

**EXTRAORDINARY MEETING OF BATHURST REGIONAL
COUNCIL**

22 June 2022

His Worship the Mayor & Councillors

**Notice of Extraordinary Meeting of Bathurst Regional Council –
Wednesday 29 June 2022**

I have to advise that an Extraordinary Meeting of Bathurst Regional Council will be held in the Council Chambers on Wednesday 29 June 2022 commencing at 6:00 PM.



D J Sherley
GENERAL MANAGER

**MINUTES OF THE EXTRAORDINARY MEETING OF
BATHURST REGIONAL COUNCIL
HELD ON Wednesday 29 June 2022**

1 RECORDING OF MEETINGS

2 MEETING COMMENCES

MINUTE

Meeting commenced at 6.00pm.

Present: Cr W Aubin, Cr K Burke, Cr B Fry, Cr J Jennings, Cr G Hanger, Cr M Hogan, Cr I North, Cr A Smith, Cr R Taylor

3 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

4 APOLOGIES OR ATTENDANCE BY AUDIO-VISUAL LINK

MINUTE

MOVED: Cr K Burke SECONDED: Cr I North

RESOLVED:

That the attendance via audio-visual link of Cr A Smith be accepted.

5 DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLUTION NUMBER: ORD2022-217

MOVED: Cr M Hogan SECONDED: Cr I North

RESOLVED: That the Declaration of Interest be noted.

Cr B Fry declared a non-pecuniary significant interest in item 6.1.2 of the submission Report to DP/AOP - Funding for conference & training for intense weather events

Reason: Councillor's father has made the submission to the Council for funding consideration.

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

6.1 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

6.1.1 ADDITIONAL SPECIAL VARIATION

File No: 16.00187

RECOMMENDATION:

That the information be noted.

REPORT:

In late 2021, IPART announced the rate peg for the 2022/2023 financial year (2023FY) was set at an increase of 0.7% plus a population adjustment factor which in Bathurst's case amounted to 0.2%, giving an overall rate increase of 0.9%.

In its financial plans, Council had used 2.5% as the rate peg for the 2023FY and subsequent financial year forecasts plus a population growth factor of 1.3%. The downgrading of the rate peg to 0.9%, including the population growth factor of 0.2%, placed Council in a financially challenging position.

The Office of Local Government and IPART have recognised that, due to the delayed council elections and the determination of the 2022/2023 rate peg at a lower rate than councils had forecast, councils may not have had sufficient time to prepare special variation applications within the normal timeframe as the 2022/2023 rate peg timeframe has now passed. As such, the NSW Government and IPART have agreed to a one-off Additional Special Variation (ASV) round for the 2022-23 financial year only.

To ensure Council's future financial sustainability and that services to the community are not adversely affected, Council resolved to apply for an ASV of 2.5% (including population growth) which was the amount of the budget increase originally forecast for the 2023FY without the population growth factor.

Under this ASV round of applications IPART published applications to enable community consultation for a period of at least three weeks; and notified councils of its decision as at 21 June 2022. IPART received no submissions in relation to Bathurst Regional Council's application.

IPART has advised that the ASV application process was successful (**attachment 1**) and Council is able to increase its rates by 2.5%.

The approved ASV of 2.5% has been incorporated in the Delivery Program and Operational Plan, and associated documentation, which is being presented for adoption later in this agenda.

FINANCIAL IMPLICATIONS:

The approved ASV of 2.5% equates to approximately \$737,108 which was included in the Draft Delivery Program and Operational Plan that was placed on public exhibition.

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 6.3 Advocate for our community.
- Strategy 6.4 Meet legislative and compliance requirements.
- Strategy 6.5 Be open and fair in our decisions and our dealings with people.
- Strategy 6.6 Manage our money and our assets to be sustainable now and into the future.

COMMUNITY ENGAGEMENT:

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

ATTACHMENTS:

1. L G- Determination- Bathurst- Regional- Council- Additional-special-variation-application-2022-23- J [6.1.1.1 - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2022-218

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED:

That the information be noted.

**6.1.2 SUBMISSIONS - DRAFT DELIVERY PROGRAM
2022 -2026 AND OPERATIONAL PLAN
2022/2023**

File No: 16.00187

RECOMMENDATION:

That Council consider the submissions individually.

REPORT:

Council has had the Draft Bathurst Delivery Program 2022-2026 and Operational Plan 2022/2023 (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:

Submissions 1 and 2 – Road maintenance Bridle Track

Submissions has been received from Elie Farah ([attachment 1](#)) and Mark Golding ([attachment 2](#)) asking for regular maintenance of the Bridle Track due to poor access for residents and tourists.

Prior to the amalgamation with Bathurst, Evans Shire Council resolved to maintain the Bridle Track as a 4wd track only. Since then, Council has carried out regular maintenance to maintain this standard, including grading and road widening between Hill End and the intersection with the Macquarie River at an approximate cost of \$200,000 in 2020. However, with the last two years being so wet, the road condition has deteriorated as logistically and practically this road is very difficult to maintain to the standard that various users expect, within Council's budget.

Council commenced work on the \$2m realignment of the Bridle Track at Monaghan's Bluff in March 2022, with funding received from the State Government. This work is nearing completion. In addition, Council has recently replaced Howards Bridge, upgrading it from a 1-lane to a 2-lane bridge and improving the bridge approaches, at a cost of approximately \$1.7m.

While the Draft Operational Plan 2022/2023 does not specifically identify any spending for the Bridle Track, an amount of \$772,586 has been included for Rural Roads Unsealed Maintenance in year 1 of the plan (2022/2023). This amount is allocated to various roads on a needs basis as required during the year.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 3 – Funding for Carrington Park and Proctor Park

A submission has been received from Tony Thorpe (**attachment 3**) stating the funding of projects at Carrington Park and Proctor Park benefit not just Bathurst but Western NSW and will create many opportunities for both male and female players and sports tourism.

An amount of \$2,300,000 has been included in the Draft Operational Plan 2022/2023 for Proctor Park reconstruction of soccer fields in year 1 of the plan (2022/2023). Carrington Park grandstand extension is also included in the plan, with the amounts of \$4,250,000 in year 1 (2022/2023) and \$8,750,000 included in year 2 (2023/24).

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 4 – Funding for conference and training for intense weather events

A submission has been received from John Fry (**attachment 4**) requesting funding of \$35,000 to fund a Greening Bathurst “Our Water Future” conference to be held in Bathurst mid-2022 and to send key staff, Councillors and land managers to attend a Tarwyn Park Training 4-day Natural Sequence Farming training course in October 2022. The conference and training course are aimed at a wide range of land managers to assist them to adapt to and moderating intense weather events.

Council has considered inclusion of funding for this conference in the development of the Draft Operational Plan 2022/2023. However, with limited funds and a small operating profit, the project at this stage has not been placed within the Draft Operational Plan 2022/2023, but is included “below the line” for Council’s consideration. The search for funding to complete this in 2022/2023 will continue.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 5 – Condition of public toilets and mapping of Major Projects

A submission has been received from Saeed Shaeri (**attachment 5**) who finds the condition of public toilets in children’s playgrounds and public parks unacceptable and would like to see Council work on some of the important ones, like Lions Park, Adventure Playground and McPhillamy Park.

This submission further states that it would be interesting to see a map of the area with “Major Projects” marked, to help an understanding of how the Bathurst City expansion is matching Council’s investment (major projects).

The Draft Operational Plan 2022/2023 includes \$99,753 for cleaning of public toilets and \$46,578 for building maintenance of existing public toilets. Council ensures all public toilets are maintained to a high standard, but apart from routine cleaning Council relies on the public for information about unclean/damaged toilets. When Council is informed of a toilet in an unacceptable condition outside of scheduled cleaning, immediate action is taken to rectify the situation.

The Draft Operational Plan 2022/2023 also includes \$594,977 for construction of new toilets and/or upgrade of existing public toilets. This is allocated each year on a needs

basis as determined by Council, after consideration of public needs and requests.

Including an A4-sized map of the Bathurst Regional Council area with all Major Projects marked would be unreadable, as there are over 170 projects to include on a small map. Including only what Council considers the main projects may be ill-defined as all users would have a different perspective of what were their interested projects. Council therefore relies on the descriptions given in the Major Projects listing and the Detailed Budget attached in the Operational Plan to inform users and allow them to determine if Council's investments match the expansion.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 6 – Change to Revenue Policy – Animal Trap Deposit (Refundable)

A submission has been received from Wendy Parry (**attachment 6**) objecting to the proposed fee of \$113 for the hire of a cat cage. Wendy is concerned this amount is too high for a pensioner, while feral cats are a danger to local fauna, and this fee should be reduced.

This fee is fully refundable on return of the animal trap/cage. Over past years, on several occasions these traps have not been returned to Council. With current replacement costs approx. \$350 per trap, this deposit is in place to encourage their return.

The following minor amendment is proposed to the Draft Revenue Policy, below the line on page 47R, to clarify the timing of when refunds will be processed.

“Deposit will be refunded direct to bank account (if supplied) or via cheque, up to 7 days after return of trap/s in a satisfactory condition.”

Recommendation: That the information be noted, and amendment be made to the Revenue Policy 2022/2023.

Submission 7 – Strategy / Management Plan for public space at top of Mt Panorama

A submission has been received from Richard Thompson (**attachment 7**) who is disappointed there is no allocation of funds for the development of a strategy or management plan for the development of park land/public space at the top of Mt Panorama.

Council has considered inclusion of \$300,000 funding for a Management Plan for the entirety of McPhillamy Park, in the development of the Draft Operational Plan 2022/2023. However, with limited funds and a small operating profit, the project at this stage has not been placed within the Draft Operational Plan 2022/2023, but is included “below the line” for Council's consideration. The search for funding to complete this in 2022/2023 will continue.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 8 – Master Plan for McPhillamy Park

A submission has been received from Dr Juanita Kwok (**attachment 8**) urging Council to allocate funds for the development of a Masterplan Vision Statement for McPhillamy Park.

Council has considered inclusion of \$300,000 funding for a Management Plan for the entirety of McPhillamy Park, in the development of the Draft Operational Plan 2022/2023. However, with limited funds and a small operating profit, the project at this stage has not been placed within the Draft Operational Plan 2022/2023, but is included “below the line” for Council’s consideration. The search for funding to complete this in 2022/2023 will continue.

The submission from Dr Juanita Kwok also asked that some of the \$2.25m loan taken out for the go-kart track should be put to use for urgent community projects.

At various Council meetings since this loan was taken out, including most recently at Item 11.3 of Council Meeting of 20 April 2022, this topic was discussed, and Council determined to take no action at this stage as the Go-Kart capital project was still awaiting further reports.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 9 – Centennial Park works

A submission has been received from Vianne Tourle (**attachment 9**) “on behalf of the Friends of Centennial Park Inc”, thanking Council for including \$250,000 each year to ensure the future of Centennial Park. The submission further urged Council that effective and cost-efficient works are carried out ASAP, including urgently required tree planting and maintenance.

Council at its Ordinary Meeting of 2 February 2022 declined to accept tender submissions for the Centennial Park Landscape Construction Upgrade, Stage 1 works, due to prices significantly in excess of expectations. It was resolved that the Stage 1 works would be retendered in the 2022/2023 financial year.

