

**EXTRAORDINARY MEETING OF BATHURST REGIONAL
COUNCIL**

16 June 2021

His Worship the Mayor & Councillors

**Notice of Extraordinary Meeting of Bathurst Regional Council – 23
June 2021**

I have to advise that an Extraordinary Meeting of Bathurst Regional Council will be held in the Council Chamber on Wednesday 23 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 EXTRAORDINARY MEETING OF
BATHURST REGIONAL COUNCIL
HELD ON Wednesday 23 June 2021**

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1 PUBLIC FORUM

MINUTE

S. Pearson - Second racing circuit - Raised issues about the 2nd racing circuit , noted monies were provided in previous years. Has \$60 million been spent on this project? Then referred to EIS which has been prepared, what is the estimated cost of the proposed 2nd circuit?

Director Engineering Services - provided responses to the questions, noting expenditure levels would need to be researched. Further, final costs of circuit will likely be available when EIS/DA completed.

J. Gray- Sporting facilities- Spoke to sporting facility expenditures and the issue of the Indoor Sports Stadium. Requests Council provide funds to repair the roof of this facility.

General Manager - Spoke to expenditures occurring at the stadium and noted that these are based on Basketball NSW priorities.

B.Triming - Interim Chair BRAC - Requests Councillors pay attention to Access Committee requests. Need to keep existing facilities up to date with current requirements. Spoke particularly to disability toilets and the need to upgrade eg Library facilities.

D. McNab - Accessible toilets - Supports Bob Triming in request for more money to increase the number of truly accessible toilets. Requests Council provide for these improvements within the 2021-22 budget.

2 RECORDING OF MEETINGS

3 MEETING COMMENCES

Meeting commenced at 6.15pm.

Present: Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge (via Microsoft teams)

4 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

5 APOLOGIES

MINUTE

MOVED: Cr J Jennings SECONDED: Cr I North

RESOLVED:

Nil

6 DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLUTION NUMBER: ORD2021-211

MOVED: Cr I North SECONDED: Cr G Hanger

RESOLVED: That the Declaration of Interest be noted.

B. Dwyer declared a non-pecuniary non significant interest in item 7.1.1 of the DCSF Report.

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

7.1 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

7.1.1 SUBMISSIONS - DRAFT DELIVERY PLAN 2021 - 2025 AND OPERATIONAL PLAN 2021/2022

File No: 16.00182

RECOMMENDATION:

That Council consider the submissions individually.

REPORT:

Council has had the Draft Bathurst Delivery Plan 2021-2025 and Operational Plan 2021/2022 (DP/OP) on exhibition for the required period of 28 days. Council has received a number of submissions in relation to the DP/OP. Submissions were made on various matters and are detailed below for Councillors information:

Submission 1 – Ralph Cameron Park Raglan upgrade

A submission has been received from Christy Sewell (**attachment 1**) asking for consideration for an upgrade to cater for children of all ages. Ralph Cameron Park has equipment suitable for small children and the submission asks for family facilities such as BBQ's and shelters as well as something for older children such as a basketball court or skate park.

An amount of \$400,000 has been included in the plan to accommodate these items, however, due to current budget constraints, the project is scheduled for year 3 of the plan (2023/2024).

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 2 – Provision of Accessible Toilets for People with a Disability

A submission has been received from N. K. McNab (**attachment 2**) and Bathurst Regional Access Committee (**attachment 3**) regarding the provision of accessible toilets in the Region.

Council upgrades its toilet facilities each year in the budget, including building new public toilets and changes to existing ones to make them accessible where possible.

The funding for a new toilet block in this financial year has been allocated to new facilities in Perthville, including being an accessible facility, and also urgent repairs to septic system to public toilets at Sofala.

The two submissions also specifically mention existing sites that need to be upgraded to current accessible standards. The facilities in these buildings met the building standards when they were constructed and are therefore not required to be made accessible but the submissions will be used to inform future budget plans.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 3 – Sandy Bathgate

Mr Bathgate has raised several issues which will be dealt with individually. The submission (**attachment 4**) is a series of questions, reproduced here for Councillors information in italics with a response to each. The recommendation is shown at the end.

3.1 Mt Panorama losses - Budget p37

Council is forecasting a loss from Mt Panorama operations of around \$134,000pa next year to up to \$206,000pa each of the next three years. This compares to around \$900,000pa each year in last years budget.

The reason for the betterment each year is that whilst gross revenue is similar, costs are lower. Can Council please advise why this is so:

- Is it cost reduction? If so what costs have been saved*
- Is it cost reallocation? If so what costs and where are they reallocated?*

Report:

In previous years, Council undertook an Aboriginal Cultural Heritage Assessment at a cost of \$150,000 per year in relation to proposed developments on Mount Panorama. This process has now been completed and will not be required in the next or ensuing years. A loan had been taken out to complete the resurfacing of the track several years ago with an annual repayment of approximately \$150,000. This loan finished in the 2021 year and therefore is a saving going forward. A project manager for the development of the second track project at a cost of \$100,000 per year has previously been included in costs but will no longer be required as the planning phase is nearing completion. Also related to the project, previously, was a transfer to reserve for future loan repayments of \$250,000. As the planning phase of the project is nearing completion, the search for funding will begin and the loan reserve will be utilised for loan funding if and when required.

3.2 Second Track on Mt Panorama \$46 million budgeted last year, \$0 budgeted for this year

In last years budget Council was proposing spending around \$45,954,738 on the second track construction in 2020/21, I understand funded from already promised/received grants, and then around \$150,000 each year thereafter for the next three years.

There appears to be no budget for this activity in this years budget and for the next three years, which is a dramatic change:

- Why is this so?*
- Has the idea of a second track been abandoned?*
- How much has been spent to date?*
- What has happened to the government grants received and how much remains unspent?*
- If the second track has been deferred, when is the expenditure likely to be made and how much?*

Report:

The second track project is included in the 2021 budget and will be carried forward from that approved budget. It is therefore not shown in this budget as the funds have already been approved in the current year.

Progress on the project is reported regularly in Council meeting reports. All grant funds received have been expended.

3.3 BMX facility maintenance \$53k - page 17

Is this facility still used and if so to what extent?

Report:

The specific allocation shown as BMX facility maintenance incorporates repairs and maintenance activities covering the whole of the Bathurst Bike Park Precinct, not just the BMX facility. The precinct is used consistently throughout the year.

3.4 Council is still budgeting \$4 million to replace the McPhillamy Park reservoirs – Budget p28.

- *Is this upgrade mainly to service the first and second tracks and the go-kart track?*
- *and if so why is it not shown in the budget better as a Mt Panorama expense rather than a Water expense, to help give a fuller picture of the overall investment?*
- *With the deferment or abandonment of both projects why is this expenditure necessary at this level?*
- *This project should not take place within McPhillamy Park which was gifted to council in 1938 for use as public open space. Use as a reservoir is not within the terms of the gift. The project should be relocated.*

Report:

This project is included in the 2022/2023 year which allows time for separate public consultation. The project is not specific to any particular Mount Panorama project and is a part of the wider Bathurst water reticulation system.

The reservoir is a water asset and under the Local Government Act 1993 must be shown as part of the Water Fund as funds raised by Water charges must only be spent on Water Fund activities.

3.5 Events - Budget p41

Council is budgeting a loss on Events of \$1,633,000 and a similar amount for each of the next three years.

- *Why is council spending \$2,010,000 of ratepayer funds on events project expenditure?*
- *What are the events costing \$2,010,000, and what is the cost of each?*
- *What is the economic case?*
- *Why isn't each event identified in the budget as is the case for minor events?*

Report:

Council adopted the Event framework in 2018 which outlined how and why Council should support events.

Initiation, facilitation and support for events and festivals contribute to Council achieving its long-term social, environmental, economic and civic leadership strategic objectives.

Events provide an opportunity for Councillors to actively engage with a diverse range of community members and groups. Council has a long history of supporting and hosting events, with Mount Panorama positioning Bathurst as the Motorsport capital of the world. In recent years, Council's role in event delivery and management has increased economic return to our region.

Benefits of events to local communities include:

- Encourage Tourism
- Showcase local attractions
- Promote local business and the region

- Generate revenue for local businesses and the community
- Promote local artists
- Acknowledge and promote local Indigenous heritage
- Draw people together, fostering social and economic benefits
- Promote civic pride

Social Cohesion

Evidence from across Australia and the world, detail positive impacts of community festivals and events in strengthening and contributing to cohesion, identity, and wellbeing in a community. Events provide residents with an opportunity to be involved, learn new skills, practice and be part of their community.

Shaping Reputation

Bathurst is renowned for Mount Panorama and motor racing. In recent years, Bathurst has been building its presence as a destination for Winter, with the Bathurst Winter Festival rapidly becoming a marquee event in the Region. Bathurst is also widely known for its heritage, education, sport and history.

As the population increases, it is critical for Bathurst to maintain its thriving local centre which will appeal to visitors, residents and create business opportunities, while also improving social cohesion and community wellbeing. Events and festivals like the Bathurst Winter Festival, motor sport events, Bathurst NRL, and Heritage Week contribute to a thriving local centre, shaping Bathurst as a vibrant regional city.

Economic Impact

According to the Central West and Orana Regional Plan the top three economic opportunities for the Bathurst Local Government Area include; Tourism, Manufacturing and Technology and Education¹. This is also supported by BRC's Destination Management Plan that identified the Primary Target opportunities for tourism as Cultural visitors, Sporting and business visitors, visiting friends and family and discovery/nature based travellers². Many studies have been completed on events within Bathurst and the economic impact on both the city and its surrounds. A study commissioned in 2012 of the economic impact of the Supercheap Auto Bathurst 1000 reported a total expenditure of \$25.89 million within Bathurst, \$30.53 million in the Central West and \$55.43 million to NSW³. Marquee sporting events such as the Bathurst Cycling Classic and Bathurst NRL have an economic benefit of \$1.18 million and \$710,000 respectively as reported in 2017⁴. Festivals and event attendees and organisers tend to spend a large portion of their budget locally, on equipment, entertainment and other resources, further contributing to the economic prosperity of a region.

The Destination Management Plan 2015, depicts the Visiting Friends and Relatives (VFR) market as the largest proportion of visitors to the region (42%). A study by Southern Cross University found when accommodation costs are left out, VFR visitors spend more overall in areas of shopping, attractions, events and activities. The study mentions that an added benefit of the VFR market is the additional expenditure by hosts and the highly influential role they play in selecting the destination.

Fostering large festivals and events within the Bathurst Region will continue to drive the VFR market and in turn economically contribute to the community.

The New South Wales Government Department of Premier and Cabinet's Events Policy identifies that well managed events are an important part of the development of vibrant sustainable local communities, contributing to the community social fabric and the local economy.

Increasingly, successful events have become an important strategy underpinning local economic development⁵.

¹ Central West and Orana Regional Plan

² Bathurst Regional Council Destination Management Plan 2015

³ WRI Supercheap Auto Bathurst 1000 Economic Impact Report (2012)

Detailing each event's cost is not possible in many cases as the costs are directly linked to contracts that have been let by Council and therefore are commercial-in-confidence agreements that specifically prohibit Council providing any specifics of the contracts.

3.6 Land Development profits - Budget p51

Land Development shows a forecast net result each year of exactly \$nil. Council says this is because ...

"The Land Development cost centre is run as a separate business. The total land sales for the year are transferred to a reserve for use on further land development works and is also available for other Council projects where excess funds allow. The net result of those transactions is \$0 because everything is run out of the Land Development Reserve Fund, meaning there is no effect on the budget for the year."

It is good to see Council has achieved separation of this activity from general traditional Council day to day services. In previous years profits from land sales appear to have been used to prop up general revenue and operating costs, a risky policy and with little accountability.

However, Council does state that there are "certain projects outside the Land Development cost centre that are funded from previous years land sales", but the budget/operational plan, or any other source, does not disclose what those projects are nor how much money is used from the Land Sales business for them.

Ratepayers are entitled to know what the profits from land sales are being used for, and what amount remains in unspent reserve – this should be reflected clearly in the budget, otherwise those profits and subsidies just remain opaque and unaccountable – an "off revenue account/balance sheet" pot of money known only to Council staff and Councillors.

Can this information be published – if only in total please, to avoid confidentiality concerns.

Report:

There are no projects outside the Land Development cost centre funded by the Land Development operations in the Operational Plan 2021/2022. Any project funded from the Land Reserve is the subject of a separate Council report each time those funds are requested to be used for projects outside the Land Development activities. The Council business papers are a public document and are available on the website

3.7 Loan funding – budget p55

Loans of \$3.3 million are expected but are to be transferred to capital reserve. What are these funds for?

Report:

Loan funds have been identified for the following projects:

	\$
W6075 Hereford Sport Complex	2,300,000
W8667 Limekilns Road (Rural Roads)	400,000
W8664 Lagoon Road (Urban Roads)	300,000
W11755 Caloola Road (Rural Roads)	50,000
W 11758 Freemantle Road (Rural Roads)	250,000
	<u><u>\$3,300,000</u></u>

Loan funds are transferred to a reserve when received and then utilised out of the reserve as their relevant project is progressed so as to match the expenditure on the project.

3.8 Carrington Park - Grandstand Extension, \$8,500,000 - Budget p18

This represents a doubling of the seating, and resurrects a contentious plan raised in 2016 by Council. The justification then was to attract bigger sporting events. No business plan was available for view then, and serious questions were raised as to viability. Design went to tender in 2020.

It is believed that Council was contractually obliged to make certain improvements by the NRL/Panthers if Council wished to continue having one or two NRL games played a year in Bathurst. It is understood the NRL/Panthers is not making any financial contribution to the grandstand expansion, but it is not known whether Council is contractually obliged by the NRL/Panthers to extend the grandstand. Is this contractual obligation correct? Can Council elaborate please?

In 2016, press reports estimated it would take over 100 years to pay back the then \$6.1 million required out of extra ticket sales. How long will it take to get an acceptable return on the now \$8.5 million?

The figures show a cost increase of \$2.4 million, which is a 40% increase in five years. This is quite alarming.

Other reports show the estimated cost is \$10 million. Which is correct please?

As in 2016, it is still very difficult to see how an \$8.5 million expenditure in 2021/22 on the Carrington Park grandstand seating can ever generate an acceptable financial payback. This appears to have the potential to become a massive white elephant. Can Council elaborate please?

A robust business case must be developed before any commitment to the grandstand extension is made. Ratepayers deserve that a transparent and accountable financial case be presented.

Can the business case be presented please.

Report:

Council has no contractual obligation with the Penrith Panthers or NRL on this project.

A consultancy for the development of a concept design for the upgrade to the Carrington Park grandstand has been completed, with Council having now adopted the concept proposal. The next stage of this project will be the preparation of a design and construct contract tender, to be implemented when funding becomes available.

The concept design has been undertaken to identify areas within the existing facility that is lacking and or restricting Council in the ability to seek and procure future sports events. Due to its age, the current facility does not meet any of the current requirements and standards imposed by sporting bodies to hold high level events, including NRL, resulting in significant costs to Council to provide the necessary facilities and infrastructure each time an event is held at Carrington Park. In addition to the increase of additional grandstand seating, the Carrington Park Grandstand project involves the necessary upgrade of the building's existing facilities such as change rooms, canteen areas, toilets etc in order to comply to current regulations, as well as providing the required additional infrastructure / facilities to meet various sporting group demands. In order to compete with other major sports tourism destinations within regional NSW, Council's facilities need to be able to meet the requirements and standards for the particular sport at all levels.

