

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

9 June 2021

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council – 16 June 2021

I have to advise that an Ordinary Meeting of Bathurst Regional Council will be held in the Council Chamber on Wednesday 16 June 2021 commencing at 6.00pm or immediately following the conclusion of the Public Forum session.

Public Forum will be held from 6.00 pm where there will be an opportunity for members of the public to raise matters with Council.

D J Sherley GENERAL MANAGER

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD ON Wednesday 16 June 2021

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1 PUBLIC FORUM

MINUTE

Janet Ryan - Item 8.2.6 DA 2021/30- Objecting to DA due to 2nd storey blocking solar panels. Understands this matter is not in the remit of Council's consideration. Did note A.Hanger offered to move some of the solar panels, however advice received was not to move the panel. The overshadowing is a concern and the new storey will impact contrary to what is contained in the report, not just the solar panel.

Recommends Council look at ways of taking into account solar panel issues.

<u>Andrew Hanger - Item 8.2.6 DA 2021/30</u> - Spoke to concessions made in consideration of the neighbours concerns already. Note impact of trees and privet bush that have been removed. Have complied with Council Policies.

2 RECORDING OF MEETINGS

3 MEETING COMMENCES

MINUTE

Meeting commenced at 6.10pm.

<u>**Present</u></u>: Cr W Aubin, Cr B Bourke, Cr A Christian, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge</u>**

Mayor noted June 2021 is 70th anniversary of Ben Chifley's death and paused for a minute silence.

4 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

5 APOLOGIES

Nil

MINUTE

MOVED: Cr J Rudge SECONDED: Cr I North

RESOLVED: That the apology of Cr J Fry be accepted and leave of absence granted.

Nil

6 **MINUTES**

6.1 CONFIRMATION OF MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 12 MAY 2021

File No: 11.00005

RECOMMENDATION:

That the Minutes of the Extraordinary meeting of Bathurst Regional Council held on 12 May 2021 be adopted.

REPORT:

The Minutes of the Extraordinary meeting of Bathurst Regional Council held on 12 May 2021 are <u>attached</u>.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Extraordinary Minutes Of Bathurst Regional Council Held 12 May 2021 [6.1.1 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-168

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED:

That the Minutes of the Extraordinary meeting of Bathurst Regional Council held on 12 May 2021 be adopted.

6.2 CONFIRMATION OF MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 19 MAY 2021

File No: 11.00005

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 May 2021 be adopted.

REPORT:

The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 May 2021 are <u>attached</u>.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. 190521 Minutes Only Ordinary Meeting [6.2.1 - 27 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-169

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED:

That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 May 2021 be adopted.

7 DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLUTION NUMBER: ORD2021-170

MOVED: Cr J Rudge SECONDED: Cr A Christian

RESOLVED: That the Declaration of Interest be noted.

Cr Hanger declared a non-pecuniary interest in item 8.2.3 of the DEPBS Report.

Cr Hanger declared a pecuniary interest in item 8.2.6 of the DEPBS Report.

Cr Hanger declared a pecuniary interest in item 13.2.1 of the DES Confidential Report.

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

8.1 GENERAL MANAGER'S REPORT

8.1.1 GO KART TRACK PROPOSAL MOUNT PANORAMA/WAHLUU

File No: 2015/196-08

RECOMMENDATION:

For Council's determination.

REPORT:

Introduction

Council has recently received notification from the Hon Sussan Ley MP concerning the making of a Section 10 Declaration on 30 April 2021 for an area of land in the Mount Panorama/Wahluu precinct, refer <u>attachments 1 and 5</u> for the Declaration under the Aboriginal and Torres Strait Islander Heritage Protection Act (ATSIHPA) and cover letter. The covering letter to Council includes ;

"At a high level, in reaching my decision, I gave consideration to the following points:

- I am satisfied that the specified area is a 'significant Aboriginal area' to the extent that it contributes to the form of the fallen warrior Wahluu, which is generally accepted as an important creation story for the Wiradyuri people.
- Further, I am satisfied that part of the specified area that is a significant Aboriginal area is under 'threat of injury or desecration' from the proposed construction of a go-kart track. In the declaration I made under section 10, I refer to this area as the 'declared area'.
- In relation to the declared area, I do not consider that there are any pecuniary or proprietary interests, or other relevant matters, that outweigh the benefits of protecting that area by a declaration under section 10 of the ATSIHO Act."

Purpose of Report

Given the recent declaration by the Minister, direction is sought from Council on a number of issues, including ;

- (a) Future direction for the Go Kart Track project,
- (b) Location options for the Go Kart track, if the project is to continue,

(c) Proposed action with regard to the \$2.25 million in borrowings for the project.

The report also provides updates to the community and Council on the actions being undertaken to address the implications of the decision. This includes seeking advice on compensation from the Federal Government for Council and the Go Kart club, and clarification on the spatial impact of the reason given for the declaration.

Background

The proposal to develop a Go Kart Track in the Bathurst Regional Council area has had a reasonably long history. However for the purposes of the current matter, the following are the relevant actions and reports to date;

- 1. Development Application 2015/196 lodged with Council 4 June 2015
- 2. Public Discussion forum Council 5 August 2015,
- 3. Development Assessment report to Council 16 September 2015,
- 4. Development Application 2015/196 determined 28 September 2015,
- 5. Report to Council 21 September 2016 advising arrangements for Bathurst Kart Club to contribute \$150,000 to the Go Kart circuit project,
- Extent Heritage engaged to prepare Mount Panorama/Wahluu Aboriginal assessment studies (ACHAR) for Go Kart Track and Anthropological investigation – 4 April 2017,
- 7. Site Card No 44-3-0196 Women's Dreaming Site recorded on AHIMS,
- 8. Bathurst Regional Aboriginal Heritage Study report to Council 16 August 2017,
- 9. Cultural Heritage report to Council 15 August 2018,
- 10. Public Discussion Forum council 5 December 2018,
- 11. Development Assessment report to Council 19 December 2018,
- Advice from Federal Department of Environment and Energy that a Section 9 ATSIHPA application had been made – 9 January 2019. The application was lodged with the Department on 20 December 2018,
- 13. First Modification to Development Application 2015/196 Determined 23 January 2019.
- 14. Section 10 Application lodged with Federal Department 8 February 2019,
- 15. Development Assessment report to Council 20 March 2019,
- 16. Second Modification to DA 2015/196 Determined 22 March 2019,
- 17. Advice to ATSIHP unit Federal Government of Go Kart site works commencing 15 January 2019 and 29 March 2019,
- Advice from Federal Department of Environment and Energy that a Section 10 ATSIHPA application had been made – 8 August 2019,
- 19. Formal Notice Western Advocate of section 10 application seeking representations 10 October 2019,
- 20. Budget report to Council 6 May 2020,
- 21. Demolition of 1980's dwelling and disused telecommunication infrastructure 21 May 2019.
- 22. Budget report to Council 17 June 2020,
- 23. Mayoral Minute to Council 21 October 2020 : Funding of project. Loan \$2.25 million,
- 24. License of proposed Go Kart site to Bathurst Kart Club Inc. to Council 21 October 2020,
- 25. Rescission Motion to Council 29 October 2020: concerning Mayoral Minute 21 October 2020 (lost),
- 26. WTOCWAC receives a copy 1 December 2020 of the Section 10 reporters report dated 1 May 2020 under ATSIHPAct,

- 27. The Hon Sussan Ley makes 5 March 2021, a Section 9 Declaration under the ATSHIP Act for the area impacted by the proposed go-kart development,
- 28. Meetings in Bathurst Hon Sussan Ley 12 March 2021,
- 29. Notice of Motion Cr Fry to Council 17 March 2021 (lost),
- 30. Notice of Motion Cr Jennings to Council 17 March 2021 (lost),
- 31. Hon Sussan Ley advises 30 March 2021 of an extension to the Section 9 Declaration previously made,
- 32. Bathurst Regional Council receives a copy 1 April 2021 of the Section 10 Reporter's report dated 1 May 2020 under ATSIHP Act,
- 33. Submission by Crennan Legal to Hon Sussan Ley arguing against the making of a Section 10 Declaration 15 April 2021.
- 34. The Hon Sussan Ley 30 April 2021, makes a Section 10 Declaration for the area of the proposed go-kart track construction area, refer <u>attachments 1 and 5</u>,

Current/Recent Actions on this matter

There are currently a number of actions that have occurred, or are currently ongoing, that relate to the Go Kart track matter, these include ;

Supreme Court Case

This matter relates to orders to restrain work on the proposed Go Kart Track development at Mount Panorama/Wahluu and also that the Wiradyuri Traditional Owners Central West Aboriginal Corporation hold a profit a prendre by prescription in the site, refer **attachment 2**.

Status: The matter is ongoing at this time.

Friends of McPhillamy Park

The group have forwarded legal correspondence which in particular challenges the classification of various lands at the top of Mount Panorama/Wahluu. Council has rejected the assertions and advised the groups lawyers that the land will not be reclassified.

Status: Council considers this matter to be completed at this time.

Additional Section 10 Application under ATSIHPAct

Council understands the Federal Department has received a further Section 10 application covering a larger area of the Mount Panorama/Wahluu precinct. **Status:** At this time council has not been provided with a copy of the application.

<u>Federal Department of Agriculture, Water and the Environment – Complaint</u> Complaint 3 March 2021, that the proposed Go Kart facility may impact an EPBC Act listed ecological community. The complaint was responded to, and no further correspondence has been received from the Department. **Status:** It is considered this matter is finalised.

<u>NTSCORP concerns under the Future Acts regime of the Native Title Act (Cwlth)</u> Council received correspondence 8 March 2021, from NTSCORP concerning the Go Kart Track proposal and seeking clarification as to the status of notification for the development under the Future Acts regime of the Native Title Act 1993 (Cth). Council responded to the matter and received advice from NTSCORP that they required no further action.

Status: It is considered this matter is completed.

DPIE - North West Division: NSW Biodiversity and Conservation - Complaint

Council received advice 4 March 2021, that a complaint had been received about imminent clearing associated with the Go Kart Track project. Council provided advice to the Department; no further action has occurred. **Status:** It is considered the matter is completed.

David Shoebridge MLC on behalf of the Wiradyuri Traditional Owners Central West Aboriginal Corporation (WTOCWAC) – Complaint

Mr Shoebridge made approaches to the Hon Matt Kean to halt the Go Kart track development on behalf of WTOCWAC. The Minister advised inter alia; "*I am advised that the go-kart track project can therefore proceed in accordance with the issued project consent.*"

Status: It is considered this matter is completed.

Panorama Motor Cycle Club (PMCC) – compliance with S:9 Declaration ATSIHP Act The Department of Agriculture, Water and Environment advised 15 March 2021, PMCC that a third party had suggested to them that a working bee by PMCC may have encroached on the declared area and/or been in breach of the Declaration. The PMCC responded to the Department, with no further action taken. **Status:** It is considered that this matter is completed.

Funding of Go Kart Track

The estimated budget for the proposed Go Kart Track at Mount Panorama/Wahluu is \$4.5 million. Council has sought funding through a number of sources, these have included; grants (e.g., BBRF – Federal), funds from the Bathurst Karting group and Ioan funding. Council by way of Mayoral Minute 21 October 2020 resolved to borrow \$2.25 million dollars to fund constructions costs.

That Council:

- (i) vote funding of \$2.25million for the construction of the Go Kart Track at Mount Panorama/Wahluu.
- (ii) the Council funds to be sourced by way of loan in 2020/21,
- (iii) continue to seek grants and other funding sources for the balance of \$2.25million required for the Go Kart Track.

The loan funds of \$2.25 million have been drawn down into Council's bank account. Specific detail on the loan is as follows;

Duration of the Loan : 10 years Interest Rate : 1.82% Total Repayment Amt (todays \$) : \$2,466,455 Repayments (qtrly) : \$61,661.39

Council is in a position to review the allocation of the loan funds with the recent declaration made by the Minister.

Options for Council consideration include ;

- (a) Payout the loan, noting some interest penalties may apply
- (b) Hold the funds whilst another site is researched for a Go Kart Track, or
- (c) Allocate the funds to other projects.

Various Actions commenced concerning the development at the top of Mount Panorama/Wahluu, including the Go Kart Track

For prior history of various actions being taken in this matter e.g., Aboriginal Place application, Section 136 application to OEH, miscellaneous complaints and concerns reference should be made to the following reports to Council;

- General Manager's Report 15 May 2019,
- General Manager's Report 18 September 2019,
- General Manager's Report 11 December 2019,
- General Manager's Report 15 July 2020, and
- General Manager's Report 9 December 2020.

Location of the Track

With the Minister having made the Section 10 Declaration, refer <u>attachments 1 and 5</u>, concerning the approved Go Kart Track site at Mount Panorama/Wahluu, it would appear that this site in the medium to long term is no longer an option. Carrying out the Go Kart Track at the site whilst the Section 10 Declaration is current would constitute a criminal breach of the Section 10 Declaration.

Council has the right to challenge the making of the Section 10 Declaration by bringing judicial review proceedings in Federal Court. Because a Section 10 Declaration is a legislative instrument, Council is very limited in the ways that it can ask the Federal Court to quash the Section 10 Declaration. Essentially, Council would need to establish that in making the Section 10 Declaration the procedures set out in the Section 10 have not been followed by the Minister. Initial reviews of a possible judicial review of the decision would indicate the Minister has complied with all the statutory requirements of section 10 of the Aboriginal Torres Strait Islander Heritage Protection Act.

Council basically has three options for consideration;

- (a) Attempt to seek a judicial review of the decision (not
- recommended as prospects of success are very poor),
- (b) Identify one or more alternative sites for further review, or
- (c) Not pursue the proposed project any further.

Compensation request to Federal Government for funds expended on project

Council has written to the Hon Sussan Ley (5 May 2021 and 21 May 2021) refer <u>attachment 3</u> seeking advice as to compensation available to Council and the Go Kart Club for costs already incurred in developing the project. Noting, that Council at all times adhered to relevant State and Federal legislation in regard to the Go Kart Track proposal for Mount Panorama/Wahluu and that the works undertaken were known by the Federal government prior to their commencement by way of advice from Council 15 January 2019 and 29 March 2019.

Status: At the time of writing this report, Council has not received a response.

Impact of the Declaration on Mount Panorama/Wahluu: Form of Fallen Warrior Wahluu

The Minister, in her letter advising the Council of the Section 10 Declaration <u>attachment</u> <u>5</u> included;

"To make a declaration under section 10 of the ATSIHP Act, I must be satisfied the specified area is a 'significant Aboriginal area' for the purposes of section 10(1)(b)(i) of the ATSIHP Act, that is 'under threat of injury or desecration' for the purposes of section 10(1)(b)(ii) of the ATSIHP Act. I have decided to make a declaration under section 10 of the ATSIHP Act over part of the specified area as indicated in the enclosed declaration.

At a high-level, in reaching my decision, I gave consideration to the following points:

- I am satisfied that the specified area is a 'significant Aboriginal area' to the extent that it contributes to the form of the fallen warrior Wahluu, which is generally accepted as an important creation story for the Wiradyuri people.
- Further, I am satisfied that part of the specified area that is

 a significant Aboriginal area is under 'threat of injury or desecration'
 from the proposed construction of a go-kart track. In the declaration
 I made under section 10, I refer to this area as the 'declared area'.
- In relation to the declared area, I do not consider that there are any pecuniary or proprietary interests, or other relevant matters, that outweigh the benefits of protecting that area by a declaration under section 10 of the ATSIHP Act."

Given that the letter and declaration refer to the form of the fallen warrior Wahluu, which is an undefined area in the declaration except for;

"The Declaration ensures that the area containing part of the summit of Wahluu, Mount Panorama, being the shoulder of the fallen warrior Wahluu, that is of significance to the Wiradyuri tradition is not destroyed or damaged."

Council has written to the Minister 28 May 2021 **<u>attachment 4</u>** seeking that she identify the complete area of Mount Panorama/Wahluu which is identified as the form of the fallen warrior Wahluu. The Council needs to understand the potential impacts that the declaration has on the whole of the Mount Panorama/Wahluu precinct, for current and future proposals.

Status: At the time of writing this report, Council has not received a response.

Fencing around Go Kart Track (proposed) site

Currently the Go Kart site is still fenced off. This will be maintained at this time having regard to;

- (a) The site is a construction area, noting that substantial commencement of the DA had already occurred in the first half of 2019,
- (b) The site will need earthworks to restore it to a condition that camping etc. as approved by the Minister can occur,
- (c) It is assumed from the Section 10 Declaration that approval to do works may be required from the Minister and potentially other parties. A scope of works is yet to be developed,
- (d) The site is currently leased to the Bathurst Kart Club Inc., refer report to Council 21 October 2020. The Council must give due regard to these

rights, noting the Club will have public liability obligations amongst other factors.

(e) The removal of the fence itself will involve surface disturbance due to removal of the posts, it is anticipated that this activity will require approval from the Minister.

Mount Panorama Wahluu Boardwalk Interpretation Plan

Council staff have prepared an interpretation plan for the Mount Panorama Wahluu boardwalk to identify opportunities to interpret and celebrate the region's Indigenous and European cultural heritage, particularly that relating to the Mountain. Council has referred the plan to various partners for input into the project, including the Bathurst Local Aboriginal Lands Council and the Wiradjuri Elders groups. A quotation has been called for the design, manufacture and installation of the first stage of interpretative signage focused on the top of the Mountain and the new lookout.

Status: Council note the current standing of this project.

FINANCIAL IMPLICATIONS:

At this time, it is not possible to quantify the financial implications of this report, due to current court actions occurring and the need to get clarity from the Minister on her decision and whether compensation may be payable by the Government.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

- Strategy 1.1 Respect, protect and promote the region's Aboriginal heritage assets.
- Strategy 1.2 Protect, enhance and promote the region's European heritage assets and character.
- **Objective 2:** A smart and vibrant economy.
- Strategy 2.1 Support local business and industry.
- Strategy 2.5 Support Mount Panorama as a premier motor sport and event precinct.
- **Objective 5:** Community health, safety and well being.
- Strategy 5.1 Provide opportunities for our community to be healthy and active.
- Strategy 5.5 Plan and respond to demographic changes in the community.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

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

understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

- 1. Attachment 1 [8.1.1.1 14 pages]
- 2. Attachment 2 [8.1.1.2 5 pages]
- 3. Attachment 3 [8.1.1.3 3 pages]
- 4. Attachment 4 [**8.1.1.4** 2 pages]
- 5. Attachment 5 [**8.1.1.5** 1 page]

MINUTE

RESOLUTION NUMBER: ORD2021-171

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED:

That

- 1) Council Fastrack the development of an international length Kart Track on Council owned land adjacent to Conrod Straight, Mt. Panorama, in the vicinity of the old Drive-in/Rayner's Orchard site.
- 2) Council use monies from the existing Kart Track loan to fund any studies and acoustic tests required to prepare the site for a D.A.
- 3) The existing Track design be used if possible.
- 4) Council vigorously request the Federal Environmental Minister, Sussan Ley and the Local Federal Member, Andrew Gee, to recoup the monies spent by this Council, on the Fully Approved Legal D.A. for the Kart Track the precinct of McPhillamy Park, Mt. Panorama.

8.2 DIRECTOR ENVIRONMENTAL PLANNING AND BUILDING SERVICES REPORT

8.2.1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

File No: 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.

- (3) If an environmental planning instrument or a regulation contains nondiscretionary development standards and development the subject of a development application does not comply with those standards—
 - (a) 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 nondiscretionary 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.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-172

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED:

That the information be noted.

8.2.2 GENERAL REPORT

File No: 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 May 2021 (<u>attachment 1</u>).
- (b) Applications refused during May 2021 (attachment 2).

(c) Applications under assessment as at the date of compilation of this report (**attachment 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 Clause 4.6 of Bathurst Regional LEP 2014 approved in May 2021 (<u>attachment 5</u>).
- (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 Plan for, assess and regulate development activity.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

- 1. D As approved [8.2.2.1 2 pages]
- 2. D As Refused [8.2.2.2 1 page]
- 3. D As pending [8.2.2.3 3 pages]
- 4. Over 40 days [8.2.2.4 2 pages]
- 5. Variations [8.2.2.5 1 page]

MINUTE

RESOLUTION NUMBER: ORD2021-173

MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED:

That the information be noted.

SUSPENSION OF STANDING ORDERS

MINUTE

MOVED: Cr I North SECONDED: Cr J Rudge

That Standing Orders be suspended to allow Council to deal with item 8.2.6 of the Director of DEPBS Report - immediately after item 8.2.3 DEVELOPMENT APPLICATION 2021/60 - ALTERATIONS AND ADDITIONS TO DWELLING - LOT 18 DP 758065, 256 PIPER STREET, BATHURST. OWNER & APPLICANT: MR A HANGER

8.2.3 DEVELOPMENT APPLICATION 2019/352 - SEVEN (7) GROUP HOMES WITHIN FIVE (5) SEPARATE BUILDINGS, CARPORTS, RETAINING WALLS, CARPARK, DEMOLITION OF SHED AND TREE REMOVAL - LOT 45 DP 262572, 100 COLLINS CLOSE KELSO - APPLICANT: GLENRAY INDSUTRIES

File No: 2019/352

RECOMMENDATION:

That Council:

- 1) Not support the waiving or reduction of applicable Section 7.11 Development Contributions as payable under Condition No. 9 of Development Consent No. 2019/352 and the following plans:
 - Section 7.11 (formerly S94) Development Contributions Plan Bathurst Regional Community Facilities, 2014.
 - Section 7.11 (formerly S94) Development Contributions Plan Raglan Creek Stormwater Drainage Management, 1992.
- Not support the waiving or reduction of applicable Section 64 Water and Sewer Headworks Charges, as payable under Condition No. 10 of Development Consent No. 2019/352 and Section 64 of the *Local Government Act 1993*.
- 3) Provide the following deferred and periodic payment options to Glenray Industries:
 - (a) Prior to the issue of any Construction Certificate for each Stage, the equivalent installment of the applicable Section 64 Water and Sewer Headworks charges are to be paid to Council.
 - (b) Prior to the issue of any Occupation Certificate for each Stage, the equivalent installment of the applicable Section 7.11 Development Contributions are to be paid to Council under the following plans:
 - Section 7.11 (formerly S94) Development Contributions Plan Bathurst Regional Community Facilities, 2014.
 - Section 7.11 (formerly S94) Development Contributions Plan Raglan Creek Stormwater Drainage Management, 1992.

All monetary contributions/charges are reviewed annually and may change as of 1 July each year.

4) Call a division.

REPORT:

Summary of Attachments

| Attachment No. | Description | | | | |
|----------------|----------------------------------|--|--|--|--|
| 1 | 1 Map of Site. | | | | |
| 2 | Approved Plans. | | | | |
| 3 | Development Consent No. 2019/352 | | | | |
| 4 | Letter from Glenray Industries. | | | | |

Development Consent

Development Consent (No. 2019/352) was granted by Council on 11 August 2020 for the following development on land known as Lot 45 DP 262572, 10 Collins Close Kelso NSW 2795.

- 1. Seven (7) Group Homes within Five (5) Separate Buildings.
- 2. Two (2) Carports.
- 3. Construction of Retaining Walls.
- 4. Construction of New Internal Driveways and Carpark.
- 5. Demolition of Existing Garden Shed.
- 6. Removal of Twelve (12) Trees and Relocation of One (1) Tree.

Lot 45 DP 262572 (approximately 3.166 hectares) currently contains approximately eight (8) group homes which are owned and operated by Glenray Industries. The approved development includes an increase to the number of homes and affordable housing to be provided on the land.

A map of the site and surrounding land is provided at <u>attachment 1</u>, a copy of the approved development plans is provided at <u>attachment 2</u> and a copy of the Development consent is provided at <u>attachment 3</u>.

The following definition of a permanent group home is provided under *Bathurst Regional Local Environmental Plan 2014* (LEP 2014):

group home means a permanent group home or a transitional group home.

Note— Group homes are a type of *residential accommodation*—see the definition of that term in this Dictionary.

permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which *State Environmental Planning Policy* (Housing for Seniors or People with a Disability) 2004 applies.

As part of the assessment of the Development Application it was identified that Section 7.11 Development Contribution Plans and Water and Sewer Headworks Charges were applicable to the development and accordingly, the following conditions of consent were imposed:

9. The payment to Council of

- a) \$28,296.40 for the provision of community facilities in accordance with Council's Section 94 or 7 .11 Contributions Plan "Bathurst Regional Community Facilities".
- b) \$2,239.89 for stormwater drainage management in accordance with Council's Section 94 or 7.11Contributions Plan "Raglan Creek Stormwater Drainage Management".

All monetary conditions are to be paid prior to the issuing of any Construction Certificates.

NOTE 1: All monetary conditions are reviewed annually and may change as of 1 July each year.

NOTE 2: Copies of all Council's Section 94 or 7.11 Contribution Plans may be inspected at Council's offices.

10. The developer is to apply to Council for a Certificate of Compliance pursuant to Section 305 of the Water Management Act, 2000 (application form attached).

The developer will have to contribute the sum of \$40,233.60 water headworks plus \$39,144.60 sewer headworks and also enter into an additional works agreement before the Certificate of Compliance will be issued.

All monetary conditions are reviewed annually and may change as of 1 July each year.

NOTE 1: The developer should apply for a certificate as a matter of urgency because the Construction Certificate cannot be issued until a certificate has been issued by Council and all monetary conditions have been satisfied.

A Construction Certificate Application has not yet been submitted to Council in relation to the development.

Request for Financial Assistance

A letter (dated 26 May 2021) has since been submitted to Council from Glenray Industries (see **<u>attachment 4</u>**) outlines that the development will be carried out in three (3) stages (see **Figure 1**) and seeks a reduction (amount unspecified) in the amount of Section 7.11 Development Contributions and Section 64 Water and Sewer Headworks Contributions required to be paid for the proposal. The request also includes a request to pro rata the payments across the 3 stages of construction.

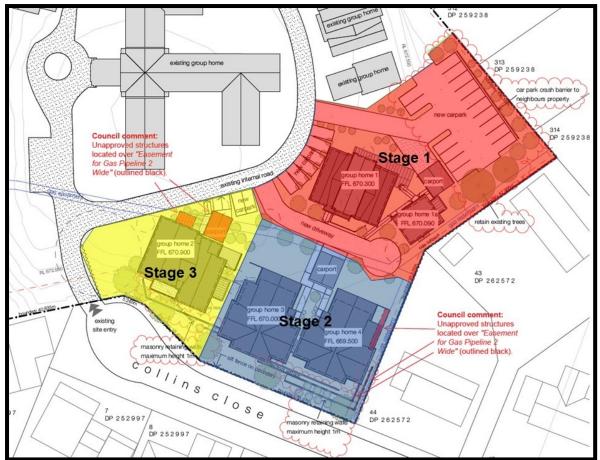


Figure 1 – Construction Staging Plan Overlaid on Site Plan Approved under Development Consent No. 2019/352.

The reasons provided for the request for financial assistance are outlined below:

- 1. "Glenray has for a number of years benefited from the support of Bathurst Regional Council, while at the same time Glenray has provided essential support to Bathurst residents with a disability."
- 2. "This project is self funded and adds to the previous development on site which consists of 8 Group Homes. The [existing] development is unique as it offers village style accommodation to individuals with a disability, the site also employs 65 local Bathurst residents."
- 3. "The proposed development offers accommodation for a further 18 individuals while also creating an additional 35 jobs."
- 4. "Works will be undertaken in 3 stages, with 1 home and the unit completed in Stage 1, a further 2 homes in Stage 2, and the final home in stage 3."
- 5. "As we move to Construction Certificate a number of charges have been applied by Bathurst Regional Council... Total payable is \$109,914.50."
- 6. "Due to the benevolent nature of Glenray and the ongoing support that Glenray offers to many in the local community I request that Bathurst Regional Council review the charges described above and offer Glenray financial support in the form of a fee reduction. I also request that the fee payment is deferred pro rata across the 3 stages of the development."

History of Financial Assistance

It should be noted that Council has previously received requests for financial assistance from Glenray Industries in relation to the following Development Consents issued in respect to the subject land.

| Application No. | Description | Determination | Financial A Requ | | Resolution of Council |
|--------------------|---|-----------------------------|---|---|--|
| 2009/0649 | Alterations and Additions to Existing Hostel, Erection of Four (4) New | Approved on 21 July 2009 | Request to waiv Development A Fees and a prop Development C and Headworks | Ordinary Meeting of Council held on 16 September 2009 | |
| | Dwelling and | | Charge | Amount | RESOLVED: |
| | Use of the Dwellings as a Group Home | | Council Development Application and Construction Certificate Fees | \$3,763.63 | That Council agree to waive \$1,880.00 of the Council fees payable for Development |
| | | | Water Headworks | \$11,602.00 | Application 2009/0649 – |
| | | | Sewer Headworks | \$7,385.76 | Glenray Industries, to |
| | | | Development Contributions for Raglan Creek Stormwater Drainage Management | \$1,053.28 | be funded from Section 356 Donations. |
| | | | Development Contributions for Community Facilities | \$7,190.00 | |
| | | | Total | \$30,994.67 | |
| 2011/0021 | 1. Additions and | Approved on 24 February | Request to waiv | | Ordinary Meeting of |
| | Alterations to Existing Building. | 2011. | Charge Water Headworks | Amount \$4,077.90 | Council held on 20 April 2011 |
| | 2. Change of Use of | | Sewer Headworks | \$3,698.10 | RESOLVED: That Council |
| | Group Home | | Development Contributions for Community Facilities | \$2,342.70 | not agree to waiving the fees. |
| | | | Total | \$10,118.70 | |

Section 7.11 (formerly S94) Development Contributions Plan – Community Facilities

Council's current Section 7.11 Development Contributions Plan for Community Facilities came into effect on 19 November 2014, being the date that LEP 2014 came into force.

Land to Which the Plan Applies

In accordance with Clause 1.3, the Plan applies to *"any new residential development type in any zone to which the Bathurst Regional Local Environmental Plan 2014 applies as outlined in Section 1.6 of this Plan"*.

Purpose of the Plan

In accordance with Clause 1.4, the purpose of the plan is to "...outline Council's policy regarding the application of Section 94... of the Environmental Planning and Assessment Act, 1979 in relation to the provision of local community facilities infrastructure to service the Bathurst region that will be required as a consequence of development in the LGA or that has been provided in anticipation of or to facilitate such development."

When Contributions are to be Paid

Clause 1.6(b) of the plan states that "Council will impose conditions of consent requiring payment of contributions: In the case of... medium density housing [and] residential units... but not include alterations and additions to an existing dwelling house – prior to the release of a Construction Certificate."

Council's Policy on Periodic Payments

Clause 1.8 of the Plan states that Council may accept payment by way of periodic payment for a staged development under the following conditions:

- 1. *"The instalment be paid before the work commences on the relevant stage of the development;*
- 2. The amount to be paid at each stage is to be calculated on a pro-rata basis adjusted to the applicable rate, in accordance with Section 1.11 of this Plan."

Given that the construction of the development is proposed to be carried out in stages, it is considered that an offer for the periodic payment of contributions would be suitable. This assumes that the Construction Certificate is lodged in 3 stages as proposed by Glenray.

Exemptions

Under Clause 1.12 of the Plan it is stated that *"Exemptions will not be given for any development outlined in the Contributions Plan without an express resolution of Council."*

Whilst this Clause provides no guidance as to the circumstances where such an exemption may be granted, it is not unreasonable to suggest that there should be a very clear rational basis for such a decision. Absent a clear and rational reason, exemptions would be tantamount to abandoning the Plan itself. This creates significant issues for the proper administration of the Plan itself and creates inequities between different types of development, whether new or additional to existing uses.

Relevance to the Subject Development

On this basis it is clear from the adopted Plan that:

- 1. The Plan applies to the proposal by virtue of Clause 1.3, being a residential development on land zoned R1 General Residential under LEP 2014.
- 2. The proposal falls within the ambit of Clause 1.6(b) as it includes the development of group homes, being a type of medium density housing.
- 3. The development of seven (7) additional group homes will increase the demand for community facilities. It is necessary that Development Contributions be paid towards the provision of local community facilities infrastructure (such as community buildings, footpaths, cycleways, art gallery, library, recreation areas, playgrounds, museums, sporting facilities, botanic gardens, bus shelters, carparking, childcare facilities, youth centres, aged persons facilities, etc.) to service the Bathurst Region that will be required as a consequence of development in the Local Government Area (LGA) or that has been provided in anticipation of or to facilitate such development.

Section 7.11 (formerly S94) Development Contributions Plan – Raglan Creek Stormwater Drainage Management

Council's current Section 7.11 Development Contributions Plan for Community Facilities came into effect on 16 December 1992.

Land to Which the Plan Applies

In accordance with Clauses 3 and 3.1, "this plan applies to land bounded by the heavy black line on the map marked "Section 94 Contributions Plan – Raglan Creek Stormwater Drainage" and deposited in the office of Bathurst Regional Council... The lands deemed to be available for development within the catchment are areas zoned other than rural on the Bathurst Local Environmental Plan 1997 as amended".

Purpose of the Plan

In accordance with Clause 2, "the purpose of the plan is:

- a) To ensure Council has adequate funding to properly manage stormwater runoff from development within the subject land.
- b) To ensure that the funding of stormwater management is provided in an equitable manner."

When Contributions are to be Paid

Clause 6 of the plan states that *"medium density housing will be required to contribute at Rate 1 per hectare"* of additional impervious area.

Exemptions

The Plan does not prescribe any circumstances in which Council may grant an exemption to the payment of Development Contributions.

Relevance to the Subject Development

On this basis it is clear from the adopted Plan that:

- 1. The Plan applies to the proposal by virtue of Clauses 3 and 3.1, as the land is identified on the relevant map and is zoned R1 General Residential (i.e. zoned other than rural).
- 2. The proposal falls within the ambit of Clause 6 as it includes the development of group homes, being a type of medium density housing.
- 3. The development of seven (7) additional group homes and associated carports, internal driveways and a carpark will result in the creation of additional impervious areas which increase the need for stormwater infrastructure to manage runoff from developments and maintain suitable water quality for flows entering into the Macquarie River.

Section 64 Water and Sewer Headworks Charges

In accordance with Section 64 of the *Local Government Act 1993* (and subsequently, Chapter 6, Part 2, Division 5 of the *Water Management Act 2000* (WM Act)), Council can request the applicant to pay a specified amount by way of contribution towards the cost of existing or projected water management works. Under Clause 226(a) of the *Water Management (General) Regulation 2018*, Section 306 of the WM Act applies to *"the erection, enlargement or extension of a building or the placing or relocating of a building on land."*

Consideration of Request for Financial Assistance

In the past, Council has not supported similar requests from Glenray for the waiving or reduction of Section 7.11 Development Contributions and Section 64 Water and Sewer Headworks Charges.

Whilst it is acknowledged that the proposed development will provide an increase in employment opportunities and an increase the availability of affordable housing for people with a disability or people who are socially disadvantaged, the development does not in itself involve the provision of community facilities or stormwater management infrastructure that is identified in the works schedule of each plan (works-in-kind), which might otherwise be considered a suitable alternative to the payment of the relevant contributions.

Given that there is a clear nexus between the approved development and the increased demand for community facilities and stormwater, water and sewer infrastructure, it would not be in the public interest to waive or reduce the amount of the contributions to be paid.

However, it is recommended that the following deferred and periodic payment options be provided to the applicant:

1. Prior to the issue of any Construction Certificate for each Stage, the equivalent installment of the following applicable Section 64 Water and Sewer Headworks charges are to be paid to Council:

| | | Water Headworks | | Sewer Headworks | | | |
|-----------------------------------|--------------------|----------------------|---|-----------------------|---|-------------|--|
| Stage | Proposal | Contribution Rate | Amount Payable | Contributi on Rate | Amount Payable | Total | |
| 1 – Group Homes 1 and 1a | 41 FU = 2.05 ET | 1ET | 2.05 ET x \$6,096.00 = \$12,496.80 | 1 ET = | 2.05 ET x \$5,931.00 = \$12,158.55 | \$24,655.35 | |
| 2 – Group Homes 3 | 52 FU = 2.6 ET | = \$6,096.00 | 2.6 ET x \$6,096.00 = | \$5,931.00 | 2.6 ET x \$5,931.00 = | \$31,270.20 | |

| and 4 | | \$15,849.60 | \$15,420.6 | |
|------------------------|--------------------|---|---|-------------|
| 3 – Group Home 2 | 39 FU = 1.95 ET | 1.95 ET x \$6,096.00 = \$11,887.20 | 1.95 ET x \$5,931.00 = \$11,565.45 | \$23,452.65 |
| Total | 6.6 ET | \$40,233.60 | \$39,144.60 | \$79,378.20 |

Notes: FU = Fixture Units

ET = Equivalent Tenements

2. Prior to the issue of any Occupation Certificate for each Stage, the equivalent installment of the following applicable Section 7.11 Development Contributions are to be paid to Council.

| | Bathurst F | Regional Co Facilities | mmunity | Raglan Creek Ma | Stormwate | r Drainage | |
|-----------------------------------|---|--|--|--|-----------|--|-------------|
| Stage | Contribution Rate – Financial Year 2020/2021 | Proposal | Amount Payable | Contribution Rate – Financial Year 2020/2021 | Proposal | Amount Payable | Total |
| 1 – Group Homes 1 and 1a | <u>1 bedroom</u> dwelling 40% = | 1 x 6 bedroom dwelling and 1 x 1 bedroom dwelling | \$6,431.00 + \$2,572.40 = \$9,003.40 | <u>Medium</u> Density Housing | 0.10ha | 0.10ha x \$11,788.90 = \$1,178.89 | \$10,182.29 |
| 2 – Group Homes 3 and 4 | 40% - \$2,572.40 ≥ 4 bedroom <u>dwelling</u> 100% = | 2 x 7 bedroom dwellings | 2 x \$6,431.00 = \$12,862.00 | \$11,788.90 per ha of additional impervious | 0.06ha | 0.06ha x \$12,862.00 = \$760.92 | \$13,622.92 |
| 3 – Group Home 2 | \$6,431.00 | 3 x 1 bedroom dwellings | 3 x \$2,572.40 = \$7,717.20 | area | 0.03ha | 0.03ha x \$11,788.90 = \$353.67 | \$8,070.87 |
| Total | | | \$29,582.60 | | | \$2,293.48 | \$31,876.08 |

All monetary contributions/charges are reviewed annually and may change as of 1 July each year.

CONCLUSION

Council has received a request for financial assistance from Glenray Industries in relation to the payment of Section 7.11 Development Contributions and Section 64 Water and Sewer Headworks Charges under Conditions 9 and 10 of Development Consent No. 2019/352 for seven (7) group homes within five (5) separate buildings on land known as Lot 45 DP 262572, 10 Collins Close Kelso NSW 2795.

The letter seeks a reduction (amount unspecified) in the amount of Development Contributions and Headworks Charges required to be paid for the proposal and a deferral of fee payment pro rata across the 3 stages of construction.

Glenray Industries has submitted similar requests to Council in the past, in relation to:

1. Development Consent No. 2009/0649 – Alterations and Additions to Existing Hostel, Erection of Four (4) New Dwelling and Use of the Dwellings as a Group Home.

2. Development Consent No. 2011/0021 – Additions and Alterations to Existing Building and Change of Use of Group Home.

No financial assistance was provided in relation to DA2011/0021, however, in relation to DA2009/0649 Council resolved to waive \$1,880.00 of the Council fees payable and fund from Section 356 Donations.

Given that there is a clear nexus between the approved development and the increased demand for community facilities and stormwater, water and sewer infrastructure, it would not be in the public interest to waive or reduce the amount of the contributions/charges to be paid. A waiver of contributions/charges could create inequities between different types of development, whether new or additional to existing uses.

However, it is acknowledged that the development will provide an increase in employment opportunities and an increase the availability of local affordable housing for people with a disability or people who are socially disadvantaged. Therefore, as opposed to the required payment of lump sums to Council prior to the issue of any Construction Certificate for any Stage of the development, it is recommended that Council provide the following deferred and periodic payment options to the applicant:

- 1. Prior to the issue of any Construction Certificate for each Stage, the equivalent installment of the applicable Section 64 Water and Sewer Headworks charges are to be paid to Council.
- 2. Prior to the issue of any Occupation Certificate for each Stage, the equivalent installment of the applicable Section 7.11 Development Contributions are to be paid to Council.

All monetary contributions/charges are reviewed annually and may change as of 1 July each year.

FINANCIAL IMPLICATIONS:

Should Council support the recommendation then there are no financial implications to Council.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

- **Objective 1:** Our sense of place and identity.
- Strategy 1.4 Protect and improve the region's landscapes, views, vistas and open space.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

- 1. Map of site [**8.2.3.1** 3 pages]
- 2. Approved plans [8.2.3.2 25 pages]
- 3. Development consent [8.2.3.3 21 pages]

4. Letter from Glenray Industries [8.2.3.4 - 2 pages]

Cr Hanger declared a non-pecuniary interest and left the Chamber.

Reason: Stepson employed at Glenray Industries.

MINUTE

RESOLUTION NUMBER: ORD2021-174

MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED:

That Council:

- 1) Not support the waiving or reduction of applicable Section 7.11 Development Contributions as payable under Condition No. 9 of Development Consent No. 2019/352 and the following plans:
 - Section 7.11 (formerly S94) Development Contributions Plan Bathurst Regional Community Facilities, 2014.
 - Section 7.11 (formerly S94) Development Contributions Plan Raglan Creek Stormwater Drainage Management, 1992.
- Not support the waiving or reduction of applicable Section 64 Water and Sewer Headworks Charges, as payable under Condition No. 10 of Development Consent No. 2019/352 and Section 64 of the *Local Government Act* 1993.
- 3) Provide the following deferred and periodic payment options to Glenray Industries:
 - (a) Prior to the issue of any Construction Certificate for each Stage, the equivalent installment of the applicable Section 64 Water and Sewer Headworks charges are to be paid to Council.
 - (b) Prior to the issue of any Occupation Certificate for each Stage, the equivalent installment of the applicable Section 7.11 Development Contributions are to be paid to Council under the following plans:
 - Section 7.11 (formerly S94) Development Contributions Plan Bathurst Regional Community Facilities, 2014.
 - Section 7.11 (formerly S94) Development Contributions Plan Raglan Creek Stormwater Drainage Management, 1992.

All monetary contributions/charges are reviewed annually and may change as of 1 July each year.

4) Call a division.

On being **<u>PUT</u>** to the **<u>VOTE</u>** the **<u>MOTION</u>** was **<u>CARRIED</u>**

The result of the division was:

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

8.2.4 DEVELOPMENT APPLICATION 2021/219 – TWO LOT RESIDENTIAL SUBDIVISION AT 290A PIPER STREET, BATHURST. APPLICANT: MR R KRAJCER. OWNER: MR R & MRS L KRAJCER

File No: 2021/219

RECOMMENDATION:

That Council

- 1) support the variation to the 550m² minimum lot size development standard pursuant to Clause 4.1 of the Bathurst Regional Local Environmental Plan 2014 and the associated Lot Size Map for the subject land for the creation of proposed Lot 211;
- as consent authority, grant consent pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 2021/219, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979; and
- 3) call a division

REPORT:

Site

Council has received a development application (DA) for a two lot residential subdivision of 290A Piper Street, Bathurst, formally described Lot 21, DP 1215491.

See location plan and aerial at **attachment 1**.

The site currently contains a single storey dwelling and benefits from two vehicular access points – Piper Street and Hope Street.

The site is 2600m², including the access handle to Hope Street.

The lot is within the Bathurst Heritage Conservation Area.

Summary of Attachments

| Attachment | Title |
|------------|------------------------------------|
| 1 | Location plan and aerial photo |
| 2 | Subdivision Plan |
| 3 | Statement of Environmental Effects |
| 4 | DA 2011/0356 Plans |

Proposed development

This proposal seeks approval for the subdivision of the land into two lots as follows:

| Proposed Lot | Area | Comment |
|--------------|--------------------|------------------------------------|
| 211 | 447m² | Will contain the existing dwelling |
| 212 | 2153m ² | Will be a vacant development lot |

See proposed plan of subdivision at attachment 2.

See Statement of Environmental Effects at attachment 3.

Planning Context

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. The proposal while not specifically defined, is being assessed as a residential subdivision and is permissible with consent in the R1 General Residential zone. The objectives of the zone are as follows:

- 1. To provide for the housing needs of the community.
- 2. To provide for a variety of housing types and densities.
- 3. To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- 4. 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.
- 5. To protect and conserve the historic significance and scenic quality of the urban villages of Eglinton, Raglan and Perthville.
- 6. 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 proposal is not inconsistent with the objectives of the zone. *Clause 4.1 Minimum subdivision lot size*

The Lot Size Map indicates that the minimum lot size for the subject land is 550m² for a regular lot. Clause 4.1(3F) indicates a battle-axe minimum lot size of 750m².

| Proposed Lot | Proposed | Minimum Lot | Comment |
|--------------|--------------------|-------------|--|
| | Area | Size | |
| 211 | 447m ² | 550m² | Regular lot with street frontage, will contain |
| | | | existing dwelling |
| 212 | 2153m ² | 750m² | Battle-axe lot |
| | (1899.4m² | (excluding | |
| | excluding | access | |
| | access | handle) | |
| | handle) | | |

The proposal involves the creation of two lots as follows:

As noted in the above table above one of the lots (proposed Lot 211) is less than the 550m² minimum lot size. The applicant has lodged a Clause 4.6 Variation to justify the creation of this lot (see below).

Clause 4.6 Exceptions to development standards

Clause 4.6 of the Bathurst Regional Local Environmental Plan 2014 allows for the exceptions to development standards.

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

See applicants Clause 4.6 variation request in the Statement of Environmental Effects at **attachment 3**.

The applicant has made the following case as to why the development standard is unreasonable or unnecessary in the circumstances of the case:

- 1. The development remains consistent with the objectives of the zone.
- 2. There are a number of existing lots within the vicinity of the subject land which area less than 550m² in area.
- 3. The creation of Lot 211 whilst under the minimum lot size still provides all the required residential amenity (private open space, access, clothes drying etc), without relying upon any land within Lot 212.
- 4. If Lot 211 were part of a dual occupancy/multi dwelling housing development, a lot of potentially any area would be permitted as long as the necessary residential amenities were provided (refer to the point above).
- 5. The development is generally consistent with the provisions of the Bathurst Development Control Plan 2014 (there is a slight variation of the frontage sought for Lot 211 – the variation is considered justifiable).
- 6. The surrounding land is transitioning from low density to medium/high density residential.
- 7. Lot 212 will likely be developed for multi dwelling housing which will ensure that the creation of Lot 211 slightly less than the minimum lot size will not be inconsistent with this area.
- 8. The variation sought is relatively minor (18%).
- 9. The standard unreasonably restricts effective utilisation of the land to achieve the objectives of the zone.
- 10. The standard unreasonably restricts the maximisation of infill development and utilisation of existing infrastructure resources.
- 11. The standard will unnecessarily restrict the achievement of highest and best yield of the land resource.

The applicant has made the following case as to what the environmental planning grounds are to justify contravening the standard:

Given the transitional nature of the area from lower density to medium-higher density residential, the design proposes an appropriate development form that is reflective of the desired future character of the area and responds to the constraints and opportunities of

this site.

- 1. The development generally complies with the provisions of the Bathurst Development Control Plan 2014.
- 2. There are a number of higher density housing developments within the vicinity of the subject land and associated smaller lots.
- 3. The existing dwelling on Lot 211 is provided with an appropriate level of amenity.
 - (4) Development consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

The applicant's written request adequately outlines why the development standard is unreasonable or unnecessary and what the environmental planning grounds are to justify the contravention.

It is considered that the creation of proposed Lot 211 is in the public interest because it is consistent with the zone objectives.

It is considered that strict compliance with the development standard is unreasonable and unnecessary in the circumstance of the case.

Bathurst Regional Development Control Plan 2014

Chapter 3 – Subdivision of land

3.3.1 - Electricity and Telephone Services

It is considered that both electrical and telephone services are available to the existing site and can be provided to both sites.

3.3.2 - Roads

It is considered that the proposed subdivision is designed such that both resulting lots will be afforded acceptable access.

3.3.3 - Drainage

The associated Statement of Environmental effect states that the existing residence's drainage is conveyed to Piper Street. This is not proposed to change. It should be noted that the fall of the land is such that a stormwater drain is located at the rear of the site. A construction Certificate was issued under a Development Application in 2011 for the installation of a retaining wall that indicated the location of a drainage system noted to be on site (see **attachment 4**).

3.3.4 - Reticulated Water and Sewer

The existing dwelling is serviced by reticulated water and is connected to Council's sewer main, located on-site. It is considered that there is adequate access to these services to service future development on the proposed Lot 212, should such an application be received.

3.3.9 - Land Contamination

Council records do not indicate that there is any contamination, or historical potentially contaminating practices carried out on-site.

3.5.1 - Driveway Access

It is considered that both resulting lots will have adequate vehicular access afforded by existing driveways. The Statement of Environmental Effects indicates that proposed Lot 211 will benefit from a Right of Carriageway over proposed Lot 212 to provide rear access to the Lot that will have frontage only to Piper Street.

3.5.2 - Fencing

The subject land is surrounded by fences, and, although one is not proposed, it is considered that a dividing fence will be established on the new proposed boundary and should be compliant with the necessary development standards. A condition will be imposed on any consent requiring such compliance.

3.7 - Subdivision Requirements – Heritage Conservation Areas and Heritage Items It is not considered that this proposed subdivision is in contravention of any Heritage Conservation Area provisions.

Public Consultation

The criteria in the Community Participation Plan 2019 have been considered and a determination has been made that the Development Application not be notified to adjoining property owners in accordance with the Community Participation Plan 2019

CONCLUSION:

Council has received a development application for a two lot residential subdivision of 290A Piper Street, Bathurst, formally described Lot 21, DP 1215491. One of the lots (proposed Lot 211) is less than the minimum lot size.

The applicant has lodged a Clause 4.6 Variation to justify the creation of this lot. It is recommended that the variation to the minimum lot size be supported in this instance for the reasons outlined in this report.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.5 Promote good design in the built environment.

Objective 4: Enabling sustainable growth.

- Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.
- Strategy 4.6 Plan for, assess and regulate development activity.

Objective 6: Community leadership and collaboration.

- Strategy 6.3 Advocate for our community.
- Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

04 **Collaborate** - to partner with the public in each aspect of the decision making including the development of alternatives and identification of preferred solutions

ATTACHMENTS:

- 1. Location plan and aerial photo [8.2.4.1 2 pages]
- 2. Subdivision Plan [8.2.4.2 1 page]
- 3. Statement of Environmental Effects [8.2.4.3 33 pages]
- 4. D A 2011/0284 plans [**8.2.4.4** 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-176

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED:

RECOMMENDATION:

That Council

- 1) support the variation to the 550m² minimum lot size development standard pursuant to Clause 4.1 of the Bathurst Regional Local Environmental Plan 2014 and the associated Lot Size Map for the subject land for the creation of proposed Lot 211;
- as consent authority, grant consent pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 2021/219, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979; and
- 3) call a division

On being **<u>PUT</u>** to the **<u>VOTE</u>** the **<u>MOTION</u>** was **<u>CARRIED</u>**

The result of the division was:

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

8.2.5 DEVELOPMENT APPLICATION 2021/114 – TWO LOT RESIDENTIAL SUBDIVISION AT 293 STEWART STREET, BATHURST. APPLICANT: MR T CLARK. OWNER: MR T & MRS C CLARK

File No: 2021/114

RECOMMENDATION:

That Council

- support the variation to the 550m² minimum lot size development standard pursuant to Clause 4.1 of the Bathurst Regional Local Environmental Plan 2014 and the associated Lot Size Map for the subject land for the creation of proposed Lot 102;
- (b) as consent authority, grant consent pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 2021/114, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979; and
- (c) call a division.

REPORT:

Site

Council has received a development application (DA) for a two-lot subdivision of 293 Stewart Street, Bathurst, formally described as Lot 10 in DP 1141125.

See location plan and aerial at attachment 1.

The site is zoned R1 – General Residential and was subject to a change of use to commercial premises under Development Application 2005/1160. The lot currently contains two large buildings, a carpark and one shed.

The site currently contains two single storey buildings, both used for commercial/business purposes, both accessed from Rocket Street.

The site is 1286m², and is burdened by a right of carriageway allowing access to Lot 11 DP 1141125 (not part of this development application).

The lot is within the Bathurst Heritage Conservation Area

Summary of Attachments

| Attachment No. | Title |
|----------------|---|
| 1 | Location plan and aerial photo |
| 2 | Proposed Subdivision Plan |
| 3 | Application for variation of a development standard |

Proposed development

This Development Application proposes a subdivision of the land into two lots:

| Proposed Lot | Area | Comment |
|--------------|------|--|
| 101 | 480 | Will contain existing building (293A Stewart Street) and carpark |
| 102 | 805 | Will contain existing building (293 Stewart Street) and carpark |

See proposed plan of subdivision at attachment 2.

See application for variation of a development standard at attachment 3.

It is noted that there is a minor discrepancy between the cumulative size of the proposed lots, and that shown by Council records however this does not materially impact on consideration of the application.

Planning Context

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. The proposal while not specifically defined, is being assessed as a residential subdivision and is permissible with consent in the R1 General Residential zone. The objectives of the zone are as follows:

- 1. To provide for the housing needs of the community.
- 2. To provide for a variety of housing types and densities.
- 3. To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- 4. 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.
- 5. To protect and conserve the historic significance and scenic quality of the urban villages of Eglinton, Raglan and Perthville.
- 6. 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 proposal is not inconsistent with the objectives of the zone. The commercial use of both dwellings was applied for and approved under DA 2005/1160.

Clause 4.1 Minimum subdivision lot size

The Lot Size Map indicates that the minimum lot size for the subject land is 550m² for a regular lot. Clause 4.1(3F) indicates a battle-axe minimum lot size of 750m².

The proposal involves the creation of two lots as follows:

| Proposed Lot | Proposed Area | Minimum Lot Size | Comment |
|--------------|-------------------|---------------------|----------------------------------|
| 101 | 480m² | 550m² | Regular lot with street frontage |
| 102 | 805m ² | 550m ² | Regular lot with street frontage |

As noted in the above table above one of the lots (proposed Lot 102) is less than the 550m² minimum lot size. The applicant has lodged a Clause 4.6 Variation to justify the

creation of this lot (see below).

Clause 4.6 Exceptions to development standards

Clause 4.6 of the Bathurst Regional Local Environmental Plan 2014 allows for the exceptions to development standards.

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

See applicants Clause 4.6 variation request in at attachment 2.

The applicant has made the following case as to why the development standard is unreasonable or unnecessary in the circumstances of the case:

The development standard is unreasonable or unnecessary in this particular case because [the] buildings and carpark [have] been used and rated for commercial use since 2005. The size of the allotments are related in size to both... carparking and size of building, [that is] more car spaces [for a] bigger building, ... [less] car spaces [for a] smaller building.

The applicant has made the following case as to what the environmental planning grounds are to justify contravening the standard:

We are not changing the use of the building[s] or carpark.

We [do not] use the land for residential purposes. [The buildings are] used and rated for commercial [purposes]. The reduction [in] size of one allotment [lot 102] would be an advantage not a disadvantage.

The larger [than] normal carpark which services both building[s] takes a lot of pressure off the street in the area, which [has drawn] no complaints from surrounding houses.

It is considered that the creation of proposed Lot 102 is in the public interest because it is consistent with the zone objectives.

It is considered that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case.

Bathurst Development Control Plan 2014

3.3.1 - Electricity and telephone services

There is no reason to consider that the provision of electricity and telephone services to both proposed lots is unachievable.

3.3.3 – Drainage

As there is no physical work, it is considered that the current drainage system is adequate. A condition will be imposed on any consent requiring an easement for drainage be created.

3.3.4 - Reticulated Water and Sewer

Sewer:

• Each building is separately connected to Council's sewer main, and no alteration is necessary to achieve drainage within the new proposed lots.

Water:

• Council records indicate that only one water connection is provided, a condition of any consent (should one be issued) will be that each new allotment is metered separately.

Public Consultation

The criteria in the Community Participation Plan 2019 have been considered and a determination has been made that the Development Application not be notified to adjoining property owners in accordance with the Community Participation Plan 2019

CONCLUSION:

Council has received a development application for a two lot subdivision of 293 Stewart Street, Bathurst, formally described lot 10 in DP 1141125. One of the lots (proposed Lot 102) is less than the minimum lot size.

The applicant has lodged a Clause 4.6 Variation to justify the creation of this lot. It is recommended that the variation to the minimum lot size be supported in this instance for the reasons outlined in this report.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

- Objective 1: Our sense of place and identity.
- Strategy 1.5 Promote good design in the built environment.
- **Objective 2:** A smart and vibrant economy.
- Strategy 2.1 Support local business and industry.

Objective 4: Enabling sustainable growth.

- Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.
- Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.
- Strategy 4.6 Plan for, assess and regulate development activity.

Objective 6: Community leadership and collaboration.

- Strategy 6.3 Advocate for our community.
- Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

04 **Collaborate** - to partner with the public in each aspect of the decision making including the development of alternatives and identification of preferred solutions

ATTACHMENTS:

- 1. Location plan and aerial photo [8.2.5.1 2 pages]
- 2. Proposed subdivision plan [8.2.5.2 1 page]
- 3. Application for variation of a development standard [8.2.5.3 6 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-177

MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED:

RECOMMENDATION:

That Council

- (a) support the variation to the 550m² minimum lot size development standard pursuant to Clause 4.1 of the Bathurst Regional Local Environmental Plan 2014 and the associated Lot Size Map for the subject land for the creation of proposed Lot 102;
- (b) as consent authority, grant consent pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 2021/114, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979; and
- (c) call a division.

On being **<u>PUT</u>** to the **<u>VOTE</u>** the **<u>MOTION</u>** was **<u>CARRIED</u>**

The result of the division was:

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

8.2.6 DEVELOPMENT APPLICATION 2021/60 - ALTERATIONS AND ADDITIONS TO DWELLING - LOT 18 DP 758065, 256 PIPER STREET, BATHURST. OWNER & APPLICANT: MR A HANGER

File No: 2021/60

RECOMMENDATION:

That Council

 as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2021/60, 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:

2)

- (a) Certain trees proposed to be removed are able to be cleared, with the exception of a single eucalypt, deemed to be in good health, and of value.
- 3) notify those that made submissions of its decision; and
- 4) call a division.

REPORT:

Site

256 Piper Street, formally Lot 18 Section 29 DP: 758065 is a large residential lot of 2024m². The site currently contains a single storey dwelling, a collection of sheds, and an enclosure for domestic animals. The site is well vegetated with a mix of native and non-native species.

To the south east is a group of residential units (254 Piper). To the north west is a single storey dwelling (262 Piper).

The land slopes generally to the rear and from the north west to south east such that 254 Piper Street is located "below" 256 Piper Street.

Attachment 1 contains an aerial location map.

Proposed development

Development Application 2021/60 seeks consent for:

- 1. A 15m x 7m shed,
- 2. A second storey addition to the dwelling, and
- 3. Removal of trees.

The shed is 15m x 7m, is to be constructed of colourbond and is located behind the existing dwelling. The shed will be located 0.9m from the common boundary with 262 Piper Street.

The second storey dwelling addition will be located to the rear of the property. The extension will be approximately 2 metres from the common boundary with 254 Piper. The secondary storey extension will be approx 8.5 metres at the apex of the roof and will be clad in painted weatherboard

The proposal includes the removal of 6 trees as noted below:

- Tree 1 Eucalypt species (smooth bark) approximately 9m in height, in good condition and free of structural defects. The tree has a fair lean however there are no obvious signs of any contributing factors to this condition.
- Tree 2 Eucalypt species (smooth bark) approximately 9m in height, in good condition and free of structural defects.
- Tree 3 Eucalypt species (smooth bark). approximately 9m in height and in average condition. Has minimal crown present
- Tree 4 Eucalypt species (rough bark). approximately 5m in height and in average condition. Has minimal crown present and competing with adjacent large Eucalypts
- Tree 5 Casuarina approximately 6m in height and in average condition. Not a good specimen, also competing with adjacent trees.
- Tree 6 Ulmus procera approximately 4m in height and in very poor condition.

It is noted that it is only those trees in excess of 9m would require consent for removal. Accordingly, it is trees 1, 2 and 3 which will be assessed as part of the application. With the exception of trees 1 and 5 all other trees are within the footprint of the proposed development.

A site plan and elevations are provided at attachment 2.

Summary of Attachments

| Attachment No. | Description |
|----------------|------------------------------------|
| 1 | Aerial location plan |
| 2 | Site plan and elevations |
| 3 | Heritage Impact Statement |
| 4 | Shadow Diagrams (from application) |
| 5 | Submissions |
| 6 | Applicants response to submissions |
| 7 | Additional submissions |
| 8 | Additional advice from applicant |

PLANNING CONTEXT

Bathurst Local Environmental Plan 2014

<u>Zone</u>

The land is zoned R1 – General Residential under Bathurst Regional Local Environmental Plan 2014

Permissibility

The proposal, being an addition to an existing dwelling, is permissible within the R1 zone.

| Special Provisions - Bathurst Regional Local Environmental Plan 2014 |
|--|
|--|

| Clause | Discussion |
|---------------------------------|---|
| 4.3 - Height of Buildings | The Height of Buildings Map shows that the maximum permissible height of a building in this area is 9 metres. The second story addition proposed is not more than 8.5 metres at its highest point. |
| 5.10 - Heritage Conservation | The site is within the Bathurst Heritage Conservation Area, has a BCAMS rating of Contributory, and is of 1950s-60s construction. It is considered that the proposed design of the second storey is in keeping with the heritage value of the dwellings itself, its context and the wider Bathurst Heritage Conservation Area. Refer to attachment 2 for the design, and to attachment 3 for the Heritage Impact Statement, written by Aaron Schumacker Drafting on behalf of Mr Hanger, the applicant. |
| 7.3 - Airspace Operations | The development is proposed to take place within the 879.5-920.4 metre Obstacle Limitation Surface. As the proposal does not reach higher than 8.5 metres, it is considered that the second storey addition does not pose a risk to airspace operations. |
| 7.5 - Essential Services | It is considered that: • supply of water, • supply of electricity, • disposal and management of sewage, • stormwater drainage, • suitable vehicular access are all existing, and that these services will be adequate to provide for the proposed development. |

Bathurst Development Control Plan 2014

Below are the relevant sections of the Bathurst Development Control Plan 2014.

Chapter 4 - Residential development

As detailed above, the Bathurst Development Control Plan 2014 requires that:

"New two-storey 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."

And that:

"The overshadowing diagrams should be provided in 1 hour intervals for the period 9.00am and 3.00pm on 21 June."

<u>Attachment 4</u> contains the shadow diagrams as provided by the applicant. The following observations can be made.

- The shadow diagrams are drawn as at 21 June being the winter solstice, as required by the DCP.
- Unit 2/254 forms part of a series of units on the adjoining property. The units comprise a series of buildings with unit 2 being located in the building closest to

Piper Street.

- Unit 2/254 has solar panels installed on its roof.
- The private open space of the units at 254 Piper is location between 254 and 256 Piper Street.
- The shadow cast by the existing dwelling already impacts upon the private open space of the adjoining Unit 2/254. The 2 storey addition does not further add to this overshadowing in terms of the private open space.
- The overshadowing from the 2 storey addition largely falls upon the rooves of the adjoining residential units including that of Unit 2 which in this case includes the solar panels.
- Shadowing of the roof of Unit 2 will occur in parts from 11am onwards although this is partly attributable to the existing dwelling.

Council's existing planning provisions do not make any specific provisions in relation to overshadowing of solar panels instead focusing on indoor and outdoor living areas. In this respect it is extremely difficult to afford any protection (in a planning sense) to solar panels from what is an otherwise compliant and reasonable development. In that respect it is equally arguable that solar panels should be sited taking into consideration the potential development of adjoining property.

Chapter 10 – Urban design and heritage conservation

Concerns were initially raised by Council's in relation to the design of the development relative to the heritage value of the property and the Bathurst Heritage Conservation Area. The applicant undertook to redesign the windows on the street facing and south-eastern aspects of the development (see **<u>attachment 2</u>** for amended plan) and the proposal is now considered acceptable.

Public Consultation

Exhibition Period

The proposal was placed on public exhibition between 6 to 16 March 2021 in accordance with Council's adopted Community Participation Plan

Number of Submissions

In response two submissions were received (<u>attachment 5</u>). It is noted that the submission from 262 Piper (Ling) does not raise any specific issues in relation to the proposal and is provided to support the submission received from Unit 2/254 Piper Street (Ryan).

<u>Issues</u>

The primary areas of concern raised by the two submissions were in relation to overshadowing of solar panels and private open space and privacy.

In response to the submissions the applicant has provided a response (attachment 6).

It is noted that the response includes an offer to relocate 8 of the solar panels at 2/254 Piper to the other side of the roof to take advantage of the morning sun at the developers cost. Whilst this offer is noted it necessarily sits outside the planning system ie it is an offer made in good faith between the respective parties and is not a matter that Council could reasonably "require" to occur as a condition of consent. Council has been advised by the owner of 2/254 Piper that they will not accept the offer.

As noted above it is considered that the proposed second storey addition will not significantly increase the degree of overshadowing by the existing development on 256 Piper Street, onto 2/254 Piper Street.

In response to the applicants additional information futher comments were sought from the adjoining owners. The responses are provided at **<u>attachment 7</u>**.

It is also noted that the applicant has provided advice (**<u>attachment 8</u>**) in response to the suggestions that a single storey addition would be suitable. Advice from the applicant is that a number of design alternatives have been considered including single storey however these are limited due to the location of a sewer main, the location of future development, limitations to access and privacy concerns relating to neighboring land.

Tree removal

As noted above the applicant proposes the removal of 6 trees on site. Only 3 of those in fact require consent for removal.

- Tree 1 Eucalypt species (smooth bark) approximately 9m in height, in good condition and free of structural defects. The tree has a fair lean however there are no obvious signs of any contributing factors to this condition.
- Tree 2 Eucalypt species (smooth bark) approximately 9m in height, in good condition and free of structural defects.
- Tree 3 Eucalypt species (smooth bark). approximately 9m in height and in average condition. Has minimal crown present

Trees 2 and 3 are directly impacted by the proposal and will require removal as a consequence of the approval. Tree 1 is not directly impacted by the development and is in good condition. There appears to little direct reasoning for removal given that it provides some habitat and shading value. It is considered that it should be retained for present purposes (noting that this does not preclude the applicant from separately applying for its removal should its condition deteriorate or that it becomes impacted by the proposal).

CONCLUSION:

In conclusion, it is recommended that Council considered the above, and give consent to Development Application 2021/60 subject to relevant conditions.

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 1.5 Promote good design in the built environment.

Objective 4: Enabling sustainable growth.

- Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.
- Strategy 4.6 Plan for, assess and regulate development activity.
- Objective 5: Community health, safety and well being.
- Strategy 5.5 Plan and respond to demographic changes in the community.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.
- Strategy 6.3 Advocate for our community.
- Strategy 6.4 Meet legislative and compliance requirements.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

02 **Consult** - to obtain public feedback on alternatives and/or decisions

ATTACHMENTS:

- 1. Aerial location plan [8.2.6.1 1 page]
- 2. Site plan & elevations [8.2.6.2 19 pages]
- 3. Heritage Impact Statement [**8.2.6.3** 38 pages]
- 4. Shadow diagrams [8.2.6.4 2 pages]
- 5. Submissions [8.2.6.5 8 pages]
- 6. Applicants response to submissions [8.2.6.6 6 pages]
- 7. Additional submissions [8.2.6.7 4 pages]
- 8. Additional advice from applicant [8.2.6.8 1 page]

Cr Hanger declared pecuniary interest in item 8.2.6 and left the Chamber.

Reason: Son is the applicant.

MINUTE

RESOLUTION NUMBER: ORD2021-178

MOVED: Cr J Rudge SECONDED: Cr M Morse

RESOLVED:

That Council

- as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2021/60, 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:
 - (a) Certain trees proposed to be removed are able to be cleared, with the

exception of a single eucalypt, deemed to be in good health, and of value.

- 2) notify those that made submissions of its decision; and
- 3) 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 Jennings, Cr M Morse , Cr I North, Cr J Rudge <u>Against the Motion</u> - nil <u>Absent</u> - Cr J Fry and Cr G Hanger <u>Abstain</u> - Nil

8.2.7 BATHURST INTEGRATED MEDICAL CENTRE -PUBLIC PRIVATE PARTNERSHIP

File No: 20.00345

RECOMMENDATION:

That Council:

- 1) authorise the General Manager to notify the Office of Local Government of Council's intentions to consider a Public-Private Partnership with respect to the proposed Integrated Medical Centre and associated multi-level carpark;
- 2) seek professional legal advice on the agreement between the parties;
- 3) authorise the General Manager to provide the concurrence of the land owner to the lodging of a Development Application for the multi level car park component of the development, subject to satisfactory internal review of the plans for the proposed multi level car park; and
- 4) call a division.

REPORT:

Previous reports to Council have provided updates on the proposed Bathurst Integrated Medical Centre and associated multi-level carpark. Discussions between Council staff and the proponents of the Bathurst Integrated Medical Centre are ongoing.

A report was presented to Council at its meeting held 21 April 2021 where it resolved to, without prejudice:

- (a) confirm its preparedness to allow the parking requirement of the proposed Bathurst Integrated Medical Centre and for future development of the Bathurst RSL Club to be located in a new multi level car parking station on the Council owned George Street (RSL) car park land (Lot 11 DP 1160748) subject to the following requirements:
 - 1) the final design, construction cost estimate and cost apportionment are acceptable to Council;
 - 2) a future resolution of Council creates a budget allocation through the normal budget processes of Council;
 - 3) Council's monetary contribution be capped;
 - 4) a Traffic Impact Assessment determines the capacity of the car parking station is adequate, vehicle entry, exit and circulation arrangements are acceptable and a satisfactory level of service is retained on the local road network;
 - 5) whole of life maintenance costs are determined and provided for to Council's satisfaction;
 - 6) all other matters the subject of Council's due diligence be concluded

satisfactorily;

7) Office of Local Government acceptance is gained should the project be deemed a Public Private Partnership.

Council staff have sought and received specific advice as to whether the Bathurst Integrated Medical Centre and associated multi-level car park should be classified as a Public - Private Partnership (PPP) under the Local Government Act. Council has now been advised that the project will be a PPP and may cross the threshold for a significant project.

The NSW Department of Local Government (now Office of Local Government) produced Guidelines on the 'Procedures and Processes to be followed by Local Government in Public-Private Partnerships' dated 1 September 2005. A copy of the guidelines are provided as <u>attachment 1</u>. Council is bound to follow these guidelines and procedures with respect to this project. Council staff continue to negotiate the preparation of professional reports in order to satisfy the requirements of the guidelines.

The advice to Council also suggests Council should proceed with the preparation of an agreement between Council and the other parties in relation to the PPP. It is recommended this process commence.

Council has been advised by the proponents that the Development Application documentation is approaching completion, with a pre-lodgement meeting with Council staff scheduled for 15 June.

It is envisaged (subject to confirmation) that the Development Application will be for both elements of the project, the Integrated Medical Centre and the multi level car park. For an application to be lodged that includes the multi level car park on Council land, the applicant will need to certify that the concurrence of the land owner has been received. It is therefore recommended that Council authorise the General Manager to provide that concurrence, subject to satisfactory internal review of the plans for the proposed multi level car park.

Providing land owners concurrence for the lodgement of the Development Application does not commit Council to any future decisions about the car park, only that an application can be submitted for assessment. The previous resolution of Council, including the matters upon which Council must be satisfied (as described earlier in this report), remain in force.

FINANCIAL IMPLICATIONS:

Costs to date have been provided for in the current year's budget.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

- Strategy 6.4 Meet legislative and compliance requirements.
- Strategy 6.6 Manage our money and our assets to be sustainable now and into the future.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Guidelines [**8.2.7.1** - 40 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-179

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That Council:

- 1) authorise the General Manager to notify the Office of Local Government of Council's intentions to consider a Public-Private Partnership with respect to the proposed Integrated Medical Centre and associated multi-level carpark;
- 2) seek professional legal advice on the agreement between the parties;
- 3) authorise the General Manager to provide the concurrence of the land owner to the lodging of a Development Application for the multi level car park component of the development, subject to satisfactory internal review of the plans for the proposed multi level car park; and
- 4) call a division.

On being **<u>PUT</u>** to the **<u>VOTE</u>** the **<u>MOTION</u>** was <u>**CARRIED**</u>

The result of the division was:

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

8.2.8 VISIONBATHURST - LOCAL STRATEGIC PLANNING STATEMENT REPORT CARD

File No: 20.00335

RECOMMENDATION:

That the information be noted.

REPORT:

The NSW Government, through the planning legislation, has introduced a requirement for a land-use based strategy for the Local Government Area, known as a Local Strategic Planning Statement. Council staff prepared the Local Strategic Planning Statement (LSPS) for the Bathurst Region, known as Vision Bathurst 2040 which sets the direction for land-use issues for 20 years. Council adopted the LSPS on 15 July 2020.

Since its adoption, Council staff have been working to deliver projects identified in the LSPS. <u>Attachment 1</u> is the LSPS Implementation Plan that summarises the achievements of the LSPS up to June 2021.

Some key highlights include:

- Completion of the Bathurst Town Centre Master Plan and Council's response to that plan – Futureproofing the Bathurst CBD (on public exhibition until 24 May).
- Completion of Aboriginal Cultural Heritage Assessments in relation to new development proposals, e.g. stormwater harvesting scheme.
- Investigations into the Lawrence Drive Extension to the Great Western Highway.
- Open Space Planning Proposal to implement recommendations of the Open Space 2040 Strategy
- Natural Disasters Clause Council resolved to advise DPIE to insert the voluntary natural disasters clause into the LEP.
- Bathurst Heritage Assistance Funding Programs major review of funding criteria adopted by Council and reformat to electronic lodgment system.
- Health and Knowledge Precinct Discussion Paper completed.
- Investigations into the Hereford Street Corridor are approaching completion.
- Review of Bathurst Region Heritage Plan well underway.
- Streets as Shared Spaces grant and project implementation.

It is intended to provide further updates on the implementation of the LSPS on a regular basis.

FINANCIAL IMPLICATIONS:

Projects to date have been undertaken within existing budgets.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND

STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. LSPS Implementation Plan [8.2.8.1 - 36 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-180

MOVED: Cr J Jennings SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

8.2.9 WAIVING OF DEVELOPMENT APPLICATION FEES POLICY

File No: 11.00006 & 20.00123

RECOMMENDATION:

That Council:

- 1) Repeal the following Environmental, Planning & Building Services Policies:
 - (a) Development Verandah Reinstatement Program
 - (b) Development application fees painting of commercial buildings in zones B3 commercial core and R5 village
 - (c) Development application fees signage in B3 commercial core zone
 - (d) Development application fees off street car parking CBD; and
- 2) Adopt the new consolidated policy "Waiving of Development Application Fees".

REPORT:

As part of Council's process to review each of its policies the following policies have been reviewed by Council all of which relate to the waiving of development application fees (refer **attachment 1**).

| Policy Name | Adoption Date |
|--|-----------------|
| Development – Verandah Reinstatement Program | 8 December 2004 |
| Development application fees – painting of commercial buildings in | 8 December 2004 |
| zones B3 commercial core and R5 village | 15 July 2015 |
| Development application fees – signage in B3 commercial core zone | 18 May 2016 |
| Development application fees – off street car parking CBD | 15 July 2015 |

Note that the policy for the reinstatement of historic verandahs also waives the construction certificate fees. The current policy relates to a now outdated verandah reinstatement funding program that sought to encourage the reinstatement of historic verandahs in the Bathurst CBD (B3 zone). Whilst the funding program has ceased the policy has continued to be applied to waive fees for historic verandah reinstatement.

The purpose of the policies are to support the lodgment of development applications that may have an impact on the broader streetscape, particularly in the Bathurst CBD and to support applications that provide private off-street car parking over and above the relevant development control standard.

A review of the policies has been undertaken and it is considered that the policies continue to support wider community objectives and so the waiving of fees remains an appropriate level of support to applicants. Three of the policies also support Council's adopted Heritage Plan.

It is proposed that the four policies be combined into one policy. A copy of the proposed consolidated policy "Waiving of Development Application Fees" is provided at <u>attachment</u> $\underline{2}$.

As the consolidated policy is the same as the existing four policies and reflects current practice, the consolidated policy is not required to be placed on public exhibition prior to adoption. It is therefore recommended that Council adopt the consolidated policy "Waiving of Development Application Fees".

FINANCIAL IMPLICATIONS:

The continuation of this Council policy will continue to see income lost from those applications for which Council has waived the application fees.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.5 Promote good design in the built environment.

- **Objective 2:** A smart and vibrant economy.
- Strategy 2.1 Support local business and industry.
- Objective 4: Enabling sustainable growth.
- Strategy 4.6 Plan for, assess and regulate development activity.
- **Objective 5:** Community health, safety and well being.
- Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

- 1. Current policies waiving of DA fees [8.2.9.1 4 pages]
- 2. Policy Waiving of DA fees [2L4D] [8.2.9.2 1 page]

MINUTE

RESOLUTION NUMBER: ORD2021-181

MOVED: Cr J Rudge SECONDED: Cr A Christian

RESOLVED:

That Council:

- 1) Repeal the following Environmental, Planning & Building Services Policies:
 - (a) Development Verandah Reinstatement Program
 - (b) Development application fees painting of commercial buildings in zones B3 commercial core and R5 village
 - (c) Development application fees signage in B3 commercial core zone
 - (d) Development application fees off street car parking CBD; and
- 2) Adopt the new consolidated policy "Waiving of Development Application Fees".

8.2.10 RESIDENTIAL INFILL, COMMERCIAL INFILL AND DEMOLITION OF BUILT ENVIRONMENT POLICIES

File No: 11.00006 & 20.00123

RECOMMENDATION:

That Council repeal the following Environmental, Planning & Building Services Policies:

- 1) Residential Infill
- 2) Commercial Infill
- 3) Demolition of Built Environment

REPORT:

As part of Council's process to review each of its policies the following policies have been reviewed by Council:

- 1. Residential Infill
- 2. Commercial Infill
- 3. Demolition of Built Environment

Council at its meeting held 18 August 2004 and again at its meeting held 30 March 2005, adopted policies in relation to new infill development, both residential and commercial, in the Bathurst and village Heritage Conservation Areas and for the demolition of the built environment. The current policies are provided at **<u>attachment 1</u>**. The policies were established prior to suitable controls being placed within Council's development control plan.

The requirements of these policies are now imbedded as planning controls in the Bathurst Regional Development Control Plan 2014 and so the existing policies are no longer required.

Section 10.4 of the Bathurst Regional Development Control Plan ensures that Council has appropriate controls in place to control the form of infill development in all of the Heritage Conservation Areas of the Bathurst region. Section 10.3 of the Development Control Plan ensures that applications for demolition are supported by heritage impact statements that consider the structural integrity of the building and its history and historical associations with the Bathurst Region.

It is therefore recommended that Council repeal the Residential Infill, Commercial Infill and Demolition of Built Environment policies on the basis that these matters are now appropriately managed under the Bathurst Regional Development Control Plan 2014.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

- Strategy 1.5 Promote good design in the built environment.
- **Objective 4:** Enabling sustainable growth.
- Strategy 4.6 Plan for, assess and regulate development activity.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Current policies [8.2.10.1 - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-182

MOVED: Cr J Rudge SECONDED: Cr J Jennings

RESOLVED:

That Council repeal the following Environmental, Planning & Building Services Policies:

- 1) Residential Infill
- 2) Commercial Infill
- 3) Demolition of Built Environment

8.2.11 RAINWATER TANKS - RETICULATED WATER SUPPLY AREAS POLICY

File No: 11.00006 & 14.00017

RECOMMENDATION:

That Council adopt the updated Rainwater Tanks – Reticulated Water Supply Areas Policy.

REPORT:

As part of Council's process to review each of its policies Council staff have reviewed the Policy "Rainwater Tanks – Reticulated Water Supply Areas" (refer **<u>attachment 1</u>**). Some minor updates are required to the Policy as follows:

- 1. Section 4.1 ensure the Policy references the correct Exemption Criteria and BASIX requirements that exempt rainwater tanks from the need for approval.
- 2. Section 4.2 ensure a reference is included in relation to BASIX requirements.

The review has otherwise deemed the Policy to be still relevant.

As the proposed amendments to the Policy are immaterial in nature and reflect current practice, the proposed amendments are not required to be placed on public exhibition prior to adoption. A copy of the updated policy is provided at **attachment 2**.

It is recommended that Council adopt the updated Rainwater Tanks – Reticulated Water Supply Areas Policy.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 3: Environmental stewardship.

- Strategy 3.2 Protect the City's water supply.
- Strategy 3.3 Minimise the City's environmental footprint, live more sustainably and use resources more wisely.
- Strategy 3.5 Increase resilience to natural hazards and climate change.

Objective 4: Enabling sustainable growth.

Strategy 4.6 Plan for, assess and regulate development activity.

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

- 1. Current Rainwater Tank Policy [8.2.11.1 5 pages]
- 2. Updated Policy Rainwater tanks reticulated water supply areas [8.2.11.2 4 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-183

MOVED: Cr J Jennings SECONDED: Cr A Christian

RESOLVED:

That Council adopt the updated Rainwater Tanks – Reticulated Water Supply Areas Policy.

8.2.12 BATHURST BACKYARD BIRD COUNT -RESULTS OF THE 2020 PROGRAM

File No: 13.00081

RECOMMENDATION:

That the information be noted.

REPORT:

The first Aussie Backyard Bird Count was conducted by BirdLife Australia as part of the 2014 National Bird Week celebrations. It is now one of the largest community engagement projects of this nature in Australia. Council has participated in and promoted the annual October program since 2015.

More is known about the threatened or rare species than the common birds that visit our backyards. The bird count intends to fill this gap in knowledge through 'citizen science' – their observations of bird life in their local area provide a snapshot of the how populations are doing across the region and across Australia, and helps to raise the profile of backyard and neighbourhood birds.

The information gained from Bathurst Region and other counts are entered into the national Birdata database which helps direct research, funding and attention to where it is needed. It can also then be used to compare local observations against state and national trends.

As well as actively promoting the count which ran from 19 to 25 October 2020, Council also conducted an event called "Birding on the mount: A guided bird walk through Albens Reserve" with local bird expert, Tiffany Mason on Sunday 25 October 2020. 18 locals braved cold and wet conditions but still saw 33 species within the woodland landscape including interesting species like the Crested Shrike Tit and Rufous Whistler.

Due to the amount of data collected by BirdLife Australia, there is a time delay between the October bird count and receiving the data for the Bathurst region. The full report has now been received and is included as <u>Attachment 1.</u>

The following table presents a snapshot of participation and the results for the Bathurst region. Involvement and counts were high during the week, but cold wet weather over the weekend impacted the overall results.

| | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|------------------------------|-------|--------|--------|--------|--------|--------|
| Total birds counted | 4,852 | 7,426 | 10,575 | 11,586 | 11,690 | 8,325 |
| Change from previous year | NA | +2,574 | +3149 | +1011 | +104 | -3,365 |
| Total species recorded | 136 | 132 | 158 | 162 | 150 | 123 |
| Change from | NA | -4 | +26 | +4 | -12 | -27 |

| previous year | | | | | | |
|--------------------------------|-----|-----|-----|-----|-----|-----|
| Threatened species recorded | 10 | 13 | 13 | 12 | 7 | 7 |
| Number of pest birds in top 10 | 3 | 3 | 3 | 3 | 3 | 3 |
| Number of participants | 71 | 95 | 218 | 254 | 198 | 184 |
| Number of surveys completed | 191 | 191 | 355 | 372 | 358 | 284 |

The most sighted birds and the species with highest number of individuals has remained fairly consistent over the six years of local counting. Introduced species again had the highest number of individuals with the House Sparrow the most populous, followed by the Common or European Starling.

The magpie was the third most counted, and like other species such as the Crested Pigeon, Crimson Rosella, Common Blackbird and Pied Currawong are tolerant of non-native gardens.

Two species of concern that are not in the top ten are the Indian (Common) Myna and Rainbow Lorikeet. The Myna is considered one of the most invasive species of animal on earth and displaces native birds and mammals from nesting hollows and feeding areas. It is slowly moving west as the area becomes more urbanised and native vegetation is replaced with exotic species. Rainbow Lorikeets, despite being an Australian bird native to coastal areas, it can be very aggressive towards other birds and can build up to very high numbers in urban areas, which causes a problem for public authorities and shopping centres. It is thought to be moving inland as conditions become warmer due to climate change.

Below is a comparison in the reporting rate for birds observed in the Bathurst Region Council LGA against those reported at the NSW and national level. The reporting rate indicates how often the species is seen, not just the number of birds. It is a sign of how common the species is. The birds observed locally were more common here than at other locations. This was also the case for the introduced species which are more common in the Bathurst Region than the state and national average.

Introduced species were reported at a relatively high rate – as much as 42%. The actively managed feral pigeons remain commonly seen (3%) though the number of birds seen has halved since 2017 (184 down to 80 birds). The four other introduced species – Starling, Sparrow, Blackbird and Myna were all more frequently reported than in previous years.

It is thought that introduced birds are more common in the Bathurst Region due to the prevalence of exotic vegetation and the ongoing loss of native vegetation. Exotic vegetation favours exotic species and is less likely to support native species. Native bird species are adapted to native plant species and this is seen in areas such as Victoria Park (the Adventure Playground) and Elmo Lavis Park which have a higher proportion of native birds.

Only seven threatened bird species were observed during the backyard bird count. This may be due to the concentration of counts around the urban and suburban areas and the birds favour woodlands, or it may reflect the declining number of these birds in our local area. Additional monitoring would be required to answer this question.

This project was conducted alongside the grant-funded project Bathurst Backyard

Rangers which also relies on local residents to become citizen scientist and record the species they see in their backyard. This information is used to direct actions such as the Pest Bird Management Plan implementation.

As the Bathurst Biodiversity Management Plan and Pest Bird Management Plan list the surveying of native and introduced bird populations as priority actions, the monitoring of local bird and other wildlife species through programs such as this will continue.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 3: Environmental stewardship.

- Strategy 3.1 Protect and improve our natural areas and ecosystems, including the Macquarie River and other waterways.
- Strategy 3.4 Protect and improve the region's biodiversity.
- Strategy 3.5 Increase resilience to natural hazards and climate change.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. 2020 BRC Bird Count Results [8.2.12.1 - 43 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-184

MOVED: Cr J Jennings SECONDED: Cr A Christian

RESOLVED:

That the information be noted.

8.3 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

8.3.1 STATEMENT OF INVESTMENTS

File No: 16.00001

RECOMMENDATION:

That the information be noted.

REPORT:

\$82,080,000.00 was invested at 31 May 2021 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:

| | Rating | Balance | Average Return |
|---|--------|-----------------------|----------------|
| Short Term 1 – 365 Days (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits): | | | |
| National Australia Bank Limited | A-1+ | \$18,500,000.00 | 0.73% |
| СВА | A-1+ | \$3,000,000.00 | 0.50% |
| CBA Green Deposit | A-1+ | \$1,500,000.00 | 0.44% |
| AMP | A2 | \$4,500,000.00 | 1.02% |
| Bank of | A2 | \$14,000,000.00 | 0.77% |
| Queensland Limited | | | |
| Auswide Bank | A2 | \$4,500,000.00 | 1.02% |
| Members Equity Bank | A2 | \$9,000,000.00 | 0.88% |
| Maritime, Mining & Power Credit Union Ltd | ADI | <u>\$7,500,000.00</u> | <u>0.81%</u> |
| | | \$62,500,000.00 | 0.79% |
| Long Term > 365 Days (comprising Commercial Bills, Term Deposits, Debentures and | | | |

Bonds):

| <u>Floating Rate</u> Term Deposits | | | |
|---|------|--|--------------|
| Westpac Coupon Select | AA- | \$3,000,000.00 | 1.28% |
| Westpac Coupon Select 2 | AA- | \$1,500,000.00 | 1.04% |
| Westpac Green Tailored Deposit | AA- | \$1,500,000.00 | 0.87% |
| Maritime Mining & Power Credit Union | ADI | <u>\$1,230,000.00</u> | <u>0.25%</u> |
| Ltd - | - | \$7,230,000.00 | 0.97% |
| Floating Rate | | | |
| Notes | | <i>* i</i> * * * * * * * * * * | 0.000/ |
| CBA Climate Bond | AA- | \$1,000,000.00 | 0.96% |
| Commonwealth Bank of Australia 2 | AA- | \$500,000.00 | 0.97% |
| National Australia Bank | AA- | \$700,000.00 | 0.95% |
| HSBC Sydney | AA- | \$1,500,000.00 | 0.86% |
| Macquarie Bank | A+ | \$1,000,000.00 | 0.78% |
| Macquaire Bank | A+ | \$1,500,000.00 | 0.52% |
| UBS AG Australian | A+ | \$650,000.00 | 0.91% |
| Suncorp Metway Ltd | A+ | \$500,000.00 | 0.49% |
| Sumitomo Mitsui Banking Corp | А | \$1,000,000.00 | 1.19% |
| Bendigo & Adelaide Ltd 4 | BBB+ | \$900,000.00 | 0.55% |
| AMP | BBB | \$1,000,000.00 | 1.08% |
| AMP | BBB | \$1,100,000.00 | 1.12% |
| Newcastle | BBB | <u>\$1,000,000.00</u> | 1.69% |
| Permanent 3 | | \$12,350,000.00 | 0.93% |
| Total Investments | | <u>\$82,080,000.00</u> | <u>0.83%</u> |
| These funds were | | | |
| <i>held as follows:</i> Reserves Total (includes unexpended loan | | \$36,424,417.00 | |
| funds) Grants held for specific purposes | | \$1,611,000.00 | |
| Section 7.11 Funds held for specific | | \$44,044,583.00 | |
| purposes Unrestricted Investments | | \$0.00 | |
| Total Investments | | <u>\$82,080,000.00</u> | |

Total Interest Revenue to 31 May 2021

A Jones Responsible Accounting Officer

FINANCIAL IMPLICATIONS:

N/A

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Enabling sustainable growth.

Strategy 4.6 Plan for, assess and regulate development activity.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Investments 31 May 2021 pre-accrual [8.3.1.1 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-185

MOVED: Cr A Christian SECONDED: Cr I North

RESOLVED:

That the information be noted.

8.3.2 MONTHLY REVIEW - 2020/2024 DELIVERY PLAN AND OPERATIONAL PLAN 2020/2021

File No: 16.00167

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/publicdocuments. 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 attachment 1 is an update of Council's progress towards achieving the Strategies and Objectives for the 2020-2024 Delivery Plan and the Annual Operational Plan 2020-2021. 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 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Operating Plan May 2021 [8.3.2.1 - 58 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-186

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That the information be noted.

8.3.3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY

File No: 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 31 May 2021 including a report on annual Rental Subsidies granted by Council.

FINANCIAL IMPLICATIONS:

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: | \$ 16,788.75 ** |
|---------------------|-----------------|
| BMEC Community use: | \$ 0.00 |
| Mount Panorama: | \$ 10,881.91 |

** The above amount includes donations already committed but not yet paid. After allowing for the committed donations the remaining balance is nil.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 5: Community health, safety and well being.

- Strategy 5.3 Help build resilient, inclusive communities.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Section 356 Donations, Council Report May 2021 [8.3.3.1 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-187

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED:

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

8.3.4 POWER OF ATTORNEY

File No: 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.

- Msquare Energy Pty Ltd 25 Michigan Road Lot 903 DP1110004 Sales Contract
- M & B Peterson Ben Chifley Dam Rural Lots Part Lot 1 DP632418, Lots 1,2&3 DP1007180 Rural Licence Licensee
- B Bender 17 Michigan Road Lot 901 DP1110004 Sales Contract

General Items

• Nil

Linen Plan Release

- Mr RP Gittany Road widening Lot 96 DP755784 385 Napoleon Reef Road, Napoleon Reef NSW 2795
- Mr DT & Mrs NK Druitt 4 large lot residential subdivision Stage 2, 2 lots released – Lot 500 DP1254951 – 426 Mount Rankin Road, Mount Rankin NSW 2795

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Enabling sustainable growth.

Strategy 4.6 Plan for, assess and regulate development activity.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-188

MOVED: Cr G Hanger SECONDED: Cr I North

RESOLVED:

That the information be noted.

8.3.5 COUNCIL POLICY REVIEW - POLICIES REVIEWED WITH NO OR MINIMAL CHANGES IDENTIFIED

File No: 11.00006, 04.00008

RECOMMENDATION:

- a. That the information be noted
- b. That the reports as listed below be considered as operational policy and removed from the Council Policy Manual.

REPORT:

As part of Council's governance procedures, a program to review all Council policies every two years has been implemented.

The following Council Policies have recently been reviewed. As there were no or minimal changes the policies are not required to be placed on public display or formally readopted by Council.

| Policy Reviewed | Action | New Renewal Date |
|------------------------------|---|------------------|
| Approved Handling of Fill | Minimal changes, amended policy attached as attachment 1 | June 2023 |
| Naming of Council Facilities | No changes | June 2023 |

That the following policies have been reviewed and have been considered to be operational and it is recommended that the policy be removed from the Council Policy Manual.

| Policy – Change to Operational | New Renewal Date |
|-----------------------------------|------------------|
| Staff – Payment of Legal Expenses | June 2023 |

It is recommended that the review of the above policies be noted.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Policy amendment - Approved Handling of Fill [8.3.5.1 - 5 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-189

MOVED: Cr J Rudge SECONDED: Cr J Jennings

RESOLVED:

- a. That the information be noted
- b. That the reports as listed below be considered as operational policy and removed from the Council Policy Manual.

8.3.6 NEW SPORTING LICENCE AGREEMENTS AT PART LOT 20 DP 1119593, COLLEGE ROAD ORTON PARK KNOWN AS THE BATHURST BIKE PARK

File No: 04.00140

RECOMMENDATION:

That Council:

- (a) Approves entering into a Sporting Licence Agreement for Part Lot 20 DP 1119593, College Road Orton Park, with the Bathurst Cycling Club Incorporated for a period of five (5) years as detailed within this report;
- (b) Approves entering into a Sporting Licence Agreement for Part Lot 20 DP 1119593, College Road Orton Park, with the Bathurst and District BMX Club Incorporated for a period of five (5) years as detailed within this report; and
- (c) Approves entering into a Sporting Licence Agreement for Part Lot 20 DP 1119593, College Road Orton Park, with the Bathurst Mountain Bike Club Incorporated for a period of five (5) years as detailed within this report;

REPORT:

Councillors would recall that Council received notification in 2018 from the then Bathurst Bike Park Incorporated (BBP Inc) that it was being wound up. Prior to winding up, the BBP Inc held the sporting licence agreement over the Bathurst Bike Park Facility located at College Road, Orton Park.

The three Clubs that made up BBP Inc included:

- Bathurst Cycling Club Incorporated;
- Bathurst and District BMX Club Incorporated; and
- Bathurst Mountain Bike Park Club Incorporated.

Upon receiving notification on the winding up of BBP Inc, Council staff have been working with committees of each of the three Clubs that made up BBP Inc to establish appropriate sporting licence agreements.

An agreement has now been reached between Council and the three Clubs on the terms of each respective sporting licence agreement, with each Club being responsible for its own area as identified in the plan at <u>attachment 1</u> as annexed to each licence.

To maintain consistency, other than the area of land being licenced and the facilities contained therein, the remaining terms and conditions for each licence are consistent

across each of the three respective licences. The proposed terms and conditions for each licence are set out below:

| Licence Commencement Date | 01 May 2021 |
|---------------------------|---|
| Licence Termination Date | 30 April 2026 |
| Licence Term | Five (5) Years |
| Licence Fee | \$500.00 (excl GST) per annum |
| Outgoings | 100% of water usage, electricity, gas telephone, maintenance charges, sanitary disposal charges together with any additional fees and charges arising from the Licensor's Revenue Policy as applicable from time to time. |
| Insurance | Licensee must maintain a current twenty million dollar (\$20m) Public Liability Insurance cover for the term of the licence. |
| Special Conditions | Nil |

FINANCIAL IMPLICATIONS:

If the recommendation is adopted Council will receive \$500.00 (excl gst) per annum for each licence over the five (5) year term.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 2: A smart and vibrant economy.

Strategy 2.1 Support local business and industry.

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Bike Park Agreement Plan [8.3.6.1 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2021-190

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED:

That Council:

(a) Approves entering into a Sporting Licence Agreement for Part Lot 20 DP 1119593,

College Road Orton Park, with the Bathurst Cycling Club Incorporated for a period of five (5) years as detailed within this report;

- (b) Approves entering into a Sporting Licence Agreement for Part Lot 20 DP 1119593, College Road Orton Park, with the Bathurst and District BMX Club Incorporated for a period of five (5) years as detailed within this report; and
- (c) Approves entering into a Sporting Licence Agreement for Part Lot 20 DP 1119593, College Road Orton Park, with the Bathurst Mountain Bike Club Incorporated for a period of five (5) years as detailed within this report;

8.3.7 REQUEST FOR FINANCIAL ASSISTANCE -BATHURST DISTRICT HISTORICAL SOCIETY

File No: 21.00120

RECOMMENDATION:

That Council apply the 20% Local Community Organisation discount to the Railway Museums' Venue Hire charge for the Bathurst District Historical Society's Muster scheduled for 15 July 2021.

REPORT:

Council has received a request from the President of the Bathurst District Historical Society Inc., Mrs Mary Fletcher, seeking a reduction or waiver of the fees associated with their Muster scheduled to be held at the Bathurst Railway Museum on Thursday, 15 July 2021. A copy of the request received is provided at <u>attachment 1</u>.

Based on the information contained in their request, and from conversations held directly with Museum staff, the following charges would be applicable to this use:

- Venue Hire Fee \$600.00;
- Entrance Fee \$2.00 per head; and
- Staff Time \$130.00 (based on an estimate of 2 hours).

It should be noted that the above charges have been obtained from Council's Draft 2021/2022 Revenue Policy, and may be subject to change when the Revenue Policy is adopted. It is also noted that the request has not identified the number of anticipated participants for this Muster.

Council's "Donations – Section 356" Policy does not provide for any discounts or waivers for the hire of Council's Museums, however Council's Policy does provide for a 20% Local Community Organisation discount to be applied to BMEC, the Art Gallery and Library. Accordingly, if Council wished to support this request, then Council could apply the 20% Local Community Organisation discount to the venue hire fee.

The Bathurst District Historical Society Inc have been requested to provide additional information concerning their event, specifically:

- How the event will contribute to the Bathurst community; and
- How Council will be acknowledged, if support is provided.

Once this information is received, it will be provided to Councillors via a separate cover.

FINANCIAL IMPLICATIONS:

Should Council resolve in accordance with the recommendation of this report, a discount of \$120 will be applied with funding being provided by Council's Railway Museum budget.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 2: A smart and vibrant economy.

Strategy 2.2 Grow local employment, investment and attract new businesses by nurturing and supporting entrepreneurs, partnerships and local skill development.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Bathurst District Historical Society request [8.3.7.1 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2021-191

MOVED: Cr G Hanger SECONDED: Cr J Jennings

RESOLVED:

That Council waive the venue hire fee (\$600) and the staff time (\$130) for the use of the Railway Museum for the Bathurst District Historical Society's Muster scheduled for 15 July 2021, to be costed to the Railway Museum budget.

8.3.8 REQUEST TO WRITE-OFF EXCESS WATER CHARGES

File No: 22.09133

RECOMMENDATION:

That Council write-off \$9,044.30 in excess water charges, for the property located at 8 PJ Moodie Drive, Raglan.

REPORT:

During November 2020, Council contacted the owner of 8 PJ Moodie Drive, Raglan to advise of a leak in their water service. The owner repaired the leak which was found to be on the opposite side of PJ Moodie Drive, to their property.

The owner reported that damage to the service appeared to have been caused by a mower, in an area that is maintained by Council.

Council staff have recently completed works to this service, including the relocation of the water meter to the property's side of the road, to reduce the risk of this damage recurring.

As a result of the leak, a total of \$9,368.17 in water charges and interest have been raised. On average, for the same billing period for this property, an amount of \$323.87 would normally be raised. Hence a write-off of \$9,044.30 is being requested.

As the amount of the write-off exceeds the General Manager's delegation, it is necessary for Council to consider this request.

FINANCIAL IMPLICATIONS:

Any amounts written-off will be a reduction in water charges.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 5: Community health, safety and well being.

Strategy 5.3 Help build resilient, inclusive communities.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-192

MOVED: Cr A Christian SECONDED: Cr I North

RESOLVED:

That Council write-off \$9,044.30 in excess water charges, for the property located at 8 PJ Moodie Drive, Raglan.

8.3.9 POLICY UPDATE – LAND SALES

File No: 20.0009-09

RECOMMENDATION:

That Council:

- (a) Place the draft Land-Sales Policy on public exhibition for a period of not less than 28 days and invite the public to make submissions;
- (b) If no submissions are received adopt the amendments to the Land-Sales Policy and update the Policy Manual; and
- (c) If submissions are received the Council be provided with a further report.

REPORT:

Council adopted the current Land – Sales Policy at the Ordinary Council Meeting of 18 May 2016.

Council's Property Section has sold all residential lots in the Eglinton 100 and Sunnybright Stage A and Stage B developments under this adopted policy.

Sale of these lots has resulted in substantial demand from the public to be included in the initial release of land in the ballot draw system and subsequently compounded the requirements of Council staff to process the information as well as the deposits.

The policy requires that a \$2,000 deposit be paid per application, which must be refunded if the application is unsuccessful. With the number of applicants participating in the recent ballot draws, the processing and returning of the deposits has been a lengthy and costly process, which is at Council's expense. As no fees/costs can be deducted from these funds Council has received legal advice to this effect. A copy of this advice has been provided to Councillors under separate cover.

Under the current policy a person represented as an individual, partnership, company or trust may only register for the ballot draw once. For example, a couple, provided each application pays a \$2,000 deposit, can apply as the following combination:

Jane Smith – register as Individual.

John Smith – register as Individual.

Mr & Mrs Smith – register as partnership.

This allows three (3) applications, and thus three opportunities in the ballot draw, paying

\$6,000 in separate transactions. There also remains the ability to additionally register as company directors, trustees of funds, Superannuation nominees and any other approved legal entities.

This has resulted in a number of people having several applications, in any number of combinations, paying \$2,000 with each application. This practice is increasing with each ballot draw as the demand for land has vastly outstripped supply and consequently a drive by individuals to secure as many lots as possible at time of release.

It is stated in the Land – Sales Policy that

'The process for the sale and disposal of land will be fair and transparent to ensure Council obtains the best outcomes and price'.

This has had a negative effect on the land sales process at the time of ballot draw and compounded the ballot draw process.

In consultation with legal representatives, Property Section proposes a process that will streamline future ballot draws and comply with the Policy's intent.

Key points of the proposed changes to the current policy are as follows:

- Eliminate the requirement for a \$2,000 deposit to register applications.
- Complete a 'Statutory Declaration' form to publicly state that each applicant has only one (1) application in the ballot draw.

The proposed amended Policy is provided at attachment 1.

A copy of the proposed Statutory Declaration which annexes the Policy is provided at **attachment 2.**

Under the amended Policy, an individual may apply for one (1) application in a ballot draw, nominating an entity in whatever format they require i.e. individual, partnership, company director, trustee, sole traders etc. The individual then signs the Statutory Declaration. Thereafter no more applications will be accepted from that applicant, nor any combination of identities entertained.

For example: John Smith completes an application as an individual in a ballot draw. There after John Smith cannot submit any further applications as a partnership with Jane Smith, or as a director of a company, or a trustee of a fund, or a sole trader, or by any other means that will allow John Smith to be associated with further applications in the ballot draw.

With proposed amendments, the ballot process will align with the Policy's intent. This will in turn provide significant reduction in cost to Council, as no deposits will need to be processed.

With each land release ballot process, Property Section will validate each application to ensure compliance with Statutory Declarations and ballot applications. If an application is found to be contrary to the Statutory Declaration, Council will have the ability to withdraw the application from the sales process at any time right up to the point of settlement, and deduct any costs incurred by Council from funds paid by purchasers as per sales contract. The new terms will be incorporated into any sales contract and only applicable during or at the time of a ballot release. Once the ballot draw is completed, if any lots are still available for purchase, then normal market conditions will apply as per the Land – Sales Policy.

FINANCIAL IMPLICATIONS:

Nil.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 2: A smart and vibrant economy.

- Strategy 2.1 Support local business and industry.
- **Objective 4: Enabling sustainable growth.**
- Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

- 1. Policy 2021 update [8.3.9.1 3 pages]
- 2. BRC Stat Dec Ballot [8.3.9.2 1 page]

MINUTE

RESOLUTION NUMBER: ORD2021-193

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED:

That Council:

- (a) Place the draft Land-Sales Policy on public exhibition for a period of not less than 28 days and invite the public to make submissions;
- (b) If no submissions are received adopt the amendments to the Land-Sales Policy and update the Policy Manual; and
- (c) If submissions are received the Council be provided with a further report.

8.4 DIRECTOR ENGINEERING SERVICE'S REPORT

8.4.1 WATER SECURITY UPDATE

File No: 32.00017

RECOMMENDATION:

That the information be noted.

REPORT:

The previous report to Council regarding water security was at Council's ordinary meeting of 19 May 2021. A compilation of the various water security related Council reports is available from: <u>https://www.bathurst.nsw.gov.au/water-restrictions-council.html</u> under Resources and Forms.

Short Term Water Supply Improvements

Council has accepted Expressions of Interest for the detailed design and construction of the stormwater harvesting system, with three companies providing a detailed and complying submission. The three companies are, in alphabetical order:-

- Hynash Constructions Pty Ltd
- Leed Constructions Pty Ltd
- Optimal Stormwater Pty Ltd

These three companies have been notified by Council that they have been invited to submit a formal tender for this project. Upon close of tenders and detailed assessment, a further report will be presented for Council's consideration, for the purposes of appointing a contractor to build the project.

Documentation required for application for approval to construct the stormwater harvesting project was submitted after several iterations in March 2021 and it is anticipated that approval to construct the project will be provided in the coming weeks.

Discussions between Council and the Natural Resource Access Regulator continue with regard to resolving differences in interpretation of the Winburndale Dam licence conditions.

Work Completed to Date

Council has engaged a contractor to carry out strengthening works to Winburndale Dam. The cost of this project is approximately \$14.0M, with \$2.225M provided by the NSW Government's Safe and Secure Water Program. Work on this project is well advanced, with approximately \$9.35M expended to date. Works has commenced on the installation of the 25 post-tensioned ground anchors that will run vertically through the dam wall and be secured into solid rock below the dam. Work is currently expected to be completed in December 2021.

More detailed progress of work is shown as below:-

| WATER INFRASTRUCTURE PROJECTS – PROGRESS | | |
|--|--|--|
| Project | Status | |
| | | |
| Project Legal Framework | | |
| Legal assessment of suitability of Water Supply (Critical Needs) Act 2019. | Completed | |
| Listing of Water Harvesting project on Water Supply (Critical Needs) Act 2019 | Completed | |
| Listing of Winburndale Dam pipeline augmentation project on Water Supply (Critical Needs) Act 2019 | Underway. Finalisation of Environmental assessment required as part of submission | |
| Legal Assessment of procurement process, subsequently resolved Ordinary Council Meeting, 11 December 2019. | Completed | |
| Water Harvesting | | |
| Preliminary Yield Analysis | Complete | |
| Detailed Yield Analysis | Complete | |
| Project management framework including legal advice for preparation of GC21 Design and Construct Contract | Complete | |
| Option 1 Route Analysis – Through Levee | | |
| Survey | Complete | |
| Design | Complete | |
| Costing | Complete | |
| Geotechnical Investigation | Complete | |
| Environmental Assessment | Complete | |
| Option 2 Route Analysis - Through public road network | | |
| Survey / Design | Complete | |
| Geotechnical Investigation | Complete | |
| Aboriginal Cultural Heritage Assessment | Complete | |
| European Cultural Assessment | Complete | |
| Crown Road Licence Agreement for formalization of Easements | Complete | |
| Permission from TfNSW for Great Western Highway underbore | Commenced | |
| Permission from John Holland Rail for Great Western Railway underbore | Commenced | |
| Environmental Assessment | Completed | |
| Electrical Assessment | Commenced | |
| Option 3 Route Analysis – Underbore Macquarie River | | |
| Survey / Design | 100% complete | |
| Geotechnical Investigation | 100% complete | |
| Aboriginal Cultural Heritage Assessment | Completed | |
| European Cultural Assessment | Completed | |
| Permission from TfNSW for Great Western Highway, for | Commenced | |

| trenching under bridge. | |
|---|----------------------------|
| Permission from John Holland Rail for Great Western | Commenced |
| Railway underbore | |
| Technical Assessment of route by Public Woks Advisory | Completed |
| Environmental Assessment | Completed |
| Costing | Preliminary costing |
| · | completed |
| | |
| | Detailed costing completed |
| Formal application for approval through Water Security (Critical Needs) Act 2019 | Submitted. |
| Expression of Interest for construction work released, | Complete |
| assessed and contractors invited | |
| Stormwater Ponds – Next to Proctor Park - Stage 1b | |
| | Complete |
| Design | Complete |
| Geotechical Investigation | Complete |
| Aboriginal Cultural Heritage Assessment | Complete |
| Flood Impact Assessment | Substantially completed |
| Costing | On hold |
| Winburndale Dam Pipeline Augmentation | |
| Feasability Assessment | Completed |
| Route Assessment | Completed |
| Pipeline Sizing | Completed |
| Electrical Needs Assessment | Completed |
| Legal opinion regarding existing easement access | Completed |
| Survey and Design | Commenced |
| Environmental Assessment | 90% complete |
| Discussions with affected landowner along route | Commenced |
| Costing | To commence following |
| <u> </u> | design completion |
| Winburndolo Dom Water into Water Eiltration Dian | |
| Winburndale Dam Water into Water Filtration Plan using existing pipeline | |
| Water Chemistry Analysis | Completed |
| Compliance / Risk assessment with Australian Drinking | Completed |
| Water Guidelines | |
| Design for inlet works | Completed |
| Construction of inlet works | Completed |
| Commissioning / testing / monitoring of water quality | Completed |
| | |
| Water Filtration Plant Mixing Lagoon – To provide balance tank prior to inlet into Water Filtration Plant | |
| Water Quality / Risk Assessment | Completed |
| Survey and Design | Completed |
| Costing | Completed |
| | |
| Irrigation Allocations | |
| Discussions with Local Irrigators regarding Council's | Completed |
| request to NSW State Government for Section 324 | |
| instrument to restrict allocations for 2019/2020 water year | |
| Provision of detailed assessment to NSW State | Completed |

| Government requesting irrigation restriction for 2019/2020 | |
|---|-----------|
| water year, to 20% allocation | |
| Request to NSW Government requesting consideration of | Completed |
| 0% allocation for irrigation allocation for 2020/2021 water | |
| year | |
| State Government announcement that water allocation for | Completed |
| local irrigators to be set at 20% for 2020/21 water year. | |
| Liaison with irrigators | Ongoing |
| Requests (3) for irrigation demand details from irrigators to | Ongoing |
| enable optimal release planning from Chifley Dam | |
| | |
| Chifley Dam Environmental Release | |
| Environmental Assessment for reduction in Environmental | Completed |
| release submitted to NSW Government | |
| Booroolong Frog Survey to Campbells River | Completed |
| Investigation for additional River Gauging (Level) Stations | Commenced |
| to Campbells and Fish River, to assist environmental | |
| monitoring | |
| Preparation of additional detail regarding environmental | Commenced |
| release conditions | |
| | |
| Winburndale Dam Environmental Release | |
| Application for reduction in Environmental release | Completed |
| submitted to NSW Government | |
| | |
| Groundwater Assessment | |
| Desktop investigation of groundwater sources | Completed |
| Seismic testing of most beneficial areas identified n | Completed |
| desktop investigation | |
| Collation of licenced bores within Bathurst LGA | Completed |
| Water quality testing of water sourced from sample of | Completed |
| existing bores | |
| Drilling of investigative boreholes | Completed |
| | |

FINANCIAL IMPLICATIONS:

N/A

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 3: Environmental stewardship.

Strategy 3.2 Protect the City's water supply.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-194

MOVED: Cr I North SECONDED: Cr A Christian

RESOLVED:

That the information be noted.

8.5 DIRECTOR CULTURAL AND COMMUNITY SERVICE'S REPORT

8.5.1 BATHURST COMMUNITY SAFETY PLAN 2019-2023 STATUS REPORT

File No: 20.00179

RECOMMENDATION:

That the information be noted.

REPORT:

Council adopted the Bathurst Regional Community Safety Plan 2019-2023 at its meeting held 19 June 2019 (DCCS Report #2).

The objective of the plan includes the reduction of the following focus crimes in the Bathurst LGA;

- Malicious damage to property
- Steal from motor vehicle offences
- Non-domestic violence related assault
- Break and enter dwelling offences
- Fraud
- Drug related offences

The plan is implemented by the Bathurst Regional Community Safety Committee.

A number of campaigns have been rolled out to address the actions within the Community Safety Plan in the 2020–2021 financial year. This report provides an update on the implementation of the Plan.

Don't Be Next Steal from Motor Vehicle

To address steal from motor vehicle offences, the Don't Be Next campaign was developed to remind residents to Lock It, Secure It, Hide It and Report It. The project included a comprehensive social media and advertising campaign.

Don't Be Next Break and Enter Residential

Bathurst Regional Council was successful in securing a NSW Crime Prevention Grant valued at \$39,544 (plus GST). The grant enabled the development of a break and enter residential campaign aiming to reduce opportunistic occurrences of the crime.

The campaign included a TV commercial, three free home security workshops, a social media campaign, printed home security checklists, 2021 fridge magnet calendars, a popup stall in Armada Bathurst, talking heads video, posters and videos.

The Red Bench Project

The Red Bench Project is an initiative of the Red Rose Foundation and aims to create a permanent reminder that domestic violence occurs within all communities.

Red Benches have been installed in Kings Parade, Machattie Park, Haymarket Reserve, Kelso Community Hub, The Adventure Playground and in Bentinck Street.

Neighbour Day Campaign

To celebrate Neighbour Day on 29 March 2021 a tri-fold brochure was developed and distributed to households encouraging residents to connect with their neighbours. The brochure included home safety tips and a tear off section allowing residents to offer help and support to those living nearby.

A video was also developed promoting the brochure and encouraging residents to participate.

Next priorities of the Bathurst Regional Community Safety Committee

Following advice from Chifley Police District, a campaign targeting fraud prevention will be developed in the second half of 2021.

FINANCIAL IMPLICATIONS:

Funding for this item is contained within existing budgets.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

- **Objective 4:** Enabling sustainable growth.
- Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.
- **Objective 5:** Community health, safety and well being.
- Strategy 5.1 Provide opportunities for our community to be healthy and active.
- Strategy 5.4 Make our public places safe and welcoming.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-195

MOVED: Cr J Rudge SECONDED: Cr M Morse

RESOLVED:

That the information be noted.

8.5.2 CHILDREN'S SERVICES – 2021 UPDATE

File No: 09.00046

RECOMMENDATION:

That the information be noted.

REPORT:

Bathurst Regional Council Children's Services inclusive of Bathurst Family Day Care and Scallywags Long Day Care and Preschool continue to be recognised for the provision of quality education and care services in the Bathurst community.

BACKGROUND:

The following significant changes have occurred:

- Three child care services combining to operate from the one venue.
- Scallywags building had major capital works during early 2019.
- Reopening of combined Children's Services in August 2019.

ACTIVITY SUMMARY:

Through the many challenges posed on the sector during the pandemic, both services continued to maintain a high level of service delivery. Many of the business changes undertaken during this period continue to be implemented as a precaution.

Bathurst Family Day Care and Scallywags Long Day Care and Preschool combined provide care to up to 245 families from the Bathurst and local regions. Family Day Care has 25 registered Educators. Each Educator is a small business, injecting approximately \$1million, per annum, economic activity into the local economy. Both services continue to welcome new families, averaging two (2) new enrolments per month per service.

Children's Services recognises the importance of community engagement and has been actively involved in this space. Being engaged in community events provides children with the opportunity to learn about and give back to their community.

Scallywags has invigorated the "Enriching Generations" Program in partnership with Whiddon Aged Care. The children in the Acacia Room have visited the facility, and the residents have attended Scallywags to enjoy morning tea and a performance from the children.

Children's meals are prepared freshly, on a daily basis. The produce is sourced locally and seasonally, where possible.

The Bush Kinder program has re-commenced for the children from the Preschool Room. The Chifley Police District Aboriginal Liaison Officer has been engaged with the program, attending the excursion, and speaking to the children about Aboriginal culture. The service is actively involved in a range of incursions bringing in performers, including Harry the Horse - a horse provided for Pet Therapy.

Family Day Care Educators and the service are also actively involved in the community, alongside Scallywags and independently as a service. Educators are regularly involved in community playgroups with TAFE and enjoy attending the Bathurst Rail Museum. A special event playgroup was held to celebrate National Family Day Care Week in May. The event was held in Kings Parade with Educators and children enjoying a range of activities and morning tea.

Family Day Care currently has eight (8) Educators nominated in the Family Day Care Australia Excellence Awards to close on 13 June 2021. The awards are a national event, giving services the opportunity to showcase the stories and achievements of its educators.

Family Day Care and Scallywags continue to provide collaborative experiences for the children, since the amalgamation of the services. This was recognised through celebrations such as Anzac Day, Mother's Day, Waste to Art competition and Children's Book Council of Australia simultaneous story time. The combined learning opportunities that are provided to children are showcased through the Children's Services Facebook page.

Scallywags has recently completed an Assessment and Rating visit. The visit is an assessment completed by the State Regulatory Authority and the service is currently waiting on finalisation of the visit.

As at 1 June 2021, Scallywags currently operates at 97% occupancy.

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 Facilitate development in the region that considers the current and future needs of our community.

Objective 5: Community health, safety and well being

- Strategy 5.1 Provide opportunities for our community to be healthy and active.
- Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.
- Strategy 5.3 Help build resilient, inclusive communities.
- Strategy 5.4 Make our public places safe and welcoming.
- Strategy 5.5 Plan and respond to demographic changes in the community.

Objective 6: Community leadership and collaboration

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

- Strategy 6.3 Advocate for our community.
- Strategy 6.4 Meet legislative and compliance requirements.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.

Strategy 6.7 Invest in our people.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-196

MOVED: Cr J Rudge SECONDED: Cr J Jennings

RESOLVED:

That the information be noted.

8.5.3 KELSO COMMUNITY HUB – 2021 UPDATE

File No: 09.00026

RECOMMENDATION:

That the information be noted.

REPORT:

The following report provides an update on activities at the Kelso Community Hub:

Services and Programs Operating from the Hub

- (a) Kelso Community Hub continues to be available for hire seven days per week.
- (b) The following external services are currently utilising the Hub to deliver programs: NSW Health Child and Family Health Clinic, NSW Health Sexual Health Clinic, Generocity Church, C3 Church and Bathurst Seventh-Day Adventist Church.
- (c) In addition to the above services, Kelso High Campus are utilising the multipurpose room Monday-Friday from 9.00am until 11.00am.
- (d) The Bathurst Library Mobile Van has commenced a monthly visit to the Hub on a Tuesday afternoon to allow Kelso residents to access the service.
- (e) During the first half of 2021, several one-off hirers have also utilised the Hub including the Aboriginal Housing Office, WIRES Central West and Wattle Tree House. Also, the Youth Council held a successful Fitness for Fun Youth Week event on Friday 16 April 2021.
- (f) External services are continuing to have a positive impact on the community.
- (g) Council's Community Services staff will be continuing to work with service providers to attract additional programs to operate from the Hub based on identified needs.

Mural Project

A mural project, titled "Banha Belong", was undertaken at Kelso Community Hub from 10 – 14 May 2021. "Banha Belong" was a partnership project between Bathurst Regional Council, the Bathurst Local Aboriginal Land Council, Denison College Kelso High Campus and the Bathurst Regional Art Gallery. The project was funded through the NSW Government through Museums & Galleries NSW's Let's Get Digital initiative.

Kelso High Campus students worked with street artist Sven to identify words, role models, and motifs that form the basis for stencils overlayed on to giant letters spelling the words BANHA (Wiradjuri for 'truly') and BELONG, creating a powerful, positive message for the Kelso Community Hub.

Elements of the mural will be digitised and displayed on digital platforms within the Bathurst CBD during NAIDOC Week (Sunday 4 July to Sunday 11 July) and the Bathurst Winter Festival (Sunday 4 July to Sunday 18 July).

Landscaping Works

Bathurst Regional Council secured \$40,000 through the Local Roads and Community Infrastructure Program to undertake landscaping works including the provision of additional shading within the playground area.

The landscaping will extend on previous works carried out at Kelso Community Hub, and will feature boulders, trees and scrubs as well as raised garden beds, offering opportunities for further environmental engagement and learning benefit.

Following the completion of this work, Community Services staff will work to engage an external service provider to utilise the garden area to deliver a community development project.

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 Enhance the cultural vitality of the region.

Objective 4: Enabling sustainable growth.

Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.

Strategy 4.4 Provide parking to meet the needs of the City.

Objective 5: Community health, safety and well being.

Strategy 5.1 Provide opportunities for our community to be healthy and active.

Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.

- Strategy 5.3 Help build resilient, inclusive communities.
- Strategy 5.4 Make our public places safe and welcoming.
- Strategy 5.5 Plan and respond to demographic changes in the community.

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

Strategy 6.2 Work with our partners and neighbouring councils to share skills, knowledge and resources and find ways to deliver services more efficiently.

- Strategy 6.3 Advocate for our community.
- Strategy 6.4 Meet legislative and compliance requirements.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.
- Strategy 6.7 Invest in our people.
- Strategy 6.8 Implement opportunities for organisational improvement.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-197

MOVED: Cr I North SECONDED: Cr A Christian

RESOLVED:

That the information be noted.

8.5.4 BATHURST TOURISM INDUSTRY ENGAGEMENT FRAMEWORK UPDATE - JUNE 2021

File No: 20.00299

RECOMMENDATION:

That Council note the implementation and future actions concerning tourism industry engagement.

BACKGROUND

A new three-tiered system for engaging with the regional tourism industry was developed and detailed in a report to Council on 15 July 2020 (DCCS Report #7.5.2), see **attachment 1**. This system is now being implemented, and this report details an update of this activity.

REPORT

The Bathurst Region Destination Management Plan 2019-2024, adopted by Council on 11 December 2019 (DCCS Report #8.5.2), contains four overarching strategic priorities of which Priority Three is "Capacity Building and Collaboration". The Bathurst Visitor Information Centre continues to develop resources to increase engagement and to provide information and sector building tools to the regional tourism industry including an industry focused website <u>www.bathurstregiontourism.com</u> which provides updated business advice, campaign information, reporting and statistics.

Bathurst Visitor Information Centre (BVIC) has also been working with industry within the framework of the new three-tier approach.

1. Industry Networking and Cohesion

- (a) BVIC has focused upon growing the network of Tourism Industry Partners in the 20/21 financial year. Council agreed to waive all charges for this program as a part of its business support in response to COVID-19, and the network has increased by 33% to 185 Partners. In addition to the promotional benefits of the program, these partners also receive regular industry updates from BVIC.
- (b) Following the latest easing of COVID-19 restrictions, the first of a planned series of tourism partner networking sessions was held at BVIC on the evening of Tuesday 11 May with 25 tourism partners attending. The theme of the evening was digital storytelling with Rich Evans, editor of Bathurst City Life, giving a presentation, these will be regular evening sessions with different themes and speakers with the aim of bringing the industry together for networking opportunities.
- (c) BVIC staff have resumed a regular schedule of familiarisations and partner

visits to provide promotional resources such as Destination Guides, relevant brochures and Villages Guides to businesses. A total of 57 businesses were visited in the period March – May 2021.

2. <u>Sector Based Reporting</u>

- (a) BVIC has undertaken recent sustained work with the regional wine industry to establish the requirements of the sector and to provide a framework for product development and promotional activity. From this work has come the generation of new promotional content, a social media and public relations campaign to raise awareness and the creation of a new tourism experience for the Bathurst region being the Bathurst Wine Explorer commencing operation in June 2021.
- (b) BVIC hosted a meeting for the accommodation sector in Bathurst on 23 March 2021 with a representative from the company STR, the leading source of accommodation performance data in Australia. Follow up work is continuing to build engagement with this platform to provide benchmark reporting to individual accommodation providers and increase the aggregate data available to BVIC to inform decision making.
- (c) Action 3.5 of the DMP requires an annual report of the industry and BVIC is currently increasing data gathering capacity including through engagement of a dedicated location data and intelligence company, *Localis*, appointed in May 2021 to provide more detailed insights and measurement. This activity will provide key data for that report and consequently inform the direction of Council activity.