Council intends to call Tenders again for the Centennial Park Landscape Construction, Stage 1 works within the early part of 2022/2023, works to involve tree planting, main path construction, irrigation to new trees and park lighting, which have been discussed with the Friends of Centennial Park.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 10 – Restorative work for McPhillamy Park

A submission has been received from Bruce Harold Inwood (**attachment 10**) urging Council to act immediately to create a space for the use of all people at McPhillamy Park and to not delay restorative work of the land currently fenced off.

Council has considered inclusion of \$300,000 funding for a Management Plan for the entirety of McPhillamy Park, in the development of the Draft Operational Plan 2022/2023.

However, with limited funds and a small operating profit, the project at this stage has not been placed within the Draft Operational Plan 2022/2023, but is included “below the line” for Council’s consideration. The search for funding to complete this in 2022/2023 will continue.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 11 – John Eccles

Mr Eccles has raised several issues which will be dealt with individually. The submission (**attachment 11**) is a series of questions, with each question addressed separately below. The recommendation is shown at the end.

11.1 Maintenance on heritage protected stone cottage on Mt Panorama

Mr Eccles requests that Council urgently attend to “maintenance on the heritage protected stone cottage on Mt Panorama”.

The stone cottage within McPhillamy Park has been fenced off from the public to protect it from vandalism. The Council has considered inclusion of funding for a Management Plan for the entirety of McPhillamy Park, including the stone cottage, in the development of the Draft Operational Plan 2022/2023, which is included “below the line” for Council’s consideration.

11.2 Planning for McPhillamy Park as a regional tourist destination

Mr Eccles states “there is a need for planning to make the whole area at the top of the Mount to be a regional tourist destination”.

Council has considered inclusion of \$300,000 funding for a Management Plan for the entirety of McPhillamy Park, in the development of the Draft Operational Plan 2022/2023. However, with limited funds and a small operating profit, the project at this stage has not been placed within the Draft Operational Plan 2022/2023, but is included “below the line” for Council’s consideration. The search for funding to complete this in 2022/2023 will continue.

11.3 Sunbright subdivision planting of native trees

Mr Eccles is concerned that the Sunbright subdivision process included a provision that Council provide the planting of native trees in a park around the existing concrete reservoir, and this has not happened yet.

Council remains committed to planting of trees as per the approved Landscaping Plan for Sunbright Stage 1. This work was delayed due to poor planting conditions resulting from the recent drought; subsequently with the drought breaking there has been a continued shortage state-wide of suitable tubestock for planting. Orders have been placed for the plant tubestock as required by the development but as yet not able to be supplied. Funding for this work is available and is not required to be provided in the Draft Operational Plan 2022/2023.

11.4 George and Howick St zebra crossings

Mr Eccles states the works originally specified as part of the roundabout on George and Howick Streets required the construction of 4 zebra crossings, which should be constructed by now for safety reasons.

The reconstruction of this intersection removed the three zebra crossings that were previously installed. The new roundabout was designed in accordance with current Austroads Standards, with appropriately designed pedestrian refuges on each leg of the intersection. There was no intention at any point with the reconstruction of the intersection to include marked zebra crossings, with priority given to vehicles. In addition, the mid-block pedestrian refuge in George Street between Howick and William Street was installed to provide pedestrians with an additional crossing point, again as designed in accordance with Austroads requirements. No further action is required, thus funding is not required to be allocated in the Draft Operational Plan 2022/2023.

11.5 Planning for better road access from Kelso to the CBD

Mr Eccles is concerned that the Budget contains no funds for planning for better road access from Kelso to the CBD, and that simply widening Hereford St and constructing a high-level bridge is insufficient as well, due to the intersection of George St and Great Western Highway being unable to handle the increased traffic flow.

\$250,000 has been included in the Draft Operational Plan 2022/2023 to progress investigations and concept designs for the improvement of the Hereford Street corridor inclusive of the George St and Great Western Highway intersection.

11.6 Using Investments

Mr Eccles notes that Council has over ninety million dollars of funds invested at an average interest rate of 0.66% and with building costs expected to rise by at least 10% pa for next few years, it would be financially prudent to use these funds to “tackle some of the urgent works required” such as constructing footpaths, now, and therefore save Council some money.

The Draft Operational Plan 2022/2023 identifies \$82.5million of Investments at the end of the 2023 year. This \$82.5m consists of Developer Contributions (approx. \$45m), Water, Sewer and Waste Internal Reserves (\$31m) and \$14m in General Fund Internal Reserves, of which \$10m Land Development, \$1m Plant Reserve, \$1m Stormwater Levy and the balance is Reserves for various purposes such as Mt Panorama track resurfacing. Developer Contributions including water and sewer, can only be used for the purposes stated in the relevant Developer Contribution Plans, and cannot be re-allocated to other projects. Water, Sewer and Waste reserves are quarantined and can only be used on projects in those areas. This means there is very little of Council’s investments that can be used to bring forward construction of new/replacement assets.

Council is constructing/replacing assets as quickly as it can, and to bring forward projects ahead of what Council’s resources can cope with may lead to wastage of public funds.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 12 – 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 non-residential 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, in accordance with the Act, imposes 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 Program 2022-2026 and Operational Plan 2022/2023.

Submission 13 – Mr G. A. Crisp

Council has received a two-part submission from Mr G. A. Crisp. The submission does not actually address any content of the Draft Delivery Program 2022-2026 and Operational Plan 2022/2023 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 Program 2022-2026 and Operational Plan 2022/2023.

Submission 14 – Funding allocation for McPhillamy Park

A submission has been received from Jan Page, Convenor of Friends of McPhillamy Park Group (**attachment 13**) urging Council to allocate funding to the development of the Conservation Management Plan for McPhillamy Park and / or at least \$100,000 to undertake a scoping study and some necessary and simple works.

Council has considered inclusion of \$300,000 funding for a Management Plan for the entirety of McPhillamy Park, in the development of the Draft Operational Plan 2022/2023. However, with limited funds and a small operating profit, the project at this stage has not been placed within the Draft Operational Plan 2022/2023, but is included "below the line" for Council's consideration. The search for funding to complete this in 2022/2023 will continue.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 15 – Funding for Western Sydney Wanderers

At Council Meeting on 20 April 2022 in discussions to place the Draft Operational Plan 2022/2023 on public display, there was a request from Councillor North to include as a submission funding to host the Western Sydney Wanderers (WSW) for a week, including games. Hosting the WSW would provide major economic benefits to Bathurst, similar to the annual NRL game.

Council has considered inclusion of funding for hosting this event, however with limited funds and a small operating profit, the project at this stage has not been placed within the Draft Operational Plan 2022/2023, but is included “below the line” for Council’s consideration. The search for funding to provide for this in 2022/2023 will continue.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 16 – Change to Revenue Policy – Children’s Services

A submission has been received from Council Staff removing the Children’s Services charges for three (3) older age groupings for Orientation half-day on page 40R of the Draft Revenue Policy as this charge is no longer required as children commence care and use full days.

The submission also adds a Bond Payment under the Scallywags Long Day Care and Preschool fees. The decision has been made to include a bond, to assist in the recoup of fees, if families were to leave the service with an outstanding account. The Bond is to be paid during the enrolment process, to confirm booking. The bond will be held until the child ceases in care and will be transferred at this time after being offset against any outstanding or final fees owing.

To clarify this the following is to be added to the Revenue Policy below the Child Care lines on page 40R:

“Bond Deposit – paid per child to confirm enrolment \$125.00”

Recommendation: That the information be noted, and amendment be made to the Revenue Policy 2022/2023.

Submission 17 – Change to Revenue Policy – Library / Art Gallery

A submission has been received from Council Staff removing and/or reducing some charges on pages 37-38R of the Draft Revenue Policy as the charges are no longer required and / or are not competitive.

The submission removes the charge for Library Facsimile Machine on page 37R as this service has not been used for a number of years so is no longer required.

The submission also removes the Evening Hire rates for Community Group Use and Commercial Use for both Library on page 37R and Art Gallery on page 38R, as this service is no longer provided.

The submission further amends the Hire rates for Community Group Use and Commercial Use for both Library on page 37R and Art Gallery on page 38R, as the prices were not competitive with other suppliers of this service, with new prices as follows:

Rec Code	Job Number	GST	2021/2022 \$	2022/2023 \$	Pricing Category
<u>Community Group Use:</u>					
Per Hour		y	43.00	21.00	2
Half Day		y	136.00	68.00	2
Full Day		y	221.00	110.00	2
<u>Commercial Use:</u>					
Per Hour		y	110.50	55.00	3
Half Day		y	180.50	90.00	3
Full Day		y	288.50	144.00	3
Security Fee (where applicable) - per visit					
		y	82.00	82.00	1

Recommendation: That the information be noted, and amendment be made to the Revenue Policy 2022/2023.

Submission 18 – Change to Revenue Policy – Security Deposit Mt Panorama

A submission has been received from Council Staff to include a \$1,000 refundable security deposit for Mt Panorama facility bookings. The security deposit is to be paid to confirm bookings.

Recommendation: That the information be noted, and amendment be made to the Revenue Policy 2022/2023.

Submission 19 – Carrington Park Loan

A submission has been received from Councillor Fry (**attachment 14**) seeking to refer consideration of the Carrington Park Upgrade loan funding to a Working Party.

Consideration of the matters in this submission can be referred to a working party as requested.

Recommendation: That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and the Operational Plan 2022/2023.

FINANCIAL IMPLICATIONS:

If the recommendations are adopted, the changes will be incorporated into the Delivery Program 2022-2026 and Operational Plan 2022/2023 and the Revenue Policy 2022/2023 which will become the budget for Bathurst Regional Council for 2022/2023.

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 Elie Farah [6.1.2.1 - 1 page]
2. Attachment 2 Mark Golding [6.1.2.2 - 2 pages]
3. Attachment 3 Tony Thorpe [6.1.2.3 - 1 page]
4. Attachment 4 John Fry [6.1.2.4 - 1 page]
5. Attachment 5 Saeed Shaeri [6.1.2.5 - 1 page]
6. Attachment 6 Wendy Parry [6.1.2.6 - 1 page]
7. Attachment 7 Richard Thompson [6.1.2.7 - 1 page]
8. Attachment 8 Dr Juanita Kwok [6.1.2.8 - 1 page]
9. Attachment 9 Vianne Tourle [6.1.2.9 - 1 page]
10. Attachment 10 Bruce Inwood [6.1.2.10 - 1 page]
11. Attachment 11 John Eccles [6.1.2.11 - 3 pages]
12. Attachment 12 Ray Carter [6.1.2.12 - 6 pages]
13. Attachment 13 Friends of Mc Phillamy Park [6.1.2.13 - 2 pages]
14. Attachment 14 Clr Ben Fry [6.1.2.14 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2022-219

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED:

That Council consider the submissions individually.

Submissions 1 and 2 – Road maintenance Bridle Track

MINUTE

RESOLUTION NUMBER: ORD2022-220

MOVED: Cr M Hogan SECONDED: Cr B Fry

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 3 – Funding for Carrington Park and Proctor Park

MINUTE

RESOLUTION NUMBER: ORD2022-221

MOVED: Cr M Hogan SECONDED: Cr K Burke

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Cr Fry declared a non-pecuniary significant interest in this item and left the chamber.