3.9 Go-Kart Track on Mt Panorama

There appears to be no budget for the go kart track previously budgeted at \$4.5 million last year.

- *Has the top of Mt Panorama concept been abandoned?*
- *Has another site been identified?*
- *The \$2.25 million loan has been drawn down. Is this in untied reserves?*
- *Has the \$2.25 million loan been earmarked for other projects? If so what projects?*

Report:

The Go-Kart track project was included in the 2020/2021 budget and is therefore a carry over project for Council and, as such, does not appear in next year's budget as a separate item.

The project has been delayed due to various legal reasons and community feedback but is still a current project of Council.

3.10 Streets as Shared Project

It has been reported Council has received grant funding of \$767,000 for this project.

- *No grant revenue for this project appears in the budget – is it held in a reserve?*
- *Why is there no expenditure shown against this project in the budget?*

Report:

This item is in the 2020/2021 budget and will be carried over if not spent at 30 June 2021.

3.11 Headmasters House – Howick Street

Restoration of this building has been underway for two years, but no end appears in sight. There is nothing in the budget to complete this project. This is a blight on the Howick heritage streetscape, and should be a budget priority.

- *Why cannot this project be completed next year?*
- *I was told by Council last year there was grant funding to complete it. Why is this not shown and why is no expenditure shown?*

Report:

Grant funding has been received in the 2020/2021 year and so appears in the current budget instead of the budget for 2021. The funds will be subject to carryover if the works are not complete at 30 June 2021.

3.12 Grant Funding

The reality seems to be that Council applies a priority process when applying for outside grants, and despite council's protests at this contention, this prioritisation has a strong bias to sporting facilities.

I advocate that when available, any new general grant programs of magnitude should be applied for and allocated firstly to other higher priority non-sporting projects – the former TAFE building, The Town Square precinct and the in-limbo Headmasters House spring to mind, also to resource Cultural projects.

Otherwise, the risk is that sporting projects will suck up all the grants oxygen, and yet again absorb the lion's share of Bathurst's potential grant money.

Report:

Council applies for grant funding wherever the grants on offer match projects that fall into the objectives of the Community Strategic Plan and has no bias towards any particular function of Council. The table below shows the actual grants received over the last four years where Cultural Grants have been almost four times the amount of Sporting grants received.

Grant Income 2017 - 2020

Classification	2017 Actuals	2018 Actuals	2019 Actuals	2020 Actuals
Aerodrome	187,539	62,461	1,598,110	651,890
Community	1,808,700	2,117,562	2,757,714	3,112,966
Cultural	460,004	700,073	1,394,550	1,881,432
Environment	301,202	80,675	228,484	131,929
Land				169,930
Mt Pan	20,000	2,533,000	2,500,000	937,246
Other CSF	232,042	232,042	280,000	280,000
Other Engineering	660,300	613,170	36,000	1,174,607
Recreation - Parks	-	64,037	302,424	796,550
Recreation - Sports	-	66,000	547,342	526,456
Roads	4,043,320	3,615,102	2,827,692	2,180,019
Sewer				100,000
Waste	6,220	-	58,613	
Water				1,603,471
Grand Total	7,719,327	10,084,122	12,530,928	13,546,497
Cultural	460,004	700,073	1,394,550	1,881,432
Recreation - Sports	-	66,000	547,342	526,456
Cultural		Cumulative 2017-2020		4,436,059
Recreation - Sports		Cumulative 2017-2020		1,139,798

3.13 Reserve accounting

Council budgets to move funds in and out of reserves as required. Some funds appear to go direct to reserve rather than through the operating budget. The reserves position and movements is not budgeted and as a result is opaque – the public have no idea what is there which could be used for operations and initiatives, and therefore has no opportunity to make submissions as to its use.

I ask for details of reserves please in such a form that shows what monies are available for use.

I advocate for complete transparency of reserve balances and movements in the budgeting and reporting processes.

Report:

Council shows the balance and movement of reserves in their various categories in the audited annual financial statements as required under the Local Government Act and Regulations which is a public document available at Council or on the website.

Council will ensure future budgets will incorporate a table of estimated reserve balances and movements for transparency, however it should be noted that as priorities change based on community feedback and available grant funding that needs to be matched during any particular year, the estimates may vary markedly from the actual for any particular year.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 4 – Water Security

A second submission has been received from Mr Bathgate (**attachment 5**) regarding various water issues. Again, this has been submitted as a series of questions which are produced below:

Recently Bathurst's water supply was stretched to the limit in the drought. Many residents are concerned at Bathurst's water security for the future. I am hoping you can clarify budget impacts and related issues for me.

Firstly, I would like to seek clarification and response from Council regarding the following please:

- 4.1 Council asked Sydney Water twice for the defunct power station allocation of 8GL from Oberon Dam during the drought, but was twice denied. Why was this? What level of transmission loss was cited by Sydney water, and what loss was calculated by Council?*

Response: NSW Minister for Water, Property and Housing denied the request.

- 4.2 Bathurst Council did not want water restrictions brought in when the drought began to bite. A majority of councillors voted to defer any decisions on implementation of water restrictions for months.*

Then, when the drought continued and worsened in its severity, Council asked for State and Federal Government assistance.

I understand the NSW Government answered the call and gave the Bathurst Regional Council \$25 million for water projects that Council said were "shovel ready", i.e. for immediate implementation.

Twelve months later, it appears none of these "shovel ready" projects have been started, and I am told planning the route for one of the projects (a pipeline – which pipeline is not specified but perhaps you could clarify please) has not even been prepared.

Response: Planning for Water Security Projects is well advanced, with Stormwater Harvesting project at tender stage. Approval for construction is yet to be provided by NSW State Government. Winburndale Pipeline augmentation progressing, however focus has been on stormwater Harvesting given shorter pipeline route.

4.3 Is council aware that Altura/Atco, a \$6 billion Canadian company, wants to source the water for their \$500m Yetholme pumped hydro project from the "Fish River System" (as per their publicity pamphlet)? This will lock up permanently, and further jeopardise, a large quantity of water otherwise available to traditional primary users, including farmers, villages and Bathurst City itself. As this system provides 62% of Bathurst's water supply, what is council's position on this proposal?

Response: Council is aware of preliminary proposal however, as yet, has not seen final detail, accordingly Council's position has not been determined. This is a State Significant Development, with consent to be administered by NSW Planning.

Also, could Council answer the following questions for me please:

4.4 Is the \$25 million referred to in 2. above actually held by council? Is it in reserves?

Response: No these are grant funds are payable upon milestone completion

4.5 Is the \$25 million still available, and if so when does its use expire?

Response: Yes these are grant funds payable upon milestone completion.

4.6 When will the \$25 million be spent and on what projects, and how much on each? Is the expending of these funds included in Council's 2021/22 budget and if so, where? If not, why not?

Response: These items are subject to future reports to Council as the project progresses.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 5 – Bathurst Heritage Matters Inc

Bathurst Heritage Matters (BHM) has made several submissions in their correspondence (**attachment 6**).

Heritage Asset Reserve allocation \$20,000

BHM recommend that 25% p.a. of the money council raises through land sales, be transferred to the Heritage Asset Reserve to ensure that Council can extract the major economic benefits and tourism potential latent in the Town Square project and the former TAFE building as a matter of urgency. Also that grant funding opportunities that might otherwise have prioritised sporting projects could be better prioritised for these heritage projects.

Entry to Bathurst Signage

The Bathurst Tourism Reference Group and the Bathurst Heritage Reference Group both have endorsed the Heritage Activation Plan. That Plan includes the following:

- Brown historical directional signs on the highway – on the back of the existing green sign in Durham St before William St, with one arrow pointing to “Historic Town Centre”, and the other to “First Settlement and Flagstaff”
- Brown historical directional sign on the highway – in Stewart St, with an arrow pointing to “Historic Town Centre”,
- Brown historical directional sign on the highway – before Havannah St, with an arrow pointing to “Historic Milltown Railway Precinct and Keppel Street Village”

BHM has asked for these projects to be prioritised within the Signage budget and that budget be expanded.

Headmasters House – Howick St

BHM would like to see the completion of the restoration work on the Headmasters House in Howick Street. Stabilisation work has been partly completed at this stage.

Four Council owned heritage listed buildings – strategy needed

- Headmasters House (see above)
- McPhillamy Park stone cottage (in danger of demolition by neglect)
- Former TAFE building (see above, EOI’s called)
- Former Ambulance Station

BHM suggests that a target be established to set in train a programme for one of these buildings each year for the next four years, and implement sufficient savings to do so through annual allocations to a Heritage Development Fund or Heritage Reserve as above.

Council has a demonstrated commitment to preserving the heritage of the Bathurst Region. However, the budget this year is very tight and unable to accommodate any further expenditure, including transfers to reserves for future works. The above priorities will be taken into account when the new Council develops the next Community Strategic Plan for the next four years.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 6 – Eglinton District Tennis Club

A submission has been received (**attachment 7**) from Eglinton District Tennis Club concerning Courts 5 & 6 that were damaged approximately 18 months ago by tree roots from a tree on the Eglinton Oval, adjacent to Court 6, hoping that these repairs be included in the Plan. They have not been able to utilise Court 6 as it is unsafe to play on.

The concerns raised by the Club have been investigated and Court 5 & 6 have been identified as requiring major repairs due to damage caused by tree roots. Root control treatment has been undertaken; however, funding has not been identified within existing or future budgets to carry out the necessary court remediation works. The project at this stage requires funding of \$45,000 which has been placed within the Draft 2021/22 Operational Plan “below the line” for Council’s consideration.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 7 – Roz Townsend

A submission has been received (**attachment 8**) from Roz Townsend for the following items

- Top priority is the extension of 50 meters or so of footpath in Evernden Road to meet Lorimer Street from Bradwardine Road.
- A picnic table and seating for Max Kingston Park.
- A covered play area in Max Kingston Park.
- Improve and beautify McPhillamy Park
- Raised and covered walkways across Howick and William Streets in front of the Post Office and the entrance to the shopping malls. These would be invaluable in the heat of summer and the coolness of winter.

Of the items mentioned by Ms Townsend, Council currently has a budget for “Max Kingston Playground – Shelter and Seating” of \$15,000 below the line, that is, not in the budget but was considered. All items will be considered in the development of next year’s Operational Plan.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 8 – Change to Revenue Policy – Museums Hire Fee Reduction

A submission has been received from the Cultural and Community Services Department of Council (**attachment 9**) to introduce a 50% reduction in hire fees of Museum hire fees and entry fees for Not-For-Profit organisations and groups from within the Bathurst Regional Local Government Area to assist those community organisations facilitate meetings and events at a cost-effective rate.

Recommendation: That the Revenue Policy 2021/2022 be amended to incorporate a discount of 20% in line with reduction in hire fees of other Council facilities for Not-for-profit community groups.

Submission 9 – Centennial Park

Two submissions have been received (**attachment 10**) thanking Council for ongoing commitment to Centennial Park works.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 10 – Bathurst District Historical Society

Bathurst District Historical Society was previously granted a fee waiver of \$7,000 in 2019/2020 for BMEC Fees for their celebration of the 75th anniversary of Victory over Japan day. The Society has decided to change venue to the Bathurst Showground due to their expected visitors and are now asking for a cash donation of \$3,000, refer **attachment 11**.

Recommendation: That a cash donation of \$3,000 not be donated to the Bathurst District Historical Society and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 11 – Ray Carter

A submission has been received from Mr Ray Carter, shown at **attachment 12**, regarding Council's method of calculation for non-residential water and sewer availability charges.

The submission requests Council to review the method of water and sewer fund nonresidential access charges. Council has reviewed these access charges and has found that they reflect a cost recovery on each of the services. Council's Water and Sewer Funds are based on Council recovering its operational costs by way of income received respectively from water and sewerage access charges together with income from usage charges.

Mr Carter contends that Council is unable to make an annual charge under section 501 of the Local Government Act 1993, as amended, for a charge to a fire service through a dedicated pipe or through the same pipe and meter that supplies drinking water.

As has previously been explained to Mr Carter, Council does not levy a charge for fire fighting services under section 501; Council levies a charge for the availability of water under section 501, as it is entitled to do. Those charges are determined with regard to the best practice pricing principles issued by the NSW Government. The water may be connected to a fire service but the charge is for the availability of that water, not for the provision of "fire services".

Section 501 of the Act states that:

501 For what services can a council impose an annual charge?

(1) A council may make an annual charge for any of the following services provided, or proposed to be provided, on an annual basis by the council—

- water supply services
- sewerage services

- drainage services
- waste management services (other than domestic waste management services)
- any services prescribed by the regulations.

(2) A council may make a single charge for two or more such services.

(3) An annual charge may be levied on each parcel of rateable land for which the service is provided or proposed to be provided.

Council does, in accordance with the Act, impose an annual charge on each parcel of rateable land for which a water service is provided or proposed to be provided. Council's water supply responsibility ends at the meter servicing the property and charges the property based on the size of the meter installed as this reflects the load that can be potentially placed on Council's infrastructure. Council, in relation to that water supply, does not direct, once the water enters the property, how that water is used nor whether it is used for drinking or for fire fighting purposes required under the relevant BCA Standards. Council has previously provided the opportunity for meter downsizing where available.

Council uses the availability pricing method shown in NSW Government's Best Practice Management of Water Supply and Sewerage Guidelines. Council's calculation of the access charges have been reviewed by the Minister for Water and Utilities in 2004 and the Minister for Water in 2009. Both Ministers have supported Council's approach as "responsible" and "appropriate".

The power to impose availability (s501) and usage (s502) charges has also been contested in court and found to be legally imposed charges. Horton Rhodes Lawyers represented Prefabricated Buildings Pty Ltd, one of Mr Carter's companies, in the NSW Land and Environment Court against Council regarding this matter.

Prefabricated Buildings Pty Ltd's application was dismissed with Robson J finding that "it appears clear that Council is entitled to charge for services based on both actual use and availability of those services" and that the accessibility charges had not been unlawfully levied under the Act in [2017] NSWLEC 44.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 13 – Mr G. A. Crisp

Council has received a four part submission from Mr G. A. Crisp. The submission does not actually address any content of the Delivery Plan 2021-2025 and Operational Plan 2021/2022 but is titled as a submission.

Due to the defamatory nature of the contents of the submission from Mr Crisp, it has been provided to Councillors as a confidential memorandum under separate cover.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 14 – Public Art Committee

A submission has been received from a Councillor looking to fund a Public Art Committee with an estimate of \$30,000 to \$50,000. The Director Cultural and Community Services has indicated that Public Art will be discussed with Council over the next year.

Recommendation: That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

FINANCIAL IMPLICATIONS:

If the recommendations are adopted, the changes will be incorporated into the Delivery Plan 2021-2025 and Operational Plan 2021/2022 and the Revenue Policy 2021/2022 which will become the budget for Bathurst Regional Council for 2021/2022.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

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

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

ATTACHMENTS:

1. Attachment 1 - Sewell, Christy. Budget submission~ Childrens letters & petition [7.1.1.1 - 13 pages]
2. Attachment 2 Mc Nab - Budget 2021-2022 - Submission to BRC [7.1.1.2 - 2 pages]
3. Attachment 3 BRAC - 2021 08-06 To GM re- Draft Delivery- Operational plan submission from BR A... [7.1.1.3 - 2 pages]
4. Attachment 4 Bathgate 2 nd - Questions on water [7.1.1.4 - 1 page]
5. Attachment 5 Bathgate submission [7.1.1.5 - 4 pages]
6. Attachment 6 - Bathurst Heritage Matters Budget submission 2021 to 2022 [7.1.1.6 - 2 pages]
7. Attachment 7 - Eglinton District Tennis Club [7.1.1.7 - 1 page]
8. Attachment 8 - Roz Townsend [7.1.1.8 - 2 pages]
9. Attachment 9 - Memo - Museums Revenue Change [7.1.1.9 - 1 page]
10. Attachment 10 - Centennial Park [7.1.1.10 - 4 pages]
11. Attachment 11 - Bathurst District Historical Society [7.1.1.11 - 1 page]
12. Attachment 12- Ray Carter - availability charges to sewer and water services for fire provision [7.1.1.12 - 6 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-212

MOVED: Cr A Christian SECONDED: Cr I North

RESOLVED:

That Council consider the submissions individually.