3. Capacity Building

- (a) BVIC's regular schedule of industry and partner newsletters reach a combined audience of 1086 with an average 35% open rate, well above the broad industry average. These newsletters provide information regarding available grants, industry trend updates, regional data and collaborative opportunities as well as keeping operators briefed on campaign activity and public relations activity.
- (b) A key capacity building factor is to build the digital capacity of operators and enhancing the industry's digital footprint. The May meeting of tourism partners included a presentation on website/social media design and function
- (c) BVIC has been working with several individual operators within the LGA to support submissions to the NSW Government's Tourism Product Development Fund
- (d) BVIC has coordinated the collaborative development of a new tourism experience, the 'Bathurst Wine Explorer'. This experience brings together the Bathurst Region Vignerons Association, Bathurst Tours and Abercrombie House to provide a new monthly tour experience. Promoted by BVIC and ticketed through the destination website, the first tour will be on 19 June and thereafter on the third Saturday of every month.

This three-tier system provides constructive engagement between Council and the tourism industry and will allow delivery of several of the action items as defined under Strategic Priority Area Three of the Bathurst Region Destination Management Plan 2019-2024. Engagement will be further expanded throughout 2021 and additional initiatives and the 2020/21 State of the Industry report will be reported back to Council.

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 1.1 Respect, protect and promote the region's Aboriginal heritage assets.
- Strategy 1.2 Protect, enhance and promote the region's European heritage assets and character.
- Strategy 1.3 Enhance the cultural vitality of the region.

Objective 2: A smart and vibrant economy.

- Strategy 2.1 Support local business and industry.
- Strategy 2.6 Promote our City and Villages as a tourist destination.

Objective 6: Community leadership and collaboration.

- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. 16 Jun 21 Tourism Industry Engagement Council Report - 15 July 2020 [8.5.4.1 - 4 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-198

MOVED: Cr G Hanger SECONDED: Cr I North

RESOLVED:

That Council note the implementation and future actions concerning tourism industry engagement.

8.5.5 DRAFT POSITIVE AGEING STRATEGY 2021 -2026

File No: 11.00005

RECOMMENDATION:

That Council:

- (a) Endorse the placement of the draft Positive Ageing Strategy 2021 2026 on public exhibition for the statutory 28-day period and receive submissions until 15 July 2021.
- (b) Prepare a further report following the conclusion of the public exhibition period, in preparation to adopt the Positive Ageing Strategy 2021 2026.

REPORT:

The inaugural Bathurst Regional Council Positive Ageing Strategy 2021–2026 aims to improve the region's ability to cater for an ageing population. By 2031, it is estimated that 25% (1 in 4 people) will be over 60 years of age.

The Strategy encompasses four key areas:

- Living in an age friendly environment
- Participating in inclusive communities
- Staying safe, active and healthy
- Being resilient and informed

The Strategy has been developed through consultation with stakeholders and community members. Consultation involved a variety of methods in order to engage key target groups including:

- Online survey Your Say Bathurst
- Community Focus Group
- Stakeholder Focus Group
- Engagement with Council Managers

The Strategy is consistent with the aims and objectives of the NSW Government's Ageing Well in NSW: Seniors Strategy 2021-2031.

A copy of the Draft Positive Ageing Strategy 2021–2026 is provided at attachment 1.

CONCLUSION

Council will place the draft document on public exhibition for 28 days during which public submissions may be lodged.

At the conclusion of the public exhibition period any community feedback will be considered prior to submitting the final Positive Ageing Strategy for Council adoption.

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 1.3 Enhance the cultural vitality of the region.
- **Objective 4:** Enabling sustainable growth.
- Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.
- Strategy 4.4 Provide parking to meet the needs of the City.

Objective 5: Community health, safety and well being.

- Strategy 5.1 Provide opportunities for our community to be healthy and active.
- Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.
- Strategy 5.3 Help build resilient, inclusive communities.
- Strategy 5.4 Make our public places safe and welcoming.
- Strategy 5.5 Plan and respond to demographic changes in the community.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.
- Strategy 6.2 Work with our partners and neighbouring councils to share skills, knowledge and resources and find ways to deliver services more efficiently.
- Strategy 6.3 Advocate for our community.
- Strategy 6.4 Meet legislative and compliance requirements.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.
- Strategy 6.7 Invest in our people.
- Strategy 6.8 Implement opportunities for organisational improvement.

COMMUNITY ENGAGEMENT:

02 Consult - to obtain public feedback on alternatives and/or decisions

ATTACHMENTS:

1. 16 Jun 21 Positive Ageing Strategy Booklet [**8.5.5.1** - 36 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-199

MOVED: Cr M Morse SECONDED: Cr G Hanger

RESOLVED:

That Council:

- (a) Endorse the placement of the draft Positive Ageing Strategy 2021 2026 on public exhibition for the statutory 28-day period and receive submissions until 15 July 2021.
- (b) Prepare a further report following the conclusion of the public exhibition period, in preparation to adopt the Positive Ageing Strategy 2021 2026.

8.5.6 AUTUMN COLOURS 2021 PROGRAM

File No: 23.00060

RECOMMENDATION:

That the information be noted.

BACKGROUND

Since 1998 the Bathurst Visitor Information Centre (BVIC) has been collating a diverse array of tours, events and activities that occur between March and May. These have been grouped and promoted under the general banner of the 'Autumn Colours' program, which also includes Heritage Week.

The focus of the program is the interpretation of Bathurst's heritage delivered through a volunteer led program of tours and activities. The event is primarily targeted at the local community and local host/visiting Friends and Relative (VFR) markets. All event marketing is conducted by BVIC staff and all ticket sales made through BVIC's online and in-Centre booking engine.

2021 was the most successful year in the program's 23-year history, with both the highest number of participants and highest average tour attendance rate.

This report provides a summary of the 2021 event.

VOLUNTEER LED TOURS

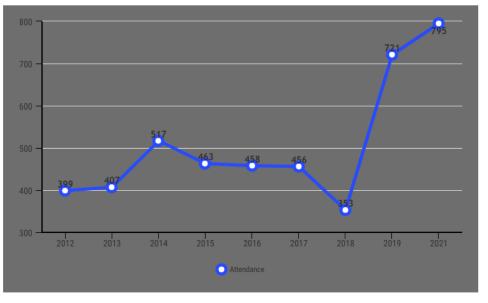
The heritage tour program comprised an eight-week period with a total of 28 special tours and activities the same number as offered in 2019, noting that the program was cancelled in 2020 due to the COVID 19 outbreak. Total attendance across all tours was 795, a 10.3% increase on the total of 721 attendees recorded in 2019 (see <u>Graph 1</u>).

The average tour group size rose 10.1% from 26 to 29. Volunteer leaders reported that they were extremely pleased with the high average size and general satisfaction of all attendees. Two additional tours had to be added to meet demand with several tours fully booked. The addition of new tour experiences at Orton House proved especially popular.

GRAPH 1 – Showing growth of the program from 2012 to 2021

Autumn Colours Program ^G

2012-2021 Attendance



As in previous years, program tour and activity attendees in 2021 were predominantly locals, with 89% of all attendees registering their home postcode as 2795. This demonstrates the soundness of the marketing approach taken and the enduring strength and appeal of the program to the Bathurst community. Visitor satisfaction as reported by tour leaders was high on all activities.

MARKETING AND PROMOTION

An A5 printed program of all heritage tours was designed and produced for 2021 which also included information on Heritage Week, the Bathurst Heritage Trades Trail and inaugural Festival of Bells. This program maintained a strong focus upon the heritage tours. Cost of program production was equivalent to 2019 and remains considerably below previous years.

All events were promoted via the Bathurst region tourism website and ticketed via BVIC's online booking engine, Bookeasy. Staff at BVIC also facilitated bookings to visitors to the Centre and via telephone. All tours were promoted to local target audiences via Facebook, Instagram and Twitter with scheduled posts and direct links to the ticketing site.

Council's tourism website saw an increase of 59.9% in total users and 81.8% in total pageviews to a record high of 96,288 over the period of the Autumn Colours Program. Total VisitBathurst Facebook impressions over the period of the program were 452,460 with total engagement of 21,047. Online promotion was supported by a local radio campaign that ran from mid-March to mid-May and by editorial content in local print media.

Members of the Heritage Working Party, Bathurst District Historical Society, Family History Group and other volunteers involved with the Autumn Colours Program, Heritage Week events and the Bathurst Heritage Trades Trail were recognised at a function on

Bathurst

Friday 4 June.

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 1.3 Enhance the cultural vitality of the region.
- **Objective 2:** A smart and vibrant economy.
- Strategy 2.6 Promote our City and Villages as a tourist destination.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-200

MOVED: Cr J Jennings SECONDED: Cr I North

RESOLVED: That the information be noted.

8.5.7 DESTINATION BRAND IMPLEMENTATION AND DESTINATION MANAGEMENT PLAN -QUARTERLY REPORT - JUNE 2021

File No: 20.00299

RECOMMENDATION:

That the information be noted.

REPORT:

Council, at its meeting held 13 December 2017, resolved to receive quarterly destination brand strategy implementation progress reports, outlining the performance monitoring data as described in the report. Implementation of the strategy is the responsibility of the Bathurst Visitor Information Centre (BVIC) acting as the Destination Management Organisation for the Bathurst region.

The following information is provided as an update on the implementation of the Destination Brand Strategy as at June 2021.

| Destination Brand Implementation | Action |
|-------------------------------------|---|
| | The Bathurst region destination website has now completed a major redesign to improve accessibility and increase end-user experience including the addition of dedicated event and campaign landing pages. The focus on content is reflected in the considerable increase in pageviews and decline in bounce rate (single page sessions without interaction) It is performing consistently with a comparison of site usage in the current financial year against the corresponding period in the previous year being: |
| Destination Website | USERS = 103,170 (+23.4%) PAGEVIEWS = 387,140 (+79.8%) BOUNCE RATE = 52.7% (-20.8%) - a good result AVERAGE SESSION TIME = 2.19 minutes (+45.7%) |
| | A new online retail component utilizing the 'Shopify' e- commerce platform was launched on the website in August 2020. This site has generated \$11,328 via 783 sales and event ticketing YTD and was used for ticketing the Bathurst Heritage Trades Trail and Festival of Bells. |
| Online Booking Platform | The "Bookeasy" booking engine has been particularly effective in assisting smaller operators and events to increase sales, and to provide a direct booking option for Bathurst |

| Destination Brand Implementation | Action |
|-------------------------------------|--|
| • | region accommodation. |
| | 2020/2021 financial year to date sales of \$81,222 have been achieved, a 182.2% increase over the previous year with \$8,699 BVIC commission. |
| Curated Online Content | BVIC is responsible for ongoing content creation with an overarching content strategy completed. Two new promotional videos of the Bathurst region have been created during the last quarter including a composite promotion of six vineyards of the Bathurst region and a general destination promotion. High resolution still imagery has also been acquired from the Heritage Trades Trail and Festival of Bells to boost ongoing destination and event promotion. |
| Marketing Plan | The three-year marketing plan adopted September 2018 was successfully implemented with 93% of total identified actions completed as at September 2020. A new Plan was completed by BVIC to set the priorities for the next three years and was adopted by Council in February 2021. Progress against this new plan will be reported against in future implementation updates. |
| Signage | Priority area 4 of the Destination Management Plan calls for the 'development of a strategic approach to tourism signage'. Preliminary scoping has begun on undertaking a city and villages wide signage audit as the first stage towards drafting and implementing a tourism signage strategy. |
| | The re-skinning of four highway billboards (located on Mitchell Highway, Orange Road, Blayney Road and Marangaroo), currently advertising the 'Doors Open' business campaign, is being planned in collaboration with Economic Development. |
| Touring Trails App | There have been 12,384 uses of the Bathurst 'Step Beyond' app to date. Additional content is being written for a new tour of Hill End that will allow for interpretation without need for network connection and discussion is underway with St Joseph's Convent Heritage Centre at Perthville for development of an additional tour. |
| | Incorporation of this technology has also been proposed in the Mount Panorama Boardwalk interpretation plan. |
| Brand Awareness Campaign | Consumer eDMs (electronic direct mail) continue to provide a monthly newsletter and event information to 4000+ subscribers. |
| | BVIC partnered with the Bathurst Region Vignerons Association (BRVA) on a campaign entitled 'Wine on the Edge' to raise the profile of winemaking and of cool climate wines of the Bathurst region. The new content was |

| Destination Brand Implementation | Action |
|---|--|
| | viewed 30,347 times via YouTube and Facebook and generated 2,141 click throughs to business and campaign information on the Bathurst region website. |
| | A new digital campaign entitled 'Choose your Bathurst adventure' ran over the autumn period with a focus on the region's heritage and on developing the family market A 'night skies' public relations campaign in partnership with the 9 other Councils of the CNSWJO commenced with editorial coverage in Australian Geographic and Australian Community Media in 14 publications. |
| | Work on upgrading the BVIC amenities block and improving accessibility, funded through a Federal Government Drought Communities Grant, was completed in April 2021. This project has resulted in modern fixtures, energy saving lighting and reduced water consumption with sensor taps and a fully compliant accessible toilet cubicle and entrance. |
| BVIC | A new design and quotes for the rear counter and display have been received with current budget constraints necessitating a delay in construction. |
| | YTD retail sales through BVIC of \$83,059 have been achieved, 21.9% above 2019/2020 result. Retail sales over April was exceptionally strong over the period of the April School holidays, being 60%+ over the equivalent period in 2019. \$2,951 of sales have now been made from 'The Cotswolds Store'. |
| Public Relations | Over the past three months PR activity has been focused upon autumn heritage events, wineries, outdoors/active experiences and on school holiday travel opportunities. The region has been featured by Weekend Sunrise, Urban List, Weekend Australian, ABC Radio Sydney, QANTAS Magazine, Blue Mountains Life and Urban List. |
| | The Bathurst region Destination Planner is distributed locally to businesses as well as nationally through the network of accredited visitor information centres (AVIC). 20,000 copies of the new 2021 edition were printed, with the publication also available online as a flipbook or a PDF download. |
| Visitor Guide/Destination Planner | All text was written by staff of the Bathurst Visitor Information Centre, and all imagery also sourced and selected by BVIC. Advertising by local businesses for the 2021 Planner saw 53 advertisements placed with a 19% increase in advertising revenue, from the previous edition demonstrating strong industry support of the publication. Over 12,500 copies have already been distributed in 2021. |
| | A new publication showcasing the region's villages, also |

| Destination Brand Implementation | Action |
|-------------------------------------|---|
| | written and designed in house, and first printed in August 2020 has proved exceptionally popular and is currently in its third (revised) edition and reprinting. |
| Destination Management Plan | The Destination Management Plan 2019-2024 was adopted by Council at its December 2019 meeting and is being implemented according to the priorities identified in the strategic action plan. To date, 29 of the 104 priority actions identified have been completed or are in progress as at 1 June 2021 representing 28% of all actions. |

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 1.1 Respect, protect and promote the region's Aboriginal heritage assets.
- Strategy 1.2 Protect, enhance and promote the region's European heritage assets and character.
- Strategy 1.3 Enhance the cultural vitality of the region.
- Objective 2: A smart and vibrant economy.
- Strategy 2.1 Support local business and industry.
- Strategy 2.2 Grow local employment, investment and attract new businesses by nurturing and supporting entrepreneurs, partnerships and local skill development.
- Strategy 2.3 Develop Bathurst as a Smart City.
- Strategy 2.5 Support Mount Panorama as a premier motor sport and event precinct.
- Strategy 2.6 Promote our City and Villages as a tourist destination.
- Objective 4: Enabling sustainable growth.
- Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.
- Objective 5: Community health, safety and well being.
- Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.
- Strategy 5.4 Make our public places safe and welcoming.

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-201

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That the information be noted.

9 REPORTS OF OTHER COMMITTEES

9.1 TRAFFIC COMMITTEE REPORT - 1 JUNE 2021

File No: 07.00006

MINUTE

RESOLUTION NUMBER: ORD2021-202

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED:

That the recommendations of the Traffic Committee Meeting of Bathurst Regional Council held on 1 June 2021 be adopted.

10 NOTICES OF MOTION

10.1 COUNCILLOR AUBIN - GO KART TRACK

File No: 04.00153

RECOMMENDATION:

That Council:

- a. That Council Fastrack the development of an international length Kart Track on Council owned land adjacent to Conrod Straight, Mt. Panorama, I the vicinity of the old Drive-in/Rayner's Orchard site.
- b. That Council use monies from the existing Kart Track loan to fund any studies required to prepare the site for a D.A.
- c. That the existing Track design be used if possible.
- d. That Council vigorously request the Federal Environmental Minister, Susan Ley and the Local Federal Member, Andrew Gee, to recoup the monies spent by this Council, on the Fully Approved Legal D.A. for the Kart Track the precinct of McPhillamy Park, Mt. Panorama.

REPORT:

Councillor Aubin has submitted the following Notice of Motion in relation to the Go Kart Track.

- e. That Council Fastrack the development of an international length Kart Track on Council owned land adjacent to Conrod Straight, Mt. Panorama, in the vicinity of the old Drive-in/Rayner's Orchard site.
- f. That Council use monies from the existing Kart Track loan to fund any studies required to prepare the site for a D.A.
- g. That the existing Track design be used if possible.
- h. That Council vigorously request the Federal Environmental Minister, Susan Ley and the Local Federal Member, Andrew Gee, to recoup the monies spent by this Council, on the Fully Approved Legal D.A. for the Kart Track in the precinct of McPhillamy Park, Mt. Panorama.

Item withdrawn by Cr Aubin

10.2 COUNCILLOR RUDGE - ZERO TOLERANCE OF HARASSMENT, INTIMIDATION AND BULLYING

File No: 11.00004

RECOMMENDATION:

That Council agree we have zero tolerance for any candidates for the next election who engage in harassment, intimidation, or bullying.

REPORT:

Councillor Rudge has submitted the following Notice of Motion in relation to harassment, intimidation, and bullying.

That Councillors of the Bathurst Regional Council agree we have zero tolerance for any candidates for the next election who engage in harassment, intimidation or bullying.

MINUTE

RESOLUTION NUMBER: ORD2021-204

MOVED: Cr J Rudge SECONDED: Cr J Jennings

RESOLVED:

That Council agree we have zero tolerance for any candidates for the next election who engage in harassment, intimidation, or bullying.

11 RESCISSION MOTIONS

12 COUNCILLORS / DELEGATES REPORTS

12.1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 MAY 2021

File No: 11.00019

RECOMMENDATION:

That the information be noted.

REPORT:

Present: Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North

Apologies: Cr Jacqui Rudge

1. ATCO – Central West Pumped Storage Hydro Project

Ben Boloto & Rosahlena Robinson from ATCO

- Have partnered with Energy Australia on gas-powered power stations.
- Global company, looking for investment in renewables in Australia.
- Opened first hydrogen production facility in Australia.
- Bathurst location favorable.
- Proposed to be located near Yetholme. Dam on Frying Pan Creek.
- Initial fill of water needed off old Fish River supply. Will take 6-12 months. Working through with government. 3 gigalitres of water.
- Closed loop system, doesn't take irrigation water away.
- Power transferred by above ground power lines (they will build).
- 352 MW, about 240,000 homes. 8 hours of energy.
- Lasts about 50-60 years before refit.
- \$500 \$600 million project.
- Discussed some community resistance. Will have people locally for liaison.
- Is in Bathurst catchment area.
- Significant road upgrades to local area. Possible improvements to telecommunications. Jobs, ongoing and long-term.
- By March 2022 final investment decision. 3-year build, running by 2026.

2. Winter Festival

Andrew Fletcher, Scott McLeanan

- See opportunity to grow Winter Festival into regional event.
- Don't want to move festival to Showground, want to be part of it.
- Traditionally a CBD-focused event. Showground could:

- a) run Christmas markets
- b) run an ice rink indoors (Pavilion); weather no longer a problem.
- c) car parking
- d) provide greater accessibility for events
- Not asking for funds at this stage, just a conversation.
- They are venue managers, not event managers.

3. Eglinton Solar Farm

- Have 4 solar farms in NSW (Parkes, Griffith, Dubbo, Coleambally)
- Bathurst well located for development.
- Agricultural use, water/erosion, visual impact, traffic, biodiversity main community concerns.
- EIS delayed until July August to resolve community concerns.
- Working with a party to create regenerative agri- solar farm.
- Working with neighbours on visual impact
- Addressing concerns around Thomas Drive and intersection with Eleven Mile Drive.
- Any community concerns can be referred to them.
- Community development fund of \$75k p.a in addition to land care works.
- \$230 million project. 200 consultation jobs. 5-8 ongoing jobs.
- 2022 earliest construction to start.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 6: Community leadership and collaboration.

- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-205

MOVED: Cr | North SECONDED: Cr J Rudge

RESOLVED:

That the information be noted and Cr Aubin be recorded as an apology

12.2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL -11 MAY 2021

File No: 11.00020

RECOMMENDATION:

That the information be noted.

REPORT:

The Youth Council considered a number of items at their meeting held on Tuesday 11 May 2021, including the following:

- Feedback from Youth Week activities
- 2021 Project Planning
- Recruitment of 2021/2022 Youth Council

The Minutes of the Youth Council Meeting held on Tuesday 11 May 2021 are attached.

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 Facilitate development in the region that considers the current and future needs of our community.
- Objective 5: Community health, safety and well being.
- Strategy 5.1 Provide opportunities for our community to be healthy and active.
- Strategy 5.4 Make our public places safe and welcoming.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Minutes 11 May 2021 [**12.2.1** - 4 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-206

MOVED: Cr J Rudge SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

12.3 MINUTES - BATHURST COMMUNITY SAFETY COMMITTEE - 20 MAY 2021

File No: 07.00107

RECOMMENDATION:

That the information be noted.

REPORT:

The Bathurst Regional Community Safety Committee considered the following items at their meeting held on 20 May 2021:

- Break and Enter Residential Campaign update
- Scooters and Skateboards in the CBD update
- Project Planning for remainder of 2021
- Committee Terms of Reference
- 2021-2023 Committee Term

The Minutes of the Bathurst Regional Community Safety Committee held on Thursday 20 May 2021 are **<u>attached.</u>**

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 Facilitate development in the region that considers the current and future needs of our community.
- Objective 5: Community health, safety and well being.
- Strategy 5.1 Provide opportunities for our community to be healthy and active.
- Strategy 5.4 Make our public places safe and welcoming.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. Minutes 20 May 2021 [**12.3.1** - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-207

MOVED: Cr J Rudge SECONDED: Cr W Aubin

RESOLVED:

That the information be noted.

12.4 CR WARREN AUBIN - PARLIAMENTARY INQUIRY INTO HEALTH OUTCOMES AND ACCESS TO HEALTH AND HOSPITAL SERVICES IN RURAL, REGIONAL AND REMOTE NSW

File No: 18.00035

RECOMMENDATION:

That Council:

- 1) endorse the Supplementary Submission to the Parliamentary Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW as attached to this report.
- 2) continue to press its case with the Western NSW Local Health District and Bathurst Health Service.

REPORT:

Cr Warren Aubin has submitted the following report in relation to the Parliamentary Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW.

On 18 May, myself and Director Environmental, Planning and Building Services Neil Southorn appeared as witnesses to the public hearing of the Parliamentary Inquiry held at Wellington. An invitation to attend to represent Council occurred as a result of Council's initial submission to the Inquiry in December 2020. The hearing provided an opportunity to brief Committee members on Council's position and to answer questions of Committee members.

A copy of Council's initial submission is at attachment 1.

At the hearing, I was able to convey to the Committee the severity of the shortage of health services facing the community of Bathurst, advising the Committee that more resources are desperately needed to ensure adequate services are provided for a City and Region that are growing, and to offset the significant and growing imbalance between services offered at Orange compared to Bathurst. Mr Southorn presented data prepared by Council's Economic Development team to support that opinion.

Also appearing as witnesses at the same session of the hearing were Cr Dr Anielo Iannuzzi, Deputy Mayor of Warumbungle Shire Council and Ben Shields, Mayor of Dubbo Regional Council. Dr Iannuzzi spoke with authority and sincerity about the crisis facing smaller communities.

The hearing was live streamed, a first for an activity of the NSW Parliament. Council's presentation to the Committee attracted widespread media coverage, including an editorial piece in the Western Advocate, largely supportive of Council's presentation. Further, media coverage of the issues raised by Cr Dr Iannuzzi and others at the Wellington hearing were reported in Sydney media.

A Supplementary Submission has been prepared (<u>attachment 2</u>) with the intention to provide that to the Inquiry. I seek the concurrence of my fellow Councillors in endorsing the Supplementary Submission.

Council should also continue discussions with the LHD and Hospital management to lobby for better services.

FINANCIAL IMPLICATIONS:

There are no direct financial implications to Council however the Supplementary Submission summarises the economic impact on the local economy of the under resourcing of the public health service.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Enabling sustainable growth.

- Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.
- Objective 5: Community health, safety and well being.
- Strategy 5.5 Plan and respond to demographic changes in the community.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.3 Advocate for our community.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

- 1. Original submission to Health Inquiry [12.4.1 53 pages]
- 2. Draft Supplementary submission to Health Inquiry [12.4.2 8 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-208

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED:

That Council:

- 1) endorse the Supplementary Submission to the Parliamentary Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW as attached to this report.
- 2) continue to press its case with the Western NSW Local Health District and Bathurst Health Service.

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

13.0 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE

MINUTE

MOVED: Cr J Rudge SECONDED: Cr J Jennings

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

There were no representation from the public.

RESOLVED:

That:

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:

- 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.

13.1 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

13.1.1 RURAL LICENCE AGREEMENT - PART LOT 2 DP749758, LOT 117 DP750357, LOT 1 DP749758, KNOWN AS 200 COLLEGE ROAD, MOUNT PANORAMA

Reason: 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.

This item relates to the proposal to entering into a rural licence agreement for Part Lot 2 DP749758, Lot 117 DP750357, Lot 1 DP749758, known as 200 College Road, Mount Panorama for a period of three (3) years as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

MINUTE

RESOLUTION NUMBER: CONF2021-46

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED:

That Council approves entering into a rural licence agreement for Part Lot 2 DP749758, Lot 117 DP750357, Lot 1 DP749758, known as 200 College Road, Mount Panorama for a period of three (3) years as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

13.1.2 RURAL LICENCE AGREEMENT - PART LOT 2 DP224864 PADDOCKS 3,4 AND 5, LOTS 10 AND 11 DP224864 PADDOCKS 6, 7 AND 8, KNOWN AS CHIFLEY DAM RURAL LOTS

Reason: 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.

This item relates to the proposal to enter into a rural licence agreement for part Lot 2 DP224864 paddocks 3, 4 and 5, Lots 10 and 11 DP224864 paddocks 6, 7 and 8, known as Chifley Dam rural lots, for a period of three (3) years, as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

MINUTE

RESOLUTION NUMBER: CONF2021-47

MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED:

That Council approves entering into a rural licence agreement for part Lot 2 DP224864 paddocks 3, 4 and 5, Lots 10 and 11 DP224864 paddocks 6, 7 and 8, known as Chifley Dam rural lots, for a period of three (3) years, as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

13.1.3 EVENT PROPOSAL - BATHURST REGION

Reason: 10A (2) (c) Contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, and Commercial information of a confidential nature that would, if disclosed, (i) prejudice the commercial position of the person who supplied it, (ii) confer a commercial advantage on a competitor of the Council.

This item relates to the proposal to provide in principal support for a proposed event in and around Mt Panorama, but not using the road based track or racing event.

MINUTE

RESOLUTION NUMBER: CONF2021-48

MOVED: Cr J Rudge SECONDED: Cr W Aubin

RESOLVED:

That Council act in accordance with the recommendations of this report.

13.1.4 REQUEST FOR WAIVER OF WASTE MANAGEMENT CENTRE CHARGES

Reason: 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.

This item relates to the proposal to waive the remaining Waste Management Centre charges arising from the clean-up of destroyed hay in a vehicle fire in November 2019.

MINUTE

RESOLUTION NUMBER: CONF2021-49

MOVED: Cr | North SECONDED: Cr A Christian

RESOLVED:

That Council waive the remaining Waste Management Centre charges of \$7,924.00 due from Farra Civil arising from the clean-up of destroyed hay in a vehicle fire in November 2019.

13.1.5 RENEWAL OF RESIDENTIAL LEASE AGREEMENT - LOT 2 DP1179272, KNOWN AS 447 CONROD STRAIGHT, MOUNT PANORAMA

Reason: 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.

This item relates to the proposed renewal of the residential lease at 447 Conrod Straight, Mount Panorama.

MINUTE

RESOLUTION NUMBER: CONF2021-50

MOVED: Cr J Rudge SECONDED: Cr I North

RESOLVED:

That Council approve the renewal of the residential lease for Lot 2 in DP1179272, 447 Conrod Straight, Mount Panorama for a period of twelve (12) months, with a twelve (12) month option as detailed in the report.

13.2 DIRECTOR ENGINEERING SERVICE'S REPORT

13.2.1 TENDER FOR PREFERRED CONTRACTORS LIST FOR MINOR WORKS

Reason: 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.

This item relates to the proposal to accept the Preferred Contractor List for the engagement of contractors for minor works up to the value of \$20,000 (incl. GST) 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 of Tender.

Cr Hanger declared pecuniary interest and left the chamber.

Reason: Councillors son's company (Enacon Group P/L) is an applicant for the preferred contracts list.

MINUTE

RESOLUTION NUMBER: CONF2021-51

MOVED: Cr W Aubin SECONDED: Cr A Christian

RESOLVED:

That Council accepts the Preferred Contractor List for the engagement of contractors for minor works up to the value of \$20,000 (incl. GST) 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 of Tender.

13.2.2 TENDER FOR MOWING OF CHIFLEY DAM WALL

Reason: 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.

This item relates to the proposal to accept the tender for the maintenance of the grass cover to Chifley Dam Wall for 3 years, subject to adjustments and provisional items.

MINUTE

RESOLUTION NUMBER: CONF2021-52

MOVED: Cr J Rudge SECONDED: Cr W Aubin

RESOLVED:

That Council accepts the tender from YME Constructions Pty Ltd, for the maintenance of the grass cover to Chifley Dam Wall in the amount of \$106,008.00 inclusive of GST for 3 years, subject to adjustments and provisional items.

13.2.3 TENDER FOR CONSTRUCTION OF IMPROVEMENT WORKS AT BATHURST AERODROME

Reason: 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.

This item relates to a tender for civil construction works at Bathurst Aerodrome.

MINUTE

RESOLUTION NUMBER: CONF2021-53

MOVED: Cr W Aubin SECONDED: Cr A Christian

RESOLVED:

That Council accept the tender from J K Williams Contracting Pty Ltd, in the amount of \$981,702.90 (incl. GST), subject to provisional items and variations.

13.2.4 TENDER FOR BATHURST ANIMAL REHOMING CENTRE

Reason: 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.

This item relates to the proposal to construct a new animal rehoming facility at Hampden Park Road, Kelso.

MINUTE

RESOLUTION NUMBER: CONF2021-54

MOVED: Cr M Morse SECONDED: Cr J Rudge

RESOLVED:

That Council accepts the tender from Regional West Constructions Pty Ltd in the amount of \$3,633,719.31 (incl. GST), subject to provisional items and variations.

13.2.5 TENDER FOR CONSTRUCTION OF PERTHVILLE PARK AMENITIES BUILDING AND ASSOCIATED WORKS AT ROCKLEY STREET PERTHVILLE

Reason: 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.

This item relates to the proposal for the construction of the Perthville Park Amenities Building and Associated Works at Rockley Street Perthville.

MINUTE

RESOLUTION NUMBER: CONF2021-55

MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED:

That Council accept the tender from Tablelands Builders Pty Ltd for the construction of the Perthville Amenities Building in the amount of \$212,750.00 (incl. GST), subject to provisional items and variations.

13.2.6 TENDER FOR GROUNDS MAINTENANCE OF BULK WATER SUPPLY AND WASTEWATER SITES

Reason: 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.

This item relates to the proposal to accept the tender for the maintenance of the bulk water and wastewater remote sites for 3 years, subject to adjustments and provisional items.

MINUTE

RESOLUTION NUMBER: CONF2021-56

MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED:

That Council accepts the tender from Ricemen Property Services for the maintenance of the bulk water and wastewater remote sites in the amount of \$432,880.00 inclusive of GST for 3 years, subject to adjustments and provisional items.

13.2.7 CNSWJO TENDER FOR SUPPLY & DELIVERY OF BITUMEN EMULSION TO CENTRAL NSW COUNCILS

Reason: 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.

This item relates to the proposal to accept and sign a contract with Bitupave Ltd for the supply and delivery of bitumen emulsion to 31 May 2023, with an optional 12-month extension.

MINUTE

RESOLUTION NUMBER: CONF2021-58

MOVED: Cr A Christian SECONDED: Cr I North

RESOLVED: That Council resume open Council.

14 RESOLVE INTO OPEN COUNCIL

MINUTE

RESOLUTION NUMBER: ORD2021-209

MOVED: Cr A Christian SECONDED: Cr I North

RESOLVED: That Council resume open Council.

15 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MINUTE

RESOLUTION NUMBER: ORD2021-210

MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED:

That the Report of the Committee of the Whole, resolution numbers Conf2021-46 to Conf2021-57 be adopted.

16 MEETING CLOSE

MINUTE

The Meeting closed at 8:15pm.

CHAIR:

Ordinary Meeting of Council - 16 June 2021 Attachments

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Attachment 6.1.1

MINUTES OF THE EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD ON WEDNESDAY 12 MAY 2021

1 RECORDING OF MEETINGS

2 MEETING COMMENCES

MINUTE

Meeting commenced at 5.00pm.

<u>Present</u>: Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse , Cr I North

3 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

4 APOLOGIES

MINUTE

MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED:

That the apology of Cr W Aubin be accepted and leave of absence granted.

That the apology of Cr J Rudge be accepted and leave of absence granted.

5 DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLUTION NUMBER: ORD2021-131

MOVED: Cr I North SECONDED: Cr A Christian

RESOLVED: That the Declaration of Interest be noted.

Nil

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

6.1 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

6.1.1 2021-2022 DRAFT BUDGET

File No: 16.00182

MINUTE

RESOLUTION NUMBER: ORD2021-132

MOVED: Cr J Jennings SECONDED: Cr I North

RESOLVED:

That Council

- a. place the Draft Bathurst Delivery Program 2021-2025 and Operational Plan 2021/2022, including the Revenue Policy for 2021/2022, on public exhibition and receive submissions until 10 June 2021,
- b. resolve to fix the annual fee paid to Councillors to the maximum determination made by the Remuneration Tribunal for the category Regional Centre, and
- c. note the organisation structure as detailed in the report.

7 MEETING CLOSE

MINUTE

The Meeting closed at 5.07pm.

CHAIR:

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD ON Wednesday 19 May 2021

1 PUBLIC FORUM

MINUTE

<u>J Gray</u> - <u>Water Conference</u> - Noted upcoming water conference being held in Narrabri and asked if Council would be represented at the conference?

DES - Advised that the Mayor, Councillor Fry and Council staff will be attending.

<u>V Comiskey</u> - <u>Advocate for the community</u> - Spoke to approaches to Councillors she has made and the responses she has received. Councillors have not gotten back to her on items she has raised. Alleged "boys club" and "gender bias" within the Council. Spoke to concerns she has about male Councillors. Need Council to work as a team.

<u>B Triming</u> - <u>Disability Advocate</u> - Spoke to budget not including a proper disability toilet at the Art Gallery. Asked Council to consider this request.

DCSF - Advised funding has not been included at this time.

<u>Jeannine Vaughan sign</u> - Does not understand why sign is only short term and then raised concerns about banners on fence of football ground.

<u>Football Upgrades</u> - Thanked Council for improved footpaths outside the BMEC and spoke to budgeted amounts in Council estimates.

General Manager - Noted allocation this year 2020/2021 included grant funds to address asset backlog of \$300,000.

Federal Grants Raised for Pedestrian Crossings - Urged Council to apply for these grants.

Jock Cheatham - Induction of Councillors After Election - Asked about processes in place for new Councillors, what does Council do?

General Manager - Noted training and programs in place for after the election, including financial and Development Application processes.

2 RECORDING OF MEETINGS

3 MEETING COMMENCES

MINUTE

Meeting commenced at 6.00pm.

<u>**Present</u></u>: Cr B Bourke (Chair), Cr W Aubin, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse , Cr J Rudge**</u>

4 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

5 APOLOGIES

MINUTE

MOVED: Cr G Hanger SECONDED: Cr J Rudge

RESOLVED:

That the apology of Councillor Christian be accepted and leave of absence granted.

That the apology of Councillor North be accepted and leave of absence granted.

6 MINUTES

6.1 CONFIRMATION OF MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 21 APRIL 2021

File No: 11.00005

MINUTE

RESOLUTION NUMBER: ORD2021-133

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 April 2021 be adopted.

7 DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLUTION NUMBER: ORD2021-134

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED: That the Declaration of Interest be noted.

Councillor Jennings declared a pecuniary interest in item 8.4.2 of the Director Corporate Services and Finance Report.

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

8.1 DIRECTOR ENVIRONMENTAL PLANNING AND BUILDING SERVICES REPORT

8.1.1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

File No: 03.00053

MINUTE

RESOLUTION NUMBER: ORD2021-135

MOVED: Cr J Jennings SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

8.1.2 GENERAL REPORT

File No: 03.00053

MINUTE

RESOLUTION NUMBER: ORD2021-136

MOVED: Cr J Rudge SECONDED: Cr M Morse

RESOLVED:

That the information be noted.

8.1.3 DEVELOPMENT APPLICATION NO. 2021/36 - TWO STOREY DWELLING WITH ATTACHED GARAGE & INGROUND SWIMMING POOL AT 235 BENTINCK STREET, BATHURST. APPLICANT: MR D NICOLL. OWNER: MR D NICOLL

File No: 2021/36

MINUTE

RESOLUTION NUMBER: ORD2021-137

MOVED: Cr W Aubin SECONDED: Cr J Jennings

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. 2021/36, 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:
 - 1) Prior to the issue of the Construction Certificate the developer is to submit to Council a final schedule of colours and finishes for the approval of Council.
- (b) notify those that made submissions of its decision; and

(c) call a division.

On being <u>PUT</u> to the <u>VOTE</u> the <u>MOTION</u> was <u>CARRIED</u>

The result of the division was:

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

8.1.4 DEVELOPMENT APPLICATION NO. 2020/313 -PROPOSED SINGLE-STOREY CARETAKER'S DWELLING AND SHED WITH ATTACHED CARPORT (GOLDFIELDS) - LOT 66 DP 1177441, 428 CONROD STRAIGHT MOUNT PANORAMA. APPLICANT BOTHAM HOMES

File No: 2020/313

MINUTE

RESOLUTION NUMBER: ORD2021-138

MOVED: Cr M Morse SECONDED: Cr J Rudge

RESOLVED:

That Council

- (a) support the variation to Clause 8.4 "Noise Reference Contour" of *Bathurst Regional Development Control Plan 2014.*
- (b) as the consent authority, grant consent pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* to Development Application No. 2020/313, subject to conditions able to be imposed pursuant to Section 4.17 of the *Environmental Planning and Assessment Act 1979*, as amended, including but not limited to:

Conditions that must be Satisfied Prior to the Consent Becoming Operative (Deferred Commencement)

1) Prior to the operation of this consent, separate retrospective Development Consent must be sought from Council for the change of use from the existing dwelling to tourist and visitor accommodation (coach drivers' accommodation).

During Construction

- 2) Unless otherwise approved by Council, the exterior colours and materials of the building are to be of muted natural tones.
- 3) 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 8.00 pm on weekends and public holidays.

Prior to the Issue of Occupation Certificate

4) Prior to the issue of any Occupation Certificate, the capacity of the existing sewer pumping station must be tested by a qualified plumber to determine whether it can also service the additional effluent loading of the proposed dwelling and shed.

If it is determined that the capacity of the existing sewer pumping station is insufficient, then the necessary upgrades must be carried out and inspected by Council, prior to the issue of any Occupation Certificate.

5) Prior to the issue of any Occupation Certificate, the proposed dwelling and shed are to be connected to the existing effluent management system.

Use of Site

- 6) Any fencing to be established around the approved caretaker's dwelling must enclose an area of no more than 1,200m².
- 7) The approved dwelling must only be occupied by caretaker(s) of the site and their family. The dwelling is not permitted to be used for the purposes of tourist and visitor accommodation, education, functions and/or any other commercial purpose, without prior Development Consent from Council.
- 8) All onsite operations involving the use of machinery, 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 8.00 pm on weekends and public holidays.
- 9) The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.
- 10) Clearing of native vegetation is prohibited unless it is in accordance with the provisions of the *Biodiversity Conservation Act 2016*, as amended and the *Local Land Services Act 2013*, *State Environmental Planning Policy* (*Vegetation in Non-Rural Areas*) 2017, Chapter 9 of *Bathurst Regional Development Control Plan 2014* as amended. All vegetation must be checked for hollows or active nests prior to felling. If any fauna species are known to inhabit a hollow or nest then an ecologist is to be consulted on the appropriate form of removal and felling that does not result in the death of the animal, and

evidence kept of such consultation.

(c) that a division be called.

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 J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse , Cr J Rudge <u>Against the Motion</u> - nil <u>Absent</u> - Cr A Christian and Cr I North <u>Abstain</u> - Nil

8.1.5 DEVELOPMENT APPLICATION NO. 2021/91 SHED AT 10 MATTHEWS STREET, WINDRADYNE. APPLICANT: MS C KOEKEMOER BATHURST SHEDS. OWNER: MR T HUTCHISON AND MS C GRACEY

File No: DA2021/91

MINUTE

RESOLUTION NUMBER: ORD2021-167

MOVED: Cr J Rudge SECONDED: Cr W Aubin

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. 2021/91, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
 - 1) The shed is not be used for commercial or industrial purposes;
- (b) notify those that made submissions of its decision; and
- (c) that a division be called.

On being <u>PUT to the VOTE the MOTION was CARRIED</u>

The result of the division was:

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

8.1.6 BATHURST INTEGRATED MEDICAL CENTRE AND MULTI LEVEL CAR PARK

File No: 20.00345

MINUTE

RESOLUTION NUMBER: ORD2021-140

MOVED: Cr W Aubin SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

8.1.7 DRAFT BATHURST REGIONAL COMMUNITY PARTICIPATION PLAN (AMENDMENT NO. 1)

File No: 20.00331

MINUTE

RESOLUTION NUMBER: ORD2021-141

MOVED: Cr J Jennings SECONDED: Cr M Morse

RESOLVED:

That Council place the draft Bathurst Regional Community Participation Plan (Amendment No. 1) on public exhibition.

8.1.8 THE BATHURST ECONOMY - OUR COVID RECOVERY

File No: 20.00323

MINUTE

RESOLUTION NUMBER: ORD2021-142

MOVED: Cr J Rudge SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

8.1.9 FORMER TAFE SITE - WILLIAM STREET

File No: 22.01387

MINUTE

RESOLUTION NUMBER: ORD2021-143

MOVED: Cr M Morse SECONDED: Cr J Rudge

RESOLVED:

That Council:

- (a) undertake an Expression of Interest process to identify commercial opportunities for the adaptive reuse/redevelopment of the former TAFE site, potential private sector investment interest in the site and possible options for joint ventures with Council and other community groups, giving consideration to the range of matters outlined in this report including, but not limited to:
 - the need for audit and solutions reports in respect of access and fire safety for the William Street building and how change can be managed against any potential loss of heritage fabric;
 - 2) how a redeveloped site could achieve completion of restoration works and adaptive reuse of the former Headmasters building;
 - the need to maintain and enhance the operations of the Australian Fossil and Mineral Museum (AFMM), inclusive of opportunities for a new entrance and possible increase in floor space;

- provision of alternative amenities and shop and museum storage for the AFMM so that these uses can vacate from the former motor mechanics workshop building and surrounds;
- 5) determination on whether a redeveloped site will be able to provide on-site car parking or whether this might need to be provided elsewhere in the CBD to open up the Town Square as a pedestrian priority precinct;
- 6) the creation of a new public community plaza/square to the rear of the William Street building;
- 7) opportunities for commercial redevelopment to accommodate a possible use of the site, or part of the site, and for performing arts functions (community and/or Council operated facilities) or other community and cultural functions;
- 8) the ability to open up the TAFE site and link it to the wider Town Square through new/improved access laneways as envisaged in Council's grant applications under the NSW Streets as Shared Spaces Program and the Your High Street Program.
- 9) Identification of sources of funds to undertake conservation and building works to enable new uses to be considered, and future maintenance and renewal requirements.
- (b) establish appropriate legal rights of access over Lot 5 DP1191425 in favour of the Telstra Exchange and the Council owned Post Office Building, independent of the Expression of Interest Process.

8.1.10 STREET LIGHTING - UPGRADE TO LED AND SMART CONTROLS

File No: 28.00014-07

MINUTE

RESOLUTION NUMBER: ORD2021-144

MOVED: Cr J Fry SECONDED: Cr J Jennings

RESOLVED:

That the information be noted.

8.1.11 MUSICIANS IN THE PARK

File No: 20.00071

MINUTE

RESOLUTION NUMBER: ORD2021-145

MOVED: Cr M Morse SECONDED: Cr J Rudge

RESOLVED:

That the information be noted.

8.1.12 NAMING OF PUBLIC ROAD PROVIDING ACCESS TO 105 SYDNEY ROAD, KELSO AS 'CLYDE LANE'

File No: 20.00024 & 22.00144

MINUTE

RESOLUTION NUMBER: ORD2021-146

MOVED: Cr W Aubin SECONDED: Cr G Hanger

RESOLVED:

That Council:

- (a) give notice of its intention to adopt Clyde Lane as the name for the public road providing access to Lot 10 DP534649, known as 105 Sydney Road, Kelso.
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objection be received.

8.2 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

8.2.1 STATEMENT OF INVESTMENTS

File No: 16.00001

MINUTE

RESOLUTION NUMBER: ORD2021-147

MOVED: Cr J Jennings SECONDED: Cr J Rudge

RESOLVED:

That the information be noted.

8.2.2 QUARTERLY REVIEW - 2020/2024 DELIVERY PLAN AND OPERATIONAL PLAN 2020/2021

- File No: 16.00167
- MINUTE

RESOLUTION NUMBER: ORD2021-148

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That the information be noted and budget variations be approved.

8.2.3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY

File No: 18.00004

MINUTE

RESOLUTION NUMBER: ORD2021-149

MOVED: Cr J Rudge SECONDED: Cr G Hanger

RESOLVED:

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

8.2.4 POWER OF ATTORNEY

File No: 11.00007

RESOLUTION NUMBER: ORD2021-150

MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED:

That the information be noted.

8.2.5 COUNCIL POLICY REVIEW - POLICIES REVIEWED WITH NO OR MINIMAL CHANGES IDENTIFIED

File No: 14.00007, 04.00007, 20.00045, 23.00011, 41.00089, 10.00004

MINUTE

RESOLUTION NUMBER: ORD2021-151

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That the information be noted.

8.2.6 EXTENSION TO BATHURST STREET AND CUSTOM MOTORCYCLE SHOW AGREEMENT

File No: 23.00153

MINUTE

RESOLUTION NUMBER: ORD2021-152

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That Council:

- (a) Approve an extension to the Bathurst Street and Custom Motorcycle Show Agreement to include the 2022 event; and
- (b) Delegate authority to the General Manager to execute the necessary amendments

to the Agreement to accommodate this section.

8.2.7 REVIEW OF MOUNT PANORAMA -STALLHOLDERS POLICY

File No: 04.00016

MINUTE

RESOLUTION NUMBER: ORD2021-153

MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED:

That Council adopt the amendments to the Mount Panorama – Stallholders Policy as detailed within this report.

8.2.8 NEW SPORTING LICENCE AGREEMENT AT PART LOT 2 IN DP224864 LOCATED AT CHIFLEY DAM, BATHURST, KNOWN AS BATHURST PAN DRAGONS INC

File No: 32.00005

MINUTE

RESOLUTION NUMBER: ORD2021-154

MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED:

That Council approves entering into a sporting licence agreement for part Lot 2 in DP224864, located at Chifley Dam, Bathurst, with Bathurst Pan Dragons Inc for a period of five (5) years as detailed in the report.

8.2.9 COVID-19 BUSINESS AND COMMUNITY STIMULUS MEASURES - BUDGET ADJUSTMENTS

File No: 14.00764, 16.00179

RESOLUTION NUMBER: ORD2021-155

MOVED: Cr W Aubin SECONDED: Cr M Morse

RESOLVED:

That Council approve the budget variations totalling \$1,886,003 to fund the 2020/2021 COVID-19 Business and Community Stimulus Measures.

8.3 DIRECTOR ENGINEERING SERVICE'S REPORT

8.3.1 WATER SECURITY UPDATE

File No: 32.00017

MINUTE

RESOLUTION NUMBER: ORD2021-156

MOVED: Cr J Rudge SECONDED: Cr J Fry

RESOLVED:

That the information be noted.

8.4 DIRECTOR CULTURAL AND COMMUNITY SERVICE'S REPORT

8.4.1 BATHURST ACCESS IMPROVEMENT FOR SMALL BUSINESS GRANTS 2020/2021 -TEMPORARY RAMPS

File No: 16.00107

MINUTE

RESOLUTION NUMBER: ORD2021-157

MOVED: Cr J Rudge SECONDED: Cr W Aubin

RESOLVED:

That Council use the Bathurst Access Improvement for Small Business Grants 2020/2021 to purchase ramps to improve accessibility of Council-run events.

Attachment 6.2.1

8.4.2 HILL END ARTISTS IN RESIDENCE (AIR) RESIDENTIAL INTENSIVES PROGRAM

File No: 21.00055, 16.00017

Councillor Jennings declared a pecuniary interest in this item and left the room.

Reason: Wife is part of the Hill End Residency

MINUTE

RESOLUTION NUMBER: ORD2021-158

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That the information be noted.

| 8.4.3 | AUTUMN SCHOOL HOLIDAY ACTIVITIES, |
|-------|-----------------------------------|
| | MARCH-APRIL 2021 |

File No: 21.00039, 21.00054, 21.00060, 21.00106, 21.00144

MINUTE

RESOLUTION NUMBER: ORD2021-159

MOVED: Cr M Morse SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

8.4.4 BATHURST HERITAGE TRADES TRAIL 2021

File No: 23.00060

MINUTE

RESOLUTION NUMBER: ORD2021-160

MOVED: Cr J Jennings SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

8.4.5 SCOOTERS AND SKATEBOARDS IN THE CBD

File No: 07.00107

MINUTE

RESOLUTION NUMBER: ORD2021-161

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That the information be noted.

8.4.6 COMMUNITY EVENTS 2021 - INTERNATIONAL WOMEN'S DAY, HARMONY WEEK, NSW SENIORS' FESTIVAL AND NSW YOUTH WEEK

File No: 07.00016, 23.00155, 11.00020, 09.00032

MINUTE

RESOLUTION NUMBER: ORD2021-162

MOVED: Cr M Morse SECONDED: Cr J Jennings

RESOLVED:

That the information be noted.

8.4.7 BATHURST RAIL MUSEUM CELEBRATIONS WEEKEND, 3 AND 4 APRIL 2021

File No: 21.00120

MINUTE

RESOLUTION NUMBER: ORD2021-163

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED:

That the information be noted.

9 REPORTS OF OTHER COMMITTEES

9.1 TRAFFIC COMMITTEE REPORT - 4 MAY 2021

File No: 07.00006

MINUTE

RESOLUTION NUMBER: ORD2021-164

MOVED: Cr J Rudge SECONDED: Cr G Hanger

RESOLVED:

That the recommendations of the Traffic Committee Meeting of Bathurst Regional Council held on 4 May 2021 be adopted.

10 NOTICES OF MOTION

11 RESCISSION MOTIONS

12 COUNCILLORS / DELEGATES REPORTS

12.1 COUNCILLORS MEETING WITH COMMUNITY

GROUPS/REPRESENTATIVES - 14 APRIL 2021

File No: 11.00019

MINUTE

RESOLUTION NUMBER: ORD2021-165

MOVED: Cr W Aubin SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

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

13.0 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE

MINUTE

RESOLUTION NUMBER:

MOVED: Cr G Hanger SECONDED: Cr J Jennings

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

There were no representation from the public.

RESOLVED:

That:

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.

13.1 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

13.1.1 REGIS PIPELINE - REQUEST FOR EASEMENT AND LICENCE

Reason: 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.

This item relates to the Regis Pipeline project.

MINUTE

RESOLUTION NUMBER: CONF2021-34

MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED:

That Council act in accordance with the recommendations of this report.

13.2 DIRECTOR ENGINEERING SERVICE'S REPORT

13.2.1 TENDER FOR CONSTRUCTION OF SPORTS FIELD AT BATHURST SPORTSGROUND

Reason: 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.

This item relates to the proposal for the Construction of a sports field at the Bathurst Sportsground, Durham Street.

MINUTE

RESOLUTION NUMBER: CONF2021-35

MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED:

That Council accept the tender of Romba Pty Ltd in the amount of \$1,396,183.08 including GST subject to further provisional items and variations.

13.2.2 TENDER FOR CONSTRUCTION OF TWO SPORTING FIELDS AT HEREFORD STREET BATHURST

Reason: 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.

This item relates to the proposal to Construction of Two Sports Fields at Hereford Street as part of the development of the Hereford Street Sporting Complex.

MINUTE

RESOLUTION NUMBER: CONF2021-36

MOVED: Cr W Aubin SECONDED: Cr G Hanger

RESOLVED:

That Council accept the tender of Romba Pty Ltd in the amount of \$2,086,088.85 including GST subject to further provisional items and variations.

13.2.3 TENDER FOR PROVISION OF SECURITY SERVICES

Reason: 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.

This item relates to the proposal for the provision of Security Services for Council Buildings for a period of two years, commencing 1 July 2021, with the option for council to extend for a further two years.

MINUTE

RESOLUTION NUMBER: CONF2021-37

MOVED: Cr M Morse SECONDED: Cr J Rudge

RESOLVED:

That Council accept the tender from Trisec Holdings Pty Ltd T/A Bathurst Regional Security for the tender amount of \$419,366.40 (incl. GST), subject to provisional items and adjustments for a period of two years from 1 July 2021, with the option to extend for a further two years.

13.2.4 TENDER FOR CLEANING OF PUBLIC BUILDINGS

Reason: 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.

This item relates to the tender is for the provision of cleaning services to Council's buildings for a period of two years, commencing on 1 July 2021.

MINUTE

RESOLUTION NUMBER: CONF2021-38

MOVED: Cr J Rudge SECONDED: Cr J Jennings

RESOLVED:

That Council accept the tendered prices (incl GST) of:

| Separable Portion | Contractor Name | Cost |
|----------------------|------------------------------------|-------------|
| (i) | Nimdor Cleaning Services Pty Ltd | \$87,600.00 |
| (ii) | Advance National Services Pty Ltd | \$74996.29 |
| (iii) | Nimdor Cleaning Services Pty Ltd | \$54,600.00 |
| (iv) | Northern Contract Cleaning Pty Ltd | \$59,528.00 |
| (v) | Nimdor Cleaning Services Pty Ltd | \$99,010.00 |

| (X) | Nimdor Cleaning Services Pty Ltd TOTAL | \$40,730.00 \$624,001.91 |
|--------|---|------------------------------------|
| ()() | Nimedan Classing Comisso Dtv Ltd | ¢40,720,00 |
| (ix) | Advance National Services Pty Ltd | \$72,197.62 |
| (viii) | Nimdor Cleaning Services Pty Ltd | \$27,420.00 |
| (vii) | Nimdor Cleaning Services Pty Ltd | \$36,840.00 |
| (vi) | Nimdor Cleaning Services Pty Ltd | \$71,080.00 |

for the cleaning of Council public buildings, subject to provisional sums and adjustments for a period of 2 years, from 1 July 2021.

13.2.5 TENDER FOR CLEANING OF PUBLIC TOILETS

Reason: 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.

This item relates to the tender for the provision of cleaning services for public toilets for a period of 2 years commencing on 1 July 2021, with an option for council to extend for a further 2 years

MINUTE

RESOLUTION NUMBER: CONF2021-39

MOVED: Cr G Hanger SECONDED: Cr M Morse

RESOLVED:

That Council accept the tender of Nimdor Cleaning Services Pty Ltd for the amount of \$165,236.00 (incl.GST) for the cleaning of Council public toilets for a period of 2 years commencing 1 July 2021, subject to alterations and provisional items with the option of a further 2 years at an additional cost of \$169,024.00 (incl.GST).

13.2.6 TENDER FOR PROVISION OF SANITARY SERVICES

Reason: 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.

This item relates to the tender for the provision of sanitary services for public buildings and toilets for a period of 2 years commencing on 1 July 2021, with an option for council to extend for a further 2 years.

RESOLUTION NUMBER: CONF2021-40

MOVED: Cr J Rudge SECONDED: Cr J Fry

RESOLVED:

That Council accept the tender from Med-X Pty Ltd for the amount of \$34,679.28 (incl.GST) to provide sanitary services to Council facilities for a period of 2 years commencing 1 July 2021, subject to alterations and provisional items with the option of a further 2 years at an additional cost of \$36,255.46 (incl.GST).

13.2.7 TENDER FOR CONSTRUCTION OF STREETSCAPE MODIFICATIONS AND PARKLETS BATHURST CBD

Reason: 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.

This item relates to the proposal for the construction of streetscape modifications and parklets Bathurst CBD.

MINUTE

RESOLUTION NUMBER: CONF2021-41

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED:

That Council accept the tender from Tablelands Builders Pty Ltd for the Construction of Streetscape Modifications and Parklets Bathurst CBD for the tender amount of \$442,655.02 (incl.GST) including provisional sum items, subject to adjustments.

13.2.8 TENDER FOR THE SUPPLY, DELIVERY & PLACEMENT OF SPRAYED BITUMINOUS SURFACING

Reason: 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.

This item relates to the proposal for the Supply, Delivery and Placement of Sprayed Bituminous Surfacing from 1 July 2021 to 30 June 2023.

RESOLUTION NUMBER: CONF2021-42

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED:

That Council accept the tender from Colas for the provision of Sprayed Bituminous Surfacing for Contract No. 36.00756, subject to provisional sums and adjustments, for a period of 2 years commencing 1 July 2021.

13.2.9 TENDER FOR THE PROVISION OF TRAFFIC CONTROL SERVICES

Reason: 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.

This item relates to the proposal for the Provision of Traffic Control Services from 1 July 2021 to 30 June 2023.

MINUTE

RESOLUTION NUMBER: CONF2021-43

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED:

That Council accept the tender from Work Control for Provision of Traffic Control Services for Contract No. 36.00757, for a period of 2 years from 1 July 2021.

13.2.10 TENDER FOR ROAD STABILISING WORK

Reason: 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.

This item relates to the proposal for Road Stabilising Work from 1 July 2021 to 30 June 2023.

RESOLUTION NUMBER: CONF2021-44

MOVED: Cr G Hanger SECONDED: Cr M Morse

RESOLVED:

That Council accept the tender from Downer EDI Works for Road Stabilising Work for Contract No. 36.00758 subject to provisional sums and adjustments, for a period of 2 years from 1 July 2021.

14 RESOLVE INTO OPEN COUNCIL

MINUTE

RESOLUTION NUMBER: CONF2021-45

MOVED: Cr J Jennings SECONDED: Cr J Rudge

RESOLVED:

That Council resume open Council.

15 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MINUTE

RESOLUTION NUMBER: ORD2021-166

MOVED: Cr J Jennings SECONDED: Cr W Aubin

RESOLVED:

That the Report of the Committee of the Whole, resolution numbers Conf2021-34 to Conf2021-44 be adopted.

16 MEETING CLOSE

MINUTE

The Meeting closed at 7.19pm.

CHAIR:



Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021

I, SUSSAN LEY, Minister for the Environment, make the following declaration under subsection 10(1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

304 April 2021

Dated

SUSSAN LEY

Minister for the Environment

1

Contents

| 1 | Name | |
|---|--------------|--|
| 2 | Commencement | |
| 3 | Authority | |
| 4 | Definitions | |

Part 1 - Preliminary matters

1. Name

This instrument is the Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021.

2. Commencement

This instrument commences on 5 May 2021.

3. Authority

This instrument is made under section 10 of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984.

4. **Definitions**

Act means the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth).

Bulk earthworks means the excavation or other movement of large quantities of soil or rock with the intent or effect of changing the level or elevation of an area of land.

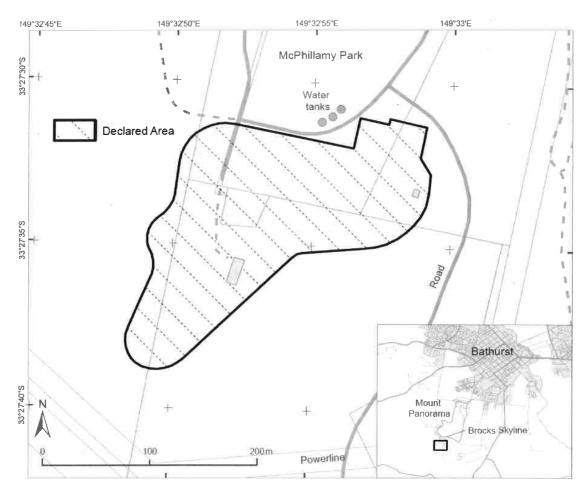
Clearing of vegetation means the removal by any means of groups of trees, shrubs or other vegetation for the purpose of establishing a cleared area, but does not include targeted maintenance or removal of individual plants.

Declared area means the area described in Part 2, section 5 of this instrument.

Part 2 - Declaration of an area as a significant Aboriginal area to be preserved and protected from injury or desecration.

5. Declared area

For the purposes of subsection 10(1) of the Act, the specified area to which this declaration applies is an area on Wahluu / Mount Panorama in Bathurst in New South Wales, indicated as the "declared area" in the map below.



6. Declaration

- (1) For the purposes of section 10 of the Act, the declared area is a significant Aboriginal area that is to be preserved and protected from injury and desecration in the manner specified in subsection (2).
- (2) A person must not:
 - (a) undertake any clearing of vegetation within the declared area; or
 - (b) undertake any bulk earthworks within the declared area; or
 - (c) construct any buildings on the declared area or seal any part of the declared area, including with bitumen or concrete; or
 - (d) undertake any action that will, or is likely to, directly alter the topography or landform of the declared area.
- Note: Under subsection 22(1) of the Act, a person commits an offence if the person engages in conduct that contravenes a provision of a declaration made under Part II of the Act in relation to a significant Aboriginal area.
- Penalty: (a) if the person is a natural person imprisonment for 5 years or 100 penalty units, or both; or
 - (b) if the person is a body corporate 500 penalty units.
 - (3) For the avoidance of doubt, subsection (2) does not prohibit the following in relation to the declared area:
 - (a) enjoyment of a lawful right of access to or use of land within the declared area;
 - (b) use of the declared area as a campsite;
 - (c) use the declared area otherwise as a public open space; and
 - (d) any activities necessary to maintain safety consistent with use as public open space,

so long as the use, access or activities do not involve any of the activities mentioned in subsection (2).

7. Period of effect

This instrument has effect for 10 years beginning on the date this instrument commences.

EXPLANATORY STATEMENT

Issued by Authority of the Minister for the Environment

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021

Legislative Authority

Section 10 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (*the Act) provides that the Minister may, by legislative instrument, make a declaration preserving and protecting a specified area from injury or desecration if, among other things, he or she is satisfied that the area is a significant Aboriginal area and that it is under threat of injury or desecration.

Purpose

The purpose of the Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021 (the Declaration) is to preserve and protect the significant Aboriginal area at the Wahluu Mount Panorama site (the declared area) from injury or desecration.

Background

The Act preserves and protects from injury or desecration significant Aboriginal areas and objects that are of particular significance to Aboriginal and Torres Strait Islander people in accordance with Aboriginal or Torres Strait Islander traditions. This includes an area of land in Australia or beneath Australian waters, an area of water in Australia or an area of Australian waters. Part II of the Act provides for the protection of significant Aboriginal areas and objects.

The Act recognises the body of traditions, observances, customs and beliefs of Aboriginal and Torres Strait Islanders generally or of a particular community or group thereof, including any such traditions, observances, customs or beliefs relating to particular persons, areas, objects or relationships.

Section 10 of Part II of the Act provides that where the Minister:

- Receives an application made orally or in writing by or on behalf of an Aboriginal or a group of Aboriginals seeking the preservation or protection of a specified area from injury or desecration
- Is satisfied:
 - That the area is a significant Aboriginal area; and
 - That it is under threat of injury or desecration;
- Has received a report under subsection 10(4) of the Act in relation to the area from a person nominated by him or her and has considered the report and any representations attached to the report; and
- Has considered such other matters as he or she thinks relevant;

He or she may, by legislative instrument, make a declaration in relation to the area.

On 8 February 2019 (executed 18 February 2019), the then Minister for the Environment, received an oral application from the Wiradyuri Traditional Owners Central West Aboriginal Corporation seeking the preservation or protection of a specified area from injury or desecration.

The Minister received a report under subsection 10(4) of the Act in relation to the specified area that is the subject of the application and considered the report and the representations attached to the report.

Before the report was submitted to the Minister, a notice was published in the *Gazette* and in the *Western Advocate* – a local newspaper circulating in the area of Bathurst:

- Stating the purpose of the application made under subsection 10(1) of the Act and the matters required to be dealt with in the report
- Inviting interested persons to furnish representations in connection with the report by 1 November 2019 (subsequently extended to 7 February 2020) that date being not less than 14 days after the date of publication of the notice in the *Gazette*; and
- Specifying the address to which such representations may be furnished.

The report gave due consideration to those representations and those representations were attached to the report when it was submitted to the Minister.

The report in relation to the area dealt with the matters in subsection 10(4) of the Act, including:

- The particular significance of the area to Aboriginals
- The nature and extent of the threat of or injury to, or desecration of the area
- The prohibitions and restrictions to be made with respect to the area
- The effect making the declaration may have on the proprietary or pecuniary interests of persons other than the Aboriginals to whom the area is significant.

On 8 October 2020, the Minister consulted the New South Wales Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, the Hon Don Harwin MLC, as to whether there is, under a law of NSW, effective protection of the declared area from the threat of injury or desecration, in accordance with subsection 13(2) of the Act. Minister Harwin's response stated that Aboriginal objects within the specified area are protected under NSW law but that there was at the time no legislative framework in place to protect the intangible Aboriginal cultural heritage values of the specified area.

The Minister considered the application and the report and was satisfied that the declared area is a significant Aboriginal area and that it was under threat of injury or desecration from a proposed go-kart track development by Bathurst Regional Council. Accordingly, the Minister decided to make a declaration under section 10 of the Act to preserve or protect the declared area from injury or desecration.

Impact and Effect

The Declaration preserves and protects the area of significance to Aboriginals at the Wahluu Mount Panorama site from injury or desecration for a period of 10 years commencing on 5 May 2021.

Consultation

Targeted consultation with 8 parties identified as having proprietary and pecuniary interest in a declaration being made was undertaken between 30 March and 15 April 2021. Responses to that consultation have been taken into account by the Minister in making this declaration. Broad consultation was also undertaken in the preparation of the section 10 report, which involved the applicants, being the Wiradyuri Traditional Owners Central West Aboriginal Corporation, the Bathurst Regional Council, and other parties with interests that may be affected by the decision of the Minister whether to make a declaration under section 10 of the Act in relation to the site.

On 8 October 2020, the Minister consulted the New South Wales Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, the Hon Don Harwin MLC, on making a declaration under the Act, in fulfilment of the requirements of subsection 13(2) of the Act. The outcome of that consultation is noted above.

Details/ Operation

Details of the Declaration are set out in <u>Attachment A</u>.

Other

The Declaration is compatible with the human rights and freedoms recognised or declared under section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. A full statement of compatibility is set out in <u>Attachment B</u>.

The Declaration is a legislative instrument for the purposes of the Legislation Act 2003.

ATTACHMENT A

Details of the Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021

Section 1 – Name

This section provides that the name of the declaration is the *Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021.*

Section 2 – Commencement

This section provides for the declaration to commence on 5 May 2021.

Section 3 – Authority

This section provides that the declaration is made under section 10 of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984.

Section 4 – Definitions

This section sets out the definitions used in the instrument, including the definition of *declared area* (which is relevant to section 5, inserted by item 1 below) and definitions of *bulk earthworks* and *clearing of vegetation* (which are relevant to subsection 6(2), inserted by item 2 below).

Part 2 – Declaration of an area as a significant Aboriginal area to be preserved and protected from injury or desecration

Item 1 – Section 5

This item declares the specified area of Wahluu/Mout Panorama in Bathurst in New South Wales, identified by the map in this provision as the *declared area* for the purposes of subsection 10(1) of the Act. The map is an accurate topographic map that is to scale.

Item 2 – Section 6

Subsection 6(1) provides that the declared area (identified by the map inserted by item 1 above) is a significant Aboriginal area that is to be preserved and protected from injury and desecration.

Subsection 6(2) provides for the ways in which the declared area is to be protected from injury or desecration. Specifically, a person must not, within the declared area:

- Undertake any clearing of vegetation; or
- Undertake any bulk earthworks.

Subsection 6(2) further provides that a person must also not:

- Construct any buildings on the declared area; or
- Seal any part of the declared area (including with bitumen or concrete); or

• Undertake any action that will, or is likely to, directly alter the topography or landform of the declared area.

The note to subsection 6(2) refers the reader to subsection 22(1) of the Act, which provides that a person commits an offence if the person engages in conduct that contravenes a provision of a declaration made under Part II of the Act in relation to a significant Aboriginal area and sets out the penalty for such contravention.

New subsection 6(3) sets out exceptions to subsection 6(2) by clarifying the activities that are permitted in the declared area. These are:

- The enjoyment of a lawful right of access to or use of land within the declared area
- The use of the declared area as a campsite
- The use of the declared area otherwise as a public open space; and
- Any activities necessary to maintain the public safety of the declared area, consistent with its use as a public open space,

provided the use, access or activities do not involve any of the activities in subsection 6(2). The intention of this subsection is to clarify that ongoing usage of the area as public open space is still permitted.

Item 3 – Section 7

This section specifies the period for which the instrument will remain in effect, in accordance with subsection 12(2) of the Act. The instrument will remain in effect for 10 years from the date it commences. The instrument will commence on 5 May 2021 (see section 2 above).

ATTACHMENT B

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights* (*Parliamentary Scrutiny*) Act 2011.

Overview of the Legislative Instrument

Section 10 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (the Act) allows the Australian Government Minister for the Environment to make declarations in relation to areas where the Minister receives a valid application by or on behalf of an Aboriginal or a group of Aboriginals and is satisfied that the area is a significant Aboriginal area and that it is under threat of injury or desecration.

Aboriginal and Torres Strait Islander Heritage Protection (Wahluu Mount Panorama Site) Declaration 2021 (the Declaration) is a declaration made by the Minister under section 10 of the Act. The purpose of the Declaration is to preserve and protect the significant Aboriginal area at the Wahluu Mount Panorama Site from the threat of injury or desecration attributed to a proposed go-kart development by the Bathurst Regional Council.

The Declaration contains a list of prohibited conduct, including any action that will or is likely to threaten the topography of the declared area.

Human rights implications

This Declaration engages the following rights:

- The right to self-determination
- The right to enjoy and benefit from culture
- The right to equality and non-discrimination; and
- The right to freedom of thought, conscience and religion or belief.

The right to self-determination

The rights of peoples to freely determine their political status and freely pursue their economic, social and cultural development are contained in article 1 of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The right is a collective right applying to groups of peoples, in contrast to rights to culture which protect the rights of individuals within a group. This Declaration promotes the right to self-determination for people of Aboriginal and Torres Strait Islander descent, and in particular for the Wiradyuri people, as it preserves the social and cultural development of the Wiradyuri people and enables them to continue to observe and take part in their cultural practices on their own terms.

The declared area is of particular significance to the Wiradyuri people as Wahluu, Mount Panorama, and in particular its topography, is representative of the fallen warrior Wahluu, a figure that is of significance to the cultural narratives of the Wiradyuri people. The proposed development of a go-kart track would result in the permanent alteration of the topography at part of the summit of Wahluu, Mount Panorama and will remove or constrain access to part of the summit of Wahluu, Mount Panorama. This would interfere with the right of the Wiradyuri people to freely pursue their social and cultural development.

Relevantly, the Wiradyuri people have been involved in the process which has led to the Declaration. The application for the Declaration was made by the Wiradyuri Traditional Owners Central West Aboriginal Corporation, a group of Aboriginal Elders and traditional owners of Wahluu, Mount Panorama.

The right to enjoy and benefit from culture

The right to enjoy and benefit from culture is contained in Article 27 of the ICCPR and Article 15 of the ICESCR. Article 27 of the ICCPR protects the rights of individuals belonging to ethnic, religious and linguistic minorities within a country to enjoy their own culture, practise their own religion and use their own language. Article 15 of the ICESCR protects the right of all persons to take part in cultural life.

In General Comment No. 23 (CCPR/C/21/Rev.1/Add.5 (1994)), the Human Rights Committee stated that Article 27 is directed towards 'ensuring the survival and continued development of the cultural, religious and social identity of the minorities concerned, thus enriching the fabric of society as a whole'. The Committee also observed that 'culture manifests itself in many forms, including a particular way of life associated with the use of land resources, especially in the case of indigenous peoples... The enjoyment of those rights may require positive legal measures of protection'.

In General Comment No. 21 (E/C.12/GC/21 (2009)) the United Nations Committee on Economic, Social and Cultural Rights stated that the 'strong communal dimension of indigenous peoples' cultural life is indispensable to their existence, well-being and full development, and includes the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. Indigenous peoples' cultural values and rights associated with their ancestral lands and their relationship with nature should be regarded with respect and protected, in order to prevent the degradation of their particular way of life, including their means of subsistence, the loss of their natural resources and, ultimately, their cultural identity'.

The Declaration ensures that the area containing part of the summit of Wahluu, Mount Panorama, being the shoulder of the fallen warrior Wahluu, that is of significance to the Wiradyuri tradition is not destroyed or damaged. This promotes the right to enjoy culture as it ensures the protection of the land and natural attributes within the declared area and preserves it for the Wiradyuri people to use and enjoy in accordance with Wiradyuri tradition.

The right to equality and non-discrimination

Articles 2, 16 and 26 of the ICCPR affirm the rights of all people to be treated equally. Article 2 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) further prohibits discrimination on the basis of race.

The Declaration specifies the declared area as a significant Aboriginal area and prohibits any action that will or is likely to adversely affect the use or significance of the declared area in accordance with Aboriginal tradition. In doing so, the Declaration favours the interests of the Wiradyuri people over those of other persons on the basis of race, with the result that other persons do not benefit from being able to take particular actions in the declared area.

While this Declaration constitutes differential treatment on the basis of race, it can be characterised as a 'special measure' within the meaning of Article 1(4) of the ICERD. Article 1(4) provides that special measures shall not be deemed as racial discrimination, provided that the measure:

- is taken for the sole purpose of securing adequate advancement of a certain racial or ethnic group or individual;
- is necessary to ensure the equal enjoyment or exercise of human rights and fundamental freedoms for the group or individual;
- does not, as a consequence, lead to the maintenance of separate rights for different racial groups; and
- is not continued after the objectives for which it was taken have been achieved.

This instrument meets the requirements of Article 1(4) because it:

- preserves and protects the declared area for the benefit of the Wiradyuri people;
- has the sole purpose of protecting the rights of the Wiradyuri people to continue to enjoy their own culture and undertake traditional activities in the declared area;
- is necessary, as otherwise the rights of the Wiradyuri people in relation to the declared area will not be preserved; and
- continues for a period of 10 years from the day Declaration commences, which is intended to ensure the preservation and protection of the declared area from threats of injury or desecration arising specifically from the proposed go-kart track.

The right to freedom of thought, conscience and religion or belief

Article 18 of the ICCPR protects the right of individuals to think freely, and to entertain ideas and hold positions based on conscientious or religious or other beliefs. Subject to certain limitations, persons also have the right to demonstrate or manifest religious or other beliefs, by way of worship, observance, practice, and teaching.

The Declaration promotes this right as it preserves and protects the declared area that is considered to be a spiritually significant area by the Wiradyuri people. The instrument allows

the local indigenous community to express their spiritual and cultural connection to the area and practice their beliefs.

Conclusion

The Legislative Instrument is compatible with human rights because it promotes the protection of human rights. To the extent that it may limit human rights, those limitations are reasonable, necessary and proportionate.

The Hon. Sussan Ley MP Minister for the Environment

Attachment 8.1.1.2

This document was eFiled on 04 Mar 2021 . Final acceptance has been given.

CATH

Principal Registrar & Chief Executive Officer



Form 4A (version 4) UCPR 6.2

SUMMONS

Equity

Supreme Court of New South Wales

Corporation (ICN 7184), the Plaintiff

TGT/EJW/LMO 602-0057746 Lucinda Ower 02 9296 2459

COURT DETAILS

| Court |
|-------------|
| Division |
| List |
| Registry |
| Case number |

Real Property Sydney 2021 / 62319 Wiradyuri Traditional Owners Central West Aboriginal

Corporation (ICN 7184) (ABN 45 373 996 203) Bathurst Regional Council (ABN 42 173 522 302)

Wiradyuri Traditional Owners Central West Aboriginal

Travis George Toemoe, King & Wood Mallesons

Defendant

Plaintiff

FILING DETAILS

Filed for

| Legal representative |
|--------------------------------|
| Legal representative reference |
| Contact name and telephone |

TITLE OF PROCEEDINGS

HEARING DETAILS

This summons is listed at

TYPE OF CLAIM

Land (Equity claim); Real Property

2

RELIEF CLAIMED

1

Short Service and Expedition

The Plaintiff has leave to file in Court each of the following:

- a. Summons dated 4 March 2021;
- b. Affidavit of Travis George Toemoe sworn 4 March 2021;
- c. Affidavit of Brian Grant (Mallyan) sworn 4 March 2021;
- d. Affidavit Leanna Gay Carr-Smith (Wirribee) sworn 4 March 2021;

(Documents).

- 2 The time for service of the Documents and Exhibit TGT-1 to the Affidavit of Travis George Toemoe (**Exhibit**) is abridged and service is to be effected by 6.00pm on 4 March 2021.
- 3 Service of the Documents and the Exhibit is to be effected on each of the Defendants by emailing a copy of the Documents and the Exhibit to info@crennanlegal.com.au.
- 4 The matter is listed in the Real Property List at a time convenient to the Court on 5 March 2021.

Interim Relief

- 5 The Court orders that the Defendant, including by its employees, agents, representatives or contractors, be restrained from commencing or continuing any works in relation to the construction of the Wahluu-Mount Panorama Go-Kart Track and associated infrastructure on Lot 1 in Deposited Plan 634401, Lot 40 in Deposited Plan 1056379, Lot 1 in Deposited Plan 700629, Lot 9 in Deposited Plan 1047248 and Lot 2 in Deposited Plan 634401 (**Site**) as set out in Bathurst Regional Council DA 2015/196 until further order.
- 6 In the alternative, the matter be expedited and listed for hearing, on an estimate of two days on a date convenient to the Court.

Final Relief

- 7 The Court declares that the Plaintiff is the holder of a profit a prendre by prescription in the Site.
- 8 The Court orders that the Defendant, including by its employees, agents, representatives or contractors, be restrained permanently from undertaking any

3

works on the Site that substantially interfere with the Plaintiff's profit a prendre, including commencing or continuing any works in relation to the construction of the Wahluu-Mount Panorama Go-Kart Track and associated infrastructure on the Site as set out in Bathurst Regional Council DA 2015/196.

9 Costs.

· · · · ·

SIGNATURE OF LEGAL REPRESENTATIVE

This summons does not require a certificate under clause 4 of Schedule 2 to the <u>Legal</u> <u>Profession Uniform Law Application Act 2014</u>.

I have advised the plaintiffs that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity Date of signature Solicitor on the record 4 March 2021

NOTICE TO DEFENDANT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence. The judgment may be for the relief claimed in the summons and for the plaintiff's costs of bringing these proceedings.

Before you can appear before the court you must file at the court an appearance in the approved form.

HOW TO RESPOND

Please read this summons very carefully. If you have any trouble understanding it or require assistance on how to respond to the summons you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the summons from:

- A legal practitioner.
- . LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.
- The court registry for limited procedural information.

Court forms are available on the UCPR website at <u>www.ucprforms.nsw.gov.au</u> or at any NSW court registry.

4

REGISTRY ADDRESS

Street address Postal address Telephone 184 Phillip St, Sydney NSW 2000 184 Phillip St, Sydney NSW 2000 1300 679 272

Attachment 8.1.1.2

5

[on separate page]

| FURTHER DETAILS ABOUT P | LAINTIFF | | | | | | |
|---|---------------------------------------|-----------------|--|--|--|--|--|
| Plaintiff | | | | | | | |
| Name | Wiradyuri Traditi Corporation (ICN | | Central West Aboriginal 45 373 996 203) | | | | |
| Address | Building 1414 | F | Room 161 | | | | |
| [The filing party must give the party's address.] | | Panorama | Avenue | | | | |
| | Bathurst | NSW | 2795 | | | | |
| Legal representative for Plain | tiff | | | | | | |
| Name | Travis George T | oemoe | | | | | |
| Practising certificate number | 34532 | | | | | | |
| Firm | King & Wood Mallesons | | | | | | |
| Contact solicitor | Lucinda Ower | | | | | | |
| Address | Level 61 | | Governor Phillip Tower | | | | |
| | 1 | Farrer | Place | | | | |
| | Sydney | NSW | 2000 | | | | |
| DX address | DX 113 Sydney | | | | | | |
| Telephone | +61 2 9296 2459 |) | | | | | |
| Fax | +61 2 9296 3999 | +61 2 9296 3999 | | | | | |
| Email | lucinda.ower@a | u.kwm.com | | | | | |
| Electronic service address | lucinda.ower@a | u.kwm.com | | | | | |

DETAILS ABOUT DEFENDANT

DefendantNameBathurst Regional Council (ABN 42 173 522 302)Address158RussellBathurstNSW2795



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

5 May 2021

The Hon Sussan Ley MP Minister for the Environment House of Representatives Parliament House Post Office Box 6022 CANBERRA ACT 2600

By email: <u>sussan.ley.mp@aph.gov.au</u>

Dear Minister Ley

<u>Section 10 Declaration</u> <u>Mount Panorama/Wahluu: Go Kart Track</u> <u>Compensation</u>

Council has received your advice concerning the making of a Section 10 Declaration on 30 April 2021 for an area of land in the Mount Panorama/Wahluu precinct, refer <u>attached</u> advice under the ATSIHP Act.

Council notes that at all times Council has adhered to relevant State and Federal legislation in regard to the Go Kart Track proposal for Mount Panorama/Wahluu. The process undertaken has seen Council and the local Go Kart Club incur significant expenses in undertaking a clear and transparent process for this important piece of community infrastructure. These costs include works already commenced at the site, of which your Department was aware, and no orders were made to cease such works. The Development Consent that was granted is a valuable right in land, given that it is no longer available, what process is there to provide fair and just compensation.

In summary, given the decision made by you to stop the proposed construction of the Go Kart Track, Council seeks advice as to whether the Federal Government has a compensation scheme in place to reimburse Council and the Go Kart Club for costs incurred on a project that had validly and legally been entered into.

Your urgent response would be appreciated.

Yours faithfully

D J'Sheffley GENERAL MANAGER

Reference: DS:AF: 20.00311, 2015/196, 04.00153 & 09.00031 Enquiries: Mr David Sherley 02 6333 6201 Copy:

Mr Mark Hall Assistant Director, ATSIHP Act Team Department of Agriculture, Water and the Environment By email:- <u>Mark.Hall@awe.gov.au</u> and <u>ATSIHPA@awe.gov.au</u>

Hon Andrew Gee MP Federal Member for Calare By Email: <u>andrew.gee.mp@aph.gov.au</u>

Reference: DS:AF: 20.00311, 2015/196, 04.00153 & 09.00031 Enquiries: Mr David Sherley 02 6333 6201



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

21 May 2021

The Hon Sussan Ley MP Minister for the Environment House of Representatives Parliament House Post Office Box 6022 CANBERRA ACT 2600

By email: sussan.ley.mp@aph.gov.au

Dear Minister Ley

Section 10 Declaration Mount Panorama/Wahluu: Go Kart Track Compensation

Council refers to correspondence sent to you dated 5 May 2021 regarding compensation due to the Section 10 Declaration on Mount Panorama/Wahluu.

To date no response has been received. Council seeks your advice as to the status of this request.

Yours faithfully

D J Sherley **GENERAL MANAGER**

Copy:

Hon Andrew Gee MP Federal Member for Calare By Email: <u>andrew.gee.mp@aph.gov.au</u>

Reference: DS:AF: 20.00311, 2015/196, 04.00153 & 09.00031 Enquiries: Mr David Sherley 02 6333 6201

BATHURST REGION ... FULL OF LIFE

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments



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

28 May 2021

The Hon Sussan Ley MP Minister for the Environment House of Representatives Parliament House Post Office Box 6022 CANBERRA ACT 2600

By email: sussan.ley.mp@aph.gov.au

Dear Minister Ley

<u>Section 10 Declaration</u> <u>Mount Panorama/Wahluu: Go Kart Track</u>

Council refers to the recent section 10 declaration made by yourself on Mount Panorama/Wahluu. The letter to Council advising of the declaration included;

To make a declaration under section 10 of the ATSIHP Act, I must be satisfied the specified area is a 'significant Aboriginal area' for the purposes of section 10(1)(b)(i) of the ATSIHP Act, that is 'under threat of injury or desecration' for the purposes of section 10(1)(b)(ii) of the ATSIHP Act. I have decided to make a declaration under section 10 of the ATSIHP Act over part of the specified area as indicated in the enclosed declaration.

At a high-level, in reaching my decision, I gave consideration to the following points:

- I am satisfied that the specified area is a 'significant Aboriginal area' to the extent that it contributes to the form of the fallen warrior Wahluu, which is generally accepted as an important creation story for the Wiradyuri people.
- Further, I am satisfied that part of the specified area that is a significant Aboriginal area is under 'threat of injury or desecration' from the proposed construction of a go-kart track. In the declaration I made under section 10, I refer to this area as the 'declared area'.
- In relation to the declared area, I do not consider that there are any pecuniary or proprietary interests, or other relevant matters, that outweigh the benefits of protecting that area by a declaration under section 10 of the ATSIHP Act.

The declaration and its ramifications continue to be of major concern to this Council. To facilitate a better understanding of current and possible future impacts, could you please advise of the area at Mount Panorama/Wahluu that you and your Department identify as the "complete" area of the Mount, that contributes to the form of the fallen warrior Wahluu.

Reference: DS:AF: 20.00311, 2015/196, 04.00153 & 09.00031 Enquiries: Mr David Sherley 02 6333 6201 Your urgent response would be appreciated.

Yours faithfully

D J Sherley GENERAL MANAGER

Copy:

Hon Andrew Gee MP Federal Member for Calare By Email: <u>andrew.gee.mp@aph.gov.au</u>

Reference: DS:AF: 20.00311, 2015/196, 04.00153 & 09.00031 Enquiries: Mr David Sherley 02 6333 6201



THE HON SUSSAN LEY MP MINISTER FOR THE ENVIRONMENT MEMBER FOR FARRER

MS21-000561

Mr David Sherley General Manager Bathurst Regional Council Private Mail Bag 17 BATHURST NSW 2795 david.sherley@bathurst.nsw.gov.au

Dear Mr. Sherley Jan

I am writing in relation to an application of 8 February 2019 (the application), under section 10 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) (ATSIHP Act). The application sought protection of a specified area on Wahluu / Mount Panorama, near Bathurst, New South Wales.

To make a declaration under section 10 of the ATSIHP Act, I must be satisfied the specified area is a 'significant Aboriginal area' for the purposes of section 10(1)(b)(i) of the ATSIHP Act, that is 'under threat of injury or desecration' for the purposes of section 10(1)(b)(ii) of the ATSIHP Act. I have decided to make a declaration under section 10 of the ATSIHP Act over part of the specified area as indicated in the enclosed declaration.

At a high-level, in reaching my decision, I gave consideration to the following points:

- I am satisfied that the specified area is a 'significant Aboriginal area' to the extent that it contributes to the form of the fallen warrior Wahluu, which is generally accepted as an important creation story for the Wiradyuri people.
- Further, I am satisfied that part of the specified area that is a significant Aboriginal area is under 'threat of injury or desecration' from the proposed construction of a go-kart track. In the declaration I made under section 10, I refer to this area as the 'declared area'.
- In relation to the declared area, I do not consider that there are any pecuniary or proprietary interests, or other relevant matters, that outweigh the benefits of protecting that area by a declaration under section 10 of the ATSIHP Act.

Note, an explanatory statement accompanies the declaration. If you have questions relating to the section 10 declaration, please contact my department on 02 6275 9450 or atsihpa@awe.gov.au.

I have written separately to other affected parties to advise them of my decision.

Yours sincerely SUSSAN LEY

Parliament House Canberra ACT 2600 Telephone (02) 6277 7920

DA's Approved

Attachment 8.2.2.1

BATHURST REGIONAL COUNCIL

LIVE

1/05/2021 - 31/05/2021

| _ | | | | | | LIVE |
|------------|-------------------|------------------|-----------|--|------------------------------------|-------------------|
| Printed: 3 | 3/06/2021 Year | 1:33:43PM No. | Value | Description | Address | Date Determine |
| 10 | 2020 | 92 | | Highway service centre | 5350 Great Western Highway RAGLAN | 6/05/2021 |
| 10 | 2021 | 38 | | 1. Demolition of existing building 2. New animal shelter | Sofala Road SOFALA | 3/05/2021 |
| 10 | 2021 | 41 | \$70.000 | Demolition of existing building and sheds | 159 Eglinton Road ABERCROMBIE | 19/05/2021 |
| 10 | 2021 | 54 | | Construct second rural dwelling | 223 White Rock Road WHITE ROCK | 10/05/2021 |
| 10 | 2021 | 73 | | two lot industrial subdivision | 9 Adrienne Street RAGLAN | 5/05/2021 |
| | | | | | | 11/05/2021 |
| 10 | 2021 | 66 | | Use of existing conversion of garage to habitable room | 6 Whiteman Place WINDRADYNE | |
| 10 | 2021 | 91 | \$41,864 | | 10 Matthews Street WINDRADYNE | 21/05/2021 |
| 10 | 2021 | 94 | \$201,000 | Single storey dwelling with onsite waste water system | 323 Yetholme Drive YETHOLME | 3/05/2021 |
| 18 | 2021 | 79 | \$400,000 | Construction of a single storey dwelling with detached carport | 21 Hurley Close LLANARTH | 6/05/2021 |
| 10 | 2021 | 111 | \$69,700 | Internal Alterations, painting of external facade and signage | 132 William Street BATHURST | 31/05/2021 |
| 10 | 2021 | 113 | \$444,150 | Two storey dwelling with attached garage | 9 Sunbright Road KELSO | 18/05/2021 |
| 18 | 2021 | 85 | \$473,932 | Construction of a single storey dwelling with attached garage | 69 George Thomas Close THE LAGOON | 6/05/2021 |
| 10 | 2021 | 116 | \$523,887 | Dual occupancy (second dwelling), two lot subdivision & new garage | 12 Keppel Street BATHURST | 10/05/2021 |
| 10 | 2021 | 118 | \$70,000 | Alterations and additions to existing dwelling | 384 Limekilns Road KELSO | 10/05/2021 |
| 10 | 2021 | 124 | | Additions / alterations to existing single storey dwelling | 305 Stewart Street BATHURST | 21/05/2021 |
| 10 | 2021 | 128 | \$150,000 | Consolidation of 3 lots, internal fit-out and change of use to cafe | 37 Keppel Street BATHURST | 10/05/2021 |
| 10 | 2021 | 129 | \$0 | Two lot rural subdivision | 534 Curragh Road ABERCROMBIE RIVER | 31/05/2021 |
| 10 | 2021 | 130 | | Construction of a garage | 10 Blackman Court KELSO | 12/05/2021 |
| 10 | 2021 | 131 | \$47,000 | | 5351 Trunkey Road TRUNKEY CREEK | 18/05/2021 |
| 10 | 2021 | 134 | | External painting, roof replacement & gutter | 52 Bentinck Street BATHURST | 4/05/2021 |
| | | | | replacement | | |
| 10 | 2021 | 136 | | Alterations and additions to existing Hotel | 234 Gilmour Street KELSO | 21/05/2021 |
| 10 | 2021 | 139 | | External signage to existing shop front (Shop 35 Armada) | 40 William Street BATHURST | 5/05/2021 |
| 10 | 2017 | 36 | | Modification - additions to industrial building | 20 Vale Road SOUTH BATHURST | 10/05/2021 |
| 10 | 2021 | 145 | \$0 | Use of existing shed | 13 Burlington Rise KELSO | 13/05/2021 |
| 10 | 2021 | 147 | \$18,000 | Additions and alterations to existing dwelling | 109 Mitre Street WEST BATHURST | 19/05/2021 |
| 10 | 2021 | 153 | \$5,500 | construction of retaining wall 1.6m high at the rear of property. | 19 Connolly Drive KELSO | 5/05/2021 |
| 10 | 2021 | 154 | \$0 | Two lot subdivision (boundary adjustment) | 21 Ingersole Drive KELSO | 19/05/2021 |
| 10 | 2021 | 160 | \$0 | Two (2) lot residential subdivision | 55 Sunbright Road KELSO | 27/05/2021 |
| 18 | 2021 | 107 | \$408,000 | Single storey dwelling with attached garage | 12 Darvall Drive KELSO | 6/05/2021 |
| 10 | 2021 | 162 | | Alterations and additions to an existing dwelling | 7 Honeyman Place RAGLAN | 10/05/2021 |
| 10 | 2021 | 166 | \$0 | Earthworks and retaining wall | 15 Connolly Drive KELSO | 12/05/2021 |
| 10 | 2021 | 167 | | Construction of two storey dwelling with attached garage, earthworks a | 11 Sunbright Road KELSO | 11/05/2021 |
| 10 | 2021 | 168 | \$4 000 | Earthworks and construction of retaining wall | 12 Darvall Drive KELSO | 5/05/2021 |
| 10 | 2021 | 171 | | Addition to existing clubhouse | Boundary Road MITCHELL | 13/05/2021 |
| 10 | 2020 | 434 | | Mod - Change to roofline to existing roof at front of dwelling | 19 Lord Street BATHURST | 21/05/2021 |
| 10 | 2021 | 55 | ¢9 500 | Mod - Retaining walls | 1 Dillon Drive KELSO | 11/05/2021 |
| | | | | 0 | | |
| 18 | 2021 | 114 | | Single storey dwelling with attached garage | 100 Graham Drive KELSO | 14/05/2021 |
| 10 | 2021 | 174 | | Two Storey Dwelling with attached garage | 53 Parer Road ABERCROMBIE | 14/05/2021 |
| 10 | 2021 | 178 | \$540,000 | Dual occupancy and two lot residential subdivision | 2 Kirkland Road KELSO | 27/05/2021 |
| 10 | 2021 | 179 | \$15,000 | Change of use to medical centre, internal alterations and signage | 91 Rankin Street BATHURST | 18/05/2021 |
| 18 | 2021 | 119 | \$19,500 | Installation of an inground swimming pool and safety barrier | 71 Swanbrooke Street WINDRADYNE | 5/05/2021 |
| 10 | 2021 | 184 | \$8,000 | Change of use to Hairdressing Salon and commercial signage | 37 Keppel Street BATHURST | 19/05/2021 |
| 10 | 2021 | 187 | \$18,000 | | 48 James Barnet Drive KELSO | 20/05/2021 |

Authority

DA's Approved

Attachment 8.2.2.1

BATHURST S REGIONAL COUNCIL

LIVE

1/05/2021 - 31/05/2021

| Printed: | 3/06/2021 | 1:33:56PM | | | Dete |
|----------|-----------|-----------|--|---|-------------------|
| Туре | Year | No. | Value Description | Address | Date Determine |
| 18 | 2021 | 120 | \$357,983 Construction of a single storey d attached garage | Iwelling with 139 Hughes Street KELSO | 12/05/2021 |
| 18 | 2021 | 121 | \$334,971 Construction of a single storey d attached garage | lwelling with 20 Darvall Drive KELSO | 6/05/2021 |
| 18 | 2021 | 124 | \$405,000 Single storey dwelling with attac | hed garage 98 Graham Drive KELSO | 11/05/2021 |
| 10 | 2021 | 193 | \$0 Use of existing conversion of pa room. | tio to habitable 10 Bluegum Close KELSO | 28/05/2021 |
| 18 | 2021 | 126 | \$350,000 Construction of a single storey d attached garage | Iwelling with 149 Hughes Street KELSO | 4/05/2021 |
| 10 | 2021 | 191 | \$30,000 Conversion of shed to dwelling | 1595 Mitchell Highway THE ROCKS | 27/05/2021 |
| 18 | 2021 | 127 | \$434,070 Single storey dwelling with attac | hed garage 11 Darvall Drive KELSO | 5/05/2021 |
| 18 | 2021 | 128 | \$335,600 Construction of a single storey d attached garage | Iwelling with 3 Cain Drive KELSO | 10/05/2021 |
| 10 | 2021 | 196 | \$8,000 Internal additions and alterations commercial premises | s to a 25 Denison Street SOFALA | 27/05/2021 |
| 10 | 2021 | 199 | \$8,000 Conversion of garage to habitab | le living area 5 Bullock Place KELSO | 20/05/2021 |
| 10 | 2021 | 200 | \$22,334 Patio Cover | 45 Ridgeview Close WHITE ROCK | 18/05/2021 |
| 18 | 2021 | 133 | \$420,000 Single storey dwelling with attac | hed garage 13 Darvall Drive KELSO | 13/05/2021 |
| 18 | 2021 | 134 | \$28,900 Inground swimming pool and sa | fety fencing 34 Wigmore Drive ROBIN HILL | 17/05/2021 |
| 18 | 2021 | 135 | \$10,000 Inground swimming pool with sa | fety barrier 4 Dovey Drive KELSO | 17/05/2021 |
| 18 | 2021 | 136 | \$336,000 Single storey dwelling with attac | hed garage 16 Darvall Drive KELSO | 26/05/2021 |
| 10 | 2021 | 212 | \$32,615 Inground swimming pool and sa | fety barrier 33 Rocket Street BATHURST | 25/05/2021 |
| 10 | 2021 | 213 | \$320,000 Single storey dwelling with attac | hed garage 5A Inn Place GORMANS HILL | 24/05/2021 |
| 18 | 2021 | 138 | \$350,000 Construction of a single storey d attached garage | Iwelling with 37 Maxwell Drive EGLINTON | 17/05/2021 |
| 18 | 2021 | 142 | \$300,000 Installation of a telecommunicati | ions facility 2232 Limekilns Road LIMEKILNS | 26/05/2021 |
| 10 | 2021 | 217 | \$350,000 Two storey additions to existing | dwelling 240 Limekilns Road KELSO | 18/05/2021 |
| 10 | 2021 | 223 | \$9,620 carport | 169 Blue Ridge Drive WHITE ROCK | 28/05/2021 |
| 18 | 2021 | 145 | \$20,000 Construction of additions to dwe | Iling 270 Eleven Mile Drive EGLINTON | 21/05/2021 |
| 10 | 2021 | 23 | \$320,000 MOD - Second storey addition to dwelling | 208 Boundary Road ROBIN HILL | 28/05/2021 |
| 18 | 2021 | 147 | \$260,000 Single storey dwelling with attac | hed garage 5 Bolton Street KELSO | 21/05/2021 |
| 18 | 2021 | 148 | \$301,000 Single storey dwelling with attac | hed garage 13 Newlands Crescent KELSO | 28/05/2021 |
| 18 | 2021 | 149 | \$330,000 Single storey dwelling with attac | hed garage 145 Hughes Street KELSO | 29/05/2021 |

DA's Refused

Attachment 8.2.2.2

BATHURST

1/05/2021 - 31/05/2021

| Printed: 1 | 1/06/2021 2 | 2:20:16PM | | | Date |
|------------|-------------|-----------|---|------------------------------|-----------|
| Туре | Year | No. | Value Description | Address | Determine |
| 10 | 2020 | 470 | \$200,000 Single storey dwelling with attached garage | Curragh Road COPPERHANNIA | 6/05/2021 |
| 10 | 2020 | 137 | \$190,000 MOD - Single-storey Dwelling House | 3725 Sofala Road WATTLE FLAT | 5/05/2021 |

DA's Pending

Attachment 8.2.2.3

BATHURST REGIONAL COUNCIL LIVE

| Printed: ² | 1/06/2021 | 2:18:09PM | | | |
|-----------------------|--------------|------------|--------------------------------------|---|--|
| | | | Value | Description | Address |
| Type 10 | Year 2017 | No. 214 | | Internal office addition to existing hangar | Address PJ Moodie Drive RAGLAN |
| 10 | 2017 | 142 | | MOD -Internal and external alterations to existing | 205 Howick Street BATHURST |
| | | | | commercial building | |
| 10 | 2019 | 146 | \$0 | 10 Lot industrial subdivision | Havannah Street BATHURST |
| 10 | 2020 | 31 | \$420,000 | Bakery and cafe and two lot subdivision | 369 Stewart Street MITCHELL |
| 10 | 2020 | 32 | \$1,700,000 | Motel and two lot commercial subdivision | 369 Stewart Street MITCHELL |
| 10 | 2020 | 110 | | 38 lot industrial subdivision with new roads | 4040 O'Connell Road KELSO |
| 10 | 2020 | 111 | | Multiple dwellings - three and four lot residential subdivision | 121 William Street BATHURST |
| 10 | 2020 | 126 | | Alterations to dwelling - replace window | 31 Havannah Street BATHURST |
| 10 | 2020 | 133 | | 8 lot consolidation and two lot subdivision | 1 High Street HILL END |
| 10 10 | 2020 2020 | 146 180 | | Reclamation project - sunny corner mine 188 lot residential subdivision and new roads | 83 Dark Corner Road SUNNY CORNER Limekilns Road KELSO |
| 10 | 2020 | 199 | | Use of existing alterations to unit development | 4 Keppel Street BATHURST |
| 10 | 2020 | 200 | | Use of existing alterations - internal timber staircase | 4 Keppel Street BATHURST |
| 10 | 2020 | 201 | | use of existing atlerations to unit development | 4 Keppel Street BATHURST |
| 10 | 2020 | 202 | | Use of existing masonary fence | 2A Keppel Street BATHURST |
| 10 | 2020 | 289 | \$113,200 | Alterations and additions to industrial building | 17 Upfold Street GORMANS HILL |
| 10 | 2020 | 313 | \$550,000 | Single-storey Caretaker's Dwelling and Shed with Attached | 428 Conrod Straight MOUNT PANORAMA |
| | | | | Carport | |
| 10 | 2020 | 314 | | Change of use from garage to habitable rooms | 1336 Limekilns Road CLEAR CREEK |
| 10 | 2020 | 318 | | Six multi-dwellings houses | 1 Rankin Street BATHURST |
| 10 | 2020 | 325 | . , | Conversion of shed to habitable rooms | 32 Beath Street WATTLE FLAT |
| 10 | 2020 | 354 | . , | Fences - front and side | 327 Rankin Street BATHURST |
| 10 | 2020 | 360 | | Use of existing retaining wall | 37 Westbourne Drive LLANARTH |
| 18 10 | 2020 2019 | 189 349 | | Single storey dwelling with attached garage MOD - Alterations and additions to existing dwelling | 9 Fairleigh Place KELSO 143 Brilliant Street BATHURST |
| 18 | 2013 | 212 | | Single storey dwelling with attached garage | 12 Fairleigh Place KELSO |
| 10 | 2020 | 436 | | 148 Lot Residential subdivision and bulk earthworks | Marsden Lane KELSO |
| 10 | 2020 | 464 | | Retail premises | 226 Sydney Road KELSO |
| 10 | 2020 | 471 | | Single storey dwelling with attached garage | 3421 Freemantle Road GOWAN |
| 10 | 2020 | 50 | \$0 | MOD - Two lot residential subdivision | 34 Busby Street SOUTH BATHURST |
| 10 | 2020 | 476 | \$500 | Earthworks | 22 Burlington Rise KELSO |
| 10 | 2020 | 489 | | Additional 5 x 2 storey dwelling units | 183 Rocket Street BATHURST |
| 10 | 2020 | 502 | | Construction of a retaining wall | 5 Irving Place ROBIN HILL |
| 10 | 2020 | 508 | | 139 lot subdivision including 4 open spaces | Marsden Lane KELSO |
| 10 | 2020 | 514 | | Two lot residential subdivision | 8 Samuel Way THE LAGOON |
| 10 10 | 2021 2021 | 11 18 | | Construction of farm shed | 46 Lagoon Road ORTON PARK |
| 10 | 2021 | 32 | | 181 lot Residential Subdivision Construction of shed and carport | 240A Limekilns Road KELSO 30 Bowen Street SOFALA |
| 10 | 2021 | 36 | . , | Two storey dwelling with attached garage & pool | 235 Bentinck Street BATHURST |
| 10 | 2021 | 43 | | Earthworks for Residential Subdivision | 67 Emerald Drive KELSO |
| 10 | 2021 | 55 | . , | Retaining walls | 1 Dillon Drive KELSO |
| 10 | 2021 | 72 | | Single storey dwelling | 7 Bolton Street KELSO |
| 10 | 2021 | 75 | \$10,000 | Intensification of mining facility | Trunkey Road CALOOLA |
| 10 | 2021 | 90 | \$170,000 | Proposed detached habitable rooms | 503 White Rock Road WHITE ROCK |
| 10 | 2021 | 102 | | Alterations and additions to an existing dwelling | 9 Rocket Street BATHURST |
| 10 | 2021 | 104 | | farm shed | 32 Arcadia Place MEADOW FLAT |
| 10 | 2021 | 109 | | Storage shed | 146 Ceramic Avenue RAGLAN |
| 10 | 2021 | 112 | | Additions and alterations to existing dwelling Two lot residential subdivision | 379 Billywillinga Road BILLYWILLINGA |
| 10 10 | 2021 2020 | 114 403 | | MOD - construct a gable carport to the existing dwelling | 293 Stewart Street BATHURST 28 Barr Street WINDRADYNE |
| 10 | 2020 | 403 133 | | Tourist accommodation units | 715 Eusdale Road MEADOW FLAT |
| 10 | 2021 | 135 | | Dual occupancy and two lot residential subdivision | 108 Graham Drive KELSO |
| 10 | 2021 | 138 | | Demolition, construction of 3 x 2 Storey town houses and | 99 Rocket Street BATHURST |
| | | | ,, | subdivision | |
| 10 | 2021 | 141 | \$149,000 | Electricity Generating Works (Installation of Ground Mounted | 307 Quarry Road COW FLAT |
| 10 | 0004 | 4.40 | <i>ФГГО 000</i> | Solar Ene | |
| 10 | 2021 | 142 | \$550,000 | Demolish existing dwelling and construction of a new | 449 Conrod Straight MOUNT PANORAMA |
| 10 | 2024 | 110 | ¢1 000 | dwelling Advertising signage | 107 William Street BATHURST |
| 10 10 | 2021 2021 | 143 149 | | Advertising signage Demolition, additions and alterations to existing dwelling | 107 William Street BATHURST 100 College Road SOUTH BATHURST |
| 10 | 2021 | 96 | | Construction of a single storey dwelling with attached | 76 George Thomas Close THE LAGOON |
| 10 | 2021 | 90 | ψ070,000 | garage | . S George montas Glose THE ENGOUN |

Authority

Page 1 of 3

DA's Pending

Attachment 8.2.2.3

BATHURST S REGIONAL COUNCIL LIVE

| Printed: 1 | 1/06/2021 | 2:18:10PM | | | LIV |
|------------|--------------|------------|---------------|--|---|
| | | | | | |
| Type 10 | Year 2021 | No. 152 | | Description | Address 19 Sydney Road KELSO |
| 10 | 2021 | 152 | \$33,000 | Replacement signage at an existing service station to reflect the | 19 Sydney Road RELSO |
| 10 | 2014 | 321 | \$0 | MOD - Five lot rural subdivision | 281 Clear Creek Road CLEAR CREEK |
| 10 | 2021 | 155 | | Construction of a carport | 89 Howick Street BATHURST |
| 10 | 2021 | 157 | | Construction of studio / storage shed | Tambaroora Street HILL END |
| 10 | 2021 | 161 | | Two lot rural subdivision | 36 Phantom Street ROCKLEY |
| 10 | 2021 | 163 | | Alterations & additions to dwelling & construction of workers | 1557 Rockley Road FOSTERS VALLEY |
| | 2021 | | <i>Q</i> ,000 | dwelling | |
| 10 | 2021 | 164 | \$16,201 | Shed | 3 Sapphire Crescent KELSO |
| 10 | 2021 | 165 | \$2,264,170 | Light Industrial development comprising 12 industrial units | 41 Hampden Park Road KELSO |
| 10 | 2021 | 169 | \$600,000 | Single storey dwelling with attached garage and separate shed | 57 George Thomas Close THE LAGOON |
| 10 | 2021 | 170 | \$621,547 | Dual occupancy (2nd two storey dwelling) and 2 lot residential sub | 43 Logan Street EGLINTON |
| 10 | 2019 | 312 | \$900,000 | Mod - Proposed Residential Unit Development (3 x Residential Units), | 16 Russell Street GORMANS HILL |
| 10 | 2021 | 177 | \$87.762 | Construction of a shed | 297 Howards Drive MOUNT RANKIN |
| 10 | 2021 | 181 | \$0 | Two lot residential subdivision | 392 Howick Street BATHURST |
| 10 | 2021 | 182 | \$13,540 | Construction of a gable carport | 8 Elphinstone Place WINDRADYNE |
| 10 | 2021 | 183 | | Tourist and Visitor Accommodation | 350 Molybdonite Road LOCKSLEY |
| | | | | - 6 portable cabins | |
| 10 | 2021 | 185 | \$474,253 | single storey dwelling with attached garage | 1396 Ophir Road ROCK FOREST |
| 10 | 2021 | 186 | | Construction of a retaining wall | 17 Darvall Drive KELSO |
| 10 | 2021 | 188 | | Garage | 14 Loren Street EGLINTON |
| 10 | 2021 | 190 | \$50,000 | Proposed change of use and additions and alterations | 7 Keppel Street BATHURST |
| 10 | 2021 | 192 | | Dual occupancy (second dwelling) with attached garage and two lot subd | 73 Nile Street RAGLAN |
| 10 | 2021 | 195 | \$450,000 | replacement dwelling and detached shed | 316 Eusdale Road YETHOLME |
| 10 | 2021 | 197 | | Construction of a second dwelling | 17 Suttor Street WEST BATHURST |
| 10 | 2021 | 198 | | Demolition of Existing Garden Shed and Construction of | 144 Lambert Street BATHURST |
| | | | | New Shed with A | |
| 10 | 2018 | 340 | \$2,054,000 | Modification to Construction of previously approved New KFC | 14 Ingersole Drive KELSO |
| 10 | 2021 | 201 | \$530,000 | Dual occupancy, retaining walls and two lot residential subdivision | 70 Mendel Drive KELSO |
| 10 | 2021 | 203 | \$30,000 | Conversion - garage to habitable area, additions to existing dwelling | Mitchell Highway VITTORIA |
| 10 | 2021 | 204 | \$48,500 | Demolish part building, addition / alterations to existing dwelling | 220 Rankin Street BATHURST |
| 10 | 2019 | 133 | \$8,500,000 | MOD - 38 residential units and demolition of existing structure | 23 Durham Street BATHURST |
| 10 | 2021 | 205 | \$8 000 | Retaining wall inside the building under the house | 21 Dunrossil Crescent WEST BATHURST |
| 10 | 2021 | 207 | | Single storey dwelling with attached garage | 68 Mendel Drive KELSO |
| 10 | 2021 | 208 | | Construction of an attached three bay carport | 13 Bathurst Street PERTHVILLE |
| 10 | 2021 | 209 | | Alterations and additions to a dwelling attached to take | 77 Sydney Road KELSO |
| 10 | 0004 | | *** *** *** | away food | |
| 10 | 2021 | 211 | | Two-storey Industrial units | 105 Sydney Road KELSO |
| 10 | 2021 | 214 | | Construction of a shed | 38 Ironstone Avenue WHITE ROCK |
| 10 | 2021 | 215 | | Extension of existing shed MOD Five lot subdivision | 33 Colonial Circuit KELSO |
| 10 | 2020 2021 | 155 | | Five Lot Subdivision and boundary adjustment | 117 Samuel Way THE LAGOON |
| 10 10 | 2021 | 218 219 | | Two lot residential subdivision | 14 Cooper Crescent GORMANS HILL 290A Piper Street BATHURST |
| 10 | 2021 | 219 | | | 116 Stewart Street BATHURST |
| | | | | Demolish and replace existing front and side fence and retaining wall | |
| 10 | 2021 | 221 | | Construction of 11 industrial units and 11 lot strata subdivision | 12 Corporation Avenue ROBIN HILL |
| 10 | 2021 | 222 | | Construction of a shed | 2160 Limekilns Road LIMEKILNS |
| 10 | 2021 | 224 | | Rural secondary dwelling | 933 Freemantle Road BILLYWILLINGA |
| 10 | 2021 | 225 | | Signage - 5 blade signs and 8 wall signs | 10 Corporation Avenue ROBIN HILL |
| 10 | 2021 | 226 | | Construction of a shed | 23 Dovey Drive KELSO |
| 10 10 | 2021 2021 | 227 228 | | Single storeyl dwelling and secondary dwelling Installation of a demountable building for training purposes | 141 Hughes Street KELSO 13 PJ Moodie Drive RAGLAN |
| 10 | 2021 | 220 | φου,υυυ | metanetton or a demountable building for training purposes | |

Authority

DA's Pending

Attachment 8.2.2.3

BATHURST REGIONAL COUNCIL LIVE

| Printed: | 1/06/2021 | 2:18:10PM | | | |
|----------|-----------|-----------|-----------|--|-------------------------------------|
| Туре | Year | No. | Value | Description | Address |
| 10 | 2021 | 229 | \$289,090 | Dual Occupancy, detached garage and 2 lot residential subdivision | 33 Hamilton Street EGLINTON |
| 10 | 2020 | 221 | \$130,000 | Modification - Alterations to the roof of the dwelling | 3832 Sofala Road WATTLE FLAT |
| 10 | 2020 | 21 | | Second storey extension to exisiting residential dwelling | 208 Boundary Road ROBIN HILL |
| 10 | 2021 | 230 | | Single storey dwelling and separate shed | Sofala Road SOFALA |
| 10 | | 231 | | Second Rural Dwelling - single storey with attached garage | 4580 Great Western Highway GLANMIRE |
| 10 | 2021 | 232 | | Alterations and additions to an existing dwelling | 65 Rose Street SOUTH BATHURST |
| 10 | 2021 | 233 | | Demolition of existing roof, external wall and construct deck | 207 Piper Street BATHURST |
| 10 | 2021 | 234 | | Additions and alterations o an existing garage | 27 Havannah Street BATHURST |
| 10 | 2021 | 235 | | secondary dwelling and detached carport | 94 Rocket Street BATHURST |
| 10 | 2021 | 64 | | MOD - two storey dwelling with shed | 7 Twynam Avenue WINDRADYNE |
| 10 | 2021 | 236 | | alterations and additions to existing shop top residence | 63 William Street BATHURST |
| 10 | 2021 | 237 | | Addition of lift to existing golf club house | 136 Vittoria Street MITCHELL |
| 10 | 2021 | 238 | | two storey dwelling with attached garage | 54 Saltram Circuit EGLINTON |
| 10 | 2021 | 239 | | Additions and alterations to dwelling | 90 Samuel Way THE LAGOON |
| 18 | 2021 | 150 | | Additions and alterations to dwelling | 71 Blue Ridge Drive WHITE ROCK |
| 10 | 2021 | 240 | \$10,980 | Carport | 171 Hartwood Avenue ROBIN HILL |
| 10 | 2021 | 241 | | Installation of a retaining wall | 26 Sunbright Road KELSO |
| 10 | 2021 | 242 | \$10,000 | Retaining wall | 24 Emerald Drive KELSO |
| 10 | 2021 | 243 | \$19,530 | Enclose alfresco area | 8 Keystone Rise KELSO |
| 10 | 2021 | 244 | \$750 | Front fence | 77 Colville Street WINDRADYNE |
| 10 | 2021 | 245 | \$12,000 | garage | 19 Vine Street SOUTH BATHURST |
| 10 | 2021 | 246 | \$29,290 | Alterations and additions to existing dwelling | 2 Griffin Street MITCHELL |
| 10 | 2021 | 247 | \$677,300 | Dual occupancy | 13 Limekilns Road KELSO |
| 10 | 2021 | 248 | \$120,000 | Additions and alterations to existing dwelling | 199 Piper Street BATHURST |
| 10 | 2021 | 249 | \$0 | Two lot industrial subdivision | 16 Kirkcaldy Street SOUTH BATHURST |
| 18 | 2021 | 153 | \$390,000 | Single storey dwelling with attached garage | 62 Mendel Drive KELSO |
| 10 | 2021 | 250 | \$660,000 | Two storey dwelling with attached garage | 6 Dovey Drive KELSO |
| 10 | 2021 | 251 | \$630,000 | Dual occupancy and two lot subdivision | 6 Darling Street EGLINTON |
| 18 | 2021 | 154 | \$0 | Alterations and additions to dwelling | 73 Osborne Avenue WEST BATHURST |
| 10 | 2021 | 252 | \$4,000 | Convert to habitable area | 24 Osborne Avenue WEST BATHURST |
| 10 | 2021 | 253 | \$616,363 | Demolition, construction of two single storey dwellings | 21 Ranken Street EGLINTON |
| 10 | 2021 | 254 | \$658,000 | Dual occupancy and two lot subdivision | 253 Lawrence Drive KELSO |
| 10 | 2021 | 255 | \$71,155 | Addition of Outbuilding to Site | 4031 O'Connell Road KELSO |
| 10 | 2021 | 256 | \$0 | 41 Lot subdivision including 39 residential & 2 residual & public road | 240A Limekilns Road KELSO |
| 18 | 2021 | 155 | \$664,000 | Two storey dwelling with attached garage | 15 Gell Place ABERCROMBIE |
| 10 | 2021 | 257 | \$60,000 | Shed | 47 Wellington Street EGLINTON |
| 10 | 2021 | 258 | \$0 | Minor boundary adjustment | 11B Bayliss Street ABERCROMBIE |
| 18 | 2021 | 156 | \$465,000 | Single storey dwelling with attached garage | 253 Lawrence Drive KELSO |
| 18 | 2021 | 157 | \$340,000 | Single storey dwelling with attached garage | 137 Hughes Street KELSO |
| 10 | 2021 | 259 | \$9,000 | This is a retrospective D/A for a front balcony and a back deck | 25 Moresby Way WEST BATHURST |
| 18 | 2021 | 158 | \$30,000 | Swimming pool and landscaping | 16 Ignatius Place KELSO |
| 10 | 2021 | 260 | | Conservatory at back of house | 11 Hamilton Street EGLINTON |

Attachment 8.2.2.4



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|-------------------------|-------------------|--------|------------|---|------------------------------------|-------------|-------|-------|--------------------------------------|
| | Арр | | | | | Application | Days | Stop | |
| Officer | Тур | Year | Number | Description | Address | Date | Open | Days | Reason |
| Mr D J Dwyer | 10 | 2014 | 321 | MOD - Five lot rural subdivision | 1924 Limekilns Road LIMEKILNS | 7/04/2021 | 55 | 40 | Additional information requested |
| Mr D J Dwyer | 10 | 2017 | 142 | MOD -Internal and external alterations to existing | 205 Howick Street BATHURST | 28/02/2019 | 824 | 804 | Additional information requested |
| Mr G R Press | 10 | 2017 | 214 | Internal office addition to existing hangar | PJ Moodie Drive RAGLAN | 16/06/2017 | 1,446 | 1,400 | Additional information requested |
| Mrs F Coles | 10 | 2019 | 146 | 10 Lot industrial subdivision | Havannah Street BATHURST | 14/05/2019 | 749 | 36 | Under assessment |
| Mr D J Dwyer | 10 | 2019 | 312 | Mod - Proposed Residential Unit Development (3 x | 16 Russell Street GORMANS HILL | 20/04/2021 | 42 | | Under assessment |
| Mr D J Dwyer | 10 | 2020 | 31 | Bakery and cafe and two lot subdivision | 369 Stewart Street MITCHELL | 4/02/2020 | 483 | 479 | Additional information requested |
| Mr D J Dwyer | 10 | 2020 | 32 | Motel and two lot commercial subdivision | 369 Stewart Street MITCHELL | 4/02/2020 | 483 | 479 | Additional information requested |
| Ms T McIntosh | 10 | 2020 | 50 | MOD - Two lot residential subdivision | 34 Busby Street SOUTH BATHURST | 2/12/2020 | 181 | | Under assessment |
| Mrs F Coles | 10 | 2020 | 110 | 38 lot industrial subdivision with new roads | 58 Hampden Park Road KELSO | 2/04/2020 | 425 | 81 | Under assessment |
| Mr D J Dwyer | 10 | 2020 | 111 | Multiple dwellings - three and four lot residential subdivision | 121 William Street BATHURST | 7/04/2020 | 420 | 417 | Additional information requested |
| Ms C L Fulthorpe | 10 | 2020 | 126 | Alterations to dwelling - replace window | 31 Havannah Street BATHURST | 24/04/2020 | 403 | 391 | Additional information requested |
| Mr L J Wilde | 10 | 2020 | 133 | 8 lot consolidation and two lot subdivision | 1 High Street HILL END | 4/05/2020 | 393 | 353 | Additional information requested |
| Mrs F Coles | 10 | 2020 | 146 | Reclamation project - sunny corner mine | 83 Dark Corner Road SUNNY CORNER | 13/05/2020 | 384 | 378 | Owners consent (Crown land) required |
| Mr D J Dwyer | 10 | 2020 | 180 | 188 lot residential subdivision and new roads | Limekilns Road KELSO | 5/06/2020 | 361 | 185 | Waiting on comments from NRAR |
| Mr D A Nelson | 10 | 2020 | 199 | Use of existing alterations to unit development | 4 Keppel Street BATHURST | 24/06/2020 | 342 | 301 | Additional information requested |
| Mr D A Nelson | 10 | 2020 | 200 | Use of existing alterations - internal timber staircase | 4 Keppel Street BATHURST | 24/06/2020 | 342 | 301 | Additional information requested |
| Mr D A Nelson | 10 | 2020 | 201 | use of existing atlerations to unit development | 4 Keppel Street BATHURST | 24/06/2020 | 342 | 301 | Additional information requested |
| Mr D A Nelson | 10 | 2020 | 202 | Use of existing masonary fence | 4 Keppel Street BATHURST | 24/06/2020 | 342 | 301 | Additional information requested |
| Mrs F Coles | 10 | 2020 | 289 | Alterations and additions to industrial building | 17 Upfold Street GORMANS HILL | 20/08/2020 | 285 | | Under assessment |
| Mrs F Coles | 10 | 2020 | 313 | Single-storey Caretaker's Dwelling and Shed with | 428 Conrod Straight MOUNT PANORAMA | 7/09/2020 | 267 | | Under assessment |
| Ms C L Fulthorpe | 10 | 2020 | 314 | Change of use from garage to habitable rooms | 1336 Limekilns Road CLEAR CREEK | 8/09/2020 | 266 | 259 | Waiting for additional information |
| Mr D J Dwyer | 10 | 2020 | 318 | Six multi-dwellings houses | 1 Rankin Street BATHURST | 9/09/2020 | 265 | 220 | Waiting on amended plans |
| Mrs F Coles | 10 | 2020 | 325 | Conversion of shed to habitable rooms | 32 Beath Street WATTLE FLAT | 14/09/2020 | 260 | | Under assessment |
| Mr L J Wilde | 10 | 2020 | 354 | Fences - front and side | 327 Rankin Street BATHURST | 1/10/2020 | 243 | | Under assessment |
| Ms C L Fulthorpe | 10 | 2020 | 360 | Use of existing retaining wall | 37 Westbourne Drive LLANARTH | 2/10/2020 | 242 | 224 | Under assessment |
| Mr A J Ballard | 10 | 2020 | 403 | MOD - construct a gable carport to the existing dwelling | 28 Barr Street WINDRADYNE | 19/03/2021 | 74 | | Under assessment |
| Mr D J Dwyer | 10 | 2020 | 436 | 148 Lot Residential subdivision and bulk earthworks | Laffing Waters Lane LAFFING WATERS | 11/11/2020 | 202 | 105 | Under Assessment |
| Mrs F Coles | 10 | 2020 | 464 | Retail premises | 226 Sydney Road KELSO | 26/11/2020 | 187 | | Under assessment |
| Mrs F Coles | 10 | 2020 | 471 | Single storey dwelling with attached garage | 3421 Freemantle Road GOWAN | 1/12/2020 | 182 | | Under assessment |
| Ms R E Higgins-Dale | y 10 | 2020 | 476 | Earthworks | 22 Burlington Rise KELSO | 8/12/2020 | 175 | 165 | Additional information requested |
| Mr L J Wilde | 10 | 2020 | 489 | Additional 5 x 2 storey dwelling units | 183 Rocket Street BATHURST | 10/12/2020 | 173 | | Additional Information Requested |
| Mr D A Nelson | 10 | 2020 | 502 | Construction of a retaining wall | 5 Irving Place ROBIN HILL | 17/12/2020 | 166 | 164 | Additional information requested |
| Mrs F Coles | 10 | 2020 | 508 | 139 lot subdivision including 4 open spaces | Marsden Lane KELSO | 21/12/2020 | 162 | | Under assessment |
| Mr L J Wilde | 10 | 2020 | 514 | Two lot residential subdivision | 8 Samuel Way THE LAGOON | 23/12/2020 | 160 | | Under Assessment |
| Mr D A Nelson | 10 | 2021 | 11 | Construction of farm shed | 46 Lagoon Road ORTON PARK | 21/01/2021 | 131 | 102 | Additional information requested |
| Mr L J Wilde | 10 | 2021 | 18 | 181 lot Residential Subdivision | 240A Limekilns Road KELSO | 29/01/2021 | 123 | | Waiting for Response from NRAR |
| Mr L J Wilde | 10 | 2021 | 32 | Construction of shed and carport | 30 Bowen Street SOFALA | 4/02/2021 | 117 | | Additional information requested |
| Mrs F Coles | 10 | 2021 | 43 | Earthworks for Residential Subdivision | 67 Emerald Drive KELSO | 10/02/2021 | 111 | | Under assessment |
| Mr D J Dwyer | 10 | 2021 | 75 | Intensification of mining facility | Trunkey Road CALOOLA | 24/02/2021 | 97 | 70 | TfNSW request additional information |
| Mr L J Wilde | 10 | 2021 | 90 | Proposed detached habitable rooms | 503 White Rock Road WHITE ROCK | 11/03/2021 | 82 | | Under assessment |
| AGEND | A - Or | dinary | Meeting of | f Council - 16 June 2021 Attachments | | | | | 67 of 569 |

| Mr D J Dwyer | 10 | 2021 | 102 | Alterations and additions to an existing dwelling | 9 Rocket Street BATHURST | 11/03/2021 | 82 | 40 | Attachment 8.2.2.4 |
|----------------------|----|------|-----|--|--------------------------------------|------------|----|----|----------------------------------|
| Ms R E Higgins-Daley | 10 | 2021 | 104 | farm shed | 32 Arcadia Place MEADOW FLAT | 15/03/2021 | 78 | | Additional information requested |
| Mr D J Dwyer | 10 | 2021 | 109 | Storage shed | 146 Ceramic Avenue RAGLAN | 30/03/2021 | 63 | | Additional information requested |
| Ms R E Higgins-Daley | 10 | 2021 | 112 | Additions and alterations to existing dwelling | 379 Billywillinga Road BILLYWILLINGA | 6/04/2021 | 56 | | Additional information requested |
| Mr L J Wilde | 10 | 2021 | 114 | Two lot residential subdivision | 293 Stewart Street BATHURST | 17/03/2021 | 76 | | Under assessment |
| Mr L J Wilde | 10 | 2021 | 133 | Tourist accommodation units | 715 Eusdale Road MEADOW FLAT | 23/03/2021 | 70 | | Additional information requested |
| Mr L J Wilde | 10 | 2021 | 135 | Dual occupancy and two lot residential subdivision | 108 Graham Drive KELSO | 8/04/2021 | 54 | | Under assessment |
| Ms T McIntosh | 10 | 2021 | 138 | Demolition, construction of 3 x 2 Storey town houses and | 99 Rocket Street BATHURST | 8/04/2021 | 54 | | Under assessment |
| Mrs F Coles | 10 | 2021 | 141 | Electricity Generating Works (Installation of Ground Mounted | 307 Quarry Road COW FLAT | 1/04/2021 | 61 | | Under assessment |
| Mrs F Coles | 10 | 2021 | 142 | Demolish existing dwelling and construction of a new dwelling | 449 Conrod Straight MOUNT PANORAMA | 30/03/2021 | 63 | | Under assessment |
| Mrs F Coles | 10 | 2021 | 143 | Advertising signage | 107 William Street BATHURST | 8/04/2021 | 54 | 42 | Under assessment |
| Mr L J Wilde | 10 | 2021 | 152 | Replacement signage at an existing service station to reflect | 19 Sydney Road KELSO | 1/04/2021 | 61 | | Under Assessment |
| Mr L J Wilde | 10 | 2021 | 155 | Construction of a carport | 89 Howick Street BATHURST | 12/04/2021 | 50 | | Under Assessment |
| Mr D J Dwyer | 10 | 2021 | 161 | Two lot rural subdivision | 36 Phantom Street ROCKLEY | 13/04/2021 | 49 | | Waiting on comments NSW RFS |
| Ms T McIntosh | 10 | 2021 | 163 | Alterations & additions to dwelling & construction of | 1557 Rockley Road FOSTERS VALLEY | 19/04/2021 | 43 | | Under assessment |
| Mr L J Wilde | 10 | 2021 | 165 | Light Industrial development comprising 12 industrial units | 41 Hampden Park Road KELSO | 15/04/2021 | 47 | | Additional information requested |
| Ms T McIntosh | 10 | 2021 | 169 | Single storey dwelling with attached garage and separate | 57 George Thomas Close THE LAGOON | 21/04/2021 | 41 | | Under assessment |
| Mr D J Dwyer | 10 | 2021 | 170 | Dual occupancy (2nd two storey dwelling) and 2 lot residential | 43 Logan Street EGLINTON | 16/04/2021 | 46 | | Under Assessment |
| | | | | | | | | | |

Authority

DA's Approved Under SEPP 1

Attachment 8.2.2.5

REGIONAL COUNCIL

1/05/2021 - 31/05/2021

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|------------------------------|------------------|--------|----------|----------|--------------------------------------|----------------|--------------------------------------|----------------------------|------------------------|-------------------------|--------------------|
| Council DA _{Lot DP} | Stre Street Name | Suburb | Postcode | Category | Environmental Planning Instrument | Zoning Of Land | Development Standard To Be Varied | Justification Of Variation | Extent Of Variation | Concurring Authoritv | Date Determined |
| | | | | | NIL | | | | | | |

GENDA - Ordinary Meeting of Council

16 June 2021 Attachments

Attachment 8.21:31 05/2021 11:57 AM





Important Noticel

This map is not a precise survey document. Accurate locations can only This information has been prepared for Council's internal pur statement is made about the accuracy or suitability of the inf the surveyed by here exercised on the statement is the surveyed of the statement is the surveyed of the survey edge of the surveyed of the survey edge of the surveyed of the survey edge of the survey e as been notified to Council or not). While every care is taken to ensure the accuracy of thi iability in negligence) for all expe (including indirect or consequential damage) and costs which you might incur as a result of the ta being inaccurate or incomplete in any way and for any reason. The State of New South Wales (Land and Property Information), © Bathurst Regional Council.

