹⁷⁹

is especially visible in the Tel Aviv precincts of Herzliya The contribution of entrepreneurs to precinct success and Rothschild Boulevard.

military and the Technion-Israel Institute of Technology with a degree in industrial management engineering emerging internet, telecommunications, energy and helped to establish an innovation system in Israel's A generation of entrepreneurs graduating from the cleantech industries.

GarageGeeks, a non-profit space for young innovators. became mentors to entrepreneurs, especially through software houses in 1969. Later Vardi and colleagues had 22 exits and 27 failures during the course of his career. He started one of the Tel Aviv region's first One of the most significant was Yossi Vardi, who

sector approaches to innovation, and became an early Vardi moved into government to shape new public

Interdisciplinary Center in Herzliya on a disused military the first instant messaging application for the internet The ecosystem matured and among many successes stage angel investor in 1996, helping to establish ICQ, Israeli entrepreneurs. A characteristic of the Tel Aviv the company Waze was purchased by Google and site to provide an entrepreneurial education based Tel Aviv that actively involved hundreds of young and Herzliya entrepreneurs is their reinvestment back into ventures in the local ecosystem. They also supported the 1994 establishment of the on co-working and partnerships with students. These activities catalysed a startup boom in became a worldwide phenomenon.

### Investors

ventures that commercialise product expertise that is needed to finance can also strengthen firm networks marketing, and operational advice. and provide growth management, Investors provide the capital and and process innovations. They

### 6.4.1

### Venture capital

specialised business growth funds to startups and They are characterised by dynamic growth cycles, small businesses that have high growth potential. high risks of company or product failure, but with Venture capital (VC) investments come from significant returns when successful.

investments achieving very high returns in order Venture capitalists bank on some business to offset losses from those that fail.

provide startups and growth companies with oversight, /C investors are a typical part of successful precincts. experience, expertise and access to their networks. a successful growth cycle towards a public listing or private sale to realise their own profit. They can VC firms usually aim to take a business through



## The active role of venture capitalists - Boston's Seaport

## Innovation District¹⁸⁰

earlier stages. Others, such as Polaris Venture Partners he district, part of a new generation of VCs with more he Boston's Seaport Innovation District over the past innovative business models able to support firms at VC firms played a fundamental role in the growth of decade. OpenView Partners was the first VC firm in and Battery Ventures, have relocated to be in or adjacent to the district

Francisco. They are responsible for a substantial share These firms' ability and appetite to supply capital to of the \$6 billion raised in the Boston region annually. firms in the tech-oriented innovation economy was firms and talent from the pull of New York and San a major factor in Boston's ability to retain growing

VC firms have helped to finance a number of tech and district has also attracted more financial services and also given rise to smaller funds focused on very early law firm giants to locate. The major VC players have life sciences firms in the Seaport District, while the stage financing to support students.

Boston's VC firms also operate co-working spaces for events and meet ups, and have become much more entrepreneurs, play a prominent role in larger public active at mentoring startups as they have become more experienced

not usually themselves the initial catalyst for precinct development, over time they do underpin the vitality Boston's example shows that although VC firms are and 'stickability' of precincts.

### **6.4** Investors continued

6.4.2

### **Angel investors**

An angel investor is an individual or group that provides small sums of investment capital to startup firms to develop viable products. They play an important role in providing seed and early stage investment to new startups.

Innovation precincts are attractive to them as they know the firm they invest in is part of a broader supportive ecosystem.

### 6.4.3

### **Crowd funding**

Crowdfunding platforms such as Kickstarter and Indiegogo give startups an opportunity to raise capital by selling their idea directly to consumers.

A successful crowdfunding campaign can also help prove to venture capitalists, angel investors and banks that there is market demand for the product.



## The active role of angel investors – Seoul¹⁸¹

Angel investors have been an important part of the revival of the startup ecosystem in the central Seoul district of Gangnam, after a long downturn following the dot-com crash in 2000. Older entrepreneurs with liquidity from the dot-com era became angel investors into fast-growing sectors such as gaming, fashion, design and beauty, including CEOs such as Ryu Junghee. A number of angel investment clubs, syndicates and consultancies have emerged, consisting of consortia of business leaders in Seoul and Gangnam.

One non-profit coalition of 20 banks called Dream Bank has built a large asset base to support startups and provide high-quality space such as D.CAMP since 2012. South Korea's government has also become an angel investor itself into Gangnam startups, to fill specific gaps or co-invest with angels.

The example of Seoul shows how angel investors can play an important role in the system when they have sufficient understanding of early stage innovation challenges and the risk appetite to match.

programs that support early Precincts often play host to accelerator and incubator stage firm development.

business rapidly, while incubators the innovation. Both provide the opportunity to demonstrate the Accelerators focus on scaling a oroducts to potential investors. are often targeted to refining

### 6.5.1

Incubators and

### Incubators

An incubator also provides business support, resources and services such as co-working spaces, access to capital, coaching and networking connections. Depending on the organisation sponsoring or hosting the incubator, it may have a specific market focus. For case of incubators within Toronto's MaRS Discovery example, an incubator sponsored by a hospital may only support medical technology startups, as in the District and the Oslo Oncology Innovation Park.



### ncubators - Block 71182 The active role of

ocated in a 9 am-5 pm suburban innovation park west ncubators play an important role in precincts whose of Singapore CBD, owned by the state infrastructure creativity and interaction. Block 71 is an incubator physical fabric lacks the ingredients conducive to developer JTC Corporation.

opportunities, and proximity to investors, make up for incubation centre that also houses a number of firms and funds. Low costs, good facilities, networking The seven-storey building was relaunched as an any initial location and amenity deficits.

single common location to build energy, synergy and For precincts or city sub-regions that have limited or dispersed innovation activity, the example of Block 71 and others show how incubators can provide a economies of scale.

accelerators

## 6.5 Incubators and accelerators continued

### 6.5.2

### Accelerators

connections with other businesses or mentors that can problems during this period of high growth. They play and management capability and providing important Accelerators can provide mentoring, education and business support within a set timeframe to rapidly succeed by building the necessary business skills scale the business and help them avoid common an important role in helping startups in precincts offer valuable experience and guidance.

access to top-level technology leaders, a customised Accelerators can make a big difference to the critical curriculum and strong shaping for end user needs. mass of startups in a precinct when they provide

They are less effective when they have inexperienced decision-making, and do not coordinate with wider management, a limited evidence base to inform stakeholders and their expectations. 183



## The active role of accelerators - CONNECT and

### MassChallenge¹⁸⁴

university, the economic development corporation and One of the longest running examples of a successful accelerator that has had a big influence on a precinct and the wider ecosystem is CONNECT in San Diego. CONNECT was set up in 1986 by the city's main several private businesses.

The aim was to make the scientific and technological broker to create traffic between the two communities technologically literate. Its leaders acted as a neutral community more commercially capable, while also in the Torrey Pines Mesa precinct, hosting social events that gradually built up a shared language helping to make the business community more of innovation. 185

to become an advocate to government on behalf of Over time, CONNECT has broadened its mandate entrepreneurs and innovators.

accelerator with more than 110 firms and 200 mentors. to the growth of the Boston Seaport Innovation District nelped to support and guide many startups in the early government and the city government. MassChallenge development of the precinct and has since expanded ecosystems around the world. An important catalyst networks, operating in many different precincts and This relocation was financially supported by state Many accelerators have grown to become global to Jerusalem, London and Austin among others. was the relocation of MassChallenge, a startup

## Real estate partners

development of a precinct and its they also act as service providers Real estate partners and property facilities, although increasingly mainly involved in the physical developers and owners are of funding, coaching and

story' around the precinct and provide leadership and They can also play a key role in building a compelling density, social infrastructure and even capital

networking to resident firms.

advocacy to fill gaps in the ecosystem with connectivity,



## The active role of real estate partners – I.D.E.A. and

Kings Cross 186

.D.E.A. District was substantially driven by experienced world, the neighbourhood had no centralised planning developers David Malmuth and Pete Garcia of I.D.E.A. developers forming effective alliances and building a San Diego's main inner city innovation precinct, the model. Instead, the impetus mostly came from the Partners. Unlike many other precincts around the common language and vision.

development agencies, local firms, residents, potential in collaboration with local government authorities and They successfully forged a shared vision for the area tenants, and other developers, and built consensus around a new set of planning principles

and outdoor spaces to encourage people to experience attract further investment and new tenants to the area approach through the artistic transformation of indoor The developers created a demonstration building to showcase place-making and design principles and The developers also adopted a 'tactical urbanism' their neighbourhood and community differently.

years refining the masterplan framework for the whole another example of a developer taking an active role with two local governments and the community, the The Kings Cross innovation precinct in London is developer and asset manager, Argent spent many in the development of a precinct. Working closely precinct to reflect changing market preferences

schools, 1,000 affordable homes, restored heritage and The phased project incorporated an arts university, two numerous examples of community infrastructure. The experience highlights the importance of real estate partners with long-term asset management, a 'total place' perspective and transparency in community engagement in fostering innovation precincts

### **6.7**

### Government

Governments are instrumental in creating the pro-enterprise and pro-productivity reforms that can protect IP, reduce the regulatory time and cost burden on innovative businesses, and reduce barriers to investment that are critical for innovation precincts as well as the broader innovation economy.¹⁸⁷

The role of governments in precinct development can range from peripheral or supportive actions to instigating precincts and making significant investments. While government has an important role to play, the actual activity at the core of a precinct, its level of success, and its sustainability will ultimately be driven by the businesses, institutions, entrepreneurs and researchers present.

However, creating a successful innovation precinct is a long-term undertaking and requires sustained effort, patience and coordination. The long-term political support and commitment that governments can provide is often decisive. 188

Any intervention ought to be based on a comprehensive analysis of the demand and innovative activity that is proportionate to the scale of the market opportunity and the realistic potential of the individual precinct.



## The active role for government - Paris-Sacaly and MaRS¹⁸⁹

The French government designated the clustering of institutions in Paris-Saclay as one of national interest (opération d'Intérêt national, or OIN) and injected an initial £2bn of public investment, while a larger metropolitan rail project was simultaneously agreed to connect the innovation precinct to key locations in the region. The government's Grand Paris Act then created a Development Authority to drive and coordinate.

The Development Authority acts as the developer for joint development zones, partner to the universities, and adviser to investors. Additionally, the government has incentivised the local governments involved in the precinct to form soft collaborative governance structures. Over time, other partners in the precinct, including the universities and chambers of commerce, have taken a stronger leadership role.

This example illustrates the way that governments may need to take leadership roles, support land redevelopment and engage in enabling activities to make the precinct business-friendly and investor-ready.

Government can also anchor a second cycle of precinct growth and take a longer term view, particularly when there are additional public benefits. In Toronto, the rapid success of the first phase of the MaRS Discovery District led the Ontario provincial government to support the development of a second phase by moving into the Toronto laboratory of Public Health Ontario. The intention was to provide an anchor to the new tower while also making the public health system more responsive in light of the SARS crisis, and provide the public institution with access to a world-class health research community in the precinct.

At the same time, the province also launched a new Institute of Cancer Research in the precinct. Following the financial challenges of 2008, the province issued a loan and assumed many of the risks as developer until the new tower became over-subscribed in 2015. This illustrates the value of government patience and investment in a long-term vision for a precinct and region's future economy and shows that government is often a primary investor in the R&D that is commercialised in precincts.

### 6.7 Government continued

### 6.7.1

### Australian Government

The Australian Government plays an important role in fostering an environment that encourages innovation across the Australian economy. It does this through a range of national policy settings and investments such as business regulation, labour and taxation laws, skilled migration programs, communications, transport, power and other infrastructure, and support for higher education and research.

These policies can help attract and retain highvalue firms and skilled workers, incentivise research
nstitutions to shift from research and development
to commercialisation and partnering with state
governments to address infrastructure deficits.

### .7.2

### Local governments

The role played by local governments in innovation precinct development is typically through land use planning, local economic policies and programs, engaging with stakeholders and the community, and activating its assets as a landowner. It has significant influence on the local amenities, including the quality of the public domain and open spaces, walkability and local services. In many successful international precincts, including Herzliya in Tel Aviv, sustained support and leadership from a local government has been essential to ensure a precinct becomes competitive and remains relevant through the cycles.

Local governments can also convene key stakeholders to exchange knowledge and ideas to ensure that local leaders feel ownership and investment in a credible plan they have helped develop. For example, City of Parramatta Council is a member of the Westmead Alliance, which was formed to develop a future vision for the Westmead Health and Education Precinct, and plays a key supporting role in providing secretariat and planning services for the group.

### 6.7.3

### **NSW Government**

State governments are crucial for creating a regulatory and business climate that supports firm growth and economic activity. Industry, purchasing and other government programs can directly support emerging and established companies to foster their growth and international competitiveness.

The NSW Government can help to build the vibrancy and liveability of a place. It can work to ensure precincts are anchored in the community, leverage other infrastructure investments and do not create or exacerbate any local socioeconomic inequality. It can do this through supportive, coordinated land use policies, investment in and delivery of cultural infrastructure, transport, universities, hospitals, research and scientific facilities, and effective coordination across government department portfolios.

The NSW Government plays a critical role in facilitating inter-agency and inter-government collaboration, and can also participate in precinct governance and coordination directly as convenors and facilitators.

The Greater Sydney Commission's collaboration areas is an example of this. Collaboration areas are a place-based, multi-stakeholder approach to solving complex urban challenges over a 12-month period.

Strong leadership and political commitment can help to promote and market NSW innovation precincts internationally and provide them with valuable credibility and exposure to potential investors. The NSW Government can assist in bringing stakeholders together to assess opportunities and foster collaboration, as well as attend events.

The NSW Government can also directly utilise its land ownership and leverage investments in significant assets and infrastructure projects. There is a leadership role for government, particularly when making catalytic public investments that have the potential to change the innovation landscape. These include the development of major facilities, such as those at the Westmead Health and Education Precinct and Western Sydney Airport. A proactive approach to identifying key success factors and priority actions, coordinating government programs and working with stakeholders all help efforts to drive the development of a successful innovation precinct. Similarly, the NSW Government can consider how its existing assets can be used to support and enhance place-based innovation.

Government support for individual precincts ought to be assessed on a case-by-case basis, with appropriate levels of investment and involvement that take full account of the features and level of maturity of the precinct. These investments should be relative to the market opportunity, the economic and other benefits provided to the precinct and surrounding areas, and the net benefit for the NSW community.

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## **NSW Innovation and Productivity Council**

industry.nsw.gov.au/nsw-innovation-and-productivity-council

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State of New South Wales through Department of Industry 2018. The information contained in this publication is based on knowledge and understanding at the time of writing (September 2018). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Industry or the user's independent adviser.

PUB18/371

DIRECTOR CORF	ORATE SERVI	ICES & FINAN	CE'S REPORT	-
ORI	DINARY MEETING C	OF BATHURST REG	GIONAL COUNCIL	
	12 🗅	DECEMBER 2018		
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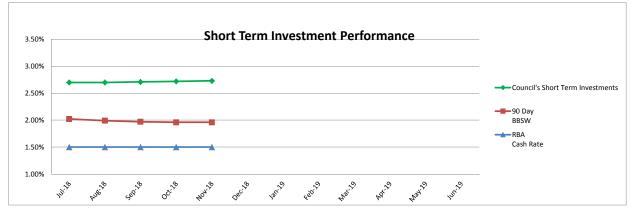
### **Investment Policy Benchmarks**

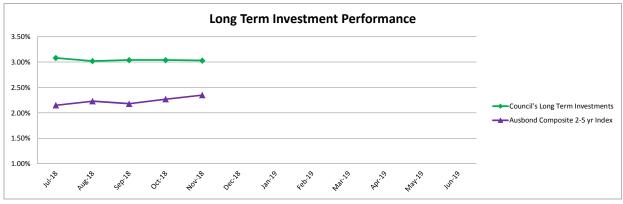
### Benchmark 1 - The performance of the portfolio shall be against the industry standard 90 Day Bank Bill Index or the official RBA Cash Rate

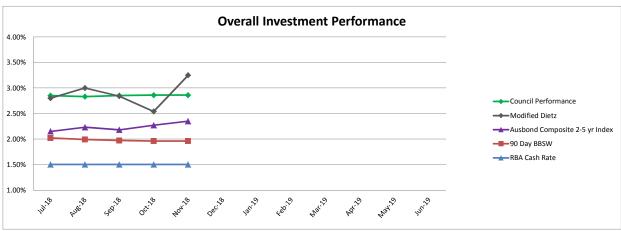
Council's current year to date performance compared to the two benchmarks is shown below. Council has outperformed both benchmarks.

Reserve Bank of Australia - Cash Rate1.50%AFMA - 90 Day Bank Bill Swap Rate (BBSW) Avg Mid1.96%Ausbond Composite 2-5 yr Index2.35%Modified Dietz Calculation3.25%

	Short Term			Long Term		Overall Performance	
				Ausbond	Council's		
	RBA	90 Day	Council's Short	Composite 2-5 yr	Long Term	Modified Dietz	Council
	Cash Rate	BBSW	Term Investments	Index	Investments	Calculation	Performance
Jul-18	1.50%	2.02%	2.70%	2.15%	3.08%	2.80%	2.85%
Aug-18	1.50%	1.99%	2.70%	2.23%	3.02%	3.00%	2.83%
Sep-18	1.50%	1.97%	2.71%	2.18%	3.04%	2.84%	2.85%
Oct-18	1.50%	1.96%	2.72%	2.27%	3.04%	2.54%	2.86%
Nov-18	1.50%	1.96%	2.73%	2.35%	3.03%	3.25%	2.86%
Dec-18							
Jan-19							
Feb-19							
Mar-19							
Apr-19							
May-19							
Jun-19							







### 2a - Overall Portfolio Credit Framework

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating. Council will work towards adjusting its Investments to meet the new Investment Policy criteria following the ratings downgrade of several institutions which occurred part way through the existing investments shown below. Council will reinvest into a complying rated institution at the maturity of these investments.

Short Term	Ratings	Maximum Holding %	Actual Holding	
Short Term	A-1+	100	77%	Complies
	A-1	100	0%	Complies
	A-2	40	13%	Complies
	A-3 or unrated	Note*	10%	Complies
			100%	
Long Term				
	AAA	100	0%	Complies
	AA+ AA AA- A+ A	100	61%	Complies
	A-	40	0%	Complies
	BBB+ BBB	20	34%	Does not comply - see below
	BBB- & unrated	Note *	5%	Complies
			100%	]

^{*}Note: For reasons of practicality the number of these investments should be kept to a minimum.

### 2b - Institutional Credit Framework

To limit single entity exposure each individual institution will be limited by their credit rating, Council has successfully met this criteria.

	Ratings	Maximum Holding %	Actual Holding	
CBA	AA-	40	18%	Complies
National Australia Bank Limited	AA-	40	10%	Complies
Westpac	AA-	40	12%	Complies
Bankwest	AA-	30	20%	Complies
Suncorp Metway	A+	30	1%	Complies
Rabobank	A+	30	1%	Complies
AMP	A	30	6%	Complies
Macquarie Bank Limited	A	30	1%	Complies
Bank of Queensland Limited	BBB+	5	5%	Complies
Bendigo & Adelaide	BBB+	5	4%	Complies
IMB	BBB	5	2%	Complies
Newcastle Permanent	BBB	5	4%	Complies
Members Equity Bank	BBB	5	1%	Complies
Greater Building Society	BBB	5	4%	Complies
Credit Union Australia	BBB	5	1%	Complies
Auswide Bank	BBB	5	2%	Complies
Railways Credit Union Limited	ADI	Note*	0%	Complies
Maritime Mining & Power Credit Union	ADI	Note*	8%	Complies
*Note: For reasons of practicality the number of these investmen	nts should be kept to a minin	num.	100%	1

^{*}Credit rating to Auswide Bank issued by Fitch Ratings, equivalent Rating by S & P shown

### 2c - Maturity Profile

The Investment Portfolio is to be invested within the following maturity constraints, Council has successfully met this criteria.

	Short Term	FRTD	TCD	FRN	Min %	Max %	Actual %	
Within one year	45,000,000	1,500,000	2,000,000	6,800,000	40	100	67%	Complies
One to three years	0	6,500,000	2,000,000	8,850,000	0	60	21%	Complies
Three to Five Years	0	4,500,000	0	3,500,000	0	30	10%	Complies
Over Five Years	0	1,830,000	0	0	0	15	2%	Complies

### 2018/19 Annual Operational Plan

### Bathurst 2040 Community Strategic Plan

### As at 30th November 2018

### Council's Vision:

Bathurst: A vibrant and innovative region that values our heritage, culture, diversity and strong economy.

As a community it is important to have a plan that outlines what we want and need as a community now and as the region grows. The NSW Government also requires all councils to have such a plan. The Bathurst 2040 Community Strategic Plan (CSP) is the highest level forward planning document of Bathurst Regional Council. It identifies the community's priorities and guides the direction for the Bathurst region over the next 20 years.

Six key objectives have been established in the CSP:

- 1. Our Sense of place and identity
- 2. A smart and vibrant economy
- 3. Environmental stewardship
- 4. Enabling sustainable growth
- 5. Community health, safety and well-being
- 6. Community leadership and collaboration

These objectives are supported by strategies, shown below, aimed at identifying the importance of each objective.

As a 20 year plan, the CSP is not able to be wholly implemented in one term of Council. The Delivery Program represents actions that the Council expects to achieve during the current term of election for the Council, typically four years. This <u>Annual Operational Plan</u> identifies the individual activities and projects that will be completed within the current financial year of the Delivery Program.

### OBJECTIVE 1: Our sense of place and identity

- 1.1 Respect, protect and promote the region's Aboriginal heritage assets
- 1.2 Protect, enhance and promote the region's European heritage assets and character
- 1.3 Enhance the cultural vitality of the region
- 1.4 Protect and improve the region's landscapes, views, vistas and open space
- 1.5 Promote good design in the built environment

### OBJECTIVE 3: Environmental stewardship

- 3.1 Protect and improve our natural areas and ecosystems, including the Macquarie River and other waterways
- 3.2 Protect the City's water supply
- 3.3 Minimise the City's environmental footprint, live more sustainably and use resources more wisely
- 3.4 Protect and improve the region's biodiversity
- 3.5 Increase resilience to natural hazards and climate change

### OBJECTIVE 5: Community health, safety and well being

- 5.1 Provide opportunities for our community to be healthy and active
- 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life
- 5.3 Help build resilient, inclusive communities
- 5.4 Make our public places safe and welcoming
- 5.5 Plan and respond to demographic changes in the community

### Bathurst 2040 Community Strategic Plan

### OBJECTIVE 2: A smart and vibrant economy

- 2.1 Support local business and industry
- 2.2 Grow local employment, investment and attract new businesses by nurturing and supporting entrepreneurs, partnerships and local skill development
- 2.3 Develop Bathurst as a Smart City
- 2.4 Support agriculture, local manufacturing, food production and education as significant contributors to the region's economy
- 2.5 Support Mount Panorama as a premier motor sport and event precinct
- 2.6 Promote our City and Villages as a tourist destination

### OBJECTIVE 4: Enabling sustainable growth

- 4.1 Facilitate development in the region that considers the current and future needs of our community
- 4.2 Provide safe and efficient road, cycleway and pathway networks to improve accessibility
- 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region
- 4.4 Provide parking to meet the needs of the City
- 4.5 Work with partners to improve public transport, and passenger and freight transport connections to and from the region
- 4.6 Plan for, assess and regulate development activity

### OBJECTIVE 6: Community leadership and collaboration

- 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst Region
- 6.2 Work with our partners and neighbouring councils to share skills, knowledge and resources and find ways to deliver services more efficiently
- 6.3 Advocate for our community
- 6.4 Meet legislative and compliance requirements
- 6.5 Be open and fair in our decisions and our dealings with people
- 6.6 Manage our money and our assets to be sustainable now and into the future
- 6.7 Invest in our people
- 6.8 Implement opportunities for organisational improvement

On the following pages, each of Council's principal activities is shown along with their four year Delivery Program actions and the Annual Operational Plan tasks that will be undertaken. These actions and tasks are linked back to the Bathurst 2040 CSP to show the community how its needs and wants are being delivered.

The table below is a guide to reading the Delivery Program and Annual Operational Plan.

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer
From the Objectives shown on Page 2	What actions will be delivered to achieve the objective	What specific projects will be undertaken this year to address the 4 year actions	Measurable KPI - How we will know when we have achieved our plans	Position Title – Director, Manager, Team Leader

The Performance Measures in this Plan have been rated by the responsible Directors as to their status of completion.

Below is a summary of the Status of all Performance Measures:

In progress – tracking as expected	Needs Attention	Urgent Attention
135 / 139	3 / 139	1 / 139
97 %	2 %	1 %

## **Engineering Services**

cater for future growth. A clean and safe water supply, a quality local road network, and environmentally responsible waste management systems are all demand. The Engineering Services Department has the responsibility to ensure the current needs of the community are met and the capacity exists to The key to developing a sound foundation for growth and prosperity of the Bathurst Region is by ensuring infrastructure needs are keeping pace with high priorities for engineering the future of the Bathurst Region.