Submission 1 - Ralph Cameron Park Raglan upgrade

MINUTE

RESOLUTION NUMBER: ORD2021-213

MOVED: Cr A Christian SECONDED: Cr G Hanger

RESOLVED:

That the information be noted and no amendments be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 2 - Provision of Accessible Toilets for People with a Disability

MINUTE

RESOLUTION NUMBER: ORD2021-214

MOVED: Cr M Morse SECONDED: Cr J Rudge

RESOLVED:

1. That the information be noted and no amendment be made to the Delivery Plan 2021/2025 and the Operational Plan 2021/2022
2. That Council conduct a survey of all toilets in the CBD including; location, hours of operation and compliance levels with accessibility.

Submission 3 - Sandy Bathgate

MINUTE

RESOLUTION NUMBER: ORD2021-215

MOVED: Cr J Jennings SECONDED: Cr J Fry

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 4 - Water Security

MINUTE

RESOLUTION NUMBER: ORD2021-216

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 5 - Bathurst Heritage Matters Inc

MINUTE

RESOLUTION NUMBER: ORD2021-217

MOVED: Cr J Jennings SECONDED: Cr A Christian

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 6 - Eglinton District tennis Club

B. Dwyer declared non pecuniary, non significant interest in this item and left the room

Reason: Life member of the Eglinton District Tennis Club.

MINUTE

RESOLUTION NUMBER: ORD2021-218

MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 7 - Roz Townsend

MINUTE

RESOLUTION NUMBER: ORD2021-219

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 8 - Change to Revenue Policy - Museums Hire Fee Reduction

MINUTE

RESOLUTION NUMBER: ORD2021-220

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED:

That the revenue Policy 2021/2022 be amended to incorporate a discount of 20% in line with reduction in hire fees of other Council facilities for not-for-profit community groups.

Submission 9 - Centennial Park

MINUTE

RESOLUTION NUMBER: ORD2021-221

MOVED: Cr A Christian SECONDED: Cr M Morse

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 10 - Bathurst District Historical Society

MINUTE

RESOLUTION NUMBER: ORD2021-222

MOVED: Cr M Morse SECONDED: Cr J Jennings

RESOLVED:

That a cash donation of \$3,000 be made to the Bathurst District Historical Society and an amendment to the Delivery Plan 2021-2025 and Operational Plan 2021/2022, to be funded from the Sister City (Ohkuma) vote.

Submission 11 - Ray Carter

MINUTE

RESOLUTION NUMBER: ORD2021-223

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 12 - Mr G. A. Crisp

MINUTE

RESOLUTION NUMBER: ORD2021-224

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED:

That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.

Submission 13 - Public Art Committee

MINUTE

RESOLUTION NUMBER: ORD2021-225

MOVED: Cr J Jennings SECONDED: Cr J Rudge

RESOLVED:

1. That the information be noted and no amendment be made to the Delivery Plan 2021-2025 and Operational Plan 2021/2022.
2. A report comeback to Council on funding of a Public Art allocation for \$30k in the 2021/22 budget.

7.1.2

DELIVERY PLAN 2021 - 2025 AND OPERATIONAL PLAN 2021/2022

File No: 16.00182

RECOMMENDATION:

That Council

- (a) Following consideration of the submissions received by Council, the Draft Delivery Plan 2021-2025 and Operational Plan 2021/2022 be adopted as the Bathurst Regional Council Delivery Plan and Operational Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Operational Plan 2021/2022 be voted.
- (b) Councillors remuneration be set at the maximum level for the category applicable to Council as published by the Local Government Remuneration Tribunal.
- (c) Councillors be paid superannuation from 1 July 2022 at the prevailing rate.
- (d) It be noted that Council has reviewed its organisation structure in accordance with section 333 of the Local Government Act 1993 as amended.
- (e) Proposed borrowing of funds as detailed in the Plan be approved.

REPORT:

The Draft Delivery Plan 2021-2025 and Operational Plan 2021/2022 has been advertised for the statutory 28 days and submissions were received during the exhibition period.

Council considered these submissions in the previous report (DCSF #1.1.1 of 23 June 2021) and any adjustment to the Draft Delivery Plan 2021-2025 and Operational Plan 2021/2022 adopted at that item will now have to be included in the formal adoption of the Plan.

The adopted budget contains an allowance for Councillors to be paid in accordance with the maximum level allowed by the Local Government Remuneration Tribunal under the category applicable to Council. The 2021 Annual Determination was released and is attached (**attachment 1**) for information.

Amendments to the Local Government Act 1993 have allowed Councils to be given the option to make payments for Councillors into a complying superannuation fund nominated by Councillors from 1 July 2022. These payments will be equivalent to the amount under Commonwealth superannuation legislation. This recognises the high workload and responsibilities of many Councillors and the significant contribution they make to communities while juggling work and family commitments. Advice from the Minister for Local Government is attached (**attachment 2**).

Under section 333 of the Local Government Act 1993 as amended, the Council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the Council. The organisation structure was reviewed during the development of the Operational Plan.

Loan funding included in the Operational Plan:

Loan Purpose	2021/2022 Proposed Borrowing
	\$
W6075 - Hereford Street Sports Complex Funding	2,300,000
W8667 - Rural Roads - RC Unsealed Limekilns Road	400,000
W8664 - Urban Sealed Road Construction - Lagoon Road	300,000
W11755 - FAG Rural Sealed Caloola Road	50,000
W11758 - FAG Rural Unsealed Freemantle Road	250,000
	<u>3,300,000</u>

FINANCIAL IMPLICATIONS:

The draft documents, with amendments, become the Delivery Plan 2021-2025 and Operational Plan 2021/2022 and sets the budget for the 2021/2022 year.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

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

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

ATTACHMENTS:

1. Attachment 1 - Local Government Remuneration Tribunal - Annual report and determination 2021 [7.1.2.1 - 16 pages]
2. Attachment 2 - Local Government Act Amendment - Ministerial Letter [7.1.2.2 - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2021-226

MOVED: Cr A Christian SECONDED: Cr W Aubin

RESOLVED:

That Council

- (a) Following consideration of the submissions received by Council, the Draft Delivery Plan 2021-2025 and Operational Plan 2021/2022 be adopted as the Bathurst Regional Council Delivery Plan and Operational Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Operational Plan 2021/2022 be voted.
- (b) Councillors remuneration be set at the maximum level for the category applicable to Council as published by the Local Government Remuneration Tribunal.
- (c) Councillors be paid superannuation from 1 July 2022 at the prevailing rate.
- (d) It be noted that Council has reviewed its organisation structure in accordance with section 333 of the Local Government Act 1993 as amended.
- (e) Proposed borrowing of funds as detailed in the Plan be approved.
- (f) allocate \$70,000 for repairs to the Bathurst Indoor Stadium Roof in the 2021/2022 financial year, with funding being provided by the Bathurst Indoor Stadium infrastructure Restricted Asset.
- (g) Receive a report on opportunities to fund a study for an Aboriginal Cultural Centre.

7.1.3

2021/2022 REVENUE POLICY

File No: 16.00182

RECOMMENDATION:

That, following consideration of the submissions received by Council, the Revenue Policy for 2021/2022, as presented to Council, be adopted as the Bathurst Regional Council 2021/2022 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

REPORT:

Council's Revenue Policy for 2020/2021 has been advertised for the statutory 28 days and submissions considered by Council.

Included in this year's Plan is the provision of eight waste management vouchers consisting of: two (2) x Mixed Refuse Vouchers of 200kg each two (2) x Mixed Refuse Vouchers of 100kg each two (2) x Green Waste Vouchers of 200kg each, and two (2) x Green Waste Vouchers of 100kg each. Vouchers have been issued to ratepayers for many years and their usage is monitored each year to ensure that they are well accepted by the community. Voucher usage has been increasing and no changes to the system are recommended for the coming year.

FINANCIAL IMPLICATIONS:

Funding for this item is contained within existing budgets

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

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

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

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-227

MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED:

That, following consideration of the submissions received by Council, the Revenue Policy for 2021/2022, as presented to Council, be adopted as the Bathurst Regional Council 2021/2022 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

7.1.4

2021/2022 RATE LEVY - MAKING THE RATES

File No: 16.00182

RECOMMENDATION:

That Council formally resolve to make the following rates and charges in relation to the 2021/2022 Rating Year.

- (a) ORDINARY RATES FOR 2021/2022 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst Delivery Program 2021-2025 and Operational Plan 2021/2022 for the twelve months to 30 June 2022 was adopted by the Council on 23 June 2021 it is hereby recommended that:
1. a **Residential Rate** of zero point two four seven five zero eight (0.247508) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the Local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of zero point eight six three nine seven one (0.863971) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point one five one eight four five (0.151845) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point three nine six five six two (0.396562) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
 5. a **Business Bathurst City Rate** of one point five three three nine five one (1.533951) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 6. a **Business Forest Grove Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 7. a **Business Ceramic Avenue Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

8. a **Business Eglinton Non-Urban Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
9. a **Business Orton Park Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
10. a **Business Stewarts Mount Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three four two nine two four (0.342924) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2021/2022 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$281.00	32
2	Residential/Town Village	\$400.00		
3	Farmland		\$380.00	24
4	Business	\$279.00		
5	Business Bathurst City	\$428.00		
6	Business Forest Grove	\$428.00		
7	Business Ceramic Avenue	\$428.00		
8	Business Eglinton Non-Urban	\$428.00		
9	Business Orton Park	\$428.00		
10	Business Stewarts Mount	\$428.00		
11	Business Evans Plains	\$428.00		
12	Mining		\$245.00	48

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2021/2022 - That the annual residential charge – Standalone Dwellings where the service is available under Section 496 of the Local Government Act, 1993, for the removal of weekly general waste, weekly food and green waste and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2021 being four hundred and forty seven dollars and zero cents (\$447.00) for the provision of one waste mobile bin, one food and green waste mobile bin and one recycle mobile bin be made by the Council, and the annual residential charge for other than

standalone dwellings for the removal of weekly general waste, and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2021 being three hundred and thirty one dollars and zero cents (\$331.00), and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2021 being six dollars and zero cents (\$6.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service, two hundred and thirty one dollars and zero cents (\$231.00) per mobile bin and for each additional food and green waste collection service, one hundred and sixteen dollars and zero cents (\$116.00) and for each additional fortnightly recycling collection service, one hundred dollars and zero cents (\$100.00) per mobile bin be made by the Council.

(c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2021/2022 (NON DOMESTIC)**

– That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being two hundred and thirty one dollars and zero cents (\$231.00) per mobile bin and the weekly removal of food and green waste being one hundred and sixteen dollars and zero cents (\$116.00) and the fortnightly collection of material for recycling being one hundred dollars and zero cents (\$100.00) per mobile bin for the twelve months commencing 1 July 2021 be made by the Council.

(d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2021/2022**

That the annual waste charge be levied for each rural rateable property that is outside of the waste collection area, Council provides access to rural transfer stations, under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2021 being ninety-six dollars and zero cents (\$96.00) be made by the Council.

(e) **WASTE MANAGEMENT VOUCHERS – FOR 2021/2022** That the Council provide to all rateable properties eight waste management vouchers, consisting of 4 Mixed Refuse Vouchers consisting of two by 200kg and two by 100kg each and 4 Green Waste Vouchers consisting of two by 200 kg and two by 100kg each, at no charge.

(f) **SEWERAGE CHARGES FOR 2021/2022** – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.

1. That the annual charge for single residential (including residential strata) and un-metered properties, be six hundred and seventy-one dollars and zero cents (\$671.00).
2. That the annual charge for vacant land be four hundred and twenty-seven dollars and zero cents (\$427.00).
3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2021/2022
20	\$606.00

25	\$940.00
32	\$1541.00
40	\$2409.00
50	\$3762.00
65	\$6049.00
80	\$9620.00
100	\$15032.00
150	\$33813.00
Strata Properties (Each non-residential lot)	\$606.00
Assumption School	\$1886.00

4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be two dollars and five cents (\$2.05) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.
- (g) SEWERAGE CHARGES -TRADE WASTE 2021/2022 - That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.
1. That the Annual Trade Waste Fee for individual businesses be one hundred and thirty-six dollars and sixty cents (\$136.60).
 2. That the Annual Trade Waste Fee (Large Discharger) for individual business be nine hundred and eleven dollars and zero cents (\$911.00).
 3. That the Trade Usage Charge for non-residential properties be three dollars and fifty cents (\$3.50) per kilolitre of filtered water supplied multiplied by a trade discharge factor.
- (h) STORMWATER MANAGEMENT CHARGES 2021/2022 – That in accordance with Sections 496A of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.
1. That the Annual Stormwater Management Charge for urban area residential category (not vacant and not strata) be twenty-five dollars and zero cents (\$25.00).
 2. That the Annual Stormwater Management Charge for urban area residential category strata (not vacant) be twelve dollars and fifty cents (\$12.50).
 3. That the Annual Stormwater Management Charge for urban area business category (not strata) up to 350 square metres be twenty-five dollars and zero cents (\$25.00).
 4. That the Annual Stormwater Management Charge for urban area business category (not strata) between 351 and 700 square metres be fifty dollars and zero cents (\$50.00).
 5. That the Annual Stormwater Management Charge for urban area business category (not strata) between 701 and 1050 square metres be seventy-five dollars and zero cents (\$75.00).
 6. That the Annual Stormwater Management Charge for urban area business

category (not strata) more than 1050 square metres be one hundred dollars and zero cents (\$100.00).

7. That the Annual Stormwater Management Charge for urban area business category strata be five dollars and zero cents (\$5.00).

- (i) **WATER CHARGES 2021/2022** – That in accordance with Sections 501, 502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.

1. That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2021/2022 \$
20	\$175.00
25	\$274.00
32	\$448.00
40	\$701.00
50	\$1094.00
65	\$1848.00
80	\$2797.00
100	\$4369.00
150	\$9831.00
Hillview Water Supply	\$159.00

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and seventy-five dollars and zero cents (\$175.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and seventy-five dollars and zero cents (\$175.00).
4. That the annual water availability charge for unmetered or unconnected properties be eight hundred and forty-four dollars and zero cents (\$844.00).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and seventy-five dollars and zero cents (\$175.00).