Submission 4 – Funding for conference and training for intense weather events

MINUTE

RESOLUTION NUMBER: ORD2022-222

MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 5 – Condition of public toilets and mapping of Major Projects

MINUTE

RESOLUTION NUMBER: ORD2022-223

MOVED: Cr B Fry SECONDED: Cr G Hanger

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 6 – Change to Revenue Policy – Animal Trap Deposit (Refundable)

MINUTE

RESOLUTION NUMBER: ORD2022-224

MOVED: Cr B Fry SECONDED: Cr K Burke

RESOLVED:

That the information be noted, and amendment be made to the Revenue Policy 2022/2023.

Submission 7 – Strategy / Management Plan for public space at top of Mt Panorama

MINUTE

RESOLUTION NUMBER: ORD2022-225

MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED:

1. That the information be noted
2. An amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/23;
 - a. Provide \$50,000 in the 2022/23 AOP for the commencement of a management Plan for the development of public land/public space at the top of Mount Panorama/Wahluu, to be funded from the Emergency Services Levy (ESL) rebate (yet to be advised).
 - b. That Council consider the inclusion of additional funds for future years for the management plan, in next years budget process.
3. An amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/23 to;
 - a. Provide \$50,000 in the 2022/23 AOP for the commencement of a study for a proposed Aboriginal Cultural Centre, to be funded from the ESL rebate (yet to be advised).
 - b. That Council consider the inclusion of additional funds for future years to progress the development of an Aboriginal Cultural Centre.
4. An amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/23 to;
 - a. Provide \$200,000 in the 2022/23 AOP to facilitate the hosting of a Western Sydney Wanderers (WSW) football match in Bathurst.

Submission 8 – Master Plan for McPhillamy Park

MINUTE

RESOLUTION NUMBER: ORD2022-226

MOVED: Cr M Hogan SECONDED: Cr I North

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 9 – Centennial Park works

MINUTE

RESOLUTION NUMBER: ORD2022-227

MOVED: Cr M Hogan SECONDED: Cr K Burke

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 10 – Restorative work for McPhillamy Park

MINUTE

RESOLUTION NUMBER: ORD2022-228

MOVED: Cr K Burke SECONDED: Cr M Hogan

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 11.1 - Maintenance on heritage protected stone cottage on Mt Panorama

MINUTE

RESOLUTION NUMBER: ORD2022-229

MOVED: Cr J Jennings SECONDED: Cr M Hogan

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 11.2 - Planning for McPhillamy Park as a regional tourist destination

MINUTE

RESOLUTION NUMBER: ORD2022-230

MOVED: Cr M Hogan SECONDED: Cr K Burke

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 11.3 - Sunbright subdivision planting of native trees

MINUTE

RESOLUTION NUMBER: ORD2022-231

MOVED: Cr M Hogan SECONDED: Cr K Burke

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 11.4 George and Howick St zebra crossings

MINUTE

RESOLUTION NUMBER: ORD2022-232

MOVED: Cr K Burke SECONDED: Cr I North

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 11.5 Planning for better road access from Kelso to the CBD

MINUTE

RESOLUTION NUMBER: ORD2022-233

MOVED: Cr K Burke SECONDED: Cr B Fry

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 11.6 Using Investments

MINUTE

RESOLUTION NUMBER: ORD2022-234

MOVED: Cr M Hogan SECONDED: Cr I North

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 12 – Ray Carter

MINUTE

RESOLUTION NUMBER: ORD2022-235

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 13 – Mr G.A. Crisp

MINUTE

RESOLUTION NUMBER: ORD2022-236

MOVED: Cr K Burke SECONDED: Cr B Fry

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 14 – Funding allocation for McPhillamy Park

MINUTE

RESOLUTION NUMBER: ORD2022-237

MOVED: Cr M Hogan SECONDED: Cr W Aubin

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 15 – Funding for Western Sydney Wanderers

MINUTE

RESOLUTION NUMBER: ORD2022-238

MOVED: Cr I North SECONDED: Cr B Fry

RESOLVED:

That the information be noted.

Submission 16 – Change to Revenue Policy – Children’s Services

MINUTE

RESOLUTION NUMBER: ORD2022-239

MOVED: Cr I North SECONDED: Cr M Hogan

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and Operational Plan 2022/2023.

Submission 17 – Change to Revenue Policy – Library / Art Gallery

MINUTE

RESOLUTION NUMBER: ORD2022-240

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED:

That the information be noted, and amendment be made to the Revenue Policy 2022/2023.

Submission 18 – Change to Revenue Policy – Security Deposit Mt Panorama

MINUTE

RESOLUTION NUMBER: ORD2022-241

MOVED: Cr B Fry SECONDED: Cr W Aubin

RESOLVED:

That the information be noted, and amendment be made to the Revenue Policy 2022/2023.

Submission 19 – Carrington Park Loan

MINUTE

RESOLUTION NUMBER: ORD2022-242

MOVED: Cr B Fry SECONDED: Cr K Burke

RESOLVED:

That the information be noted, and no amendment be made to the Delivery Program 2022-2026 and the Operational Plan 2022/2023.

6.1.3

DELIVERY PROGRAM 2022-2026 AND OPERATIONAL PLAN 2022/2023

File No: 16.00187

RECOMMENDATION:

That Council:

- a) Following consideration of the submissions received by Council, the Draft Delivery Program 2022-2026 and Operational Plan 2022/2023 be adopted as the Bathurst Regional Council Delivery Program 2022-2026 and Operational Plan 2022/2023, 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 2022/2023 be voted.
 - b) Councillor's 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) Note that Council has reviewed its organisation structure in accordance with section 333 of the Local Government Act 1993 as amended.
 - e) Approve the proposed borrowing of funds as detailed in the Operational Plan.
-

REPORT:

The Draft Delivery Program 2022-2026 and Operational Plan 2022/2023 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 #6.1.2 of 29 June 2022) and any adjustments to the Draft Delivery Program 2022-2026 and Operational Plan 2022/2023 adopted at that item will now be included in the formal adoption of the Operational 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 2022 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	2022/2023 Proposed Borrowing
	\$
W12294 - Rural Roads - Unsealed Lachlan Road	200,000
W12295 - Rural Roads - Unsealed Freemantle Road (22-23km)	200,000
W8664 - Urban Sealed Road Construction - Lagoon Road	300,000
W5961 - Carrington Park Grandstand Extension	4,250,000
W6733 Winburndale Dam Safety Upgrade	6,000,000
	<u>10,950,000</u>

FINANCIAL IMPLICATIONS:

The draft documents, with amendments, become the Delivery Program 2022-2026 and Operational Plan 2022/2023 and sets the budget for the 2022/2023 financial 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. Local Govt Remuneration Tribunal 2022 Annual Determination [6.1.3.1 - 17 pages]
2. Councillors Superannuation Media Release [6.1.3.2 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2022-243

MOVED: Cr B Fry SECONDED: Cr K Burke

RESOLVED:

That Council:

- a) Following consideration of the submissions received by Council, the Draft Delivery Program 2022-2026 and Operational Plan 2022/2023 be adopted as the Bathurst Regional Council Delivery Program 2022-2026 and Operational Plan 2022/2023, 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 2022/2023 be voted.
- b) Councillor's remuneration be set at the maximum level for the category applicable to Council as published by the Local Government Remuneration Tribunal, less the recent 2% increase recently approved by the Tribunal.
- c) Councillors be paid superannuation from 1 July 2022 at the prevailing rate.
- d) Note that Council has reviewed its organisation structure in accordance with section 333 of the Local Government Act 1993 as amended.
- e) Approve the proposed borrowing of funds as detailed in the Operational Plan.

File No: 16.00187

RECOMMENDATION:

That, following consideration of the submissions received by Council, the Revenue Policy for 2022/2023, as presented to Council, be adopted as the Bathurst Regional Council 2022/2023 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

REPORT:

Council's Revenue Policy for 2022/2023 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:

Adoption of this item will create the Bathurst Regional Council 2022/2023 Revenue Policy incorporating the Fees and Charges for 2022/2023.

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: ORD2022-244

MOVED: Cr M Hogan SECONDED: Cr J Jennings

RESOLVED:

That, following consideration of the submissions received by Council, the Revenue Policy for 2022/2023, as presented to Council, be adopted as the Bathurst Regional Council 2022/2023 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

6.1.5

2022/2023 RATE LEVY - MAKING THE RATES

File No: 16.00187

RECOMMENDATION:

That Council formally resolve to make the following rates and charges in relation to the 2022/2023 Rating Year.

- (a) ORDINARY RATES FOR 2022/2023 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst Delivery Program 2022-2026 and Operational Plan 2022/2023 for the twelve months to 30 June 2023 was adopted by the Council on 29 June 2022 it is hereby recommended that:
1. a **Residential Rate** of zero point two five three seven nine seven (0.253797) 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 eight five nine two seven (0.885927) 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 five seven zero three (0.155703) 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 four zero six nine six one (0.406961) 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 seven two nine seven seven (1.572977) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 five one six three seven (0.351637) 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 2022/2023 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		\$288.00	32
2	Residential/Town Village	\$410.00		
3	Farmland		\$389.00	24
4	Business	\$285.00		
5	Business Bathurst City	\$438.00		
6	Business Forest Grove	\$438.00		
7	Business Ceramic Avenue	\$438.00		
8	Business Eglinton Non-Urban	\$438.00		
9	Business Orton Park	\$438.00		
10	Business Stewarts Mount	\$438.00		
11	Business Evans Plains	\$438.00		
12	Mining		\$251.00	48

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2022/2023 - 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 2022 being four hundred and sixty four dollars and zero cents (\$464.00) 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 2022 being three hundred and forty four dollars and zero cents (\$344.00), 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 2022 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 forty dollars and zero cents (\$240.00) per mobile bin and for each additional food and green waste collection service, one hundred and twenty dollars and zero cents (\$120.00) and for each additional fortnightly recycling collection service, one hundred and four dollars and zero cents (\$104.00) per mobile bin be made by the Council.

- (c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2022/2023 (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 forty dollars and zero cents (\$240.00) per mobile bin and the weekly removal of food and green waste being one hundred and twenty dollars and zero cents (\$120.00) and the fortnightly collection of material for recycling being one hundred and four dollars and zero cents (\$104.00) per mobile bin for the twelve months commencing 1 July 2022 be made by the Council.
- (d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2022/2023**
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 2022 being ninety-nine dollars and zero cents (\$99.00) be made by the Council.
- (e) **WASTE MANAGEMENT VOUCHERS – FOR 2022/2023** 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 2022/2023** – 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 2022.
1. That the annual charge for single residential (including residential strata) and un-metered properties, be six hundred and ninety-eight dollars and zero cents (\$698.00).
 2. That the annual charge for vacant land be four hundred and forty five dollars and zero cents (\$445.00).
 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 2022/2023
20	\$631.00
25	\$978.00

32	\$1,603.00
40	\$2,506.00
50	\$3,913.00
65	\$6,291.00
80	\$10,005.00
100	\$15,634.00
150	\$35,166.00
Strata Properties (Each non-residential lot)	\$631.00
Assumption School	\$1,962.00

4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be two dollars and twenty cents (\$2.20) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.
- (g) SEWERAGE CHARGES -TRADE WASTE 2022/2023 - 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 2022.
1. That the Annual Trade Waste Fee for individual businesses be one hundred and forty two dollars and ten cents (\$142.10).
 2. That the Annual Trade Waste Fee (Large Discharger) for individual business be nine hundred and forty seven dollars and fifty cents (\$947.50).
 3. That the Trade Usage Charge for non-residential properties be three dollars and seventy cents (\$3.70) per kilolitre of filtered water supplied multiplied by a trade discharge factor.
- (h) STORMWATER MANAGEMENT CHARGES 2022/2023 – That in accordance with Sections 496A of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2022.
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 2022/2023** – 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 2022.