### **Asset Management**

Status			
Action Year to Date	Piper St both sides - Havannah to Seymour completed -400m done Esrom St - Mitre St to Mooney Valley PI - complete 200m Peel St - Keppel to Russell St - 10% complete Bradwardine Rd - Mitchell to Corporation Ave complete 100m Mitchell Hwy - Bradwardine Rd to Sawpit creek - 20% Complete	Urban CBD inspections 97% complete	Lagoon Rd - 100% complete Lachlan Rd 1.8km 100% complete East St Rockley minor realignment and seal - 100% complete White Rock Rd reconstruct 5.2 - 5.8 km - 100% complete Church St, Peel reconstruction - 100% complete Fitzroy St, Peel reconstruction - 100% complete Goldies Rd - reconstruction - 100% complete
Responsible Officer	Manager Bathurst Works	Manager Bathurst Works	Manager Bathurst Works
Performance Measure	600 lineal metres of footpath and or cycleway completed.	100% of urban footpath inspected	Reconstruction and resealing works as per Council's 2018/2019 capital works and routine maintenance programs.  Completion of 2018/2019 Roads to Recovery Program.
Annual Operational Plan Projects / Tasks 2018/2019	Completion of additional concrete footpaths/cycleways in accordance with the Bathurst Regional Community Access and Cycling Plan 2011.	Monitor condition of footpaths.	Improvement of road infrastructure to upgrade sub-standard sections of the sealed network.
Delivery Program actions 2018-2022	Improve pedestrian access within the urban area.		Maintain and improve the existing road infrastructure consistently throughout the network.
Bathurst 2040 Objective reference	4.2 4.2 5.1		4.5

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Status			$\bigcirc\bigcirc\bigcirc \bullet$
Action Year to Date	Messners Rd – gravel resheeting completed to quarry. Rivulet Road – gravel resheeting complete Crudine Rd – Gravel resheeting complete Forge Rd – Gravelling complete	Reseal preparations for the 2018/19 program completed. Reseals programmed for Nov. Ongoing maintenance continues.	Stage 1 - bridge and creek widening works 100% complete. Stage 2 - Construction of levee subject to pending grant application to OEH. Expectation for September advice. (Funding announcement not made as at end October).
Responsible Officer	Manager Bathurst Works	Manager Bathurst Works	Manager Technical Services
Performance Measure	Completion of 2018/2019 Unsealed Roads Gravel Resheeting program.	Greater than 90% of the urban road network remains at condition index 3 or above.	Commence construction of Perthville Levee.
Annual Operational Plan Projects / Tasks 2018/2019	Renewal of gravel road surface throughout the network.	Undertake maintenance program in accordance with allocated budget.	Completion of flood mitigation works as outlined in the Bathurst Flood Management Plan.
Delivery Program actions 2018-2022			Protection of urban areas on the Bathurst Floodplain
Bathurst 2040 Objective reference			4.3

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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	Status		
	Action Year to Date	Design Complete. Construction approval being sought.	Tender accepted for design, documentation and approval for Second Circuit at Ordinary Meeting of Council, 18 July 2018. Completion of design due in 84 weeks.
	Responsible Officer	Director Engineering Services	Director Engineering Services
	Performance Measure	Project constructed.	Design and approval obtained.
	Annual Operational Plan Projects / Tasks 2018/2019	Development of Legends Lane	Development of the second circuit.
Mount Panorama	Delivery Program actions 2018-2022	Increase profile of Mount Panorama as the premier motor racing venue in Australia.	
Mount	Bathurst 2040 Objective reference	6.4 6.5 6.8 2.5	

Water, Sewer and Waste

Status	$\bigcirc\bigcirc\bigcirc$		00
Action Year to Date	Water Filtration Plant daily operations are ongoing, with maintenance and repairs conducted as required. The treatment processes are constantly monitored through a SCADA system and reviewed daily by staff.	Water distribution system operations are ongoing, with monitoring, maintenance and repairs conducted as required.  Significant reservoir improvements have been completed, with further work planned, to confinue to improve the integrity of the drinking water system around Bathurst.  With 13 key reservoirs, a total of 172 issues were identified. 132 of these have been addressed (77%). A further 14 issues are underway but not yet complete (will bring work to 84% completed). 28 issues are yet to be commenced.	Complaints regarding discoloured water are actioned within the required timeframe.  The number of discoloured water complaints for November 2018 was 2, which were received and actioned. This included calls relating to discoloured water from water main breaks. The financial year to date total calls for discoloured water is 19.
Responsible Officer	Manager Water and Waste	Manager Water and Waste	Manager Water and Waste
Performance Measure	Achieve the Australian Drinking Water Standards 90% of the time.	Customer complaints regarding flow and pressure are kept below 52 p.a.	Respond to 90% of complaints within 4 hours.
Annual Operational Plan Projects / Tasks 2018/2019	Operate, maintain, repair and upgrade Water Filtration Plant.	Operate, maintain, repair and upgrade water distribution system.	Respond effectively to discoloured water complaints within four hours
Delivery Program actions 2018-2022	Maintain and upgrade existing water and sewer infrastructure to meet the needs of all stakeholders into the future.		
Bathurst 2040 Objective reference	3. 3. 3. 3. 3. 3. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5.	6.2 6.3	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status			
Action Year to Date	A Drinking Water Management System (DWMS) document has been completed and is in effect. Details on addressing the actions to ensure continuous improvement are being documented. A weekly internal review takes place, along with an external check of our water quality results through the NSW Health laboratory.  No breaches of the DWMS critical limits have occurred in 2018/2019.	Tenders have been called, assessed and reported to Council. Contractors (EODO) are well advanced, with work now complete.  Work on the reservoir pump station and rising and delivery mains are all part of the project.  Commissioning has now been completed. So far over 60,000 hours of contract work has taken place on the project and over 1400m³ of concrete has been poured. The reservoir and water mains have been hydraulically tested and disinfected.  The new system is on line from the end of July 2018. With 290 homes in Kelso being provided with water at improved pressure.	In order to cater for the doubling in size of Eglinton, a number of new water and sewer trunk mains were required. So far, for East Eglinton 70% of the required new trunk mains for water and sewer are in place. For West Eglinton, 100% of the required new trunk mains for water and sewer are in place.
Responsible Officer	Manager Water and Waste	Manager Water and Waste	Manager Water and Waste
Performance Measure	Australian Drinking Water Guidelines & DWMS compliance, reviewed weekly.	Project is constructed and commissioned	Project is constructed and completed
Annual Operational Plan Projects / Tasks 2018/2019	Review, update and adhere to Drinking Water Management System (DWMS).	Kelso Water Infrastructure Project	Eglinton Village expansion – provision of trunk water mains and sewer mains for new subdivisions
Delivery Program actions 2018-2022			
Bathurst 2040 Objective reference			

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Neview and abdate existing best
Maintain approvals at over 90% of active businesses
Monitor and action developments from State Government in regards to changes monthly, then action in the Best Practice Guidelines as required.

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Status	
Action Year to Date	The water model has previously been reviewed some years ago, with several projects put into effect. The sewer model has been updated to include the expansion of Eglinton and Kelso.  Work on comparing options to service the growth is well underway. Recommendations are being developed.  Water modelling improvements have been completed with gauges at 6 main reservoirs installed to allow for calibration during and after summer 2017/2018. The network has been monitored and logged during peak flows in February and March 2018. Calibration has taken place and reports provided.
Responsible Officer	Manager Water and Waste
Performance Measure	Review all outcomes and opportunities from the water and sewer model reports to feed into the Management Plan.
Annual Operational Plan Projects / Tasks 2018/2019	Prepare plans and estimates for works highlighted in the computer models of the water network and the sewer network.
Delivery Program actions 2018-2022	
Bathurst 2040 Objective reference	

Status	
Action Year to Date	Funds were available for the Winburndale Dam Safety Upgrade to call Expressions of Interest, and this is now complete. The EOI closed on 6 December 2016. A review and assessment has been conducted. Approval to move to the tender phase has been received. This is being progressed through Public Works. A Review of Environmental Factors (REF) has been updated and expanded to cover all work areas. A tender review panel is established and a tender evaluation plan is finalised.  Subsequent to this, tenders have now been called during September 2017, and closed with 4 offers received. These are being assessed. Grant funding was sought through the NSW Safe and Secure Water Program.  Council has been successful in procuring \$2.225 million towards this project under the Program.  A ten der report should be available at a future 2019 Council meeting.  The Chifley Dam Secure Yield Study (base case) has been completed, with the Cilmate Change (future scenario) study also now complete. This report is being reviewed.  The Chifley Dam Dambreak Study has been completed and forwarded to the NSW Dam Safety Committee.  The Chifley Dam Safety Emergency Plan is complete and in effect.
Responsible Officer	Manager Water and Waste
Performance Measure	Compilance with  NSW Dam Safety Committee requirements, reported quarterly.
Annual Operational Plan Projects / Tasks 2018/2019	Prepare reports and studies for Winburndale Dam and Chifley Dam to achieve compliance with NSW Dams Safety Committee regulatory requirements.
Delivery Program actions 2018-2022	
3athurst 2040 Objective reference	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

performance are continuing, with internal and

upgrades are underway. Daily and weekly

sampling and monitoring of the plants

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Waste Water Treatment Works operations are

Manager Water

Achieve over 90 %

compliance with

Waste Water Treatment Works to comply Operate, maintain, repair and upgrade

with licence conditions.

**EPA** licence conditions.

and Waste

ongoing, with maintenance and repairs

conducted as required. Plans for minor

meetings attended, with other projects and

correspondence dealt with as required.

Work is continuing, through meetings and

Manager Water

Goals delivered

Work with CENTROC on Water Utilities

Alliance goals

and Waste

projects. Alliance Business Plan has been

developed and adopted. Bi-monthly

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external testing performed.  An Annual Return is completed following the	samples tested met the licence requirements, with only 3 minor breaches of the licence conditions in 2017/18 licence year.	Next report is due end of May 2019.	

Status

Action Year to Date

Responsible

Performance

Annual Operational Plan Projects / Tasks 2018/2019

Delivery Program actions 2018-2022

Bathurst 2040 Objective reference

Measure

Officer

completed and recommendations are being

actioned.

The annual surveillance report has been

Status	() () () () () () () () () () () () () (		o o		
Action Year to Date	Identification of appropriate locations for CCTV is ongoing through customer issues, staff advice and development proposals.  Any issues found are scheduled for repair or replacement as required.	Liaison with Technical Services staff to obtain advice on road projects and / or developments is continuing.  The aim is to ensure services are relocated prior to RMS or BRC projects commencing, such as roundabouts.	The waste collection vehicle fleet is up to date.	This project recommenced in 2014/2015, after previously being completed in 2011/2012. An audit has been conducted by EPA staff. A review has been conducted by an independent consultant. The final report has been received and recommendations are being put into effect. Planning is underway to conduct a future aerial survey.	Several ongoing projects are supported, with bi-monthly meetings attended. New projects or opportunities are assessed as they arise. All options available to Bathurst Regional Council through NetWaste are supported.
Responsible Officer	Manager Water and Waste	Manager Water and Waste	Manager Water and Waste	Manager Water and Waste	Manager Water and Waste
Performance Measure	5,000 m inspected	Complete 2018/2019 capital works program	One waste collection vehicle replaced in 2018/2019	Survey and monitor the remaining air space of the landfill annually.	Projects delivered.
Annual Operational Plan Projects / Tasks 2018/2019	Continue program of sewer main CCTV inspection, and lining if warranted	Identify, plan and undertake water and sewer construction works.	Replace waste collection vehicles on a 4 yearly cycle.	Review Waste Management Centre filling plans to ensure the optimum long term strategy is delivered, and to enable future planning timelines to be developed.	Work with NetWaste on waste projects and opportunities, for greater diversion from landfill and increased efficiencies.
Delivery Program actions 2018-2022			Maintain and upgrade existing waste infrastructure to meet stakeholder requirements.		Reduce waste to landfill.
Bathurst 2040 Objective reference			4.1 8.3 8.4 4.3 4.3	6.6	2.2 3.3 6.1

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Status		
Action Year to Date	mattresses, Household Chemical Cleanout, Waste 2 Art and collection and recycling of scrap metal.  The new recycling and organics collection tender was presented to Council in October 2014. The new service started in April 2016, with delivery of bins in March 2016. The contract is proceeding smoothly.	The roll out of information and education has commenced and will continue throughout 2018 /19.  Close to 30,000 new recycling and food and garden waste bins have been delivered to Bathurst properties during March 2016.  9,177 tonnes of food and garden waste have been sent for composting in the first 31 months (April 2016 to October 2018). The new service has been well received.  Recycling collection is continuing, with the contractor JR Richards providing the recycling collection service and transporting to the Orange MRF for sorting and further processing at Visy in Sydney. Over 6,564 tonnes has been sent in the first 31 months of the new contract (April 2016 to October 2018).  Combined totals show a diversion from landfill of over 15,742 tonnes, or 15.7 million kilograms.
Responsible Officer		Manager Water and Waste
Performance Measure		Promote recycling to maximise diversion from landfill. Combined diversion target is 5,000 tonnes.
Annual Operational Plan Projects / Tasks 2018/2019		Council to continue education and promotion of appropriate WasteWise behaviours with regard to green waste and recycling.
Delivery Program actions 2018-2022		
Bathurst 2040 Objective reference	6.2	

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Status		
Action Year to Date	Wastewise education works are continuing, and the recycling contract education strategies are also underway.  In March 2018 a cost increase was incurred for recycling due to overseas recyclers increasing prices. Since then Council in conjunction with Net Waste is in the process of developing a Recycling Strategy and is applying for an assistance package from NSW EPA.  Council was successful in gaining funding, and is working on the agreed outputs in the Funding Deed.	Numerous diversions are already in place, and working well. Further opportunities will be identified and assessed and implemented if appropriate to do so. New organics collection introduced.
Responsible Officer		Manager Water and Waste
Performance Measure		Opportunities considered and reported quarterly.
Annual Operational Plan Projects / Tasks 2018/2019		Identify, assess and implement appropriate diversion opportunities.
Delivery Program actions 2018-2022		
Bathurst 2040 Objective reference		

Status	•00						
Action Year to Date	Design works still to be completed in relation to Fields, mounding and amenities building at this site. Anticipate design works to be completed Dec 2018.	\$2.6M Grant funding made available October 2018 through Regional Sports Infrastructure Fund.	Due to specific seasonal requirement for development of sporting fields, contract for construction of fields will need to be called in Spring 2019.	Design of carpark and roundabout to be carried out externally, field designs to be completed in house.	Design works in progress. Waiting for finalisation of design brief with user groups prior to completing tender docs. Anticipate calling tenders in Feb 2019.	Contract to install a new 5 pitch turf wicket table completed November 2018. Wicket not to be used for 2018 Cricket Season.	Works completed.
Responsible Officer	Manager Technical Services				Manager Technical Services	Manager Recreation	Manager Recreation
Performance Measure	Construction of 2 x additional rugby league fields between Ashwood	rank and Jack Allow Complex.			Amenities / club room complex installed at the Bathurst Bike Park Precinct.	Restoration of Cricket Wicket Table Morse Park No.1.	Replacement synthetic surface to Bathurst Sports-ground cricket nets with works to be completed by end March 2019.
Annual Operational Plan Projects / Tasks 2018/2019	Construct additional facilities as determined through community consultation.					Update sporting venues, including associated infrastructure.	
Delivery Program actions 2018-2022	Plan for increasing population and aging population in the provision of suitable recreational projects						
Bathurst 2040 Objective reference	1.4 5.5 5.5						

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status						
Action Year to Date	Works Completed.	No Funding Provided for in 2018/19 Management Plan for this project.	Insufficient funding provided within the 2018/19 Management Plan for new playground installation. Playground upgrade funding has been provided and various existing playground spaces will be upgraded this financial year as deemed necessary.	Anticipate design of shade sail to be completed by end November 2018 and installation to be completed by March 2019.	Ongoing as part of adopted maintenance service levels and funding provisions.	Weed surveys across Council parks and reserves will be undertaken in Spring 2018. Quotation brief to be developed and quotations called for spraying works to various community land in December 2018.
Responsible Officer	Manager Recreation	Manager Recreation	Manager Recreation	Manager Recreation	Manager Recreation	Manager Recreation
Performance Measure	Restoration of court 8 - John Matthews Netball Complex by March 2019.	Sand Slit Infield drainage to be installed to Field 2 Ashwood Park.	Install new playground at Coates Drive Open Space Park	Installation of shade sail over Trunkey Ck Playground.	Maintenance activities undertaken to all recreation Assets in accordance with adopted maintenance service levels.	Develop 2018/19 spraying program by December 2018 & complete by April 2019.
Annual Operational Plan Projects / Tasks 2018/2019			Plan for the construction of new playgrounds in expanding residential areas.		Maintain existing levels of service to all parks, reserves, open space areas and other recreational facilities	To ensure that appropriate Environmental Management Plans for the Bathurst Region are current, relevant and provide long term strategies for the Region
Delivery Program actions 2018-2022			Continue construction of new playgrounds in expanding residential areas and upgrade existing		Maintain existing and future recreational areas.	Continue environmental programs identified within the Bathurst Vegetation Management Plan
Bathurst 2040 Objective reference			4. L. R.		4. r. r.	1.4 5.1 5.5

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Status				
Action Year to Date	8 community planting days (including school events) have been held since the start of the financial year.	Council has been awarded a grant of \$77K from the NSW Environmental Trust for a revegetation program within a section of the Macquarie River and \$4,800 from Crown Lands Improvement Program to undertake weed control works within reserve area at Trunkey Creek.	Ongoing. Maintenance contracts have been awarded and various works occurring to water and weed past vegetation projects, including various sites along the Macquarie River.	Revegetation works completed. Planting will be maintained over summer period to assist with establishment.
Responsible Officer	Manager Recreation	Manager Recreation	Manager Recreation	Manager Recreation
Performance Measure	Arrange for 11 Tree Planting and volunteer engagement activities.	Apply for grants to assist completion of VMP program.	Undertake maintenance of previously completed vegetation projects.	Revegetation of College Road Open Space Reserve, with 550 trees to be planted.
Annual Operational Plan Projects / Tasks 2018/2019				
Delivery Program actions 2018-2022				
Bathurst 2040 Objective reference				

## Corporate Services & Finance

Looking after its staff and ensuring open and transparent government is the main priority at Bathurst Regional Council. Council employs approximately 370 staff in 20 locations and attracting and keeping good people is our priority. For the fourth year in succession, in the annual Employee Opinion Survey, Council rated above the Australian Local Government Industry Standard for employee satisfaction.

Human resources

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Status					00		
Action Year to Date	Council regularly meets with other Councils within the CENTROC area as part of bi-monthly HR Group meetings as well as twice yearly meetings with HR colleagues from the Evocities Group.	Approval was given for the implementation of a new online recruitment, onboarding and performance management system as a collaborative effort through Centroc.	A review of Councils staff performance appraisal system is underway and a business case will be prepared to recommend opportunities for improvement.	During October the HR Manager met with HR colleagues from Evocities Council's to discuss current HR issues and during November met with Centroc HR Group.	As at the end of November all new staff have attended the appropriate induction training.	The new e-learning system commenced its roll out in July, with a trial group of staff being enrolled in several of the compliance modules.	During October staff with computer access were enrolled in the Code of Conduct, Workplace Bullying & Harassment, Aboriginal
Responsible Officer	Manager Human Resources				Manager Human Resources		
Performance Measure	Review minimum 2 HR functions and outline how efficiencies will be made.				100% of new staff complete induction. 80% of staff maintain	current competency for compliance training modules.	
Annual Operational Plan Projects / Tasks 2018/2019	Regularly participate in cross-functional teams with Centroc and Evocities councils to identify opportunities for efficiencies.				Continuation of staff induction program. E-learning platform is monitored to ensure all staff are enrolled and have	completed required compliance training.	
Delivery Program actions 2018-2022	Establish and build on effective networks with other councils to identify areas for operational improvements and efficiencies				Ensure all staff complete induction training, ongoing compliance	updates and professional development.	
Bathurst 2040 Objective reference	4.5 6.1 6.2				1.1 5.3 6.4	6.7	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Cultural Awareness and Sexual Harassment Prevention.	Promotion of Council's Learning and Development Policy commenced via staff newsletters during August. Since this time a number of applications for education assistance were received and are being assessed for eligibility.	A project plan will be developed during December and January to outline actions and timelines.
	Manager Human Resources	Manager Human Resources
	20% increase of staff participating in staff education assistance scheme.	Consultation completed and corporate values established.
	Promote the Learning and Development Policy to encourage upskilling of Council's workforce.	Develop and implement Undertake staff consultation and programs and initiatives to develop corporate values to align with foster a strong leadership Council's vision.
	Provide a range of education and training opportunities for Council's workforce.	Develop and implement programs and initiatives to foster a strong leadership culture.
	6.2 6.7 6.8	6.8

	Status				De De	>
	Action Year to Date	Manual monitored regularly and updated as required.  Last update issued 16 October 2018.	Register updated after each Council meeting.	This month: 3 applications received.  YTD 9 applications received. 9 applications completed (4 from 2017/2018). 3 outstanding. 1 application withdrawn.	Consultant engaged to update Council's Business Continuity Plan and Information Services Business Recovery Plan (ISBRP).  Preliminary work started. Workshops completed September 2018. Draft BCP received. Comments on draft provided to Consultant. Information Services BCP being prepared	This month: Nil  YTD 1 fine - DPI Fisheries NSW - \$500 fine - Perthville Flood Mitigation works being done by contractor.
	Responsible Officer	Manager Corporate Governance	Manager Corporate Governance	Manager Corporate Governance	Manager Corporate Governance	Manager Corporate Governance
	Performance Measure	Individual Policies reviewed for relevance and compliance with statutory requirements	Register updated monthly.	Information requests (formal and informal) actioned in accordance with statutory guidelines.	Plan reviews completed	Fines or Penalty Notices issued this month.
	Annual Operational Plan Projects / Tasks 2018/2019	Regular review of Council's policies (Policy Manual).	Provision of Contract Register on Council's website.	Action requests for information under GIPA Act.	Review of Disaster Recovery Plan and Business Continuity Plan (BCP).	Reporting of fines and penalties issued against Council.
ø	Delivery Program actions 2018-2022	Ensure Council policies reflect community needs and organisational requirements.	Implementation of the Government Information Public Access Act (GIPA Act)		Ensure Council's continuity of operations.	Compliance with Local Government (General) Regulation 2005
Governance	Bathurst 2040 Objective reference	6.4 6.5 6.8	6.5		4.3	6.4

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

	Status				
	Action Year to Date	Information Services Strategic Plan has been included on Information and Communication Technology (ICT) Roadmap with a completion date of June 30 2019. Currently looking for a suitably qualified company to assist in the creation of our strategic plan. Developing materials internally to ensure consultant is quickly up to speed.	Consultancy company "InConsult" has been retained to assist with the development of the ISBRP. Completion has been scheduled for 30 November 2018. Draft report has been delivered. IS responsibilities from report need to be identified and specific plans developed.	Tender document is currently being developed, with a view to having the project completed by April 2019.	Installation has begun. Testing to begin with closed testing period from December to January go live of 21 March 2019.
	Responsible Officer	Manager Information Services	Manager Information Services	Manager Information Services	Manager Information Services
	Performance Measure	Plan Completed	Plan developed and tested	Desktop renewal completed.	CBD WiFi installed, tested and live.
	Annual Operational Plan Projects / Tasks 2018/2019	Develop Information Services strategic plan.	Review and renew Information Services Business Recovery Plan (ISBRP).	Renewal of Council's fleet of Desktop and Notebook computers.	Deliver CBD WiFi for the Bathurst Community.
Technology	Delivery Program actions 2018-2022	Improve long-term viability and availability of electronic data for both the current and long term.			Support the Smart Cities project.
Information Technology	Bathurst 2040 Objective reference	2. 2. 3. 6. 55 53			2.2 2.3 2.6 5.2

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

	Status	00							) ()	
	Action Year to Date	Long Term Financial Plan completed for 2017/18.	Council did not apply for a special rate variation for 2018/19 Operating/Delivery Plan.	As per 2017/18 Financial Statements achieved 6.17%	(2016/17 5.68%). (2015/16 5.85%). (2014/15 6.63%).	As per 2017/18 Financial Statements achieved 3.66%	(2016/17 4.12%). (2015/16 3.95%). (2014/15 4.10%).	At 31 October 2018:	<ul> <li>Current year average earnings – 2.86% (2017/18 average 2.80%)</li> </ul>	<ul> <li>90 day Bank Bill Swap Rate – 1.96% (2017/18 average 1.82%)</li> </ul>
	Responsible Officer	Manager Financial Services		Manager Financial	Services	Manager Financial	Services	Manager Financial	Services	
	Performance Measure	Long Term Financial Plan complete and adopted by Council.	Special Rate Variation considered by Council.	Rates and Charges Outstanding Ratio	less than 10%.	Debt service ratio less than 10%.		Outperform monthly 90 day bank bill	swap rate.	
	Annual Operational Plan Projects / Tasks 2018/2019	Review need for special variation in rate income.		Improve Council's cash flows.		Ensure Council's level of debt is manageable.		Maximise invested funds within prudential guidelines.		
	Delivery Program actions 2018-2022	Ensure Council's long term financial sustainability.								
Finance	Bathurst 2040 Objective reference	6.1 6.6								

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

	Status	$\bigcirc\bigcirc\bigcirc$					
	Action Year to Date	Consultant appointed, 400 phone surveys completed September 2018, online surveys also submitted. Report being drafted.	As at 30 November 2018: 100% consultation projects on Your Say (Draft CBD CCTV policy, Smart Cities Feedback, Presentation of Financial Statements 2017-18, Pillars of Bathurst, Irrigation Portal)	Social media followers: July: 7,348 August: 7,454 September: 7,562 October: 7,858	BRC Facebook Page – November: 6,411 followers BRC Twitter Page November: 1,508 followers November total: 7,919	Website visits: July: 65,766 August: 43, 035 September: 51,675 October: 95,056	October BRC: 22,696 Mount Panorama: 10,022 Bathurst Cycling Classic: 5,065 Inland Sea of Sound: 4,861 BMEC: 4,286 NMRM: 2,182 Bathurst Art: 1558
	Responsible Officer	Manager Corporate Communications	Manager Corporate Communications				
	Performance Measure	Overall satisfaction rating > 70%	All consultation projects included on the "Your Say" platform	Followers on social media > 5,000		BRC Website visits > 40,000	
	Annual Operational Plan Projects / Tasks 2018/2019	Bathurst Regional Council Community Survey.	Ensure community consultation occurs				
Corporate Communications	Delivery Program actions 2018-2022	Communicate and engage with the community					
Corporate (	Bathurst 2040 Objective reference	6.1					

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Hillend Art: 992	Australian Fossil & Mineral Museum: 909	Cobb & Co: 741	November total: 53, 312	

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Status		
Action Year to Date	Sunny Bright construction has commenced in June 2018. First stage of 150 lots with a focus on 75 lots to be completed by December 2018. Registration and ballot by February 2019.  Planning design for Windy 1100 due for completion August 2018. Construction due to commence mid-2019. 180 lots in total.	Bathurst Trade Centre stage 10, construction has commenced in July 2018. Pre-sold 14 out of 15 lots at end of August 2018. Completion due December 2018. Registration by February 2019. Kelso Industrial Park has 9 lots still available.
Responsible Officer	Property Manager	Property Manager
Performance Measure	Provision of land stocks for residential needs.	Provision of land to meet demands.
Annual Operational Plan Projects / Tasks 2018/2019	Development of residential land in accordance with Council plans.	Development in Bathurst Trade Centre and Kelso Industrial Park as required.
Delivery Program actions 2018-2022	Encourage development of new residential land releases to ensure appropriate level of supply.	Manage development of new commercial and industrial land releases as required to meet the needs of new businesses.
athurst 2040 Objective reference	1.5 6.4 6.8 6.8	2.1 4.1 6.4

# Cultural & Community Services

Bathurst Regional Council supports a vibrant culture and community. Lifestyle in the Bathurst Region is enriched by providing a diverse range of cultural facilities and programs and by promoting cultural diversity. Community well-being is promoted through social planning, community development and ensuring access to community services.

## Community Services

Status		
Action Year to Date	Community Safety Committee meeting held 29 November. Four (4) Committee meetings have been held year-to-date. Drafting of Community Safety Plan 2019 – 2023 carried out.	Actions and strategies discussed with Bathurst Regional Access Committee and internal and external stakeholders during November.
Responsible Officer	Manager Community Services	Manager Community Services
Performance Measure	4 meetings with administration support provided to the Bathurst Regional Community Safety Committee. Relevant campaigns /projects developed and implemented as per actions identified in the	Bathurst Community Safety Plan. Undertake annual review and evaluation of actions. Ensure continuing public awareness raising and promotion of DIAP.
Annual Operational Plan Projects / Tasks 2018/2019	Undertake the actions identified in the Bathurst Community Safety Plan in partnership with the Bathurst Regional Community Safety Committee.	Implementation of the strategies and actions identified in the Disability Inclusion Action Plan (DIAP) that address each of the four focus areas of the plan 2017-2021.
Delivery Program actions 2018-2022	Work in partnership with key stakeholders to develop administer and deliver community planning that reflects the strengths and needs of specific sectors and the community as a whole.	
Bathurst 2040 Objective reference	പ്രസ് സ് സ് സ്	6.3

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status			
Action Year to Date	No stakeholder meetings held in November.  One stakeholder meeting held year-to-date.  One report presented to Council year-to-date.	Summary of external service providers and programs during November:  • A total of 58 individual uses of the Hub by one-off and repeat services and programs.  • The number of target services and programs are consistent with November 2017.  • A total of 274 individual uses of the Hub by one off and repeat services and programs year to date (VTD).  • The Hub serviced a total of 697 people.  • A total of 5,147 people have been serviced through the Kelso Community Hub year to date.	The following programs and activities and celebrations were held at Kelso Community Hub throughout November:  • Breakfast program amounted to 220 young people being serviced.  • There was an average of 18 young people attending breakfast club daily.  • The school kids Breakfast program operated for 54 days year to date with an average attendance of 21 students each day.  • 1141 young people accessed breakfast program year to date.  • 56 young people attended after school programs.  • A decrease of 65% of young people attending after school programs from November 2017.  • 467 young people attended after school programs year to date.  • No school holiday activities were held during November.
Responsible Officer	Manager Community Services	Manager Community Services	Manager Community Services
Performance Measure	Facilitate 2 meetings with Kelso Community Hub stakeholders.  3 Kelso Community Hub update reports to Council.	10% increase on 2017/2018 utilisation by external services providing target services and programs.	20 children per day accessing the breakfast program 5% increase of young people accessing afterschool programs per session programs per session young people accessing holiday activities.  4 Community celebrations per year.
Annual Operational Plan Projects / Tasks 2018/2019	Continue to provide ongoing review of service delivery for future direction of Kelso Community Hub.	Encourage and facilitate the use of the Kelso Community Hub by outside service providers to meet the needs of the community.	Develop and provide programs and activities that meet the identified needs of the community.
Delivery Program actions 2018-2022	The provision of the Kelso Community Hub as a safe community hub and venue for outreach service provision that meet the needs of the community.		
Bathurst 2040 Objective reference	1.3 to 2.5 to 3.5 to 3.		