- (j) That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2021/2022
Hillview Estate Water Supply	First 250 kl	\$2.55
	> 250 kl	\$5.04
Residential Filtered	First 250 kl	\$2.44
	> 250 kl	\$3.66

Residential Raw	First 250 kl	\$1.06
	> 250 kl	\$1.60
Other Filtered	First 250 kl	\$2.44
	> 250 kl	\$3.66
Other Raw	First 250 kl	\$1.06
	> 250 kl	\$1.60
Large Industrial Filtered	>0 kl	\$1.93
Large Industrial Raw	>0 kl	\$1.21
Community Clubs: Golf, Majellan & Bathurst Community Club	First 18,000 kl	\$0.93
	>18,000kl to 45,000kl	\$1.22
	Balance	\$1.94
Strata Unit property	First 250 kl (for each unit)	\$2.44
	>250 kl (for each unit)	\$3.66
Home Dialysis – subject to doctors' certificate	First 200 kl	Free
	> 200 kl to 250 kl	\$2.44
	>250 kl	\$3.66
Hospital	1 st x patient average	Free
	Balance per KL	\$3.66

- (k) Included in this year's Bathurst Delivery Program 2021/2025 and Annual Operating Plan 2021/2022 in the Water Fund are amounts for Operational expenditure at the Manning Aquatic Centre Bathurst. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (l) INTEREST ON OVERDUE RATES AND CHARGES FOR 2021/2022 – That in accordance with Section 566(3) of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 6% per annum as advised by the Minister.
- (m) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.0%, a 4.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

REPORT:

As per the recommendation.

FINANCIAL IMPLICATIONS:

The Rates and Charges for the year are included in the Revenue Policy which forms part of the adopted Delivery Plan 2021-2025 and Operational Plan 2021/2022.

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:

Nil

MINUTE

RESOLUTION NUMBER: ORD2021-228

MOVED: Cr I North SECONDED: Cr J Fry

RESOLVED:

That Council formally resolve to make the following rates and charges in relation to the 2021/2022 Rating Year.

- (a) ORDINARY RATES FOR 2021/2022 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst Delivery Program 2021-2025 and Operational Plan 2021/2022 for the twelve months to 30 June 2022 was adopted by the Council on 23 June 2021 it is hereby recommended that:
1. a **Residential Rate** of zero point two four seven five zero eight (0.247508) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the Local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of zero point eight six three nine seven one (0.863971) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point one five one eight four five (0.151845) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point three nine six five six two (0.396562) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
 5. a **Business Bathurst City Rate** of one point five three three nine five one (1.533951) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

6. a **Business Forest Grove Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
7. a **Business Ceramic Avenue Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
8. a **Business Eglinton Non-Urban Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
9. a **Business Orton Park Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
10. a **Business Stewarts Mount Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point four zero four six five six (1.404656) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three four two nine two four (0.342924) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2021/2022 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$281.00	32
2	Residential/Town Village	\$400.00		
3	Farmland		\$380.00	24
4	Business	\$279.00		
5	Business Bathurst City	\$428.00		
6	Business Forest Grove	\$428.00		
7	Business Ceramic Avenue	\$428.00		
8	Business Eglinton Non-Urban	\$428.00		
9	Business Orton Park	\$428.00		

10	Business Stewarts Mount	\$428.00		
11	Business Evans Plains	\$428.00		
12	Mining		\$245.00	48

- (b) **DOMESTIC WASTE MANAGEMENT CHARGES FOR 2021/2022** - That the annual residential charge – Standalone Dwellings where the service is available under Section 496 of the Local Government Act, 1993, for the removal of weekly general waste, weekly food and green waste and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2021 being four hundred and forty seven dollars and zero cents (\$447.00) for the provision of one waste mobile bin, one food and green waste mobile bin and one recycle mobile bin be made by the Council, and the annual residential charge for other than standalone dwellings for the removal of weekly general waste, and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2021 being three hundred and thirty one dollars and zero cents (\$331.00), and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2021 being six dollars and zero cents (\$6.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service, two hundred and thirty one dollars and zero cents (\$231.00) per mobile bin and for each additional food and green waste collection service, one hundred and sixteen dollars and zero cents (\$116.00) and for each additional fortnightly recycling collection service, one hundred dollars and zero cents (\$100.00) per mobile bin be made by the Council.
- (c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2021/2022 (NON DOMESTIC)** – That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being two hundred and thirty one dollars and zero cents (\$231.00) per mobile bin and the weekly removal of food and green waste being one hundred and sixteen dollars and zero cents (\$116.00) and the fortnightly collection of material for recycling being one hundred dollars and zero cents (\$100.00) per mobile bin for the twelve months commencing 1 July 2021 be made by the Council.
- (d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2021/2022** That the annual waste charge be levied for each rural rateable property that is outside of the waste collection area, Council provides access to rural transfer stations, under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2021 being ninety-six dollars and zero cents (\$96.00) be made by the Council.
- (e) **WASTE MANAGEMENT VOUCHERS – FOR 2021/2022** That the Council provide to all rateable properties eight waste management vouchers, consisting of 4 Mixed Refuse Vouchers consisting of two by 200kg and two by 100kg each and 4 Green Waste Vouchers consisting of two by 200 kg and two by 100kg each, at no charge.
- (f) **SEWERAGE CHARGES FOR 2021/2022** – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.
1. That the annual charge for single residential (including residential strata) and un-metered properties, be six hundred and seventy-one dollars and zero

cents (\$671.00).

2. That the annual charge for vacant land be four hundred and twenty-seven dollars and zero cents (\$427.00).
3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2021/2022
20	\$606.00
25	\$940.00
32	\$1541.00
40	\$2409.00
50	\$3762.00
65	\$6049.00
80	\$9620.00
100	\$15032.00
150	\$33813.00
Strata Properties (Each non-residential lot)	\$606.00
Assumption School	\$1886.00

4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be two dollars and five cents (\$2.05) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.
- (g) SEWERAGE CHARGES -TRADE WASTE 2021/2022 - That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.
1. That the Annual Trade Waste Fee for individual businesses be one hundred and thirty-six dollars and sixty cents (\$136.60).
 2. That the Annual Trade Waste Fee (Large Discharger) for individual business be nine hundred and eleven dollars and zero cents (\$911.00).
 3. That the Trade Usage Charge for non-residential properties be three dollars and fifty cents (\$3.50) per kilolitre of filtered water supplied multiplied by a trade discharge factor.
- (h) STORMWATER MANAGEMENT CHARGES 2021/2022 – That in accordance with Sections 496A of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.
1. That the Annual Stormwater Management Charge for urban area residential category (not vacant and not strata) be twenty-five dollars and zero cents (\$25.00).
 2. That the Annual Stormwater Management Charge for urban area residential category strata (not vacant) be twelve dollars and fifty cents (\$12.50).

3. That the Annual Stormwater Management Charge for urban area business category (not strata) up to 350 square metres be twenty-five dollars and zero cents (\$25.00).
4. That the Annual Stormwater Management Charge for urban area business category (not strata) between 351 and 700 square metres be fifty dollars and zero cents (\$50.00).
5. That the Annual Stormwater Management Charge for urban area business category (not strata) between 701 and 1050 square metres be seventy-five dollars and zero cents (\$75.00).
6. That the Annual Stormwater Management Charge for urban area business category (not strata) more than 1050 square metres be one hundred dollars and zero cents (\$100.00).
7. That the Annual Stormwater Management Charge for urban area business category strata be five dollars and zero cents (\$5.00).

- (i) **WATER CHARGES 2021/2022** – That in accordance with Sections 501, 502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2021.

1. That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2021/2022 \$
20	\$175.00
25	\$274.00
32	\$448.00
40	\$701.00
50	\$1094.00
65	\$1848.00
80	\$2797.00
100	\$4369.00
150	\$9831.00
Hillview Water Supply	\$159.00

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and seventy-five dollars and zero cents (\$175.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and seventy-five dollars and zero cents (\$175.00).
4. That the annual water availability charge for unmetered or unconnected properties be eight hundred and forty-four dollars and zero cents (\$844.00).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and seventy-five dollars and zero cents

(\$175.00).

- (j) That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2021/2022
Hillview Estate Water Supply	First 250 kl	\$2.55
	> 250 kl	\$5.04
Residential Filtered	First 250 kl	\$2.44
	> 250 kl	\$3.66
Residential Raw	First 250 kl	\$1.06
	> 250 kl	\$1.60
Other Filtered	First 250 kl	\$2.44
	> 250 kl	\$3.66
Other Raw	First 250 kl	\$1.06
	> 250 kl	\$1.60
Large Industrial Filtered	>0 kl	\$1.93
Large Industrial Raw	>0 kl	\$1.21
Community Clubs: Golf, Majellan & Bathurst Community Club	First 18,000 kl	{resolution}.93
	>18,000kl to 45,000kl	\$1.22
	Balance	\$1.94
Strata Unit property	First 250 kl (for each unit)	\$2.44
	>250 kl (for each unit)	\$3.66
Home Dialysis – subject to doctors' certificate	First 200 kl	Free
	> 200 kl to 250 kl	\$2.44
	>250 kl	\$3.66
Hospital	1 st x patient average	Free
	Balance per KL	\$3.66

- (k) Included in this year's Bathurst Delivery Program 2021/2025 and Annual Operating Plan 2021/2022 in the Water Fund are amounts for Operational expenditure at the Manning Aquatic Centre Bathurst. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (l) INTEREST ON OVERDUE RATES AND CHARGES FOR 2021/2022 – That in accordance with Section 566(3) of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 6% per annum as advised by the Minister.
- (m) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.0%, a 4.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

8 MEETING CLOSE

MINUTE

The Meeting closed at 7.15pm.

CHAIR:

Extraordinary Meeting of Council - 23 June 2021 Attachments

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13 APR 2021

REF 16.00182/005

Raglan Park Upgrade to cater for Children of all ages.

As residents & rate payers of Raglan with pre-teens and teenage children we feel that there is very little for older children to do in our village and we believe it is not unreasonable to have play equipment & facilities that cater for children of all ages. Ralph Cameron Playground currently only has equipment for very young children.

Ideally it would be amazing if we have an area that families and children of all ages could enjoy, including shaded picnic area with a BBQ, a small skate park, a basketball half court, a volleyball net/area.

As the local school is out of bounds out of school hours and the tennis courts are locked there really is nothing for older children to do to entertain themselves.

Below are some examples around Bathurst and other areas which have facilities for older children, and we believe our children also deserve similar equipment. As mentioned above a multipurpose area would be ideal for families and children of all ages and at the very least a basketball hoop & small court could be installed.

Ralph Cameron Park is a big area and there is a lot of free space that could be utilised and would easily fit more equipment and a picnic area.

Ralph Cameron Park Raglan NSW

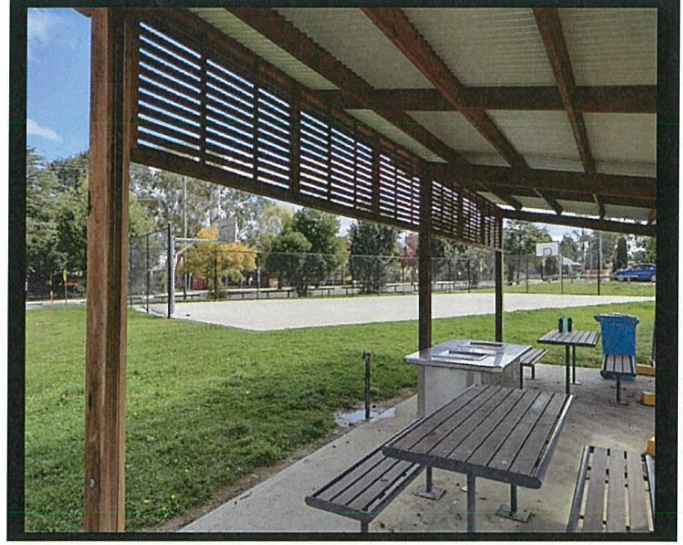


DCSF - R ✓
MR

South Bathurst, College Road



Eglinton Park. Picnic/BBQ Area & Basketball Court



Oberon Skatepark & picnic Area



***Playground in the background
at South Bathurst***



Picnic Area Example, Bathurst Peace Park



Taralga Skatepark



Volleyball Court example



Wallerawang skatepark and playground



change.org

Recipient: Bathurst Regional Council

Letter: Greetings,

Get a basketball ring installed at local park

Signatures

Name	Location	Date
Christy Sewell	Raglan NSW, Australia	2021-03-22
Fran Bemrose	Sydney, Australia	2021-03-22
Carly Sewell	Sydney, Australia	2021-03-22
Shawn Ryan	Abercrombie, Australia	2021-03-22
Nickcarnya Hodges	Bathurat, Australia	2021-03-22
Sophie Minhajuddin	Australia	2021-03-22
Brendan Hearne	Raglan, Australia	2021-03-22
Mega Russell	Raglan, Australia	2021-03-22
Daniel Mason	Australia	2021-03-22
Brooke Barnes	Raglan, Australia	2021-03-22
Samantha Talbot	Sydney, Australia	2021-03-22
Tracy McGuire	Australia	2021-03-22
William Sewell	Australia	2021-03-22
Phillip O'Leary	Bathurst, Australia	2021-03-22
Naiomi Murphy	Raglan, Australia	2021-03-22
Shane Turner	Australia	2021-03-22
Stephanie Pitt	Raglan, Australia	2021-03-22
Jake Mitchell	Sydney, Australia	2021-03-22
Daniel Glaser	Raglan, Australia	2021-03-22
Vickie Godfrey	Bathurst, Australia	2021-03-22

Name	Location	Date
Isaac Mackintosh	Australia	2021-03-22
Tegan Doueihi	Raglan, Australia	2021-03-22
Tom Shirt	Australia	2021-03-22
Andrew Walker	Bathurst, Australia	2021-03-22
Natayia Hodges	Bathurst, Australia	2021-03-22
Belinda Rotherham	Raglan, Australia	2021-03-22
Lauren Renshaw	Bathurst, Australia	2021-03-22
Bailey Akroyd	Bathurst, Australia	2021-03-22
Alicia Hodges	Kelso, Australia	2021-03-22
Kerrie Stait	Bathurst, Australia	2021-03-22
Grant Hines	Australia	2021-03-22
Alex Mahony	Raglan, Australia	2021-03-22
Danni Stait	R, Australia	2021-03-22
cheryl clifford	Australia	2021-03-22
Kirsti Farmer	Here, Australia	2021-03-22
Belinda Mahony	Australia	2021-03-22
Taj Edmonds	Raglan, Australia	2021-03-22
Allison Rumble	Sydney, Australia	2021-03-22
Kim Price	Raglan, Australia	2021-03-22
Chrissy Brown	Bathurst, Australia	2021-03-22
Ashlie Reed	Raglan, Australia	2021-03-22
Jacob Goodwin	Raglan, Australia	2021-03-22

Name	Location	Date
Charles Ciccocioppo	Raglan, Australia	2021-03-22
Katherine Howard	Bathurst, Australia	2021-03-22
Afi Toetu'u	Bathurst, Australia	2021-03-22
James Aldridge	Bathurst, Australia	2021-03-22
Melanie Murray	Raglan, Australia	2021-03-22
Amber Hanrahan	Bathurst, Australia	2021-03-22
Kate Redman	Kellyville, Australia	2021-03-22
Rachel Thomas	Sydney, Australia	2021-03-22
Haley Grenfell	Raglan, Australia	2021-03-22
Carla Christie-Johnston	Kelso, Australia	2021-03-22
Rhiannon O'Brien	Sydney, Australia	2021-03-22
Alana Stapleton	Raglan, Australia	2021-03-22
Deanna Riggs	Sydney, Australia	2021-03-22
Alison Vavasour	Raglan, Australia	2021-03-22
Riley Sewell	Australia	2021-03-22
Denise Hall	Sydney, Australia	2021-03-22
Dave Cox	Bathurst, Australia	2021-03-22
Bradley Sewell	Australia	2021-03-22
Jodie Hodges	West Bathurst, Australia	2021-03-22
Janine Burt	Australia	2021-03-22
Shannon Clayton	Sydney, Australia	2021-03-22
Kim Porter	Sydney, Australia	2021-03-22