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 2022/2023 \$
20	\$175.00
25	\$274.00
32	\$448.00
40	\$701.00
50	\$1,094.00
65	\$1,848.00
80	\$2,797.00
100	\$4,369.00
150	\$9,831.00
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 eighty two dollars and zero cents (\$882.00).
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).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2022/2023
Hillview Estate Water Supply	First 250 kl	\$2.70
	> 250 kl	\$5.33
Residential Filtered	First 250 kl	\$2.58
	> 250 kl	\$3.87
Residential Raw	First 250 kl	\$1.12
	> 250 kl	\$1.69
Other Filtered	First 250 kl	\$2.58
	> 250 kl	\$3.87
Other Raw	First 250 kl	\$1.12
	> 250 kl	\$1.69
Large Industrial Filtered	>0 kl	\$2.01
Large Industrial Raw	>0 kl	\$1.26
Community Clubs:	First 18,000 kl	\$0.98
Golf, Majellan & Bathurst Community Club	>18,000kl to 45,000kl	\$1.29
	Balance	\$2.05
Strata Unit property	First 250 kl (for each unit)	\$2.58
	>250 kl (for each unit)	\$3.87
Home Dialysis – subject to doctors' certificate	First 200 kl	Free
	200kl-250 kl	\$2.58
	>250 kl	\$3.87
Hospital	1 st x patient average	Free
	Balance per KL	\$3.87

- (j) Included in this year's Delivery Program 2022-2026 and Operational Plan 2022/2023 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 Operational Plan.
- (k) INTEREST ON OVERDUE RATES AND CHARGES FOR 2022/2023 – 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.
- (l) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.5%, 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:

This amount has been provided for in the current year's budget.

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: ORD2022-245

MOVED: Cr K Burke SECONDED: Cr B Fry

RESOLVED:

That Council formally resolve to make the following rates and charges in relation to the 2022/2023 Rating Year.

- (a) **ORDINARY RATES FOR 2022/2023** - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst Delivery Program 2022-2026 and Operational Plan 2022/2023 for the twelve months to 30 June 2023 was adopted by the Council on 29 June 2022 it is hereby recommended that:
 - 1. a **Residential Rate** of zero point two five three seven nine seven (0.253797) 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 eight five nine two seven (0.885927) 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 five seven zero three (0.155703) 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 four zero six nine six one (0.406961) 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 seven two nine seven seven (1.572977) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 four zero three four eight (1.440348) 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 five one six three seven (0.351637) 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 2022/2023 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		\$288.00	32
2	Residential/Town Village	\$410.00		
3	Farmland		\$389.00	24
4	Business	\$285.00		
5	Business Bathurst City	\$438.00		
6	Business Forest Grove	\$438.00		
7	Business Ceramic Avenue	\$438.00		
8	Business Eglinton Non-Urban	\$438.00		
9	Business Orton Park	\$438.00		
10	Business Stewarts Mount	\$438.00		
11	Business Evans Plains	\$438.00		
12	Mining		\$251.00	48

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2022/2023 - 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 2022 being four hundred and sixty four dollars and zero cents (\$464.00) 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 2022 being three hundred and forty four dollars and zero cents (\$344.00), 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 2022 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 forty dollars and zero cents (\$240.00) per mobile bin and for each additional food and green waste collection service, one hundred and twenty dollars and zero cents (\$120.00) and for each additional fortnightly recycling collection service, one hundred and four dollars and zero cents (\$104.00) per mobile bin be made by the Council.
- (c) WASTE MANAGEMENT SERVICE CHARGES FOR 2022/2023 (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 forty dollars and zero cents (\$240.00) per mobile bin and the weekly removal of food and green waste being one hundred and twenty dollars and zero cents (\$120.00) and the fortnightly collection of material for recycling being one hundred and four dollars and zero cents (\$104.00) per mobile bin for the twelve months commencing 1 July 2022 be made by the Council.
- (d) WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2022/2023 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 2022 being ninety-nine dollars and zero cents (\$99.00)

be made by the Council.

- (e) **WASTE MANAGEMENT VOUCHERS – FOR 2022/2023** 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 2022/2023 –** 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 2022.
1. That the annual charge for single residential (including residential strata) and un-metered properties, be six hundred and ninety-eight dollars and zero cents (\$698.00).
 2. That the annual charge for vacant land be four hundred and forty five dollars and zero cents (\$445.00).
 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 2022/2023
20	\$631.00
25	\$978.00
32	\$1,603.00
40	\$2,506.00
50	\$3,913.00
65	\$6,291.00
80	\$10,005.00
100	\$15,634.00
150	\$35,166.00
Strata Properties (Each non-residential lot)	\$631.00
Assumption School	\$1,962.00

4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be two dollars and twenty cents (\$2.20) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.
- (g) **SEWERAGE CHARGES -TRADE WASTE 2022/2023 -** 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 2022.
1. That the Annual Trade Waste Fee for individual businesses be one hundred and forty two dollars and ten cents (\$142.10).
 2. That the Annual Trade Waste Fee (Large Discharger) for individual business be nine hundred and forty seven dollars and fifty cents (\$947.50).
 3. That the Trade Usage Charge for non-residential properties be three dollars and seventy cents (\$3.70) per kilolitre of filtered water supplied multiplied by a trade discharge factor.

- (h) **STORMWATER MANAGEMENT CHARGES 2022/2023** – That in accordance with Sections 496A of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2022.

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 2022/2023** – 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 2022.

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 2022/2023 \$
20	\$175.00
25	\$274.00
32	\$448.00
40	\$701.00
50	\$1,094.00
65	\$1,848.00
80	\$2,797.00
100	\$4,369.00
150	\$9,831.00
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 eighty two dollars and zero cents (\$882.00).
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).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2022/2023
Hillview Estate Water Supply	First 250 kl	\$2.70
	> 250 kl	\$5.33
Residential Filtered	First 250 kl	\$2.58
	> 250 kl	\$3.87
Residential Raw	First 250 kl	\$1.12
	> 250 kl	\$1.69
Other Filtered	First 250 kl	\$2.58
	> 250 kl	\$3.87
Other Raw	First 250 kl	\$1.12
	> 250 kl	\$1.69
Large Industrial Filtered	>0 kl	\$2.01
Large Industrial Raw	>0 kl	\$1.26
Community Clubs:	First 18,000 kl	{resolution}.98
Golf, Majellan & Bathurst Community Club	>18,000kl to 45,000kl	\$1.29
	Balance	\$2.05
Strata Unit property	First 250 kl (for each unit)	\$2.58
	>250 kl (for each unit)	\$3.87
Home Dialysis – subject to doctors' certificate	First 200 kl	Free
	200kl-250 kl	\$2.58
	>250 kl	\$3.87
Hospital	1 st x patient average	Free
	Balance per KL	\$3.87

- (j) Included in this year's Delivery Program 2022-2026 and Operational Plan 2022/2023 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 Operational Plan.

- (k) INTEREST ON OVERDUE RATES AND CHARGES FOR 2022/2023 – 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.
- (l) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.5%, 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.

6.1.6

LONG TERM FINANCIAL PLAN 2022/23 TO 2031/32

File No: 16.00187

RECOMMENDATION:

That Council adopts the Long Term Financial Plan 2022/2023 – 2031/2032.

REPORT:

At the Council Meeting held on 18 May 2022 the Draft Long Term Financial Plan (LTFP) 2022/2023 – 2031/2032 was approved to be placed on public exhibition (Item 8.3.7). The LTFP was on public exhibition for the required period of 28 days from 19 May to 17 June 2022.

Submissions were able to be made via Council's YourSay site and/or through written submissions. 24 people visited the YourSay website, with 12 people downloading a copy of the LTFP. However, no submissions have been received.

The LTFP was developed in line with the NSW Government's Integrated Planning and Reporting (IP&R) Framework. The purpose of this framework is to encourage Councils and their communities to take a longer-term vision for their areas and plan accordingly. New IP&R Guidelines state that the LTFP must be exhibited for public submissions for 28 days before adoption by Council (previously not required) and a copy of the adopted LTFP posted on Council's website.

The LTFP is a key component of the IP&R's Resourcing Strategy, which also includes the Workforce Plan and Asset Management Plans. The LTFP is significant in determining the sustainability of Council and matching the community's long-term aspirations and goals against financial realities. These plans are not set in concrete, but instead are a guide to assist future actions and decisions.

The LTFP is important because it:

- Reflects Councils future financial position based on delivering service levels defined in the Delivery Program
- Allows the costs of long-term strategic decisions to be quantified and debated
- Assesses the financial sustainability of service levels
- Determines the risk of future strategic directions
- Allows scenario testing of different policies and service levels
- Enables testing of sensitivity and robustness of key assumptions

With nil submissions received, Council has identified no adjustments that require inclusion in the formal adoption of the Draft Long Term Financial Plan 2022/2023 – 2031/2032.

FINANCIAL IMPLICATIONS:

N/A

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: ORD2022-246

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED:

That Council adopts the Long Term Financial Plan 2022/2023 – 2031/2032.

7 MEETING CLOSE

MINUTE

The Meeting closed at 6.27pm.

CHAIR:

Extraordinary Meeting of Council - 29 June 2022 Attachments

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Bathurst Regional Council Additional Special Variation

20 June 2022

Our decision

Bathurst Regional Council applied for a permanent Additional Special Variation (ASV) for a percentage increase in its general income of 2.5% in 2022-23. The rate peg for Bathurst Regional Council in 2022-23 was set at 0.9%. The council budgeted for a 2022-23 increase of 2.5%.

We have assessed this application against the three criteria set by the Office of Local Government (OLG). We found that Bathurst Regional Council's ASV application fully met all assessment criteria.



We have approved Bathurst Regional Council's application for a permanent 2.5% Additional Special Variation in 2022-23 (including the rate peg). Our decision means the council can increase its general income by 2.5% in 2022-23 and permanently keep this additional income in its rate base.

Table 1 Approved ASV – Bathurst Regional Council

	2022-23
Increase above the rate peg – permanent	1.6%
Rate peg	0.9%
Total increase	2.5%

Our decision means the council can increase income by 1.6% above the rate peg. We estimate this to be around \$0.47 million in additional income in 2022-23 which it can keep in its rate base going forward. This allows the council an extra \$2.5 million over the next 5 years. The impact on rates from this ASV may be different for individual ratepayers and across different ratepayer categories. The ASV represents an allowed increase in general permissible income, the council decides how it collects that income from ratepayers.