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status			
Action Year to Date	<ul> <li>An average of 105 young people attended school holiday programs year to date.</li> <li>No community events were held at Kelso Community Hub during November.</li> <li>Four (4) community events held at Kelso Community Hub year to date.</li> </ul>	Youth Council meeting held 13 November. Three (3) Youth Council meetings have been held year-to-date. Youth Network meeting held 14 November. Three (3) Youth Network meetings have been held year-to-date.	Six (6) policies were reviewed for Children's Services as a collective Six (6) policies were reviewed that were Family Day Care specific. One (1) policy document linked with the Workplace Health and Safety policy was developed as an additional resource.  Year to date 100% of the Children's Services policies have been review to now be reviewed by stakeholders. A total of forty two (42) policies across the three services have been reviewed.  No review of Quality Improvement Plans across the section in November  Service Quality Improvement Plans have been reviewed 4 times year-to-date across the section 7 quality areas have been reviewed year-to-date across services through review of policies, OIP review.
Responsible Officer		Manager Community Services	Manager Community Services
Performance Measure		Facilitation of 6 Bathurst Regional Youth Council meetings, including attendance numbers. Undertaking of 2 youth initiatives, activities, programs and events including attendance numbers.	50% of policies reviewed. Continue to develop and review Service Quality Improvement Plans (QIP). 7 National Quality areas to be reviewed.
Annual Operational Plan Projects / Tasks 2018/2019		Providing support for the Bathurst Regional Youth Council and their related activities, programs and events	Update policies and procedures to ensure alignment with:  1. Education and Care Services National Ouality Standards.  2. Education and Care Services National Regulations and Law  3. The Early Years Learning Framework
Delivery Program actions 2018-2022		Value and support opportunities for young people to understand the processes of Local Government and be involved in relevant projects.	Provision of high quality child care facilities to cater for children aged 0-12 years in the Bathurst Community
athurst 2040 Objective reference		5.1 6.2 6.3 6.3	5.3 5.3 5.4 6.3 7.0 7.0

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status		
Action Year to Date	No surveys completed in month of November to review service delivery.  1 survey has been conducted by Scallywags regarding enrolments for 2019 year-to-date.  No reported presented to Council in November or year-to-date.	One (1) promotional strategy online was implemented by Family Day Care in November. Promoting current staff regarding their roles and responsibilities through the service Facebook page.  Six (8) promotional activities conducted online year-to-date  Family Day Care undertook two (2) community consultation activities by attending a meeting at Bathurst Visitor and Information Centre and participation in the Transition to School committee.  Scallywags and Little Scallywags did not engage in consultation in November.  Six (6) community consultation activities were implemented year-to-date  No new cliental through the website in November  2% of cliental through the website year-to-date requiring Vacation Care enrolments and recruitment of Family Day Care Educators.
Responsible Officer	Manager Community Services	Manager Community Services
Performance Measure	Facilitate 2 surveys across services for review of service delivery Children's Services update report to Council	Undertake 3 promotional strategies through a range of digital platforms. Undertake 3 community consultation activities to promote service 5% increase of new cliental through website
Annual Operational Plan Projects / Tasks 2018/2019	Ongoing review of service delivery for future growth of occupancy rates of all services	Promotional mechanisms developed and implemented for each child care service.
Delivery Program actions 2018-2022	The provision of Council's Children Services, setting a benchmark for education and care in the Bathurst LGA	Promotion of Children's Services.
Bathurst 2040 Objective reference		

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Action Year to Date	The following resources were purchased during November.	<ul> <li>Craft Christmas resources purchased for Family Day Care and Scallywags for Christmas parties to be held for families.</li> </ul>	75% of resources purchased, year-to-date, reflect National Quality Areas.
Responsible Officer	Manager Community Services		
Performance Measure	75% of resources obtained to reflect requirements of the	National Quality Standards	
Annual Operational Plan Projects / Tasks 2018/2019	Resources obtained to reflect the requirements of the National Quality Standards		
Delivery Program actions 2018-2022	Provision of appropriate resources and learning environments that reflect	the National Quality Standards.	
Bathurst 2040 Objective reference			

### **Bathurst Library**

Status					
Action Year to Date	Research and Analysis phase continues. State Library of NSW Assessment and Compliance Report including strengths and opportunities received.	Notes: Percentage based on Bathurst population of 42,900. From August 2018 onwards, active membership calculated using 3 year activity (NSW State Library standard) instead of previous calculation on 2 year activity.  November 2018 membership is 22,393 = 52% of Bathurst population	Monthly target: 11,666 visits average. November visits: 11,957 (YTD 64,144)	Programs held in November = 30 (YTD 137)	Attendance to programs in November = 957 (YTD 5,633)
Responsible Officer	Manager Library Services	Manager Library Services	Manager Library Sewices	Manager Library Sewices	Manager Library Sewices
Performance Measure	Library strategic plan is completed.	Membership is 25% or more of total population	Visitations are 140,000 or more	Deliver 12 or more programs / events per month	580 attendees or more to programs / events per month
Annual Operational Plan Projects / Tasks 2018/2019	Develop a library strategic plan	Maintain and improve membership base	Maintain and improve visitations	Maintain and improve program and event delivery	Maintain and improve attendance at programs and events
Delivery Program actions 2018-2022	Develop a strategic approach to planning the next-practice library	Maintain and improve community participation in the Library Services			
Bathurst 2040 Objective reference	4.3	က			

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status						
Action Year to Date	November Print Ioans: 19,121 (YTD 102,340)	November electronic loans = 1,711 (YTD 6,531)	Total Facebook followers = 1,944 Total Twitter followers = 857	Year to date: 2 programs developed, advertised and held 1. Bug Out Coding School Holiday activity held 17 July, 13 attendees. 2. Simple Bots school holiday activity held 18 July, 17 attendees.	Draft MOU prepared and in discussion with Bathurst Family History Group.	Year to date: 3 active eCollection Consortia, in collaboration with other Central West libraries.  Wheelers: Bathurst, Big Sky, Broken Hill, Cobar, Inverell, Parkes  BorrowBox: Bathurst, Big Sky, Bourke, Broken Hill, Central West Libraries, Cobar, Lachlan, Mid-Western, Oberon, North Western, Weddin RBDigital: Bathurst, Big Sky, Central West Libraries, Gunnedah, Lithgow, Mid-Western
Responsible Officer	Manager Library Services		Manager Library Sewices	Manager Library Services	Manager Library Services	Manager Library Sewices
Performance Measure	Print loans at least 23,000 per month	Electronic loans at least 400 per month	> 1,750 Facebook followers > 800 Twitter followers	2 programs developed, advertised and held by June 2019	MOU signed by June 2019	Number of active eCollection consortia is >2
Annual Operational Plan Projects / Tasks 2018/2019	Maintain and increase circulation of library material		Growth in followers on the library social media platforms	Develop program with Save the Children Fund "Programming the Future"	Develop MOU with the Bathurst Family History Group	Maintain or increase current participation in electronic collection consortia with other libraries
Delivery Program actions 2018-2022	Maintain and improve access to information and life-long learning		Communicate and engage with the community	Maintain and create partnerships with local organisations and neighbouring councils		
Bathurst 2040 Objective reference	5.3		6.1	6.2		

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

## Bathurst Regional Art Gallery

Status		
Action Year to Date	1. STEEL/Ellis programs: Number of community/ed groups: 16 Number of students: 473 2. SALIENT/Burrows programs Number of community/ed groups: 34 Number of students: 162 3. Looking Forward-Looking Back programs Number of community/ed groups: 27 Number of community/ed groups: 27 Number of students: 174  @ 30 NOVEMBER Art in a Suitcase: September: no action October: no action October: no action November: 48 students (Hill End PS & Hill End Art Camp)  @ 30 NOVEMBER No. Community/Ed groups: 14 No. Community/Ed groups: 14 No. Students: 75 TOTAL: ART IN A SUITCASE REACH: 498 TOTAL: ART IN A SUITCASE GROUPS: 3 TOTAL STUDENT REACH 1,326 TOTAL STUDENT REACH: 1399	Survey Exhibitions:  1. Rachel Ellis: Sustaining Light survey. Total Attendance: 4,063 2. Terry Burrows: Objectivity Total Attendance: 3,357 3. Michelle Collocott: Three Ponds Series October Attendance: 1,146 November Attendance: 1,973 Attendance to date: 3,119 Catalogues:
Responsible Officer	Art Gallery Director	Art Gallery Director
Performance Measure	Staging of six (6) education / public programs in conjunction with BRAG exhibitions.  At least 1,200 students from school and 15 community groups or organisations accessing BRAG education / outreach / public programs including the Art in a Suitcase program.	Staging of two (2) survey exhibitions with at least 3,200 attendees.  Production of two (2) exhibition catalogues.
Annual Operational Plan Projects / Tasks 2018/2019	Develop community access and inclusion to the Gallery's exhibition program through the development education, outreach and public programs.	Provide opportunities for the professional development of regionally based artists through exhibition.
Delivery Program actions 2018-2022	Provide a focus on the visual arts for the community by providing education and public programs that challenge thinking and stimulate creativity, and promote cultural vitality in the region through the development and care of the permanent collection, temporary exhibitions and research facilities.	
Bathurst 2040 Objective reference	<u>6</u>	

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Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status					
Action Year to Date	<ol> <li>Rachel Ellis: Sustaining Light</li> <li>Terry Burrows: Objectivity</li> <li>Michelle Collocott: Three Ponds Series</li> <li>Looking Forward: Looking Back: contemporary works from the East Kimberley</li> </ol>	July: no activity August: no activity September: no activity October: no activity 12 works loaned to Blue Mountains Cultural Centre (Peter Rushforth: A Legacy - 30 November 2018- 20 January 2019) November visitation: 350		July: no activity August: no activity September: no activity October: no activity November: no activity	July: no activity August: no activity September: no activity October: no activity November: no activity
Responsible Officer		Art Gallery Director		Art Gallery Director	Art Gallery Director
Performance Measure		Staging of two (2) permanent collection exhibitions including the development of one (1) touring exhibition curated from the permanent collection with at least 3,200 attendees.	At least 5 works loaned to other galleries, and visitation of more than 2,500 per venue.	Staging of three (3) Hill End Artists in Residency exhibitions with at least 3,200 attendees. Two (2) international residencies.	Development of two (2) off-site programs / events. At least 1,000 participants per program / event.
Annual Operational Plan Projects / Tasks 2018/2019		Develop community access to the permanent collection through exhibition, research, loans and touring exhibitions on an as needs basis.		Develop community understanding of the achievements of the Hill End Artists in Residency Program through exhibition and international participation.	Broaden access and inclusion to the Gallery's exhibition program through the development of a program of off-site and/or satellite programs.
Delivery Program actions 2018-2022				Promote cultural activity in the Bathurst CBD, neighbourhoods and the region's villages through the development of inclusive and accessible satellite programs and events, and the promotion of Hill End as a	significant site of contemporary and historic Australian art and culture.
Bathurst 2040 Objective reference				5.2	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

## **Bathurst Memorial Entertainment Centre**

Status				
Action Year to Date	Rick Heath, Executive Officer of Performing Arts Connections Australia and CEO of Push presented an overview to a Councillors' Working Party on November 14. His brief will be finalised in December.	Current Friends base is 252.	53,620 people attended BMEC in 2017/2018 Statistics are still to be compiled for November but over 20,000 people have attended BMEC YTD	17 season shows were successfully presented in the 2018 Annual Season with 12 associated workshops .  In November LEAP musicians performed in local cafes in the lead up to the Inland Sea of Sound festival.
Responsible Officer	Manager BMEC	Manager BMEC	Manager	Manager BMEC
Performance Measure	Strategic approach is completed by December 2019	Friends base is 247 or more	Attendances are 54,000 or more.	Deliver approximately 17 Season and other events, 9 associated workshops and a Local Stages Program including LEAP program, local writers and other performing arts development
Annual Operational Plan Projects / Tasks 2018/2019	Develop a consultants brief with professional support Call for consultant expressions of interest and appoint consultant	Maintain and improve membership/subscription (Friends) base	Maintain and improve venue attendance	Maintain and improve program and event delivery
Delivery Program actions 2018-2022	Implement a strategic approach to planning the next-practice Performing Arts Centre	Maintain and improve community participation in BMEC services and activities		
Bathurst 2040 Objective reference	4.1 1.2 5.3 6.2	5.2		

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		Maintain and improve attendance at	5,000 attendees or	Manager	6,791 patrons have attended BMEC Season	
_		programs and events	more to season	BMEC	shows so tar in the 2018 Annual Season.	) (
			shows and 5,500 at			C
			associated and			
			Local Stages projects			
			per year			
1.1	Communicate and	Growth in community engagement.	> 2,470 Facebook	Manager	BMEC currently has:	
1.2	engage with the		followers	BMEC	2,709 Facebook followers	) (
5.3	community		> 530 Twitter		522 Twitter followers	C
			followers		655 Instagram followers	
			> 525 Instagram		This does not include ISoS, Catapult Festival or	
			followers		Central West Short Play Festival followers	

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Action Year to Date	In November 2018 the following total visitor numbers included:  Australian Fossil and Mineral Museum 1376 which is a 12% decrease on November 2017 visitor numbers of 1571.  National Motor Racing Museum 2100 which is a 10% decrease on November 2017 visitor numbers of 2340.  Chilley Home and Education Centre 68 which is a 58% increase on October 2017 visitor numbers of 43.  Total number of visitors across the Museums in November 2018 was 3,544 which is a 10% decrease on November 2017 numbers of 3,954.  Year to date (YTD) total visitors to Council Museums is 28,209 which is a 2.6% increase from 27401 VTD 2017	In November 2018 the following education/schools engagement included:  Australian Fossil and Mineral Museum 401 visitors which is a 35% decrease on November 2017 visitor numbers of 617.  National Motor Racing Museum 210 visitors which is a 45% decrease from November 2017 visitor numbers of 387.  Chilley Home and Education Centre 0 education/school visits in November 2017.  The number of education/school engagement across the Museums in November 2017.  The numbers of 1004.  Year to date (YTD) total education/school visitors to Council Museums is 2,897 which is a 8.6% decrease from 3,173 YTD 2017.
Responsible Officer	Museums	Museums
Performance Measure	Total 2% increase in visitor numbers	Total 2% increase in education/schools engagement
Annual Operational Plan Projects / Tasks 2018/2019	A 2% increase in total visitor numbers to:  • Australian Fossil and Mineral Museum  • National Motor Racing Museum  • Chifley Home and Education Centre	A 2% increase in total education/schools engagement at:  • Australian Fossil and Mineral Museum  • National Motor Racing Museum  • Chifley Home and Education Centre
Delivery Program actions 2018-2022	An increase in total visitor numbers to the Bathurst Regional Council managed Museums of 8% over 4 years	An increase in the total educational/schools engagement with the Bathurst Regional Council managed Museums of 8% over 4years
Bathurst 2040 Objective reference	2.6 1.1 1.3 6.6	2.6 1.1 1.3 6.6

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Action Year to Date	In November 2018 the following has occurred:  Australian Fossil and Mineral Museum  • During November the AFMM participated in ArtState, Hosting artist in residence Harrie Fasher with her exhibition Lines: power of a landscape. This exhibition remained in place for the entire month of November.  • Sunday November 4; floor talk by Harrie Fasher.  National Motor Racing Museum  • 50 Years of Holden Bathurst Winners special	exhibition remained on display, the 2015 race winning car left the exhibition on 15 November.  • Additional Loan vehicles received during this period include the 1998 Alan Jones EL Falcon Supercar on loan from Mark Le Vallant.  • Planning has commenced for the Craig Lowndes exhibition to be opened in January 2019.	<ul> <li>Chifley Home and Education Centre</li> <li>Love, Light and Life, an exhibition of flowers from the gardens of the Chifley women by artist Kim Bagot-Hiller opened on 22 September 2018.</li> <li>Homekeeper workshop by artists JoJo Williams and Jessie Alstone for Artstate.</li> </ul>	In November 2018 the following retail and venue hire gross revenue was achieved:  Australian Fossil and Mineral Museum \$6,079.80 which is a 15% decrease on November 2017 income of \$7,141.65.	National Motor Racing Museum \$ 24,220.00 which is a 11% increase on November 2017 of \$ 21,781.65	Chifley Home and Education Centre \$84.00 which is a 44% decrease on November
Responsible Officer	Maseums			Manager Museums		
Performance Measure	Minimum six exhibitions, five public programs and two community events			Total 2% increase in retail and venue hire revenue		
Annual Operational Plan Projects / Tasks 2018/2019	Undertake a minimum of six exhibitions, five public programs and two community events across the Bathurst Regional Council managed museums			A 2% increase in revenue generated from museum retail outlets and venue hire across the Bathurst Regional Council managed museums		
Delivery Program actions 2018-2022	The provision of a range of public programs, exhibitions and community events at the Bathurst Regional Council managed museums			An overall increase in revenue generated from museum retail outlets and venue hire across the Bathurst Regional Council managed museums	)	
Bathurst 2040 Objective reference	5.7 1 1.2 1.2 9.4 9.4 9.4 9.4 9.4 9.4 9.4 9.4 9.4 9.4			2.6 1.1 6.6 6.6		

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Action Year to Date	2017 income of \$150.50.  Total retail and venue hire gross income across the Museums in November 2018 was \$30,383.80 which is a 4.5% increase on October 2017 income of \$29,073.80.  Year to date (YTD) total gross revenue for Council Museums is \$190,069.20 which is a 0.6% increase from \$188,997.64 YTD 2017.	<ul> <li>In November 2018 the following occurred:</li> <li>Building contractor site preparations were undertaken.</li> <li>Solution for stormwater issue at rear of site developed with John Holland Rail/Transport for NSW.</li> <li>Content graphics initial draft presented by contractor.</li> </ul>	In November 2018 the following occurred: • Awaiting notification Regional Cultural Fund.
Responsible Officer		Manager Museums	Manager Museums
Performance Measure		Construction of Bathurst Rail Museum commenced	External funding sources identified and applications submitted
Annual Operational Plan Projects / Tasks 2018/2019		Undertake the construction and fit out of the Bathurst Rail Museum	Continue to seek external funding for the construction of the collection facility
Delivery Program actions 2018-2022		The construction and operation of the Bathurst Rail Museum	The construction and operation of the Central Tablelands Collection Facility
Bathurst 2040 Objective reference		2.6 1.1 1.3 6.6	1.1 1.2 6.6 6.6

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Action Year to Date	Letter sent to all accommodation providers with partnership certificates	ov Operators erigaged 710 with new booking engine.	Six operator renewals/new operators in November. 124 tourism partners as at end of Nov 18 increase of 4.2% over 2017 equivalent period figure of 119 at end November 2017. Industry engaged to provide web content, updated listings and imagery.	8.45% increase in users against November 2017, average session duration +56.12%, bounce rate -	13.34%	App - Town Square tour recorded	Layout of Destination Planner completed	Advertising prospectus sent to all partners and Bathurst business database	\$14,485 in bookings generated through booking portal. YTD bookings total \$52,713		BVIC rated 4.9/5 on Facebook, 4.3/5 on Google and 4.5/5 on TripAdvisor	\$6,507 retail sales in November, 19.5% decrease against \$8,089, in November 2017
Responsible Officer	Manager BVIC			Manager BVIC								
Performance Measure	Number of tourism partners increased by 10%.	Increased attendance at industry events	annually	Tourism website operational.	Tours and trails app	available to public.	Destination planner published.	Increase of 15% in	bookings infougn online booking portal	Downloads of Bathurst region app increase by 15%	VIC satisfaction rating of 80% or higher maintained	Retail sales at BVIC increase by 10%
Annual Operational Plan Projects / Tasks 2018/2019	Work with local operators in the provision of visitor services.	Glow Regional Toursti Partitebriip program	Inform industry regarding the Bathurst Region brand use and application	Develop new tourism website	Develop regional Tours and trails app	Develop online booking capability	Develop Destination Planner – print and online	Create focused local range of retail	products at BVIC			
Delivery Program actions 2018-2022	Grow the number and engagement of businesses associated with	INE VISIOI ECONOMY		Provide visitors and prospective visitors to the	area with quality information and services.							
Bathurst 2040 Objective reference	2.1			2.6								

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Action Year to Date	Facebook followers increased by 1.4 % to 8,375, YTD increase of 21.2% Instagram followers increased by 2.5% to 1,942, YTD increase of 13.4% 13,511 page views of visitbathurst website in November 2018, a 51.67% increase over equivalent period in 2017. YTD increase of 64.6%.	Event calendar and content populated for new consumer website.  56 Events promoted in November 'What's On' sent to database of 652 and via radio to inform VRF segment. Ongoing collaboration with PR agency Res Publica.  4.089 visitors to BVIC in November, increase of 3.9% on 2017.
Responsible Officer	Manager BVIC	Manager BVIC
Performance Measure	Growth in social media following by 20%. Increase in page views to Destination website by 20%.	Day visitor number increase by 5% Overnight visitors increase by 8% Average length of stay increases by 10%
Annual Operational Plan Projects / Tasks 2018/2019	Develop new tourism website  Develop Destination Planner - print and online  Develop marketing campaigns based upon pillars of destination brand strategy	Promote Bathurst region to niche and specialist markets as identified in Destination Management Plan and Brand strategy  Develop annual events program from major (Tier 1) events to community level events
Delivery Program actions 2018-2022	Effectively promote and market the Bathurst Region as a key destination	Increase total number of visitors and overnight stays in the Bathurst region
Bathurst 2040 Objective reference	2.6	5.6

## Destination Management

Status				$\bigcap$			$\cap$		$\bigcirc$			
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Action Year to Date	Leonards Advertising has designed campaign commissioned to roll out the brand strategy. WIN TV campaign commences summer 2018/19	The Three year marketing plan was adopted by Council on 19 September.	Nicola Bailey Photography confirmed for Bathurst photo shoot Autumn 2019	The November Tourism Reference Group meeting was cancelled due to staff and	member non-availability	BVIC Manager attended NRMA Panorama	moliday Park idulich, EV Steeling Committee meeting (CENTROC), Bathurst Harness racing	Club, Bathurst Tours, Western Advocate Digital workshops, NSW Tourism Awards	Budget allocation to produce annual report has been made.			
Responsible Officer	Destination Development Manager			Destination Development	Manager	Destination	Development Manager /		Destination Development	Manager / Economic	Development	Manager
Performance Measure	Marketing Plan adopted by council.	> 100 images accessed and used.		6 meetings held	> 75% level of attendance	Annual forum on	erriergring industry trend hosted.		Report produced.			
Annual Operational Plan Projects / Tasks 2018/2019	Implement the destination brand:  Develop and implement 18 month- three year marketing plan.	Publish image library for industry to access.		Improved collaboration between industry groups and Council.		Host ongoing tourism forums annually.			Publish annual market intelligence report to strengthen knowledge and	guide investment.		
Delivery Program actions 2018-2022	Utilise the Destination Management Plan as a basis for marketing, promotion and tourism	development		Support the Tourism Reference Group, which	consists of a cross section of the industry	Connect with industry			Set and measure benchmarks			
Bathurst 2040 Objective reference	2.6			2.6		2.6			2.6			

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

# Environmental, Planning & Building Services

Council will manage growth and development in alignment with Council's and the NSW Government's planning instruments and controls, and continue forward planning through reviews of the Housing Strategy, Open Space Strategy and Transport and Parking Strategy. Adoption of a new Economic Development Strategy will identify opportunities for continued growth, mindful of Council's obligations to environmental stewardship, heritage conservation and good urban design.