Name	Location	Date
Scott fuller	Australia	2021-03-22
Beverley Masters	Raglan, Australia	2021-03-22
Karen Conroy	Sydney, Australia	2021-03-22
Darren Beuzeville	Saint Marys, Australia	2021-03-22
Alissa Smith	Bathurst, Australia	2021-03-22
Deb Hodges	Raglan, Australia	2021-03-22
John barnes	Sydney, Australia	2021-03-22
Ashley Porter	Bathurst, Australia	2021-03-22
Nic Porter	Kelso, Australia	2021-03-22
Kerry Fry	Raglan, Australia	2021-03-22
Anne Grenfell	Bathurst, Australia	2021-03-22
David Grady	Oberon, Australia	2021-03-22
Jessica cornwall	Bathurst, Australia	2021-03-22
peter Talbot	Raglan, Australia	2021-03-22
Kerry Mortlock	Raglan, Australia	2021-03-22
Kristie Taylor	Sydney, Australia	2021-03-23
Joanne Campione	Tweed Heads, Australia	2021-03-23
Bill Allen	Bathurst, Australia	2021-03-23
Juanita Kwok	Bathurst, Australia	2021-03-23
Yanha D	Australia	2021-03-23
Kali McArtney	Australia	2021-03-23
Ken Bauer	Camarillo, California, US	2021-03-23

Name	Location	Date
Kristen Moore	Raglan, Australia	2021-03-23
Bailey Sewell	Raglan, Australia	2021-03-23
Rebecca M'Crystal	Australia	2021-03-23
David Barnes	Bathurst, Australia	2021-03-23
John Telfer	Australia	2021-03-23
Wayne Inwood	Sydney, Australia	2021-03-23
Gerarda Mader	Bathurst, Australia	2021-03-23
Millie West	Raglan, Australia	2021-03-23
Stacey Bonham	Richmond, Australia	2021-03-23
Danielle Long	Sydney, Australia	2021-03-23
Daniel Howard	Raglan, Australia	2021-03-23
Luke Rosewarn	Raglan, Australia	2021-03-23
Brad Batten	Bathurst, Australia	2021-03-23
Katrina Tobin	Sydney, Australia	2021-03-23
Aaron Comiskey	Kellyville, Australia	2021-03-23
Victoria Billington-Mills	Sydney, Australia	2021-03-23
David Penney	Bathurst, Australia	2021-03-23
Lachlan Fitzsimmons	Bathurst, Australia	2021-03-23
Shaun Barnes	Raglan, Australia	2021-03-23
Brylee Portegies	Bathurst, Australia	2021-03-23
Sonia Jones	Bathurst, Australia	2021-03-23
Kirralew Burke	Sydney, Australia	2021-03-23

Name	Location	Date
Maureen Jones	Bathurst, Australia	2021-03-23
Bradley Green	Raglan, Australia	2021-03-23
Tammy Geale	Sydney, Australia	2021-03-23
Emma-jane Nash	Raglan, Australia	2021-03-23
Jarred Portegies	Australia	2021-03-23
Jane Williams	Robin Hill, Australia	2021-03-23
Robyn Lewis	Sydney, Australia	2021-03-23
Courtenay Moller	Raglan, Australia	2021-03-23
Ross Miller	Raglan, Australia	2021-03-23
Leandra Fraser	Baulkham Hills, Australia	2021-03-23
Vicki Bryant	Bathurst, Australia	2021-03-23
Sean Griffiths	bathurst, Australia	2021-03-23
candida lewis	Bathurst, Australia	2021-03-23
Graham Mason	Sydney, Australia	2021-03-23
Liz Rosewarn	Sydney, Australia	2021-03-23
Stephen Penney	Sydney, Australia	2021-03-24
Louise Taylor	Bathurst, Australia	2021-03-24
Michael John	Kelso, Australia	2021-03-24
Luke Ciccocioppo	Bathurst, Australia	2021-03-24
Jessica Davis	Raglan, Australia	2021-03-25
Kellie Shepherd	Bathurst, Australia	2021-03-25
gavin hill	wambool, Australia	2021-03-25

Name	Location	Date
Scott Fisher	Oberon, Australia	2021-03-25
Kristy Dolbel	Raglan, Australia	2021-03-25
Michelle Munro	Sydney, Australia	2021-03-25
Jordan Fraser	Bathurst, Australia	2021-03-25
Rhett gibson	Sydney, Australia	2021-03-26
Ben Murray	Ragland, Australia	2021-03-26
Denise Curry	Baulkham Hills, Australia	2021-03-26
J Woolbank	Bathurst, Australia	2021-03-26
Cheryl James	Bathurst, Australia	2021-03-26
Jenny Gibbons	Australia	2021-03-30
Sandra Hogan	Australia	2021-03-31
karol hogan	oberon, Australia	2021-03-31
Ashton Correia	Perth, Australia	2021-03-31
Hayden Saurine	Nyngan, Australia	2021-03-31
Jim Daley	Australia	2021-03-31
Linda Bryant	Australia	2021-03-31
Matthew Sampsom	Sydney, Australia	2021-03-31
Patrick Eid	Illawong, Australia	2021-03-31
Monique De Biasi	Gold Coast, Australia	2021-04-01
Hannah Hayes	Bathurst, Australia	2021-04-01

Dear Mark I very much appreciate that you care about the happiness of older children, being one of those older children I feel that we have nothing other than staying home and staring at a screen, a phone, or a television, and after a while it gets very boring doing so.

Going to raglan public school and talking to the kids there I see and fell myself that we as children want more entertainment facilities for older children in Raglan. I've asked around and most older students at the school love skating, riding their bikes and playing basketball those were the top three things but volleyball was also mentioned a couple of times too.

The best thing that we would like would be one whole full-court basketball court, a small skate park simply like the one below and a volleyball net area again like the one below.



On behalf of myself and my friends thank you for your time reading and please take this into consideration.

By Bailey William Sewell

10 years old
Raglan NSW.

Raglan Park Upgrade Riley Sewell age 13

Dear Mark, me and my friends would really appreciate a new park upgrade consisting of a BBQ area, basketball court, skatepark and possibly a volleyball net. This would be amazing if we could receive one of these things. It would keep us occupied for hours in the afternoon after school and all day in the school holidays and weekends.

There are many people around my age in raglan that would consistently use the new equipment in the park upgrade. Thank you, I hope we can get something done.



Submission re Budget 2021-2022

To: Bathurst Regional Council

I have perused the 2021-2022 Draft Budget and feel that the Budget should include provision for Accessible Toilets for people with a disability in Council Buildings and Parks in the City. It is a basic fundamental right of all people to have access to suitable toilet facilities. I am aware that Council has in the last few years updated the Disability Toilets in the Council Administration Building and at the Motor Racing Museum. This was a good start, but Council must continue to update these toilets to provide suitable facilities for all people. I therefore make the following comments.

Re: Provision of Accessible Toilets for People with a Disability

1. The Art Gallery and Library Disability Toilet - this has been an issue for 10 years.

I suggest that the BRC Councillors immediately vote funds to have this Project constructed as soon as possible.

Council has, in the past, shifted funds from one project to another when they need to and in this situation they should allocate sufficient funds for this necessary facility.

How much longer do the people with a Disability have to wait for a suitable toilet at the Art Gallery/Library in Bathurst? This is a very poor situation and should be fixed.

2. Hector Park Disability Toilet

In early 2019 the Hector Park Disability Toilet was raised as an issue; but in 2021 still nothing has been done! That Toilet is too small and does not comply with the current building standards. Even the narrow door opens in and if a person in a wheelchair could manage to get into the Toilet, they would not have room to turn their wheelchair around and close the door, to enable them to actually use the toilet.

Apparently funding was allocated previously for the Hector Park toilet redevelopment. Council staff recently indicated that this funding was re-allocated to the Sofala Village toilets.

This is the first area with public toilets which Visitors to Bathurst find when they enter from Mitchell Highway at the Gateway to Bathurst and they are not able to be used by people in wheelchairs - what kind of a message are we sending to Visitors.

3. Bathurst Memorial Entertainment Centre Top Floor

On the top floor of the Bathurst Memorial Entertainment Centre there is no Disability Toilet. If it is considered necessary to have toilets on that floor for able-bodied people, then why is it not considered necessary to have a toilet for people with a disability?

4. Senior Citizens Centre

The Senior Citizens Centre does not have a Disability Toilet even though elderly people with Disabilities frequent this building. Councillor Monica Morse raised this issue years ago and it is therefore disappointing that no attempt has been made to build a Disability toilet for this Centre.

5. Disability Toilets in Villages

I also wonder how many of the Villages in Council's area do not have Disability Public Toilets! This is a question which should also be asked and answered.

Suggested Solutions

Perhaps \$2.1 million could be transferred from the Hereford Street Fields Construction of the 5th and 6th Fields, for a twelve month period, to fund the necessary Accessible Toilet facilities.

Or alternatively \$1.6 could be transferred from the Bathurst Sportsground Redevelopment – Structures for a twelve month period.

This would give the Council some Finance to finally do some work to upgrade the facilities for Disabled people in Bathurst. It is a total disgrace that People in Wheelchairs cannot even go to a suitable toilet.

I am sure there would not be one Ratepayer or Resident in Bathurst who would deny these people the provision of a Disability Toilet.

Re: Macquarie View Tennis Club Building

It is noted that an amount of \$75,000 has been included in the Budget for Macquarie View Tennis Club Building repairs.

If Council intend to spend \$75,000 on the current building, which is run down and seems to be falling apart, would it not be better to spend that amount to build a New Clubhouse? This Tennis Club has existed at that locality for many years and is well-used by its members on a regular basis many times during each week.

In particular, the toilet for the Tennis Club is a separate old building with an out-of-date toilet. There are also no toilet facilities available for disabled people. At the very least, a suitable modern toilet should be provided for the Tennis Club.

Perhaps Council could spend part of the loan of \$2.2 Million allocated to the Go Kart Track to fix some of these problems. That would be a positive decision.

N K McNab

Ratepayer and

Friend of Russell Street.



Interim Chairperson:
Vice Chairperson:
Secretary:

Bob Triming 02 6332 2863
Blake Aubin 0401 467 221
Vicki Fallon 0404 277 743

Postal Address:
Secretary,
Email:

96 Abercrombie Drive, Abercrombie NSW. 2795
bathurstaccesscommittee@gmail.com

Mr David Sherley
General Manager
Bathurst Regional Council
158 Russell Street
Bathurst NSW 2795

Tuesday, 8th June 2021

Submission to the 2021-2025 Draft Delivery & 2021 – 2022 Operational Plan

Mr. Sherley,

In order to prepare this submission on behalf of BRAC so as to proffer our suggestions, emails requesting members to reply with their concerns met with limited success. Three responses were received and these have been combined with my own observations.

With a current population of approximately 43,618 in the Bathurst Regional Council area, of which an estimated 20% have a disability equating to nearly 9,000 persons, and with the National disability tourism expenditure figure well over \$12 billion dollars per annum, BRAC considers greater emphasis needs to be placed on ensuring all Council and community infrastructure meets current standards for equitable access.

[\(Disability tourism expenditure based on 2017 Local Government NSW document 'Inclusive Tourism'\).](#)

Inclusive tourism refers to tourism services and products where people of all abilities feel welcome and wanted as customers and guests. In particular, it focuses on the process of enabling people with disability and groups with similar access needs to better use tourism services. People with a disability still face a range of barriers in accessing infrastructure, services and products; hindering their participation in social and economic activities.

BRAC respectfully requests all Councillors to review the upcoming proposed draft budgetary figures to incorporate sufficient funds to enable the relevant Directors to undertake work programs in the next financial year aimed at ensuring all Council facilities have [All Abilities Inclusive Access](#) to the built environment as well as all goods and services. This would then prompt some other businesses to follow Councils lead.

BRAC notes that one of the key elements in the Integrated Planning and Reporting is an Asset Management Plan as well a Long Term Financial Plan. Not being a forensic accountant it is difficult to ascertain if any funds have been allocated to ensure all council infrastructure meets the needs for all-inclusive access. It is noted that Asset Management is described in Bathurst's plan as *"Develop a maintenance and renewal program that ensures Council and community assets are maintained and provided in a manner that is economically sustainable for access by future generations"*. No mention of current equitable access requirements and this plan does not appear to be adequately reflected in the proposed budget for the next two financial years.

The Bathurst 2040 Community Strategic Plan which is to be developed after the Local Government elections has six key objectives – none of which relate to either 'All Inclusiveness' or 'Equitable Access and Involvement'.

In the Operational Plan there are several references relating to creating new sporting fields, updating sporting venues etc., but no reference to updating existing Council buildings that are deficient in either access into and through the buildings and or accessible toilets that do not conform to current standards.

BRAC acknowledges and appreciates the assistance of Bathurst Regional Council

Page 1 of 2

The Operational Plan under the sub heading – *Events* – there is no reference to ensuring all-inclusive events meaning constant requests will have to be made by BRAC for ramps, accessible toilets, accessible attractions etc., as use to happen prior to 2019.

There appears to no plans for Council to employ a Disability Inclusion Officer. It was noted recently by a politician with a disability, that he was astounded at the number of Councils that do not have this staff position filled.

The Operational Plan provides no information under the sub-heading of Tourism in relation to Disability Tourism and how to capitalize on this massive growth sector.

BUDGET 2022-2025 Major Projects over \$50,000

Cultural & Community:

Whilst there are proposed budgetary figures indicated in the draft for the Library there is no figure shown for the installation of an Accessible Toilet built to accommodate the current standards. Whilst I am aware of possible plans on how this facility can be improved and budgeted for, there is no indication of this in the major projects listing as supplied for the next 4 years.

Environmental, Planning & Building:

The draft projects plan indicates an amount of \$100,000 for the Bathurst Cycling Plan. Is this figure just for the development of the plan or is it supposed to include proposed works? If it is the latter, Councillors should consider at least a doubling of this figure especially if the Cycling is a plan for dual use – Cyclists and pedestrians.

None of the respondents from BRAC could see any reference to draft budgeted figures for the remediation of any Council buildings, but there are figures totalling over \$5 million for extra facilities and fields at Hereford Street Sporting precinct in ADDITION TO a \$600,000 figure for a new amenities block.

The question is why such a huge amount has been budgeted in next years budget for these new facilities to add to an already overwhelming sporting precinct when existing Council buildings, amenities blocks and other items of the Councils built environment portfolio are sadly lacking in providing adequate equitable access to buildings, goods and services for those with disability. Most notable are the following:

- Old Tourist Hotel – Inaccessible food retailer
- Seniors Citizens Building – No accessible toilet
- BMEC – No accessible toilet on top level
- Library / Art Gallery - Non compliant accessible toilet
- Hector Park Toilet – Totally non- compliant accessible toilet (apparently the original budget has been re-allocated).
- Sofala – No public toilets – reliance is on Progress Association toilets, although it is a work in progress.
- Berry Park – Accessible toilet needs a complete overhaul and MLAK key operations provided.
- Macquarie View Tennis Club – No accessible toilet
- TAFE & Ambulance Buildings – Lack of Equitable access to property and accessible toilets onsite.
- Civic Centre, Russell Street – Internal door openings do not meet current 850mm standard

Councillors, there is clear evidence that if Council, businesses and tourism operators take steps to improve equitable access to the built environment, goods and services they will create new opportunities for economic growth. It is up to Councillors to provide Council staff with the means of doing this.

Yours faithfully!