Fern-Alice Coles

Drawn By:

31/05/2021

GDA94 / MGA zone 55 Projection:

Map Scale: 1:798 @ A4

Date:

Map of Site and Surrounding Area - Lot 45 DP 262572 - 10 Collins Close Kelso NSW 2795

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

Attachment 8.2.3. 105/2021 11:57 AM





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 Courcil's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Courcil or not). While every care is taken to ensure the accuracy of the accuracy of the base has not coursed in only. While every care is taken to ensure the accuracy of the data, nother the Bathurst Regional Council nor the LPI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclams all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason. e The State of two South Wales (Land and Property Information). C Bathurst Regional Council.

Date:

Drawn By: Fern-Alice Coles

Date: 31/05/2021

Projection: GDA94 / MGA zone 55

Map Scale: 1:798 @ A4

Map of Site and Surrounding Area – Lot 45 DP 262572 – 10 Collins Close Kelso NSW 2795

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments





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 suitability of the information for use for any purpose (whether the purpose has been notifies to Council or not). Whele every care is taken to ensure the accuracy of the accuracy of the backmothers or suitability of any particular purpose and disclims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incrus as a result of the data being inaccurate or incomplete in any way and for any reason. Or the state of thew south Vasks (Land and Property Information), © Bathurst Regional Council.

her this ut ses, the Drawn By: Fern-Alice Coles

Date: 31/05/2021

Projection: GDA94 / MGA zone 55

Map Scale: 1:798 @ A4

Map of Site and Surrounding Area – Lot 45 DP 262572 – 10 Collins Close Kelso NSW 2795

preliminary not for construction

Attachment 8.2.3.2 integrated DESIGN group



COAVEORA-VOIDERCOMESCOCEUncil - 16 June 2021 Attachments

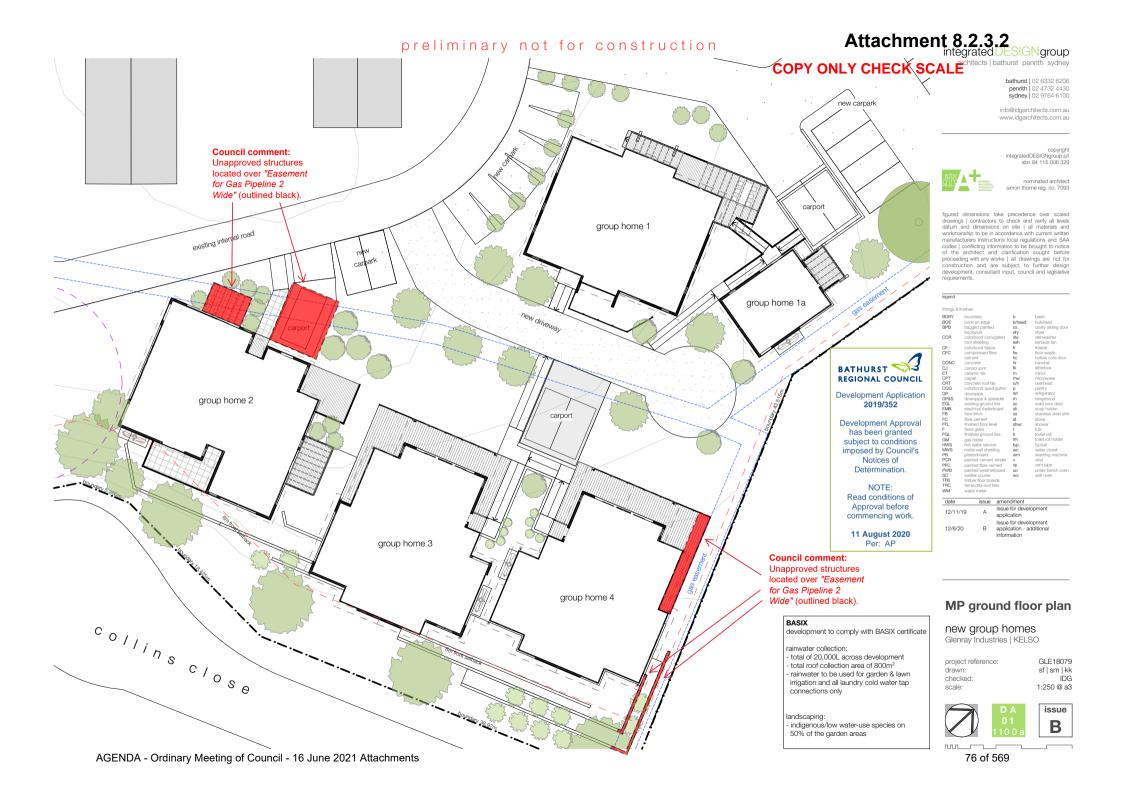


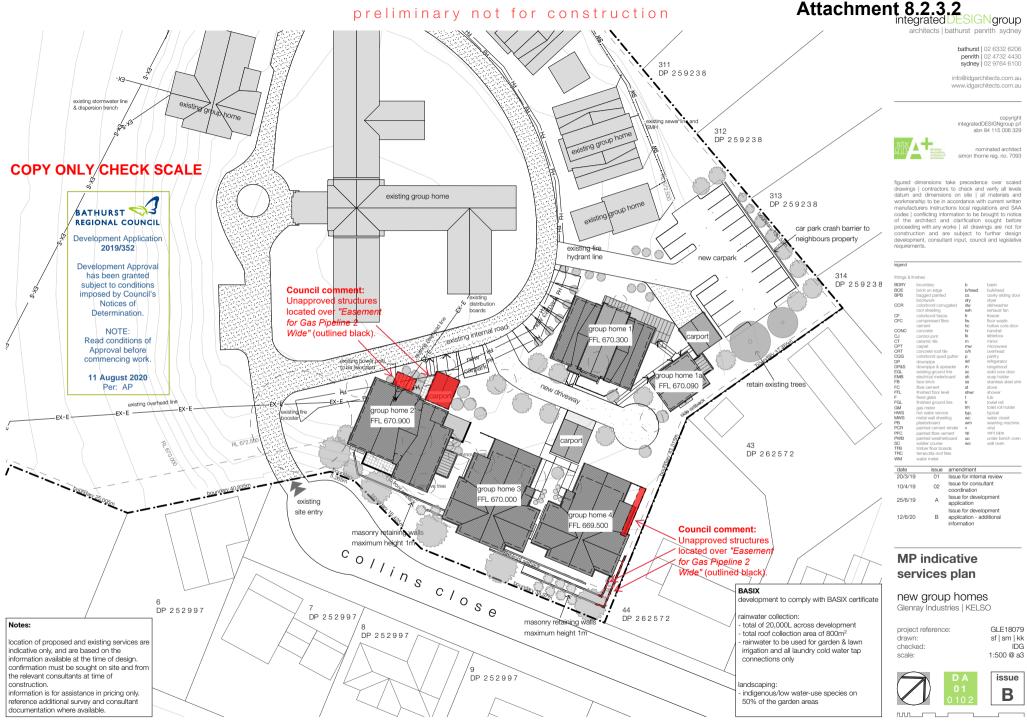
preliminary not for construction

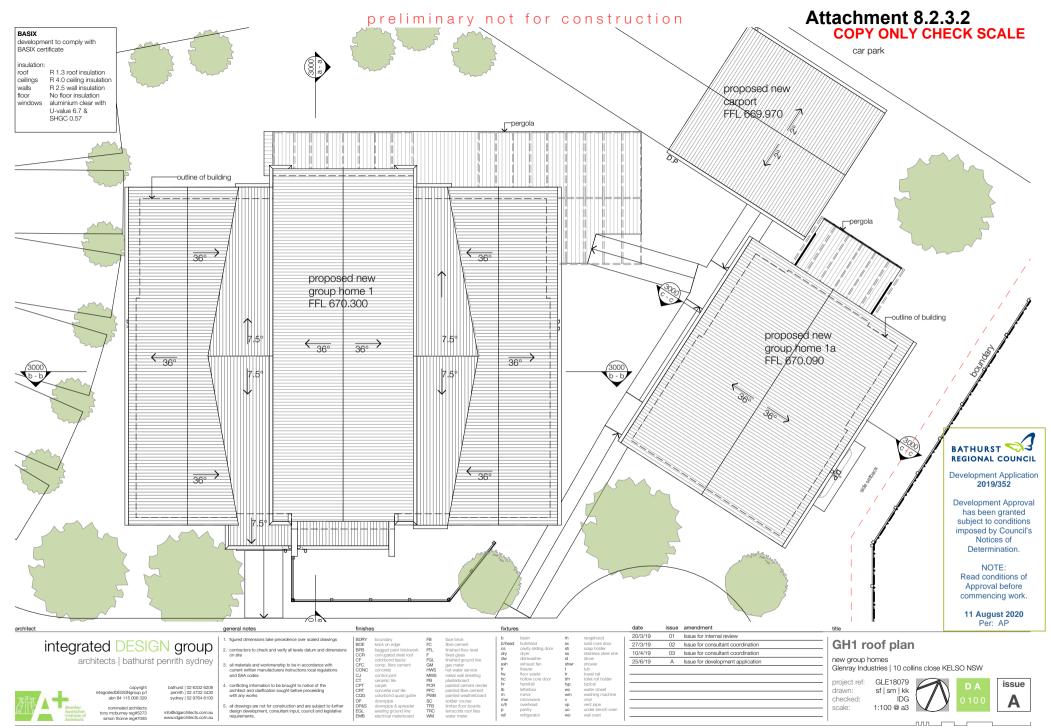
Attachment 8.2.3.2 integrated DESIGN group

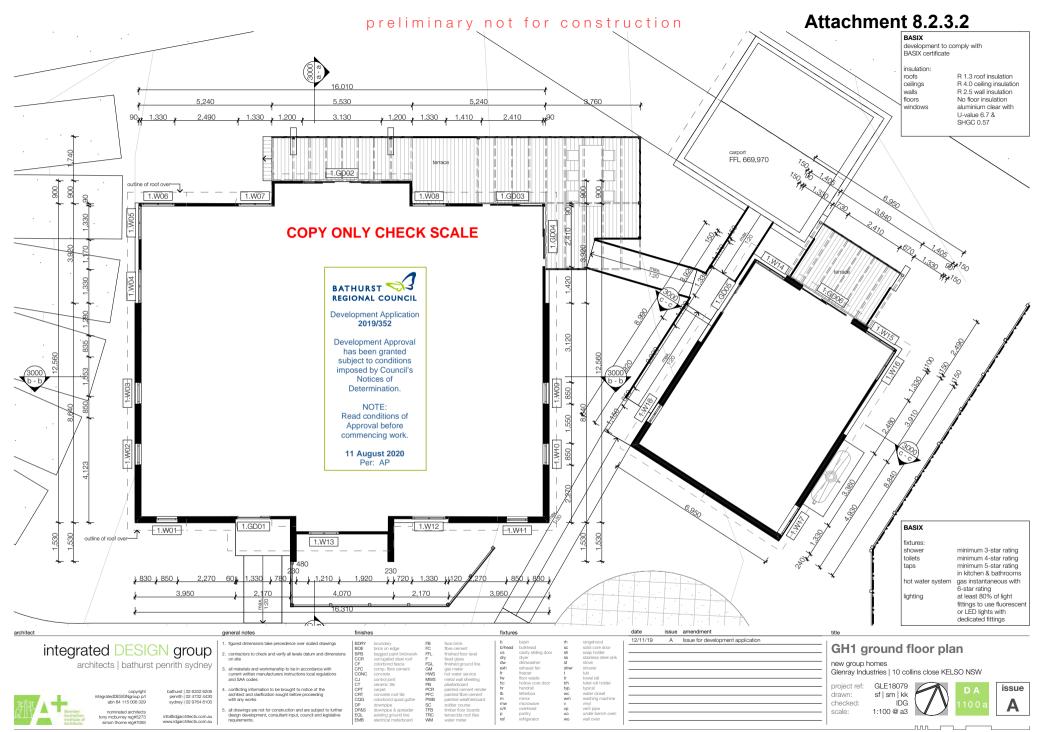
architects | bathurst penrith sydney





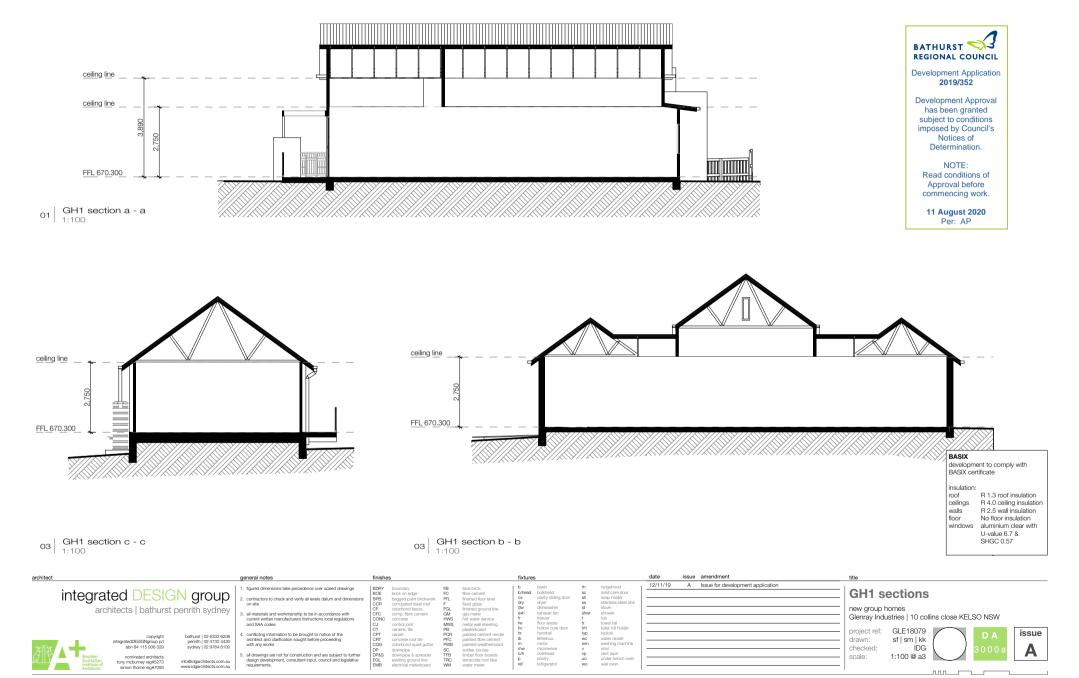


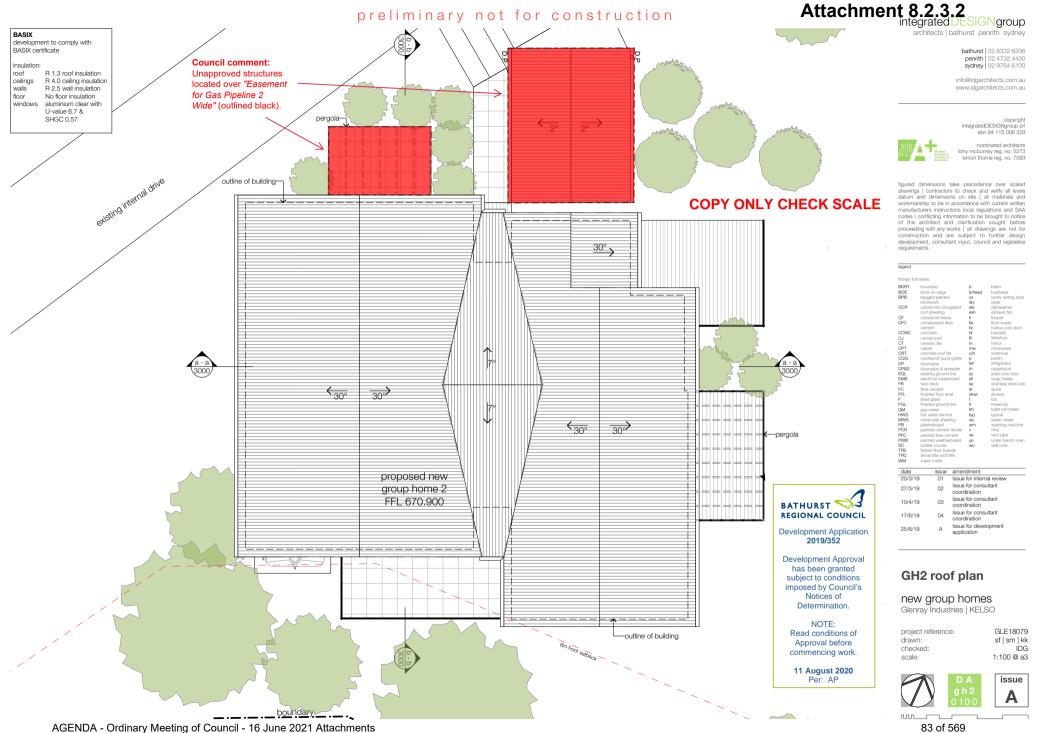


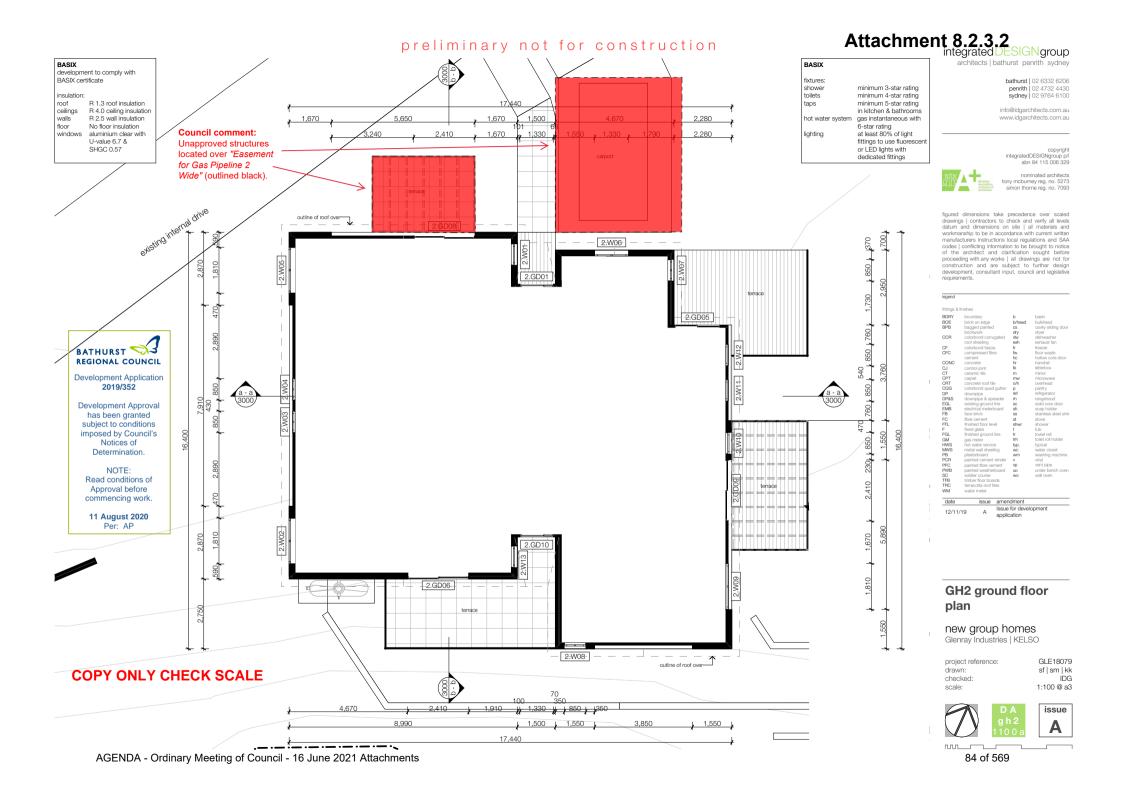












Attachment 8.2.3.2 integrated DESIGN group

architects | bathurst penrith sydney

bathurst | 02 6332 6206 penrith 02 4732 4430 sydney 02 9764 6100

info@idgarchitects.com.au www.idgarchitects.com.au

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nominated architects tony mcburney reg. no. 5273 simon thorne reg. no. 7093

figured dimensions take precedence over scaled drawings | contractors to check and verify all levels datum and dimensions on site | all materials and workmanship to be in accordance with current written manufacturers instructions local regulations and SAA codes | conflicting information to be brought to notice of the architect and clarification sought before or the architect and clarification sought before proceeding with any works | all drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.

| fittings & fini | ishes | | | |
|-----------------|--------------------|--------|-----------|--------------------------------|
| BDRY | boundary | | b | hasin |
| | brick on edge | | b/head | bulkhead |
| | bagged painted | | CS | cavity sliding door |
| | brickwork | | dry | drver |
| CCR | colorbond corn. | inated | dw | dishwasher |
| | roof sheeting | | exh | exhaust fan |
| | colorbond fasci | а | fr | freezer |
| | compressed fib | | ī. | floor waste |
| | cement | | hc | hollow core door |
| | concrete | | hr | handrail |
| | control joint | | lb lb | letterbox |
| | ceramic tile | | m | mirror |
| | carpet | | mw | microwave |
| | concrete roof til | A | o/h | overhead |
| | colorbond quad | | p | pantry |
| | downpipe | | ref | refrigerator |
| | downpipe & spi | aadar | rh | rangehood |
| | existing around | | 80 | solid core door soap holder |
| | electrical meter | | sh | |
| | face brick | | 88 | stainless steel sin |
| | fibre cement | | st | stove |
| | finished floor lev | /el | shwr | shower |
| | fixed class | | 1 | tub |
| | finished ground | line | tr | towel rail |
| | gas meter | | trh | toilet roll holder |
| | hot water servic | e | tvp. | typical |
| MWS | metal wall shee | tina | wc | water closet |
| PB | plasterboard | | wm | washing machine |
| PCR | painted cement | render | v | vinyl |
| PFC | painted fibre ce | ment | vp | vent pipe |
| PWB | painted weathe | rboard | up | under bench over |
| | soldier course | | wo | wall oven |
| TFB | timber floor bos | irds | | |
| TRC | terracotta roof t | ïes | | |
| WM | water meter | | | |
| date | issue | amon | dment | |
| uate | 13306 | | for consi | ltont |
| 27/3/19 | 02 | | | JILEI IL |
| | | | ination | |
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| 1170/10 | 00 | coord | ination | |
| | | Issue | for devel | opment |
| 25/6/19 | A | applic | | |
| | | | | |

GH2 elevations 01

new group homes

project reference:

drawn:

scale:

checked.

Glenray Industries | KELSO

BASIX development to comply with BASIX certificate insulation: R 1.3 roof insulation ceilings R 4.0 ceiling insulation walls R 2.5 wall insulation No floor insulation windows aluminium clear with U-value 6.7 &

SHGC 0.57

roof

floor

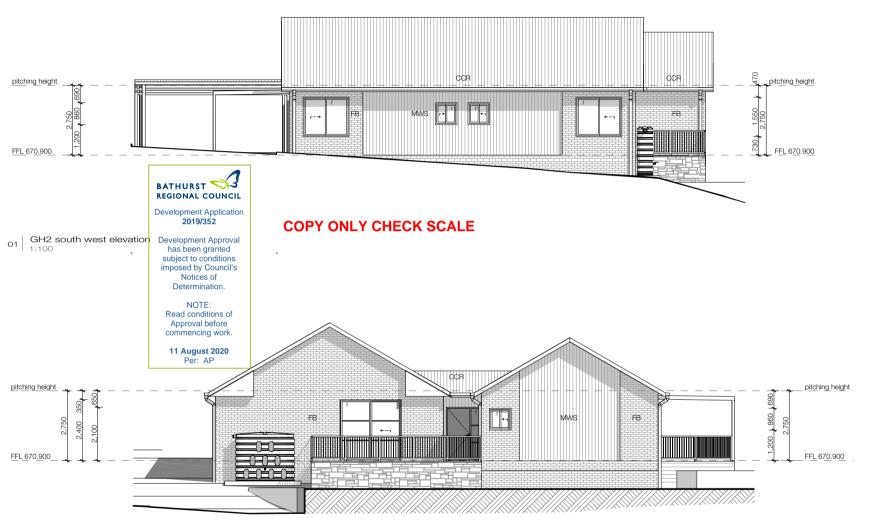
issue DA Α

GLE18079

sf | sm | kk

1:100 @ a3

İDG



GH2 south east elevation 02 1:100

-

Attachment 8.2.3.2

tegrated DESIGN group architects | bathurst penrith sydney

bathurst | 02 6332 6206 penrith 02 4732 4430 sydney 02 9764 6100

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nominated architects tony mcburney reg. no. 5273 simon thorne reg. no. 7093

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| fittings & | finishes | | |
|------------|-----------------------|--------|---------------------|
| BDRY | boundary | b | basin |
| BOE | brick on edge | b/head | bulkhead |
| BPB | bagged painted | CS | cavity sliding doo |
| | brickwork | dry | dryer |
| CCR | colorbond corrugated | dw | dishwasher |
| | roof sheeting | exh | exhaust fan |
| CF | colorbond fascia | fr | freezer |
| CFC | compressed fibre | fw | floor waste |
| | cement | hc | hollow core door |
| CONC | concrete | hr | handrail |
| CJ | control joint | lb | letterbox |
| CT | ceramic tile | m | mirror |
| CPT | carpet | mw | microwave |
| CRT | concrete roof tile | o/h | overhead |
| CQG | colorbond quad gutter | р | pantry |
| DP | downpipe | ref | refrigerator |
| DP&S | downpipe & spreader | rh | rangehood |
| EGL | existing ground line | SC | solid core door |
| EMB | electrical meterboard | sh | soap holder |
| FB | face brick | 88 | stainless steel sir |
| FC | fibre cement | st | stove |
| FFL | finished floor level | shwr | shower |
| F | fixed glass | t | tub |
| FGL | finished ground line | tr | towel rail |
| GM | gas meter | trh | toilet roll holder |
| HWS | hot water service | typ. | typical |
| MWS | metal wall sheeting | WC | water closet |
| PB | plasterboard | wm | washing machine |
| PCR | painted cement render | v | vinyl |
| PFC | painted fibre cement | vp | vent pipe |
| PWB | painted weatherboard | uo | under bench ove |
| SC | soldier course | WO | wall oven |
| TFB | timber floor boards | | |
| TRC | terracotta roof tiles | | |
| WM | water meter | | |
| date | issue amen | dment | |

Read conditions of Approval before commencing work. 11 August 2020

Per: AP

BASIX

insulation:

ceilings walls

windows

roof

floor

.

development to comply with BASIX certificate

R 1.3 roof insulation

R 4.0 ceiling insulation

R 2.5 wall insulation

No floor insulation

aluminium clear with

U-value 6.7 & SHGC 0.57

| WM wat | er meter | |
|---------|----------|--------------------------------------|
| date | issue | amendment |
| 27/3/19 | 02 | Issue for consultant coordination |
| 27/3/19 | 03 | Issue for consultant coordination |
| 10/4/19 | 04 | Issue for consultant coordination |
| 17/6/19 | 05 | Issue for consultant coordination |
| 25/6/19 | А | Issue for development application |

GH2 elevations 02

new group homes Glenray Industries | KELSO

project reference:

drawn:

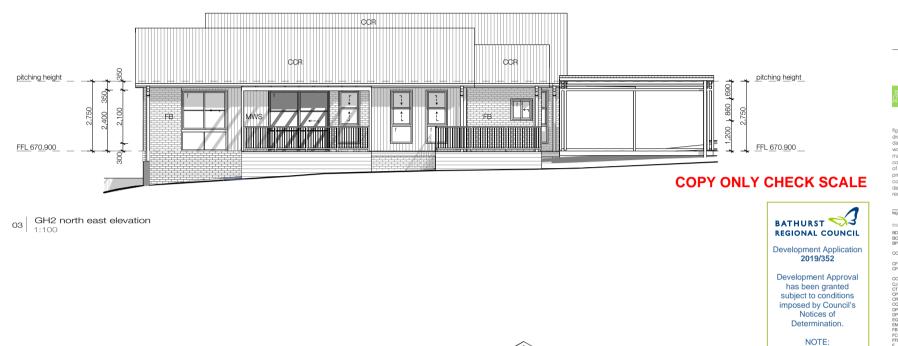
scale:

checked.

GLE18079 sf | sm | kk İDG 1:100 @ a3



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GH2 north west elevation 04 1:100

- -

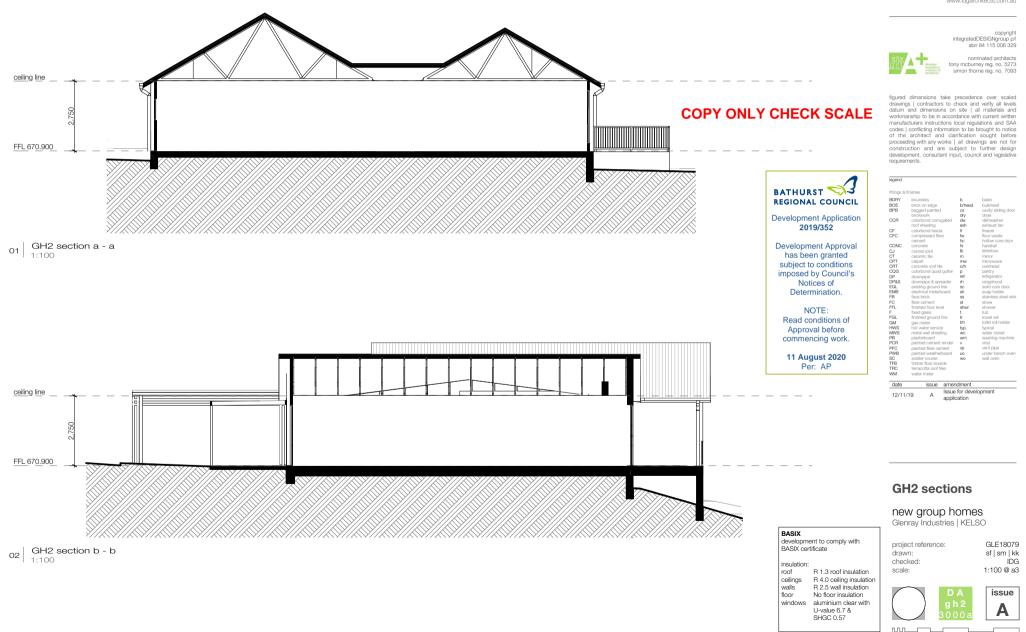
86 of 569

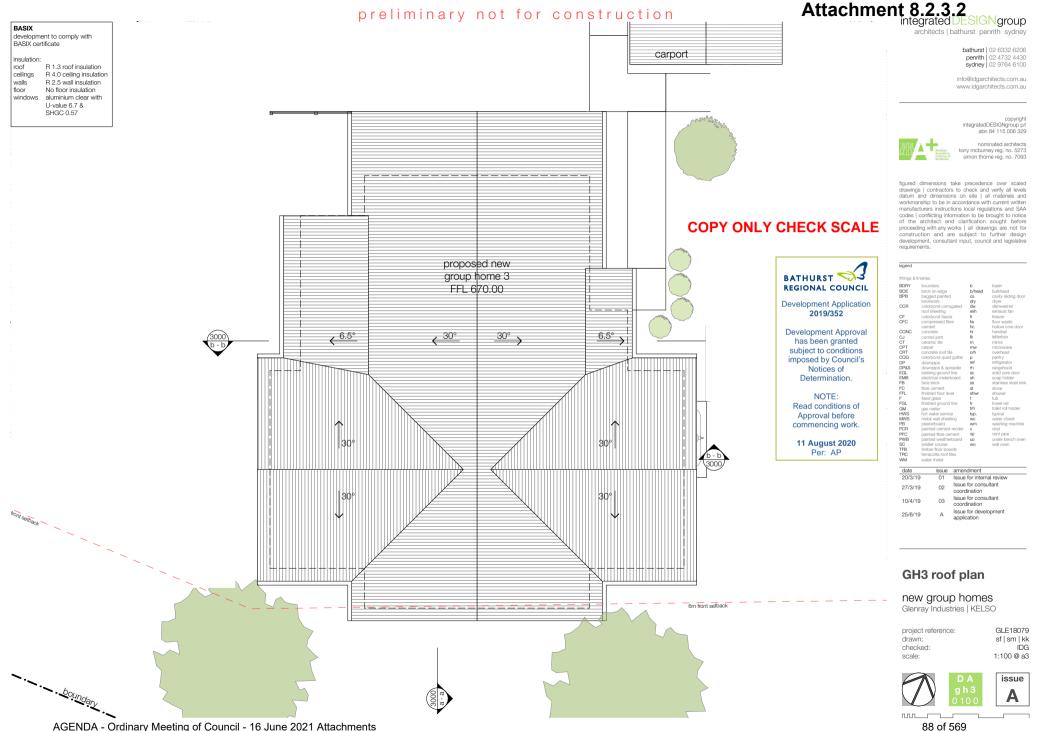
Attachment 8.2.3.2 integrated DESIGN group

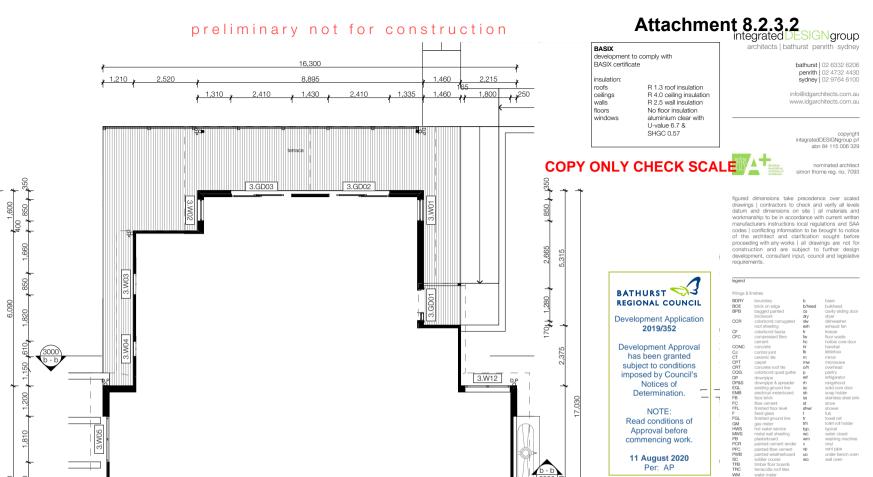
architects | bathurst penrith sydney

bathurst | 02 6332 6206 penrith | 02 4732 4430 sydney | 02 9764 6100

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D.P

560

BASIX

fixtures

shower

toilets

lighting

in kitchen & bathrooms

at least 80% of light

fittings to use fluoresc or LED lights with dedicated fittings

hot water system gas instantaneous with

6-star rating

taps

3.W11

<u>1,110 1,810 930 </u>

3,850

3.W09

1,810

100





İDG

Α

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

木

outline of roof above

3.870

3.W08

1,810

4,760

8,580

16,300

100

17,030

,780

.810

1,190

970

340

,560

89 of 569

Attachment 8.2.3.2 integrated DESIGN group

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90 of 569

Attachment 8.2.3.2 integrated DESIGN group

architects | bathurst penrith sydney

COPY ONLY CHECK SCALE

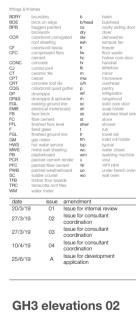
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nominated architects tony mcburney reg. no. 5273 simon thorne reg. no. 7093

figured dimensions take precedence over scaled drawings | contractors to check and verify all levels datum and dimensions on site | all materials and workmanship to be in accordance with current written manufacturers instructions local regulations and SAA codes | conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works | all drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.



new group homes Glenray Industries | KELSO

FFL

670.000

30

development to comply with

R 1.3 roof insulation

R 2.5 wall insulation

No floor insulation

SHGC 0.57

aluminium clear with U-value 6.7 &

BASIX certificate insulation:

FΒ

MWS

BASIX

roof

walls

floor

ceilings

windows

project reference: GLE18079 drawn: sf | sm | kk R 4.0 ceiling insulation checked. 1:100 @ a3 scale



İDG

·····



MWS

FB

MWS

GH3 south west elevation 04 1:100

03

pitching

height

• FFL

670.000

1:100

350

2,100

*

ò 380

,750

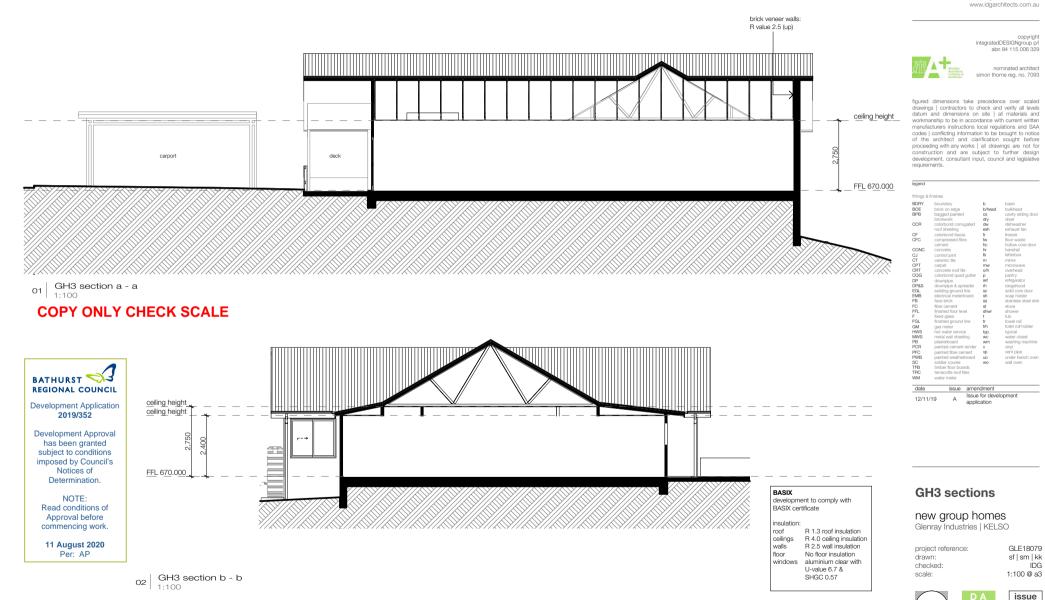


Attachment 8.2.3.2

architects | bathurst penrith sydney

bathurst | 02 6332 6206 penrith | 02 4732 4430 sydney | 02 9764 6100

info@idgarchitects.com.au



92 of 569

·····

Α

Attachment 8.2.3.2 integrated DESIGN group

logono

Council comment: Unapproved structures architects | bathurst penrith sydney



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| legend | | | | |
|---|-----------------------------|-----------|---------------------------|---|
| fittings & fir | nishes | | | |
| BDRY BOE | boundary brick on edge | | b b/head | basin bulkhead |
| BPB | bagged painted brickwork | | cs dry | cavity sliding doo dryer |
| CCR colorbond corrugated roof sheeting | gated | dw exh | dishwasher exhaust fan | |
| CF | colorbond fascia | а | fr | freezer |
| CFC | compressed fibr | re | fw hc | floor waste hollow core door |
| CONC | concrete | | hr | handrail |
| CJ | control joint | | lb | letterbox |
| CT | ceramic tile | | m | mirror |
| CPT | carpet | | mw | microwave |
| CRT | concrete roof tile | e | o/h | overhead |
| CQG | colorbond quad | gutter | р | pantry |
| DP | downpipe | | ref | refrigerator rangehood solid core door soap holder |
| DP&S | downpipe & spr | | rh sc | |
| EGL | existing ground | | | |
| EMB | electrical meterit | board | sh | |
| FB | face brick | \$8 | stainless steel sin | |
| FC | fibre cement | | st | stove |
| FFL | finished floor lev | el shwr | shower tub | |
| F | fixed glass | | | |
| FGL | finished ground | line | tr | towel rail |
| GM | gas meter | | trh | toilet roll holder |
| HWS | hot water servic | | typ. | typical |
| MWS | metal wall sheet | ting | WC | water closet |
| PB | plasterboard | | wm | washing machine |
| PCR | painted cement | | v | vinyl |
| PFC | painted fibre cer | | vp | vent pipe |
| PWB | painted weather | rboard | uo | under bench ove |
| SC | soldier course | | WO | wall oven |
| TFB | timber floor boa | | | |
| TRC | terracotta roof ti | les | | |
| WM | water meter | | | |
| date | issue | | dment | |
| 20/3/19 | 9 01 | Issue | for intern | al review |
| 27/3/19 | 02 | | for consu lination | ultant |
| 10/4/19 | 9 03 | | for consu lination | ultant |
| | | | | opment |

GH4 roof plan

new group homes Glenray Industries | KELSO

project reference: drawn: checked. scale:





GLE18079 sf | sm | kk

1:100 @ a3

İDG



located over "Easement for Gas Pipeline 2 Wide" (outlined black). -boundary --proposed new group home 4 FFL 669.500 **COPY ONLY CHECK SCALE** setback ____ <u>←6.5°</u> <u>∕ 30°</u> side 30° 、 6.5°、 REGIONAL COUNCIL **Development Application** 2019/352 Development Approval has been granted subject to conditions 30 30 imposed by Council's Notices of Determination. NOTE: Read conditions of 30° 30 Approval before commencing work. 11 August 2020 Per: AP L_____ ____/ 6m front setback

BASIX

insulation:

ceilings

roof

walls

floor

development to comply with BASIX certificate

R 1.3 roof insulation

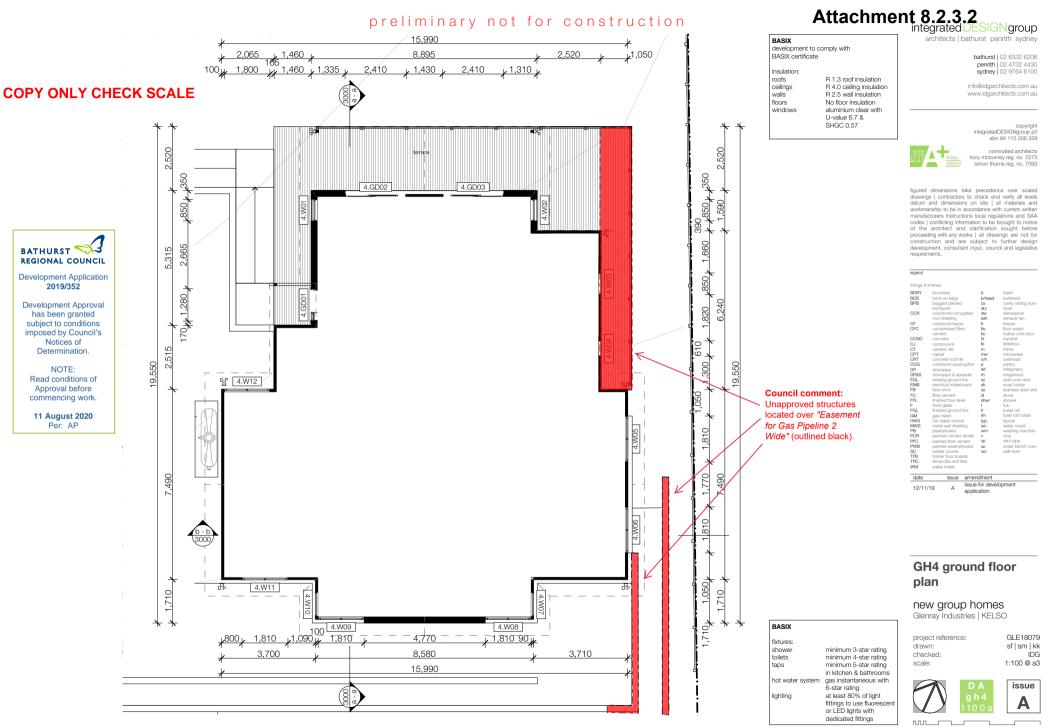
R 2.5 wall insulation

No floor insulation windows aluminium clear with U-value 6.7 &

SHGC 0.57

R 4.0 ceiling insulation

carport



94 of 569

8

1,550

2.750

pitching height

Attachment 8.2.3.2

tegrated DESIGN group architects | bathurst penrith sydney

bathurst | 02 6332 6206

penrith 02 4732 4430 sydney 02 9764 6100

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| fittings & fin | ishes | | | |
|----------------|-------------------------------------|----------|------------|----------------------------------|
| BDRY | boundary | | b | basin |
| BOE | brick on edge | | b/head | bulkhead |
| BPB | bagged painted | | CS | cavity sliding door |
| | brickwork | | dry | dryer |
| CCR | colorbond com | ugated | dw | dishwasher |
| | roof sheeting | | exh | exhaust fan |
| CF | colorbond fasci | а | fr | freezer |
| CFC | compressed fib | re | fw | floor waste |
| | cement | | hc | hollow core door |
| CONC | concrete | | hr | handrail |
| CJ | control joint | | lb | letterbox |
| CT | ceramic tile | | m | mirror |
| CPT | carpet | | mw | microwave |
| CRT | concrete roof til | | o/h | overhead |
| CQG | colorbond quad | i gutter | p | pantry |
| DP | downpipe | | ref | refrigerator |
| DP&S | downpipe & spi | | rh | rangehood |
| EGL | existing ground | | sc | solid core door |
| EMB | electrical meter | board | sh | soap holder |
| FB | face brick | | SS | stainless steel sin |
| FC | fibre cement | | st | stove |
| FFL | finished floor lev | /el | shwr | shower |
| | fixed glass | | t | tub |
| FGL | finished ground | line | tr trh | towel rail toilet roll holder |
| GM HWS | gas meter | | | |
| MWS | hot water servic metal wall shee | | typ. wc | typical water closet |
| PR | metal wall shee plasterboard | ting | wm | |
| PCR | pasterboard painted cement | | v | washing machine |
| PER | painted cemeni painted fibre ce | | v vp | vinyl vent pipe |
| PWB | painted libre ce | | un un | under bench over |
| SC | soldier course | ibuaiu | wo | wall oven |
| TFR | timber floor bos | inde | wo | wai overi |
| TRC | terracotta roof t | | | |
| WM | water meter | 103 | | |
| | Trance Transi | | | |
| date | issue | amen | dment | |
| 20/3/19 | 01 | Issue | for intern | al review |
| 07/0/40 | | Issue | for consu | ultant |
| 27/3/19 | 02 | coord | ination | |
| | | | | |
| 27/3/19 | 03 | | for consu | ultant |
| 21/0/13 | 00 | coord | lination | |
| | | leeuo | for consi | ltant |
| 10/4/19 | 04 | | | III.cli II. |
| | | | lination | |
| 05/0/40 | | Issue | for devel | opment |
| 25/6/19 | A | applic | ation | |
| | | white | | |
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GH4 elevations 01

new group homes Glenray Industries | KELSO

95 of 569

| GLE18079 sf sm kk IDG 1:100 @ a3 |
|---|
| |



| Α |
|---|
| |





MSW

FC

FB

MSM

FC

FB

pitching height

FFL 669.500

01

1:100

pitching height

FFL 669.500

.

02

1:100

650

2,100

8

,550

1011

2,750

MSW

MSW

2,750

COPY ONLY CHECK SCALE

nominated architects tony mcburney reg. no. 5273 simon thorne reg. no. 7093

Attachment 8.2.3.2

preliminary not for construction

CCF

CCR

tegrated DESIGN group architects | bathurst penrith sydney

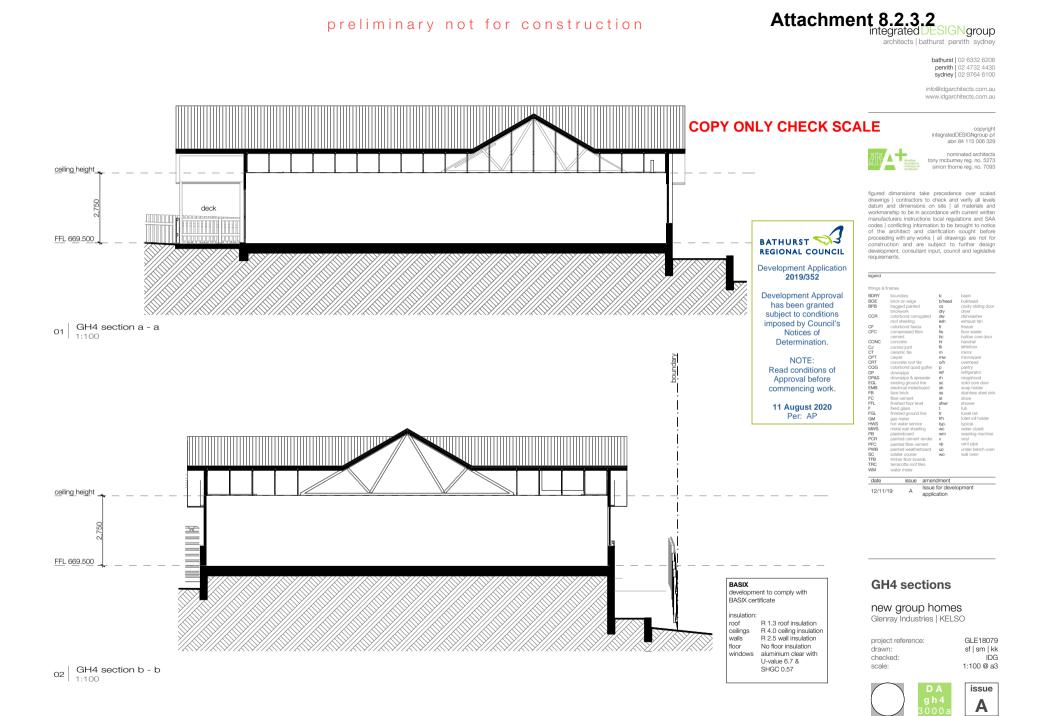






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Α





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

11 August 2020

NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

Mr S Green Glenray Industries Ltd PO Box 9344 BATHURST NSW 2795

being the applicant in respect of Development Application No 2019/352.

Pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, notice is hereby given of the determination by Council of Development Application No 2019/352, relating to the land described as follows:

LOT: 45 DP: 262572, 10 COLLINS CLOSE KELSO

The Development Application has been determined by GRANTING consent to the following development:

- 1. SEVEN (7) GROUP HOMES WITHIN FIVE (5) SEPARATE BUILDINGS;
- 2. TWO (2) CARPORTS;
- 3. CONSTRUCTION OF RETAINING WALLS;
- 4. CONSTRUCTION OF NEW INTERNAL DRIVEWAYS AND CARPARK;
- 5. DEMOLITION OF EXISTING GARDEN SHED;
- 6. REMOVAL OF TWELVE (12) TREES AND RELOCATION OF ONE (1) TREE.

Building Code of Australia building classification n/a.

IMPORTANT NOTICE TO APPLICANT

If this consent relates to a subdivision or to the erection of a building, one of the conditions listed below will require you to obtain a construction certificate prior to carrying out any work. <u>YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED</u> <u>THE CONSTRUCTION CERTIFICATE</u>, even if you made an application for a construction certificate at the same time as you lodged this development application. The Development Consent may contain conditions that need to be satisfied prior to issuing of any Construction Certificates.

This consent is issued subject to the following conditions and reasons:

GENERAL

1. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the property must be complied with.

 Reference:
 FFIN:AP:DA/2019/352

 Enquiries:
 Ms F Finn
 02 6333 6215

 Glenray ~ of retaining walls;
 4. Construction of new internal driveways and carpark;
 5. Demolition o. DOCX

 BATHURST REGION... FULL OF LIFE

2

REASON: To ensure the development does not place any adverse impact on electricity infrastructure. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

2. Satisfactory arrangements must be made for the provision of power with Essential Energy with respect to all proposed improvements which will form part of the development. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the development, which may include the payment of fees and contributions. Despite Essential Energy not having any safety concerns, there may be issues with respect to the development layout, which will require Essential Energy's approval.

REASON: To ensure the development does not place any adverse impact on electricity infrastructure. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

3. Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity to the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.

Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

REASON: To ensure the development does not place any adverse impact on electricity infrastructure or cause any safety issues. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

4. This Development Consent does not relieve the landowner(s) of any responsibilities to comply with any relevant covenants, agreements, instruments, restrictions and easements that apply to the land.

REASON: To ensure that the development does not place any adverse impact on gas and electricity infrastructure. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

5. The development is to be carried out in accordance with Jemena Limited's *Guideline to Designing, Constructing and Operating Around Existing AS2885 Natural Gas Pipelines (Ref. No. GAS-960-GL-PL-01, Rev. No. 8, dated 4 November 2016).*

3

REASON: To ensure the development does not place any adverse impact on gas infrastructure. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

6. Development Consent is NOT granted for the following structures which are located over an "Easement for Gas Pipeline 2 Wide":

- a) The Terrace located on the North-Western side of Building 2.
- b) The Carport located on the North-Western side of Building 2.
- c) The Terrace located on the North-Eastern side of Building 4.
- d) The Retaining Walls located on the North Eastern side of Building 4.

The unapproved structures have been identified in red by Council on the approved Site Plans and Floor Plans.

REASON: To define the extent of the Development Consent and ensure the development does not place any adverse impact on gas infrastructure. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

7. The proposed water tank to be located on the South-Eastern side of Building 2 must be relocated to the South-Western, North-Western or North-Eastern side of the building to reduce its visibility from Collins Close.

A Site Plan detailing the new location of the water tank in accordance with this condition is to be submitted to Council for endorsement, prior to the issue of any Construction Certificate.

REASON: To reduce the visual impact of the development on the streetscape. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

8. Each dwelling is to be provided with an area or equipment for the drying of laundry.

NOTE 1: A suitably screened outdoor drying area in close proximity to each dwelling and equipped with clothes line or similar, would satisfy this condition. Drying areas must not be located within the primary frontage onto Collins Street.

REASON: Because the absence of any provision for the drying of laundry will, in a development of this character, result in drying arrangements which may be detrimental to the health of the occupants and to the external appearance of the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

Reference:
 FFIN:AP:DA/2019/352

 Enquiries:
 Ms F Finn
 02 6333 6215

 Glenray ~ of retaining walls;
 4. Construction of new internal driveways and carpark;
 5. Demolition o.DOCX

9. The payment to Council of

- a) \$28,296.40 for the provision of community facilities in accordance with Council's Section 94 or 7.11 Contributions Plan "Bathurst Regional Community Facilities".
- b) \$2,239.89 for stormwater drainage management in accordance with Council's Section 94 or 7.11Contributions Plan "Raglan Creek Stormwater Drainage Management".

All monetary conditions are to be paid <u>prior</u> to the issuing of any Construction Certificates.

NOTE 1: All monetary conditions are reviewed annually and may change as of 1 July each year.

NOTE 2: Copies of all Council's Section 94 or 7.11 Contribution Plans may be inspected at Council's offices.

REASON: Because, having considered the matter in accordance with Section 94 of the Environmental Planning and Assessment Act 1979, as amended, the Council is satisfied that the development will require the provision of, or increase the demand for, these public amenities or services within the area. Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended.

10. The developer is to apply to Council for a Certificate of Compliance pursuant to Section 305 of the Water Management Act, 2000 (application form <u>attached</u>).

The developer will have to contribute the sum of \$40,233.60 water headworks plus \$39,144.60 sewer headworks and also enter into an additional works agreement before the Certificate of Compliance will be issued.

All monetary conditions are reviewed annually and may change as of 1 July each year.

NOTE 1: The developer should apply for a certificate as a matter of urgency because the Construction Certificate cannot be issued until a certificate has been issued by Council and all monetary conditions have been satisfied.

REASON: Because it is in the public interest that Council maintain the ability to provide adequate water and sewer reticulation services. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

11. The payment to Council of \$654.00 for the inspection of plumbing and drainage work.

 Reference:
 FFIN:AP:DA/2019/352

 Enquiries:
 Ms F Finn
 02 6333 6215

 Glenray ~ of retaining walls;
 4. Construction of new internal driveways and carpark;
 5. Demolition o.DOCX

This must be paid at the time of lodgement of any Construction Certificate.

All monetary conditions are reviewed annually, and may change as of 1 July each year.

REASON: Because it is in the public interest that such fees be paid in accordance with Council's Management Plan. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

12. The applicant is to submit one (1) hard copy and one (1) electronic copy of engineering plans, specifications and calculations in relation to drainage of roofed and paved areas, collection and conveyance of surface runoff and paving and linemarking.

Further, the works are to comply with Bathurst Regional Council's Guidelines for Engineering Works.

REASON: Because it is in the public interest that the design of that (those) aspect(s) of the development comply with Council's Engineering Guidelines. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

13. The applicant is to obtain a CONSTRUCTION CERTIFICATE pursuant to Section 6.4 of the Environmental Planning and Assessment Act 1979, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia PRIOR to any works commencing.

NOTE 1: No building, engineering, excavation work or food premises fitout is to be carried out in relation to this development until the necessary Construction Certificate has been obtained.

NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you made an application for a Construction Certificate at the same time as you lodged this development application.

NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

REASON: So that the design of the proposed work may be assessed in detail before construction commences and because it is in the public interest that the development comply with the appropriate construction standards. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

14. Any proposed site filling is to be Virgin Excavated Natural Material as defined in Division 2 Section 50 of the Protection of the Environment Operations Act (1997), or Excavated Natural Material as defined in Excavated Natural Materials Order (2014) under the Protection of the Environment (Waste) Regulation (2014) and is free from organic matter and compacted in horizontal layers not more than 250mm thick to 95% of the standard maximum dry density of the soil. All such works are to comply with Bathurst Regional Council's Guideline for Engineering Works.

NOTE 1: Soil density tests from a NATA registered laboratory and conducted in accordance with Australian Standard AS:1289, will be required prior to the issue of any Construction Certificate for the erection of a building or the issue of a Subdivision Certificate.

REASON: To ensure that any fill is correctly placed and compacted and to ensure that was material is not used for the filling of land. Section 4.15 of the Environmental Planning and Assessment Act 1979, and as amended.

15. The water service is to be of adequate size and of a design adequate to serve the development in accordance with the requirements of AS/NZS 3500 and The Plumbing Code of Australia. Any necessary upgrading of the existing service is to be at full cost to the applicant.

NOTE 1: Application form for water is <u>attached</u>. This form is to be returned to Council with payment.

REASON: So that the development will have an adequate water service having regard to the character of the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

- 16. Prior to the issue of the construction certificate the developer is to submit to Council for approval an Erosion and Sediment Control Plan, which shows at least the following:
 - a) Barrier fencing and exclusion zones
 - b) Sediment fencing
 - c) Stabilised access point/s
 - d) Stockpile sites
 - e) Wash down location
 - f) Waste bins
 - g) Maintenance and inspection regime
 - h) Standard design drawings as per the Landcom Soils and Construction Volume 1 – "The Blue Book" <u>OR</u> the International Erosion Control Association
 - i) Site plan/s detailing the above

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NOTE 1: All erosion and sediment control measures must be in place prior to earthworks commencing and implemented for the duration of construction.

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

17. Prior to the commencement of construction, arrangements, satisfactory to Essential Energy and the relevant telecommunications authority for the provision of electrical power and telephone lines respectively, to fully serve the development, are to be made.

The developer is to furnish documentary evidence that arrangements, satisfactory to Essential Energy and the relevant telecommunications authority, for the provision of underground electrical power and telephone lines respectively, to fully serve the development, have been made, prior to the issuing of a Construction Certificate by Council or an accredited certifying authority.

REASON: So that electrical power and telephone lines are available, it being necessary that these utilities serve the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

18. The applicant is to submit to Council, for endorsement, a landscape plan prepared in accordance with Chapter 13 of the Bathurst Regional Development Control Plan 2014.

The plan must include, but not be limited to:

- a) Substantial landscaping on the South-Eastern sides of Buildings 2, 3 and 4 which must:
 - i) Be non-deciduous and of a suitable height and density to screen and soften the visual impact of the buildings and retaining walls on the residential streetscape of Collins Close.
 - ii) Be suitable for the structural integrity of the retaining walls and any easements.
 - iii) Provide privacy screening for the terraces to be located on the South-Eastern and North-Eastern side of Building 2.
 - iv) Not impede sight distances for vehicles entering and exiting Lot 45 DP 262572 via the existing vehicular access from Collins Close.
- b) Landscape screening along the Eastern boundary of the land between the terraces associated with Buildings 1A and 4 (as indicated in red on the approved Concept Landscaping Plan), which must:

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- i) Be non-deciduous and of a suitable height and density to reduce the degree of overlooking onto neighbouring residential properties.
- ii) Be suitable for the structural integrity of any easement and retaining walls.
- iii) Provide privacy screening for the terraces associated with Building 1A and 4.

Council is to certify that the landscape plan is in accordance with Council's Development Control Plan prior to the issue of any Construction Certificate.

REASON: To reduce privacy conflicts and reduce the visual impact of the development on the streetscape. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

PRIOR TO ANY WORK ON SITE

19. Prior to the commencement of any works, a hoarding or fence must be erected between the work site, any public place and any neighbouring property which does not have existing boundary fencing.

If necessary, an awning is to be erected, sufficient to prevent any substance, from or in connection with the work, falling into the public place. Further the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

NOTE 1: If the approved development requires the erection of temporary scaffolding, fencing or hoardings on the road or the footpath adjacent to the site, the applicant is to obtain further approval under the Local Government Act 1993 and/or the Roads Act 1993 from Council before work commences.

NOTE 2: Any such scaffolding, fencing, hoardings or awnings are to be removed when the work has been completed.

NOTE 3: Any external lighting required by this condition is to be designed and positioned so that at no time will any light be cast upon any adjoining property.

REASON: Because it is in the public interest that adequate safety measures are provided. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

20. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the *Electricity Supply Act* 1995 (NSW).

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REASON: To ensure the development does not place any adverse impact on electricity infrastructure. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

- 21. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
 - a) a standard flushing toilet connected to a public sewer, or
 - b) if that is not practicable, an accredited sewage management facility approved by the Council, or
 - c) if that is not practicable, any other sewage management facility approved by the Council.

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

REASON: To provide adequate sanitary facilities during the construction phase. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

22. The applicant is to submit to Council, at least two days prior to the commencement of any works, notification of the details of the Principal Certifying Authority appointed by the owner for the development.

NOTE 1: If Bathurst Regional Council is to be appointed as the Principal Certifying Authority, the <u>attached</u> Agreement for the performance of certification work is to be completed.

REASON: Because it is in the public interest that Council receive notification in accordance with the provision of the Environmental Planning and Assessment Act 1979, as amended. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

23. Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a "Notice of Works" under the Plumbing and Drainage Act 2011.

REASON: To ensure that the plumbing and drainage works is in accordance with the Plumbing and Drainage Act 2011. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

24. During and after construction, minimum distances from powerlines are to be maintained.

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REASON: So that safe clearances are maintained from electrical powerlines, and because of representations to this effect from Essential Energy. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

DURING CONSTRUCTION

25. Only those trees identified on the Arborist Report (prepared by Agile Arbor, dated 3 April 2020) for removal and/or relocation are permitted to be removed and/or relocated respectively.

REASON: To reduce the impact of the development on existing vegetation and the amenity of the area. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

26. The Builder must at all times maintain, on the job, a legible copy of the plan and specification approved with the Construction Certificate.

REASON: Because it is in the public interest that a copy of the construction certificate plans are available. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

27. Any alterations or additions marked by Council on the approved plans and/or the specifications shall be carried into effect.

REASON: Because it is in the public interest that work is carried out in accordance with the approved plans. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended .

28. 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 8.00 pm on weekends and public holidays.

REASON: So that building works do not have adverse effect on the amenity of the area. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

29. All building rubbish and debris, including that which can be wind-blown, shall be contained on site in a suitable and covered container at all times prior to disposal at Council's Waste Management Centre or other facility that can lawfully be used as a waste facility for that type of waste. The container shall be erected on the building site prior to work commencing.

Materials and sheds or machinery to be used in association with the construction of the building shall not be stored or stacked on Council's footpath, nature strip, reserve or roadway without Council approval.

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NOTE 1: No building rubbish or debris shall be placed or be permitted to be placed on any adjoining public reserve, footway, road or private land without Council approval.

REASON: To ensure that the building site and adjoining public places are maintained in a clean and tidy condition so as not to interfere with the amenity of the area. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

30. Erosion and sediment control measures are to be established prior to commencement of construction and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with an approved Soil and Water Management Plan.

NOTE 1: All erosion and sediment control measures must be in place prior to earthworks commencing and implemented for the duration of the construction. Copies of the above guidelines are available from Council's Environmental, Planning & Building Services Department.

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

31. If soil conditions require it:

- a) retaining walls associated with the erection/demolition of a building or other approved methods of preventing movement of soil must be provided, and
- b) adequate provision must be made for drainage.

REASON: Because it is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

32. All excavation and backfilling associated with the erection/demolition of the building must:

- a) be executed safely and in accordance with appropriate professional standards, and
- b) be properly guarded and protected to prevent them from being dangerous to life or property.

REASON: Because it is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

33. The development shall be carried out in accordance with the approved plans.

REASON: Because it is in the public interest that work is carried out in accordance with the approved plans. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

34. All roofed and paved areas are to be drained and the water from those areas and from any other drainage conveyed to a legal point of discharge, in accordance with AS/NZS 3500.

Storm water disposal drains shall be connected to all roof gutter down pipes within 14 days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge roofwater to the approved method of disposal.

Where kerb and gutter is constructed, an approved PVC or galvanised steel kerb adaptor (either roll over kerb adaptor or upright kerb adaptor) shall be installed in the kerb.

NOTE 1: 'Pump-out' stormwater drainage systems are not acceptable.

REASON: Because the character of the development is such that storm water run off will be increased and must be safely conveyed to the storm water drainage system. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

35. The ground surrounding the building shall be graded and drained to ensure that all surface and seepage water is diverted clear of buildings on the site and clear of adjoining properties. Permanent surface or subsoil drains or a combination of both shall be provided to all excavated areas, hard standing areas and depressions. The invert of such drains shall be a minimum of 200 mm below the finished floor level and shall have a minimum grade of 1:100 to the approved storm water disposal location. This work shall be carried out within 14 days of the installation of the roof gutter down pipes.

REASON: A drainage system for the disposal of stormwater must convey the water to an appropriate outfall, avoid the entry of water into a building, avoid water damaging the building and avoid the likelihood of damage or nuisance to any other property. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

36. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.

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REASON: To prevent the proposed development having a detrimental effect on the developments existing on the adjoining lands. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

37. All stormwater runoff from the proposed development is to be collected on site and conveyed to legal point of discharge in a manner consistent with AS 3500 and Bathurst Regional Council's Guidelines for Engineering Works.

REASON: To provide for the drainage of storm water and minimise the risk of flood damage to adjoining properties. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

38. The applicant is to arrange an inspection of the development works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

| COLUMN 1 | COLUMN 2 |
|--|---|
| Drainage | After laying of pipes and prior to backfill; Pits after rendering openings and installation of step irons. |
| Erosion and sediment control | Prior to the installation of erosion measures. |
| All development and/or subdivision works | Practical completion. |

REASON: Because it is in the public interest that Council inspect the work at these stages of development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

39. The building is to be designed and constructed so that all floor levels have sufficient height to enable the house drainage line to fall at a permissible grade to the connection to Council's sewer main, and the earthworks on the site are to be such that there is the required minimum cover over the house drainage line, all in accordance with AS/NZS 3500 and the Plumbing Code of Australia.

REASON: To ensure that the design, siting and height of the building is such that the house drainage operates correctly and because it is in the public interest to comply with the Local Government (Approvals) Regulation, 1999 made under the Local Government Act, 1993. Section 4.12 of the Environmental Planning and Assessment Act 1979, as amended.

40. All existing house sewerage drainage pipelines affected by the proposed Group Homes are to be re-laid to clear the new building alignment.

REASON: To ensure the house sewerage drainage is accessible at all times for maintenance purposes. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

41. The plumbing and drainage must be inspected by Council at the times specified in Column 2.

| COLUMN 1 | COLUMN 2 |
|-------------------------|--------------------------------------|
| Internal house drainage | When all internal plumbing work is |
| | installed and prior to concealment. |
| External house drainage | When all external plumbing work is |
| _ | installed and prior to concealment. |
| Final | Prior to occupation of the building. |

REASON: Because it is in the public interest that plumbing work is certifying as complying with AS/NZS 3500 and The Plumbing Code of Australia. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

42. All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the Plumbing Code of Australia.

REASON: To ensure that all plumbing and drainage work is carried out in accordance with the requirements of the Local Government (Approvals) Regulation, 1999. Section 4.12 of the Environmental Planning and Assessment Act 1979, as amended.

43. All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the Plumbing Code of Australia.

NOTE 1: It will be necessary to install a temperature control device (eg tempering valve) to ensure that hot water to all personal hygiene fixtures is delivered at a temperature not exceeding 50°C.

REASON: To ensure that all plumbing and drainage work is carried out in accordance with the requirements of the Local Government (Approvals) Regulation, 1999. Section 4.12 of the Environmental Planning and Assessment Act 1979, as amended.

44. The paving (in concrete) and permanent line marking of all vehicular manoeuvring and parking areas, in accordance with Bathurst Regional Council's Guidelines for Engineering Works.

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NOTE 1: If other hard standing, dust free and weatherproof surfaces are proposed instead of concrete, a proposed alternative surface control and ongoing site management plan must be submitted to Council for written approval prior to the alternative being accepted.

REASON: To adequately provide for the safe, all-weather loading, unloading, manoeuvring and parking of vehicles within the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

45. The developer is to relocate, if necessary, at the developer's cost any utility services.

REASON: Because the circumstances are such that the services be relocated. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

PRIOR TO OCCUPATION/SUBDIVISION CERTIFICATE

46. The carpark crash barrier must be suitably installed in accordance with the approved plans, prior to the issue of any Occupation Certificate.

REASON: To improve the traffic safety of the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

47. The applicant is to submit to Council one set of electronic files in both Portable Document Format (.pdf) and in CAD Drawing (.dwg) format (MGA co-ordinates and AHD levels, with each of the services on a separate layer eg separate out water, sewer, storm water to their own layers) and one set of paper copies of the works as executed plans for the drainage of roofed and paved areas, collection and conveyance of surface runoff and paving and linemarking at a scale of 1:500 on an A1 sheet.

Each sheet is to include a bar scale or scales adjacent to the title block showing the scale (the works as executed plan is to be scaled at 1:500) and each sheet is to be properly signed and dated by the person responsible for the carrying out of those works. Further, the works are to comply with Bathurst Regional Council's Guidelines for Engineering Works.

REASON: So that Council may ensure that the construction is in accordance with Council's requirements, and so that a permanent record of the design as constructed may be held by Council, to assist in future maintenance, or for the information of the emergency services. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

48. Landscaping is to be carried out and maintained in perpetuity in accordance with the certified landscape plan. Modification to the certified landscape plan shall only be after receiving written approval from Council.

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NOTE 1: The landscaping is to be completed prior to the occupation of the building and maintained in perpetuity.

REASON: To ensure that adequate landscaping is provided and maintained on the subject land to ensure the maintenance of amenity. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

49. All landscaping areas are to be separated from adjoining driveways, manoeuvring areas and parking areas to prevent damage by vehicles in accordance with Chapter 13 of the Bathurst Regional Development Control Plan 2014.

REASON: To ensure that the landscaping is not damaged by vehicles driving onto the landscaped areas Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

50. The applicant is to obtain an Occupation Certificate pursuant to Section 6.4 of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority prior to occupation of the building.

NOTE 1: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is still responsible for ensuring that all conditions of development consent have been complied with.

REASON: Because it is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

51. Prior to the issue of any Occupation Certificate the responsible plumbing contractor is to submit to Council a copy of the Certificate of Compliance issued for the works.

REASON: To ensure that the plumbing and drainage works is in accordance with the Plumbing and Drainage Act 2011. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

USE OF THE SITE

52. The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.

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REASON: So that the development does not reduce the amenity of the area. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

53. Provision is to be made in the building and on the site for:

- a) access to the building for people with disabilities in accordance with the Building Code of Australia;
- b) toilet facilities for people with disabilities in accordance with the Building Code of Australia, and such toilet facilities shall be accessible to all persons working in, or using, the building; and
- c) one motor vehicle parking space on the site for the exclusive use of people with disabilities in accordance with the Building Code of Australia.

NOTE 1: The applicant must ensure that these matters are addressed in the plans and specifications submitted with the application for a construction certificate.

REASON: To provide for the use of the development by people with disabilities. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

54. The installation of exterior lighting to all vehicular manoeuvring and parking areas (including the carpark and new section of the internal driveway). The exterior lighting shall be designed and installed so that no obtrusive light will be cast onto any adjoining property.

NOTE 1: Compliance with Australian Standard AS4282 "Control of the Obtrusive Effects of Outdoor Lighting" will satisfy this condition.

REASON: To provide opportunities for natural surveillance and reduce the likelihood of crime on the subject land. Section 4.15 of the Environmental Planning and Assessment Act 1979.

PRESCRIBED CONDITIONS

The following conditions are known as "Prescribed Conditions" and are required to be imposed as part of any development consent whether or not they are relevant to the development approved under this consent. Please do not hesitate to contact staff in Council's Planning and Development Department who will be happy to advise you as to whether or not the conditions are relevant.

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55. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or complying development certificate was made).

REASON: So that the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended. Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended.

56. Building work (within the meaning of the Home Building Act 1989) must not be carried out unless the principal certifying authority for the development:

- a) in the case of work done by a licensee under the Act:
 - i) has been informed in writing of the licensee's name and contractor license number, and
 - ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR
- b) in the case of work to be done by any other person:
 - i) has been informed in writing of the person's name and ownerbuilder permit number, or
 - ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of the Act,

and is given appropriate information and declarations under paragraphs a) and b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either a) or b).

NOTE 1: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.

REASON: So that the development complies with the requirements of clause 98 of the Environmental Planning and Assessment Act Regulations 2000. Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended.

57. For development that involves any building work, subdivision work or demolition works:

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- a) A sign must be erected in a prominent position:
 - i) showing the name, address and telephone number of the principal certifying authority for the work, and
 - ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - iii) stating that unauthorised entry to the work site is prohibited.
- b) Any such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.
- c) This condition does not apply in relation to work that is carried out inside an existing building that does not affect the external walls of the building.
- d) This condition does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

REASON: Because it is in the public interest that the persons responsible for the site can be contacted. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

58. The commitments listed in any relevant BASIX Certificate for this development are to be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.

REASON: So that the development complies with the requirements imposed under Clause 97A of the Environmental Planning and Assessment Regulations 2000, as amended. Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended.

- 59. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a) protect and support the building, structure or work from possible damage from the excavation; and
 - b) where necessary, underpin the building, structure or work to prevent any such damage.

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The condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

REASON: Because it is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 4.15(1) & (e) of the Environmental Planning and Assessment Act 1979, as amended.

Endorsement date of determination and operative date: 11 August 2020

NOTES:

- 1. **Lapsing of consent**. Unless a shorter period is specified in this notice, this consent will lapse if the development is not physically commenced within five years of the date endorsed on this notice.
- 2. **Right of Review**: If you are dissatisfied with this determination, section 8.2 of the Environmental Planning and Assessment Act 1979, as amended, gives you the right to request the Council to review its determination. Such a request must be accompanied by the fee prescribed in Council's Revenue Policy.

The review must be undertaken within 6 months of the date endorsed on this notice.

3. **Right of appeal**: If you are dissatisfied with this determination, section 8.7 of the Environmental Planning and Assessment Act 1979, as amended, gives you the right of appeal to the Land and Environment Court.

The appeal must be lodged within 6 months of the date endorsed on this notice.

- 4. See **<u>attached</u>** sheet for explanatory notes.
- 5. All monetary conditions are reviewed annually, and may change as of 1 July each year.

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Neil Southorn DIRECTOR ENVIRONMENTAL, PLANNING & BUILDING SERVICES

BATHURST REGIONAL COUNCIL

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Correspondence to: Private Mail Bag 17 BATHURST NSW 2795

DETERMINATION OF A DEVELOPMENT APPLICATION EXPLANATORY NOTES

- 1. Should further explanation of the terms or conditions of the approval be required, please contact Council's Environmental, Planning & Building Services Department.
- 2. Unless otherwise stated in a particular condition, it is the developer's responsibility to obtain any additional permits, approvals, consents, easements, or permission to enter necessary for the satisfaction of any conditions or for the completion of any works to be carried out in connection with the development.
- 3. Application for modification of this consent must be made on the prescribed form and be accompanied by the prescribed fee.
- 4. If amended building plans are submitted they must be accompanied by the fee set out in Council's Revenue Policy.



26 May 2021

Mr. David Sherley General Manager Bathurst Regional Council PMB 17 BATHURST NSW 2795

Dear David,

Glenray has for a number of years benefited from the support of Bathurst Regional Council, while at the same time Glenray has provided essential support to Bathurst residents with a disability.

Glenray submitted Development Application No 2019/352 for the construction of 4 Group Homes and one unit at 10 Collins Close Kelso (Lot: 45 DP:262575). This project is self funded and adds to the previous development on site which consists of 8 Group Homes. The development is unique as it offers village style accommodation to individuals with a disability, the site also employs 65 local Bathurst residents.

The proposed development offers accommodation for a further 18 individuals while also creating an additional 35 jobs. Per the attached site plan works will be undertaken in 3 stages, with 1 home and the unit completed in Stage 1, a further 2 homes in Stage 2, and the final home in stage 3.

As we move to Construction Certificate a number of charges have been applied by Bathurst Regional Council:

- \$28,296.40 for provision of community facilities
- \$2,239.89 for storm water drainage management
- \$39,144.60 for sewer headworks
- \$40,233.60 for water headworks

Total payable is \$109,914.50.

Due to the benevolent nature of Glenray and the ongoing support that Glenray offers to many in the local community I request that Bathurst Regional Council review the charges described above and offer Glenray financial support in the form of a fee reduction. I also request that the fee payment is deferred pro rata across the 3 stages of the development.

If you require further information, please contact me on 6331 2388

Regards

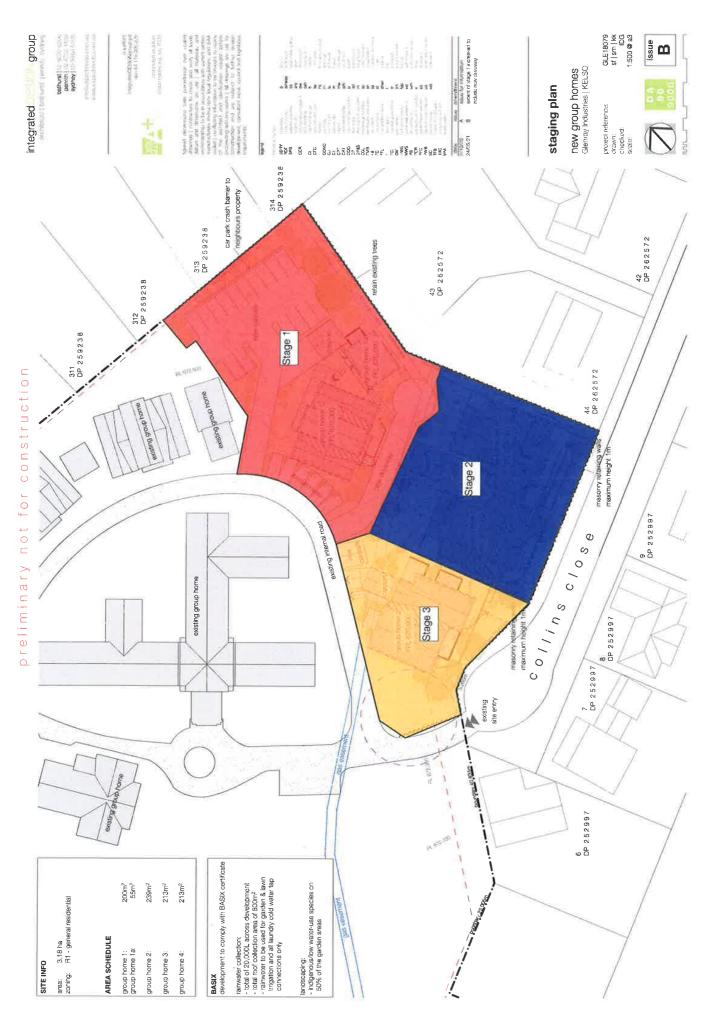
Scott Green Chief Financial Officer

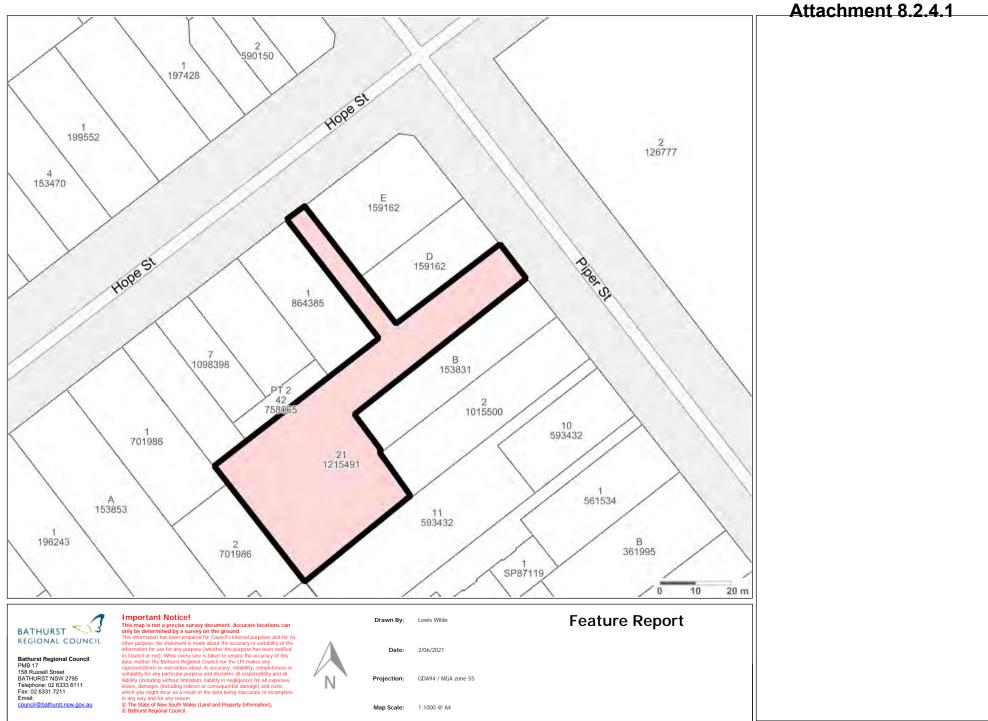
nray Industries Limited N 96 059 568 482

PO Box 9344 225 Howick Street, Bathurst, NSW 2795

w.glenray.com.au AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments









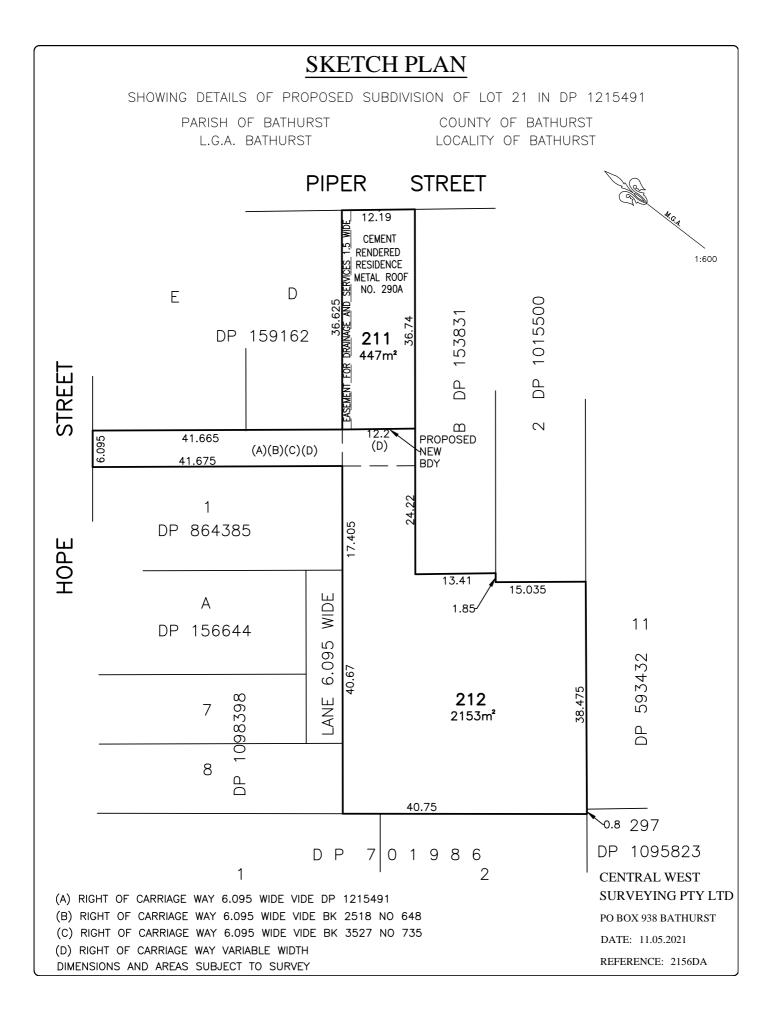
Bathurst Regional Council PMB 17 158 Russell Street BATHURST NSW 2795 Telephone: 02 6333 6111 Fax: 02 6331 7211 Email: council@bathurst.nsw.gov.au

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GDA94 / MGA zone 55 Projection:

Map Scale: 1:1000 @ A4

Ν





STATEMENT OF ENVIRONMENTAL EFFECTS

PROJECT: Subdivision 2 lots

ADDRESS: 290A Piper Street, Bathurst

May 2021



DESCRIPTION: Subdivision – 2 lots

CLIENT: Central West Surveying

Anthony Daintith Town Planning Pty Ltd ABN 46 121 454 153 ACN 121 454 153

<u>Contact</u>: 145 Keppel Street, Bathurst 4 Isaac Drive, Orange M: PO Box 1975, Orange NSW 2800 T: 02 63624523

E: <u>anthony@adtp.com.au</u>

QUALITY ASSURANCE

This document has been prepared, checked and released in accordance with the Quality Control Standards established by Anthony Daintith Town Planning.

| Version | Date | Description | Ву | |
|---------|-----------|-------------|----|--|
| 1.0 | 12/5/2021 | Approved | AD | |
| 2.0 | 17/5/2021 | Revised | AD | |
| 3.0 | 26/5/2021 | Revised | AD | |

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This document has been authorised by

Anthony Daintith (Principal) Date: 26/5/2021



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1 BACKGROUND

1.1 INTRODUCTION

Central West Surveying has engaged Anthony Daintith Town Planning (ADTP) to prepare a Statement of Environmental Effects (SOEE) to support a Development Application to Bathurst Regional Council, for a proposed two (2) lot Torrens Title subdivision of 290A Piper Street, Bathurst.

The purpose of this document is to:

- Describe the existing environment;
- Outline the proposed development;
- Consider relevant statutory matters; and
- Make conclusions and recommendations for **Council's** consideration.

The development application consists of the following components:

- Statement of Environmental Effects;
- Subdivision Plans.

1.2 APPLICANT AND OWNER

The applicant is Central West Surveying.

The registered owner of the subject land is Rade Krajcer and Lesley Margaret Krajcer.

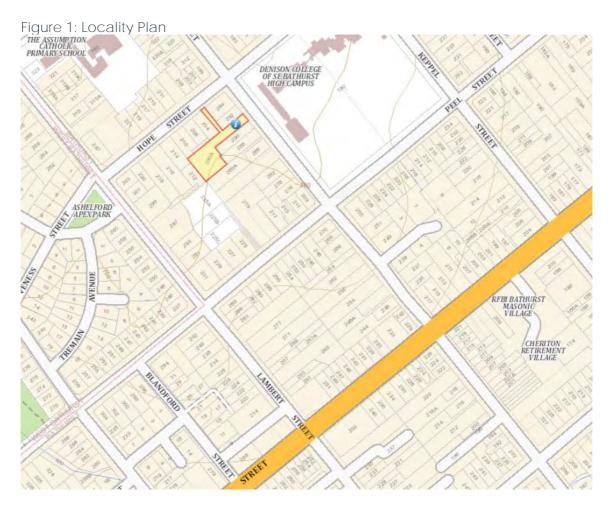
The owner has provided their written consent to the lodgement of the Development Application.



2 SUBJECT LAND

2.1 LOCATION AND TITLE

The subject land is identified as 290A Piper Street, Bathurst. Refer to Figure 1, which depicts the site within the locality.



The area of the subject land is 2600m².

The land title description is:

Table 1: Land Title Details

| Lot | Deposited Plan |
|-----|----------------|
| 21 | 1215491 |

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2.2 GENERAL SITE DESCRIPTION

<u>Topography</u>

The land slopes from the south west down to the north east.

Vegetation

The site is generally clear of vegetation.

<u>Waterways</u>

There are no water courses traversing the site.

Buildings

The site contains an existing dwelling

Photos 1 -4 provide a visual representation of the property.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 7 of 33 V2.0





Photo 2: Access off Hope Street



Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 8 of 33 V2.0





Photo 4: Rear of the subject land looking back to the existing house



Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 9 of 33 V2.0



3 PROPOSAL

The proposal seeks development consent to subdivide the subject land into two (2) lots. The proposed lots are shown in Table 2 below.

Table 2: Proposed Lots

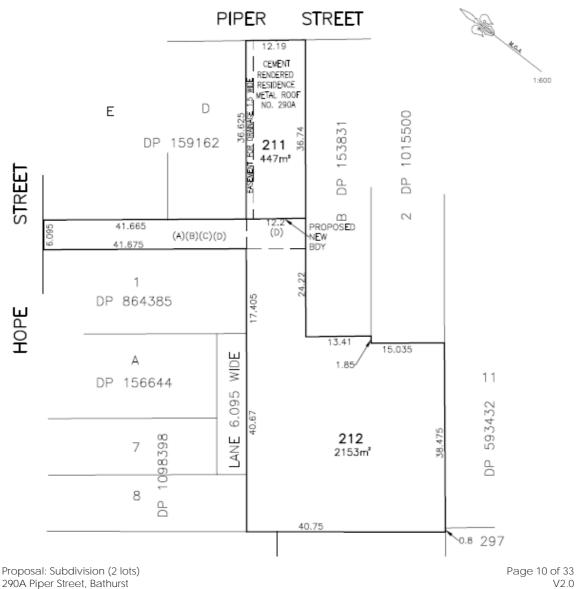
| Lot Number | Area (m²) |
|------------|-----------|
| 211 | 447 |
| 212 | 2153 |

Lot 211 contains an existing dwelling.

Lot 212 is vacant land.

Refer to the subdivision plan for greater detail.

Figure 3: Proposed Subdivision Plan





4 TOWN PLANNING CONSIDERATIONS

Pursuant to Section 4.15 (formerly Section 79C) of the *Environmental Planning* and Assessment Act 1979, the following matters must be taken into consideration when assessing a development application:

4.15 Evaluation (cf previous s 79C)

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 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), and
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

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.



(a)(i) The provisions of any environmental planning instrument

LOCAL ENVIRONMENTAL PLANS

BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014

Applicable LEP Clauses

Zone R1 General Residential

1 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.
- 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.
- 2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations; Roads

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Garden centres; Group homes; Home industries; Hostels; Kiosks; Markets; Multi dwelling housing; Neighbourhood shops; Places of public worship; Plant nurseries; Residential flat buildings; Respite day care centres; Roadside stalls; Semi-detached dwellings; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in item 2 or 4

4 Prohibited

Air transport facilities; Amusement centres; Boat building and repair facilities; Correctional centres; Crematoria; Depots; Electricity generating works; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial training facilities; Industries; Intensive livestock agriculture; Open cut mining; Restricted premises; Retail premises; Rural industries; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wholesale supplies

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 12 of 33 V2.0



<u>Comment</u>

The subject land is zoned R1 General Residential under the provisions of the Bathurst Regional Local Environment Plan 2014.

The proposed subdivision is permissible subject to the consent of Council via the lodgement of a Development Application.

As detailed throughout this report, the proposed development can generally be shown to be consistent with the relevant objectives of the zone.

- 4.1 Minimum subdivision lot size
- (1) The objectives of this clause are as follows:
 - (a) to protect and enhance the production capacity of rural lands, by maintaining farm sizes and the status of productive lands,
 - (b) to ensure residential lots are of a suitable shape and size to provide a building envelope, private open space and suitable building setbacks for acoustic and visual privacy,

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 13 of 33 V2.0



- (c) to control the subdivision of land shown on the Lot Size Map for the purposes of a dwelling house,
- (d) to ensure that lot sizes are consistent with the desired settlement density and intensities for different localities and reinforce the predominant subdivision pattern of the area,
- (e) to ensure a secure water supply is available to land in Zone RU4 Primary Production Small Lots to enable the cultivation of land by irrigation.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (3A) Despite subclause (3), development consent must not be granted to the subdivision of land in Zone RU4 Primary Production Small Lots unless the consent authority is satisfied that a suitable and secure water supply is, or will be, available for irrigation to each resulting lot to enable the cultivation of the land.
- (3B) Despite subclause (3), the size of any lot resulting from the subdivision of land identified as "Area 1" on the Lot Size Map must not be less than 4,000 square metres if:
 - (a) reticulated water and sewerage will be connected to each resulting lot immediately following the subdivision, and
 - (b) the land is not within the 50dBA Noise Contour shown on the Mount Panorama Environs Map.
- (3C) Despite subclause (3), the size of any lot resulting from the subdivision of an existing holding identified as "Area 1" on the Lot Size Map must not be less than 4,000 square metres if:
 - (a) reticulated water and sewerage will not be connected to each resulting lot immediately following the subdivision, and
 - (b) not more than 1 lot is created for every 1.5 hectares of the existing holding.
- (3D) A lot created under subclause (3C) may not be further subdivided.
- (3E) Despite subclause (3), the size of any lot resulting from the subdivision of land identified as "Area 2" on the Lot Size Map must not be less than 6,000 square metres if reticulated water and sewerage will be connected to each resulting lot immediately following the subdivision.
- (3F) Despite subclause (3), a battle-axe lot resulting from the subdivision of the following land must not be less than:
 - (a) if the land is in Zone R1 General Residential-750 square metres, or
 - (b) if the land is in Zone R1 General Residential and in the village of Eglinton, Perthville or Raglan—900 square metres, or
 - (c) if the land is in Zone R2 Low Density Residential—750 square metres.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 14 of 33 V2.0



- (3G) For the purpose of calculating the size of a battle-axe lot under subclause (3F), the area of the access handle is excluded.
- (3H) In this clause existing holding means the area of a lot as it was on 2 September 1988.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.



Figure 5: Bathurst Regional LEP - MLS Map

<u>Comments</u>

The MLS is 550m². Proposed Lot 212 has an area of 2153m².

Refer to comments under Clause 4.6 below which supports a variation request for the creation of Lot 211 which only has an area of 447m².

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 15 of 33 V2.0



- 4.6 Exceptions to development standards
- (1) The objectives of this clause are as follows:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Secretary must consider:
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst

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- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
- (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note. When this Plan was made it did not include all of these zones.

- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,
 - (c) clause 5.4,
 - (ca) clause 6.1, 6.2, 6.3, 7.7, 7.8 or 7.11.

Comments:

A variation to the minimum lot size for a subdivision of the subject land is sought for this proposal (i.e., 550m² development standard – Lot 211 has an area of 447m²).

Following provides justification for the support of the proposed variation to the development standard.

Is the Requirement a Development Standard?

Clause 4.1 of the Bathurst Local Environmental Plan 2014 (LEP) contains a development standard that provides a minimum lot size for subdivision.

A written justification for the proposed variation to the minimum lot size for a dual occupancy is required in accordance with Clause 4.6 of the LEP.

The objectives of Clause 4.6 'Exceptions to Development Standards' are as follows:

- (a) To provide an appropriate degree of flexibility in applying certain development standards to particular development; and
- (b) To achieve better outcomes for and from development by allowing flexibility in particular circumstances.

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Clause 4.6 allows for the contravention of a development standard with approval of the consent authority.

A development standard is defined under the Environmental Planning and Assessment Act, 1979 as:

"Provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development"

Subclause (3) requires the consent authority to consider a written request from the applicant that demonstrates:

- a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- b) That there are sufficient environmental planning grounds to justify contravening the development standard.

Subclause (4) requires the consent authority to be satisfied that:

- i) The applicants written request has adequately addressed the matters required to be demonstrated by subclause (3); and
- ii) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Clause 4.1 is a development standard.

Extent of Variation to the standard

Proposed Lot 211 has an area of 447m² (the development standard under Clause 4.1 is 550m².

The development therefore results in a minor variation to minimum lot size for a subdivision development of 103m² or 18.7%.

Is the Requirement a Development Standard and does subclause 8 apply?

Clause 4.1 of the Bathurst Local Environmental Plan 2014 contains a development standard that prescribes the minimum subdivision size on the subject site. Clause 4.1 states:



- 4.1 Minimum subdivision lot size
- (1) The objectives of this clause are as follows:
 - (a) to protect and enhance the production capacity of rural lands, by maintaining farm sizes and the status of productive lands,
 - (b) to ensure residential lots are of a suitable shape and size to provide a building envelope, private open space and suitable building setbacks for acoustic and visual privacy,
 - (c) to control the subdivision of land shown on the Lot Size Map for the purposes of a dwelling house,
 - (d) to ensure that lot sizes are consistent with the desired settlement density and intensities for different localities and reinforce the predominant subdivision pattern of the area,
 - (e) to ensure a secure water supply is available to land in Zone RU4 Primary Production Small Lots to enable the cultivation of land by irrigation.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (3A) Despite subclause (3), development consent must not be granted to the subdivision of land in Zone RU4 Primary Production Small Lots unless the consent authority is satisfied that a suitable and secure water supply is, or will be, available for irrigation to each resulting lot to enable the cultivation of the land.
- (3B) Despite subclause (3), the size of any lot resulting from the subdivision of land identified as "Area 1" on the Lot Size Map must not be less than 4,000 square metres if:
 - (a) reticulated water and sewerage will be connected to each resulting lot immediately following the subdivision, and
 - (b) the land is not within the 50dBA Noise Contour shown on the Mount Panorama Environs Map.
- (3C) Despite subclause (3), the size of any lot resulting from the subdivision of an existing holding identified as "Area 1" on the Lot Size Map must not be less than 4,000 square metres if:
 - (a) reticulated water and sewerage will not be connected to each resulting lot immediately following the subdivision, and
 - (b) not more than 1 lot is created for every 1.5 hectares of the existing holding.
- (3D) A lot created under subclause (3C) may not be further subdivided.
- (3E) Despite subclause (3), the size of any lot resulting from the subdivision of land identified as "Area 2" on the Lot Size Map must not be less than 6,000 square metres if reticulated water and sewerage will be connected to each resulting lot immediately following the subdivision.

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- (3F) Despite subclause (3), a battle-axe lot resulting from the subdivision of the following land must not be less than:
 - (a) if the land is in Zone R1 General Residential—750 square metres, or
 - (b) if the land is in Zone R1 General Residential and in the village of Eglinton, Perthville or Raglan—900 square metres, or
 - (c) if the land is in Zone R2 Low Density Residential—750 square metres.
- (3G) For the purpose of calculating the size of a battle-axe lot under subclause (3F), the area of the access handle is excluded.
- (3H) In this clause existing holding means the area of a lot as it was on 2 September 1988.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

Clause 4.1 is a development standard.

Subclause 8 does not apply to the subject development.

What is the underlying object or purpose of the standard?

The objective of Clause 4.1:

- (1) The objectives of this clause are as follows:
 - (a) to protect and enhance the production capacity of rural lands, by maintaining farm sizes and the status of productive lands,
 - (b) to ensure residential lots are of a suitable shape and size to provide a building envelope, private open space and suitable building setbacks for acoustic and visual privacy,
 - (c) to control the subdivision of land shown on the Lot Size Map for the purposes of a dwelling house,
 - (d) to ensure that lot sizes are consistent with the desired settlement density and intensities for different localities and reinforce the predominant subdivision pattern of the area,
 - (e) to ensure a secure water supply is available to land in Zone RU4 Primary Production Small Lots to enable the cultivation of land by irrigation.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst



Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

The development standard is considered unreasonable in the circumstances due to the following reasons:

- The development remains consistent with the objectives of the zone.
- There are a number of existing lots within the vicinity of the subject land which area less than 550m² in area.
- The creation of Lot 211 whilst under the MLS still provides all the required residential amenity (private open space, access, clothes drying etc), without relying upon any land within Lot 212.
- If Lot 211 were part of a dual occupancy/multi dwelling housing development, a lot of potentially any area would be permitted as long as the necessary residential amenities were provided (refer to the point above).
- The development is generally consistent with the provisions of the Bathurst Development Control Plan 2014 (there is a slight variation of the frontage sought for Lot 211 the variation is considered justifiable).
- The surrounding land is transitioning from low density to medium/high density residential.
- Lot 212 will likely be developed for multi dwelling housing which will ensure that the creation of Lot 211 slightly less than the MLS will not be inconsistent with this area.
- The variation sought is relatively minor (18%).
- The standard unreasonably restricts effective utilisation of the land to achieve the objectives of the zone.
- The standard unreasonably restricts the maximisation of infill development and utilisation of existing infrastructure resources.
- The standard will unnecessarily restrict the achievement of highest and best yield of the land resource.

Are there sufficient environmental planning grounds to justify contravening the standard?

Given the transitional nature of the area from lower density to medium-higher density residential, the design proposes an appropriate development form that is reflective of the desired future character of the area and responds to the constraints and opportunities of this site.

The development in its current form results in a better urban planning outcome for the following reasons:

• The development generally complies with the provisions of the Bathurst Development Control Plan 2014.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst



- There are a number of higher density housing developments within the vicinity of the subject land and associated smaller lots.
- The existing dwelling on Lot 211 is provided with an appropriate level of amenity.

On the basis of the discussion in this report and the points above, there are sufficient environmental planning grounds to justify the contravention of the development standard.

Will the proposed development be in the public interest because it is consistent with objectives of the particular standard and the objectives for development within the zone in which the development proposed is to be carried out?

The proposed development maintains compliance with the objectives of the R1 General Residential zone as detailed below:

- To provide for the housing needs of the community.
- o 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.
- 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.

As detailed throughout this report, the proposed development can generally be shown to be consistent with the relevant objectives of the zone.

- The development meets the housing needs of the community;
- The development provides for the potential for a variety of housing types and densities.
- The subject land is located in close proximity of the Bathurst CBD.
- The subject land can be fully serviced.

The proposed subdivision is generally consistent with the desired future area and zoning under the Bathurst LEP 2014 and Bathurst DCP 2014.

It is therefore considered that the development is capable of achieving R1 General Residential Zone objectives.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 22 of 33 V2.0



Whether or not non-compliance with the development standard raises any matter of significance for State or Regional environmental planning?

The variation to the lot size for the creation of Lot 211 will not raise any matter of significance for State or regional environmental planning.

The public benefit of maintaining the development standard

There is no public benefit of maintaining the development standard in this instance due to the minor extent of the variation and the similar development within the vicinity of the site. This report has determined that the variation to the planning control will result in an outcome that is acceptable on this site.

Any other matters required to be taken into consideration by the Director General before granting concurrence?

There are no other matters that are required to be taken into consideration.

STATE ENVIRONMENTAL PLANNING POLICYS

STATE ENVIRONMENTAL PLANNING POLICY NO 55-REMEDIATION OF LAND

Council must consider Clause 7 of the SEPP when determining a Development Application:

- 7 Contamination and remediation to be considered in determining development application
- (1) A consent authority must not consent to the carrying out of any development on land unless:
 - (a) it has considered whether the land is contaminated, and
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 23 of 33 V2.0



<u>Comment</u>

The potential for contamination appears minimal. In terms of potential soil contamination, the subject land has been evaluated for:

- Evidence of previous mining activity;
- Evidence of existing and previous dip sites and other associated infrastructure;
- Evidence of orcharding or any other horticultural activities; and
- Vegetative and other features which could indicate possible soil contamination.

Accordingly, it is recommended that a detailed investigation is not necessary or warranted in this instance.

(a)(ii) Any draft environmental planning instrument

There are no known draft environmental planning instruments applicable to the subject land.

(a)(iii) Any development control plan

BATHURST DEVELOPMENT CONTROL PLAN 2014

| Clause | Heading | Comment |
|--------|---|---|
| 3.1 | Preliminary | |
| 3.2 | Minimum lot size | The proposed subdivision is permissible via Clause 4.1 (Lot 211 via a clause 4.6 variation). |
| 3.3 | Subdivision Requirements: All zones | |
| 3.3.1 | Electricity and telephone services | Underground electricity and telephone services are already connected to the existing dwelling and available for connection to Lot 212. There is already street lighting in Piper and Hope Streets. |
| 3.3.2 | Road | No new roads proposed. |
| 3.3.3 | Drainage | Stormwater drainage to be provided to the street system (Piper Street). Refer to Construction Certificate 2011/0356 that approved civil works on the subject land includes the provision of a piped stormwater system. The system has already been constructed. |

Table 3: DCP Analysis

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 24 of 33 V2.0



| | • | TOWN PLANNING |
|-------------|---|--|
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| 3.3.4 | Reticulated water and sewer | Each lot will be connected to reticulated water and sewer to Council requirements (the existing house on Lot 211 is already connected). Water for Lot 212 will be connected to the water system in Hope Street. There is an existing sewer main available for connection at the south corner of Lot 212 (refer to the plan approved under Construction Certificate 2011/0356 that provides the location of the existing sewer main extending into the lot). |
| 3.3.5 | Rural Water Supply | Not applicable |
| 3.3.6 | Soil and Water Management | The subdivision will comply with the requirements of the document: Managing Urban Stormwater: Soils and Construction 2004, produced by Landcom. |
| 3.3.7 | Natural environment | There is no tree removal required. There are no existing dams on the site of the subdivision. There are no environmental sensitive land features on the site (e.g., rocky outcrops, steep slopes, ridge or hill tops). No land shaping will be undertaken prior to approval of the subdivision. |
| 3.3.8 | Landscaping | Landscaping for the subdivision will be undertaken in consultation with Bathurst Regional Council. |
| 3.3.9 | Land contamination | Refer to SEPP 55 comments. |
| 3.3.10 | Access via Crown Roads | Not applicable. |
| 3.4 | Subdivision Requirements: Zone R1 – General Residential and R2 – Low Density Residential | |
| 3.4.1 | Objectives | It is considered that the proposed subdivision is consistent with the zone objectives. |
| 3.4.2 | Allotment Dimensions | The subject land has a frontage of 12.19m to Piper Street and 6.095m to Hope Street. |
| | | The DCP requirements a lot frontage of 16.5m for normal lots and 3-4m minimum width of an access handle for a battle-axe lot. |
| Proposal: S | Subdivision (2 lots) | Page 25 of 33 |

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 25 of 33 V2.0



| | | Accordingly, a variation is sought for the creation of Lot 211 that only has a frontage of 12.19m. The variation is supported by the following reasons: |
|-------|---|---|
| | | The subdivision is an infill development that already has an existing house (Lot 211) built upon it. There will be no change to the Piper Street streetscape. There are other existing lots in the vicinity of the subject land that have street frontages less than 16.5m (including the lots to the south in Piper Street). All necessary amenities are provided on Lot 211. |
| | | The width of the access handle to Lot 212 is 6.095m which is compliant. |
| 3.4.3 | Road works | No new roads proposed. |
| 3.4.4 | Subdivision of dual occupancy, multi dwelling houses, residential flat buildings and shop top housing | Not applicable. |
| 3.4.5 | Subdivision of land in the village of Eglinton | Not applicable |
| 3.4.6 | Subdivision of the land in Kelso | Not applicable |
| 3.8 | Development Control Plan Maps | There are no maps applicable. |

(a)(iiia) Any Planning Agreements

There are no known planning agreements affecting the property.

(a)(iv) Any matters prescribed by the regulations:

Government Coastal Policy

Not applicable to Bathurst LGA.

Building Demolition

Not applicable.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 26 of 33 V2.0



Upgrading of Buildings

Not applicable.

Fire Safety

Not applicable.

Temporary Structures

Not applicable to this proposal.

Deferred Commencement Consent

Not applicable to this proposal.

Modification or Surrender of Development Consent or Existing Use

Not applicable.

Ancillary Development

Not applicable to this proposal.

BASIX

BASIX Certificate has been provided for each dwelling.

(b) The likely impacts of the development:

CONTEXT AND SETTING

The surrounding area is generally characterised by residential development.

The proposal is considered compatible with the surrounding area and will have minimal impact in regard to:

- Impacts on adjacent properties and land uses; and
- Interruptions of important views and vistas.

The proposal is within the context of the locality and Council's current planning provisions.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 27 of 33 V2.0



ACCESS AND TRANSPORT

It is proposed that access to both Lot 211 and Lot 212 will be via Hope Street.

The access handle (6.095m wide) will be within Lot 212 with a right of carriage way in favour of Lot 211 so that they can gain access to the rear garage.

PUBLIC DOMAIN

It is considered that the development will have a negligible impact on the public domain in terms of:

- Public recreational opportunities in the locality;
- Amount, location, design, use and management of public spaces in and around the development; and
- Pedestrian linkages and access between the development and public areas.

UTILITIES & SERVICES

<u>Electricity</u>

The site is already connected to the existing house on Lot 211 and available for connection to proposed Lot 212.

<u>Telephone</u>

The site is already connected to the existing house on Lot 211 and available for connection to proposed Lot 212.

Water

The site is already connected to the existing house on Lot 211 and available for connection to proposed Lot 212 (it is proposed that the water service will be via Hope Street).

Sewerage

The site is already connected to the existing house on Lot 211 and available for connection to proposed Lot 212. The sewer connection for Lot 212 is located in the south east corner of the subject land.

<u>Stormwater</u>

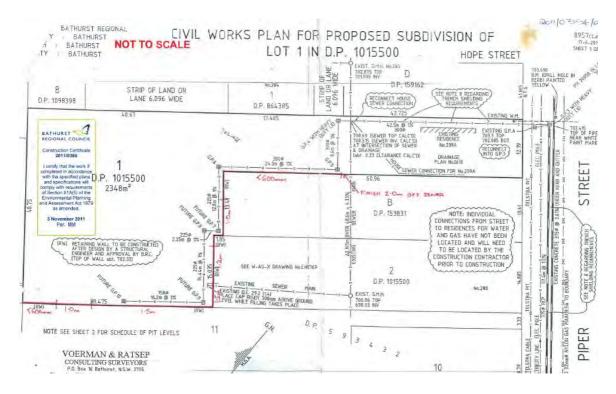
Stormwater diverts back to Piper Street. An easement for drainage is provided over Lot 211.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 28 of 33 V2.0

Attachment 8.2.4.3



Construction Certificate 2011/0356 that approved civil works on the subject land includes the provision of a piped stormwater system. The system has already been constructed. It also shows the sewer line into the property in the south east corner of Lot 212.

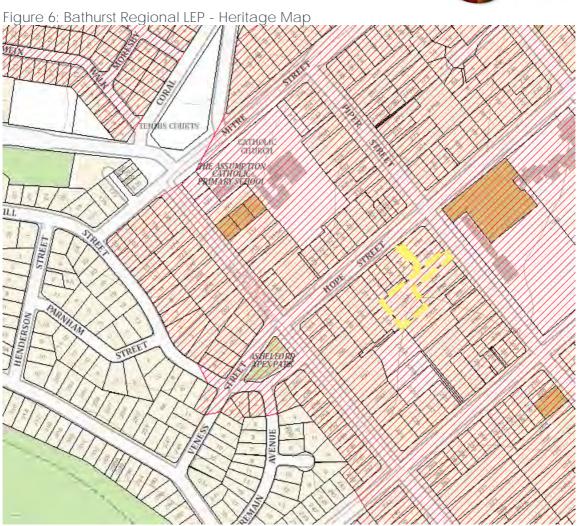


HERITAGE

The subject land is located within the Heritage Conservation Area. As the proposal is only for the subdivision of the land, no negative impacts have been identified.

Attachment 8.2.4.3





FLORA AND FAUNA

No vegetation removal is required for the proposed subdivision.

ENERGY

Nil impact.

NOISE AND VIBRATION

Nil impact.

NATURAL HAZARDS

It is considered that the land is not affected by bushfire, flood, subsidence or any other known hazard.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 30 of 33 V2.0



POTENTIAL CONTAMINATION

See comments under SEPP 55 – Remediation of Land.

SAFETY, SECURITY & CRIME PREVENTION

Ni impact.

SOCIAL & ECONOMIC IMPACTS IN THE LOCALITY

The likely social and economic impacts of the development are negligible.

CONSTRUCTION

Any construction/services work to be undertaken in accordance with Councils Subdivision Design Specifications.

CUMULATIVE IMPACTS

It is considered there will be no negative cumulative impacts as a result of the proposed subdivision.

(c) Suitability of the site for the development

Does the proposal fit in the locality?

- There are no constraints posed by surrounding development to render the proposal prohibitive;
- The proposal is complimentary to the surrounding land use pattern and zoning;
- It is considered that the proposal will not create any unmanageable access or transport concerns in the locality;
- No impact on public spaces will eventuate as a result of the proposal proceeding;
- No upgrading to services is required (are all readily available for connection);
- There are no issues in relation to air quality and microclimate; and
- There are no identified surrounding hazardous land uses or activities.



Are the site attributes conducive to development?

It is considered that the site is conducive to the subdivision based on the following:

- The site is not affected by any natural hazards;
- The subdivision will not have a negative impact on the heritage conservation area;
- There is no known soil characteristics that would render the proposal prohibitive; and
- There are no known flora and fauna considerations that will have an impact on the proposal.

(d) Any submissions

The application may be notified to adjoining neighbours for comment.

(e) The public interest

The proposed development is considered to be only of minor interest to the wider public due to the relatively localised nature of potential impacts. It is believed that by the imposition of appropriate conditions of consent and the safeguards discussed in this report, potential impacts would be modest.



5. CONCLUSION

This report includes an analysis of the existing environment, details of the proposed development and consideration of applicable statutory requirements.

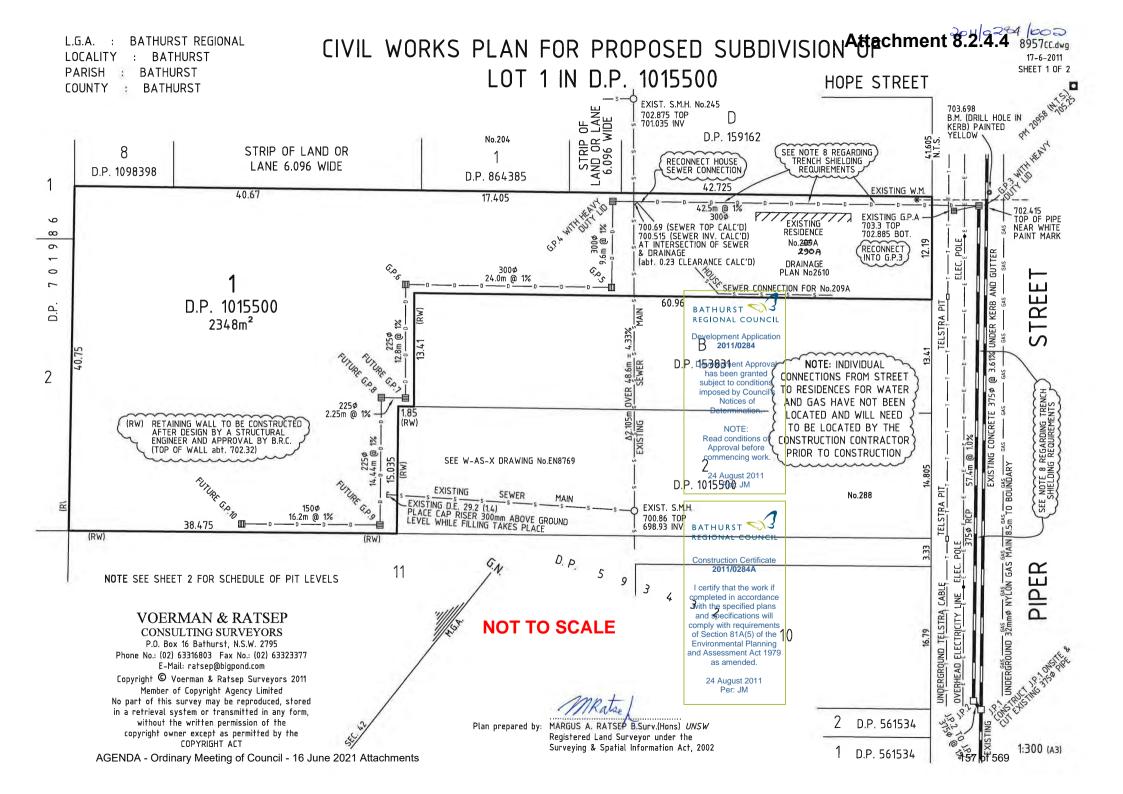
Based upon the investigations of the proposal it can be concluded that:

- The impacts upon or by surrounding development will not be altered significantly as a result of the subdivision proceeding;
- The topography of the site can accommodate the proposal;
- Utilities and services are already connected to the existing house and can be provided to the vacant lot ; and
- The proposal is generally consistent with the objectives and provisions of Councils relevant planning documents. The minimum lot size variation request is justifiable as set out in this report.