### Environmental

Status						
Action Year to Date	First program was completed from 18-30 November 2018, with 110 dogs and cats desexed.		Conducted weekly by Senior Ranger.	Posts prepared and released in November 2018.	Contract for maintenance awarded in August 2018, and conducted regularly.	Seating and agility equipment was installed in early October 2018. Project now complete.
Responsible Officer	Team Leader Regulatory Services					
Performance Measure	Two Community desexing programs conducted	Pet Expo held	Educational radio interviews conducted weekly	Educational social media posts conducted monthly	Maintain Kefford Street Off Leash areas fortnightly	Install seating and dog agility equipment at small dogs off leash area by September 2018
Annual Operational Plan Projects / Tasks 2018/2019	Complete Responsible Pet Ownership community programs	Maintain and enhance areas for off-leash recreation for dogs				
Delivery Program actions 2018-2022	Meet Council's responsibilities under the Companion Animals Act	1998 by continuing to provide community programs relating to responsible pet ownership				
Bathurst 2040 Objective reference	6.4 5.2 5.4					

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status	$\boxed{\bigcirc\bigcirc\bigcirc}$	
Action Year to Date	95.2% responded to within adopted corporate standards. 100% responded to within adopted service standards.	Liaison with IT staff ongoing. Interim solution under development.  Regular Facebook posts occurring.  Promotion of available animals ongoing.  Council's website features dogs available for sale and impounded dogs where the owner is unknown.  Promotion of available animals ongoing.  Council's website features cats available for sale and impounded cats where the owner is unknown.  Proposal presented to architectural firm in early November for design and project management of construction.
Responsible Officer	Team Leader Regulatory Services	Manager Environment/ Team Leader Regulatory Services
Performance Measure	95% of customer requests responded to within adopted corporate standards 100% response to customer requests reported out of hours	Implement electronic impounding register by December 2018 Implement social media program to promote rehoming of impounded dogs and cats by December 2018 Increase the % of impounded dogs returned to owner or sold or released to welfare organisation Increase the % of impounded cats returned to owner or sold or released to welfare organisation  Increase the % of impounded cats returned to owner or sold or released to welfare organisation  Design 100% complete by December 2018
Annual Operational Plan Projects / Tasks 2018/2019	Investigate animal related complaints, including matters reported after hours Undertake regulatory action consistent with Council's Enforcement Policy for identified breaches	Operate Small Animal Pound at Vale Road site
Delivery Program actions 2018-2022	Meet Council's responsibilities under the Companion Animals Act 1998 and Impounding Act 1993 by promptly responding to customer requests and implementing enforcement action for breaches	Meet Council's responsibilities under the Prevention of Cruelty to Animals Act 1979 and the Impounding Act 1993 in the operation of the Small and Large Animal Impounding Facilities
Bathurst 2040 Objective reference	5.4	4

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status				
Action Year to Date	All of Council's contractual obligations met in November 2018.	92.6% of customer requests responded to within adopted corporate standards.	Several posts each week on the @sustainablebathurst Facebook page during October with posts on the Backyard Bird Count and water wise behaviour.  Thirteen schools awareness grants for a range of projects which are currently being implemented.	Inspections conducted weekly in November and approvals issued where appropriate.
Responsible Officer	Team Leader Regulatory Services/ Parking Rangers	Manager Environment/ Environmental Officers	Manager Environment/ Environmental Officers	Manager Environment/ Environmental Officers
Performance Measure	100% compliance with contractual obligations	95% of customer requests responded to within adopted corporate standards	Weekly posts on the @sustainablebathurst Facebook page Conduct Sustainable Living Expo in March 2019 Conduct a sustainability education program targeting primary school aged students by December 2018	Increase the number of onsite sewage management systems with a current approval to operate
Annual Operational Plan Projects / Tasks 2018/2019	Monitor and enforce parking regulations in off street car parks in accordance with contractual obligations	Investigate customer requests and pollution incidents Undertake regulatory action consistent with Council's Enforcement Policy for identified breaches	Communicate sustainability messages via a range of on-line and traditional media sources Conduct sustainability education programs	Conduct inspections and issue approvals for existing onsite sewage management systems without approvals or requiring renewal
Delivery Program actions 2018-2022	Meet Council's contractual obligations under the Local Government Act 1993 in monitoring and enforcing parking regulations in off street car parks	Meet Council's responsibilities under the Protection of the Environment Operations Act	Continue to improve the community's awareness and capacity with regard to environmental sustainability	Implement Council's Onsite Sewage Management Strategy and meet Council's obligations under the Local Government Act
Bathurst 2040 Objective reference	6.4		6 .3 .3 .3 .1 .1 .1 .1 .1 .1 .1 .1 .1 .1 .1 .1 .1	3.1 3.2 6.4

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Annual Operational Plan Projects / Tasks 2018/2019
Review and update the Onsite Sewage Management Strategy by January 2019
Implement a priority project identified in the Urban Waterways Management Plan.
Implement a priority project identified in the Plockity, Managemen
biodiversity Management Plan.
Implement a priority project identified in the Pest Bird Management Plan
Implement a priority project in the Roadside Vegetation Management Plan
Install a solar array at the Bathurst Aquatic Centre
Design and install a solar shade structure for the Elizabeth Street car park
Implement an energy

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status				
Action Year to Date	Not commenced.	Project options currently under review.	21 DAs assigned and assessed in October 2018.  Consultant engaged to assess the suitability of various Council owned parcels of land as stewardship sites. Report due end of November 2018.	Advice provided on numerous DA's during November. Discussions with land owners and potential purchasers also held during August.
Responsible Officer			Manager Environmental Officers/ Sustainability Strategy Officer	
Performance Measure	efficiency upgrade at Council facility	Implement a renewable energy project through the Revolving Energy fund	Number of development applications assessed and professional advice provided Identify three priority Council owned sites for assessment as biodiversity stewardship sites  Formulate a workflow procedure to ensure that all Council activities are compliant with the requirements of the relevant legislation by February 2019	
Annual Operational Plan Projects / Tasks 2018/2019			Ensure the assessment of development applications meets all of the requirements of the Biodiversity Conservation Act 2016, Fisheries Management Act 1994 and other relevant planning policies  Investigate opportunities for the establishment of biodiversity stewardship sites under the Biodiversity Conservation Act 2016  Ensure that Council activities are compliant with the requirements of the Biodiversity Conservation Act 2016	Ensure the assessment of development applications meets all of the requirements of SEPP55 and Council's Contaminated Land Policy
Delivery Program actions 2018-2022			Meet Council's obligations under the Biodiversity Conservation Act 2016, Fisheries Management Act 1994 and Water Management Act 2000  Meet Council's obligations under SEPP55 and related planning policies	
Bathurst 2040 Objective reference			6. 6. 6. 4. 4. 4. 4. 4. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
Contribute to the development of Bathurst as a Smart City	Identify the optimum efficiency LED luminaries for the street lighting upgrade	Complete a pilot trial of LED street lights at identified trial sites by September 2018	Manager Environment/ Environmental Officers/	Main trial locations installed between July and September 2018. An additional trial location negotiated with Essential Energy and scheduled for installation in November 2018. Installation	000
	Identify the optimum technology for smart controls to be incorporated into LED street lighting upgrade	Complete upgrade of all standard P3, P4 and P5 street lights to LED luminaries.	Strategy Officer	design.  Investigating extension of trial to include decorative lights.	
	Establish Bathurst as an EV charging destination	Install Tesla supercharger station by August 2018		Tesla supercharger station has been delayed by Essential Energy. Negotiations ongoing.	
		Identify and install CBD universal EV charge station sites		Potential CBD charge sites have been identified, assessed by an electrician and prioritised. Agreement with NRMA signed in November, with installation to commence in early 2019.	
		Complete a feasibility study for the integration of electric vehicles in the Council fleet		Financial model for feasibility study complete. Feasibility study presented to Department Heads in August 2018. First petrol hybrid electric vehicle ordered and	
Meet Council's statutory reporting obligations under the Local Government Act 1993	Monitor the operational footprint of Council's operations and report on trends identified.	Collate data and prepare the annual State of Environment Report by 30 November 2018	Manager Environment/ Sustainability Strategy Officer	received September 2018. Currently in daily use by Records section. Regional SoE was adopted by Council at its Ordinary meeting in November 2018.	
	Measure and collate the trends in				

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Status		$\boxed{\bigcirc\bigcirc\bigcirc}$						
Action Year to Date	Data collection ongoing.	33 food premises (plus 10 temporary premises) in November 2018.	One B&B was inspected in the month of November.	Food safety newsletter prepared and distributed in August 2018.		No inspections conducted in November 2018.	Inspections of 9 public swimming pools completed in November 2018.	Training attended on 7 November 2018.
Responsible Officer		Manager Environment/ Environmental Health Officers				Manager Environment/ Environmental Health Officers		
Performance Measure		Conduct an inspection of all high and medium risk food premises by June 2019	Implement a risk based inspection program for B&B and home-based food premises	Prepare and distribute educational material on food safety three times annually	95% of customer requests responded to within adopted corporate standards	Conduct an inspection of all skin penetration premises	Conduct an inspection of all public swimming pools and spa pools	Participate in training to determine Council's role in Legionella
Annual Operational Plan Projects / Tasks 2018/2019	environmental condition across the Local Government Area	Conduct a program of inspections of food premises including homebased food premises and Bed & Breakfast establishments to ensure compliance with regulations				Conduct a program of inspections of skin penetration premises, public swimming and spa pools and cooling towers		
Delivery Program actions 2018-2022		Meet Council's obligations in the Food Regulation Partnership and the Food Act 2003				Meet Council's obligations under the Public Health Act 2010 and associated reculations		
Bathurst 2040 Objective reference		6.4				6.4		

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
			management and the inspection of cooling towers			
			95% of customer requests responded to within adopted corporate standards		100% responded to within adopted service standards.	

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Status		
Action Year to Date	<ol> <li>House Keeping LEP Amendment - Planning proposal drafted. Awaiting Gateway Determination from Department of Planning &amp; Environment.</li> <li>Moveable and Monumental Heritage LEP Amendment - Planning proposal being prepared.</li> <li>Limekilns Road LEP and DCP Amendment - Adopted by Council. To be forwarded to the Department of Planning &amp; Environment for gazettal.</li> <li>Bathurst Regional Development Control Plan 2014 - Major Review - report presented to Council at July meeting to commence review. Signage and notification chapters being reviewed.</li> <li>Bathurst Regional DCP 2014 - Housekeeping Amendment - Completed 31/8/18.</li> <li>Community Participation Plan - draft plan being prepared.</li> </ol>	1. Bathurst Region Open Space Strategy – draft Strategy being prepared. 2. Stewart/Durham Street Intersection investigations – Plan completed. To be reported to Council. 3. Laffing Waters Master Plan – Project underway. 4. Bathurst City Traffic Study/Model (joint project with RMS) – Model underway. 5. Aboriginal Cultural Heritage Assessment – Snd circuit lands – Methodology for test excavation being prepared. 6. European Archaeological Management Plan – 2nd circuit lands – report completed. 7. Due diligence report for the Mount Pancrama Roardwalk project completed.
Responsible Officer	Manager Strategic Planning	Manager Strategic Planning
Performance Measure	Planning proposals referred to NSW Department of Planning & Environment for gazettal	Draft studies/plans are prepared by 30 June 2020
Annual Operational Plan Projects / Tasks 2018/2019	Prepare draft LEP and DCP amendments.	Prepare studies and plans. 1. Laffing Waters Master Plan. 2. Bathurst Integrated Transport Plan.
Delivery Program actions 2018-2022	Prepare relevant planning proposals to ensure Council's planning controls remain relevant and up to date.	Investigate relevant land use and planning issues of the Bathurst Region.
Bathurst 2040 Objective reference	1.5 2.1 3.3 4.6 6.5 6.5 7	2.1 2.1 4.6 5.5 6.4

Status		$\boxed{\bigcirc\bigcirc\bigcirc}$	$\bigcirc\bigcirc\bigcirc$		$\boxed{\bigcirc\bigcirc\bigcirc}$
Action Year to Date	Consultation for Wahluu story completed.  8. Duramana Road Master Plan - Project underway.  9. Building Better Bathurst Advisory Service - Expressions of Interest called and being assessed.  10. 2018 Car Parking Survey - survey counts underway.  11. Alec Lamberton Park Consultation - underway.	<ol> <li>Stormwater drainage – draft study/plan being prepared.</li> <li>Bathurst Region Open Space – valuations report received. Plan being reviewed.</li> </ol>	Total site visits since 1 July 2018 – 56. Expressions of Interest for new Heritage Advisor consultancy called and interviews held.	<ol> <li>2018/19 Bathurst Region Local Heritage Fund - 59 projects have been offered funding</li> <li>2018/19 Bathurst Region Interpretation Fund - 11 projects have been offered funding</li> <li>2018/19 Bathurst CBD Main Street Improvement Fund - 14 projects have been offered funding.</li> </ol>	Nominations for 2019 Pillars of Bathurst being finalised.
Responsible Officer		Manager Strategic Planning	Manager Strategic Planning	Manager Strategic Planning	Manager Strategic Planning
Performance Measure		Draft plans considered and adopted by Council	Number of site visits undertaken by the heritage advisory service.	Value of works generated from Council's incentive funds.	New interpretative / promotional information made available.
Annual Operational Plan Projects / Tasks 2018/2019		Review existing or prepare new s7.11 Plans.	Provide a Heritage Advisory Service.	Provide heritage incentive funding programs to protect, maintain, enhance and promote the regions heritage assets.	Prepare and implement projects for the interpretation and display of cultural heritage and history information.
Delivery Program actions 2018-2022		Review and update Council's section 7.11 plans.	Implement the Bathurst Regional Heritage Strategy 2014-2017.		
Bathurst 2040 Objective reference		4.1 4.6 6.4	1.1 1.5 4.6 5.7		

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

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Status	
Action Year to Date	<ol> <li>Bathurst Heritage Conservation Area Review - draft report being finalised.</li> <li>Archaeological Assessment - 128 Bentinck Street - Archaeologist being appointed.</li> <li>Building Conservation and Restoration Strategy for Headmasters Residence (former TAFE site) - final report received.</li> </ol>
Responsible Officer	Manager Strategic Planning
Performance Measure	Studies/plans considered and adopted by Council.  Number of local heritage items included in the Local Environmental Plan.
Annual Operational Plan Projects / Tasks 2018/2019	Prepare research/studies into the regions heritage values
Delivery Program actions 2018-2022	
Bathurst 2040 Objective reference	

### **Development Assessment**

Status	00				
	Bathurst Regional Council	38.58	35.78	Bathurst Regional Council	2.27
Action Year to Date	NSW State Average 2014-2015	71	48	NSW State Average 2014-2015	22
Action Y	October 2018	Average gross days taken to determine a DA	Average nett days taken to determine a DA	October 2018	Average days taken to determine a CDC
Responsible Officer	Manager Development Assessment			Manager Development Assessment	
Performance Measure	To be at or below the state average for determination times of	To be at or below the state average for determination times of development applications			development
Annual Operational Plan Projects / Tasks 2018/2019	Process all development applications within statutory time frames set out in the Environmental Planning and Accessment Act 1070				
Delivery Program actions 2018-2022	Ensure the assessment of development and other applications, in	planning instruments, development control plans and policies, occurs within appropriate	timeframes.		
Bathurst 2040 Objective reference	1.5 4.1 4.6				

### **Economic Development**

Status			
Action Year to Date	Submissions to Telstra, Optus and Vodafone for Mobile Black Spot Funding.  EOI submitted for Aerodrome under the Growing Local Economies Fund.  Business case submitted for Growing Local Economies Fund (Kelso Industrial Park).	Evocities Steering Committee and Operations Group meetings attended.  Existing Welcome signs updated and 3 additional signs manufactured for Vale, O'Connell and Sofala Roads.  Bathurst Region site deactivated and content moved to new destination site.	July, August, September, October and November eNewsletters sent. BRC grant application submitted to activate industry clusters. 2018 BizMonth campaign completed with sponsorship from Commonwealth Bank, Verto, CSU and Rydges.
Responsible Officer	Manager Economic Development	Manager Economic Development	Manager Economic Development
Performance Measure	Seek funding for economic infrastructure projects.	Representation at all Evocities meetings.  All 4 entrance billboards and signs updated.  Bathurst Region website migrated to new destination site.	12 eNewsletters issued. Manufacturing and technology cluster groups activated Run BizMonth, Gift Card and Business Leaders Lunch programs.
Annual Operational Plan Projects / Tasks 2018/2019	Nurture economic infrastructure development by supporting the development of the aerodrome, industrial precincts and telecommunications.	Market-leading promotional campaigns and events through continued participation in Evocities, destination marketing, and maintenance of promotional assets.	Support local business growth, partnerships and skill development through management of Councils business database (eNewsletters), business management programs, business events and the ID platform.
Delivery Program actions 2018-2022	Implementation of the Economic Development Strategy 2018-2022 and associated actions.		
Bathurst 2040 Objective reference	2.1 2.3 2.4 2.6 4.1	o. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Chamber Business Expo attended 24 July. MOU signed with the Bathurst Business Chamber. Board meetings attended. Carillon Business Awards attended.	Jobs Expo completed and confirmed sponsorship from TAFE NSW. 58 stalls & 2,250 attendees. 353 jobs loaded to date.  Qantas Pilot Training Academy submission unsuccessful.	Smart City Plan development underway.  Community consultation workshops held September meeting held.  Smart Cities Round 2 grant applications unsuccessful.  Sydney Smart City week attended.
Manager Economic Development	Manager Economic Development	Manager Economic Development
Program developed and adopted.  Attendance at 75% of Business Chamber After-Hours events.  Representation at all "Upstairs" board meetings and implementation of a marketing campaign for "Upstairs".	Organise the Bathurst Jobs Expo with 40 stalls and minimum 1,500 attendees.  Minimum of 60 new jobs loaded on Evojobs each month.  Develop relocation proposals, relocation materials and support the relocation of new businesses.	Smart City Plan developed and adopted.  Monthly Project Group meetings held.  Seek funding and roll out Smart City priority projects.
Develop a Precinct Activation Program, support local start-up hubs and manage Council's relationship with the Business Chamber.	Grow local employment, investment and attract new businesses	Develop Bathurst into a Smart City. Support innovative practices from industry.

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

2018-2019 Section 356 Donations

Report as at 30 November 2018  Details	Reference	Date	Standard Annual Donations	Specific Donations	Sundry Donations	Mt Pan Fee Waived	BMEC Donations	TOTAL
Annual Budget			\$ 64,520.00	\$ 53,416.00	\$ 8,500.00	\$ 41,833.00	\$ 60,000.00	\$ 228,269.00
Spent to date: Bathurst City Community Club	DCS&F 18/07/18 Item 5b	25/07/2018			-3,654.13			-3,654.13
City Colts Water Account	Operation Plan	25/07/2018	-4,717.85		0,001.10			-4,717.85
Bathurst Arts Council - Annual Youth Arts Awards	DCS&F 18/07/18 Item 5c	31/07/2018	,		-1,000.00			-1,000.00
National Cool Climate Wine Show - 20th Anniversa	DCS&F 18/07/18 Item 5d	31/07/2018			-1,500.00			-1,500.00
Central Tablelands Woodcraft	DCS&F 18/07/18 Item 5e	31/07/2018			-700.00			-700.00
Monkey Hill UHF Repeater	Operation Plan	31/07/2018	-800.00					-800.00
2BS Junior Sports Awards	Operation Plan	31/07/2018	-5,000.00					-5,000.00
Macquarie Philharmonia - Platinum Donation	Operation Plan	31/07/2018	-2,500.00					-2,500.00
Sofala & District AH&P Association	Operation Plan	31/07/2018	-350.00					-350.00
Sofala Progress Association	Operation Plan	31/07/2018	-2,500.00					-2,500.00
Bathurst Information and Neighbourhood Centre	Operation Plan	31/07/2018	-800.00					-800.00
Bathurst City & RSL Band Association Inc	Operation Plan	31/07/2018	-5,000.00					-5,000.00
3rd Bathurst (All Saints Cathedral) Scout Group	Operation Plan	31/07/2018		-490.00 500.00				-490.00 -500.00
Central Tablelands Woodcraft Bathurst Seymour Centre Inc	Operation Plan Operation Plan	31/07/2018 31/07/2018		-500.00 -3,500.00				-3,500.00
Miss Trail's House & Garden	Operation Plan	31/07/2018		-1,250.00				-1,250.00
Hill End & Tambaroora Gathering Group	Operation Plan	31/07/2018		-400.00				-400.00
Bathurst City Mens Bowling Club - Carillon Fours	Operation Plan	31/07/2018		-2,500.00				-2,500.00
Evans Arts Council	Operation Plan	31/07/2018		-1,200.00				-1,200.00
Bathurst Refugee Support Group Inc	Operation Plan	31/07/2018		-3,000.00				-3,000.00
Quota International of Bathurst - QuoCKa reading	Operation Plan	31/07/2018		-1,000.00				-1,000.00
Peel Residents Association Incorporated	Operation Plan Operation Plan	31/07/2018		-2,606.00 -13,000.00				-2,606.00 -13 000 00
Bathurst Edgell Jog Kelso High School - Crimson Royale album launch	•	31/07/2018 31/07/2018		-13,000.00			-359.27	-13,000.00 -359.27
Blayney High School - SLSO Conference - Making								
a Difference	S356 Policy	28/08/2018					-495.09	-495.09
Kelso High School - Future Directions forum	S356 Policy	28/08/2018					-574.91	-574.91
BMEC - CPSA July Meeting	Operation Plan	28/08/2018					-1,157.95	-1,157.95
BMEC - CPSA Aug Meeting	Operation Plan	28/08/2018					-1,065.68	-1,065.68
Camp Quality's Escarpade - Street Banner	DCS&F 16/05/18 Item 6	3/09/2018			-1,450.00			-1,450.00
Glenray Fundraising Ball	Operation Plan	14/09/2018					-70.18	-70.18
Home Modification Tip Fees	Operation Plan	14/09/2018	-216.00					-216.00
Sofala Progress Association - Rebellion on the Turon	Operation Plan	26/09/2018		-5,000.00				-5,000.00
CSU Parent Information Evening	Operation Plan	27/09/2018					-53.09	-53.09
Mitchell Conservatorium Winter Showcase	Operation Plan	27/09/2018					-1,473.07	-1,473.07
WRAS Annual Subscription/donation	Operation Plan	27/09/2018	-2,347.00					-2,347.00
Newtons Nation 2018 IDF World Cup	DCS&F 19/09/18 Item 6	30/09/2018				-12,717.27		-12,717.27
Home Modification Tip Fees	Operation Plan	18/10/2018	-122.91					-122.91
Nissan Datsun Drivers Club - Bathurst 2018 Rally	DCS&F 19/09/18 Item 8	18/10/2018				-2,000.00		-2,000.00
Panorama Motorcycle Club - camping application	DCS&F 17/10/18 Item 8	18/10/2018				-252.00		-252.00
Meadow Flat Public School - presentation night	S356 Policy	31/10/2018			-60.00			-60.00
Morgan Owners Club of Aust 60th Anniversary	Operation Plan	31/10/2018				-2,500.00		-2,500.00
Home Modification Tip Fees	Operation Plan	18/10/2018	-661.09		60.00			-661.09
Bathurst West Public School - presentation day Bathurst Public School - mid year concert	S356 Policy S356 Policy	14/11/2018 28/11/2018			-60.00		-1,855.09	-60.00 1,855.09-
Camp Quality's Escarpade - Mt Pan charges	DCS&F 16/05/18 Item 6	30/11/2018				-1,904.00	-1,055.09	-1,904.00
Camp Quality's Escarpade - BMEC hire	DCS&F 16/05/18 Item 6	30/11/2018				-1,504.00	-1,956.74	-1,956.74
Camp Quality's Escarpade - Street Banner charge		30/11/2018			-622.00		1,000.71	-622.00
Amount Spent			-25,014.85	-34,446.00	-9,046.13	-19,373.27	-9,061.07	-96,941.32
•			•			•	-	•
Available Balance before commitments			39,505.15	18,970.00	-546.13	22,459.73	50,938.93	131,327.68
Committed:	0 " -		4 705 15					. === :=
City Colts Water Account	Operation Plan		-1,782.15					-1,782.15
Bathurst AH&P Association	Operation Plan		-7,000.00					-7,000.00
CSU Foundation Trust (Gordon Bullock	Operation Plan		-3,000.00					-3,000.00
Scholarship) CSU Foundation Trust	Operation Plan		-5,000.00					-5,000.00
Sporting Assoc Grant	Operation Plan		-20,000.00					-20,000.00
Evans Arts Council	Operation Plan		-2,770.00					-2,770.00
Rotary Club of East Bathurst - RYDA	Operation Plan		_,,,,,,,,,			-4,333.00		-4,333.00
Mitchell Conservatorium - BMEC Concerts	Operation Plan					1,000.00	-5,526.93	-5,526.93
BMEC - Bathurst Youth Council	Operation Plan						-2,000.00	-2,000.00
BMEC - CPSA Monthly Meetings	Operation Plan						-8,776.37	-8,776.37
Bathurst Street & Custom Motorcycle Show	Operation Plan			-13,970.00			•	-13,970.00
Bathurst Remembers / AVAMS / Communications and Resources Project	Operation Plan			-5,000.00				-5,000.00
BMEC - Bathurst Eisteddfod	Operation Plan						-30,000.00	-30,000.00
BMEC - Bathurst Eisteddfod	S356 Policy						-7,000.00	-7,000.00
Bathurst AH&P Association	DCS&F 18/07/18 Item 5a				-1,244.00		.,000.00	-1,244.00
Bathurst Arts Council - Annual Youth Arts Concert					.,		-1,500.00	-1,500.00
Amount Committed		-	-39,552.15	-18,970.00	-1,244.00	-4,333.00	-54,803.30	-118,902.45
Adjustment between Funds			47.00		1,790.13	-5,701.50	3,864.37	
Available Balance			0.00	0.00	0.00	12,425.23	0.00	12,425.23
			3.00	0.00	0.00	, ¬	0.00	,

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2018-2019 Section 356 Donations

Report as	at 30	November	2018

Report as at 30 November 2018  Details	Reference	Date	Standard Annual Donations	Specific Donations	Sundry Donations	Mt Pan Fee Waived	BMEC Donations	TOTAL
			Φ	- P	Φ	Φ		a a
	Summary Remain	ing Budget		\$				
	Standard Annual De	onations		0.00				
	Specified Donations	3		0.00	Summary			\$
	Sundry Donations			0.00	Total Budget			228,269.00
	Mt Pan Fee Waived	t		12,425.23	Less: Amoun	t Spent		-96,941.32
	BMEC Donations			0.00	Less: Amoun	t Committed		-118,902.45
	Total Remaining			12,425.23	Total Remai	ning		12,425.23

### **Market Rental Subsidies for 2018/19**

NAME OF TENANT	LOCATION	Current Rent PA	Estimated Market Rent	BRC Rental Subsidy
Mitchell Conservatorium	Machattie Park Cottage	446.68	16,120.00	15,673.32
Central Tablelands Woodcraft Inc.	Learmonth Park	544.00	15,000.00	14,456.00
Community Opportunity Shop Inc	8 Lions Club Drive	1,040.00	20,000.00	18,960.00
Community Opportunity Shop Inc	Veggie Patch Church Lane	1.00	15,000.00	14,999.00
Air Services Australia	Aerodrome - Communication	1.10	18,000.00	17,998.90
Taxi Cabs of Bathurst Co-operative Society	LCommunication tower	1,215.62	18,000.00	16,784.38
Master Communications & Electronics Pty	Lt Communication tower	4,400.00	18,000.00	13,600.00
Bathurst City & RSL Band Association	Walmer Park	228.20	20,000.00	19,771.80
Bathurst Lions Club Inc.	Short St	1.10	15,000.00	14,998.90
Evans Arts Council Inc.	Lee Street	500.00	5,000.00	4,500.00
Bathurst District Historical Society Inc.	Mitre Street	1.00	10,000.00	9,999.00
Bathurst District Historical Society Inc.	Stanley Street	1.00	10,000.00	9,999.00
Bathurst Meals on Wheels Service Inc	4 Watt Drive	1.10	50,000.00	49,998.90
				221,739.20

From: Alex Ferguson

Sent: Tuesday, 2 October 2018 11:41 AM To: 'aaron.johnes@bathurst.nsw.gov.au' Subject: FW: Council contribution to Lifeline

Hi Aaron,

A few months ago, I raised the possibility of re-establishing Lifeline Central West to Councils annual donations list on similar terms to that offered by Dubbo Regional Council. At the time you requested proof of Dubbo's commitment which would facilitate an application to your Council.

There was a delay in approving Dubbo's support because the new Regional Council wanted to review all council donations. This review has recently been completed and LLCW has been confirmed as the beneficiary of \$15k PA going forward.

Given LLCW has shelved any plans to stage Soar, Ride and Shine again [which attracted solid Council support], the reestablishing of recurring financial support would be useful to support LLCW's ongoing work in the community of Bathurst and more broadly, the central west of NSW.

PS. Minister Toole has confirmed that LLCW has been successful in its application through you for grant funding for modifications to 253 Howick St. Do you have any advice as to the schedule or timing?

Kind regards,

Alex

### **Alex Ferguson**

**Executive Director** Lifeline Central West Inc

P 1300 798 258 M 0448 379 400





Every dollar you give helps us save lives. Make a donation today. Visit lifelinecentralwest.org.au or phone 1300 798 258

I pay my respects to the traditional custodians across the lands in which we work, and acknowledge our elders past, present and future.

From: Murray Wood [mailto:Murray.Wood@dubbo.nsw.gov.au]

Sent: Friday, 28 September 2018 12:51 PM

To: Alex Ferguson

Subject: Council contribution to Lifeline

Alex,

I can confirm that Lifeline has been granted \$15,000 by Dubbo Regional Council in accordance with section 356 of the Local Government Act, under the funding stream titled the Community Service Fund. The function of Lifeline in assisting the community in times of crisis related to mental health was a considered a key factor in Council allocating the funding against the funding criteria. Lifeline is a well-respected partner in making our communities safer and healthier places for all.

### **Murray Wood**

Director Community and Recreation Dubbo Regional Council P 02 6801 4000 F 02 6801 4259 E Murray.Wood@dubbo.nsw.gov.au



### http://dubbo.nsw.gov.au

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Report this message

## You are invited....

To become a Sponsor of the 2019 Eglinton Country Fair.

## SATURDAY, 23RD FEBRUARY 2019

## 9:00am – 2pm

## **ABOUT THE EGLINTON COUNTRY FAIR**

Held annually on the last Saturday of February the Eglinton Country Fair is the main fundraiser for Eglinton Public School. The day is co-ordinated by volunteering parents from within the school community. Cubis Oval is transformed into a buzzing hive of activity with something for everyone including Market Stalls, Rides, Games, Entertainment, Demonstrations and Food Stalls. The generous support of Sponsors ensures the Eglinton Country Fair continues to be a wonderful community event that provides significant financial contribution to the wellbeing and education of the students

## **BENEFITS FOR SPONSORS**

Attached is a range of packages to choose from. With an opportunity to market your business to over 3000 visitors to the Fair as well as exposure on Social Media and communication within the school community.