Bob Trimming

Interim Chairperson

equalaccess.itisthelaw@bigpond.com

General Manager
Bathurst Regional Council
Russell St
Bathurst 2795

6 June 2021
by email

Dear Mr Sherley,

2021/22 Delivery Plan and Budget (second submission) - Water

Recently Bathurst's water supply was stretched to the limit in the drought. Many residents are concerned at Bathurst's water security for the future. I am hoping you can clarify budget impacts and related issues for me.

Firstly, I would like to seek clarification and response from Council regarding the following please:

1. Council asked Sydney Water twice for the defunct power station allocation of 8GL from Oberon Dam during the drought, but was twice denied. Why was this? What level of transmission loss was cited by Sydney water, and what loss was calculated by Council?
2. Bathurst Council did not want water restrictions brought in when the drought began to bite. A majority of councillors voted to defer any decisions on implementation of water restrictions for months.

Then, when the drought continued and worsened in its severity, Council asked for State and Federal Government assistance.

I understand the NSW Government answered the call and gave the Bathurst Regional Council \$25 million for water projects that Council said were "shovel ready", i.e. for immediate implementation.

Twelve months later, it appears none of these "shovel ready" projects have been started, and I am told planning the route for one of the projects (a pipeline – which pipeline is not specified but perhaps you could clarify please) has not even been prepared.

3. Is council aware that Altura/Atco, a \$6 billion Canadian company, wants to source the water for their \$500m Yetholme pumped hydro project from the "Fish River System" (as per their publicity pamphlet)? This will lock up permanently, and further jeopardise, a large quantity of water otherwise available to traditional primary users, including farmers, villages and Bathurst City itself. As this system provides 62% of Bathurst's water supply, what is council's position on this proposal?

Also, could Council answer the following questions for me please:

1. Is the \$25 million referred to in 2. above actually held by council? Is it in reserves?
2. Is the \$25 million still available, and if so when does its use expire?
3. When will the \$25 million be spent and on what projects, and how much on each? Is the expending of these funds included in Council's 2021/22 budget and if so, where? If not, why not?

Yours sincerely,

Sandy Bathgate

The General Manager
Bathurst Regional Council
Russell St, Bathurst 2795

27 May 2021

by email

Dear Sir,

draft Delivery Program and Detailed Budget 2021/22

I would like to make the following submissions:

Mt Panorama losses - Budget p37

Council is forecasting a loss from Mt Panorama operations of around \$134,000pa next year to up to \$206,000pa each of the next three years. This compares to around \$900,000pa each year in last years budget.

The reason for the betterment each year is that whilst gross revenue is similar, costs are lower. Can Council please advise why this is so:

- Is it cost reduction? If so what costs have been saved
- Is it cost reallocation? If so what costs and where are they reallocated?

Second Track on Mt Panorama \$46 million budgeted last year, \$0 budgeted for this year

In last years budget Council was proposing spending around \$45,954,738 on the second track construction in 2020/21, I understand funded from already promised/received grants, and then around \$150,000 each year thereafter for the next three years.

There appears to be no budget for this activity in this years budget and for the next three years, which is a dramatic change:

- Why is this so?
- Has the idea of a second track been abandoned?
- How much has been spent to date?
- What has happened to the government grants received and how much remains unspent?
- If the second track has been deferred, when is the expenditure likely to be made and how much?

BMX facility maintenance \$53k - page 17

Is this facility still used and if so to what extent?

Council is still budgeting \$4 million to replace the McPhillamy Park reservoirs – Budget p28.

- Is this upgrade mainly to service the first and second tracks and the go-kart track?
- and if so why is it not shown in the budget better as a Mt Panorama expense rather than a Water expense, to help give a fuller picture of the overall investment?
- With the deferment or abandonment of both projects why is this expenditure necessary at this level?
- This project should not take place within McPhillamy Park which was gifted to council in 1938 for use as public open space. Use as a reservoir is not within the terms of the gift. The project should be relocated.

Events - Budget p41

Council is budgeting a loss on Events of \$1,633,000 and a similar amount for each of the next three years.

- Why is council spending \$2,010,000 of ratepayer funds on events project expenditure?
- What are the events costing \$2,010,000, and what is the cost of each?
- What is the economic case?
- Why isn't each event identified in the budget as is the case for minor events?

Land Development profits - Budget p51

Land Development shows a forecast net result each year of exactly \$nil. Council says this is because ...

"The Land Development cost centre is run as a separate business. The total land sales for the year are transferred to a reserve for use on further land development works and is also available for other Council projects where excess funds allow. The net result of those transactions is \$0 because everything is run out of the Land Development Reserve Fund, meaning there is no effect on the budget for the year."

It is good to see Council has achieved separation of this activity from general traditional Council day to day services. In previous years profits from land sales appear to have been used to prop up general revenue and operating costs, a risky policy and with little accountability.

However, Council does state that there are *"certain projects outside the Land Development cost centre that are funded from previous years land sales"*, but the budget/operational plan, or any other source, does not disclose what those projects are nor how much money is used from the Land Sales business for them.

Ratepayers are entitled to know what the profits from land sales are being used for, and what amount remains in unspent reserve – this should be reflected clearly in the budget, otherwise those profits and subsidies just remain opaque and unaccountable – an "off revenue account/balance sheet" pot of money known only to Council staff and Councillors.

Can this information be published – if only in total please, to avoid confidentiality concerns.

Loan funding – budget p55

Loans of \$3.3 million are expected but are to be transferred to capital reserve. What are these funds for?

Carrington Park - Grandstand Extension, \$8,500,000 - Budget p18

This represents a doubling of the seating, and resurrects a contentious plan raised in 2016 by Council. The justification then was to attract bigger sporting events. No business plan was available for view then, and serious questions were raised as to viability. Design went to tender in 2020.

It is believed that Council was contractually obliged to make certain improvements by the NRL/Panthers if Council wished to continue having one or two NRL games played a year in Bathurst. It is understood the NRL/Panthers is not making any financial contribution to the grandstand expansion, but it is not known whether Council is contractually obliged by the NRL/Panthers to extend the grandstand. Is this contractual obligation correct? Can Council elaborate please?

In 2016, press reports estimated it would take over 100 years to pay back the then \$6.1 million required out of extra ticket sales. How long will it take to get an acceptable return on the now \$8.5 million?

The figures show a cost increase of \$2.4 million, which is a 40% increase in five years. This is quite alarming.

Other reports show the estimated cost is \$10 million. Which is correct please?

As in 2016, it is still very difficult to see how an \$8.5 million expenditure in 2021/22 on the Carrington Park grandstand seating can ever generate an acceptable financial payback. This appears to have the potential to become a massive white elephant. Can Council elaborate please?

A robust business case must be developed before any commitment to the grandstand extension is made. Ratepayers deserve that a transparent and accountable financial case be presented.

Can the business case be presented please.

Go-Kart Track on Mt Panorama

There appears to be no budget for the go kart track previously budgeted at \$4.5 million last year.

- Has the top of Mt Panorama concept been abandoned?
- Has another site been identified?
- The \$2.25 million loan has been drawn down. Is this in untied reserves?
- Has the \$2.25 million loan been earmarked for other projects? If so what projects?

Streets as Shared Project

It has been reported Council has received grant funding of \$767,000 for this project.

- No grant revenue for this project appears in the budget – is it held in a reserve?
- Why is there no expenditure shown against this project in the budget?

Headmasters House – Howick Street

Restoration of this building has been underway for two years, but no end appears in sight. There is nothing in the budget to complete this project. This is a blight on the Howick heritage streetscape, and should be a budget priority.

- Why cannot this project be completed next year?
- I was told by Council last year there was grant funding to complete it. Why is this not shown and why is no expenditure shown?

Grant Funding

The reality seems to be that Council applies a priority process when applying for outside grants, and despite council's protests at this contention, this prioritisation has a strong bias to sporting facilities.

I advocate that when available, any new general grant programs of magnitude should be applied for and allocated firstly to other higher priority non-sporting projects – the former TAFE building, The Town Square precinct and the in-limbo Headmasters House spring to mind, also to resource Cultural projects.

Otherwise, the risk is that sporting projects will suck up all the grants oxygen, and yet again absorb the lion's share of Bathurst's potential grant money.

Reserve accounting

Council budgets to move funds in and out of reserves as required. Some funds appear to go direct to reserve rather than through the operating budget. The reserves position and movements is not budgeted and as a result is opaque – the public have no idea what is there which could be used for operations and initiatives, and therefore has no opportunity to make submissions as to its use.

I ask for details of reserves please in such a form that shows what monies are available for use.

I advocate for complete transparency of reserve balances and movements in the budgeting and reporting processes.

Yours faithfully,

A.W. Bathgate



Bathurst Heritage Matters Inc.

Bathurst's unique heritage is a key social, cultural and economic asset

The General Manager
Bathurst Regional Council
Russell St Bathurst 2795

5 June 2021

by email

Dear Sir,

Delivery Program and Detailed Budget 2021/22

On behalf of Bathurst Heritage Matters I would like to make the following submissions:

Budget p77 Heritage Asset Reserve allocation \$20,000

An absolute priority should be to extract the major economic benefits and tourism potential latent in the Town Square project and the former TAFE building as a matter of urgency.

These major assets have huge economic and social potential through tourism and increased economic activity in the heart of the CBD. These have been identified as pivotal in the Bathurst Cultural Plan, the Heritage Activation Plan, and as a priority in the Bathurst Heritage Plan.

We recommend the discipline be to set aside 25% p.a. of the money council raises through land sales, by transfer to the Heritage Asset Reserve. By doing this it is likely we will have enough money saved to do the work in four years time.

Grant funding opportunities that might otherwise have prioritised sporting projects (of which Bathurst already has many) could be better prioritised for these heritage projects.

Budget p81 Entry to Bathurst Signage

The Bathurst Tourism Reference Group and the Bathurst Heritage Reference Group both have endorsed the Heritage Activation Plan. That Plan includes the following:



Bathurst Heritage Matters is an incorporated not for profit community group formed in 2013 to advocate for better heritage outcomes in the Bathurst region

bathurstheritagematters.inc@gmail.com

www.heritagebathurst.com.au

- Brown historical directional signs on the highway – on the back of the existing green sign in Durham St before William St, with one arrow pointing to “Historic Town Centre”, and the other to “First Settlement and Flagstaff”
- Brown historical directional sign on the highway – in Stewart St, with an arrow pointing to “Historic Town Centre”,
- Brown historical directional sign on the highway – before Havannah St, with an arrow pointing to “Historic Milltown Railway Precinct and Keppel Street Village”

Can these be activated as a matter of priority from the Signage budget. Can the budget be adjusted to ensure sufficient funds are available please.

Headmasters House – Howick St

We can see no budget allocation for completion of the restoration work on the Headmasters House in Howick Street. Stabilisation work has been partly done, but with the job half completed this important heritage landmark is an eyesore and a detraction at present. We do not want to see it remain the dishevelled bridesmaid it has been for decades.

Can the budget reflect funding to complete this work as a matter of priority please.

Grant funding opportunities that might otherwise have prioritised sporting projects (of which Bathurst already has many) could better be prioritised for this heritage project.

Four Council owned heritage listed buildings – strategy needed

- Headmasters House (see above)
- McPhillamy Park stone cottage (in danger of demolition by neglect)
- Former TAFE building (see above, EOI's called)
- Former Ambulance Station

We advocate that concrete action is needed by Council on these heritage assets it owns. One of the best ways Council can demonstrate its commitment to our heritage is to restore and adaptively re-use these buildings. We suggest that a target be established to set in train a programme for one of these buildings each year for the next four years, and implement sufficient savings to do so through annual allocations to a Heritage Development Fund or Heritage Reserve as above.

Yours faithfully,

Sandy Bathgate,

President, Bathurst Heritage Matters Inc.



Bathurst Heritage Matters is an incorporated not for profit community group formed in 2013 to advocate for better heritage outcomes in the Bathurst region

bathurstheritagematters.inc@gmail.com

www.heritagebathurst.com.au



Eglinton District Tennis Club Inc.
9 Willow Drive
Kelso NSW 2795

Mobile 0420 946 366

9 June 2021

Mr. D Sherley
General Manager
Bathurst Regional Council
PMB 17
Bathurst NSW 2795

Dear Mr. Sherley,

Submission on 2021/2022 Operational Plan

Council's annual Operational Plan for 2021/2022 is currently on display. The Eglinton District Tennis Club Inc had hoped that the repairs to the Club's Tennis Courts (No's 5 & 6) would be included in the Plan.

The Courts were damaged approximately 18 months ago by tree roots from a tree on the Eglinton Oval adjacent to court 6. Council has since installed tree root barriers along the edge of the courts, but the trees caused a ridge throughout courts 5 & 6. The Parks section has attempted to repair the ridges by rolling the court, but it was unsuccessful. The surface needs replacing and the base needs repairing.

Court 6 is not safe to play on and the club has now been unable to use this court for a period of eighteen months through no fault of its own. This severely restricts the club in its ability to run competitions, for coaching and for social tennis. Court 5 shows signs of a ridge and is barely playable at the present time.

The repairs to the courts, I have been advised, are in the vicinity of \$45,000 and the club asks that this amount be included in the Council's Operational Plan for 2021/2022 so that the courts can be returned to full playing capacity.

Yours faithfully,

Jason Honeyman
President
Eglinton District Tennis Club

Via Email
Dear Mr Jones

Would you please place in the coming budget the following small items which would add incredible safety and amenity to the people living in and around Llanarth.

1 Top priority is the extension of 50 meters or so of footpath in Evernden Road to meet Lorimer Street from Bradwardine Road.

2. A picnic table and seating for Max Kingston Park.

3 A covered play area in Max Kingston Park.

4 Improve and beautify McPhillamy Park

And as I stated the top priority in this area is the small but essential extension of the path to Lorimer Street from Bradwardine Road.

Thank you,

I look forward to hearing that you are meeting the needs of the community.

Roz Townsend 9 Beavis Place Llanarth 0402314500

Roz Townsend



M Ed Admin, BA Dip Teaching, Dip Adolescent Development, Member Resolution Institute, Member Australian Community Workers Association, Nationally Accredited Mediator, Funeral Celebrant

T/F 02 6331 4500

M 0428 314 500

E roz@roztownsend.com

W www.roztownsend.com

Dear Mr Jones

Please also add the following items to the budget which would add to the amenity of all people using the CBD:

Raised and covered walkways across Howick and William Streets in front of the Post Office and the entrance to the shopping malls. These would be invaluable in the heat of summer and the coolness of winter.

Thank you

Roz Townsend

9 Beavis Place Llanarth

0428314500

MEMORANDUM

TO: GENERAL MANAGER

CC: MANAGER MUSEUMS
MANAGER FINANCE

FROM: DIRECTOR CULTURAL & COMMUNITY SERVICES

DATE: 10 JUNE 2021

SUBJECT: **CHANGE TO 2021/2022 REVENUE POLICY - MUSEUMS**

FILE: AC:AA:21.00144

It is requested that a reduction in hire fees of the Bathurst Museums be included in the 2021/2022 Revenue Policy, Museums being:

- Chifley Home & Education Centre
- Australian Fossil and Mineral Museum
- Bathurst Rail Museum
- National Motor Racing Museum

The request is for:

50% discount on hire fee and entry fee for Not-for-Profit (NFP) Local (LGA) organisations and groups. This discount does not include staffing charges.

A reduction in the hire fees is requested to offer local community organisations and groups from the Bathurst Local Government Area access to facilities for events and use at a cost-effective rate.