The ASV process

On 6 April 2022 the OLG announced guidelines for the Additional Special Variations (ASV) process for 2022-23 under [circular 22-07](#) (ASV guidelines). IPART has assessed applications from NSW councils for an ASV against the ASV guidelines.

The council planned for a 2.5% increase in income

Assessment criterion 1: *The application amount is not higher than the lesser of 2.5% or the council's assumed 2022-23 rate peg (including population factor) in its 2021-22 Integrated Planning and Reporting (IP&R) documentation.*

Bathurst Regional Council's 2021-22 Long Term Financial Plan (LTFP) as part of its IP&R documentation budgeted a 2022-23 rate peg of 2.5% which matches Bathurst Regional Council's ASV application for 2.5% in 2022-23.



The increase the council applied for matches the increase in income it budgeted in its planning documents.

Council supports the proposed increase in income

Assessment criterion 2: *The council must have made a resolution which clearly states:*

- *that the council has resolved to apply for the special variation under section 508(2) of the Local Government Act 1993 (the Act)*
- *whether the resolution is for a temporary or permanent special variation under section 508(2) of the Act*
- *the additional income that council will receive if the special variation is approved, and*
- *why the special variation is required*
- *that the council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.*

Bathurst Regional Council resolved on 16 March 2022 to apply for a permanent special variation under section 508(2) of the Act. The council estimated it would receive around \$0.47 million of additional income in 2022-23. The council stated that the special variation is required for Bathurst Regional Council's future financial sustainability and so that services are not adversely affected. The council stated that it considered the impact on ratepayers to be reasonable.



The council resolved to apply to increase its income by 1.6% above the rate peg or by \$0.47 million in 2022-23. It explained the reasons why the ASV is required, and the council considers the impact on ratepayers to be reasonable.

The council demonstrated financial need

Assessment criterion 3: *The council's 2021-22 IP&R documentation forecast an average Operating Performance Ratio (OPR) of 2.0% or lower over 2022-23 to 2026-27 or it has provided other evidence of need. For example, but not limited to that the council needs to maintain a higher OPR so it can meet its capital funding requirements.*

The OLG describes the OPR as measuring how well local councils contain expenses within revenue.^a The OPR represents what portion of a council's revenue is remaining after expenses. A positive OPR represents a surplus in income and a negative OPR represents a shortfall in income.

Bathurst Regional Council's 2021-22 LTFP forecast an average OPR of -42.7% over 2022-23 to 2026-27. An average OPR at or below 2.0% over the next 5 years demonstrates financial need.

Table 2 Bathurst Regional Council's OPR – 2022-23 to 2026-27

	2022-23	2023-24	2024-25	2025-26	2026-27	5-year average
OPR	-41.6%	-42.9%	-43.4%	-43.6%	-42.1%	-42.7%



The council's application shows it has a forecast average OPR of below 2.0%. This demonstrates a financial need for the additional income.

Summary of submissions

Bathurst Regional Council's ASV application did not receive any submissions.

^a NSW Auditor-General, *Report to Parliament | Report on Local Government 2018 | Appendix 9 – OLG's performance indicators from the audited financial statement – Descriptions*, February 2019, p 78.

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Friday, 22 April 2022 7:58:19 PM

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Elie farah

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?

Yes I would like council to do regular Maintenance of the road to my property to allow easy access for 4wd. Since the council merger nothing has been done. Prior to the council merger it was maintained on a regular basis. I cannot repair my farm cottage due to poor access via hill end and or the access via Bruinbun both shocking. I have requested multiple times from council to rectify.

Do you have any other comments in relation to the draft Delivery Program 2022-2026 Operational Plan 2022-2023?

Yes I would like council to do regular Maintenance of the road to my property to allow easy access for 4wd. Since the council merger nothing has been done. Prior to the council merger it was maintained on a regular basis. I cannot repair my farm cottage due to poor access via hill end and or the access via Bruinbun both shocking. I have requested multiple times from council to rectify.

Do you have any comments in regard to the Statement of Revenue Policy for 2022-2023?

Yes I would like council to do regular Maintenance of the road to my property to allow easy access for 4wd. Since the council merger nothing has been done. Prior to the council merger it was maintained on a regular basis. I cannot repair my farm cottage due to poor access via hill end and or the access via Bruinbun both shocking. I have requested multiple times from council to rectify.

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)
Date: Friday, 22 April 2022 10:22:07 PM

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Mark Golding

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?

Yes i believe the Bridle track needs regular maintenance , having visited this area regularly over the past 30 years , i have seen a decline in the scheduled grading and levelling of many parts of the track from Hillend through to the Monaghans bluff rock fall . This takes its toll even on our 4wds when we visit , but it must be extremely hard for the locals who use it daily who we quite often talk to when we come to the area and hear their stories. Having said all that , it's good to see progress on the bypass in the recent months , but as ive said the complete track needs to be looked at regularly. This area is a major tourist and 4wd track from Capertee through to Hillend and Bathurst , so its needs constant attention , running a simple grader when required helps immensely .The council needs to survey the track every 6mths at a minimum , or after flood events .

Do you have any other comments in relation to the draft Delivery Program 2022-2026 Operational Plan 2022-2023?

Anything that can be done to keep the track useable in the coming years will only benefit the Bathurst region , there is so much more to see in this area and its needs to be looked after better.

Do you have any comments in regard to the Statement of Revenue Policy for 2022-2023?

All of the above , keep the Bridle track useable for all . Below photo : This is our group heading up to Johnsons Hole Reserve back in 2007 , we bring a lot of benefits to this area , please keep up the good work ! Kind regards Mark Golding

You can upload a document here

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/ccb5638f6fd0efbaf5875399daebcac02b978400/original/1650629930/85eae6081e1fbc2a26f3aba1d126baa3_bridle_track_traffic_jam.png?1650629930



From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Thursday, 21 April 2022 10:53:46 PM

CAUTION: This email originated from outside BRC. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Tony thorpe

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?

The funding opportunity to both Carrington Park and Proctor Park presents line in the sand , point of difference potential for not just Bathurst but Western New South Wales as another step on a journey of substance. The benefits around a point in the countries history hosting the Women's World Cup and a rationale that could consolidate football education , research , academy conceptualisation , events , programs , as building blocks to cement the efforts of Bathurst football visionaries over many years. The creation of a Craig Johnston sports data analytics site known as Supaskills is a small step closer to those that see potential to help out regions young people with a strategic measurement based resource in the World game. The Carrington Park funding takes a small step to nail a year round proposition diversity of use to activity at Bathurst Sportsground and Morse Park in coming years . The Stadia Arena model for rapid transformation of amenity is something that builds diversity of activity opportunity in a community. Bathurst football has a heritage that brings male , female across age groups but from education , research , promotion more opportunities exist by bringing a fresh agenda to sports tourism , research , park conceptualisation , academy , new resources to a community that had Archie Thompson educated in his formative years.

From: john.a.fry

Sent: Monday, 25 April 2022 10:29 AM

Subject: John fry meeting with BRC April 13 - Restoring Bx watershed

Hi Councillors and Senior staff,

Thanks for the opportunity on April 13th to present an update on the www.tals.org.au "Restoring the Central West" report adopted by the previous council and "A Blueprint For The Future" document.

I also provided an overview of a related document - "Our Water Future" in a motion to the July 2021 meeting of council – which was not adopted.

I am representing an alliance of Greening Bathurst, (GB) The Australian landscape Science Institute (TALS) and Tarwyn Park Training (TPT). Other groups in the alliance can include Oberon Council, NSW government agencies, Landcare and Universities.

I believe this current council has an opportunity and a responsibility to act on the expected significant increases in intense weather events - the severity of floods, droughts and fires in our watershed, which will significantly affect our regional Bathurst community in many ways including water security, unprecedented flooding and associated infrastructure damage, more fire events, farming/economic loss and mental health challenges.

Since the meeting, TPT has booked the Rockley Hall commencing October 31st 2022 for a four day Natural Sequence Farming intensive practical training course to enable land managers to change their land management practices and prepare for the immediate changes we all are facing.

Despite Covid delays, over the last two years, TPT has delivered NSF training courses to a wide range of regional land managers and council staff including in Carcoar/Blayney, Tamworth, Narrabri/Sydney University, Lismore Council, the Mulloon Institute, Braidwood and Albury. In the next month courses will be delivered in Mudgee and Glen Innes. All of these courses are aimed at adapting to and moderating intense weather events.

After delivering TPT training to 20 councillors and senior staff in Lismore, Lismore council has booked in another 80 key people in to courses later this year.

I am asking council to consider including funding in the current water budget for a GB "Our Water Future" Conference in Bathurst mid 2022, and send key staff, councillors and land managers to attend the October TPT course, total, \$35,000.

Thank you for your consideration,

Cheers John Fry .

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Sunday, 8 May 2022 9:07:41 PM

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Saeed Shaeri

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?

As a regular user of children's playgrounds and public parks, I find the condition of their public toilets to be very unacceptable. So, I was hoping to see any intention from the Council to work at least on some of the important ones (e.g., Lions Park, Adventure Playground, McPhillamy Park, etc.). In the program/plan, there is a reference to an increased population of about 25% in about 15 years, plus the fact that currently, the median age stays at 37. These two reasons, at the minimum, could simply justify what facilities would be required for younger residents.

Do you have any other comments in relation to the draft Delivery Program 2022-2026 Operational Plan 2022-2023?

I would be interested to see a map of the area, to know where the "Major Projects" are situated. This would help understand how the city expansion could match the investment by the Council. As one major item is the \$3,000,000 "Adventure Playground - Stage 2". Is it going to be at the same place as now (which will attract a lot more traffic to one location) or there would be another playground on the other side of the city?

From: [Your Say Bathurst Region](#)

Subject: Wendy Parry completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Sunday, 15 May 2022 12:25:24 PM

Wendy Parry just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Wendy Parry

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 have submitted a comment concerning the punitive nature of cat cage hire. I have added my feedback in the Revenue Policy comment box

Do you have any comments in regard to the Statement of Revenue Policy for 2022-2023?

I would like to raise an objection to the proposed amount of \$113 for the hire of a cat cage (rec code 619: job number 2040.110 143). As a pensioner on a pension of \$987.60 per fortnight , or \$493.80 weekly, the hire sum if \$113 would be 22.88% of my weekly income. This equates to charging a person on the average wage, of \$60000, the sum of \$264 for the cage hire. Surely the cages are a civic resource? Whilst I understand that a deposit should be required asking a pensioner to pay nearly 23% of their weekly income to help eradicate hungry predators from our environment would be punitive! Feral cats are a real danger to the local fauna and the capture, and hopeful eradication, should be in the council's best interest. I strongly request that the cat cage hire price should be reduce, considerably, rather than raised.

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Tuesday, 17 May 2022 12:18:30 PM

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Richard Thompson

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 disappointed that there is no allocation of funds for the development of a strategy or management plan for the development of park land / public space at the top of Mt Panorama.

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Wednesday, 18 May 2022 3:34:04 PM

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Dr Juanita Kwok

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?