The proposal is considered to be acceptable in terms of Section 4.15 of the *Environmental Planning and Assessment Act* 1979 (as amended) and potential impacts are expected to be minor.

Accordingly, it is recommended that the Development Application be approved subject to appropriate standard conditions.

Proposal: Subdivision (2 lots) 290A Piper Street, Bathurst Page 33 of 33 V2.0



L.G.A. : BATHURST REGIONAL LOCALITY : BATHURST PARISH : BATHURST COUNTY : BATHURST

CIVIL WORKS PLAN FOR PROPOSED SUBDIVISION Attachment 8.2.4.4 8957cc.dwg LOT 1 IN D.P. 1015500

CONSTRUCTION NOTES

- 1. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNTIL IT HAS BEEN STAMPED AND SIGNED AS BEING APPROVED BY BATHURST REGIONAL COUNCIL.
- ALL DRAINAGE WORKS ARE TO COMPLY WITH THE THE PROVISIONS OF AS/NZS 3500 AND BATHURST REGIONAL COUNCIL'S GUIDELINES FOR ENGINEERING WORKS (LAST AMENDED 4TH DECEMBER 2009).
- 3. ALL PITS ARE TO BE 600mm \times 600mm STORMWATER PITS.
- 4. GRATED PITS (G.P.) No.3 AND 4 MUST HAVE A HEAVY DUTY TRAFFICABLE LID.
- 5. ALL PIPE WORK AND CONNECTIONS TO THE EXISTING STORMWATER PIPE IS TO BE CARRIED OUT IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARD AND BATHURST REGIONAL COUNCILS GUIDELINES FOR ENGINEERING WORKS WITHIN THE CITY OF BATHURST (LAST AMENDED 4th DECEMBER 2009).
- 6. ALL EXISTING SERVICES (WATER, TELSTRA, ELECTRICITY & GAS) ARE TO BE LOCATED PRIOR TO EXCAVATION. A NEW DIAL BEFORE YOU DIG SEARCH IS REQUIRED BEFORE EXCAVATION TAKES PLACE. OUR DIAL BEFORE YOU DIG SEARCH IS DATED 16/3/2011, JOB No.4543693.
- 7. EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE ESTABLISHED PRIOR TO COMMENCEMENT OF CONSTRUCTION AND MAINTAINED TO PREVENT SILT AND SEDIMENT ESCAPING THE SITE OR PRODUCING EROSION. THIS WORK MUST BE CARRIED OUT AND MAINTAINED IN ACCORDANCE WITH COUNCIL'S EROSION AND SEDIMENT CONTROL GUIDELINES FOR BUILDING AND WORK SITES "UPDATED JANUARY 2010".
- 8. TRENCH SHIELDING REQUIREMENTS AS SHOWN ON BATHURST REGIONAL COUNCIL DRAWING No.EN7883 ARE TO BE FOLLOWED AND WORK COVER SPECIFICATIONS TO BE CONSULTED PRIOR TO COMMENCMENT OF ANY WORK.

INSPECTION NOTES

CONTACT DAVID McKELLAR (TELE: 0418 967 114) BATHURST REGIONAL COUNCIL'S INSPECTOR FOR SUBDIVISIONS AT THE FOLLOWING STAGES:

- DRAINAGE AFTER LAYING OF PIPES AND PRIOR TO BACKFILL - PITS AFTER RENDERING OPENINGS AND INSTALLATION OF STEP IRONS
- EROSION AND SEDIMENT CONTROL PRIOR TO THE INSTALLATION OF EROSION MEASURES
- ALL DEVELOPMENT AND/OR SUBDIVISION WORKS PRACTICAL COMPLETION

| | SCHEDULE OF PIT LEVELS | | | | | |
|----------|------------------------|--------------|-------------|---------|---------|----------|
| | TYPE | TYPE No. TOP | | INV. IN | BOTTOM | INV. OUT |
| | J.P. | 1 | MATCH G.L. | 699.91 | | |
| | J.P. | 2 | MATCH G.L. | 699.93 | | 699.92 |
| | G.P. | 3 | MATCH G.L. | 700.515 | | 700.505 |
| | G.P. | 4 | 702.19 | 700.95 | | 700.94 |
| | G.P. | 5 | 701.89 | 701.055 | | 701.045 |
| | G.P. | 6 | 701.995 | 701.305 | | 701.295 |
| FUTURE | G.P. | 7 | MATCH G.L. | 701.445 | | 701.435 |
| FUTURE | G.P. | 8 | MATCH G.L. | 701.475 | | 701.465 |
| FUTURE | G.P. | 9 | MATCH G.L. | 701.63 | | 701.62 |
| FUTURE | G.P. | 10 | abt. 702.22 | | 701.62 | 701.79 |
| EXISTING | G.P. | Α | 703.3 | | 702.885 | |

DATUM: A.H.D. ORIGIN OF LEVELS: P.M. 20958 R.L.: 705.250

NOT TO SCALE

Plan prepared by: MARGUS A. RATSEP B.Surv.(Hons) UNSW Registered Land Surveyor under the Surveying & Spatial Information Act, 2002

VOERMAN & RATSEP

CONSULTING SURVEYORS P.O. Box 16 Bathurst, N.S.W. 2795 Phone No.: (02) 63316803 Fax No.: (02) 63323377 E-Mail: ratsep@bigpond.com Copyright © Voerman & Ratsep Surveyors 2011 Member of Copyright Agency Limited No part of this survey may be reproduced, stored in a retrieval system or transmitted in any form, without the written permission of the copyright owner except as permitted by the COPYRIGHT ACT BATHURST REGIONAL COUNCIL Development Application 2011/0284 Development Approval has been granted subject to conditions imposed by Council's Notices of Determination. NOTE: Read conditions of Approval before commencing work.

> 24 August 2011 Per: JM

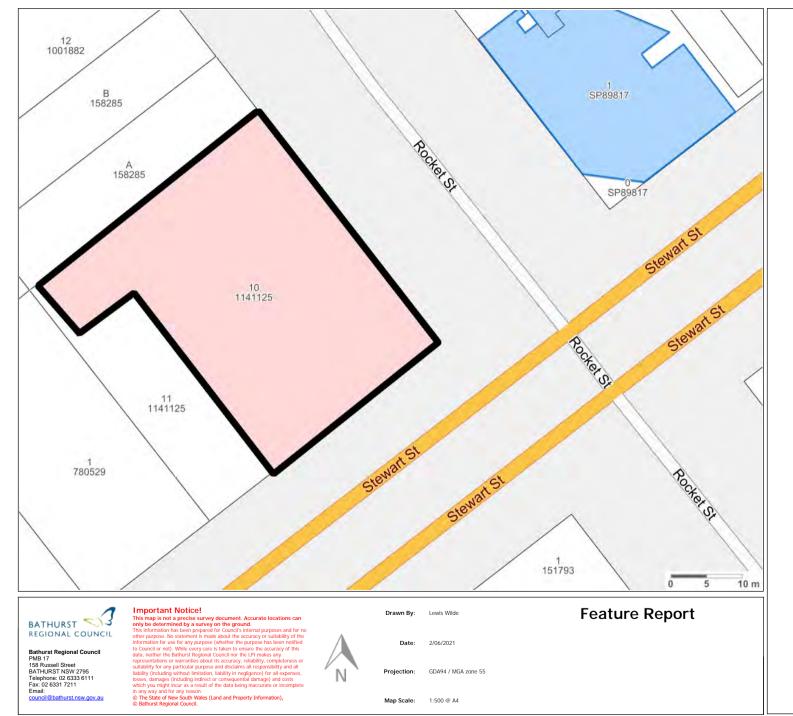


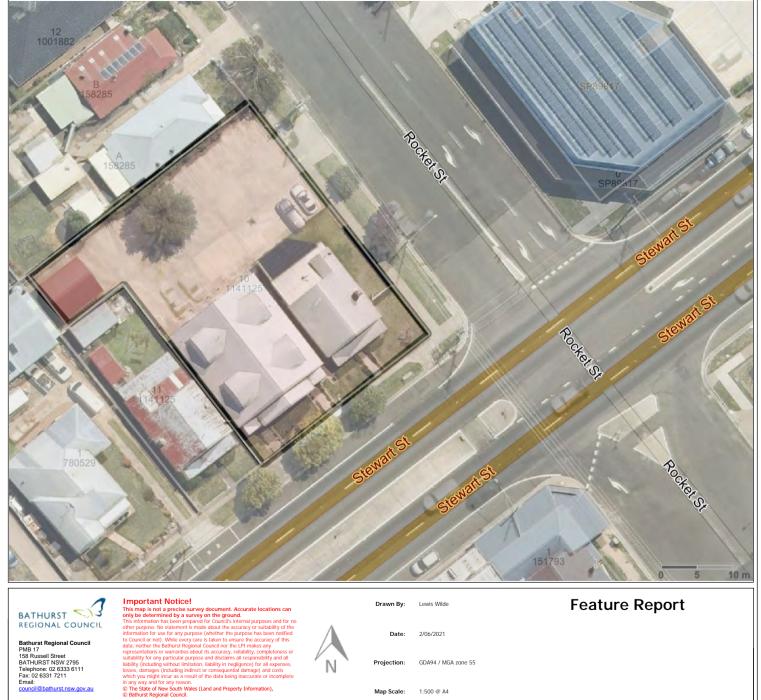
Construction Certificate 2011/0284A

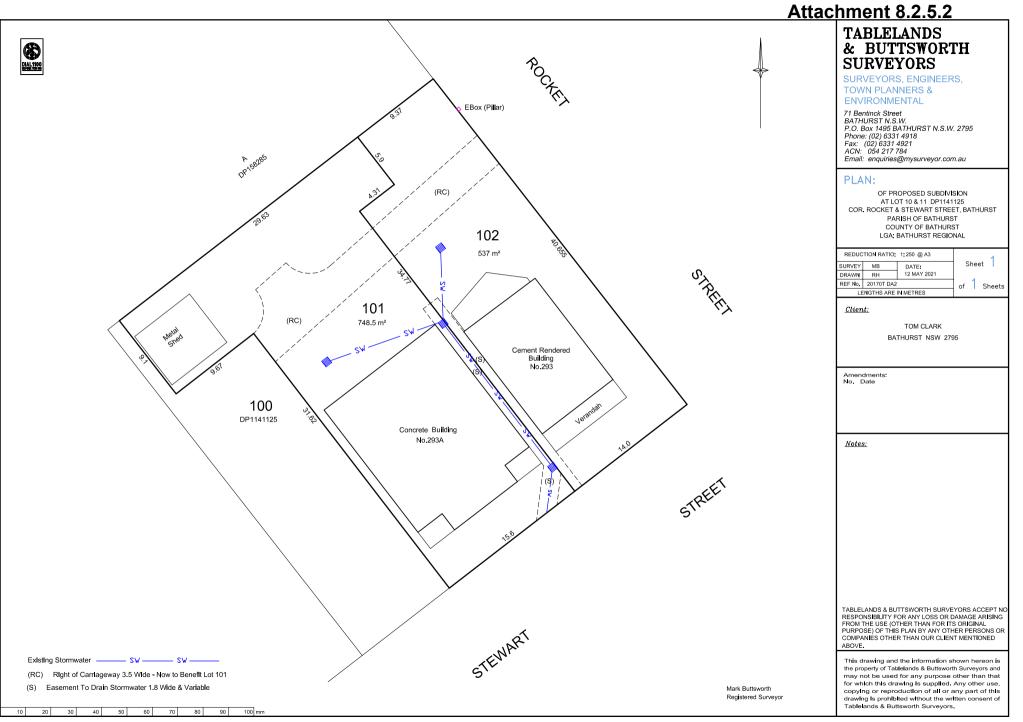
I certify that the work if completed in accordance with the specified plans and specifications will comply with requirements of Section 81A(5) of the Environmental Planning and Assessment Act 1979 as amended.

> 24 August 2011 Per: JM

Attachment 8.2:5. 12/06/2021 2:04 PM









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 TO VARY A DEVELOPMENT STANDARD UNDER CLAUSE 4.6 OF THE BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 Application Form

Note: Clause 4.6 of the Bathurst Regional Local Environmental Plan (LEP) 2014 cannot be used to vary any complying development standard; a development standard relating to a BASIX commitment; clause 5.4 Controls relating to miscellaneous development; clause 6.1 Arrangements for designated state public infrastructure; clause 6.2 - Public Utility Infrastructure; clause 6.3 – Development Control Plan; clause 7.7 - Mount Panorama Tourist and Visitor Accommodation and Eco-tourist Facilities; clause 7.8 – Mt Panorama Commercial Motor Race Hosting or clause 7.11 – Subdivision of land in Mount Haven Estate, Meadow Flat.

| Section 1 W | hat is the zone of your property (consult Co | ounc | : il) | | |
|--|--|--------|---------------|-----------|-------------------------------|
| 🗌 RU1 | Primary production | \Box | | R1 | General residential |
| . 🔲 RU2 | Rural landscape | | | R2 | Low density residential |
| 🗌 RU3 | Forestry | | | R5 | Large lot residential |
| RU4 | Primary production small lots | | | E4 | Environmental living |
| RU5 | Village | | | | |
| | | | | | |
| 🔲 B1 | Neighbourhood centre | | | SP1 | Special activities |
| 🔲 B3 | Commercial core | | ; | SP2 | Infrastructure |
| B5 | Business development | | | SP3 | Tourist |
| 🗌 IN1 | General industrial | | 1 | W2 | Recreational waterways |
| | | | | | |
| 🗌 RE1 | Public recreation | | | | |
| RE2 | Private recreation | | | | |
| E2 | Environmental conservation | | | | |
| Section 2 W | hat is the development standard you wish t | to va | ury | (includin | g its numeric value)? (Please |
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| eg floor space ratio | fer to clause number in the Bathurst Region , height of buildings, lot size | nal L | E | P 2014) | |

 Ref:
 08.00016/496
 Issue Date:
 28 November
 2014
 Review Date:
 As required
 Page 1 of 6

Attachment 8.2.5.3

| What is the proposed Section 3 What is the percent v your application? | I numeric value of the develo ariation between the LEP de | opment standard in your applic velopment standard and that | cation? proposed in |
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| Ref: 08.00016/496 | Issue Date: 28 November 2014 | Review Date: As required | Page 2 of 6 |

Attachment 8.2.5.3

| Section 5 Are there sufficient environment of standard? Give details | /ironmental planning grou | nds to justify contravening the | development |
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| Ref: 08.00016/496 | Issue Date: 28 November 2014 | Review Date: As required | Page 3 of 6 |

| Section 6 How i | is your proposal cor | sistent with the | objectives of | the zone? | un and and a set of the set of the set of the set of the set of the set of the set of the set of the set of the | an an an an an an an an an an an an an a |
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| 2021 | | | | | | |
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| Section 8 How c | does the proposal m | eet the objectiv | es of the Envir | onmental Plan | ning & Assessn | nent Act? |
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Ref: 08.00016/496

Issue Date: 28 November 2014 Review Date: As required

Attachment 8.2.5.3

| Section 9 Please include any further information which you feel will assist Council in considering your application. |
|--|
| We are not asking the to vary or change |
| use of the development or amount of |
| carparking avalible we are asking for a |
| slight varation to the development. |
| standard relating to allotment size to |
| ensure a fairer distribution of carparking |
| for each building after subdivision. |
| |
| |

The information on this form is being collected to allow Council to process your application and/or carry out its statutory obligations. 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.

Ref: 08.00016/496

Issue Date: 28 November 2014

GENERAL INFORMATION

What is a clause 4.6 variation?

The Local Environmental Plan contains development standards which set minimum standards for the carrying out of a specified activity. For example the maximum height of a building.

Clause 4.6 of the LEP allows Council or the Department of Planning and Environment to vary a development standard under the LEP where, under the specific circumstances relating to a development, the application of the standards are considered unreasonable or unnecessary in the circumstances of the case.

The purpose of the request for the variation is to clearly spell out why the development standard is unreasonable or unnecessary under the specific circumstances relating to your application.

Who can lodge a variation?

An application may be prepared and lodged by any person. The level of information required is sometimes quite detailed and therefore you may need to consult with an appropriate professional.

Other things which you should be aware of

- The lodgement of a request to vary a standard under clause 4.6 of the Bathurst Regional Local Environmental Plan 2014 does not guarantee that Council will support the request. The decision will be based on an assessment of all the matters relevant to the application, of which the request is one component.
- Council cannot consider a variation to a development standard unless you formally lodge a written request to vary the standard. A letter is sufficient provided that it accurately sets out your case.
- You should consult Council from the outset as to the reasoning and intent behind the standard you wish to vary. In order to know why Council should support a variation to the standard you have to know why the standard was imposed in the first place. In addition, each zone in a planning instrument will have a number of specific objectives which clearly outline Council's intent for areas of land. Your development will have to be consistent with the zone objectives if it is to be successful.
- In some cases Council will require the concurrence of the Department of Planning and Environment. In respect of rural land, Council may only assume the Department's concurrence under the following circumstances:
 - ⇒ where in the case of a dwelling or a subdivision on or of rural land only one allotment does not comply with the minimum standard in Council's planning instrument; and
 - ⇒ that allotment has an area equal to or greater than 90 percent of the minimum area specified in the development standard.

| Ref: 08.00016/496 | Issue Date: 28 November 2014 | Review Date: As required | Page 6 of 6 |
|-------------------|--|--------------------------|-------------|
| | 10000 2000, 2010000000000000000000000000 | | |

Attachment 8.2.6.1







Attachment 8.2.6.2

Client:

HART HOMES

(ANDREW HANGER)

Job Description:

ALTERATIONS & EXTENSIONS

Lot 18 (DP 758065)

256 PIPER STREET, BATHURST, NSW. 2795.

Contonto

| Conte | ents | <u>b</u> |
|-------|------|------------------------------------|
| DACC | 01 | COVER PAGE |
| DACC | 02 | SITE PLAN - EXISTING & DEMOLITION |
| DACC | 03 | SITE PLAN - PROPOSED |
| DACC | 04 | PART SITE PLAN - PROPOSED |
| DACC | 05 | ROOF PLAN - EXISTING & DEMOLITION |
| DACC | 06 | FLOOR PLAN - EXISTING & DEMOLITION |
| DACC | 07 | ROOF PLAN - PROPOSED |
| DACC | 08 | FLOOR PLAN - PROPOSED |
| DACC | 09 | FIRST FLOOR PLAN - PROPOSED |
| DACC | 10 | ELEVATIONS 1 & 2 |
| DACC | 11 | ELEVATIONS 3 & 4 |
| DACC | 12 | COLOUR ELEVATIONS 1 & 2 |
| DACC | 13 | COLOUR ELEVATIONS 3 & 4 |
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| DACC | 16 | SUN SHADOW DIAGRAMS 1 |
| DACC | 17 | SUN SHADOW DIAGRAMS 2 |
| DACC | 18 | STREETSCAPE ELEVATION |
| DACC | 19 | SPECIFICATION/BASIX |
| | | |



SUBJECT SITE: Lot 18 (DP 758065) 256 PIPER STREET, BATHURST, NSW. 2795.







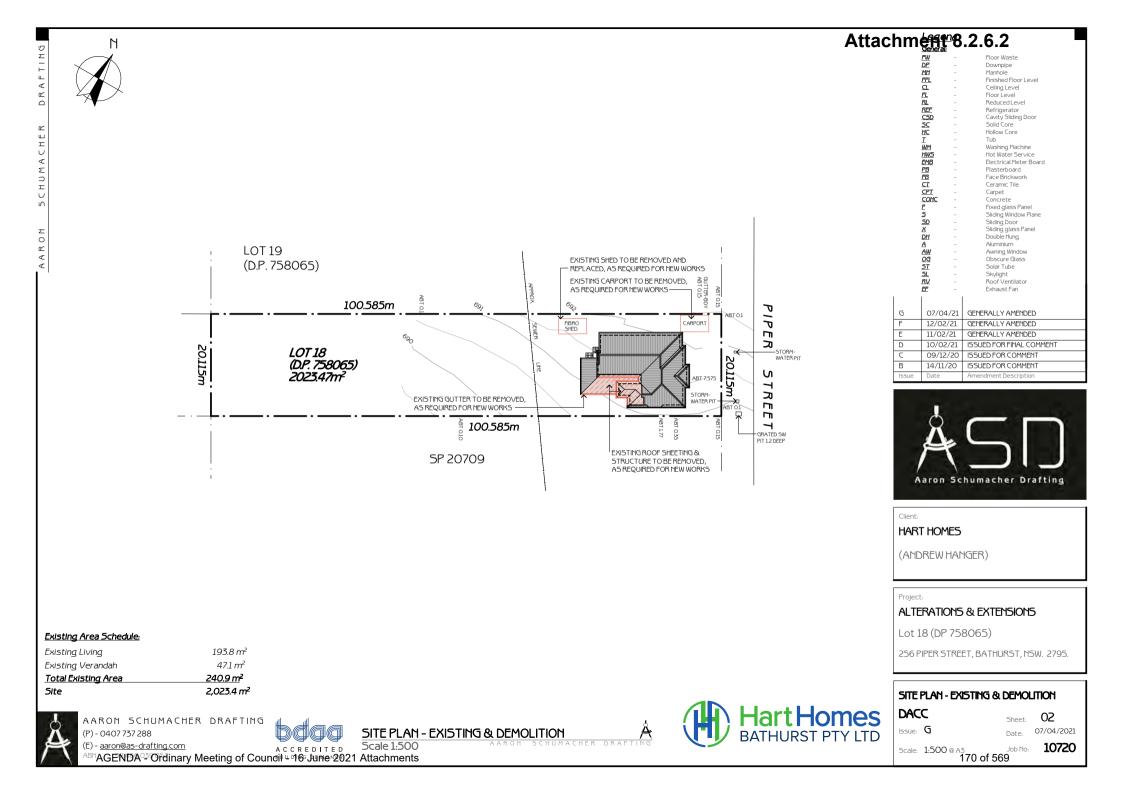
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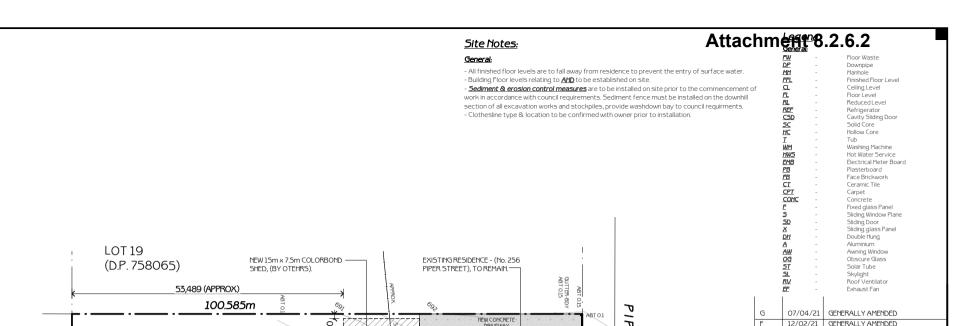
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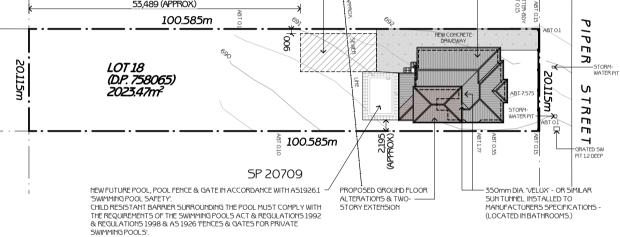
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SITE PLAN - PROPOSED

Proposed Area Schedule:

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| Existing Living (Retained) | 193.8 m² |
|------------------------------------|---------------------|
| Ground Floor Living Extension | 3.1 m² |
| First Floor Living Extension | 52.4 m² |
| Total Living Area After Extensions | 249.3 m² |
| Existing Verandah (Retained) | 44.0 m ² |
| Proposed Deck Extension | 20.3 m² |
| Total Area After Extensions | <u>313.6 m</u> ² |
| Site | 2,023.4 m² |



AARON SCHUMACHER DRAFTING (P)-0407737288 (E)-aaron@as-drafting.com

E) - <u>aaron@as-drafting.com</u> A C C R E D I T E D Scale 1:500 ^{BN}AGENDA^{CC}Ordinary Meeting of Council 116 June 2021 Attachments RON SCHUMACHER DRAFTING



| 256 PIPER STREET, BATHURST, NSW. 2795 |
|---------------------------------------|
| Lot 18 (DP 758065) |
| |
| AI TERATIONS & EXTENSIONS |
| Project: |
| |
| |
| |

GENERALLY AMENDED

ISSUED FOR COMMENT

14/11/20 ISSUED FOR COMMENT

Aaron Schumacher Drafting

ISSUED FOR FINAL COMMENT

11/02/21

10/02/21

09/12/20

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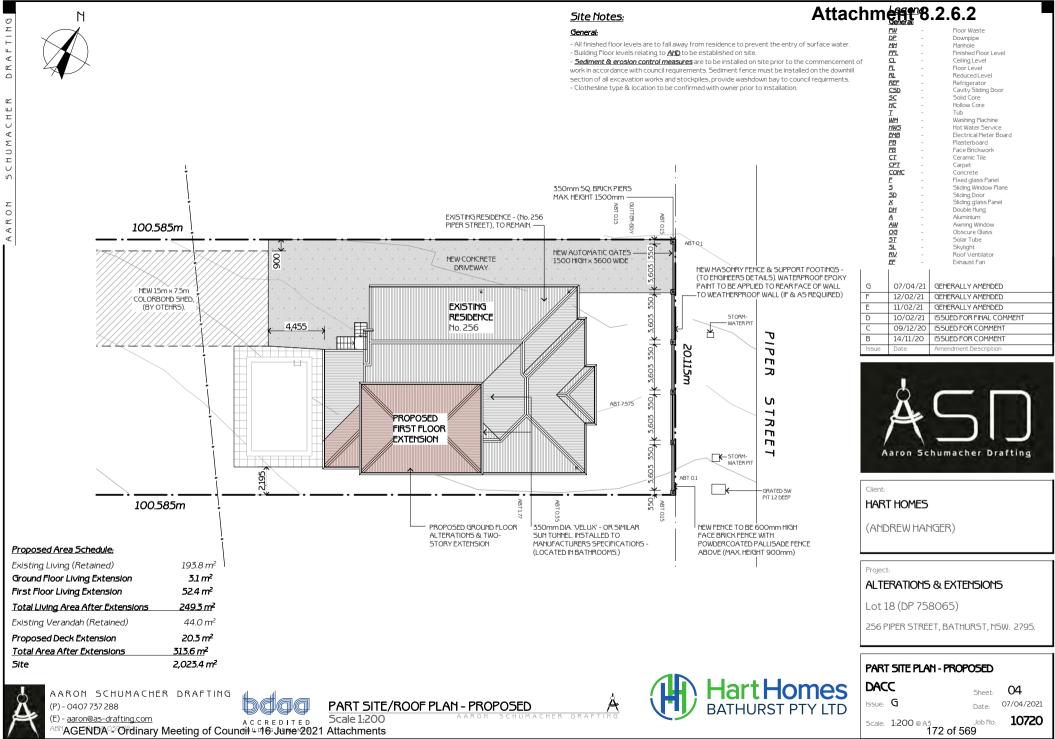
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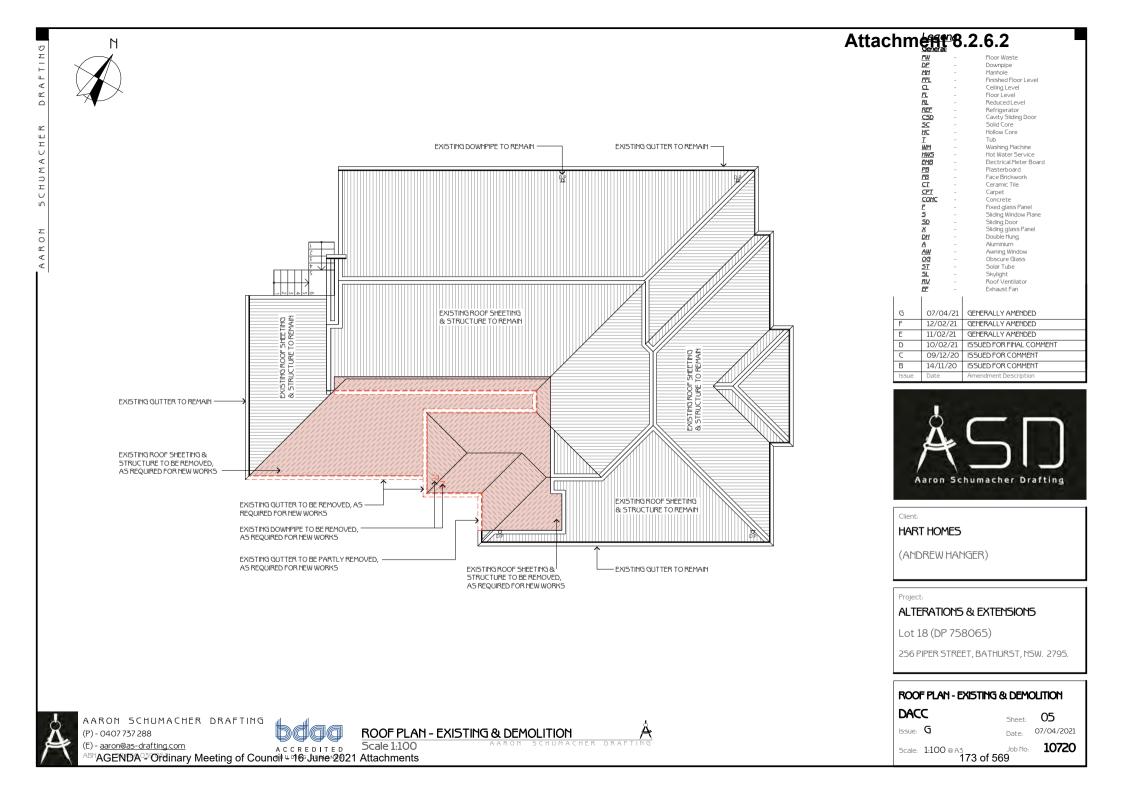
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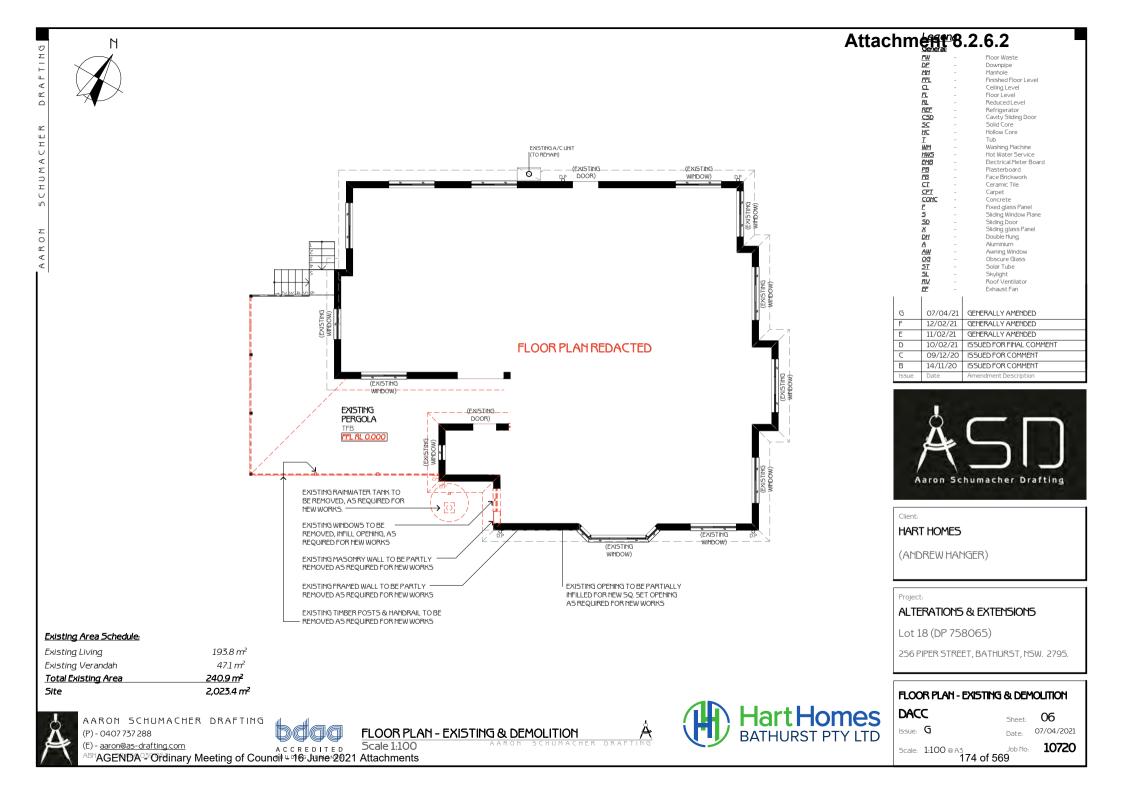
SITE PLAN - PROPOSED

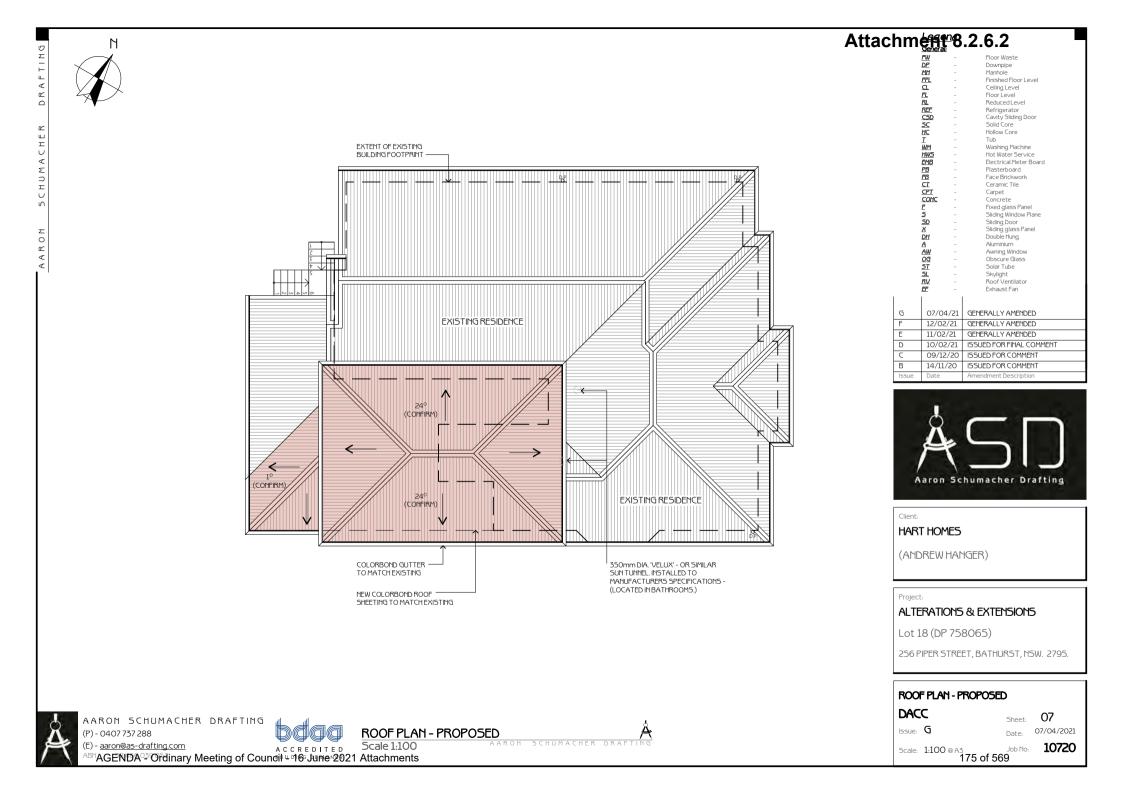
(ANDREW HANGER)

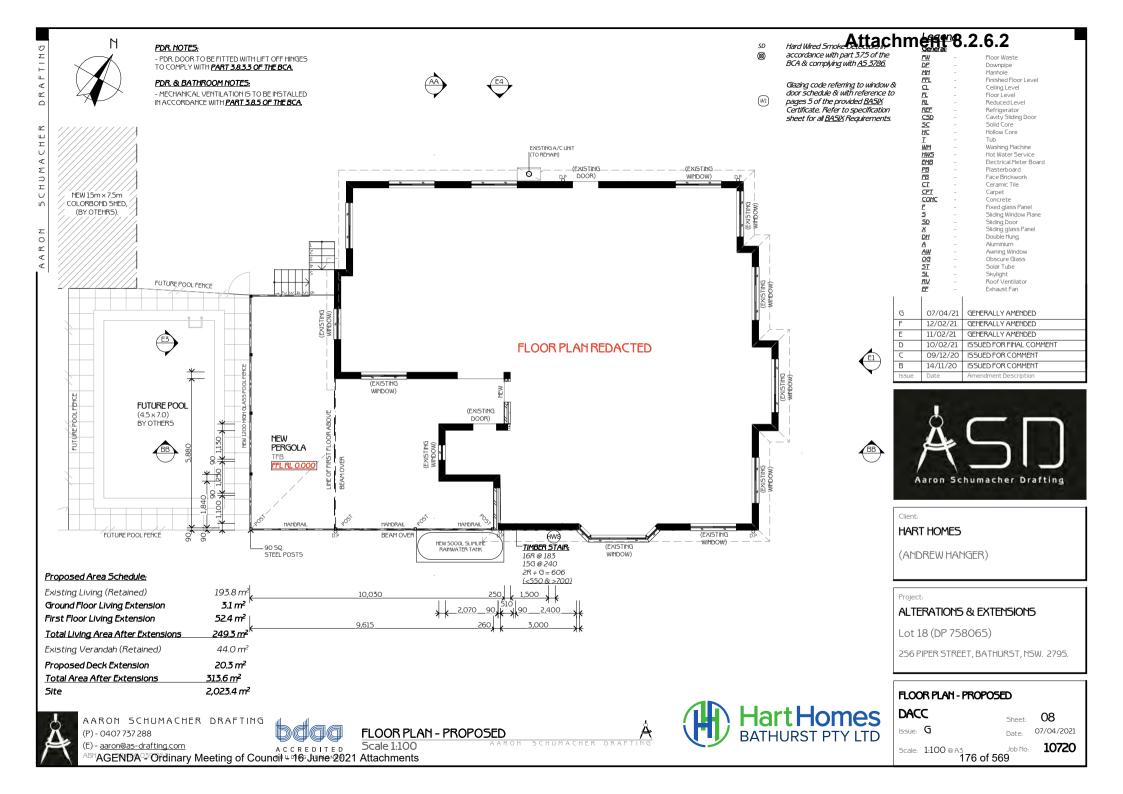
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| Issue: | G | Date: | 07/04/2021 |
| Scale: | 1:500 @ A3 171 of 56 | Job No: 59 | 10720 |

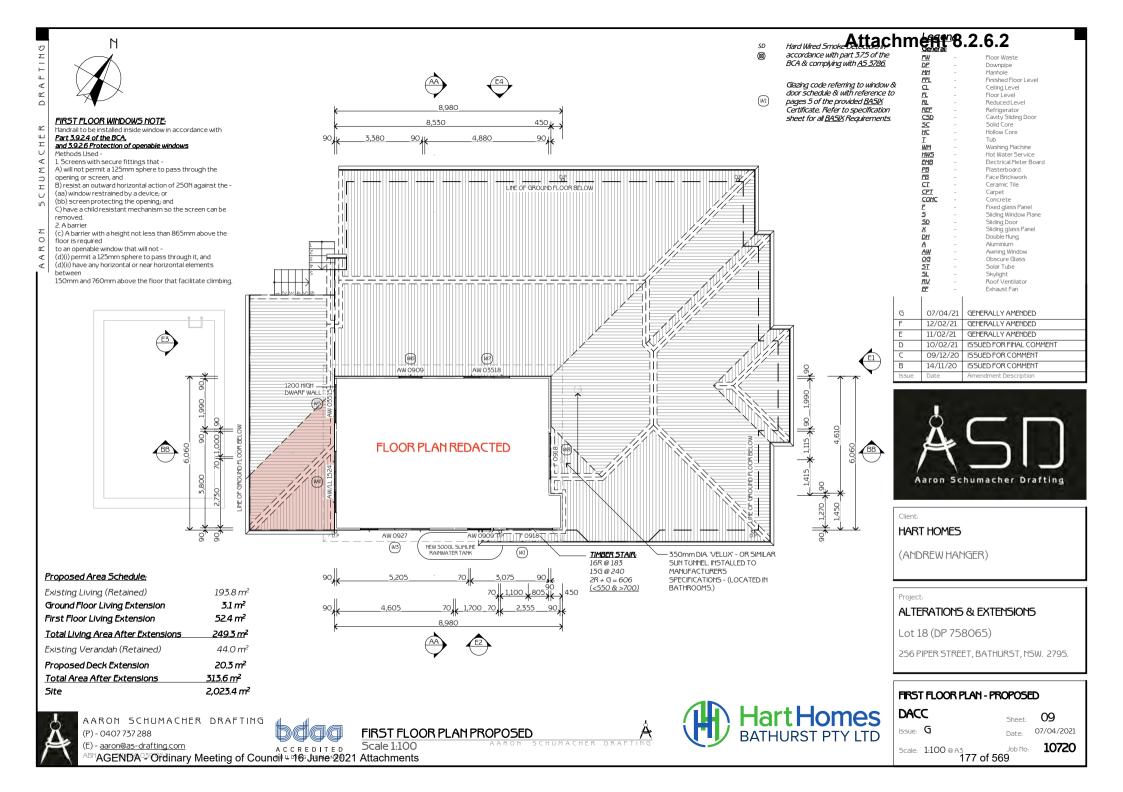


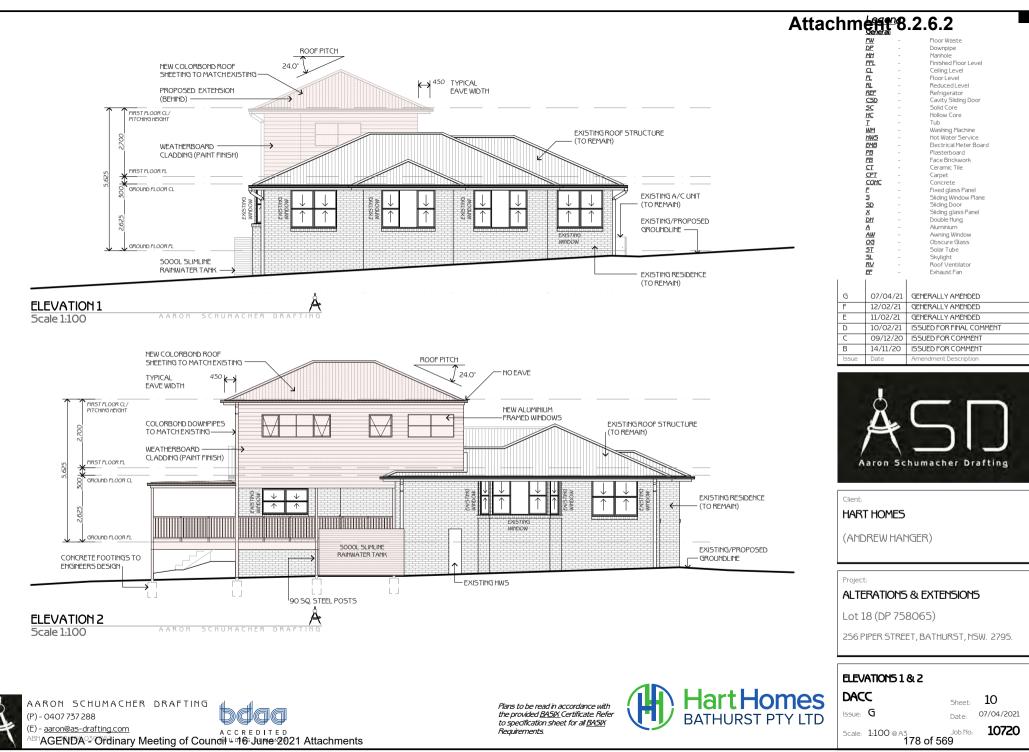












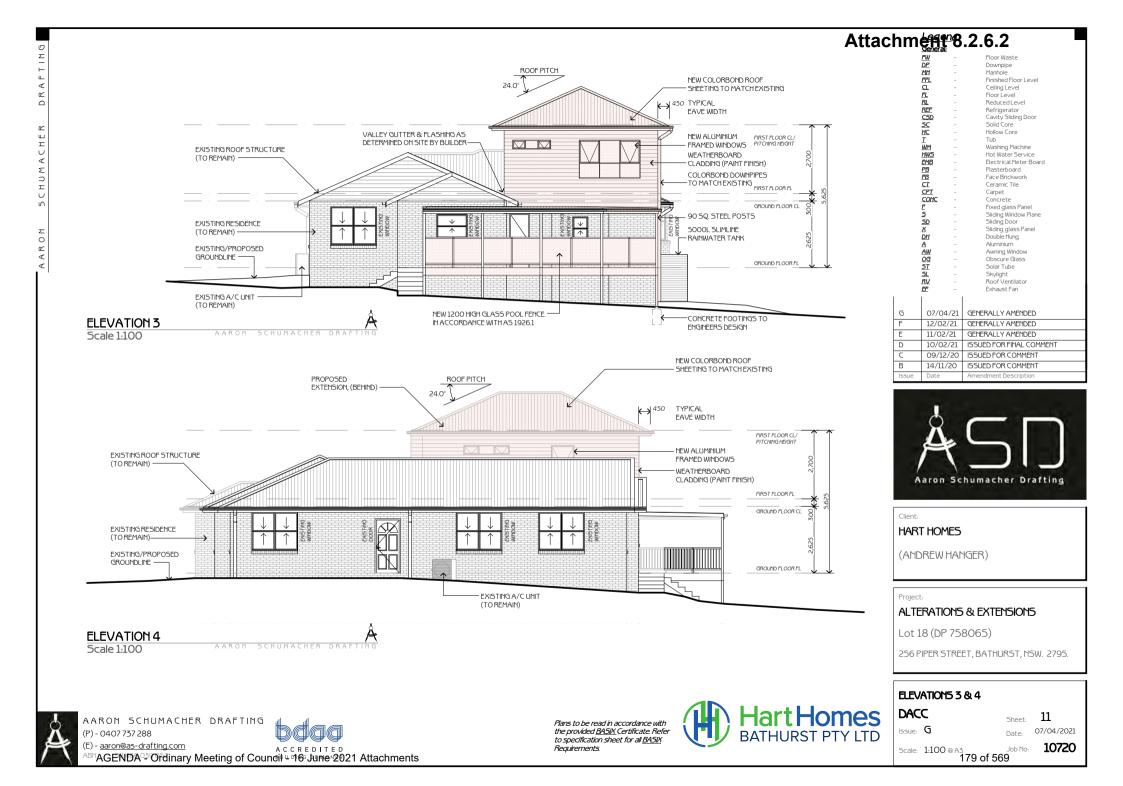
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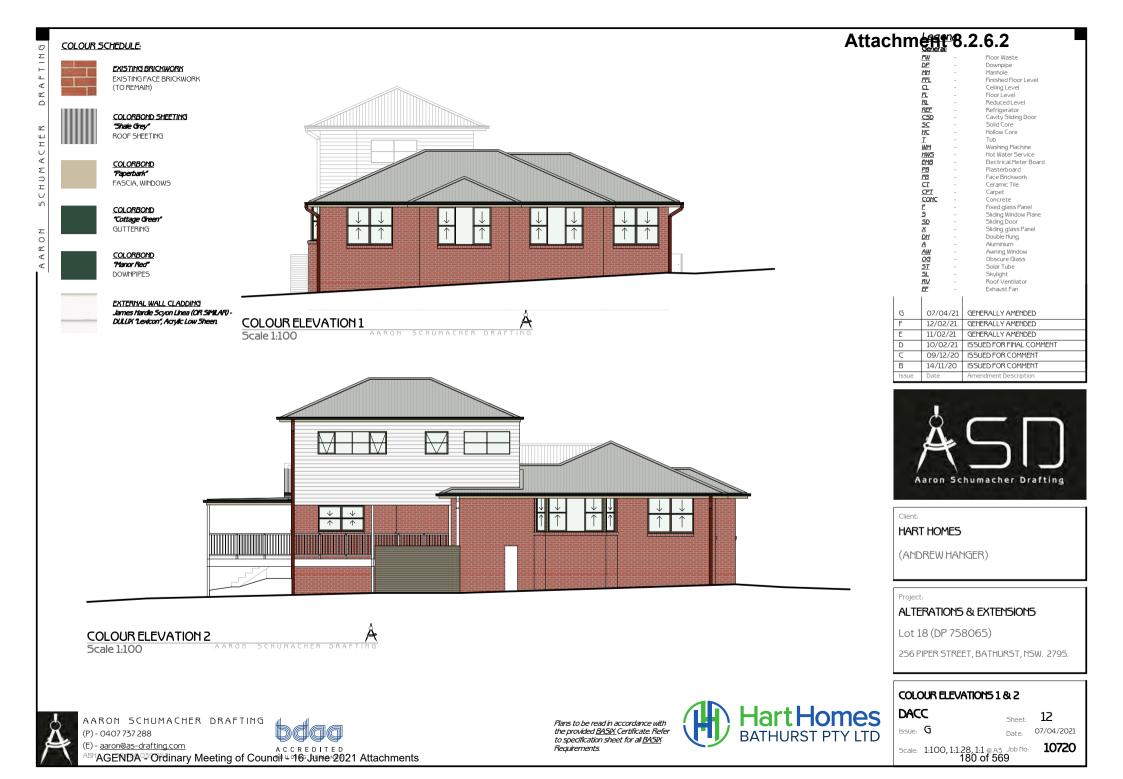
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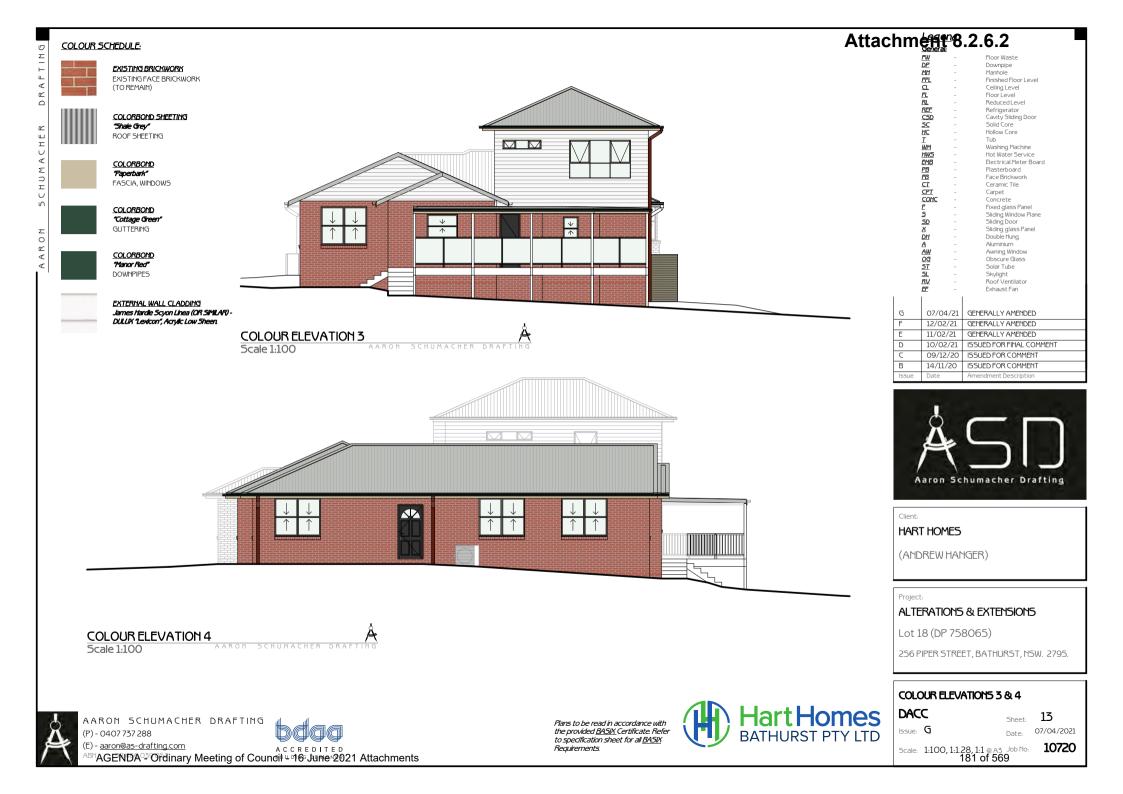
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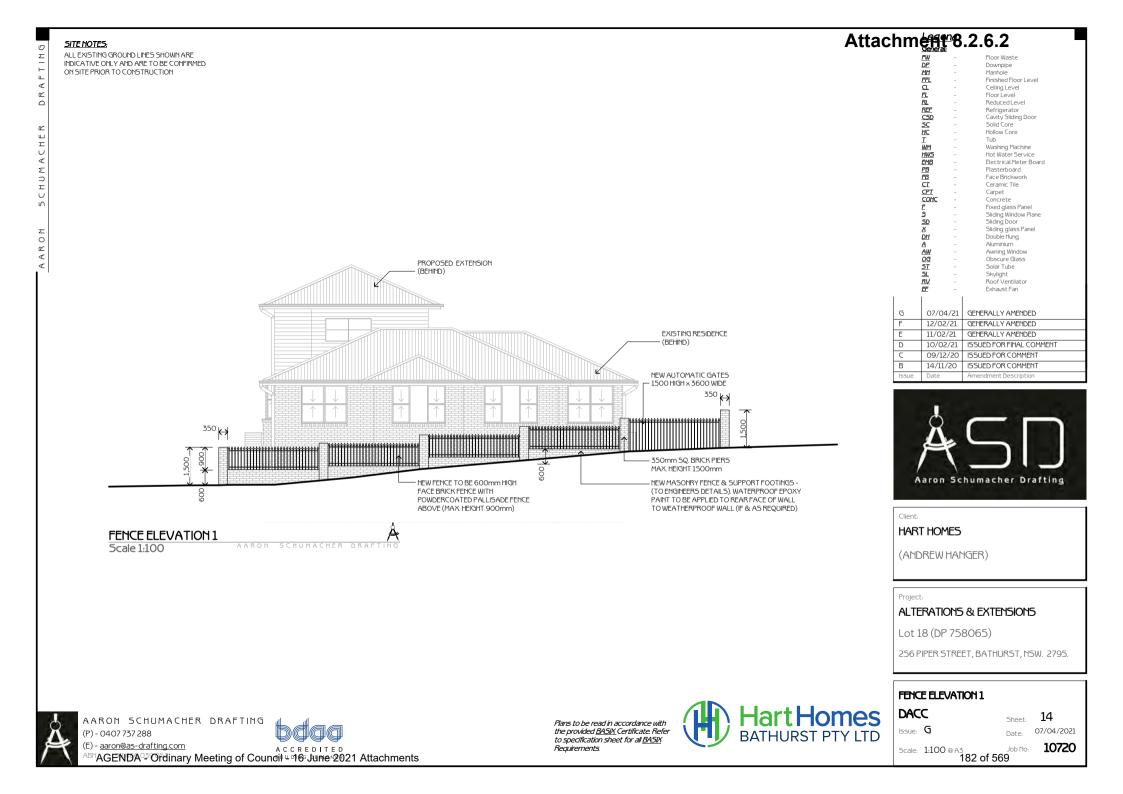
AGENDA Ordinary Meeting of Council 10 June 2021 Attachments

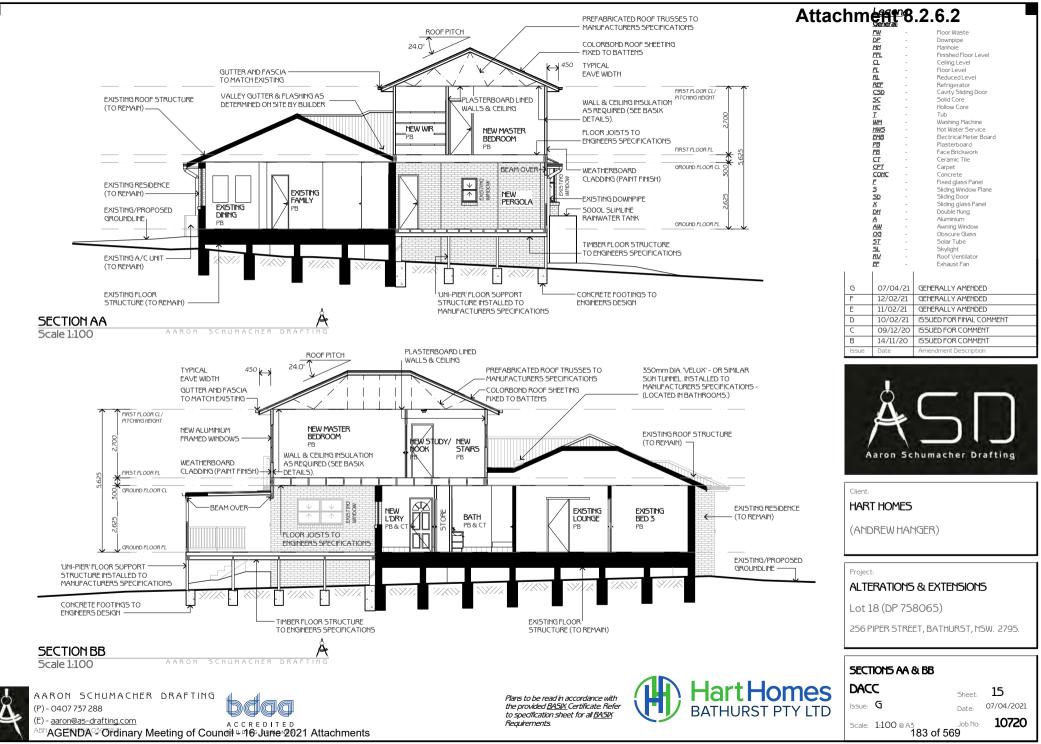






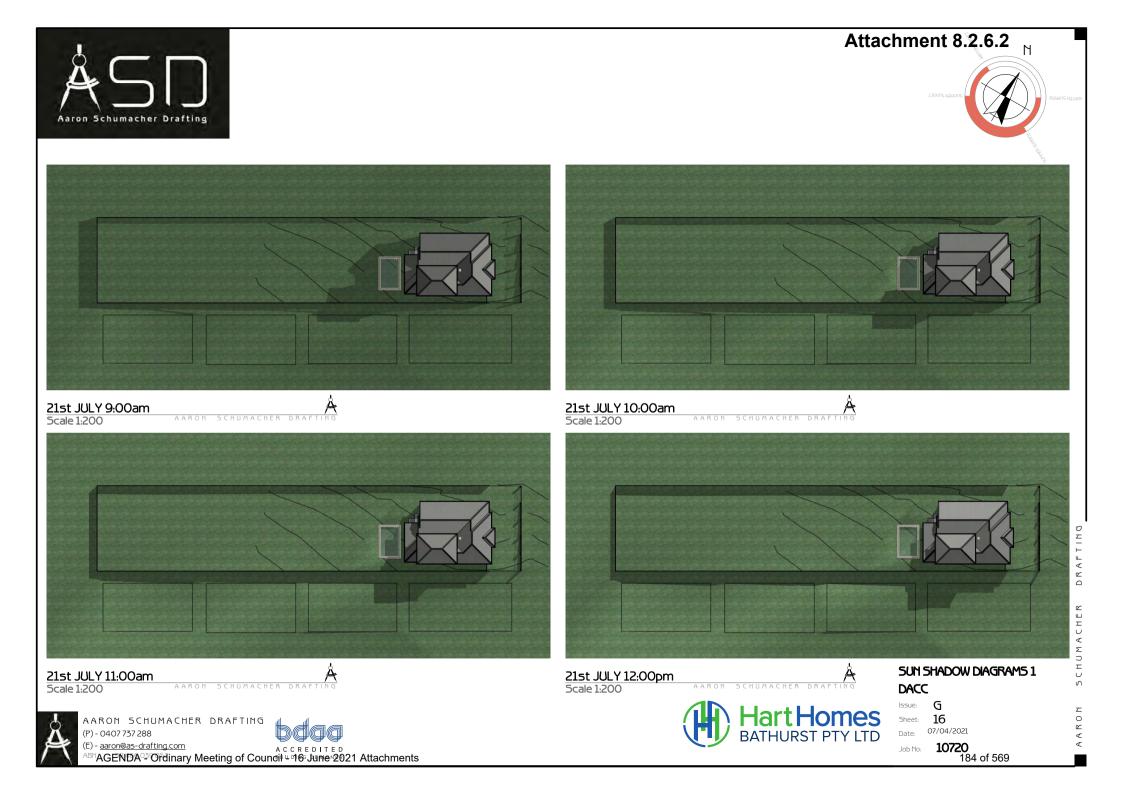


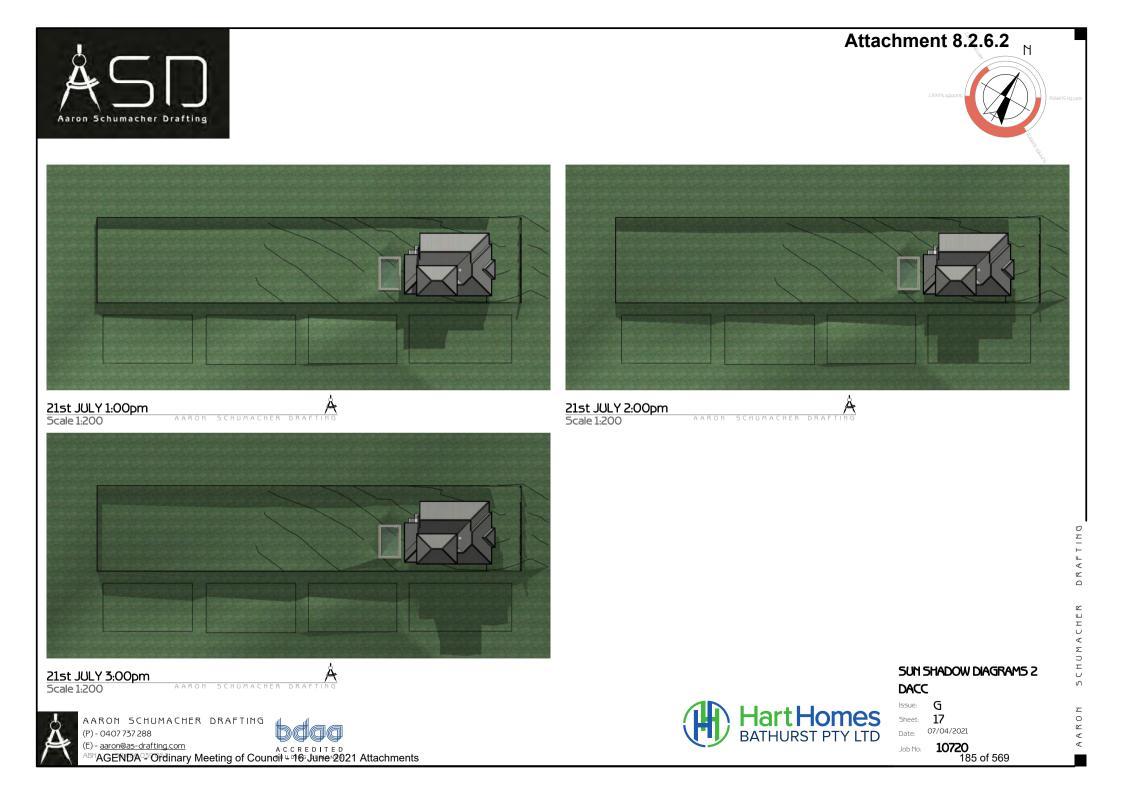




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BASIX Requirements

BASIX Certificate Number

A400934 04

Lighting Commitments:

40% of new or altered light fittings must be replaced with fluorescent, compact fluorescent or LED Lamps,

Fixtures:

New or altered shower heads to have a flow rate of 9 litres per minute or a 3 star water rating. New or altered tollets to have a flow rate of 4 litres per average flush or a 3 star water rating. New or altered taps to have a flow rate of 9 litres per minute or a 3 star water rating.

Insulation Requirements:

| - Floor above existing dwelling or buildin | g - <u>nll</u> |
|--|--|
| - External wall - Brick veneer | - R1.66 (or 2.20 including construction) |
| - External wall - <i>Framed</i> | - R1.80 (or 2.20 including construction) |
| - Ceiling and Roof | |
| (flat ceiling/pitched roof) | - R2.75 (up), Roof - foll/sarking |
| - Roof color | - Medium (solar absorption 0.475 - 0.70) |

Glazing Reguirements:

W1 - W4 glazing to have a minimum of standard aluminium frames and Clear/Air Gap/Clear glass - (U-value:5.34, SHGC:0.67). All other external glazing to have a minimum of **Standard Aluminium** frames and single clear glass - (U-value:7.63, SHGC:0.75).

Specification Notes

General:

Drawings prepared from information supplied by the owner and/or builder All dimensions are in millimetres & shall be verified on site. DO NOT SCALE FROM DRAWING - If in dout ask. All dimensions & all floor levels provided are to be confirmed prior to construction. It is the responsibility of the builder to verify documents as to their accuracy and suitability. These plans are to be read in conjunction with Engineer's details. BCA refers to the Building Code of Australia - Volume 2, Housing Provisions.

Statutory Requirements:

All work to be carried out in accordance with the BCA, conditions imposed by the local authority and the commitments outlined in the relevant BASIX Certificate. The builder is to comply with the requirements of all legally constituted authorities having urisdiction over the building works and the provisions of the Home Building ACT. Prior to the commencement of building work, the builder shall provide temporary toilet acilities for the use of subcontractors. Where the local authority requires the temporary collet to be connected to sewer mains, the additional cost shall be borne by the owner On completion the builder shall remove the amenity.

BCA Requirements:

All earthworks shall be in accordance with the engineer's details and Part 3.1.1 of BCA. All excavations and underfloor fill shall be in accordance with the engineer's details nd <u>Part 3.2.2</u> of BCA.

Primary building elements are to be protected from subterranean termites in accordance ith <u>Part 3.1.4</u> of BCA.

Provide adequate cross ventilation to space under suspended ground floors in ccordance with Part 3.4.1 of BCA. Sub Floor access to be provided as indicated on plan. Stormwater drainage shall be carried out in accordance with Part 3.1.3 of BCA. All timber framework shall comply with Part 3.4.3 of BCA or A51684. - Roof trusses shall be designed in accordance with <u>A51720</u>, and erected, fixed and braced

accordance with manufacturer's instructions. Strip and sheet flooring shall be installed in accordance with A51684. All metal fittings used in structural timber joints and bracing must have corrosion protection. Steel framing shall be in accordance with manufacturer's recommendation and Part 3.4.2 of BCA. Concrete slab & footings to be designed in accordance with A52870.

All structural elements are to be designed by a practicing structural engineer All roof cladding shall comply with Part 3.5.1 of BCA and be installed in accordance with nanufacturer's recommendations

Gutters and downpipes shall be in accordance with Part 3.5.3 of BCA. Sarking shall comply with Part 3.5.2.4 of BCA. Flashings shall comply with Part 3.3.2.3 of BCA.

Clay brickwork shall comply with <u>Part 3.3</u> of BCA, <u>A5/NZ54455</u>, <u>A5/NZ54456</u> & <u>A53700</u>.

Concrete blockwork shall be constructed in accordance with Part 3.3 of BCA. Autoclaved aerated concrete products shall be installed in accordance with nanufacturer's product specification

Damp proof courses shall comply with Part 3.3.5.7 of BCA

Cavity ventilation must be provided in accordance with Part 3.3.5.6 of BCA. Mortar shall comply with Part 3.3.5.3 of BCA and joint tolerances shall be in accordance vith <u>A53700</u>

Masonry accessories shall comply with Part 3.3.3 of BCA. Appropriate ties shall be rovided to articulated masonry joints. Lintels used to support brickwork over wall openings shall comply with Part 3.3.3 of

BCA and protected from corrosion in accordance Part 3.3.5.12 of BCA. Engaged piers in single leaf masonry walls shall be constructed in accordance with

able 9.2 Pier spacings for one way spanning walls, of Australian Standard AS4773.1-2010 lasonry in small buildings. Refer to the table extract below for details. Internal wet areas and balconies over habitable rooms to be waterproofed in accordance ith Part 3.81 of BCA. Wet area wall lining is to be fixed in accordance with manufacturer's

commendations All timber doors and door sets shall be manufactured in accordance with A52688 & A52689 unless listed otherwise in schedule of works.

Windows and doors shall be manufactured and installed in accordance with A52047.

All glazing shall comply with Part 3.6 of BCA

Where a pliable building membrane is installed in an external wall it must be installed in accordance with Part 3872 of the BCA & Comply with A5/NZ 4200.1 An exhaust system installed in a Kitchen, bathroom, Sanitary compartment or Laundry must comply with the minimum low rates as specified in Part 3.8.7.3(a) of the BCA & Be discharged in accordance with Part 3.8.7.3(b) of the BCA. Ventilation of roof spaces must be in Accordance with Part 3.8.7.4 of the BCA Stair and ramp construction shall be in accordance with Part 3.9.1 of BCA.

Slip-Resistance treatment to stair treads, ramps & landings shall be in accordance with Part 3.9.1.4 of BCA. Balustrades & Handrails shall be in accordance with Part 3.9.2 of BCA

Protection of openable windows shall be in accordance with Part 3.9.2.6 of BCA

All plumbing shall comply with the requirements of the relevant supply authority and

A53000, and be carried out by a licensed plumber.

- All gas installations shall comply with the requirements of the relevant supply authority and

e carried out by a licensed gas fitter. Provide and install hard wired interconnected smoke alarms in accordance with AS3786 and Part 3.7.5 of BCA. Installation of wall and floor tiles shall be in accordance with A53958.1. Building is to be sealed to the requirements of Part 3.12.3 of BCA, including chimneys, flues,

oof lights, external windows and doors, exhaust fans, roof, walls and floors. Services are to be installed to the requirements of NSW Part 3.12.5 of BCA, including

not water supply, insulation of services, central heating water piping and heating and oolina ductwork.

Mechanical ventilation is to be installed in accordance with Part 3.8.5 of BCA. Inward swinging WC doors are to be fitted with lift off hinges to comply with Part 3.8.3.3

of BCA if indicated on plans.

Fireplace, Chimney & Flue Construction to be in accordance with Part 3.10.7 of BCA.



Notes: 1. Piers with tie-downs shall include one full height N10, N12 or M10 reinforcing bar tied to the footing

and positively attached to the top plate (in accordance with Clause 6.7.2) 2. Thi stable applies to walls with no openings. For plers at the edge of mojor openings,

such as garage doors, see Clause 6.7.2

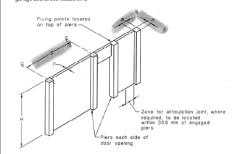


FIGURE 9.1 ENGAGED PIERS IN EXTERNAL SINGLE-LEAF WALLS

9.3 Internal Walls:

Internal single leaf masonry walls shall be at least supported at the top in accordance with clause 6.4 & shall be dimensioned in accordance with Table 9.3

| <u>Table 9.3 (Extract)</u> Maximum wall heights for single-leaf internal walls (mm) | |
|--|------------------|
| Wall Thickness (mm) | Wall Height (mm) |
| 90 | 2400 |
| 110 | 3000 |
| 140 | 3800 |
| 190 | 5200 |

BATHURST PTY

SPECIFICATION/BASIX DACC

G Issue: 19 Sheet: 07/04/2021 Date-

10720 Job No: 187 of 569



*AGENDA Of dinary Meeting of Council 10 16 June 2021 Attachments



Friday, 12 February 2021





10720 - 256 Piper Street HIS

Statement of Heritage impact Proposed Alterations & Extensions to existing residence

> Located at -No. 256 Piper Street, Bathurst. N.S.W.

Prepared by Aaron Schumacher Drafting For Hart Homes Pty. Ltd. (C/O - Andrew Hanger).



Friday, 12 February 2021







10720 - 256 Piper Street HIS

| Overview | 03 |
|---|----|
| Site Locality | 03 |
| Figure 1 - Conservation area site Locality | 04 |
| Site Description & History | 05 |
| Figure 2 – Existing Streetscape on Piper Street Frontage | 06 |
| Assessment of Significance | 07 |
| NSW Heritage Assessment criteria | 07 |
| Statement of significance | 08 |
| Proposed Alterations, Extensions & Heritage Impacts | 09 |
| Figure 3 – Proposed Streetscape on Piper Street Frontage | 11 |
| Materials | 11 |
| Conclusion | 12 |
| Appendix A – DACC Documentation | |
| Appendix B – Bathurst Regional Council BCAMS Streetscape rating map | |
| Appendix C – Residential Infill Application | |
| | |



Friday, 12 February 2021

<u>Overview</u>





10720 - 256 Piper Street HIS

On behalf of Hart Homes Bathurst Pty. Ltd. Aaron Schumacher Drafting has been instructed to prepare a Statement of Heritage Impact for the property located at 256 Piper Street, Bathurst.

The subject land and structure are located within the local Conservation area of Bathurst. The existing structure is deemed to have some historical significance in its current state. It is anticipated that the proposed works will not significantly affect the historical significance of the property and heritage condition upon completion.

This Statement of Heritage impact has been prepared in accordance and with reference to the NSW Environment and Heritage Manual 'Statements of Heritage Impacts' and NSW Environment and Heritage documentation 'Assessing Heritage Significance' (2001) guidelines and a 'Central West Thematic History' (2003).

The project has also been assessed for appropriateness and acceptability in accordance with controls and requirements as outlined by the Bathurst Regional Council Development Control Plan (DCP-2014) and the Bathurst Local Environmental Plan (LEP-2014).

<u>Site locality</u>

The Existing dwelling is located on land known as Lot 18 (DP 758065), 256 Piper Street in the Parish and County of Bathurst N.S.W. For the exact site position in relation to the Bathurst Conservation area please see Figure 1.

The subject land area is 2,023.4 square meters (Approx.), the land falls towards the South Eastern & South Western side of the block and towards the side & rear of the property.

The subject property is 20.115m wide & 100.585m long with Piper Street running parallel to the North Eastern frontage of the property.

PAGE | 3



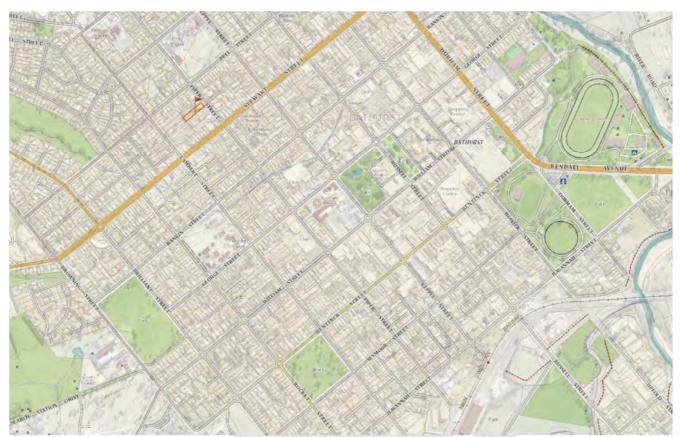
Friday, 12 February 2021

Figure 1. Conservation Area Site Locality





10720 - 256 Piper Street HIS





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Site Description and History





10720 - 256 Piper Street HIS

The subject site is primarily occupied by a single storey residence, (225 Piper Street) located near the middle of the cross streets of Peel and Stewart Street(s). The site is also occupied by an existing Fibro shed & Framed Carport structure, both of which will be demolished as part of the new works.

Although no records have been collected for the existing dwelling, it has been deemed to be post War in style due to the simple hip roof structure, resembling single storey shape, triple fronted brick-veneer façade and resemblance of mass produced simple shaped windows to its front façade.

The existing dwelling in its current form exhibits three rooms across the frontage which is common place within this style of housing (What House is that? Third edition, Department of Community Planning and Development, Victoria)

The subject building shares a neighbouring dwelling (262 Piper Street), located directly towards the North West of the dwelling, the dwelling is similar in style and exhibiting features of a similar period. The existing dwelling located to the North East of the immediate neighbouring dwelling is of two storey construction, sitting on the higher side of the block and although has heritage significance is rather obtrusive from the street frontage.

The subject building shares a neighbouring site located directly to the South East which houses 4 x Individual residential units, all of which have been built some time after the subject building and do not resemble any significant heritage attributes & features.

All neighbouring dwellings fronting Piper street frontage resemble similar historical attributes and roof lines, none of which have been deemed to be historically significant.

According to the Bathurst Regional Council BCAMS Street scape rating map (Appendix B) the home is rated as contributory to the streetscape of Piper street.

The residence is currently of masonry construction & consists of a masonry addition located towards the rear of the dwelling. The existing dwelling comprises of a separate fibro garage & framed Carport structure both of which will be demolished as part of the new works.

The dwelling comprises of several masonry fireplaces with face brickwork chimney's, each of which have some historical significance. The existing chimney's will be restored, retained & refurbished during the proposed building works.

The existing dwelling faces North East, fronting Piper Street frontage. The external walls are of masonry construction of Bathurst red brick (Or similar). The proposed extension will



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10720 - 256 Piper Street HIS

be built out timber framed construction and resemble painted weatherboard clad external materials. The existing roof construction currently consists of zincalume roof sheeting with 'Hip & Valley' style roof form with a horizontal ridge line running parallel to the street, which will remain predominately un-touched as part of the new building works.

A streetscape image of the existing site has been provided below in Figure 2.



Figure 2. Existing streetscape on Piper Street Frontage.



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Assessment of significance





10720 - 256 Piper Street HIS

The following assessment of significance has been prepared with reference and in accordance with "Assessing Heritage Significance" Guidelines from the NSW Heritage Manual and the NSW Heritage Division's Statement of Heritage Impact guidelines.

NSW heritage assessment criteria;

Criterion (a). An item is important in the course, or pattern, of NSW's cultural or natural history (or the culture or natural history of the local area)

The subject site has incidental or unsubstantiated connections with historically important activities or processes. It represents a common example of Post War style architecture.

Criterion (b). An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)

The subject site has no connection to people or persons of interest or importance in regards to the local history of Bathurst or NSW

Criterion (c). An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)

The subject site and residence represent construction and architecture typical of the Post War Period of 1945-1965 due to its simple Hip and Valley roof shape, triple fronted brick veneer house with simple ornamentation. The current dwelling has simple brick veneer construction and lighter colour tones to its frontage which is a common indicator of this period. It is a common example of this era of architecture and dose not possess particularly outstanding attributes.

Criterion (d.). An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

The evidence available at the time of completing the Development Application documentation for this proposal does not suggest evidence of importance in relation to a particular community or cultural group.

Criterion (e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural or natural history of the local area)



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10720 - 256 Piper Street HIS

The evidence available at the time of completing the Development Application documentation for this proposal does not suggest that the property will have any archaeological significance or potential. The knowledge gained from this site would only contain information available from other sources or archaeological sites within the local area.

Criterion (f). An item possesses uncommon, rare or endangered aspect of NSW's culture or natural history (or the culture or natural history of the local area)

The style of architecture and construction on the subject site is a common feature of the local CBD and surrounding residential area and would not be deemed rare or endangered. It is however located on a popular street that could be considered prominent. Surrounding dwellings are of a similar style and roof shape.

Criterion (g). An item is important in demonstrating the principal characteristics of a class of NSW's

- culture or natural places; or
- cultural or natural environments.

The current dwelling is a cultural example of typical Australian accommodation during the 1940s to 1980s. The residence history exhibits how housing was developed to accommodate for comfortable living & designed for family living, resembling interconnected living rooms, a growth in home ownership as Australian culture diversified, displaying economic stringency of the period, with a move towards modernism and placed new demands on housing.

The subject site is considered to have minimal cultural or natural environmental significance.

Statement of Significance

The existing residence located on 256 Piper Street, Bathurst is a single storey residence that possess architectural and construction features of a Post War style residence.

The existing building shows the progression of architecture in relation to criterion (a). and is a common example that is not rare in the Bathurst region. Criterion (g) is also of some significance as the dwelling represents the evolution of Australian culture in the form of residential housing.

All other criterion is not applicable to this residence or has a lack of evidence available to suggest significance in relation to each of the remaining criterion.



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10720 - 256 Piper Street HIS

Elements of the property that are historically significant include:

- The structures current façade,
- The remaining brick component of the dwelling and brick chimney's,
- The width of the frontage,
- The structures current roof shape & form,
- The structures current mass-produced horizontal windows.

During the design process the Alterations and Additions have been designed to ensure minimal impact on the above elements within the property that are deemed to have historical significance, the measures that have been taken to mitigate the effects of these elements are indicated below.

Proposed Alterations, Extensions & Heritage Impacts

The proposed works include internal alterations and two-storey additions to the existing dwelling, with some minor demolition works. The demolition works requires the removal of the existing internal separating walls in and around the existing Laundry/Bathroom areas, located towards the rear of the existing dwelling.

The proposed extensions will consist of a two-storey structure located directly above the existing pergola and partially above the existing bathroom, Laundry and Powder Room, all of which are located towards the rear portion of the existing dwelling. The proposed addition will incorporate a new set of stairs located within the existing building footprint, providing access to a new Study/Nook, Master Bedroom, WIR. & Ensuite on the first floor & will consist of an internal alteration of the existing Bathroom/Laundry facilities located directly below the extensions.

The addition will be located behind the original portion of the dwelling and aims to be nonobtrusive when viewed from the street frontage (Piper Street). The addition has been designed to ensure that it lies behind the existing roof form, approximately three rooms back from the main building line when viewed from Piper Street to delineate between the change in external materials from Brickwork to Weatherboards. This also assists in ensuring the addition is non-obtrusive when viewed from the street frontage.

The addition will be located directly behind the existing dwelling and will incorporate minimal change to the existing street frontage. The design has incorporated careful consideration of roof shape, by the use of a similar roof pitch to ensure that the roof form resembles similar lines to the existing roof form.



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10720 - 256 Piper Street HIS

The existing masonry façade & face brickwork chimney's that are located towards the front of the site and are to predominately remain un-touched during the proposed building works, the existing masonry walls are to remain and be re-furbished, if & as required.

The existing dwelling in its current form exhibits three rooms across the frontage which is common place within this style of housing (What House is that? Third edition, Department of Community Planning and Development, Victoria). The proposed additions are located behind the main portion of the dwelling and have been designed to ensure that the width of the extension is reduced to ensure that the building works are non-obtrusive.

Colour selection was discussed during the design stage of the development, colour suggestions were provided during initial consultation with the Heritage Consultant to ensure that the proposed colour scheme is non-obtrusive to the street scape and is in keeping with the original Period of construction.

The proposed extension will resemble period correct colours highlighted with lighter more subtle tones for the structure's facade. Along with Traditional profile colorbond sheeting, proposed colours were discussion and considered acceptable for the proposal.

The colour scheme that has been selected for the development has been provided within the DACC documentation located within (Appendix A). The colours have been carefully chosen to complement the existing dwelling and display similar attributes to the original period of the existing dwelling. The selected colours are briefly indicated below, (refer to the colour elevations provided within the DACC Documentation). The selected finish for the new external Weatherboard cladding will be Dulux - "Lexicon" – (OR SIMILAR). Light Cream highlighted trims have been chosen for the Windows & Doors & Fascia – Colorbond "Paperbark". Existing Roof & Guttering tones have been selected to match the existing dwelling, (were possible) – Colorbond "Shale Grey" & Colorbond "Cottage Green".

Corrugated Colorbond "Shale Grey" Roof sheeting, Traditional profile has been selected after feedback provided by the heritage advisor has been considered during the design stage and the proposed colour for the new traditional profile corrugated roof sheeting further compliments the colour schemes acceptable for the Inter War period (What House is that? Third edition, Department of Community Planning and Development, Victoria).

Full colour elevations have been provided within the development application Architectural documentation provided, located within (Appendix A), clearly indicating that the proposed colour scheme will not look out of place within the existing street frontage.

An illustration of the proposed development has been provided below in Figure 4.



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Figure 3. Proposed streetscape on Piper Street Frontage.

Materials from demolition

No materials will be preserved from the existing structure upon demolition.

Materials proposed for the extension

Roof materials for the proposed extension will consist of corrugated Colorbond "Shale Grey", Traditional profile roof sheeting, External wall materials will be Traditional profile, timber Weatherboard's, colouring will be - Dulux - "Lexicon" – (OR SIMILAR). Lighter Cream trims have been chosen for the Windows & Hinged Doors – Colorbond "Paperbark". The proposed colour scheme will complement the existing colour tones of the original period of the existing dwelling & ensure that the proposal is non-obtrusive from the street frontage.

The colours for the proposed additions have been carefully selected, to ensure that the extension does not overpower the existing dwelling. As indicated above the proposed colour tones have been selected carefully to ensure the dwelling is non-obtrusive within the established street frontage. Colour elevations of the proposed development have been provided within the Development Application documentation located within (Appendix A).

The existing roof structure will predominately remain un-touched. The new external walls will consist of timber framed stud walls, clad with lighter shade Weatherboard cladding – "Dulux", 'Lexicon'. (OR SIMILAR)



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Interior wall materials will consist predominantly of Timber Framed walls with gyprock lining paint finish as selected by client. All existing walls will be re-painted and made good if and as required.

Eaves soffit lining will consist of FC sheet infill panels paint finish.

The Existing windows located in the original portion of the dwelling will be retained. Each window will be restored & repainted if and as required to retain the original character of the dwelling. All new windows in the extension will be modern aluminium framed Awning windows, similar in shape and orientation to the existing windows.

The finished floor level of the existing dwelling will be complimented within the proposed ground floor extension, along with a new floor joists placed on top of the existing wall structure to establish the floor level of the first-floor addition.

For detailed information on the materials and exact locations please consult DACC documentation (Appendix A)

Conclusion & Assessment of the Impact

The above report has found that the subject property located on 256 Piper Street is of some heritage significance to the established area. We believe that the proposed alterations and extensions do not affect the current heritage status of the structure, the majority of the residence, particularly the original frontage of the structure is to remain untouched.

The majority of the ground floor alterations are located within the existing building footprint, the new addition is located well behind the established street frontage and when viewed from the street it is considered to provide minimal impact on the heritage significance of the dwelling.

A new colour scheme has been selected for the proposed additions, which has been carefully selected to compliment the historical character of the existing dwelling. The subject building works are not being proposed on a known site of any archaeological significance.

The current proposal (Please see DACC documentation - Appendix A) seeks to minimise any impact on the heritage nature of the area with the use of Architectural elements and other features similar to the period, further complimenting the existing dwelling as it currently stands and further enhancing the heritage features of the dwelling.



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During the design stage, feedback was received from Bathurst Regional Council, the Heritage Advisor and the Heritage DCP Planner which has been further detailed in the above report. Suggestions have been considered during the design stage & solutions have been implemented into the design that will provide a positive outcome for all involved.

We welcome feedback and questioning regarding the issues identified within this report and are happy to incorporate them into the current proposal if required to achieve the best possible result for the development.



Friday, 12 February 2021

Appendix A - DACC Documentation





10720 - 256 Piper Street HIS



<u>Client:</u>

HART HOMES

(ANDREW HANGER)

Job Description:

ALTERATIONS & EXTENSIONS

Lot 18 (DP 758065)

256 PIPER STREET, BATHURST, NSW. 2795.

Contents:

| Conte | ents | <u>b</u> |
|-------|------|------------------------------------|
| DACC | 01 | COVER PAGE |
| DACC | 02 | SITE PLAN - EXISTING & DEMOLITION |
| DACC | 03 | SITE PLAN - PROPOSED |
| DACC | 04 | PART SITE PLAN - PROPOSED |
| DACC | 05 | ROOF PLAN - EXISTING & DEMOLITION |
| DACC | 06 | FLOOR PLAN - EXISTING & DEMOLITION |
| DACC | 07 | ROOF PLAN - PROPOSED |
| DACC | 08 | FLOOR PLAN - PROPOSED |
| DACC | 09 | FIRST FLOOR PLAN - PROPOSED |
| DACC | 10 | ELEVATIONS 1 & 2 |
| DACC | 11 | ELEVATIONS 3 & 4 |
| DACC | 12 | COLOUR ELEVATIONS 1 & 2 |
| DACC | 13 | COLOUR ELEVATIONS 3 & 4 |
| DACC | 14 | FENCE ELEVATION 1 |
| DACC | 15 | SECTIONS AA & BB |
| DACC | 16 | SUN SHADOW DIAGRAMS 1 |
| DACC | 17 | SUN SHADOW DIAGRAMS 2 |
| DACC | 18 | STREETSCAPE ELEVATION |
| DACC | 19 | SPECIFICATION/BASIX |
| | | |



SUBJECT SITE: Lot 18 (DP 758065) 256 PIPER STREET, BATHURST, NSW. 2795.

COVER PAGE DACC

Sheet: 01

Date: 12/02/2021

Job No: 10720

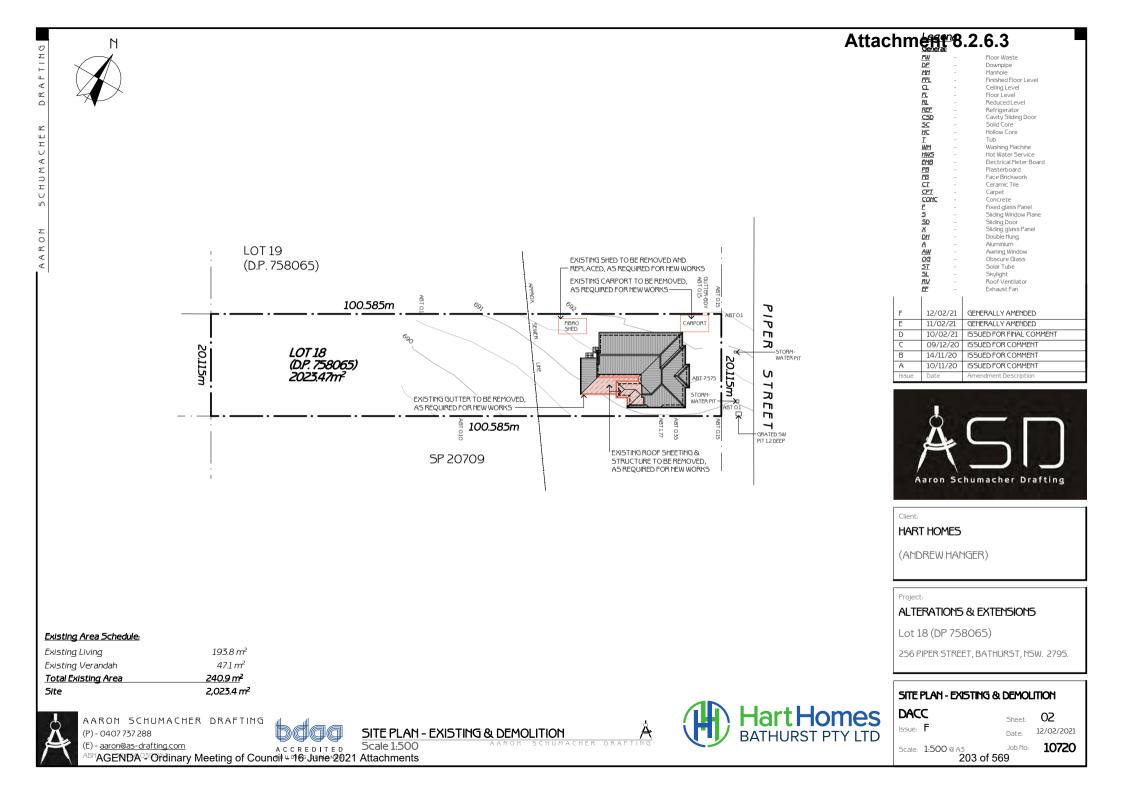


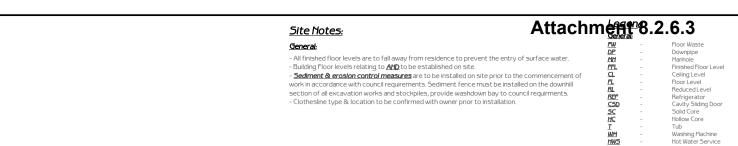




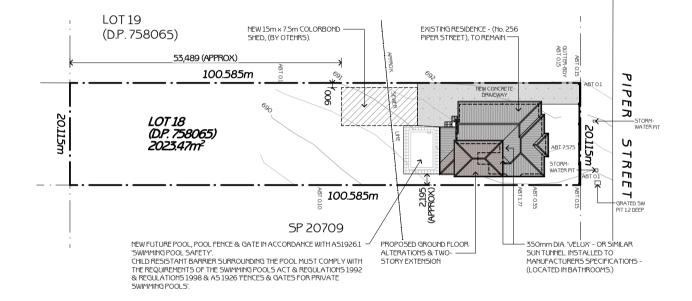
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SITE PLAN - PROPOSED

E D C B A



Proposed Area Schedule:

| Existing Living (Retained) | 193.8 m² |
|------------------------------------|---------------------|
| Ground Floor Living Extension | 3.1 m² |
| First Floor Living Extension | 52.3 m² |
| Total Living Area After Extensions | 249.2 m² |
| Existing Verandah (Retained) | 44.0 m ² |
| Proposed Deck Extension | 20.3 m² |
| Total Area After Extensions | <u>313.5 m²</u> |
| Site | 2,023.4 m² |



AARON SCHUMACHER DRAFTING (P) - 0407 737 288 (E) - aaron@as-drafting.com

Scale 1:500 ACCREDITED *AGENDA Ofdinary Meeting of Council 416 June 2021 Attachments DRAFTI



| | HW5 - | Hot Water Service |
|-----|--------------|--------------------------|
| | EMB - | Electrical Meter Board |
| | <u>PB</u> - | Plasterboard |
| | <u>FB</u> - | Face Brickwork |
| | - 12 | Ceramic Tile |
| | <u>CPT</u> - | Carpet |
| | CONC - | Concrete |
| | E - | Fixed glass Panel |
| | 5 - | Sliding Window Plane |
| | <u>5D</u> - | Sliding Door |
| | Δ - | Sliding glass Panel |
| | DH - | Double Hung |
| | <u>A</u> - | Aluminium |
| | <u>AW</u> - | Awning Window |
| | - 00 | Obscure Glass |
| | <u>57</u> - | Solar Tube |
| | <u>5L</u> - | Skylight |
| | RV - | Roof Ventilator |
| | EE - | Exhaust Fan |
| 1 | | |
| | | |
| | 12/02/21 | GENERALLY AMENDED |
| | 11/02/21 | GENERALLY AMENDED |
| | 10/02/21 | ISSUED FOR FINAL COMMENT |
| | 09/12/20 | ISSUED FOR COMMENT |
| | 14/11/20 | ISSUED FOR COMMENT |
| | 10/11/20 | ISSUED FOR COMMENT |
| sue | Date | Amendment Description |
| | | |



Client: HART HOMES

(ANDREW HANGER)

Project:

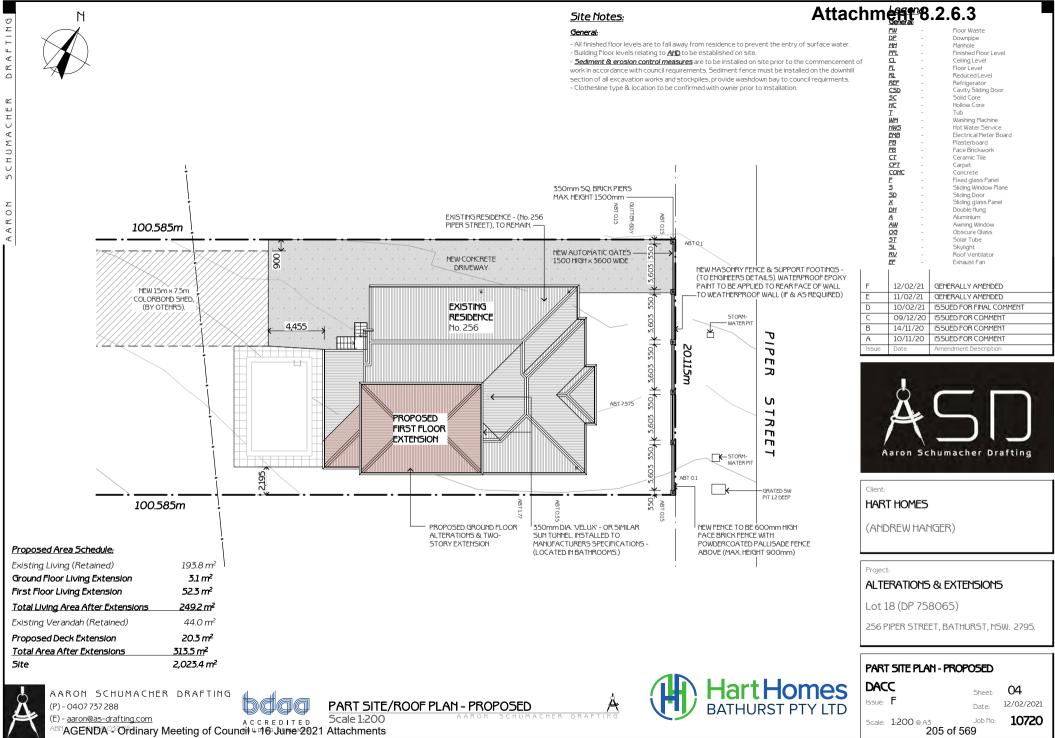
ALTERATIONS & EXTENSIONS

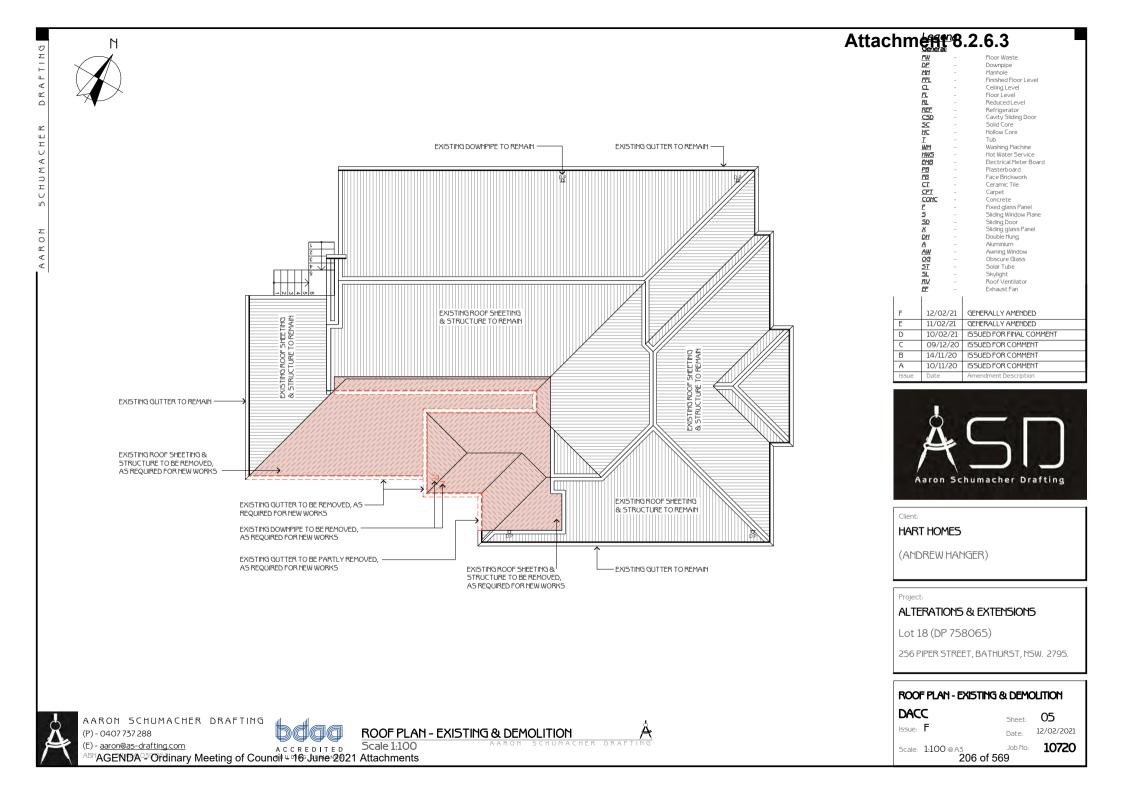
Lot 18 (DP 758065)

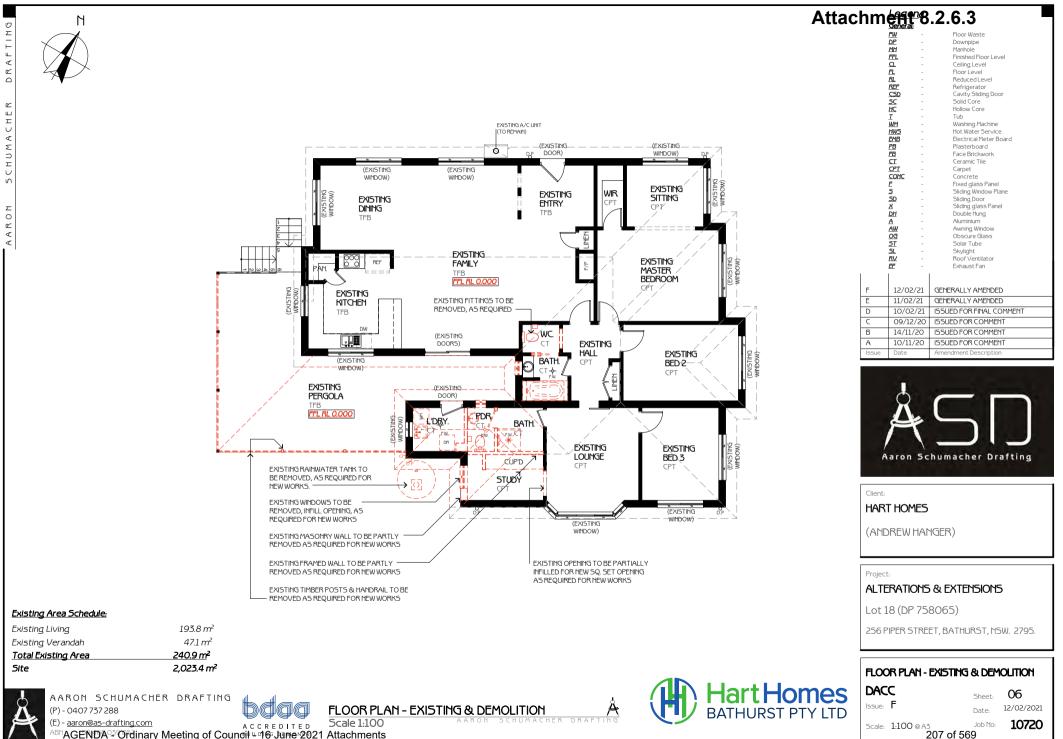
256 PIPER STREET, BATHURST, NSW. 2795.

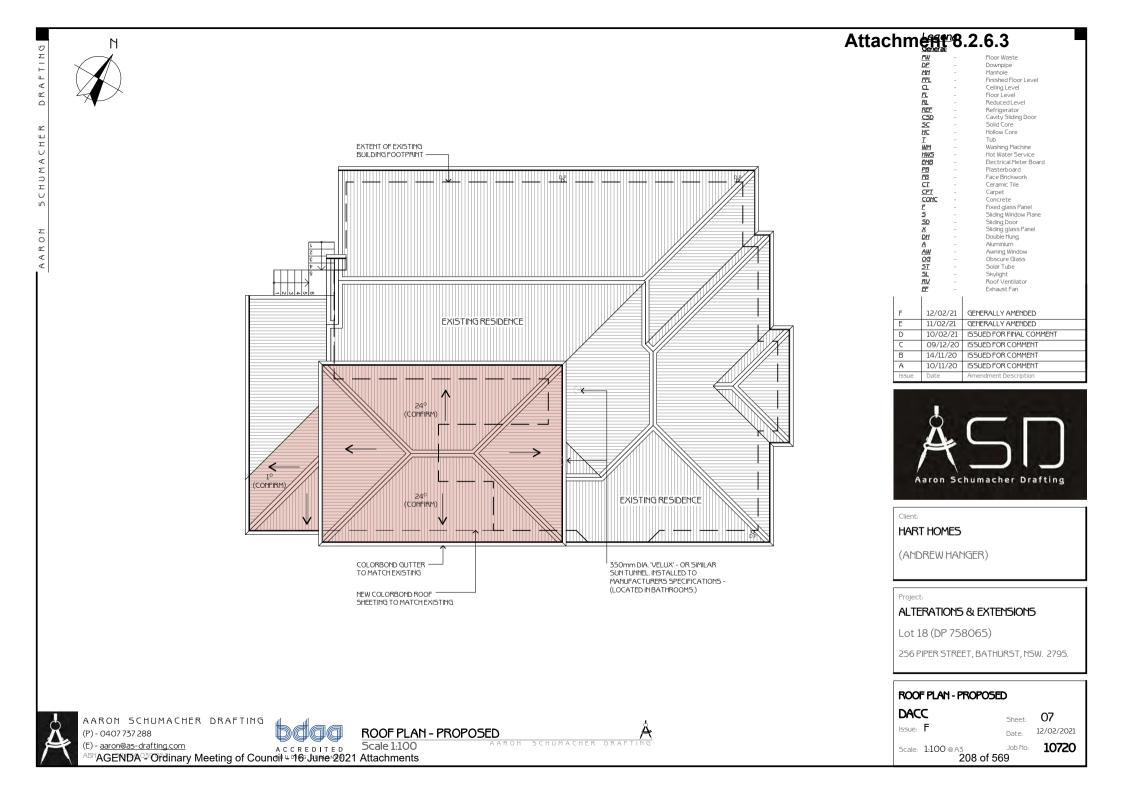
SITE PLAN - PROPOSED

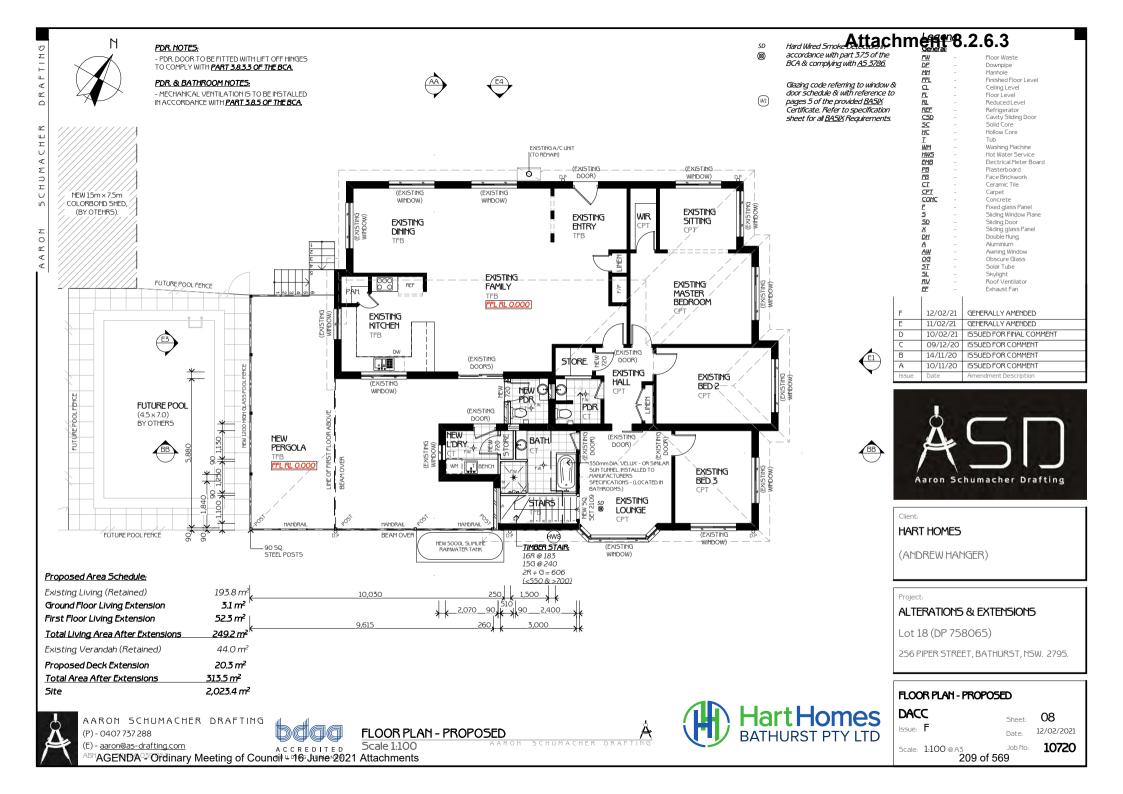
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| Issue: | F | Date: | 12/02/2021 |
| Scale: | 1:500 @ A3 204 of 56 | | 10720 |

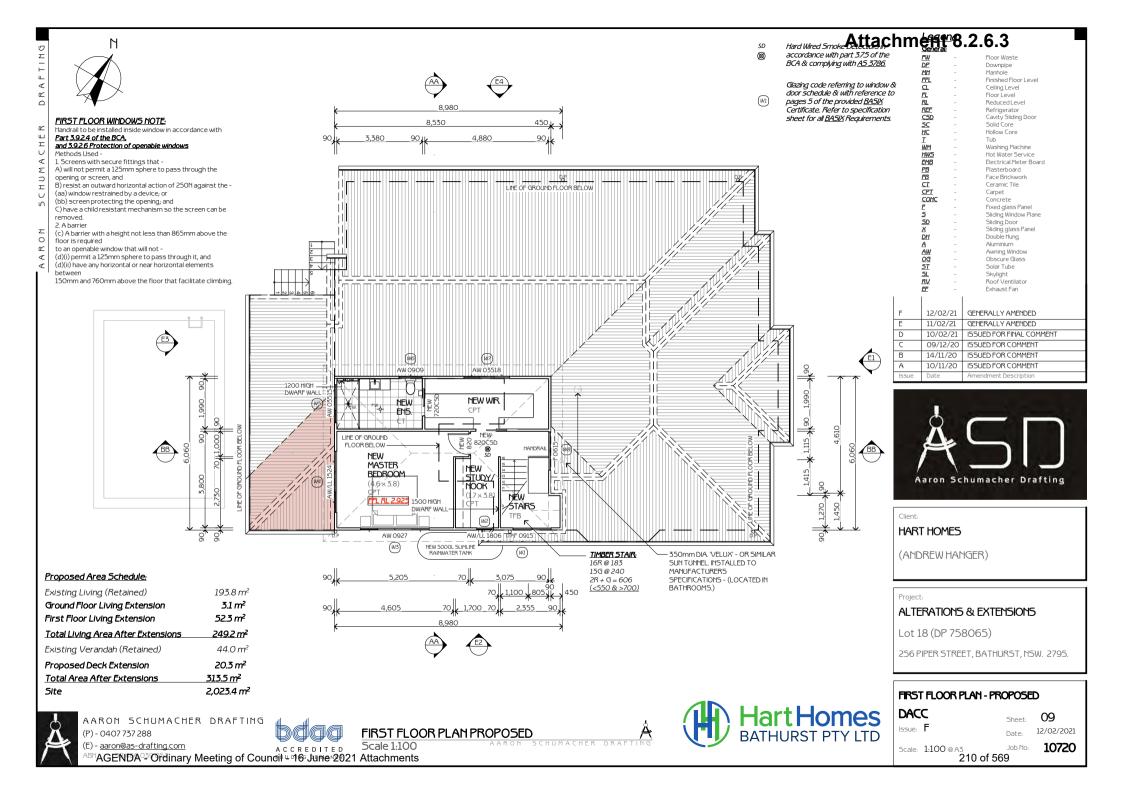


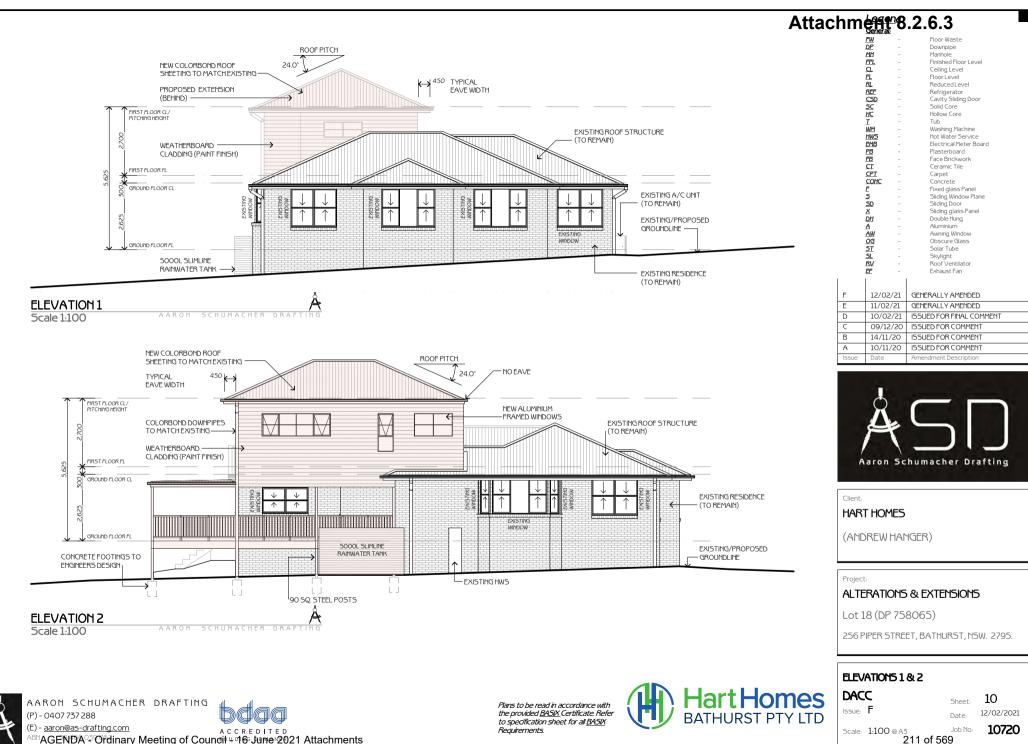










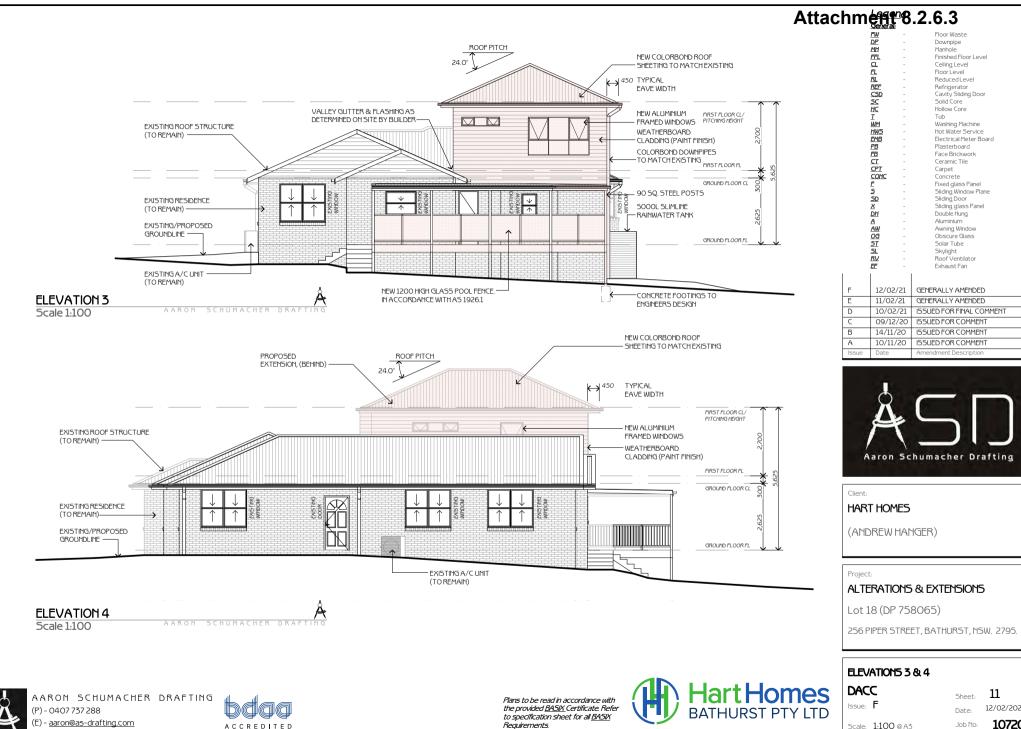


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AGENDA Ordinary Meeting of Council 10 June 2021 Attachments



AGENDA Ordinary Meeting of Council 10 June 2021 Attachments

Requirements.