### GOLD - \$500.00

- Full page colour advertisement in the Eglinton Country Fair Programme
- 3x3 metre display site at the Eglinton Country Fair
- Business banner at the main entrance to Eglinton Country Fair
- Logo on advertising material associated with Eglinton Country Fair
  - Facebook and Newsletter promotion
- PA announcements on the day

### SILVER - \$250.00

- Half page advertisement in Eglinton Country Fair Programme
- Business banner displayed within Cubis Oval
- Logo on advertising material associated with Eglinton Country Fair
- Facebook and Newsletter promotion
- PA announcements on the day

### **BRONZE - \$100.00**

- Quarter page advertisement in Eglinton Country Fair Programme
- Facebook and Newsletter promotion
- PA announcements on the day

# CENT SALE PRIZES – GIFT VOUCHER OR GIFT HAMPER VALUED \$25.00 PLUS

- Facebook promotion
- PA announcements on the day

DIRECTOR ENGINEERING SERVICES' REPORT - ATTACHMENTS				
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL				
12 DECEMBER 2018				

### Bathurst District Sport & Recreation Council

President: Paul Haysom

Secretary: Cheryle Wright (0447 057 400)

Treasurer: Peter Cole

Email: bathurstsportscouncil@hotmail.com

Life Members: J Alexander (Dec), N Bagley, J Darke,

P Cole, P Haysom, C Wright, C Mitford



ABN: 44 199 074 830

BATHURST REGIONAL COUNCIL

Please address all Correspondence to:

The Secretary PO Box 602 Bathurst NSW 2795

1 4 NOV 2018

REF 18.00279-05/028

13 November 2018

Mark Kimbel Manager Recreation Bathurst Regional Council Private Mail Bag 17 Bathurst NSW 2795

Dear Mark

### **Sporting Association Grants Program 2018/19**

Bathurst District Sport & Rec Council would like to recommend the following amounts be allocated to the six applicants of the sporting association grants for 2018/19

- 1. Eglinton District Tennis club Inc. \$4100.00
- 2. Bathurst Panthers Squash Club Inc. \$3900.00
- 3. Bathurst City Amateur Swimming Club \$3200.00
- 4. Bathurst Carillion Tennis Club \$4500.00
- 5. Bathurst Giants ARFC \$1800.00
- 6. Bathurst BMX Club \$2500.00

Thank you for giving us this opportunity to assist in this matter

Yours in sport

Cheryle Wright

Cheryle Wright BDSRC Secretary

Supported by:
BATHURST
REGIONAL COUNCIL





158 Russell Street BATHURST NSW 2795 No Data in Bin Register A No Data in Bin Register No Data in Bin Register **Production Small Lots** Lot: 10 DP: 1181098 Sydney Road KELSO NSW 2795 Bathurst Regional **RU4 Primary** Operational Click Here Click Here Roxburgh 3.206 H Kelso 191436 Council 89425 Food & Garden Waste **Property Address** Title Description PROPERTY INFO **OWNER POSTAL** PARCEL
Parcel Number **Recycling Week** Property Name Assessment Number(S) Survey Plan 88B Plan County Land Status Addressee Recycling Postal 1 Postal 2 Postal 3 Waste Area Parish Zone



### Scoping Study Development of an Entry Statement

Sydney Road, Bathurst NSW







Regional Integrated marketing



14 Hannah Place, Deakin, ACT, 2600 dsb Landscape Architects 02 6285 1955 dsb@dsbla.com.au www.dsbla.com.au

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- 3 Site
- 4 Consultation
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### **Introduction**

dsb Landscape Architects is a Canberra based established Landscape Architectural practice of 39 years with a solid understanding and experience in all facets of Landscape Architecture, Urban Design and Horticultural Consulting. We are experienced in working on regional projects with regional councils.

The Practice offers a full range of landscape architectural, urban design and horticultural services with expertise in landscape master planning, site planning, urban design, landscape design documentation and development, horticulture, irrigation design and contract management. During the past thirty nine years the Practice has been involved with numerous clients and projects in the ACT, regional New South Wales and Victoria, in both the public and private sectors. dsb provides innovative and high-quality design services.

dsb was engaged by Bathurst Regional Council to undertake the establishment of a feature entrance statement into the Bathurst CBD from the Great Western Highway / Sydney Road. The overall aim of the commission is to produce a scoping study that would assist Council in determining a range of possible options for the placement and construction of an appropriate feature statement that would create an appropriate entrance statement as vehicles enter into the Bathurst CBD area.

As part of the commission, dsb Landscape Architects consultant team undertook an extensive consultation process to assess views on possible entrance statement options and locations.



### The Site

The location of the nominated site that Council is planning for an entrance statement is lot 10 DP 1181098 Sydney Road, Kelso NSW.



The nominated site location is on the southern side of Sydney Road, bounding the Macquarie River and flood levy. The site currently presents as a disused vegetated paddock (3.2Ha in size), which is prone to flooding during major flooding events. However, the project site's prominent location does present as a suitable location for an Entry Statement to the Bathurst CBD area. This is enhanced by the long vehicular approach along Sydney Road towards Evans Bridge into the CBD area.

The topography of the site is fairly gentle with a 1.5m fall in level between the highest and lowest point falling towards the south-east.

Views from within the site are distant due to the openness and topography of the surrounding areas. A significant view of Mt Panorama is evident within the site which further contributes to and gives the site area a sense of place. This viewshed provides a site design/development opportunity.

Existing vegetation within the site consists mainly of established elm, and pine groves generally in need of significant upgrade which are typical of past agricultural wind breaks and paddock boundaries. There are no trees of major significance within the site.

Immediate adjoining areas consist of agricultural enterprises to the south, industrial estate to the east and community sporting fields and parkland to the north via a pedestrian underpass to Sydney Road.

Existing services within the site are nil based on the information provided apart from some street lighting to the Sydney Road verge. Any future site development will need to consider the level of services required and factor in appropriate connections.



### Consultation

Consultation Process was undertaken by Regional Integrated Marketing (RIM) with dsb Landscape Architects. As part of the project brief and as directed by Council, Regional Integrated Marketing initiated consultation with organisations / groups to assess their views on possible entrance statement options and locations.

RIM with dsb Landscape Architects undertook the following tasks:

- Liaised with Council's elected representatives via a Working Party Meeting to assess the views of Council.
- Arranged community forums (face to face and online).
- Arrange and coordinated a community survey to be delivered on Council's web based "Your Say" web site.
- Met with and liaised with Road Maritime Services (RMS) in respect of the proposed statement options and the proximity to the Sydney Road Highway.

Refer to Appendix 1 for Community Consultation Plan.

Refer to Appendix 2 for Working Party Meeting discussions.

### CONSULTATION RESULTS SUMMARY:

### 1. Community – 346 responses via

- Online survey at yoursay.bathurst.nsw.gov.au
- Face to face
- Bathurst Entrance Statement Working Party
- National Trust Bathurst
- Public forum
- · Facebook comments on BRC posts and Western Advocate Posts regarding the project.

The consultation process identified three main features that best represented Bathurst: **Mount Panorama | Heritage | Rural Setting**. If one had to be chosen the most dominant selection was **Mount Panorama**.

Other secondary features (not listed) that had group interest included 'Community Spirit', 'Place to Bring Up Family', 'Vibrant Regional City', 'Cultural Life' and 'Indigenous Peoples Contribution'. The sense of pride in the place we live was a dominant feature and should be considered.

When asking what feature the community was most proud of, the 'heritage of the region' dominated.

On Facebook the **Gold Panner Man** was seen as an existing entrance element to which most recognised and other ideas included elements related to **Mt Panorama racing**, **Indigenous heritage** and **natural surrounds** including the Bathurst Copper Butterfly

### 2. RMS

RMS main concerns were the position of the entrance/exit too close to the **intersection** near Lions Club Drive and the Highway; the interference with traffic from the **distraction** of the entrance statement, **safety** considerations such a safe zone for stopping or no stopping and keeping the **current levels of services** in place, such as light poles. They also indicated that our consultation should include the **Police** regarding their use of the road siding for the RBT.



### 3. Current Plans in Place

### Vegetation Management Plan

There were several key elements of the plan that applied to this project. They included specification of the significant landscapes of the region – the Macquarie Floodplain, timbered ridges and agricultural land; the native vegetation and transitions between rural and to the exotics of the urban; the importance of waterway rehabilitation as recreational areas, and the floodplain landscapes.

### **Destination Management Plan**

We will focus on the forward positioning of the Bathurst Tourist offer for possible integration into the entrance statement. These key elements are 'Action Lovers', 'Beautiful Bathurst', 'Family Time', 'Get Cultured' and 'Lets Learn'.

### **Cultural Vision**

This plan provides focus for what is important now and what will be important for the future for the culture of Bathurst and include, the Fossil & Mineral Museum, Chifley & rail history, Indigenous culture, CBD precincts and Motor Racing history.

### 4. Overall Results

The most outstanding elements for all consultation were (in order)

- History/Heritage
- Mount Panorama
- · Indigenous History
- Rivers/waterways
- Education
- Environment
- Rural Landscapes
- Railway
- · Trees & Vegetation
- Agriculture
- Arts & Culture
- Liveable Communities
- Ben Chifley



Refer to Appendix 3 for detailed consultation results



### **Entry Statement Concepts**

Following the consultation process, dsb Landscape Architects analysed the most significant results from the consultation process and what themes most commonly arose/featured. dsb Landscape Architects then proceeded to collectively workshop how these themes/elements could be creatively incorporated into an entry statement.

dsb adopted the approach that the entry statement should not be a written sign, rather a creative sculptural piece that encapsulates a theme and that is unique to Bathurst.

In addition to entry statement options, dsb identified suitable locations for a proposed entry statement drawing on site assessment, ground truthing and Roads and Maritime Service consultation advice. Three suitable locations have been identified along Sydney Road however depending on the finalised outcome for what will be built, one location may be more suited than others.

Following dsb's detailed whole site assessment / analysis, it became fairly evident that the site itself has potential for development into a public open space. As a result, dsb explored how the site could be further utilised as a whole and how the entrance statement could work within the site. A site master plan has been developed with the following considerations.

- Provide an open space connection and extension to Berry Park utilising the existing Evans Bridge underpass
- Opportunity to increase the Macquarie River open space corridor
- Provide an open space that further compliments the entry statement and encourages visitors to stop and utilise the space.
- Provide a usable and interesting open space for visitors
- Opportunity to incorporate onsite parking and a rest stop facilities avoiding the need for west bound traffic to cross oncoming traffic into Berry Park.
- Optimise viewsheds
- Upgrade the degraded public land site

dsb Landscape Architects presented numerous entry statement concepts and site master planning options to Bathurst Regional Council and with Council's inputs have narrowed down to four entry statement options and one site master plan consideration.

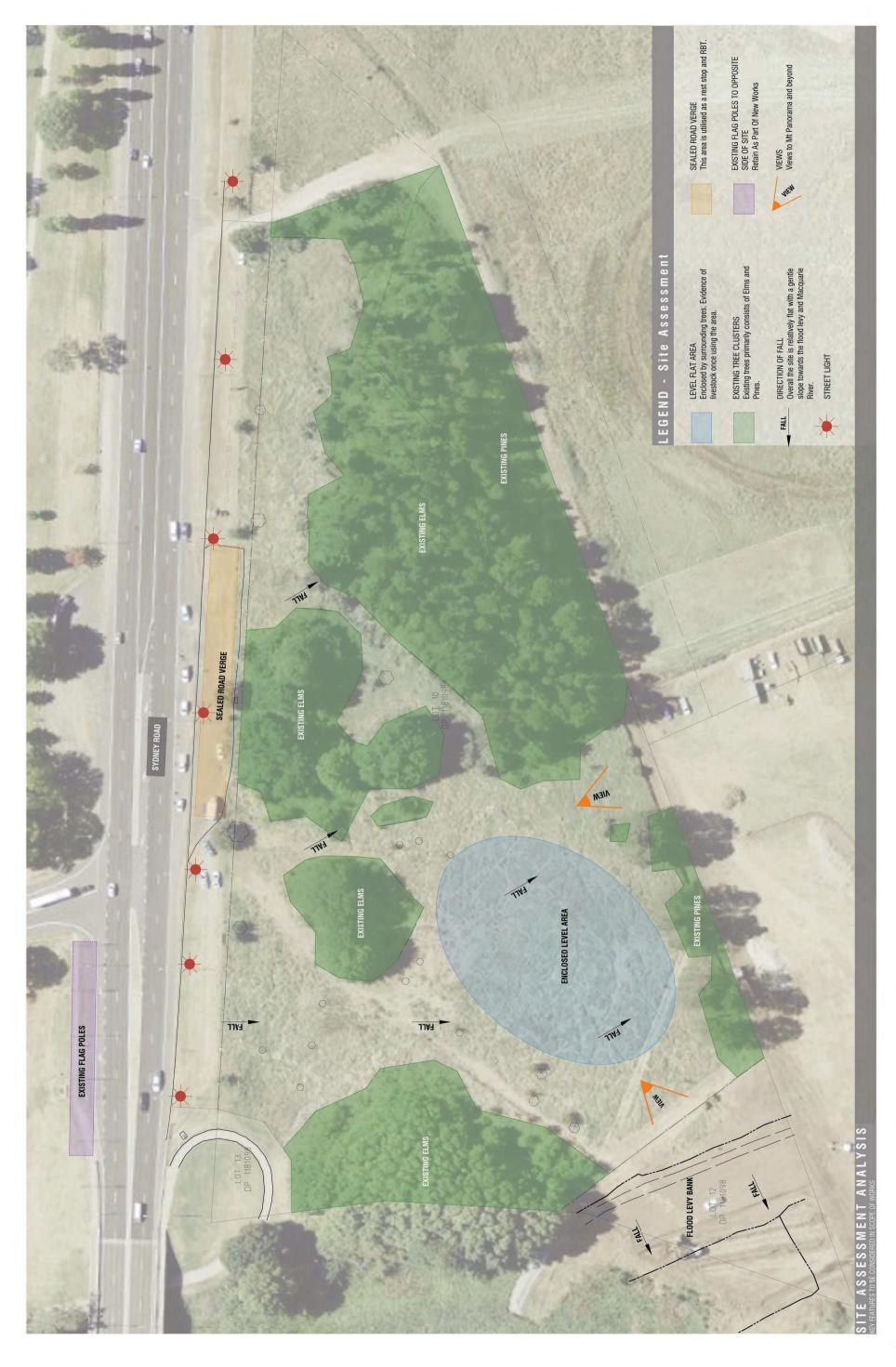
Each entry statement concept and site master planning option has had a cost estimate undertaken by Aaron Still Consulting to provide council an indication of the probable cost. Refer to Appendix 4 for cost estimates

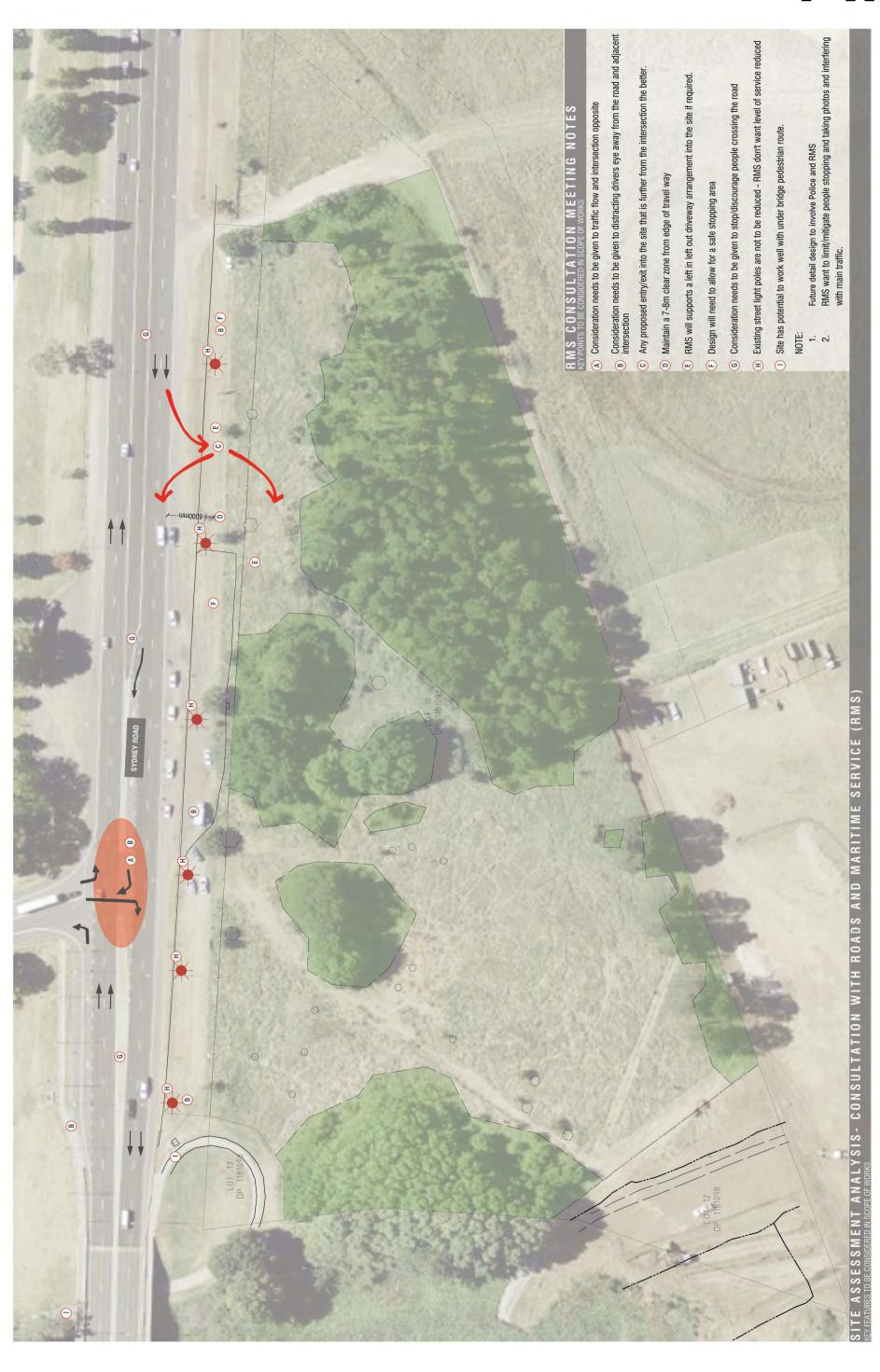
dsb Landscape Architects site assessment indicates that the site has limited or no servicing, of water, gas, power, storm water and sewer. These restrictions will need to be considered in the detail design phase along with geotechnical, flood studies and hydrological investigations which may influence the final design of the features and facilities. Additionally, further detailed RMS consultation will need to be undertaken to ensure the new infrastructure and assets is fully coordinated with RMS requirements.

It is recommended that further entry statement concept design documentation should have professional artist involvement to ensure optimum visual impact.



dsb Landscape Architects
Phone: 02 6265 1955 Email: 050@dsblacomau Web: www.dsblacomau





Entry Statement Location A is situated West along the subject site immediately adjacent to the bridge underpass. This location is a prominent spot which in a way resembles the gateway into the Bathurst CBD. This location also presents an opportunity to the link the statement, the statement subject site with with existing underpass and therefore Berry Park. The statement location is beyond the existing intersection thereby minimising driver distraction within immediate vicinity of the intersection. Additionally, the statement location is situated beyond the existing surfaced road verge allowing continual use of the pullover space or any future entry into the subject site. Consideration of existing services will need to be given.

Entry Statement Location B is situated central along the subject site. This location again is clearly visible with positioning situated well in front of the existing intersection to mitigate as much driver distraction as possible in the lead up to the intersection. The statement location is situated in front of the existing surfaced road verge and which has the capacity to continue to be utilised as a pullover space or any future entry into the subject site. Consideration of existing services will need to be given. <u>@</u>

Entry Statement Location C is situated on the Eastern site of the subject site. From an RMS perspective, it is anticipated that this location would be most suited given its proximity to the intersection into Learmonth Park 0

lane/intersection.

This statement location will continue to support the adjacent verge to be utilised as a pullover space or any future entry into the subject site. Consideration of existing services and drainage swale will need to be given. This location is clearly visible with minimal visual distractions on the lead-up to the statement. Additionally, driving towards Bathurst CBD, vehicles will be well past the statement prior to the Learmonth Park turning











**DRAWING NO.** 3434-D3

REVISION

dsb Landscape Architects

### S ONCEP C TATEMENT S

The theme of History/Heritage was the most popular element/theme as a result of the Consultation Process.

significance as a major country railway precinct in NSW consisting of a first-class station building, residence and workshop with a range of railway structures. Bathurst railway history also has an association with former Prime Minister Ben Chifley, whose early career as a engine driver shaped his trade union and Labor politics Railway history was a common topic raised in the Consultation Process under History/Heritage theme. Bathurst has a extensive railway history that was established as a major centre based on large pastoral holdings and the 1850s gold rush which boosted the population of the town. First railways in NSW were largely driven by the interests of large land holders and the need for improved transport west of the Blue Mountains from towns such as Bathurst. Railway contributed to a sustainable boost in development allowing Bathurst to communicate and trade quickly and cheaply with Sydney. Bathurst Railway Precinct has state

This Entry Statement Concept has tried to encapsulate the railway theme through the use of railway tracks to form a sculptural element to form part of a landscape feature. The design has drawn inspiration from railway rails themselves to create a vertical element in the design that it is easily visible. The design essentially represents a railway forging its way through the the rolling hills





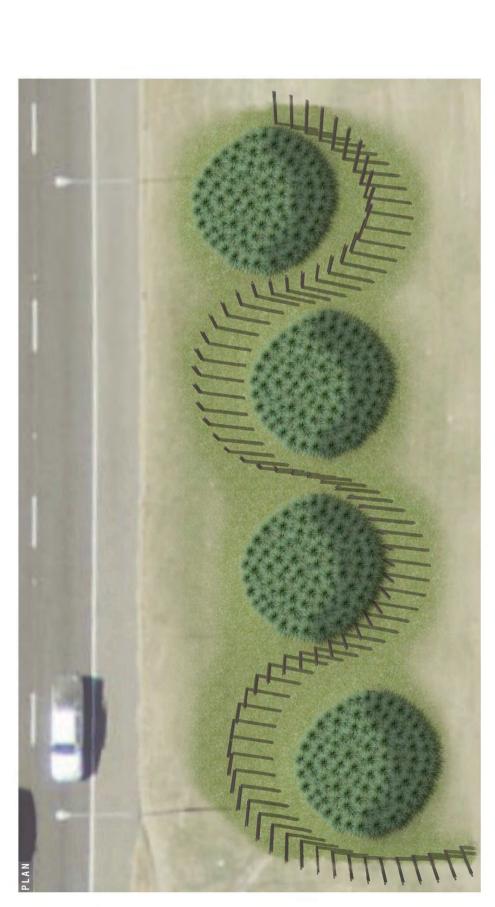
DESIGN INSPIRATION IMAGES - RAILWAY THEM

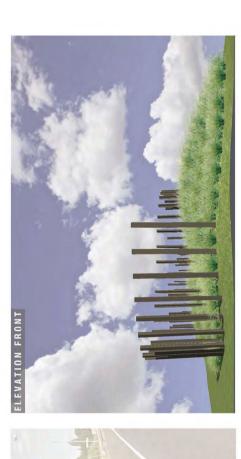


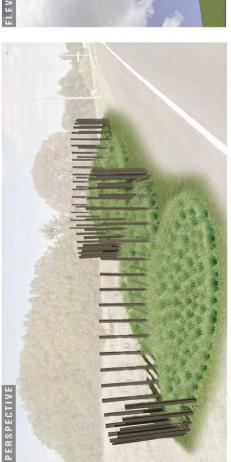
















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30 October 2018

ELEVATION SIDE

### S_DES_2_2

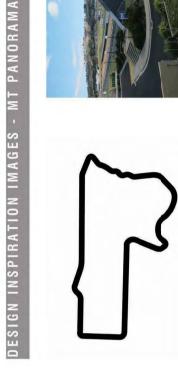
The theme of Mt Panorama was the second most popular element/theme as a result of the Community Consultation.

Mt Panorama is best known as the home of the Bathurst 1000 motor race held each October, and the Bathurst 12 Hour event held each February. Bathurst is considered the home of Australian Motor sport as a result of the Bathurst 1000 which is Australian most famous and historical race. The track is considered an unusual design by modern standards, with a 174-metre vertical difference between its highest and lowest points.

This entry statement has tried to encapsulate the Mt Panorama theme in a subtite way by creating a sculptural statement of the racetrack footprint in 3D. The design has used steel rods at regular intervals and irregular heights thereby creating a scaled perspective of the racetrack. Each rod could be nominated to a particular year and have a plaque with a drivers name or recognising community member.

The statement would be well suited to locations A, B and C.









With History / Heritage and Mt Panorama as the most popular themes, this entry statement design has drawn inspiration from both of these to produce a unique statement incorporating elements of the famous race circuit and railway history of Bathurst. This entry statement has drawn inspiration from the Mt Panorama arch which is a prominent feature on the racetrack as well as replicating the entrance to historical railway tunnels that forge through the Blue Mountains connecting Bathurst with Sydney. The circular hoops will be a prominent entry statement with feature tree planting and native grasses to create a contrast to the steel arches. This feature would be further enhanced with nighttime up-lightling of the trees and steel archs.

The size and scale of the statement will be very recognisable element / landmark for Bathurst, especially if the adjacent site is developed into a parkland.

The statement would be well suited to locations A, B and C.

DESIGN INSPIRATION IMAGES - MT PANORAMA



















dsb Landscape Architects

### 14 of 96

As part of this commission, the brief calls for one entry statement to include a water element as a feature.

Design inspiration for this entry statement has drawn on a modem / digital means for creating a unique statement. The concept consists of a large steel structure with water and power connected to essentially create a digital water curtain. This can be digitally programmed by council to create a cycle of different images or promote certain local events through displaying an image with water drips and lighting. This display would be very effective at night time especially with different colours of lighting against the coloured glass screens.

Contours to the base of the pool to be a scaled representation Bathurst district giving this statement a unique local quality.

The statement would be well suited to locations A, B and C.















DESIGN INSPIRATION IMAGES - WATER FEATURE





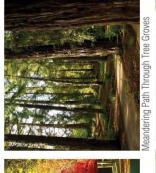
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14 Hannah Place, Deakin, ACT, 2600 dsb Landscape Architects 02 6285 1955 dsb@dsbla.com.au www.dsbla.com.au

Appendix 1 - Community Consultation Plan





# BATHURST ENTRANCE STATEMENT CONSULTATION PLAN JUNE 2017

Prepared by Samantha Hain for Bathurst Regional Council

### 1.0 EXECUTIVE SUMMARY

This consultation plan forms part of the *scoping study for development of entrance statement – Sydney road, Bathurst* with Regional Integrated Marketing (RIM) completing the community consultation component for contracted consultant dsb Landscape Architects.

This plan addresses the strategy and activities to gather views and ideas from a cross-section of the Bathurst community as the basis for dsb Landscape Architects to develop three entrance statement options at the gateway to the Bathurst City Heritage Conservation area.

Using the IAP2 Public Participation Spectrum this consultation will extend to the involvement level:

INFORM	PARTICIPATE	INVOLVE
Community	consultation	goal
To provide the community with balanced & objective information to assist them in understanding the problem, alternatives, benefits and/or	To obtain community feedback on policy, plans designs or concepts. Council obtain this feedback via provision of policy, plans, and /	To work directly with the community throughout the process to ensure that community concerns and aspirations are understood
Council's	community	commitment
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how community input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed & provide feedback on how community input

In the INFORM stage of the consultation we will communicate to prospective participants the context of the project – site challenges, consideration of existing signage and produced and pending plans including the Destination Management, Cultural and Vegetation Management and new Branding plans. Negotiable and non-negotiable elements will be detailed. These contextual components will form the platform for the questions developed in the survey/questionnaire.

During the PARTICIPATION & INVOLVE stages, a range of communication tools will be used to gain awareness and share the information needed to participate in the consultation. It is expected that this stage will last for four weeks. Key components include publicity, paid social media, BRC digital communications, direct invitation, flyers for noticeboards, direct contact with identified stakeholder groups and a sign placed at the proposed location of the entrance site inviting community participation.

Techniques used to gather the input of the consultation will be via a questionnaire (both digitally and paper copy), phone, email, face to face presentation, structured community forum, social media comments and a social media poll.

Qualitative and quantitative data will be analysed and presented in a report to the project team mid-August.