On 16 February 2022 Council voted unanimously to: Immediately develop a Masterplan Vision Statement within Council's Community Strategic Plan for the area generally known as McPhillamy Park on top of Mount Panorama/Wahluu, and deliver a Conservation Management Plan (CMP) in the 2022-23 Annual Operating Plan. Yet, there is no budget allocation to deliver the CMP for McPhillamy Park in Council's 2022-23 Annual Operating Plan, nor is there any mention of a CMP in the Draft Delivery Program 2022-2026. This is a very important issue to me and to the community and I strongly urge Council to deliver on its commitment to a CMP for McPhillamy Park by allocating funding in the 2022-23 Annual Operating Plan. It is essential that Council's commitment to McPhillamy Park also be reflected in the Delivery program 2022-26. This is a very important community issue and I expect the new Council to honour its commitment to McPhillamy Park, a place of significance to so many in the Bathurst community and beyond.

Do you have any other comments in relation to the draft Delivery Program 2022-2026 Operational Plan 2022-2023?

On 18 June 2020, I received a letter from the Director of Corporate Services, Bathurst Council, advising that the Council's Delivery Plan had been amended to include the go-kart track project at a cost of \$4.5 million, to be fully funded from grants. Contrary to that commitment, a loan for \$2.25m was taken out by Council to part fund construction of a go-kart track. The loan should never have been taken out. Some of the \$2.25 million loan taken out to part-fund construction of a go-kart track should be put to use for urgent community projects.

Do you have any comments in regard to the Statement of Revenue Policy for 2022-2023?

No Answer

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Wednesday, 18 May 2022 7:59:45 PM

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Vianne Tourle

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?

On behalf of the Friends os Centennial Park Inc, I thank Council for including another \$250,000 each year to ensure the future of Centennial Park. There will be a healthy reserve total of \$1million. I urge you to agree to this, and to ensure that effective and cost efficient works are carried out ASAP. Tree planting and maintenance is urgently required. Thank you.

Do you have any other comments in relation to the draft Delivery Program 2022-2026 Operational Plan 2022-2023?

No Answer

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Thursday, 19 May 2022 10:40:38 AM

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

Bruce Harold Inwood

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 believe it is absolutely critical that the intentions of Mrs MacPhillamy be realised and that council needs to act immediately to create a space for the use of all people at MacPhillamy Park. Funds need to be allocated in the Delivery Program and Operational Plan to commence within the first year of the Operational Plan, restorative work on MacPhillamy Park including the incorporation of the land bequeathed by Mrs MacPhillamy, with the intention that the people of Bathurst and visitors to this region can be immersed in the tranquility of Wahluu. As the song "Save Wahluu" says, after having described the events of the last few years..."Tomorrow we'll gather peacefully, high up on the shoulderes of Wahluu, We'll thank the elders and MacPhillamy, for gifting us this eternal view, We'll drink in the tranquility, our body and our spirits to renew."

Do you have any other comments in relation to the draft Delivery Program 2022-2026 Operational Plan 2022-2023?

It is inappropriate to delay the restorative work on MacPhillamy Park and the incorporation of the land currently fenced off. It is reprehensible that Council would consider not advancing this essential facility until after an alternative site for a go-kart track is found. The two matters should be treated separately, as they always should have been. Enough money has already been wasted. Now is the time to act. As the final verse of "It's the People's Park" says,.... "I'm mad that Bathurst citizens who raised an almighty shout Have had to pay out millions just to be locked out By the five who will not see that there's another way To open up the people's park so everyone can play It's the people's park, It's the people's park, a place for all to celebrate It's the people's park and the time has come to take the lock off of the gate."

From: [Your Say Bathurst Region](#)

Subject: Anonymous User completed Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023 (16.00187)

Date: Friday, 20 May 2022 8:55:22 PM

CAUTION: This email originated from outside BRC. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Anonymous User just submitted the survey 'Draft Delivery Program 2022-2026 and; Operational Plan 2022-2023' with the responses below.

Name

John Eccles

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?

Could not download my attachment.

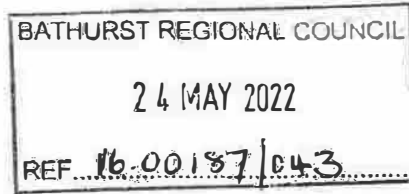
Do you have any other comments in relation to the draft Delivery Program 2022-2026 Operational Plan 2022-2023?

As per attachment

Do you have any comments in regard to the Statement of Revenue Policy for 2022-2023?

As per attachment

Bathurst Regional Council
158 Russell St.
Bathurst
NSW 2795



Bathurst
NSW 2795
20-5-22

Att. The General Manager

Dear Sir,

On Friday last, I attempted to send my comments in regard to Councils draft delivery and operational plan, via the web site for "Your Say". I found that I could not download an attachment with my comments despite numerous attempts. I received an e-mail confirming acceptance without the attachment. Please find a copy of my attachment with this correspondence for completion of my input. I would appreciate that.

Yours faithfully

John Eccles

A handwritten signature in black ink, appearing to be "John Eccles", with several horizontal strokes extending to the right.

DCBF-R
GM

My assessment of other matters to be considered by Bathurst Regional Council for attention in the Operational and Draft Delivery Plan for 2022/23 and later.

- (1) There is no budget allowed for the well overdue maintenance on the heritage protected stone cottage on Mt. Panorama. The responsibility for conserving this cottage is with Bathurst Regional Council. The matter is urgent in my opinion, and should be attended to as soon as possible.
- (2) There is no budget for works to be carried out on Mt Panorama/ McPhillamy Park to enable the public to access and use the area which was fenced off prematurely for the Go Kart track, including the south eastern lookout. Some current council members were elected on the basis of these works to be done. There is a need for planning to make the whole area at the top of the Mount to be a regional tourist destination, sorely needed, and to provide an area for all the Bathurst residents to enjoy, and not left as is, just for motor sport fans.
- (3) The approval for the Bathurst Regional Council Sunbright subdivision on Limekilns Rd. included a provision that council provide the planting of native trees in a park around the existing concrete reservoir, to replace the 450 trees which were removed in the subdivision process, which were the habitat for 26 species of mostly native birds. All 22 of the native bird species disappeared. The lots on stages one and two have all been sold and built on, and yet, three years later, no trees have been planted as required by the approval process. This would have been required to be done by now of a private developer, and, therefore, in my opinion, council should comply with the provision as soon as possible.
- (4) There is no budget for the completion of the works originally specified as part of the roundabout on George and Howick Streets, namely the four zebra crossings which are required. These are required in the interests of public safety and should have been constructed many months ago, in my opinion.
- (5) There is no budget allowed for the provision of planning for better road access from Kelso to the CBD, despite the approved subdivisions in Kelso already causing traffic hold ups at peak times. This problem will increase exponentially with the increase in housing in a relatively short time. The time lag from planning to completion of such a project is already critical, in my opinion. Current infrastructure in this area will not be able to cope with the increase in traffic if this situation is ignored for much longer. The writer is not of the opinion wherein the widening of Hereford St. and a high level bridge is the answer either. The intersection of The Great Western Highway and George St. can not be changed to allow increased traffic flow across the intersection for a number of logical reasons.
- (6) I note that council have over ninety million dollars of funds invested at an average interest rate of 0.66%. While it is commendable to have such an amount in hand, council may wish to consider the following logic which currently exists. Building costs are rising at a rate which is unprecedented, likely to be at least 10% per annum for the next few years, due to shortages of material and other factors, changed from an historical average of approximately 2.5 % per annum for many years. It is logical to consider, that some of the cash in hand, only earning such a low interest, could be used to tackle some of the urgent works required, such as constructing a greater amount of footpaths, when the cost of not doing such works will increase by ten per cent in only one year, creating a situation where a larger amount of income will be needed in the future to do such works. In other words, by investing at such a low interest instead of currently using it to construct needed capital works, council is going financially backwards.

John Eccles

Received

Received

20 MAY 2022

24 MAY 2022

20 MAY 2022

REF 16 00187 042

A Submission to Bathurst Regional Council Draft Delivery Program 2022/2026 & Operational Plan 2022-2023 regarding the continuing construction of charges made to Sewer and Water Services under S501 Local Government Act Annual (Availability) Charges such that these Charges are caused to include fire service provision on which no lawful charges can be made, the same matter complained of by myself and others since 2003.

Background

1- There is no provision in the NSW Local Government Act 1993 or any other NSW Act for Bathurst Regional Council to make charges to fire service provision directly or by inclusion in the calculation of Charges to other services, namely Sewer and Water Services. Council makes the charges to fire services through the use of the full size of water meters without regard to the fire service portion of the meter provisioned to supply fire systems namely mandatory fire hose reels / essential service measures required under the EP&A Act, Building Code of Australia / AS2441 at certain 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 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 disguising the charges to fire services, creating an unlawful financial benefit.

3- The LGA Act at S501 references the Local Government (General) Regulation where at S125 there is allowance for one NSW Council only to make charges to fire services,
That the Blue Mountains City Council is unique in being able to make charges to fire services to the BMCC because of significant bushfire hazards in that area is recognised 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 clear that

DCSF-R ✓

146

Annual / Availability charges to non-residential properties having a fire-fighting water service to mandatory / essential service measure fire hose reel systems, must be “**relative**” to the Annual / Availability charges made to residential properties which do not have fire service provision. This provision is in place to ensure that Annual / Availability charges to sewer and water services do not include fire service capacity as per fire services specifically not being a service listed at S501 of the LG Act Chapter 15, the Chapter that exhausts the services on which Council can make Annual / Availability Charges.

5- Council made a Policy that recognises this in July 2004 however at the same meeting this Policy was adopted Council perversely made a decision based on advice of Mr Russell Deans a junior engineer at the time not to allow use of “nominal sizing”, effectively negating the Policy Council fallaciously touts as being in place to ensure compliance with the Guidelines and which must be read in conjunction with S501 of the LG Act which does not list fire services as a service the Bathurst Council makes a charge on.

6- Where Council uses the full size of water meters that have been sized to be a dual service, providing both drinking and fire-fighting service water, Council allocates Sewer Discharge Factors to the full size of water meters instead of properly applying these SDFs only to the drinking water meter capacity size only (known as the “nominal size”). Such calculation is superfluous as no charge can be lawfully applied to the fire service in the first instance. There is no lawful avenue or methodology by which Council can legitimise a charge to a fire service directly or by inclusion in a charge to another service, period.

7- Council must only use the size capacity of water meters supplied for drinking water, (the **nominal size** excluding the fire service capacity size) as there is no lawful avenue to extend Availability Charges to include fire service provision.

8 - 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 fire hose reels systems are one of three essential service fire systems common to non-residential buildings. No NSW Council, including Bathurst Regional Council, attempts to make such charges to

the other two (non-metered) fire services, namely Hydrant and Sprinkler Systems at non-residential properties.

9 - 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 not being in the Tribunal's jurisdiction.

The question then remains, if Council is not operating a business under S608 of the LG Act 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?

The answer is of course that charges to fire service water supply provision in single supply or dual supply with drinking water to fire system / essential service measures at non-residential properties is unlawful.

10 - Council, in rejection of submissions made to the Council's Annual Management Plans contends that Council does not care what supplied water is used for at non-residential properties in an attempt to abrogate responsibility for essential service measure fire hose reels water service supply at non-residential properties.