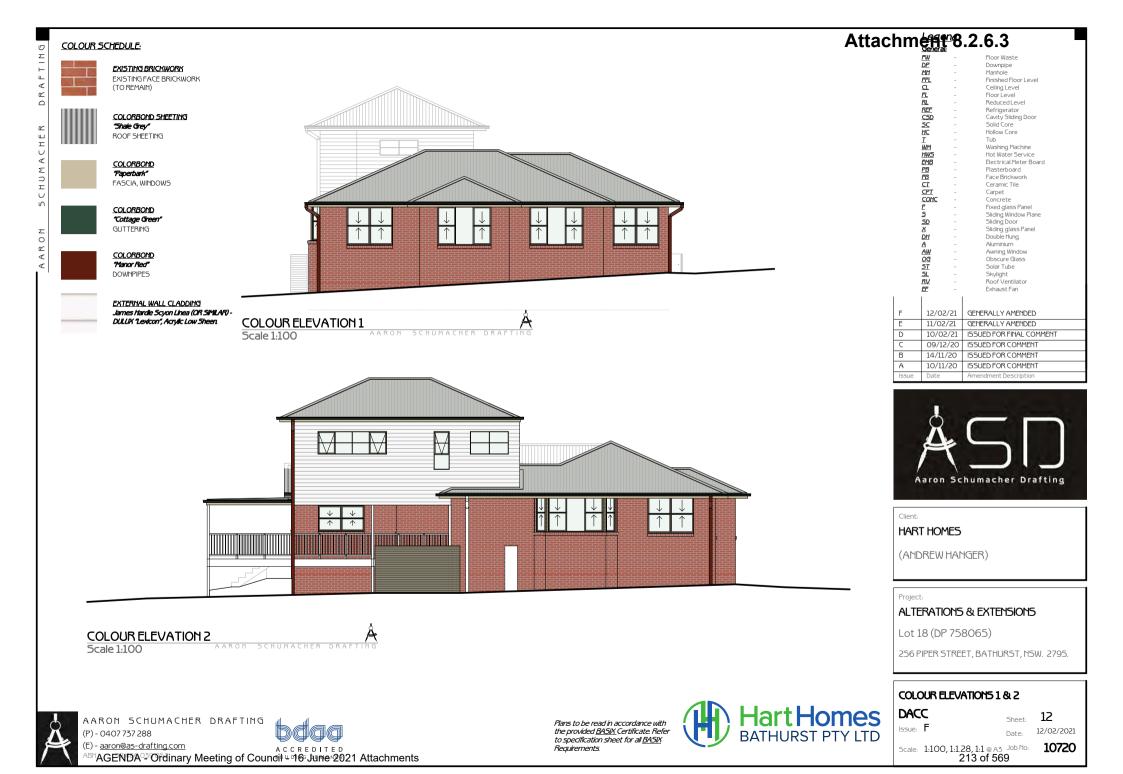


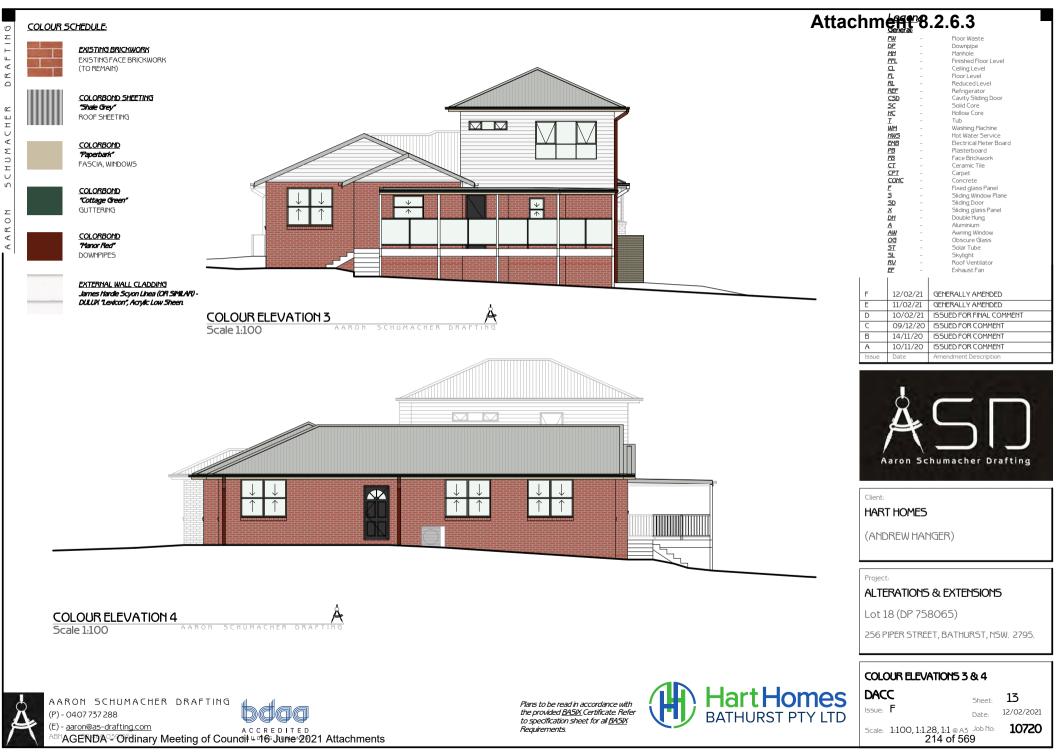




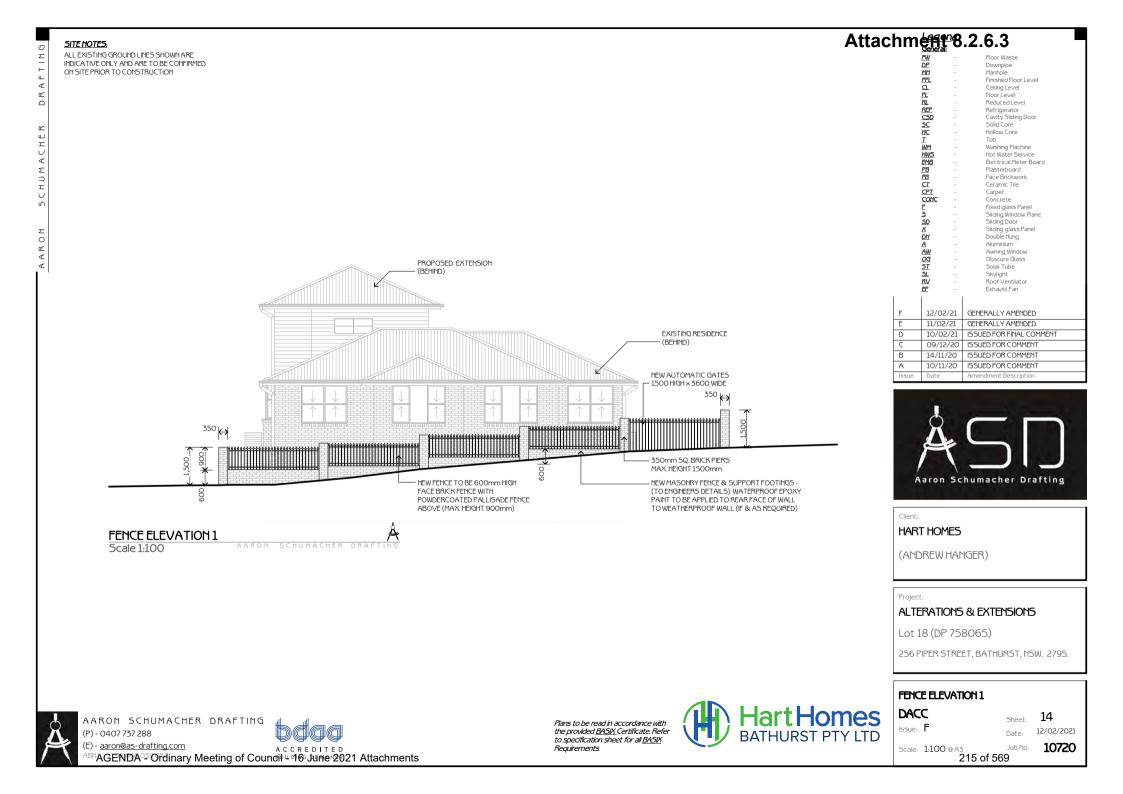
12/02/2021 10720 Job No: 212 of 569

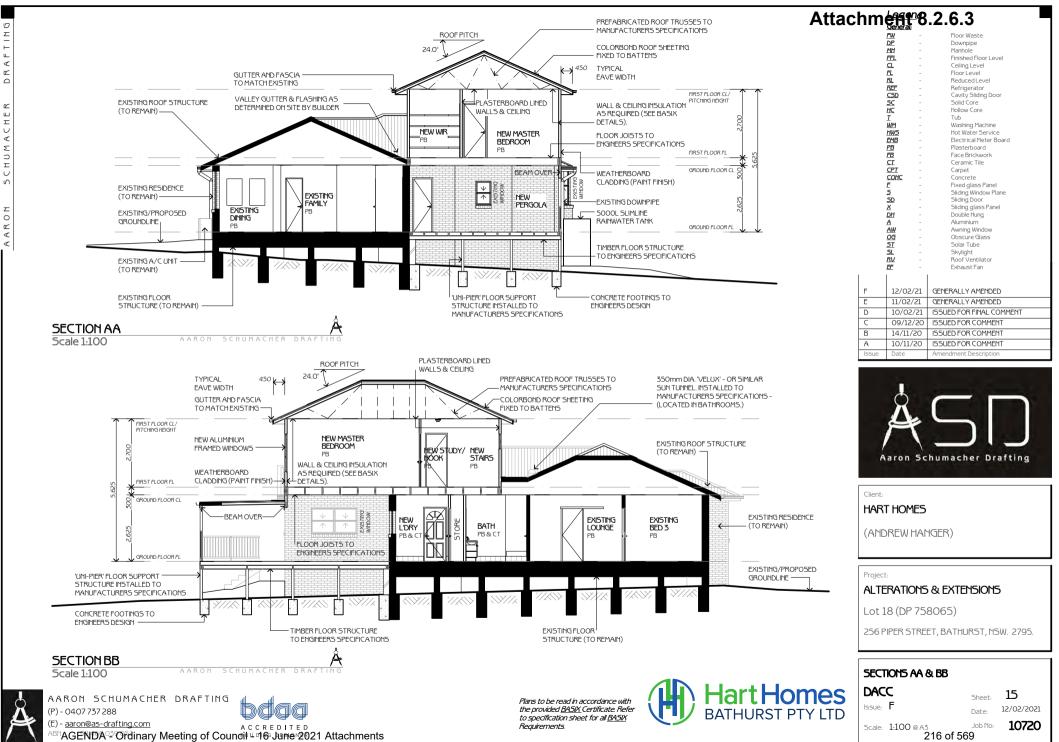
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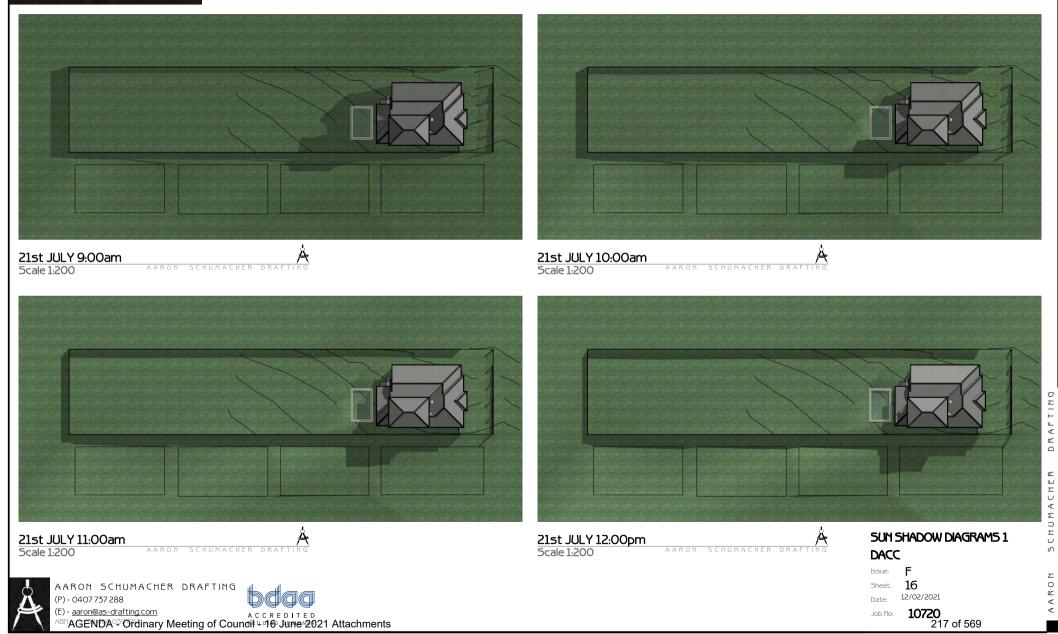
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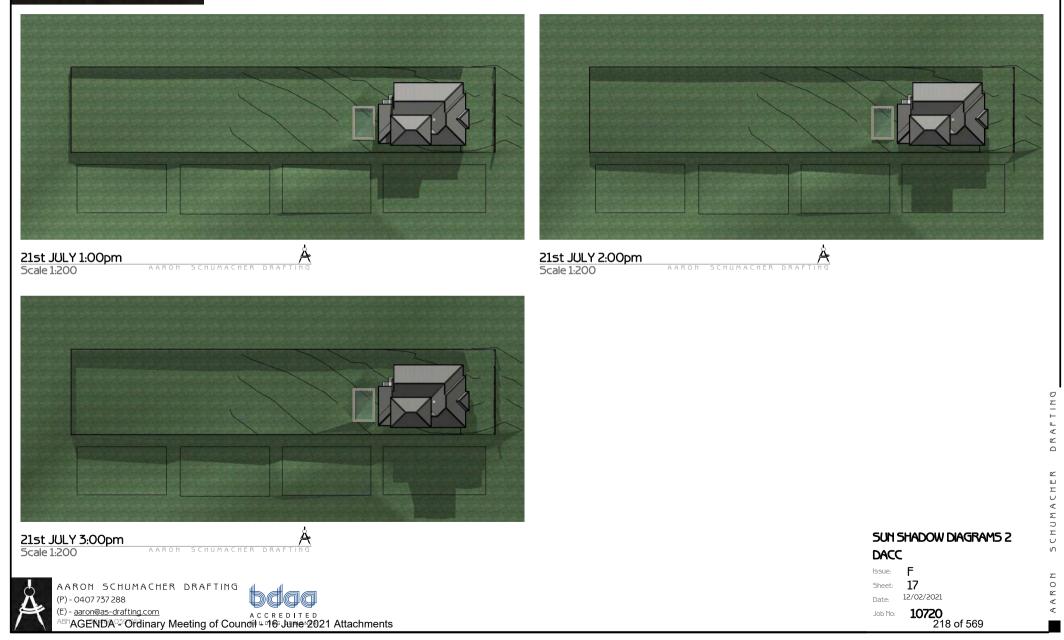


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BASIX Requirements

BASIX Certificate Number

A400934 02

Liahtina Commitments:

40% of new or altered light fittings must be replaced with fluorescent, compact fluorescent or LED Lamps,

Fixtures:

New or altered shower heads to have a flow rate of 9 litres per minute or a 3 star water rating. New or altered tollets to have a flow rate of 4 litres per average flush or a 3 star water rating. New or altered taps to have a flow rate of 9 litres per minute or a 3 star water rating.

Insulation Requirements:

| - Floor above existing dwelling or buildin | g - <u>nll</u> |
|--|--|
| - External wall - Brick veneer | - R1.66 (or 2.20 including construction) |
| - External wall - <i>Framed</i> | - R1.80 (or 2.20 including construction) |
| - Ceiling and Roof | |
| (flat ceiling/pitched roof) | - R2.75 (up), Roof - foll/sarking |
| - Roof color | - Medium (solar absorption 0.475 - 0.70) |

Glazing Reguirements:

W1 - W4 glazing to have a minimum of standard aluminium frames and Clear/Air Gap/Clear glass - (U-value:5.34, SHGC:0.67). All other external glazing to have a minimum of **Standard Aluminium** frames and single clear glass - (U-value:7.63, SHGC:0.75).

Specification Notes

General:

Drawings prepared from information supplied by the owner and/or builder All dimensions are in millimetres & shall be verified on site. DO NOT SCALE FROM DRAWING - If in dout ask. All dimensions & all floor levels provided are to be confirmed prior to construction. It is the responsibility of the builder to verify documents as to their accuracy and suitability. These plans are to be read in conjunction with Engineer's details. BCA refers to the Building Code of Australia - Volume 2, Housing Provisions.

Statutory Requirements:

All work to be carried out in accordance with the BCA, conditions imposed by the local authority and the commitments outlined in the relevant BASIX Certificate. The builder is to comply with the requirements of all legally constituted authorities having urisdiction over the building works and the provisions of the Home Building ACT. Prior to the commencement of building work, the builder shall provide temporary toilet acilities for the use of subcontractors. Where the local authority requires the temporary collet to be connected to sewer mains, the additional cost shall be borne by the owner On completion the builder shall remove the amenity.

BCA Requirements:

All earthworks shall be in accordance with the engineer's details and Part 3.1.1 of BCA. All excavations and underfloor fill shall be in accordance with the engineer's details nd <u>Part 3.2.2</u> of BCA.

Primary building elements are to be protected from subterranean termites in accordance ith <u>Part 3.1.4</u> of BCA.

Provide adequate cross ventilation to space under suspended ground floors in ccordance with Part 3.4.1 of BCA. Sub Floor access to be provided as indicated on plan. Stormwater drainage shall be carried out in accordance with Part 3.1.3 of BCA. All timber framework shall comply with Part 3.4.3 of BCA or A51684. - Roof trusses shall be designed in accordance with <u>A51720</u>, and erected, fixed and braced

accordance with manufacturer's instructions. Strip and sheet flooring shall be installed in accordance with A51684. All metal fittings used in structural timber joints and bracing must have corrosion protection. Steel framing shall be in accordance with manufacturer's recommendation and Part 3.4.2 of BCA. Concrete slab & footings to be designed in accordance with A52870.

All structural elements are to be designed by a practicing structural engineer All roof cladding shall comply with Part 3.5.1 of BCA and be installed in accordance with nanufacturer's recommendations

Gutters and downpipes shall be in accordance with Part 3.5.3 of BCA. Sarking shall comply with Part 3.5.2.4 of BCA. Flashings shall comply with Part 3.3.2.3 of BCA.

Clay brickwork shall comply with <u>Part 3.3</u> of BCA, <u>A5/NZ54455</u>, <u>A5/NZ54456</u> & <u>A53700</u>.

Concrete blockwork shall be constructed in accordance with Part 3.3 of BCA. Autoclaved aerated concrete products shall be installed in accordance with nanufacturer's product specification.

Damp proof courses shall comply with Part 3.3.5.7 of BCA

Cavity ventilation must be provided in accordance with Part 3.3.5.6 of BCA. Mortar shall comply with Part 3.3.5.3 of BCA and joint tolerances shall be in accordance vith <u>A53700</u>

Masonry accessories shall comply with Part 3.3.3 of BCA. Appropriate ties shall be rovided to articulated masonry joints.

Lintels used to support brickwork over wall openings shall comply with Part 3.3.3 of BCA and protected from corrosion in accordance Part 3.3.5.12 of BCA.

Engaged piers in single leaf masonry walls shall be constructed in accordance with able 9.2 Pier spacings for one way spanning walls, of Australian Standard AS4773.1-2010 lasonry in small buildings. Refer to the table extract below for details. Internal wet areas and balconies over habitable rooms to be waterproofed in accordance vith Part 3.81 of BCA. Wet area wall lining is to be fixed in accordance with manufacturer's

commendations All timber doors and door sets shall be manufactured in accordance with A52688 & A52689 unless listed otherwise in schedule of works.

Windows and doors shall be manufactured and installed in accordance with A52047.

All glazing shall comply with Part 3.6 of BCA

Where a pliable building membrane is installed in an external wall it must be installed in accordance with Part 3872 of the BCA & Comply with A5/NZ 4200.1 An exhaust system installed in a Kitchen, bathroom, Sanitary compartment or Laundry must comply with the minimum low rates as specified in Part 3.8.7.3(a) of the BCA & Be discharged in accordance with Part 3.8.7.3(b) of the BCA. Ventilation of roof spaces must be in Accordance with Part 3.8.7.4 of the BCA Stair and ramp construction shall be in accordance with Part 3.9.1 of BCA.

Slip-Resistance treatment to stair treads, ramps & landings shall be in accordance with Part 3.9.1.4 of BCA. Balustrades & Handrails shall be in accordance with Part 3.9.2 of BCA

- Protection of openable windows shall be in accordance with Part 3.9.2.6 of BCA
- All plumbing shall comply with the requirements of the relevant supply authority and

A53000, and be carried out by a licensed plumber. All gas installations shall comply with the requirements of the relevant supply authority and

e carried out by a licensed gas fitter.

Provide and install hard wired interconnected smoke alarms in accordance with AS3786 and Part 3.7.5 of BCA. Installation of wall and floor tiles shall be in accordance with A53958.1. Building is to be sealed to the requirements of Part 3.12.3 of BCA, including chimneys, flues,

oof lights, external windows and doors, exhaust fans, roof, walls and floors. Services are to be installed to the requirements of NSW Part 3.12.5 of BCA, including not water supply, insulation of services, central heating water piping and heating and

oolina ductwork. Mechanical ventilation is to be installed in accordance with Part 3.8.5 of BCA.

Inward swinging WC doors are to be fitted with lift off hinges to comply with Part 3.8.3.3 of BCA if indicated on plans.

Fireplace, Chimney & Flue Construction to be in accordance with Part 3.10.7 of BCA.



Notes: 1. Piers with tie-downs shall include one full height N10, N12 or M10 reinforcing bar tied to the footing

and positively attached to the top plate (in accordance with Clause 6.7.2) 2. Thi stable applies to walls with no openings. For plers at the edge of mojor openings,

such as

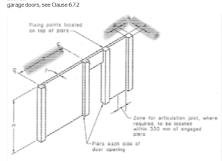


FIGURE 9.1 ENGAGED PIERS IN EXTERNAL SINGLE-LEAF WALLS

9.3 Internal Walls:

Internal single leaf masonry walls shall be at least supported at the top in accordance with clause 6.4 & shall be dimensioned in accordance with Table 9.3

| <u>Table 9.3 (Extract)</u> Maximum wall heights for single-leaf Internal walls (mm) | | |
|--|------------------|--|
| Wall Thickness (mm) | Wall Height (mm) | |
| 90 | 2400 | |
| 110 | 3000 | |
| 140 | 3800 | |
| 190 | 5200 | |

BATHURST PTY

SPECIFICATION/BASIX DACC

F Issue: 19 Sheet: 12/02/2021 Date-

10720 lob No-220 of 569



AARON SCHUMACHER DRAFTING (P) - 0407 737 288 (E) - <u>aaron@as-drafting.com</u> ACCREDITED

AGENDA Ordinary Meeting of Council 10 June 2021 Attachments



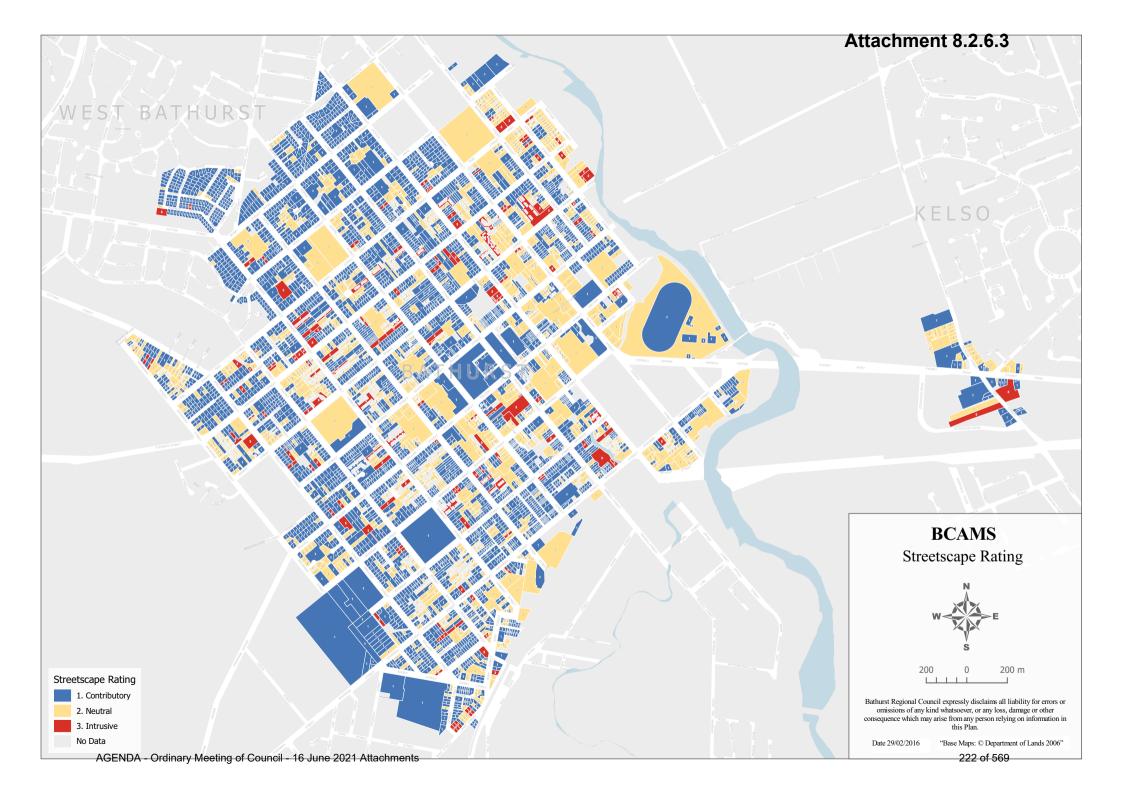
Friday, 12 February 2021





10720 - 256 Piper Street HIS

Appendix B – Bathurst Regional Council BCAMS Streetscape rating map





Friday, 12 February 2021

Appendix C - Residential Infill Application





10720 - 256 Piper Street HIS



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

RESIDENTIAL INFILL APPLICATION

DA No: Section 1

..... **Applicant details**

Contact Name: Contact Nos:

Adam Hart, (Hart Homes Bathurst Pty. Ltd.)

Street: Piper Street

0418 635 278..... Work Home

Section 2 **Property details**

Mobile:

No: 256

Suburb: Bathurst

| Section 3 Infill details | | | |
|---|---|---|--|
| | Nearest left hand side residence | Nearest right hand side residence | How does your proposal relate to its neighbours? |
| Scale (the height and width, or siz | ze of the building) | | |
| Number of storeys | ⊠ 1 □ 2 □ 3 | ⊠ 1 □ 2 □ 3 | 2 |
| Approx. height to eaves – A | 2.4 metres | 3.0 metres | 5.5 |
| Approx. width of building – B | 14 metres | 10 metres | 14 |
| Approx. height or roof – C | 2.0 metres | 2.5 metres | 2.0 |
| Massing (The arrangement of the | e parts. The proportions of the parts w | vithin the whole, and the spacing betw | reen items) |
| Deefeiteb | 🗌 Flat 🔲 Low | ☐ Flat ☐ Low | Medium |
| Roof pitch | 🛛 Medium 🗌 High | 🖾 Medium 🔲 High | |
| Deefetde | 🛛 Hip 🗌 Gable | 🗌 Hip 🛛 Gable | Нір |
| Roof style | Skillion | Skillion | |
| Window shape & type | 🛛 Vertical 🔲 Horizontal | 🛛 Vertical 🔲 Horizontal | Vertical |
| Verandah or awning | 🗌 Yes 🛛 No | 🛛 Yes 🗌 No | No |
| Other elements (e.g. chimney, balustrade etc) | Dutch Gable, Weatherboards | Clad Infill to Gable, Chimney, Brick Fence | Chimney, Brick Fence |
| Setback (from front boundary/s) | | | |
| | 6 metres | 5 metres | 7.5 |
| Materials | | | |
| Walls | Face Brickwork (Red) | Face Brickwork (Red) | Face Brickwork, cladding |
| Roof | Roof Tiles | Colorbond Sheeting | Colorbond Sheeting |
| Other | Weatherboard Gable Infill | Vertical Clad Gable Infill | Chimney |
| Colours | | | |
| Walls | Red Brick | Red Brick | Red Brick & White cladding |
| Roof | Terracotta | Zincalume | Zincalume/Shale Grey |
| Other | White Windows | Red Windows | White/Cream |

The information on this form is being collected to allow Council to process your application and/or carry out its statutory obligations. 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.

Review Date: As required

Ref: 08.0016/055

Issue Date: 1 July 2013

Page 1 of 2

RESIDENTIAL INFILL POLICY

This form is to be filled out and submitted with a Development Application where the proposal includes new infill development on vacant land, or is a proposed replacement residential building within any of the conservation areas within the Bathurst Regional Council Local Government Area.

Within the Conservation Areas of Bathurst, Kelso and within the historic villages of the region, infill development must complement and enhance the local character by relating to the predominant:

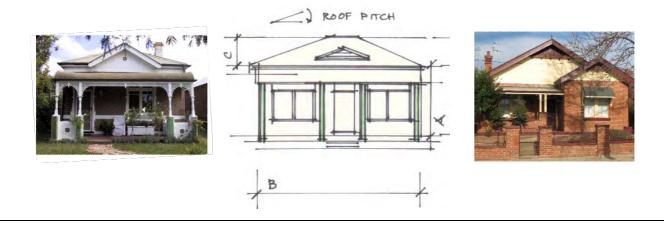
SCALE, MASSING, SETBACKS, COLOURS AND MATERIALS

of the area. This does not mean a developer must mimic the buildings nearby. It is acceptable to relate to the above factors, yet produce a contemporary design. To demonstrate that this Policy has been complied with, an application for residential 'infill' must be accompanied by the following:

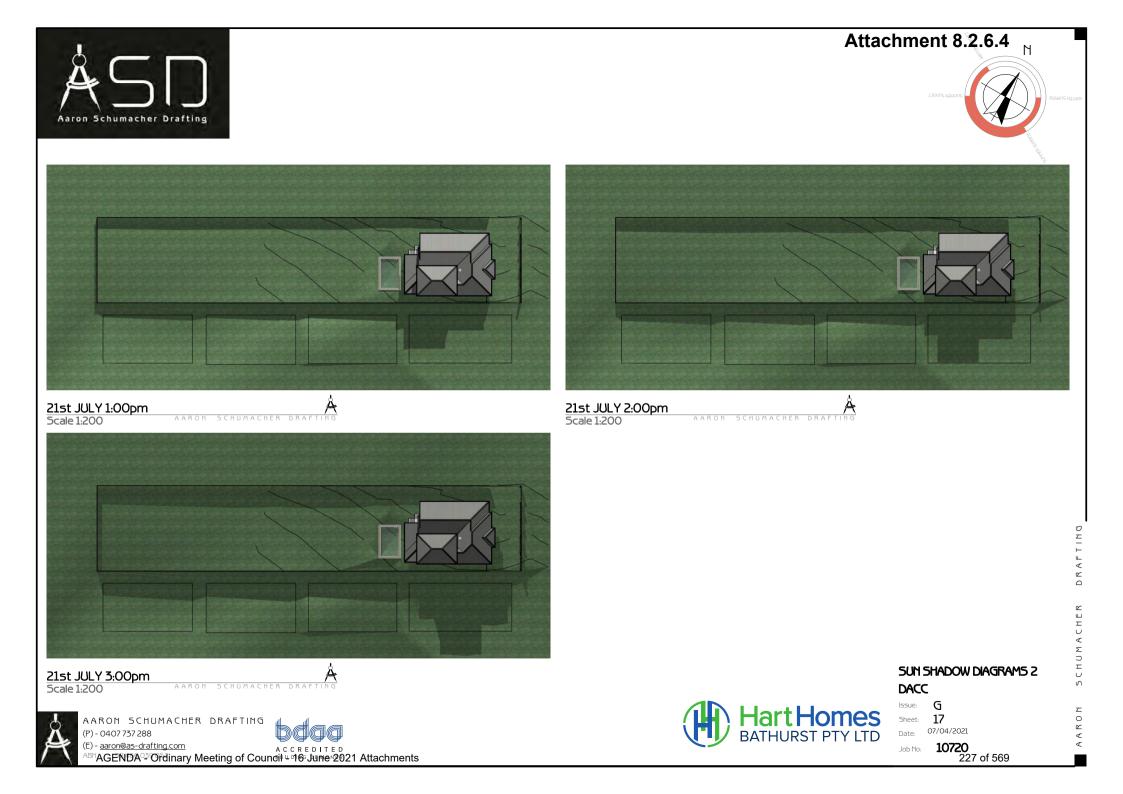
- 1. Street photographs showing the proposed site and adjoining developments to each side, and include the dimensions A, B, C and roof pitch as indicated in the illustration below.
- 2. A completed infill application form containing an explanation of your selection of scale, massing, setbacks, colours and materials.

It is recommended that intending infill designers or builders should discuss their proposal at an early stage with Council's planning staff. Assistance will be given, if required, with completing the infill application.

Example of dimensions and context photos required as below.







17 MAR 2021

REF 2021 60 020

RECEIVED

1 6 MAR 2021

BATHURST REGIONAL COUNCIL

Unit 2, 254 Piper Street, Bathurst 2795 02 6334 4611 0437 155 685

R.Denyer

Manager Development Assessment

Civic Centre,

158 Russell Street,

Private Mail Bag 17

Bathurst 2795

Dear Mr Denyer,

Re: Development Application 2021/60

Premises: Lot 18 Sec:29 DP: 758065 256 Piper Street Bathurst

Proposed development : Alterations and additions to dwelling (including second storey component).

I write in relation to the above proposed development application. I live in at 254 Piper Street in one of eight small one storey units ranged along side the house at 256.

Due to Piper Street being a steep street the builder of our units has carved out a straight stretch of land on which to place the units. This has resulted in all our units backing onto a retaining wall of metres 1m20cm high. On top of that is a colorbond fence of 2 metres.

This structure results in the Roof of my unit being level with the top of the colorbond fence.

(See Photo 1.)

I have a narrow strip of garden which I fear will get less sun with the new development.

Earlier this year I installed 16 solar panels on my roof on the side facing number 256 Piper Street as I was assured that this was the side with the most sunshine. In summer I can access sunshine from early morning to about 6 o'clock before the sun sets. In winter the sun is lower and disappears behind the existing house at about 5pm.

(See Photo 2)

However I have noted on the above mentioned plan that with the proposed second storey that in winter the sun shadow on my unit starts at 12 md and completely covers my unit by 2pm. This will mean that the solar panels will be unable to do their job as efficiently

(See Sun Shadow diagram 2)

There is not a diagram on the existing plan showing sun shadow in summer but I have estimated that there would be considerably less sun with the proposed second storey so close to my unit.

I am also concerned that there will be more windows in the proposed second storey which will be looking straight down into my living spaces so there is a privacy issue also.

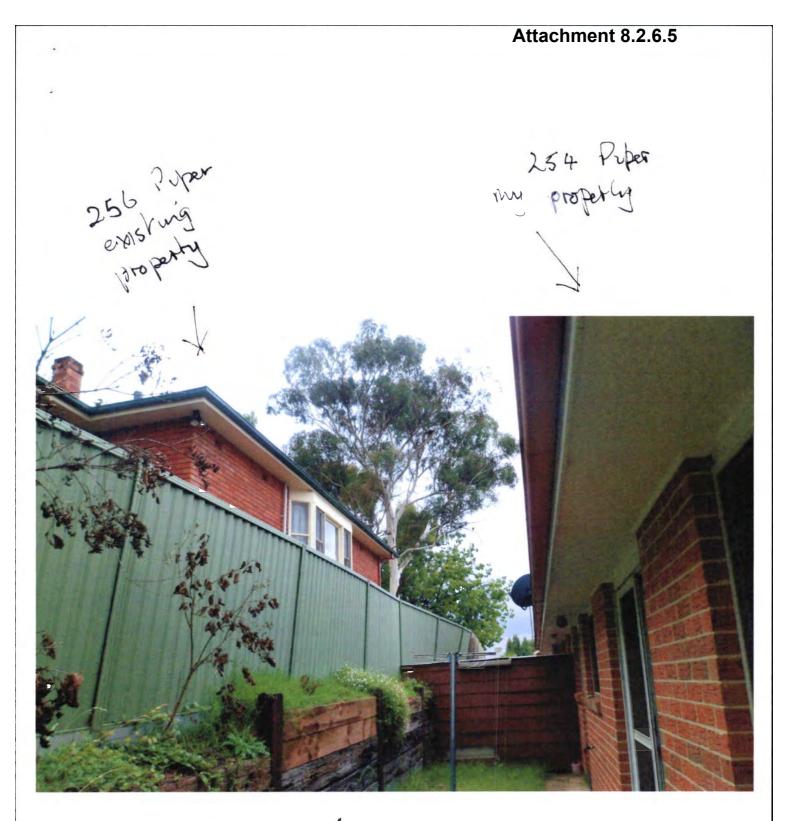
(Photo 3)

I have no desire to inconvenience my neighbours in their development plan for their property but I am hoping my comments can lead to some modification of their current plan.

Yours sincerely,

anerga

Janet Ryan janetis@iinet.net.au



Page 1/1

Photo I.

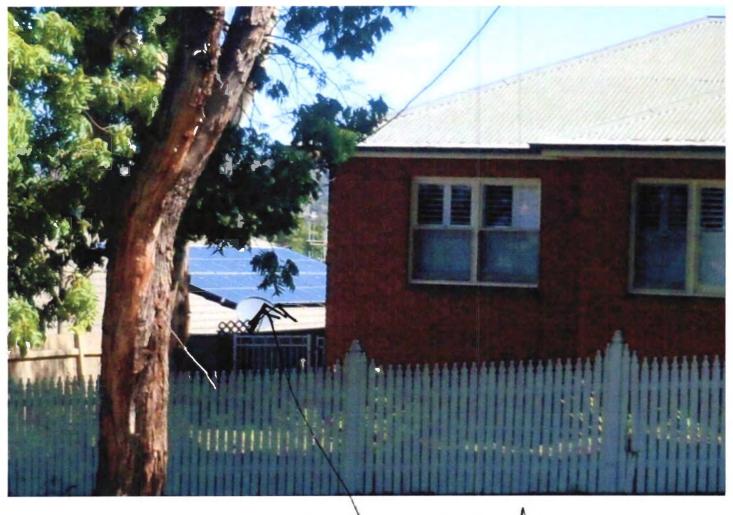
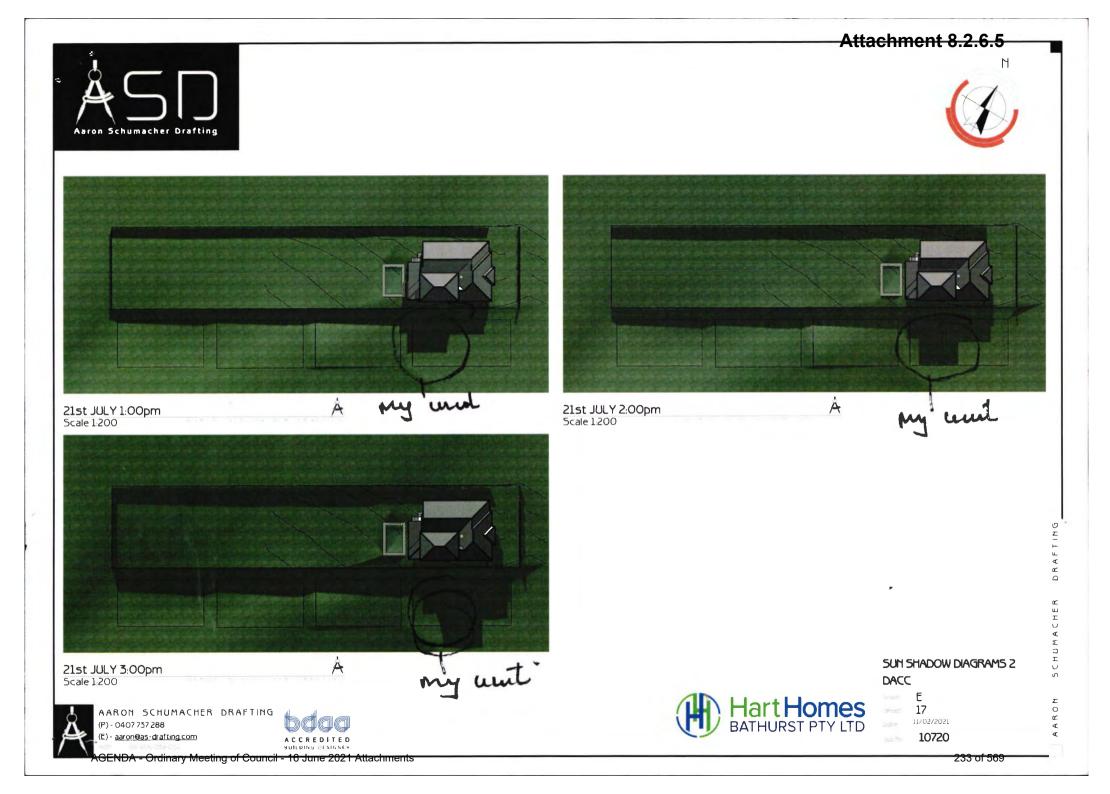


Photo 2. Solar pavels



Photo 3.



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SCHUMACHER DRAFTING

AARON

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

234 of 569

Attachment 8.2.6.5

David Sherley

General Manager

Bathurst Regional Council

158 Russell Street

Bathurst 2795

Margaret Ling 262 Piper Street Bathurst 2795 16th March 2021

17 Lak 2021

REF 2021 60 019

Dear Mr Sherley,

I submit this letter to council in respect of Development Application No 2021/60 at 256 Piper Street Bathurst.

After examining the plans made available by council I believe this development has no negative impact on me or my property.

I note though, that Sun Shadow Diagram 2 indicates a complete loss of afternoon sunlight on the NW facing rooftop solar panels at 254 Piper Street. These panels were installed by 88 year old Janet Ryan to reduce her power bills.

I request that council assist and enable the DA applicants to ensure that Ms Ryan continues to experience the benefits of this installation.

I believe that consideration of this matter by council would be reassuring to all households and businesses in Bathurst with rooftop solar panels.

Thankyou for considering my letter.

Yours faithfully,

magnet ing.

Margaret Ling.



BATHURST REGIONAL COUNCIL

| From: | Andrew Hanger <hangerandrew@gmail.com></hangerandrew@gmail.com> |
|--------------|---|
| Sent: | Thursday, 25 March 2021 4:42 PM |
| То: | Council |
| Cc: | Lewis Wilde; Amy Glenn; Adam Hart |
| Subject: | Development Application 2021/60 256 Piper Street Bathurst |
| Attachments: | Pictures.zip |

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Richard Denyer Bathurst Regional Council 158 Russell Street Bathurst NSW 2795

Dear Mr Denyer

In response to your letter dated 22 March 2021, I would like to submit the following formal response please.

We appreciate the concerns raised by the two neighbours in relation to our proposed development and hope that our response alleviates their concerns.

- Concerns in relation to shadowing of the solar panels Unit 2 254 Piper Street
 - The owner of Unit 2 has raised concerns of shadowing of her solar panels with the addition of the second store at our property. The proposed second storey will not impact the solar panels until 12.00pm in the height of winter
 - Currently all of the 16 panels are located on the western side of the house missing all of the morning sun.
 - From spring to autumn the second storey will have no impact as the sun is further south than our house.
 - Currently a large Elm tree located on 262 Piper Street shades the solar panels on unit 2 254 in the afternoon (See attached photos)
 - I don't believe the addition of the second storey that slightly shades the solar panels in Winter contravenes any of Bathurst Regional Council's planning policies.
 - Out of good faith we are prepared to relocate 8 of the panels at 254 Piper to the other side of the roof to gain advantage of the morning sun. This would be at our cost.
- Concerns in relation to the extra windows on Eastern side
 - The concerns of privacy for 254 Piper Street were addressed in the alteration designs from the very start of the planning process. The three windows along that side are all half height windows to avoid looking down onto 254 Piper Street
 - The window in the main bedroom will be above the bed head and as such will have drapes and we will not have access to stand at the window
 - The window in the study has a desk space in front of it and will not have access to stand at the window
 - The third window is in stairwell and is above eye height and is for natural light into the stairwell
- Concerns about less sunlight into the garden area of unit 2 254 Piper Street
 - When we bought the property there was a large grove of privet trees along the fence line between our properties. (Broad-leaf privet is an evergreen shrub. Used in gardens, it now has extensive environmental, agricultural and human health impacts. Source NSW Weedwise). These weeds were 3-4 high. These weeds would have significantly shaded the garden area of 254

• We have removed these weeds which would allow significantly more sunlight into the garden area

Thank you for your time to review our response. Please let me know if you would like further information

Regards

Andrew Hanger

0400757349

256 Piper Street

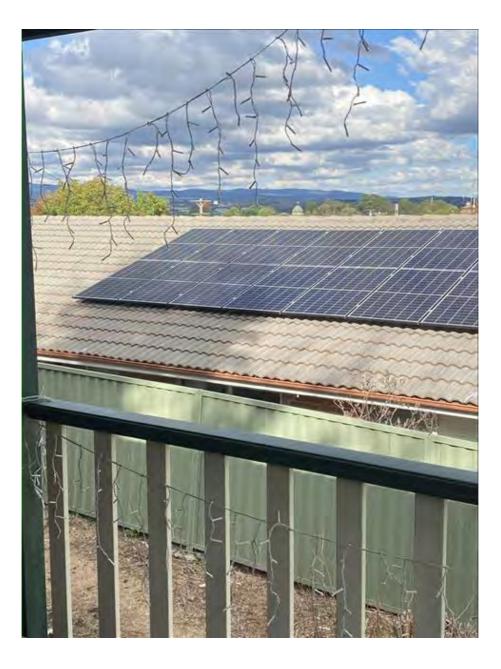
Bathurst NSW 2795

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| | BATHURST REGIONAL COUNCIL | |
|---------------------------|---------------------------|---------------------------|
| Richard Denyer | | Margaret Ling |
| Bathurst Regional Council | 19 MAY 2021 | 262 Piper Street |
| 158 Russell Street | antialan | Bathurst 2795 |
| Bathurst 2795 | REF. 2021 60 036 | 17 th May 2021 |

Dear Mr Denyer,

I refer to : 1] the concerns of Ms Janet Ryan at 254 Piper Street re: overshadowing of her courtyard and solar panels by the proposed development [DA 2021/60] at 256 Piper Street.

The DA applicant's property at 256 Piper Street is a sunny, well treed 2000sqm block of land .

Ms Ryan's neighbouring property is a small single storey 2 bedroom unit with a small sunny courtyard. The shadow plan for the 256 Piper Street DA reveals significant loss of sun on the solar panels and to the courtyard of Ms Ryan.

Would it be reasonable to suggest that Mr Hanger [DA applicant] might consider a DA that extended into his large property as a single storey rather than the 2 storey plan which impacts negatively on 88 year old Janet Ryan.

2] I am also concerned about the apparent absence of council regulations or guidelines to provide security for the 4000 [approx.] households and businesses in the Bathurst region that have installed solar arrays to reduce power costs and greenhouse gas emissions.

At present it appears that anyone can build a structure on their property that obstructs solar access to a neighbouring roof. This means that Janet and all the other households and businesses with rooftop solar arrays are dependant on the goodwill of their neighbours to not overshadow existing solar panels with new construction.

I note in the BATHURST REGIONAL COUNCIL RENEWABLE ENERGY ACTION PLAN that council has invested in the installation of solar PV arrays on 14 facilities. I am sure that council will not allow building development to diminish power production and the value of this commendable investment

Is council currently developing guidelines/regulations that protect the investment of households and businesses that seek to reduce their power bills and reduce greenhouse gas emissions by installation of solar panels? How soon will they be in place?

3] BASIX - new residential buildings require a BASIX certificate for approval of their DA.

RECEIVED 1 8 MAY 2021

NEPBS

BATHURST REGIONAL COUNCIL

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14

Installation of a solar array system can contribute to achieving energy efficiency within the BASIX guidelines. In the absence of any local council guidelines ensuring ongoing solar access to existing PV arrays, is it possible that a later neighbouring building may overshadow the panels on a house which has relied on their installation to achieve energy efficiency requirements for a BASIX certificate ?

I look forward to hearing council's reply to these concerns.

Kind Regards,

, 4

magnet tog

Margaret Ling

BATHURST REGIONAL COUNCIL

1 2 MAY 2021

2/254 Piper Street

Bathurst 2795

REF 2021 60 034

Bathurst Regional Council

158 Russell Street

Mr Richard Denver

Bathurst 2795



BATHURST REGIONAL COUNCIL

Dear Mr Denyer,

Re: DA 2021/60 256 Piper Street, in response to Mr Andrew Hangar's letter to council regarding my concerns re the building of a second storey

The comment about the shadowing only being during winter and about my solar panels being located on the NW side of my house.

In Bathurst which is designed on a NE-SW grid many houses such as mine and Mr Hangar's do not have a North facing roof and so advice from the solar installers for optimum effect is to use the NW side and Mr Hangar and myself both have.

I understand that over shadowing of solar panels does not contravene any Council ruling as yet but I think it should be considered in the future as there are more than 4000 homes and businesses in Bathurst who have installed solar to cut their greenhouse gas emissions and to save some dollars on their electricity costs. I think that they would be concerned about the possibility of being overshadowed.

I understand Mr Hangar has offered to move some panels to another part of my roof at his expense. I appreciate the offer but have consulted with my solar installer from Sunboost and they have pointed out putting a few panels on the SE roof may pick up a small amount of sun in winter while the main array is in shadow but this will not compensate for the large amount of sun lost during the spring, summer and autumn by having removed some panels from the optimum side. So I will not now be taking up his offer.

The comment about the elm tree in 266 Piper Street

I have never observed a concerning effect from the tree mentioned in 262 Piper. It maybe filters the sun through its leaves for a few minutes in summer but is deciduous and the leaves drop during autumn when the sun is lower.

The comment on the sunlight in the garden

I have certainly noticed throughout autumn and into winter that the sunlight floods into my garden and into my lounge room, taking the chill off when it is cold and enabling me to dispense with heaters during the afternoons. This will definitely be affected in autumn and winter by the proposed development.

I would like to think that Mr Hangar could look at a development that extends his current house along the ground as a single storey. It is not too late for him to consider this.

Thanking you for your consideration of this problem,

Yours sincerely,

net lycane. yu Janet Ryan

janetis@linet.het.au 0437 155 685

Lewis Wilde

| From: Sent: | Andrew Hanger <andrew.hanger@enacongroup.com.au> Monday, 7 June 2021 1:04 PM</andrew.hanger@enacongroup.com.au> |
|----------------|---|
| То: | Lewis Wilde |
| Cc: | adam@harthomes.com.au; aaron@as-drafting.com |
| Subject: | RE: Attn - Lewis Wilde (Andrew Hanger - 256 Piper Street, Bathurst). [SEC=UNOFFICIAL] |

CAUTION: This email originated from outside BRC. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Lewis

Thank you for your time on the phone today to explain the next step in the process.

I thought it would be worth mentioning that when we first met with Adam and Aaron to discuss the possibility of extending on the ground level. This option in the first instance appeared to me to be a much more cost effective outcome. However it was quickly identified to me this was not a viable option. This option was not perused for several reasons;

- 1. The foot print of the extension at ground level would have conflicted with the BRC sewer main that runs along the south eastern boundary and across the backyard. This would have significantly reduced the size of the extension and made it an unviable option.
- 2. With a ground floor extension we would have lost a majority of our outdoor living area, meaning we would have the extra cost of extending the outdoor area. This would have had a flow on effect pushing the pool further down the backyard past the sewer main. This would have put the pool next to our shed, thus blocking off any access to the back half of our yard.
- A ground floor extension would have put our bedrooms windows above the living space at 254 Piper, creating privacy issues for both properties
- 4. Access to the outdoor living area is off our kitchen meaning we would have to have to construct an internal walkway to allow access out of the house if the extension was at ground level. This would also create an issue with kitchen windows now looking into the new external access walk way.

The sewer location has really limited our options with improving our property and adding the extra bedroom.

Regards Andrew

Andrew Hanger Manager of Field Operations Enacon Group Phone: 02 6334 2403 Mobile: 0400 757 349 Po Box 9165 Bathurst NSW 2795 www.enacongroup.com.au





Department of Local Government Guidelines on the Procedures and Processes to be followed by Local Government in Public-Private Partnerships 1 September 2005

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SECTION 1 – OVERVIEW

1.1 Introduction

Local government has been investigating the delivery of infrastructure and services through public-private partnerships (PPPs). These arrangements can be complex and risky. For that reason, changes have been made to the *Local Government Act 1993* (the Act) by the *Local Government Amendment (Public–Private Partnerships) Act 2004.* The changes introduce a Part 6 in Chapter 12 of the Act with new requirements for all councils in NSW, including county councils, when entering into PPPs.

The Act provides that the Director General of the Department of Local Government (Director General) may from time to time issue guidelines requiring specified procedures and processes to be followed by councils when PPPs are being used or considered for the delivery of infrastructure and services. These Guidelines are issued for that purpose, and are intended to guide and assist councils and others in the operation of the new PPP requirements.

The Department of Local Government (DLG) is not intending, through these Guidelines, to approve or not approve projects. The intent is rather to examine whether or not the procedures and processes that are followed by councils are appropriate for the delivery of the particular project. Responsibility for projects remains with councils.

The changes took effect on 1 September 2005. However where a council resolution to enter into a PPP was made on or after 28 June 2004, and before 1 September 2005, the Act will still apply to that PPP, regardless of whether the arrangement for the formation of the PPP was entered into before the commencement date. (See Appendix 1 for transitional arrangements.)

The Act also establishes the Project Review Committee (PRC) to review council processes for significant or high risk projects before a Council can enter into a PPP. (See Appendix 2 for details on the membership of the PRC.)

4

1.2 Council Responsibilities

Councils have a responsibility to their communities for the prudent management of community assets and finances. Indeed, local government has responsibilities that may go beyond the responsibilities of a private sector partner or project proponent.

For example, land owned and controlled by a council is a public asset to be held, administered and used for the benefit of the public and to assist the council in providing the services and facilities it is charged to provide for the community. Similarly, all rates, charges and fees paid to and collected by a council are public assets. PPPs may entail the provision or contribution by the council of such land or funds to a project. The PPP project may itself result in or entail the private sector participant providing land or funds to the council. That land and those funds effectively become public assets to be held and administered by the council in line with its responsibilities and related prudence and management.

PPP arrangements (and any significant variation of a PPP project) should be fully considered, and be independently and rigorously appraised, <u>before</u> contracts are signed or arrangements otherwise entered into and the relevant project carried out or implemented in any way. It is the primary role and responsibility of the council concerned to ensure that this occurs and to demonstrate this in accordance with these guidelines. Compliance with these guidelines should not be an additional burden for councils. Any prudent, well-advised, well-managed and governed council should undertake the procedures required in these guidelines in any case, in order to meet its Charter and other governance and prudential obligations. These guidelines are not intended to be an onerous additional burden.

1.3 What is a Local Government Public-Private Partnership (PPP)?

A public-private partnership (PPP) is an arrangement between a council and a private person for the purposes of:

- a) Providing public infrastructure or facilities in which the council has an interest, liability or responsibility under the arrangement, and/or;
- b) Delivering services in accordance with the arrangement.

While this definition is broad, arrangements to be excluded from the definition are provided for in the Local Government (General) Regulation 2005 (the Regulation). The Regulation excludes the following:

- contracting of services by council from the private sector by tender. These processes are provided for under s.55 of the Act and Part 13 of the Local Government (General) Regulation 2005;
- council business units or staff working for a private party, under a contract or a tender, on a full cost recovery (or for profit) basis;
- where council acts as a trustee for a bequest or donation of land, facility or building from a private party. Trusteeship may confer on-going responsibilities on council such as care or maintenance and operational expenses. There would usually be no disbursement of any income generated to the private party that has made the bequest or donation;
- leasing or licensing of Crown or Community land to a private person
- council sales of property (including operational land;
- any arrangement arising out of the operation of Division 6 of Part 4 of the Environmental Planning & Assessment Act 1979;
- the imposition by a council of a requirement under section 306 of the *Water Management Act 2000* (as applying to Council by virtue of s64 of the Act)

Notwithstanding these exclusions, in general terms, arrangements will need to comply with Chapter 12 Part 6 of the Act where the council retains an equity or an ongoing obligation in the provision of public infrastructure, facilities or services.

The definition is intended to capture the range of arrangements that include models described as Build, Own, Operate, Transfer (BOOT); Build, Operate, Transfer (BOT);

Build, Own, Operate (BOO); Design, Build, Finance, Operate (DBFO); Privately Financed Projects (PFPs) and the like.

If a council is unsure about whether or not a project is a PPP, advice should be sought from the Director General. The aim of the legislation is to ensure that complex and/or risky projects are understood and well managed so that project delivery occurs in line with expectations and so that risks are minimised through a rigorous process. Councils should not seek to avoid the legislation by attempting to circumvent the PPP definition.

(Appendix 3 describes some sections from the State Government 'Working with Government: Guidelines for Privately Financed Projects'. Although these Guidelines relate only to one type of PPP (privately financed projects), some sections may assist councils in the preparation of documentation for local government PPPs.)

1.4 Call in Powers

The Minister for Local Government has the power to call in any PPP project for review by the Project Review Committee where a council has not complied with these Guidelines in relation to entering into the PPP or the carrying out of the project.

1.5 What must Councils provide?

A council must not enter into a PPP unless it has complied with the relevant requirements of the Act. The Act refers to the formation of a PPP through an "arrangement". An arrangement is not limited to the signing of formal contractual or legal documents. The definition of arrangement includes contracts and understandings.

Councils must provide the DLG with the information set out below:

- description of the project;
- scope of the project and projected costs;
- risk assessment of the project.

7

The General Manager(s) of the particular council(s) involved must certify that the assessment is prepared in accordance with the Guidelines. This will need to be attached to each submission made to the DLG and supported by a Council resolution.

The process of assessment is different for projects that are significant and/or high risk, and for projects that are neither significant nor high risk.

<u>Significant projects and/or high risk projects</u>, (see definitions in section 2), will be assessed for compliance with these Guidelines by the Project Review Committee at <u>two stages</u>:

- before the <u>Expressions of Interest (EOI)/Market Testing Stage</u> where councils have developed a project brief and are seeking private sector participants in the project. An assessment from the PRC that the process to this stage complies with the requirements of the Guidelines is necessary for the EOI phase to proceed; and
- at the <u>Pre-Contract Signing Stage</u> where the council has selected a preferred partner(s) from the EOI/Market Testing phase and has negotiated a draft contract for the carriage of the project. Council **MAY NOT** sign the contract until such time as the PRC has endorsed the process council has undertaken as complying with these guidelines.

Projects that are <u>not significant or high risk</u> may proceed to contract development without review by the PRC. This does not remove the obligation on councils to adopt the procedures and processes required of them in these guidelines. The same assessment is still required to be undertaken for scrutiny by the Director General or the PRC if required. A council, having negotiated an arrangement/agreement with a private party, may not proceed to sign a contract establishing a PPP entity without the prior approval of the Minister for Local Government under s.358 of the Act.

1.6 Consequences of non-compliance

A council that either:

- enters into a PPP; or
- carries out any project under a PPP,

without complying with the Act and Guidelines is in breach of the Act.

While there are no specific penalties prescribed for non-compliance with the Act or these guidelines, councils should be mindful that significant courses of action are available to remedy or restrain a breach of the Act. These include:

- orders from the Land & Environment Court to restrain or remedy the breach;
- the imposition of a surcharge, under s.435 of the Act, if a council has entered into a contract in contravention of the requirements for PPPs. Individual councillors and staff may, in limited circumstances, also be held liable in respect of any action taken in the Court;
- an investigation of a council under s.430 of the Act;
- a public inquiry into a council under s.740 of the Act; or
- legal action by the private sector partner.

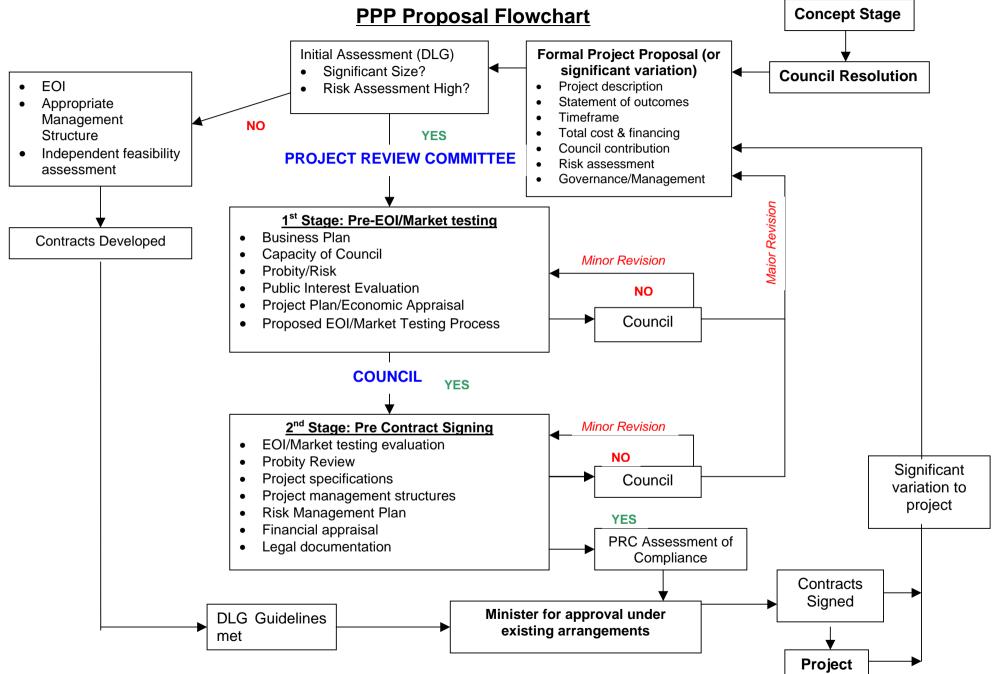
The DLG will view non-compliance seriously and take appropriate action.

1.7 The Local Government Project Review Committee (PRC)

The PRC, established under the Act, is chaired by the Director General. The committee membership is outlined at Appendix 2. Its role is to review PPP projects against these Guidelines. It remains the responsibility of council proponents to satisfy the PRC on any matter arising from its review and there is no appeal against PRC decisions. There is no limit to the number of times a project can be referred to the PRC, nor are any fees charged to the council by the PRC. All matters considered by the PRC will be dealt with on a strictly confidential basis and, in particular, commercial confidentiality at all stages of the project will be recognised.

1.8 The Process

Requirements and procedures are summarised in the following diagram.



Guidelines on the Procedures and Processes to be followed by Local Government in Public-Private Partnerships AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

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SECTION 2 – Procedures and Requirements for Local Government PPP Proposals

2.1 What projects are to be reviewed by the Project Review Committee?

Significant and high risk projects must go through the two-stage PRC assessment process.

Projects that are neither significant nor high risk are not required to go to the PRC, but remain subject to restrictions on the formation of corporations or other entities except where approved by the Minister for Local Government. They must also follow the relevant processes outlined in these Guidelines.

2.1.1 Significant Projects

A significant project is defined as:

- a) any project with an estimated total cost of more than \$50 million or such other amount as may be prescribed by the regulations, or
- b) any project where the relevant council's financial contribution, or its equity position, amounts to 25% or more of the council's annual revenue that is lawfully available for spending on facilities or services of the kind to which the project relates. (Appendix 4 provides a definition of "council annual revenue" for purposes of determining the significance of a project.).

For estimating total costs, financial contributions or equity position, all elements of the project are to be taken into account. This includes land values, provision of nonmonetary goods and/or services and any costs associated with the council's potential contracted liability.

Where a project is to be conducted in stages and involves a combination or series of potential contracts, the project is to be considered as one (1) project for the purposes of assessment and review. Breaking a project up into smaller parts to avoid the threshold condition is not acceptable and does not comply with the Act or Guidelines.

For example, where a PPP project proposal is on land that is in close proximity to another PPP proposal and involves the same participants to a significant degree, all such "projects" will be considered part of one project and should be presented as such in any submissions required under the Act. (Appendix 5 provides further guidance on the treatment of multi-council projects.)

2.1.2 High Risk Projects

The Act provides that where a PPP project is a high risk project, it should be referred to the Project Review Committee for review.

A project is considered to be high risk if the individual risk, or a combination of several risk aspects of the project are so significant or so large that the Director General considers that it warrants the project being examined further. The risk may be borne by or relate to:

- the council,
- its ratepayers
- its community
- the wider community generally
- the integrity and due protection of the value of the public assets held and administered by the council, or
- the public interest generally.

Such risks may be apparent in various ways, including:

- a potential loss in value of the Council's assets;
- a potential loss in actual or prospective revenue;
- a potential increase in council's actual or prospective expenditures, whether in terms of one-off capital amounts, or in terms of recurrent expenditures;
- the possible inability of the council to discharge its Charter obligations to provide adequate, equitable and appropriate services and facilities for the community.

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Risks should be measured and assessed not just in monetary or financial terms in the risk management plan for the project. All projects are required to have a risk management plan (see section 2.2.1 - Risk Assessment below).

Subsequent to assessment by the DLG, councils will be informed as to whether their particular project proposal is a high risk project, and therefore required to be assessed by the PRC.

2.2 Initial Assessment by the Department of Local Government

It is acknowledged that, at the early stages of a project's development, it may be difficult to give precise information, particularly about financial matters. It is expected that more precise detail will only be available when a preferred partner has been identified and contract negotiations have progressed. Before formally notifying the DLG, the council will have developed the project to a stage where it has been formally approved, in principle, by a resolution of the council, and the broad concepts and principles have been formed, approved and settled. Consequently, at this Initial Assessment stage the dimensions of the project and its outcomes should be costed on the basis of expectations about responsibilities, risk management and anticipated or preferred sources of funding.

It is vital that councils determine, at an early stage, what the project will deliver, make a clear and unambiguous resolution to that effect and stick to that plan where possible.

There may be valid circumstances/reasons for a significant change in plan and therefore project outcomes/deliverables and costs. If this is the case, a new resolution should be made to reflect the change and the "new" proposal submitted to the DLG. This procedural requirement has the effect of placing a premium on full project specification as early as practicable.

As a minimum, councils are required to provide the following at the Initial Assessment stage (see appendix 9 for Initial Assessment Requirements checklist):

- project description and relationship to council's strategic and management plans including reasons why a PPP is the preferred delivery model;
- clear statement of outcomes/deliverables as agreed by a resolution of council,
- projected timeframe for project;
- estimated total project costs and sources of funding;
- preferred extent/value of council contribution to project and/or equity position;
- council annual revenue available for the type of PPP proposed;
- preferred risk assessment/management plan prepared in accordance with AS/NZS 4360:2004;
- preferred management and governance structure for the PPP entity. (See Appendix 6 for guidance on governance and management arrangements.)

The first 6 elements above can be met by short responses. The last two elements require more detail depending on the nature of the project. Items that should be considered or present in addressing these criteria are outlined below.

2.2.1 Risk Assessment

It is essential that, at an early stage in the evolution of a proposed PPP project, the council develop and put into operation an appropriate risk management plan for the project. The plan should be reviewed, updated and amended, as and when required, during the development of the project. The plan could take the form of a Risk Allocation Table which identifies risks and preferred risk allocation.

Before risk can be appropriately treated, all potential risks must be identified and analysed. (See Appendix 7 for a list of possible risks.) For this purpose, a council should identify, and appropriately document, all actual or potential risk elements associated, or likely to be associated, with the project in accordance with AS/NZS 4360:2004 (the Australian Standard) and any subsequent or superseding standard. AS/NZS 4360:2004 provides a reference for directors, elected officials, chief executive officers, senior executives, line managers and staff when developing processes, systems and techniques for managing risks that are appropriate to the content of their organisation or their roles.

The allocation of any identified risk to the parties in the PPP proposal and mitigation strategies (treatment and control options) should also be included. The risk assessment should include sensitivity testing to identify best and worst case scenarios.

Depending on the nature of the project involved, a number of risk categories may need to be included in the risk matrix or allocation table. More general guidance for the preparation of a risk management plan appropriate to the nature and size of project involved can be obtained from the Australian Standard.

2.2.2 Management/Governance

Different projects present different challenges and require different management and governance structures. While the project management structure will ultimately be the subject of negotiation in the contract development stage, it is appropriate that councils decide, at an early stage of project formulation, a preferred management structure for the development of the proposal and its eventual delivery.

In the development phase of the proposal, (ie up to the time where contracts are signed or written understandings are effected, establishing the structure for the arrangement to carry out the project and deliver on the specified terms of the contract or understanding) councils should, at a minimum, establish the governance arrangements outlined in Appendix 6.

2.3 Pre-Expressions of Interest/Market Testing Stage

Requirements of councils at this stage build on those of the Initial Assessment.

Proponents are required to satisfy the PRC on six separate matters:

- 1. that a business plan has been prepared for the project;
- 2. the capacity of council to conduct the project (or its part of the project) has been assessed and is assured;
- 3. that a probity plan has been prepared for the project;
- 4. that a public interest evaluation has been conducted and the analysis shows a positive outcome for the community;

- 5. that a project plan has been prepared and includes appropriate economic appraisals of council's preferred option; and
- 6. evidence of an appropriate competitive process; or, where a competitive process is not proposed, the reasons for this and the alternative process proposed.

(See appendix 9 for Pre EOI Stage Assessment Requirements checklist)

2.3.1 Business Plan

Once the strategic need for the proposed project has been established, it is imperative that the council establish a business case and business plan for the delivery of the project. The business plan should contain the key elements or deliverables of the project and outline the costs (and revenues) associated with them, as understood by the council at the time.

All outcomes of the project and their associated timeframes should be clearly defined and detailed in the business plan. Any hypothetical assumptions should be outlined. These outcomes and assumptions will form the basis of any future contract(s) with the private sector. Resources and respective contributions for the project should also be fully identified. A substantial change (considered to be in the order of 20%) in the relative proportion of contributions by the respective partners or sectors involved subsequent to this will be treated as a new project.

In developing a business case, the council will need to consider the range of costs and revenues that may be entailed in the project. These costs should include:

- both direct and indirect costs, separately identified;
- both capital costs, and ongoing running costs and expenses once the project is being delivered and operational.

Project costs should be considered from a "whole of life" perspective. These costs will include, but not necessarily be limited to:

- design costs;
- the costs of land acquisitions;
- the cost of land disposals;

- land and property development costs;
- raw materials costs;
- maintenance and other ongoing operational costs;
- depreciation and/or provisions for replacement costs;
- labour costs;
- overhead costs, such as the time of council employees and others in managing the project to implementation and adoption;
- payments and fees, including expenses and allowances, to external providers and council consultants and advisers;
- loan or other financing establishment costs;
- plant and equipment costs; and so on.

The business plan should also identify and provide:

- revenue estimates and sources of revenue and/or borrowings (See Appendix 8 for guidance on financing and borrowing approvals required.)
- the skills that will be needed to deliver the project, and specify where those skills are going to be sourced; and
- the facilities and services contemplated by the project.

Any financial, market or economic analysis that supports the business case should be carried out by an independent authority(ies), organisation(s) or person(s) with relevant expertise in the context of the project.

2.3.2 Capacity of council

A key consideration is the council's capacity to undertake its share of the project. One key indicator of this is council's financial capacity as represented by its current and projected (for the life of the PPP project) balance sheet. Council responsibilities in relation to the proposal, on a year on year basis throughout the project's lifetime, should be identified, clearly itemised and costed and subsequently applied to the balance sheet. Where council does not have adequate expertise, the outside sources of that expertise should be noted.

Evidence of a clear relationship between the proposal and council's strategic and management plan should accompany the above.

The risk analysis/assessment provided at the initial assessment stage should be updated to take account of any changes during the development of the business plan.

2.3.3 Probity Plan

It is essential that the council develop a probity plan for the project early in the evolution of the project. Such a plan is needed to ensure that each aspect of the process is and is seen to be open and transparent, that conflict of interest is avoided, pecuniary interests declared and that it complies with competition laws and principles.

The probity plan may need to include documentation of the relationship between parties involved in the project. For example, where any financial, market and economic analyses are carried out by an independent authority(ies), organisation(s) or person(s) with relevant expertise, the independence of these parties from the project, council or prospective private sector bidders for the project should be certified by both the assessor or principal of the assessing organisation and the PPP project manager (see Appendix 6 on management and governance arrangements for an outline of functions of the PPP project manager).

If land must be rezoned to facilitate the project, the process to undertake the rezoning should be clearly outlined. The development application (DA) process should also be outlined, setting out how the development of the PPP arrangement will be kept separate from the DA determination process.

2.3.4 Public Interest Evaluation

The project proposal must have an overall positive effect in regard to public or community interest. Council can demonstrate this by providing evidence on each of the points below:

- a) <u>Management Plan Objectives</u>: the proposal must be effective in meeting council objectives as contained in the current management plan. It must be demonstrated that the provision of that particular service or facility through the agency of the PPP proposal provides better value for money than would be the case if the council were to provide that outcome exclusively from within its own resources or by a more traditional contract with the private sector.
- b) <u>Charter Obligations</u>: council needs to satisfy itself that undertaking delivery of the proposed project will be appropriate, having regard to the council's Charter obligations and council's functions under the Act including the provision of goods, services and facilities and the carrying out of activities that are appropriate to the current and future needs within its local community and of the wider public, subject to the Act, the regulations and the law generally.
- c) <u>Consultation</u>: The social, economic, employment, financial and environmental impacts of the proposal should be identified and assessed for each identifiable stakeholder group affected. Council should indicate the consultation processes it has in place that will allow participation by affected groups and provide for consideration of their views.

The community must be informed of key elements and decisions made in relation to the project. Clear accountability for project reporting to council and therefore to the community must be provided for.

The DLG's guidelines entitled *Management Planning for NSW Local Government* (February 2000) includes requirements for community consultation in developing council management plans. Council should comply with all appropriate and relevant steps and provisions in those guidelines. Councils must take relevant guidelines issued from time to time by the Director General of the DLG into consideration, before exercising any of their functions.

d) <u>Public access</u>: public access and equity should be addressed. To do so, council should identify any community issues and any specific needs,

including groups with special needs, which must be addressed. The project plans should outline the extent to which these needs will be met.

 e) <u>Safety and security</u>: risk to the safety and security of people who receive the service should be minimised. Statutory health and public safety standards are to be met as a minimum.

2.3.5 Project Plan/Economic Appraisal

The project plan should effectively state the case for the council's adoption of a PPP for the provision of the particular service or facility. This should be done through the agency of an independent economic analyst, drawing on expertise appropriate to the proposal. The independent consultant must not have any conflicts of interest. Contracting and paying for such an analysis is the responsibility of the council.

More detailed guidance on the preparation of economic and financial appraisals is available from the NSW Treasury website (<u>www.treasury.nsw.gov.au</u>). See specifically the link on Treasury publications.

Each identifiable component of a PPP proposal should be appraised. This may require, for the purposes of analysis, that the proposal is broken up into market segments and specialist expertise contracted to conduct a market analysis for each segment. For example, a PPP proposal might involve commercial and retail space in a development that will also provide or house council facilities. For such a proposal the market and economic prospects of both the commercial space and retail space for lease and/or sale would need to be separately examined by appropriate experts.

The two critical elements of any economic/market appraisal performed should be:

- cost benefit analysis (where major benefits can be quantified); and
- cost effectiveness (where outputs are not readily measured in monetary terms).

Both elements should show a net positive in the analysis for the proposal to be viable. A sensitivity analysis on the underlying parameters and assumptions/basis of

the project should also be carried out and presented to the PRC as part of the documentation. A relatively significant change in net outcome for a small change in a project parameter is indicative of possible problems with project viability. A cash flow for council's contribution should be undertaken as part of the economic appraisal detailing the council's ability to carry loans if loans are required for the project.

Outcomes from the sensitivity analysis should be linked to and incorporated into a revised risk management plan. If the project is sensitive to change in one or more market parameters, adequate strategies to meet and manage any risk to the whole project must be presented. If these management strategies represent a significant change in the project (ie a significant departure from the business plan submitted) and if the proponents still wish to go ahead with the proposal in revised form, the business plan should be amended appropriately.

2.3.6 Proposed Expressions of Interest (EOI)/Market Testing Process

The EOI/market testing process is a key element in ensuring that the community gets the best value for its investment in a project. All local government PPP proposals, regardless of whether they originate from within the council or from an external source, are required to undertake an EOI/market testing process to identify preferred partners in the project.

Any EOI/market testing process should be on the basis of the business plan prepared by the council. Reference should be made to the Local Government (Tendering) Regulation 1999 and the DLG's Tendering Guidelines, if it is proposed to go to tender for any part of the project. It is acknowledged that PPPs require a level of direct negotiation which falls outside the Tendering Regulation/Guideline requirements. It is essential that transparency be maintained at all times in such negotiations. The publication "*Direct Negotiations with Proponents - When, Why and How*" by the Independent Commission Against Corruption (ICAC) should be consulted in this regard.

Details of the proposed EOI/market testing process are to be provided to the PRC at this assessment stage. This documentation should contain as a minimum:

- an outline of the EOI/market testing process proposed;
- the project brief (this should be equivalent to the business plan);
- steps/mechanisms in place to safeguard the intellectual property of the council and of prospective bidders;
- establishment and composition of an evaluation panel to consider bids (panel members should not have any conflicts of interest);
- the evaluation criteria and methodology to be used in assessing bids (including weightings) – these should include experience in the successful design, construction, financing and maintenance of similar projects, the experience and capacity of bidders to undertake the project and deliver the outcomes specified in the project brief (this may include control over appropriate land) and the bidder's financial capacity to meet anticipated contract obligations;
- treatment of non-conforming bids;
- a probity review of the proposed process by the probity advisor.

2.3.7 PRC Advice to Council

Once the PRC has assessed the criteria listed above, advice will be issued on whether the council can proceed to the EOI/market testing stage or whether any matters are required to be addressed first.

2.4 Pre-Contract Signing Stage

The EOI process will produce a shortlist of possible partners or, in cases where there is limited interest in the PPP proposal, a preferred partner. Where the EOI process yields a shortlist, it may be appropriate to invite those persons to submit a detailed proposal before the final selection of a preferred partner is made. In large or complex projects, it is good business practice to go through a "Detailed Proposals" phase because responses to an EOI do not always yield sufficient information for council to make a judgment on whether the proposals represent value for money.

The evaluation panel has no other role than to assess bids in the EOI process against the criteria established by the Steering Committee (and agreed to by Council by a resolution) and to then make recommendations. The panel may rank the proposals in an order determined by its assessment of the relative merits of bids. The panel should not negotiate with bidders. If more information is required of a bid the panel should inform the Steering Committee of any deficiency against the set criteria and make a recommendation as to whether this deficiency can be easily remedied or is fatal to the bid.

While the evaluation panel may make a recommendation to the project Steering Committee (and therefore council) on whether a short-list of possible partners is appropriate in the context of the project, the decision is ultimately one for the council to make.

The evaluation criteria used by the evaluation panel should be made available to short-listed bidders in preparing their further bids/submissions. Council (through its Steering Committee) may prefer, rather than to have a further formal bid process, to select the preferred partner by a negotiation process between the two (or three) best bids received as a result of the EOI process. Whatever the case, the process of refining selection should be fully documented.

Where there is limited interest elicited by the EOI process, it may be more appropriate for council to go straight to the preferred partner stage. The evaluation panel may make a recommendation to this effect.

Having identified a preferred partner, contracts for the proposal should now be negotiated between the council and the preferred partner. Following the conclusion of the negotiation process and prior to the contract being signed, the PRC will undertake its next review.

Documentation provided at this stage must include:

 a summary of the EOI process and evaluation including a completed probity review;

- the final project specifications/objectives with milestones identified, performance and reporting requirements included, timeframe for delivery and total cost. This should reflect the business plan submitted at the previous stage in terms of the main outcomes or deliverables;
- the final management structure for the PPP vehicle chosen, dispute resolution protocols, financial obligations and inputs (by source);
- the final risk management plan (updated version of that previously submitted) identifying and allocating all the risks associated with the negotiated outcome. This should include appropriate strategies to meet risks;
- a financial appraisal independent analysis of the whole project including council's equity position and ongoing obligation; and
- an outline summary of the draft contract specifying the project proposed and the parties named in the contract.

See appendix 9 for the Pre Contract Signing Stage Assessment Requirements checklist)

The PRC may seek further information on any matter related to the selection process or the development of the draft contract and may request a copy of the draft contract. Council should maintain a complete record of all matters leading to the draft contract. The material submitted to the PRC should be commensurate with the degree of risk associated with the project. The PRC does not expect voluminous submissions, but rather, reference to key documents which have been prepared in the normal course of the PPP development. It is recognised that "one size does not fit all".

A positive assessment from the PRC about project procedures and process will be required before council may resolve to and subsequently sign the contract.

2.5 Variations: what is a 'significant' variation to a proposal?

If, during the course of implementing the project (including the period before the relevant contractual or legal documents are signed) there is a proposed variation to the project, the council should immediately notify the Director General.

A significant variation in terms of these Guidelines, occurs where there is a change to the project outcomes and/or a change in the relative proportion of contributions by the respective partners in the order of 20%.

Where the Director General determines that the variation is significant, the council will be notified that an assessment of the project as varied or proposed to be varied is required.

A variation to a project is significant when its risk profile, as determined in the compilation of the risk management plan, changes. There may be a number of reasons for changes in profile including:

- changes in the physical scope of the project;
- major changes in the cost of the project, either allied with a change in scope or not;
- a change in or departure from the original allocation of risk between parties;
- changes in the financial structure of the project;
- changes in the private sector partner.

This list is not exhaustive. The risk management plan for any proposal will determine the parameters of interest on which any such assessment will be made. This will need to be determined on a case-by-case basis.

SECTION 3 – CORRESPONDENCE CONTACTS

All correspondence to and communications with the Director General of the DLG and the Project Review Committee in relation to a proposed PPP project, should be made through the DLG's Head Office in Nowra. Preferably, they should be in writing. No direct contact should be made with other Committee members.

The address of that Office is: PPP Co-ordinator Level 2 5 O'Keefe Ave NOWRA NSW 2540

The postal address of the Office is: Locked Bag 3015 NOWRA NSW 2540

The telephone number is: (02) 4428 4100

The facsimile number is: (02) 4428 4199

Email: dlg@dlg.nsw.gov.au

APPENDICES

Appendix 1: Transitional Arrangements

The Act and Guidelines apply to any PPP that a council resolved to enter into after 28 June 2004.

Where a project proposal originated (council resolved to investigate or develop a proposal) on or after 28 June 2002, and the council has not by 1 September 2005 resolved to enter a PPP arrangement, the council will be subject to a review commensurate with the stage they are at in the process set out in these guidelines. For example if the EOI is complete and all other documentation is finalised, then the council's project would be referred to the Project Review Committee for the Pre Contract Signing Stage review.

Appendix 2: Local Government Project Review Committee Membership

The Local Government Project Review Committee (PRC) is established by section 400J(1) of the Act.

The PRC consists of members who are appointed by virtue of the Act, and other members who may be appointed by the Director General of the Department of Local Government.

Five persons are appointed by the section as ex officio members. These are:

- The Director General of the Department of Local Government (or an officer of the Department who is nominated by the Director General) – the Director General (or that nominee, as the case may be) is the Chairperson of the Committee.
- 2. The Secretary of the Treasury (or an officer of the Treasury nominated by the Secretary).
- 3. The Director-General of the Premier's Department (or an officer of the Premier's Department nominated by that Director-General).
- 4. The Director-General of The Cabinet Office of NSW (or an officer nominated by that Director-General).
- 5. The Director-General of the Department of Infrastructure, Planning and Natural Resources (or an officer of that Department nominated by that Director-General).

To these five persons may be added such other person or persons as the Director General of the Department of Local Government may appoint for the purposes of enabling the Project Review Committee to exercise its functions.

Appendix 3: Useful sections of State Government "Working with Government: Guidelines for Privately Financed Projects"

The NSW Government's current policies and procedures on private financing of public infrastructure are contained in a document called *Working with Government: Guidelines for Privately Financed Projects* (WWG), issued November 2001. These Guidelines relate to privately financed projects (PFPs), which are only one type of a broader spectrum of PPPs. Other types of PPPs that are not PFPs are covered by the NSW Government Procurement Guidelines. The WWG Guidelines define a "PPP" as a general term covering any contracted relationship between the public and private sectors to produce an asset or deliver a service. PFPs, as a specific form of PPP, involve the creation of an asset through private sector financing and ownership control for a concession period, usually long term.

Although the State Government guidelines only deal with PFPs, they contain some sections which may assist councils in preparing their documentation for local government PPPs. The WWG Guidelines document is accessible via the NSW Treasury Working with Government website, <u>www.treasury.nsw.gov.au/wwg</u>.

The following sections of the WWG Guidelines may be particularly useful:

- Chapter 2 provides some guidance in identifying characteristics of projects that may be suitable for procurement as a PFP.
- Chapter 3, section 3.4 provides some guidance on what to include in a typical call for Expressions of Interest.
- Chapter 4 provides some guidance on possible elements of a typical PPP project management structure.
- Chapter 5 provides a relatively comprehensive list of possible risks that may occur in a PFP, and for which allocation of risk between the public and private sectors will need to be addressed in contractual documents for the project.
- Chapter 6 provides some guidance on key items to watch out for in developing and negotiating a contract, as these are likely to affect the allocation of risk between the public and private participants in a privately financed project.

Appendix 4: Definition of Council Annual Revenue

Annual revenue is broadly defined as that income from all sources that is available under the council's lawful discretion to use for the nature of the project involved.

There are various provisions in the Act and other legislation that prevent or restrict a council from expending moneys collected by it for any purposes other than that for which it was specifically collected.

Restrictions of that nature are contained in section 409(3) of the Act. This section requires that:

- (a) money that has been received as a result of the levying of a special rate or charge may not be used otherwise than for the purpose for which the rate or charge was levied, and
- (b) money that is subject to the provisions of the Act or any other Act (being provisions that state that the money may be used only for a specific purpose) may be used only for that purpose, and
- (c) money that has been received from the Government or from a public authority by way of a specific purpose advance or grant may not, except with the consent of the Government or public authority, be used otherwise than for that specific purpose.

Examples of moneys that are restricted <u>and</u> are excluded from the definition of annual revenue are:

- specific purpose grants and capital contributions from sources such as developers that are tied to specific outcomes. This includes contributions from developers for water supply, sewerage and drainage works under s.64 of the Act and contributions/payments pursuant to s.94 of the *Environmental Planning and Assessment Act 1979*;
- special rates made by councils under s.495 of the Act;
- special variation revenue (s.508(2) and s.508A of the Act), where also specifically tied to projects or outcomes and therefore non-discretionary. (In some cases a special variation may be granted for general or council financial

purposes rather than for a specific project. As this funding may be considered to be discretionary it may be included in the calculation of annual revenue.)

Councils in regional NSW are usually water supply and/or sewerage authorities. Revenues from these operations, and also domestic waste management, are held in restricted funds available only for activities related to the provision of that particular service under section 409 of the Act. While internal borrowing may be allowed for a short time, subject to Ministerial approval, repayment must be made on a commercial basis (s.410 of the Act). Annual revenue would exclude these restricted funds, unless the PPP project was specifically related to the particular service eg water fund is available for a water filtration plant project, domestic waste management fund is available for a waste processing/recycling facility etc.

For the purposes of determining a "significance" threshold for water supply and sewerage projects conducted through PPP arrangements, annual revenue would include the restricted revenue from the relevant fund (where the council is the local utility in the case of water supply or sewerage). Section 504 of the Act prohibits councils from applying ordinary rates to the cost of providing waste management services so, in the case of a domestic waste related PPP project, annual revenue would be limited to the domestic waste related management fund, untied grants, unrestricted fees and charges and income from investments and leases.

Appendix 5: Treatment of Multi-Council Projects

Where a project proposal involves a number of councils, but the estimated total cost of the project does not exceed \$50 million (or other relevant prescribed amount), the following criteria will be considered or taken into account in assessing the significance of the project in terms of council annual revenue:

- 1. The project is to be treated as a single project and one joint submission or assessment is to be provided to the Director General.
- 2. As part of that joint submission, however, each council involved in the project is to provide an assessment in respect of its own part of the project. That assessment should include relevant information and details as to the annual revenue of that council that is lawfully available to it for spending on facilities or services of the kind to which the project relates, as if that project were a project to be carried out by that council alone.
- 3. If any one council reaches the 25% threshold for its part of the project then the whole project will be considered significant and will be subsequently referred to the Project Review Committee for review.

As for single council projects, the project may be referred to the Project Review Committee for review if the Director General is of the opinion that the project has a high risk.

The following high risk assessment principles will be applied to multi-council projects:

- 1. Each council involved in the project is to provide a risk profile and assessment for their part of the project;
- If any one council's risk assessment identifies their part of the proposal as high risk then the whole project will be deemed as high risk and will be required to undergo the review processes of the PRC;

- 3. If no single council's part of the project is significant or high risk, then the whole project will be assessed (by the Department on the basis of the information provided) for cumulative risk;
- 4. If the cumulative risk is identified as being high then the project will be deemed high risk and will need to undergo the review processes of the PRC;
- 5. If cumulative risk is not high then the councils can develop the proposal to pre-contract stage (in line with the requirements specified in these guidelines) at which stage the approval of the Minister for Local Government under s.358 of the Act should be sought if necessary.

Appendix 6: Governance & Management Arrangements for PPPs

<u>Management and governance structures:</u> The attached figure shows an example of a project management structure. The actual structure used by a council would need to take into account the specific requirements of the PPP. The appropriate structures and processes will depend on (among other things) the type and complexity of the project and the stakeholders involved.

<u>A Steering Committee:</u> for the development of each specific PPP proposal and the eventual negotiation of contracts. The Steering Committee should be accountable to the council.

The Steering Committee may wish to establish, for its benefit, a number of advisory committees to deal with specialised project issues such as technical/design, financial, legal and economic feasibility matters. Such a committee structure, while recommended for significant projects, is not mandatory.

<u>A probity adviser for the project:</u> This position should be established at the start of the process of project development to ensure its transparency, integrity and accountability. The position should be independent of and external to council. The probity adviser should report to the Steering Committee.

The probity adviser will ensure that all those submitting tenders or expressions of interest are given an equal opportunity, that the bid assessment procedures result in a fair and unbiased consideration of all bids, and that confidential material is duly protected. In general terms, probity means, for the whole project, the adoption and implementation of values of integrity, fairness and honesty. The probity adviser will also address and advise as to conflicts of interest as and when they arise, with the probity process producing accountability of decision making at all levels.

<u>A project manager</u>: with the appropriate expertise and skills to manage the project development phase and to interact with the private sector on operational aspects of any PPP proposal. This position is a council appointment but need not be a council officer. The position is accountable to the Steering Committee and the council.

<u>A project control group:</u> to be responsible for the timely development and quality performance of the project. The group should manage all aspects of project development including project specifications, financial/economic appraisals and establishing relevant benchmarks. This group may include councillors and/or council staff, contracted external experts and community representatives. The project director would chair this group.

<u>An evaluation panel:</u> to manage the expressions of interest phase of any project through to the selection of a preferred private sector partner. This panel would have the responsibility of assessing EOIs received and making recommendations to the Steering Committee on potential partners in the project. Members of this panel must not have any conflict of interest in the project.

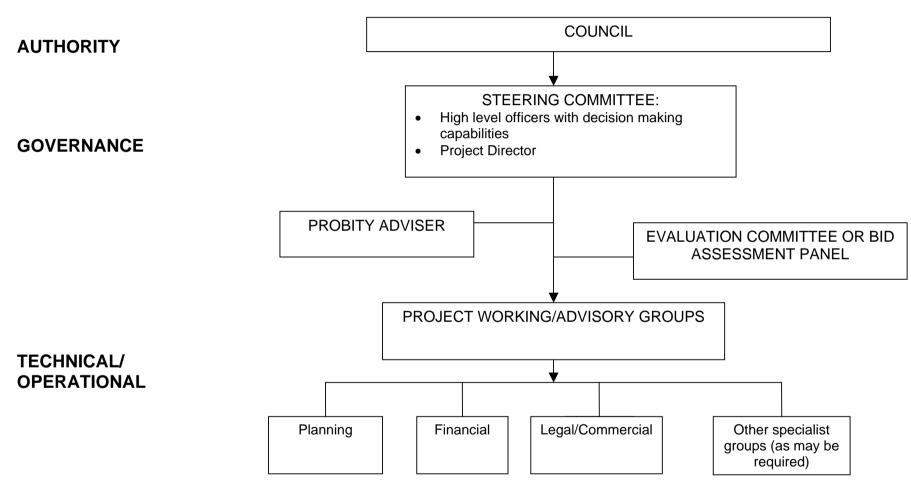
<u>Management Board</u>: for the carriage of the project. The board is a project vehicle with clearly specified responsibilities for the delivery of specified outcomes.

It should comprise representation from the partners involved in the project in proportion to their relative (financial) contribution. Where council's financial inputs are less than that of its private sector partner(s), care should be taken to appropriately protect council's minority interest.

<u>Reporting</u>: mechanisms need to be put into place and implemented to report all aspects of the PPP. Prospective private sector participants need to be made aware of such procedures, and indeed of the general nature of the obligations and responsibilities of the council in respect of the project, particularly where they may be different from those applicable in the private sector.

<u>Resolutions/Delegations</u>: all council decisions must be made by resolution of the council. In limited circumstances, meetings may be closed to members of the public. Any decision by a council in relation to the formation of a PPP may only be made by resolution of the council.

Appendix 6 – Figure 1: ILLUSTRATIVE PROJECT MANAGEMENT STRUCTURE



Appendix 7: Risk Elements

<u>Risks associated with the site</u>: if the project involves the development of land or facilities including, but not limited to, control or ownership, environmental issues, acquiring the requisite approvals, heritage or other claims on the site.

<u>Design, construction and commissioning risks</u>: these would normally reflect the risk that the facility or structure is unable to deliver the required outcomes at the cost and in the time frame anticipated in the PPP agreement.

<u>Risks associated with the private sector partner</u>: includes its financial position and its effect on the project, technical capacity to deliver contracted outcomes, ability to manage the operations and delivery of services or outcomes associated with the project and its complexity. Also should include the potential effect of any ownership changes and any probity matters discovered after the execution of the contract and subsequent to any change in ownership or principals.

<u>Financial risks</u>: includes the availability of funds, the conditions attaching to any loans and/or debt, prospects for re-financing the project should it become necessary, taxation matters and interest rates.

<u>Operational risks:</u> issues such as the possible escalation in input costs, projected maintenance/refurbishment costs being adversely affected by design and construction quality, specifications not met for outputs/outcomes, failure (financial or technical) of subcontractors, and products remaining contemporary/competitive in technology terms are matters for consideration in this context.

<u>Market risks</u>: including general economic downturn, the effects of competition or downturn in any market segment the project relies on in any way, demographic issues and their effect on demand for services/facilities to be provided by the project and any inflationary consequences.

<u>Network/interface risks:</u> issues include the effect of withdrawal or varying (either in provision or price) of a complementary or support network/service, and the interaction between any core service of council/government and contracted services under the agreement.

<u>Industrial relations risk</u>: the possible effects on the project of strikes or other forms of industrial action.

<u>Legislative/government or sovereign risk</u>: to include any risks associated with the approvals process for any development and exposure to changes in law or regulations that may affect the project.

<u>Risks associated with asset ownership:</u> accounting for the possibility/probability of technical obsolescence of any facility or part thereof, losses due to termination of any agreements inherent in the project or of a breach of contract not adequately compensated for financially and the value of any asset transferred to council being less than anticipated.

<u>Force majeure:</u> the risk that the inability to meet contracted outcomes is caused by major external events either pre or post completion.

Chapter 5 of the NSW State Government *Working with Government: Guidelines for Privately Financed Projects* provides a more extensive list of possible risks that may occur in a privately financed project.

Appendix 8: Financing and Borrowing approvals

Where some of the funds are to be borrowed, the council will need to establish an appropriate case for such borrowings, given the need for the council to comply with the provisions of Part 12 of Chapter 15 (see section 621 and following sections) of the Act.

The approval of the Minister for Local Government may be needed under sections 622 and 624 of the Act.

Section 410(3) of the Act will also need to be complied with, and appropriate approvals obtained from the Minister for Local Government, in respect of any internal loans, that is to say the movement of moneys out of a restricted fund, such as a water or sewerage fund.

Where some of the council sourced funds are to be raised by way of increased rates or charges over and above those allowed under the rate pegging provisions of the Act, approval from the Minister for Local Government for a special rate variation will also be needed pursuant to Part 2 of Chapter 15 of the Act.

Appendix 9: Review Requirements Checklist

| Initial Assessment requirements | Y/N |
|---|-----|
| General Manager's certification | |
| Project description | |
| Evidence of project's relationship to strategic & management plan | |
| Reasons PPP is preferred delivery model | |
| Statement of outcomes/deliverables | |
| Projected project timeframe | |
| Estimate of total project costs | |
| Extent of council contribution to or equity position in project | |
| Outline of funding sources | |
| Calculation of 'council annual revenue' | |
| Risk assessment/management in accordance with AS/NZS 4360:2004 | |
| Proposed management & governance structure for PPP | |

| Pre EOI requirements | |
|---|--|
| Business plan | |
| Assessment of council's capacity to conduct project | |
| Probity plan | |
| Public interest evaluation | |
| Project plan | |
| Updated risk management plan | |
| Evidence of appropriate competitive process (EOI) | |

| Pre Contract Signing Stage requirements | | |
|---|--|--|
| Summary of the EOI process undertaken | | |
| Results of evaluation of bids | | |
| Final project specifications/objectives | | |
| Final management structure for chosen PPP vehicle | | |
| Final risk management plan | | |
| Financial appraisal | | |
| Outline summary of draft contract | | |

Vision Bathurst 2040: Local Strategic Planning Statement Implementation and Reporting Plan

hment 8.2

Implementation of the Local Strategic Planning Statement

Vision Bathurst 2040 is our community's Local Strategic Planning Statement (LSPS). The purpose of the Local Strategic Planning Statement (LSPS) is to outline the Bathurst Region's economic, social and environmental land use needs over the next 20 years as the Region grows and changes. It highlights those characteristics that make our Region special and outlines how growth and change in land uses will be managed into the future.

This implementation guide is a working document to report on the actions taken to date with respect to the LSPS. Council will monitor, review and report on the Local Strategic Planning Statement (LSPS) to ensure its implementation. The LSPS will be implemented through the Integrated Planning and Reporting (IP&R) framework under the Local Government Act 1993. Under the IP&R framework, Council is required to prepare many plans including the Community Strategic Plan, a Delivery Program and an Operational Plan to outline planned work and track our progress on the commitments we made to achieve our community's vision for the Bathurst Region.

The actions of the LSPS are grouped into three categories; Strategic documents and studies, Land use planning and Collaborate with our partners. Actions from the LSPS will be incorporated into the relevant Delivery Program activities and the Annual Operating Plan actions. We cannot achieve all the actions at once, due to resourcing and financial limitations, so we must plan to implement them in stages. The following timeframes are proposed for implementation of the actions:

 <u>Strategic documents and studies</u>: These actions do not have a specific timeframe, however, subject to budget allocations and opportunities to attract external funding, it is hoped that most of these investigations can be achieved within the 20-year life of this Plan.

- <u>Immediate:</u> Council will actively work towards achieving these actions within the life of this LSPS, likely to be reviewed in 2026. These actions address some of our community's greatest priorities and establish some significant strategic work to be completed to guide our future city.
- <u>Ongoing:</u> These actions do not have a specified timeframe as we will be working to achieve them over the long term and they do not have a set 'end date'. Many of these actions are generally where Council will be working in partnership with others, for example, with Transport for NSW, to deliver infrastructure upgrades. Other ongoing priorities are planning policy directions that will remain relevant over the life of the Strategy and will help determine the suitability of future planning proposals.
- <u>Collaborate with partners:</u> Most of these actions are ongoing and have no set end date, and outline where we need assistance from others.

Review of the LSPS

We will need to regularly review our LSPS to ensure that it reflects the latest information and direction of the Bathurst Region. Council is required to review the LSPS every seven years. Council has identified significant synergies between the objectives of the Bathurst Community Strategic Plan and this LSPS. Council plans to review its LSPS within 1 year following each iteration of the Community Strategic Plan commencing in 2025. Council may also review its LSPS when new information comes to hand.

Monitoring of the LSPS

The following table summarises the identified actions, and their respective implementation actions to date.

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|------------------------------|--|---|---|
| Theme | Planning PriorityPlanningPriority 1 - PlanforwatersecurityBathurst 2040CSP Reference:3.2, 4.3 | Actions Strategic documents and studies 1.1. Explore opportunities for multiple sources of water to meet the Region's needs. 1.2. Review the studies already completed (e.g. Climate Change and Water Security Plan). 1.3. Review Council's Drought Management Plan, taking into consideration the NSW Government Guide to Climate Change Risk Assessment for NSW Local Government. Land Use Planning Immediate | Strategic documents and studies Stormwater harvesting investigations are completed. EOI for construction has been advertised in March 2021. Winburndale Dam safety works are underway. Additional holding pond at WFP is underway. Winburndale dam pipeline to WFP |
| Infrastructure and Transport | Central West and Orana Regional Plan Reference: 11.3, 14.1, 14.3, 14.5, 21.2, 29.4 | Explore opportunities to amend Council's Planning Instruments and Guidelines for Engineering Works to increase onsite stormwater storage and the implementation of Water Sensitive Urban Design principles. Identify and address any planning barriers to the new infrastructure projects to improve water security for the region. Ongoing Continue to master plan new suburban locations to improve Water Sensitive Urban Design and stormwater harvesting opportunities. Do not rezone lands for rural residential or rural lifestyle purposes (reliant on on-site sewerage) within the Chifley dam drinking water catchment. Collaborate with partners | construction under investigation. Land Use Planning Council's application to reduce the timeframe to prepare the ACHAR for the stormwater harvesting scheme was not supported. ACHAR for the stormwater harvesting scheme has been completed. Collaborate with partners |
| | | To include Council's water projects in the Schedules of the Water Supply (Critical Needs) Act 2019. Note: In April 2020, Council's stormwater harvesting project was included in the schedule to the Water Supply (Critical Needs) Act 2019. To implement opportunities to improve water efficiency with high water users. To reduce industry's reliance on potable water where possible. To develop a regional water pipeline from southern NSW dams to facilitate inter-catchment transfers of water. To promote water-wise practices. To retain Council control and ownership of the Region's water supply. | Stormwater harvesting projects were included on the Critical Needs list in Apri 2020. Council has maintained high level water restrictions, despite Chifley dam is at 100% capacity. |

Attachment 8.2.8.1

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|---|---|
| | | Ongoing: 2.6 Ensure water and sewer, waste management, and stormwater plans and strategies are reviewed and updated in line with city growth. 2.7 Review and update Council's developer contribution and water and sewer contribution plans in line with city growth. 2.8 Identify land requirements (e.g. transport corridors, road widenings, land acquisitions) required for future infrastructure provision and amend Council's planning instruments, where required to secure these lands. Collaborate with partners 2.9 To ensure appropriate provision of higher-level infrastructure (emergency services, education, health, main roads, and so on). 2.10 To identify funding opportunities to support the provision of major new local infrastructure projects (southern distributor, new river crossing, water reservoirs and so on). | Strategic documents and studies • Off-street carparking occupancy survey completed in December 2020. Consideration being given to repeating the survey in an off-peak period for comparison. |
| | Planning Priority 3 - Connect the Bathurst Region <u>Bathurst 2040</u> <u>CSP Reference:</u> 4.2, 4.3, 4.5 | Strategic documents and studies 3.1 Prepare an Integrated Transport Plan for the City of Bathurst focussing on linkages to and from the CBD. 3.2 Review the Bathurst Community Cycle and Access Plan, including: Consideration of more and wider pathways post COVID-19; Footpaths within residential subdivisions; and Cycle lanes on transport and tourist routes. 3.3 Maintain up-to-date statistics on CBD carparking occupancy rates. | |

| Central West and | Landuse Planning | Land Use Planning |
|---|---|--|
| Orana Regional Plan Reference: 2.3, 18.1, 18.4, 18.5, 19.1, 19.2, 19.3, 19.4, 19.5, 20.1, 22.3 | Immediate: 3.4 Amend Council's planning instruments and engineering guidelines to: Adopt appropriate road and footpath widths to achieve active transport opportunities (including footpaths, cycleways and cycle lanes), public transport (with reference to the NSW Government's Guidelines for Public Transport Capable Infrastructure in Greenfield Sites) and vehicular traffic connections, inclusive of those recommended by the Laffing Waters and Duramana Road Master Plans and other residential subdivisions; Reserve land and secure corridor protection for new transport improvements/corridors as soon as they become known; remove sensitive landuses that may have a negative impact on the operations of the Bathurst airport and the functioning of the western rail line and highways in and out of the City; and protect the operations of the Bathurst Hospital Helipad from inappropriate development which may compromise ongoing helicopter operations. 3.5 Plan for new public transport interchanges at the existing Westpoint, Trinity Heights and Centrepoint neighbourhood activity centres and at the proposed new centres at Eglinton and Laffing Waters. 3.6 Plan for improvements for the CBD transport interchange. 3.7 Plan for upgrades and the reservation of land for improvements to the existing distributor road network inclusive of: Widening of Hereford Street and improvements to connections and intersections at George Street low level bridge, with a potential for a new road connection between Hereford and Rankin Streets. Improvements to the Durham/Stewart Street intersection, the widening of Durham Street and the widening and extension of Eglinton/Ophir Roads. Widening and improvement of Eleven Mile Drive. Provision of an extension to Emerald Drive to the Great Western Highway (new highway connection). | Discussion paper prepared discussing engineering guidelines for active transport in new subdivisions. Investigations are underway for the Hereford Street corridor. Additional modelling has been completed. Preliminary concept design being prepared. Investigations completed for the Lawrence Drive corridor. No further works required at this stage. Draft Bathurst Town Centre Master Plan has been received and Council's response to the Master Plan for implementation is being drafted for further community feedback. |

| | Bradwardine Road – widening and connection to McDiarmid Street/southern distributor route. McDiarmid Street – construction of the road to link the Mid-Western and Mitchell Highways. | |
|--------|--|--|
| Ongoi | ng: | |
| | Investigate, plan and reserve land for the future distributor road network inclusive of: | |
| | New river crossing and possible extension of Bradwardine Road to the river crossing. | |
| | Southern distributor route / city by-pass options. New Mitchell Highway connection to the Windradyne and Robin Hill residential growth areas. | |
| 3.9 | Review developer contributions plans to reflect current transport priorities and updated cost estimates. | |
| | Ensure that greenfield subdivisions are master planned with contemporary public and private transport and active transport connections to open spaces and community services. | |
| 3.11 | Restrict new development and urban rezonings that may have a negative impact on: | |
| | the operations of the Bathurst airport and the Bathurst Hospital helipad;the western railway line; | |
| | all major road corridors; and the three key freight distribution nodes (see figure 3: City of Bathurst Structure Plan). | |
| | Implement the recommendations of the Bathurst Town Centre Master Plan (when completed) to improve linkages and thoroughfares within the Bathurst CBD. | |
| | Implement the recommendations of the Bathurst Community Cycle and Access Plan. | |
| Collab | porate with partners | Collaborate with partners |
| 3.14 | To implement the 2056 NSW Transport Plan and the Connecting the Central West and Orana Program, and in particular to: | • Draft Public Transport Network has been developed by TfNSW under the 16 Cities |

| to improve the efficiency and patronage of local bus routes under the 16 Cities program, promote active transport (such as walking and cycling); improve intercity transport services to support access to health services; and explore opportunities to introduce changes in transport technology such as electric vehicles, autonomous transport and ride-sharing. 3.15 For continued access via road or rail; 3.16 To secure upgrades to the Great Western, Mitchell and Mid-Western Highways and the Bells Line of Road; 3.17 To achieve improvements to the Main Western Rail line, including electrification of the network to Bathurst and/or faster rail services between Bathurst and Sydney; 3.18 For the retention of the Bathurst Bullet services; 3.19 To achieve improvements to intercity bus services and community transport services to the region's villages, particularly to support access to health services. 3.20 To identify funding opportunities and assistance to secure: new river crossings; the southern distributor route; a new connection to the Mitchell Highway to service the Windradyne and Robin Hill residential growth areas; and a new connection to the Great Western Highway as a result of the extension to Emerald Drive. 3.21 To achieve new connections to the State Road Network to match the region's future road network. | program and presented to Council in early 2021. Reported LGA priorities/funding requests to DPIE for the CWORP update. REX signalled their intention to abandon the Bathurst to Sydney route, however have committed to retain air services until September 2021. Flight schedule does not service Bathurst appropriately. Further discussions have occurred with other air providers to provide alternative services. |
|---|--|
|---|--|

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|--------------------------------|--|--|---|
| Our diverse and strong economy | Planning Priority 4 - Maintain a thriving local business and retail economy | Strategic documents and studies 4.1 Complete the Bathurst Town Centre Master Plan. 4.2 Complete the Bathurst Health and Knowledge Master Plan. 4.3 Review the Bathurst Retail Strategy, particularly in light of: changing trends in retailing, and the need for an additional major regional retail shopping centre; and recommendations of the Bathurst Town Centre Master Plan. 4.4 Undertake a review of the Village Plans for the Region's rural villages in relation to opportunities for appropriate convenience shopping. Land Use Planning | Strategic documents and studies Draft Bathurst Town Centre Master Plan has been received and Council's response to the Master Plan for implementation is being drafted for further community feedback. Bathurst Health and Knowledge Precinct discussion paper has been completed. Update of the Village plans are underway. Consultation for Sofala and |
| | Bathurst 2040 CSP Reference: 2.1, 2.2, 2.4, 4.1, 4.4, 4.6 Central West and Orana Regional Plan Reference: 5.1, 5.3, 10.1, 10.2, 10.3, 10.4, 10.6, 10.7, 25.4 | Immediate 4.5 Update provisions in Council's planning instruments to implement the recommendations of: the Laffing Waters Master Plan, which provides for the new Laffing Waters Neighbourhood Activity Centre; the Duramana Road Master Plan, which provides for the new Eglinton Neighbourhood Activity Centre; the Bathurst Town Centre Master Plan (when completed); a revised Retail Strategy (when undertaken); and the revised Village Plans (when undertaken). | Rockley completed. Land Use Planning Planning Proposal, including new development controls, for Laffing Waters Master Plan being prepared. Review of the CBD occupancy rates has occurred in October 2019, April 2020, November 2020 and scheduled for April 2021 and November 2021. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|--|---|
| | | 4.6 Prepare detailed designs for the Laffing Waters and Eglinton neighbourhood activity centres and work with industry to deliver the neighbourhood activity centres in a timely way to meet the needs of the Eglinton and Laffing Waters communities. 4.7 Review provisions in Council's planning instruments to ensure there are no barriers to enable convenience shopping in the Region's villages. Ongoing | |
| | | 4.8 Maintain Council's existing retail centres policy that: consolidates and strengthens the regional retail role of the Bathurst CBD; enables neighbourhood activity centres and convenience retailing in suburban locations to support but not compete with the Bathurst CBD; and enables bulky goods development to establish in suburban precincts again without competition to the Bathurst CBD. 4.9 Undertake master planning for any future new neighbourhood activity centres as part of the wider master planning of new suburbs to ensure they are appropriately located. 4.10 Maintain up-to-date statistics on CBD premises occupancy rates. Collaborate with partners 4.11 To protect Council's retail centres policy and the primacy of the Bathurst CBD as the regional retail hub of the Bathurst region. | Collaborate with partners Grant application lodged under the NSW Your High Streets Program for laneway improvements to connect George, Howick and William Streets. |
| | Planning Priority 5 - Ensure a suitable supply of employment and urban services land | Strategic documents and studies 5.1 Develop an industrial and urban services strategy to: assess the demand and supply of industrial land into the future; assess the best location for future supply; investigate the appropriateness of land east of the Bathurst Regional Airport and the former army depot land at Lloyds Road for future industrial purposes; assess the appropriateness of the southern side of Sydney Road (between Raglan and the Gateway Enterprise Park) as a future Enterprise Corridor; investigate opportunities to attract new industry to the Bathurst Region; and | <i>Strategic documents and studies</i> Not yet commenced. Subject to future budget bid in 2023. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|--|--|--|
| | Bathurst 2040 CSP Reference: 2.1, 2.2, 2.4, 4.1, 4.6 Central West and Orana Regional Plan Reference: 8.1, 10.1, 10.2, 10.5, 10.6, 10.7, 18.1, 18.4, 18.5, 19.3, 19.4 | investigate opportunities to attract new light industry and aero related industry in the vicinity of the airport. Land Use Planning Immediate 5.2 Review provisions in Council's planning instruments to: Protect key industrial and urban service lands from sensitive lands uses. Provide appropriate buffers to major roads, the Main Western Railway line and competing land uses. Implement the recommendations of the industrial and urban services strategy (when completed). Ongoing 5.3 Limit opportunities for offensive or hazardous industry and storage establishments to locate within the Bathurst Region. 5.4 Protect and enhance the scenic quality of the City gateway entrances along O'Connell Road, Sydney Road, Sofala Road, Mitchell Highway and Mid-Western Highway. Collaborate with partners 5.5 To identify funding opportunities to secure the planning and construction of the southern distributor route to link the city's employment areas. | Land Use Planning Not yet commenced. Subject to future budget bid in 2023. Collaborate with partners • Reported LGA priorities/funding requests to DPIE for the CWORP update. |
| | Planning Priority 6 - Protect Mount Panorama (Wahluu) as a motor sport and event precinct | Strategic documents and studies 6.1 Update the economic impact reports for racing events at Mount Panorama. 6.2 Update noise impact assessments from motor racing at Mount Panorama. Land Use Planning Immediate 6.3 Update provisions in Council's planning instruments to protect Mount Panorama as an international motor racing venue, particularly with respect to new noise impact assessments. | Strategic documents and studies Not yet commenced. Subject to future budget bid in 2024. Land Use Planning The preparation of the EIS to support the Development Application is underway. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|---|---|
| | Bathurst 2040 CSP Reference: 2.5, 2.6 Central West and Orana Regional Plan Reference: | 6.4 Complete and lodge the development application (State Significant) and associated Environmental Impact Statement in relation to the second circuit development. Ongoing 6.5 Do not rezone lands for residential or rural residential within the 50 dBa noise contour as shown on figure 3: City of Bathurst Structure Plan, and other identified lands that may be affected by noise exposure from the Mount Panorama motor racing precinct. 6.6 Minimise or reduce, where possible, the permitted residential density in South Bathurst over those existing residential lands within the 50 dBa noise contour and other identified land that may be affected by noise exposure from the Mount Panorama motor racing precinct. 6.7 Manage city growth and the encroachment of incompatible land uses to protect the Mount Panorama motor racing precinct. 6.8 To protect Mount Panorama from inappropriate development to ensure it can continue to operate as an international motor racing venue. 6.9 For innovative technology use and research and development of the Mount Panorama motor sport precinct (e.g. e-vehicles and drone racing). 6.10 Foster ongoing relationships with all stakeholders within the Mount Panorama (Wahluu) precinct. | Consulted with DPIE to reinsert floor space restrictions for secondary dwellings in rural zones (Clause 5.5). |
| | Planning Priority 7 - Leverage new opportunities | Strategic documents and studies 7.1 Maintain an up-to-date Destination Management Plan and Economic Development Strategy. 7.2 Implement the Bathurst Airport Master Plan. 7.3 Develop an industrial and urban services strategy to: investigate opportunities to attract new industry to the Bathurst Region; | Strategic documents and studies Not yet commenced. Subject to future budget bid in 2024. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|--|--|--|
| | Bathurst 2040 CSP Reference: 2.2, 2.5 | investigate opportunities to attract new light industry and aero related industry in the vicinity of the airport; and identify land suitable for industrial purposes adjacent to freight and transport corridors. | |
| | <u>Central West and</u> <u>Orana Regional</u> <u>Plan Reference:</u> 18.1, 18.4, 18.5, 19.1, 19.3, 19.4, 19.5, 20.1, 20.3 | Land Use Planning Immediate 7.4 Periodically review and update the provisions in Council's Planning Instruments in response to the ongoing appropriateness of individual land uses within each land use zone and in response to the adoption of new studies, strategies or master plans (e.g. Bathurst Town Centre Master Plan). Ongoing 7.5 Identify, in partnership with industry, desirable land characteristics for freight | Land Use Planning Not yet commenced. Subject to allocation of resources. |
| | 13.3, 20.1, 20.3 | operators. 7.6 Ensure a suitable supply of industrial and business land is zoned and available. 7.7 Do not rezone lands for residential or rural residential purposes that may be affected by noise exposure from either Mount Panorama motor racing, the Bathurst Regional Airport or the Main Western Railway Line. 7.8 Manage growth of the City and minimise the encroachment of incompatible land uses on the Bathurst Regional Airport and the Main Western Railway Line. <i>Collaborate with partners</i> 7.9 For improvements to the Bells Line of Road, Great Western Highway; higher mass limit bridges, and access to Parkes. 7.10 For ongoing access to Sydney's airports. | |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|--|---|---|
| Theme | Planning Priority 8 Become a Smart city Bathurst 2040 CSP Reference: 2.3 Central West and Orana Regional Plan Reference: | Actions Strategic documents and studies 8.1 Maintain an up-to-date Smart Community Strategy. Land Use Planning Immediate 8.2 Implement the Bathurst Smart Community Strategy particularly in respect of: Investigating opportunities to use new technologies for managing stormwater at a residential level. Implementing smart technology within new community buildings. 8.3 Use of smart technology to better understand the local environment through the use of sensors, cameras and smart metering. 8.4 Use of the open data and locational analytics data to make better informed land-use decisions and prioritisation of works schedules. 8.5 Identifying the required infrastructure for the establishment of a data centre or technology hub within the Bathurst Region. 8.6 Review Council's planning instruments to ensure there are no barriers to the establishment of a data centre or technology park in the Region. 8.7 Review Council's planning instruments and engineering guidelines to ensure Smart technologies to gain a better understanding of community behaviours such as commuting patterns, parking habits, pedestrian movements and water consumption and time of use, to inform planning decisions. 8.9 Partner with the business community to use open data to assist in better use of their resources. Collaborate with partners 8.10 To support Charles Sturt University's inves | Actions to date (Last updated Mar 2021) Collaborate with partners • Reported LGA priorities/funding requests to |
| | | 8.10 To support charles stuft oniversity's investigations into a potential CDD based campus and identify new opportunities for the existing campus. 8.11 For improved communication infrastructure and funding particularly to support communication improvements in the village and rural areas of the Region and along key transport routes. | REX signalled their intention to abandon the Bathurst to Sydney route, however have |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|-------------------|---|---|
| | | 8.12 For Mobile Blackspot funding and external funding to improve mobile reception throughout the Region. 8.13 For funding and improved internet connectivity to the knowledge, education and technology precinct, the health precincts, employment and commercial areas, and the Mount Panorama and Bathurst Airport precincts. | committed to retain air services until September 2021. Flight schedule does not service Bathurst appropriately. Further discussions have occurred with other air providers to provide alternative services. |

| Theme Planning Prio | Actions | Actions to date (Last updated Mar 2021) |
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| ThemePlanning PrioPlanningPriority 9ProtectIndigenousIndigenousculturalheritageBathurst 2044CSP Reference1.1, 1.31.1, 1.3Orana RegionPlan Reference7.1, 7.2, 16.1,16.2, 16.3, 2424.2 | Strategic documents and studies 9.1 Continue to identify and investigate sites of Aboriginal cultural heritage. Land Use Planning Immediate 9.2 Support the Bathurst Local Aboriginal Land Council should they choose to prepare a Development Delivery Plan in accordance with State Environmental Planning Policy (Aboriginal Land) 2019. 9.3 Review Council's planning instruments to implement the recommendations of the Bathurst Region Aboriginal Heritage Study 2015. Ongoing 9.4 Engage with the Local Aboriginal Land Council, Elders and local knowledge holders in relation to planning decisions under the Bathurst Regional Community Participation Plan. 9.5 Continue to require Aboriginal Cultural Heritage Assessments to be prepared as | Actions to date (Last updated Mar 2021) Strategic documents and studies Council continues to obtain new and updated AHIMS site cards. Land Use Planning Action 8.6 completed. MOU with Data Centre has been executed by Council. DA approved in February 2021. Smart Watering project implemented in Machattie Park and Kings' Parade to provide better control over watering programs, and volumes of water being consumed. Collaborate with partners CBD master plan has been received. Charles Sturt University have determined not to proceed to investigate a CBD based campus at this time. Applications for mobile blackspot funding continue to be made as they are identified. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|--|--|
| | Planning Priority 10 - Protect European and non- Indigenous heritage Bathurst 2040 CSP Reference: | Strategic documents and studies 10.1 Maintain an up-to-date Heritage Plan. 10.2 Introduce a place based approach to heritage management within the Region's villages and for localities within the Region's Heritage Conservation Areas to improve overall urban design outcomes through the development of local character statements for each locality. 10.3 Continue to review the extent of heritage conservation areas within the Bathurst Regional LGA and the identification of new heritage items. 10.4 Continue to research and record information in relation to the Bathurst Region Heritage assets within the State Heritage Inventory database. | Strategic documents and studies ACHAR for the second circuit is completed; AHCAR has been prepared for the stormwater harvesting scheme and Kelso Industrial Park (Hampton Park Road East). Due diligence assessment undertaken for the upgrade of the Mount Panorama upgrade and electrical infrastructure. |
| | 1.2, 1.3, 1.4, 1.6 <u>Central West and</u> <u>Orana Regional</u> Plan Reference: | Land use planning Immediate 10.5 Implement the Bathurst Heritage Conservation Area Review 2018. 10.6 Undertake a review of the heritage and urban design provisions within Council's planning instruments. 10.7 Implement the inclusion of local character statements within Council's planning instruments. Ongoing: | Land Use Planning AHIMS investigations regularly undertaken as part of due diligence and Development Assessment. Collaborate with partners |
| | 17.1, 17.2, 29.1, 29.3 | 10.8 Ensure that impacts on heritage are given significant consideration in the development assessment process through Council's heritage advisory service and pre-Development Application processes. 10.9 Provide a heritage advisory service and local heritage management incentives. <i>Collaborate with partners</i> 10.10 To identify and list heritage items of State Significance. 10.11 To engage with heritage interest groups as outlined in the Bathurst Regional Community Participation Plan. 10.12 To promote the importance of the Region's unique heritage and minimise the future loss of heritage assets. | Working with the BLALC for the dual naming of the Macquarie River (Wambuul). Application has been lodged with Geographic Names Board. Strategic documents and studies Draft Heritage Plan has been prepared. Feedback from the Heritage Reference Group is being sought. |

| Theme Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|---|---|---|
| Planning Priority 11 – Maximise the Region's tourism opportunities <u>Bathurst 2040</u> <u>CSP Reference:</u> 1.4, 2.6 <u>Central West and</u> <u>Orana Regional</u> <u>Plan Reference:</u> 4.1, 4.4, 4.6 | Strategic documents and studies 11.1 Maintain an up-to-date Destination Management Plan and Economic Development Strategy. Land Use Planning Immediate 11.2 Review Council's planning instruments to ensure there are no barriers to: the establishment of tourism and tourism accommodation; and the use of appropriate private and public assets for events. Ongoing 11.3 Implement the range of other priorities of this LSPS concerning the Region's landscapes, vistas and heritage assets, and the protection of the Mount Panorama motor racing precinct. Collaborate with partners 11.4 To support tourism activities and public infrastructure that will contribute to the visitor experience. | Planning Proposal for the BHCA review is being prepared. Council's Heritage Advisor attends Bathurst fortnightly with private property owners and continues to provide advice to Council on DA's. Council issues clause 5.10(3) letters for exemption to minor works in the HCA. Funding has been granted for the 2020/21 heritage assistance grants. Major review of the Heritage Assistance programs has been completed and ready for inclusion in the 2021/22 grant program. Collaborate with partners Council continues to refer development applications to National Trust. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|---|--|
| | Planning Priority 12 - Enhance environmental ly sensitive land and | Strategic documents and studies 12.1 Maintain up-to-date studies in relation to biodiversity, urban waterways and the Region's vegetation. 12.2 Complete the review of the Stormwater Developer Contribution Plans. 12.3 Prepare a Koala Management Plan for the Bathurst Regional Council area in accordance with State Environmental Planning Policy. Land Use Planning | Submission made to NPWS in relation to the Hill End Historical Site Draft Plan of Management. Strategic documents and studies Current plans are being implemented. |
| | biodiversity <u>Bathurst 2040</u> <u>CSP Reference:</u> 1.4, 3.1, 3.3, 3.4, 3.5 | Immediate: 12.4 Review provisions in Council's planning instruments and Engineering Guidelines to reduce impacts of stormwater on waterways and aquatic biodiversity by including: water sensitive urban design elements; recommendations of the Urban Waterways Plan; and identification and protection of scenic and cultural landscapes. 12.5 Update the Developer Contribution Plans to reflect current industry practices and current estimated cost of works. 12.6 Implement actions of the Biodiversity Management Plan, Urban Waterways Management Plan, Vegetation Management Plan and Bathurst Roadside Vegetation Management Plan. 12.7 Review Council's Planning Instruments to ensure development at the interface of areas of significant biodiversity or environmental sensitivity has minimal environmental impact and is protected from the encroachment of sensitive land uses. Ongoing: 12.8 Manage threats to biodiversity on Council controlled land including clearing, grazing, weeds and feral species. 12.9 Protect views to and from the Macquarie River Floodplain through no new urban rezonings and limiting new built development along the western side of Gilmour Street, the southern side of Eleven Mile Drive and east of Eglinton Road (shown as recreation/rural/rural vistas on figure 3: City of Bathurst Structure Plan). | Land Use Planning Stormwater Developer Contributions Plan review is underway and nearing completion. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|-------------------|---|---|
| | Central West and | 12.10 Improve the scenic quality of the Region by limiting urban and rural lifestyle | |
| | Orana Regional | development in areas of high biodiversity, on hilltops and ridges and provide a | |
| | Plan Reference: | green edge between the urban and rural environment. | |
| | 13.1, 13.2, 13.4, | 12.11 Improve and enhance the city's gateways by: | |
| | 13.5, 15.1, 15.6, | controlling built form; | |
| | 28.1, 28.2, 28.3, | providing screening between fences and arterial roads; and | |
| | 29.4 | providing appropriate buffers to screen urban growth. | |
| | | 12.12 Ensure the protection of the Sydney Road gateway is a key priority in planning for | |
| | | the 'gateway investigation area' as shown in figure 3: City of Bathurst Structure | |
| | | Plan. | |
| | | 12.13 Continue to Master Plan the urban environment to identify opportunities to | |
| | | rehabilitate environmentally sensitive areas, particularly waterways and to protect | |
| | | scenic and cultural landscapes and areas of remnant vegetation. | |
| | | 12.14 Protect, enhance and increase natural assets and green spaces by considering | |
| | | ecosystem change and species shift from climate change, and applying ecosystem | |
| | | adaptation into strategic planning and land protection to ensure the region's | |
| | | biodiversity is identified, preserved and enhanced. | |
| | | 12.15 Consider creation of stewardship sites under the Biodiversity Conservation Act. | |
| | | 12.16 Undertake improved mapping to identify and protect: | |
| | | natural assets; | |
| | | environmentally sensitive areas; and | |
| | | areas of significant biodiversity or opportunities to connect remnant | |
| | | vegetation. | Collaborate with partners |
| | | Collaborate with partners | Not yet commenced. Subject to future budget |
| | | 12.17 To deliver projects that rehabilitate waterways to a more natural condition. | bid in 2023. |
| | | 12.18 To promote community stewardship of the natural environment to ensure its vitality into the future. | |
| | | 12.19 To protect rural lands at the City's edges from inappropriate development and | |
| | | urban landuse encroachment such as seniors housing that is enabled by State | |
| | | Environmental Planning Policies. | |
| | | 12.20 To obtain and fund improved environmental mapping for the Bathurst region. | |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|--|--|---|
| | Planning Priority 13 – Protect primary production land <u>Bathurst 2040</u> <u>CSP Reference:</u> | Strategic documents and studies 13.1 Review the Bathurst Region Rural Strategy and, in particular: review the minimum lot size for rural zones through a strategic analysis of agricultural land and practices; identify and protect important agricultural land from urban sprawl, incompatible land uses and appropriate land use buffers; examine the ongoing relevance of and demand for rural lifestyle housing in the Bathurst Region; identify opportunities to value add and diversify agricultural product; and with reference to the Western Enabling Regional Adaptation Central West and Orana Region Report (2017). | Strategic documents and studies Stormwater developer contributions plan is nearing completion. |
| | 2.4 | Land Use Planning Immediate: 13.2 Implement the Master Planning for the Laffing Waters and Duramana residential areas inclusive of minimum green belts/buffers to reduce land use conflicts at the urban/rural interface. 13.3 Review Council's planning instruments to: | Land Use Planning Stormwater developer contributions plan is nearing completion. |