An important component of this consultation – *but not part of the tender brief* is feedback to the community on how their input influenced the final entrance statement decision. Suggestions have been made in this plan for the activities Bathurst Regional Council (BRC) could undertake to fulfil this very important component of the consultation.

### 2.0 PROBLEM DEFINITION / DECISION SCOPE

### Purpose/Issue to be addressed:

What are the views and ideas from a cross section of the Bathurst Community as a basis for developing an entrance statement to the Bathurst City Heritage Conservation area.

### **Engagement objectives**

- Communicate the intended project scope and methods of having 'your say'
- Communicate the context and reasoning for the proposed entrance statement
- Communicate the challenges the site has with respect to an entrance statement.
- Provide feedback to participants.
- Provide dsb Landscape architects (dsb) and Bathurst Regional Council (BRC) with quantitative and qualitative data to consider in developing entrance statement concepts and when developing three concepts for the site

### Project KPIs

- Deliverables per the consultant brief:
  - o Approval of Consultation plan
  - Completion of consultation
  - o Presentation report
- Adherence to agreed timelines from this plan

### Stakeholders Affected:

Residents, business owners, community representatives and visitors to Bathurst. Roads & Maritime Services, Bathurst Regional Council.

### Ideal Outcome:

Confirm existing and uncover new ideas that can be incorporated into three conceptual feature statements. Participants feel that their voice has been heard and considered in the entrance statement project. dsb have data to work with in the preparation of their three concept submissions.

### 3.0 CONTEXT AND IDENTIFICATION OF NEGOTIABLES AND NON-NEGOTIABLES

### Context

The project has a number of contextual considerations. These will be communicated to stakeholders and form the basis of the questionnaire so ideas and views are formulated with these considerations in mind.

Contextual considerations include:

### • Challenges of site:

- Traffic considerations dual carriage way, 70KM/hr, other uses eg Police RBT/RMS Heavy Vehicle inspections
- b. Site topography
- Site services possible power for lighting but no water or sewer connected
- d. The site is in a flood zone

### • Existing signage:

- Existing entrance signage how will this statement integrated to existing signage
- b. New branding to be launched in near future

- **Diversity of population** and a broad range of key elements that differentiate Bathurst from other towns:
  - a. Heritage
  - b. Unique environment
  - c. Rural setting
  - d. Sporting nature
  - e. Tourism
  - f. Local Business
  - g. Mount Panorama
  - h. Education
- Produced and pending plans including Destination Management plan, Cultural Plan, Vegetation Management plan and soon to be produced branding plan.

### Negotiable & non-negotiable elements

It is important to be clear also on what we seek for consultation and what is non-negotiable.

### Non-negotiable elements:

- The project will be an entrance statement.
- The location of project

### Negotiable elements:

• Theme, size, structure, materials, design and function

### **4.0 RISK ASSESSMENT**

RISK	IMPACT	LIKELIHOOD	MITIGATION
Low numbers of individual submissions	High	Low	Paid advertising with hook and call to action
Low numbers in attendance at public forum	Med	High	Paid advertising with hook and call to action. Review event attendance
Participants will want to debate non-negotiable components of the plan	Low	Med	Be clear in communication scope of consultation.
Consultation forums dominated by individuals	High	Low	Structured agenda  Registration   Forum rules   time to speak
Councilors not available at designated face to face time	High	Low	Provide alternative plan such as online submission where they can put their name.
Disgruntled participants once outcome decided	Med	Med	Timely feedback once decision made. Conflict resolution techniques

### **5.0 LEVEL OF PARTICIPATION**

The IAP2 Public Participation Spectrum is used to describe the level of participation sought in this plan. This consultation will extend to involvement level.

INFORM	PARTICIPATE	INVOLVE
Community	consultation	goal
To provide the community with balanced and objective information to assist them in understanding the problem,	To obtain community feedback on policy, plans and/or designs. Council obtain this feedback via provision of	To work directly with the community throughout the process to ensure that community concerns and
alternatives, benefits and/or solutions.	policy, plans, and / or designs.	aspirations are consistently understood and considered.
Council's	community	commitment

### 6.0 STAKEHOLDER IDENTIFICATION AND RELATIONSHIP DEVELOPMENT

Stakeholder groups for consultation.

### Historical

- Bathurst District Historical Society
- Bathurst District National Trust
- Bathurst Region Heritage Ref Group

### **Natural Environment**

- Greening Bathurst
- Bathurst Vegetation Management Plan
- Bathurst Natural Resource Advisory Group

### Culture

Bathurst Arts Council

### **Tourism**

- Bathurst Region VIC
- Bathurst Region Tourism Ref Group

### Community

- Bathurst Youth Council
- General community

### Council

- Council Staff
- Councils Elected Representatives via working party

### Infrastructure

Roads & Maritime Service

See attachment 1 Stakeholder database for more detail

### Project member responsibilities

Samantha Hain will be the primary contact for consultation and analysis with these groups. A dsb Landscape Architect representative will be present during community forum and Council Working party consultations.

Relationships and conflicts amongst stakeholder groups

As there are a number of key & unique identifiers of the Bathurst region it is likely that there will be considerable differing of opinion as to what is most important when considering the entrance statement. Stakeholder 'groups' will be asked to submit their answers and general thoughts as a group in a questionnaire.

Individual answers are likely to be diverse, however a well-structured forum will ensure everyone gets their say and that the consultation is respectful at all times.

### **7.0 ENGAGEMENT PLAN**

Technique framework to be employed for engaging the identified stakeholder groups:

SPECTRUM OBJECTIVE	WHAT WE DO	FORMAT OPTIONS	TECHNIQUES
			Awareness Campaigns
	Promote awareness	Share information	Council social media including promotion & advertising   Local media publicity   Invitation to participate in survey (stakeholder groups/Council staff/Councilors)   Council Website: quick link on home page, Latest news article, Yoursay link, Event listing, Intranet   Article in community newsletter   Signage on site of proposed entrance statement
Inform			Information / Education Campaigns
	educate		Bathurst 'Your-say' website project page   fact sheets (accompany/ precede questionnaire + available to download from website)   Newsletter   Facebook event   Social Media Education posts
		Bring people together	Open Public Forums Community Forum
Participate	Seek broad- based	Bring people together	Open Public Forums  Structured Community Forum   Social media post comments   Social media quick survey (ie poll)  Stakeholder Sessions / Processes  Council working party session   Email briefings   Questionnaire
	input / feedback Co		Individual Inquiries  Approved questionnaire – online via 'Bathurst Your-say'   Email   Phone   Mail   Social media poll   Official project Spokesperson BRC
			Open Public Forums
Involve	Foster meaningful discussion	Bring people	Structured Community Forum   Social media post comments   Official project spokesperson from BRC   Feedback from Council on final decision
	alseussion .	together	Stakeholder Sessions / Processes
			Collect input from representative groups.

### **8.0 COMMUNICATIONS PLAN**

COMMUNICATION MEDIUM	EXAMPLE	KEY CONSIDERATIONS
Internal audience – Council S	taff	
Intranet	Council's intranet	Information accessible only to people with computers
Internal written communication	Memo's Council newsletter	Distribution either electronically or via internal mail
Email	Invitation to participate in survey on intranet	Accessible only to people with computers
Noticeboards/Flyer	Invitation to participate flyer at various places throughout Council buildings including kitchens, canteen, bathrooms, corridors	Broad awareness of messages
Project information sheets	Fact sheet – download intranet	Communicating the details of the project and where to make
Internal Audience – Councilo	rs / Working party	
Presentation	Overview of results to date and open discussion of ideas and views	Two-way flow of information
Email	Invitation to participate in survey	Need to host the survey in a different section to track Councilor feedback vs community feedback
Personal, face-to-face communication one-on-one	Ad hoc conversations	Details to be forwarded to project team for inclusion
External Audience – Stakeho	older Groups	
Email + follow up phone call to designated leader of group	Invitation to participate in survey with deadline Fact sheet. Printable version of the questionnaire	Need to host the survey in a different section to track Stakeholder group feedback vs community feedback
	Confirmation that it can be done by the deadline	May possibly require a printed version to be filled out in a meeting
Follow up reminder week before deadline	Check in that all is OK	Give a weeks grace buffer in the deadline

### **8.0 COMMUNICATIONS PLAN (CONTINUED)**

COMMUNICATION	EXAMPLE	KEY CONSIDERATIONS
MEDIUM  External audience – Commun	ity members	
Signage	Place large sign at location encouraging participation in the yoursay questionnaire	Cost
Media	Media releases + photo opportunities  Community radio segment  The Western Advocate  2MCE · 2BSGold  ABC Central West  LifeFM · B-Rock  2LT · Bathurst City Life  Prime 7 TV	Photo/Visual opportunity (sign erected at the site inviting people to contribute their say)  Need to provide a spokesperson for interview on community radio  Drive visitation to yoursay & community forum
From the Mayor's Desk	Home page update on Council's website	Need to drive traffic to website
Internet www.bathurst.nsw.gov.au	Quick link to questionnaire on home page + community forum details Latest news article on the project Your-say link to questionnaire Event listing for community event	Provides detailed information but not accessible to 100% of the community
Internet Yoursay.bathurst.nsw.gov.au	Email to database of people signed up to the platform Engaging photo and title on home page Project page Questionnaire	As above
Social Media	Information posts & promotion  Event posts & advertising  Quick poll posts  Link to questionnaire posts	Quick feedback for those that don't want to do the whole survey. Encourage discussion
Noticeboards	Print Flyer: Noticeboards in council office and other offsite centres – community centres, senior citizen centre, library etc.	Highly visual flyer with support material such as photos, tables, diagrams.
Community meetings /forum	Structured forum	Personal interaction and opportunity for two-way information flow

### **8.0 COMMUNICATIONS PLAN (CONTINUED)**

Please note this section is for planning purposes only and not part of the implementation to be undertaken by RIM

COMMUNICATION MEDIUM	EXAMPLE	KEY CONSIDERATIONS
Concept selection is finalised.	– for completion by BRC	
Email & snail mail if email not available	Email all registered contributors to the yoursay survey/community forum with the chosen design and timeframe for completion	Visuals + elements included that stemmed from the consultations Are we allowed to email via yoursay?
Website +	Latest news	Visual + reasoning +
From the Mayors Desk	Mayors news	timeframe
Social Media	Posts  Message in the Community forum Facebook event – it will go to all people who showed an interest even if they did not attend.	Visual + reasoning + Timeframe
Media	Press release to press listed above	Visual + reasoning+
Sign	On site sign communicating where to go to see which concept	

_													
in	Bathurst Entrance Statement Consultation Implementation plan	ition plan											
~ ~	Action	Resource	W/c 19/6	W/c 26/6	W/c3/7	W/c 10/7	W/c 17/7	W/c 24/7	W/c 31/7	W/c 7/8	W/c 14/8	TBC	
	Logistics & Documentation												
_	Consultation plan	qsp	Submission										
	Consultation plan approval	BBC		Approval									
	Community forum dates/times/location	SBC BBC	Advise										
	Delegation of spokesperson for interviews	BBC	Advise										
Pa	email/phone how this will be managed during the consultation	BBC		Internal process									
306	Access to FB page/Instagram as editor/advertiser	BBC		Access									
<u> </u>	Consultation materials and communications												
71	Questionnaire = Submission + approval/upload	qsp		Submission	Approval/Upload								
0	Your Say Project Page - content (text & Images) + approva	qsp		Submission	Approval/Upload								
f 6	Project fact sheet	qsp		Submission	Approval								
51	Press Release	qsp		Submission	Approval	Sendout							
_	Council Website: Your say quicklink/news article/event listi	BBC			Writefload								
12	Council new sletter: article	BRC			Write	Sendout							2
D	From the Mayors desk article	BRC			Writefload								28
PC	Stakeholder group participation invitation (email)	qsp			Submission Approval	Sendout							0
em	Council staff memo for feedback/participation	qsp			Submissior Approval	Sendout							f
h	Project flyer for noticeboards	qsp			Submission Approval	Distribute							96
r '	Site Signage inviting participation	BRC			Sign erection								6
วก	Social Media Event (community consultation)	qsp			Submission Approval Load up/advertise	Load up/advertise							
18	Social Media posts	qsp			Submission Approval	Load up/promote							
	Social Media poll	qsp			Submission Approval Load up/promote	Load up/promote							
	Events												
	Council working party presentation run sheet	BBC/dsb			Submission Approval								
	Council working party presentation/consultation	BBC/dsb				Working Pty Event							
	Community forum presentation run sheet for approval	qsp				SubmissiorApprova							
	Community forum consultation	BRC/dsb						Community Event					
	Reporting												
_	_	qsp							Close				
Δt	Collation of data & report	qsp								Reporting/Evaluation			
tac	Presentation to BRC project team	qsp									Presentation		S _.
-hi	Recommended for post selection of concept - to	_	be executed by BRC										_[
ne	email /snailmail consultation participants	BRC											DE
ent	Website news story + From the Mayors Desk	SHE											ΞS
s -	Social Media posts including an update in the event post	SHC BHC											<b>S_</b>
	Press release to media	BHC											2
	Change sign to let people know where to view the selected concept	BBC										_	_2
_													

9.0 SCHEDULE OF ACTIVITIES

### **10.0 RESOURCES REQUIRED**

Resource	Source
Meeting room for public consultation	BRC to provide dates & access.
Proposed on site signage & installation 'Exciting new gateway feature proposed for this site. Have your say at yoursay.bathurst.nsw.gov.au. Submissions close 4 August'	BRC to commission a simple sign at the site inviting people to have their say
Data projector & screen for consultation & final presentation	BRC

### **11.0 BUDGET**

This plan proposes an onsite sign by BRC to be viewed by passing traffic (estimate)

\$2500

### 12.0 ROLES AND RESPONSIBILITIES OF THE PROJECT TEAM

TEAM MEMBERS	ACTIVITY
Bathurst Regional Council project team Mark Kimbel Adrian Potts Therese Ryan	Planning - Approval of consultation plan   Dates & access to Council working party   Dates & venue for community consultation   Contact list of stakeholder groups   Advice re working party consultation   Implementation - Set up email address   Internal protocol for inbound calls & mail for input to the project   Approval of external material including press releases, fact sheets, questionnaire, social media posts, signage   Load up digital media to councils website   Commission & erection of consultation invitation sign at the site   Provide access to Social Media page for advertising & posting approved material   Provide Access to Your say website back end Reporting - Advice re weighting of importance of input Consultation feedback Provide information and feedback to participants on the final concept decision per the schedule of activities
dsb Landscape Architects David Pearce Paul Bombadier	<b>Communication</b> - Key point of contact to BRC <b>Consultation</b> - Attendance at key consultation events <b>Reporting</b> - Review of consultation data & final report   use report information to develop three entry statement options
Regional Integrated Marketing Samantha Hain	Planning - Consultation plan Implementation - Implementation logistics including distribution of materials and liaison as indicated in schedule of activities. Reporting - Evaluation, report & presentation

### **13.0 EVALUATION**

The following will be reported at the end presentation.

- a) The extent to which this projects issue and purpose was addressed and what similarities/differences/patterns appear in responses using both quantitative and qualitative data.
- b) Level of stakeholder engagement including new people engaging with Bathurst Council and results of each engagement method.
- c) Achievement of project goals and objectives
- d) Satisfaction levels amongst all stakeholders in relation to the consultation.
- e) Cultural awareness of an ongoing commitment of council to community and stakeholder engagement
- f) Expectations of those engaged
- g) The need for further analysis of outcomes or additional engagement activities

### **APPENDIX 1 – STAKEHOLDER CONTACT DETAILS**

Stakeholder	Contact	Level of influence	Interest/ Concerns	Level of engagement
Bathurst Vegetation Management Plan	Ms Barb Mactaggart btags@iprimus.com.au 0418 622 665			
Greening Bathurst	Mr Ashley Bland Chairperson abland@skillset.com.au 0488 033 301			
National Trust Bathurst & District Branch	Mr lain McPherson Chairperson franceswhite@activ8.net.au			
Bathurst District Historical Society	President Ms Samantha Friend info@bathursthistorv.org.au 6329 4233			
Bathurst Arts Council Inc	Ms Jenny Barnes info@bathurstartscouncil.org.au 6331 2770			
Bathurst Visitor Information Centre	Mr Dan Cove Manager VIC 6332 1444			
Bathurst Youth Council	Nathan Inwood I Megan Bargwanna 6333 6512			
Council Staff	Mark Kimbel Manager Recreation mark.kimble@bathurst.nsw.gov.au			
Bathurst Heritage Action Network	Sandy Bathgate <a href="mailto:heritagebathurst@gmail.com">heritagebathurst@gmail.com</a> .  1371 Tarana Road Locksley			
Bathurst Natural Resource Advisory Group	Mick Callen 0400968 201 Mick.callan@lls.nsw.gov.au			
Tourism Reference Group	Lucy White Lucy.white@bathurst.nsw.gov.au			

Appendix 2 - Working Party Meeting Discussions



### SCOPING STUDY - ENTRANCE STATEMENT - SYDNEY ROAD, BATHURST

### MEETING NOTES - 12 July - 2017, 6:30pm

Feedback forum - notes / items to consider

- History
  - o Floods in the region using images
  - Indigenous History
  - Statue of Windradyne a local aboriginal warrior who died in the region in 1829
  - Significance of a rail town / Ben Chifley
  - History of farming in the region
  - Gold rush
  - o Oldest inland settlement
- Furniture
  - Outdoor furniture to sit and have a sandwich tables & chairs.
  - Shade
- Safety
  - Kids can run and play, also dogs without fear of running into the busy road
  - Will only be for East to West travellers as cant turn right into the space
  - o Well lit at night time
- Rest
  - o Drop off point for caravans the grey nomads are very important
  - o Mini Mt panorama with cars for the kids to play with. Kid's activity area. Sculptures to climb on.
  - Coffee & food
  - Drop off point for caravans the grey nomads are very important
- Natural features
  - o Best water supply of anywhere in the Central West place of plentiful water
  - o Using deciduous trees
- · Encourage stay in the town for longer
  - What's going on in town regular updated display
- Signage
  - long, straight approach so opportunity to good signage to let people know the space is coming up
- Sport
  - Motor racing
  - Vast amount of sporting groups
- Sister city link
- Current city features
  - Links to current entry statements at entrances from Orange to Blayney
  - Move the current flagpoles into this area and have council manage them (currently Lions Club) so they are always full with flags

(post event discussion with Mark - review layby area at Goondiwindi + trees and issues with pests)

Meeting finished 7:15pm

Appendix 3 - Consultation Results



# Scoping Study - Development of an Entrance Statement

Sydney Road, Bathurst

# Consultation Plan Results





# Consultation Overview

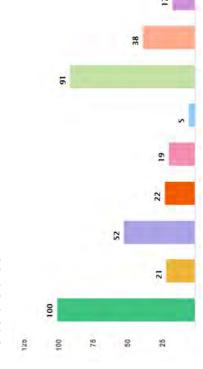
- Community
  - RMS
- **Current Plans**
- **Destination Management Plan**
- **Cultural Plan**
- Vegetation Management Plan
- Branding Plan (not available)





# How we view results

## **Statistical**



### Visual



the larger the phrase the more often it was put forward



Images to visualise concepts



## Anecdotal

 words or snapshots of particular events or thoughts

constructed wetland which would not only be a stunning entrance to the town, it would positively impact on the The location lends itself to being transformed into a health of Raglan Creek and the Macquarie River

Environment

Heritage

## Community consultation

yoursay.bathurst.nsw.gov.au Online survey at



- Bathurst Entrance Statement Working Party
- National Trust Bathurst
- Public forum

















Unverified

Registered

Anonymous

Admin 130

### 39 of 96

RESPONSES

CONTRIBUTORS

137

135

### responses 346

### Social Media 204 comments

Community Consultation Contributions

Online Survey 137 responses



Forum – 3

attendees

VISITORS

298

SATHURST GATEWAY

CORRIDOR

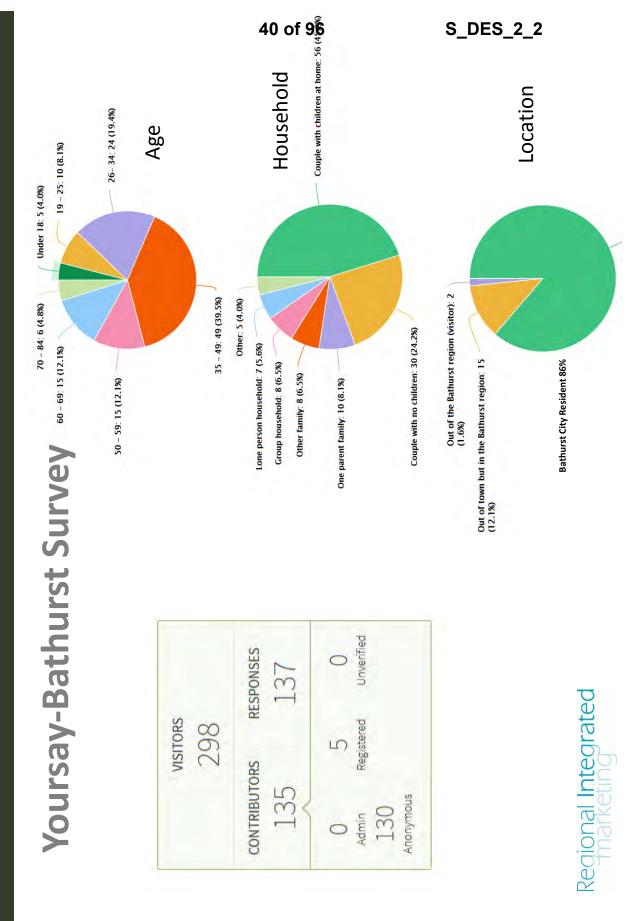
Email – one

submission

dsb Landscape Architects

Face to face consultation – one stakeholder group

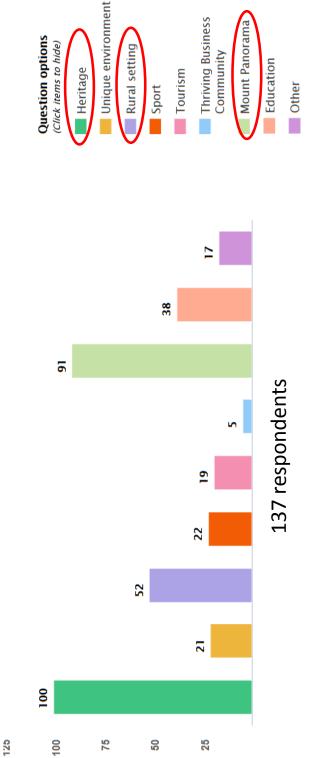
Regional Integrated



## Yoursay-Bathurst Survey

# Which three features best represent Bathurst?

When thinking about Bathurst, which do you think best represents the uniqueness of the city and our region from other towns and cities in Australia? Please selection three (3) only





# Yoursay-Bathurst Survey + Face to Face Consultation

'Other' features?

## Why did you choose your top three? Yoursay-Bathurst Survey



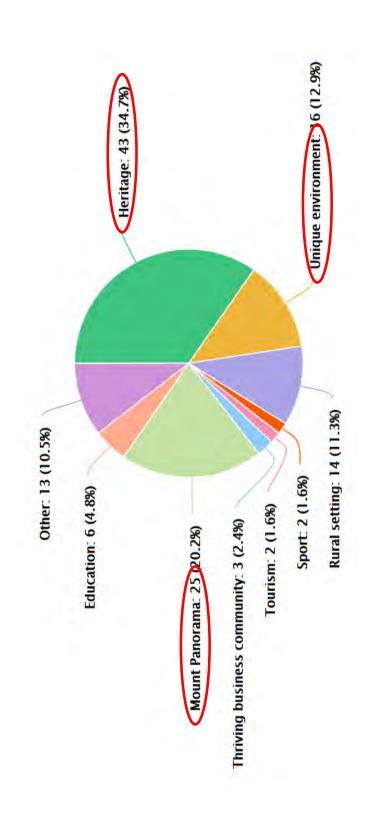
43 of 96

## If you had to choose ONE feature- which would it be? Yoursay-Bathurst Survey



# Yoursay-Bathurst Survey

# Choose the ONE feature you are most PROUD of:





### **204** comments

## Facebook – share your ideas





## Yoursay-Bathurst Survey + Face to Face events **Descriptors for Mt Panorama**



**S_DES_2_2** 

## **Descriptors for History/Heritage**



Regional Integrated

## Yoursay-Bathurst Survey + Face to Face events **Descriptors for Education**

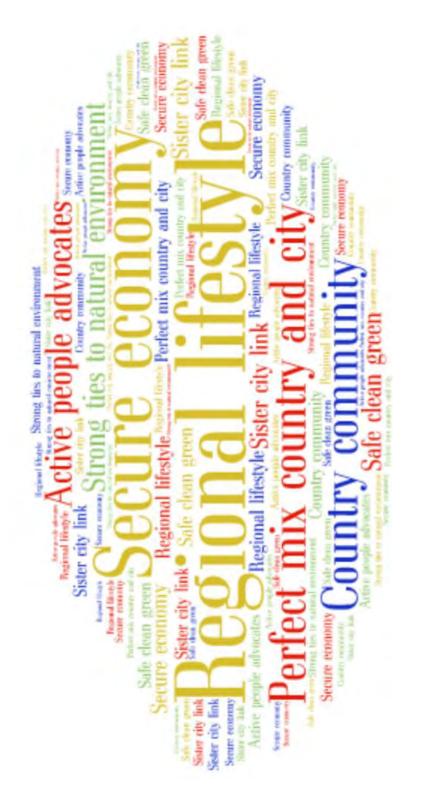
ity education for more than a

Regional Integrated

## Yoursay-Bathurst Survey + Face to Face events **Descriptors for Rural Landscapes & Settings**



# Yoursay-Bathurst Survey + Face to Face events

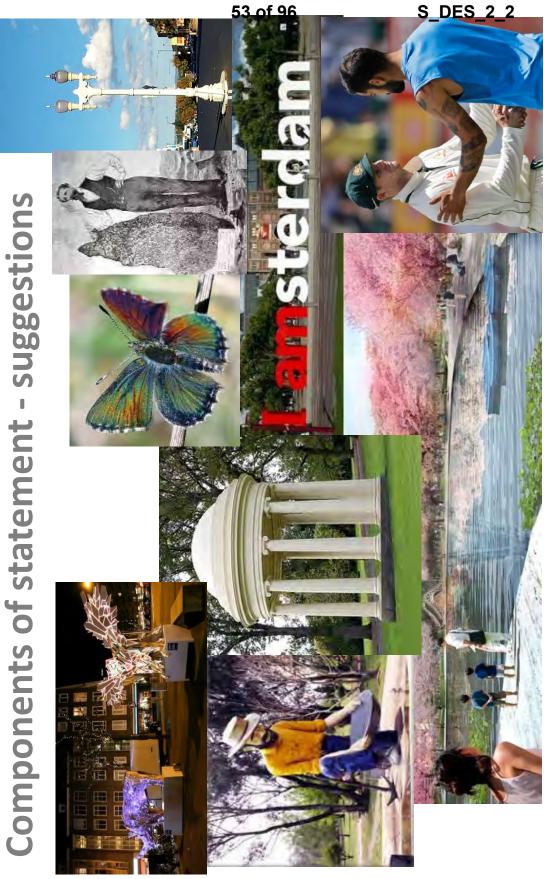




## suggestions Components of statement







# Components of statement - suggestions



## Consultation - RMS

### Considerations required:

- Traffic flow and intersection close to site consider entry/exit further from the intersection
- RMS supports a left in left out driveway arrangement. dsb to consider a combined entry/exit point
- Maintain 7-8m clear zone from edge of travel way + allow for safe stopping
- Limit/mitigate stopping and taking photos and interfering with main traffic. Limit distracting drivers eye away from the road (wrt road and adjacent intersection)
- Stop or discourage people crossing the road site has potential for under bridge pedestrian route.
- Light poles are not to be reduced don't reduce level of service
- Detail design to involve police and RBT



### **dsb** Landscape Architects

# Consultation – Vegetation Mgt Plan

### Significant Landscapes

Macquarie floodplain, timbered ridges and agricultural land

### Native Remnant Vegetation

Blakely's red gum, yellow box and apple box woodlands & developing links between remnants to improve the corridor of native vegetation

### Waterways

BATHURST CITY COUNCIL

Recreation, visual amenity and education through rehabilitation and development of the waterways to a more natural state

### Streetscape

Strategic tree planting

### Parks and Public Reserves

JUNE 2003

The preservation & development of recreational areas

### Gateways

Terra Cansulting

Gateway themes show the transition between the rural and urban landscapes with natives merging to exotics. The CBD is vegetated wholly with exotics.