Council attempts to categorise the fire service water supply as a generic water supply along with drinking water in an attempt to legitimise the Availability / Annual charge to that additional capacity supply even though that additional capacity is specifically supplied to service fire hose reels.

11- Fire hose reel systems at non-residential properties being essential service measures under the BCA are lawfully required to be dealt for ongoing annual 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, made clear at S4.59 of the Planning Act.

12 - Council cannot consider the supply of water to a non-residential properties a generic supply where Council is required to condition a non-

residential property to have essential service measure fire hose reel systems in addition to drinking water, as this requires additional capacity of the water meter specifically for the provision of fire fighting water provision.

It is this additional supply capacity required at water meters, physically increasing the size of the water meter for the fire fighting service that Council uses to calculate an unlawful charge to fire service provision. Annual / Availability charges to sewer and water services can only be lawfully made based on the water meter size / capacity supplied for drinking purposes, Council said in 2004 to people protesting Council's intention to make Availability Charges to Sewer and Water Services based on the full size of water meters that Equivalent Tenement assessment would be allowed to assess the nominal size on which Availability Charges to Sewer and Water Services would be made. Council has failed ever since that time to honour that commitment.

13- Council in compliance with the BCA under the EP&A Act mandates the use of AS2441 (Fig 6.1) in the design of fire hose reel systems at a non-residential property in Development Approvals, that design, as per the Standard for fire hose reel systems, starts at Council's cold water main, continuing through Council's essential service pipe across the footpath, crosses the boundary of the non-residential property to the water meter which Council owns on the property, to the nozzle of each hose reel in the buildings' mandatory fire hose reel system.

The parties ie. Council and the non-residential property have responsibility to maintain the fire hose reel system to the original design accepted, conditioned in the Development Approval, and approved prior to the Occupation Approval.

The supply of drinking water is made under the Plumbing and Drainage Act is a statutory supply as is water supply for fire-fighting supplied under the EP&A Act, different Acts that administer the different goods and services at S4(1) c, h and l of the Essential Service Act 1988.

14 - The supply of fire service water to a non-residential property is a discretionary extension of the Council Street Hydrant system under S24 of the LG Act financed through S94 Charges and maintained under the general rate that all properties, residential and non-residential, pay. There is no provision in law for any further charges to fire-service water supply to non-residential properties.

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 water based substances (**the goods**) supplied with specific qualities for these distinct services at (l) , the two types of water goods being provisioned under different Acts of Parliament, together with the Regulations, Guidelines and Standards pertinent to each of these Acts.

16- Council's two-part policy, adopted at the Council meeting 21 July 2004 unlawfully assumes the right to extend S501 Annual Charges to Sewer and Water Services to unlawfully include fire service capacity perversely 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 in the decision instrumented at the same meeting the Policy on charges to sewer and water was adopted in July 2004 for Council to ignore the submissions made under the Council Policy. There has been no "absence" of submissions made under the Policy by myself and our expert Hydraulics Engineer and others. Council simply assumes it can override the absence of fire service listing at S501 of the LG Act, the decision not to use nominal sizing leading to summary dismissal of all our submissions pointing out the unlawfulness of extending the Availability charges to sewer and water services where inclusive of fire service provision.

17 - The Policy and the decision from Council's meeting of 21 July 2004 are at the centre of Council's charges to fire services. These two documents clearly work together to instrument unlawful charges to fire services. These two documents are I contend, false, being documents presented to induce other persons to believe the content is in accordance with the law enabling a charge to fire services within the Availability Charges made to Sewer and Water Services. It follows that if, as I allege, the charges to fire services are unlawful then the Rate and Charge Notices are fraudulent and if purposefully constructed to defraud outside Council's authority are in breach of Part 3 of the NSW ICAC Act which by extension I contend is also breach of Section 253 of the Crimes Act 1900.

NOTE - a) 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 or persons and all documents held in Council's Disclosure Log concerning charges.

The material referenced here is quite voluminous, therefore instead of being re supplied, being certainly not in "**absence**" which Council takes as allowing it to usurp the non listing of fire service provision at S501 of the LG Act, is referenced for this reason, not attached. My submissions and correspondence since 2003 have sought to expose the fraudulent mechanism by Bathurst Regional Council implements to usurp the law and facilitate (unlawful) charges to fire services which are of course available to Councillors on request to the General Manager.

b) Council officers and Councillors are required to act in good faith in all decisions required of Councillors as per the LG Act, meaning as per the authority of the LG Act only as decisions outside the Act may be void. The matter subject of this submission being very serious and Councillors, being the ultimate decision makers at the forefront in Local Government, should become familiar with this matter and if indeed they do not feel unable should heed the advice of the Minister and the Councillor Handbook, especially in relation to required good faith and cumulative effects of decisions made, as per the Council Charter, to seek their own legal advice. I suggest also that Councillors have Council accept the offer I have made twice to pay Council's costs up to \$10,000 to obtain legal advice on the legality of Council's making charges to fire services, which has never been demonstrated especially reasons behind Council's reliance on Buyinbin recognised in Prefabricated Buildings v Bathurst Council at 26 in the Judgement. I suggest that eminent Barrister in Local Government affairs, Mr Andrew Pickles could be engaged for an opinion on this matter, economically. This offer does not in any way restrict the avenue of legal action by any of our properties upon which unlawful charges to Council fire service provision is made.

Regards
Ray Carter
Bathurst
NSW 2795



6/6

SUBMISSION FROM THE FRIENDS OF MCPHILLAMY PARK

Bathurst Regional Council Draft Delivery Program 2022-2026 and the 2022/2023 Annual Operational Plan

Issue

Funding allocation for McPhillamy Park in the Bathurst Regional Council 2022/2023 Annual Operational Plan and incorporation in the 2022/2023 Annual Operational Plan

Submission

The Friends of McPhillamy Park are exercising our opportunity through the submission process to request that:

1. The development of the Conservation Management Plan for McPhillamy Park be funded in 2022/2023 budget and included in the Draft Delivery Program 2022-2026.
2. Given the competing demands to fund projects, the Friends of McPhillamy Park asks that Councillors find a way to at least make an allocation of \$100,000 in the 2022/2023 budget to at least undertake a scoping study and undertake some obviously necessary and simple works, such as improvement of fencing, bollards and basic landscaping.
3. If it is only possible to achieve item 2 above, that Council include a more comprehensive Conservation Management Plan in the Draft Delivery Program 2022-2026 with appropriate budget allocations.

We hope that our request can be supported by Councillors in order that we can move on in a positive way, that the Council will be seen to be following through on its unanimous motion, and the community can once again enjoy McPhillamy Park as a place of enjoyment and passive recreation, not a site of dispute.

We hope that the Councillors can find a way to meet our requests.

Background

Following 18 months of deep community division over issues around McPhillamy Park, a major step towards acknowledging the importance of the park as public open space, a place of diverse cultural significance and an iconic part of Bathurst was made at the regular Council meeting on 16 February 2022 when Cr Jess Jennings proposed a motion to:

Immediately develop a Masterplan Vision Statement within Council's Community Strategic Plan for the area generally known as McPhillamy Park on top of Mount Panorama/Wahluu, and deliver a Conservation Management Plan (CMP) in the 2022-23 Annual Operating Plan.

Council voted unanimously to adopt this motion and the following has been included in the Draft Community Strategic Plan (page 28):

McPhillamy Park: The land at the summit of Mt Panorama Wahluu, generally referred to as McPhillamy Park, is significant to the community of the Bathurst Regions. This is reflected not just by the historic gifting of some land to the people of Bathurst by the McPhillamy family in the 1930s, but by its proximity to the internationally renowned Mount Panorama motor racing circuit, its association with millennia of Aboriginal cultural heritage and its high environmental value.

Council's vision for this land is to recognise the area as an asset worthy of both protection and promotion that creates a place accessible to residents and visitors alike overlooking our region, and supports and celebrates a diverse mix of existing and future uses.

This vision will be achieved by confirming its status as public open space and protecting the essential existing functions and uses, with high regard for landscape-sensitive and culturally respectful improvements over time that create a place for our community to gather, reflect, enjoy and celebrate.

Whilst it is encouraging that Council has acknowledged the importance of McPhillamy Park, this is not a Masterplan Vision Statement developed in conjunction with the community and there is no budget allocation to deliver the critical Conservation Management Plan for McPhillamy Park in the 2022-23 Annual Operating Plan. In fact, it is particularly disappointing that the CMP is not mentioned at all in Council's draft budget for 2022-2023 and there is also no projected budget allocation in the forward estimates to 2026 in Council's Delivery Plan 2022-26.

The Friends of McPhillamy Park fully appreciate the budgetary constraints under which Council is operating, however we strongly urge Council to keep faith with the community by including an appropriate allocation in the budget to get the CMP process underway.

By doing so Council has the opportunity to begin to heal the divisions, bring together all parties to share their hopes for this iconic place and begin the process of developing the place that should be the jewel in Bathurst's crown.

Failure to make an inclusion in this budget will only result in on-going uncertainty about both the status of the park and its future by effectively putting McPhillamy Park on the never- never and ignoring our community's call to bring it to life for all Bathurstians and visitors alike.

Yours sincerely



Jan Page

Convenor

Friends of McPhillamy Park Group

From: Ben Fry <Ben.Fry@bathurst.nsw.gov.au>
Sent: Friday, 20 May 2022 2:37 PM
To: Aaron Jones <aaron.jones@bathurst.nsw.gov.au>; David Sherley <david.sherley@bathurst.nsw.gov.au>
Cc: Group Councillors <[REDACTED]>; Group Directors <[REDACTED]>
Subject: Carrington Park Upgrade

Hey team,

Thanks for that useful information on the Carrington Park concept.

Given the recent LTFP, sustainability of Council into the future, and the subsequent positioning of this Council for an SRV; I'd like to submit that this Council cannot commit to drawing a huge loan for a Carrington Park upgrade.

Could I recommend that this piece goes to a working party? My view is to:

- a. at least delay the budgeted loan, and
- b. incorporate Cr North's idea of positively gearing the space; to include a business park facility with leasable space for SME's that want a CBD space in Bathurst.

But really, at a minimum, open it up to discussion.

I am not against a low interest loan - A loan for community or critical infrastructural projects would be much more palatable than a loan for one project of this size.

Let me know where we can go from here to have good chat about it (soon, I imagine finance team would like to wrap up this OP).

Cheers!!

Get [Outlook for iOS](#)

Ben Fry
Councillor
W: www.bathurst.nsw.gov.au



Local Government Remuneration Tribunal

Annual Report and
Determination

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

20 April
2022

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (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 per annum increase in the minimum and maximum fees applicable to each category.

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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. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July each year.