Attachment 8.2.8.1

| Central West and Orana Regional Plan Reference: 1.2, 2.1, 2.2, 2.3, 8.1, 12.2, 12.3, 12.4, 28.1, 28.2, 28.3 | Ensure there are no barriers for value-adding and the diversification of agricultural product. Remove incompatible land use provisions. Implement recent Government advice on minimum land use buffers. Ongoing: 13.4 Maintain an appropriate minimum lot size within the rural zones (note: a 300 hectare minimum lot size was recommended for the RU1 Primary Production zone in the Bathurst Region Rural Strategy 2008, but has not been implemented). 13.5 Manage city growth, rural settlement, and the encroachment of incompatible land uses to minimise the loss of primary production lands and to plan for minimum appropriate buffers to minimise the loss of primary production lands. 13.6 Plan for and maintain a minimum 50 metre wide green belt between the urban and rural interface inclusive of consideration of grass fire and bushfire protection. 13.7 Do not rezone lands for rural residential or rural lifestyle purposes on holdings greater than 100 hectares or on lands classed as land suitability class 1 or capability class 1 or 2. 13.8 Protect the market garden lands of the Macquarie River from further fragmentation and loss from urban landuses. Collaborate with partners 13.9 To protect rural land from inappropriate development and urban landuse | Collaborate with partners |
|--|---|---|
| | uses to minimise the loss of primary production lands and to plan for minimum appropriate buffers to minimise the loss of primary production lands. 13.6 Plan for and maintain a minimum 50 metre wide green belt between the urban and rural interface inclusive of consideration of grass fire and bushfire protection. 13.7 Do not rezone lands for rural residential or rural lifestyle purposes on holdings greater than 100 hectares or on lands classed as land suitability class 1 or capability class 1 or 2. 13.8 Protect the market garden lands of the Macquarie River from further fragmentation and loss from urban landuses. <i>Collaborate with partners</i> | Collaborate with partners Landscape plan developed for Sawpit Creek Open Space Reserve and adopted by Council on 17/2/2021. Ongoing works in Jacques Park reserve. Submission made to DPIE regarding Housing Diversity SEPP, Agricultural Commissioner, Seniors Housing SEPP (in response to the exclusion of rural land in Metropolitan areas from site compatibility certificate process). |
| | | • Council has provided feedback to TfNSW with respect to the landscaping of the Kelso to Raglan GWH upgrade. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|--|--|--|
| | Planning Priority 14 – Create a sustainable Bathurst Region <u>Bathurst 2040</u> <u>CSP Reference:</u> 3.3 | Strategic documents and studies 14.1 Maintain an up-to-date Waste Management Plan and plan for the future of Council's Waste Management Centre. 14.2 Prepare and adopt a Renewable Energy Action Plan for Council's operations and the Bathurst Region. 14.3 Develop an emissions reduction plan for the Bathurst region, taking into consideration the Bathurst Regional emissions snapshot. 14.4 Consider sustainable transport options as part of the Bathurst Integrated Transport Plan. 14.5 Develop a Cooling the City Strategy as a likely outcome of the Town Centre and new land release area Master Plans to reduce the impacts from the heat island effect taking into account the 'Minimising the Impacts of Extreme Heat: A guide for local government'. | Strategic documents and studies Council adopted the Renewable Energy Action Plan in June 2020. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|-------------------------------|---|--|
| | Central West and | Land Use Planning | |
| | Orana Regional | Immediate: | Land Use Planning |
| | <u>Plan Reference:</u> 9.2 | 14.6 Review provisions in Council's planning instrument and Engineering Guidelines to deliver: subdivisions and development that are more energy, waste and water efficient; reduced urban sprawl (Bathurst 2036 Housing Strategy recommendations); and improved building performance and sustainable development initiatives. Ongoing: | Planning Proposal, and new development controls for Laffing Waters Master Plan being prepared. Planning Proposal completed to insert Artisan food and Drink. |
| | | 14.7 Continue to Master Plan the urban environment to identify opportunities to create new subdivisions and neighbourhood activity centres that are energy, waste and water efficient. <i>Collaborate with partners</i> 14.8 To identify ways to increase the energy and water efficiency targets under BASIX or enable Council to set higher targets beyond BASIX and require adherence to basic sustainable design principles. 14.9 To deliver small-scale renewable energy projects or innovative storage technology projects within the Bathurst Region and maximise community benefit from all utility-scale renewable energy projects. | Collaborate with partners Submission made to DPIE regarding Housing Diversity SEPP, Agricultural Commissioner, Seniors Housing SEPP (in response to the exclusion of rural land in Metropolitan areas from site compatibility certificate process). |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|--|---|---|
| | Planning Priority 15 - Improve resilience to natural hazards and extreme weather events Bathurst 2040 <u>CSP Reference:</u> 3.5 | Strategic documents and studies 15.1 Review and update the Bathurst Floodplain Management Plan. 15.2 Finalise the updated Bushfire Prone Land Map. 15.3 Maintain an up-to-date Local Emergency Management Plan. 15.4 Review, update and adopt Council's Climate Change Risk Assessment and Adaptation Plan. 15.5 Develop a Cooling the City Strategy that considers options for built and natural shade. Land Use Planning: Immediate 15.6 Investigate opportunities to streamline rebuilding activities during post-disaster events, e.g. bushfire, flooding or storm events. 15.7 Identify priority routes to assist in the orderly movement of the community throughout the Region following a disaster event. 15.8 Establish hazard planning and disaster resilience principles as considerations in the development assessment process and review provisions in Council's planning instrument to ensure planning controls relating to bushfire hazard and flooding are up-to-date. | Strategic documents and studies Renewable Energy Action Plan has been adopted by Council. EV vehicle strategy adopted by Council. Land Use Planning Council has advised the Department of Planning, Industry and Environment to opt-in to the Natural Disasters clause. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|--|---|---|
| Ineme | Central West and Orana Regional Plan Reference: 9.2, 14.1, 14.5, 15.1, 15.2, 15.5, 15.6 | Ongoing 15.9 Ensure Council's planning controls enable community preparedness and resilience against natural hazards and weather extremes. Continue to master plan the urban environment to identify opportunities to improve stormwater management and harvesting, and the minimisation of the urban heat effect. Investigate opportunities for waste disposal (putrescible waste – spoilt food, asbestos, building materials) during post-disaster events, e.g. bushfire, flooding or storm events. Require appropriate supporting documentation with Development Applications in bushfire prone and flood prone land. Do not rezone flood prone lands for urban purposes without an appropriate assessment against Council's flood plain management plan. Collaborate with partners 15.10 To obtain funding for and review the Bathurst Floodplain Management Plan. | Collaborate with partners • Council is aware of three (two solar and one hydro) utility scale renewable |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|---------------------|---|--|--|
| healthy communities | Planning Priority 16 - Provide new homes <u>Bathurst 2040</u> <u>CSP Reference:</u> 15 21 22 41 | Strategic documents and studies 16.1 Maintain an up-to-date Housing Strategy. 16.2 Prepare Local Character statements for the new greenfield locations, urban renewal locations and precincts within the Bathurst heritage conservation area to: establish new neighbourhood character for new locations; manage changed living densities; manage change between old and new housing stock; maintain and improve neighbourhood character; and improve sustainability, accessibility, affordability and ageing in place. 16.3 Undertake a social impact assessment of the potential loss of low cost housing in lands identified by the Bathurst 2036 Housing Strategy as possible locations for urban renewal. 16.4 Update the Bathurst Floodplain Management Plan and determine the appropriateness of rezoning flood protected lands for residential purposes and/or increasing the living densities of existing flood protected residential lands. | energy projects within the Bathurst Regional LGA under development. Strategic documents and studies Negotiations with the RFS regarding the Bush Fire Prone Land Map are ongoing. Discussions with DPIE re Bush Fire Prone Land Map have been held in November 2020. |
| Our dynamic and hea | 1.5, 3.1, 3.3, 4.1, 4.6, 5.1, 5.4, 5.5 | Immediate: | Council made representation to DPIE regarding a natural disaster clause for insertion into the LEP to facilitate rebuilding in the event of a natural disaster. Council continues to require applicants provide supporting documents for bush fire prone land and flood prone land. |

| Central West and | Ongoing: | |
|-----------------------|---|---------------------------------------|
| Orana Regional | 16.6 Undertake further investigations and review provisions in Council's planning | |
| Plan Reference: | instrument to enable the urban renewal of locations identified in the Bathurst | |
| 8.1, 12.3, 12.4, | 2036 Housing Strategy near Stanley Street, West Bathurst, Gormans Hill and lower | |
| 14.5, 15.1, 15.2, | Havannah Street, where appropriate. | |
| 15.4, 15.6, 21.2, | 16.7 Implement the Heritage Conservation Area Review 2018 to protect those areas | |
| 21.3, 22.1, 22.2, , | that should not be subject to urban renewal. | |
| 25.1, 25.2, 25.4, | 16.8 Undertake relevant infrastructure planning (for example water and sewer | |
| 29.1, 29.2, 29.3, | availability, electricity, gas and road) and associated environmental assessment | |
| 29.4 | (for example heritage, biodiversity, Aboriginal Cultural Heritage, contamination, | |
| | loss of agricultural land and the like) and cost benefit analysis (and an associated | |
| | review of the Bathurst Region Urban Strategy) to determine the 'next' major | |
| | residential expansion area and residential rezoning program, including | |
| | consideration of lands to: | |
| | north of Eleven Mile Drive; | |
| | west of Sawpit Creek; | |
| | east of Perthville; and | |
| | north of Sydney Road (as part of the Gateway investigation area). | |
| | 16.9 Ensure master plans are prepared for new major residential urban release areas. | |
| | 16.10 Do not permit new residential zonings of land and the intensification of existing | |
| | residential densities within: | |
| | the Bathurst Airport precinct and environs; | |
| | the Macquarie River Floodplain; | |
| | 400 metres of the sewerage treatment plant; and | |
| | • the 50dBA noise contour for the Mount Panorama motor racing circuit. | |
| | Collaborate with partners | Collaborate with partners |
| | 16.11 To develop local character statements to achieve alternative approaches to some | - Departed ICA prioritics/funding |
| | of the existing one size fits all State Housing Codes. | Reported LGA priorities/funding |
| | 16.12 To promote the provision of new housing products that provides greater housing | requests to DPIE for the Central West |
| | choice. | and Orana Regional Plan update. |
| | | |
| | | |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|-------------------|---------|---|
| | | | External funding for the Bathurst Floodplain Management Plan has been unsuccessful to date. |
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| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|--|---|
| | Planning Priority 17 - Create vibrant and sustainable rural villages and settlements Bathurst 2040 <u>CSP Reference:</u> 2.6, 3.3, 4.1, 4.6, 5.2 | Strategic documents and studies 17.1 Undertake a major review of the existing Rural Village Plans. 17.2 Review the Bathurst Region Rural Strategy in terms of rural lifestyle settlement to determine: whether it is desirable for the Region to produce more rural lifestyle lots in terms of the protection of the Region's agricultural and environmentally sensitive lands; what future demand there is for rural lifestyle development and in what form; and if new supply is to be provided, where is it best located. 17.3 Develop local character statements for the Region's villages. Land Use Planning Immediate: 17.4 Review provisions in Council's planning instrument to: ensure that there are no planning barriers for appropriate economic and tourism growth in the rural village locations; implement the revised village plans (when completed); implement the Bathurst 2040 Open Space Strategy recommendations for each village. Ongoing: 17.5 Concentrate future rural settlement at the existing zoned villages of: Hill End; Sofala; Wattle Flat; Georges Plains; Rockley; Trunkey Creek; Peel and Yetholme (see figure 2: Bathurst Region Structure Plan). 17.6 Do not support the rezoning of land for rural lifestyle/rural residential purposes on lands: | Strategic documents and studies Heritage Conservation Area review Planning Proposal includes new development control/local character provisions for the proposed mid-century conservation area. A Planning Proposal for the Laffing Waters Master Plan is being prepared, including a new R3 zone. Sewerage Treatment Plant Buffer review completed. Cost-benefit did not warrant any change to planning instruments. Reported LGA priorities/funding requests to DPIE for the Central West and Orana Regional Plan update. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|-------------------|---|---|
| | Central West and | restricted by the 50dBa noise contour; | |
| | Orana Regional | within 400m of the sewerage treatment plant; | |
| | Plan Reference: | within the vicinity of the Bathurst airport; | |
| | 8.3, 14.5, 15.1, | that are flood prone; | |
| | 15.2, 15.5, 15.6, | within 500 metres of existing forestry or mining operations; | |
| | 22.1, 28.1, 28.2, | of high biodiversity conservation value; | |
| | 28.3, 29.1, 29.3 | on hilltops and ridges or which are part of important landscapes; | |
| | | within the Chifley Dam catchment; | |
| | | of a slope greater than 15 degrees; or | |
| | | • that may have difficulty in meeting the planning for bushfire protection | |
| | | guidelines. | |
| | | 17.7 Do not support the rezoning of land for rural lifestyle/rural residential purposes of: | |
| | | existing rural holdings of 100ha or more; | |
| | | lands classed as suitability class 1 or capability class 1 or 2; or | |
| | | lands classed as suitability class 5 and capability class 8. | |
| | | 17.8 Do not support the rezoning of land for rural lifestyle/rural residential purposes of | |
| | | land within the City footprint that cannot currently be serviced and/or that may | |
| | | have strategic urban purposes as shown on figure 3: City of Bathurst Structure | |
| | | Plan. | |
| | | Collaborate with partners | Collaborate with partners |
| | | 17.9 For contemporary telecommunication services within the local villages. | Council continues to advocate for an additional |
| | | 17.10 For improved health service delivery in the local villages. | specialised zone for rural residential land. |
| | | 17.11 For the retention of the existing schools in the villages. | Transport boalth convisor and |
| | | 17.12 To improve private and public transport opportunities between Bathurst and the | Transport, health services and telecommunication services have been |
| | | Region's villages. | identified in the Village Plan reviews currently |
| | | 17.13 To investigate opportunities for the inclusion of a rural residential zone in the | underway. |
| | | Standard Instrument Local Environmental Plan. | unuci way. |

| Theme Planning P | riority Ac | tions | Actions to date (Last updated Mar 2021) |
|---|--|---|---|
| Planning Priority Deliver space recreatio | 18 - 18 open 18 and 18 | <i>Tategic documents and studies</i> .1 Maintain an up-to-date Open Space Strategy. .2 Undertake a review of the Bathurst Access and Cycling Plan to ensure existing and future open space areas are accessible and form part of a walking/cycling network. .3 Undertake a sporting facilities strategy. <i>nd Use Planning:</i> | Strategic documents and studies Review of the Village Plans are underway, including local character statements. Consultation for Sofala and Rockley completed. |
| Bathurst 2 <u>CSP Refere</u> 4.6, 5.1, 5.4 | 18. 040 nnce: 18. 18. 18. 18. 18. 0n | Mediate: A Review provisions in Council's planning instruments to implement the Bathurst 2040 Open Space Strategy, and in particular to establish minimum levels of development/embellishment of open space, including preferred size, service access radius, minimum road frontage, usable area for main purpose, slope and topography, flooding and other hazards, paths and access, and other design criteria (e.g. facilities and lighting). 5 Review provisions in Council's planning instruments to implement the recommendations of the Laffing Waters and Duramana Master Plans with respect to their recommendations for the provision of open space. 6 Review Council's developer contribution plans in light of the findings from the Bathurst 2040 Open Space Strategy. ngoing: .7 Review provisions in Council's planning instruments to establish a minimum level of supply of open space: | Land Use Planning Preparation of planning instrument amendments to implement the Laffing Waters Master Plan and the Bathurst 2040 Open Space Strategy are underway. |

Attachment 8.2.8.1

| Central West and | • 3 hectares per 1,000 residents for community parks, i.e. formal parkland | |
|------------------|--|--|
| Orana Regional | settings providing non-organised outdoor recreation at local and destination | |
| Plan Reference: | levels. | |
| 29.2 | • 1.5 hectares per 1,000 residents for formal sporting and organised public recreation activity. | |
| | 18.8 Plan for a community park opportunity within 400-500 metres safe walking | |
| | distance in urban areas. For rural villages, access is desirable within 1,000 metres. | |
| | 18.9 Plan for most residents to have access to a large destination recreation park and/or sporting opportunity within 10-20 minutes via car. | |
| | 18.10 Plan for a diversity of landscape settings across the network that define character through the inclusion of unique or notable landscape features. | |
| | 18.11 Plan for open spaces that provide opportunities for physical activity, social inclusiveness, interaction, participation in outdoor recreation and engaging with nature (e.g bushland settings), with reference to NSW Government's Greener | |
| | Spaces publication and the 'Everyone Can Play' guidelines. | |
| | 18.12 Maintain a RE1 General Recreation Zone over existing open space areas to preserve those spaces as living densities increase. | |
| | 18.13 Master Plan and implement quality new open space areas in greenfield locations. | |
| | 18.14 To obtain, reserve and improve a corridor of 40 metres wide both sides of the Macquarie River from Gormans Hill to Eglinton. | |
| | Collaborate with partners | Collaborate with partners |
| | 18.15 For funding to support the creation of new and embellishment of existing open space and sporting facilities. | Applications for mobile blackspot funding continue to be made as they are |
| | 18.16 To identify sufficient resources to perform the required level of maintenance and | identified. |
| | upkeep of open space and recreation facilities to meet the community's expectations. | Request to DPIE for the Central West and Orana Regional Plan update for a new rural residential land use zone has been made. Request to DPIE for the Central West |
| | | and Orana Regional Plan update for the exclusion of SEPPs that allow urban |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|---|---|
| | | | development on rural lands at the urban fringe has been made. |
| | Planning Priority 19 - Deliver social, community and cultural infrastructure | Actions Strategic documents and studies 19.1 Research and develop an Ageing Strategy for the Bathurst Region. 19.2 Complete the Master Plan for the Bathurst Health and Knowledge precinct in partnership with the Western NSW Local Health District, NSW Department of Planning and Charles Sturt University. 19.3 Complete the Next Practice Performing Arts Framework. 19.4 Maintain an up-to-date Disability Inclusion Action Plan. 19.5 Complete the Bathurst Town Centre Master Plan. | Strategic documents and studies Open Space Strategy was adopted by Council in April 2020. Ageing strategy being developed by Cultural and Community Services. Draft plan currently being developed. Waiting to commence community consultation. Draft Bathurst Town Centre Master Plan has been received and Council's |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|-------------------|--|---|
| | Bathurst 2040 | 19.6 Collaborate with the Primary Health Network to develop a Bathurst Region Health | response to the MP for implementation |
| | CSP Reference: | Snapshot. | is being drafted for further community |
| | 5.1, 5.3 | Land Use Planning Immediate 19.7 Review Council's planning instruments to: ensure accessibility and ageing in place are supported; investigate opportunities to require public art as part of major new development proposals; incorporate best practice guidelines to achieve a healthy built environment; and | feedback. Bathurst Health and Knowledge Precinct discussion paper has been completed. Next Practice Performing Arts Framework is underway. Bathurst Region Health Snapshot – investigations commenced, however delayed due to COVID. |

| Theme | Planning Priority | Actions | Actions to date (Last updated Mar 2021) |
|-------|---|--|---|
| Theme | Planning Priority Central West and Orana Regional Plan Reference: 5.1, 5.3, 6.2, 21.3 | Actions ensure there are no barriers to appropriate social, community and cultural facilities locating in neighbourhood activity centres, villages and other appropriate locations. 19.8 Implement the recommendations and actions of the Bathurst Disability Inclusion Action Plan. 19.9 To review the best zoning controls to secure the long term reservation of land for public purposes. Ongoing 19.10 Review the development contributions plans to include planned community and cultural facilities and consider the timing of delivery and funding for these works. 19.11 Investigate the development of strategies aimed at specific demographic groups such as children and families and older people. 19.12 Master plan new suburban locations to include land reservation for education, community and cultural purposes. Collaborate with partners 19.13 To attract and encourage the delivery of social services and infrastructure within the Bathurst Region. 19.14 For clear, up-front, education priorities to support the early planning of new suburbs and in particular the exploration of opportunities to create a third public high school campus. 19.15 For health service improvements, co-location of services close to where people | <i>Land Use Planning</i> Planning Proposal to rezone open space land has been gazetted. Laffing Waters Master Plan Planning Proposal is being prepared and seeks to zone land for its intended use eg, drainage (SP2), school (SP1) Open Space (RE1). <i>Collaborate with partners</i> Council has been successful in gaining funding for SaSS which will include new |
| | | 19.15 For health service improvements, co-location of services close to where people live and improved transport access to health services.19.16 To achieve appropriate accessibility outcomes for adaptive reuse of heritage assets. | public art within the CBD. |

| POLICY: | DEVELOPMENT VERANDAH REINSTATEMENT PROGRAM |
|--------------------|---|
| DATE ADOPTED: | Director Corporate Services Report #1 Policy 1 December 2004 Council 8 December 2004 Minute Book No. 9416 (former BCC Policy) |
| ORIGINAL ADOPTION: | |
| FILE REFERENCE: | 11.00006, 20.00073, 20.00065 |
| OBJECTIVE: | To grant fee exemption for Applications under Council's Verandah Reinstatement Program |

That Council **donate** the Development and Construction Certification Application fees for those applications for verandah reinstatement, where those verandahs, if funding was available, would qualify for assistance under the 'Bathurst Verandah Reinstatement Program.'

| POLICY: | DEVELOPMENT APPLICATION FEES – PAINTING OF COMMERCIAL BUILDINGS IN ZONES B3 COMMERCIAL CORE AND R5 VILLAGE |
|--------------------|---|
| DATE ADOPTED: | Director Environmental, Planning & Building Services' Report #1 Policy 1 July 2015 Council 15 July 2015 Minute Book No. 12059 |
| ORIGINAL ADOPTION: | Director Corporate Services Report #1 Policy 1 December 2004, Council 8 December 2004 Minute Book No. 9416 (former BCC Policy) |
| FILE REFERENCE: | 11.00006, 20.00027 |
| OBJECTIVE: | To establish guidelines for the painting of commercial buildings. |

That Council waive development application fees for all applications lodged for the painting of buildings in Zones B3 Commercial Core and RU5 Village.

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| POLICY: | DEVELOPMENT APPLICATION FEES – SIGNAGE IN B3 COMMERCIAL CORE ZONE |
|--------------------|---|
| DATE ADOPTED: | Director Environmental, Planning & Building Services' Report #10 Council 18 May 2016 Minute Book No. 12259 |
| ORIGINAL ADOPTION: | Director Environmental, Planning & Building Services' Report #10 Council 18 May 2016 Minute Book No. 12259 |
| FILE REFERENCE: | 20.00123 and 41.00089 |
| OBJECTIVE: | To grant a fee exemption for the erection of signage in the CBD. |

That Council waive development application fees for all applications lodged for the erection of signage within the B3 Commercial Core Zone.

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| POLICY: | DEVELOPMENT APPLICATION FEES – OFF STREET CAR PARKING CBD |
|--------------------|---|
| DATE ADOPTED: | Director Environmental, Planning & Building Services Report # 1 Policy 1 July 2015 Council 15 July 2015 Minute Book No. 12059 |
| ORIGINAL ADOPTION: | Director Corporate Services Report #1 Policy 1 December 2004 Council 8 December 2004 Minute Book No. 9416 (former BCC Policy) |
| FILE REFERENCE: | 20.00090, 41.00089 |
| OBJECTIVE: | To provide assistance and support for those who are providing off-street car parking in the CBD |

That Council waive the Development Application fee for applications lodged to provide new private off-street car parking areas. Where such areas are to be provided in excess of the car parking requirements attributable to that property under the Bathurst Regional Development Control Plan 2014.

| POLICY: | WAIVING OF DEVELOPMENT APPLICATION FEES |
|-----------------|--|
| DATE ADOPTED: | Director Environmental Planning and Building Services Report # |
| | Council |
| | |
| | |
| FILE REFERENCE: | 11.00006, 20.00123 |

That Council waive the following application fees:

| Application type | Fee Waived |
|---|--|
| The painting of buildings in Zones B3 | Development application fee |
| Commercial Core and RU5 Village | |
| The erection of signage within Zone B3 | Development application fee |
| Commercial Core | |
| The provision of new private off-street car | Development application fee |
| parking areas, where such areas are provided in | |
| excess of the car parking requirements | |
| attributable to that property under the | |
| Bathurst Regional Development Control Plan | |
| The reinstatement of historic verandahs within | Development application fee; |
| Zone B3 Commercial Core | Construction Certificate application fee |

| POLICY: | RESIDENTIAL INFILL |
|--------------------|--|
| DATE ADOPTED: | Director Environmental Planning & Building Services Report #10 Council 30 March 2005 Minute Book No. 9495 |
| ORIGINAL ADOPTION: | Director Planning & Development Report #6 Council 18 August 2005 Minute Book No. 9312 |
| FILE REFERENCE: | 10.00004 |
| OBJECTIVE: | To ensure infill development complements and enhances the local character of the area. |

Within the Conservation Area of Bathurst and within the historic villages of the region, all infill development must complement and enhance the local character by relating to the predominant:

SCALE, MASSING, COLOURS AND MATERIALS

of the area (this does not mean a developer must mimic the buildings nearby. It is acceptable to relate to the above factors, and yet produce a contemporary design).

To demonstrate that the above Policy has been complied with, any application for "infill" must be accompanied by the following:

- 1. Street photographs showing the proposed site and adjoining developments to each side; and
- 2. A completed infill application form (see over) containing an explanation of your selection of scale, massing, colours and materials.

It is recommended that intending infill designers or builders should discuss their proposal at an early stage with Council's planning staff. Assistance will be given, if required, with completing the infill application. (NB: Advice can also be sought from the National Trust.)

| POLICY: | COMMERCIAL INFILL |
|--------------------|---|
| DATE ADOPTED: | Director Environmental Planning & Building Services Report#10 Council 30 March 2005 Minute Book No. 9495 |
| ORIGINAL ADOPTION: | Council 18 August 2004 |
| FILE REFERENCE: | 10.00004 |
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- 1. Street photographs showing the proposed site and adjoining developments to each side; and
- 2. A completed infill application form (see over) containing an explanation of your selection of scale, massing, colours and materials.

It is recommended that intending infill designers or builders should discuss their proposal at an early stage with Council's planning staff. Assistance will be given, if required, with completing the infill application. (NB: Advice can also be sought from the National Trust.)

| POLICY: | DEMOLITION OF BUILT ENVIRONMENT |
|--------------------|--|
| DATE ADOPTED: | Director Environmental Planning & Building Services Report #10 Council 30 March 2005 Minute Book No. 9495 |
| ORIGINAL ADOPTION: | Director Planning & Development Report #6 Council 18 August 2004 Minute Book No. 9312 |
| FILE REFERENCE: | 10.00004 |
| OBJECTIVE: | To provide independent structural and historical information about a building proposed for demolition. |

1. That Council authorise the Director, Environment, Planning and Building Services to commission an independent structural assessment of a building for which a Development Application has been made for demolition where, in the opinion of the Director, Environment, Planning and Building Services, the building is of heritage significance.

That an additional application fee as outlined in Council's Management Plan be charged where such a structural assessment is required. Should the assessment cost less than the amount charged, then the General Manager be authorised to refund the difference to the applicant.

- 2. That Council authorise the Director, Environment, Planning and Building Services to Commission the Bathurst and District Historical Society to undertake an historical assessment of a building for which a Development Application has been made for demolition where, in the opinion of the Director, Environment, Planning and Building Services, the building is of heritage significance.
- 3. An additional application fee of \$100 be charged where such a historical assessment is required.

| POLICY: | RAINWATER TANKS – RETICULATED WATER SUPPLY AREAS |
|--------------------|---|
| DATE ADOPTED: | Director Environmental, Planning & Building Services Report #1 Policy 7 February 2007 Council 21 February 2007 Minute Book No. 10065 REPLACES THE FOLLOWING POLICIES 1. Rainwater Tank – Domestic Purposes 2. Rainwater Tank – Garden Watering Purposes only |
| ORIGINAL ADOPTION: | |
| FILE REFERENCE: | 14.00017 |
| OBJECTIVE: | To establish guidelines for the use of rainwater tanks in reticulated water supply areas |

1. AIM

The aim of this policy is to promote the conservation of water and facilitate the installation and use of rainwater tanks on existing residential properties.

The policy also provides clear guidelines for the use of rainwater tanks in order to protect public health and the quality of the Bathurst reticulated water supply.

2. BENEFITS

The collection of rainwater for non-potable purposes can have both environmental and economic benefits, not only for residents but also for Council. Rainwater tanks assist in reducing the demand on the reticulated drinking water supply, however residents should still be mindful of using their water wisely.

The policy provides guidance for the use of rainwater for two different applications:

- a) Garden irrigation and private car washing (which should be carried out on the lawn as opposed to the driveway or street),
- b) Supply of toilet and/or washing machine in addition to garden irrigation.

NSW Health does not recommend the use of rainwater for drinking, cooking or bathing where a reticulated water supply is available. Thus this policy reflects NSW Health's recommendations.

Page R - 1 Service No. 11

3. LAND TO WHICH THIS POLICY APPLIES

This policy shall apply to all existing residential properties in the Bathurst Regional Council Local Government Area which are connected to the reticulated supply, with the exception of industrial and commercial properties. Requirements associated with rainwater tanks for proposed dwellings are addressed through existing BASIX Certificate and Development Application process.

This policy supersedes all previous Council policies relating to rainwater tanks.

4. APPROVAL CONDITIONS FOR RAINWATER TANK INSTALLATION

An approval of Council may be required prior to the commencement of any works. If all of the criteria are met the installation will be classified as an exempt development. If not, a development application must be submitted.

- 4.1 Exempt Development Criteria
 - Located within zones No.s 1(a), 1(b), 1(c), 1(d), 1(e), 1(f), 2(a), 2(v), 3(a), 3(b), 4(a), 5(a), 6(a) and 6(b).
 - Not located within the 1% AEP flood inundation area (excluding land identified as flood protected land under the Bathurst Floodplain Management Policy).
 - Does not exceed the obstacle height limitation surface.
 - Does not contain a heritage item.
 - If the site is located within a Heritage Conservation Area, the tank is located behind the alignment of any wall of the main building on the land facing a road.
 - Not located within 300mm of any property boundary.
 - Not constructed over an easement or within 1.2 metres of Council's 150mm sewer main (2.0 metres if a carrier main), and the footings are clear of the zone of influence of the sewer main as per Council's drawing No. EN7902.
 - Not constructed over any house drainage pipes or stormwater pipes.
 - Except within zones 1(e), 1(f) and 2(v), the tank does not exceed:
 - a) 2500 litres capacity, if on a tank stand, or
 - b) 5000 litres capacity if placed on a platform on the ground, or
 - c) 22000 litres in the case of an underground tank on land zoned 1(c) Rural Residential Zone.
 - Except within zones 1(e), 1(f) and 2(v) the height does not exceed 3.0 metres above the natural surface of the ground on which the tank and stand are erected.
 - All overflow from the rainwater tank shall be conveyed by means of pipes or drains to the existing interallotment drainage system or Council's kerb and gutter,

or alternatively, disposed of entirely on the land in such a manner that damage or nuisance is not caused to adjoining properties.

- The tank and the supporting structure are prefabricated by an established manufacturer and installed with that manufacturers specifications.
- The tank and any pipes connected to the tank are not connected to any potable water supply provided by the Council.
- The tank does not cause nuisances to persons by way of glare or reflection.
- An appropriate backflow prevention device is installed on any water service in accordance with AS/NZ3500 and the NSW Code of Practice.
- Installation is in accordance with the requirements of AS/NZ3500 and the NSW Code of Practice.
- The requirements outlined in clause 16 of SEPP No. 4 are met.
- Where zoned 2(a), 3(a), 3(b), 4(a) or 5(a), the same structure/building type has not already been erected/installed on the subject land.
- The owner of the land has answered "yes" to each exemption checklist point and has given written notification of the proposed work to Council on Council's standard form two days prior to the commencement of work.
- 4.2 Development Application Criteria

Any rainwater tank installation which is not able to meet all of the exempt development criteria will be required to submit a DA for approval. Council will assess each application on its merits.

Fees payable for the submission of a DA will be determined on an annual basis by Council in association with Council's annual review of its fees and charges schedule.

<u>If Application is Approved</u> - Council will advise the applicant, in writing, that the application is approved.

If Application is Refused - Council will advise the applicant, in writing, that the application is refused.

- 4.3 General Conditions
 - The tank may be connected to individual pipework to supply the toilet and/or washing machine and outside taps for garden irrigation.
 - Any plumbing works must be undertaken by a licensed plumber in accordance with AS/NZS3500.
 - All plumbing works connected to internal systems are subject to inspection by a Council Officer.

- All external taps supplied by the rainwater tank must be clearly labelled "not for drinking".
- Top-up from the reticulated supply will be limited to a trickle top up system which has a maximum flow rate of 2 litres per minute.

5. GENERAL MANAGEMENT ISSUES

5.1 Maintenance

In all cases where the installation of a rainwater tank has been approved by Council (or in the case of an exempt development where Council has been notified), the owner/occupier is solely responsible to ensure the water quality is appropriate for the intended use.

Council **strongly recommends** regular maintenance of the tank and associated fixtures.

Maintenance should include, but is not exclusive to:

- Regular (at least once every 3 to 4 months) cleaning of gutters and removal of leaf litter and other debris.
- Checking any access points to ensure that they are secure to prevent access by children or small animals.
- Cleaning of screens and checking for the presence of mosquitos or larvae.
- Siphoning off of any sludge build up every 2 to 3 years.
- AS/NZ3500 suggests that all tanks should be cleaned and disinfected prior to initial use and whenever the tank is taken out of service for inspection, repairs, painting or other activity that might lead to contamination of water.
- Council strongly recommends that individuals do not enter a rainwater tank, even for maintenance purposes. A tank is a confined space which may pose risks such as drowning or being overcome due to a lack of oxygen. Professional tank cleaners can be employed for such purposes.
- 5.2 Pollution Control Devices

It is recommended that a first flush device be installed to divert the first few litres of roof runoff during a rain event to the stormwater system, which may reduce contamination of the rainwater by sediment or other potential pollutants.

Gutter guards may also reduce the volume of vegetative debris allowed to accumulate in the guttering.

5.3 Trickle Top-Up

The system is recommended to "top-up" from the reticulated supply to a maximum of 30% of tank capacity to ensure an adequate storage volume is available during a rain event.

Page R - 4 Service No. 11 A visible air gap should be maintained between the "top-up" system and the stored water inside the tank.

6. FEES

There is no fee associated with the submission of a Notice of Exempt Development.

DA's and Plumbing inspections are subject to submission fees as outlined in Council's Management Plan.

These fees will be determined on an annual basis by Council in association with Council's annual review of its fees and charges schedule.

7. IMPROVEMENT OF POLICY

Council is aware that the business environment can change and that more efficient processes may become available. It is therefore important for the business community and public to advise the Council on ways to improve the policy and to make it easier to understand. Please address your comments in writing to:

The General Manager Bathurst Regional Council Private Mail bag 17 Bathurst NSW 2795

| POLICY: | RAINWATER TANKS – RETICULATED WATER SUPPLY AREAS |
|--------------------|--|
| DATE ADOPTED: | Director Environmental, Planning & Building Services Report #1 |
| | REPLACES THE FOLLOWING POLICIES |
| | Rainwater Tank – Domestic Purposes Rainwater Tank – Garden Watering Purposes only |
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| FILE REFERENCE: | 14.00017 |
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- a) Garden irrigation and private car washing (which should be carried out on the lawn as opposed to the driveway or street),
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NSW Health does not recommend the use of rainwater for drinking, cooking or bathing where a reticulated water supply is available. Thus this policy reflects NSW Health's recommendations.

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|-------------------|-----------|--------------|-------------|

3. LAND TO WHICH THIS POLICY APPLIES

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This policy supersedes all previous Council policies relating to rainwater tanks.

4. APPROVAL CONDITIONS FOR RAINWATER TANK INSTALLATION

4.1 Exempt Development

An approval of Council may be required prior to the commencement of any works, unless the works are exempt development under Schedule 2 of the Bathurst Regional Local Environmental Plan 2014, or under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other relevant State environmental Planning Policy, or the installation is required as a result of BASIX commitments as part of an approval.

4.2 Development Application Criteria

Any rainwater tank installation which is not able to meet all of the exempt development criteria or is required to satisfy BASIX commitments, will be required to submit a DA for approval. Council will assess each application on its merits.

Fees payable for the submission of a DA will be determined on an annual basis by Council in association with Council's annual review of its fees and charges schedule.

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A visible air gap should be maintained between the "top-up" system and the stored water inside the tank.

6. FEES

There is no fee associated with the submission of a Notice of Exempt Development.

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DA's and Plumbing inspections are subject to submission fees as outlined in Council's Management Plan.

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The General Manager Bathurst Regional Council Private Mail bag 17 Bathurst NSW 2795 Aussie Backyard Bird Count 2020 Results:

Bathurst Regional Council

Brolga Package with Add-ons



standing together to stop extinctions

BirdLife Australia

BirdLife Australia was founded in 1901 and is a charity working to conserve native birds and biological diversity in Australasia and Antarctica, through the study and management of birds and their habitats, and the education and involvement of the community.

BirdLife Australia produces a range of publications, including *Emu*, a quarterly scientific journal; *Australian BirdLife*, a quarterly magazine; *Conservation Statements*; *BirdLife Australia Monographs*; the *BirdLife Australia Report series*; and the *Handbook of Australian, New Zealand and Antarctic Birds*. It also maintains a comprehensive ornithological library and several scientific databases covering bird distribution and biology.

Membership of BirdLife Australia is open to anyone interested in birds and their habitats and concerned about the future of our avifauna. For further information about membership, subscriptions and database access, contact

BirdLife Australia 60 Leicester Street, Suite 2-05 Carlton VIC 3053 Australia

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This report is prepared without prejudice to any governmental or council applications or activities. The results published in this report are reflective only of the trends during National Bird Week as submitted by the public. Trends described in the report may therefore not be a true representative of actual bird trends within the area.

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This report was prepared by: Oakley Germech and Joris Driessen

standing together to stop extinctions

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standing together to stop extinctions

1. Introduction

1.1 Aussie Backyard Bird Count

In 2014, as part of BirdLife Australia's National Bird Week celebrations, BirdLife Australia ran the first ever Aussie Backyard Bird Count — now one of the largest citizen science projects in Australia. The Aussie Backyard Bird Count provides an opportunity for everyone — from school children and their families to senior citizens and community groups — to become citizen scientists for one week every October. Over 85% of Australians live in urban environments, making the Aussie Backyard Bird Count a great way to get outside and connect with nature.

The data collected by these citizen scientists plays a vital role in providing important information to BirdLife Australia. We know more about threatened bird species than we do about our common backyard birds and the Aussie Backyard Bird Count helps to fill this critical knowledge gap. The Aussie Backyard Bird Count also helps raise the profile of bird species throughout Australia, highlighting their cultural and ecological importance and promoting a national passion for Australian birds.

Each year this national passion is confirmed, with the Aussie Backyard Bird Count attracting significant interest from eager members of the public. In 2020, over one hundred thousand Australians participated in the count, helping to contribute to our growing knowledge of Australian birds. Public involvement in the Aussie Backyard Bird Count continues to increase year on year, with the number of birds counted also increasing at a similar pace. Involvement from local councils has also risen consistently across the years, with more bird-focused events being held during Bird Week, improving public awareness of the importance of local birds within these communities. Furthermore, with the release of lesson plans that encourage students to participate both at school and at home, the number of schools taking part in the Aussie Backyard Bird Count continues to grow.

The national focus on birds is extremely important: data shows Australian backyards have been shrinking since the 1990s, and populations of some of our most familiar birds, like the Laughing Kookaburra, have shrunk with them. While data collected from the Aussie Backyard Bird Count is currently only a baseline for monitoring, results from the past five years show that Australian backyards — in all their shapes and sizes — continue to attract a range of birds, giving us hope that even as the iconic Aussie backyard Bird Count support the decline in kookaburra numbers over the years, while aggressive species such as the Noisy Miner appear to be increasing. With growing national and international concern for the welfare of our iconic Australian birds, citizen science projects such as the Aussie Backyard Bird Count provide an important insight into how Aussie birds are faring, and results from these projects can help formulate subsequent management decisions. The next Aussie Backyard Bird Count will take place from 18 - 24 October 2021.

1.2 Birds in Backyards

BirdLife Australia's Urban Bird Program has a 20+ year history of working with partners and with the community to create urban landscapes that are a haven for native birds, people, and biodiversity as a whole.

Urbanisation is one of the most dramatic and rapidly expanding forms of man-made change to our landscapes. As our urban habitats change, our bird life does as well. The loss of urban bird diversity has both ecological and human/cultural consequences. With over 90% of Australians living in urban and regional centres, for many people, the only place where they connect with the natural world is in their own backyards. We have seen the importance of that connection to place really come to the forefront in the last 12 months. Birding at home has become a refuge for many.

Birds in Backyards is the cornerstone of our Urban Bird Program and builds knowledge, skills and practical support to develop action-oriented responses to the decline of bird diversity. Birds in Backyards began in 1998 and celebrated its 20th year as a national citizen science program in 2018. Underpinned by bird monitoring and habitat assessments, The Birds in Backyards Program encourages people to take conservation action for birds wherever they enjoy them – home, school, work, or local parks and reserves.

In 2017, our surveys joined BirdLife Australia's data portal Birdata. This survey data is used to inform policies, best practice guidelines, and provide advocacy for threatened species. We want people taking action for birds, informed by their own data. Data from these ongoing surveys can allow local councils to increase engagement amongst their residents, inform land management decisions and monitor the success of planting efforts in urban spaces.

The Urban Bird Program wants to see a diverse urban native bird community achieved by behavioural change through action-based research, education for sustainability and advocacy. Through our dedicated citizen scientists and our partners, we empower people to make changes at all levels (from individuals in a patch to government at landscape scales) to create and maintain habitat for birds. Local councils can partner with BirdLife Australia's Urban Bird Program to achieve education and conservation outcomes for our urban birds through our range of projects and education tools – let's get our communities taking action together!

2. 2020 Aussie Backyard Bird Count Statistics

The following statistics summarise the results of the 2020 Aussie Backyard Bird Count for the **Bathurst Regional Council**. The count ran from the **19th to 25th October 2020**.

- 184 observers participated in the bird count, submitting 284 checklists (Table 1).
- Submitted checklists ranged from between **one** and **19** per registered user (average of **2.51** per registered user).
- Observers counted birds for a combined duration of **88** hours and **11** minutes.
- Observers recorded a total of **8,325** individual birds during Bird Week.
- **123** bird species were recorded (Table 2).
- The reporting rate for individual species (percentage of total surveys a species was detected in) ranged from **0.35%** (representing a single observation) to **72.89%** (Table 2). Low reporting rates for species with high counts indicate that many birds of these species were reported within single surveys (i.e., seen in family groups or large flocks).
- Table 1: Comparison of summary statistics from the 2018, 2019, and 2020 Aussie BackyardBird Counts for the Bathurst Regional Council. Additional council-level data vetting
was carried out in 2020, so species numbers may differ markedly for some councils
in 2020 despite similar or increased participation.

| | | Year | |
|-----------------------------|--------|--------|-------|
| | 2018 | 2019 | 2020 |
| Number of observers | 236 | 198 | 184 |
| Total bird count | 11,074 | 11,694 | 8,325 |
| Total surveys | 350 | 358 | 284 |
| Total species | 166 | 156 | 123 |
| Minimum checklists per user | 1 | 1 | 1 |
| Maximum checklists per user | 10 | 17 | 19 |
| Average checklists per user | 2.67 | 2.93 | 2.51 |
| Survey length (hours) | 106.05 | 108.78 | 88.18 |

Table 2: Total count and reporting rate (%) of all 123 bird species observed within the
Bathurst Regional Council boundaries during the 2020 Aussie Backyard Bird Count.

* Introduced species; RA = Rare; NT = Near Threatened; VU = Vulnerable; En = Endangered, CE = Critically Endangered (based on IUCN listings; BirdLife Australia, 2019).

| Bird Species | Count | Reporting rate (%) | Bird Species | Count | Reporting rate (%) |
|------------------------------|-------|-----------------------|-------------------------|-------|-----------------------|
| House Sparrow * | 887 | 40.14 | White-faced Heron | 11 | 2.11 |
| Common Starling * | 840 | 42.96 | Silver Gull | 11 | 0.35 |
| Australian Magpie | 756 | 72.89 | Spangled Drongo | 11 | 0.35 |
| Crested Pigeon | 583 | 47.89 | Rufous Songlark | 10 | 2.11 |
| Galah | 438 | 36.27 | White-throated Gerygone | 10 | 1.76 |
| Sulphur-crested Cockatoo | 370 | 21.83 | Australian Reed-Warbler | 10 | 1.41 |
| Crimson Rosella | 314 | 35.21 | Rainbow Bee-eater | 10 | 1.06 |
| Common Blackbird * | 260 | 30.28 | Sacred Kingfisher | 8 | 2.46 |
| Pied Currawong | 246 | 31.69 | Leaden Flycatcher | 8 | 1.76 |
| Red Wattlebird | 225 | 36.97 | Dusky Moorhen | 8 | 1.41 |
| Magpie-lark | 217 | 34.15 | European Goldfinch * | 8 | 1.06 |
| Eastern Rosella | 179 | 16.9 | Australasian Grebe | 8 | 0.7 |
| Red-rumped Parrot | 179 | 16.55 | Olive-backed Oriole | 7 | 2.11 |
| Noisy Miner | 164 | 13.73 | New Holland Honeyeater | 7 | 1.76 |
| Australian Wood Duck | 163 | 10.56 | White-eared Honeyeater | 7 | 1.41 |
| White-winged Chough | 153 | 9.15 | Dollarbird | 7 | 1.06 |
| Superb Fairy-wren | 129 | 16.2 | Grey Currawong | 6 | 1.76 |
| Willie Wagtail | 125 | 20.42 | Wedge-tailed Eagle | 6 | 1.41 |
| Australian King-Parrot | 118 | 19.01 | Golden Whistler | 6 | 1.41 |
| Australian Raven | 117 | 20.07 | Peaceful Dove | 6 | 1.41 |
| Silvereye | 113 | 10.21 | Fairy Martin | 6 | 1.06 |
| Eastern Spinebill | 102 | 11.97 | Tree Martin | 6 | 0.7 |
| Welcome Swallow | 94 | 10.56 | Fan-tailed Cuckoo | 5 | 1.41 |
| Pacific Black Duck | 87 | 9.15 | Red-browed Finch | 5 | 0.7 |
| Rock Dove * | 80 | 3.87 | Diamond Firetail (VU) | 5 | 0.7 |
| Common Myna * | 79 | 11.62 | Striated Thornbill | 5 | 0.7 |
| Yellow-rumped Thornbill | 73 | 7.75 | Mistletoebird | 4 | 1.06 |
| Yellow-faced Honeyeater | 72 | 10.21 | Brown Treecreeper (VU) | 4 | 1.06 |
| Yellow-tailed Black-Cockatoo | 69 | 4.23 | Northern Mallard * | 4 | 0.7 |
| Grey Fantail | 56 | 9.51 | Grey Teal | 4 | 0.35 |
| Black-faced Cuckoo-shrike | 51 | 11.27 | Eurasian Coot | 3 | 0.7 |
| Noisy Friarbird | 50 | 9.15 | Plum-headed Finch | 3 | 0.7 |
| Eastern Koel | 41 | 7.39 | Little Eagle (VU) | 3 | 0.7 |
| Yellow Thornbill | 40 | 4.93 | Little Friarbird | 3 | 0.7 |
| Laughing Kookaburra | 36 | 7.39 | Musk Duck | 3 | 0.7 |
| Grey Butcherbird | 36 | 7.04 | Western Gerygone | 3 | 0.7 |
| Buff-rumped Thornbill | 35 | 3.87 | Tawny Frogmouth | 3 | 0.35 |
| Brown Thornbill | 31 | 5.63 | Purple Swamphen | 3 | 0.35 |

| | 00 | 4.00 | | 0 | 0.7 |
|----------------------------|----|------|--------------------------|---|------|
| White-browed Scrubwren | 28 | 4.23 | Pallid Cuckoo | 2 | 0.7 |
| Striated Pardalote | 28 | 3.52 | Little Pied Cormorant | 2 | 0.7 |
| Little Corella | 27 | 3.17 | Nankeen Kestrel | 2 | 0.7 |
| Rufous Whistler | 26 | 5.99 | Black-shouldered Kite | 2 | 0.7 |
| Grey Shrike-thrush | 22 | 5.28 | Chestnut Teal | 2 | 0.7 |
| Rainbow Lorikeet | 22 | 3.87 | Southern Boobook | 2 | 0.7 |
| Masked Lapwing | 22 | 3.52 | Brown Falcon | 2 | 0.35 |
| Little Raven | 22 | 2.82 | Hardhead | 2 | 0.35 |
| Spotted Pardalote | 21 | 3.87 | Latham's Snipe | 2 | 0.35 |
| Pied Butcherbird | 20 | 4.93 | Varied Sittella (VU) | 2 | 0.35 |
| Eastern Yellow Robin | 19 | 1.06 | Whistling Kite | 2 | 0.35 |
| Musk Lorikeet | 18 | 0.7 | Brown-headed Honeyeater | 1 | 0.35 |
| Australian White Ibis | 17 | 2.46 | Restless Flycatcher | 1 | 0.35 |
| Spotted Dove * | 16 | 3.52 | White-naped Honeyeater | 1 | 0.35 |
| Zebra Finch | 16 | 2.46 | Australian Pelican | 1 | 0.35 |
| Dusky Woodswallow (VU) | 15 | 2.11 | Spiny-cheeked Honeyeater | 1 | 0.35 |
| Gang-gang Cockatoo | 15 | 2.11 | Black-fronted Dotterel | 1 | 0.35 |
| Double-barred Finch | 14 | 1.41 | Golden-headed Cisticola | 1 | 0.35 |
| Straw-necked Ibis | 14 | 0.7 | Hooded Robin (VU) | 1 | 0.35 |
| White-throated Treecreeper | 13 | 2.82 | White-necked Heron | 1 | 0.35 |
| Weebill | 13 | 1.41 | Crested Shrike-tit | 1 | 0.35 |
| Common Bronzewing | 13 | 1.41 | Speckled Warbler (VU) | 1 | 0.35 |
| Domestic Duck * | 13 | 1.41 | Striped Honeyeater | 1 | 0.35 |
| White-plumed Honeyeater | 12 | 2.46 | | | |

3. Distribution Map

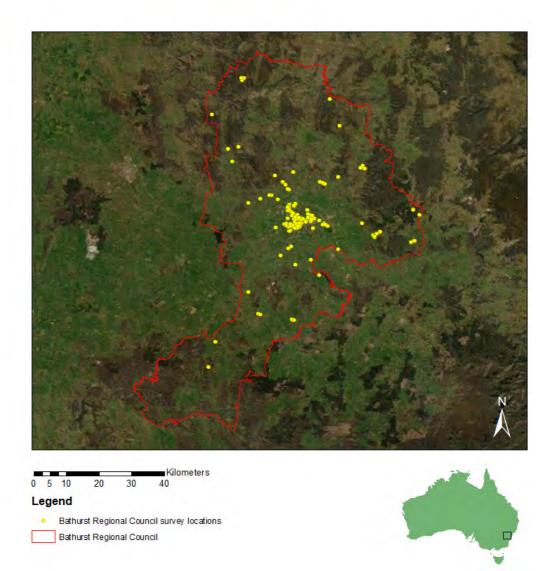


Figure 1: Bird observations recorded within Bathurst Regional Council boundaries during the 2020 Aussie Backyard Bird Count. Bird observations that were recorded in a single survey overlap due to having the same GPS co-ordinates, so each yellow circle represents a single complete survey.

4. Species List: Least Common

The least commonly observed bird species recorded within the Bathurst Regional Council boundaries all corresponded to one single survey observation and included:

- Australian Pelican Grey Teal Spangled Drongo
- Black-fronted Hardhead Dotterel

Brown Falcon

Brown-headed

Crested Shrike-tit

Honeyeater

- Hooded Robin (VU)
- Latham's Snipe
- Purple Swamphen
 - Restless Flycatcher

- Speckled Warbler (VU)
- Spiny-cheeked Honeyeater
- Striped Honeyeater
- Tawny Frogmouth
- Silver Gull Golden-headed • Varied Sittella (VU) Cisticola

All of the 19 bird species reported only once are native to Australia. Two of these species (the Speckled Warbler and Varied Sittella) are classified as Vulnerable in the state of New South Wales. One of the 19 species is a raptor, one is nocturnal, and a range of species are associated with aquatic habitats such as farm dams, lakes and wetlands. Most of the remaining species occur only in forests or woodlands, away from the modified vegetation of larger towns and intensively farmed areas. The behaviours and habitat requirements of these species may account for the lack of reports during Bird Week, especially if most surveys occurred in people's backyards.

5. Species List: Most Common

The ten most abundant bird species recorded within the Bathurst Regional Council boundaries are all native to New South Wales, with abundances ranging from 225 to 887 individual birds (Figure 2). Three of the ten species are introduced to the state; the remaining seven species are considered to have secure populations within New South Wales.

The most counted species, the House Sparrow, is an introduced species from Eurasia, and was only the 11th-most counted species across the state and sixth-most counted in the country. The second-most counted species, the Common Starling, is also an introduced species, the 22ndmost abundant species in the state and 18th-most abundant nationally. The third-most abundant species, the Australian Magpie, was the fourth-most counted species in the state and third-most counted nationally. The third introduced species in the Top 10 was the Common Blackbird, which came in 8th place. The native species in the Top 10 have relatively similar standings to the state-wide average, reflecting their preference for modified human environments across much of their ranges. The exception is the Crimson Rosella, which is ranked 26th state-wide. This species is most common along the Great Dividing Range, which encompasses the Bathurst region.

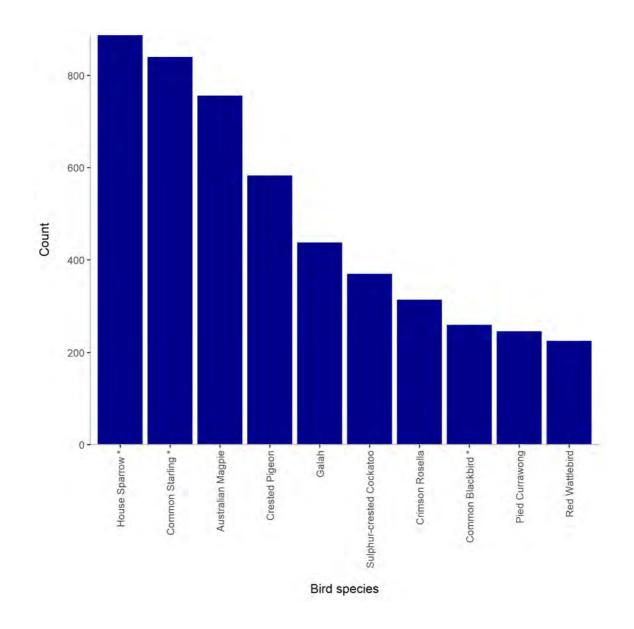


Figure 2: The ten most abundant bird species within the Bathurst Regional Council boundaries during the 2020 Aussie Backyard Bird Count. * indicates introduced species.

All of the ten most frequently recorded species recorded within Bathurst Regional Council boundaries were reported at notably higher rates than the state and national average (Figure 3). The difference was particularly extreme for the House Sparrow and Common Starling, both introduced species that thrive in urban and agricultural environments. The Common Blackbird, Crimson Rosella and Pied Currawong were also all strongly over-represented. All three species are tolerant of non-native garden vegetation (the Common Blackbird, an introduced species, is usually found in shady exotic gardens and parks) and are most common in cooler climates, which feature prominently in the Bathurst region.

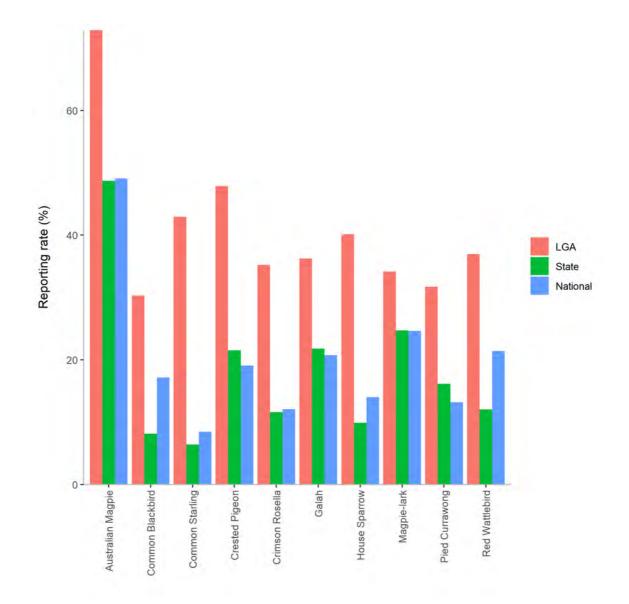


Figure 3: Comparison of the reporting rates (%) of the ten most frequently recorded species during the 2020 Aussie Backyard Bird Count within the Bathurst Regional Council boundaries, with New South Wales and national reporting rates.

6. Introduced Species

Nine introduced bird species were recorded within the council boundaries during the 2020 Aussie Backyard Bird Count (Table 3, Figure 4). The Domestic Duck is not a truly distinct species, being a direct descendant of the Northern Mallard. Introduced species were observed mostly in the central urban areas of Bathurst Regional Council (Figure 4); however, this appears to be partially due to survey bias, as most of the local human population lives in this reasonably urbanised area. Almost no surveys were submitted from the forested regions on the margins of the council, but those that were did not include any, or many, introduced species. The Common Starling (42.96%), House Sparrow (40.14%) and Common Blackbird (30.28%) were the introduced species reported in the highest proportion of surveys within the council boundaries, though the Common Myna was also reported in over 10% of total surveys. Figure 4 gives an overall indication of introduced species distribution across Bathurst Regional Council, but individual species distributions are difficult to discern due to the overlap of records. Accordingly, individual distribution maps for each introduced species have been provided in **Appendix 1**.

| Species | Count | Proportion of total count (%) | Number of surveys detected in | Reporting rate (%) |
|--------------------|-------|----------------------------------|----------------------------------|-----------------------|
| Common Starling | 840 | 10.09 | 122 | 42.96 |
| House Sparrow | 887 | 10.65 | 114 | 40.14 |
| Common Blackbird | 260 | 3.12 | 86 | 30.28 |
| Common Myna | 79 | 0.95 | 33 | 11.62 |
| Rock Dove | 80 | 0.96 | 11 | 3.87 |
| Spotted Dove | 16 | 0.19 | 10 | 3.52 |
| Domestic Duck | 13 | 0.16 | 4 | 1.41 |
| European Goldfinch | 8 | 0.1 | 3 | 1.06 |
| Northern Mallard | 4 | 0.05 | 2 | 0.7 |

Table 3: Survey statistics for the introduced bird species recorded within Bathurst Regional Council boundaries during the 2020 Aussie Backyard Bird Count.

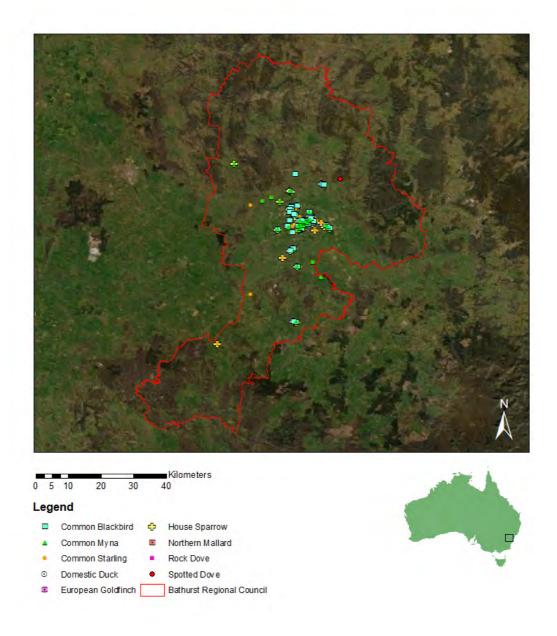


Figure 4: Distribution of the introduced bird species recorded within Bathurst Regional Council boundaries during the 2020 Aussie Backyard Bird Count. Bird observations that were recorded in a single survey overlap due to having the same GPS co-ordinates.

7. Native Species of Management Concern

European colonisation has had a large impact on the conservation status of Australian birds. Approximately 234 species of Australian bird are now classified by the International Union for Conservation of Nature (IUCN) as Extinct, threatened with extinction or Near Threatened (Garnett *et al*, 2011). It is critical that we gain an understanding of where these threatened species persist so that we can implement appropriate management actions in these areas. The Aussie Backyard Bird Count provides an opportunity for community members to participate in this important work.

In total, **seven** species of bird listed as threatened were recorded within the council boundaries (Table 4, Figure 6). The Dusky Woodswallow and Brown Treecreeper were both recorded in over 1% of total surveys. The Dusky Woodswallow is frequently confused with Welcome Swallow and Common Starling, which are much more common in urban areas, so this reporting rate may be a slight overestimate. Figure 5 gives an overall indication of threatened species distribution across Bathurst Regional Council, but individual species distributions are difficult to discern due to the overlap of records. Accordingly, individual distribution maps for each threatened species have been provided in **Appendix 2**.

Table 4: List of threatened species recorded within Bathurst Regional Council boundaries.

| Bird Species | Status | Count | Reporting rate (%) |
|-------------------|--------|-------|-----------------------|
| Brown Treecreeper | (VU) | 4 | 1.06 |
| Diamond Firetail | (VU) | 5 | 0.7 |
| Dusky Woodswallow | (VU) | 15 | 2.11 |
| Hooded Robin | (VU) | 1 | 0.35 |
| Little Eagle | (VU) | 3 | 0.7 |
| Speckled Warbler | (VU) | 1 | 0.35 |
| Varied Sittella | (VU) | 2 | 0.35 |

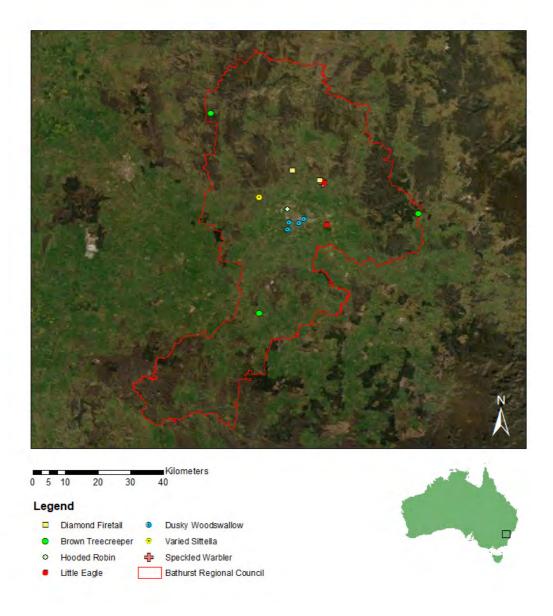


Figure 5: Distribution of the threatened bird species within the Bathurst Regional Council boundaries during the 2020 Aussie Backyard Bird Count. Bird observations that were recorded in a single survey overlap due to having the same GPS co-ordinates.

One threatened raptor species was recorded within the Bathurst Regional Council boundaries in 2020:

• Little Eagle (Vulnerable)

A number of Australian raptor species are threatened due to habitat destruction and fragmentation, loss of nesting hollows, declining prey availability, and the use of rodenticides. The Powerful Owl is a high-profile species listed as Vulnerable in New South Wales. To help conserve Powerful Owls, a research scientist and a member of the community developed the Powerful Owl Project in New South Wales. This project was then taken on by BirdLife Australia which seeks to study the breeding and behaviour ecology of Powerful Owls and improve the management of the species such as through the protection of crucial habitat (BirdLife Australia, 2016b). The project also aims to educate the community and land managers in urban conservation, while recruiting volunteers to participate in the project and record information for future scientific analysis (BirdLife Australia, 2016). BirdLife Australia has since expanded on the success of the Powerful Owl project in Sydney and implemented a Powerful Owl project in Melbourne.

Six threatened woodland-associated bird species were recorded within the Bathurst Regional Council boundaries in 2020:

- Brown Treecreeper (Vulnerable)
- Diamond Firetail (Vulnerable)
- Dusky Woodswallow (Vulnerable)
- Hooded Robin (Vulnerable)
- Speckled Warbler (Vulnerable)
- Varied Sittella (Vulnerable)

Since European settlement, over 80% of Australia's temperate woodlands have been cleared, resulting in many woodland-dependent bird species experiencing population declines and being reclassified as threatened (BirdLife Australia, 2015). The temperate south-eastern regions of Australia have experienced the largest number of woodland species declines. In response to the documented declines in woodland bird species, BirdLife Australia has implemented the *Woodland Birds for Biodiversity Project* to enhance the conservation of declining and threatened woodland bird species. This project builds on the recovery efforts of the Critically Endangered Regent Honeyeater which has been the focus of long-term intensive recovery initiatives by BirdLife Australia and, due to its high profile, acts as a flagship species for the conservation of other threatened woodland birds. The *Woodland Birds for Biodiversity Project* aims to:

- Monitor habitat restoration activities and bird populations to determine priority habitat sites and population trends.
- Identify and monitor climate change impacts on woodland habitat and woodland-dependent bird species.
- Improve the management and protection of woodland habitat on private and public land.
- Restoration and revegetation of areas to improve the amount of available habitat and connectivity of this habitat.

• Community education and involvement in survey efforts and monitoring.

8. Species-specific Results

8.1 Common Myna

Seventy-nine Common Myna were counted within the council boundaries during the 2020 Aussie Backyard Bird Count, making them the 26th-most abundant species in the region. Most Common Myna records were from central Bathurst, with some records from West Bathurst, Kelso, Mount Panorama, and the general periphery of Greater Bathurst. There were also outlying records from the Freemantle and Rockley areas.

The total count of Common Myna was slightly lower than previous years (Table 5), but the number of surveys was proportionately lower, and the reporting rate was over 2% higher in 2020 than in 2018/19. However, the reporting rate for the species (11.62%) was much lower than the state (19.86%) and national (18.07%) averages.

Table 5: Species-specific statistics for the Common Myna showing the total number of surveysconducted in the council, the total number of birds observed and the reporting rateof the species for the years 2018 – 2020 inclusive.

| Common Myna | 2018 | 2019 | 2020 |
|---------------------|------|------|-------|
| Total surveys (all) | 350 | 358 | 284 |
| Bird Count | 111 | 106 | 79 |
| Reporting Rate (%) | 9.43 | 9.5 | 11.62 |

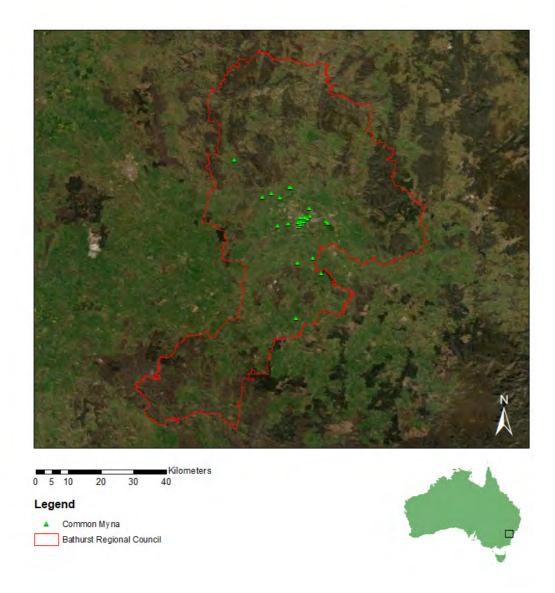


Figure 6: Distribution of Common Myna within the council boundaries (red line) during the 2020 Aussie Backyard Bird Count. Bird observations from the same general area will overlap as they have the same, or similar, GPS coordinates.

8.2 Diamond Firetail

Five Diamond Firetails were counted within the council boundaries during the 2020 Aussie Backyard Bird Count, making them the 88th-most abundant species in the region. There were just two records of the species this year, one of three birds from a grassy woodland verge in Duramana, and another of two birds from the outskirts of Peel (Figure 7). Both records are

from suitable habitat, and relatively unlikely to represent misidentifications (the species is commonly confused with European Goldfinch, House Sparrow, and Red-browed Finch).

The total count of Diamond Firetail was lower than previous years (Table 6), but the number of surveys was also lower. As a inconspicuous and urban-avoidant species, reporting rates are never particularly high, but the 2020 reporting rate of 0.7% (two surveys) was lower than the 2019 reporting rate of 1.4% (five surveys). However, the species was also reported from only two surveys in 2018. The council reporting rates are still higher than the state-wide reporting rate of 0.22%, and national reporting rate of just 0.12%. As the species is absent from large parts of NSW and Australia, it is hard to draw conclusions about these percentages, and caution should be taken when interpreting the results.

Table 6: Species-specific statistics for the Diamond Firetail showing the total number of surveysconducted in the council, the total number of birds observed and the reporting rateof the species for the years 2018 – 2020 inclusive.

| Diamond Firetail | 2018 | 2019 | 2020 |
|---------------------|------|------|------|
| Total surveys (all) | 350 | 358 | 284 |
| Bird Count | 15 | 10 | 5 |
| Reporting Rate (%) | 0.57 | 1.4 | 0.7 |



Figure 7: Distribution of Diamond Firetail within the council boundaries (red line) during the 2020 Aussie Backyard Bird Count. Bird observations from the same general area will overlap as they have the same, or similar, GPS coordinates.

8.3 Laughing Kookaburra

Thirty-six Laughing Kookaburras were counted within the council boundaries during the 2020 Aussie Backyard Bird Count, making them the 35th-most abundant species in the region. Laughing Kookaburra records were scattered evenly throughout the more rural parts of the council, though there was only a single record from inner Bathurst. Most records were from areas with, or near, substantial remnant eucalypt vegetation.

The total count of Laughing Kookaburra was notably lower than in 2018 (Table 7), even accounting for the lower number of surveys in 2020, and the reporting rate was over 4% lower in 2020 than in 2018. However, overall numbers in 2019 (and 2017) were more similar to 2020 counts. The 2020 reporting rate for the species (7.39%) was much lower than the state (22.13%) and national (16.11%) averages.

Table 7: Species-specific statistics for the Laughing Kookaburra showing the total number ofsurveys conducted in the council, the total number of birds observed and thereporting rate of the species for the years 2018 – 2020 inclusive.

| Laughing Kookaburra | 2018 | 2019 | 2020 |
|---------------------|-------|------|------|
| Total surveys (all) | 350 | 358 | 284 |
| Bird Count | 94 | 46 | 36 |
| Reporting Rate (%) | 11.71 | 8.66 | 7.39 |

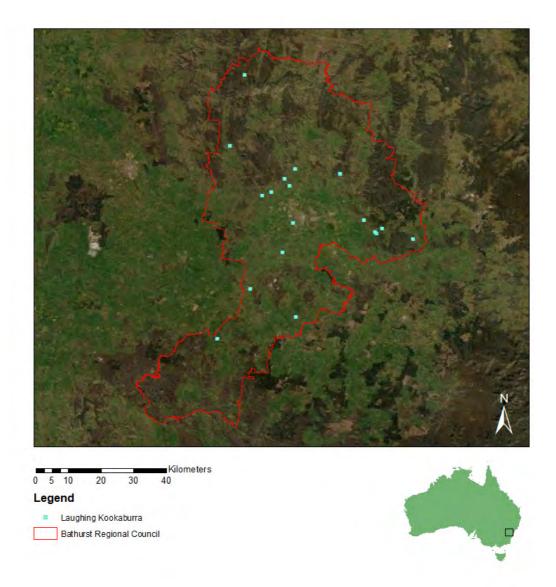


Figure 8: Distribution of Laughing Kookaburra within the council boundaries (red line) during the 2020 Aussie Backyard Bird Count. Bird observations from the same general area will overlap as they have the same, or similar, GPS coordinates.

9. Data Limitations

The Aussie Backyard Bird Count has the potential to be an extremely valuable long-term monitoring tool for Australian bird species and communities. Data collected over several years in regions of interest can be used to assess population trends for target species, guilds, and ecological communities. These data can also inform local management decisions: for example, increased control of introduced species with an upward population trend, or implementation of additional conservation actions for native species with downward population trends.

However, caution should be taken when interpreting the results from the Aussie Backyard Bird Count. The backyards surveyed for the Count will not constitute a random selection of Australian backyards. Previous analyses of similar surveys suggest that participants are more likely to have 'bird-friendly' gardens, which can support a higher abundance and diversity of birds, than the average citizen (Dunn et al., 2005; Spurr, 2012). Additionally, participants are more likely to record bird species that favour habitat associated with urban parks and gardens than those specialised to other habitat types. Urban-avoidant species, and species confined to habitats like wetlands or coastlines, are unlikely to be recorded in backyard environments. The absence of these species from the Count may not imply low abundance or restricted distributions, but rather that the specific habitats of these species were under-surveyed.

The number of counted birds may also be over-inflated due to the potential for observers to count the same bird/s multiple times during a single 20-minute survey, or across the one-week survey period. Remote and regional parts of Australia are also likely to be under-represented in surveys (or not represented at all), making data interpretation for these regions more difficult. The Aussie Backyard Bird Count is also restricted to a single week in late October, so data from the count cannot be used to determine seasonal trends in species abundance, and migratory species absent from certain regions during this time period will not be represented in the final dataset for those regions.

GPS coordinates from participant surveys should also be used with caution, as several factors may influence their accuracy and precision. Participants may select their location incorrectly when starting a 20-minute survey in the Backyard Bird Count app, though the coordinates will usually fall within the general boundaries of the surveyed area. Excluding user error, the accuracy of these coordinates should fall within 5-50 metres of the true survey start point. In some environments, the app may be unable to obtain an accurate GPS fix; this is most relevant for surveys submitted from indoor environments, near tall buildings or under heavy cloud cover. Wi-Fi connections usually provide fast and accurate GPS results, but in rare cases, surveys submitted by connecting to moving Wi-Fi hotspots (e.g., a nearby Wi-Fi-enabled car) can return highly inaccurate GPS coordinates. If forced to use mobile towers, rather than Wi-Fi or GPS, to determine the position of the user, the app may return coordinates more than 1 km from the true location of a survey. Coordinates generated using computer IP addresses, for surveys submitted from personal computers not connected to a Wi-Fi network, can also be highly inaccurate.

The quality of survey results also depends on the experience and skill participants have with counting and identifying birds. The Aussie Backyard Bird Count app notifies users if they select species not found in their survey location, and the national dataset has been vetted by experienced observers to minimise the number of misidentifications. This year, an additional round of data vetting has been carried out at a local council level, but while every effort has been made to remove misidentifications, it is probable that some remain in the final council datasets. However, common and familiar backyard species are less likely to be misidentified

than urban-avoidant species (Cannon, 1999), so survey results for these species can be analysed with relative confidence.

Finally, it may become apparent at the mapping stage for Brolga reports that some identifications of introduced, threatened or target species were incorrect (for example, records of local shorebirds on an urban street away from coastlines). However, it is unfeasible to update these records at the final mapping stage, so mapped species data should be analysed with this understanding.

10. What Birds in Backyards Can Offer

We are fortunate in Australia to have such a diverse and colourful range of native birds living amongst us in the urban landscape. These birds provide an opportunity for people to appreciate and connect with wildlife daily, and increasingly, research is linking access to biodiversity with a person's quality of life. This has been particularly important during the ongoing COVID-19 pandemic.

Urban spaces are not only for 'common' birds. Over 600 native bird species use urban areas, including 71 state and federally listed species. Better management of our urban spaces is critical for the conservation of Australia's birds. We can help both threatened birds AND keep the common birds common, just by working on our doorstep!

Changes in our gardening practices and increasing urbanisation are driving change in our bird life – for example, the simplification of our gardens and the loss of shrubs has removed important food, shelter and nesting locations. If vegetation in gardens is managed to promote a diversity of native bird species, it will provide a valuable secondary habitat for conserving native bird populations, particularly as our natural habitat continues to be destroyed. In the urban landscape, engaging with the wider community is necessary to turn around this trend of habitat loss, and provides a unique opportunity to engage large numbers of the general community actively in the conservation of biodiversity.

The Urban Bird Program has a range of projects that councils can engage with:

Birds In Backyards

Birds in Backyards encourages people to learn in their own space in order to establish an initial connection with the natural world in a somewhat unnatural setting. It is not simply about providing people with information about birds in their local area but it is about building on that initial interest and encouraging people to learn more and then take action for birds. Our program takes a three-pronged approach: LEARN about Aussie birds, PARTICIPATE in surveying, and CREATE habitat and change.

Birds in Backyards can work with your council to provide resources or collaborate on projects. For example:

- Hard copy materials such as 'A4 Backyard Birds of' posters (that can be made available in six languages), bookmarks, bird trading cards, and gardening advice brochures.
- 'Train the trainer' workshops and associated materials, or direct public workshops.
- Online learning opportunities via our new e-learning platform for residents to discover bird-friendly gardening, nest box building tips, or bird identification resources.

• Ongoing monitoring programs for participants via our Backyard Bird surveys, with feedback provided.

Birds in Schools

Birds in Schools (BIS) empowers primary students to build knowledge and understanding of wildlife and conservation by actively engaging them as citizen scientists. Outdoor learning and hands-on experiences result in the pupils getting a deeper and more involved understanding of their world. Teachers are supported to deliver lessons through our e-learning platform, allowing us to deliver BIS throughout the country. They don't go it alone though - our staff provide training and advice, as well as connecting to classrooms directly.

The students monitor the birds and habitat of their school or home, contributing to BirdLife Australia's Birdata platform and contributing to our understanding of birds throughout Australia. They then investigate their findings and develop an action plan that helps their local bird life based on their own discoveries with the council working with them to implement these plans.

Councils can work with us to create a network of BIS schools in your region.

Budding Birdos

Budding Birdos aims to introduce participants to birding and citizen science via an experienced facilitator and online coursework hosted on our e-learning platform. The program is a unique combination of LGA biodiversity and engagement priorities, that link to BirdLife Australia's monitoring and education resources by guiding participants through social events, e-learning and participation in bird surveying in a fun and relaxing way. The goal is to have an active, engaged, and enthusiastic community of people who are networked and inspired to build a better world for urban biodiversity. The course can be designed with specific goals in mind for the LGA – whether that is to create habitat in public or private space or set up ongoing monitoring in particular sites.

Powerful Owl Project

The Powerful Owl Project is a science-led community-based initiative that supports the conservation of Powerful Owls as an environmental indicator of the health of urban birds along the east coast of Australia. We have monitored and researched the ecology of urban Powerful Owls across Greater Sydney since 2011 and in South East New South Wales since 2016 - educating land managers and the general community about building habitat to conserve Powerful Owls and other urban birds and provided fine-scale ecological data about habitat use to advise appropriate land management practices associated with fire and vegetation management for this Threatened species.

Contact us for information about Powerful Owls that you may have in your LGA and conservation concerns or if you wish to look at engaging your residents in this citizen science activity.

For more information on these specific projects or others you are looking to develop, please contact Urban Birds Program Manager Dr. Holly Parsons at **holly.parsons@birdlife.org.au**.

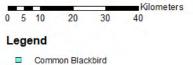
11. References

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- Garnett, S.T., Szabo, J.K., Dutson, G. (2011) The Action Plan for Australian Birds 2010. CSIRO Publishing, Australia.
- Spurr, E.B. (2012). New Zealand garden bird survey analysis of the first four years. *The New Zealand Journal* of *Ecology*, **36**: 1-13

12. Appendix One – Introduced Species Maps

The individual distribution maps for each introduced species recorded within council boundaries during the 2020 Aussie Backyard Bird Count, in alphabetical order, are presented in Appendix One. No figure captions have been provided, as the format is identical to that of Figure 5.





Bathurst Regional Council







Common Myna
 Bathurst Regional Council







Common Starling
 Bathurst Regional Council







Domestic Duck
 Bathurst Regional Council

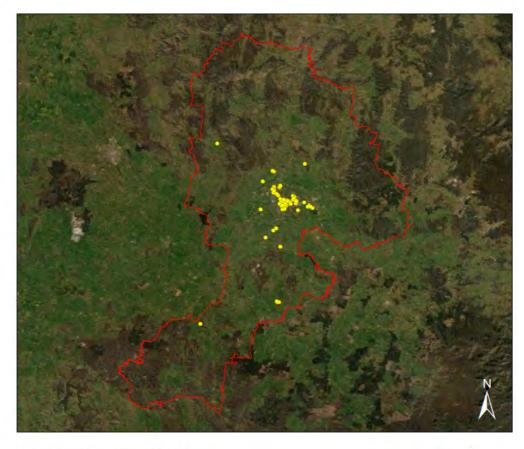


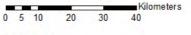




European Goldfinch
 Bathurst Regional Council







House Sparrow
 Bathurst Regional Council





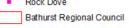


Northern Mallard
 Bathurst Regional Council



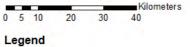












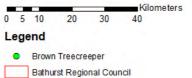
 Spotted Dove Bathurst Regional Council



13. Appendix Two – Threatened Species Maps

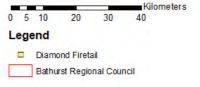
The individual distribution maps for each threatened species recorded within council boundaries during the 2020 Aussie Backyard Bird Count, in alphabetical order, are presented in Appendix Two. No figure caption has been provided, as the format is identical to that of Figure 5.





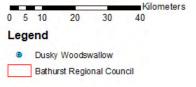






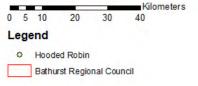






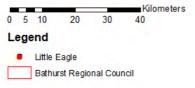






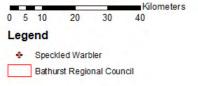




















BATHURST REGIONAL COUNCIL INVESTMENT PERFORMANCE

Investment Policy Benchmarks

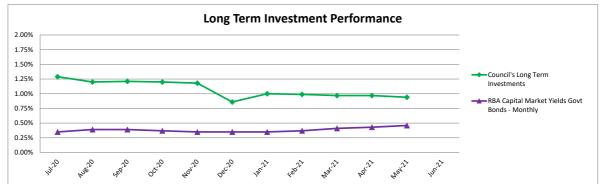
Benchmark 1 - The performance of the portfolio shall be against the industry standard 90 Day Bank Bill Index or the official RBA Cash Rate

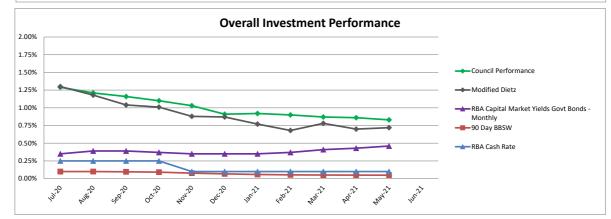
Council's current year to date performance compared to the two benchmarks is shown below. Council has outperformed both benchmarks.

| Reserve Bank of Australia - Cash Rate | 0.10% |
|--|--------|
| AFMA - 90 Day Bank Bill Swap Rate (BBSW) Avg Mid | 0.049% |
| RBA Capital Market Yields Govt Bonds - Monthly | 0.46% |
| Modified Dietz Calculation | 0.72% |

| | Short | Term | | Long Term | | Overall Performance | |
|--------|-----------|--------|------------------|---------------|-------------|---------------------|-------------|
| | | | | RBA Capital | | | |
| | | | | Market Yields | Council's | | |
| | RBA | 90 Day | Council's Short | Govt Bonds - | Long Term | Modified Dietz | Council |
| | Cash Rate | BBSW | Term Investments | Monthly | Investments | Calculation | Performance |
| Jul-20 | 0.25% | 0.10% | 1.29% | 0.35% | 1.29% | 1.30% | 1.29% |
| Aug-20 | 0.25% | 0.10% | 1.23% | 0.39% | 1.20% | 1.18% | 1.21% |
| Sep-20 | 0.25% | 0.096% | 1.13% | 0.39% | 1.21% | 1.04% | 1.16% |
| Oct-20 | 0.25% | 0.091% | 1.05% | 0.37% | 1.20% | 1.01% | 1.10% |
| Nov-20 | 0.10% | 0.077% | 0.96% | 0.35% | 1.18% | 0.88% | 1.03% |
| Dec-20 | 0.10% | 0.067% | 0.93% | 0.35% | 0.86% | 0.87% | 0.91% |
| Jan-21 | 0.10% | 0.059% | 0.89% | 0.35% | 1.00% | 0.77% | 0.92% |
| Feb-21 | 0.10% | 0.053% | 0.87% | 0.37% | 0.99% | 0.68% | 0.90% |
| Mar-21 | 0.10% | 0.051% | 0.83% | 0.41% | 0.97% | 0.78% | 0.87% |
| Apr-21 | 0.10% | 0.050% | 0.82% | 0.43% | 0.97% | 0.70% | 0.86% |
| May-21 | 0.10% | 0.049% | 0.79% | 0.46% | 0.94% | 0.72% | 0.83% |
| Jun-21 | | | | | | | |







BATHURST REGIONAL COUNCIL INVESTMENT PERFORMANCE

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. AMP was recently downgraded from A- to BBB+ on the 27 Aug 2019. Council will reinvest into a complying rated institution at the maturity of these investments.

| Short Term | Ratings | Maximum Holding % | Actual Holding % | |
|------------|-----------------|----------------------|------------------|-----------------|
| | A-1+ | 100 | 37% | Complies |
| | A-1 | 100 | 0% | Complies |
| | A-2 | 40 | 51% | Does not comply |
| | A-3 or unrated | Note* | 12% | Complies |
| | | | 100% | |
| Long Term | | | | |
| | AAA | 100 | 0% | Complies |
| | AA+ AA AA- A+ A | 100 | 74% | Complies |
| | A- | 40 | 0% | Complies |
| | BBB+ BBB | 20 | 20% | Does not comply |
| | BBB- & unrated | Note * | 6% | 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. AMP was recently downgraded from A- to BBB+ on the 27 Aug 2019. Council will reinvest into a complying rated institution at the maturity of these investments.

| | Ratings | Maximum Holding % | Actual Holding | |
|---|--------------------------------|----------------------|----------------|-----------------|
| CBA | AA- | 40 | 7% | Complies |
| National Australia Bank Limited | AA- | 40 | 23% | Complies |
| Westpac | AA- | 40 | 7% | Complies |
| HSBC | AA- | 30 | 2% | Complies |
| Macquarie Bank Limited | A+ | 30 | 3% | Complies |
| UBS AG Australia | A+ | 30 | 1% | Complies |
| Suncorp Metway Ltd | A+ | 30 | 1% | Complies |
| Sumitomo Mitsui Banking Corp | А | 30 | 1% | Complies |
| AMP | BBB+ | 5 | 8% | Does not comply |
| Bank of Queensland Limited | BBB+ | 5 | 17% | Does not comply |
| Bendigo & Adelaide Bank Ltd | BBB+ | 5 | 1% | Complies |
| Newcastle Permanent | BBB | 5 | 1% | Complies |
| Members Equity Bank | BBB | 5 | 11% | Does not comply |
| Auswide Bank | BBB | 5 | 6% | Does not comply |
| Maritime Mining & Power Credit Union | ADI | Note* | 11% | Complies |
| *Note: For reasons of practicality the number of these investme | ents should be kept to a minim | um. | 100% | |

*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.

| | Term Deposit | FRTD | TCD | FRN | Min % | Max % | Actual % | |
|---------------------|--------------|-----------|-----|-----------|-------|-------|----------|----------|
| Within one year | 55,000,000 | 4,500,000 | 0 | 4,100,000 | 40 | 100 | 78% | Complies |
| One to three years | 7,500,000 | 2,730,000 | 0 | 1,500,000 | 0 | 60 | 14% | Complies |
| Three to Five Years | 0 | 0 | 0 | 6,750,000 | 0 | 30 | 8% | Complies |
| Over Five Years | 0 | 0 | 0 | 0 | 0 | 15 | 0% | Complies |
| | | | | | | | | - |

62,500,000 7,230,000 0 12,350,000 100%

Recommendation: That the report be noted.

Responsible Accounting Officer

Aaron Jones Director Corporate Services & Finance

Prepared By Lesley Guy

2-Jun-21

Reviewed By Tony Burgoyne

2020/21 Annual Operational Plan

Bathurst 2040 Community Strategic Plan

As at 31st May 2021

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.

Attachment 8.3.2.1

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

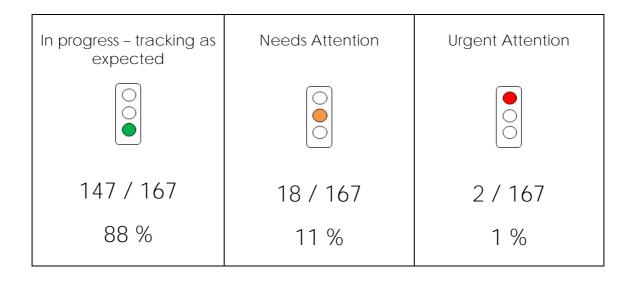
On the following pages, each of Council's principal activities is shown along with their four year Delivery Program actions and the Annual Operational Plan tasks that will be undertaken. These actions and tasks are linked back to the Bathurst 2040 CSP to show the community how its needs and wants are being delivered.

The table below is a guide to reading the Delivery Program and Annual Operational Plan.

| Bathurst 2040 Objective reference | Deliverable Actions over the next 4 years | Operational Plan – this year's Projects / Tasks | Tracking our Progress | 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:



The key to developing a sound foundation for growth and prosperity of the Bathurst Region is by ensuring infrastructure needs are keeping pace with demand. The Engineering Services Department has the responsibility to ensure the current needs of the community are met and the capacity exists to cater for future growth. A clean and safe water supply, a quality local road network, and environmentally responsible waste management systems are all high priorities for engineering the future of the Bathurst Region.

Asset Management

| Status | $\bigcirc \bigcirc \blacklozenge$ | 00• | |
|---|--|---|--|
| Action Year to Date | Bant Street Lewins to Busby 166m Stanley St George to Rankin 200m Rankin St Stanley to Morrisset 200m Browning St William to George Park 50m Charlotte St 40m Graham Dve to Mendel Dve 300m complete | Level 1 (CBD) – 100% as at 26/10/20 Level 2 – 100% as at 23/7/20 | The Bridle Track Widen and seal 500m approach to Howards Bridge - Complete Limekilns Rd Reconstruct, widen and seal 2km - Complete Limekilns Rd Stage II Reconstruct, widen and seal 2km - Complete 2km rehabilitate widen and seal on Freemantle Rd - Complete 1.5km Freemantle Rd Stage II complete 2.2km Bridle Track Rage II complete 2.2km Bridle Track thabilitate, widen and seal - Complete 4km Turondale Rd widen and seal 1km complete |
| Responsible Officer | Works | Manager Works | Manager Works |
| Tracking our Progress | 500 lineal metres of footpath and/or cycleway completed. | 100% of urban footpath inspected | Reconstruction and resealing works as per Council's 2020/2021 capital works and routine maintenance programs. Completion of 2020/2021 Roads to Recovery Program. |
| Operational Plan – this year's Projects / Tasks | 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. |
| Deliverable Actions over the next 4 years | Improve pedestrian access within the urban area. | | Maintain and improve the existing road infrastructure consistently throughout the network. |
| Bathurst 2040 Objective reference | 5.4 5.7 1 | | 4.1 5.5 |

| Status | $\bigcirc \bigcirc \bullet$ | 00• | $\bigcirc \bigcirc ullet$ |
|---|---|--|---|
| Action Year to Date | In progress/ongoing | In progress/ongoing | In progress |
| Responsible Officer | Manager Works | Manager Works | Manager Technical Services |
| Tracking our Progress | Completion of 2020/2021 Unsealed Roads Gravel Resheeting program. | Greater than 90% of the urban road network remains at condition index 3 or above. | Substantial Completion of Design and Environmental Assessment |
| Operational Plan – this year's Projects / Tasks | 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 Georges Plains Flood Management Plan. |
| Deliverable Actions over the next 4 years | | | Protection of urban areas on the Bathurst Floodplain |
| Bathurst 2040 Objective reference | | | 4.1 4.3 |

| | Status | $\bigcirc \bigcirc \bigcirc \bigcirc$ | $\bigcirc \bigcirc \blacklozenge$ |
|----------------|---|---|--|
| | Action Year to Date | In progress. | Masterplan Complete. Preliminary Design Complete Aboriginal Cultural Heritages Assessment completed. Draft Environmental Impact Assessment completed, has been submitted to NSW Planning for adequacy review prior to lodgement. Community Consultation commenced. |
| | Responsible Officer | Director Engineering Services | Director Engineering Services |
| | Tracking our Progress | Installation of Optic fibre network to Mount Panorama Circuit as per 2020/2021 Capital Works Plan | Development Consent obtained. |
| | Operational Plan – this year's Projects / Tasks | Construction of optic fibre communications loop | Development of the second circuit |
| Mount Panorama | Deliverable Actions over the next 4 years | Increase profile of Mount Panorama as the premier motor racing venue in Australia. | |
| Mount P | Bathurst 2040 Objective reference | 6.6 0.0 0.0 | |

| Status | $\bigcirc \bigcirc \blacklozenge$ | | $\bigcirc \bigcirc $ |
|---|---|--|---|
| 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. To the 31 May 2021, 2637 (includes monitoring for Fluoride) tests were undertaken and there was 97.6% compliance with Australian Drinking Water Guidelines. | Water distribution system operations are ongoing, with monitoring, maintenance and repairs conducted as required. Water main in Mountain Straight, Mount Panorama is currently being re-laid. Significant reservoir improvements have been completed, with further work planned, to continue to improve the integrity of the drinking water system around Bathurst. Complaints regarding flow and pressure up to 31 May 2021 is 5 (financial year to date 25). | Complaints regarding discoloured water are actioned within the required timeframe. 90% of customer calls are responded to within 4 hours. |
| Responsible Officer | Manager Water and Waste | Manager Waste Waste | Manager Water and Waste |
| Tracking our Progress | 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. |
| Operational Plan this year's Projects / Tasks | Operate, maintain, repair and upgrade Water Filtration Plant. | Operate, maintain, repair and upgrade water distribution system. | Respond effectively to discoloured water complaints |
| Deliverable Actions over the next 4 years | Maintain and upgrade existing water and sewer infrastructure to meet the needs of all stakeholders into the future. | | |
| Bathurst 2040 Objective reference | 3.2 3.5 6.2 6 | | |

Water, Sewer and Waste

| Status | | $\bigcirc \bigcirc $ | | | 00 | | $\bigcirc \bigcirc \bullet \bigcirc$ |
|---|---|---|--|--|---|--|---|
| Action Year to Date | Complaints regarding discoloured water is 3. From 1 January 2021 to is 31 May 2021(financial year to date is 49). | 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. | Financial year to date 97.6% compliance (up to 1 May 2021). | Work on Tender Item is in progress and is currently 49.4% complete | Work in progress on approved variations and is currently 99% complete. | As advised previously by Council Report survey, design and approvals are being progressed for this project. |
| Responsible Officer | | Manager Water and Waste | | | Manager Water and Waste | | Manager Water and Waste |
| Tracking our Progress | | Monthly Review Undertaken | | | Project is constructed and commissioned | | Project is constructed and commissioned |
| Operational Plan this year's Projects / Tasks | | Review, update and adhere to Drinking Water Management System (DWMS). | | | Winburndale Dam Flood Security Upgrade | | Stormwater Harvesting Project Stage 1 |
| Deliverable Actions over the next 4 years | | | | | | | |
| Bathurst 2040 Objective reference | | | | | | | |

| Status | $\bigcirc \bigcirc \bigcirc \bigcirc$ | $\bigcirc \bigcirc \bigcirc \bigcirc$ | $\bigcirc \bigcirc \blacklozenge$ |
|---|---|--|--|
| Action Year to Date | There are no new Best Practice Guidelines introduced since the 2007 Best Practice Guidelines. Compliance remains at 100%. | Trade Waste Policy is current, has been approved by NSW Office of Water, and adopted by Council. As at the 1 May 2021 there are 331 approvals in place, with 355 active businesses (93%). | The existing level of compliance with the Best Practice Guidelines is 100% for both Water and Sewer. The review of further initiatives will be commenced, once DPI Water advises the outcomes of their proposed review of the guidelines. As at the end December 2020 DPI Water is yet to release their issues paper and monitoring of this continues. |
| Responsible Officer | Manager Water and Waste | Manager Water and Waste | Manager Water and Waste |
| Tracking our Progress | Best Practice Guidelines compliance reported quarterly. | Maintain approvals at over 90% of active businesses | Review Guidelines monthly, then action as required. |
| Operational Plan this year's Projects / Tasks | Review and update existing Best Practice Guidelines plans as required. | Continue implementation of Trade Waste Policy. | Monitor and action developments from State Government regarding changes in the Best Practice Guidelines |
| Deliverable Actions over the next 4 years | | <u>.</u> | |
| Bathurst 2040 Objective reference | | | |

| Status | $\bigcirc \bigcirc \blacklozenge$ | $\bigcirc \bigcirc \bigcirc \bigcirc$ |
|---|---|--|
| Action Year to Date | For both Chifley and Winburndale, a Dam Safety Emergency Plan is in place, and has been updated. Chifley Dam is safe to withstand a 1 in 1,000,000 year flood event. A surveillance inspection of Chifley Dam was undertaken in September 2020. Winburndale Dam surveillance inspections are on hold for the next 12 months during the construction period. Winburndale Dam is not safe to withstand a 1 in 100,000 year flood event, however detailed design is complete, the tender has been awarded and construction has commenced to improve the dam safety. 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 tender was awarded at the 3 July 2019 Council Meeting to EODO for Winburndale Dam Safety Upgrade. Work is currently 49% complete for contract works. | Work is continuing, through meetings and projects. Alliance Business Plan has been developed and adopted. Bi-monthly meetings attended, with other projects and correspondence dealt with as required. |
| Responsible Officer | Manager Water and Waste | Manager Water and Waste |
| Tracking our Progress | Compliance with NSW Dam Safety Committee requirements, reported quarterly. | Meeting attended. Relevant projects supported. Goals delivered. |
| Operational Plan this year's Projects / Tasks | Prepare reports and studies for Winburndale Dam and Chifley Dam to achieve compliance with NSW Dams Safety Committee regulatory requirements. | Work with CENTROC on Water Utilities Alliance goals |
| Deliverable Actions over the next 4 years | | |
| Bathurst 2040 Objective reference | | |

| Status | 00• | | | |
|---|---|--|---|--|
| Action Year to Date | Wastewater Treatment Works operations are ongoing, with maintenance and repairs conducted as required. | The sewer main at Council's Dump Point in Morrissett Street was being re-laid and is now complete. | Plans for minor upgrades are underway. Daily and weekly sampling and monitoring of the plant's performance are continuing, with internal and external testing performed. | Ongoing testing of wastewater discharged to the Macquarie River as per EPA Licence 1,647 for the test period commencing 1 April for the licence period to date 54 tests to 31 May 2021 have been completed and 99.9% compliance achieved |
| Responsible Officer | Manager Water and Waste | | | |
| Tracking our Progress | Achieve over 90 % compliance with EPA licence conditions. | | | |
| Operational Plan this year's Projects / Tasks | Operate, maintain, repair and upgrade Waste Water Treatment Works to comply with licence conditions. | | | |
| Deliverable Actions over the next 4 years | | | | |
| Bathurst 2040 Objective reference | | | | |

Attachment 8.3.2.1

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| 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. | Financial year to 1 May 2021 569m sewer main inspected, relined and ongoing relining of sewer junctions is progressing. | Liaison with Technical Services staff to obtain advice on road projects and / or developments is continuing. | The aim is to ensure water and sewer services are relocated prior to RMS or BRC projects commencing. | The waste collection vehicle fleet is up to date. | A stormwater management audit of the WMC 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. Aerial survey was completed in April 2020 which is done annually to monitor actual fill and the final fill plan. | Several ongoing projects are supported, with bi- monthly meetings attended. New projects or opportunities are assessed as they | arise. |
| Responsible Officer | Manager Water and Waste | | | Manager Water and Waste | | Manager Water and Waste | Manager Water and Waste | | Manager Water and Waste | |
| Tracking our Progress | Mains where blockages or overflows occur are inspected | | | Complete capital works program | | One waste collection vehicle replaced | Survey and monitor the remaining air space of the landfill annually. | Air space reduction minimised. | Meeting attended. Relevant projects supported and delivered. | |
| Operational Plan this year's Projects / Tasks | 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. | |
| Deliverable Actions over the next 4 years | | | | | | Maintain and upgrade existing waste infrastructure to meet stakeholder requirements. | | | Reduce waste to landfill. | |
| Bathurst 2040 Objective reference | | | | | | 1.4 3.3 6.2 | 0.0 | | 2.2 3.3 6.1 6.2 | 6.6 |

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| Action Year to Date | All options available to Bathurst Regional Council through NetWaste are supported. Examples include recycling of waste tyres, mattresses, Household Chemical Cleanout, Waste 2 Art and collection and recycling of scrap metal. Recycling and organics collection service started in April 2016. The contract is proceeding well. A textile recycling trial is underway and the Garage Sale Trail was a success with over 55 households participating. | The roll out of promotional information and education will continue throughout 2021/22. For 2020/21 to the end of April 2021, food and garden tonnage is 4401 and recycling is 2083 giving a total of 6484 tonnes. 19872 tonnes of food and garden waste have been sent for composting in the first 61 months (April 2016 to April 2021). Combined with recycling totals show a diversion from landfill of over 32014 tonnes, or 32.0 million kilograms over this time. WasteWise education works are continuing, and the recycling contract education strategies are also underway. | Council participates in all 9 NetWaste Regional collection contracts being used - motor oil, scrap metal, E-waste, wood/timber processing, landfill environmental monitoring, regional waste services, tyres, household chemical cleanout, and mattress recycling. |
| Responsible Officer | | Water and Waste | Manager Water and Waste |
| Tracking our Progress | | 10 recycling promotion and education programs run. Combined diversion target is 5,000 tonnes. | Opportunities reviewed to determine cost/benefit and reported quarterly. |
| Operational Plan this year's Projects / Tasks | | Council to continue education and promotion of appropriate WasteWise behaviours regarding green waste and recycling. Promote recycling to maximise diversion from landfill. | Identify, assess and implement appropriate diversion opportunities. |
| Deliverable Actions over the next 4 years | | | |
| Bathurst 2040 Objective reference | | | |

Page 7

| Status | $\bigcirc \bigcirc \blacklozenge$ | $\bigcirc \bigcirc \blacklozenge$ | $\bigcirc \bigcirc \blacklozenge$ | $\bigcirc \bigcirc \bullet$ | $\bigcirc \bigcirc \blacklozenge$ |
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| Action Year to Date | DA approved, Tender advertised and closed early April and contract awarded. Contractor to complete detailed design by mid-June and commence on site works by July 2021. Mound works for amenities building commenced. Field construction contract awarded. Anticipate on site field construction works to commence end July. | Quotations called in February 2020, closed 23 February 2021and contract awarded in March 2021. Detailed design being prepared by contractor. On site works to commence in June 2021. | Works postponed for 2021, due to Covid -19 budget deficit. | Ongoing as part of adopted maintenance service levels and funding provisions of the current Council Operational Plan. | Seven community and five school group planting days have been held in Bathurst to date. |
| Responsible Officer | Manager Technical Services | Manager Recreation | Manager Recreation | Manager Recreation | Manager Recreation |
| Tracking our Progress | New amenity building, including flood zone mounding for additional sports fields 5 & 6 Hereford Street | Upgrade Walmer Park including lighting and external amenities | Replacement of synthetic turf surface to International Courts – John Matthews Tennis Centre | Maintenance activities undertaken to all recreation Assets in accordance with adopted maintenance service levels in the Asset Management Plan. | Arrange for 11 Tree Planting and volunteer engagement activities. |
| Operational Plan - this year's Projects / Tasks | Construct additional facilities as determined in budget. | Update sporting venues, including associated infrastructure. | | 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 |
| Deliverable Actions over the next 4 years | Plan for increasing population and aging population in the provision of suitable recreational projects | | | Maintain existing and future recreational areas. | Continue environmental programs identified within the Bathurst Vegetation Management Plan |
| Bathurst 2040 Objective reference | ດ 1 14 ບິ | | | ب م ن ـ 4 | 1.4 5.1 5.5 |

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

Recreation

| Revegetation site protection fencing complete. Stage 1 of woody weed control commenced in December. Plant supply contract awarded. Anticipate planting to commence in March 2022 due to drought conditions and hold up of site access due to Stormwater harvesting project. Anticipate completion of all on-site works under this grant by April 2022, as per funding agreement. Works also to include a 12 month maintenance program to be completed by March 2023. |
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| Manager Recreation |
| Complete the revegetation component of the Queen Charlotte's Vale Creek Grant Project |
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time equivalent staff in 20 locations and attracting and keeping good people is our priority. For the fourth time in succession, in the bi-annual Employee Opinion Looking after its staff and ensuring open and transparent government is the main priority at Bathurst Regional Council. Council employs approximately 378 full Survey, Council rated above the Australian Local Government Industry Standard for employee satisfaction.

Human Resources

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| Action Year to Date | Council HR continues to regularly meet with other Councils within the NSW JO area as part of quarterly HR Group meetings, to discuss current HR issues and exchange ideas for improved service delivery. In addition we also regularly meet now with the WHS and Training Development groups. HR meetings with "Evo-cipt" council HR are also ongoing as all Councils of similar size to BRC. Quarterly meetings facilitated by LGNSW are also attended by HR staff. | The new staff induction program has now been implemented with a focus on providing all new staff with a positive and informative (and compliant) start to their time with Council. In addition an improved recruitment and onboarding process has also recently been developed & implemented. Computer terminals have been set up at the Depot training area to further improve training opportunities for our outdoor staff and maximise use of our e- learning platform. This should support all staff to complete their required compliance training during their probation period with an aim to have |
| Responsible Officer | Manager Human Resources | Manager Human Resources |
| Tracking our Progress | BRC HR Team members participate in CNSWJO HR meetings work with relevant committees and sub-committees to ensure developing & implementing HR best practice. Focus for next 12 months is in the areas of Training & Performance Management systems. | Improve the use of on- line generic style training required for compliance. Review and improve staff induction process to better meet new starter need and allow a targeted approach depending on main area employed. Implement new Recruitment & Onboarding system to streamline this process. |
| Operational Plan – this year's Projects / Tasks | Regularly participate in cross- functional teams with CNSWJO and identify opportunities for efficiencies. | Review & improve staff induction program and identify opportunities to streamline into HRIS onboarding and performance areas. |
| Deliverable Actions over the next 4 years | 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 | δ. 4 6. 4 7. 1 7. 1 7. 1 7. 1 7. 1 7. 1 7. 1 7. 1 |

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| Action Year to Date | most staff completed within their first month of employment Changes to the post recruitment through to end of probation have also now been further streamlined. Work to develop the Employee Engagement Program and Workforce strategy has commenced. | HR have commenced working to further improve and streamline the Performance Appraisal process for 2021based on feedback from 2020 process. Improvements in relation to education & training have been implemented as part of this process, including dedicated resource to support co-ordination of staff training & development. The BRC Training Plan has also now been developed and adopted. | A full review of this area has now commenced with plans to development an Employee Engagement Program covering all aspects of the employee lifecycle and focus on career development and succession planning. The Employee Engagement policy has now been approved through Dept. Heads. Further improvements will continue to be implemented as part of the revised Performance strategy across all staff levels. Targeted Middle Management training is been arranged to commence from May 2021 |
| Responsible Officer | | Manager Human Resources | Manager Human Resources |
| Tracking our Progress | | Implement targeted position to support education & training of BRC staff. Ensure Education and training programs align to KPI's contained in Council's Workforce Plan. | Review of current systems that underpin the employee life cycle at BRC completed. Plans to implement required improvements being developed with aim to implement next 12 months. |
| Operational Plan - this year's Projects / Tasks | | Identify areas across Council to target education and training to support the achievement of the KPI's in the Workforce Plan | Review current framework that underpins leadership capability and identify areas for improvement. Focus on improvement of Employee Engagement Programs and supporting training. |
| Deliverable Actions over the next 4 years | | Provide a range of education and training opportunities for Council's workforce. | Develop and implement programs and initiatives to foster a strong leadership culture. |
| Bathurst 2040 Objective reference | | 6.2 6.7 6.8 | 6.7 6.8 |

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| Action Year to Date | All Council policies are undergoing review. Several policies have now been to Council meetings for adoption. Program continuing. | New register to be developed during 2020/2021. Audit and Risk Committee has considered the contract information found within tender documentation as a possible Register. | 21 applications received in 2020/21 year to date. 19 completed year to date | Nothing due at the present time. |
| Responsible Officer | Manager Corporate Governance | Manager Corporate Governance | Manager Corporate Governance | Manager Corporate Governance |
| Tracking our Progress | 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 |
| Operational Plan – this year's Projects / Tasks | 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. |
| Deliverable Actions over the next 4 years | 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. |
| Bathurst 2040 Objective reference | 6.4 6.5 6.8 | 6.5 6.5 | | 4.3 6.4 |

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| The new VOIP phone system has been pushed to fiscal year 21-22 due to resource limitations. | SharePoint migrations have begun. All department data has now been migrated to SharePoint data is being used daily. Project is complete. | All works have been completed including delivery and installation of screens and new PC to the police station. System is being used by the police. Project is complete. | |

Manager Information Services

System installed and functioning.

Complete Stage2 of CBD CCTV

Support the Smart Cities project.