### Floodplain

treeless expanses of the floodplain landscapes with development of the flood Maintain the characteristic market gardens, active recreational areas and prone area for playing fields & opportunities for wetland environments



BATHURST CITY COUNCIL

Vegetation Management Plan

### 57 of 96

### Regional Integrated

## Consultation – DMP

## Aspects of Bathurst we want to be known

### Broaden the perception about the region, so that people see the region for its many attributes

Known

Products and experiences that better tell the

Historic

story

Rich cultural scene that includes a number of unique events

**Cultured** 

Protect aesthetic values, including rural aspect & heritage streetscape

Beautiful

BATHURST REGION
DESTINATION MANAGEMENT PLAN

JANUARY 2015

Including activities and villages within the region.

Inclusive

Pool

Active

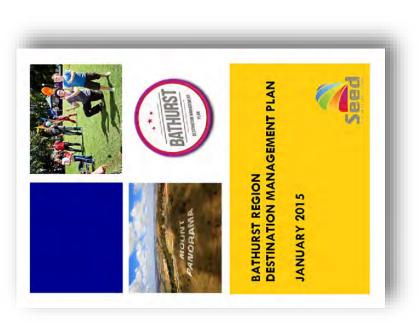
Thrill of the hill, regional/state/national sporting events, markets and fairs, cafes, wineries, staurants, and trendy shopping b



## Consultation - DMP

## How will we position our tourism offer?

- Action lovers
- Beautiful Bathurst
- Family time
- Get cultured
- Let's learn





## Consultation - Cultural Vision

Bathurst will be the premier inland centre of culture and creativity through:



- Creative places
- Creative programs
  - Creative people



### **dsb** Landscape Architects

## Consultation – Cultural Vision

Bathurst will be the premier inland centre of culture and creativity through:

### Creative places

- Existing infrastructure upgrades
- **Bathurst Memorial Entertainment Centre**
- Library Refurbishment
- Visitor Information Centre
- Australian Fossil and Mineral Museum

### New infrastructure

- Collection Management and Storage Facility
- Chifley Dam Performing Arts Residency Space strategy
- Bathurst Rail Museum
- Wiradjuri Cultural Centre and Keeping Place strategy

### Whole of city approach

- CBD cultural overlay
- **Town Square Precinct Redevelopment**
- The former TAFE Site
- Alternative performing arts/music/visual arts venue





a CULTURAL VISION 2036

### **dsb** Landscape Architects

## Consultation - Cultural Vision

Bathurst will be the premier inland centre of culture and creativity through:

### **Creative programs**

**Expand opportunities** 

BATHURST REGION

a CULTURAL VISION 2036

PREMIER INLAND CENTRE OF CULTURE AND CREATIVITY

- Regional Centre of Excellence in Cultural Education strategy
- Chifley Heritage strategy
- Curated National Motor Racing Museum program & Australian Fossil and Mineral Museum collection program
- Increased public programs
- Creative activation of Bathurst's public spaces & places
- **Public Art Policy**
- **Cultural Festivals and Events Policy**
- Wiradjuri cultural map



## Consultation - Cultural Vision

Bathurst will be the premier inland centre of culture and creativity through:



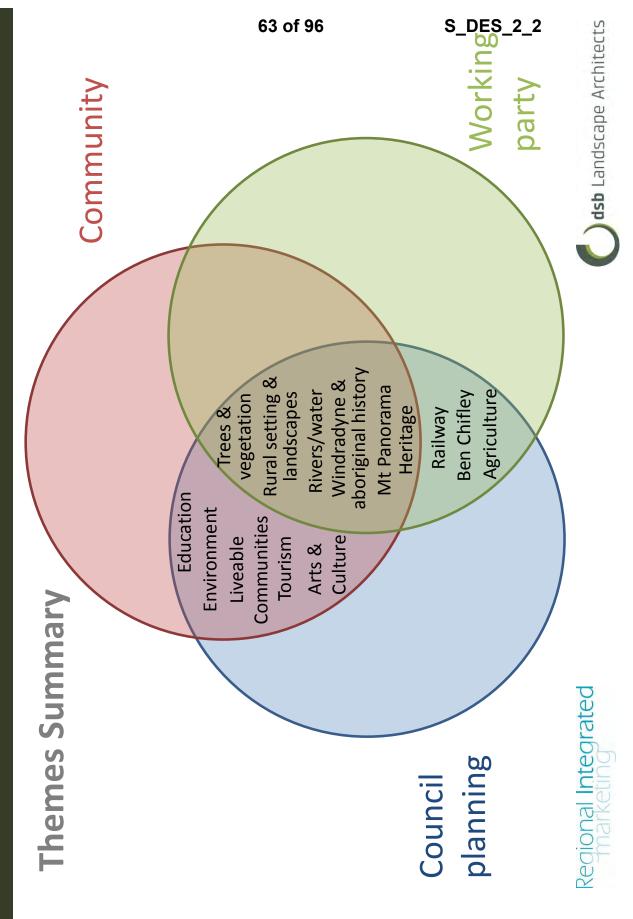
### **Creative people**

Attract and retain highly skilled and committed cultural and creative industry professionals

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- Develop and support staff, build volunteer capacity and contribute to educational richness
- Encourage the evolution of a creative environment





# Overall Consultation Result Summary – Entrance statement



### Review:

- similarities/differences/patterns appear in responses using both quantitative and a) The extent to which this projects issue and purpose was addressed and what qualitative data. 🧹
- b) Level of stakeholder engagement including new people engaging with Bathurst Council and results of each engagement method. 🗸
- c) Achievement of project goals and objectives. 🗸
- Satisfaction levels amongst all stakeholders in relation to the consultation.  $\checkmark$ <del>p</del>
- Cultural awareness of an ongoing commitment of council to community and stakeholder engagement. 🔻 (e
- ) Expectations of those engaged. ~
- The need for further analysis of outcomes or additional engagement activities (g



**dsb** Landscape Architects

David Pearce Dsb Landscape Architects Canberra

w www.dsbla.com.au t 02 6285 1955

> t 0434 994 145 Regional Integrated

Samantha Hain Regional Integrated Marketing

negional integrated ivial ketil Orange w www.rimarketing.com.au Appendix 4 – Cost Estimates



Mr David Pearce Associate Director dsb Landscape Architects 14 Hannah Place Deakin ACT 2600

Dear David,

**RE: Sydney Road, Bathurst Entry Statement Master Plan** 

We wish to confirm that we have completed our Opinion of Probable Cost Plan Report which is attached for your information and consideration.

I trust this is satisfactory for your present purposes and shall be pleased to provide additional information if required.

Yours sincerely

Aaron Still

**Aaron Still Consulting** 

11 October 2018



Sydney Road, Bathurst Entry Statement Master Plan

### Opinion of Probable Cost Plan Report

11 October 2018

### **Address**

PO Box 63, Erindale Centre, Erindale ACT 2903

### **Telephone**

(02) 6293 1444

### **Email**

aaron@aaronstillconsulting.com.au

ACN 141 173 060

www.aaronstillconsulting.com.au



Mr David Pearce Associate Director dsb Landscape Architects 14 Hannah Place Deakin ACT 2600

Dear David,

### **RE: Sydney Road, Bathurst Entry Statement Master Plan**

As requested, we wish to confirm that we have completed our Opinion of Probable Cost for the above project.

Due to the options for the entry statement itself, this component has been separated from all other works. Accordingly, the overall Opinion of Probable Cost is calculated by adding the 'entry statement master plan' and the preferred 'statement option'.

Our Opinion of Probable Cost can be summarised as follows:

-	Entry Statement Master Plan	\$2,898,500
-	Statement Option No. 1: History / Heritage - Railway Theme	\$357,500
-	Statement Option No. 2: Mt. Panorama Theme	\$302,500
-	Statement Option No. 3: History / Heritage - Mt. Panorama Theme	\$253,000
-	Statement Option No. 4: Water Feature Theme	\$253,000

All of the above costs are inclusive of GST.

Attached for your information and consideration are the following:

- Appendix 'A': Summary of Entry Statement Master Plan Opinion of Probable Cost;
- Appendix 'B': Detailed Calculations of Opinion of Probable Cost, including the following components:
  - Entry Statement Master Plan,
  - Statement Option No. 1: History / Heritage Railway Theme,
  - Statement Option No. 2: Mt. Panorama Theme,
  - Statement Option No. 3: History / Heritage Mt. Panorama Theme,
  - Statement Option No. 4: Water Feature Theme.

Please note that the Opinion of Probable Cost is based upon the following information:

- Landscape design documentation received 11 September 2018;
- Verbal / email advice from received progressively between 11 September and 5 October 2018;

In reviewing the Opinion of Probable Cost, please note the following:

- General Notes have been provided to indicate the 'intent' behind the Opinion of Probable Cost;
- Costs are based on a detailed measurement and pricing of all components of the project, with pricing structures reflecting ASC's perception of projects of this nature in the surrounding region;
  - Where a scope of work is nominated on the plan and the requirements have yet to be defined, they have been annotated as 'provisional' to highlight this point;
- Professional fees are based on ASC's assessment of the anticipated costs based on the percentage currently being experienced in the industry;
- Authority fees are based on ASC's assessment of the anticipated council fees;
- An approx. 10% contingency has been applied to cover the early nature of the design documentation and the potential unknowns of the project;
- Although the OPC has been based on September 2018 pricing structures, if the project were to be tendered within the next 3 no. months, we would anticipated that the cost structures included would still apply.

No allowance is included within our Opinion of Probable Cost for the following:

- Item specifically nominated as being excluded within the Opinion of Probable Cost;
- Adjustment / escalation of building costs after September 2018;
- Council's project management costs;
- Finance costs;
- Land costs.

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I trust this is satisfactory for your present purposes. Please call if you have any queries.

Yours sincerely

Aaron Still

**Aaron Still Consulting** 

11 October 2018





Job Name :	BATHURST ENTRY	<u>Job Description</u>
Client's Name:	dsb Landscape Architects	Bathurst Entry Statement

Trd	Trade Description	Trade	Cost/m2	Trade
No.		%		Total
1	GENERAL NOTES			
2	EXISTING CONDITIONS			
3	GENERAL WORKS	77.11		2,235,000
4	FEATURE ENTRY STATEMENT			
5	TOTAL OF CONSTRUCTION COSTS (EXCL. GST)			2,235,000
6	Furniture, Fittings and Equipment			
7	Professional Fees	4.31		125,000
8	Authority Fees	0.86		25,000
9	Escalation			
10	Council Costs			
11	Contingencies	8.63		250,000
12	Finance Costs			
13	Land Costs			
14	TOTAL OF PROJECT COSTS (EXCL. GST)			2,635,000
15	Goods and Services Tax	9.09		263,500

100.00 2,898,500

Final Total: \$ 2,898,500

Page:





**Entry Statement Master Plan** 



 Job Name :
 BATHURST ENTRY
 Job Description

 Client's Name:
 dsb Landscape Architects
 Bathurst Entry Statement

nent's Name: <u>usb Landscape Architects</u>	Bandist Endy Statement				
Item Description	Quantity	Unit	Rate	Mark	Amount
No.				<b>Up %</b>	
Frade: 1 <u>GENERAL NOTES</u>					
Generally					
1 The Aaron Still Consulting [ASC] Opinion of Probable Cost [OPC] is based on an detailed measurement and pricing of each of the components of the project, but with assumptions made for the following:					
2 The appropriate subcontract pricing structures, and associated trade contingency, suitable for a project of this nature		Note			
3 The appropriate preliminaries pricing structures suitable for a project of this nature	?	Note			
4 The appropriate builders profit margin suitable for a project of this nature		Note			
5 The OPC constitutes an assessment of a competitive tender (i.e. from a tenderer keen to 'win' the project) but not necessarily the lowest price that might be received for that particular project configuration	:	Note			
Site Inspection					
6 No site inspection has been carried out		Note			
Design Intent					
7 The pricing structures included within the OPC are based on the imagry provided within the landscape documentation received		Note			
8 From ASC's perspective, significant cost reductions can be achieved by downgrading the quality of the irrigated grass areas to dryland grass areas, as well as other value management options  Documentation		Note			
9 dsb Landscape Architecture design documentation,					
dated 7 September 2018, incorporating the following:					
10 Drawing 3434 D1 (rev B) - Site Assessment		Note			
11 Drawing 3434 D4 (rev B) - Entry Statement Concepts (Railway Theme)		Note			
12 Drawing 3434 D5 (rev B) - Entry Statement Concepts (Mt Panorama Theme 1)		Note			
13 Drawing 3434 D6 (rev B) - Entry Statement Concepts (Mt Panorama Theme 2)		Note			
14 Drawing 3434 D7 (rev B) - Entry Statement Concepts (Water Feature Theme)		Note			
15 Drawing 3434 D8 (rev B) - Site Master Plan		Note			
16 Drawing 3434 D9 (rev A) - Site Assessment		Note			
17 Drawing 3434 D1 (rev B) - Site Assessment		Note			
18 Drawing 3434 D1 (rev B) - Site Assessment		Note			

Job Name :	BATHURST ENTRY	<u>Job Description</u>
Client's Name:	dsb Landscape Architects	Bathurst Entry Statement

Item	
1   GENERAL NOTES     19   Drawing 343 ED   (rev B) - Site Assessment   Note     20   The following documentation has not been received:     21   Structural engineering drawings / documentation   Note     22   Specialist services (i.e. electrical, mechanical and hydraulics) drawings / documentation   Note     23   Civil engineering drawings / documentation   Note     32   Subcontract Pricing Structures and Quotations     Pricing Structures     4   ASC has incorporated known subcontract pricing structures based on our perception of the current tender conditions, from competitive subcontractors (i.e. from a subcontractor keen to win'the project) but not necessarily the lowest price that might be received for that particular project configuration     5   No trade contingency has been included as it is assumed that all of the quantities and rates included allow for the tunknown' components which may arise with the nominated scope of works during construction. This trade contingency should not to be confused with a construction or design contingency should not to be confused with a construction or design contingency should not to be confused with a construction or design contingency should mot to the confused with a construction or design contingency should not to be tendered within the following 3 no. months, we are of the opinion that the currently incorporated pricing structures and no allowance is included for escalation past this point. With this said, if the project were to be tendered within the following 3 no. months, we are of the opinion that the currently incorporated pricing structures would still be adequate	Amount
19 Drawing 3434 DI (rev B) - Site Assessment  Documentation Not Received.  20 The following documentation has not been received:  21 Structural engineering drawings / documentation  Note  Specialist services (i.e. electrical, mechanical and hydraulics) drawings / documentation  Note  Subcontract Pricing Structures and Quotations  Pricing Structures  24 ASC has incorporated known subcontract pricing structures based on our perception of the current tender conditions, from competitive subcontractors (i.e. from a subcontractor keen to 'win' the project) but not necessarily the lowest price that might be received for that particular project configuration  25 No trade contingency has been included as it is assumed that all of the quantities and rates included allow for the 'unknown' components which may arise with the nominated scope of works during construction. This trade contingency should not to be confused with a construction or design contingency  26 Pricing structures are based on September 2018 pricing structures and no allowance is included for escalation past this point. With this said, if the project were to be tendered within the following 3 no. months, we are of the opinion that the currently incorporated pricing structures would still be adequate  Quotations  Outlity of Inclusions / PC Items  Where there is no specific details as to the product selections, material finishes, etc., the quality of all	
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inclusions has been assumed. These are highlighted	
within the Opinion of Probable Cost	
Provisional Allowances	
29 Due to the level of documentation available, some Note	
assumptions have needed to be made for this OPC	
30 These are clearly nominated within the OPC with the Note	
reference 'Provisional'	
<u>Exclusions</u>	

Job Name :	BATHURST ENTRY	<u>Job Description</u>					
Client's Name:	dsb Landscape Architects	Bathurst Entry Statement					
Item	<b>Item Description</b>	Quantity	Unit	Rate	Mark	Amount	
No.					Up %		
Trade: 1	GENERAL NOTES					(Continued)	
	are clearly nominated within the detailed at of the OPC and should be reviewed for		Note				
GENERAL I			-		Total:		
Trade: 2	EXISTING CONDITIONS						
Sydney Roa	<u>d</u>						
Sydney Road	re for alterations or making good to existing d bitumen road pavement		Note				
Street Light							
	te for alterations or making good to existing to northern end of the site		Note				
	te for alterations or making good to existing		Note				
	verge paving to northern end of the site		Note				
	te for works to the existing flag poles on the Sydney Avenue to the north western end of		Note				
Existing Pav	ving						
'loop' paving	e for alterations or making good to existing g to north western end of the site		Note				
Boundary F							
boundary fer			Note				
EXISTING (	<u>CONDITIONS</u>				Total:		
Trade: 3	GENERAL WORKS						
Preliminario	e <u>s</u>						
of the projec	or additional supervision and management et, over and above the allowances included idual components	1.00	Item	60,000.00		60,000.00	
Site Clearar	-						
	or clearance of existing site, including sting grassing and debris	50,039.00	m2	2.00		100,078.00	
including as	or removal of existing elm and pine trees, sociated stump grinding	1.00	Item	32,500.00		32,500.00	
Surveying							
4 Allowance f	or surveying for setout requirements, etc.	1.00	Item	10,000.00		10,000.00	

Job Name: BATHURST ENTRY

Job Description

Client's Name: <u>dsb Landscape Architects</u> Bathurst Entry Statement

Item	Item Description	Quantity	Unit	Rate	Mark	Amount
No.					Up %	
Trade :	3 GENERAL WORKS					(Continued)
Entry	<u>Signage</u>					
unkno	ance for entry signage (Provisional - requirements wn at this stage)	1.00	Item	5,000.00		5,000.00
	vay / Carparking					
	ance for earthworks associated with boxing out adway / carparking	1.00	Item	20,000.00		20,000.00
7 Heavy course	duty gravel road, including associated base s and ground preparation (Provisional - design ements unknown at this stage)	3,692.00	m2	70.00		258,440.00
8 No allo	owance for kerbs or any road edge treatment		Note			
9 No allo	owance for line marking to parking bays		Note			
10 Allow	ance for line marking for pedestrian crossings	2.00	Item	750.00		1,500.00
unkno	ance for signage (Provisional - requirements wn at this stage)	1.00	Item	2,000.00		2,000.00
<b>Paths</b>	and Paving					
Off-Si	te Works					
base co	n finished concrete paving, including associated ourse materials	730.00	m2	80.00		58,400.00
	te works	2 440 00		00.00		40.7.040.00
base co	n finished concrete paving, including associated ourse materials	2,448.00	m2	80.00		195,840.00
	owance for steps, stairs and balustrades		Note			
	owance for tactile indicators		Note			
BBQ S	Shelters					
base co	n finished concrete paving, including associated ourse materials (adjacent playground equipment)	67.00	m2	80.00		5,360.00
BBQ s stage)	ance for reinforced concrete paving surrounding shelters (Provisional - extent unknown at this	6.00	Item	1,200.00		7,200.00
Pedest	trian Footbridges					
	r pedestrian footbridge, including associated ire, balustrades, etc.	80.00	m	425.00		34,000.00
19 Extra o	over for balustrades to pond area	36.00	m	425.00		15,300.00
bed (P	ance for pedestrian footbridges over dry creek rovisional - quantity assumed)	5.00	Item	1,750.00		8,750.00
Creek	Bed and Ponds					
Creek	Bed					
21 Allow	ance for earthworks to create drainage swale	1.00	Item	7,500.00		7,500.00
22 Creation	on of dry creek bed, including associated rocks	98.00	m	550.00		53,900.00

 Job Name :
 BATHURST ENTRY

 Job Description

Client's Name: <u>dsb Landscape Architects</u> Bathurst Entry Statement

Ite	m Item Description	Quantity	Unit	Rate	Mark	Amount
No.					Up %	
Tra	de: 3 GENERAL WORKS					(Continued)
23	Extra over for larger boulders	1.00	Item	2,500.00		2,500.00
24	Extra over for additional planting (i.e. assume 5 no. plants per metre)	1.00	Item	10,000.00		10,000.00
	Ponds					
25	Allowance for earthworks to create ponds	1.00	Item	20,000.00		20,000.00
	Creation of the pond, including liners (Provisional - design requirements unknown at this stage)	788.00	m2	175.00		137,900.00
27	Creaton of pond edge, including associated rocks	162.00	m	325.00		52,650.00
28	Extra over for larger boulders	1.00	Item	7,500.00		7,500.00
29	Extra over for additional planting	1.00	Item	15,000.00		15,000.00
30	Extra over for fountain feature, including associated services connections (Provisional - requirements unknown at this stage)	1.00	Item	30,000.00		30,000.00
	Mounded Grass Areas					
	No allowance for imported fill to create mounds (assume materials sourced from pond excavation works)		Note			
	Allowance for machinery hire to compact and mould the mound to the desired shape and levels	3.00	Item	7,500.00		22,500.00
33	Irrigated grass included in Grass Areas		Note			
	Grass Areas					
34	Off-Site Works					
35	Bitumen spray mulch grassing to existing road verge areas	1,664.00	m2	4.50		7,488.00
36	Ditto but to all other areas	30,228.00	m2	4.50		136,026.00
	On-Site works					
37	Allowance for minor earthworks and trimming to create required levels		m2			
38	Dryland grassing, including associated topsoil and ground preparation	12,500.00	m2	18.00		225,000.00
	Irrigation Off-Site Works					
39	No allowance for irrigation to bitumen spray mulch grassed areas		Note			
	On-Site works					
40	Allowance for connection to existing water supply, including associated authority charges (Provisional - location of existing supply unknown)	1.00	Item	20,000.00		20,000.00
41	Allowance for irrigation to dryland grassing (Provisional - extent to be confirmed)	12,500.00	m2	12.00		150,000.00
	Trees					

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Item	Item Description	Quantity	Unit	Rate	Mark	Amount
No.					Up %	
Trade :	3 GENERAL WORKS					(Continued)
<b>42</b> 75 lit	re tree plantings, including associated stacks,	108.00	no	275.00		29,700.0
prote	ction, etc.					
Arbo	<u>our</u>					
43 Arbo	ur structure (complete) (Provisional - design	26.00	m	950.00		24,700.0
requi	rements unknown at this stage)					
BBQ	<u>Shelters</u>					
44 Allov	wance for BBQ shelter (complete) (Provisional -	8.00	no	27,500.00		220,000.0
I	n requirements unknown at this stage)			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		.,
45 Allov	wance for BBQ table and bench seats (Provisional -	16.00	no	3,500.00		56,000.0
	tity and design requirements unknown at this stage)					
	wance for BBQ structure (Provisional - quantity	2.00	no	7,500.00		15,000.0
	lesign requirements unknown at this stage)					
47 Allov	wance for provision of water to BBQ structures	2.00	Item	3,500.00		7,000.0
Plays	ground Equipment					
48 Alloy	wance for playground equipment (Provisional -	1.00	Item	60,000.00		60,000.0
	n requirements unknown at this stage)			,		,
	wance for associated tanbark soft fall area	755.00	m2	45.00		33,975.0
Exte	rnal Lighting					
		1.00	T	40,000,00		40,000
	wance for external lighting associated with the	1.00	Item	40,000.00		40,000.0
	feature statement, including connection to existing structure services (Provisional - requirements					
	own at this stage)					
	t Facilities					
	llowance for toilet facilities		Note			
	solidation and Maintenance		TVOIC			
	wance for consolidation	1.00	Item	25,000,00		25,000.0
		1.00		25,000.00		25,000.0
	wance for maintenance	1.00	Item	7,500.00		7,500.0
54 Roun	ding	1.00	Item	3,793.00		3,793.0
<u>GENI</u>	ERAL WORKS				Total:	2,235,000.0
Trade :	4 FEATURE ENTRY STATEMENT					
1 No al	llowance for the feature entry statement		Note			
2 As th	ere are a number of options available for this		Note			
comp	ponent it is noted that the value of the preferred					
	n will be added to the total value of the works					
TOTAL A ST	TURE ENTRY STATEMENT				Total:	

Job Name : Client's Name:	BATHURST ENTRY  dsb Landscape Architects	<u>Job Description</u> Bathurst Entry Statement					
Item	Item Description	Quantity	Unit	Rate	Mark	Amount	
No.					Up %		
Trade: 5	TOTAL OF CONSTRUCTION COSTS (EXCL. C	<del>SST)</del>					
TOTAL O	F CONSTRUCTION COSTS (EXCL. GST)				Total:		
Trade: 6	Furniture, Fittings and Equipment						
1 No allowa	nce for furniture, fittings and equipment		Note				
Furniture,	Fittings and Equipment		•		Total:		
Trade : 7	Professional Fees						
1 Allowance	for professional fees (approx. 5.0%)	1.00	Item	125,000.00		125,000.00	
Professiona	al Fees			1	Total:	125,000.00	
Trade: 8	Authority Fees						
1 Allowance	for authority / council fees (approx. 1.0%)	1.00	Item	25,000.00		25,000.00	
<u>Authority</u>	<u>Fees</u>				Total:	25,000.00	
Trade: 9	<u>Escalation</u>						
1 Prices are	effective September 2018		Note				
	nce is included for escalation of pricing over the duration of the project		Note				
Escalation					Total:		
Trade: 10	Council Costs						
I	nce for council costs associated with the anagement of the project		Note				
Council Co				'	Total:		
Trade: 11	<u>Contingencies</u>						
Design / C	Construction Contingency						
1 Allowance 10%)	for design / construction contigency (approx.	1.00	Item	250,000.00		250,000.00	
Project Co	<u>ontingency</u>						
2 No allowa	nce for overall project contingency		Note				
Contingen	<u> </u>				Total:	250,000.00	

Job Name :	BATHURST ENTRY			Job Des	<u>cription</u>		
Client's Name:	dsb Landscape Architects	Bathurst Entry Statement					
Item	Item Description	Quantity	Unit	Rate	Mark	Amount	
No.					Up %		
Trade: 12	Finance Costs						
1 No allowar	nce for finance costs		Note				
Finance Co	osts_				Total:		
Trade: 13	Land Costs						
1 No allowar	nce for land costs		Note				
Land Costs	5.				Total:		
Trade: 14	TOTAL OF PROJECT COSTS (EXCL. GST)						
TOTAL O	F PROJECT COSTS (EXCL. GST)				Total:		
Trade: 15	Goods and Services Tax						
1							
Goods and	Services Tax	1	1		Total:		