Regards



Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

Survey Responses

22 July 2016 - 10 June 2021

Draft Delivery Program 2021-2025 & Operational Plan 2021-2022

Your Say Bathurst Region

Project: Draft Delivery Program & Operational Plan



VISITORS					
24					
CONTRIBUTORS			RESPONSES		
2			2		
1	0	1	1	0	1
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous



Respondent No: 1
Login: Wayne A Feebrey
Email: feebs4@bigpond.net.au

Responded At: Jun 05, 2021 12:55:38 pm
Last Seen: Jun 03, 2021 04:08:27 am
IP Address: 60.229.145.162

- Q1. **Name** Wayne Feebrey
-
- Q2. **Postal Address** 15 Brilliant Street
-
- Q3. **Your email address** feebs4@bigpond.net.au
-
- Q4. **Do you have any comments in regards to the draft Delivery Program & Operational Plan and the strategies and financial resources allocated to deliver facilities and services?**
- Good to see money set aside for Centennial Park. Look forward to seeing this convert to work on ground, Kind Regards,
Wayne Feebrey
-
- Q5. **Do you have any other comments in relation to the draft Delivery Program 2021-2025 Operational Plan 2021-2022?**
- not answered
-
- Q6. **Do you have any comments in regard to the Statement of Revenue Policy for 2021-2022?**
- not answered
-
- Q7. **You can upload a document here** not answered
-



Respondent No: 2
Login: Anonymous
Email: n/a

Responded At: Jun 10, 2021 14:42:52 pm
Last Seen: Jun 10, 2021 14:42:52 pm
IP Address: n/a

-
- Q1. **Name** Vianne Tourle
-
- Q2. **Postal Address** 59 Lambert Street Bathurst NSW 2795
-
- Q3. **Your email address** vtourle@gmail.com
-
- Q4. **Do you have any comments in regards to the draft Delivery Program & Operational Plan and the strategies and financial resources allocated to deliver facilities and services?**
- I am pleased to see the ongoing allocation of funds for Centennial Park improvements. I do look forward to seeing Stage One works being undertaken in 2021-22, as this allocation together with that from two previous years provides for sufficient funds. We have patiently waited!
-
- Q5. **Do you have any other comments in relation to the draft Delivery Program 2021-2025 Operational Plan 2021-2022?**
- not answered
-
- Q6. **Do you have any comments in regard to the Statement of Revenue Policy for 2021-2022?**
- not answered
-
- Q7. **You can upload a document here** not answered
-



Bathurst District Historical Society Inc.

POSTAL ADDRESS:
P.O. Box 237, Bathurst NSW 2795

Phone: (02) 6332 4755

MUSEUM and ARCHIVES:
East Wing, Bathurst Court
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ABN: 37 301 479 091

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Councillor Bobby Bourke,
Bathurst Regional Council,
Email: mayor@bathurst.nsw.gov.au

1/6//2021

Dear Mr. Mayor,

Re: Bathurst & District Remembers World War 2 Exhibition 2021

As you would be aware the Bathurst Historical Society has been planning a celebration of the 75th Anniversary of the Victory over Japan (VJ Day). The exhibition will be open to the public from Friday 13th, until Monday 16th, 2021 with VJ Day being on Sunday 15th. Last year Council approved and included in the budget a waiver of the charges for BMEC up to \$7,000.

With the COVID restriction the event did not proceed and was moved to this year.

The event has now grown beyond the capacity of the BMEC and the Bathurst Showground Land Manager has all but donated the use of the Showground which will allow the more than 1,200 WW2 images, 3,000 artifacts, military vehicle exhibition and house the 30+ collectors who are exhibiting their unique collections, some for the first time.

It is likely the event will exceed all expectations and become another significant Bathurst event which will allow the community to appreciate and commemorate the dedication and efforts of our Service Men and Women during those dark years when Australia's very existence was threatened.

However, we need to request financial support from Bathurst Regional Council. Instead of the fee waiver offered in 2019/20 we need a cash donation of \$3,000.

In exchange we want to promote the Bathurst Regional Council as a sponsor, along with the Showground Land Manager by using the Bathurst Regional Council's name/LOGO on our leaflets and posters, press releases, email updates and on radio in the lead up to the Exhibition.

Kind regards,



Alan McRae, FAIHA,
Vice President Bathurst District Historical Society
Curator 'Bathurst & District Remembers World War 2 Exhibition 2021'



Submission to Bathurst Regional Council Draft Delivery Program 2021-2022 regarding the construction of charges made to S501 Local Government Act Annual (Availability) Charges to Sewer and Water Services and how these Charges are caused unlawfully to include fire service provision.

1- There is no provision in the NSW Local Government Act 1993 or any other Act for Bathurst Regional Council to make charges to fire service provision by inclusion in the calculation of these Charges capacity provided for fire service (that is by the use of the full size of water meters), provisioned to fire systems namely mandatory fire hose reels required under the Building Code of Australia at non-residential properties.

2- Council's use of the full size of water meters for the calculation of S501 Local Government Act Annual Charges to Sewer and Water services at non-residential properties causes the charges to Sewer and Water services to include fire service provision. This is a fraudulent methodology clearly devised to utilise the Rate and Charge notices as a device to make unlawful and disguised charges to fire services.

3- The LGA Act at S501 reference to the Local Government Regulation where at S125) there is allowance for one NSW Council only to make charges to fire services, that being the Blue Mountains City Council which is unique to the BMCC because of the significant bushfire hazards mentioned at the time of this change being made to the Regulation which is reiterated in ATO Class Ruling 1/2013.

4- The Best Practice Management of Water Supply and Sewerage Guidelines (Guidelines) written under S409 of the LGA make no provision for the capacity supplied in the size of water meters, (supplied at Council discretion under S24 of the LGA) for the provision of fire services to be treated as a size or capacity provision that creates a load on Council's sewer system because fire services are not LGA charge enabled services.

5- The Annual Charges are enabled on Sewer and (drinking) Water Services at S501 of the LGA and are standing charges based on the physical water meter service size provided which has no correlation with usage at S502, especially the false concept of physical size of non S501 listed fire service provision having a direct correlation with "peak load" on Councils sewerage system which is the basis of unlawful construction of Council's Sewer and Water Availability Charges.

6- The Best Practice Guidelines, written under S409 of the LGA must be read in conjunction with the LGA as a whole which precludes any charge to fire service provision as fire services are not referenced in Chapter 15 of the LGA the Chapter that exhausts the services on which Council can charge.

7- Where Council uses the full size of water meters that have been sized to be a dual service, providing both drinking and fire-fighting services, Council thereby allocates Sewer Discharge Factors to the full size of water meters instead of properly applying these SDFs to the drinking water meter capacity size only (known as the "nominal size"), Council by this device perpetuates the charge to fire services. Such calculation is superfluous and is clearly done to give the appearance of taking fire service provision into account such that fire supply

Bathurst Regional Council

Received

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10 JUN 2021

[Signature]

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capacity does not attract a S501 Annual Charge. The reality is that no charge can, in the first instance be legally made to any fire service provision by virtue of their exclusion from Chapter 15 of the LGA all that is necessary to properly confine Sewer and Water Availability Charges to Sewer and Water Services is to take note of the nominal size of the water meters at the non-residential property supplied by our Hydraulic Engineer, the "expert" required to do so under Council's Policy and actually use that size.

8- Council must only use the size capacity supplied for drinking water, the nominal size, in the calculation of S501 Availability Charges to Sewer and Water Services, otherwise Charges are unlawfully extended to include fire services. Council makes an improper interpretation of the Best Practice Guidelines so as to include fire service capacity as though that very capacity / size provision is, in total, a load (in usage terms) on the Council sewerage system. The capacity / size provision is irrelevant to actual usage, load or peak load put on the Council sewerage system. Again, pre-empting this is that, properly interpreted, the Best Practice Guidelines under S409 must read in conjunction with the LGA, as a whole especially Chapter 15, where it is definitive that no charges can be placed on fire services in the first instance by virtue of not being listed or enabled therein.

9- Demonstrating that no lawful provision can be made for fire service provision to fire hose reel systems at a non-residential property is the fact that no NSW Council, including Bathurst Regional Council, has the audacity to make such charges to non-metered fire service provision to BCA mandated Hydrant and Sprinkler Systems required under the Building Code of Australia, the Code by which Councils must condition all buildings in NSW for Development and Occupation Approvals.

10- The Orders handed down by the NCAT File Number GEN [21/18258](#) Prefabricated Buildings - Bathurst Regional Council states that because Council does not appear to be conducting a business when they make charges to fire services, the matter of whether Council should comply with S543 and S544 of the LGA is not in the Tribunal's jurisdiction. The question then remains, if Council is not operating a business under S608 of the LGA when making charges to fire services and charges to fire services are not provisioned in Chapter 15 of the LGA for Bathurst Council to make charges on in the first instance, what is the true nature of these charges ?

11- Council, in rejection of previous submissions we have made to the Council's Annual Management Plans, has contended that Council does not care what supplied water is used for at non-residential properties. Council has recently (without lawful basis and in abrogation of Council's responsibilities) began to consider a dual purpose AS2441 water supply as a generic supply to avoid the admission that fire services are supplied.

12- Fire hose reel systems at non-residential properties are essential service measures under the BCA and are lawfully required to be dealt for ongoing compliance by Council under the Environmental Planning and Assessment Act under which they must be conditioned in Development and Occupation Approvals. Therefore Council cannot abrogate its responsibilities for fire service provision which it discretionarily supplies for the benefit of the community under S24 of the LGA.

13- Council can no more consider the supply of water to a non-residential properties a generic supply of water it cares not for what use is made, or a purely drinking water supply , so as to purportedly legitimise the making Availability charges on the full size of water

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meters any more than a ratepayer could claim that the full size of the water meters is the supply of a fire service only, from which they may happen to drink, so as to avoid all charges by virtue of fire services being absent from Chapter 15 of the LGA for charging purposes.

14- Whether or not Council invokes the use of AS2441 in the design of fire hose reel systems at a non-residential property in Development Approvals, the design of them is done from the fire system emanates, that being from Council's cold water main, then continuing through Council's essential service pipe and water meter, to the nozzle of each hose reel in the buildings mandatory fire hose reel system. The supply of for drinking under the Plumbing and Drainage Act is a statutory supply and water supply for fire-fighting under the EP&A Act, is discretionary being exercised as a Council peorative under S24 of the LGA for community benefit. Drinking water service supply capacity ONLY is provisioned in law to receive a charge, which is made clear in the Best Practice Guidelines which state that charges made to non-residential properties must be "**relative**" to those made to residential properties such relativity can only be achieved by taking into account that residential properties do not have fire service provision included in their water meters.

15- The Essential Service Act 1988 at S4(1)(c) and (h) makes clear the distinction between the service / supply provision of drinking water and service / supply water for fire-fighting purposes, with clear recognition also of the distinction of the substances supplied specific for these distinct services at (l) , the two types of water being provisioned under different Acts of Parliament.

16- Council's two part policy, adopted at the Council meeting 21 July 2004 assumes the right to extend S501 Annual Charges to Sewer and Water Services to (unlawfully) include fire service capacity where there is an absence by the ratepayer providing an "expert report." This works in fraudulent conjunction with the decision made at the same meeting not to use "nominal sizing", that is, there is a clear intent since 2004 for Council to duplicitously ignore the submissions made under the Policy.

There is no "absence" of submissions made under the Policy by myself and our expert Hydraulics Engineer therefore is the perverse premise Council relies on to assume the right to negate the non-listing of fire services in S501 of the LGA.

This is the mechanism devised to include fire service capacity in the calculation of S501 Annual Charges to Sewer and Water Services. This assumption has was reinforced by the decision Council made also at the meeting of 21 July 2004 not to use "nominal sizing" which would automatically exclude the Availability charges on Sewer and Water Services extending to include fire service supply.

The Policy implies that water used from a fire hose reel can be considered stolen when the very purpose of putting fire service water through the same meter as drinking water is done to ensure theft of water can never happen. Council has never deviated from this decision (which is a decision no doubt hidden from current Councillors) except for the Assumption School where Mayor Toole worked at the time. Adherence to the decision has meant that Council has never properly taken into account the expert submissions we have caused to be made to Council's Management Plans and has thereby perpetuating the unlawful charges to fire services except in the one instance.

The Policy and the decision from Council's meeting of 21 July 2004 are attached. These two documents clearly work together to instrument unlawful charges to fire services. These two documents are I contend, are false, being documents presented to induce other persons to believe the content is in accordance with the law. Section 253 of the Crimes Act 1900 deals with the offence "forgery."

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Conclusion.

This submission references, in regard to Charges made to Sewer , Water and Fire services, all submissions made to Council since 2002 by all persons including myself , all correspondence Council has had internally , all correspondence Council has had with and from any and all other authorities and all documents held in Council's Disclosure Log. This material is referenced here is quite voluminous, therefore instead of being re supplied, being certainly not in "absence" is referenced for this reason. My submissions and correspondence since 2003 have sought to expose the fraudulent mechanism supposed by Bathurst Regional Council to usurp the law and facilitate (unlawful) charges to fire services.

NOTE.

In regard to good faith in all decisions required of Councillors in the LGA

The matter subject of this submission is of a very serious nature and is quite technical. Councillors, (being the ultimate decision makers at the forefront in Local Government), would be well advised to become familiar, if indeed they are not, with the advice of the Minister and the Councillor Handbook, especially in relation to required good faith in decision making and also give proper regard to the long term and cumulative effects of decisions made, as per the Council Charter.

Good faith, as opposed to the opposite, could reasonably be assumed to include taking heed to the Minister's advice for Councillors , that being to seek their own legal advice (given the limited protection from civil liability as the advice to Councillors states) on any matter they do not understand.

Councillors thereby have provision to limit their liability by obtaining own legal advice. Councillors should at the very least demonstrate such good faith required by questioning Council's General Manager as to whether Council has ever had an appropriate level of definitive legal advice stating categorically whether Council can or cannot make charges to fire services.

This has never been demonstrated by Council despite having been requested. This is especially poignant as Council states incessantly that Council relies (inappropriately) on Ministerial letters which Councillors would find on minimal examination are supportive only of what Council has told the Ministers they were proposing, so as to avoid making charges to fire services and not of the charges to fire services as in practice actually made.

It is "reasonable" and certainly "appropriate" that I make suggestion to Councillors to request definitive legal advice so as to limit liability, and would once and for all expose demonstrate whether or not Council has appropriated the Rate and Charge Notices to make fraudulent charges to fire services

<https://www.olg.nsw.gov.au/wp-content/uploads/Councillor-Handbook-2017.pdf>

Regards
Ray Carter
Carter Properties
PO Box 9339
Bathurst
NSW 2795
M [0407258882](tel:0407258882)



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10 USER PAYS BEST PRACTICE SEWER CHARGES (26.00010) - Item prepared by Toni Dwyer

Recommendation: That Council:

- (a) Engineering Staff be made available to provide on-site preliminary assessment and consultation;
- (b) That Finance Staff be made available to explain the principles of best-practice pricing;
- (c) That Council provides a Hydraulic Engineer in the first year of best-practice sewer pricing to assess requests for downsizing and rationalizing of meters;
- (d) That the cost of downsizing or removing meters be met by Council;
- (e) That nominal sizing of meters is not used for calculating access charges due to the common practice of using fire hose reels;
- (f) That no community service obligation be provided for non-rateable properties as most of these are state government bodies (e.g. schools, hospitals) and by doing so it will re-introduce cross-subsidies that will result in Council not meeting the Best Practice Guidelines;
- (g) That if it is determined by the Chief Financial Officer that the increase in sewer prices (including trade waste fees) is substantial and would create financial pressures, an agreement may be entered into to introduce the charges over a three year period. This will be done by individual application.
- (h) carry out a review of Sewerage Discharge Factors. This review will be carried out on request by Council's Engineering Department provided that sufficient information is given to warrant that review. In the first year of best-practice sewer pricing any adjustment will be effective from 1 July 2004. Reviews requested in following years that result in an adjustment from the date of receipt of the initial request.