2.3 5.2 2.2 2.6

| Services | |
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| Information | |

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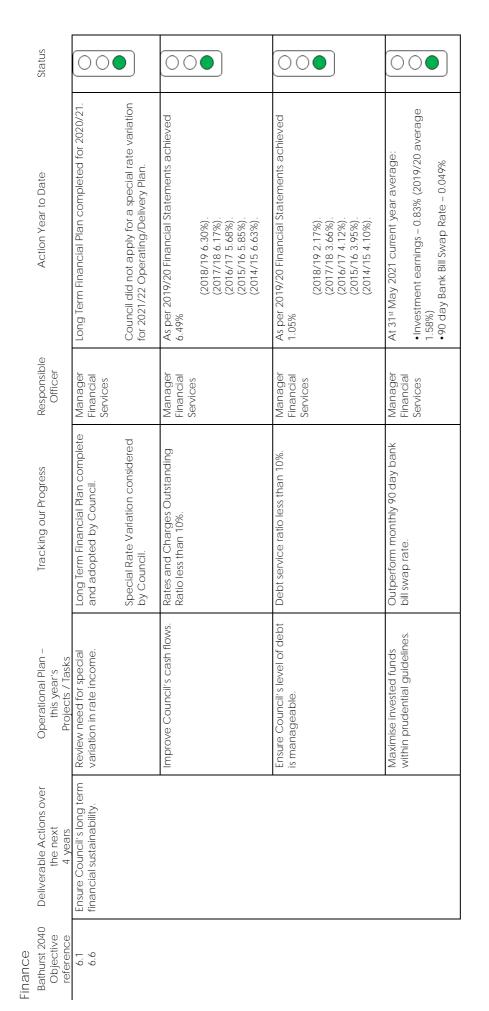
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| Action Year to Date | Project has been Completed. A DR test will be performed before June 30 to test the new architecture. | Software has been installed and configured. Monitoring has begun. Reports are being sent to the manager Corporate governance. Project is complete. | Server & SAN infrastructure has been purchased and installed. Configuration is complete. Data and servers have been migrated to new hardware. Project is complete. | The new VOIP phone system has been pushed to fiscal year 21-22 due to resource limitations. | SharePoint migrations have begun. All department data has now been migrated to SharePoint data is being |
|---|--|--|--|---|---|
| Responsible Officer | Manager Information Services | Manager Information Services | Manager Information Services | Manager Information Services | Manager Information Services |
| Tracking our Progress | Process implemented and tested. | Software installed and tested. | Server and SAN hardware installed, tested, and implemented. | Phone system installed and functioning | All data migrated and removed from SAN storage. |
| Operational Plan – this year's Projects / Tasks | Review Backup Strategy with a view to allowing auto fail over to DR site. | Install Software to monitor the movement of Tax File numbers within and without the organisation | Refresh Server & SAN infrastructure at the Civic Centre and at Council's DR site (Library) | Implement cloud based VOIP telephone system. | Migrate file server data to SharePoint. |
| Deliverable Actions over the next 4 years | Improve long-term viability and availability of electronic data for both the current and long term. | | | | |
| Bathurst 2040 Objective reference | 2.3 6.8 6 | | | | |

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| Action Year to Date | Successfully organised and executed the Bathurst Winter Festival in a Covid Safe environment. Reimaged parts of the event to ensure safety of event and attendees. The illuminations ran with new locations and were pitched as an 'in car' experience. Brighten Up Bathurst saw homes across the region display lights and winter themed decorations. A drive-in cinema was held at Mount Panorama which was in place of the ice rink. More than 1,500 tickets were sold. 28% of tickets to the drive in were sold outside 2795 which alone brought in approx.550,000 economic benefit to the region. A focus was on business benefit during the pandemic which resulted in multiple business initiatives including; food nights, music nights, live streaming of venues, treasure hunts, window display competitions and online markets. | | Manager Events presented to City of Sydney Council on what worked for BWF and how it went ahead during Covid Celebrated Local Government week Planning underway for next season of events, all with major changes due to Covid19. Events include, Bathurst 1000, Bathurst International, Bathurst cycling Classic, NYE, Challenge Bathurst, Australia Day, Garage Sale. | lber | Launched the Bathurst 1000 Off track events which included: Verto scavenger Hunt, colouring in comp, legends dinner and business engagement around the event Planning continuing for Bathurst Cycling Classic under current covid-19 restrictions Planning underway for NYE Party in the Park Assisting local events with their planning of events and coxid sofe allones |
| | • • • | August | • •• | September | • • •• |
| Responsible Officer | Events Manager | | | | |
| Tracking our Progress | 90% or more of residents attend an event. | | | | |
| Operational Plan – this year's Projects / Tasks | Deliver events including New Years Eve, Australia Day, Bathurst Cycling Classic, NRL game, Bathurst 1000 off track events. | | | | |
| Deliverable Actions over the next 4 years | Coordinate and deliver events to enhance the cultural life of residents and promote the Bathurst Region | | | | |
| Bathurst 2040 Objective reference | - 1.3 6.5.2 5.2 9.3.3 | | | | |

| Organisation for Australia Day 2021, meeting with committee | October | Successfully managed the off-track events for Bathurst 1000 week. Verto, the major sponsor was extremely pleased with outcome of Scavenger hunt Hosted the Legends Dinner as part of the Bathurst 1000 at Rydges Ran multiple social media campaigns for the Bathurst 1000 and supported local business Asisting event organisers in the community with Covidsafe plans Planning still underway for; Bathurst Cycling Classic, NYE, Garage sale, Challenge Bathurst, Australia Day Cancellation of the Bathurst International and refunded all campers Completed recruitment process for Marketing and Events officer role Planned and hosted corporate services team lunch | November & December | NYE Party in the Park was reformed into NYE Party at your Local due to Covid reasons. The new event supported 24 venues and musicians to bring in the new year at venues across Bathurst. Increased money spent in the community Bathurst Cycling Classic went on sale with reduced capacity to fall inline with NSW Health guidelines. The guidelines changed in December and the event was re-launched to encourage more cyclists Planning for Australia Day underway Bathurst with 2,770 residents participating in the event. The successful running of Challenge Bathurst Garage sale Trail was a decorations installed around town in December January Working with the Australia Day Working Party to run Australia Day which included; citizenship ceremony. Australia Day Working Party to run Australia Day Working Party to run Australia Day Awards, Australia Day by |
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| the Pool and the Fun Fair. A follow up with the committee will take place in February Finalised illumination contractor for 2021 Winter festival Planning underway for Mount Panorama 500 community engagement Planning underway for the Bathurst Cycling Classic with marketing and advertising taking place online and in traditional forms The events section has taken over the full running of the Sustainable Living Expo. Planning underway for the event in March Commencement on planning for the NRL match in May and working with the Show society as both events fall on the same weekend Planning underway for the Bathurst Winter Festival | uary | Continued planning for Bathurst cycling Classic Continued planning for Sustainable Living Expo – tickets went on sale for the dinner with Ed Halmagyi Continued planning for the Bathurst NRL event Continued planning for the Bathurst 6 Hour Supported Supercars Bathurst 500 with a picnic in the Parade event in Kings Parade on Friday 26 Feb. up to 250 people attended this outdoor gathering | 4 | Delivered the Bathurst Cycling Classic to almost 1,000 riders from around the state. The Tour event was well received and will continue to grow in future years. Delivered the Sustainable Living Expo event with a successful Friday night dinner and Saturday event. Approv. 4,000 people attended the event Commonced the delivery of the Bathurst 6 Hour at Mount Panorama Continued to plan for NRL, proclamation day and winter festival |
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| | February | | March | |
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| Action Year to Date | Sunnybright Stage 'A' has <u>all</u> lots sold as of 31 March 2021. | Sunnybright Stage 'B' has <u>all</u> lots sold as of 31 March 2021. | Sunnybright Stage 'C' is due for registration in May 2021. | Kelso Industrial Park has 7 lots available at end of May 2021. | Stage 11 of Bathurst Trade Centre is in planning stage. DA was to be lodged by end of 2020. | Kelso Industrial Park grant funding (Drought Relief) – DA lodged, plans on hold due to CoVid19. |
| Responsible Officer | Property Manager | | | Property Manager | | |
| Tracking our Progress | Sales of Sunnybright Estate Stages A & B. | | | Provision of land to meet demands. | | |
| Operational Plan – this year's Projects / Tasks | Complete development of residential land in accordance with Council plans. | | | Development in Bathurst Trade Centre and Kelso Industrial Park as required. | | |
| Deliverable Actions over the next 4 years | Manage development of new residential land | appropriate level of supply. | | Manage development of new commercial and | required to meet the needs of new businesses. | |
| Bathurst 2040 Objective reference | 1.5 6.4 4.5 | 0.00 | | 2.1 | †. .) | |

Property

| Status | $\bigcirc \bigcirc \bigcirc \bigcirc \bigcirc$ | $\bigcirc \bigcirc \bigcirc \bigcirc$ |
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| Action Year to Date | Contractor commissioned to undertake 2021 Community Survey to update community sentiment/satisfaction ratings for BRC | As at 31 May 2021: As at 31 May 2021: 100% consultation projects on Your Say Bathurst (Irrigation portal, Lodging planning applications online, heritage assistance funds, draft delivery program & operational plan, Bathurst town centre master plan, Streets as Shared spaces, Sofala Village Plan, Rockley Village Plan, Peel Village Plan, Rockley Village Plan, Peel Village Plan, Amendment to Revenue Policy, Financial Assistance COVID-19 Stimulus measures, go-kart track development, Pillars of Bathurst, Community Participation Plan. Social media followers: July: 11,583 August: 11,761 September: 12,326 January: 12, 437 Eebraary: 12, 510 March: 13,066 April: 13,169 BRC Facebook Page: 11, 689 BRC Facebook Page: 11, 689 BRC Facebook Page: 11, 689 BRC Facebook Page: 11, 689 BRC Facebook Page: 11, 050 March: 13,300 (sum of FB & Twitter) Website visits August: 50,333 October: 102,642 November: 50,338 |
| Responsible Officer | Manager Corporate Communications | Manager Corporate Communications |
| Tracking our Progress | Overall satisfaction rating > 70% | All consultation projects included on the "Your Say" platform redia > 11,000 BRC Website visits > 40,000 |
| Operational Plan – this year's Projects / Tasks | Bathurst Regional Council Community Survey. | Ensure community consultation occurs |
| Deliverable Actions over the next 4 years | Communicate and engage with the community | |
| Bathurst 2040 Objective reference | 6.1 | |

Corporate Communications

| December: 45,807 | January: 54, 263 | February: 74,332 | March: 80,014 | April: 64,792 | Bathurst Regional Council: | Mount Panorama | Bathurst NRL: | Museums: | BMEC | Art Gallery | Winter Festival: | Cobb & Co: | Hill End Art: | Bathurst Cycling Classic: | May total : Figures not available |
|------------------|------------------|------------------|---------------|---------------|----------------------------|----------------|---------------|----------|------|-------------|------------------|------------|---------------|---------------------------|-----------------------------------|
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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 | $\bigcirc \bigcirc \bullet$ | $\bigcirc \bigcirc \bullet$ | $\bigcirc \bigcirc \bullet$ |
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| Action Year to Date | One Community Safety Committee meetings was held in May 2021. YTD six (6) Community Safety Committee meetings held. YTD three (3) campaigns undertaken in accordance with the Bathurst Community Safety Plan: 1. Break and Enter Dwelling Campaign actored 27 November 2020 as part of NSW Crime Prevention Grant. 2. Steal from Motor Vehicle Campaign 3. Neighbour Day Campaign | Review of actions and strategies listed in the Disability Inclusion Action Plan undertaken. YTD 21 of 50 actions in progress (42%) YTD 11 actions complete (22%) While COVID-19 has had an impact on the DIAP with 21 out of the 50 actions affected (42%), many actions are "ongoing" and remain a priority for Council. Research and drafting of second DIAP commenced in May 2021. | Research and drafting of the Positive Ageing Strategy continued in May 2021. Presentation at Councillor Working Party Meeting was undertaken 14 October 2020. Consultation was also carried out in September 2020 including the Positive Ageing Survey, Community Focus Group and Stakeholder Focus Group |
| Responsible Officer | Manager Community Services | Manager Community Services | Manager Community Services |
| Tracking our Progress | Provide administrative support to 4 meetings of the Bathurst Regional Community Safety Committee. Relevant campaigns /projects developed and implemented as per actions identified in the Bathurst Community Safety Plan. | Undertake monthly review to determine number of actions in progress or complete. Research and draft second DIAP 2022-2025 | First draft completed by 30 June 2021 |
| Operational Plan – this year's Projects / Tasks | 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. | Research and Draft Positive Ageing Strategy |
| Deliverable Actions over the next 4 years | 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 | ວ. 3 ວ. ນ. 3 ວ. ນ. 3 | | |

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| Action Year to Date | Consultation with Managers was carried out February, March and April 2021. | No Kelso Community Hub stakeholder meetings were held during May 2021. YTD two (2) stakeholder meetings have been held, in November 2020 and April 2021. Zero (0) Kelso Community Hub update reports provided to Council during May 2021. YTD one (1) update report provided to Council, 21 October 2020. | No proactive contact made with new service providers during May 2021. YTD sixteen (16) services have been proactively contacted to meet identified needs. | Breakfast Program did not operate during May 2021 due to COVID-19. YTD zero (0) days Breakfast Program has operated due to COVID-19. | No school holiday activities were held during May 2021. YTD two (2) school holiday activities undertaken. The numbers are reduced due to COVID-19. | Youth Council meeting held 11 May 2021. YTD seven (7) Youth Council meetings have been held, with a total of 65 participants in attendance. | Zero (0) Youth Council initiatives were undertaken during May 2021. YTD seven (7) face to face initiatives have been undertaken with a total of 70 participants. Online initiatives have been held with 1,082 people engaged. |
| Responsible Officer | | Manager Community Services | Manager Community Services | Manager Community Services | Manager Community Services | Manager Community Services | Manager Community Services |
| Tracking our Progress | | Facilitate 2 meetings with Kelso Community Hub stakeholders. Provide 2 Kelso Community Hub update reports to Council. | Gaps in service provision identified and proactive contact made with appropriate services to meet these identified gaps at the Hub. | Deliver the breakfast program 3 days per week during school terms | Source three external services to deliver school holiday activities each school holiday period | Facilitation of 6 Bathurst Regional Youth Council meetings, including attendance numbers | Undertake at least 6 youth initiatives, activities, programs and events including attendance numbers. |
| Operational Plan – this year's Projects / Tasks | | 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 services, organisations and businesses to meet the needs of the community. | Develop and provide programs and activities that meet the identified needs of the community | | Value and support opportunities for young people to understand the processes of Local Government and be involved in relevant projects. | |
| Deliverable Actions over the next 4 years | | 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. | | | | Value and support opportunities for young people to understand the processes of Local Government and be | involved in relevant projects. |
| Bathurst 2040 Objective reference | | 5.1 6.2 6.2 .3 0.3 | | | | 5.1 5.3 6.2 6.3 | 6.7 |

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| Action Year to Date | Policy review completed during April of all Children's Services policies and procedures. Policies to be provided to Council for adoption in June 2021. YTD 100% Policies reviewed. | No review of Family Day Care QIP in May 2021. YTD Family Day Care QIP complete, | Scallywags completed Assessment and Rating visit during April with report received May – feedback report sent to Dept Ed during May for report rebuttal. YTD Scallywags QIP/Self-Assessment | completed. | No survey completed during May 2021. YTD no survey completed for Family Day Care. | No survey completed during May 2021. YTD two (2) family surveys sent to Scallywags families. | One (1) update report completed during May 2021, to be presented at June Council Meeting. | Occupancy report submitted to contain. Occupancy rate for May 2021 is 96%. Up 2% for the month. 3 new families commenced in May. | YTD current occupancy rate at 92% |
| Responsible Officer | Manager Community Services | Manager Community Services | | | Manager Community Services | Manager Community Services | Manager Community Services | Manager Community Services | |
| Tracking our Progress | 25% of policies reviewed. | Develop Quality Improvement Plans (QIP) aligning with Self- Assessment Tools | | | Facilitate 1 survey for Family Day Care (FDC) for review of service delivery. | Facilitate 1 survey for Long Day Care (LDC) for review of service delivery. | Provide 1 Children's Services update report to Council | 75% occupancy rate for long day care | |
| Operational Plan – this year's Projects / Tasks | Update policies and procedures to ensure alignment with: 1. Education and Care Services National Quality Standards. 2. Education and Care Services National Regulations and Law | | | - | Ongoing review of service delivery for future growth of occupancy rates of all services. | | | Maintain occupancy rates within Children's Services | |
| Deliverable Actions over the next 4 years | Provision of high quality child care facilities to cater for children aged 0-12 years in the Bathurst Community | | | | The provision of Council's Children Services, setting a benchmark for education and care in the Bathurst LGA | | | | |
| Bathurst 2040 Objective reference | 5.1 5.2 5.3 5.4 | | | | 6.3 6.4 | | | | |

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| Action Year to Date | In May 2021 seven (7) new families registered with the service. YTD fifty-five (55) new families registered with the service. YTD a decrease of 8%, from 2019/2020 occupancy level. | During May Facebook was used to promote two Educators Years of service to Bathurst Family Day Care. Both Educators celebrating 60 years combined. The page was also used to acknowledge the Educators nominated for the FDCA Educator of the year. | Facebook was used to promote long day care and activities the services had been engaging in, including community engagement activities Enriching Generations Program with Whiddon Aged Care. | YTD five (5) annual promotional initiatives have taken place. | During May no marketing strategies were implemented. | YTD nine (9) marketing mechanisms have been undertaken using the Children's Services Facebook page. | Nil marketing mechanisms occurred for the month of May 2021. | YTD two (2) marketing mechanisms relating to transition to school programs have been facilitated. | No facilitation of local community forums occurred during May 2021. | YTD no local community forums have been facilitated, due to COVID restrictions. |
| Responsible Officer | Manager Community Services | Manager Community Services | | | Manager Community Services | | Manager Community Services | | Manager Community | |
| Tracking our Progress | 10% increase on 2019/2020 occupancy rate in Family Day Care | Undertake one annual promotional initiative for the section. | | | Facilitate 3 marketing mechanisms | | Facilitate 1 marketing mechanism relating to transition to school | programs | Facilitate 1 industry, local community forum | |
| Operational Plan – this year's Projects / Tasks | Build profile of Family Day Care (FDC) Scheme in the Bathurst Community | Build community awareness of services offered by Children Services section | | | | | | | Provide community awareness activities relevant to Council's | |
| Deliverable Actions over the next 4 years | | Promotion of Children's Services. | | | | | | | Connect and collaborate with | unimore is services networks locally and regionally to ensure services provision |
| Bathurst 2040 Objective reference | | | | | | | | | | |

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| Action Year to Date | No attendance to regional events in the month of May for Family Day Care. Macquarie Uni forum – Four (4) services within Bathurst including Scallywags – 'Supporting Participation in Early Childhood Education Research Project' postponed in April held May YTD four (4) attendances at regional events has occurred. |
| Responsible Officer | Manager Community Services |
| Tracking our Progress | Attendance/participation Manager of 1 regional relevant forum Services |
| Operational Plan – this year's Projects / Tasks | |
| Deliverable Actions over the next 4 years | reflects strengths and needs of the sector. |
| Bathurst 2040 Objective reference | |

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| Action Year to Date | Available benchmarks were developed pre- COVID-19, and as a result, no relevant benchmarks are currently available to review the library performance against. | To date, the total active membership of Bathurst Library is 11,662 = 27% of Bathurst population. Excluding non-2795 members, membership is 10,874 = 25% of Bathurst population. Reciprocal/Temporary (non-2795 postcode) membership is 788. | YID: 77,158 people visited the library. May: 8,449 people visited the library. | YTD 178 Programs delivered. May: 30 Programs delivered. | Adult programs are delivered both online and in-house. Children's programs have recommenced in-house with bookings only from Term 4 2020 onwards. YTD: 2,070 May: 372 | YTD: 207,044 items borrowed May: 15,404 items borrowed | 2005 images uploaded to Trove. |
| Responsible Officer | Manager Library Services | Manager Library Services | Manager Library Services | Manager Library Services | Manager Library Services | Manager Library Services | Manager Library Services |
| Tracking our Progress | Report to Council by June 2021 | Membership is 30% or more of total population | Yearly visitations are 140,000 or more (monthly average: 11,666) | Deliver 240 or more programs / events per year (monthly average: 20) | 7,800 attendees or more to programs / events per year (monthly average: 650) | Loans exceed 240,000 per year (monthly average: 20,000) | 500 digitised Local Studies images are available on Trove by June 2021. |
| Operational Plan – this year's Projects / Tasks | Review Library against available benchmarks | Maintain and improve membership base | Maintain and improve visitations | Maintain and improve program and event delivery | Maintain and improve attendance at programs and events | Maintain and increase circulation of all library material | Improve online information |
| Deliverable Actions over the next 4 years | Develop a strategic approach to planning the next-practice library | Maintain and improve community participation in the Library Services | | | | Maintain and improve access to information and life-long learning | |
| Bathurst 2040 Objective reference | 4.3 | n ù | | | | 2.3 | |

Bathurst Library

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| Action Year to Date | One on One Tech Assist sessions are currently suspended due to COVID-19 as these cannot be delivered within the physical distancing guidelines. May: Android Basics Tech workshop held (14 attended). Tech Help desk x 1 | YTD 7,580 Public PC bookings. YTD 11,359 Wi-Fi logons. May: 850 Wi-Fi logons. Note: From 9 June 2020, to ensure appropriate physical distancing, only 6 public PCs are available. | Draft webpage being designed. | New page live and launched during Library and Information Week. https://www.bathurst.nsw.gov.au/home/97- community/library/3770-discover-more-what- to-read-next.html | Facebook: 2893 Twitter: 930 | Draft survey created. To be launched after the BRC survey. | Monthly visit of Library Van to KCH started on Tue 23 Feb. Visit #4 to Kelso Community Hub on Tue 25 May. |
| Responsible Officer | Manager Library Services | Manager Library Services | Manager Library Services Online | Manager Library Services | Manager Library Services | Manager Library Services | Manager Library Services |
| Tracking our Progress | Provide at least 200 tech sessions for adults yearly | 15,600 Public PC bookings or more per year (monthly average: 1,300) and 78,000 Wi-Fi logons or more per year (monthly average: 6,500). | Launch + demonstration workshop is held by June 2021 | Create and publish a list of relevant research resources by June 2021 | More than 2,250 Facebook likes and more than 900 Twitter followers | Launch Library Community Survey in June 2021 | Deliver at least two (2) activities |
| Operational Plan – this year's Projects / Tasks | Improve adult digital literacy skills | Improve community access to technology | Launch Readers Online portal | Honour Wiradjuri History | Growth in followers on the library social media platforms | Monitor community satisfaction with Library Services, Programs and Collections | Further the partnership with the Kelso Community Hub |
| Deliverable Actions over the next 4 years | | | | | Communicate and engage with the community | | Maintain and create partnerships with local organisations and neighbouring councils |
| Bathurst 2040 Objective reference | | | | | 6.1 | | 6.2 |

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| Action Year to Date | YTD: 75 Programs: 1,1952 participants May: Public Programs: 8 Total participation: 104 | YTD: # programs: 41= 78% increase; # participating schools 47 = 68% increase; # participating students: 1256 = 125 % increase May: Develop Teach Meet with local teacher. Visit St Stanislaus, meet VA teacher | YTD: Seven (7) regional artist projects; Attendance: 30.276 JULY - AUGUST: Stephen Hogan: Imagine (Foyer Space). Total Attendance: 3,269 AUGUST - SEPT: Pictures of You community exhibition _August - October). AUGUST - September: 4,680 SEPTEMBER: Joel Tonks: Forged by fire, shaped by time (Foyer Space, Sept). Total Attendance is 3,107 COTOBER - NOVEMBER: Tom Buckland: Flight Paths (Foyer) to 20 November: 11,526 OCTOBER - NOVEMBER: Amala Groom: RE: Union. Attendance: 2,290 DECEMBER - JANUARY: Adrienne Doig: It's Mythmaking, Heroes and Villains: Mythmaking, Heroes and Villains: Attendance: 2,161 | YTD: Seven (7) catalogues/ resources produced April: DARK: Wendy Sharpe and Steven Cavanagh online catalogue |
| Responsible Officer | Art Gallery Director | Art Gallery Director | Art Gallery Director | Art Gallery Director |
| Tracking our Progress | A tleast six public programs / events / education programs delivered per exhibition slot with participation over 350 | 5% increase in school engagement on 2019/20 Develop Teacher Professional Development Program. | staging of 4 regional artist projects with at least 3.250 attendees Launch AR+ Central program | Production of 3 online resources / catalogues. |
| Operational Plan this year's Projects / Tasks | Increase community participation and engagement through public programs and events | Increase student and teacher engagement through education programs and outreach | Provide opportunities for the professional development of regionally based artists through exhibition. | |
| Deliverable Actions over the next 4 years | 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 | 1.3 | | | |

Bathurst Regional Art Gallery

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|---|--|--|--|--|---|--|---|
| Action Year to Date | YTD: Three (3) exhibitions staged May: VOID tour - Tweed RAG & Olley Centre | YTD: Three (3) collection exhibitions staged; Attendance: 3,599 May no activity | YID: 100% complete | May: No activity | YTD: TARGET ACHIEVED May: 2,862 | YTD: TARGET ACHIEVED April: 1,107 | YTD: TARGET ACHIEVED April 8% increase |
| Responsible Officer | Art Gallery Director | Art Gallery Director | Art Gallery Director | Art Gallery Director | Art Gallery Director | | |
| Tracking our Progress | Staging of 2 exhibitions. | Staging of 2 permanent collection exhibitions. | Improve database access through transition to KEmU 100% completion by July 2021. | Develop timeline and budget for Gallery Store conversion | Increase BRAG Instagram followers to 2,500 | Increase Hill End AIR Instagram followers to 500 | Increase BRAG Facebook likes by 5% |
| Operational Plan this year's Projects / Tasks | Develop community access to and understanding of contemporary indigenous art through exhibition and tour development. | Develop community access to the permanent collection through exhibition, research, loans and touring exhibitions on an as needs basis. | | | Increase community engagement on social media platforms. | | |
| Deliverable Actions over the next 4 years | | | | | Communicate and engage with the community | | |
| Bathurst 2040 Objective reference | | | | | 6.1 2.6 | | |

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| Action Year to Date | YTD: 3 Hill End AlR exhibition; Attendance: 6,354 April – May: Dark: Wendy Sharpe & Steven Cavanagh: 3,584 total visitation | YID: project postponed due to COVID-19 residency carry-overs from 2020 | YTD: \$87,500 raised Drought Fund Cottage maintenance project complete | YTD: TARGET ACHIEVED BRAG commissioned Turn by local artists Sonny Day & Biddy Maroney for the 2020 Winter Festival Illuminations program (July 2020). May: Kelso Hub Mural Project delivered. \$13,000 MGNSW Let's Get Digital Grant | YTD: one (2) off-site program; Attendance: 3,500 BRAG commissioned local artists Sonny Day & Biddy Maroney to produce an original work, Turn, for the 2020 Winter Festival Illuminations program (July 2020). Attendance: 3,500 May: Kelso Mural Project | YTD: not complete May: no activity |
| Responsible Officer | Art Gallery Director | Art Gallery Director | Art Gallery Director | Art Gallery Director | Art Gallery Director | Art Gallery Director |
| Tracking our Progress | Staging of 3 Hill End Artists in Residency exhibitions with at least 3,250 attendees. | Develop residency partnership: National Art School | Source funding for cottage refurbishment projects | Develop and deliver one community participatory public art project | Delivery of 2 off-site programs / events with at least 1,000 participants | Develop Public Art Policy Asset Register |
| Operational Plan this year's Projects / Tasks | Develop community understanding of the achievements of the Hill End Artists in Residency Program through exhibition and partnerships. | | | Broaden access and inclusion to the Gallery's exhibition program through off-site and public art projects | | Implement relevant activities within the Public Art Policy as resources permit |
| Deliverable Actions over the next 4 years | 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 | | | | | |

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| Action Year to Date | YTD: Completed. | YTD total (July-May): 2019-2020: \$38,654.65; 2020-2021: \$60,174.25; 55.7% increase. May: 2019-2020: \$1868.54; 2020-2021: \$5,278.00: 418% increase |
| Responsible Officer | Art Gallery Director | Art Gallery Director |
| Tracking our Progress | Develop Public Art Policy Artists Register | 5% increase in revenue |
| Operational Plan this year's Projects / Tasks | | An increase on 2019/20 total revenue generated from gallery retail and sales |
| Bathurst 2040 Deliverable Actions over Objective the next reference 4 years | | Increase in revenue generated from gallery retail outlet and programs |
| Bathurst 2040 Objective reference | | 1.3 6.6 |

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| Action Year to Date | Timelines and arrangements reviewed due to COVID-19, other influencing factors and budget considerations. Progress continues on the NPAF and the BMEC interim report. The consultant's recommendations have been costed by the Quantity Surveyor for the second time. Priority items for the Interim Upgrade are being reviewed. Finalisation of the Framework is expected by the end of June. | YTD 9.7 average Tickets Purchased per Member: however actual purchases for the financial year will decrease as refunds have been required due to COVID-19 cancellations or postponements. YTD 151 current members were rolled over from 2020 into 2021 year and 83 members have had their 2021 show bookings reserved. | YTD 21,710 - Visitors, total number of people through the venue May - 2782 YTD 306 - number of events at BMEC (including meetings) May - 69 | 17 Events are programmed in the 2021 Annual Season which is a calendar year program. To date four (4) of these have been delivered. 18 events were programmed in the 2020 Annual Season. Two (2) were delivered and for cancelled due to COVID-19. May Season shows consisted of: Mission songs Project which included the local choir Eclectica. 151 attended The Appleton Ladies Potato Race with 217 attendees. The Bathurst Writers' & Readers' Festival attracted 763 attendees. In May there were: Nine (9) youth drama workshops: five (5) all access workshops; six (6) |
| Responsible Officer | Manager BMEC | Manager BMEC | Manager BMEC | Manager BMEC |
| Tracking our Progress | Timeline and interim solution provided by July. Framework provided by August | Average of at least 5 tickets per Member | Attendances exceed 55,000 | Deliver approximately 14 Season and other events, 7 associated workshops and a Local Stages Program including LEAP program, local writers and other performing arts development |
| Operational Plan – this year's Projects / Tasks | Consultant to develop framework, provide timeline, and produce interim solution | Maintain and improve average number of tickets purchased per Member | Maintain and improve venue attendance | Maintain and improve program and event delivery |
| Deliverable Actions over the next 4 years | 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 1.1 5.3 6.2 | 5. 7 5. 3 | | |

Bathurst Memorial Entertainment Centre

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| Action Year to Date | Fast Cars & Dirty Beats workshops; and a Kangaroo play reading. | YTD 774 attendees at Season shows. YTD Seven (7) projects have been supported and managed by Local Stages YTD Associated and Local Stages Attendance: 2,084 at live events and 190 artists involved in Fast Cars developments in May. | YTD 21% growth in facebook followers from 4 April 2020 BMEC currently has: • 4,034 facebook followers • 509 Twitter Followers • 1,064 instagram followers |
| Responsible Officer | | Manager BMEC | Manager BMEC |
| Tracking our Progress | | 5,200 attendees or more to Season shows and 4,000 at associated and Local Stages projects per year | At least one intrinsic impact study per year. 2% growth in social media followers over 2019/2020 |
| Operational Plan – this year's Projects / Tasks | | Maintain and improve attendance at programs and events | Growth in community engagement |
| Deliverable Actions over the next 4 years | | | Communicate and engage with the community |
| Bathurst 2040 Objective reference | | | 1.1 5.3 3.2 |

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| Action Year to Date | Total number of visitors to museums in May 2021 was 8,006 which is a 135% increase from May 2018 numbers of 3,405 (noting new museum open during this period). YTD 103,231 visitors to museums, which is an 93% increase on YTD 2018 visitor numbers of 53,603. Australian Fossil & Mineral Museum 2,074 which is a 73% increase from May 2018 visitor numbers of 1,198. National Motor Racing Museum 2,898 which is a 64% increase from May 2018 visitor numbers of 1,763. Bathurst Rail Museum 3,034 visitors for May 2021 (note Rail Museum opened February 2020) Chifley Home & Education Centre (remains closed due to COVID-19) Zero (0) which is a decrease from May 2018 visitor numbers of 444. | The number of education/school engagement across the Museums in May 2021 was 540 which is an 15% increase from May 2018 numbers of 469. YTD 1,567 education/school engagement across the Museums which is an 59% decrease on 2018 YTD of 3,912. *Note, education visits restarted in Nov 2020 after COVID19 guidelines changed. Australian Fossil & Mineral Museum 260 educational visitor swhich is a 21% decrease of May 2018 visitor numbers of 330. National Motor Racing Museum |
| Responsible Officer | Museums | Manager Museums |
| Tracking our Progress | Total increase of 6% in visitor numbers | Total increase of 6% in education/school engagement |
| Operational Plan – this year's Projects / Tasks | An increase of 6% total visitors from 2017/18 numbers to: Australian Fossil and Mineral Museum Unseum Centre Bathurst Rail Museum | An increase of 6% in total education/schools engagement from 2017/18 numbers to: Australian Fossil and Mineral Museum Nuseum Centre Bathurst Rail Museum |
| Deliverable Actions over the next 4 years | 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 4 years |
| Bathurst 2040 Objective reference | 2.6 1.1 2.1 2.5 5.6 | 2.6 1.1 6.6 6.6 |

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

Museums

| Status | | $\bigcirc \bigcirc \bigcirc$ | $\bigcirc \bigcirc \blacklozenge$ |
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| Action Year to Date | 128 educational visitors which is an increase from May 2018 visitor numbers of 0. Bathurst Rail Museum 152 educational visitors in May 2021. Chifley Home & Education Centre (remains closed due to COVID-19) Zero (0) which is a decrease from May 2018 visitor numbers of 139. | YTD six (6) exhibitions YTD one (1) Community Event YTD two (2) Public Programs In May 2021 the following has occurred: Exhibitions Australlan Fossil and Mineral Museum Chapman Collection - ongoing National Motor Racing Museum Chapman Collection - ongoing o 2004 Yamaha YZ 250 Supercross motorcycle on Ioan from Rob Hartnett o 2 x sidecar outfits and hand built engine on loan from Mapperson family Chifley Home and Education Centre Online Exhibition, Interpretations: A Reproduced History - ongoing Bathurst Rail Museum Local Stories cabinet - Michael Burrell story ongoing Community Events - Nil Public programs - Nil | Total retail and venue hire gross income across the Museums in May 2021 was \$42,035 which is an 136% increase on May 2018 income of \$17,798. |
| Responsible Officer | | Museums | Manager Museums |
| Tracking our Progress | | Minimum six exhibitions, five public programs and two community events | Total increase of 6% in revenue |
| Operational Plan – this year's Projects / Tasks | | Undertake exhibitions, public programs and community events across the Bathurst Regional Council managed museums | An increase of 6% total revenue from 2017/18 numbers to: • Australian Fossil and Mineral Museum Museum Museum |
| Deliverable Actions over the next 4 years | | 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 | | 2 2 2 2 | 2.6 1.1 6.6 6 |

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| Action Year to Date | YTD \$560,141 total retail and venue hire gross income across the Museums, which is an 58% increase on YTD 2018 of \$353,811. In May 2021 the following retail and venue hire gross revenue was achieved: Australian Fossil & Mineral Museum \$11,432 which is a 164% increase on May 2018 income of \$4,325. National Motor Racing Museum \$23,034 which is a 74% increase on May 2018 income of \$13,176. Chifley Home and Education Centre: Remains closed due to COVID-19. \$0 which is a decrease on May 2018 income of \$297. Bathurst Rail Museum \$7,569 (shop sales, venue hire, plaques) for May 2021. | In May 2021 the following occurred: Build/site preparation and excavation completed. |
| Responsible Officer | | Manager Museums |
| Tracking our Progress | | Commence construction and object preparation for move |
| Operational Plan – this year's Projects / Tasks | Chifley Home and Education Centre Bathurst Rail Museum | Commence construction of Central Tablelands Facility including preparation of BRC objects for move into the facility |
| Deliverable Actions over the next 4 years | | Central Tablelands Collection Facility |
| Bathurst 2040 Objective reference | | 1.1 1.2 1.3 6.6 |

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| Action Year to Date | YTD Ten (10) experiences developed. Five (5) New experience packages developed for 'Greatest Staycation' campaign New Bathurst Wine Explorer concept finalised, commencing 19 June Plan complete for Mount Panorama Boardwalk experence and interpretation, awaiting Council approval New 'Heritage Explorer' trialled Heritage Week, May 2021 | YTD 33% increase in tourism partners 186 tourism partners as of 31 May 2021. Partnership fees waived for 2020/2021. Campaign targeting new businesses ongoing. | YTD 19.3% increase in revenue from 2019/2020. 53 ads booked. COMPLETED | YTD two new products being developed: 1. Wiradjuri Tour, preliminary meeting held in July. Project on hold. 2. Hill End Tour, Script completed and editing underway 3. St Joseph's Perthville. Initial meeting held 21 May 2021 | YTD 182% increase against 2019/2020 figures to total \$81,222. May 2021 - \$22,449 of bookings made. New e-commerce ticketing through Shopify booking engine trial for Heritage Trades Trail and Festival of Bells - \$11,164 total online sales revenue for 2021 | Printing of 20,000 copies complete. Delivered February 2021 and distribution underway. COMPLETED |
| Responsible Officer | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services |
| Tracking our Progress | 10 new packages, products or experiences developed | Number of tourism partners increased by 10% | Advertising revenue increased 10% | 2 new tour products added | Increase of 20% bookings through online portal | 2021 Destination Planner published |
| Operational Plan – this year's Projects / Tasks | Work with local operators in the provision of visitor services | Grow Regional Tourism Partnership program | Increase stakeholder advertising in Destination Planner | Develop new engaging content for Bathurst Step Beyond App | Increase volume of online bookings | Develop annual Destination Planner |
| Deliverable Actions over the next 4 years | Grow the number and engagement of businesses associated with the Visitor Economy | | | Provide visitors and prospective visitors to the area with quality information and services. | | |
| Bathurst 2040 Objective reference | 6, 1. | | | 2.6 | | |

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

Tourism

| Status | $\bigcirc \bigcirc \bullet]$ | 00• | $\bigcirc \bigcirc \bullet$ | $\bigcirc \bigcirc \bullet]$ | $\bigcirc \bigcirc \blacklozenge$ | $\bigcirc \bigcirc \bullet]$ | $\bigcirc \bigcirc \bigcirc \bigcirc \bigcirc$ |
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| Action Year to Date | YTD ten (10) new itineraries for families/couples/younger travellers published on website. COMPLETED | YTD 21.9% Increase to \$83,059 May- \$5,843 gross retail revenue being 2.9% decrease over May 2019 (closed 2020) | New plan adopted by Council at February meeting. 17 of 39 action items completed or underway as of 31 May COMPLETED | Pageviews: YTD 80.1% increase on 2019/2020 To 31 May 2021, 387,772 YTD No metrics available for industry website page visits. Social Media: YTD of 19.3% total social media increase to total 19,017 followers | Welcome Wagon event held 17 may Material created and distributed to event attendees. 30 packs made up. | Annual Tourism Research Australia figures released October 2020. Overnight visitor nights increased by 6.1% Average length of stay steady at average three nights | YTD visitation increase of 19.5% on 2019/2020, May - visitation of 3598 decreased 19% over May 2019 (closed 2020) |
| Responsible Officer | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services |
| Tracking our Progress | 6 new itineraries created and published on website/available at BVIC | Retail sales at BVIC increase by 10% over previous year | Plan completed & adopted by Council | Destination website page views increase 15% Industry website page visits increase 20% Total social media following increase 20% | Material produced and distributed at Welcome Wagon events | Overnight visitors increase by 5% Average length of stay increases by 7.5% | Annual visitation to BVIC increases 3% |
| Operational Plan – this year's Projects / Tasks | Develop new Bathurst region villages touring itineraries | Create focused local range of retail products and souvenits at BVIC | Develop new 2020-2022 marketing plan | Implement online content strategy | Develop and produce new resident information for Mayoral Welcome Wagon | Promote Bathurst region to niche and specialist markets as identified in Destination Management Plan and Brand strategy | Promote BVIC as essential step off point for Bathurst region. |
| Deliverable Actions over the next 4 years | | | 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 | | | 2.6 | |

| Management | |
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| Destination N | |

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| Action Year to Date | YTD 28% or 29 of the 104 priority actions completed or underway as of 31 May 2021. | YTD Three (3) industry meetings held February - meeting with Bathurst vignerons association held. March - Meeting with accommodation providers and STR Travel held April - Meeting with Bathurst Cycling Group, 'Cycle Safe Bathurst' re tourism potential | eDMs Issued: YTD 42 April - two (2) Industry Events: YTD one industry event held 11 May. Pageviews: No metrics yet available for this site. | Strategy for producing report accepted at July meeting of Council. New location analytics company 'Localis' appointed to provide data sets. Initial discussions held with key stakeholders. Report due June 2021 |
| Responsible Officer | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services | Manager Tourism & Visitor Services |
| Tracking our Progress | 25% of actions completed or underway | Hold at least 4 meetings with industry | Minimum of 12 eDMs issued Minimum of 4 events held Pageviews increase 25% | Report produced |
| Operational Plan – this year's Projects / Tasks | Implement the Strategic priorities of the 2019 DMP | Improved collaboration between industry groups and Council. | Continue monthly industry eDM Host minimum of 4 industry gatherings Increase engagement with industry website | Publish annual market intelligence report to strengthen knowledge and guide investment. |
| Deliverable Actions over the next 4 years | 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 |

Environmental, Planning & Building Services

Development Strategy will identify opportunities for continued growth, mindful of Council's obligations to environmental stewardship, heritage conservation and 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 good urban design

Environmental

| Status | | $\bigcirc \bigcirc \bullet$ |
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| Action Year to Date | The first community desexing program was completed from 16 to 27 November 2020, with a total of 90 animals desexed - 33 female dogs, 32 male dogs, 15 female cats and 10 male cats. The second program for the financial year is schedule for June 2021. Pet education activities were delayed due to the restrictions for events under the Public Health Order. Event now planned for 9 July 2021 in conjunction with Bathurst Winter Festival activities. Four radio interviews undertaken in February 2021. One Facebook post made in April 2021. Off leash areas maintained by contractors during April. | 98.15% of customer requests responded to within adopted corporate standards for the period 1 July to 31 May 2021. 113 customer requests were investigated during the month of May 2021. 100% of customer requests responded to out of hours |
| Responsible Officer | Team Leader Regulatory Services | Team Leader Regulatory Services |
| Tracking our Progress | Two Community desexing programs conducted Pet Education event held Educational radio interviews conducted weekly Educational social media posts conducted monthly Maintain Kefford Street Off Leash areas forthightly | 95% of customer requests responded to within adopted corporate standards 100% response to customer requests reported out of hours |
| Operational Plan – this year's Projects / Tasks | Complete Responsible Pet Ownership community programs Maintain and enhance areas for off-leash recreation for dogs | Investigate animal related complaints, including matters reported after hours Undertake regulatory action consistent with Council's Enforcement Policy for identified breaches |
| Deliverable Actions over the next 4 years | Meet Council's responsibilities under the Companion Animals Act 1998 by continuing to provide community programs relating to responsible pet ownership | Meet Council's responsibilities under the Companion Animals Act 1993 by promptly responding to customer requests and implementing enforcement action for breaches |
| Bathurst 2040 Objective reference | 0 ت 0 4 Č 4 | δ.4 5 |

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| Action Year to Date | Six adoption posts were made during April 2021. Three "feel good furiday" posts were made in April 2021. 77.4% of dogs were returned to owner, sold or released to welfare organisations in the month of April. 56.0% of cats were returned to owner, sold or released to welfare organisations in the month of April. | Development application and construction certificate have been approved. Tender closed on 18 May 2021 and is currently under assessment, with plans to present to Council to award at the June meeting. | Daily monitoring undertaken, with advice to the community on the transitional return to enforcement made through a media release and social media posts. One educational post made in April 2021. | Limited monitoring of car parks undertaken during May 2021 due to staff shortages. |
| Responsible Officer | Team Leader Regulatory Services Manager Environment | | Team Leader Regulatory Services | Team Leader Regulatory Services |
| Tracking our Progress | Implement social media program to promote rehoming of impounded dogs and cats Increase the % of impounded dogs returned to welfare organisation Increase the % of impounded cats returned to owner or sold or released to welfare organisation | Construction 50% completed by 1 April 2021 | Daily monitoring undertaken Educational social media posts conducted monthly | 100% compliance with contractual obligations |
| Operational Plan – this year's Projects / Tasks | Operate Small Animal Pound at Vale Road site | New Small Animal Impounding Facility construction commenced | Monitor and enforce parking regulations on public roads Implement a community education program regarding the Australian Road Rules | Monitor and enforce parking regulations in off street car parks in accordance with contractual obligations |
| Deliverable Actions over the next 4 years | 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 | | Meet Council's responsibilities under the Road Rules 2014 and Fines Act 1996 | Meet Council's contractual obligations under the Local Government Act 1993 in monitoring and enforcing parking regulations in off street car parks |
| Bathurst 2040 Objective reference | 6.4 | | 6.4 4.4 5.2 5.4 | 6.4 5.2 |

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| Action Year to Date | 98.92% of customer requests responded to within adopted corporate standards for the period 1 July to 31 May 2021. 27 customer requests were registered with Council in the month of May 2021. | Posts in March and April focused on water conservation, revegetation and recycling programs. | Posts in May focused on the 2021 Waste to Art program, the Banishing Bathurst Butts (cigarette butt litter prevention) program, and a variety of rehabilitation projects which have been supported by volunteers. Implementation of the "Get Grubby" schools signed up for the program. The "Get Grubby" for family's program was also launched in October 2020 with 107 families signing up to the program. Active engagement with the program for both schools and families is above average for the nationally available program. The SLE 2021 took place on 27 March 2021 with an estimated 3000 people in attendance. The Friday night event was popular and provided an excellent forum for education regarding minimising food waste and considering the source of food products. Local primary schools hosted the Enviromentors program in March and May 2021 across 10 days with 35 sessions presented. The program was delayed until 2021 to meet the needs of the schools due to Covid-19. |
| Responsible Officer | Manager Environment | Manager Environment | Manager Environment |
| Tracking our Progress | 95% of customer requests responded to within adopted corporate standards | Monthly posts on the @sustainablebathurst Facebook page | Weekly posts on the @sustainablebathurst Facebook page Conduct Sustainable Living Expo in March 2021 Conduct a sustainability education program targeting primary school aged students by December 2020 |
| Operational Plan - this year's Projects / Tasks | Investigate customer requests and pollution incidents Undertake regulatory action consistent with Council's Enforcement Policy for identified breaches | Undertake educational programs to enhance community knowledge | Communicate sustainability messages via a range of on-line and traditional media sources Conduct sustainability education programs |
| Deliverable Actions over the next 4 years | Meet Council's responsibilities under the Protection of the Environment Operations Act | · | Continue to improve the community's awareness and capacity regarding environmental sustainability |
| Bathurst 2040 Objective reference | 8 8 8 9 7 7 8 8 8 9 7 7 7 8 8 8 9 7 7 7 7 | | رة ي ي ۲۰ ت |

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| Action Year to Date | Inspection program is ongoing with a focus on high risk systems and systems where the ownership is changing due to sale of the property. 270 approvals to operate have been issued for the period 1 July 2020 to 31 May 2021. | UWMP projects have focused on works in Hawthornden Creek and Raglan Creek catchments. Weed control, slashing and other maintenance activities undertaken during December 2020. Further activities undertaken in May 2021. The Backyard Bird Count in association with Bidliffe Australia was successfully promoted and completed in October 2020. The count contributes to Council's understanding of bird populations and is relevant to both biodiversity and pest bird management. Nest box program commenced in late 2020 increase available habitat for Native birds within the urban areas. 246 Nestboxes and insect hotels had been provided to the Bathurst community during the program. A myna bird trapping research program was conducted in early Spring 2020. Pigeon removal works were conducted in March 2021 removing 136 pigeons from the CBD. Further works scheduled for June 2021. Signage ordered for high conservation value sections of roadway identified in the RVMP. Installation to commence in June 2021. |
| Responsible Officer | Manager Environment | Manager Environment |
| Tracking our Progress | Increase the number of onsite sewage management systems with a current approval to operate | Implement a priority project identified in the Urban Waterways Management Plan. Implement a priority project identified in the Biodiversity Management Plan. Implement a priority project in the Roadside Vegetation Management Plan |
| Operational Plan – this year's Projects / Tasks | Conduct inspections and issue approvals for existing onsite sewage management systems without approvals or requiring renewal | Implement the Urban Waterways Management Plan Implement the Biodiversity Management Plan Implement the Roadside Vegetation Management Plan |
| Deliverable Actions over the next 4 years | Implement Council's Onsite Sewage Management Strategy and meet Council's obligations under the Local Government Act 1993 | Meet Council's obligations under the Local Government Act 1993 and community expectations to manage, restore, enhance and conserve the natural environment |
| Bathurst 2040 Objective reference | 3.1 2.6 4.0 | ω ω ω – - 4 ΰ 4 |

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| Action Year to Date | The installation of a 90kWh solar array at the Bathurst Memorial Entertainment Centre was completed in July 2020. The installation of an additional 10.3kW of solar panels, and a 13kW battery was completed at Scallywags in July 2020. Contract was awarded in October 2020 for the installation of a 40kW solar array and 25kW battery storage system at the Bathurst Rail Museum. The NSW Heritage Office refused Council's s60 permit application on aesthetic grounds, and an appeal is currently underway. Installation of 24kW of the array is scheduled for early June 2021. A contract was awarded in May 2021 for the installation of a 44kW solar array at the Waste Management Centre. Installation to commence in June 2021. | 20 development applications were assigned for environmental assessment in May 2021. Advice provided during May 2021 for various Council activities and their implications under the Biodiversity Conservation Act. A new web-based enquiry process was developed in August 2020 which will streamline the enquiry and application process for vegetation removal. 28 enquiries were processed by 30 April 2021. Advice provided on a regular basis. Staff have participated in technical training in contaminated land management during April and May 2021. |
| Responsible Officer | Manager Environment | Manager Environment |
| Tracking our Progress | Implement a priority project identified in the Renewable Energy Action Plan | Number of development applications assessed and professional advice provided. Council policies and plans are reviewed and updated where required to ensure consistency with current legislation Assess vegetation removal applications in urban zones in accordance with the vegetation SEPP in Council's DCP. Professional advice provided including pre-DA advice on contaminated land matters |
| Operational Plan – this year's Projects / Tasks | Implement the Renewable Energy Action Plan | Ensure the assessment of development applications meets all of the requirements of the Biodiversity Conservation Act 2016, Fisheries Management Act 1994, Vegetation SEPP and Koala SEPP 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 |
| Deliverable Actions over the next 4 years | Implement energy efficiency and renewable energy projects at Council facilities | 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 | 8. 8. 6. 6. | L & 8 4.6 6.4 6.4 |

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| Action Year to Date | The Electric Vehicle transition plan has been reviewed by GM and Department Heads and implementation has commenced. | Trends in Council's operational footprint included in the monthly report prepared for internal review, with annual data included in the State of Environment (SOE) reporting The Regional SOE and Bathurst SOE were presented to Council at it's ordinary meeting in November 2020 and are available to view on Council's website. | Food inspection program ongoing during May 2021. In November 2020 educational food safety calendars were distributed to all food businesses. December 2020 business registration forms were update and received from participating businesses. Newsletters were sent in February and May 2021. One customer request was registered with Council during May 2021 with 94.73% of customer requests were responded to within adopted corporate standards between 1 July 2020 and 31 May 2021. | Skin penetration premises were not inspected during May 2021 as staff were focused on other priority areas. Public swimming pool inspections will recommence in Spring 2021. NSW Health conducted inspections of skin penetration premises during September 2020 to ensure compliance with Public Health Order no 4. Liaison with operators of cooling towers continued in May 2021. Two customer requests were registered with Council during May 2021, with 96.55% |
| Responsible Officer | Manager Environment | Manager Environment | Manager Environment | Manager Environment |
| Tracking our Progress | Implement a priority project to meet NSW plan targets | Collate data and prepare reports on Environmental data on an annual basis | Conduct an inspection of all high and medium risk food premises by June 2021 Implement a risk based inspection program for home-based food premises Prepare and distribute educational material on food safety three times annually 95% of customer requests responded to within adopted corporate | Conduct an inspection of all skin penetration premises Conduct an inspection of all public swimming pools and spa pools Implement the activities identified as Council's role in Legionella management and the inspection of cooling towers 95% of customer requests responded to within |
| Operational Plan - this year's Projects / Tasks | Establish the Bathurst Region as an EV charging destination | Monitor the operational footprint of Council's operations and report on trends identified. Measure and collate the trends in environmental condition across the Local Government Area | Conduct a program of inspections of food premises including home-based food premises to ensure compliance with regulations | Conduct a program of inspections of skin penetration premises, public swimming and spa pools and cooling towers |
| Deliverable Actions over the next 4 years | Contribute to the development of Bathurst as a Smart City | Meet Council's statutory reporting obligations under the Local Government Act 1993 | 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 regulations |
| Bathurst 2040 Objective reference | 2.3 3.3 5.2 | 3.5 3.5 3.1 | 5 6 .4 | 6 . 7 . 7 |

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| Action Year to Date | responded to within adopted corporate standards between 1 July 2020 and 31 May 2021. |
| Responsible Officer | |
| Tracking our Progress | adopted corporate standards |
| Operational Plan – this year's Projects / Tasks | |
| athurst 2040 Deliverable Actions over Objective the next reference 4 years | |
| Bathurst 2040 Objective reference | |

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| Action Year to Date | LEP Amendment: Moveable and Monumental Heritage. Gateway determination received. Adopted by Council. Forwarded to DPIE for gazettal. Advice received from DPIE that Council will not be able to proceed with listing of 'collections'. An amended LEP amendment is being finalised. LEP Amendment: Open Space. Gateway determination received. Adopted by Council. Gazetted. LEP Amendment: Danning Proposal being prepared. LEP and DCP Amendment: Heritage Conservation Area Review. Planning Proposal being prepared. LEP and DCP Amendment: Heritage Conservation Area Review. Planning Proposal being prepared. LEP and DCP Amendment: Heritage DCP Amendment Housekeeping - adopted by Council 3 February 2021. DCP Amendment - mapping review - project underway. S. 3.22 Application - Eusdale Nature Reserve - E2 to E1 rezoning - Advice received from Awaiting gazettal. Natural Disasters Standard LEP - 3 February 2021. Council adopted to have standard clause inserted into the LEP - 3 February 2021. Community Participation Plan Amendment - to update notification procedures for new development adjacent to rural heritage items - on public exhibition. |
| Responsible Officer | Manager strategic Planning |
| Tracking our Progress | Planning proposals referred to NSW Department of Flanning & Environment for gazettal |
| Operational Plan – this year's Projects / Tasks | Prepare draft LEP and DCP amendments |
| Deliverable Actions over the next 4 years | Prepare relevant planning proposals to ensure Council's planning controls remain relevant and up to date. |
| Bathurst 2040 Objective reference | 1.5 3.3.3 6.5 6.4 |

Planning

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| Bathurst Town Centre Master Plan. Council response to the Master Plan. Council response to the Master Plan prepared "Futureproofing our CBD" and placed on public exhibition until 24 May 2021. Submissions being collated. Health and Knowledge Precinct Discussion Paper. Discussion paper received and finalised. Village Plans. Investigations and research underway. Consultation for Rockley, Sofala and Peel completed. Heritage review for Rockley. Sofala and Peel completed. Draft Plans being prepared for Rockley. Sofala and Peel. Bathurst Streets as Shared Spaces Pilot Project - Construction contractors engaged, with works to be undertaken in July/August. Communication of the commencement of works being prepared. Hereford St Corridor investigations - Investigations underway. Additional traffic surveys undertaken. Draft report being prepared. Lawrence Drive Extension to GWH investigations underway. Completed. June survey underway. | Final report and section 7.11 plan received. | 2020/21 site visits to date: 114 (Due to COVID -19 some site visits are occurring on-line/virtually). Review of guidelines and production of a video/webinar for preparation of Statement of Heritage Impact underway. Preparation of guidelines and production of a video/webinar for the preparation of heritage interpretation strategies underway. |
| Manager Strategic Planning | Manager Strategic Planning | Manager Strategic Planning |
| Draft studies/plans are well underway by 30 June 2021 | Draft plans considered and adopted by Council | Number of site visits undertaken by the heritage advisory service. |
| Prepare studies and plans. | Review existing or prepare new s7.11 Plans | Provide a Heritage Advisory Service. |
| Investigate relevant land use and planning issues of the Bathurst Region. | Review and update Council's section 7.11 plans. | Implement the Bathurst Regional Heritage Plan. |
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| Bathurst Region Local heritage fund - Applications for funding under the 2020/21 program assessed. Funding offers distributed to 72 projects. Projects underway. Applications for the 2021/22 fund being called. Bathurst Region Conservation and Interpretation Fund – Applications for funding under the 2020/21 program assessed. Funding offers distributed to 11 projects. Projects underway. Applications for the 2021/22 fund being called. Bathurst CBD Main Street Improvement Fund – Applications for funding under the 2020/21 program assessed. Funding offers distributed to 12 projects. Projects underway. Applications for the 2021/22 fund being called. | Mount Panorama (Wahluu Boardwalk) - Interpretation Plan inclusive of text for signage at lookout and along the walk drafted - referred to Plan Partners for comment. Pillars of Bathurst project paused for 2021. 2020 Pillars announced at 2021 Proclamation Day. Nominations for new Pillars in 2022 open until end of August 2021. | Bathurst Region Heritage Plan review – Draft plan prepared. Workshop with Heritage Reference Group held on 28 April 2021. |
| Manager Strategic Planning | Manager Strategic Planning | Manager Strategic Planning |
| Value of works generated from Council's incentive funds. | New interpretative/ promotional information made available. | Studies/plans considered and adopted by Council. Number of local heritage items included in the Local Environmental Plan. |
| Provide heritage incentive funding programs to protect, maintrain, enhance and promote the regions heritage assets. | Prepare and implement projects for the interpretation and display of cultural heritage and history information. | Prepare research/studies into the region's heritage values |
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| | Bathurst Regional Council year to date average | 56.00 44.33 | Bathurst Regional Council year to date average | 4.27 |
| r to Date | Bathurst Regional Council May 2021 | 48.23 34.7 | Bathurst Regional Council May 2021 | 8.76 |
| Action Year to Date | NSW State Average 2017-18 | 84 47 | NSW State Average 2017-18 | 15 |
| | | Average gross days taken to determine a DA Average nett days taken to determine a DA | | Average days taken to determine a |
| Responsible Officer | Manager Development Assessment | | Manager Development Assessment | |
| Tracking our Progress | To be at or below the state average for determination times of development | applications | To be at or below the state average of determination times for complying development | |
| Operational Plan – this year's Projects / Tasks | Process all development applications within statutory time frames set out in the Environmental Planning and Assessment Act 1979 | | | |
| Deliverable Actions over the next 4 years | Ensure the assessment of development and other applications, in accordance with planning instruments, | development control plans and policies, occurs within appropriate timeframes. | | |
| Bathurst 2040 Objective reference | 1.5 4.1 6.4 | | | |

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| Action Year to Date | Federal Regional Connectivity Program reviewed. Not suitable at present. Aerodrome promotional prospectus completed DA under assessment for Kelso Industrial Estate expansion (\$4.8M Drought Stimulus Fund) Aerodrome Expansion list of funded projects under discussion with grant authority (Growing Local Economies Fund \$2.9M) | 4 entrance billboards updated with Doors Open branding Collaboration with NSW Regional Cities on new relocation campaign. Meeting held with Bathurst indicating conditional support. | | All eNewsletters sent to date Cluster Strategy completed. Final payment made to consultants. Ready for implementation BizMonth held in September, with more than a dozen events and the BizMonth Lunch attracting 80 attendees Representation at all virtual Business Chamber events to date All Upstairs Startup hub board meetings attended to date Planning underway Biz Month Sep 2021 | |
| Responsible Officer | Manager Economic Development | Manager Economic Development | | Manager Economic Development | |
| Tracking our Progress | Seek funding for economic infrastructure projects. | Continued support for joint regional relocation campaigns. All 4 entrance billboards and welcome signs updated/maintained as required. | Lifestyle promotional content created/updated. including the Bathurst Region website | 12 eNewsletters issued. Cluster Strategy developed and cluster groups activated. Run BizMonth, Buy Local Gift Cards and Business Leaders Lunch programs. Bathurst Business Hub website updated/maintained. Attendance at 75% of Business Chamber After-Hours events. Representation at all "Upstairs | Start-up Hub" board meetings. |
| Operational Plan – this year's Projects / Tasks | Nurture economic infrastructure development by supporting the development of the aerodrome, industrial precincts and telecommunications. | Market-leading promotional campaigns to increase residential relocations and a sense of place. | | Support local businesses and start-ups through engagement, support and economic programs. | |
| Deliverable Actions over the next 4 years | Implementation of the Economic Development Strategy 2018-2022 and associated actions. | | | | |
| CSP 2040 Objective Reference | 2.2 2.2 5.5 5.5 6.3 | | | | |

Economic Development

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| | 475 Jobs posted on Evojobs to January Bathurst Jobs Expo cancelled due to COVID restrictions. Planning underway for Careers Expo (former Jobs Expo) for | - Aug 2021. - Ongoing support for the relocation of numerous businesses in manufacturing and IT industries | Monthly meetings held to date Discussions ongoing with various IT software development firms to be based in Bathurst Selection of locations for placement of Smart Benches (Community Building Partnerships Grant). Finalisation of quotes. Quote sought for the placement of parking sensors on William Street and associated network infrastructure Investigations ongoing for the use of CCTV cameras for people and vehicle counting |
| | Manager Economic Development | | Manager Economic Development |
| Promote resources to businesses including the ID websites and Spendmapp | Organise the Bathurst Jobs Expo with minimum 40 stalls and 1,500 attendees. Minimum of 60 new local iobs | promoted each month Develop relocation proposals, relocation materials and support the relocation of new businesses. | Monthly Project Group meetings held. Seek funding and roll out Smart Community priority projects. Promote Bathurst as a Smart Community through marketing campaigns and speaking at events. |
| | Grow local employment, investment and attract new businesses | | Develop Bathurst into a Smart Community of national significance. Support innovative practices from industry. |
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Attachment 8.3.3.1

2020-2021 Section 356 Donations Report as at 31 May 2021

| Details | Reference | Date | Standard Annual Donations | Specific Donations | Mt Pan Fee Waived | BMEC Donations | Sundry Donations | TOTAL |
|--|--|--------------------------|---------------------------------|-----------------------|----------------------|-------------------|---------------------|-------------------------|
| Annual Budget | | | \$ 75,325.00 | \$ 42,270.00 | \$ 30,000.00 | \$ 51,000.00 | \$ 27,000.00 | \$ 225,595.00 |
| Spent to date: | | | 10,020.00 | 42,270.00 | 30,000.00 | 51,000.00 | 21,000.00 | 223,333.00 |
| WRAS Annual Subscription/donation | Operation Plan | 29/07/2020 | -2,518.00 | | | | | -2,518.00 |
| Sofala Progress Association | Operation Plan | 14/08/2020 | -2,500.00 | | | | | -2,500.00 |
| Bathurst Refugee Support Group Inc (BRSG) | Operation Plan | 14/08/2020 | | -2,000.00 | | | | -2,000.00 |
| Bathurst Seymour Centre Inc | Operation Plan | 14/08/2020 | | -2,500.00 | | | | -2,500.00 |
| Bathurst Mens Shed Incorporated | Operation Plan | 14/08/2020 | | -1,000.00 | | | | -1,000.00 |
| Lifeline Central West Bathurst Remembers / AVAMS / Communications | Operation Plan | 26/08/2020 | | -5,000.00 | | | | -5,000.00 |
| and Resources Project | Operation Plan | 26/08/2020 | | -4,000.00 | | | | -4,000.00 |
| Monkey Hill UHF Repeater | Operation Plan | 26/08/2020 | -1,000.00 | | | | | -1,000.00 |
| Central West Women's Health Centre Inc | Operation Plan | 7/09/2020 | | -2,000.00 | | | | -2,000.00 |
| Lions Club of Bathurst Inc | Operation Plan | 8/09/2020 | | -2,000.00 | | | | -2,000.00 |
| Western Sydney University Medical Scholarship | GM 18/09/19 Item 4 | 10/09/2020 | -5,000.00 | 500.00 | | | | -5,000.00 |
| Bathurst Gardener's Club Inc | Operation Plan | 23/09/2020 | 0 744 07 | -500.00 | | | | -500.00 |
| Bathurst City Colts Water Account | Operation Plan Operation Plan | 21/10/2020 30/10/2020 | -2,744.27 -350.00 | | | | | -2,744.27 -350.00 |
| Sofala & District AH&P Association Macquarie Philharmonia - Platinum Donation | Operation Plan | 26/11/2020 | -2,000.00 | | | | | -2,000.00 |
| BMEC - Bathurst Eisteddfod Sep 2020 | Operation Plan | 30/11/2020 | -2,000.00 | | | -30,000.00 | | -30,000.00 |
| Bathurst Stamp, Coin, Collectables and Lapidary | | | | . = | | -50,000.00 | | |
| Club Inc | Operation Plan | 30/11/2020 | | -1,500.00 | | | | -1,500.00 |
| BMEC - Bathurst Eisteddfod Sep 2020 | Operation Plan | 30/11/2020 | | | | -5,245.09 | | -5,245.09 |
| Meadow Flat Public School - presentation day | S356 Policy | 18/11/2020 | | | | | -60.00 | -60.00 |
| West Bathurst Public School - presentation day | S356 Policy | 9/12/2020 | | | | | -60.00 | -60.00 |
| Rockley Public School - presentation day | S356 Policy | 9/12/2020 | | | | | -60.00 | -60.00 |
| Bathurst City & RSL Band Association Inc | Operation Plan | 31/12/2020 | -5,000.00 | | | | | -5,000.00 |
| Evans Art Council | Operation Plan | 27/01/2021 | -3,000.00 | | | | | -3,000.00 |
| The Neighbourhood Centre (formerly BINC) | Operation Plan | 29/01/2021 | -900.00 | | | | | -900.00 |
| Mount Panorama Punish | 19/08/20 Item 7.3.9 | 28/02/2021 | | | -1,619.00 | | | -1,619.00 |
| CSU Foundation Trust | Operation Plan | 26/03/2021 | -5,000.00 | | ., | | | -5,000.00 |
| BDRSC grant - Bathurst Giants ARFC | Operation Plan | 21/04/2021 | -2,000.00 | | | | | -2,000.00 |
| BDRSC grant - Bathurst Hockey Association | Operation Plan | 21/04/2021 | -4,300.00 | | | | | -4,300.00 |
| BDRSC grant - Eglinton Tennis Club Inc | Operation Plan | 21/04/2021 | -2,000.00 | | | | | -2,000.00 |
| BDRSC grant - Bathurst Bushrangers ARFC Inc | Operation Plan | 21/04/2021 | -3,000.00 | | | | | -3,000.00 |
| BDRSC grant - Bathurst Little Athletics | Operation Plan | 21/04/2021 | -6,100.00 | | | | | -6,100.00 |
| Evans Art Council | Mayoral Minute 09/12/202 | 30/04/2021 | | | | | -5,000.00 | -5,000.00 |
| Bathurst City Colts Water Account | Operation Plan | 5/05/2021 | -1,040.61 | | | | | -1,040.61 |
| This is My Brave Australia Inc | 19/08/20 Item 7.3.5 | 21/05/2021 | | | | -1,886.16 | | -1,886.16 |
| Rotary Club of Bathurst - RYDA | 21/4/21 Item 8.3.9 | 31/05/2021 | | | -4,000.00 | | | -4,000.00 |
| Amount Spent | | | -48,452.88 | -20,500.00 | -5,619.00 | -37,131.25 | -5,180.00 | -116,883.13 |
| Available Balance before commitments | | | 26,872.12 | 21,770.00 | 24,381.00 | 13,868.75 | 21,820.00 | 108,711.87 |
| Committed: | | | | | | | | |
| Bathurst Junior Sports Awards (2BS) | Operation Plan | | -5,000.00 | | | | | -5,000.00 |
| Bathurst City Colts Water Account | Operation Plan | | -3,071.12 | | | | | -3,071.12 |
| Nitchell Conservatorium - BMEC Concerts | Operation Plan | | | | | -4,000.00 | | -4,000.00 |
| 3MEC - Bathurst Youth Council | Operation Plan | | | | | -2,000.00 | | -2,000.00 |
| 3MEC - CPSA Monthly Meetings | Operation Plan | | | | | -11,000.00 | | -11,000.00 |
| Russell St Road Closures | Operation Plan | | -10,000.00 | | | | | -10,000.00 |
| Bathurst Street & Custom Motorcycle Show | Operation Plan | | | -13,970.00 | | | | -13,970.00 |
| Bathurst Edgell Jog | Operation Plan | | | -5,000.00 | | | | -5,000.00 |
| Community Opportunity Shop Inc | Operation Plan | | | -800.00 | | | | -800.00 |
| Eglinton Public School P & C Country Fair Committe | | | | -500.00 | | | 1 400 00 | -500.00 |
| Australian Warbird Association Limited | 17/02/21 Item 7.2.6 17/02/21 Item 7.2.7 | | | | -13,499.09 | | -1,400.00 | -1,400.00 -13,499.09 |
| Bathurst AH&P Association | Mayoral Minute 09/12/2020 (| COVID Stimulus) | | | -13,499.09 | | -2,000.00 | -13,499.0 |
| Bathurst AH&P Association | 2020 paid, but Show cancelle | | | | | | 2,000.00 | 0.00 |
| CSU Foundation Trust (Gordon Bullock | • | | | | | | | |
| Scholarship) | Not awarded for 2021 | | | | | | | 0.00 |
| Bathurst Remembers WW2 Exhibition 2020 | Postponed to late 2021 (COV | /ID) | | | | | | 0.00 |
| Australasian Mining History Association | Event cancelled (COVID) | | | | | | | 0.00 |
| HK HT HG Holden Nationals Event | Postponed to late 2021 (COV | /ID) | | | | | | 0.00 |
| Bathurst City Mens Bowling Club - Carillon Fours | Event cancelled (COVID) | | | | | | | 0.00 |
| Central Tablelands Woodcraft Inc | Event cancelled (COVID) | | | | | | | 0.00 |
| Packard Automobile Club of Australia Inc | Postponed to 2022 (COVID) | _ | | | | | | 0.00 |
| Amount Committed | | | -18,071.12 | -20,270.00 | -13,499.09 | -17,000.00 | -3,400.00 | -72,240.21 |
| | | | | -1,500.00 | | 3,131.25 | -1,631.25 | |
| Adjustment between Funds | | | | 1,000.00 | | | | |

| Summary Remaining Budget | \$ | | |
|---------------------------|-----------|------------------------|-------------|
| Standard Annual Donations | 8,801.00 | | |
| Specified Donations | 0.00 | Summary | \$ |
| Mt Pan Fee Waived | 10,881.91 | Total Budget | 225,595.00 |
| BMEC Donations | 0.00 | Less: Amount Spent | -116,883.13 |
| Sundry Donations | 16,788.75 | Less: Amount Committed | -72,240.21 |
| Total Remaining | 36,471.66 | Total Remaining | 36,471.66 |

| NAME OF TENANT | LOCATION | Current Rent PA | Estimated Market Rent | BRC Rental Subsidy |
|--|----------------------------|--------------------|-----------------------------|-----------------------|
| Mitchell Conservatorium | Machattie Park Cott | 550.00 | 16,804.00 | 16,254.00 |
| Central Tablelands Woodcraft Inc | Learmonth Park | 576.07 | 15,637.00 | 15,060.93 |
| Community Opportunity Shop Inc | 8 Lions Club Drive | 1,100.00 | 20,849.00 | 19,749.00 |
| Community Opportunity Shop Inc | Veggie Patch Churc | 1.00 | 15,637.00 | 15,636.00 |
| Air Services Australia | Aerodrome - Comm | 1.00 | 18,764.00 | 18,763.00 |
| Taxi Cabs of Bathurst Co-operative Society Ltd | Communication tow 1,282.78 | 1,282.78 | 18,764.00 | 17,481.22 |
| Master Communications & Electronics Pty Ltd | Communication tow 4,458.10 | 4,458.10 | 18,764.00 | 14,305.90 |
| Bathurst City & RSL Band Association | Walmer Park | 228.20 | 20,849.00 | 20,620.80 |
| Bathurst Lions Club Inc | Short St | 1.10 | 15,637.00 | 15,635.90 |
| Evans Arts Council Inc | Lee Street | 500.00 | 5,213.00 | 4,713.00 |
| Bathurst District Historical Society Inc | Mitre Street | 1.00 | 10,425.00 | 10,424.00 |
| Bathurst District Historical Society Inc | 16 Stanley Street | 1.00 | 10,425.00 | 10,424.00 |
| Bathurst Meals on Wheels Inc | 4 Watt Drive | 1.00 | 52,121.00 | 52,120.00 |
| Department of Defence (Air Cadets) | Aerodrome - Lot 25 | 90.91 | 13,380.00 | 13,289.09 |
| Department of Defence (Air Cadets) | Aerodrome - Lot 36 | 90.91 | 38,652.00 | 38,561.09 |
| | | | | 283,037.93 |

| Market Rental Subsidies for 2020 | /21 |
|----------------------------------|----------|
| ket Rental Subsidies 1 | 8 |
| ket Rental Subsid | s for |
| ket Re | ubsidies |
| ket | ental Su |
| | ket |

| POLICY: | APPROVED HANDLING OF FILL |
|--------------------|---|
| DATE ADOPTED: | Director Environmental, Planning & Building Services Report # 1 Policy 7 September 2011 Council 21 September 2011 Minute Book No. 11192 |
| ORIGINAL ADOPTION: | |
| FILE REFERENCE: | 11.00006-04 |
| OBJECTIVE: | To establish guidelines for the correct transport and disposal of approved fill material with minimal environmental impact |

1. BACKGROUND

The Protection of the Environment Operations Act (1997) (the Act) outlines the transport and use of land as waste facilities, and the Protection of the Environment Operations (Waste) Regulation (2005) (the Regulation) outlines the requirements for individuals and corporations in dealing with waste materials that are transported and applied to land.

The Protection of the Environment Operations Act (1997), Section 143 'Unlawful transporting or depositing of waste', states:

(1) Offence

If a person transports waste to a place that cannot lawfully be used as a waste facility for that waste, or causes or permits waste to be so transported:

- (a) the person, and
- (b) if the person is not the owner of the waste, the owner, are each guilty of an offence.

2. AIM

The aim of this policy is to ensure the protection of public health and the environment and to improve the methods used to transport and dispose of fill material.

3. LAND TO WHICH THIS POLICY APPLIES

This policy applies to all land within the Bathurst Regional Council Local Government Area. It applies to actions which result in the transport of fill from one property to another.

4. **BENEFITS**

The inappropriate transport and disposal of fill material can result in a devaluing of the natural and human environment and can cause harm to both humans and the environment through:

- Failing to prevent the loss of material during transport;
- Contaminated material being introduced to the environment;

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|----------------------|-----------|--------------|-------------|
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- Inappropriate material being used during construction or land conservation works;
- Material being placed in locations not suitable or not permitted to receive such material.

This policy aims to provide clear guidelines for the appropriate transport and disposal of material that is classed as 'clean fill'.

5. APPROVED MATERIALS

Approved materials for the purpose of this policy are classed as 'Clean Fill'. Clean fill includes the following material.

- (a) Virgin Excavated Natural Material (VENM) as defined in the Act and in the Glossary.
- (b) Rock material sourced from an approved quarry or reseller.
- (c) Top soil or similar material sourced from an approved seller.
- (d) Materials subject to a Resource Recovery Exemption issued by the Environment Protection Authority that permit the material's use for engineering fill, earthworks, building, landscaping and/or construction works and:
 - i. Meets the requirements of that exemption;
 - ii. Details are provided to Council of such evidence prior to transport and disposal;
 - iii. Is not deposited in a waterway or other environmentally sensitive area.

6. APPROVED TRANSPORT OF CLEAN FILL

Approved transport means clean fill that is transported in a manner that does not result in material being lost during transit:

- (a) Material is to be contained in a vehicle or other transport device that is designed to carry such material
- (b) Material is to be covered in a manner that will not result in the material being blown, washed or otherwise lost during transport and in conjunction with s49 of the Regulation
- (c) The driver conveying the material must be able to provide details as to the owner, origin and nature of the material and to the location of disposal
- (d) If material being transported is to be taken to an unlicensed landfill or a site not dedicated for the receiving and processing of waste, the driver conveying the material must carry written approval from the receiving landowner or corporation as per s143(3A) of the Act.

7. APPROVED RECEIVING OF CLEAN FILL

Approved receiving means allowing clean fill to be deposited onto land which the person receiving such material has approval or has given permission to do so. The person receiving the material is to:

- (a) Obtain documentation regarding owner, origin and nature of material;
- (b) Obtain documentation regarding person or corporation transporting the material;
- (c) Provide written approval to the individual or corporation transporting and disposing of the material as per s143(3A) of the Act.

8. APPROVED DISPOSAL OF CLEAN FILL

Approved disposal means transporting and depositing clean fill to a site that allows the receiving of such material, including:

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- (a) A licensed landfill site including the Bathurst Waste Management Centre but excluding Bathurst Region Rural Transfer Stations;
- (b) An unlicensed landfill site that meets the requirements of the Policy or has consent to receive material and has given approval to receive such material;
- (c) An approved* construction or land conservation works site that receives only Virgin Excavated Natural Material (VENM) and has given approval to receive such material;
- (d) An approved* construction or land conservation works site that receives other naturally sourced clean fill and has given approval to receive such material;
- (e) site that receives material recovered as part of a resource recovery exemption and has given approval to receive such material, has the relevant Council consent or is exempt from consent.

*An approved site means one for which site works have received the relevant Council or other Government Department consent.

9. MATERIALS THAT ARE NOT APPROVED FOR DISPOSAL

Materials that are classed as waste are not approved for disposal to a site other than that which is licensed to receive such waste. Waste is defined in the Act and in the Glossary below and includes but is not necessarily limited to:

- Non-exempt building or demolition material;
- VENM mixed with building or demolition material;
- VENM sourced from former fuel storage areas or other potentially contaminated sites;
- Green (garden and plant) waste;
- Asbestos;
- Household waste and other litter;
- Cars, tyres, batteries and other vehicle parts;
- Dead animals;
- Chemicals, fuel, paint and other hazardous liquids;
- Other putrescible, hazardous or liquid waste, as defined in the Act.

10. MATERIALS NOT INCLUDED IN THIS POLICY

The application to land with organic material for agricultural purposes may be permitted subject to the relevant Council or Office of Environment and Heritage Approval or Exemption and as such, are not dealt with under the Policy. Such material may include but not necessarily be limited to:

- Biosolids;
- Food waste;
- Feed lot waste;
- Manure, compost or other processed organic material.

11. TRANSPORT NOT INCLUDED IN THIS POLICY

Fill that is transported and deposited without leaving the property boundary and is not placed contrary to any Act or Regulation does not require approve approval and is not included in this policy. Property boundary means a single or multiple titled parcel of land that is contiguous and owned by the same person or corporation.

If the fill is taken outside the property boundary, then the conditions of this policy apply.

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|----------------------|-----------|--------------|-------------|

12. IMPROVEMENT POLICY

Council seeks feedback from the public on ways to improve the policy and make it easier to understand. Please address your comments in writing to:

The General Manager Bathurst Regional Council Private Mail Bag 17 BATHURST NSW 2795

13. GLOSSARY

<u>Clean Fill</u> must meet the definitions of 'non-putrescible' waste under the Act and the conditions outlines in this Policy, and not contain any material that would otherwise alter the natural environment, result in contamination or devaluing of the natural or human environment.

The following items are defined under the Protection of the Environment Operations Act (1997):

<u>Land pollution or pollution of land</u> means placing in or on, or otherwise introducing into or onto, the land (whether through an act or omission) any matter, whether solid, liquid or gaseous:

- (a) that causes or is likely to cause degradation of the land, resulting in actual or potential harm to the health or safety of human beings, animals or other terrestrial life or ecosystems, or actual or potential loss or property damage, that is not trivial; or
- (b) that is of a prescribed nature, description or class or that does not comply with any standard prescribed in respect of that matter,

Litter includes:

- (a) any solid or liquid domestic or commercial refuse, debris or rubbish and, without limiting the generality of the above, includes any glass, metal, cigarette butts, paper, fabric, wood, food, abandoned vehicles, abandoned vehicle parts, building or demolition material, garden remnants and clippings, soil, sand or rocks, and
- (b) any other material, substance or thing deposited in or on a place if its size, shape, nature or volume makes the place where it is deposited disorderly or detrimentally affects the proper use of that place,

Resource Recovery Exemption

Resource recovery exemptions are granted by the Office of Environment and Heritage (OEH) where the land application or use as fuel of a waste material is a bona-fide, fit for purpose, reuse opportunity that causes no harm to the environment or human health, rather than a means of waste disposal. General exemptions are issued for commonly recovered, high-volume and well-characterised waste materials.

A general exemption may be used by anyone, without seeking approval from OEH, provided the generators, processors and consumers fully comply with the conditions of the exemption and this Policy.

Section 143(3A) Defence – approved notice

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It is a defence in any proceedings for an offence under this section if the defendant establishes that:

- (a) an approved notice was, at the time of the alleged offence, given to the defendant by the owner or occupier of the place to which the waste was transported or was displayed at the place, and
- (b) the approved notice stated that the place could lawfully be used as a waste facility for the waste, and
- (c) the defendant had no reason to believe that the place could not lawfully be used as a waste facility for the waste.

An s143(3A) Notice is available at

http://www.environment.nsw.gov.au/resources/waste/notice_s143.pdf

Virgin excavated natural material (VENM) means natural material (such as clay, gravel, sand, soil or rock fines):

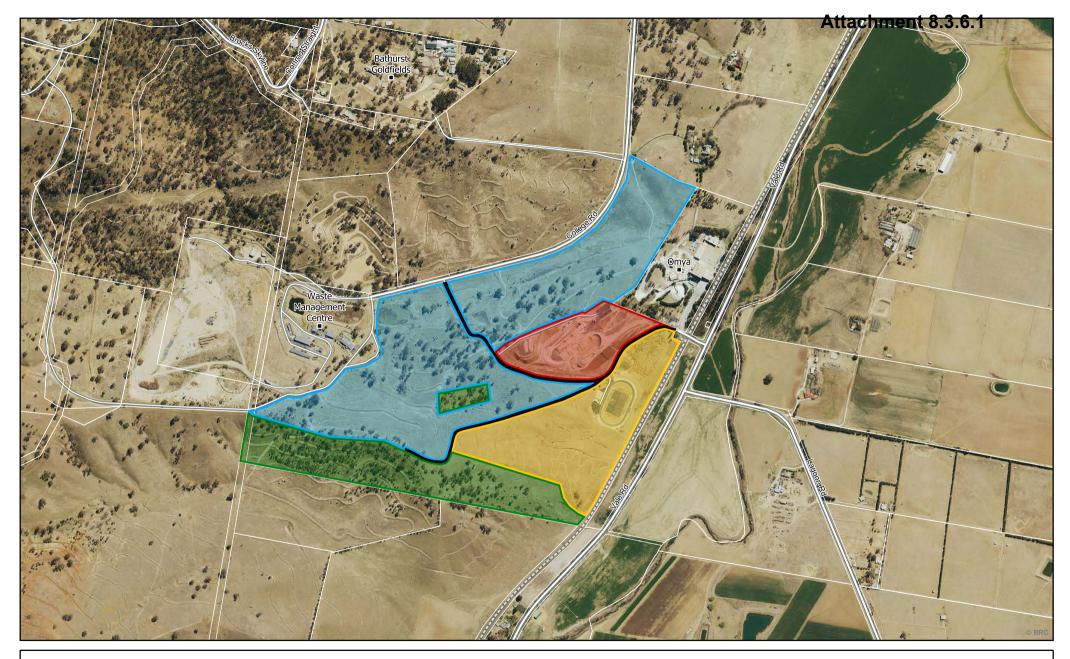
- (a) that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities, and
- (b) that does not contain any sulfidic ores or soils or any other waste, and includes excavated natural material that meets such criteria for virgin excavated natural material as may be approved for the time being pursuant to an EPA Gazettal notice.

Waste includes:

- (a) any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- (b) any discarded, rejected, unwanted, surplus or abandoned substance, or
- (c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- (d) any processed, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or
- (e) any substance prescribed by the regulations to be waste.

A substance is not precluded from being waste for the purposes of the Act merely because it is or may be processed, recycled, re-used or recovered.

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|----------------------|-----------|--------------|-------------|



BATHURST Important Notice ! This map is not a precise

Bathurst Regiona Council

158 Russel Street Bathurst NSW 2795 Telephone: 02 6333 6111 Facsimile: 02 6331 7211 Web: www.bathurst.naw.gov.au

Bathurst Regional Council expressly disclaims all liability for errors or omissions of any kind whatsoever or any loss, damage or other consequence which may arise from any person relying on information comprised in this Plan.

Note: The colours on this Plan do not indicate landuse zones under the Bathurst Regional (Interim) Local Environment Plan 2014.

ACENDA - Ordinary Meeting of Council - 16 June 2021 Attachments



This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australia Height Cataum of 1984 (AGA566/84). Heights are referenced to the Australia Height Datum (AHT) heights. For most protaction purposes GDA94 coordinates and statilite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WCS84) are the same

Aerial Photography: 14 Sep 2019 Contour Interval: ... Projection: MGA94 Zone 55 Cost: ... Date: 08/07/2020 Drawn By: GIS Section

BMX Club Cycle Club

Legend

Mountain Bike Club

Common Areas Environmental Area (Exclusion Zone)

Bathurst Bike Park

Map Scale (A3): 1:7500 450 of 569



Bathurst District Historical Society Inc.

POSTAL ADDRESS: P.O. Box 237 BATHURST NSW 2795 Phone: (02) 6332 2522 www.bathursthistory.org.au info@bathursthistory.org.au MUSEUM and ARCHIVES: East Wing Bathurst Court House Russell Street BATHURST NSW 2795

14 May 2021

Mr D Shirley General Manager Bathurst Regional Council Russell Street BATHURST NSW 2795

Dear David

On the third Thursday of each month except January, the Society holds our monthly muster. This presentation is open to the general public on a historical topic free of charge.

On the 15 July 2021 Kim Bagot-Hiller recipient of the Macquarie Medal in 2019 and great grandniece of Ben Chifley, will be presenting a talk to mark the 76th anniversary of Ben Chifley becoming Prime Minister and the 86th anniversary of him entering parliament. During the pandemic conditions last year the 75th and 85th anniversaries were marked by a webinar given by Ms Bagot-Hillier filmed from the Bathurst Rail Museum.

The Society would like to replicate the webinar by holding the Muster of the 15 July 2021 at the Rail Museum. We understand that there is a charge for the use of the venue therefore we would like to ask that this fee be waivered or reduced.

The Society thanks you for your ongoing support of the Society.

Yours sincerely

Mary Fletcher President - BDHS

| POLICY: | LAND - SALES |
|--------------------|--|
| DATE ADOPTED: | Director Corporate Services & Finance's Report #5 Council 18 May 2016 Minute Book No. 12260 |
| | Director Corporate Services & Finance's Report #1 Policy 2 July 2014 Council 16 July 2014 Minute Book No. 11818 |
| ORIGINAL ADOPTION: | Director Business & Economic Development's Report #1 Policy 1 March 2006 Council 15 March 2006 Minute Book No. 9799 |
| FILE REFERENCE: | 20.00009 |
| OBJECTIVE | To establish a procedure for all land sales |

1. POLICY INTRODUCTION

1.1 The *Local Government Act, 1993* requires councils to prepare and adopt policies on contracts and tenders, including policies on the sale or disposal of land and other assets in addition to those matters addressed in the Purchasing Policy.

2. POLICY OBJECTIVES

2.1 The objectives of this policy are to ensure Bathurst Regional Council's processes for the sale and disposal of land are fair and transparent.

3. POLICY STATEMENTS

- 3.1 This Policy includes land as a physical entity including buildings, structures, or improvements to land.
- 3.2 Land also includes a legal estate or interest such as a leasehold estate. This Policy does not cover easements or rights of way.
- 3.3 Sale and disposal of land will be consistent with Council's economic, social and/or environmental objectives.
- 3.4 When considering options for the sale and disposal of land, Council will look for opportunities to advance the objectives of the Council's Management Plan.
- 3.6 The process for the sale and disposal of land will be fair and transparent to ensure Council obtains the best outcomes and price.

3.7 Commercial confidentiality will apply to negotiations for sale and disposal of land unless Council decides otherwise.

4. MAJOR LEGISLATIVE AND CORPORATE REQUIREMENTS

- 4.1 This Policy complies with the requirements of the Local Government Act 1993.
- 4.2 Other major legislative requirements that may be relevant include the following:
 - Property, Stock and Business Agents Act 2002
 - Real Property Act 1900
 - Conveyancing Act 1919
 - Community Land Development Act 1989
 - Strata Schemes (Freehold Development) Act 1973
 - Strata Schemes (Leasehold Development) Act 1986
 - Roads Act 1993
- 4.3 This Policy is to be implemented in conjunction with other relevant Council policies and strategies including the following:
 - Bathurst Regional Council Delivery Plan and Annual Operating Plan
 - Purchasing Manual
 - Community Engagement Strategy

5. LAND SALE PROCESS (Residential / Commercial / Industrial)

- 5.1 Report prepared for Council to approve sale, pricing and sale process for any new release of land.
- 5.2 Advertise sale and release method minimum two weeks prior to land release.
- 5.3 Land release method:

Ballot Release being General Release "A" then, General Release "B".

- 5.3.1 Ballot Release " A "
 - Register for ballot using Ballot application form and incorporating a Statutory Declaration form to state that only one (1) application per person will be filled out regardless of nominated entity.
 - Thereafter applicant cannot apply for a second ballot application as they are now 'excluded' from being involved in a second application in any way, shape or form.
 - Registration would open at 8.30am on (date to be specified).
 - □ Registration would close at 4.45 pm on (date to be specified)
 - Ballot drawn at Council Chamber, Civic Centre, 158 Russell
 - Street, Bathurst, 10 am (date to be specified) and within 7 days of ballot closing.
 - Partnerships, companies and trusts must supply their ACN or ABN to validate their ballot.
 - □ Transfer of land will be in the name/s registered on the ballot application form.

- The ballot applicant/s will have twenty-one (21) days from receipt of Sale Contract issued to their Solicitor/Conveyancer to finalise an exchange. Failure to comply will result in the Sale Contract being cancelled and the property being made available to other interested purchasers.
- The ballot applicant or their representative (Proxy) authorised in writing must be present at the ballot draw to select a lot in order of the draw. Failure to attend the ballot or acknowledge the drawn application number will result in that application number being invalid and another application number drawn.

5.3.2 General Release " B "

8.30am - next working day after ballot (date to be specified) Council will offer any remaining lots under normal Market Conditions on a first come first serve basis.

5.3.3 Hand ins or non-Exchanged Lot's

Any lots handed back into Council after Ballot process or any lots failed to exchange during the twenty-one (21) day sale contract period. Will be 'held' and offered to the public via Council's website at a time of Council's choosing.

6. SPECIAL CONDITIONS

Offer builder's terms with up to twelve (12) months delayed settlement, such terms not available until one (1) month after the ballot draw date. These terms also require lodgment of a Development Application within three (3) months of exchange of contract otherwise sale will be cancelled, and deposit refunded less Council costs. Council requires a copy of the Contractor's valid Builders Licence and Public Liability Insurance Policy as part of sale of contract.

Builders terms are available to licensed builders only and are not transferable to any third party.

Attachment 8.3.9.2

STATUTORY DECLARATION

I, ______ of _____ do solemnly and sincerely declare that:

1. This declaration is made by me in relation to my participation in Bathurst Regional Council's ballot for the sale of vacant residential land known as Stage 1C Sunnybright Estate, Kelso.

or

- 2. This declaration is made by me [in my capacity as a director of / beneficiary of / unitholder in / shareholder] in relation to its participation in Bathurst Regional Council's ballot for the sale of vacant residential land known as Stage 1C Sunnybright Estate, Kelso.
- 3. I acknowledge that it is an essential condition of participating in the ballot that I am only entitled to register once and that I not have any interest in any other entity participating in the ballot.
- 4. I declare that I have no beneficial interest or equity in, nor am I a director of or in any way associated with any other participant in the ballot.
- 5. I understand that Bathurst Regional Council is relying on the contents of this Statutory Declaration and that any false statements contained herein may result in Bathurst Regional Council later terminating any Contract for Sale entered into by me resulting from the ballot.

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900*.

[signature of declarant]

in the presence of an authorised witness, who states:

- 1. *I saw the face of the person *OR* *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person has a special justification for not removing the covering.
- 2. *I have known the person for at least 12 months *OR* *I have confirmed the person's identity using the following identification document:

[describe identification document relied on]

[signature of authorised witness]

Note: An authorised witness includes a justice of the peace, notary public, commissioner of the court for taking affidavits or lawyer (with a current practising certificate)

.....[date]

kckc_#m#_603.docx

7.5.2 TOURISM INDUSTRY ENGAGEMENT FRAMEWORK

File No: 20.00299

MINUTE

RESOLUTION NUMBER: ORD2020-182

MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED:

That Council note the expanded approach to tourism industry engagement.

7.5.2 TOURISM INDUSTRY ENGAGEMENT FRAMEWORK

File No: 20.00299

RECOMMENDATION:

That Council note the expanded approach to tourism industry engagement.

BACKGROUND

In 2015 the Tourism Reference Group (TRG) was established as a skills-based group of professionals from the diverse sectors of the visitor economy across the Bathurst region. Convened and chaired by Bathurst Regional Council, the Group provided strategic advice, updates from members, acted as an advocacy group to industry and provided industry specific advice to Council.

The TRG was the only cross sector group within the Bathurst region visitor economy. The TRG was intended to provide direct feedback from industry to inform decision making and guide the implementation of the priority actions of the 2015 Destination Management Plan. The formation of the group was the first priority item identified in this former Destination Management Plan and was a response to sentiment from industry that such a group was essential.

The term of the previously appointed group expired in December 2020. An initial call for expressions of interest from industry representatives in November/December of 2020 to constitute a new Group attracted limited responses. This was considered an indication that the industry is broadly comfortable in the leadership being displayed by Council in contrast to the last process in 2015, and that it was timely to consider a new working arrangement between Council, acting through the Bathurst Visitor Information Centre (BVIC) as the Destination Marketing Organisation (DMO) for the region, and the regional tourism industry.

REPORT

The Bathurst Region Destination Management Plan 2019-2024, adopted by Council on 11 December 2019 (DCCS Report #8.5.2), contains four overarching strategic priorities of which Priority Three is "Capacity Building and Collaboration". Whilst the Tourism Reference Group established a collaboration between local government and the private sector, it did not establish an adequate model through which the DMO could develop a comprehensive capacity building program informed by the needs of the industry.

The Bathurst Visitor Information Centre has recently developed a number of additional resources to increase engagement and to provide information and sector building tools to the regional tourism industry. Foremost amongst these are the development of a new Industry focused website <u>www.bathurstregiontourism.com</u> which provides updated business advice, campaign information, reporting and statistics as well as the introduction of regular industry newsletters which have been well received and of demonstrated value

Ordinary Meeting of Council Agenda - 15 July 2020

particularly throughout the uncertain climate created by the COVID-19 outbreak.

To fully implement the strategic intent of the Destination Management Plan a broader approach to industry engagement is required. This approach is proposed to constitute three elements:

1. Industry Networking and Cohesion

The formalisation of the previously intermittent industry networking events through BVIC. A structured calendar of such gatherings was being developed prior to the COVID 19 outbreak. The advantages of these gatherings are increased coherence and collaboration between industry partners and opportunity for a rotating program of presentations to communicate the activities of the DMO and the advantages and opportunities for engagement and participation in ongoing marketing and public relations activities amongst industry members.

2. <u>Sector Based Reporting</u>

The Bathurst Visitor Information Centre will seek to create an annual State of the Industry report based upon input from primary sectors of the Bathurst region visitor economy. Action 3.5 of the DMP requires an annual report of the industry and this activity will provide the data for that report and continue to fine tune the direction of Council activity and update the DMP. This would, in turn, be reported to the Council.

These reports will be compiled by the industry with assistance provided by the Council Tourism team. These reports will represent the views, challenges and requirements of the sectors. BVIC will facilitate industry led consultation within each specific sector area in the preparation of a sector-focused final report.

BVIC will have corresponding requirements to research and report on potential funding, broader industry trends and macrotrends and opportunities. This will further include creating a simple and reliable dashboard to evaluate outcomes and visitation trends including appropriate KPIs and producing the regional annual report showcasing visitor statistics, industry trends and economic data. This high-level report will lead to increased outcomes beyond dialogue between DMO and Industry. Central to this will be identifying the often-differing requirements of each sector area which will better allow the DMO to effectively allocate resources to the areas where it will have the most impact both in a marketing and a capacity building context. This will facilitate advocacy for the regional tourism industry, as well as better defining the role that Council is playing and should undertake in its ongoing growth and development.

An annual public meeting of industry will be called so sector leaders can present their reports.

3. Capacity Building

Informed by the consultation and reporting outlined in point 2, BVIC as the DMO will provide a calendar of industry and product development workshops, including working with Destination NSW and Destination Network Country & Outback to ensure maximum funding opportunities are available for Bathurst. A key initial consideration will be building the digital capacity of operators and enhancing the industry's digital footprint.

This three-tier system represents an effective feedback process and constructive engagement between Council and the tourism industry and will allow delivery of several of the action items as defined under Strategic Priority Area Three of the Bathurst Region

Ordinary Meeting of Council Agenda - 15 July 2020

Destination Management Plan 2019-2024.

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 1.1 Respect, protect and promote the region's Aboriginal heritage assets.
- Strategy 1.2 Protect, enhance and promote the region's European heritage assets and character.
- Strategy 1.3 Enhance the cultural vitality of the region.
- **Objective 2:** A smart and vibrant economy.
- Strategy 2.1 Support local business and industry.
- Strategy 2.6 Promote our City and Villages as a tourist destination.
- **Objective 6:** Community leadership and collaboration.
- Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

Nil



POSITIVE AGEING - 1000 STRATEGY



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|--------|

ACKNOWLEDGEMENT OF COUNTRY

Bathurst Regional Council acknowledges the Wiradjuri People as the Traditional Custodians of the land on which we work and live. The Wiradjuri Nation is the largest Aboriginal group in New South Wales. The Wiradjuri people are known as "the people of the three rivers", being the Wambuul (Macquarie), Kalari (Lachlan) and Murrumbidjeri (Murrumbidgee). We pay respect to Elders, past, present and future and acknowledge other Indigenous Nations who work and live on Wiradjuri country.

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Attachment 8.5.5.1

MESSAGE FROM THE MAYOR

Bathurst Regional Council wants to ensure anyone, of any age, can live well and engage fully within the community.

Bathurst Local Government Area (LGA) residents are living longer and choosing to engage in their community through work, social and physical activities well into their older years. Bathurst is not alone in this population shift; the World Health Organisation reports the global life expectancy has doubled since 1990 and continues to rise.

An ageing population presents a range of opportunities and challenges. By understanding the benefits and challenges of ageing and responding appropriately to age specific needs, Bathurst Regional Council can work towards creating the best possible community for all ages.

The Positive Ageing Strategy 2021 – 2026 demonstrates Council's commitment to addressing the opportunities and challenges of an ageing population. The Strategy enables Council to respond to the demands on services and facilities with an age friendly lens and work towards improving the quality of life for older people in the region.



The Strategy encompasses the NSW Government's Guiding Principles for Older People in NSW; recognising the value and diversity of ageing, enabling a whole-of-life approach to ageing, supporting people to have healthier longer lives, keeping people connected and included and enabling people to live in their home and their community.

I am proud to recommend the Positive Ageing Strategy 2021 – 2026 and I look forward to seeing this Strategy improve the wellbeing of older people in the region for years to come.

Mayor Councillor Bobby Bourke



MESSAGE FROM THE GENERAL MANAGER

Local Councils play an important role in creating and maintaining age-friendly communities.

An age-friendly community enables older people to age in place, maintain social connections, continue to be active within their community and access the services required as they age. Bathurst Regional Council is well placed to positively impact ageing through the development of local initiatives, maintenance and improvement of infrastructure.

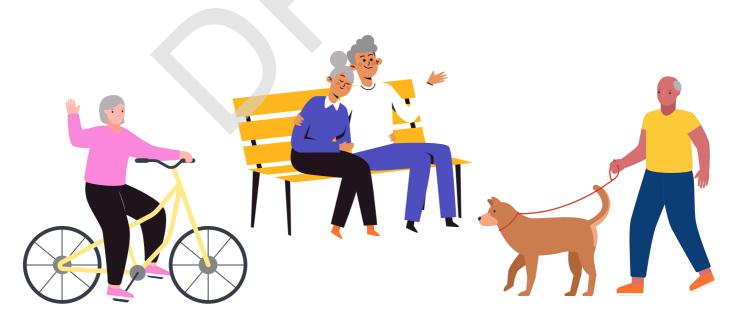
The Positive Ageing Strategy 2021 – 2026 has been developed to outline Council's commitments to older people in the region over the next five years. Through this Strategy, Council will lead a whole of community approach to ageing in the region. Bathurst Regional Council will work closely with key stakeholders including service providers, community members and government to develop and deliver initiatives which provide opportunities for meaningful change for older people.



Council has worked in partnership with older people, the broader community and the aged services sector to ensure the Strategy belongs to the Bathurst community. The Strategy is also informed by the World Health Organisation (WHO) Decade of Healthy Ageing, WHO Checklist of Essential Features of an Age Friendly City and the Ageing Well in NSW: Seniors Strategy 2021 – 2031.

Thank you to the service providers, organisations, community groups and community members who contributed to the development of the inaugural Positive Ageing Strategy. I look forward to ongoing conversations and positive outcomes for the community as the Strategy is delivered over the next five years.

David Sherley General Manager



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CHAPTER 1

INTRODUCTION

The Positive Ageing Strategy 2021 – 2026 is a whole of city Ageing Strategy and aims to improve the region's ability to cater for an ageing population.

There is no specific age at which an individual becomes an older person. In NSW, Senior's Card eligibility starts at 60, while the Commonwealth pension age is currently 66 (rising to 67 in 2023), and superannuation age varies. For the purpose of this Strategy, the term 'older people' refers to those aged 60 years and older. Generally, Aboriginal and Torres Strait Islander people age at a faster rate than non-indigenous people, with many experiencing age-related issues from the age of 50 years. For this reason, Aboriginal and Torres Strait Islander people' at 50 years.

NSW has an ageing population. It is estimated that around 2.4 million people in NSW will be aged 60 years and over by 2031, nearly 1 in 4 of the population.

The United Nations (UN) predicts the life expectancy of Australian's will increase from 83.5 years in 2019 to 87.15 years by 2050. The increased number of older people in our community brings many benefits. Older people contribute to the economy and society through their participation in the workforce, as volunteers, as students and through the support they provide to family members and others in the community.

The needs of an ageing population also create a range of challenges. Ensuring older people have access to affordable and inclusive services, financial independence, transport and housing options along with opportunities to remain active and engaged are issues which need to be addressed by government, the private sector, not-for-profit organisations, communities and individuals.

As the population ages, it is predicted that where people choose to live in NSW will also change. In 2011 about 67% of people aged 60 years and over lived in a city or metropolitan area of NSW, with around a quarter living in a regional city and less than one in ten living in a rural or remote area. However, the proportion of older people who live in regional and rural areas of NSW will grow faster than metropolitan Sydney as people choose alternate environments to age. *

The shift towards an older population creates an increased demand for accessible outdoor spaces, buildings, amenities, transport, facilities, services, and programs. This Strategy outlines a range of actions which will enable Bathurst to proactively prepare for this shift and ensure the region remains a desirable location for older people to live.

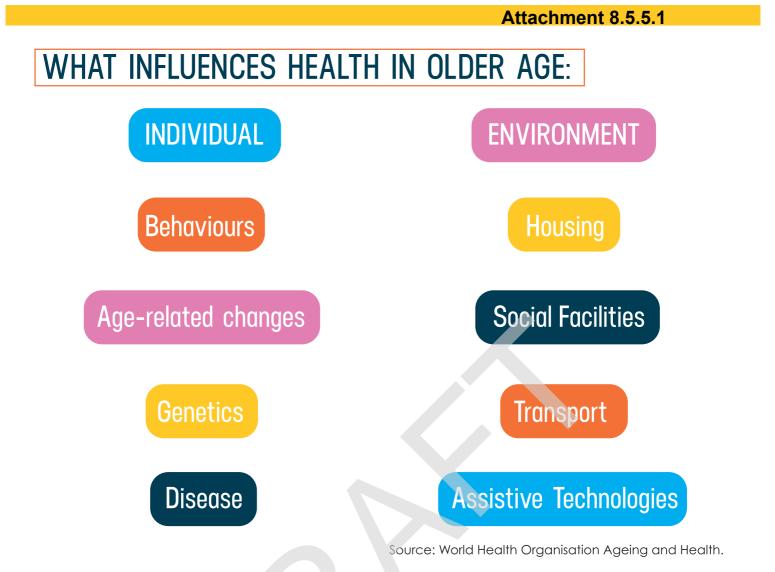
The environment plays a large role in how an individual ages, with the World Health Organisation (WHO) identifying factors such as housing, neighbourhood, community, and socioeconomic status as having a long-term effect on ageing. Environments also influence the development and maintenance of healthy behaviours such as eating a balanced diet and access to regular physical activity which are important in maintaining good physical and mental health.

Consideration of older people and the creation of age friendly environments are needed to ensure continued healthy, positive ageing within the Bathurst region. Age friendly environments enable people to stay active, connected and able to contribute to the economic, social and cultural life in their community.

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* source: Ageing Well in NSW: Seniors Strategy 2021 – 2031







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Attachment 8.5.5.1



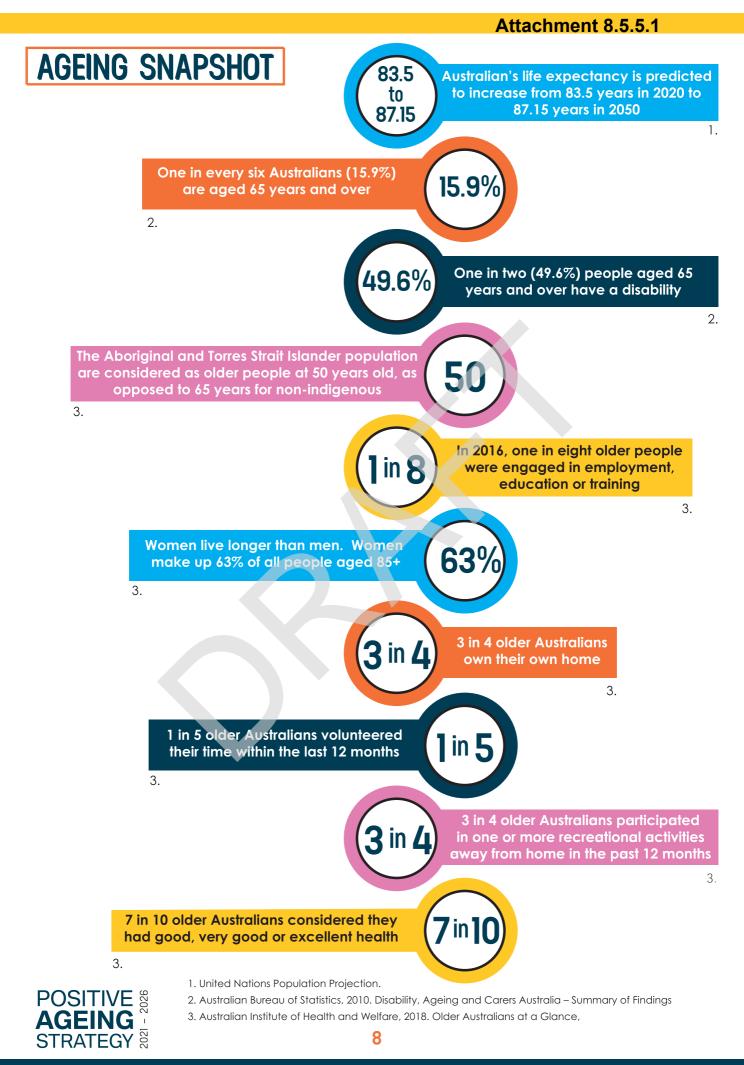
BATHURST PROFILE

The Bathurst Regional Council area is located in the Central Tablelands of New South Wales, 200 kilometres west of Sydney. The Bathurst Regional LGA is located on the Wiradjuri land. The area was proclaimed as a settlement in 1815 by Governor Macquarie, making Bathurst the oldest inland European settlement in New South Wales. At the 2016 Census, Bathurst had a resident population of 42,550. These people live in Bathurst City, the villages of Sofala, Hill End, Wattle Flat, Rockley, Trunkey Creek, Yetholme, Sunny Corner and Peel, together with a range of rural localities, covering a land area of 3,821.9km2.

The Bathurst region has a rich history; it has been inhabited by the Wiradjuri people for over 40,000 years. Early agricultural pursuits of the 1800's continue today and have provided ongoing support to the community, particularly on the banks of the Macquarie River. The gold rush of the 1850's and 60's saw the establishment of outlying townships such as Hill End and Sofala and the introduction to the region of multicultural influences. The first railway line reached Bathurst in 1876 and for the community, has been a vital link between Sydney and the West ever since.

The Bathurst region has evolved markedly since those days. It is now recognised as an educational centre with schooling available from preschool through to tertiary pursuits; as a vibrant city that has retained its relaxed country atmosphere; a community that embraces its facilities and prides itself on being friendly and welcoming; a region that values its history, and at the same time embraces its future; a region that provides a wide range of cultural opportunities and facilities; a city that will continue to grow and respond to the needs of its residents.





AGEING IN BATHURST

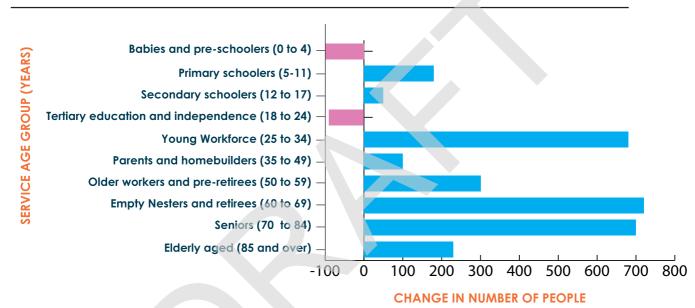
The 2016 Census showed 22.2% of people in Bathurst were aged over 60 years.

While there is a larger portion of younger people in Bathurst, the 60-69 year group recorded the biggest growth in Bathurst's population from 2011 to 2016 (an increase of 722 people), closely followed by 70-84 years old (an increase of 701 people). This growth is similar to that experienced throughout the State and demonstrates a shift towards an ageing population.

According to the 2016 Census, Aboriginal and Torres Strait Islander people made up 5.3% of the population in the Bathurst Regional LGA. This is significantly higher than NSW, with Aboriginal and Torres Strait Islander people making up 2.9% of the State's population.

CHANGE IN AGE STRUCTURE - Service age groups, 2011 to 2016

Bathurst Regional Council area - Total persons



Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 and 2016 (Usual residence data). Compiled and presented in profile .id (informed decisions).



AGE STRUCTURE - 5 year age groups, 2016

Total persons

Bathurst Regional Council Area 🗾 New South Wales



Source: Australian Bureau of Statistics, Census of Population and Housing, 2016 (Usual residence data).

SERVICE AGE GROUPS - 2016

Aboriginal and Torres strait Islander peoples

Bathurst Regional Council area - Indigenous 🗾 New South Wales - Indigenous



Source: Australian Bureau of Statistics, Census of Population and Housing, 2016 (Usual residence data)

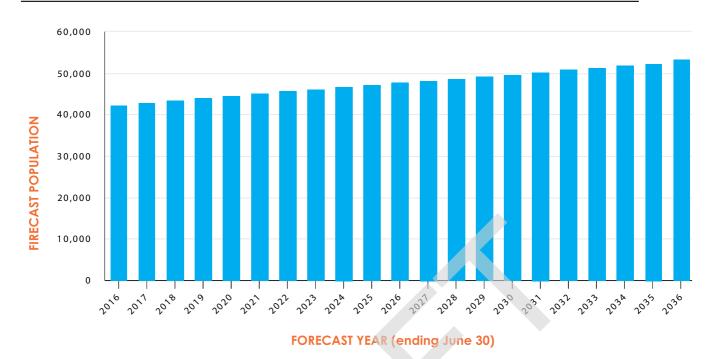
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FORECAST POPULATION

Bathurst Regional Council area - Total persons



Source: Population and household forecasts, 2016 to 2036, prepared by .id, December 2017.

CHANGE IN AGE STRUCTURE - 5 year age groups, 2011 to 2016 Bathurst Regional Council area - Total persons



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Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 and 2016 (Usual residence data).



CONTEXT OF THE POSITIVE AGEING STRATEGY

WHAT IS POSITIVE AGEING?

On average, people worldwide are living longer, and the pace of the population ageing is increasing dramatically. Positive ageing focuses on enabling older people to spend these additional years being actively engaged with their family, friends, community and interests.

A SAMPLE OF WHAT POSITIVE AGEING MEANS TO BATHURST LGA RESIDENTS:



WHAT IS A POSITIVE AGEING STRATEGY?

The Positive Ageing Strategy 2021 – 2026 aims to proactively prepare the Bathurst region for an ageing population. The Strategy has been developed, and will be implemented, in partnership with key stakeholders within the Bathurst LGA.

The Strategy will work to address the impact of an ageing population on economic growth, infrastructure and services and will provide increased opportunities for older people to be actively engaged and included in the community.

For the Positive Ageing Strategy 2021 – 2026 to be effective, the opportunities and challenges of an ageing population mean that government, the private sector and the wider community must work together.

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HOW WAS THE STRATEGY DEVELOPED?

The Positive Ageing Strategy 2021 – 2026 has been directly informed by the Bathurst 2040 Community Strategic Plan, the World Health Organisation's Essential Features of Age-friendly Cities and the Ageing Well in NSW: Seniors Strategy 2021 – 2031.

The development of the plan included;

- Community consultation
- Stakeholder consultation
- Development of an internal working group
- Consultation with NSW Western Area Local Health District
- Research of age-friendly approaches
- Development of objectives and strategies
- Drafting of the Strategy
- Draft to Council for consideration



HOW DOES THE POSITIVE AGEING STRATEGY FIT WITH OTHER COUNCIL PLANS?

Bathurst Regional Council adopted the Bathurst 2040 Community Strategic Plan (CSP) on 14 May 2018. The CSP is a legislative requirement as part of the NSW Government's integrated Planning and Reporting Framework for Local Government. The purpose of the CSP is to create a whole of community vision so that Council, other agencies and the community are working in the same direction.

The CSP was developed using an asset-based approach and outlines a number of objectives and strategies that represent the priorities of the community. An asset-based approach emphasises the strengths and potentials of a community. It involves assessing the resources, skills and experience available in a community. The Positive Ageing Strategy 2021 – 2026 aligns with a number of objectives and strategies identified in the CSP, as outlined on the following pages;

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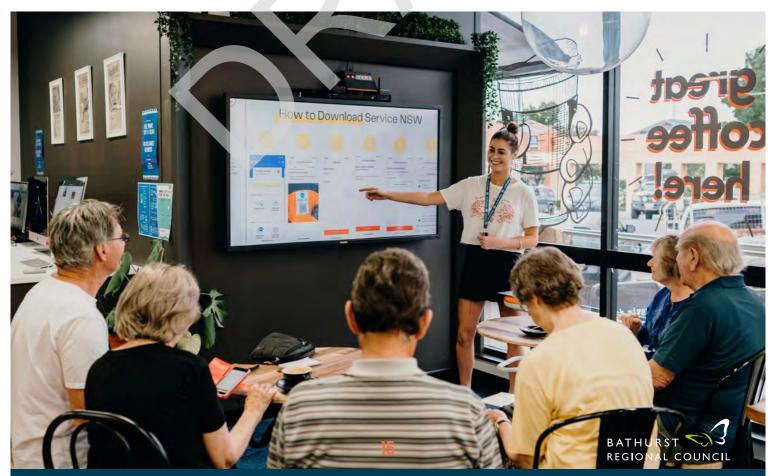
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| OBJECTIVE | STRATEGY | HOW THIS WILL BE ACHIEVED |
|--|---|---|
| OBJECTIVE 1: Our sense of place and identity | 1.3 Enhance the cultural vitality of the region. | Implement community and cultural development initiatives that address the needs of the community. |
| OBJECTIVE 4: Enabling sustainable growth | 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. | Review facilities and implement improvements. Infrastructure planning will consider the needs of an ageing population. Support and advocate for additional accessible and designated older people parking spaces throughout the region. |
| 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. Implement health and wellbeing initiatives that address the needs of the community. | Support initiatives that enhance cultural and inclusive aspects of the Bathurst region. Implement community development initiatives that address the needs of the community. Build social networks, connections, and cohesion. Support initiatives which enhance the region's ability to cater for an older population. |



Attachment 8.5.5.1

| 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. | Continue and explore new partnerships which work to meet the needs of the older population in the Bathurst LGA. Advocate to a variety of organisations, businesses, groups and government departments for increased access to accessible services, incentives, and activities for older people. Consider the needs of the ageing population in Council planning and processes. Council will continue to be ethical, inclusive and transparent in all communication and decision-making. |
|---|--|--|
| | 6.5 Be open and fair in our decisions and our dealings with people. | Consider the needs of the ageing population in Council employment procedures and policies. |
| | 6.7 Invest in our people.6.8 Implement opportunities for | |
| | organisational improvement. Ensure the needs of older people are considered in all Council communications. | |



AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

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REPORTING

Each year, Council will report on its progress against the Positive Ageing Strategy as part of its Annual Report, and via a report to Council.

GOVERNANCE

The General Manager and the Senior Management Team will support and promote the Strategy.

INTEGRATION

The actions in the Strategy will become part of Council's Delivery Program and Annual Operational Plan and will help deliver the Community Strategic Plan.

IMPLEMENTATION

A Bathurst Regional Positive Ageing Committee will be formed including Councillors, staff, service providers and other relevant organisations and members of the community to assist in the implementation of the Positive Ageing Strategy. This Committee will consist of key stakeholders who meet on an as needs basis, with a minimum of one meeting per year.

An implementation plan that includes timeframes, priorities, resources, and responsibilities has been developed to help with the delivery of the Strategy.

MONITORING AND EVALUATION

An evaluation framework with performance indicators has been developed to measure change. Data will be collected and reported throughout the implementation of the Strategy. In the fifth year of the Strategy Council will measure community satisfaction.

REPORTING

Progress towards delivering the actions in the Strategy will be formally reported as part of Council's annual reporting processes. In addition to the annual review process, a five yearly review will include;

- Review and evaluation of the complete Positive Ageing Strategy
- Adoption and publication of an updated Positive Ageing Strategy

ONGOING CONSULTATION AND REVIEW

Council will consult with the key stakeholders regularly to ensure the desired outcomes of the Strategy are being achieved.





CHAPTER 2

CONSULTATION

Bathurst Regional Council recognises that community consultation is vital in any integrated planning process. Extensive consultation with the community was undertaken to determine the community's perceptions, concerns and priorities in regard to positive ageing. A range of community consultation methods were employed to ensure all members of the community had an opportunity to provide input into the Strategy.

Methods of consultation included:

- 1. Positive Ageing Survey
- 2. Positive Ageing Community Focus Group
- 3. Positive Ageing Stakeholder Focus Group

Service providers in attendance at the Stakeholder Focus Group included the Bathurst Seymour Centre, Combined Pensioners and Superannuants Association, Senior Citizens Centre, Bathurst Community Transport, NSW Health, Catholic Healthcare, Social Futures, Bathurst Business Chamber, The Neighbourhood Centre and Studio Benefit.



POSITIVE AGEING SURVEY

The Positive Ageing Survey was developed specifically to inform the priorities and actions of the Positive Ageing Strategy. The survey was available for four weeks and included 17 questions which focused on ageing in the Bathurst region.

The Survey was available online through YourSay, allowing the community to complete the survey at their leisure from their computer or device. Hard copies were also available at a number of aged care service providers, participating GPs, Bathurst Library and Council's Civic Centre. Collection boxes were also made available at several locations to enable residents to easily submit their survey.

SUMMARY OF POSITIVE AGEING SURVEY

252 responses to the Positive Ageing Survey were received, with respondents from all demographics. Most respondents were aged 60-69 years (30.5%) and 70-79 years (32.9%), with 80-89 years (16.9%), 50-59 years (9.2%), and 90 years + (3.2%) also completing the survey. A majority (63.4%) of respondents have lived in Bathurst for more than 25 years.

A higher number of retirees (62.7%) participated in the survey compared to those in the work force (26.5%), undertaking unpaid work (9.6%), or seeking employment (0.8%).

The Positive Ageing Survey demonstrated a large number of older residents are satisfied (64.9%) or completely satisfied (28.6%) with feeling part of their community, with only 0.8% feeling completely dissatisfied. An overwhelming majority of participants believe the Bathurst LGA is a good place for older people to live with less than 1% disagreeing.

Participants engage with their community in a variety of ways, with volunteering roles, special interest clubs and social clubs the main avenues for engagement.

A number of factors were identified which impact resident's ability to access and be involved in the Bathurst community. Walking paths and footpaths, how information is communicated and the availability of parking were the most common obstacles identified within the survey.

Access to health care, doctors, specialists and access to open spaces, buildings and public amenities were highlighted as most important to older people in the Bathurst LGA, closely following by staying fit, active and independent and the ability to participate in activities they enjoy.

Respondents believe the Bathurst LGA lacks opportunities for older people to access affordable, safe and accessible housing and affordable transport services.

A selection of responses to the Positive Ageing Survey can be seen in the Appendix.

POSITIVE AGEING FOCUS GROUPS

A Community Focus Group and a Stakeholder Focus Group were held to assist in the development of the Positive Ageing Strategy 2021 – 2026. These focus groups were designed to gain a deeper understanding of the issues facing the ageing population in the Bathurst LGA from both a community and service provider perspective.



SUMMARY OF FOCUS GROUP FINDINGS

Overall, the key priorities and themes emerging from the focus groups were in line with those of the Positive Ageing Survey.

Accessible local and affordable health services was a concern for most focus group participants. Waiting lists, after hours services and the need to travel out of town for medical treatment were highlighted as the main cause of concern, with residents having to travel to Orange, Sydney or Dubbo for some specialist treatments.

The accessibility of the CBD for pedestrians and drivers was also of concern, in particular accessible parking close to facilities and services.

A key summary of Focus Group responses is shown below;

- Public transport needs to be accessible for older people
- Council's cultural assets provide great services that could be easily expanded
- Health services should be accessible and on par with those provided in surrounding regions
- Existing footpaths need to be properly maintained and new footpath networks developed

KEY THEMES

The following key themes emerged from both the Positive Ageing Survey and Positive Ageing Focus Groups and are in line with the priority areas identified in the World Health Organisation Essential Features of an Age Friendly City and the Ageing Well in NSW: Seniors Strategy 2021 – 2031.

- 1. Living in an age friendly environment
- 2. Participating in inclusive communities
- 3. Staying safe, active and healthy
- 4. Being resilient and informed

These key themes reflect the Guiding Principles for Older People in NSW. These principles were developed through consultations with older people across the state during the development of the NSW Seniors Strategy 2021 – 2031. These principles include;

- Recognising the value and diversity of ageing
- Enabling a whole-of-life approach to ageing
- Supporting people to have healthier longer lives
- Keeping people connected and included
- Enabling people to live in their home and community



CHAPTER 3

PRIORITY 1: Living in an age friendly environment

It is widely accepted that the environment in which people live greatly impacts their life expectancy and ability to age well. Walking tracks, green spaces, increased housing options and access to transport all contribute to positive ageing.

Travel in the Bathurst LGA can be undertaken on foot or bike and by car, bus, taxi, train or community transport. Ensuring older people can access transport options that are safe and affordable is essential to keep older people connected and empowered as they age.

Accessible parking is available throughout 22 public carparks within the Bathurst LGA. There are currently no marked older people parking or drop off/pick up zones.

The Bathurst LGA has over 115 kms of footpaths and cycleways and 1,168 km of roads. Council is responsible for the maintenance of existing assets in addition to the planning and development of new assets.

Older people increasingly prefer to age in place and grow older in their communities, but often require support to stay in or find a suitable home.

Housing choice is closely aligned with an individual's life stage and their choice of housing is likely to change over time. Improving housing choices and ensuring housing remains affordable are key priorities within the Bathurst 2036 Housing Strategy.

What we were told:

- Current shortage of low maintenance housing options which are connected to transport, shops and services
- Safer cycleways and footpaths are required to assist older people to stay active
- A more pedestrian friendly CBD which allows older people to walk and access services safely
- Better access to transport and support for the elderly who have no family in town
- More accessible parking in CBD
- Drop off and pick up zones near shops and GPs
- Facilities, footpaths and Council assets need to be accessible



| STRATEGY 1.1 AGEING IN PLACE | | | |
|---|---|-----------|--|
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Continue to support community service organisations who assist older people including Meals on Wheels, The Neighbourhood Centre, Bathurst Seymour Centre and Senior Citizens Centre. | Evidence of annual support | Annual | |
| b) Review resources available for older people to age in place, including nursing services, and make recommendations for improvements. | Review complete Recommendations for improvements made | Annual | |
| c) Research, develop and deliver a resource to support ageing in place. | Document developed | 2023/2024 | |
| STRATEGY 1.2 HOUSING | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Identify opportunities to integrate affordable, accessible and adaptable housing principals into Council's future planning | Opportunities identified and integrated | Annual | |
| b) Review and inform access and infrastructure requirements to facilitate connected communities e.g. access to transport and shops | Review complete Information provided | Annual | |
| c) Deliver information and resources about local options for retirement villages and residential aged care including the financial implications of downsizing. | Information and resources developed | 2022/2023 | |
| d) Advocate for planning systems that encourage accessible social housing | Evidence of advocacy undertaken | 2022/2023 | |
| e) Continue to implement strategies in the Bathurst 2036 Housing Strategy with a focus on older people. | Actions implemented | Annual | |
| STRATEGY 1.3 PARKING | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Review and improve, where possible, | Review complete | Annual | |
| accessible parking. | Improvements made | | |



| parking spaces for older people within the CBD.Marked parking introducedc) Investigate 5 minute drop off and pick up locations within the CBD with access to shelter and appropriate seating.Investigation complete Drop off/pick up zones introduced2023/2024STRATEGY 1.4 PEDESTRIAN FRIENDLY CBDACTIONSINDICATORTIMEFRAMEa) Investigate opportunities to create a pedestrian friendly CBD.Pedestrian friendly CBD initiatives supportedAnnualSTRATEGY 1.5 FOOTPATHS AND CYCLEWAYSACTIONSINDICATORTIMEFRAMEa) Continue to implement strategies in the Bathurst Regional Council Access and Cycling Plan 2011. Including with a focus: • Width of pathways • Continual monitoring and policing of standardsStrategies implemented AnnualAnnualb) Review and improve, where possible, accessibility of existing footpaths and cyclewaysReview complete Improvements madeAnnualc) Plan for accessible footpaths and cyclewaysEvidence provided thatAnnual | | 1 | , |
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| for improvements to transport reliability, accessibility and connectivity with a focus on Recommendations made | ACTIONS | INDICATOR | TIMEFRAME |
| accessibility and connectivity with a focus on | | | 2024/2025 |
| services for older people. Advocacy undertaken | accessibility and connectivity with a focus on | | |
| | services for older people. | Aavocacy undertaken | |



| b) Advocate for improved services to villages and outlying areas. | Advocacy undertaken | Annual |
|--|---|-----------|
| c) Advocate for the continued provision of \$250 Travel Card for Seniors, with the addition of services to villages. | Advocacy undertaken | Annual |
| STRATEGY 1.7 ROAD SAFETY | · | |
| ACTIONS | INDICATOR | TIMEFRAME |
| a) Promote the safe use of roads with an emphasis on older pedestrians, older drivers and users of mobility aids. | Campaign delivered | 2023/2024 |
| b) Provide information and awareness around the safe use of mobility aids. | Information provided | 2023/2024 |
| STRATEGY 1.8 ACCESSIBILITY | | |
| ACTIONS | INDICATOR | TIMEFRAME |
| a) Annually report improvements to and promote accessibility of Council owned assets | Improvements to Council assets made | Annual |
| b) Review availability and accessibility of public seating and make recommendations for improvements including arm rests and height considerations. | Review complete Recommendations for improvements made | 2021/2022 |



PRIORITY 2: Participating in inclusive communities

Older people understand the importance of living in inclusive communities which encourage them to remain active and engaged. Inclusive communities promote and encourage civic participation and employment so that older people can participate in workforce, training and lifelong learning.

The Bathurst LGA has a number of inclusive facilities designed to enrich resident's lives including museums, an art gallery, library and entertainment centre.

What we were told:

- Older people need to access inclusive activities easily
- Variety of accessible events of interest to older people as needed
- Discounts and subsidies are needed to assist people living on fixed incomes
- An ageing population needs to be considered in Council's planning

| STRATEGY 2.1 INCLUSIVE NEIGHBOURHOODS | | | |
|--|--|-----------|--|
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Raise awareness of and continue to support the provision of intergenerational experiences. | Intergenerational experiences supported annually | Annual | |
| b) Identify and support ways in which Bathurst LGA can work towards becoming a dementia-friendly region | Dementia friendly initiatives supported | Annual | |
| c) Identify and action opportunities to promote the Bathurst LGA as an age-friendly option for | Opportunities identified | Annual | |
| retirees and travel. | Promotion occurred | | |
| STRATEGY 2.2 INCLUSIVE EVENTS | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Continue to support Senior's Festival to ensure events are accessible and age-appropriate. | Support provided | Annual | |
| b) Ensure Council events are age-friendly and accessible | Age-friendly and accessible events hosted | Annual | |
| c) Ensure there are accessible cultural activities of interest to older people | Cultural activities available | Annual | |
| d) Provide advocacy for additional discounts and subsidies for older people to participate in health and well-being activities. | Additional discounts and subsidies secured | 2023/2024 | |
| STRATEGY 2.3 PLANNING | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Provide annual evidence that the ageing population is considered in Council planning and projects. | Annual evidence provided | Annual | |

PRIORITY 3: Staying safe, active and healthy

Access to parks, gardens and recreational spaces is important in supporting older people to stay active and age well. Special consideration needs to be given to the Aboriginal and Torres Strait Islander population who age at a faster rate than their non-Indigenous neighbours.

The Bathurst LGA is supported by Bathurst Base Hospital and Bathurst Private Hospital. A number of additional specialists, including a cardiologist, have practices based in Bathurst. Residents are required to travel to Orange, Dubbo or Sydney for some specialist services.

It is important for older people to feel safe in their home and while out in the community. The Bathurst Community Safety Plan is developed every four years to ensure the safety and quality of life in the Bathurst region continues to improve.

Volunteering opportunities help older people stay active and connected to their community while allowing them to share their skills with others.

What we were told:

- Improve medical services so they are easily accessible
- Accessible exercise opportunities are needed for older people
- Appropriate activities to maintain physical and mental health are needed
- Opportunities needed for older people to share their skills and stay connected to the community.



| STRATEGY 3.1 HEALTH OUTSIDE THE HOSPITAL | | | |
|--|---|-----------|--|
| ACTIONS | INDICATOR | TIMEFRAME | |
| | Review complete | 2021/2022 | |
| recreational spaces. Use information to plan, source funding and implement accessibility improvements. | Improvements made where possible | Annual | |
| b) Identify opportunities and provide information regarding accessible, inclusive health and wellbeing activities, groups and supports with a focus on older people. | Information provided | Annual | |
| c) Research, develop and deliver a campaign promoting the health and wellbeing benefits of keeping active, with a focus on older people. | Campaign delivered | 2022/2023 | |
| e) Contribute to collaborative local community health initiatives in conjunction with Western NSW Local Health District as they are developed. | Community health initiatives delivered | Annual | |
| f) Continue to work with Sport NSW to advocate for increased access to modified sports. | Evidence of relationship with Sport NSW Meetings attended | Annual | |
| | Opportunities identified | | |
| STRATEGY 3.2 IMPROVED ACCESS TO I | MEDICAL SERVICES | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Advocate for improved access to affordable medical care, with a focus on older people. | Advocacy undertaken | Annual | |
| b) Advocate for additional floorspace and infrastructure for medical services | Advocacy undertaken | Annual | |
| STRATEGY 3.3 ABORIGINAL AND TORR | ES STRAIT ISLANDER HE | ALTH | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Advocate for the delivery of programs that respond to the health needs of Aboriginal and Torres Strait Islander residents. | Advocacy undertaken | Annual | |
| STRATEGY 3.4 COMMUNITY SAFETY | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Continue to work with Chifley Police District and the Bathurst Regional Community Safety Committee to implement projects that improve | Continued relationship with Chifley Police District | Annual | |
| community safety, with a focus on older people. | Delivery of projects | | |
| 26 | | | |

| STRATEGY 3.5 CONTINUING EDUCATION | | | |
|---|--|-----------|--|
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Advocate for and support education opportunities for older residents | Advocacy undertaken Support provided | Annual | |
| STRATEGY 3.6 VOLUNTEERING | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Provide information about volunteering opportunities | Information provided | Annual | |
| b) Increase awareness of volunteering benefits and opportunities to businesses, organisations and the community | Volunteering awareness raising occurred | 2025/2026 | |
| c) Provide volunteer opportunities through Council run facilities and initiatives as the need arises. | Volunteering opportunities provided | Annual | |
| STRATEGY 3.7 REVIEW OF COUNCIL EMPLO | MENT/RECRUITMENT PRO | OCESSES | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Review employment systems and processes to ensure there is no evidence of age discrimination | Addressed by Council's Draft Workforce Strategy and Local Government (State) Award. | 2022/2023 | |
| b) Investigate and deliver, where possible, training and awareness courses to support Council's engagement and retention of older workers | Addressed by Council's Draft Workforce Strategy and Local Government (State) Award. | 2022/2023 | |
| c) Investigate opportunities to provide increased flexibility to Council employees who have caring or volunteering commitments | Addressed by Council's Draft Workforce Strategy and Local Government (State) Award. | Ongoing | |
| STRATEGY 3.8 TRANSITION TO RETIREMENT | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Review Council's succession planning procedures for employees transitioning to retirement | Addressed by Council's Draft Workforce Strategy and Local Government (State) Award. | 2022/2023 | |
| b) Provide flexibility, where possible, for Council employees transitioning to retirement | Addressed by Council's Draft Workforce Strategy and Local Government (State) Award. | 2022/2023 | |





| STRATEGY 3.9 SUPPORTING AN AGEING WORKFORCE | | |
|--|--------------------|-----------|
| ACTIONS | INDICATOR | TIMEFRAME |
| a) Promote the benefits of employing older people to local businesses and organisations. | Campaign delivered | 2024/2025 |
| b) Support activities and resources that assist residents to plan for retirement | Support provided | Annual |



PRIORITY 4: Being resilient and informed

While the majority of residents believe the Bathurst LGA is a good place to live, many identified the need for increased respect, inclusion and accessible information.

The Council website is the main source of information for residents, along with social media, newspaper notices, print and radio advertising and ratepayer newsletters. There is currently no central point of information for local services and activities specific to older people.

Loneliness and social connectiveness are growing concerns among the ageing population, with an increased number of older people experiencing social isolation as a result of the COVID-19 pandemic.

What we were told:

- Information needs to be provided in appropriate and accessible formats for older people
- Ensure older people are aware of what is available to them
- Central point of information is needed
- Increase respect for older people in the community

| STRATEGY 4.1 INFORMATION AND RESOURCES | | | |
|--|---|-----------|--|
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Develop and deliver an education and training program to Council staff to ensure a range of accessible communication formats are considered in event, project and campaign planning. | Education and training program delivered | 2023/2024 | |
| b) Investigate opportunities to ensure Council | Opportunities researched | Annual | |
| communication is available in a range of accessible formats. | Information presented in accessible formats | | |
| c) Advocate for the investigation and development of a central point of communication | Central point of information developed | 2025/2026 | |
| d) Promote programs and workshops that assist older people with technology and navigation of popular online services e.g. bus timetables, myGov | Programs promoted | Annual | |
| e) Identify opportunities to reach older people who have relocated to Bathurst and ensure they are connected to resources | Opportunities identified | Annual | |
| STRATEGY 4.2 ADDRESSING AGEISM AND SOCIAL ISOLATION | | | |
| ACTIONS | INDICATOR | TIMEFRAME | |
| a) Research, develop and deliver a campaign to address ageism and respect for older people | Campaign delivered | 2024/2025 | |
| b) Research, develop and deliver a campaign | Campaign developed | 2021/2022 | |

29

aimed at reducing loneliness and promoting social connection, with a focus on older people.

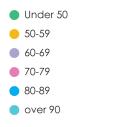


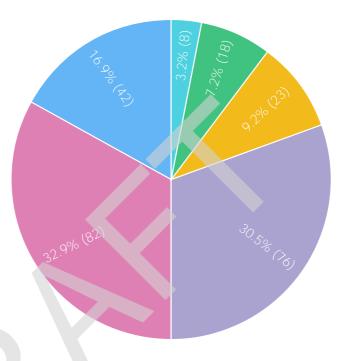
CHAPTER 4

APPENDIX

SELECTION OF RESPONSES TO THE POSITIVE AGEING SURVEY

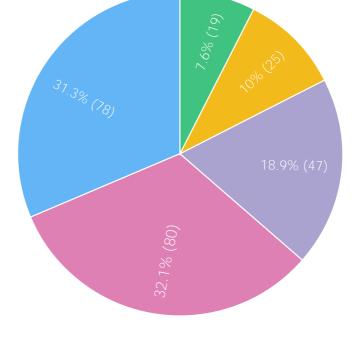
Your Age





How long have you lived in the Bathurst LGA?

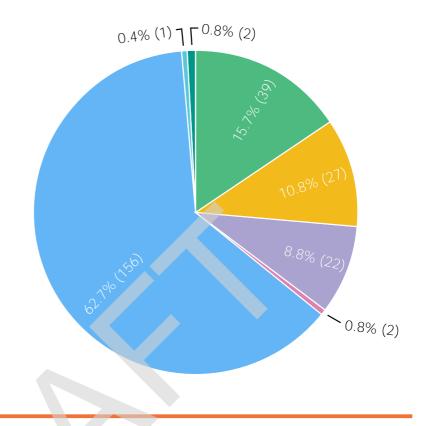
- Less than 5 years
- 😑 5-10 years
- over 10 years
- over 20 years
- 🔵 over 40 years





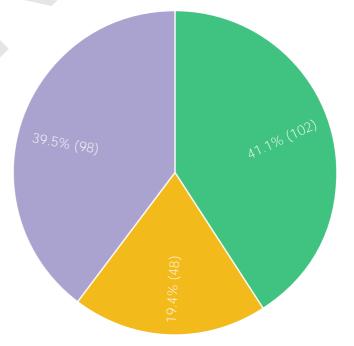
Which of the following describes you?

- Working full-time
- Working part-time
- Unpaid volunteer work
- Unemployed looking for work
- Retired
- Unpaid domestic or carer work
- Have never worked
- Full or part-time student



Have you volunteered your time in the last six months?

- No
- Yes, less than 4 occasions
- Yes, more than 4 occasions

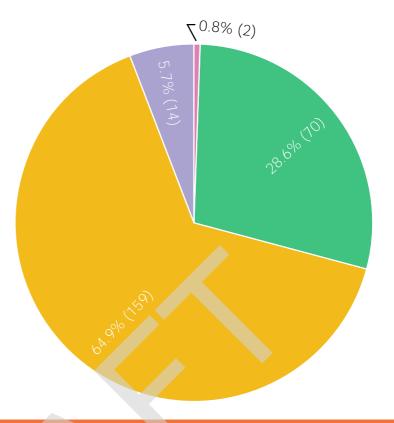




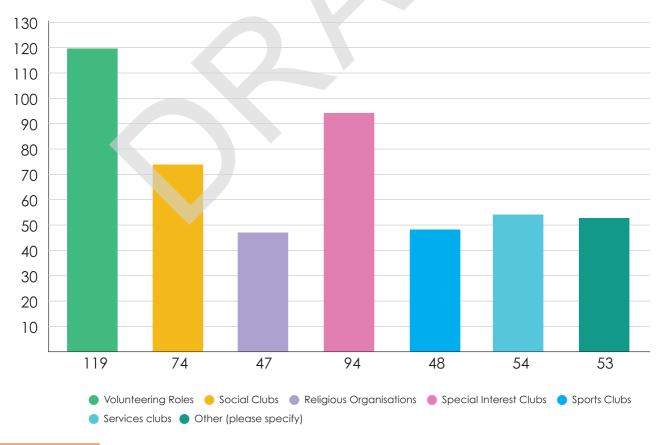
How satisfied are you with feeling part of your community?

Completely Satisfied

- Satisfied
- Dissatisfied
- Completely Dissatisfied

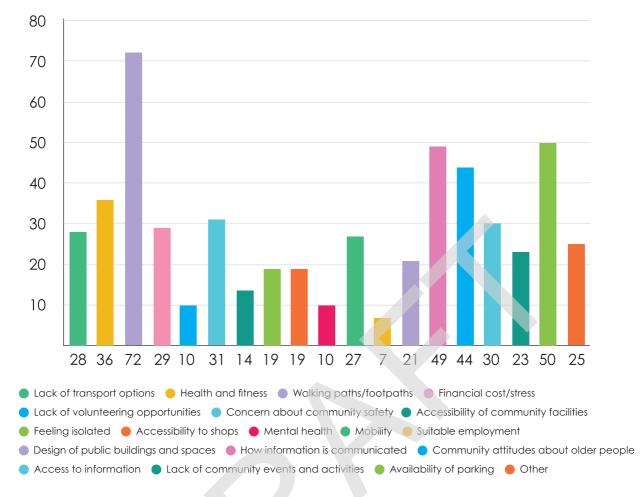


How do you engage with your community?