Section 2 2021 Determination

6. The Tribunal received 18 submissions which included 9 requests for re-categorisation. At the time of making its determination, the Tribunal had available to it the Australian Bureau of Statistics 25 March 2020 population data for FY2018-19. The Tribunal noted the requirement of section 239 of the LG Act that it must determine categories for councils and mayoral offices at least once every 3 years. It noted that the Tribunal had conducted an extensive review in 2020 and decided that the categories would next be considered in 2023.
7. 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.
8. In regard to fees, the Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

Section 3 2022 Review

Process

9. In 2020, 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

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	<ul style="list-style-type: none">• Rural
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10. The Tribunal wrote to all mayors or general managers and LGNSW on 14 October 2021 to advise of the commencement of the 2021 review and invited submissions regarding recategorisation, fees and other general matters. The Tribunal's correspondence advised that an extensive review of categories was undertaken in 2020 and, as this was only legislatively required every three years, consideration would be next be given in 2023. The correspondence further advised that submissions requesting to be moved into a different category as part of the 2022 review would require a strong case supported by evidence that substantiates that the criteria for the requested category is met.
11. Seven submissions were received from individual councils and one submission was received from LGNSW. The Tribunal noted that several of the submissions had not been endorsed by their respective councils. The Tribunal also met with the President, Chief Executive and Senior Manager of LGNSW.
12. The Tribunal discussed the submissions at length with the Assessors.
13. The Tribunal acknowledged previous and ongoing difficulties imposed by COVID19 and natural disasters on councils.
14. The Tribunal also acknowledged submissions from councils in regional and remote locations that raised unique challenges, such as travel and connectivity, experienced by mayors and councillors in those areas.
15. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

Categorisation

16. Five council submissions requested recategorisation. Three of these requests sought the creation new categories.

Metropolitan Large Councils

17. Penrith City Council acknowledged that categories were not being reviewed until 2023. However, the Council reiterated their previous year's position and contended that their claim for the creation of a new category of "Metropolitan Large – Growth Centre" continues to be enhanced through their leading role in the Western Sydney City Deal. Council's submission further stated that the participation in the Deal demonstrated the exponential growth that will occur in the Penrith Local Government Area.
18. Blacktown City Council requested the creation of a new category "Metropolitan Large – Growth Area". Council stated that the current criteria for "Metropolitan Large" does not reflect the Council's size, rate of growth and economic influence.

Council based its argument for a new category on the following grounds:

- Significant population growth. Current estimated population of 403,000 with an expected population of 640,000 in 2041.
- Blacktown being critical to the success of the Greater Sydney Region Plan while also being part of the fastest growing district for the next 20 years.
- 4th largest economy in NSW – as of 30 June 2020, Gross Regional Product (GRP) was \$21.98 billion, comparatively City of Parramatta was \$31.36 billion.
- Undertaking of several transformational projects to increase economy and services. Examples include the redesign of Riverstone Town Centre, Australian Catholic University establishment of an interim campus for up to 700 undergrads

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with a permanent campus to open by 2024, the \$1 billion Blacktown Brain and Spinal Institute proposal and Blacktown International Sports Park Masterplan to provide a first-class multi-sport venue.

- Expansion in provision of services such as childcare, aquatic and leisure centres.
- Diversity of population.

Non-Metropolitan Major Regional City Councils

19. Newcastle Council requested clarification regarding City of Newcastle's status as either Metropolitan or Regional, noting that while City of Newcastle is classified as a "Major Regional City", the Newcastle Local Government Area is often exempt from both regional and metropolitan grant funding due to inconsistencies in classification. Council sought review on the following grounds:

- Size of council area 187km² (in comparison of Parramatta Council 84km²).
- Physical terrain.
- Population and distribution of population.
- Nature and volume of business dealt with by Council.
- Nature and extent of development of City of Newcastle.
- Diversity of communities served.
- Regional, national and international significance of City of Newcastle.
- Transport hubs.
- Regional services including health, education, smart city services and public administration.
- Cultural and sporting facilities.
- Matters that the Tribunal consider relevant

Regional Centre

20. Tweed Shire Council requested to be reclassified as a "Regional Strategic Area" on the following grounds:

- Proximity to the Gold Coast City and Brisbane.
- Proximity to Sydney via the Gold Coast airport.
- Tweed being the major population and city centre for the Northern Rivers Joint Organisation.
- Tweed being the largest employer and strongest growth area in the Northern Rivers.

Non-Metropolitan Rural Councils

21. Murrumbidgee Council requested recategorisation to "Regional Rural" as they are a product of the merger of the former Jerilderie Shire Council and the former Murrumbidgee Shire Council. Council also suggested that the criteria for "Regional Rural" is amended to:

- Councils categorised as Regional Rural will typically have a minimum residential population of 20,000 or can demonstrate one of the following features....
 - the product of the 2016 amalgamation where two or more Rural classified Local Governments Areas merged.

Findings - categorisation

22. The Tribunal assessed each Council's submission and found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's findings had regard to the 2020 review, the current category model and

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criteria and the evidence put forward in the received submissions.

23. Having regard to the requirements of sections 239 and 240 of the LG Act, the Tribunal did not find that any council's submission was strong enough for a change in category or for the creation of a new category.
24. The Tribunal did note, however, that some councils may have a better case for recategorisation at the next major review of categories in 2023.
25. The Tribunal was of the view that the 2023 determination and review of categories as required by s239 (1) of the LG Act will see more requests from councils for recategorisation and possible determination of new categories. The Tribunal and Assessors may benefit from visits to meet regional organisations of councils and direct opportunities for input from Mayors and general managers in this regard.

Fees

26. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
27. Pursuant to section 146C(1)(a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Reg.). The IR Reg. provides that public sector wages cannot increase by more than 2.5 per cent per annum. The Tribunal therefore has the discretion to determine an increase of up to 2.5 per cent per annum.
28. Submissions that addressed fees sought an increase of a maximum of 2.5 per cent per annum or greater. These submissions raised issues such as comparative remuneration, cost of living and increasing workloads. One submission also suggested that higher fees are required to attract a higher standard of candidates to council roles.
29. The LGNSW submission contained 3 parts. The first part of the submission supported an increase of 2.5 per cent per annum in remuneration, but further argued that the maximum increase is inadequate and does not address the historical undervaluation of work performed by mayors and councillors, and the substantial expansion of their responsibilities and accountability in recently years. LGNSW used the following economic indexes and wage data in support of their argument:
 - Consumer price index (CPI)
 - National and state wages cases
 - Wage increases under the *Local Government (State) Award 2020*.
30. The second part of LGNSW's submission addressed inequity and impacts of low remuneration. It was supported by the research paper "Councillor perspectives on the (in)adequacy of remuneration in NSW local government: Impacts on well-being, diversity and quality of representation" (the "ANU Paper"), written by Associate Professor Jakimow of the Australian National University. A key finding of the ANU Paper was that "current remuneration levels are perceived as inadequately reflecting the extent and nature of council work." The finding was derived from the undertaking of

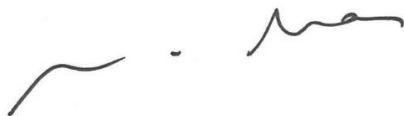
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a survey of councillors and mayors. The paper suggests that there is a disconnect between workload and remuneration and this was identified as the most frequent argument for increasing the current rate.

31. The third and final part of LGNSW's submission compared the minimum and maximum rates of NSW mayor and councillor remuneration to the remuneration of directors and chairpersons of comparable government bodies and not-for-profits, mayors and councillors in Queensland and members of the NSW Parliament. The submission contended that NSW mayor and councillor remuneration is below that of their counterparts.
32. Following the most recent review by the Independent Pricing and Regulatory Tribunal (IPART) the amount that councils will be able to increase the revenue they can collect from rates will depend on their level of population growth. IPART has set a 2022-23 rate peg for each council, ranging from 0.7 to 5.0 per cent. IPART's rate peg takes into account the annual change in the Local Government Cost Index, which measures the average costs faced by NSW councils, in addition to a population factor based on each council's population growth.
33. Employees under the *Local Government (State) Award 2020* will receive a 2 per cent per annum increase in rates of pay from the first full pay period to commence on or after 1 July 2022.
34. The Tribunal has determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

Conclusion

35. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Ms Melanie Hawyes.
36. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
37. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
38. 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.



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Dated: 20 April 2022

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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)
Sydney

Major CBD (1)
Parramatta

Metropolitan Large (12)
Bayside
Blacktown
Canterbury-Bankstown
Cumberland
Fairfield
Inner West
Liverpool
Northern Beaches
Penrith
Ryde
Sutherland
The Hills

Metropolitan Medium (8)
Campbelltown
Camden
Georges River
Hornsby
Ku-ring-gai
North Sydney
Randwick
Willoughby

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

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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	

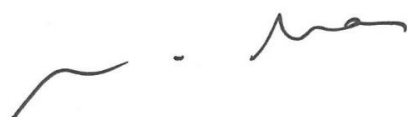
Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen 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

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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



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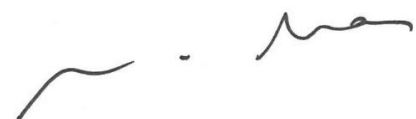
Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2022

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 2022 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 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

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



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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*.



Shelley Hancock
Minister for Local Government
Member for South Coast

MEDIA RELEASE

Friday, 14 May 2021

KEY RATING REFORMS FOR LOCAL COUNCILS AND COMMUNITIES PASSES PARLIAMENT

Councils and communities across NSW now have a fairer and more flexible rating system while councillors can receive superannuation payments after legislation passed in Parliament.

Minister for Local Government Shelley Hancock said the *Local Government Amendment Act 2021* implements the [Government's response](#) to IPART's review of the rating system and a range of other changes.

"These sensible and well-reasoned reforms will ensure that NSW's local government rating system continues to be fair and equitable, and responsive to changing community needs," Mrs Hancock said.

"The changes provide greater flexibility to make rates fairer in local communities, and help councils cater for population growth and infrastructure costs while protecting ratepayers from unfair rate rises.

"To protect residents from excessive and sudden rate rises, the 17 councils which must harmonise their rates from July will now be able to do it over up to eight years.

"Councils that choose to harmonise rates gradually are required to set out their intended approach over the full eight years to their local communities.

"At the same time, all councils will be able to create more flexible residential, business, and farmland rating subcategories to set fairer rates that better reflect access to local services and infrastructure.

"We are also allowing NSW councils to levy special rates above the rate peg for infrastructure jointly funded with other levels of government without IPART approval to help them deliver much-needed projects to benefit their local communities."

Mrs Hancock said all councils now have the option to make superannuation payments to the state's 1,300 councillors, addressing a long-standing inequity in local government.

"Councillors are dedicated to their residents and communities, and the opportunity to make superannuation payments will also help attract more diversity including women and younger people to serve on our local councils," Mrs Hancock said.

“Councils have the choice as to whether to make councillor superannuation payments in addition to their annual fees from July next year, taking into consideration financial issues and the views of their local community.”

Mrs Hancock said IPART is currently developing a proposed methodology to take population growth into account when it sets the annual rate peg which caps council rating revenue increases each year.

“Modelling by the Centre for International Economics (CIE) reveals NSW councils would receive \$675 million in additional rates over five years, with a net gain of \$400 million once reduced infrastructure contributions are taken into account,” Mrs Hancock said.

“This revenue injection will be pivotal in helping councils overcome growing pains with a reliable and sustainable revenue stream to provide key infrastructure for growing communities into the future including roads, drainage and open space.

“It’s the new residents moving into these areas who will primarily cover the extra rating incomes.

“IPART will lodge its final report in September, with a new population growth methodology expected to be implemented from July 2022.”

More information can be found on the IPART website [here](#).

MEDIA:

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