Report: At Council's meeting held on 23 June 2004, Council resolved to amend its sewer rates and charges for 2004/2005. The charges formally resolved are:

Annual Residential Sewer Charge

That the annual charge for single residential (includes residential strata's) and unmetered properties be \$350.30.

Annual Vacant Land Sewer Charge

That the annual charge for vacant land be \$184.40.

Annual Sewer Access Charge

That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

<u>Size of Water Connection</u>	<u>\$</u>
20mm*	307
25mm	480

Chief Financial Officer's Report to the Council Meeting, 21/07/2004.

* The "decision"

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It should be remembered that the initial modelling was conducted on a revenue neutral basis. This means that the anticipated income was the same as that derived from 2003-2004 sewer rates and charges. These were used for estimates in the 2004-2005 budget. Any reductions or subsidies now granted will reduce Council's income.

The following recommended strategies from the Department of Energy, Utilities and Sustainability (DEUS) released on 27 February 2004 were:

- Phase in the increases for such customers over five years
- Downsize the connection size for customers with an oversized connection provided standards are met.
- Base sewerage access charges on the peak load the discharger places on the sewerage system. Such dischargers should therefore have the option of providing for Council's consideration, an expert report to establish the peak load (in equivalent tenements (ETs)) their operations place on the sewerage system. In the absence of such a report, the Council can determine the access charge on the basis of the square of the service connection size times the discharge factor. This is the method adopted by Council.
- Assist large water users to use water and sewerage services more efficiently and reduce their demands
- Adopt appropriate measures to deal with any hardship cases
- Where a large connection size is required for fire fighting purposes a reasonable approach would be to apply a charge based on the connection size required for water supply and to allow nil or a moderate increase over this charge for provision of the fire fighting capacity.
- If Council proposes to provide a community service obligation to non-rateable properties (e.g. schools, hospitals, churches etc) it should only be applied to reduce the access charges. This will provide an appropriate pricing signal for water usage and sewage discharge to encourage efficient use of the services

The modelling presented to Council did not take into account revenue from trade waste fees or Section 64 developer charges. Best-Practice principles were chosen by Council as the alternative to the current rating system.

* The "Policy"

Chief Financial Officer's Report to the Council Meeting, 21/07/2004.

GENERAL MANAGER

ADMINISTRATOR

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Local Government Remuneration Tribunal

Annual Report and
Determination

*Annual report and determination under sections
239 and 241 of the Local Government Act 1993*

23 April
2021

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

Fees

The Tribunal determined a 2 per cent increase in the minimum and maximum fees applicable to each category.

Local Government Remuneration Tribunal

Section 1 Introduction

1. Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A (1) of the LG Act, requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. However, the Tribunal can determine that a council be placed in another existing or a new category with a higher range of fees without breaching the Government's wage policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2020 Determination

6. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.
7. The Tribunal undertook an extensive review of the categories and allocation of councils into each of those categories as part of the 2020 review.
8. Like the review undertaken in 2017, the Tribunal examined a range of statistical and demographic data and considered the submissions of councils, Local Government NSW (LGNSW) and Regional Cities NSW.
9. The Tribunal determined to retain a categorisation model which differentiates councils primarily based on their geographic location and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.
10. The categories of general purpose councils were determined as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none"> • Principal CBD • Major CBD • Metropolitan Large • Metropolitan Medium • Metropolitan Small 	<ul style="list-style-type: none"> • Major Regional City • Major Strategic Area • Regional Strategic Area • Regional Centre • Regional Rural • Rural

11. Given the impact of the bushfires and the COVID-19 pandemic on the state and federal economies and wellbeing of communities, the Tribunal determined no increase in the minimum and maximum fees applicable to each existing category.
12. The Determination was made on 10 June 2020 in accordance with the Local Government (General) Amendment (COVID-19) Regulation 2020 which extended the

Local Government Remuneration Tribunal

time for making of the determination to no later than 1 July 2020.

13. On 10 August 2020 the Tribunal received a direction from the Minister for Local Government, the Hon Shelley Hancock MP, to review the categorisation of Bayside Council. The Tribunal found that Bayside met the criteria to be classified as Metropolitan Large – having both a resident and non-resident working population (minimum 50,000) exceeding 200,000.
14. The Tribunal's 2020 determination was amended by the special determination on 17 August 2020 for Bayside Council be re-categorised as Metropolitan Large for remuneration purposes with effect from 1 July 2020.

Section 3 2021 Review

2021 Process

15. The Tribunal wrote to all mayors or general managers and LGNSW in February 2021 to advise of the commencement of the 2021 review and invite submissions. This correspondence advised that the Tribunal completed an extensive review of categories in 2020 and as this is only required every three years, consideration would be next be given in 2023. Submissions received requesting to be moved into a different category as part of the 2021 review would only be considered were there was a strong, evidence-based case.
16. Eighteen submissions were received – seventeen from individual councils and a submission from LGNSW. It was not possible from some submissions to ascertain if they had been council endorsed. The Tribunal also met with the President and Chief Executive of LGNSW.
17. The Tribunal discussed the submissions at length with the assessors.
18. The Tribunal acknowledged difficulties imposed by COVID19 and, on some councils the bushfires and floods.
19. Submissions from councils in regional and remote locations that raised the unique challenges experienced by mayors and councillors which included difficulties with connectivity and the travel required in sometimes very difficult circumstances were also acknowledged.
20. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

Categorisation

21. Nine council submissions requested recategorisation. Four of these requests sought the creation new categories.
22. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's finding had regard to the 2020 review, the current category model and criteria and the evidence put forward in the received submissions.
23. A summary of the individual council submissions that sought recategorisation is below.

Metropolitan Large Councils

24. Blacktown City Council requested the creation of a new category of Metropolitan Large – Growth Area.
25. Penrith City Council requested the creation of a new category Metropolitan Large –

Local Government Remuneration Tribunal

Growth Centre.

26. Liverpool City Council requested recategorisation to Major CBD.

27. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Metropolitan Small Councils

28. The City of Canada Bay sought recategorisation to Metropolitan Medium. The Tribunal noted that the criteria required for recategorisation was not yet met.

Major Regional City Councils

29. The City of Newcastle requested review and creation of a new category of "Gateway City" with comparable characteristics to the Major CBD category and a similar fee structure. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023.

Regional Centre

30. Tweed Shire Council requested recategorisation to Regional Strategic Area. The Tribunal noted that the criteria required for recategorisation was not yet met.

Rural Councils

31. Federation Council requested recategorisation into a new category of Regional.

32. Narromine Shire Council sought recategorisation but did not specify a category for consideration.

33. Yass Valley Council sought recategorisation to Regional Rural.

34. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Fees

35. The Tribunal determined a 2.0 per centage increase in the minimum and maximum fees applicable to each category. A summary of the matters the Tribunal considered when making this determination is outlined below.

36. Submissions that addressed fees sought an increase of 2.5 per cent or greater. These submissions raised similar issues to warrant an increase which included the significant workload, responsibilities, capabilities, duties and expanding nature of mayor and councillor roles. Some submissions also suggested that an increase in remuneration may assist in improving the diversity of potential candidates.

37. The 2021-22 rate peg for NSW Councils was set at 2.0 per cent by the Independent Pricing and Regulatory Tribunal (IPART). The rate peg is the maximum percentage amount by which a council may increase its general income for the year.

38. Employees under the *Local Government (State) Award 2020* will receive a 2.0 per cent increase in rates of pay from the first full pay period to commence on or after 1 July 2021.

39. Section 242A of the LG Act provides that when determining the fees payable in each of the categories, the Tribunal is required to give effect to the same policies on increases in remuneration as the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or

Local Government Remuneration Tribunal

varying awards or orders relating to the conditions of employment of public sector employees.

40. The current government policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in *the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). The IR Regulation provides that public sector wages cannot increase by more than 2.5 per cent. As such, the Tribunal has discretion to determine an increase of up to 2.5 per cent.
41. On 31 March 2021, Premiers Memorandum M2021-09 issued the *NSW Public Sector Wages Policy 2021* reflecting the Government's decision to provide annual wage increases of up to 1.5 per cent. The IR Regulation has not been amended to reflect this position.

Conclusion

42. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Mr Tim Hurst.
43. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
44. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
45. Determination 2 outlines the maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils as per section 241 of the LG Act.



Viv May PSM

Local Government Remuneration Tribunal

Dated: 23 April 2021

Local Government Remuneration Tribunal

Section 4 2021 Determinations

Determination No. 1 - Allocation of councils into each of the categories as per section 239 of the LG Act effective from 1 July 2021

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta

Metropolitan Large (12)	Metropolitan Medium (8)
Bayside	Campbelltown
Blacktown	Camden
Canterbury-Bankstown	Georges River
Cumberland	Hornsby
Fairfield	Ku-ring-gai
Inner West	North Sydney
Liverpool	Randwick
Northern Beaches	Willoughby
Penrith	
Ryde	
Sutherland	
The Hills	

Metropolitan Small (8)
Burwood
Canada Bay
Hunters Hill
Lane Cove
Mosman
Strathfield
Waverley
Woollahra

Local Government Remuneration Tribunal

Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

Local Government Remuneration Tribunal

Rural (57)	
	Yass

Table 3: County Councils

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



Viv May PSM

Local Government Remuneration Tribunal

Dated: 23 April 2021

Local Government Remuneration Tribunal

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2021

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2021 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2021		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2021	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,190	41,340	172,480	226,960
	Major CBD	18,800	34,820	39,940	112,520
	Metropolitan Large	18,800	31,020	39,940	90,370
	Metropolitan Medium	14,100	26,310	29,950	69,900
	Metropolitan Small	9,370	20,690	19,970	45,110
General Purpose Councils - Non-Metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370
	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



Viv May PSM

Local Government Remuneration Tribunal

Dated: 23 April 2021

Local Government Remuneration Tribunal

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

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Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

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Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a

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significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

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Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.



The Hon. Shelley Hancock MP
Minister for Local Government

Ref: A767610

Clr Bobby Bourke
Mayor
Bathurst Regional Council
Private Mail Bag 17
BATHURST NSW 2795

10 June 2021

council@bathurst.nsw.gov.au

Dear Mayor

I am writing to advise you about important amendments recently made to the *Local Government Act 1993* (the Act) through a Bill that I had the pleasure to introduce on behalf of the NSW Government.

The Government remains committed to strengthening the performance and sustainability of local government. As part of this commitment, I introduced the (then) Local Government Amendment Bill 2021, which was passed by the NSW Parliament on 13 May and assented to on 24 May 2021.

The original provisions in the Bill reflects a series of sensible reforms developed collaboratively with the local government sector as part of an extensive public consultation process. It implements the Government's commitments to rating reform, provides for payment of superannuation contributions for councillors, align terms of office of chairpersons for county councils and joint organisations to their member councils and allows greater flexibility in the administration of elections.

Greater flexibility to fairly harmonise rates

Importantly, the Act now provides for greater flexibility for those councils formed in 2016 as they prepare to harmonise rates from 1 July 2021. Each council can choose, in consultation with their communities, whether to harmonise their rating structures gradually over up to 8 years. Councils in contiguous urban areas are also able to set different rates for different residential areas. Further, councils may set different rates for farmland based on location.

It is a matter for each council to determine whether or not to take up one or more of these options as they develop a rating structure for their area. Councils requiring further advice or support should consult their Council Engagement Manager in the first instance.

Fairer and more flexible rating categories and subcategories

Most changes to the Act can be accessed by all councils. All councils, including councils in contiguous urban areas, like Greater Sydney and the Central Coast, can now set different residential rates for different residential areas. In addition, all councils can set different rates for farming land based on location. These measures have already come into effect.

Councils will also be able to create more flexible business rates subcategories, allowing fairer rates that better reflect access to, and demand for services and infrastructure. They will be able to set different business rates based on whether land is predominantly used for industrial activities. This will commence by proclamation.

A new, fifth rating category for environmental land will also be created. This is designed to capture land where meaningful development is constrained by geography or regulation that imposes significant restrictions on use of the land, such as conservation agreements. This will commence by proclamation once supporting regulations are prepared.

Meeting growth and infrastructure costs

The Government is strongly committed to ensuring that growing communities have adequate and effective infrastructure needed to support that growth. To that end, I commissioned IPART to recommend a new methodology for taking population growth into account when setting the rate peg and I look forward to receiving a final report in September this year. The Act now clearly allows multiple rate pegs to be set, if required, enabling the Government to deliver its commitment to align council's general income to population growth to help relieve pressure in growing communities.

Councils are increasingly jointly funding infrastructure projects with other governments. To reduce red tape, the Act will allow councils to levy a new kind of special rate for infrastructure jointly funded with other government entities. These special rates are not limited to funding council functions and do not form part of councils' general income under the rate peg.

Better targeting of rating exemptions

Land with certain conservation agreements currently benefit from a rating exemption. To better balance the need to support private conservation with the need to pay for council services and infrastructure, this exemption will be targeted via changes to be made to regulations, in consultation with key stakeholders. Relevant landholders may also be rated under the new environmental land category. This will come into effect in future.

Improved debt management and recovery options

Limits will also be placed on those ratepayers that are eligible to postpone rates due to a change in the permitted use of their land. This reduces the cost burden on other ratepayers while still allowing owner occupiers who would face hardship to apply to postpone the portion of their rates that have increased due to rezoning.

New superannuation payments for councillors

Under the Act, councils will also be given the option to make payments for councillors into a complying superannuation fund nominated by councillors from 1 July 2022. These payments will be equivalent to the amount under Commonwealth superannuation legislation. This recognises the high workload and responsibilities of many councillors and the significant contribution they make to communities while juggling work and family commitments.

Minor changes to council elections and terms of office

Finally, the Act allows the timeframe for receipt of postal votes at council elections to be prescribed by regulation. After the next elections, councils will have the option to fill vacancies in the first 18 months of their terms by a countback. There will also be greater flexibility in the appointment of returning officers for countback elections. The terms of chairpersons of county councils also will be extended to two years to align them with the terms of mayors elected by councils. The terms of office of chairpersons of county councils and joint organisations will also align with the electoral terms of their member councils.

Other changes as amended

The Act as amended includes a provision to enable councils to collect levies payable under the *Fire and Emergency Services Levy Act 2017* (FESL Act) outside of general income when the FESL Act takes effect. Councils should note that the NSW Government has deferred the introduction of the FESL Act and the levying of a FESL has been postponed at this time. There is no change to the requirement for councils to pay an annual Emergency Services Levy (ESL) contribution from within councils' general income.

The Act as amended also includes a new process for councils constituted within the last 10 years to submit a business case with supporting reasons to the Minister for a de-amalgamation of an area. Further information on this process will be provided separately.

I look forward to continuing to work with the local government sector to ensure that communities across the State are well served by their local council. I encourage you to draw the attention of councillors and staff to information about these changes as soon as possible.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Shelley Hancock', with a stylized, cursive script.

The Hon. Shelley Hancock MP
Minister for Local Government

Cc: General Manager, Mr David Sherley