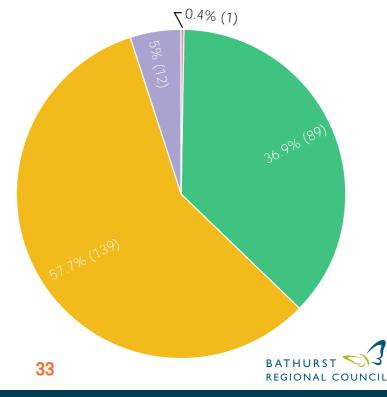


Do any of the following impact on your abilaity to access and be involved in the Bathurst community?

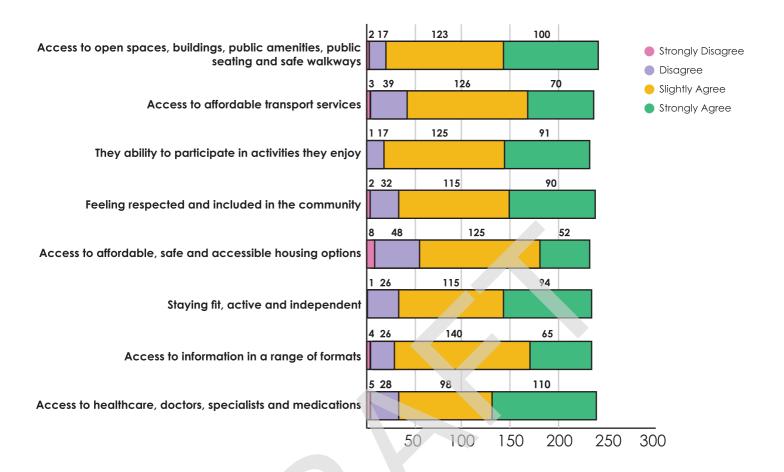


The Bathurst LGA is a good place for older people to live?

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree



The Bathurst LGA provides opportunities for older people to:





What do you want positive ageing to look like in Bathurst?

"A safe and happy environment." "A community that respects all ages and ethnicities."

"Accessible for all."

"Lots of choices, because each older person is different, with different backgrounds and needs." "Experiences for all, especially social activities for older people."

"Respecting and valuing what older people have to offer."

"Opportunities and amenities to keep me socially active and healthy."



"Affordable housing and transport, paths to walk on, good health providers and services."





MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON Tuesday 1 June 2021

1. MEETING COMMENCES

MINUTE

Meeting commenced at 2.35 pm.

<u>Members:</u> Ms Jackie Barry (Transport for NSW), Daniel Cooper (Bathurst Police), Mr David Veness (MP Representative) Clr Warren Aubin (arrived 2.45 pm),

<u>**Present</u></u>: Mr Myles Lawrence (Acting Chair) (Civil Investigation Team Leader), Mr Paul Kendrick (Traffic & Design Engineer), Mr Andrew Cutts (Road Safety Officer)</u>**

2. APOLOGIES

MINUTE

RESOLVED: That the apology of Mr Bernard Drum (Manager Technical Services) be accepted and leave of absence granted.

3. REPORT OF PREVIOUS MEETING

3.1. Report of Previous Meeting

File No: 07.00006

MINUTE

RESOLVED:

That the Minutes of the Traffic Committee held on 4 May 2021 be adopted.

4. DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLVED: Nil

5. RECEIVE AND DEAL WITH DIRECTOR'S REPORTS

5.1.1. MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 4 MAY 2021

File No: 07.00006

MINUTE

RESOLVED:

That the information be noted and necessary actions be taken.

5.1.2. MONTHLY REPORT FOR LOCAL GOVERNMENT ROAD SAFETY PROGRAM

File No: 28.00002

MINUTE

RESOLVED:

That the information be noted.

5.1.3. REPCO BATHURST 1000 2021

File No: 04.00001

MINUTE

RESOLVED:

That Council adopt

a) the following zones and restrictions as part of the Traffic Management Plan for the 2021 Repco Bathurst 1000, as noted in the Director Engineering Services' report.

That Council approve:

- b) the proposed temporary bus zones and extension of existing bus zone times subject to conditions as detailed in the Director Engineering Services' report
- c) the staging of the 2021 Repco Bathurst 1000 off-track events as follows:
 - 1. Parade and B-Double Permit routes.
 - 2. Super Wednesday.
 - 3. Saturday Street Fair.

All events are to be classified as Class 2 events and approved subject to conditions as detailed in the Director Engineering Services' Report.

5.1.4. NO STOPPING ZONE FOR BATHURST SPORTSGROUND HOWICK STREET ENTRANCE

File No: 25.00006

MINUTE

RESOLVED:

That "No Stopping" signs be installed either side of the Howick Street entry to Bathurst Sportsground subject to conditions as detailed in the Director Engineering Services' report.

5.1.5. SHOWGROUND TRAFFIC MANAGEMENT GENERAL CONDITIONS GUIDELINES

File No: 22.00053-10

MINUTE

RESOLVED:

That:-

a) In principal traffic management conditions be approved for events held at Bathurst Showground,

b) all applicable events continue to be referred to the Traffic Committee for event specific conditions as determined.

5.1.6. BATHURST'S BIGGEST EXPO AND CHRISTMAS MARKETS

File No: 23.00026

MINUTE

RESOLVED:

That the 2021 Winter Festival to be held in the Bathurst CBD from June 26 - 11 July 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.

5.1.8. TEMPORARY DISABLED PARKING CHARLOTTE STREET FOR ELECTION PRE-POLLING

File No: 12.00010

MINUTE

RESOLVED:

That Council approve the temporary installation of two disabled parking spaces at the front of the Bathurst Girl Guides Hall in Charlotte Street Bathurst.

5.1.9. ROCKABILLY CAFE FUNDRAISING EVENT - DREAMS DO COME TRUE... ADAMS DAY 2021

File No: 23.00026/357

MINUTE

RESOLVED:

That Council endorse the Traffic Management Plan for the staging of the Rockabilly Cafe's Fundraiser – 'Dreams Do Come True Adams Day 2021' to be held Sunday 18 July 2021. The event is to be classified as Class 2 and approved subject to the conditions as detailed in the Director Engineering Services' Report.

5.1.10. LATE REPORT 1 - DISABLED PARKING PARK STREET EGLINTON INCLUSIVE PLAYGROUND

File No: 25.00107

MINUTE

MOVED: David Veness (MP Representative) SECONDED: Daniel Cooper (Bathurst Police)

RESOLVED:

That Council approve the installation of a disabled parking space out the front of the inclusive playground located on Park Street Eglinton.

5.1.11. LATE REPORT 2 - LOADING ZONE FOR DAFFODIL COTTAGE HOWICK STREET

File No: 25.00006-05

MINUTE

MOVED: David Veness (MP Representative) SECONDED: Jackie Barry (Transport for NSW)

RESOLVED:

That

- 1. split zone "loading zone 8am-1pm/2P at other times" signs be installed on Howick Street next to the disabled parking zones at the Hospital's Howick Street entrance
- one Daffodil Cottage authorised vehicle disabled parking space be located to the Daffodil Cottage side of the Howick Street hospital frontage parking area to improve access
- 3. five Daffodil Cottage authorised vehicle parking spaces be located alongside the proposed Daffodil Cottage authorised vehicle disabled parking space to further improve access

subject to conditions as detailed in the Director Engineering Services' report.

5.1.12. LATE REPORT- 3 REQUEST TO IMPROVE BUS NETWORK FOR 16 CITIES PROGRAM UPDATE FOLLOWING CONSULTATION

File No: 28.00009-06

MINUTE

MOVED: Jackie Barry (Transport for NSW) SECONDED: Daniel Cooper (Bathurst Police)

RESOLVED:

That approval be given for amendment to the existing bus network subject to conditions as noted in the report by the Director of Engineering Services; and that updates to the previous report following consultation are noted.

6. TRAFFIC REGISTER

6.1. Traffic Register

File No: 07.00006

MINUTE

RESOLVED:

That the information be noted.

8. MEETING CLOSE

MINUTE

The Meeting closed at 3.00 pm.

PRESENT: Zoe Peters, Joshua Borland, Loukia Robson, Ben Davis, Rosie O'Leary, Ashley Maalouf, Sabine Fitzpatrick-Trevillion, Harvey Lew, Travis Barrie.

IN ATTENDANCE: Erin Bender (Community Development Team Leader), Aimee Cook (Community Development Officer).

1. APOLOGIES: Jared Bignell, Stella Hall, Maddison Sufong, George Butler

<u>2.</u> ACKNOWLEDGEMENT OF COUNTRY: Joshua Borland provided an Acknowledgement of Country.

3. GUEST SPEAKER – LACHLAN HICKS, REGIONAL YOUTH TASKFORCE

Lachlan explained his role as a member of the Regional Youth Taskforce, a group of young people aged 13 - 24 who aid the NSW State Government with youth related policy and initiatives.

The Youth Council were encouraged to look at the opportunities provided by the Regional Youth Taskforce.

11:30AM - GUEST SPEAKER – JAMES ZHANG, FREEDOM OF ENTRY

James provided an overview of the proposed Australian Air Force Cadets (AAFC) Freedom of Entry march in Bathurst. The proposed event would include a march through the CBD, with an official Freedom of Entry ceremony to be conducted by the AAFC and NSW Police.

The AAFC request Youth Council support in the form of a letter to forward to Council, Bathurst RSL and Chifley Police District.

The Youth Council support a Freedom of Entry March in Bathurst and indicated that they would be willing to provide a letter of support.

Erin Bender to follow up this process and determine whether the request is required to go through Council initially.

4. ADOPTION OF PREVIOUS MINUTES:

<u>RESOLVED</u> that the minutes of the meeting held 23 March 2021 be accepted.

Moved: Ashley Maalouf

Seconded: Sabine Fitzpatrick-Trevillion

Carried.

5. YOUTH WEEK 2021 FEEDBACK

The Youth Council has received positive feedback for the two Youth Week 2021 events.

Fitness for Fun:

- Nice, relaxed atmosphere

This is page **1** of **4** pages of the Minutes of the Bathurst Regional Youth **Council** Meeting held on 11 May 2021.

- Food helped encourage attendance
- Attendees seemed to enjoy the event
- Bathurst Seventh-Day Adventist Church now coordinates a program from Kelso Community Hub once a month.

Jurassic Park After Dark

- 30 bookings received
- Stories highlighting Bathurst history worked well and engaged the attendees
- Attracted a range of age groups

6. PROJECT PLANNING INCLUDING END OF TERM CELEBRATION

The Youth Council identified the following as potential events for 2021/2022;

- Colour Run
- Food and Flix
- Games Night
- Treasure Hunt
- Tree planting

There is a need to cater to a variety of age groups. Traditionally the 18–25 age group are hard to attract to community events. The 2021/2022 Youth Council should collect data on what this age group want through;

- Polls on social media
- Survey
- Collecting information on events their peers are attending outside of Bathurst

Regular updates regarding Youth Council activities should be added to school newsletters/announcements and on social media.

Trivia Night

Joshua Borland presented a proposal for a trivia night. The night would include trivia and pizza for school aged children and their families at Bathurst Memorial Entertainment Centre (BMEC) before the end of the current Youth Council term.

The Youth Council discussed planning of the event, including;

- Linking with Council's Economic Development section regarding sponsorship
- Promotion and advertising
- BMEC availability
- Ticketing
- Working Party meetings required

As there is limited time to organise the event, a Working Party meeting would need to be held within a week to delegate roles and responsibilities of the Youth Council. Several more Working Party meetings would also be required.

Erin Bender to investigate resources required to run this event in June, and will provide an event checklist in the coming days outlining the tasks which will need to be completed.

End of term celebration

This is page **2** of **4** pages of the Minutes of the Bathurst Regional Youth **Council** Meeting held on 11 May 2021.

The Youth Council were asked to think about ideas and activities to celebrate their last meeting, which is scheduled for Tuesday 15 June. Youth Councillors were advised that this celebration can be held away from the Civic Centre.

Recruitment

Recruitment for the 2021 – 2022 Youth Council has commenced.

Presentations to assemblies/year groups have been arranged at the following schools;

- Bathurst High Campus
- Kelso High Campus
- St Stanislaus College
- Mackillop College

Skillset Senior College has been approached, but no reply received to date.

The Youth Council will print copies of the recruitment poster for school noticeboards and add to school newsletters.

Don't Be Next campaign

The Youth Council will present crime prevention material to school assemblies. Council's Community Development Officer is developing resources to distribute to the Youth Council.

Veritas Art Project

The Youth Council was reminded to advise Erin Bender by close of business today if they are interested in sitting on the Veritas Art Project panel.

Sabine and Zoe expressed an interest in being involved.

Youth Council hoodies

Youth Council hoodies will be investigated as an option for the existing and future Youth Council. The hoodies will be black, with a similar design to the current t-shirt.

7. GENERAL BUSINESS

No general business items were discussed.

9. NEXT MEETING – TUESDAY 15 JUNE 2021

10. MEETING CLOSE

There being no further business, the meeting closed at 2:15pm.

| Item | Action | Person Responsible |
|-----------------------------|---|---------------------------|
| Freedom of Entry March | Prepare letter of support for Freedom of Entry March | Erin Bender/Youth Council |
| Tree Planting | Follow up date for tree planting | Erin Bender |
| Event planning document | Send through Event Planning document to Youth Council | Erin Bender |
| BMEC availability | Check BMEC availability around 25 June 2021 | Aimee Cook |
| Trivia Night | Delegate tasks for event planning | All Youth Council |
| End of term celebration | Brainstorm ideas for end of term celebration | All Youth Council |
| Working Party meeting venue | Book space for meeting | Erin Bender |
| Recruitment | Promote recruitment by addressing school assemblies, placing posters and noticeboards and adding information to school newsletters and notices | All Youth Council |

Outstanding Actions for next Meeting to be held on 15 June 2021.



MINUTES OF COMMUNITY SAFETY COMMITTEE MEETING HELD ON THURSDAY 20 MAY 2021 AT 11:30AM

<u>MEMBERS PRESENT</u>: Senior Constable Sue Rose (Chifley Police District), David Bull (community member), Robert Taylor (Bathurst Liquor Accord), Lisa Coates (Charles Sturt University), Jean Fell (The Neighbourhood Centre), Cr Jacqui Rudge.

IN ATTENDANCE: Aimee Cook (Community Development Officer, Bathurst Regional Council).

1. <u>APOLOGIES</u>: Cr lan North

2. MINUTES FROM THE PREVIOUS MEETING HELD ON 25 MARCH 2021

RESOLVED that the minutes of the meeting held on 25 March 2021 be accepted.

MOVED: David Bull **SECONDED:** Senior Constable Sue Rose

CARRIED

3. BREAK AND ENTER RESIDENTIAL CAMPAIGN UPDATE

The Break and Enter Residential Campaign role out is continuing;

- All free Home Security Workshops have now been held. Workshops have been hosted at Kelso Community Hub, Bathurst Seymour Centre and the Bathurst Library. Positive feedback has been received from all workshops.
- A pop-up stall was held at Armada Shopping Centre on 13 April 2021
- Social media campaign continues
- TV advertising continues
- Cinema advertising commenced for 3 months
- A double-sided DL flyer is being developed for general distribution
- A video is being produced for Bathurst Regional Youth Council to share with schools
- Home Security Audits will take place in June

Evaluation will take place to determine the success of the campaign. This will include feedback from Locksmiths. There may be potential to use remaining funds to outsource evaluation.

4. SCOOTERS AND SKATEBOARDS IN THE CBD UPDATE

Council facilitated meetings on Thursday 11 March 2021 and Tuesday 4 May 2021 with relevant stakeholders, including representatives from Chifley Police District, PCYC, Bathurst Regional Access Committee, Bathurst Seventh-Day Adventist Church, Bathurst Business Chamber, Armada Shopping Centre Bathurst and Bathurst City Centre.

The development of a multi-faceted diversionary program was discussed including; - Education within schools

This is page 1 of the Minutes of the Community Safety Committee Meeting held on Thursday 20 May 2021

CHAIRPERSON

SECRETARY



MINUTES OF COMMUNITY SAFETY COMMITTEE MEETING HELD ON THURSDAY 20 MAY 2021 AT 11:30AM

- Education to businesses
- Diversionary program

The Committee agreed this is a positive outcome and brings together various groups in the community.

There has been a reduction in scooter and skateboard related offences, however the issue needs to be continually managed to avoid future escalation.

The next meeting of the Stakeholder group will be held in three months.

5. PROJECT PLANNING

The Committee discussed a fraud campaign to commence in the second half of 2021;

- Fraud is discussed at Senior's Safety Talks hosted by Chifley Police District
- All demographics can be victims of fraud
- There are a range of resources regarding fraud to compile information from, including websites and printed book of scams.
- Campaign provides opportunities to partner with banks and schools
- It is becoming harder to determine if phone calls and emails are scams
- Data can be complied from BOCSAR figures

As fraud encompasses a range of crimes, the Committee will determine a focus area for the campaign at the next meeting.

Senior Constable Sue Rose will compile resources available through NSW Police in preparation for the next meeting.

6. COMMITTEE TERMS OF REFERENCE

The Committee Terms of Reference is currently being updated and will be distributed for the upcoming committee term.

7. <u>2021 – 2023 COMMITTEE TERM</u>

The 2021 – 2023 Committee Term will commence in September 2021, in line with the Council election.

Committee members are encouraged to talk with their manager/organisation about their role in the committee and determine a new representative if they do not wish to participate in the next term.

Formal correspondence regarding the new term will be distributed in the coming months.

Councillor Rudge commended the Committee on their achievements to date.

This is page 2 of the Minutes of the Community Safety Committee Meeting held on Thursday 20 May 2021

_CHAIRPERSON__

SECRETARY



MINUTES OF COMMUNITY SAFETY COMMITTEE MEETING HELD ON THURSDAY 20 MAY 2021 AT 11:30AM

8. GENERAL BUSINESS

Cycle Safe Bathurst

David Bull provided information regarding a recent collision between a cyclist and motor vehicle. Following this incident, Cycle Safe Bathurst is requesting the Committee's endorsement of a reporting system allowing minor incidents to be recorded through Bathurst Regional Council.

Chifley Police District only complete incident reports if there is an injury requiring assistance, alcohol involvement or if a fine needs to be issued.

Signage alerting drivers to bicycles was suggested as a step towards ensuring cyclist safety and promoting Bathurst as a cycle safe city.

Councillor Rudge will discuss this issue further with the Traffic Committee and Council staff.

Chifley Police Report

Chifley Police District hosted three training sessions with staff of Armada Bathurst, including information on retail theft, shop layout, CCTV and reporting.

There has been positive feedback regarding these sessions.

McDonald's Carpark

Councillor Rudge discussed reoccurring reckless behaviour by youth in the McDonald's carpark. This issue has been raised by a concerned resident, and by Councillor Morse and Councillor Jennings.

A group of youth gather between 5 and 7 nights each week vandalising property and driving dangerously.

Senior Constable Rose encouraged the surrounding residents to report incidents each time they happen. This will allow for Police to respond appropriately. Senior Constable Rose will also talk with Chifley Police District to potentially increase patrols of that area.

9. <u>NEXT MEETING</u>

The next meeting will be held Thursday 22 July 2021 at 11:30am at Council Chambers, Civic Centre.

There being no further business, the meeting closed at 12:22pm.

This is page 3 of the Minutes of the Community Safety Committee Meeting held on Thursday 20 May 2021

CHAIRPERSON

SECRETARY



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

10 December 2020

The Hon. Greg Donnelly, BEc MIR MLC Chair

Dear Sir

Submission to Parliamentary Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW

Thank you for the opportunity to make a submission to the Parliamentary Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW.

I am making this submission for and on behalf of Bathurst Regional Council. Bathurst holds an important place in regional NSW and, whilst Council acknowledges there are likely to be places worse off than Bathurst, even Bathurst suffers from inadequate health services. Saying this causes some inconvenience because the last thing Bathurst needs is to be thought of as a place where health services are not sufficient.

For some time, Council has been concerned with the level of health services provided to the community of the Bathurst Region. From the outset in this submission, Council makes no criticism of hard working and dedicated staff at Bathurst Hospital and the broader Bathurst Health Service. On the whole, they conduct themselves entirely professionally but struggle with insufficient resources. This submission aims at increasing the resources necessary to help the staff do their jobs as effectively as possible, and to increase the level of services to Bathurst in keeping with regional City status.

The concerns of Council come about from two primary sources - an opportunity to contribute to the Clinical Services Review of the Bathurst Health Service, and a grass roots community led unease with the level of services generally and in particular the regular sending of patients to Orange, 57 km away, for basic treatments such as broken bones.

The submission details the evolution of these concerns, most of which remain unresolved, due in part to an apparent reluctance of the Western NSW Local Health District (the LHD) to respond sufficiently, particularly in relation to the LHD continuing to deny Bathurst the same status as Orange as a referral hub. This is not a matter of rivalry between the two regions. On the one hand, a lack of health services in Bathurst stifles economic development of the region. On the other, and more importantly, it is potentially a matter of life and death for those members of the Bathurst community who happen to be afflicted with poor health and are sent to Orange for treatment that should be done close to home.

 Reference:
 NS:KJD:18.00035

 Enquiries:
 Mr N Southorn
 02 6333 6213

 Submission to Health Inquiry doox

BATHURST REGION ... FULL OF LIFE

The Hon. Greg Donnelly, BEc MIR MLC 10 December 2020

2

This in part can be attributed to insufficient resources provided to the Bathurst Health Service by the LHD, which in turn is a reflection of the total resources available to the LHD. Having said that, several changes introduced in response to covid19 have revealed significant operational improvements can and have been achieved with few additional resources, which are now proposed to be removed with a reversion to lesser services, the "old normal". Further, unsatisfactory operational matters associated with emergency orthopaedic services, long disputed by BRC, appears to reflect plain stubbornness by LHD management.

It is about two years ago that the community based Bathurst Health Action Group commenced lobbying for improved health services in Bathurst, prompted by the personal experiences of members of the community, a community which rarely "makes waves". The Action Group has also made representation to the Minister. Bathurst Regional Council has become drawn into the debate and has hosted meetings with LHD and Bathurst Hospital management and the Chair of the LHD Board.

Infrastructure planning appears to be progressing but is not yet finalised. Even then, there needs to be a commitment from the LHD and Government to deliver on these and other service level plans to address the chronic underinvestment in floor space, equipment and personnel.

This has led Council, on 16 September 2020, to resolve as follows:

That Council:

- (a) Commend the Local Health District and Bathurst Health Service for its response to the covid19 pandemic;
- (b) Acknowledge the professionalism and dedication of the workforce of the Bathurst Health Service;
- (c) Encourage the Local Health District to finalise its infrastructure planning, integrate that planning with the planning of other agencies, including Council, and private sector entities;
- (d) Request the NSW Government prepare and publish a long term capital works plan for health infrastructure for the region;
- (e) Commence urgent discussions with the Local Health District and NSW Government over a three hub referral network model that elevates Bathurst to the same status as Orange and Dubbo within the Local Health District framework;
- (f) Commence discussions with Lithgow City Council on its preferred local health district model;
- (g) Urge the Local Health District to abandon its proposed emergency orthopaedic service in favour of one that leads to a full time permanent orthopaedic service in Bathurst and prioritises Bathurst based staff to work within the community of Bathurst; and
- (h) Request that the Local Health District guarantee the continuity of services at Daffodil Cottage and for mental health for the community of Bathurst.

Council believes now is the time to establish a better resourced "new normal".

 Reference:
 NS:KJD:18.00035

 Enquiries:
 Mr N Southorn
 02 6333 6213

 Submission to Health Inguiry.docx
 Submission to Health Inguiry.docx
 Submission to Health Inguiry.docx

The Hon. Greg Donnelly, BEc MIR MLC 10 December 2020

The submission which follows on behalf of Bathurst Regional Council expands on these concerns.

3

Neil Southorn B.E., M.Eng. Sci., PhD DIRECTOR ENVIRONMENTAL, PLANNING & BUILDING SERVICES

 Reference:
 NS:KJD:18.00035

 Enquiries:
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 02 6333 6213

 Submission to Health Inquiry.docx

SUBMISSION TO THE PARLIAMENTARY INQUIRY INTO HEALTH OUTCOMES AND ACCESS TO HEALTH AND HOSPITAL SERVICES IN RURAL, REGIONAL AND REMOTE NSW BATHURST REGIONAL COUNCIL

Background

Bathurst Regional Council has been and remains concerned about the inadequate level of health services to the Bathurst community. A background paper leading to a Resolution of Council on 16 September 2020 is at <u>attachment 1</u>. Incremental change remains too slow. Council has sought more rapid reform through multiple channels, including the LHD review of the Clinical Services Plan (CSP) and multiple representations to the CEO of the LHD and the Chair of the LHD Board with little comfort, apart from a commitment to review infrastructure needs and the recent announcement of long overdue MRI infrastructure (but without floor space identified to locate it nor matching operating expenditure).

The submission from Bathurst Regional Council at the commencement of the CSP review is at **attachment 2**.

The key points arising from that submission remain the position of Bathurst Regional Council:

- The population data relating to the Bathurst region should be acknowledged as the basis for fair and reasonable allocation of resources within the Health District.
- The population of the Lithgow area should be included in determining the allocation of resources to the Bathurst Health Service.
- The human and social cost of requiring people to travel to Orange or elsewhere for basic health services should be included in determining the allocation of resources within the Health District.
- Internal data relating to performance levels of service provision should be made available to facilitate open and transparent decision making.
- There must be a guarantee of continuity of existing services and service levels as an immediate response from the Health District.
- Resources must be allocated as a matter of urgency for basic emergency and health services to be provided in Bathurst.
- Appropriate facilities should be developed at Bathurst Hospital to enable treatment of Bathurst Gaol inmates in Bathurst, in anticipation of the increase in inmate numbers.
- There should be an independent analysis of factors underpinning recruitment success of the Bathurst Health Service.
- Collaboration should occur between the Bathurst Health Service and the private sector with a view to determining and providing the required number of specialists to sustain both sectors in the short and long term.
- A suite of Health Service KPIs should be developed that incorporate indicators of community well-being.
- Increased investment and a more dynamic and collaborative multi-agency approach is warranted to develop and implement preventative strategies.
- Planning should commence now in anticipation of the end of life of the current hospital building.

A further submission to the draft CSP is at <u>attachment 3</u>. That submission acknowledges that the CSP review is a necessary but small step toward important reform to health services in Bathurst but will need to be implemented concurrently with additional investment in infrastructure and services to meet current let alone future demand.

The Bathurst Health Action Group

Council supports the efforts of the community based Bathurst Health Action Group, which is separate from Council but which has a common goal in lobbying for improved health services and infrastructure. The Group has been active for some time. Their activity has been endorsed by the community and has been reported widely (see <u>attachment 4</u>).

The Action Group has also made representation to the Minister (<u>attachment 5</u> is their briefing note).

The Action Group is mentioned in this submission to convey the fact it is not just a few that are agitating for change.

The 2014 report

This submission refers to the Review of Bathurst Health Service: Situation Analysis and Options Paper (Hoyle, Hair & Cornish, 2014). The 2014 report analysed services and made recommendations which remain valid today.

This submission argues that many of the issues raised at that time remain unresolved, exacerbating the frustration experienced by the community of Bathurst and the medical professionals who look after them.

The 2014 report forecast significant population growth to be serviced by the Bathurst Health Service (BHS). It found that

- patient flow should be improved
- system improvement required leadership and collaboration from both management and clinicians, such collaboration "very much worth seeking"
- certain transfers to facilities outside Bathurst are distressing to patients
- the preferred way to relieve cost pressures on the Bathurst Hospital is to increase service volumes to offset overhead costs, and that reducing services worsens the financial situation of the hospital
- cost pressures at Bathurst Hospital were made more complex and intractable by the Private Public Partnership in place to access hospital support services
- increased services could be generated, for example, by way of elective orthopaedics and inward transfer of gynaecology activity
- other measures should include reduced reliance on locums, better sourcing of junior medical officers, better staffing and patient flow in the emergency department, and better oversight of diagnostic tests.
- staff felt marginalised within their own health service
- better clinical governance systems would allow system managers and clinicians to develop a shared understanding, to anticipate crises and to respond effectively as a team
- a properly costed service plan to meet the needs of the community was needed
- a proper business plan was needed to ensure the community, BHS staff and the LHD shared a common purpose
- local clinical management and governance processes should be empowered with achieving high levels of efficiency

Whilst Council acknowledges that the LHD has now completed a review of the clinical services plan and has commenced infrastructure planning, and the BHS response to covid19 shows collaboration can work successfully, most of the recommendations of the 2014 report remain unmet. Further, Council has reservations about the final clinical services plan (see Attachment 3), is yet to see a final infrastructure plan (about which Council is a key stakeholder) and is not satisfied Government will fund whatever these plans recommend.

A copy of the 2014 report can be made available to the Committee if needed.

The tyranny of distance and separation – a Bathurst hub needed

The most defining of Council's concerns centres on the reluctance of the LHD to recognise that concentrating resources on Dubbo and Orange, in the current two hub referral model of the LHD, significantly disadvantages the community of Bathurst and undermines the status of Bathurst as a regional City. To be sent to Orange for basic medical procedures such as treatment of broken bones or an angiogram is disrespectful not just to the needs of the patient but to their families and carers. Too often, patients have procedures in Orange (not just Bathurst) cancelled or postponed, and too often left to their own devices to get back to Bathurst after treatment in Orange. The distance between the two hospitals is 57 km. There is no regular public transport. The Mitchell Highway is regularly closed in poor weather.

There is a collection of unfortunate stories in <u>attachment 6</u> that go to this unfairness. It does nothing to secure the welfare and rapid healing of patients when they are separated from home as much as the current arrangements inflict.

Further, the two hub model disadvantages the status of Bathurst Hospital itself and the capacity of both the public and private hospitals to attract new staff, they being attracted to positions in Orange because of the scale of services occurring at Orange. Bathurst Hospital is unable to fully function as a training facility. These factors further accelerate the decline of services in Bathurst.

The failure of the LHD to create a three hub model, and the disadvantage to Bathurst created by a two hub model, is evidenced in LHD expenditure patterns found in Service Agreement Schedule C of June 2019. Of interest is the budget growth of certain governance and management functions compared to funding for front line services.

| WNSWLHD | 2019/20 Initial Budget | Growth compared to 2018/19 Annualised Budget |
|-------------------------|------------------------|--|
| Bathurst Health Service | \$88,919,000 | +2.6% |
| Dubbo Health Service | \$138,242,000 | +3.6% |
| Orange Health Service | \$151,101,000 | +3.3% |
| District Governance | \$2,310,000 | +24.7% |
| Operations Management | \$45,083,000 | +18.7% |
| Reporting Entity | \$45,667,000 | +17.5% |

Council therefore requires the LHD to redesign their structure to capture a three hub model. Council believes such a model is easily achieved if the population catchment of Bathurst is reviewed to include the population of Lithgow, currently part of the Nepean LHD. Lithgow is not much further from Bathurst than Orange and would avoid a trip to Penrith over the Blue Mountains.

Blurring the artificial boundary between Local Health Districts

Council believes there is potential for greater collaboration between health practitioners at Lithgow and Bathurst, public and private, that would enhance the services available at each location. Such suggestions are routinely dismissed because they are in different LHDs (although that was not always the case). Council believes strict adherence to a boundary between local health districts in regional areas might be a convenient administrative tool for the LHD but one that does not optimise service levels nor the patient experience.

Response to Covid 19 – let the good outcomes be sustained

It has been informally reported to Council that Bathurst Hospital has responded effectively to the coronavirus situation, putting in place a number of initiatives that can be argued were always necessary. This is applauded. These include collaboration with the private hospital to accept public patients, streamlined triage at Emergency Department, creation of additional bed space (admittedly, by temporarily closing the Panorama Unit, the adult acute mental health inpatient service) and orthopaedic operations conducted effectively at Bathurst that would otherwise have been performed at Orange. Council understands these good outcomes, achieved by successful collaboration with practitioners (something the 2014 report was hoping for), are about to be reversed.

Council cannot see why this level of service cannot continue after the pandemic eases. At the same time, Council supports the reopening of the Panorama Unit. Relocation of the Panorama Unit into new floor space on a permanent basis could create additional emergency department bed space quickly, with relatively lower expense and improved patient experience.

Cardiac services

The Bathurst community is severely under-resourced in cardiac services. Apart from a lack of cardiac specialists, Bathurst does not have a catheter laboratory or sufficient support staff. If someone in Bathurst is suspected of having a heart attack – a not uncommon occurrence given the size and demography of the catchment population – they are initially treated at Bathurst Hospital Emergency Department but must be transported to Orange (or Sydney) for an angiogram. That can only occur if there is a bed available at Orange and, as Council understands it, only under the supervision of an Orange based doctor. Patients have been known to wait for days, all the while fearing the worst.

This is a further example of the unacceptable discrimination and distress faced by the community of Bathurst compared to regional NSW cities of comparable populations.

Emergency Orthopaedic Service

Bathurst Regional Council is aware of changes proposed by the LHD to the emergency orthopaedic service provided in Bathurst. Whilst the proposed service will be better for patients than the current arrangements by giving greater certainty to treatment dates, there is no certainty the procedure will be conducted close to home. What is proposed remains insufficient for the community of Bathurst in the long term and will immediately and significantly disadvantage orthopaedic surgeons who live in Bathurst.

Council understands the proposed service is predicated on members of the orthopaedic surgical team practicing in Bathurst on a Tuesday and Thursday morning and on Monday, Wednesday and Friday mornings at Orange. Council has been advised that a large proportion of broken bones are not life threatening once emergency treatment has been administered, allowing treatment to occur at a scheduled appointment on one of those mornings at either Bathurst or Orange. Whilst the greater certainty of the treatment date is appreciated, it may still require travel to Orange to receive it. Further, a person waiting at home with broken bones is unlikely to willingly accept any significant delay in obtaining treatment. Additional resources should be allocated to the task as a whole to alleviate the obvious stress of waiting and travelling for treatment. In this context, the LHD must ensure the supporting services (anaesthetists, nursing staff, bed capacity) are also sufficient to support an expanded service at Bathurst.

The proposed service will disadvantage Bathurst based members of the orthopaedic team. Whilst the proposed service is said to require an equal commitment from all members of the team, it does not create equity in its design. All team members are required to be on call in Orange on a roster. This means Bathurst based orthopaedic surgeons must be at Orange Hospital between 8 and 8 on weekdays and 8 and 6 on the weekend whilst rostered on call. Orange based surgeons are not required to be on call in Bathurst. By definition, this is hardly equitable. It places significant disadvantage to the family life of Bathurst based surgeons and disrupts their private practice because theatre privileges are linked to acceptance of the new service and not transferable to a locum. This makes it difficult to describe Bathurst as a preferred place to live for orthopaedic surgeons specifically and medical professionals generally, further tarnishing the reputation of Bathurst as a place to live and work. No other specialists are required to be on call in another City, and rightly so given the travel time between Orange and Bathurst which, when added to the duration of the shift, represents an unsafe work practice. Council understands no other specialist department is shared across both hospitals.

Bathurst Regional Council therefore requires the LHD to design and fund an emergency orthopaedic service that respects the equal status of Dubbo, Orange and Bathurst as regional hubs in the central west of NSW.

Obstetrics and Gynaecology

Council has been advised that a significant proportion (estimated at around one third) of Bathurst region expectant mothers choose to have their babies delivered at Orange, or are sent there for the purpose. Council believes this is a clear indication of a lack of capacity (or confidence) in the local health service.

Daffodil Cottage

This facility is located on the Bathurst Hospital grounds and provides services to cancer sufferers. The community recently received a scare when a critical staff position became vacant. The appalling possibility that cancer sufferers had to travel from Bathurst to Orange for treatment became apparent. Whilst it was a temporary situation relating to an internal staffing matter, it was one that was foreseeable and caused unnecessary alarm. This is best illustrated by the following correspondence from community members.

Hi Friends,

We have heard that Daffodil Cottage is again facing a threat from the Health Service to reduce services at the Cottage and diminish its importance in providing assistance to local Cancer patients.

This appears to be prompted by the failure of the Health Service to reappoint the Oncologist Pharmacist to the position she has held for 4 years.

This has had the effect that chemotherapy treatment could not be administered at Daffodil Cottage without the assistance of an Oncologist Pharmacist.

We have learned that Cancer Patients have therefore been advised that they would need to travel to Orange to receive their treatment.

While this is currently a temporary arrangement, the concern is that it is the thin end of the wedge to transfer Chemotherapy treatment to Orange on a more permanent basis.

The time has come, once again, for Bathurst people to stand up and say "Not on our watch!" We will not let it happen!

We understand that the Health Service has been given till Wednesday this week to appoint a replacement Oncologist Pharmacist so that Chemotherapy treatment can resume at Daffodil Cottage.

If this does not happen then it will be again necessary for Bathurst people to rally in support of Daffodil Cottage. Get your Yellow T-Shirts, Hats, Ties, Scarves, etc ready to show our support for the Cancer Patients and Staff.

At this stage, Friday 10 July is proposed as a suitable day for such a Rally to take place at Daffodil Cottage. Further details will be forwarded later in the week.

Please send this on to your friends, workmates, acquaintances, etc to spread the word.

Regards

Kent & Dianne McNab

Council insists continuity of services provided by Daffodil Cottage be guaranteed even if from a different address in Bathurst.

Additional services needed

The paragraphs above represent the pressure points identified by the community of Bathurst and their representations to Council. However, there are numerous other services Council is advised are under-resourced including gastroenterology, renal medicine, palliative care, geriatrics, neurology, rheumatology, endocrinology, outpatient rehabilitation, oncology and multidisciplinary clinics.

Sample letters from members of the community

The terms of reference of the Inquiry include listening to examples of the patient experience.

<u>Attachment 6</u> contains a number of unfortunate stories provided by members of the community on various occasions as publicity about health services in Bathurst arises.

Infrastructure Planning

Council is a partner with LHD, the Department of Planning, Industry and Environment and Charles Sturt University, and separately with the private sector, to develop long term health infrastructure plans for the Bathurst region and applauds the commitment of the partners in this goal. Council acknowledges the recent announcement about a new long overdue MRI facility at Bathurst Hospital. A proposal has also been announced for a new integrated medical facility and private hospital in the Bathurst CBD.

Time is of the essence and Council reinforces the need to finalise infrastructure planning. However, planning for infrastructure is only a first step. Council expects the NSW Government to prepare, adopt and publish its long term capital works schedule for health infrastructure in the Bathurst region, as it expects Council to do for Council's infrastructure planning, to advise the community if, when and how much it will invest. Further, the NSW Government needs to provide the LHD and BHS with sufficient people to properly operate the range of services such new infrastructure will allow. Only then can the community be assured an adequate service will be available.

Something not right inside the system

Council has noticed that there are frequent staff vacancies at Bathurst Hospital and difficulty filling them, with what seems to be an overreliance on locum workers. The 2014 report identified similar problems, indicating an entrenched shortcoming. Occasionally, frustration with working conditions is brought to Council's attention. These could be indicators of something not right inside the system. In general, Bathurst is an attractive place live and attracts workers from other sectors of the economy intent on relocating to Bathurst. In addition to creating Bathurst Hospital as an equal with Orange and Dubbo in the LHD structure, Council encourages management of Bathurst Hospital to look for and correct any causes of low morale or rejection of the hospital as an employer of choice.

One of the points of frustration brought to Council's attention is the need to strengthen collaboration between Bathurst Hospital management, clinicians, Council and the broader community in developing new ways of working together, to reimagine innovative ways of delivering health and wellbeing locally, and in turn to maximise clinician engagement and morale and attract new sources of funding.

Conclusion

Council has been patient in waiting for long overdue improvements to health services to the community of Bathurst but frustration is escalating. Council hopes the Inquiry can encourage the Government of the day to prioritise their delivery.

Attachment 12.4.1

Attachment 1

MEMORANDUM

TO: MAYOR, DEPUTY MAYOR ALL COUNCILLORS

CC: DIRECTORS GM ASSISTANT

FROM: DIRECTOR CORPORATE SERVICES & FINANCE

DATE: 11 SEPTEMBER 2020

SUBJECT: BATHURST HEALTH SERVICES

FILE: AJ:RD:18.00035

Please see below additional information provided by Cr Aubin regarding the Notice of Motion to be raised at the upcoming Ordinary Meeting on 16 September 2020.

Recommendation: That Council:

- (a) Commend the Local Health District and Bathurst Health Service for its response to the covid19 pandemic;
- (b) Acknowledge the professionalism and dedication of the workforce of the Bathurst Health Service;
- (c) Encourage the Local Health District to finalise its infrastructure planning, integrate that planning with the planning of other agencies, including Council, and private sector entities;
- (d) Request the NSW Government prepare and publish a long term capital works plan for health infrastructure for the region;
- (e) Commence urgent discussions with the Local Health District and NSW Government over a three hub referral network model that elevates Bathurst to the same status as Orange and Dubbo within the Local Health District framework;
- (f) Commence discussions with Lithgow City Council on its preferred local health district model;
- (g) Urge the Local Health District to abandon its proposed emergency orthopaedic service in favour of one that leads to a full time permanent orthopaedic service in Bathurst and prioritises Bathurst based staff to work within the community of Bathurst; and
- (h) Request that the Local Health District guarantee the continuity of services at Daffodil Cottage and for mental health for the community of Bathurst.

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The community of Bathurst has been concerned for some time about the level of services provided by the LHD at Bathurst Hospital and the need to travel to Orange for basic hospital treatments such as broken bones. Recent changes to services at Daffodil Cottage is another case in point. This is despite the efforts of Hospital staff - doctors, nurses and all the supporting workers - who do an outstanding job under the circumstances. The Health Service has also made changes in response to Covid19. Their efforts to protect the community and still keep other services functioning, including by good collaboration with Bathurst Private Hospital, are to be applauded.

But this does not alter the fact that Bathurst remains under-serviced compared to Orange and Dubbo. These concerns are not new and have been the subject of discussions and joint committees for many years without significant change. The Local Health District operates with a two hub referral network - Dubbo for the north and Orange for the south of the Health District region. It is acknowledged that Orange is now the trauma centre for this part of the region but this, and the astonishing levels of investment in the Orange health hub by both Government and the private sector, has led to Bathurst becoming a lesser status in the bureaucracy. The Local Health District should, as a matter of urgency, develop a three hub network with Bathurst as a hub in its own right and of equal status.

Lithgow is part of the Nepean Health District. Perhaps it is time to start a conversation with the Council and people of Lithgow about whether a change to the boundaries of the two Local Health Districts would be better for both communities. From the perspective of Bathurst, the additional population numbers would justify additional services which the people of Lithgow would benefit from. The health authorities are unlikely to come easily to that conclusion because boundaries between districts always appear immovable, so local communities will need to take the lead.

Some good work has commenced on infrastructure planning for the future. This needs to continue without delay as additional services will need additional space for those services to be delivered, and the need is now. Where best to provide those services is also part of the discussion - at the existing hospital site, within the CBD, the University campus, some other site or in the home? Mental health services and how best to provide them also needs review.

Equally important is the need for Government to make a commitment to deliver new infrastructure, not just plan for it. Like all good businesses, the NSW Government should prepare a 10 year capital works budget which explains what will be done and when. It should be put on public display to demonstrate a commitment and provide confidence in government. The public interest in this should take priority.

Concerns have also been raised over the continuity of existing services. The recent scare about Daffodil Cottage and the necessity to treat cancer sufferers in Orange as a result of short term staffing changes has shone a light on the fragility the community feels about losing what they have. Going to Orange for treatment is better than no treatment at all but it significantly impacts on patients and their families. The Local Health District must ensure existing services are sustained and improved and travel to Orange becomes a last resort.

This is particularly so for orthopaedic services. It is unacceptable that people have to travel to Orange for treatment to broken bones or joint replacements. Whilst the Local Health District, in conversations with Council, has agreed more needs to be done, what is proposed falls well short of a satisfactory service. The Local Health District is

200911_Crs_NOM Health Services docx

proposing an emergency orthopaedic service that will operate at Bathurst on Tuesday and Thursday mornings. Patient care after surgery becomes of concern. Of the 6 surgeons in the Orthopaedic Department, which is headquartered in Orange, there is only one surgeon who lives in Bathurst. The proposal is for that person to be on call in Orange for one week in seven, which requires that person to be in Orange the whole of that week. Apart from the disruption that will have on the persons private life, being away from home and family, private patient lists will also be disrupted. It will have a negative impact on anyone thinking of moving to Bathurst to have to work in this way. A better model needs to be developed that allows Bathurst based professionals to live and work in Bathurst.

Local Health District Management has reminded Council that the rate of funding growth in recent years has increased faster for Bathurst than Orange and Dubbo, but this is insufficient commentary without a comparison of actual operating and capital expenditure over the last decade so the low baseline funding of Bathurst can be exposed - what level is the reported 44% increase in funding based, and how does that base level compare to Orange and Bathurst?

With these comments in mind, it is now time for Council to be more active in working with the Local Health District and the NSW Government to make sure that health services to the community of Bathurst are sustained and increased.

DIRECTOR CORPORATE SERVICES & FINANCE

200911_Crs_NOM Health Services docx

Attachment 12.4.1

Attachment 2



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7 June 2019

Email: Kate.Middleton@health.nsw.gov.au

Bathurst Health Service

Dear Sir/Madam

Bathurst Regional Council Preliminary Submission to Bathurst Clinical Services Review

Introduction

Bathurst Regional Council (Council) welcomes a review by Bathurst Health Service of the Clinical Services Plan for the Bathurst region and the opportunity to make a submission. In preparing this submission, Council representatives have been addressed by the General Manager of Bathurst Hospital and the review facilitators, participated in the community forum conducted as part of the review process and sought the opinions of community members and members of the medical fraternity.

The review is timely – there are growing concerns that services are not keeping up with the needs of the growing population of Bathurst and that not much has happened since previous reviews illustrated deficiencies. Further, there appears to be an intention to advance services provided in Orange at the expense of those provided in Bathurst, which Bathurst Regional Council believes to be an inappropriate distribution of resources. Further commentary on these issues follows.

It is stressed at the outset that the service provided by those currently delivering services is the best that current resources allow – the intention of this submission is to argue for retention of existing services, expansion of services to reduce the reliance on transfer to other locations, to ensure the sustainability of health services generally, to justify a fair and reasonable allocation of resources to Bathurst and to plan for the long term. Council's submission is not about the staff doing their best, but the system they are working in.

Council is concerned that recent media reporting attributed to Hospital management appears to pre-empt the outcome of the review – that there are no major issues, that the review is just a check up on service levels and delivery and that there are sufficient resources available to meet future needs. Council does not accept this view and the review provides an important opportunity to undertake a comprehensive analysis of current and future needs and provide a platform for additional resources to be provided. Council encourages a long term approach – a review of services should lead to a review of infrastructure needs (floor space, beds, equipment) which should lead to a review of funding commitments.

It is possible Council comes to its position without full information. If that is the case, one of the reasons is the Health Service does not provide full information in the public domain. Council believes it is appropriate that the review process exposes non confidential performance data for public scrutiny.

 Reference:
 NS:CB:18.00035

 Enquiries:
 Mr N Southorn 02 6333 6219

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BATHURST REGION ... FULL OF LIFE

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

Emailed 7/6/19 CB.

Proud to be an 524 of 569

Attachment 12.4.1

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Sir/Madam 7 June 2019

This submission is a first instalment in a dialog that it is hoped is continued as the review proceeds and in the lead up to informed and collaborative decision making. This submission does not focus on a full list of specific services (apart from some obvious ones), although that is likely to follow as Council continues to hear the views of the community, because Council expects the Health Service to be provided expert advice from practitioners and stakeholders.

However, it is Council's intention to collect the stories of the people of Bathurst to illustrate the human impacts inadequate service levels create. It is important the review does not focus solely on data and numbers. Health service performance KPIs need to include indicators of community well-being not just to serve the relentless pursuit of cost efficiencies.

Population data and the distribution of resources within the Health District

The population of the Bathurst region has grown strongly over an extended period and rivals both Orange and Dubbo in gross population and rate of population growth. Bathurst deserves to be an equal member of the Local Health District based on these facts. Bathurst also hosts large numbers of visitors participating in local, regional and international level events, which elevates the number of persons in Bathurst well above resident levels for much of the year. Bathurst Health Service therefore should enjoy at least similar resources as other centres to provide at least similar services to these other centres.

<u>Attachment 1</u> to this submission summarises the data. It demonstrates that the Bathurst region realises growth in most age brackets, including the young and the aged, and experiences its fair share of disadvantage, which together represent those most susceptible to high level health needs and emergency admissions.

It is acknowledged that each centre may well require customised services to its particular needs, or one centre may be considered a centre of excellence that cannot be reproduced elsewhere, however Bathurst Regional Council is of the opinion that the people of Bathurst are not supported to the same level as those in Orange and Dubbo. This is demonstrated by the number of patients transferred to Orange (or Sydney) for the most basic of treatments such as broken bones, the need to leave Bathurst to be provided services which a population centre the size of Bathurst should expect, such as MRI scanning at the hospital, and the lack of any particular centre of excellence at Bathurst that people from outside the local area attend for specialist treatment – there should be no reason why residents of Orange, for example, cannot be transferred to Bathurst for selected specialist treatments.

There is also debate required on the catchment boundary of the Bathurst Health Service. It is Council's understanding that only a small portion of the population of Lithgow is included when allocating resources. It seems more logical to include a greater proportion if not all of the population of Lithgow in such calculations as the people of Lithgow are more likely to travel (and more likely to want to travel) to Bathurst for services than to major hospitals in the Nepean district.

A particular issue for Bathurst is the significant expansion of inmates of Bathurst Gaol. Council would consider it a failure of common sense to transfer large numbers of these

Attachment 42.4.

Sir/Madam 7 June 2019

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patients to Orange or elsewhere for basic services, which necessitates the development of appropriate spaces and services for them at Bathurst.

The problem of recruitment and economies of scale

It is the understanding of Council that the Bathurst Health Service experiences difficulty in recruiting staff. It is acknowledged this problem is not unique to the health professions but it is an important one for the health industry and the Bathurst community on multiple levels.

A shortage of staff makes it harder to maintain satisfactory health services to the people of Bathurst region and its visitors. It contributes to more transfers out of Bathurst than would otherwise be the case. Apart from the impact on patients, a poor patient experience will be shared across the wider community and will affect the perception of people regarding Bathurst as a place to live, visit and set up business. These are critical elements in driving growth and deriving benefit from it.

It is the opinion of Bathurst Regional Council that Bathurst as a locality is not the problem as high levels of satisfaction are achieved in identifying Bathurst as a destination of choice. There must therefore be factors at play associated with the Health Service as an employer of choice. Does the growth and centralisation of services in Orange create a scale that is overwhelming employment opportunities in Bathurst? Is there a perception, deserved or not, of a problem with the culture of the employing organisations that has spread amongst a tight knit medical fraternity? Is it because there are insufficient services provided to attract the required range of specialists? There should be an independent exploration of these and related questions.

The latter question is particularly important as it impacts on the viability of the private hospital sector, a matter that should be included in deciding the range and level of services and positions in Bathurst and recruitment for them. Any contraction of services provided by the private sector will have dire consequences for the Bathurst region and its status as a major regional centre.

It has also been suggested to Council that achieving an economy of scale is necessary to sustain the teaching functions of a hospital, and this is important in attracting future medical professionals to work in regional areas. Council supports this proposition and asks that Bathurst Health Service plan for this outcome and it be resourced over time to fulfil this goal.

Preventative services

Council recognises the importance of early intervention and preventing unhealthy outcomes before they arise. Council supports the allocation of additional resources in this regard with a particular focus on youth, aged persons and mental health support. At times there appears to be competition between service providers for scarce funding, a situation that warrants better funding and coordination based on a sound analysis of community need rather than agency priorities and agendas. Council is happy to collaborate on areas of common interest that relate to active lifestyles.

 Reference:
 NS:CB:18.00035

 Enquiries:
 Mr N Southorn 02 6333 6219

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Sir/Madam 7 June 2019

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Long term planning

It is Council's view that the planning horizon should be extended to foreshadow the end of life of the current hospital, acknowledging that there are constraints at the current site, a site which is distant from the private hospital. Council would be pleased to participate in long term planning of a new health precinct, in part to encourage such planning to occur, in part to ensure there is progress toward a state of the art facility combining centres of excellence and high level teaching capability, and also to ensure there are no planning impediments when the time comes.

Summary

It is the position of Bathurst Regional Council that:

- The population data relating to the Bathurst region should be acknowledged as the basis for fair and reasonable allocation of resources within the Health District.
- The population of the Lithgow area should be included in determining the allocation of resources to the Bathurst Health Service
- The human and social cost of requiring people to travel to Orange or elsewhere for basic health services should be included in determining the allocation of resources within the Health District.
- Internal data relating to performance levels of service provision should be made available to facilitate open and transparent decision making.
- There must be a guarantee of continuity of existing services and service levels as an immediate response from the Health District.
- Resources must be allocated as a matter of urgency for basic emergency and health services to be provided in Bathurst.
- Appropriate facilities should be developed at Bathurst Hospital to enable treatment of Bathurst Gaol inmates in Bathurst, in anticipation of the increase in inmate numbers.
- There should be an independent analysis of factors underpinning recruitment success of the Bathurst Health Service.
- Collaboration should occur between the Bathurst Health Service and the private sector with a view to determining and providing the required number of specialists to sustain both sectors in the short and long term.
- A suite of Health Service KPIs should be developed that incorporate indicators of community well-being.
- Increased investment and a more dynamic and collaborative multi-agency approach is warranted to develop and implement preventative strategies.
- Planning should commence now in anticipation of the end of life of the current hospital building.

Yours faithfully

Neil Southorn DIRECTOR ENVIRONMENTAL, PLANNING & BUILDING SERVICES on behalf of Bathurst Regional Council

 Reference:
 NS:CB:18.00035

 Enquiries:
 Mr N Southorn 02 6333 6219

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Bathurst

Population highlights

Age structure - Service age groups

Population

43,206

ERP, 2018

▲ Grown by 400 from the previous year.

| Bathurst Regional Council area - Total persons (Usual residence) | | 2016 | | | 2011 | | .Change |
|--|----------|-------|---------------------|----------|-------|---------------------|--------------|
| Service age group (years) | Number ÷ | % ¢ | Regional NSW % ‡ | Number 🛊 | % \$ | Regional NSW % ‡ | 2011 to 2016 |
| a Babies and pre-schoolers (0 to 4) | 2,546 | 6.2 | 5.8 | 2,643 | 6.9 | 6.3 | -97 |
| a Primary schoolers (5 to 11) | 3,903 | 9.5 | 8.9 | 3,722 | 9.7 | 9.0 | +181 |
| a Secondary schoolers (12 to 17) | 3,397 | 8.2 | 7.3 | 3,352 | 8.7 | 8.2 | +45 |
| a Tertiary education and independence (18 to 24) | 4,395 | 10.6 | 7.9 | 4,485 | 11.6 | 8.1 | -90 |
| a Young workforce (25 to 34) | 5,171 | 12.5 | 11.0 | 4,491 | 11.7 | 10.4 | +680 |
| Parents and homebuilders (35 to 49) | 7.553 | 18.3 | 18.0 | 7,452 | 19.3 | 19.5 | +101 |
| a Older workers and pre-retirees (50 to 59) | 5,178 | 12.5 | 13.8 | 4,880 | 12.7 | 13.9 | +298 |
| a Empty nesters and retirees (60 to 69) | 4,571 | 11.1 | 13.1 | 3,849 | 10.0 | 11.9 | +722 |
| a Seniors (70 to 84) | 3,686 | 8.9 | 11.4 | 2.985 | 77 | 10.3 | +701 |
| a Elderly aged (85 and over) | 892 | 22 | 2.7 | 662 | 1.7 | 2.3 | +230 |
| Total | 41,292 | 100.0 | 100.0 | 38,521 | 100.0 | 100.0 | +2,771 |

5.5% *****

2.8%

26% •

22% •

23% 🔸

Median age

37 (1)

Regional NSW New South Wales Australia

Housing stress

13.7% of housholds

Comparable to a Hornsby, Sutherland Shire, Blue Mountains, Inner West and Wollongong.

Aboriginal and Torres Strait Islander Population

5.4% (1.2%)

| Regional NSW | |
|-----------------|--|
| New South Wales | |
| Australia | |

Lone person households

25% (0.6%)

Regional NSW New South Wales Australia

Couples with children

28% •(-0.8%)

| Regional NSW | 25% 🔻 | |
|-----------------|-------|--|
| New South Wales | 32% 🔹 | |
| Australia | 30% 🚸 | |

Medium and high density Housing



| Regional NSW | 17% 🔺 |
|-----------------|-------|
| New South Wales | 33% 🔺 |
| Australia | 27% |

43

38 🐽

38

Median weekly household income

\$1,308 (\$171)

| Regional NSW | \$1,166 🔺 |
|-----------------|-----------|
| New South Wales | \$1,481 🔺 |
| Australia | \$1,431 🔺 |

Households renting

29% (0.2%)

| 26% 🔻 |
|-------|
| 30% 🔺 |
| 29% 🔺 |
| |

Language at home other than English

4% (0.8%)

| Regional NSW | 6% |
|-----------------|-----|
| New South Wales | 25% |
| Australia | 21% |

SEIFA index of disadvantage 2016

986

Regional NSW New South Wales Australia Median weekly mortgage repayment

> \$366 \$456 \$409

\$381

| Regional NSW | |
|-----------------|--|
| New South Wales | |
| Australia | |

Households with a mortgage

32% •(-1.1%)

| Regional NSW | 29% |
|-----------------|-----|
| New South Wales | 30% |
| Australia | 32% |

Homeless persons estimated 2016 *

158 (29)

Unemployment rate

5.3% (0.7%)

6.6%

6.3%

6.9%

Regional NSW New South Wales Australia Attachment 12.4.1

Median weekly rent

\$280

| Regional NSW | \$278 |
|-----------------|---------|
| New South Wales | \$384 🔺 |
| Australia | \$339 🔺 |

Overseas born

9% (0.3%)

| • | Regional NSW | 11% 🔸 |
|---|-----------------|-------|
| • | New South Wales | 28% 🔺 |
| • | Australia | 26% 🔺 |

University qualification

16% (2.1%)

| Regional NSW | 14% 🔺 |
|-----------------|-------|
| New South Wales | 23% 🔺 |
| Australia | 22% 🔺 |

Public transport (to work)

1% .(0%)

| Regional NSW | 2% ++ |
|-----------------|-------|
| New South Wales | 16% 🔺 |
| Australia | 11% 🔺 |

971

1001

1002

Attachment 12.4.1

Attachment 3



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10 January 2020

Western NSW Local Health District WNSWLHD-HIU-HELPDESK@health.nsw.gov.au

Dear Sir/Madam

<u>Feedback on draft Bathurst Community and Region Integrated Clinical Services</u> <u>Plan</u>

Thank you for the opportunity to make comment on the draft Clinical Services Plan (CSP). This submission is on behalf of Bathurst Regional Council. It follows previous submissions from Council that remain relevant.

The sources of information for this submission are:

- Bathurst Community and Region Integrated Clinical Services Plan 2019-2029 v1.4 Consultation Draft, November 2019
- Accompanying Technical Paper 4 October 2019
- A New Direction for Bathurst Health Service presentation to consultation meeting 29 November 2019
- Community brochure and invitation to provide feedback

A review of the CSP is welcome and timely. Council has been concerned for some time that the level of health services to the community of Bathurst is already not meeting the needs of a growing population. The draft CSP 2019-2029 acknowledges this. It proposes a range of initiatives for additional infrastructure, programs and services to address current and future needs and these are largely welcome. However, the CSP remains only a Plan. Council accepts that more work needs to be done on workforce planning, training and education planning and infrastructure planning, and that implementing a number of the recommendations of the Plan will come at a cost. It is Council's expectation that the Local Health District will make the Bathurst Health Service a priority, allocate sufficient resources to complete the supporting studies, enable the Plan to be implemented and to aggressively lobby Government for additional resources.

It also appears there are a number of initiatives that can be implemented without significant additional infrastructure and operational costs, which deal with streamlining the patient experience, out of hospital services and service coordination between Agencies. There is already bed block, shortages of storage space and funding shortfalls for existing services. These should be addressed without delay.

Reference: NS:KJD:18.00035 Enquiries: Mr N Southorn 02 6333 6213 Ins -wnswlhd - submission.docx

BATHURST REGION ... FULL OF LIFE

Western NSW Local Health District 10 January 2020

2

In regard to workforce planning, Council has previously observed that the Bathurst Health Service workforce is regularly confronted by unfilled vacancies and roster challenges. A Plan that creates additional positions will appear attractive but is flawed if there are cultural or other reasons why people choose not to work in the Bathurst Health Service. Council refers to its previous submission for additional commentary on ensuring the Bathurst Hospital becomes an employer of choice.

Council offers cautious support to new models of care. New models of care are appropriate where the result is better patient outcomes. The caution applies if the outcomes are only to advantage the administration of the service or to cut costs. New models of care must pass the test for better patient outcomes and not be used as a reason to delay infrastructure funding.

Even with new models of care and out of hospital services, assuming they are funded, modelling demonstrates that more infrastructure is required. The Plan also assumes existing infrastructure is used efficiently and this assumption should be challenged. This means future investment needs to be more than modelled.

The modelling which underpins service level projections should be expanded to include additional scenario testing. Because there is a reluctance of Government to increase funding to hospitals, the modelling also needs to include "what if the out-of-hospital programs and new models of care are not introduced or do not work?" and "what if new infrastructure is not provided?" The CSP then needs to include alternative actions and priorities given the serious consequences to the community of Bathurst if the Plan is inadequately funded (or not adopted). Further, Council requests modelling be based on Council's population projections. These have consistently been more accurate than the Department's projections and there is no reason why that will not continue. The Council's projections indicate greater population growth and therefore a greater demand for services.

Council does not accept anything less than a full time emergency orthopaedic service. Council understands there is an interim service proposed, which will require Bathurst based surgeons to be on call periodically in Orange. A twice weekly half day service using surgeons from Orange is not sufficient to provide an adequate service. The claim of 90% service level is an exaggeration as it can only be assumed trauma cases are not included in this estimate and therefore the estimate should be qualified this way.

There is insufficient detail about how Bathurst Hospital will become a teaching and learning hub nor how public and private services can be integrated, important elements of a sustainable health precinct. The CSP should acknowledge the about to commence Health Precinct Plan, co-funded by Council, Charles Sturt University and the LHD and should be included as an outcome for the next 12 months.

The business case for MRI seems obvious. Council will be monitoring this project closely, given the significant undersupply of this service in Bathurst compared to other regional centres.

 Reference:
 NS:KJD:18.00035

 Enquiries:
 Mr N Southorn 02 6333 6213

 Ins -wnswlhd - submission.docx

Western NSW Local Health District 10 January 2020

The implementation plan of the CSP needs to include a schedule for new programs, services and infrastructure. Dates for implementation and capital expenditure forecasts are required to give the community confidence in implementation, much like the Government requires of Council.

In conclusion, the draft CSP represents a necessary but small step toward important reform to health services in Bathurst but will need to be implemented concurrently with additional investment in infrastructure and services to meet current let alone future demand.

Yours faithfully

3

Neil Southorn DIRECTOR ENVIRONMENTAL, PLANNING & BUILDING SERVICES

 Reference:
 NS:KJD:18.00035

 Enquiries:
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THURSDAY OCTOBER 24, 2019

Attachment 12.4.1

\$1.80 INC GST

1848

Attachment 4+ westernadvocate.com.au

stern A NEWS **PLACE TO FACE PAIN**

FPING

Big win for local eatery

Staff at Dogwood BX are celebrating a win, after being named in the Good Food Guide for the second con-

secutive year. The American-styled restaurant is the only Bathurst mention in the 2020 guide, which was released earlier this month, and just one of seven in the Central West region. "It's one of, if not the ultimate food guide,' owner Evan Stanley

| Full story, page 6



SIN C

Community action group has lost confidence in health district

BATHURST INFORMED

WNEWS

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FSI



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HEALTH

WITH its list of concerns getting longer, the Bathurst

option but to take its fears higher up the chain. The group says it has lost confidence in the Western NSW Local Health District

hopes to speak to the Minister for Health about immedi-

It has also outlined some of its service concerns and suggestions for the future. | Full stories, pages 4 and 5

ate priorities:

Attachment 12.4.1

WESTERN ADVOCATE Thursday October 24, 2019 NEWS | THE FUTURE OF HEALTH

Going further up the chain

NEXT STEP BY RACHEL CHAMBERLAIN

COMMUNITY action group says it has "lost confi-dence" in the Bathurst Health Service and Western NSW Local Health District and will be taking its concerns to the Minister for Health.

For much of this year, the Bathurst Health Services Action Group has been pushing for improvements at the hospital after serious concerns were raised by health professionals and the community.

It has identified more than 10 areas with serious shortfalls and further whittled that down to a few priorities that need immediate attention.

At the top of the list is emergency orthopaedic services, along with urology, gynaecology services, and ear, nose and throat specialists.

The group says the hospital also needs more nursing staff, saying the current employees are "overworked".

Spokesman Warren Aubin said the group feels the health district isn't doing enough to improve services in Bathurst, which is why local member Paul Toole has

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Household



FEELING FRUSTRATED: Janeen Hosemans, John Hollis, Warren Aubin and Maurice McNeil, some of the members of the Bathurst Health Services Action Group.

been asked to set up a meet- actually need," he said. ing with the health minister, Brad Hazzard.

"We have to be sitting down with the minister and giving him our points that we've gone through that we

"There's a range of specialties we need addressed. We don't want a duplication of Orange - it will never hap-pen and it's not needed - but the people of Bathurst need

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that we haven't got and that's the crux of the whole thing."

Mr Aubin that all the deficiencies can't be solved overnight, but the group feels they should be able to be ad-

certain areas of health care dressed within three years. The WNSWLHD has been working on the integrated clinical services plan for

the Bathurst Hospital in recent months. Acting chief executive

commitment of the health district and hospital management is not in doubt. "The district has complete confidence in the manage

Mark Spittal said that the

westernadvocate.com.au

ment of the Bathurst Health Service, and in the broader workforce," he said. "These are people who are

deeply committed to providing the best care possible and who deserve the support of their community.

"They are part of a wider team of health professionals and a leadership team that recognises and respects the work they do, and the role of Bathurst Health Service in our district.

He noted that Bathurst Health Service has met all requirements under the accreditation process through the National Safety and Quality Health Service, and that management regularly consults with staff and Bathurst Regional Council on current and future services.

Mr Aubin reiterated that the action group only takes issue with the health district and hospital management, and he praised clinical staff for the work they do.

Nurses lacking vital support, group says

NURSING

THE Western NSW Local Health District (WNSWLHD) has denied claims that graduate nurses aren't receiving adequate educational support in Bathurst.

According to the Bathurst Health Services Action Group, there aren't enough nurse educators at the Ba-thurst hospital to provide on-the-job support to nurses just starting their careers.

"Any recently graduated new employee needs proper mentoring and support to accomplish their work effectively, enjoy their time at work and develop their career. This is not happenspokesman Warren ing." Aubin said.

"Nurse educators need to be sufficient in number and have the time available to perform that role and build up the reputation of the hospital from a place to avoid, to an employer of choice."

Further to this, Mr Aubin claimed the hospital is failing to attract sufficient graduate nurses

The health district's acting chief executive, Mark Spittal, says this isn't the case, He noted that the NSW

Government is investing \$2.8 billion in an extra 8300 frontline staff for NSW hospitals, and that as a result 390 new staff are expected to be employed in the district.

Bathurst is very successful in attracting nurse graduates to the hospital, and they are well supported by nurse educators, both from the Bathurst Health Service and from the district's Organisational Development Unit,' Mr Spittal said.

"Bathurst Hospital has a strong contingent of nurse educators in and out of business hours. They meet regularly with the new graduate nurses and also participate in study days."

The action group, which has members who work in medicine locally, also expressed concern that five senior surgical nurses had resigned this year.

Mr Spittal also quashed this claim.

"There are currently no nurse vacancies on the surgical ward. However, sometimes nurses, including those in the surgical wards, move to different roles within the hospital," he said

A further concern of the

action group is the number of beds available to patients, specifically on the medical ward.

The group says this ward contains 31 beds, but is only funded for 20.

"This fails to provide adequate service to the Bathurst community, who are regularly turned away for treatment or sent to Orange," Mr Aubin said.

In response, Mr Spittal said the notion of having a static number of 'funded beds' was out of date.

"Current practice is to fund beds according to activity, allowing for greater flexibility, better use of resources and better patient care," he said.

"In fact, capacity was increased this year to accommodate for additional demand due to an unprecedented flu season. This has been challenging, and the success in managing that de-mand is a tribute to our staff at Bathurst."

The health district is developing a Clinical Services Plan for Bathurst and through this is doing a comprehensive analysis of what services will be required over the next decade.

NetWaste

Attachment 12.4.1

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Thursday October 24, 2019 WESTERN ADVOCATE 5 THE FUTURE OF HEALTH | NEWS

Plans might hurt, not help

SERVICES

THE Bathurst Health Services Action Group and the Western NSW Local Health District (WNSWLHD) hold opposing views on the value of a proposed emergency orthopaedic service in Bathurst

The health district has proposed that the Bathurst and Orange health services work collaboratively to provide planned and emergency mid-2020. This lead time is orthopaedic services.

Acting chief executive Mark Spittal said it will increase the number of operations performed in Bathurst. "The proposal will see

significantly more emergency orthopaedic surgery performed in Bathurst than previously," he said. "If the proposal is adopted

it will be implemented by

required to prepare for the changes in activity."

However, the action group feels that, after speaking to staff, Bathurst will be worse

off under the proposal. The group understands that orthopaedic surgeons from Bathurst will need to be on call in Orange for one week out of every seven.

Spokesman Warren Aubin

said it not only puts strain on Private Hospital. surgeons and their families but elective operating will

be shut down in Bathurst over the week a surgeon is in Orange. "The proposal will not improve services to the Ba-

thurst community when they are needed most." he said. "It will compromise elec-

tive waiting lists and services

"Alternative delivery mod-

els exist and cannot be dismissed.' The group, which includes

local medical practitioners, said Bathurst needs a continuous orthopaedic service.

"We're pushing for a 24-hour emergency service. If we can get that, it means that another orthopaedic delivered by the Bathurst surgeon could be put on in

Collaboration is way forward

Bathurst," Mr Aubin said.

"If we get another one and a 24-seven service, then it means more beds, you need more registrar doctors, more physiotherapists - it actually grows the hospital and gives it that extra scope and support, and then other specialists say 'That support is there, I can go there, that's great'. "It just entices others to come."

Rural Clinical Schoo fodil Cottage SERVICES: The Bathurst Health Services Action Group wants to see the Bathurst Health

Service (pictured) and the private hospital work more collaboratively.

MORE collaboration between the public and private sectors could be the key to improving health services for

the Bathurst community. model of car Through its analysis of tive surgery. ervices, the community action group feels that working comes specialised in that more closely with the pri-service provision, bed numvate hospital would take the pressure off Bathurst Health Service.

To do this, spokesman Warren Aubin said the group suggests common procedures be performed in one centre for both public and private patients in Bathurst. It would be up to the

public and private hospitals suggested it be trialled. to determine which procedures each one handles. but by working together they could provide a better model of care for rural elec-

"That way each place bebers are increased, but more importantly, efficiency and improved outcomes can be achieved," Mr Aubin said. "It can be done cost effectively for both [private and

public sectors].' The group acknowledges that this idea would need government support and has "It could be set up as a trial

and outcomes measured. but if successful, could be a model rolled out in all rural areas in order to offer rural patients the same level of care available to those in the cities." Mr Aubin said.

When asked about the Western NSW Local Health District's thoughts on the proposal of collaboration, acting chief executive Mark Spittal said, "assessments of such opportunities will always be based on what the community and patients need, with the interests of patients at the forefront".





EDITORIAL A city's calls for change are not going away



OMENTUM is the key to any campaign. While it's easy for any lobby group to start out with all guns blazing as they demand change on their issue of choice, it's far more difficult to keep that energy going as those initial days turn into weeks, months and years.

Experienced bureaucrats and politicians are well aware of that truth, and know that if they just sit tight then there's a good chance that whatever criticism is coming their way will slowly peter out before they need to implement real change.

But experienced lobbyists are also well aware of that truth - and that's why this community is fortunate that there is no shortage of experience behind Bathurst's newest health lobby group. Today the Western Advocate highlights

a number of areas of concerns raised by the health lobby, ranging from on-the-job training for graduate nurses to the value of an emergency orthopaedic service and collaboration between Bathurst's public and private hospitals.

But the key mes - and the greatest concern - is that the lobby group, comprising some of Bathurst's most respected citizens, says it has "lost confidence" in the Bathurst Health Service and Western NSW Local Health District and now will be taking its concerns to the Minister for Health.

That's not ideal, and it's not the outcome any of the local stakeholders should have wanted.

But it is a demonstration of how serious the lobby group is about forcing change and that alone should give the rest of us confidence.

Far from losing momentum, the health lobby group is increasing the pressure on decision-makers and that's the surest way to achieve some success

westernadvocate.com.au

Bathurst has seen previously what can happen when we allow politicians and

health bureaucrats to take us for granted. Our community needs to demand its fair share of the health funding pie, and we must stay true to our belief that people living in a city of 40,000 people should be able to have a broken arm treated at the local hospital.

This is a campaign for the community, but it is equally a campaign for hospital staff who are also bearing an undue load. But starting the campaign for fairer

funding was the easy part. Now, as a community, we must all do

what we can to keep it going, for the sake of our hospital and our city.

WHAT'S ON

THURSDAY, October 24

Latin American Film Festival will be held at Bathurst Memorial Entertainment Centre from Thursday, October 24 to Monday, October 28. Visit www.bmec.com.au. Horticulturist and award-winning gardener Dhyan Blore is presenting a series of workshops at Rahamim for home gardeners. Topics covered include caring for plants in dry times, maximising water in gardens and plants and the importance of mulch. Workshops will be held at 10am on October 24; 2pm on November 2; 10am on November 11 and 19: 10am on December 4 and 11; and 2pm on December 7. For more information and to register, visit www bathurst.nsw.gov.au/waterrestrictions Friday, October 25

Household Chemical CleanOut, for residents to safely dispose of household chemicals, will be held at the Cooke Hockey Complex on Sydney Road from 8am-4pm. Visit www.epa.nsw.gov.a Drug and Alcohol Info Hub is at Bathurst Library. Residents are invited to join Bathurst Library staff at the hub from 3pm for literary mocktails and to take part in activities such as a standard drink pouring competition and a beer goggle demonstra-

tion. Phone the library on 6333 6281. Knit One, Chat One will meet at Bathurst Library from 10am-1pm. Bathurst District Girl Guides Fourth

Bathurst Creative Guides, for six-and-a-half to 10 years, will meet in the Guide Hall in Charlotte Street from 4.30pm-6pm. Call Lesley 6337 4161

Saturday, October 26

National Cool Climate Wine Show public tasting will be held at Panthers Bathurst Bathurst Garden Owners' Club will hold the Spring Spectacular on Saturday and Sunday. Ten inspirational gardens in and around Bathurst will be open. Sunday, October 27

Australian Fossil and Mineral Museum will celebrate Grandparents' Day from 11am to 1pm. Entry, activities and morning tea will be free of charge for grandparents accompanied by their grandchild. Coming up

Macquarie Care Centre Auxiliary will hold a Melbourne Cup Luncheon on Tuesday, November 5 at Holy Trinity Church Hall, Kelso from 11am. Tickets are \$35. Phone Joyce Cranston, 6331 1893.

LOCAL AND STAT

DRIVERS WEREN'T JUST BUSY UP ON MOUNT PANORAMA

I WOULD like to congratulate Bathurst Taxis for their wonderful work during the week of the Supercheap Auto Bathurst 1000. I was advised that our local taxi drivers

did in excess of 5000 jobs and 90.3 per cent of passengers were picked up within 15 minutes. These are wonderful figures and it shows their professionalism and efficiency.

It also demonstrates how valuable their service is and I encourage everyone to support local businesses like Bathurst Taxis and recognise the important role they have in our community.

Painted rocks

COUNCIL staff have recently observed the reappearance of painted rocks within various parks and reserves throughout Bathurst.

It is believed these rocks are being placed in public parks and reserves as a result of an ongoing social media craze that aims to encourage people to become more active and seek outdoor activities

While we support initiatives that engage children and families in outdoor activities, the placement of painted rocks in council's parks and reserves causes safety concerns, specifically for rocks that are left in lawn areas

For council staff to keep the high standard of presentation of parks and reserves for our community, staff need to mow the grass regularly.

While every effort is made to detect any potential dangers, including painted rocks, prior to the mowing of the parks, there remains the potential for material to be hit by mowers, placing park users and staff at risk of injury.

We are seeking our community's support in keeping our local parks and reserves safe and to not leave painted rocks in public lawn areas

This activity could also potentially lead to vandalism, which is something I do not tolerate. Vandalism of public property costs

EMAIL.

.com.au

Send letters to

mail@westernadvocate



HARD WORK: Mayor Bobby Bourke, pictured with Paul Shanahan from Bathurst Taxis, says local drivers demonstrated their professionalism during Race Week.

council around \$10,000 a year. If you witness an act of vandalism, report it to council on 6333 6111.

Mayor Bobby Bourke

TIME TO GET BACK TO BASICS ON THE SCHOOL CURRICULUM THE NSW school curriculum is set for its

first major shake-up in over a generation, with a renewed focus on maths, English and science, following the release of the interim curriculum review this week.

I firmly believe parents will welcome this review

The NSW Government strongly supports a back-to-basics approach. Students need to have strong foundations in maths, English and science to be prepared for the jobs of the future and for attaining lifelong skills.

This is the first review of the curriculum to be done in 30 years and is a great opportunity for us to reflect on the future of education and make changes to meet the needs of today's society.

Consultation closes on December 13.

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POST PO Box 11 Rathurst NSW. 2795

PHONE

(02) 6331 2611

Call us

Firebug crackdown

WITH another hot and dry summer around the corner, it is important there are strong laws in place to protect farmers and communities who are already struggling because of the drought.

In a further crackdown on dangerous bushfire bugs, the standard non-parole period for convicted arsonists is set to increase from five years to nine years.

The tougher standard non-parole period builds on the NSW Government's increase in the maximum penalty for the bushfire offence from 14 to 21 years

As a result of the review, the Crimes Act will be amended. An offence will apply to the charge of intentionally causing a fire and being reckless about it spreading on public land or someone else's property.

There is no excuse for starting a bushfire, which is why the longer standard non-pa-role period, on top of tougher maximum sentences, reflects the seriousness of the crime.

Member for Bathurst Paul Toole

westernadvocate.com.au

Tuesday January 21, 2020 WESTERN ADVOCATE 9

OPINION westernadvocate.com.au/comment

EDITORIAL We're waiting, watching and wanting more



CTIONS speak louder than words and results speak louder than promises.

And the Western NSW Local Health District has again been put on notice that Bathurst is watching and waiting for real improvements to local services.

As we've written many times before, very few of the complaints about Bathurst's health system are critical of the people who work within it.

By and large patients at Bathurst Base Hospital praise the care they receive from doctors and nurses ... "given the circumstances".

What Bathurst people do not - and cannot - tolerate, though, is the ongoing suspicion that we are not getting a fair share of the health funding pie.

And even as the Western NSW health

bureaucrats work on a clinical services plan that they promise will address many of the community's concerns, the Bathurst lobby group now pushing for better health services is making it clear that promises will not be enough.

Indeed, they're already saying that even if the current promises are met in full, our community still will not be satisfied.

Spokesman Warren Aubin told the Western Advocate that "the only ray of light" in the plan was that the need for a new acute ward for the Bathurst hospital had been identified, but he fears the high cost tied to the project may see it never eventuate.

And so we're left to wait, hope and harass. Health officials conceded last month that the \$100 million redevelopment of Bathurst Base Hospital in 2008 was not all it should have been, leaving us with a facility that just 12 years later is already struggling to meet the demands of a still-growing city.

While we don't expect a health service that can cater for every ailment, we do expect a service that doesn't render our city the poor cousin of centres such as Orange and Dubbo.

All this means there is an awful lot riding on the development of a clinical services plan, both in terms of the new medical services and medical spaces we want to see and also in terms of rebuilding the confidence of the people of Bathurst.

We've been burnt before and we're naturally wary about bureaucrats bearing gifts.

But Western NSW LHD is making a real point of communicating with the public and we're hearing all the right noises at this stage.

Let's hope they get it right this time.

Attachment 12.4.1

Attachment 5



Bathurst Health Services Action Group

12 November 2019

The Hon. Brad Hazzard, MP Minister for Health and Medical Research Parliament House 52 Martin Place SYDNEY NSW 2000

Dear Sir

Representation by Bathurst Health Service Action Group

Thank you Minister for making the time available.

Bathurst Health Services Action Group has arisen due to on-going concerns about the deterioration of health services for the Bathurst region. The Action Group knows there is a review of clinical services approaching completion but is deeply concerned this will not create the changes needed to meet the needs of our growing regional centre. Despite efforts to do as best as possible with insufficient resources, the Action Group is also concerned that Hospital and Health District management are proposing changes that will worsen the delivery of essential services for Bathurst.

By way of background, please consider that the Bathurst region is one of the fastest growing populations in regional NSW. The population has already reached the design capacity of Bathurst Hospital in half the time expected. That growth rate is projected to continue. Bathurst is also the home of significant tourism and sporting events that swell the population considerably; the Bathurst 1000 is a case in point. This makes it difficult to understand why the Local Health District is prioritizing Orange over Bathurst. It is understandable that there be a single centre for critical trauma patients and perhaps other high cost facilities, but the people of Bathurst are required to travel to Orange for basic services that should (and the Action Group says "must") be provided locally. The situation appears likely to get worse unless there is immediate and sustained intervention, not just because of a growing population but where the population of aged people is increasing, mental health cases are increasing, and additional gaol inmates are factored in. Bathurst is becoming a second rate destination for employment of medical professionals as a result. Many people in Bathurst believe it is a deliberate strategy to further downgrade the Bathurst Hospital to save money, because the system says it is OK to travel to Orange.

All correspondence to: wazaubin@gmail.com

The Action Group is aware that the Local Health District will provide you with data that demonstrates there is not a serious problem at Bathurst Hospital, that things are improving. To some degree it depends on how the data is collected, what indicators of improvement are selected and what you define as a "serious" problem. For example, more services need more beds, or at least more reliable staffing levels to make best use of the beds that are available. The Action Group understands there are problems at other hospitals across the State and Bathurst must somehow fit beside these. However, the community believes the problems at Bathurst have reached crisis point, sufficient to bring a community based Action Group into existence. This is quite unusual for a community as conservative as Bathurst, evidence of the depth of concern. Further, the data is unlikely to paint the whole picture. Members of the public have been sending their personal stories to the Action Group, many of them unsolicited, and a selection of these is tabled for your consideration. Invariably they talk of the hard work by the medical staff, but they also show how badly and how regularly people are treated by the local health system. These stories are just as important as the statistics.

The single most obvious crisis applies to emergency orthopaedics. The people of the Bathurst region are routinely sent to Orange for broken bones. This is unacceptable except for trauma cases. The cost to the patient and their families is immense. A full time emergency orthopaedic service must be created in Bathurst. The interim solution proposed by the LHD is unacceptable because it is only a token service and requires Bathurst based surgeons to be on call for one week in seven, disrupting their private and elective patient lists not just their home life. It will stop people looking at Bathurst to further their medical career. The Orange based surgeons will only perform public patient work in Bathurst. These do nothing to create the economy of scale necessary to grow the private medical sector, further damaging the reputation of Bathurst as a health centre, one of the critical criteria that makes Bathurst a preferred destination for people relocating to regional areas.

There is a better solution - creation of an additional orthopaedic surgeon position based at Bathurst and a more logical roster. The operating theatres are there. It can be further justified by including patients from the broader Lithgow area, something that can be done by way of a MoU with Nepean Health District. The Action Group believes the people of Lithgow and their doctors and the specialists that serve them will appreciate travelling to Bathurst for emergency treatment instead of travelling to Penrith. It comes at an additional cost, noting some costs will be saved, but the Action Group believes it is a small price to pay for providing basic medical services to the people of the Bathurst electorate. It will shore up a range of other services at Bathurst.

Obstetrics and gynaecology are also services the Action Group has identified as "at risk" but critical to the people of the Bathurst region. It is unacceptable that women in Bathurst have to travel to Orange to have their baby.

There are also other services the Action Group can nominate as underperforming for a regional centre the size of Bathurst and these will be summarised in a more detailed proposal for your consideration. The Action Group has also taken the liberty of compiling the various submissions and representations made by the Action Group and Bathurst Regional Council since the Clinical Services Review was announced and makes them available for your consideration.

The Action Group also welcomes the development of a Health and Education Precincts Plan, a joint activity about to be announced by Bathurst Regional Council, Western NSW Local Health District, Charles Sturt University and the Department of Planning, Industry and Environment to provide long term certainty after the immediate issues raised today have been addressed.

Thank you again for your time.

Cr Warren Aubin On behalf of the Bathurst Health Services Action Group

I can speak from personal experience as to the loss of Gynaecology services in Bathurst. I was a patient of a local Specialist Gynaecologist who retired. The practice was taken over by a Specialist from Sydney who has now closed the practice. I was then referred to a Doctor at the hospital who I understand is the only Gynaecologist in BATHURST. Not good enough.

I believe the Bathurst Regional Council and our local member have been silent on this subject for far too long. The Bathurst Community deserve better.

I had to wait over 3 months to have a Colonoscopy & Gastroscophy done and on the Friday before the procedure which was to be on the following Tuesday | get a message from the hospital on my phone to say the op. would have to be rescheduled. I couldn't speak to anyone at the hospital about it till the Monday. I had been having to have a special diet and had been off my blood thinners for a week in readiness for the procedure. I continued with that in case there was a change. I complained to the hospital I had been waiting over 3 months to have it done. They indicated it may be August before it could be done. I wasn't happy. Out of the blue a few days later I was told it would be on Friday. Just as well I hadn't changed my diet back to normal and I hadn't had my blood thinners.

Friday, ready to go in to have the procedure done and I was told my Dr. would see me before I had the anaesthetic. Nobody saw me. After I came out of the anaesthetic, the saw me and told me I had a hiatus hernia and I should start having smaller Registrar meals and that I will need an operation further down the track. I never saw Dr. and am not sure if he was in the Operating Theatre when the procedure was done. I had used my Private Health cover for the procedure in order to have the surgeon of my choice. I now wondered if Dr. did the proced<u>ure. I phoned the hospital to find out but they wouldn't give me that</u> information. I then phoned Dr. rooms to find out and they referred me to the discharge report which said **Depletion** for Dr. I question as to who did the procedure and I am none the wiser? I had to phone the Drs. rooms 2 weeks later for the biopsy results and was told the Dr. hadn't seen them as he was away. I had an appointment to see my Dr. and

Was supposed to have had a chest X ray but nobody told me that. I have since had a trip to the hospital Emergency with a Tachycardia attack that wouldn't resolve itself. The hospital staff at all times have been excellent and I can't fault them. I got a Drs. referral to see Dr. Parkin in Bathurst, but he was away and I am still waiting to hear from his surgery about getting an appointment to see him. I have been told he is the only one in Bathurst and has a waiting list a mile long. I may have to go back to my Dr. to get a Referral to a Specialist in Orange. This is completely unsatisfactory.

I have top Hospital and top Extra Cover and find I can't use it in Bathurst. I am disgusted at the lack of health facilities in Bathurst. I have lived in Bathurst since 1972 and the Health System in Bathurst has been declining over the years, to the point it barely exists. One needs to consider wheher it is worth staying in Bathurst.



I am writing to you to share my concerns over the services provided by Bathurst Hospital, for my husband over the last week.

We do not have any concerns with the Nursing or Medical staff but the organisation of the system they are working in.

I will be sending a complaint to Bathurst Hospital, so it can be officially recorded, and contacting our Local Members.

My husband was taken to Bathurst Hospital Emergency Department on Friday 26th July, at approximately 8.45pm, after his health deteriorated over the previous 12 hours.

He was taken to Triage then sent back to the waiting area. My husband was very ill with high temperatures and struggling with his breathing. He had difficulty sitting in a chair.

We were left sitting in the waiting room for approximately an hour and half, before my Husband taken for a quick chest x-ray.

On our way back to the waiting room, a nurses stopped us and quickly took bloods, in the hallway, to make sure they got to pathology before it shut. Then back to the waiting room again.

We had not had any consultation by a Dr yet.

At this stage the waiting room was filling up and it was distressing to see such sick people and children, waiting. This included a young man, who was lying on the floor very ill, moaning and vomiting. At about 11pm , my husband finally saw a Dr for the first time, in the plaster room, who was surprised at how ill he was. He quickly decided he needed a bed.

Back to waiting room for another half an hour.

When we were finally taken into the Emergency Department and my husband was able to lie down. We could see that the Emergency Department had many age care patients, asleep in beds, with no space available to treat those of us in the waiting room.

Hence that is why treatment was happening on chairs in the hallway.

The staff were functioning as if they were under a crises situation. Getting bloods, x rays, etc before any patient was seen by a Dr.

My husband was lucky to receive a bed on the Medical ward at about12.03 am Saturday 27th July.

The next day, Saturday 27th July, my Husbands health continued to deteriorate and thanks to some excellent nursing staff, he was finally reviewed by Drs from ICU.

He was moved to ICU in Bathurst Hospital at 11.30pm.

My husband had many procedures done to assist staff in monitoring his health.

We were the shocked then, to be told he would be taken to Orange Hospital ICU, because Bathurst Hospital does not have an ICU Dr on duty, in the ICU ward at night.

So if my Husband needed any treatment by ICU Dr, they could not do it.

At 1.10am Sunday 28th July, my Husband was taken by ambulance to Orange Hospital ICU Ward.

After treatment in Orange and an improvement in my Husbands health, we were told on Wednesday 31st July, that my husband would be transferred to Bathurst Hospital on Thursday 1st August, by Hospital Transport.

I meet my Husband at Bathurst Hospital Emergency Department, at 2.15pm, on Thursday 2nd August.

My husband was again left to wait, on a chair, in the waiting room of Bathurst Emergency Department .

We were told by staff at the desk that they didn't know my husband was being transported back to Bathurst, they had no beds, in fact they now were over by 8 beds.

I continuingly spoke to the desk staff as my husband was now well behind with the medication he needed.

We found this waiting time extremely distressing, as we had nowhere to go, and no one to go to for help.

They left a patient, who had just spent 4 days in ICU, sitting on a chair in the waiting room and told him there was no bed.

At 4.50pm my Husband was finally taken to another chair in the Emergency Department. We were again told there were no beds but they would try to give him his intravenous medication.

At 4.15pm at Dr from the main Hospital arrived to tell us that they did know my husband was being transferred and they had a bed. The Dr said they didn't know my Husband was waiting in the Emergency Department. We do not know who was telling us the correct information.

By 4.50pm, my Husband was taken to the Medical Ward an finally he was given his medication by 6pm, 4 hours late.

I have been very concerned over the last week, at the lack of ability our Health System in Bathurst has, to treat our population.

We are concerned that a City the size of Bathurst with :

A large and expanding Prision,

A prision at Kirkconnell

A university Campus with accommodation for its students,

A number of boarding schools,

An increasing number of Age Care Facilities

Many Sporting events including Interstate and National events

does not have a Hospital that can cater for the general population.



Gmail - Scott Mclachlan

Attachment 12.4.1



Scott Mclachlan

I am writing this letter to hopefully convince you that we need to make a change in the health system at Bathurst hospital. Bathurst is an amazing city and has so much to offer. It has the potential to be a beacon for medical professionals if you can just give us a chance.

My story involves my 10 yr old beautiful daughter who has anorexia. This hit us very quickly & very hard. We had an absolutely heart wrenching Friday night at home in which I almost decided to just drive her straight to Westmead but I didn't I took her on the Saturday morning to our local hospital. Now we were very lucky that we had the Dr we had who was extremely honest with us & told us that the best they could do for her was put her on a drip & POSSIBLY see a dietitian next week. So we made the decision to to take her to Westmead children's hospital.

Because she needed help and she needed help now but more importantly she needed the right kind of help. On admission to the emergency department at children's Westmead hospital we saw a psychiatrist and the doctors were working under the instruction of a paediatrician. This was on a Sunday morning at 9 o'clock. Yes it was the weekend but all those health professionals were available to us.

This meant that my daughter received the right kind of help IMMEDIATELY.

My daughter was at risk of a cardiac arrest which is terrifying and I hate to think of what would have happened "not what could have happened" because it is a case of what WOULD have happened if we had of waited another week.

We stayed at WCH for 3 weeks. This was not easy with 2 other children at home one of who is in HSC year. The fact that their little sister was so unwell 3 hrs away was extremely difficult then add 2 parents who were wanting to be with their sick child but also cater to the needs of 2 other children. The emotional, financial & physical toll that this insidious disease has taken on our family is immense. I know thousands of families do this all the time but we could make it so much easier on hundreds of families if we had the correct medical professionals available ALL the time in a city the size of Bathurst.

Westmead then went on to organise our meeting with CAMHS back here in Bathurst & sent a referral to paediatrics. We were discharged from Westmead in April & our earliest appointment with paediatrics was not available until August. We managed to get in earlier with the help of Di from CAMHS. (we need more people like her who are trained in this area)

Mental health does not hit children/teenagers/adults between the hours of 9-5 Monday to Friday. And families need to know that HELP is available and that they don't have to feel helpless & to have faith in the medical system in their local town.

Now I want to stress that the drs & nurses at our local hospital are bloody amazing. They do a fantastic job with what they have available to them BUT We need more professionals made available to the wonderful families that live in our fabulous town.

I know I am just one person writing a letter and I am not a politician I am not a professional I am just a mum who doesn't want to move to Sydney to have better health care and there are hundreds of stories like ours out there but we are one of the lucky ones who had the resources to take our child to another hospital but we should not have had to do that. And we are one of the lucky ones who's child had the correct help given to her & she is now thriving although we will still have to go down the path of intensive therapy & intervention for years to come.

Be that person Scott Mclachlan who makes a difference. Be that person who we can say he knows what the people need & he's doing something about it!!!

Thankyou for taking the time to read our story.



It seems that when it

comes to health services in the region that Bathurst is the 'Cinderella' as the disparity in funding between Bathurst and Orange grows. For some time, I have been concerned at the ludicrous situation where patients are routinely transferred to Orange)

for procedures which could be performed in Bathurst. Ambulance transport adds to the cost of treatment and families of patients are forced to undertake the road journey, often at night, to visit their relatives – a potentially dangerous journey, not to mention the added risk to patients as treatment is delayed while they are in transit. I have been told that this is due to ambulance protocol, but I suspect that the whole situation may in fact be due to internal politics and biases within Western NSW Local Health District. 27 May 2019

Bathurst Base Hospital 361 Howick St West Bathurst NSW 2795

Compliant re patient care:

Dear Sir/Madam,

I wish to make a formal compliant about the care my brother has received while in the care of Bathurst Base Hospital.

My brother was taken to Bathurst Base Hospital via ambulance and admitted to the emergency department on Saturday morning 25th May at approx. 2 am. The paramedics had suspected he had broken his leg. He underwent a number of scans including x-ray and CT. X-ray confirmed that he had broken his right leg in two locations, I believe the breaks were both in his tibia, with one break being a spiral break. The Doctor that attended him when he was admitted advised that he would not be able to undergo the required surgery in Bathurst and would need to be transferred to Orange Hospital, he also stated that surgery would need to be completed within 24 hours.

Some 58 hours had passed since my brother was admitted and he was still on a trolley in Bathurst Base ED. To my horror, had informed me that he was not been seen by a Doctor since he was admitted. There have been mix up's and uncertainty surrounding his medication administration, resulting in him suffering unnecessary high levels of pain. In addition, has MRSA and was informed after diagnosis that he must have a private room should he attend hospital. The paramedics and hospital staff were aware of this.

is self-employed and works 6 days a week. He was very distressed that he will be unable to work for up to 2 months. We are aware that until he had surgery he would be unable to begin the healing and recovery process. He is extremely anxious about the effect this will have on him, both mentally and financially and the uncertainty around not knowing what was happening from one hour to the next certainly added to that anxiety.

As of 11:00 am today, ED staff had no knowledge of whether he was allowed to have breakfast or if he should be fasting, whether he would be moved to Orange or if he would undergo surgery in Bathurst and if or when he would be operated on.

After deciding enough was enough, I contacted The Panorama Clinic and was fortunate to speak with Liz. I informed Liz of the situation and she contacted Dr Lachlan Host. I also contacted Bathurst Base to enquire where I should direct my complaint and was given a contact number. I then spoke with a lady called Sandra. Within a short space of time, thankfully I was informed that would finally undergo surgery today in Bathurst and it would be done by Dr Host.

I firmly believe had I not taken matters into my own hands and began to make phone calls and explain case that he would have lay on a trolley in ED for another day with no further progress being made and no information or updates given to him regarding his care.

He has attended Bathurst Base previously and was very complimentary about the care he received, however on this occasion the same cannot be said. While we understand and appreciate that the hospital and staff are very busy, my brother should not have to suffer as a result.

We expect that this compliant will be looked into as a matter of urgency and dealt with in the appropriate manner.

Thankfully has now had his surgery and the recovery process can begin, I do hope that the delay in operating will not hamper his recovery. We are grateful to Dr Host and his team.

Yours sincerely,





Hi All

With regard to service levels at the Bathurst Health Service, I have been asked to share the following experience involving my own granddaughter.

On March 22 2018 sustained an injury above her left eye at childcare – the result of falling on some play equipment (photo attached). I was requested to collect her from childcare and I presented to the Bathurst Health Service Emergency department at around lunchtime. She was seen by a triage nurse approximately 1 hour later. We were sent back to the waiting room with a tissue and no pain relief. At approximately 5.30pm that afternoon two doctors came into the waiting room and had a brief discussion with me. They were not doctors I recognised. They advised the hospital did not have the expertise to anesthetize a child of her age (just under 2 years) and I should take her to Orange Hospital. They also recommended I did not advise Orange Hospital I was coming as I would be turned away.

I subsequently contacted the hospital to express to my concerns regarding the lack of treatment and the redirection to Orange. I received a telephone call from Brad Molenkamp who apologised.





Attachment 12.4.1



Coincidentally, recently, when I was travelling on a NSW TrainLink Coach to Lithgow I sat next to a young man who was on his way to John Hunter Hospital (Newcastle) because he was suffering a broken bone in his right hand. The broken bone was one associated with the thumb and in the proximity of the wrist joint.

This young man worked on a Dairy Farm which is one hours drive from Dubbo and towards Coonabarabran and his injury was caused by being kicked by a cow.

He was assessed at Dubbo Hospital – it was determined that the repair was beyond the expertise at Dubbo so he was sent to John Hunter for an operation to repair the damage.

To have to travel from Dubbo to Newcastle (12 hour+ journey) to receive a reasonably basic repair procedure is totally unacceptable in consideration of:

- The newly upgraded Dubbo Hospital
- The proximity of Orange and Bathurst Hospitals
- The range of hospitals in the Sydney area

This highlights that there is and endemic problem in the Western Health Area which at top Management level needs addressing.



(Most of this was posted to Facebook at the time and referenced to Paul Toole)

I am writing this post to let you know how disgusted I am in our local health service.

My wife fell over last SUNDAY (30th Sep) and broke her wrist and other minor injuries. She was taken to Bathurst hospital by ambulance at appro. 8:00pm where she was x-rayed and determined that her wrist was broken.

She was then pushed into the Emergency waiting room and it wasn't until approx. 2:00am that she was attended to.

After a temporary plaster was put on her arm, she was told that someone from the Fracture Unit would phone her on TUESDAY (as Monday was a holiday) and arrange for her to come in and have her wrist set and put in a plaster cast.

Never mind the fact that all this time she's in pain!

On Tuesday morning we get a phone call from **the second structure** at the hospital advising us that they had looked at her x-ray and determined that she needed surgery on her wrist and she would have to go to ORANGE today, tomorrow or the next day when a bed was available and he would phone later in the day to let us know when she could be accommodated.

Later in the day we did get a call advising that they were going to try and do the surgery in Bathurst on WEDNESDAY, not to have anything to eat or drink after 8:00am and the hospital would phone at 10:00am to advise her what time to present at the hospital.

About 9:50am on WEDNESDAY the hospital phones advising that there is NO BEDS and the surgery has been cancelled and Dr. would phone later in the day to let us know "the plan" but it looks like the surgery would probably be done now be moved to ORANGE.

Again, never mind the pain and her temporary bandage from Sunday is starting to unravel!

So here we are three days later waiting for word on WHEN and WHERE she is likely to have her injury attended to.

This is not bloody good enough, I realise its "Race weekend" and there is an influx of people in town but this is no excuse and I'm sure if it was your wife or some other loved one you wouldn't condone this situation.

Now we wait in hope that we get a phone call scheduling the surgery FOUR DAYS later on THURSDAY...... SOMEWHERE!!

You might like to pass this post on the Health Minister and the Premier.

(please excuse any spelling mistakes but I'm mad as hell)

Someone in health must have read my post because about 12:50pm I got a phone call to bring **because** to ORANGE ASAP and they would endeavour to operate on her this afternoon/tonight. I took her to ORANGE Hospital and hopefully she will be operated on before the night is out!

Surprise, surprise......6:55pm Just been advised by ORANGE Hospital that they can't do surgery on tonight...... but they will do it tomorrow!

What a bloody disgrace of a health system we've got! 🤒

I just want to make it very clear that this is not a swipe at our wonderful nurses who do a fantastic job but directly at our woeful health system which seems to be overwhelmed by a relatively simple wrist fracture!

I've had word from Local State Member Paul Toole MP this morning: "Morning Lou.

I just saw your message. I'm going to pass it on to the Mjnister and the CEO of the local Health District. I hope your wife gets treated urgently and is ok. I'm not impressed. Take care. PT."

Reply to Paul on messenger Thursday 4/10:

I'm not impressed either Paul! After being told yesterday afternoon to take her to Orange ASAP to have her surgery done, at 6:55pm she was told they couldn't do it and it would be done sometime today. This FOUR DAYS after the accident. Its not bloody good enough, not only the fact they can't perform a relatively simple operation in Bathurst but all the stuffing around in between and ending up in Orange where she's still waiting for service! From what's been said on FB, this is not an isolated occasion!

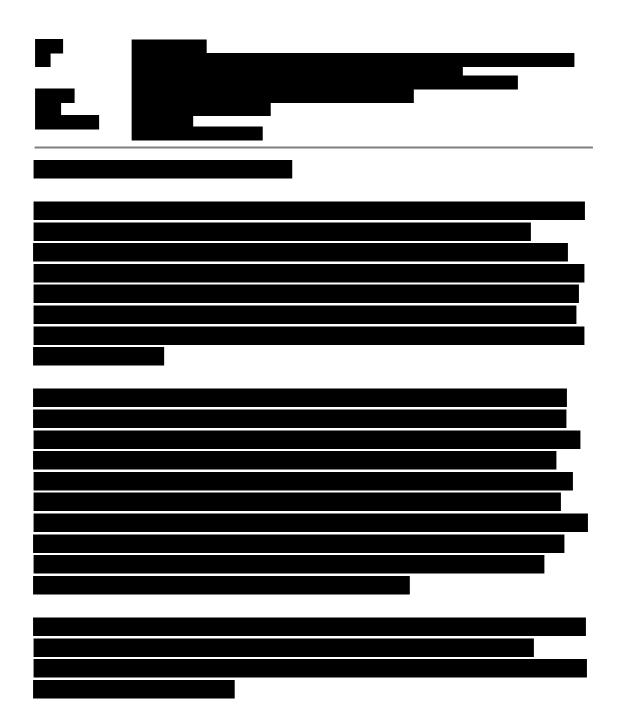
Ok...... after four days of been shoved from pillar to post, finally received treatment in Orange hospital. All going well she'll be able to come home tomorrow. I hope Paul Toole MP brings pressure to bear on the local CEO and the Health Minister and no one else has to go through this ordeal to receive some basic medical care!

It would be nice to see an investigation into this episode if for no other reason to see were the system went wrong and how it can be fixed!

had her op yesterday (Thursday 4th Oct.) in Orange and was discharged this morning. Now home resting! While she was there Adrian Fahy, (Executive Director of Nursing and Midwifery) came to see her and apologised for the mess up at the request of Paul Toole MP. Let's see where it goes from here!

Attachment 12 4 1 TO WHOM IT MAY CONCERN. MY NAME IS AGED , AND I HAVE BEEN EMPLOYED AS A CASUAL WORKING FIVE /S DAYS PER ERMANONT 16 UPARS, BY The can FOR MANY YEARS I HAVE WORN A HEANIA BELT WHILE WORKING, BUT IN RECENT YEARS WALKING HAS BECOME VERY PAINFUL, AS THE MERNIA EXTENDED LOWER INTO THE GROIN. I FINALY GOT A REFERAL TO A SPECIALIST IN 2018, AND IN JANUARY 2019 HE ADVISED ME THAT THE OPERATION WOULD TAKE PLACE AT BATHURST DISTRICT HOSPITAL, AND THEY WOULD ADVISE ME OF A DATE. FINALY IN SEPTEMBER 2019 I RECEIVED A LETTER FROM THEM, ASKING IF I WISHED TO REMAIN ON THE WAITING LIST. I REPLIED IN THE AFFIRMATUE. IN LATE OCTOBER 2019 THEY ADVISED ME THAT I WAS BOOKED IN FOR 7/11/2019. I ADVISED MY EMPLOYER TIMPT I LOOKD BE UNAVAILABLE FROM THAT DATE FOR AN UNSPECIFIED PERIOD WITHOUT PAY ON THE 1/11/2019, AFFER MONY HOURS OF FRUITLESS TO & FROING, I WAS THEN APVISED THAT THE SURGERY WAS CANCELLED AND, I WOULD BE ADVISED AT SOMETIME IN THE FUTURE ON FURTHER SELEPULING THIS ITAS JUST COST ME LOST WAGET FOR NO GAIN !!

Attachment 12.4.1



My mother attended Bathurst Base Hospital A&E at 4pm one Saturday afternoon with a suspected retinal tear. She was told that she should go straight to Orange Base Hospital for further investigation and needed to be transported by my sister. She was seen in Orange and returned home at 12:30am the following morning. She attended an appointment with her Ophthalmologist on the Monday to confirm a Vitreous detachment. Bathurst Base really should have access to the equipment to enable a diagnosis for this common condition in older people.

AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

Attachment 12.4.1

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. I have heard many anecdotal stories since the meeting, and have even been indirectly personally affected. My daughter's partner was injured whilst playing soccer on the weekend, resulting in a severely dislocated toe. His mother took him to Bathurst Base Hospital around 9.30am on the Sunday morning. After waiting for hours, as ED staff attempted to get the toe joint back together unsuccessfully, (which potentially caused further ligament damage?) she was advised that surgery would be necessary to get the toe back place. There was advised no Orthopaedic surgeon was rostered in Bathurst for the weekend, and she was sent to Orange. She arrived in Orange at around 2.30pm. Her son went in to Surgery at around 10.00pm that night.

We had to drive to Orange to collect our Daughter at 10.00pm that night as her partner's mother stayed with her son in Orange overnight.

| I have heard a number of other stories of long waits, only to be sent to Orange in |
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AGENDA - Ordinary Meeting of Council - 16 June 2021 Attachments

11 November 2019*

To whom it may concern;

My name is and I reside at the above address. I am

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One June 15 of this year I had an accident while operating a hydraulic log splitter, which resulted in the ring and middle fingers of my left hand (I am left handed) being crushed. This occurred around midday on the 15th and my daughter arrived at the property shortly afterwards and took me straight to Bathurst Hospital where I was taken straight into casualty and treatment began. I was informed that I would have to be moved to Orange Hospital as there was no orthopaedic surgeon available in Bathurst at the time. The hand was bound and splinted and I began fasting for the operation I was told I needed as a matter of urgency. Note here that while I say 'began fasting' I had consumed no food or drink since about 8am that morning.

Shortly before 7pm I was informed that Orange had no bed available and I was sent home to my daughter's house. I was told I could have a light meal, but nothing after mid-night as I would be operated on in Orange the following morning. (Fast no.2)

Mid morning of the 16th the hospital contacted and said I would not be done until the afternoon and that I could have a light meal and then nothing. (Fast no.3)

During the afternoon the hospital was again contacted and I was told that I would not be operated on until the following day (Monday 17th) and again informed to have nothing (Fast no 4) after midnight that night.

On Monday 17th I travelled to Orange hospital with my son in law, arriving there about 7 am. On arrival there was again some doubt about whether a bed was available and my admission was delayed for about an hour while that got sorted out. My operation eventually commenced a bit after 8am that morning.

Now I have nothing but praise for the various medical staff involved in all this, the casualty dept. at Bathurst, the surgeons and team at Orange, and my after care at both the fracture clinic and ambulatory care, these last two for a period of about 10 weeks, can not be faulted in any way.

My concern is the delay brought about by the lack available beds, which, as it transpired, I did not need anyway. While the surgeons did a marvellous job of putting my pulped fingers back together I feel that had the operation occurred in a more timely fashion the repair would have been more effective. To say nothing of the extra two days pain and discomfort.

I hate to think what would happen if, in the event of a large scale emergency (fire, or large scale accident) either hospital was faced with a large number of casualties. More beds need to be made available across the NSW Public Hospital System as a matter of urgency.



Mr Warren Aubin

Dear Sir

What has happened to Bathurst Base Hospital?

On Wednesday 14th October I had a fall and fractured my elbow. I saw my GP who referred me to PRP for an Xray after which I was sent straight to Bathurst Base Hospital. On arrival I was taken to Emergent Care Ward where an assessment was done and then I sat in waiting the room. I had a cannula inserted and waited for the Dr who came to inform me of the extreme complications of having an anaesthetic at my age with my heart, lungs etc. He then said they would most likely put my arm in plaster for 6 weeks to see if it would mend itself and if not after that they could operate. When I said I would take the risk and have it operated on he said he would have to talk with Dr Kilby & Dr Bell as they were operating on that day, and that was the last I saw of him.

After quite a while a Nurse came to see me to say they were going to put a back slab on my arm and if it was to be operated on I would be going to Orange as Bathurst Doesn't Have The Equipment To Do it . I was appalled.

Off I went to get the back slab on even though I had not yet been **infor**med of their treatment choice When I asked what was to happen next was told to go home and **som**eone would contact me in 3 to 5 days. The cannula was taken out and off home I went. (All the **Nur**ses at BBH were very kind to me.

On Friday afternoon 16th October I went back to see my GP in extreme pain and he faxed a ref to Dr Kwa in Orange and Sunday evening 18th October I had a call from a Dr at OBH to say I had an appointment at 8am on Monday Morning. I was operated on Monday afternoon. None of the medical staff could believe that I had to wait from Wednesday until the following Monday to be done.

The Nurses and Staff at OBH were so caring and kind.

Why can't Bathurst Hospital have the same equipment and expertise as Orange does?

It appears to me that the line of communication from Specialists to staff and then to patients is highly lacking.

With the population increasing the way it is in Bathurst surely we should expect more from our Health Service.

Yours Sincerely



BATHURST REGIONAL COUNCIL

SUPPLEMENTARY SUBMISSION TO THE PARLIAMENTARY INQUIRY INTO HEALTH OUTCOMES AND ACCESS TO HEALTH AND HOSPITAL SERVICES IN RURAL, REGIONAL AND REMOTE NSW

Bathurst Regional Council supplementary submission to the Parliamentary Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW

Introduction

There are two areas of focus in this supplementary submission. The first provides additional data that has been analysed since Council's first submission, which was verbally summarised at the public hearing in Wellington but now provided in a more formal and expanded format. The second is to expand on the theme in the first submission "Something not right in the System", a theme which appears consistent with the submissions of other stakeholders.

The data

This section draws some comparisons between service levels in Bathurst compared to the NSW benchmark and Orange and other localities. The purpose is to substantiate the claim by Bathurst Regional Council that the two hub referral model employed by the Western NSW LHD (Dubbo and Orange) creates significant social and economic disadvantage to Bathurst.

Source: Comm. Dept. Health, Health Workforce Data (2019)

| Medical practitioners | per 10,000 populatior | 1 | |
|-----------------------|-----------------------|---------------|--|
| Bathurst | 32.3 | | |
| NSW benchmark | 44.6 | | |
| Orange | 77.7 | | |
| - | | | |
| Medical practitioners | per LGA compared to | NSW benchmark | |
| Bathurst | -53 | | |
| Orange | +141 | | |
| Dubbo | +4 | | |
| | | | |

It is acknowledged the respective base hospitals serve a catchment larger than the LGA. The following is an attempt to compare groupings of Councils that go toward a catchment comparison.

Medical practitioners for LGA group compared to NSW benchmark

| Bathurst + Lithgow + Oberon | -116 |
|-----------------------------|------|
| Orange + Cabonne | +100 |

For allied health services, number of practitioners per LGA compared to NSW benchmark

| Physiotherapists: | Bathurst -16, Orange +34 |
|-------------------|--------------------------|
| Pharmacists: | Bathurst -15, Orange +19 |
| Dentists: | Bathurst -10, Orange +14 |

The shortfall in medical practitioners and other health professionals has a direct impact on the economy of Bathurst. Bringing the number of medical, physiotherapy, pharmacists and dental practitioners to NSW benchmark (94 direct jobs) would contribute \$8.7m annually and create 137 indirect jobs for the local economy (using National Institute of Economic and Industry Research methodology). Further, admissions data, urgent elective surgery waiting time and presentations to Emergency Department have increased significantly for Bathurst hospital, indicators of growth in demand for health services in Bathurst.

Total admissions (2011/12 – 2017) Bathurst +24%, Orange +6%

Medical emergency admissions Bathurst +55% (count at 2017 of 5409), Orange -4% (count at 2017 of 5558)

Urgent elective surgery waiting time (2019/20) Bathurst 13 days, Orange 9 days

Urgent elective surgery waiting time (2018/19) Bathurst 14 days, Orange 7 days

Presentations to ED (2011/12 – 2019) Bathurst +14% (count at 2019 of 28,268), Orange +9% (count at 2019 of 31,146)

Bathurst does not have the following specialist units (compared to Orange): cardiac surgery, geriatric assessment, neonatal intensive care, oncology, to name a few.

In addition, Bathurst Hospital is severely short staffed in anaesthetics, urology and the more highly qualified Fellow of the Australasian College for Emergency Medicine in the Emergency Department.

There is something not right in the system

This seems a consistent theme amongst those making submission to the Inquiry, certainly from the representatives of Bathurst, Dubbo and Warrumbungle Councils that attended the hearing together in Wellington. It is not just about the allocation of additional money. It goes to the role of the Local Health District in fostering better community wellbeing not just through adequate services and facilities but a culture of community service and a workforce of high morale. It goes to the deep divisions between the bureaucracy of health governance and those providing front line services. It is not about the people who work on each side of that divide (they are all good people) but the system itself.

The following descriptors apply to the Local Health District bureaucracy:

The LHD is always right. It is the experience of Bathurst Regional Council that the LHD is not an effective listener. The LHD has a model of operation that sets a course and stubbornly pursues it. The emergency orthopaedic service proposed for Bathurst is a case in point. It keeps to itself matters of significant community interest such as infrastructure plans and budget proposals. Despite repeated attempts by Council and others to seek change, improvement is elusive.

The LHD knows better than the community it serves. It has been said by the LHD CEO that "Bathurst has the hospital it needs for its population" which the previous section of this submission has clearly debunked. The LHD uses data to separate itself from the humanity it serves; that a high proportion of people in a survey seem satisfied with the service they receive reads well unless you are a member of the family of someone who has been forced to travel to receive basic treatment, as thankful as they might be for receiving treatment at all.

The health bureaucracy is self perpetuating and resource hungry. It consumes a significant proportion of resources that are often diverted away from front line workers stretched to their limit. It is ultraprotective of itself and will shield the Ministry of underperformance or community dissatisfaction. For example, during a meeting between concerned citizens and the Minister in the Ministers office, LHD representatives were in attendance and did not advise the participants

the conversation was being transmitted by phone to others. Such actions do nothing to restore confidence in how the system is controlled.

The LHD has a governance model akin to a corporate structure, which is unfortunate. Such a governance structure is not suitable for critical human services. It appears Board members are selected because of their ability to run the LHD as a business. The size of the LHD footprint does not enable effective input from local areas. Board members seem to be separated from the reality of the daily struggles of workers to do their job properly. Rarely do Board members seek input from or engage with local communities. Communities are therefore not well represented at Board level, with the role of local health councils relegated to being politely listened to.

The above explains the corrosion of confidence in the system experienced by those working there. The drain on morale is palpable. One sample of how it is seen in Bathurst is contained in the attached correspondence from a long-standing doctor and resident of Bathurst.

I was on call over the weekend, the busiest I can recollect, with bedblock due to lack of open, staffed beds. This results directly from previous poor planning, previous lack of recognition of bed shortages and now the problem of elderly frail and chronically ill people living at home requiring admission because of falls and other frailty related illness. Those elderly frail and sick patients require an increasing percentage of hospital bed-days, often prolonged because of their rapid loss of strength with even minor illness.

The aging of the population means that the appropriate increase in the number of beds to provide adequate care will need to exceed the population increase. Hospital in the home and other home based care will only go so far in reducing the need for admission when someone falls over or gets pneumonia or a urinary infection.

Delays in transferring patients to other hospitals because of gridlock across the whole State hospital system adds extra bed-days and further increases the problems in Bathurst. The lack of Hospital MRI and regular Echo service adds to delays. I had 2 patients in the regular ward over the weekend who would normally be in a coronary care unit, but we no longer have one in Bathurst. Some surgery was deferred today because of the worsening bed crisis and it is not even winter. Bathurst Hospital needs more beds.

There remains a profound lack of senior staff in Bathurst and the service remains supported in Key areas by Locums and fly in fly out Doctors.

There have been no new services introduced since the opening of the new hospital 12 years ago, and some services have been lost. Eg In respiratory medicine, ENT and some other surgical services. Morale is poor, the Administration is perceived to be only interested in saving money and the culture prevents improvements and innovation by frontline staff. The insatiable desire for information to be entered into cumbersome IT data systems turns highly trained Drs, Nursing and allied health staff into data entry clerks and reduces productivity.

The lack of GPs and Specialists in the Town leaves a void for patients who early follow-up and assessment especially after attendance at the Hospital emergency department or discharge from the inpatient ward. Communication, transition to outpatient services and medication prescription at discharge remain an ongoing, seemingly insoluble problem as patients transfer from the State hospital system to Commonwealth outpatient care (GP, aged care and PBS) with duplication and wastage.

It is easy to say that the hospital system simply is in want of more money, but hospital problems are also compounded by State political interests, the authoritarian top down management structure (previously identified by Garling) and a maddening extension of a bureaucratic mindset of endless forms and procedures into the working ward.

It may be a source of wonder that on the whole, outcomes are generally good. I do believe however that the hospital system needs genuine reform to achieve better and more equitable outcomes especially for disadvantaged (including rural) patients. If the inefficiency and waste in the system could be fixed, this could pay for some of the needed improvements. Bathurst Hospital in particular, has suffered from all of the systemic problems detailed above and needs to be "recapitalised" What a pity the Hoyle report was not acted upon! The lack of any political advocacy for improvements in services in Bathurst has been especially damaging. If the reputation of Bathurst as attractive town in which to live is damaged because of inadequate healthcare, the town will not attract new industry or business, and these downstream effects will leave it in economic decline.

I hope these comments are of some value to you in your advocacy, and would be happy for this to be passed on to the council and even submitted to the upper house inquiry if you thought them of some value. These reflections are my own, after working as a consultant in Bathurst for 30 years, and are completely unsupported by any data set, but may still be a type of wisdom.

Also <u>attached</u> is an opinion piece published on 25 May in the Sydney Morning Herald by Dr Aniello Iannuzzi, Deputy Mayor of Warrumbungle Shire Council and medical practitioner of long standing. It provides a similar if not more critical assessment.

OPINION

The labyrinth of bureaucracy behind our country hospitals' horror stories



Dr Aniello Iannuzzi Visiting medical officer at Coonabarabran District Hospital May 25, 2021 — 5.30am

After 25 years as a doctor in rural NSW hospitals, I can attest to the scandals and horror stories emerging from a state parliamentary inquiry into regional, country and remote health services: a teenager with an infected toenail dies of septic shock after being turned away three times from an an emergency department; "tea ladies" check in on newborn babies because there are not enough nurses; doctors threaten to quit en masse because their working conditions are so dangerous.

Naturally, it is the alarming stories from the front line – from the patients, families, doctors and nurses – that capture the headlines. Now we must address the causes.



Dr Aniello Iannuzzi, who is also deputy mayor of Warrumbungle Shire, giving evidence at the inquiry into regional, rural and remote health services. *CREDIT:LOUISE KENNERLEY* Chief among them, I have come to learn, is the labyrinthine bureaucracy running NSW Health and the local health districts. The inquiry has come about because communities and health workers are sick and tired of managers in NSW Health and the LHDs stubbornly denying there is a problem.

That is why, when the inquiry came to Wellington, I testified that the principal problem is one of governance. Until that is cleaned up, nothing will improve.

NSW Health's management structures are bulky and opaque. To progress up the hierarchy, one needs to pledge undying support to the organisation, often needing to bend personal, clinical and ethical standards along the way. When a patient or clinician at the coal face raises a concern, makes a suggestion or files a complaint, management usually activates to ignore, frustrate, bury, lose or deny. It's like dealing with a big bank, telco or insurance company.

This explains why a CEO of a local health district or senior manager in NSW Health can be technically honest when denying knowledge of adverse patient outcomes, missing medications or the shutting of essential services. The labyrinth has done its work and protected the organisation. Plausible deniability. Spin.

It is at least heartening that the inquiry involves most NSW political parties – because the problems are chronic and systemic and have festered under the watch of Labor and Coalition governments.

No. 1 is understaffing, which puts pressure on rosters and over-reliance on locums and agency staff. There are not enough beds, which causes "bed block", and there is an inability to divert ambulances when that happens. Administrators are detached from clinical care and managers are overly concerned about ticking boxes for performance indicators rather than ensuring adequately resourced and safe facilities. Investigations meant to analyse system failure are too often weaponised to shift blame onto clinicians, leaving administrators untouched.

To some extent these problems are encountered in cities, but Australia's geography is cruel. When one runs out of basic antibiotics, there is not a pharmacy supplier in the next suburb or a courier the next day. When a patient drives 100 kilometres to an emergency department to discover there is only a video service, it can be another 100 kilometres or more to a town with a doctor. When a surgery or pharmacy shuts, the ripple effect on a small district's economy and social capital is devastating.

At the inquiry we heard powerful evidence from Bathurst Council: even in such a large regional city, a lack of health workers has negative economic and social impact. Imagine what it means for a town like Dunedoo, population 750.

We've had inquiries before, and recommendations, yet rural health continues to atrophy and the decision-makers are never to blame.

All too often NSW Health assumes good clinical practice can be made more efficient by curtailing or omitting critical steps: making the time to take a patient's accurate history, perform an adequate examination, consider and investigate the possible diagnoses, and properly inform the patient about the management plan. Hence we see understaffing, poor stocks of medicine and medical equipment and the promotion of telemedicine at the expense of inperson clinicians.

For those of us left in the small hospitals, we turn up to work to find new forms to complete and more data to report. Management's priority, it often appears, is that staff attend to these tasks ahead of real patient care.

Of course, we need more money, more beds, better medicine and equipment, more staff. The states often blame federal governments for these problems. There is certainly a place for more federal money but we should not exonerate NSW Health on this account. Without better governance the money will remain poorly spent, the equipment misdirected and the clinicians unwilling to work and give their best.

While we always need to recruit more health workers to the bush, there are plenty in the bush who make a conscious decision not to work for NSW Health.

Earlier this year, senior managers of our LHD and the Rural Health Commissioner were in Dunedoo for a community forum organised by the Warrumbungle Shire Council. They suggested the Dunedoo community should be more welcoming to health workers. Oh? So it's the community's fault? It was nothing short of insulting and outrageous. All NSW residents should be outraged.

Dr Aniello Iannuzzi is chairman of the Australian Doctors Federation, deputy mayor of Warrumbungle Shire Council and a clinical associate professor at the University of Sydney and University of New England. He has been a visiting medical officer at Coonabarabran District Hospital since 1997.