Statement Option No. 1: History / Heritage -Railway Theme



## **Statement Opt 1 - History/Heritage - Railway Theme**

 Job Name :
 ENTRY STATEMENT OP1
 Job Description

 Client's Name:
 dsb Landscape Architects
 Bathurst Entry Statement - Option 1

Item	Item Description	Quantity	Unit	Rate	Mark	Amount
No.					Up %	
Trade :	1 FEATURE ENTRY STATEMENT - OPTION 1	<del>-</del>				
Prelimir	naries_					
of the pr within in	ce for additional supervision and management oject, over and above the allowances included idividual components	1.00	Item	10,000.00		10,000.00
	ad Paving					
	vance for paths and paving		Note			
<b>Feature</b>	Railway Sleepers					
3 Allowan	ce for surveying to set out sleeper locations	1.00	Item	10,000.00		10,000.00
4 Reinford	ed concrete footings, including detailed on	79.00	no	950.00		75,050.00
	ce for locating sleepers, transportation, and preparation, cutting to length, standing and	79.00	no	2,400.00		189,600.00
Mounde	d Planting Areas					
	vance for imported fill to create mounds materials sourced from pond excavation works)		Note			
mound to	ce for machinery hire to compact and mould the o the desired shape and levels	4.00	Item	2,500.00		10,000.00
8 Allowan	ce for 'feature grass' plantings to each mound	4.00	Item	2,750.00		11,000.00
Grass A	reas					
	vance for dryland grassing, including associated nd ground preparation - included in General		Note			
Irrigatio	<u>on</u>					
1 -	n to mounded planting areas, including on to irrigation included in General Works	4.00	Item	3,000.00		12,000.00
Trees						
11 No allow	vance for trees		Note			
Externa	Lighting					
12 Allowan Works	ce for external lighting included in General		Note			
Consolio	lation and Maintenance					
13 Allowan	ce for consolidation	1.00	Item	2,500.00		2,500.00
14 Allowan	ce for maintenance	1.00	Item	1,500.00		1,500.00
15 Roundin	g	1.00	Item	3,350.00		3,350.00
16 Subtotal						325,000.00
17 Goods as	nd Services Tax (10%)	1.00	Item	32,500.00		32,500.00

## **Statement Opt 1 - History/Heritage - Railway Theme**

 Job Name :
 ENTRY STATEMENT OP1
 Job Description

 Client's Name:
 dsb Landscape Architects
 Bathurst Entry Statement - Option 1

Item	Item Description	Quantity	Unit	Rate	Mark	Amount
No.					<b>Up %</b>	
FEATURE ENTRY STATEMENT - OPTION 1					Total:	357,500.00

**Statement Option No. 2: Mt. Panorama Theme** 



## Statement Opt 2 - Mt. Panorama Theme

 Job Name :
 ENTRY STATEMENT OP2
 Job Description

 Client's Name:
 dsb Landscape Architects
 Bathurst Entry Statement - Option 2

Iten	n Item Description	Quantity	Unit	Rate	Mark	Amount
No.					Up %	
Traa	le: 1 FEATURE ENTRY STATEMENT - OPTION 2					
	Preliminaries	•				
1	Allowance for additional supervision and management of the project, over and above the allowances included within individual components	1.00	Item	10,000.00		10,000.00
	Paths and Paving					
2	No allowance for paths and paving		Note			
$\dashv$	Feature Railway Sleepers					
3	Allowance for surveying to set out sleeper locations	1.00	Item	10,000.00		10,000.00
	Reinforced concrete footings, including detailed excavation	71.00	no	950.00		67,450.00
	Allowance for locating sleepers, transportation, cleaning and preparation, cutting to length, standing and propping	71.00	no	2,400.00		170,400.00
	Mounded Stone Area					
	No allowance for imported fill to create mounds (assume materials sourced from pond excavation works)		Note			
	Allowance for machinery hire to compact and mould the mound to the desired shape and levels	1.00	Item	7,500.00		7,500.00
_	Allowance for 'feature stone' to mounding	1.00	Item	5,500.00		5,500.00
	Grass Areas					
	No allowance for dryland grassing, including associated topsoil and ground preparation - included in General Works		Note			
-	<u>Irrigation</u>					
10	No allowance for irrigation		Note			
$\dashv$	<u>Trees</u>					
11	No allowance for trees		Note			
$\dashv$	External Lighting					
- 1	Allowance for external lighting included in General Works		Note			
	Consolidation and Maintenance					
13	Allowance for consolidation	1.00	Item	1,000.00		1,000.00
14	Allowance for maintenance	1.00	Item	500.00		500.00
15	Rounding	1.00	Item	2,650.00		2,650.00
16	Subtotal					275,000.00
	Goods and Services Tax (10%)	1.00	Item	27,500.00		27,500.00

Statement Option No. 3: History / Heritage - Mt. Panorama Theme



## Statement Opt 3 - History/Her. Mt. Panorama Theme

 Job Name :
 ENTRY STATEMENT OP3
 Job Description

 Client's Name:
 dsb Landscape Architects
 Bathurst Entry Statement - Option 3

Iter	n Item Description	Quantity	Unit	Rate	Mark	Amount
Vo.					Up %	
Trac	de: 1 <u>FEATURE ENTRY STATEMENT - OPTION 3</u>					
	<u>Preliminaries</u>					
1	Allowance for additional supervision and management of the project, over and above the allowances included within individual components  Paths and Paving	1.00	Item	10,000.00		10,000.00
2	No allowance for paths and paving		Note			
	Feature Arches					
3	Allowance for surveying to set out feature arches	1.00	Item	5,000.00		5,000.00
4	Reinforced concrete footings, including detailed excavation	14.00	no	950.00		13,300.00
	Allowance for feature arches of varying sizes (Provisional - materials and requirements unknown at this stage)	7.00	no	22,500.00		157,500.00
	Mounded Planting Areas					
	No allowance for imported fill to create mounds (assume materials sourced from pond excavation works)		Note			
- 1	Allowance for machinery hire to compact and mould the	1.00	Item	10,000.00		10,000.00
_	mound to the desired shape and levels Allowance for 'feature grass' plantings	1.00	Item	7,500.00		7,500.00
	Grass Areas					
	No allowance for dryland grassing, including associated topsoil and ground preparation - included in General Works		Note			
	<u>Irrigation</u>					
- 1	Irrigation to mounded planting areas, including connection to irrigation included in General Works	1.00	Item	7,500.00		7,500.00
	Trees					
	75 litre tree plantings, including associated stacks, protection, etc.	31.00	no	275.00		8,525.00
	External Lighting					
12	Allowance for external lighting included in General Works		Note			
	Consolidation and Maintenance					
13	Allowance for consolidation	1.00	Item	5,000.00		5,000.00
14	Allowance for maintenance	1.00	Item	1,500.00		1,500.00
15	Rounding	1.00	Item	4,175.00		4,175.00
16	Subtotal					230,000.00
17	Goods and Services Tax (10%)	1.00	Item	23,000.00		23,000.00

## Statement Opt 3 - History/Her. Mt. Panorama Theme

 Job Name :
 ENTRY STATEMENT OP3
 Job Description

 Client's Name:
 dsb Landscape Architects
 Bathurst Entry Statement - Option 3

Item	Item Description	Quantity	Unit	Rate	Mark	Amount
No.					<b>Up %</b>	
FEATURE 1	ENTRY STATEMENT - OPTION 3				Total:	253,000.00

**Statement Option No. 4: Water Feature Theme** 



## **Statement Opt 4 - Water Feature Theme**

 Job Name :
 ENTRY STATEMENT OP4

 Client's Name:
 dsb Landscape Architects

 Bathurst Entry Statement - Option 4

Client's Name: <u>dsb Landscape Architects</u>		Bathurst Entry Statement - Option 4				
Item	Item Description	Quantity	Unit	Rate	Mark	Amount
No.					Up %	
Trade	2: 1 <u>FEATURE ENTRY STATEMENT - OPTION 4</u>					
]	<u>Preliminaries</u>					
1	Allowance for additional supervision and management of the project, over and above the allowances included within individual components	1.00	Item	10,000.00		10,000.00
	Paths and Paving					
	No allowance for paths and paving		Note			
]	Feature Water Feature					
3	Allowance for surveying	1.00	Item	2,500.00		2,500.00
4	Allowance for excavation	1.00	Item	5,000.00		5,000.00
	Allowance for concrete base, including formwork to create steps and shapes	1.00	Item	75,000.00		75,000.00
6	Allowance for waterproofing	1.00	Item	7,500.00		7,500.00
	Allowance for feature steel 'C' design (Provisional - naterials and requirements unknown at this stage)	1.00	Item	60,000.00		60,000.00
i	Allowance for reinforced coloured glass elements, ncluding associated fixing methodologies	6.00		8,500.00		51,000.00
9	Allowance for plumbing and pumping requirements	1.00	Item	7,500.00		7,500.00
10	Allowance for electrical requirements	1.00	Item	2,500.00		2,500.00
]	Planting					
11	No allowance for planting		Note			
9	Grass Areas					
t	No allowance for dryland grassing, including associated opsoil and ground preparation - included in General Works		Note			
]	<u>frrigation</u>					
13	No allowance for irrigation		Note			
]	<u> Frees</u>					
14 1	No allowance for trees		Note			
]	External Lighting					
	Allowance for external lighting included in General Works		Note			
9	Consolidation and Maintenance					
16	No allowance for consolidation		Note			
17	Allowance for maintenance	1.00	Item	5,000.00		5,000.00
18 I	Rounding	1.00	Item	4,000.00		4,000.00
19 5	Subtotal					230,000.00

## **Statement Opt 4 - Water Feature Theme**

 Job Name :
 ENTRY STATEMENT OP4
 Job Description

 Client's Name:
 dsb Landscape Architects
 Bathurst Entry Statement - Option 4

Item	<b>Item Description</b>	Quantity	Unit	Rate	Mark	Amount
No.					Up %	
Trade : 1 <u>F</u>	EATURE ENTRY STATEMENT - OPTION	<u>N 4</u>				(Continued)
20 Goods and Se	rvices Tax (10%)	1.00	Item	23,000.00		23,000.00
FEATURE ENTRY STATEMENT - OPTION 4					Total:	253,000.00

#### **QUALITY ASSURANCE**

Contact information

**DSB** Partners Pty Ltd

Trading as **dsb** Landscape Architects

ABN 94 052 528 293

Directors: Adam Barker, David Peace and Michael Reeves

Deakin Chambers

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Email

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Web

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Quality assurance information

Report title:

Scoping Study - Development of an Entry Statement

Job number:

3434

Date:

30 October 2018

Prepared by:

David Pearce

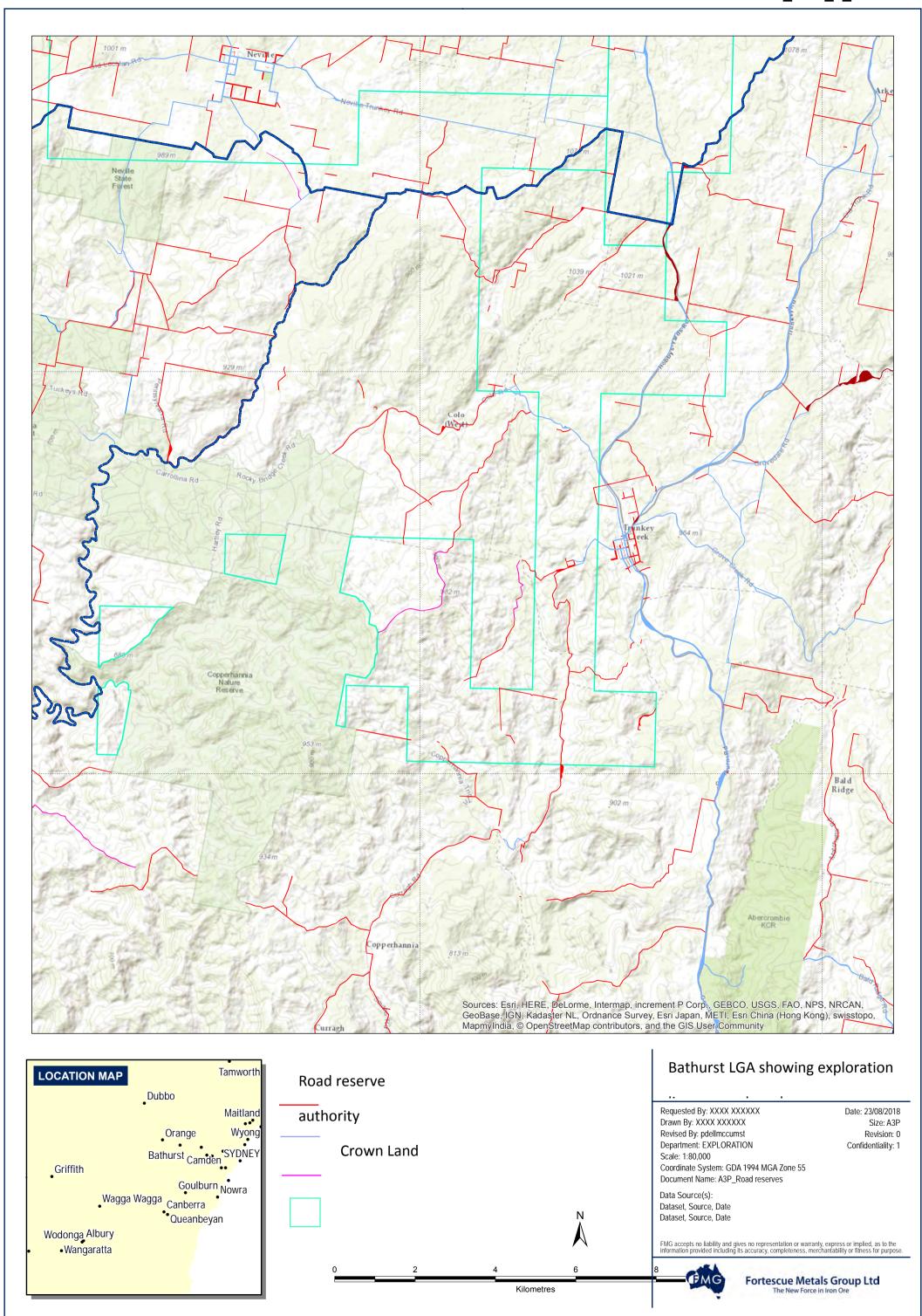
Reviewed by:

Michael Reeves

Issue history

Issue	Issue	Details	Authorised
Number	Date		
1	10-09-18	Report	MR
2	30-10-18	Report	MR





# Gravity Surveying Information sheet





- Gravity Meter rests on a triple legged base on the ground No ground disturbance
- Gravity reading is passive measurement It does not emit anything
- A survey point consists of a GPS reading and a local gravity reading
- No noise is generated by the equipment



DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT - ATTACHMENTS
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
12 DECEMBER 2018
12 DEGENIBER 2010

1 of 4

BATHURST PUBLIC ART POLICY **POLICY:** 

**DATE ADOPTED:** 

**ORIGINAL ADAPTED:** 

FILE REFERENCE: 11.00038

**OBJECTIVE:** Provide for the development and delivery

> of a strategically planned and innovative Public Art program for the Bathurst Region based on contemporary creative thinking and best practice implementation models.

#### 1. **DEFINITIONS**

Public Art covers a wide range of arts activities in the public realm including community cultural development activities, place-making projects, independent artworks and artworks integrated with buildings, infrastructure, landscape or urban developments. It can reflect a diverse range of styles and practices from traditional to contemporary art. It may be permanent and/or temporary, including installations and performances, billboard art, sound installations, video or digital projections, text-based, aerosol art and street art. The works may be commissioned by the public or private sectors and may be located on either public or publicly accessible privately-owned land.

#### 2. **PURPOSE**

Public Art will be an important contributor to a holistic place-making approach across the Bathurst Region. Permanent Public Art can contribute to developing local identity through the expression of a local narrative based on artwork concepts drawn from local stories and events. It can provide sculptural elements that can become cognitive place markers by which people navigate and use as meeting places, while interactive artworks can encourage community participation.

Temporary artworks will activate places and be utilised as a mechanism to herald change in advance of future place-making projects. In addition, artworks that actively engage the local community will provide the basis for understanding local needs and aspirations and inform future place-making planning. Place-making also allows for individual artistic expression through street art or other forms of artist interventions. These informal processes and projects can sometimes best capture the spirit of a community and become a unique point of difference in their own right.

In the Bathurst Regional Council context Public Art is an important mechanism through which Council can deliver on the Key Strategies of the Cultural Vision 2036.

#### Strategy 1: Creative Places: A Place of Culture & Creativity

Public Art can make an important contribution to the 'sense of place' and identity of the city and of public spaces across the whole of the Bathurst Region through celebrating the heritage, events, people and diversity of the area, and communicating community values.

The commissioning of contemporary Public Art will demonstrate the Council's commitment to culture and creativity; express confidence about place and the future; and be a symbol of civic pride and respect for public places.

#### Strategy 2: Creative Programs: Telling Bathurst Stories

Public Art will be commissioned to contribute to the expression of the history and cultural values of a people and place, including significant Aboriginal, European and migrant stories.

#### Strategy 3: Creative People: Developing a Creative Milieu

Public Art will provide a mechanism to encourage creativity, innovation and capacity building within the Bathurst arts community. The commissioning of Public Art will support local creative people to build skills; provide opportunities for young and emerging artists through temporary art projects; encourage mentorship and skill sharing; and bring new and challenging ideas to the local community.

#### **Associated Documents**

The Public Art Policy aligns with key Council policy and strategy documents including: the Bathurst Public Art Framework; Bathurst 2040 Community Strategic Plan; Bathurst Region Economic Development Strategy 2018-2022; Bathurst Region Destination Management Plan 2015; Bathurst Region Heritage Plan 2017 – 2020; and Village Plans.

#### 3. SCOPE

Bathurst Regional Council is committed to achieving high quality, culturally relevant Public Art outcomes and recognises that to achieve this goal, it will not only directly commission artworks in its role as a 'provider', but also work in 'partnership' with other commissioning bodies, and as 'supporter' to artists wishing to initiate art activities independent of but with the approval of Council.

Therefore, the scope includes:

#### 3.1 PROVIDER - Council Initiated Public Art

#### 3.1.1 Independently commissioned

Where appropriate, Bathurst Regional Council will initiate, fund and commission specific independent Public Art projects that help to deliver on the Cultural Vision 2036.

#### 3.1.2 Integrated into civic infrastructure

Bathurst Regional Council is committed to working with artists/craftspeople on integrated artworks as part of the landscape, buildings, infrastructure or civic spaces. The Council recognises the benefits of involving artists in integrated artworks that assist in the development of infrastructure projects that have a strong sense of place and uniqueness.

#### 3.1.3 Public Art platform infrastructure

In order to support the commissioning of temporary and or ephemeral public art Bathurst Regional Council will invest in the provision of a range of Public Art 'platforms' such as, digital projectors, light boxes, art billboards etc.

#### 3.2 PARTNER – Third Party Initiated Public Art

#### 3.2.1 Private sector property development

Bathurst Regional Council will actively encourage the commissioning of Public Art by the private sector. To facilitate this objective Council will work with property developers during the development assessment process to help identify opportunities and advise on commissioning processes for integrating Public Art into new developments, particularly those developments that create new public or civic spaces.

#### 3.2.2 Community Initiated Public Art

Partnerships for the commissioning of public art will be explored where the Public Art is to be located on Council land and is fully or partly funded by community groups or organisations.

#### 3.3. SUPPORTER - Artist/Community Initiated Public Art

#### 3.3.1 Supporting artist/community led initiatives

Bathurst Regional Council will develop strategies that encourage artists / community groups to propose interventions for specific locations and subject matter across the Bathurst region. Where appropriate, Council will support those artists seeking permission from Council to implement a proposal, with or without financial support from Council. This includes assisting the artists to achieve the relevant approvals and permits in a timely and efficient manner.

#### 4. IMPLEMENTATION

#### 4.1 RESOURCING

Council recognises that to be successful in delivering a diverse and high quality Public Art program requires adequate resources and as such is committed to providing the human and financial resources in a staged manner as required to deliver the agreed extent of the public art program.

Funding for Council initiated Public Art will be provided through the following:

- i. Dedicated Public Art Policy budget considered in line with competing priorities in the Annual Operational Plan
- ii. Individual capital works budget funded as part of project budgets on an as required basis
- iii. Grants where available from public, philanthropic and corporate sectors

#### 4.2 PLANNING

Council wishes that Council initiated 'independent' and 'integrated' public art should be rolled out in a planned and meaningful program that delivers on both the key objectives of the Cultural Vision 2036 and has the capacity to be responsive to changing community expectations and catalytic events.

Bathurst Regional Art Gallery will curate an ongoing program of temporary art activities utilising Public Art platform infrastructure funded by Council.

#### 4.3 REVIEWING AND APPROVAL MECHANISMS

Two expert review panels will be established to ensure artworks are of high quality, innovative, relevant and viable. A Public Art Program Committee will be established to provide oversight of proposed public art programs, opportunities and concepts. A Public Art Technical Review Panel will be established to review all relevant technical aspects of proposed public art projects such as risk assessment, engineering certification requirements, and asset management.

A five (5) tier approval process will be implemented whereby the following sign-off responsibilities apply on public property:

- i. Permanent individual artworks \$50,000 and over require GM / Council endorsement
- ii. Permanent individual artworks under \$50,000 Director Cultural & Community Services
- iii. Temporary and ephemeral art interventions Director Cultural & Community Services / Art Gallery Director
- iv. Permanent integrated artworks– General Manager & Director Cultural & Community Services
- v. Non-Council public art proposals Art Gallery Director

#### 4.4 MANAGING & MAINTAINING

A Public Art collection constitutes a valuable asset and as such newly Council commissioned artworks will be recorded on a Public Art Register with details of the artwork, artist, title, date and value. Each commissioned artist will be required to provide a Maintenance Manual detailing the materials, construction methods and recommendations for appropriate ongoing maintenance overseen by Bathurst Regional Council.

COUNCILLORS/ DELEGATES REPORTS - ATTACHMENTS
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
12 DECEMBER 2018

# MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBER ON TUESDAY 13 NOVEMBER 2018

**PRESENT:** Taylor Kessey, Reagan Haysom, Matthew Bignell, Matilda Whittaker, Angus Cooke, Jack Lynch, Madeline Siemsen, Gabrielle Boshier, Faith Shean.

**IN ATTENDANCE:** Erin Trevor-Jones (Community Development Team Leader, Bathurst Regional Council), Dianne Jarman (Community Development Events Assistant, Bathurst Regional Council), Cr Graeme Hanger OAM.

#### 1. APOLOGIES

Taylah Muller, Lydia Nichols, Natalia Burgess, Lucinda Begg, Elliza Bolton.

#### 2. ADOPTION OF PREVIOUS MINUTES

**RESOLVED** that the minutes of the meeting held 4 September 2018 be accepted.

**Moved:** Matilda Whittaker **Seconded:** Angus Cooke

#### 3. GUEST SPEAKER – ROMANI BLUE, NSW OMBUDSMAN

Guest speaker not in attendance.

#### 4. 'HOW TO ADULT' WORKSHOPS DEBRIEF

- Youth Council provided positive feedback about the event. They agreed that the workshops were great.
- Overall structure of the day worked well. Practical and theoretical sessions were broken up.
- The 30 minutes sessions were too quick a lot of content to get through. Also not enough time to get from one session to the next.
- A number of students already have resumes and some schools cover this in class.
- Laundry information was rushed. The session focussed on cooking, and laundry tips were quickly covered towards the end.
- Budgeting needed to be more practical and interactive. Youth Council felt the teacher just spoke to the group rather than engaging them. They would like more practical activities.
- 30 students per workshop was okay.
- Suggestion to invite Skillset Senior College and Carenne School next year. Youth Council would like to see all schools attending.
- Youth Council would like to continue with 'How to Adult' Workshops in 2019.
- Discussion around the most suitable time of year for the workshops to be held.
   Youth Council suggested end of Term 1 or Term 2, as later in the year becomes very busy for schools.

#### 5. "FOOD AND FLIX" OUTDOOR CINEMA EVENT

- A Facebook event has been created and has received a good response. Youth Councillors were asked to assist by sharing this on their own Facebook pages.
- Youth Councillors have been provided with posters and allocated locations for distribution.
- Three food vendors will be attending Lions Club (BBQ), Mr Whippy, All Flossed Out

# MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBER ON TUESDAY 13 NOVEMBER 2018

- The Greatest Showman will be screened at 8:00pm.
- Music playlist Youth Council to arrange a music playlist, which will be played from 6:30pm until 8:00pm through the cinema speakers.
- Youth Council to speak about the event at school assemblies.
- Gabby and Madeline to arrange a boarder bus from their schools.
- Youth Council would like to assist with drought relief at the event by asking for donations. Erin to make enquiries to arrange this, in regards to registering with a charity.
- Youth Council to arrive on site at 6:00pm. Wear Youth Council shirts.

Dianne Jarman and Cr Graeme Hanger OAM left the meeting.

#### 6. YOUTH WEEK 2019

Dates for Youth Week 2019 have been confirmed as 10 - 18 April, which is predominately the first week of the school holidays.

Youth Council will focus on one event for Youth Week 2019. Various options were discussed and a decision was made to continue with a YJAM music event. Event may need to be held prior to official Youth Week dates (late March or early April) due to school holidays.

Youth Council's suggestions:

- Friday night event, 6:00pm-9:00pm
- Outdoor venue in the CBD, possibly Machattie Park
- YJAM event featuring performances by young musicians
- Various food vendors, such as Chip on a Stick. Youth Council would like to run the BBQ
- Fairy lights

#### 7. GENERAL BUSINESS

Mental Health Awareness Campaign – It's OK not to be OK. Discussed at previous meeting. Youth Councillors are yet to approach art teachers at their schools. Representative from each school allocated and will email outcome of their discussion to Erin by the end of this week.

*Kelso Community Hub Christmas Party* – Wednesday 12 December. More information to follow. Youth Council confirmed their interest in attending and assisting at the event.

Colour run – Erin to continue making enquiries as to whether the Youth Council can hold their own event, rather than sourcing an external colour run provider.

#### 7. NEXT MEETING – TUESDAY 12 FEBRUARY 2019

The next meeting will be held Tuesday 12 February 2019 at 11:15am.

#### 8. MEETING CLOSE

There being no further business, the meeting closed at 12:44pm.



# MINUTES OF AUSTRALIA DAY WORKING PARTY MEETING HELD TUESDAY 20 NOVEMBER 2018

**PRESENT:** Mayor Cr Graeme Hanger OAM (Chair), Peter Cosgrove, Lesley Buchan, Bob Pardy, Phil Cole, Jeff Cox, Christine Sweeney.

**IN ATTENDANCE:** Director Corporate Services & Finance, Events & Promotions Officer

**ABSENT:** Alex Christian, Ian North, Hugh Gould.

1. APOLOGIES Nil.

MOVED: Jeff Cox SECONDED: Phil Cole

**RESOLVED:** That the apologies as listed be accepted.

2. PREVIOUS MINUTES

**MOVED**: Peter Cosgrove **SECONDED**: Lesley Buchan

**RESOLVED**: That the minutes of the Australia Day Working Party meeting held 18 September 2018 be adopted with the following changes.

#### **Item 1: Event Overview**

- Eglinton Committee are unable to extend the BBQ Breakfast celebrations. The event will run from 8am 9.30am
- Rotary are unable to host the 'Duck Race' on Australia Day.

#### 3. DIRECTOR CORPORATE SERVICES & FINANCE REPORT

After discussion the party resolved to update/ change the running of Australia Day:

#### **Item 1: EVENT OVERVIEW**

- Eglinton BBQ Breakfast
  - 8am 9.30am
  - Other activities remain the same as the 2018 event
- Citizenship & Awards Ceremony
  - Citizenship & Awards Ceremony will be combined as one ceremony no intermission
  - Girl guides to assist in handing out food
  - Working Party will sit in the front row and the stage will remain empty.
  - Committee members presenting awards will walk up on stage when they are called upon to present.
  - Number of citizens to be confirmed
- Australia Day by the Pool
  - Remain the same as 2018 event
- Bathurst Triathlon
  - Promote this as part of the Australia Day activities

#### Item 2: EVENT OF THE YEAR

- Applications are open
- Applications close Friday 11 January 2019

Minutes of the Australia Day Working Party held 20 November 2018

 Applications to include a clause if the event is a once off the advertising package will be donated accordingly.

#### **Item 3: AMBASSADOR PROGRAM**

- Application has been submitted. Once an ambassador has been assigned the Committee will be notified.

### 4. GENERAL BUSINESS

Citizen of the Year Announcement – Thursday 13 December Content for the booklet will be due Thursday 20 December

- 5. MEETING CLOSE 4.30pm
- **<u>6. NEXT MEETING</u>** 18 December 2018 at 4:00 pm